



Agenda

Ordinary Meeting

Notice is hereby given that a Ordinary Meeting of Council will be held at Council Chambers, 1 Belgrave Street, Manly, on:

Monday 19 March 2007

Commencing at 7:30pm 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*

TABLE OF CONTENTS

Item	Page No.
OPENING PRAYER	
APOLOGIES AND LEAVE OF ABSENCE	
DECLARATIONS OF INTEREST	
CONFIRMATION OF MINUTES	
The Ordinary Meeting of 19 FEBRUARY 2007	
The Ordinary Meeting of 18 DECEMBER 2006 – Environmental Services Report No. 79, 133-137 North Steyne, Manly	
PUBLIC FORUM	
(In accordance with Clause 66 in Council's Code of Meeting Practice, Public Forum is for a maximum of fifteen (15) minutes for <i>matters that are not listed on the Agenda</i> . A total of five (5) people may address Council for a maximum of three (3) minutes each.)	
PUBLIC ADDRESSES	
SITE INSPECTIONS	
The Following site inspections will take place on Monday 12 March 2007:	
91 North Steyne Manly 8:30am	
NOTICES OF MOTION	
Notice of Motion Report No. 3	
Shared pathway - Harbour Foreshore from Manly Yatch Club to Manly Art Gallery.....	3
Notice of Motion Report No. 4	
Desalination Plants	4
Notice of Motion Report No. 5	
Internal Ombudsman for Manly Council	5
NOTICES OF RESCISSION	
Notice of Rescission Report No. 2	
East West Cycleway Link - Report on Community Consultation	6
ITEMS FOR BRIEF MENTION	
Item For Brief Mention Report No. 2	
Item for Brief Mention	8
GENERAL MANAGERS DIVISION	
General Managers Division Report No. 5	
Little Manly Permit Parking Scheme - Review of Scheme Hours	10

General Managers Division Report No. 6	
Ivanhoe Park Permit Parking Scheme - Extension	16

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 5	
Revenue Policy 2007/2008 - Proposal to Seek Special Rate Variation.....	29

Corporate Services Division Report No. 6	
Council Loan Borrowing 2006/2007.....	33

Corporate Services Division Report No. 7	
Accounts - Report on Council Investments as at 28 February 2007	35

Corporate Services Division Report No. 8	
Tender Outdoor Dining Area - Review of Decision to Tender	37

CORPORATE PLANNING AND STRATEGY DIVISION

Corporate Planning And Strategy Division Report No. 10	
Report on Draft Manly Local Environmental Plan 1988 (Amendment No. 74). Proposal to rezone Lots 15 and 16 DP18433, Coral Street, Balgowlah from Special Uses - School to Residential	39

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 14 – LATE ITEM	
91 North Steyne, Manly - DA542/05	43

QUESTIONS WITHOUT NOTICE**MATTERS OF URGENCY**

(In accordance with Clause 14 of the Local Government (Meetings) Regulations, 1993)

CLOSED SESSION**CONFIDENTIAL COMMITTEE OF THE WHOLE****General Managers Division Report No. 7**

Senior Staff Matter *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) (f) of the Local Government Act, 1993, on the grounds that the report contains matters affecting the security of the council, councillors, council staff or council property.*

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

TO: Ordinary Meeting - 19 March 2007
REPORT: Notice of Motion Report No. 3
SUBJECT: Shared pathway - Harbour Foreshore from Manly Yatch Club to Manly Art Gallery
FILE NO:

Councillor Aird will move:

“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, that Council investigate the alternative of 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.”

ATTACHMENTS

There are no attachments for this report.

OM190307NM_1

***** End of Notice of Motion Report No. 3 *****

TO: Ordinary Meeting - 19 March 2007
REPORT: Notice of Motion Report No. 4
SUBJECT: Desalination Plants
FILE NO:

Councillor Daley will move:

“That Council record its objection to the NSW Government’s decision to approve the construction of a desalination plant at Kurnell, and further, raise Council’s objection to the failure of the NSW Government to properly consider the environmental impacts of the proposal, and to consider the full range of alternative actions to address Sydney’s long term water needs.”

Background

The NSW Government approved a desalination plan and pipeline at Kurnell on 16 November 2006 under Part 3A of the Planning and Assessment Act, 1979. This recent amendment to the Act allows the Minister for Planning to approve the development concept and waive the need for an Environmental Impact Assessment (EIS) prior to granting approval for the proposal.

There are major concerns with operations of the plant raised by bodies including the Sydney Coastal Council Group Inc. including:

High energy requirements

The production of 500 megalitres of water as proposed would require 906 gigawatt hours per year and produce between 480,000 and 950,000 tonnes of greenhouse gases (depending on the source of energy).

Impacts on marine ecology

Direct impacts would occur through organisms being sucked into the plant during the process. An Environmental Impact Assessment (EIS) is needed to determine likely ecological impacts and mitigating measures.

Unacceptable waste production is also an issue. The production of 1.5 billion litres of brine each day for return to the Pacific Ocean is a major concern, plus other chemicals used in the processes. An EIS would normally consider the impacts and the alternative options available to mitigate impacts of disposal mechanisms.

Alternatives to Desalination

The EIS process requires the alternatives to building the desalination plant to be considered; including improving recycling and re-use of greywater and stormwater (currently less than 2% is recycled).

Demand management strategies including regulation and education have achieved some 10% reduction in Sydney’s water use since they were introduced, but are only a minor element of the Sydney Metropolitan Water Plan, ie \$30 million, compared with \$780 million for infrastructure.

The proposed expenditure of \$1.9 billion on the desalination plant at Kurnell without consideration of its environmental impacts and consideration of the full range of options to drought proof Sydney is not supported.

ATTACHMENTS

There are no attachments for this report.

OM190307NM_2

***** End of Notice of Motion Report No. 4 *****

TO: Ordinary Meeting - 19 March 2007
REPORT: Notice of Motion Report No. 5
SUBJECT: Internal Ombudsman for Manly Council
FILE NO:

Councillor Norek will move:

“That Council appoint an Internal Ombudsman for Manly Council.”

Background:

The Office of the Internal Ombudsman was established in 2004 to improve Warringah Council's accountability after public dismissal of Councillors.

Councils receive considerable public funds in rates and charges, which they have a duty to spend wisely, effectively, and to the benefit of the community. They also exercise a great deal of authority in relation to a range of matters that affect the community such as: planning and development, traffic and parking, health regulations, dog control and so on. The Office of the Internal Ombudsman's primary mission is to ensure that all Council's dealings with the community are fair, transparent and accountable.

In essence, Manly Council only exists to serve the public interest. The Office of the Internal Ombudsman is an accountability institution to ensure that in every possible way, Council acts to serve the public interest.

Currently in Warringah, the Office of the Internal Ombudsman does this firstly by providing a complaints management service to the community. Any person can make a complaint to this Office about misconduct or maladministration by Council or Council officers.

The Office of the Internal Ombudsman also gives guidance and advice to the General Manager and Council officers about how to improve probity and reduce the likelihood of maladministration or misconduct. We do this by giving specific advice on request, or becoming involved in particular issues that often cause problems such as the procurement of goods and services. This Office is also in the process of implementing a strategy across all of Council to improve policies and procedures that reduce or prevent fraud, maladministration, or corruption.

ATTACHMENTS

There are no attachments for this report.

OM190307NM_3

***** End of Notice of Motion Report No. 5 *****

TO: Ordinary Meeting - 19 March 2007
REPORT: Notice of Rescission Report No. 2
SUBJECT: East West Cycleway Link - Report on Community Consultation
FILE NO:

Councillor Hay, Councillor Norek, and Councillor Morrison will move:

“That the Council’s decision of 19 February 2007 being Item 5 in respect of East West Cycleway Link - Report on Community Consultation be and is hereby rescinded.”

The resolution passed on 19 February was in the terms of:

That Council:

1. Note the report and its proposed amelioration measures;
2. Implement to the fullest extent possible within available budget in the current financial year a ‘Shared Path’ between Manly Art Gallery and Condamine Street, consisting of ‘Shared Paths’ on the southern footpaths of Commonwealth Parade, Lauderdale Avenue and White Street;
3. Implement West Esplanade Option 2(b) as the link between the Gallery and the Wharf;
4. Connect the cycling facility into the network located on Victoria Parade for the link to Eastern Hill and Manly Beach;
5. Signpost the link through the Wharf Forecourt as a bicycle dismount area;
6. Note that all trees on the proposed route are to be retained;
7. Conduct a public education campaign alerting the local community to the ‘Shared Path’;
8. Write to the parties who made submissions, thanking them for their comments and informing them of Council’s decision;
9. Council implement East Esplanade 10 kms shared path option.

If the Notice of Rescission is Carried, the following alternative Motion is proposed:

1. That Manly Council abandon the proposed ‘Shared Path’ between Manly Art Gallery and Condamine Street, consisting of ‘shared paths’ on the southern footpaths of Commonwealth Parade, the Crescent, Lauderdale Avenue and White Street and the promenades of East and West Esplanade because of the strong objections of local residents over:
 - a. The extreme danger it will create for pedestrians, children, cyclists, motorists, the disabled and the elderly.
 - b. The total lack of essential information provided to residents effected by the proposal.
2. That Council staff report an alternate East/West cycleway. The report must include all relevant information to enable Councillors and residents to accurately evaluate and comment on the proposal.

Notice of Rescission Report No. 2 (Cont'd)

3. The information must also contain professionally prepared, comprehensive and independent advice including a safety audit and risk assessment covering the legal liability of residents, cyclists and the Council in relation to the proposal.

ATTACHMENTS

There are no attachments for this report.

OM190307NR_1

***** End of Notice of Rescission Report No. 2 *****

TO: Ordinary Meeting - 19 March 2007
REPORT: Item For Brief Mention Report No. 2
SUBJECT: Item for Brief Mention
FILE NO:

1. Reports

i) Annual Report of the State Emergency Service of NSW for the financial year 2005/06

A letter has been received from Brigadier Phillip McNamara, Director General of the State Emergency Service enclosing the Annual Report of the State Emergency Service of NSW for the financial year 2005/06. He requests that the report be brought to the attention of Council and staff.

ii) Notification from Election Funding Authority regarding Manly Council election held on 27 March 2004

Notification has been received from the Election Funding Authority in respect to an outstanding Declaration of Political Contributions and Electoral Expenditure Return of a candidate from the Local Government Elections held on 27 March 2004.

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

- (i) North Head Working Group – 20 November 2006
- (ii) Manly Bicycle Committee – 8 February 2007
- (iii) Manly Visitor And Community Board Committee Notes - 8 February 2007
- (iv) Manly Meals On Wheels Service Committee - 14 February 2007
- (v) Manly Sister Cities Committee - 14 February 2007
- (vi) Access Committee - 15 February 2007
- (vii) Community Safety Committee - 15 February 2007
- (viii) Joint Services Committee – 15 February 2007
- (ix) Manly Youth Council - 19 February 2007
- (x) Manly Public Art Committee - 20 February 2007
- (xi) Social Plan Implementation Committee – 20 February 2007
- (xii) Manly Art Gallery & Museum Liaison Committee – 21 February 2007
- (xiii) Manly Scenic Walkway Committee – 27 February 2007

Item For Brief Mention Report No. 2 (Cont'd)

3. **Minutes of meetings containing recommendations of a substantial nature requiring formal council adoption:**

Manly Public Art Committee - 20 February 2007**Item 5.1 Marine Parade Boatshed**Recommendation:

Although the finer details were still in the planning stages, it was proposed that Cr Pedersen (Chair) would endeavour to obtain in-principal agreement from the Council for the construction of a viewing platform over the boatshed.

Motion

That the Chair, Cr Pedersen takes the proposal for the viewing platform over the boatshed to Council to obtain in-principal agreement.

Moved: Sandy Bliim

Seconded: Leana Julian

Divisional Manager Human Services and Facilities' note:

I have sought the advice from the Planning Branch of Council in regard to the planning controls for the Ocean Beach area which extends from Queenscliff to Shelly Beach and with reference to Council's adopted Ocean Beach Master Plan of 1995. The advice received confirms community support for this area of the foreshore to be kept as natural as possible. A proposed additional structure or other associated works which may add to the asset life cycle of the building is not supported or desirable under the planning controls which seek to protect the foreshore scenic protection area from negative impacts and to conserve the heritage listing of the Ocean Foreshore as an item of natural heritage. Any proposed development or works for the purposes of a lookout on the boatshed roof is not supported.

RECOMMENDATION

1.
 - i) That Council receive and note the Annual Report of the **State Emergency Service of NSW** for the financial year 2005/06.
 - ii) That Council note the notification from the **Election Funding Authority** regarding the Local Government Election held on 27 March 2004.
2. That the minutes of meetings listed in items **2(i) to 2 (xii)** above, be **adopted**.
3. That the minutes of the **Manly Public Art Committee - 20 February 2007**, be **adopted** including the following recommendations of a substantial nature:

Item 5.1 Marine Parade Boatshed**ATTACHMENTS**

There are no attachments for this report.

OM190307IBM_1

***** End of Item For Brief Mention Report No. 2 *****

TO: Ordinary Meeting - 19 March 2007
REPORT: General Managers Division Report No. 5
SUBJECT: Little Manly Permit Parking Scheme - Review of Scheme Hours
FILE NO:

SUMMARY

In September 2006 Council conducted a review of the operation of the Little Manly Permit Parking Scheme via a survey of properties in the Permit Parking Scheme area. The review was undertaken as part of the original Council resolution on the introduction of the Scheme.

Council had been requested by the Little Manly Precinct Community Forum to incorporate a question in the survey asking residents whether they would support a change to the 2P restrictions from 8am - 10pm to 8am - 8pm.

REPORT

The survey (**Attachment 1**) was letter box dropped to all properties in the Little Manly Permit Parking Scheme area. A total of 1,004 surveys were delivered and 291 surveys were completed – or a response rate of 28.9% of the residences surveyed.

A summary of the survey results is attached (**Attachment 2**).

The survey results were referred to the Little Manly Precinct for their consideration and comment. The Precinct responded to Council as follows:

“LM Precinct confirm their desire to change the Residential Parking scheme hours to 0800 – 2000 on a 7 day basis but point out that the major concern is a lack of policing of the parking restrictions. We request Council to provide increased policing of the scheme. Vote: Yes = 36, No = 2, Abstain = 4.”

The majority of respondents were totally satisfied with the operation of the permit scheme. In regard to the question of whether the parking restriction times should be changed, it can be noted from the survey results summary that, although the majority of residents surveyed supported a change of the 2P restrictions from 8am - 10pm to 8am - 8pm, a large number of respondents did not answer this question.

It should also be noted that if the restricted times are changed to 8am - 8pm, any vehicle can park from 6pm without restriction. The permit areas neighbouring Little Manly, The Isthmus and Fairy Bower, will remain operating from 8am – 10pm. If the change of times was to proceed some streets, e.g. Darley Road would have different time restrictions on either side (Fairy Bower permit times one side and Little Manly permit times the other) and East Esplanade would have different time restrictions (Little Manly and The Isthmus) in different blocks of the street.

Whilst a change to reduce the restriction hours may not impact on the streets to the very Eastern side of permit scheme area, streets closer to the CBD would be impacted upon by people parking to access the CBD at night. Council would not recommend changing some streets to a different time within the same area. It is therefore recommended that the existing 2P parking time regulations remain unchanged

General Managers Division Report No. 5 (Cont'd)

RECOMMENDATION

1. Council notes the results of the survey of the Little Manly Permit Parking Scheme.
2. That the parking restrictions in Little Manly Permit Parking Area remain as "2P permit holders excepted 8am-10pm" seven (7) days a week.

ATTACHMENTS

- AT- 1** Copy of the Little Manly Parking Survey 2 Pages
AT- 2 Copy of the Little Manly Permit Parking Area Survey results 2 Pages

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***** End of General Managers Division Report No. 5 *****

General Managers Division Report No. 5 - Little Manly Permit Parking Scheme - Review of Scheme Hours

Copy of the Little Manly Parking Survey

Little Manly Permit Parking Customer Survey

Council would appreciate your feedback. Please return the completed survey form by:

- mailing it reply paid to Council or dropping it in at Manly Council Offices, 1 Belgrave Street Manly.

Please tick the appropriate boxes:

1. I live in the Little Manly Permit Area and:

- I own a residential property
- I am a tenant in a residential property

2. I work in the Little Manly Permit Area and:

- I own a commercial property
- I am a tenant in a commercial property

2. I have:

- 0
- 1
- 2
- 3
- 4 or more vehicles permanently at my property

3. My property has:

- off street parking
- no off street parking

4. How many Little Manly Parking Permits do you currently have?

- Vehicle 0 1 2 3
- Trailer 1

5. How has traffic congestion been affected in your street since the start of the permit scheme?

- On weekdays*
- Reduced stayed the same
- Deteriorated

- On weekends*
- Improved stayed the same
- Deteriorated

6. Has parking improved in your street since the start of the permit scheme?

- On weekdays*
- Yes stayed the same No
- On weekends*
- Yes stayed the same No

7. How satisfied are you with the permit scheme in your area?

- Totally satisfied Neutral
- Dissatisfied

8. How satisfied are you with the enforcement of the parking scheme in your area?

- Totally satisfied Neutral
- Dissatisfied

9. I support the change of the 2P parking restrictions from 8am – 10pm to 8am to 8pm?

- Yes No

Additional comments:

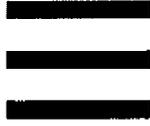
General Managers Division Report No. 5 - Little Manly Permit Parking Scheme - Review of Scheme Hours
Copy of the Little Manly Parking Survey

Manly Council



Delivery Address:
PO Box 82
MANLY NSW 1655

No stamp required
if posted in Australia



Manly Council
Reply Paid 82
MANLY NSW 1655

ATTACHMENT 2

General Managers Division Report No. 5 - Little Manly Permit Parking Scheme - Review of Scheme Hours Copy of the Little Manly Permit Parking Area Survey results

Little Manly Permit Parking Customer Survey September 2006 Results

Total number of surveys received - 291

1. I live in the Little Manly Permit Area and I:

Own a residential property - 224
Am a tenant in a residential property – 65
No answer - 2

2. I live in the Little Manly Permit Area and I:

Own a commercial property - 0
Am a tenant in a commercial property - 0
No answer - 0

3. I have vehicles at my property:

0 - 12
1 - 144
2 - 101
3 - 26
4 or more - 6
No answer - 2

4. My property has:

Off street parking - 204
No off street parking - 78
No answer - 9

5. How many Little Manly Parking Permits do you currently have?

Vehicle:

0 - 17
1 - 118
2 - 107
3 - 45

Trailer:

1 - 2
No answer - 4

Number of vehicles to off street parking spaces:

1 car – 90
2 cars- 81
3 cars- 19
4 cars – 4
No answer -10

Number of vehicles to no off street parking spaces:

1 car – 47
2 cars– 25
3 cars– 3
4 cars- 2
No answer - 11

ATTACHMENT 2

General Managers Division Report No. 5 - Little Manly Permit Parking Scheme - Review of Scheme Hours Copy of the Little Manly Permit Parking Area Survey results

Little Manly Permit Parking Customer Survey September 2006 Results

6. How has traffic congestion been affected in your street since the start of the permit scheme?

On weekdays:

Improved - 99
Deteriorated - 31
Stayed the same - 145
No answer - 16

On weekends:

Improved - 60
Deteriorated - 56
Stayed the same - 161
No answer - 14

7. Has parking has improved in your street since the start of the permit scheme?

On weekdays:

Yes - 128
No - 65
Stayed the same - 78
No answer - 20

On weekends:

Yes - 79
No - 76
Stayed the same - 116
No answer - 20

8. How satisfied are you with the permit scheme in your area?

Totally satisfied - 94
Neutral - 106
Dissatisfied - 78
No answer - 10

9. How satisfied are you with the enforcement of the parking scheme in your area?

Totally satisfied - 61
Neutral - 105
Dissatisfied - 114
No answer - 11

10. I support the change of the 2P parking restrictions from 8am-10pm to 8am-8pm?

Yes - 165
No - 96
No answer - 96

11. Additional comments.

TO: Ordinary Meeting - 19 March 2007
REPORT: General Managers Division Report No. 6
SUBJECT: Ivanhoe Park Permit Parking Scheme - Extension
FILE NO:

SUMMARY

On 20 March 2006 Council resolved to implement the Ivanhoe Park Permit Parking Scheme. The Scheme commenced operation in June 2006.

In response to parking problems being experienced by residents, in November 2006 Council then resolved to extend the permit parking area to incorporate the northern ends of Birkley Road, Quinton Road and Kangaroo Street. As part of that resolution Council resolved that:

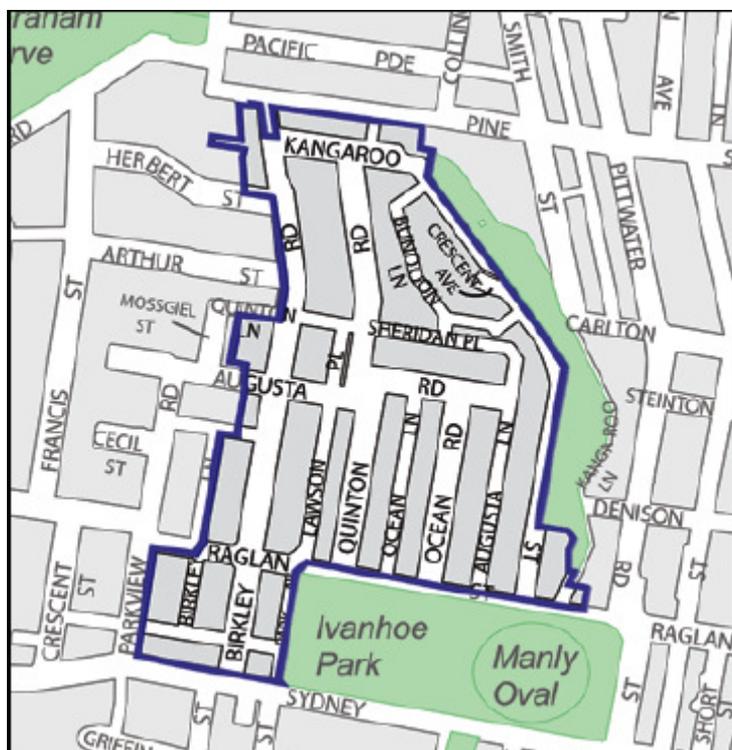
“Council conduct a survey of all rateable properties in William Street, Thornton Street, Parkview Road and Crescent Street with a view to extending the existing Ivanhoe Park Permit Parking Scheme to incorporate their streets and a report be provided to Council on the results of the survey.”

A survey of these properties was conducted in December 2006 and based on the results of the survey it is recommended that the Ivanhoe Park Permit Parking Scheme be extended to incorporate Parkview, Crescent, Thornton and William Streets.

REPORT

BACKGROUND

The existing Ivanhoe Park Permit Parking Scheme area is shown in the map below:



General Managers Division Report No. 6 (Cont'd)**THE SURVEY**

A survey of 263 properties in the streets immediately to the West of the current Ivanhoe Park Permit Parking area, namely Parkview, Crescent, Thornton, William, Augusta, Cecil and Mossgiel Streets, was conducted by Council in December 2006. A copy of the survey form is attached as **Attachment 1**.

SUMMARY OF SURVEY RESULTS

A total of ninety-seven (97) resident's responses were received, or a response rate of 36%. A summary of the survey results is attached to this report as **Attachment 2**.

The results have been analysed in total and also on a street by street basis, as the results were able to be divided by streets in which the majority of the respondents were quite distinct in either their support for, or their opposition to, a proposed extension of permit parking into their street.

The responses show that a majority of residents in Parkview, Crescent, Thornton and William Streets were supportive of the permit area being extended to include their street. Whereas the majority of respondents from Augusta, Cecil and Mossgiel Streets were not supportive of the permit area being extended to include their street.

PRECINCT RECOMMENDATION

A copy of the survey and the survey results were forwarded to the Ivanhoe Park Precinct Community Forum for their consideration. The matter was considered at the Precinct Meeting held 6 March 2007 where it was resolved:

"Implementation of extension of Ivanhoe Park Precinct Parking Scheme

The Precinct asks Council to extend the scheme to The Crescent, Parkview, Thornton and William Streets as per the feedback received by Council in survey results.

Moved: Robyn Grennan, 2nd: Jeanette Sweedman, For: 15, Against: 0, Abstain: 1".

DISCUSSION

Council believes that a permit parking scheme is the best solution to the on-street parking difficulties for residents. Parkview, Crescent, Thornton and William Streets, which offer unrestricted parking, have been affected by overflow parking from the Ivanhoe Park Permit Parking Scheme, since its introduction in June 2006. These streets have also been impacted by the overflow parking forced from the streets on the opposite side of Sydney Road following the introduction of permit parking in the extended Tower Hill permit area.

Of the responses received from residents in Parkview, Crescent, Thornton and William Streets, the majority of respondents indicated their support for the extension of permit parking into their street.

Of the responses received from residents in Augusta, Cecil and Mossgiel Streets, the majority of respondents indicated their opposition to any extension of permit parking into their street. It appears that the residents in these streets are not experiencing parking difficulties and therefore do not believe the introduction of permit parking into their street is necessary.

The Ivanhoe Park Precinct's minutes indicate their support for the extension of the permit parking area into Parkview, Crescent, Thornton and William Streets.

General Managers Division Report No. 6 (Cont'd)**CONCLUSION**

Based on the survey results, the Precinct's motion and in order to maintain consistency across all the permit parking areas, it is recommended that the Ivanhoe Permit Parking Scheme be extended as follows:

1. The Ivanhoe Park Permit Parking Area be extended to include all rateable properties in Parkview, Crescent, Thornton and William Streets.
2. Each property located in the area of the scheme be entitled to a maximum of three (3) permits, with the cost being: free for the first permit, twenty dollars (\$20) for the second permit, and forty dollars (\$40) for the third Permit and with permit holders being four dollars (\$4) each.
3. That the General Manager may on a "merits of the case" basis, authorise the issuing of additional permits in excess of the maximum entitlement. The cost of additional permits will be one hundred dollars (\$100) each, plus the cost of permit holders.
4. All unrestricted kerbside parking spaces be sign posted for "2P Ivanhoe Park, 8AM to 6PM Permit Holders Excepted". Signage to be installed as appropriate along both sides of each of the streets to indicate the restrictions of the scheme.
5. The implementation of this scheme supersedes all previous and existing Residents Parking Schemes operating in the area covered by the new Ivanhoe Park Permit Parking Scheme.

RECOMMENDATION

That:

1. Council as soon as practicable, implement an extension of the existing Ivanhoe Park Permit Parking Scheme in the following streets:
 - both sides of Parkview Street;
 - both sides of Crescent Street;
 - both sides of Thornton Street; and
 - both sides of William Street.
2. Notice be given to each property in the surveyed area.
3. Each property located in the area of the scheme be entitled to a maximum of three (3) permits, with the cost being: free for the first permit, twenty dollars (\$20) for the second permit, and forty dollars (\$40) for the third Permit and with permit holders being four dollars (\$4) each.
4. That the General Manager may on a "merits of the case" basis, authorise the issuing of additional permits in excess of the maximum entitlement. The cost of additional permits will be one hundred dollars (\$100) each, plus the cost of permit holders.
5. All unrestricted kerbside parking spaces be sign posted for "2P Ivanhoe Park, 8AM to 6PM Permit Holders Excepted". Signage to be installed as appropriate along both sides of each of the streets to indicate the restrictions of the scheme.

General Managers Division Report No. 6 (Cont'd)

6. The implementation of this scheme supersedes all previous and existing Residents Parking Schemes operating in the area covered by the new Ivanhoe Park Permit Parking Scheme.

ATTACHMENTS

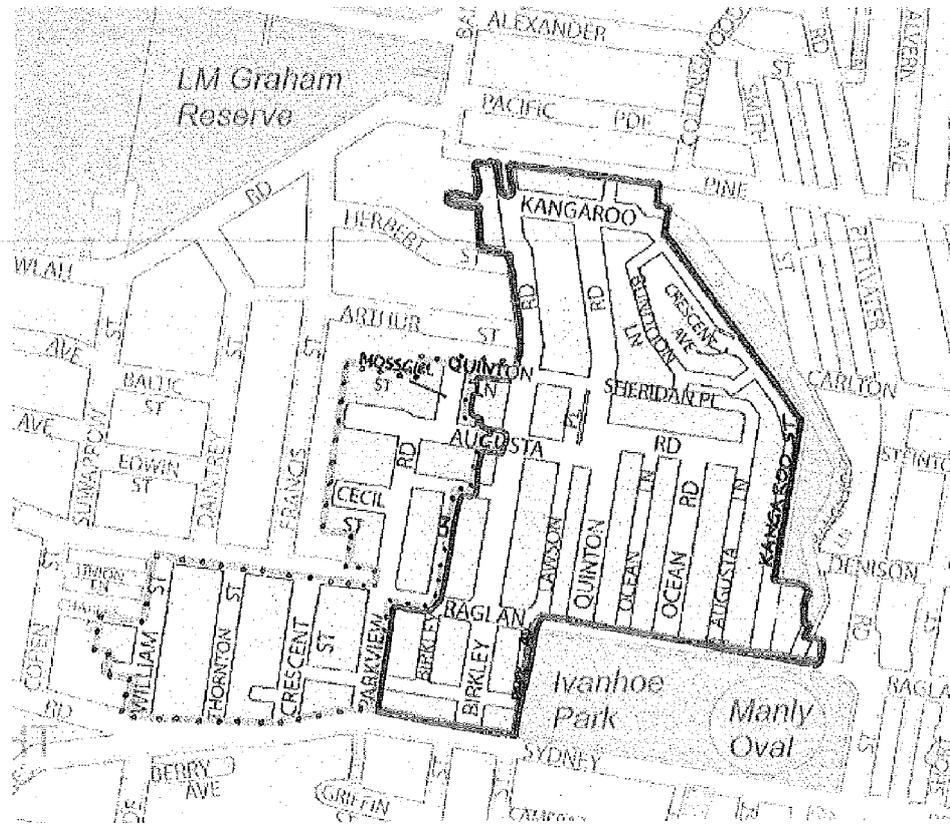
- AT- 1** Copy of Ivanhoe Park Survey Form 2 Pages
- AT- 2** Copy of Ivanhoe Park Area Survey Results 7 Pages

OM190307GMO_2

***** End of General Managers Division Report No. 6 *****

ATTACHMENT 1

General Managers Division Report No. 6 - Ivanhoe Park Permit Parking Scheme - Extension
Copy of Ivanhoe Park Survey Form



Map showing existing Ivanhoe Park Permit Parking Scheme bordered on the right and the proposed area for extension of the Scheme bordered on the left.



Manly Council
Community Consultation

Ivanhoe Park Parking Consultation

Please return completed survey to
Manly Council
PO Box 82
MANLY NSW 1655
Using the 'Reply Paid' envelope
Or Fax to 9976 1400

ATTACHMENT 2

**General Managers Division Report No. 6 - Ivanhoe Park Permit Parking Scheme - Extension
Copy of Ivanhoe Park Area Survey Results**

**Ivanhoe Park West Parking Permit Survey December 2006
Results Analysis**

Question 1	Response		
I live in a street listed for the proposed extension of the Ivanhoe Park permit parking scheme (see list of streets on left)?	Yes	92	94.8
	No	4	4.1
	No response	1	1.0
	Total	97	100

Question 2	Response		
How often do you experience parking difficulties in your street?	1 (infrequently)	27	27.8
	2	9	9.3
	3	10	10.3
	4	15	15.5
	5 (frequently)	34	35.1
	No response	2	2.1
	Total	97	100

Question 3	Response		
In your opinion, what impact will the scheme have on parking in your street?	1 (negative impact)	16	16.5
	2	10	10.3
	3	11	11.3
	4	19	19.6
	5 (positive impact)	37	38.1
	No response	2	2.1
	Total	97	100

Question 4	Response		
How strongly do you support the proposed permit parking scheme?	1 (strongly oppose)	22	22.7
	2	5	5.2
	3	11	11.3
	4	15	15.5
	5 (strongly support)	42	43.3
	No response	2	2.1
	Total	97	100

ATTACHMENT 2

**General Managers Division Report No. 6 - Ivanhoe Park Permit Parking Scheme - Extension
Copy of Ivanhoe Park Area Survey Results**

**Ivanhoe Park West Parking Permit Survey December 2006
Results Analysis**

Question 5	Response		
Please indicate your preference for the time limit for non-permit holders within the restricted area		#	%
	½ hr	1	1.0
	1 hr	9	9.3
	2 hrs	37	38.1
	3 hrs	11	11.3
	4 hrs	23	23.7
	Or more hrs	10	10.3
	No response	6	6.2
Total	97	100	

Question 6	Response		
Between what hours should the new time limit apply?		#	%
	Fulltime	16	16.5
	8am – 6pm	42	43.3
	9am – 5pm	22	22.7
	Other	5	5.2
	No response	12	12.4
Total	97	100	

Question 7	Response		
Which days of the week should the restrictions apply?		#	%
	Mon	70	72.2
	Tues	70	72.2
	Wed	69	71.1
	Thurs	69	71.1
	Fri	70	72.2
	Sat	54	55.7
	Sun	54	55.7

Question 8	Response		
In addition to the basic 3 permits per household, how many additional permits should be allowed per household?		#	%
	0	46	47.4
	1	19	19.6
	2	7	7.2
	3	8	8.2
	more	10	10.3
	No response	7	7.2
Total	97	100	

ATTACHMENT 2

**General Managers Division Report No. 6 - Ivanhoe Park Permit Parking Scheme - Extension
Copy of Ivanhoe Park Area Survey Results**

**Ivanhoe Park West Parking Permit Survey December 2006
Results Analysis**

Question 9	Response		
Is the fee for the 2nd permit appropriately priced?		#	%
	1 (too cheap)	2	2.1
	2	1	1.0
	3	37	38.1
	4	9	9.3
	5 (too expensive)	43	44.3
	No response	5	5.2
Total	97	100	

Question 10	Response		
Is the fee for the 3rd permit appropriately priced?		#	%
	1 (too cheap)	8	8.2
	2	3	3.1
	3	28	28.9
	4	9	9.3
	5 (too expensive)	44	45.4
	No response	5	5.2
Total	44	45.4	

ATTACHMENT 2

**General Managers Division Report No. 6 - Ivanhoe Park Permit Parking Scheme - Extension
Copy of Ivanhoe Park Area Survey Results**

**Ivanhoe Park West Parking Permit Survey December 2006
Results Analysis**

AUGUSTA ROAD

Question 3	Response		
In your opinion, what impact will the scheme have on parking in your street?	1 (negative impact)	#	%
	2	4	26.6
	3	3	20.0
	4	1	6.6
	5 (positive impact)	2	13.3
	No response	4	26.6
	Total	15	100

Question 4	Response		
How strongly do you support the proposed permit parking scheme?	1 (strongly oppose)	#	%
	2	6	40
	3	1	6.6
	4	2	13.3
	5 (strongly support)	0	0
	No response	5	33.3
	Total	1	6.6
	15	100	

CECIL STREET

Question 3	Response		
In your opinion, what impact will the scheme have on parking in your street?	1 (negative impact)	#	%
	2	2	25
	3	0	0
	4	0	0
	5 (positive impact)	0	0
	No response	5	62.5
	Total	1	12.5
	8	100	

Question 4	Response		
How strongly do you support the proposed permit parking scheme?	1 (strongly oppose)	#	%
	2	5	62.5
	3	0	0
	4	0	0
	5 (strongly support)	1	12.5
	No response	2	25
	Total	0	0
	8	100	

ATTACHMENT 2

**General Managers Division Report No. 6 - Ivanhoe Park Permit Parking Scheme - Extension
Copy of Ivanhoe Park Area Survey Results**

**Ivanhoe Park West Parking Permit Survey December 2006
Results Analysis**

CRESCENT STREET

Question 3	Response		
In your opinion, what impact will the scheme have on parking in your street?		#	%
	1 (negative impact)	1	5.9
	2	0	0
	3	2	11.8
	4	1	5.9
	5 (positive impact)	13	76.5
	No response	0	0
Total	17	100	

Question 4	Response		
How strongly do you support the proposed permit parking scheme?		#	%
	1 (strongly oppose)	1	5.9
	2	0	0
	3	2	11.8
	4	1	5.9
	5 (strongly support)	13	76.5
	No response	0	0
Total	17	100	

MOSSGIEL STREET

Question 3	Response		
In your opinion, what impact will the scheme have on parking in your street?		#	%
	1 (negative impact)	2	28.5
	2	2	28.5
	3	1	14.2
	4	0	0
	5 (positive impact)	1	14.2
	No response	1	14.2
Total	7	100	

Question 4	Response		
How strongly do you support the proposed permit parking scheme?		#	%
	1 (strongly oppose)	4	57.1
	2	0	0
	3	1	14.2
	4	1	14.2
	5 (strongly support)	1	14.2
	No response	0	0
Total	7	100	

ATTACHMENT 2

**General Managers Division Report No. 6 - Ivanhoe Park Permit Parking Scheme - Extension
Copy of Ivanhoe Park Area Survey Results**

**Ivanhoe Park West Parking Permit Survey December 2006
Results Analysis**

PARKVIEW ROAD

Question 3	Response		
In your opinion, what impact will the scheme have on parking in your street?	1 (negative impact)	#	%
	2	0	0
	3	3	13.6
	4	8	36.4
	5 (positive impact)	8	36.4
	No response	0	0
	Total	22	100

Question 4	Response		
How strongly do you support the proposed permit parking scheme?	1 (strongly oppose)	#	%
	2	2	9.1
	3	2	9.1
	4	6	27.3
	5 (strongly support)	10	45.5
	No response	0	0
	Total	22	100

THORNTON STREET

Question 3	Response		
In your opinion, what impact will the scheme have on parking in your street?	1 (negative impact)	#	%
	2	4	28.5
	3	1	7.1
	4	4	28.5
	5 (positive impact)	4	28.5
	No response	0	0
	Total	14	100

Question 4	Response		
How strongly do you support the proposed permit parking scheme?	1 (strongly oppose)	#	%
	2	2	14.2
	3	2	14.2
	4	2	14.2
	5 (strongly support)	6	42.8
	No response	0	0
	Total	14	100

ATTACHMENT 2

General Managers Division Report No. 6 - Ivanhoe Park Permit Parking Scheme - Extension Copy of Ivanhoe Park Area Survey Results

Ivanhoe Park West Parking Permit Survey December 2006 Results Analysis

WILLIAM STREET

Question 3	Response		
In your opinion, what impact will the scheme have on parking in your street?		#	%
	1 (negative impact)	2	25
	2	1	12.5
	3	2	25
	4	2	25
	5 (positive impact)	1	12.5
	No response	0	0
Total	8	100	

Question 4	Response		
How strongly do you support the proposed permit parking scheme?		#	%
	1 (strongly oppose)	2	25
	2	1	12.5
	3	0	0
	4	4	50
	5 (strongly support)	1	12.5
	No response	0	0
Total	8	100	

TO: Ordinary Meeting - 19 March 2007
REPORT: Corporate Services Division Report No. 5
SUBJECT: Revenue Policy 2007/2008 - Proposal to Seek Special Rate Variation
FILE NO:

SUMMARY

Council is required to give notice of its intention to make an application to the Minister for Local Government for a Special Variation to General Income for an Infrastructure Levy and to include details in its Draft Management Plan 2007/2008.

REPORT

Council at its Budget Framework Workshop held on 12 March 2007, considered a range of budget options relating to programs and infrastructure provisioning. Among the funding options considered was a special variation to establish an Infrastructure Levy.

However, before council could formalise its Management Plan to include an Infrastructure Levy, Council will need to make its preliminary intentions known to the Minister by 31 March 2007.

Departmental Circular 06/68 sets out the process for Council considering making an application for Special Variation, as follows:

1. Council's resolves that it intends to apply for a special variation;
2. Council completes an "Intention to Apply" application and forwards to Department by 31 March 2007, with a copy of the Council resolution;
3. Council completes "Application for Special Variation to General Income" Form SV1, and submit to Department within two (2) weeks of the Ministers announcement of the rate peg limit;
4. Council's intention to make an application for special variation including details of intended activities and expenditures, proposed rates and charges, impacts, etc., included in Council's draft Management Plan;
5. Any submissions received on the draft Management Plan to be sent to the Department;
6. Minister advises Council if special variation approved;
7. Council updates Management Plan and Revenue Policy for following year.

Rate Pegging

Under the "rate pegging" legislation, the Minister for Local Government specifies a percentage each year by which a council's general income for a specified year may be varied (known as "General Variation").

Whilst the Minister has not yet advised what the General Variation increase for 2007/2008 will be, based on past year trends this could be expected to be in the order of around 3.0 - 3.5%. However this barely keeps pace with inflation, wages and other costs increases, and increases in government fees and charges (eg NSW Fire Levy, Department of Planning Levy, Valuer General Fees).

Infrastructure Requirements

Council recognises the importance of developing and maintaining infrastructure and options for future funding is critical to a sustainable financial strategy.

Council at its budget framework workshop acknowledged the immediate challenges of maintaining public infrastructure while addressing the short/medium term needs to renew a range of critical infrastructure in order to meet the expectations of our precincts, residents and visitors. The

Corporate Services Division Report No. 5 (Cont'd)

workshop canvassed options for funding including debt capital raising, marginal revenue from user pays, and a special variation to rating - it is worth noting that Manly has managed to work within the rate cap arrangement while increasing its expenditure as well as focus on the provisioning of basic infrastructure across the whole of the area, and if Council approves, is among the last to seek a variation.

In addition to infrastructure related challenges, Council has also identified a number of initiatives under "climate change".

An analysis carried out on infrastructure needs following the framework workshop suggests that additional cashflow (Special Variation) that will be needed in order to adequately meet Council's statutory responsibilities is in the order of \$800K. A summary of this analysis is provided in Table 1.

Preliminary estimates suggest that 3.8% special variation would yield the \$800k. When combined with raising debt capital of \$1.5mil and \$4.5mil to swap out internal loans, would give council the working capital (balanced cash flow at the end of 10 years) it needs to sustainably provide new and better maintain existing, as well as replacing some aging municipal infrastructure such as those list in Table 1.

It is also proposed that a 1.2% special variation (yielding \$250K) be submitted to the Minister for infrastructure related to Climate Change initiatives. It should be noted that revenue from a special variation is by purpose tied and is non discretionary source of funding.

A 5% special variation would result in an increase in the average rates for residential properties of around \$60 per annum or \$1.15 a week due to variation. (The likely total increase, including rate cap of say 3% is \$1.82 a week).

Council's draft Management Plan 2007/2008 will include details of the proposed Infrastructure Levy funding, including the type of works that will be undertaken, financing details, and resultant benefits. It is proposed that information be further disseminated to residents through the Community Precinct Forums.

Council is required to also include in its Annual Report a Report on outcomes and expenditure of the approved special variation.

Corporate Services Division Report No. 5 (Cont'd)**RECOMMENDATION**

That:

1. Council include in the Draft Management Plan for 2007/2008 its intention to make an application to the Minister for a special rate variation of general income in accordance with Section 508(2) of the Local Government Act, 1993 to achieve a 5% increase per annum (above the statutory rate peg limit) to fund an Infrastructure Levy.
2. A notice of "Intention to apply for a special variation" be forwarded to the Department in accordance with the report.

ATTACHMENTS

There are no attachments for this report.

OM190307CSD_1

***** End of Corporate Services Division Report No. 5 *****

TO: Ordinary Meeting - 19 March 2007
REPORT: Corporate Services Division Report No. 6
SUBJECT: Council Loan Borrowing 2006/2007
FILE NO:

SUMMARY

1. It is proposed to proceed to take up council's loan borrowing of \$1.85 Million for 2006/2007.
2. Four written quotations have been received from the Commonwealth Bank of Australia, Westpac Banking Corporation, Australia and New Zealand Banking Group Ltd and Grange Securities Limited.
3. It is recommended that council accept the quotation from the Commonwealth Bank of Australia.

REPORT

In Council's adoption of the 2006/2007 budget on 19 June, 2006, the following fundraising from loan borrowing was approved:

Manly Corso Upgrade	\$1,850,000
---------------------	-------------

Any borrowings not fully allocated to the nominated project will carry over to 2007/2008 to fund capital works.

Council must take up this loan borrowing by 30 June 2007, otherwise Ministerial Approval will lapse.

The Commonwealth Bank (CBA), Australia and New Zealand Banking Group (ANZ), Westpac Banking Corporation (WBC) and Grange Securities Ltd have been approached by Council to quote for the supply of the loan funds. Each institution was requested, inter alia, to provide a ten (10) year fixed rate, with half-yearly repayments in arrears.

Of the institutions approached, the CBA and ANZ have submitted written quotations. A summary of the offers and other comparative information follows:

Bank	Quote	Interest Repayments (1 st year)	Total Interest
CBA	6.58% pa	\$60,865	\$621,460
Westpac	*% pa	\$	\$
ANZ	6.93% pa	\$64,103	\$656,715

* At the time of writing the report, the interest quotation from Westpac had not been received.

As the Commonwealth Bank's quote is the lower of the two submissions received thus far (even after taking into account the documentation costs), it is recommended that Council accept this offer and proceed to take up the loan at this rate.

Corporate Services Division Report No. 6 (Cont'd)**RECOMMENDATION**

1. That Council accept the Commonwealth Bank of Australia's offer of 6.58% per annum, fixed for ten (10) years, for a loan of \$1,850,000 subject to its rate remaining the most competitive at draw-down.
2. That the Mayor and General Manager be authorised to execute all necessary loan documentation under the Common Seal of Council.

ATTACHMENTS

There are no attachments for this report.

OM190307CSD_2

***** End of Corporate Services Division Report No. 6 *****

TO: Ordinary Meeting - 19 March 2007
REPORT: Corporate Services Division Report No. 7
SUBJECT: Accounts - Report on Council Investments as at 28 February 2007
FILE NO:

SUMMARY

Latest accounting statements for the period to 28 February 2007

1. Statement showing general fund bank account balance as at 28 February 2007.
2. Cash investments as at 28 February 2007.

REPORT

1. Statement Showing General Fund Bank Account Balance as at 28 February 2007

Limit of overdraft arranged with bank	\$400,000.00 Dr
Bank Balance as at 28 February, 2007 ⁽¹⁾	\$2,566,642.58 Cr

2. Details of Council Investments Pursuant to the General Regulation as at 28 February, 2007.

In accordance with clause 212 of the Local Government (General) Regulation 2005, a report setting out the details of money invested must be presented to Council on a monthly basis.

For the information of Councillors, the following cash investments were held by Council as at 28 February, 2007.

Invest Date	Maturity/ Call date	Institution	Term (Days)	Rate	Amount	Interest
15/07/02	15/07/07	HSBC	1826	7.15	1,000,000.00	17,414.66 ⁽²⁾
15/08/02	15/07/07	HSBC	1795	7.15	2,008,481.93	35,652.05 ⁽²⁾
08/08/02	08/08/07	Bank of Qld	1826	7.67	1,000,000.00	18,702.19 ⁽⁴⁾
18/02/03	18/02/08	Macquarie Bank	1826	5.75	1,000,000.00	28,750.00 ⁽⁵⁾
02/04/04	02/04/09	Adelaide Bank	1826	7.13	500,000.00	8,890.20 ⁽⁶⁾
03/12/04	03/12/09	NM R'child & Son (Aust)	1826	7.44	700,000.00	12,984.33 ⁽⁷⁾
15/12/04	15/12/09	Aust Central C/U	1826	7.59	1,000,000.00	18,715.07 ⁽⁸⁾
25/10/05	25/10/07	Emu Structured Note	365	7.00	500,000.00	35,000.00 ⁽⁹⁾
22/12/06	21/06/10	Aquaduct Structured Note	1277	7.09	500,000.00	8,862.50 ⁽³⁾
05/07/06	05/07/12	WBC PP Ethical Note	2192	8.01	500,000.00	19,868.59 ⁽¹¹⁾
21/05/04	21/05/07	CBA	1095	6.20	719,877.16	44,632.38 ⁽¹⁰⁾
		LGFS Ethical Fund	@CALL	6.43	1,085,946.51	
		IMB	@CALL	6.00	5,000.00	
		CBA	@CALL	6.02	363,046.63	
					10,882,352.23	

- 1) Balances in-excess of \$750,000 earns 5.50%pa
- 2) Interest to 15 April, 2007 only
- 3) Interest to 22 March, 2007 only
- 4) Interest to 8 May, 2007 only
- 5) Interest to 18 August, 2007 only
- 6) Interest to 2 April, 2007 only
- 7) Interest to 4 March, 2007 only
- 8) Interest to 15 March, 2007 only
- 9) Interest calculated at the guaranteed interest floor of 7.00%pa for the first year
- 10) Interest to 21 May, 2007 only
- 11) Interest to 5 July, 2007 only

Corporate Services Division Report No. 7 (Cont'd)

Except for (3), (5), (9), (10) and (11) interest is calculated at a floating rate, fixed for the duration of each subsequent quarter, based on the prevailing interest rates at the quarterly reset date/s.

Investment Performance	Council	Benchmark*	90 day BBSW**
Returns – February 2007 [%pa]:	6.98	6.62	6.37

* benchmark is 90day BBSW plus 0.25%pa

** 90 day BBSW is the average 90 day bank bill rate for the month.

Certification – Responsible Accounting Officer

The Chief Financial Officer hereby certifies that the investments listed above have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

RECOMMENDATION

That:

1. The statement of General Fund Bank Account balance as at 28 February, 2007 be received and noted.
2. The certification by the Chief Financial Officer be noted.
3. Details of Council's cash investments as at 28 February, 2007 be received and noted.

ATTACHMENTS

There are no attachments for this report.

OM190307CSD_3

***** End of Corporate Services Division Report No. 7 *****

TO: Ordinary Meeting - 19 March 2007
REPORT: Corporate Services Division Report No. 8
SUBJECT: Tender Outdoor Dining Area - Review of Decision to Tender
FILE NO:

SUMMARY

Council at its meeting of 19th February 2007 resolved (7/07):-

"That:

1. Council acknowledges the General Manager's review of the tender process for the letting of part of The Corso for Outdoor Eating.
2. Council notes that the tender process for letting the area of The Corso for Outdoor Eating was referred to the Department of Local Government.
3. Council notes that the Department of Local Government was satisfied that due process had been followed.
4. Council review the processes that led to the decision to tender for the "Outdoor Seating licence for The Corso". This review should be completed by the March 2007 Ordinary Meeting of Council and presented to the council elect at that meeting."

This report was prepared by the Acting Manager, Corporate Governance, in response to part 4 of the resolution.

The General Manager has a statutory function under Section 335 of the *Local Government Act 1993* for the efficient and effective operation of Council, and in particular the day-to-day management of Council. With regard to Section 8 of the *Local Government Act 1993* the General Manager has a duty to effectively account for and manage the assets of Council.

The Outdoor Dining Area of The Corso is such an asset.

REPORT

This report was prepared by the Acting Manager, Corporate Governance.

The Local Government Act and Regulations there under give guidance as to procedures that should be followed in the interests of open, accountable and transparent processes, particularly where there is a competitive market for licences, goods, services or facilities.

Presenting a unique opportunity in terms of location, quantum and fit-out, the Outdoor Dining Area in The Corso is an asset of contestable commercial value. Unlike other *alfresco* dining areas operating on council land, the Outdoor Dining Area in The Corso area is a dedicated space not limited to shop front boundaries and enjoys the benefits of community funded infrastructure specific to the purpose of outdoor dining.

In ensuring that statutory obligations are carried out with requisite diligence, the General Manager directed staff to market test the asset. The appropriate instrument to market test the asset is the competitive tendering process as prescribed by Section 55 of the *Local Government Act 1993*.

Irrespective of statutory obligation, the tenets of good corporate governance must to be followed. Adhering to the Code of Conduct (adopted PS 11/04/2005), the General Manager must abide by the key principles of openness, integrity, accountability and fair dealing.

Corporate Services Division Report No. 8 (Cont'd)

The decision to call for tenders ensured that all interested parties were presented with a genuine opportunity to occupy the asset, and that the opportunity was presented in a transparent and accountable manner.

In consideration of the nature of the asset, market testing by way of tender was an operational decision and within the authority of the General Manager. The decision to call for tenders was made under a statutory obligation and adhered to the fundamental principles of good corporate governance.

RECOMMENDATION

That Council receive and note the report.

ATTACHMENTS

There are no attachments for this report.

OM190307CSD_4

***** End of Corporate Services Division Report No. 8 *****

TO: Ordinary Meeting - 19 March 2007
REPORT: Corporate Planning And Strategy Division Report No. 10
SUBJECT: Report on Draft Manly Local Environmental Plan 1988 (Amendment No. 74).
Proposal to rezone Lots 15 and 16 DP18433, Coral Street, Balgowlah from
Special Uses - School to Residential
FILE NO:

SUMMARY

The purpose of this Report is to inform Council on information received from the Office of the Hon. Frank Sartor MP, Minister for Planning, and the Minister for Housing, on behalf of the Premier, regarding the Draft Manly Local Environmental Plan 1988 (Amendment No. 74): Proposal to rezone Lots 15 and 16 DP18433, Coral Street, Balgowlah from Special Uses – School to Residential.

REPORT

In relation to surplus land at Balgowlah Boys High School, being Lots 15 and 16 DP18433, Coral Street, Balgowlah, Council at its meeting held on 13 June 2006 resolved:

“Part A

That:

- 1. The Dept of Planning be advised of the submission(s) to Draft amendment No. 74.*
- 2. The Minister for Planning is requested to make the Plan pursuant to Section 70 of the Environmental Planning and Assessment Act, 1979.*
- 3. The Manly Development Control Plan for the Residential Zone 2001, and its successor, be amended, pursuant to Section 74C(2)(b) of the Environmental Planning and Assessment Act, 1979 to include the land subject to LEP Amendment No. 74 in Residential Density Sub-zone 4 – 1 dwelling/300sqm of site area.*

Part B

That Council advise its opposition to the sale of the property to fund the school's facilities to the NSW Premier, the Minister for Education and the Minister for Planning.

Part C

That Council appeal to the State Government to further it's obligations to provide affordable housing in the area through the use of this site.”

A response has been received from the Office of the Hon Frank Sartor MP, Minister for Planning advising Council that the Minister has made Manly Local Environmental Plan Amendment Number 74, which rezones the subject allotments from Special Uses – School to Residential. Refer to Attachment 1.

A response has also been received from Cherie Burton MP, Minister for Housing, on behalf of the Premier, informing Council that following an assessment by the Department's Asset Management Unit the two lots comprising the site would not yield a satisfactory affordable housing outcome due to the size, zoning and likely selling price of the land. Refer to Attachment 2.

Given the above, the Minister for Housing also advised that the Department of Education has sold the land as it was surplus to requirements, and that the sale was undertaken in line with NSW Treasury Directions for the sale of surplus state-owned land. Despite the above, the Minister

Corporate Planning And Strategy Division Report No. 10 (Cont'd)

provided a contact from the Department of Housing for Council to liaise with regarding any future affordable housing proposals.

The above reiterates advice provided by the Office of the Minister for Education and Training received last year and reported to Council at its meeting held on 9 October 2006.

The recommendation of this report to Council fulfils the actions required by resolutions of Council at its meetings held on 13 June and 9 October 2006.

RECOMMENDATION

It is recommended that Council receive and note the information.

ATTACHMENTS

AT- 1 Letter from the Office of the Hon Frank Sartor MP Minister for Planning 1 Page
AT- 2 Letter from Cherie Burton MP Minister for Housing 1 Page

OM190307CPSD_1

***** End of Corporate Planning And Strategy Division Report No. 10 *****

ATTACHMENT 1

**Corporate Planning And Strategy Division Report No. 10 - Report on Draft Manly Local Environmental Plan 1988 (Amendment No. 74). Proposal to rezone Lots 15 and 16 DP18433, Coral Street, Balgowlah from Special Uses - School to Residential
Letter from the Office of the Hon Frank Sartor MP Minister for Planning**



NEW SOUTH WALES

Office of the Hon Frank Sartor MP

Minister for Planning

Minister for Redfern Waterloo

Minister for Science and Medical Research

Minister Assisting the Minister for Health (Cancer)

Mr H Wong
General Manager
Manly Council
PO Box 82
MANLY NSW 1655

D06/3798
DGC06/1323

25 OCT 2006

Dear Mr Wong

I refer to your representations to the Hon Frank Sartor MP, Minister for Planning concerning the rezoning of part of the Northern Beaches Secondary School (Balgowlah Boys Campus) site from Special Uses to Residential, and Council's request for provision of affordable housing on the rezoned land. Minister Sartor has asked me to respond to your representations.

I am pleased to advise that the Minister has made Manly Local Environmental Plan amendment number 74. Legal effect to the Minister's decision was given following publication in the Government Gazette of 15 September 2006.

The future use of the rezoned portion of the site is also a matter for the Minister for Education and as such, your queries should be brought to her attention.

I trust this information is of assistance to you.

Yours sincerely

Bryce Gaudry MP
Parliamentary Secretary

Manly Council	
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Fax: (02) 9228 4711 Email: office@sartor.minister.nsw.gov.au

ATTACHMENT 2

Corporate Planning And Strategy Division Report No. 10 - Report on Draft Manly Local Environmental Plan 1988 (Amendment No. 74). Proposal to rezone Lots 15 and 16 DP18433, Coral Street, Balgowlah from Special Uses - School to Residential
Letter from Cherie Burton MP Minister for Housing



Cherie Burton MP

Minister for Housing
Minister Assisting the Minister for Health (Mental Health)

Mr Henry Wong
General Manager
Manly Council
PO Box 82
MANLY NSW 1655

Dear Mr Wong

REC 27 FEB 2007
Distribution H39089
1) Scanned M06/02470
2) Document No 27 FEB 2007
3) Part Scanned

I refer to your correspondence to the Premier concerning disposal of land by the Department of Education at Northern Beaches Secondary - Balgowlah Boys Campus, comprising Lots 15 and 16 of DP18433 Coral Street, Balgowlah. Your correspondence was forwarded to me for reply.

I am advised you met with officers from the Department of Housing in September 2006, and discussed a range of issues concerning affordable housing and public housing, including the possible use of this land for affordable housing. The Department undertook to investigate the potential of the site for this purpose.

I understand that an initial assessment by the Department's Asset Management Unit by the Central Sydney Division suggested that the two lots comprising the site might not yield a satisfactory affordable housing outcome due to the size, zoning and likely selling price of the land.

The Department of Education subsequently sold this land as it was surplus to its requirements. The sale was undertaken in line with NSW Treasury Directions for the sale of surplus state-owned land, as contained in the Total Asset Management Guideline: Asset Disposal Strategic Planning, June 2006, which is, that it be done on the basis of the highest and best use.

Notwithstanding this, the Department will continue to work with Local Government in identifying and pursuing affordable housing opportunities, and would greatly appreciate the opportunity to investigate such opportunities with Manly Council.

Should you have any further enquiries on affordable housing, or indeed any proposals for the provision of affordable housing, please do not hesitate to contact Helen O'Loughlin, Director of the Centre for Affordable Housing, at the Department of Housing on telephone 8753 8525.

Yours sincerely

Cherie Burton MP
Minister for Housing
Minister Assisting the Minister for Health (Mental Health)

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TO: Ordinary Meeting - 19 March 2007

LATE ITEM

REPORT: Environmental Services Division Report No. 14

SUBJECT: 91 North Steyne, Manly - DA542/05

FILE NO: DA542/05

<u>Application Lodged:</u>	8 December 2005
<u>Applicant:</u>	Property Development Enterprises No.91 Pty Ltd
<u>Owner:</u>	Property Development Enterprises No.91 Pty Ltd; S. & P. Sellers and P. Bradley
<u>Estimated Cost:</u>	\$2.4 million
<u>Zoning:</u>	Residential under Manly Local Environmental Plan, 1988 and within the Tourist Area and Foreshore Scenic Protection Area.
<u>Surrounding Development:</u>	1/2 storey semi-detached cottages and residential flat buildings ranging from 2 to 3 storeys in height, with Manly Beach on the opposite side of the road.
<u>Heritage:</u>	Yes. Manly Beach Reserve on the eastern side of North Steyne has been identified as landscape item of the environmental heritage.

SUMMARY:

1. DEVELOPMENT CONSENT IS SOUGHT FOR:
 - 1.1 THE DEMOLITION OF 3 BUILDINGS COMPRISING A 1 STOREY AND A 2 STOREY BUILDING USED AS RESIDENTIAL FLAT BUILDINGS CONTAINING A TOTAL OF 5 DWELLINGS AND A GARAGE ON 91 NORTH STEYNE;
 - 1.2 THE CONSTRUCTION OF A 4 STOREY RESIDENTIAL FLAT BUILDING CONTAINING 5 UNITS WITH BASEMENT PARKING FOR 10 VEHICLES AND A ROOFTOP RECREATION TERRACE CONTAINING A LAP POOL; AND
 - 1.3 THE STRATA SUBDIVISION OF THE DEVELOPMENT.
2. THE APPLICATION WAS NOTIFIED TO ALL ADJOINING PROPERTY OWNERS AND OCCUPIERS AND ADVERTISED IN THE MANLY DAILY WITH 5 SUBMISSIONS RECEIVED.
3. THE APPLICATION WAS REFERRED TO THE OCEAN BEACH PRECINCT COMMITTEE FORUM FOR COMMENT. THE COMMITTEE ON 14 MARCH 2006 RESOLVED TO SUPPORT THE APPLICATION IN VIEW OF THE INFORMATION PRESENTED BY THE APPLICANT.
4. THE PLANS OF THE DEVELOPMENT WERE AMENDED ON 26 APRIL 2006 TO OVERCOME MOST OF MATTERS RAISED IN THE SUBMISSIONS TOGETHER WITH LETTERS FROM THE OBJECTORS INDICATING THAT SOME OF THEIR CONCERNS HAD BEEN OVERCOME BY THE AMENDED PLANS.
5. FOLLOWING A PRELIMINARY ASSESSMENT, THE PROPOSAL WAS DISCUSSED WITH THE APPLICANT AND FURTHER AMENDED PLANS WERE SUBMITTED ON 15 NOVEMBER 2006.
6. THE AMENDED PLANS WERE NOTIFIED TO ALL ADJOINING PROPERTY OWNERS AND OCCUPIERS AND ADVERTISED IN THE MANLY DAILY WITH SUBMISSIONS CLOSING ON 26 JANUARY 2007. 1 SUBMISSION WAS RECEIVED IN RESPECT TO THE AMENDED PLANS.
7. THE APPLICATION WAS CONSIDERED BY COUNCIL'S DEVELOPMENT ASSESSMENT UNIT ON 1 MARCH, 2007 WITH A RECOMMENDATION FOR APPROVAL.
8. THE APPLICATION IS PRESENTED TO THE LAND USE MANAGEMENT COMMITTEE AT THE REQUEST OF COUNCILLOR AIRD.
9. A SITE INSPECTION IS RECOMMENDED.
10. THE APPLICATION IS RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS.

Environmental Services Division Report No. 14 (Cont'd)

LOCALITY PLAN

Shaded area is subject land.

**REPORT****Introduction**

Consent is sought for:

- the demolition of 3 buildings on 91 North Steyne, which comprise 1 and 2 storey residential flat buildings containing a total of 5 dwellings and a garage;
- the erection of a 4 storey residential flat building containing a total of 5 units consisting of 2 x 2-bed + study and 3 x 3-bed + study apartments with basement parking for 10 vehicles and a rooftop recreation terrace containing a lap pool; and
- the strata subdivision of the development.

The site extends from North Steyne to Whistler Street and is irregular in shape.

A strip of land some 6.25m wide adjacent to the site's North Steyne boundary is subject to a road widening and realignment plan.

The land required for the widening has been dedicated as public road.

The site has an area of 525.25m², excluding the area that was dedicated for road widening.

The main walls of the proposed building are to be setback:

- between 4m and 5.5m from the North Steyne boundary of the site;
- between a zero setback and 4m from the site's northern common side boundary with 92 North Steyne and 94 Whistler Street;
- between a zero setback and 3m from the site's southern common side boundary with 90 North Steyne and 92 Whistler Street; and
- a minimum of some 18.8m from its Whistler Street boundary.

Units are to have access to either a courtyard within the setback areas or a balcony.

Balconies associated with the living areas of upper floor units are to be setback a minimum of 1.5m from the site's North Steyne boundary.

The amended plans did not include a satisfactory balcony off the living area of Apartment 3.

Environmental Services Division Report No. 14 (Cont'd)

Following discussions with the applicant, a sketch has been provided for a modified floor plan, which incorporates an appropriately sized balcony associated with Apartment 3, which can be used as the basis of a condition of approval.

The balconies adjacent to the northern boundary are to be setback between 1m and 2m from the common boundary with 92 North Steyne and are to have fixed privacy screens or a planter box on their northern elevation to enable a satisfactory level of privacy to be maintained.

The balcony associated with Apartment 3 on the 1st floor level of the building is to be setback 1.65m from the site's common boundary with 90 North Steyne.

The vehicular access to the basement car parking level is to be from Whistler Street.

The western part of the site is to contain a single storey structure enclosing the driveway to the basement parking area.

The roof of this structure is to be landscaped as open space and is to project some 3.4m above the footpath level in Whistler Street.

A lift and fire stairs are to be located in the basement car park to provide access to all of the units above.

A car parking space capable of being used by people with a disability is proposed within the basement car park.

Development Control Plan Numerical Assessment

The following is an assessment of the proposal's compliance with the numerical controls of the DCP. Where a variation is proposed to the standards, an assessment is included in the Planning Comments.

	<u>Permitted/ Required</u>	<u>Proposed</u>	<u>Complies Yes/No</u>
Density - Sub Zone	1/50m ²	1/105m ²	Yes
Floor space ratio	1.5:1 (787.9m ²)	1.48:1 (779.3m ²)	Yes
Wall height North side	12m	11.8m to 12m	Yes
South side	12m	11.8m to 12m	Yes
Roof height	1m - parapet 3m maximum - 5 th Floor	1m - parapet 2.4m maximum	Yes Yes
Fence height	1m - masonry 1.5m (30% transparent)	Details of the front fence have not been provided. This can be addressed by a condition	Yes
Setback Front	6m to North Steyne Whistler Street - Prevailing setback	4m, with balconies encroaching to within 1.5m of the alignment The entry of the car park is to be constructed to abut the Whistler Street alignment	No No
Setback Rear	8m	N/A	Yes
Setback Side North Side	3.9m to 4m	Nil to 4m	No
South Side	3.9m to 4m	Nil to 3m	No

Environmental Services Division Report No. 14 (Cont'd)

	<u>Permitted/ Required</u>	<u>Proposed</u>	<u>Complies Yes/No</u>
Wall on boundary length - North Side - South Side	12.6m 12m	4.5m 12m	Yes Yes
Wall on boundary height	9.0m	6.8m - North Side 6.1m - South Side	Yes Yes
Open space - total	45% (236.4m ²)	>45% (236.4m ²)	Yes
Open space - soft	25% (59m ²)	>25% (59m ²)	Yes
Number of Endemic Trees	2	2	Yes
Car Parking	10 spaces	10 spaces	Yes
Heritage – Actual Property	No	No	Yes
Heritage - In Vicinity	Yes (Manly Beach Reserve located opposite the site)	See Heritage Advisor's comments	Yes
Foreshore Scenic Protection Area	Yes	Commensurate with other contemporary residential development in this locality	Yes
Excavation	900mm	Natural ground level is to be maintained within 900mm of boundaries	Yes
Landslip and Subsidence	Zone D	Follow good engineering practice	Yes

Applicant's Supporting Statement

In support of the application, the applicant has submitted:

- a Statement of Environmental Effects
- a State Environmental Planning Policy No.65 Report
- a Preliminary Heritage Assessment
- a Geotechnical Report
- a NatHERS Certificate
- a BASIX Certificate
- a Parking Report
- a Landscape Plan
- shadow diagrams
- a Stormwater Services Plan
- a Waste Management Plan and
- photomontages.

Submissions

The application was originally notified on 20 December, 2005 and the plans were available for viewing until 17 January 2006. The application was also advertised in the Manly Daily.

A total of 5 submissions were received from the owners and/or residents of Unit 3, 92 North Steyne; and 63, 94, 96 and 98 Whistler Street.

The issues raised in the submissions involve:

- loss of privacy of neighbouring properties;

Environmental Services Division Report No. 14 (Cont'd)

- the overdevelopment of the site isolating the future redevelopment of 92 North Steyne;
- the impact of increased traffic in Whistler Street;
- the effect of building works on the structural stability of the property at 63 Whistler Street;
- the overshadowing of the western side of Whistler Street;
- the impact of the development on the amenity of Whistler Street;
- the need for the preparation of a construction management plan;
- the need for the submission of a BASIX Certificate;
- the effects of the height, bulk and scale of the proposal on solar access and ventilation;
- the noise associated with vehicular access to the site; and
- loss of views from surrounding residential properties in Whistler Street.

Discussions between the applicant and residents of 94, 96 and 98 Whistler Street in April 2006, has resulted in the applicant obtaining letters from those residents withdrawing objections in relation to view loss and privacy, subject to certain conditions.

Following a preliminary assessment of the application, the proposal was discussed with the applicant and, on 15 November 2006, amended plans were submitted on 15 November 2006 for the project.

The matters agreed to between the applicant and the adjoining owners were incorporated into the amended plans.

The amended plans were renotified, with submissions closing on 26 January 2007. One submission was received from the owners of 63 Whistler Street.

The submission raised issues relating to the overshadowing of Whistler Street and traffic and pedestrian safety in Whistler Street, as had been raised in respect to the original application.

Ocean Beach Precinct Community Forum Comments

The application was referred to the Ocean Beach Precinct Community Forum on 20 December 2005.

The meeting of the Precinct Committee on 14 March 2006 resolved that the Precinct supported the application in view of the information presented to it by the applicant.

Engineers Comments

No objections subject to appropriate conditions of consent.

Building Comments

No objections subject to appropriate conditions of consent.

Landscape Architects Comments

No objections subject to appropriate conditions of consent.

Traffic Engineer Comments

The proposed vehicular access is located at the rear of the property via Whistler Street. This is considered to be a satisfactory arrangement, eliminating the need for access from North Steyne.

Although the entry/exit driveway is only 3.6m wide, it has been designed with a 2m setback from the Whistler Street alignment and the proposed ramp gradient between this point and a distance

Environmental Services Division Report No. 14 (Cont'd)

6m into the property is 1:20, which will assist with sight distance for motorists exiting the site and pedestrians using Whistler Street.

No objections are raised in relation to the vehicular access and on-site parking has been designed on the basis that the basement car park and ramp grades are generally designed in accordance with AS/NZS 2890.1 (2004).

Heritage Advisor's Comments

A heritage assessment of the buildings to be demolished is to be submitted.

If approval is given prior to the submission of a heritage assessment, an archival record of the three buildings, internally and externally, is to be submitted to Council prior to the commencement of any demolition work and prior to the issue of a Construction Certificate under the terms of the *Environmental Planning and Assessment Act 1979*.

The proposed front setback is to be considered in relation to 93-95 North Steyne to provide consistency for future development along North Steyne.

Administration Comments

If the owner wants to utilise the road reserve for landscaping, it will be necessary for an application to be made for a Road Reserve Consent under Section 138 and 139 of the *Roads Act 1993*.

Prior to any landscaping or development taking place on this area, the Consent must be obtained.

Should a Consent be granted, the landscaping to be provided will need to be approved by Council's Parks Co-ordinator.

This area is not to be used for construction purposes without the submission of a Hoarding Application.

SEPP 65 Comments from Council Architect

The Proposal is non compliant in terms of provision of storage. There is no provision of storage in the basement carpark. The RFDC states that "providing dedicated and/or leasable storage in internal or basement carparks. "Storage shall be provided in the basement carpark, and in doing so it shall comply with the requirements of the specifications set out in "Better Design Principles" p82 of the RFDC". A condition of consent is recommended in this regard.

The top level of the development does not read architecturally as a 'room in the roof' as required by the Residential DCP.

The top level of development in this proposal looks like another level of development and not as is required by the RFDC which states "to integrate the design of the roof into the overall facade, building composition and desired contextual response"

The proposed top level of the development with its flat roof form and glazed balustrade that wraps around the majority of the north façade (all of the east façade and to part of south façade) to the upper level "roof terrace" gives the impression of an "add on" and not as is the contextual response required in this beach front location (and which is now predominant in virtually all residential development on the ocean beach), where appropriate streetscape response is especially important.

Environmental Services Division Report No. 14 (Cont'd)

Apart from being architecturally out of character with the context this perceived extra level with its roof slab fringed with a glass balustrade will dramatically increase the visual bulk of the development.

RFDC states on p91 “relate roof design to the desired built form” “articulating the roof or breaking down its massing on large buildings, to minimize the apparent bulk or to relate to a context of smaller building forms”

The opportunity to bring daylight and ventilation into the internal spaces of the fourth floor apartment and to add spatial interest to the ceiling heights of this top level of the development has not been achieved as the flat concrete roof design chosen does not allow for this. If the proposal is approved in its present form a retractable awning system should be incorporated to shade this upper terrace and provide privacy between this terrace and the upper roof deck above it.

Planning Comments

The proposal involves the demolition of 2 existing buildings containing 5 dwellings and the replacement of them with a new building containing 5 apartments.

The redevelopment of the site for an acceptable form of development is desirable.

The proposal complies with principal planning controls relating to:

- density;
- floor space ratio;
- height; and
- open space.

The site is situated in the street block defined by North Steyne, Carlton Street, Whistler Street and Pine Street and the siting of redevelopment on it is complicated by the significant diversity in the nature and scale of surrounding residential buildings and the irregular configuration of the site.

Development which frames the site in the North Steyne streetscape involves the older-styled 2 storey residential flat building on 90 North Steyne to the south and the 3 storey residential flat building on 92 North Steyne to the north.

The building on 90 North Steyne encroaches into the area required for the widening of North Steyne by some 3m, while the building on 92 North Steyne is setback some 1.6m from the new alignment.

The contemporary mixed use development on 93-95 North Steyne, which was constructed circa 1980, observes a minimum setback of some 6m from the new alignment of North Steyne.

The irregular configuration of the site is manifested by the proposed building and its inherent bulk being concentrated to the eastern half of the site adjacent to North Steyne and this has led to a number of non-compliances with the DCP's setback controls.

1. Setbacks

The minimum setback controls for the development under the terms of Clause 3.5 of the DCP are:

- Front:
 - a setback which relates to the corresponding setbacks of neighbouring buildings;
 - 6m, where there is no consistent setback; and
 - projection of unenclosed balconies, if it can be demonstrated that there will be no adverse impact on the streetscape or adjoining properties.

Environmental Services Division Report No. 14 (Cont'd)

- Side:
 - 1/3rd the adjacent external wall height; and
 - encroachment on this setback, if windows are situated at 90^o to side boundaries and another part of the building of equal area is setback further than the minimum required.

1.1 Front Setback

The principal objective of the front setback, under Clause 3.5.1 of the DCP, is to preserve and enhance the streetscape.

The main walls of the building are to be setback between 4m and 5.5m from the front realigned boundary of North Steyne, with balconies setback a minimum of 1.5m from that boundary.

The applicant contends that:

- the prevailing building line in this area is less than the 6m control contained in the DCP;
- the proposal is in keeping with the streetscape and the existing defined building line along North Steyne in this area;
- the proposal is consistent with the front setback of existing and approved contemporary developments at 76-78, 79-80, 81, 82-83 and 84-85 North Steyne; and
- the proposal is consistent with the objective underlying the front setback control .

The front setback needs to be determined in the context of contemporary development in this street block and on the basis of desirable urban design outcomes.

The retention of the buildings to the north and south of the site on 90 and 92 North Steyne provide the context for the setback of the building on this land.

The amended setback and balcony treatments of the proposed building are commensurate with the more contemporary buildings that have been approved and/or constructed fronting North Steyne to the south of the site.

In the context of both the existing and likely future character of the North Steyne streetscape, the front setback of the proposed building is satisfactory in terms of its streetscape presentation and will not perceptibly effect Manly Beach Reserve.

The proposal will, in terms of its front setback, be consistent with the objective of the front setback control.

1.2 Side Setback

The relevant objectives of the side setback control, under Clause 3.5.1 of the DCP, are:

- to provide privacy;
- to provide equitable access to light and sunshine;
- to promote flexibility in the siting of buildings;
- to enable view sharing; and
- to maintain adequate space between buildings to protect views and vistas from public places.

The external wall height of the building is to vary between 11.8m and 12m.

This would require a side boundary setback varying from 3.9m and 4m.

Environmental Services Division Report No. 14 (Cont'd)

The building is to observe a setback of between zero and 4m to 3m from the northern and southern side boundaries of the site, respectively.

The section of the building observing the zero setback complies with the maximum length and height of walls built to the boundary permissible under the terms of Clause 3.5.2(ii)(d) of the DCP.

The proposed setback from the side boundaries of the land is commensurate with that of other contemporary apartment buildings to the south of the site in North Steyne.

In terms of its setback from the side boundaries and privacy, the proposal has been designed with fixed privacy screening that will satisfactorily address privacy concerns for dwellings to the north on 92 North Steyne and 94-96 Whistler Street and will not have any undue or unreasonable effects on solar access or views from surrounding properties or from the public domain.

To satisfactorily address issues associated with the privacy of the property at 90 North Steyne:

- a privacy screen needs to be affixed to the southern elevation of the proposed front balcony of Apartment 3;
- the small balcony, with an area of some 2.8m², off the living room on the southern elevation of Apartment 3 should be deleted; and
- the south-facing window/door to that balcony should be removed or replaced with fixed obscure glazing.

With these amendments, the proposal will, in terms of its side setbacks, be consistent with the objectives of the control specified in the DCP.

1.3 Setback from Whistler Street

A single storey structure enclosing the driveway to the basement parking area is proposed to abut the site's Whistler Street alignment.

This structure is designed to replace an existing garage which abuts that alignment.

The roof of the structure is to be landscaped as open space and is to project some 3.4m above the footpath level in Whistler Street.

The properties on the eastern side of Whistler Street in this area observe a highly irregular setback.

The building to the south on 92 Whistler Street is setback between 3.4m and 4m from Whistler Street, while the building to the north on 94 Whistler Street is setback some 3.2m.

There is, however, an open carport structure abutting the alignment on the latter property.

Following discussions with the applicant, a sketch has been provided for a modified plan which provides a minimum 4m setback for the structure over the driveway which can be used as the basis of a condition of approval.

The main wall of the building is to be setback a minimum of 18.8m from Whistler Street and this will ensure that the building will have no undue impact on the overshadowing of Whistler Street.

Environmental Services Division Report No. 14 (Cont'd)**1.4 Summary**

While there are a number of non-compliances with the setback controls contained in the DCP in connection with the proposed development, the proposal is consistent with the objectives of those controls and the manner in which Council has implemented them along North Steyne.

2. Overshadowing

The proposal will not have undue or unreasonable impact on the level of solar access enjoyed by residents of adjoining properties.

3. Privacy

The issues of privacy associated with properties to the north of the site have been resolved by the provision of appropriate screening.

The issues of privacy associated with properties to the south can be resolved by the imposition of appropriate conditions of approval as referred to in Section 1.2 of this report.

The development has been designed with its principal orientation to the east to take advantage of Ocean views.

The proposal will not have any undue or unreasonable effect on the privacy enjoyed by residents of surrounding buildings.

4. Front Fencing

Clause 3.9.2(ii)(a) of the DCP permits front fences with a height up to 1.5m in height, if the transparency of the fence above 1m is at least 30%.

No details concerning the proposed front fence were submitted with the application.

The front fencing of the site should be constructed on the re-aligned boundary of North Steyne.

This matter could be addressed by appropriate conditions of approval.

5. Access

The DCP for Access requires 1 unit in new residential buildings containing more than 4 units to be designed in accordance with AS 4299 - Adaptable Housing and for 1 car space capable of being used by a person with a disability.

The applicant has indicated that Apartment 1 is proposed to be an adaptable dwelling and a car space capable of being used by a person with a disability is to be provided in the basement car park.

The issue of the provision of an adaptable apartment can be addressed by appropriate conditions of consent.

6. Other Issues

Most of the submissions that were received from the owners or residents of surrounding properties have been addressed earlier in this report.

Environmental Services Division Report No. 14 (Cont'd)

The outstanding matters are as follows.

6.1 Impact of the Proposal on the Redevelopment of 92 North Steyne

Submissions made by owners of 3/92 North Steyne indicate that the proposed development will have the effect of isolating that property from future redevelopment.

The width of 92 North Steyne is not dissimilar to the width of the subject site and others sites in North Steyne that have been redeveloped for apartment buildings in recent times.

In any event, 92 North Steyne could be amalgamated with the adjoining properties at 94-98 Whistler Street at some future time to achieve redevelopment with access off Whistler Street.

Consequently, the proposal will not isolate 92 North Steyne from redevelopment in accordance with the DCP at some future time.

6.2 Increased Traffic in Whistler Street

The proposed development will essentially replace 5 existing dwellings, which provide limited car parking, with 5 apartments providing off-street parking for 10 cars.

The increase in traffic generated by the development will be imperceptible in terms of the extent and nature of traffic using Whistler Street in this location.

The provision of on-site resident and visitor parking in the development will reduce the demand for on-street parking in this area.

Council's Traffic Engineer has indicated that the proposed parking and access arrangements are satisfactory.

In this circumstance, the proposal is more likely to improve the traffic and parking environment in Whistler Street.

6.3 Structural Stability of 63 Whistler Street.

A submission expressed a concern regarding potential damage to existing structures on 63 Whistler Street during the excavation and construction phases of the development.

This property is located on the western side of Whistler Street opposite the site.

A geotechnical investigation conducted by Jeffery and Katauskas Pty Ltd, Consulting Geotechnical & Environmental Engineers, was submitted with the application.

The report does not raise any issues relating to the effect of the development on the structural stability of surrounding properties and such issues are capable of being addressed in terms of established engineering practice.

There is a considerable distance between the building on 63 Whistler Street and proposed excavation works.

Consequently, it is unlikely that proposed building works would have any affect on the structural stability of that building.

In any event, a dilapidation report of surrounding buildings should be prepared.

This matter is capable of being addressed by appropriate conditions of development consent.

Environmental Services Division Report No. 14 (Cont'd)**6.4 Impact on the Amenity of Whistler Street**

The proposed building is to be setback a minimum of some 18.8m from Whistler Street.

The noise associated with vehicular access to the 10 on-site car parking spaces to be established on-site would be imperceptible in terms of the established traffic flows in Whistler Street.

Portions of the building will abut the northern and southern side boundaries of the land.

This is consistent with the approach taken by Council in relation to contemporary development in North Steyne in the vicinity of the site.

While this may have some effect on sea breezes enjoyed by residents of properties to the west of the site, this reason would be insufficient to warrant refusal of this application.

The 4m setback of the structure over the driveway to the basement car park to be required by the recommended conditions of consent will ensure a satisfactory streetscape in Whistler Street and improve sight distances of pedestrians using Whistler Street.

The proposed building will not have any undue or unreasonable impact on the amenity of Whistler Street.

6.5 Construction Details

A BASIX Certificate was submitted with the application.

A condition is to be imposed which will require the approval of a construction management plan prior to the issue of a Construction Certificate for the proposed building.

Sufficient information has been submitted to enable an appropriate assessment of this application to be made.

CONCLUSION:

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, Manly Local Environmental Plan 1988 and the Manly Development Control Plan for the Residential Zone.

The proposal is considered worthy of approval subject to conditions, including:

- the amended plans submitted on 15 November 2006 are to be further amended in accordance with sketch plan, Reference SK01, indicating a modified floor plan for Apartment 3 on the first floor level of the building which incorporates an appropriately sized balcony on its eastern elevation;
- a 1.8m high privacy screen is to be affixed to the southern elevation of the front balcony of Apartment 3;
- the small balcony, with an area of some 2.8m², off the living room on the southern elevation of Apartment 3 is to be deleted and the south-facing window/door to that balcony is to be removed or replaced with fixed obscure glazing;
- a glass balustrade is to be constructed on the rooftop level to provide a satisfactory level of safety for people using the proposed lap pool;
- the structure over the driveway adjacent to Whistler Street is to be setback a minimum of 4m from Whistler Street;
- Apartment 1 is to be designed for use as an adaptable housing unit;

Environmental Services Division Report No. 14 (Cont'd)

- the front fencing to North Steyne is to be designed to comply with the performance criteria contained in Clause 3.9.2 of the DCP to Council's satisfaction to ensure that the amenity of the public domain is retained and enhanced;
- the submission of a dilapidation report in relation to surrounding developments that may be affected by the proposed excavation and construction works; and
- the submission of a construction management plan.

The application was considered by the Council's Development Assessment Unit on 1 March, 2007, where it was recommended for approval subject to the inclusion of a condition requiring the rooftop terrace and pergola to be setback a minimum 8.7m from the front boundary to address Streetscape concerns identified by Council's Architect (see SEPP65 comments).

Following the Development Assessment Unit meeting the applicant submitted revised plans showing revision to the rooftop swimming pool and change from glass balustrade to solid balustrade, with the setback of the rooftop terrace and pergola unchanged.

RECOMMENDATION

THAT application DA542/05 for the demolition of 3 buildings comprising a 1 storey and a 2 storey building used as residential flat buildings containing a total of 5 dwellings and a garage on 91 North Steyne; and the construction of a 4 storey residential flat building containing 5 units with basement parking for 10 vehicles and a rooftop recreation terrace containing a lap pool; and the strata subdivision of the development located at 91 North Steyne, Manly be approved subject to the following conditions:

DA1

This approval relates to drawings/plans Nos. SRMA-101, Issue C; 102, Issue E; 103, Issue F; 104 to 108, Issue E, and 109, Issue F, received by Council on the 15 November 2006, as amended by sketch plan, Reference SK01, indicating a modified floor plan for Apartment 3 on the first floor level of the building which incorporates an appropriately sized balcony on its eastern elevation.

ANS01

The rooftop swimming pool, terrace and pergola is to be reduced and setback a minimum of 8.7m from the front boundary and the parapet to the front façade and returns within 8.7m of the front boundary is to be RL17.80 to minimize impact on the streetscape and maintain amenity of adjoining properties. Plans being suitably amended prior to the issue of the Construction Certificate.

ANS02

A 1.8m high privacy screen is to be affixed to the southern elevation of the front balcony of Apartment 3.

ANS03

The small balcony, with an area of some 2.8m², off the living room on the southern elevation of Apartment 3 is to be deleted and the south-facing window/door to that balcony is to be removed or replaced with fixed obscure glazing.

ANS04

The structure over the driveway adjacent to Whistler Street is to be setback a minimum of 4m from Whistler Street.

ANS05

Apartment 1 is to be designed for use as an adaptable housing unit.

Environmental Services Division Report No. 14 (Cont'd)

ANS06

The front fencing to North Steyne is to be designed to comply with the performance criteria contained in Clause 3.9.2 of the DCP to Council's satisfaction to ensure that the amenity of the public domain is retained and enhanced.

ANS07

The submission of a construction management plan.

ANS08

If the owner wants to utilize the Road Reserve area for landscaping for the property, they are required to apply to Council for a Road Reserve Consent under Section 138 and 139 of the Road Act 1993. Prior to any landscaping or development taking on that area, a Consent must be obtained. Enquiries in this matter should be referred to Lisa Henderson – Administration Officer, Leases and Licences on 9976-151. Please note that this approval must be obtained prior to issue of the Construction Certificate.

ANS09

Should a Road Reserve Consent be granted, the type of landscaping to be permitted on the Road Reserve needs to be approved by Council's Parks Co-ordinator.

ANS10

The Road Reserve area should not be used for construction purposes. If the applicant wishes to utilize the area during construction a Hording application should be made to Council.

ANS11

An Archival record of the three (3) buildings, internally and externally, is to be submitted to Council prior to the commencement of any demolition work and prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

ANS12

The proposed front setback is to be considered in relation to No. 93-95 North Steyne to provide consistency for future development along North Steyne.

DA009

The construction of a vehicular footpath crossing is required. The design and construction including allowable width shall be in accordance with the current Policy of Council and Specification for the Construction of Vehicle Crossings. All works shall be carried out prior to the issue of Occupation Certificate.

DA10

The construction of a kerb layback is required. The design and construction shall be in accordance with Council's Policy. All works shall be carried out prior to the issue of Occupation Certificate.

DA011

All surplus vehicular crossings and/or kerb laybacks shall be removed and the kerb and nature strip reinstated prior to issue of the Occupation Certificate.

DA012

The driveway/access ramp grades, access and car parking facilities shall comply with the Australian Standard for Off-Street Parking AS2890.1-2004 or later editions.

DA013

A long section of the driveway shall be submitted with the Construction Certificate Application. The long section is to be drawn at a scale of 1:20 and shall include Relative Levels (RL) of the road centreline, kerb, road reserve, pavement within property and garage floor. The RLs shall include

Environmental Services Division Report No. 14 (Cont'd)

the existing levels and the designed levels.

DA016

Pursuant to Section 97 of the Local Government Act, 1993, Council requires, prior to issue of the Construction Certificate, or commencement of any excavation and demolition works, payment of a Trust Fund Deposit of \$20,000. The Deposit is required as security of compliance with Conditions of Consent, and as security against damage to Council property during works on the site.

Note: Should Council property adjoining the site be defective eg, cracked footpath, broken kerb etc., this shall be reported in writing to Council, at least 7 days prior to the commencement of any work on site.

Note: Where Council is not the principal certifying authority, refund of the trust fund deposit will also be dependant upon receipt of a final occupation certificate by the Principal Certifying Authority and infrastructure inspection by Council.

DA017

No obstruction shall be caused to pedestrian use of Council's footpath or vehicular use of any public roadway during construction.

DA272

Separate application to Council for the construction of a Vehicular Crossing for the design, specification and inspection by Council. Applications shall be made a minimum of twenty-eight (28) days prior to commencement of proposed works on Councils property.

DA341

Any heritage listed stone kerb removed for construction of a driveway or other approved works, is to be removed without damaging it and contact is to be made with Councils Works Manager on Telephone 9976 1455 for the stone to be transported to Councils Depot.

DA342

Separate application shall be made to Council's Infrastructure Division for approval to complete, to Council's standards and specifications, works on Council property. This shall include vehicular crossings, footpaths, drainage works, kerb and guttering, brick paving, restorations and any miscellaneous works. Applications shall be made a minimum of twenty-eight (28) days prior to commencement of proposed works on Council's property. Applicant to notify Council at least 48 hrs before commencement of works to allow Council to supervise/inspect works.

DA343

Any adjustment to the public utility service is to be carried out in compliance with their standards and the full cost is to be borne by the applicant.

DA344

A dilapidation report in regard to adjoining properties and Council land is to be submitted to Council with the Trust Fund Deposit prior to the issue of the Construction Certificate.

DA018

Details of the builder's name and licence number contracted to undertake the works shall be provided to Council/Accredited Certifier prior to issue of the Construction Certificate.

DA019

Insurance must be undertaken with the contracted builder in accordance with the Home Building Act, 1997. Evidence of Insurance together with the contracted builders name and licence number must be submitted to Council /Accredited Certifier prior to issue of the Construction Certificate.

Environmental Services Division Report No. 14 (Cont'd)

DA021

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 person or part of 20 persons employed at the site, by effecting either a permanent or temporary connection to the Sydney Water's sewerage system or by approved closets.

DA022

Retaining walls being constructed in conjunction with excavations with such work being in accordance with structural engineer's details. Certification of compliance with the structural detail during construction shall be submitted to the Principal Certifying Authority.

DA023

No person shall use or occupy the building or alteration which is the subject of this approval without the prior issue of an Occupation Certificate.

DA024

A sign must be erected on the subject site in a prominent position stating that unauthorised entry is prohibited and giving details of the name of the builder or the person responsible for the site and 24 hour contact details. The sign is to have dimensions of approximately 500mm x 400mm. Note: The sign is not required if the building on the site is to remain occupied during the course of the building works.

DA026

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans with certification being submitted to the Principal Certifying Authority during construction from a registered surveyor certifying ground and finished ridge levels.

DA031

Consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act which gives certain rights to adjoining owners, including use of the common boundary. In the absence of the structure standing well clear of the common boundary, it is recommended that you make yourself aware of your legal position which may involve a survey to identify the allotment boundary.

DA039

Four (4) certified copies of the Structural Engineer's details in respect of all reinforced concrete, structural steel support construction and any proposed retaining walls shall be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

DA040

Where any excavation extends below the level of the base of the footing of a building on an adjoining allotment of land, the person causing the excavation shall support the neighbouring building in accordance with the requirements of the Building Code of Australia.

DA044

The floor surfaces of bathrooms, shower rooms, laundries and WC compartments are to be of an approved impervious material properly graded and drained and waterproofed in accordance with AS3740. Certification is to be provided to the Principal Certifying Authority from a licenced applicator prior to the fixing of any wall or floor tiles.

DA047

A suitable sub-surface drainage system being provided adjacent to all excavated areas and such drains being connected to an approved disposal system.

Environmental Services Division Report No. 14 (Cont'd)

DA048

The implementation of adequate care during demolition/ excavation/ building/ construction to ensure that no damage is caused to any adjoining properties.

DA058

An adequate security fence, is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

DA059

Building work shall not progress beyond first floor level until such time as Registered Surveyors details of levels are submitted to the Principal Certifying Authority. These levels shall confirm that the works are in accordance with the levels shown and approved in the development approval.

DA060

On completion of the building structure a report from a Registered Certifier is to be submitted to the Principal Certifying Authority confirming that the building has been completed in accordance with the levels as shown on the approved plan.

DA357

Four (4) copies of Architectural Drawings consistent with the development consent and associated specifications are to be submitted to Council/Accredited Certifier prior to the issue of the Construction Certificate.

DA077

An approved water interceptor shall be provided within the property, across the driveway at the property boundary, and all stormwaters shall be conveyed by underground pipe to Council's street gutter to the satisfaction of the Principal Certifying Authority.

DA109

All demolition is to be carried out in accordance with AS2601-2001.

DA111

Asbestos cement sheeting must be removed in accordance with the requirements of the WorkCover Authority.

DA112

Demolition must be carried out by a registered demolition contractor. Documentary evidence of registration must be submitted to Council prior to the commencement of demolition work.

DA113

Care shall be taken to prevent any damage to adjoining buildings.

DA87

A detailed stormwater management plan shall be prepared to fully comply with Council's "Specification for on-site Stormwater Management 2003" and shall be submitted with the Construction Certificate application. The stormwater management plan shall be prepared by an experienced Chartered Civil Engineer. The principal Council/Accredited Certifier shall ensure that the design complies with the above said specification prior to the issue of a Construction Certificate.

DA092

Pump systems will only be permitted for the drainage of seepage waters from basement areas.

Environmental Services Division Report No. 14 (Cont'd)

DA088

A system of Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) shall be provided within the property in accordance with Council's "Specification for On-site Stormwater Management 2003". The design and details shall be submitted with the Construction Certificate Application and be approved by the Council/Accredited Certifier prior to the issue of the Construction Certificate. The specification can be downloaded from Council's web site www.manly.nsw.gov.au free of charge or a hardcopy can be purchased from Council.

DA95

A copy of the approved OSD plan showing work as executed details shall be submitted to Council prior to the issue of the Occupation Certificate. The work as executed plans shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.

DA100

A positive covenant in respect of the installation and maintenance of onsite detention works is required to be imposed over the area of the site affected by onsite detention and/or pump system prior to the issue of the Occupation Certificate for the building and prior to the release of the trust fund deposit.

DA108

The basement carparking level is to be adequately protected from flooding. Details are to be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

DA119

A Fire Safety Schedule specifying the fire safety measures (both current and proposed) that should be implemented in the building premises shall be submitted with the Construction Certificate application, in accordance with Part 9 Clause 168 of the Environmental Planning and Assessment Regulation 2000. Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

DA120

The building being erected in Type A construction for a Class 2, 7 & 10 building in accordance with the Fire Resistance Provisions of the Building Code of Australia.

DA121

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

DA224

The reconstruction and/or construction of footpath paving and any associated works along all areas of the site fronting North Steyne and Whistler Street. These works shall be carried out prior to the issue of the occupation certificate by a licensed construction contractor, at the applicant's expense and shall be in accordance with Council's Specification for Civil Infrastructure Works and Paving Design Guide.

DA225

The pedestrian footpaths and pavements in the streets surrounding the proposed development shall be constructed as per Manly Council's Paving Design guidelines dated February 2002. A detailed design showing the above details shall be submitted with the application for Construction Certificate and shall be approved by the Council/Accredited Certifier prior to the issue of the Construction Certificate.

Environmental Services Division Report No. 14 (Cont'd)

DA229

Excavation adjacent to the road boundary shall be adequately shored to support the roadway and all improvements and services within the road reserve. Protective fencing shall be provided to ensure the safety of the public.

DA230

No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.

DA236

Landscaping is to be carried out in accordance with the approved Landscape Plan submitted in conjunction with the Development Application. Evidence of an agreement for the maintenance of all plants for a period of 12 months from the date of practical completion of the building is to be provided to the Principal Certifying Authority prior to issue of the Final Occupation Certificate.

DA239

The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree or trees unless in conformity with this approval or subsequent approval is prohibited.

DA348

Precautions shall be taken when working near trees to be retained including the following: - do not store harmful or bulk materials or spoil under or near trees - prevent damage to bark and root system - do not use mechanical methods to excavate within root zones - do not add or remove topsoil from under the drip line - do not compact ground under the drip line.

DA261

A sediment/erosion control plan for the site shall be submitted for approval to the Council/Accredited Certifier prior to the issue of the Construction Certificate. Implementation of the scheme shall be completed prior to commencement of any works on the site and maintained until completion of the development.

DA262

1. The applicant shall lodge a Hoarding Application with Council for any protective hoardings, fences and lighting which are to be provided during demolition, excavation and building works. The Hoarding Application is to be submitted to Council with the appropriate fee, prior to any works on site or prior to the issue of the Construction Certificate.
2. All hoardings must be in accordance with Council's Hoarding Application Form and must comply with the requirements of the Department of Industrial Relations, Construction Safety Act, the WorkCover Authority and relevant Australian Standard.
Note: On corner properties, particular attention is to be given to the provision of adequate sight distances.
3. The hoarding shall be in place prior to the commencement of works on the site.
4. Trees which are affected by the hoarding and located outside the boundaries of the allotment are not to be cut, trimmed or removed without the prior approval of Council.
5. The hoarding shall be removed immediately at the applicant's expense, if any of these conditions are not fully complied with.
6. All hoardings must be lit between the hours of sunset and sunrise. Lights are to be erected at intervals of not greater than 5.0 metres for the length of the hoarding. The applicant shall keep the hoarding presentable to the public for the whole of the time it is erected. There shall be no catch points or protrusions likely to cause injury or damage to the public from the hoarding. The hoarding shall be constructed of demountable timber frame sections lined with a smooth face material, and painted with an approved white paint which shall not wash or rub off.

Environmental Services Division Report No. 14 (Cont'd)

DA269

A Construction Certificate Application is required to be submitted to and issued by the Council/Accredited Certifier prior to any building works being carried out on site.

DA270

Should you appoint Council as the Principal Certifying Authority (PCA) to undertake inspections during the course of construction then the following inspection/certification are required:

- Silt control fences
- Piling inspection
- Footing inspection - trench and steel
- Reinforced concrete slab X 6
- Framework inspection
- Wet area moisture barrier X 6
- Drainage inspection
- Driveway crossing/kerb layback
- Landscaping inspection
- Final inspection

The cost of these inspections by Council is 4,600 (being \$230 per inspection inclusive of GST). Payment of the above amount is required prior to the first inspection. Inspection appointments can be made by contacting the Environmental Services Division on 9976 1414.

At least 24 hours notice should be given for a request for an inspection and submission of the relevant inspection card. Any additional inspection required as a result of incomplete works will incur a fee of \$110.

DA271

An Occupation Certificate is to be issued by the Principal Certifying Authority prior to occupation of the development.

DA279

All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.

DA283

De-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- a) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA certified laboratory or Manly council for compliance with ANZECC Water Quality Guidelines
- b) If tested by NATA certified laboratory, the certificate of analysis issued by the laboratory must be forwarded to Manly Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.
- c) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received.
- d) It is the responsibility of the applicant to ensure that during de-watering activities, the capacity of the stormwater system is not exceeded, that there are no issues associated with erosion or scouring due to the volume of water pumped.

Environmental Services Division Report No. 14 (Cont'd)

e) Turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.

f) Also the developer must contact the Department of Infrastructure, Planning and Natural Resources and comply with any of their requirements.

DA285

Roof and framing including provision for tie downs, bracing and fixings are to be designed by a practising Structural Engineer. The Engineer is to specify appropriate wind category relating to the site terrain, house design and height of the structure, with details being submitted to the Principal Certifying Authority prior to the commencement of framework.

DA332

The capacity and effectiveness of erosion and sediment control devices must be maintained to Council satisfaction at all times.

DA333

A copy of the Soil and Water Management Plan must be kept on-site at all times and made available to Council officers on request.

DA334

Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted.

DA335

Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.

DA336

Drains, gutters, roadways and access ways shall be maintained free of sediment and to the satisfaction of Council. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.

DA337

Building operations such as brickcutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

DA338

All disturbed areas shall be stabilised against erosion to Council satisfaction within 14 days of completion, and prior to removal of sediment controls.

DA339

Stormwater from roof areas shall be linked via a temporary downpipe to a Council approved stormwater disposal system immediately after completion of the roof area. Inspection of the building frame will not be made until this is completed to Council satisfaction.

DA340

The applicant and/or builder must prior to the commencement of work, install at the periphery of the site, measures to control sedimentation and the possible erosion of the land. The measures must include:-

- (i) siltation fencing;
- (ii) protection of the public stormwater system; and
- (iii) site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

Environmental Services Division Report No. 14 (Cont'd)

DA289

Building or construction work must be confined to the hours between 7.00am to 6.00pm, Monday to Friday and 7.00am to 1.00pm, Saturday, with a total exclusion of such work on Public Holidays and Sundays. Non-offensive works where power operated plant is not used and including setting out, surveying, plumbing, electrical installation, tiling, internal timber or fibrous plaster fixing, glazing, cleaning down brickwork, painting, building or site cleaning by hand shovel and site landscaping, is permitted between the hours of 1.00pm to 4.00pm Saturdays. Note: That the Protection of the Environment Operations Act 1997 may preclude the operation of some equipment on site during these permitted working hours.

DA318

There is to be no noise emitted from any process carried on within the premises that will register more than 5 decibels above the background noise at any point more than 3m outside the premises.

DA274

Payment of contributions in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979, is required for the development. The amount being in accordance with Councils Section 94 Policy applicable at the time of payment prior to the issue of the Construction Certificate / the release of subdivision plans for registration / or at the time prior to release of Development Consent where no works are involved.

DA323

This approval shall expire if the development hereby permitted is not commenced within 2 years of the date hereof or any extension of such period which Council may allow in writing on an application made before such an expiry.

ATTACHMENTS

There are no attachments for this report.

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***** End of Environmental Services Division Report No. 14 ***** .