



## Agenda

### Planning and Strategy Committee

Notice is hereby given that a Planning and Strategy Committee of Council will be held at Council Chambers, 1 Belgrave Street, Manly, on:

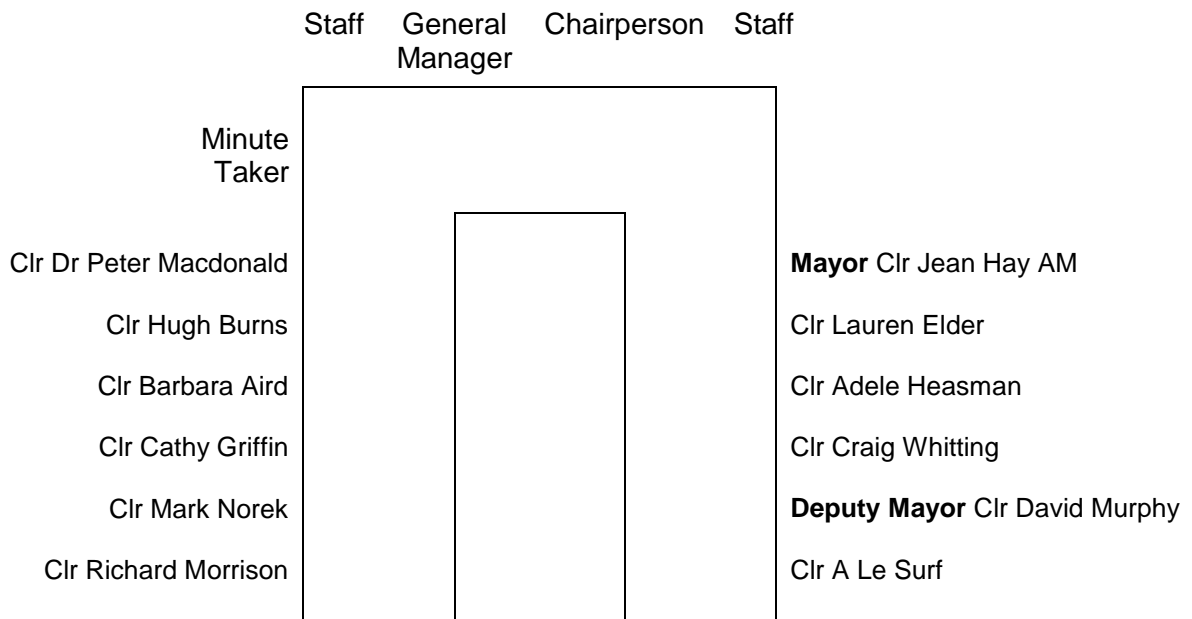
**Monday 7 December 2009**

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

# Seating Arrangements for Meetings



Press

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Public  
Addresses

## Public Gallery

**Chairperson:** Councillor Richard Morrison  
**Deputy Chairperson:** Councillor Alan Le Surf

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**CLOSED COMMITTEE ITEMS****CONFIDENTIAL COMMITTEE OF THE WHOLE****Civic and Urban Services Division Report No. 13**

Tender T2009/19 Assessment - Manly Council Library Building Air Conditioning Plant Replacement

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

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

**TO:** Planning and Strategy Committee - 7 December 2009  
**REPORT:** Item For Brief Mention Report No. 22  
**SUBJECT:** Items for Brief Mention: Electoral Commission of NSW - Report on Council's 2008 election; and MV Baragoola proposed de-listing from State Heritage List  
**FILE NO:**

---

**1. Electoral Commission of NSW – Report on Council's 2008 election**

Council has received a letter (refer to Attachment 1) and a copy of a report on the conduct and administration of Manly Council's 2008 election, produced by the Electoral Commission of NSW. The 96 page report (tabled) provides details of the feedback received from stakeholders, as well as specific election details specific to Manly Council's elections.

**2. Removal of the *MV Baragoola* from the State Heritage List**

Council has received correspondence from the NSW Department of Planning - Heritage Branch, advising that the NSW Heritage Council, at its meeting of 4 November 2009, resolved to recommend to the Minister for Planning the removal of the *MV Baragoola* from the State Heritage Register.

Council's Heritage Planner prepared a written submission to the NSW Heritage Council supporting the retention of the *MV Baragoola* on the State Heritage Register. The Heritage Council was also advised of Council's resolution to support the State Heritage listing of the ferry. A copy of these letters is attached, for your information (refer to Attachment 2).

It is noted that once the Minister has considered the Heritage Council's recommendation and made a decision, Council will be further notified of the outcome.

**RECOMMENDATION**

1. It is recommended that the information from the Electoral Commission NSW be received and noted.
2. It is recommended that the information from the Department of Planning – Heritage Branch be received and noted.

**ATTACHMENTS**

<b>AT-1</b>	Electoral Commission NSW Letter.pdf	1 Page
<b>AT-2</b>	Correspondence between the NSW Heritage Council and Manly Council re MV Baragoola removal from State Heritage Register	4 Pages

PS071209IBM\_1.doc

\*\*\*\*\* End of Item For Brief Mention Report No. 22 \*\*\*\*\*

ATTACHMENT 1

Item For Brief Mention Report No. 22 - Items for Brief Mention: Electoral Commission of NSW  
- Report on Council's 2008 election; and MV Baragoola proposed de-listing from State Heritage  
List  
Electoral Commission NSW Letter.pdf

2007/1070

29 September 2009

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

Manly Council  
Page 1 of 1 OCT 2009  
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Dear Mr Wong

I am pleased to provide you with a report on the conduct and administration of your Council's 2008 election. The report provides detail of the feedback received from stakeholders as well as election details specific to your Council's election. Two copies of the report are enclosed. Further copies of your council's report can be downloaded from the NSWEC's website.

For the first time the NSWEC conducted stakeholder surveys of the satisfaction of stakeholders with the conduct of the elections. The stakeholder groups surveyed included Council General Managers. The NSWEC also used other measures such as those from other jurisdictions to assess its performance. The results of these comparisons are contained in the report.

The consolidated report of all elections conducted across NSW has been provided to the Minister for Local Government, the Hon Barbara Perry, MP, the NSW Parliament (Joint Standing Committee on Electoral Matters), and the NSW Department of Local Government. A copy of that report can be found on the NSWEC's website [www.elections.nsw.gov.au](http://www.elections.nsw.gov.au).

The production of all of the reports has been a significant project. In the event that you identify any factual errors in the report I would appreciate you bringing them to our attention by 30 October 2009, after which the reports will go on our website. The NSWEC would appreciate any feedback you or your council may wish to make. Feedback should be provided to [helen.robinson@elections.nsw.gov.au](mailto:helen.robinson@elections.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink that reads 'Colin Barry'.

Colin Barry  
Electoral Commissioner

ATTACHMENT 2

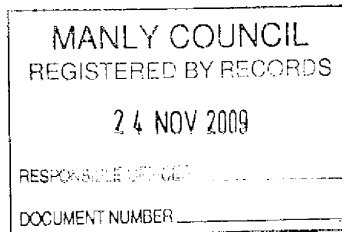
**Item For Brief Mention Report No. 22 - Items for Brief Mention: Electoral Commission of NSW - Report on Council's 2008 election; and MV Baragoola proposed de-listing from State Heritage List**

**Correspondence between the NSW Heritage Council and Manly Council re MV Baragoola removal from State Heritage Register**



Contact Tim Smith  
Telephone: 02 9873 8575  
Tim.Smith@planning.nsw.gov.au  
File: S91/00417/3

Ms Jennie Minifie  
Manager Planning and Strategy  
Manly Council  
PO Box 82  
MANLY NSW 1655



17 November 2009

Dear Ms Minifie

**Re: Notice of NSW Heritage Council recommendation to remove from the State Heritage Register:  
MV Baragoola ferry – Unincorporated Waters of Sydney Harbour**

I am writing to advise, in accordance with section 33(1)(e) of the Heritage Act 1977, that the NSW Heritage Council has resolved to recommend removing the **MV Baragoola** from the State Heritage Register to the Minister for Planning. The recommendation was resolved at the NSW Heritage Council meeting of 4 November 2009.

The recommendation was made after consideration of a report prepared by the Heritage Branch which included submissions received from affected parties, members of the public and expert independent advice.

Once the Minister has considered the Heritage Council's recommendation and made a decision whether or not to remove the item from the SHR, further notification will be provided to you of that decision.

Information on the SHR is available on the Heritage Branch website [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au). If you have any questions please do not hesitate to contact Deputy Director Tim Smith at the Heritage Branch on (02) 9873 8575.

Yours sincerely

A handwritten signature in black ink, appearing to read "Petula Samios".

Petula Samios  
**Director**  
**Heritage Branch**

ATTACHMENT 2

Item For Brief Mention Report No. 22 - Items for Brief Mention: Electoral Commission of NSW - Report on Council's 2008 election; and MV Baragoola proposed de-listing from State Heritage List

Correspondence between the NSW Heritage Council and Manly Council re MV Baragoola removal from State Heritage Register

**Manly Council**



**Council Offices**  
1 Belgrave Street  
Manly NSW 2095

**Correspondence to**  
General Manager  
PO Box 82  
Manly NSW 1655

DX 9205 Manly

**Telephone 02 9976 1500**  
Facsimile 02 9976 1400

[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)  
[records@manly.nsw.gov.au](mailto:records@manly.nsw.gov.au)

ABN 43 662 868 065

**Our Ref:** 28072009/ LF / CPS5120  
**Enquiries:** Laura Fraser, ph 99761595

Ms Petula Samios  
Director Heritage Branch  
Department of Planning  
NSW Heritage Council  
Locked Bag 5020  
PARRAMATTA NSW 2124

Attention: Tim Smith

Dear Ms Samios,

**Re: MV Baragoola**

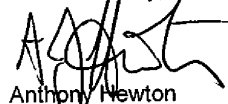
Reference is made to the State Heritage listed MV Baragoola (former purpose built Manly Ferry) and the proposed delisting of this state significant item. It is noted that Council has previously written to the Department of Planning Heritage Branch advising of its support for the continued state listing of the MV Baragoola.

In addition to Council's previous correspondence on this matter it is advised that Council resolved at its meeting of 13 July 2009 as follows:

"That Manly Council supports maintaining the listing of the Baragoola on the State Heritage Register and calls on the Department of Planning Heritage Branch to work with and coordinate the participation of all stakeholders and interested parties, to best ensure the continued preservation of this irreplaceable and historically valuable ship, for future generations."

Should you require any further information or assistance please contact Laura Fraser, Heritage Planner, Planning & Strategy on ph 9976 1595 (Wednesdays).

Yours faithfully,

  
Anthony Newton  
Divisional Manager  
Corporate Planning and Strategy

Date: 31/7/09

CLEANER HEALTHIER HAPPIER

Manly Council Supports Smoke Free Zones

[www.smokefreecouncils.com.au](http://www.smokefreecouncils.com.au)



## ATTACHMENT 2

### Item For Brief Mention Report No. 22 - Items for Brief Mention: Electoral Commission of NSW - Report on Council's 2008 election; and MV Baragoola proposed de-listing from State Heritage List

### Correspondence between the NSW Heritage Council and Manly Council re MV Baragoola removal from State Heritage Register

## Manly Council



Our Reference: 04062009:LFKF: 5SA4-GHIL & BQ0K-M01N  
Your Reference: S91/00417/3

Mr Tim Smith  
Heritage Council of NSW  
Locked Bag 5020  
Parramatta NSW 2124

Council Offices  
1 Belgrave Street  
Manly NSW 2095

Correspondence to  
General Manager  
PO Box 82  
Manly NSW 1655

DX 9205 Manly

Telephone 02 9376 1500  
Facsimile 02 9376 1400

[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)  
[records@manly.nsw.gov.au](mailto:records@manly.nsw.gov.au)

ABN 43 662 868 065

Dear Mr Smith,

**Re: Notice of Intention to consider de-listing from the State Heritage Register of:  
MV Baragoola ferry -- Unincorporated Waters of Sydney Harbour.**

Reference is made to your recent letter regarding the above mentioned State Heritage Register listed item and advice regarding the extended period in which public submissions can be made on the de-listing and significance of the Baragoola.

The following points are made in support of the continued State Heritage listing of the Manly Ferry, MV Baragoola.

- The significance of the Baragoola is well documented on the State Heritage Register Heritage Inventory sheet. In particular, the Baragoola meets more than one of the significance criteria and its rarity alone is also considered to be sufficient reason for retaining the Baragoola on the State Heritage list. As one of only three remaining ferries dating from the Port Jackson Manly Ferry Company, it is extremely important as tangible, physical evidence of the significant part ferries played in the State's history, including the suburbanisation and development of Sydney and the history of Sydney Harbour.
- The communities on the shores of the Harbour in particular and generations of families have continuous and common memories of the Manly ferries, including the Baragoola, whether it be commuting to the city for work, or taking a ferry boat ride for leisure. Attached is a copy of a letter sent to Council from a concerned member of the public, detailing their objections to the de-listing of the Baragoola.
- The Heritage Council is urged to assist the owners in maintaining and conserving the Baragoola for present and future generations, particularly through the Heritage Act, such as establishing minimum standards of maintenance and repair for State heritage items; heritage agreements; and funding assistance. It is also strongly recommended that the Heritage Branch actively pursue funding sources including the Federal Government funding for Heritage and Employment programs. Technical assistance and support may also be available through other avenues including the Maritime Museum, and wooden boat enthusiasts.

./12

CPS5094

CLEANER HEALTHIER HAPPIER

Manly Council supports Smoke Free Zones

Recycling@manly.nsw.gov.au

## ATTACHMENT 2

### Item For Brief Mention Report No. 22 - Items for Brief Mention: Electoral Commission of NSW - Report on Council's 2008 election; and MV Baragoola proposed de-listing from State Heritage List

#### Correspondence between the NSW Heritage Council and Manly Council re MV Baragoola removal from State Heritage Register

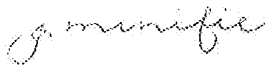
- Council is aware that an Engineering report has been prepared regarding the Baragoola and it is requested that all options for repairing, and or sympathetically replacing elements where necessary are thoroughly investigated; as well as working with the owners to find an appropriate adaptive reuse for the Baragoola.

It is noted that the matter of funding for heritage conservation is an issue for all levels of government and the plight of the Baragoola highlights this issue. Council has raised this issue in submissions to the Productivity Commission on Australian Historic Heritage Places; the NSW Heritage Act review and Commonwealth EPBC Act review. It is critical that appropriate taxation and legislative mechanisms be put in place to support conservation of items of recognised significance across all government jurisdictions.

Manly Council strongly supports the retention of the rare, historic and aesthetically significant MV Baragoola on the NSW State Heritage Register and requests that the Heritage Council and Minister for Planning retain this State significant item on the Register.

If you require any further information, please contact Laura Fraser on 9976 1560.

Yours faithfully



Jennie Minifie  
Manager Planning and Strategy

Date: 4/6/2009

CPS5094

**TO:** Planning and Strategy Committee - 7 December 2009  
**REPORT:** Report Of Committees Report No. 9  
**SUBJECT:** Minutes for Adoption by Council - Special Purpose Committees - without recommendations of a substantial nature.  
**FILE NO:**

---

The minutes of the following Special Purpose Committee meetings are tabled at this meeting.

**Minutes of Meetings for adoption without recommendations of a substantial nature.**

- i) Meals on Wheels Committee – 14 October 2009
- ii) Manly Arts Festival Working Group – 14 October 2009
- iii) Access Committee – 20 October 2009
- iv) Sustainable Transport Committee – 28 October 2009
- v) Sister Cities Committee – 28 October 2009
- vi) Sports Facilities Committee – 6 November 2009
- vii) Manly Traffic Committee – 9 November 2009
- viii) Community Environment Committee – 11 November 2009
- ix) Meals on Wheels Committee – 11 November 2009
- x) Community Safety Committee – 12 November 2009
- xi) Playground Committee – 12 November 2009

**RECOMMENDATION**

That the **Minutes of the following Special Purpose Committee Meetings be adopted:**

- i) Meals on Wheels Committee – 14 October 2009
- ii) Manly Arts Festival Working Group – 14 October 2009
- iii) Access Committee – 20 October 2009
- iv) Sustainable Transport Committee – 28 October 2009
- v) Sister Cities Committee – 28 October 2009
- vi) Sports Facilities Committee – 6 November 2009
- vii) Manly Traffic Committee – 9 November 2009
- viii) Community Environment Committee – 11 November 2009
- ix) Meals on Wheels Committee – 11 November 2009
- x) Community Safety Committee – 12 November 2009
- xi) Playground Committee – 12 November 2009

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of Report Of Committees Report No. 9 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 7 December 2009  
**REPORT:** Report Of Committees Report No. 10  
**SUBJECT:** Minutes for adoption by Council - Harbour Foreshores and Coastline Management Committee - 20 October 2009  
**FILE NO:**

---

These reports were dealt with at the Harbour Foreshores and Coastline Management Committee meeting of 20 October 2009 and were listed as a Recommendation in those minutes. These items are hereby submitted to the Planning and Strategy Committee meeting for formal adoption by Council.

**1. ITEM 3 Matters Arising – Options to address usability of Clontarf Swimming Enclosure.**

Some members of the Committee raised Precinct's concerns about continued siltation and its usability during summer. They argued for immediate dredging of the pool pending implementation of option 3 (extending the enclosure to deeper water) after required funding is secured. The Committee was informed regarding absence of funding opportunities for extension of the pool.

After long discussion, the Committee suggested to carry out sand relocation from the pool as a temporary measure.

**Divisional Manager's Note:**

Staff have prepared an operational report for me since this resolution and have undertaken a detailed analysis of the report prepared by the consultants and of the costings required to address issues of siltation at Clontarf Swimming Enclosure. The advice I have received is that dredging 3,360 m<sup>3</sup> of sand, as would be required to return the pool to 100 percent usable status, would cost \$97,000 (including the preparation of the REF document required). The figure of \$18,000 referred to in the resolution above referred to annual maintenance dredging costs only, and would be insufficient to address the current problem (where silt has accumulated over a 4 to 5 year period). The report also confirms that the only permanent solution is that of relocating the outer barrier some 5 metres into deeper water estimated to cost \$84,000. Neither of the above two options are currently costed by Council. Given the above, works to address the problem can at this stage only be budgeted in a new financial year.

**2. ITEM 6 Manly Cove Coastline Management Study (Final Draft)**

It was explained during the meeting that the Manly Cove Coastline Management Study was intended to present 'baseline condition' of Manly Cove study area in relation to institutional & policy environment, land use and land tenure, significance and values of the area, coastal processes, coastline hazards, climate change and adaptations, ecological and socio-economic environment. This study also identified indicative management options to address relevant key issues.

The study will be the basis for drafting the Manly Cove Coastline Management Plan by June 2010.

Members requested more time to review the 350-page final draft. It was agreed that further three weeks time should be provided. However, they agreed to endorse the report pending incorporation of further comments.

**Report Of Committees Report No. 10 (Cont'd)****RECOMMENDATION**

That:

**1. ITEM 3 Matters Arising – Options to address usability of Clontarf Swimming Enclosure.**

The Committee recommends to the Council and General Manager that fund is allocated to carry out urgently sand relocation from the pool as a temporary measure. The estimated cost is \$18,000.

**2. ITEM 6 Manly Cove Coastline Management Study (Final Draft)**

The Committee recommends Council to endorse the Final Draft of the Manly Cove Coastline Management Study, pending incorporation of feedback received by 10 November 2009.

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of Report Of Committees Report No. 10 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 7 December 2009  
**REPORT:** Report Of Committees Report No. 11  
**SUBJECT:** Minutes for Adoption by Council - Heritage Committee - 4 November 2009  
**FILE NO:**

---

These reports were dealt with at the Heritage Committee meeting of 4 November 2009 and were listed as a Recommendation in those minutes. These items are hereby submitted to the Planning and Strategy Committee Meeting for formal adoption by Council.

**1. ITEM 7 REPORT 4: Street Clock in The Corso – Considerations & Options**

Discussion and opinions of the Committee members were not unanimously in support of a clock in The Corso. Members opinions included: no to a clock due to increasing visual pollution/clutter; The Corso is very busy; enough activity; watches and mobiles used; not necessary, but if such a proposal goes ahead prefer option one location (Darley Rd intersection); and one neutral opinion.

**2. ITEM 9 REPORT 6: Heritage Committee Meeting Dates for 2010**

The Committee agreed to the first bi-monthly Heritage Committee meeting being held in the first week of February 2010, with a total of 6 bi-monthly meetings for the year.

**RECOMMENDATION**

That the:

**1. ITEM 7 REPORT 4: Street Clock in The Corso – Considerations & Options**

The Committee recommends to the General Manager and Council that the Committee after discussion was undecided on the proposal to place a clock in The Corso.

**2. ITEM 9 REPORT 6: Heritage Committee Meeting Dates for 2010**

The Committee recommends to the General Manager and Council that the first bi-monthly Heritage Committee meeting for 2010 be 3 February 2010.

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of Report Of Committees Report No. 11 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 7 December 2009  
**REPORT:** Report Of Committees Report No. 12  
**SUBJECT:** Minutes for adoption by Council - Landscape Management and Urban Design Committee - 21 October 2009  
**FILE NO:**

---

This report was dealt with at the Landscape Management and Urban Design Committee meeting of 21 October 2009 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Planning and Strategy Meeting for formal adoption by Council.

#### **1. ITEM 6 The Corso Clock**

The Divisional Manager, Corporate Planning and Strategy presented contextual and historical frameworks relating to the idea of a clock in The Corso. He identified past locations of clocks in and around The Corso, and explained that The Corso was listed locally as a heritage item.

Following discussion for and against the proposal it was noted by the Chair that the Committee was not in agreement to support the installation of a clock on The Corso.

#### **RECOMMENDATION**

That:

##### **1. ITEM 6 The Corso Clock**

The LUMD Committee wishes to convey to the General Manager that the Committee was not in agreement to support the installation of a clock on The Corso.

#### **ATTACHMENTS**

There are no attachments for this report.

PS071209RC\_4.doc

\*\*\*\*\* End of Report Of Committees Report No. 12 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 7 December 2009  
**REPORT:** Report Of Committees Report No. 13  
**SUBJECT:** Minutes for adoption by Council - Community Environment Committee - 14 October 2009  
**FILE NO:**

---

This report was dealt with at the Community Environment Committee meeting of 14 October 2009 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Planning and Strategy meeting for formal adoption by Council.

**1. ITEM 8.1 Project Penguin Park Bench Proposal Report**

A report was presented to and discussed by the Committee regarding a park bench which was decorated by Harbord Public School to highlight the predators and threats to little penguins as part of this project. The school would like Council's assistance for the bench to be placed in a public location.

**RECOMMENDATION**

That:

**1. ITEM 8.1 Project Penguin Park Bench Proposal Report**

- i) The Committee receive and note the report;
- ii) The Committee recommends the best location of the Bench would be in the vicinity of new signage at Manly Wharf. The final exact location to be finally determined by Council's design and technical team with consultation with Council's Landscape and Urban Design Committee (LMUD) Committee as well.

**ATTACHMENTS**

There are no attachments for this report.

PS071209RC\_5.doc

\*\*\*\*\* End of Report Of Committees Report No. 13 \*\*\*\*\*



**TO:** Planning and Strategy Committee - 7 December 2009  
**REPORT:** Planning And Strategy Division Report No. 44  
**SUBJECT:** NSW Coastal Erosion Reform Package, Sea Level Rise Policy Statement and three draft supporting guideline documents  
**FILE NO:**

---

## SUMMARY

The NSW Government has released the Coastal Erosion Reform Package and Policy Statement on Sea Level Rise. The Reform Package includes amendments to legislation, new guidelines, and additional support for councils to re-energise their coastal management planning processes. The Sea Level Rise Policy Statement, an element of the Reform package, identifies sea level rise projections of up to 40 cm to 2050, and 90 cm to 2100, for the NSW coastline.

To support the Policy Statement, the NSW Government has released the following three documents for public consultation by 11 December 2009.

- *Draft NSW Coastal Planning Guideline – Adapting to Sea Level Rise*
- *Draft Coastal Risk Management Guide: Incorporating sea level rise benchmarks in coastal risk assessments*
- *Draft Flood Risk Management Guide: Incorporating sea level rise benchmarks in flood risk assessments*

In this report, summary and linkages to two Policy documents and three draft Guideline documents are presented. As submission on draft documents is due by 11 December 2009, Council staff will make a preliminary submission by the date. A formal submission will be made, however, after presentation and discussion at the next P&S meeting.

## REPORT

The NSW Government announced on 19 October 2009 a coastal erosion reform package to better equip the State and local councils with the tools needed to deal with the challenges of coastal erosion. The reforms include amendments to legislation, new guidelines, and additional support for councils to re-energise their coastal management planning processes.

Key elements of the reforms include finalising the NSW Sea Level Rise Policy Statement, improved emergency management arrangements, legislative amendments (including allowing councils to levy a coastal protection service charge), expediting coastal zone management plans, new coastal zone management planning guidelines and improved liability exemption provisions.

The NSW Department of Environment, Climate Change and Water and other Government agencies will work closely together with local councils and communities to implement the reform package.

Following announcement of the Reform package, during the NSW Coastal Conference held between the 3rd and 5th of November 2009, the NSW Government announced the finalisation of the NSW Sea Level Rise Policy Statement as well as the release of the following draft documents for consultation:

- *Draft NSW Coastal Planning Guideline – Adapting to Sea Level Rise*
- *Draft Coastal Risk Management Guide: Incorporating sea level rise benchmarks in coastal risk assessments*
- *Draft Flood Risk Management Guide: Incorporating sea level rise benchmarks in flood risk assessments*

**Planning And Strategy Division Report No. 44 (Cont'd)****Possible Implications for Manly Council****A. Reforms to Coastal Erosion Management in NSW 2009**

There are 19 erosion 'hot spots' identified by the NSW Government, none being within the Manly LGA.

The Government will introduce amendments to the *Coastal Protection Act*, the *Local Government Act* and various regulations to:

- include adaptation to sea level rise as a management objective.
- enable councils that implement coastal erosion protection works through their approved coastal management plans to require benefiting landowners to make pro rata contributions to their costs, through a coastal protection service charge. The charges would be outside the system of rate pegging, and cover the private benefit share of design, construction and operational costs.
- provide new powers to enable a council or the Minister to issue an order to stop an unapproved action likely to result in significant beach erosion, backed by increased penalties for unlawful works or activities. These orders may be appealed in the Land and Environment Court.

The Government will introduce amendments to the *Local Government Act 1993* to clarify indemnity provisions. These will specify more clearly the limits of liability for property damage due to coastal erosion caused by natural processes, exacerbation by climate change, failure to upgrade works in response to climate change, or failure to undertake compliance to remove illegal structures or to require a landholder to maintain approved private works.

**B. NSW Sea Level Rise Policy Statement 2009**

- This policy Statement supersedes the 1988 Coastline Hazard Policy.
- Planning and investment decisions should consider the sea level rise projections over timeframes that are consistent with the intended timeframes of the decision.
- The NSW sea level rise planning benchmarks are an increase above 1990 mean sea levels of 40 cm by 2050 and 90 cm by 2100, with the two benchmarks allowing for consideration of sea level rise over different timeframes. The Government will periodically review these planning benchmarks, with the next review due in 2014.
- The use of the benchmarks will be required when undertaking coastal and flood hazard assessments in accordance with the Coastline Management and Floodplain Development Manuals. It is already a statutory requirement that the preparation of local environmental plans gives effect to and be consistent with these manuals.
- Local councils prepare studies to identify areas at risk from coastal flooding and coastal hazards.
- Government will give priority to public safety and protecting valuable publicly-owned assets, and then to private land.
- Department of Planning guidelines will describe how sea level rise should be considered in land use planning and development assessment (draft guideline released). These guidelines will provide assistance to local councils, landowners, infrastructure providers and developers.
- Coastal hazards and flooding are natural processes and the Government considers that the risks to properties from these processes appropriately rest with the property owners, whether they be public or private. This will continue where these risks are increased by sea level rise.

**Planning And Strategy Division Report No. 44 (Cont'd)****C. Three supporting Guideline documents for public consultations**

A summary of these three documents is presented in Attachment 1. Links to the full documents are also provided. The deadline for all public submissions is by 11 December 2009. Councils may, however, by the submission date, seek extension for a final submission, which must be by end of February 2010.

Staff will make a preliminary submission by the due date of 11 December 2009. A formal submission will be made after presentation and discussion at the next P&S meeting.

Council made a submission to the previous draft SLR policy (P& S meeting dated 6 April 2009) and the extent to which the issues raised have been addressed in the final document will be considered in preparing a further submission to the NSW Government.

**RECOMMENDATION**

It is recommended that Council

1. receives the report including released documents: two policy documents and three draft Guideline documents;
2. seeks an extension of time through making a preliminary submission by due date; and
3. makes a formal submission to the Departments after presentation and discussion at the next P&S meeting.

**ATTACHMENTS**

**AT- 1** Sea Level Rise Summaries of Policy & Guidelines 6 Pages

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\*\*\*\*\* End of Planning And Strategy Division Report No. 44 \*\*\*\*\*

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**Planning And Strategy Division Report No. 44 - NSW Coastal Erosion Reform Package, Sea Level Rise Policy Statement and three draft supporting guideline documents**

**Sea Level Rise Summaries of Policy & Guidelines**

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**Summaries of Policy & Guidelines Documents**

**1. Reforms to Coastal Erosion Management in NSW**

Coastal communities and local councils are facing difficult issues associated with coastal erosion along the NSW coastline. There are some 19 'hot spots' where erosion is severe and the coastline is actively receding (see Figure 1). The NSW Government has designed a new coastal erosion reform package that focuses on appropriate actions and provides a broader toolkit for both councils and communities when they are adapting to these challenging circumstances.

**Key elements of the reforms:**

**Sea level rise policy:** A draft sea level rise policy was released in February this year and consultation is now complete. Feedback was supportive and a final policy is being prepared for release and workshopping at the NSW Coastal Conference in November. This will be supported by new guidelines that explain how the sea level rise benchmarks are to be applied in coastal and flood hazard assessments and in land-use planning. Comments will be sought from councils and other stakeholders on these draft guidelines.

**Emergency management:** To better prepare for future storms, a package of emergency management preparations will be implemented:

- Councils with 'hotspots' will be required to prepare coastal erosion emergency management plans by 30 June 2010. These will set out how landowners, agencies and councils will respond in the event of storm driven erosion. The Government will provide funding to help councils prepare their plans.
- The Department of Environment, Climate Change and Water (DECCW) will issue a Code of Practice that sets out appropriate temporary measures that can be used to protect property under immediate threat from coastal erosion.
- The Infrastructure State Environmental Planning Policy, Marine Parks and Crown Lands legislation will be amended to permit temporary landowner funded emergency works where they are consistent with the council's emergency management plan and the Code of Practice.

**Legislative amendments:** To upgrade the longer term toolkit for dealing with expected increases in coastal erosion hazards, the Government will introduce amendments to the Coastal Protection Act, the Local Government Act and various regulations to:

- include adaptation to sea level rise as a management objective
- enable councils that implement coastal erosion protection works through their approved coastal management plans to require benefiting landowners to make pro rata contributions to their costs, through a coastal protection service charge. The charges would be outside the system of rate pegging, and cover the private benefit share of design, construction and operational costs

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**Planning And Strategy Division Report No. 44 - NSW Coastal Erosion Reform Package, Sea Level Rise Policy Statement and three draft supporting guideline documents**

**Sea Level Rise Summaries of Policy & Guidelines**

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- provide new powers to enable a council or the Minister to issue an order to stop an unapproved action likely to result in significant beach erosion, backed by increased penalties for unlawful works or activities. These orders may be appealed in the Land and Environment Court
- various operational and procedural matters.

Legislation will also be amended to permit appropriate landowner funded long term coastal protection works to slow erosion of their properties. Development consent under the Environmental Planning and Assessment Act would be required for these works from the relevant Joint Regional Planning Panel. These works would only be approved if they complied with stringent environmental and engineering requirements, including managing potential off-site impacts during construction and thereafter.

The requirements to manage off-site impacts are important to ensure coastal protection works avoid any significant impacts on the State's beaches. Landowners would be responsible for paying into the future for any beach nourishment needed to minimise any impacts on beaches from their works. The Government recognises beaches are highly valued by the community.

**Coastal zone management plans:** To expedite the planning, the Minister will issue directions to those councils that have not yet completed overall coastal zone management plans (where the council area includes one or more of the State's identified 'hot spots'). These will require completion of these plans within 12 months or as otherwise agreed.

**New coastal zone management planning guidelines:** The 1990 Coastline Management Manual and the 1992 Estuary Management Manual will be replaced with new Coastal Zone Management Planning Guidelines for local councils. Draft guidelines will be released for consultation at the NSW Coastal Conference in November.

**Indemnity provisions:** To support councils in dealing with challenging issues, the Government will introduce amendments to the Local Government Act to clarify indemnity provisions. These will specify more clearly the limits of liability for property damage due to coastal erosion caused by natural processes, exacerbation by climate change, failure to upgrade works in response to climate change, or failure to undertake compliance to remove illegal structures or to require a landholder to maintain approved private works.

The Reforms to Coastal Erosion Management in NSW can be found at:

<http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm>

## **2. NSW Sea Level Rise Policy Statement**

This policy statement outlines the Government's objectives and commitments in regards to sea level rise adaptation. It outlines the support that the Government will provide to coastal communities and local councils to prepare and adapt to rising sea levels.

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**Planning And Strategy Division Report No. 44 - NSW Coastal Erosion Reform Package, Sea Level Rise Policy Statement and three draft supporting guideline documents**

**Sea Level Rise Summaries of Policy & Guidelines**

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The primary purpose of the benchmarks is to provide guidance supporting consistent considerations of sea level rise impacts, within applicable decision-making frameworks. This includes strategic planning and development assessment under the EP&A Act and infrastructure planning and renewal.

The use of the benchmarks is required when undertaking coastal and flood hazard assessments in accordance with the Coastline Management and Floodplain Development Manuals. It is already a statutory requirement that the preparation of Local Environmental Plans give effect to and be consistent with these manuals.

The sea level rise planning benchmarks can be used for purposes such as:

- incorporating the projected impacts of sea level rise on predicted flood risks and coastal hazards
- designing and upgrading of public and private assets in low-lying coastal areas where appropriate, taking into account the design life of the asset and the projected sea level rise over this period
- assessing the influence of sea level rise on new development (see below for further details)
- considering the impact of sea level rise on coastal and estuarine habitats (such as salt marshes) and identifying valuable habitats at most risk from sea level rise
- assessing the impact of changed salinity levels in estuaries, including implications for access to fresh water.

The NSW Sea Level Rise Policy Statement can be found at:

[www.environment.nsw.gov.au/resources/climatechange/09708sealevrisepolicy.pdf](http://www.environment.nsw.gov.au/resources/climatechange/09708sealevrisepolicy.pdf)

### **3. The Draft NSW Coastal Planning Guideline – Adapting to Sea Level Rise**

The Draft Coastal Planning Guideline: Adapting to Sea Level Rise (the draft guideline) accompanies the NSW Government's Sea Level Rise Policy Statement and aims to provide practical advice to coastal councils on how sea level rise should be considered in future land use planning and development assessment in coastal NSW.

The draft guideline is based around the implementation of six coastal planning principles guiding sustainable development with consideration for sea level rise, and these include to:

1. Assess and evaluate coastal risks taking into account the NSW sea level rise planning benchmarks;
2. Advise the public of coastal risks and to ensure that informed land use planning and development decision-making can occur;
3. Avoid intensifying land use in coastal risk areas through appropriate strategic and land use planning;
4. Consider options to reduce land use intensity in coastal risk areas where feasible;
5. Minimise the exposure to coastal risks from proposed development in coastal areas; and
6. Implement appropriate management responses and adaptation strategies, with consideration for the environmental, social and economic impacts of each option.

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**Planning And Strategy Division Report No. 44 - NSW Coastal Erosion Reform Package, Sea Level Rise Policy Statement and three draft supporting guideline documents**

**Sea Level Rise Summaries of Policy & Guidelines**

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**Identifying Coastal Risk Areas: Principles 1 and 2**

The draft guideline adopts the sea level rise benchmarks, ensuring consistent consideration of the influence of sea level rise on coastal areas. In identifying and evaluating coastal risks, councils should use the Coastline Management Manual and the Floodplain Development Manual, in addition to the advice contained within the draft Coastal and Flood Risk Management Guides, all prepared by the Department of Environment, Climate Change and Water (DECCW).

Revised coastal hazard studies should identify immediate and future hazard lines, factoring in the new benchmarks. Where new coastal hazard and flood studies have not yet been completed, the draft guideline says councils may use investigation areas as an interim measure to indicate land likely to be subject to coastal risks due to future sea level rise. The draft guideline says coastal risk areas (including identified coastal risk areas and investigation areas) can be mapped in a development control plan (DCP), and additional development standards or criteria may be added to the DCP which impose further controls on the type of development permitted in these areas, for instance:

- Type of construction materials;
- Size of the development; or
- Need for the development to be relocatable or temporary.

**Strategic and Land Use Planning: Principles 3 and 4**

The draft guideline indicates that land use planning at the local, sub-regional and regional level should aim to avoid intensifying land use and, where possible, reduce land use intensity in coastal risk areas. It advises councils to use their discretion in their strategic and land use planning to carefully weigh up the environmental, social and economic costs of altering land use intensity in coastal risk areas.

The draft guideline encourages a reduction in land use intensity where feasible, however notes that this should be carefully considered in light of the current land uses and use rights, existing environmental and planning constraints on development, land tenure and risk of requiring land acquisition.

For example, it may be appropriate to use the E3 Environmental Management zone for rural or undeveloped land seaward of the immediate hazard line that may require careful management due to ongoing risks from coastal hazards. The draft guideline is designed to encourage a forward looking approach to coastal land use planning to prevent creating or exacerbating risks to property or life due to sea level rise.

**Development Assessment: Principles 5 and 6**

The draft guideline aims to provide direction to consent authorities for development assessment in coastal areas, outlining how proposals should be considered based on their location in the coastal risk area, in particular that:

- Proposed development within the immediate hazard line should be avoided;
- Proposed development seaward of the current 2100 hazard line should be assessed against strict planning criteria and be portable in the event of coastal erosion; and
- Proposed development seaward of the 2100 hazard line with sea level rise projections should be assessed against the strict planning criteria.

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**Planning And Strategy Division Report No. 44 - NSW Coastal Erosion Reform Package, Sea Level Rise Policy Statement and three draft supporting guideline documents**

**Sea Level Rise Summaries of Policy & Guidelines**

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According to the draft guideline, any proposal located outside the coastal risk area – in other words behind the 2100 hazard line with sea level rise projections – is considered suitable for development with regard to coastal hazards, subject to merit based assessment of other relevant issues.

The draft guideline indicates eight planning criteria should be considered by proponents when preparing a proposal, and by consent authorities when assessing a development application in a coastal risk area. These criteria state that the proposal should not impact on natural coastal processes, not increase coastal risks around the site and should protect coastal ecosystems from development impacts.

The Draft NSW Coastal Planning Guideline – Adapting to Sea Level Rise can be found at:

[www.planning.nsw.gov.au/PlansforAction/Coastalprotection/SeaLevelRisePolicy/tabid/177/Default.aspx](http://www.planning.nsw.gov.au/PlansforAction/Coastalprotection/SeaLevelRisePolicy/tabid/177/Default.aspx)

**4. Draft Coastal Risk Management Guide: Incorporating sea level rise benchmarks in coastal risk assessments**

This Guide has been prepared to assist local councils, the development industry and consultants incorporate the sea level rise benchmarks in coastal hazard assessments. This includes coastal hazard assessments carried out as part of a coastal hazard study during a coastal zone management planning process or for assessing coastal hazard constraints for proposed coastal developments. The information in this guide updates the sea level rise information in the *NSW Coastline Management Manual* (NSW Government 1990). This information may also be useful for planners and designers of coastal infrastructure.

The *Draft NSW Coastal Planning Guideline – Adapting to Sea Level Rise* (DoP 2009) provides detail about the consideration of this information in land use planning and development assessment.

The guide can be found at:

[www.environment.nsw.gov.au/resources/climatechange/09710draftcoastrisk.pdf](http://www.environment.nsw.gov.au/resources/climatechange/09710draftcoastrisk.pdf)

**5. Draft Flood Risk Management Guide: Incorporating sea level rise benchmarks in flood risk assessments**

This guide has been prepared to assist local councils, the development industry and consultants incorporate the sea level rise benchmarks in floodplain risk management planning and flood risk assessments for new development. The information in this guide updates the sea level rise information in *NSW Floodplain Development Manual* (NSW Government 2005) and can be used in the floodplain risk management planning process described in this manual. This guide also updates the sea level rise section of the *Floodplain Risk Management Guideline: Practical Consideration of Climate Change* (DECC 2007). The 2007 guideline provides additional advice on dealing with the impacts



## ATTACHMENT 1

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### **Planning And Strategy Division Report No. 44 - NSW Coastal Erosion Reform Package, Sea Level Rise Policy Statement and three draft supporting guideline documents**

#### **Sea Level Rise Summaries of Policy & Guidelines**

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of climate change on existing development areas and discusses the consideration of potential changes to flood producing rainfall events caused by climate change.

The *Draft NSW Coastal Planning Guideline – Adapting to Sea Level Rise* (DoP 2009) provides detail about the consideration of this information in land use planning and development assessment.

The guide can be found at:

[www.environment.nsw.gov.au/resources/climatechange/09711draftfloodrisk.pdf](http://www.environment.nsw.gov.au/resources/climatechange/09711draftfloodrisk.pdf)

**TO:** Planning and Strategy Committee - 7 December 2009  
**REPORT:** Environmental Services Division Report No. 29  
**SUBJECT:** Development Applications Currently Being Processed During December, 2009  
**FILE NO:**

## SUMMARY

DEVELOPMENT APPLICATIONS CURRENTLY BEING PROCESSED DURING DECEMBER, 2009.

## REPORT

The following applications are with the Town Planners for assessment.

482	2004	106 Darley Road	Section 96 Modification
145	2005	4/11-27 Wentworth Street	Remove brick wall and replace with windows to match existing
230	2005	30 Castle Circuit	Section 96 Modification
538	2005	46 Addison Road	Section 96 Modification
462	2006	151 Darley Road	Section 96 Modification
314	2007	197-215 Condamine Street	Section 96 Modification - Masonic Club
330	2007	36 Ernest Street	Section 96 Modification
409	2007	11 Oyama	Alterations & Additions
427	2007	2A West Street	Land Subdivision into 2 allotments and new driveway access
445	2007	24 Collingwood Street	Section 96 Modification
493	2007	Stuart Street Kiosk	Section 96 Modification
104	2008	100 Seaforth Crescent	Section 96 Modification
174	2008	8 Coral Street	Section 96 Modification
239	2008	2 Grandview Grove	Section 96 Modification
358	2008	30 Kitchener Street	Demolition and new 2 storey dwelling
391	2008	13 Manly Road	Section 96 Modification
398	2008	53-57 Pittwater Road	Section 96 Modification
446	2008	29 Adelaide Street	Part Demolition and Alterations and Additions
455	2008	99 Clontarf Street	Section 96 Modification
24	2009	7 Marine Parade	Alterations & Additions to mixed use building
61	2009	30 Abernethy Street	Alterations & Additions
95	2009	29 Marshall Street	Demolition and construction of retaining wall
103	2009	71 Bower Street	Demolition of existing and new 3 storey dwelling
108	2009	38 Birkley Road	Alterations to approved garage and first floor addition
120	2009	1 Alma Street	Section 96 Modification
129	2009	87 Stuart Street	Alterations & Additions
137	2009	243 Pittwater Road	Alterations & Additions

## Environmental Services Division Report No. 29 (Cont'd)

138	2009	170 Pittwater Road	Alterations and Additions including partial demolition
149	2009	25 La Perouse Street	Partial demolition and new 2 storey dwelling
150	2009	3 Baltic Street	Demolition & new 2 storey dwelling
161	2009	105 Pittwater Road	Alterations & Additions
170	2009	1/111 North Steyne	Demolition of existing & construction
180	2009	Manly Wharf	Hugos extended outdoor seating
181	2009	25 Smith Street	Alterations & Additions
190	2009	45 Pittwater Road	Alterations & Additions
199	2009	11 Oyama Avenue	Land Subdivision
200	2009	24 Ponsonby Parade	Demolition of existing & construction of new dwelling
207	2009	21 Palmerston Place	Alterations & Additions
208	2009	3 Redman Street	Alterations & Additions
209	2009	19 West Street	Alterations & Additions
215	2009	57 Beatrice Street	Demolition of existing & construction of new 2 storey
225	2009	41 Edgecliff Esplanade	Additional Information
226	2009	11-27 Wentworth Street	Alterations and Additions to mixed use development
227	2009	470 Sydney Road	Alts & adds to existing building
229	2009	Manly Yacht Club	1.8 metre Security Fencing & Gates
233	2009	91 Addison Road	Swimming pool & landscaping
235	2009	8 King Street	Alterations & Additions
244	2009	2 Avona Crescent	Alterations & Additions
246	2009	165 Condamine Street	Alterations & Additions
248	2009	43-45 East Esplanade	2 Illuminated Signs
249	2009	46 Addison Road	Alterations & Additions to RFB
250	2009	22 The Crescent	Alterations & Additions to RFB
252	2009	36 Pacific Parade	Driveway Crossing
255	2009	5 Ainslee Place	Amended Plans
256	2009	29 Gurney crescent	Alterations & Additions
258	2009	258 Sydney Road	Alterations & Additions
260	2009	26 Crescent	Alterations & Additions
261	2009	122 Woodland Street	Carport and fence
262	2009	8 James Street	Alterations & Additions to RFB
264	2009	24B Bungalow Avenue	Alterations and 1st Floor Additions
270	2009	323 Sydney Road	Alterations & Additions
275	2009	7 Abernethy Street	Alterations & Additions
276	2009	4 Smith Street	Alterations & Additions
277	2009	7 Smith Street	Change of use to a Boarding House
279	2009	4 Salisbury Square	Partial demolition and Alterations and Additions

Environmental Services Division Report No. 29 (Cont'd)

280	2009	30 Quinton Road	Torrens Title Subdivision and Alterations & Additions
281	2009	2 Wakehurst Parkway	New Dwelling, garage and driveway
282	2009	4 Gordon Street	Alterations & Additions
283	2009	197-215 Condamine Street	Seafood Shop, Cafe and Signage
284	2009	48 Seaview Street	Alterations & Additions
286	2009	7 Reserve Street	Demolition and new 2 Storey dwelling
288	2009	3 Cliff Street	Alterations & Additions
289	2009	30 Cutler Road	Alterations & Additions
290	2009	7 Vista Avenue	Alterations & Additions
291	2009	143 Balgowlah Road	Alterations & Additions
294	2009	26 Nolan Place	Alterations & Additions
296	2009	137A Woodland Street	Demolish outbuildings, Alterations & Additions
297	2009	69 Peacock Street	Alterations & Additions
299	2009	Kangaroo Street - Child Care Centre	Alterations & Additions
300	2009	1C Vista Avenue	Alterations & Additions
301	2009	9 James Street	Alterations & First Floor Additions
302	2009	103 Pittwater Road	Alterations & Additions
303	2009	50 Rosedale Avenue	Alterations & Additions
304	2009	30 Addison Road	Pool and landscaping
305	2009	30 Addison Road	Demolition of existing, New 2 storey dwelling, garage & deck
306	2009	197-215 Condamine Street	Restaurant and fitout
308	2009	17 Belgrave Street	Massage premises
309	2009	121 Condamine Street	Alterations & Additions
310	2009	33 Pacific Street	Alterations & Additions
311	2009	28 Alexander Street	Demolition of exiting and torren title subdivision
312	2009	79 Boyle Street	Double carport
313	2009	15 Sydney Road	Change of Use - Yoga Centre
314	2009	30-32 Pittwater Road	Change of Use - Dry Cleaner
316	2009	173 Pittwater Road	Alterations & Additions
317	2009	32 Wanganella Street	Alterations & Additions
320	2009	2 Harwood Place	Alterations & Additions
321	2009	59 Pittwater Road	Alterations & Additions to Salvation Army Hall
322	2009	15 Seaview Street	Alterations & Additions including pergola
324	2009	13 Alma Street	Swimming Pool
325	2009	7 Castle Circuit	New Dwelling, garage and decks
326	2009	66 Peacock Street	Alterations & Additions
327	2009	5 Ellery Parade	Alterations & Additions
328	2009	39 Osborne Road	Demolition and new 2 storey dwelling

Environmental Services Division Report No. 29 (Cont'd)

329	2009	38-42 The Corso	Shop fitout & Signage - Liquor Store
330	2009	6 Pickworth Avenue	Pool and landscaping
331	2009	Manly Wharf	Gloria Jeans Shop Fitout
333	2009	21 Thornton Street	Alterations & Additions
334	2009	14 Abernethy Street	Alterations & Addition & Carport
335	2009	8 The Corso	Pool and Shelter
343	2009	19A-21 Addison Road	Alterations & Additions

The following applications are with Lodgment and Quality Assurance being notified, advertised and referred to relevant parties.

114/2009 4 Belgrave St, MANLY 2095

Change of hours to 9.00am to 10.00pm Monday to Sunday, signage and sun shade curtain

169/2006 68 Beatrice St, BALGOWLAH HEIGHTS 2093

Section 96 to modify approved Alterations and additions to existing dwelling including new carport and veranda

421/2007 Kenneth Rd, MANLY 2095

Section 96 to modify approved Reconfigure the eighteen (18) hole golf course including repositioning of holes and fairways new drainage works new water storage and treatment ponds

383/2008 15 Seaview St, BALGOWLAH 2093

NEW DA required - Not Section 96 Modification - Section 96 to modify approved Alterations and additions to existing dwelling including extensions and new deck

35/2004 8 The Corso, MANLY 2095

Section 96 to modify approved Demolition of existing buildings and Construction of a Coles Supermarket, Retail Shops and Residential Apartments

332/2009 73 Cutler Rd, CLONTARF 2093

Double carport over the existing hardstand

46/2004 36-38 South Steyne, MANLY 2095

Section 96 to modify approved Alterations and additions to existing building to convert to hotel - modification of Conditions of Consent including the extension of trading hours to 4.00am - Shore Club

411/2006 36-38 South Steyne, MANLY 2095

Section 96 to modify approved Alterations and additions including second floor, outdoor dining lounge/bar, facade and parapet alterations - to modify conditions of consent - Shore Club

505/2007 36-38 South Steyne, MANLY 2095

Section 96 to modify approved Continuation of Trading Hours - modification including extension of trading hours to 4.00am - Shore Club

336/2009 62 Balgowlah Rd, BALGOWLAH 2093

Fitout of existing Refreshment Room for use as a Nando's Restaurant and signage

337/2009 62 Balgowlah Rd, BALGOWLAH 2093

Advertising structure and signage

338/2009 16 Boronia La, SEAFORTH 2092

Construction of a two (2) storey dwelling with double garage, swimming pool, decks and landscaping

**Environmental Services Division Report No. 29 (Cont'd)**

- 47/2006 11 The Corso, MANLY 2095  
Section 96 to modify approved Alterations and additions to existing building including three (3) new residential units on two (2) levels- Section 94 Contributions
- 339/2009 1 Alma St, CLONTARF 2093  
Alterations and additions to existing dwelling including deck, plunge pool, front fence, landscaping, stairways and landings
- 340/2009 197-215 Condamine St, BALGOWLAH 2093  
Advertising Structure - Signage - "Club Totem" located at the Balgowlah Shopping Village
- 341/2009 52 Kempbridge Av, SEAFORTH 2092  
Alterations and additions to existing dwelling including first floor extension
- 342/2009 35A Gurney Cr, SEAFORTH 2092  
Alterations and additions to existing dwelling including enclosure of existing deck for conversion to a bedroom and ensuite
- 64/2007 40 Gurney Cr, SEAFORTH 2092  
Section 96 to modify approved Construction of a new dwelling house with a three (3) car garage and swimming pool
- 355/2004 24 Boyle St, BALGOWLAH 2093  
Section 96 to modify approved Alterations and additions to dwelling including pool, spa, carport and fence
- 41/2007 33 White St, BALGOWLAH 2093  
Section 96 to modify approved Alterations and additions to an existing dwelling house
- 344/2009 39 Seaview St, BALGOWLAH 2093  
Alterations and additions to existing semi-detached dwelling including rear extension and landscaping
- 345/2009 197-215 Condamine St, BALGOWLAH 2093  
Fit out and establishment of use as a Refreshment Room (Sushi Restaurant) and signage in Shop 66 within The Village - Balgowlah
- 346/2009 10 Quinton Rd, MANLY 2095  
Alterations and additions to existing building including access to proposed rooftop deck
- 347/2009 35-39 Belgrave St, MANLY 2095  
Change of use to a Thai Massage establishment and associated shop fitout
- 104/2007 69 Boyle St, BALGOWLAH 2093  
Section 96 to modify approved Construction of a first floor deck off the rear of the existing first floor dwelling
- 349/2009 24 Arthur St, FAIRLIGHT 2094  
Alterations and additions to existing dwelling including first floor extensions, deck and carport
- 101/2006 197-215 Condamine St, BALGOWLAH 2093  
Section 96 to modify approved Excavation and erection of building comprising of a supermarket, specialist shops, dwellings, parking and landscaping in relation to Condition ANS105 - Traffic Management measures
- 348/2009 48 Frenchs Forest Rd, SEAFORTH 2092  
Alterations and additions to existing dwelling including demolish carport, construct rear deck, double

**Environmental Services Division Report No. 29 (Cont'd)**

garage-storeroom, modification to roof and front fence

350/2009 75 Beatrice St, BALGOWLAH HEIGHTS 2093  
Alterations and additions to existing dwelling including detached double garage

351/2009 25 Eurobin Av, MANLY 2095  
Alterations and additions to existing dwelling including rear extension

353/2009 571-575 Sydney Rd, SEAFORTH 2092  
Alterations to the existing shop front - Bakery

354/2009 11 Tabalum Rd, BALGOWLAH HEIGHTS 2093  
Alterations and additions to the existing dwelling including new driveway, double garage and extensions

352/2009 Balgowlah Rd, MANLY 2095  
Internal and external alterations and additions to Roundhouse Childcare Centre including increasing the number of children places from forty (40) to eighty (80) places, landscaping, enlarge the car park area, associated road works and pedestrian path crossings

355/2009 9 Boyle St, BALGOWLAH 2093  
Alterations and additions to the existing Residential Flat Building including new attic level and dormer windows - Unit 2

356/2009 38 Frenchs Forest Rd, SEAFORTH 2092  
Change of use to a Take Away Food Shop (Pizza), fitout and signage

357/2009 20 Smith St, MANLY 2095  
Alterations and additions to existing dwelling including rear extension, rear garage door and front fence

45/2006 41A Castle Cct, SEAFORTH 2092  
Section 96 to modify approved New two (2) storey split level residence with swimming pool and double carport

383/2007 5 Margaret St, FAIRLIGHT 2094  
Section 96 to modify approved Alterations and additions to the existing two (2) storey dwelling including a new front gate and a rear first floor deck and awning

213/2009 1 Judith St, SEAFORTH 2092  
Section 96 to modify approved Alterations and additions to an existing dwelling including rear extension and double carport

358/2009 158 Condamine St, BALGOWLAH 2093  
Alterations and additions to existing semi-detached dwelling including first floor addition

359/2009 13A Lodge St, BALGOWLAH 2093  
Alterations and additions to existing dwelling including first floor addition, ground floor extension, deck, carport and landscaping

360/2009 19A-21 Addison Rd, MANLY 2095  
Demolition, reconstruction, extension of external stairs to the foreshore including a deck

361/2009 24 Dobroyd Rd, BALGOWLAH HEIGHTS 2093  
Alterations and additions to existing dwelling including new driveway, carport, and extend roof over the existing first floor rear deck

437/2007 154 Sydney Rd, FAIRLIGHT 2094  
Food Shop and Section 96 Modification Food Shop

Environmental Services Division Report No. 29 (Cont'd)

**RECOMMENDATION**

THAT the information be noted.

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of Environmental Services Division Report No. 29 \*\*\*\*\*



**TO: Planning and Strategy Committee - 7 December 2009**  
**REPORT: Environmental Services Division Report No. 30**  
**SUBJECT: Current Appeals Relating to Development Applications.**  
**FILE NO:**

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**SUMMARY**

CURRENT APPEALS RELATING TO DEVELOPMENT APPLICATIONS DURING DECEMBER 2009.

**REPORT**

<b>DA#</b>	<b>L&amp;E Appeal Reference</b>	<b>House #</b>	<b>Address</b>	<b>Date Appeal Lodged</b>	<b>Solicitor Company</b>	<b>Current Status</b>
387/03	11098/04 S56A Appeal	71	The Corso	02/06/08	HWL	S56A appeal Adjourned to 19/12/09
66/07	11277/08 & 10192/09 Class 1	11-27	Wentworth Street	16/12/08	HWL	Awaiting Judgment
51/08	10429/08 S56A Appeal	114	Frenchs Forest Road	30/04/08	Pikes	S56A Appeal Awaiting judgment
408/08	10839/09 Class 1	47	Seaforth Crescent	09/11/09	Pikes	Callover 09/12/09

**RECOMMENDATION**

THAT the information be noted.

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of Environmental Services Division Report No. 30 \*\*\*\*\*