

Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 8 May 2006

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TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Planning and Strategy Committee, having met at 7:40 PM on Monday 8 May 2006, in the Council Chambers, Town Hall, Manly, to consider the various matters referred to it, now reports the decisions reached and the recommendations made which are stated hereunder.

The decisions taken and indicated by the prefix "Resolved" as distinct from "Recommendations" made to the Council, were taken pursuant to authority delegated to this Committee vide Minutes Number 535 of 19th September, 2005.

PRESENT

His Worship, The Mayor, Councillor Dr P Macdonald
Deputy Mayor Councillor B Aird, Chairperson who presided
Councillor S Cant
Councillor P Daley
Councillor J Evans
Councillor J Hay, AM
Councillor A Heasman, Deputy Chairperson
Councillor J Lambert, AM
Councillor R Morrison (arrived at 7:41pm)
Councillor D Murphy

ALSO PRESENT

Henry T Wong, General Manager
Jennie Minifie, Branch Manager, Planning & Strategy
Rachael Levey, Minute Taker

APOLOGIES

Apologies were tendered on behalf of Councillors Norek and Pedersen, for non-attendance.

MOTION (Aird / Macdonald)

That the apologies received from Councillors Norek and Pedersen, be accepted and leave be granted.

RESOLVED: (Aird / Macdonald)

That the apologies received from Councillors Norek and Pedersen, be accepted and leave be granted.

For the Resolution: Councillors Macdonald, Hay, Heasman, Lambert, Cant, Murphy, Daley,
Aird and Evans
Against the Resolution: Nil.

LEAVE OF ABSENCE

Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

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

That copies of the Minutes of the Meeting of the Planning and Strategy Committee held on Monday 10 April 2006, having been furnished to each member of the Committee, be taken as read and confirmed as a true record of proceedings of such meeting.

RESOLVED: (Macdonald / Lambert)

That copies of the Minutes of the Meeting of the Planning and Strategy Committee held on Monday 10 April 2006, having been furnished to each member of the Committee, be taken as read and confirmed as a true record of proceedings of such meeting.

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

Against the Resolution: Nil.

Councillor Morrison entered the Chamber at 7:41pm.

SUSPENSION OF STANDING ORDERS (Aird / Macdonald)

That Standing Orders be suspended to allow for consideration of Items of public interest, being Corporate Planning and Strategy Division Report No. 25, 2A Beatty Street Balgowlah Heights - Heritage Listing.

RESOLVED: (Aird / Macdonald)

That Standing Orders be suspended to allow for consideration of Items of public interest, being Corporate Planning and Strategy Division Report No. 25, 2A Beatty Street Balgowlah Heights - Heritage Listing.

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

Against the Resolution: Nil.

Corporate Planning And Strategy Division Report No. 25

2A Beatty Street Balgowlah Heights - Heritage Listing**SUMMARY**

This report recommends the listing of 2a Beatty Street (also known as 2 Beatty Street) in the *Manly Local Environment Plan 1988* Schedule 4: Items of the Environmental Heritage for its local heritage significance as one of the original and rare sandstone fisherman's cottages with associated structures in the Manly Local Government Area (LGA).

PUBLIC ADDRESSES

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

Objector: Scot Wheelhouse, owner.

MOTION (Macdonald / Evans)

1. That this property, including the sandstone cottage, outbuilding with original stone chimney and fireplace and masonry retaining walls and stairs, has local heritage significance and strongly meets the Heritage Office criteria for listing an item of local heritage significance and should be listed in Schedule 4 of the Manly LEP.
2. That this listing should be bundled as part of the comprehensive heritage review rather than as an immediate LEP amendment due to the State government policy against minor LEP amendments.
3. That the assessment of the property as an item of state significance be deferred to the comprehensive heritage review.

AMENDMENT (Murphy / Morrison)

That the Applicant be allowed to complete the current Development Application (DA) process at 2A Beatty Street Balgowlah Heights and that Council reconsider the heritage listing of the cottage at completion of the current DA.

For the Amendment: Councillors Cant, Murphy, Daley and Morrison

Against the Amendment: Councillors Macdonald, Hay, Heasman, Lambert, Aird and Evans

The **Amendment** was declared **Lost**.

RESOLVED: (Macdonald / Evans)

1. That this property, including the sandstone cottage, outbuilding with original stone chimney and fireplace and masonry retaining walls and stairs, has local heritage significance and strongly meets the Heritage Office criteria for listing an item of local heritage significance and should be listed in Schedule 4 of the Manly LEP.
2. That this listing should be bundled as part of the comprehensive heritage review rather than as an immediate LEP amendment due to the State government policy against minor LEP amendments.
3. That the assessment of the property as an item of state significance be deferred to the comprehensive heritage review.

For the Resolution: Councillors Macdonald, Hay, Heasman, Lambert, Cant, Aird and Evans

Against the Resolution: Councillors Murphy, Daley and Morrison

RESUMPTION OF STANDING ORDERS (Aird / Macdonald)

That Standing Orders be resumed.

RESOLVED: (Aird / Macdonald)

That Standing Orders be resumed.

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

Against the Resolution: Nil.

The Mayor moved the following Mayoral Minute from the Chamber at 8:14pm.

MAYORAL MINUTES

Mayoral Minute Report No. 9

Sympathy & Support for Sophie Delezio**BACKGROUND**

I know that all councillors will be keen to express their support and best wishes to Sophie Delezio for a full recovery from the terrible injuries she recently received in the tragic accident that unfolded at Seaforth on the afternoon of Friday 5th May.

This little girl has been an inspiration to the whole nation as she has dealt with the horrific burns received in the Roundhouse accident in December 2003. She has shown great courage in the face of multiple operations and during the subsequent rehabilitation process. The community was delighted when she was finally discharged from hospital and, more recently, enrolled at a local primary school. It was with shock and horror that everyone received the news that she had yet again been the victim of a horrific road accident.

The public outpouring of grief along with prayers for a full recovery have been touching. Sophie still remains in a critical condition but the medical bulletins are encouraging. I spoke by phone to Ron Delezio yesterday and conveyed the feelings of the community to Caroline and himself. This groundswell of compassion appears to be giving them strength in these difficult times.

I note that the State Government and the RTA have indicated that there will be a review of all marked foot (pedestrian) crossings on four lane roads with a view to improving safety and this is a welcome initiative. As regards to the crossing in question on Frenchs Forest Road Seaforth east of Baringa Ave, I would suggest that any measures proposed for here must be considered in conjunction with the other nearby intersection at Brooke Road and Frenchs Forest Road, which in my view is also unsafe. It may be that there is a solution that can deal with both sites and I recommend that our Traffic Committee list the matter on their next agenda as an urgent item.

MOTION (Macdonald / Aird)

1. Council convey their best wishes to Sophie Delezio for a full recovery and our ongoing support to Ron, Caroline and their family.
2. The Traffic Committee urgently consider the matter of improving the safety of pedestrians crossing Frenchs Forest Road, working closely with the RTA.

RESOLVED: (Macdonald / Aird)

1. That Council convey their best wishes to Sophie Delezio for a full recovery and our ongoing support to Ron, Caroline and their family.
2. That the Traffic Committee urgently consider the matter of improving the safety of pedestrians crossing Frenchs Forest Road, working closely with the RTA.

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

Against the Resolution: Nil.

CORPORATE PLANNING AND STRATEGY DIVISION

Corporate Planning And Strategy Division Report No. 24

Proposed Designation of Wildlife Protection Area on the Foreshore of Federation Point**SUMMARY**

In response to community concern, requests from the Department of Environment & Conservation (DEC) and Council's responsibility for the conservation of Manly's Endangered Population of Penguins, it is proposed to designate the foreshore area of Federation Point a Wildlife Protection Area (WPA). Enforced under the Companion Animals Act, designation of the foreshore as a WPA would make it an offence to allow dogs or cats in this area.

To coincide with the designation of the WPA it is proposed to designate a section of the Manly Scenic Walkway a dog on-leash area, install signage and undertake appropriate education. The on-leash area, which would extend from the top of the stairs at Federation Point along the walkway around to Manly Art Gallery and Museum would afford greater protection to the penguins and address safety concerns relating to the narrow passage around Ocean World.

This proposal has been endorsed by DEC, NSW Maritime, the Penguin Recovery Team and both the Harbour Foreshores Committee and the Manly Scenic Walkway Committee. The Companion Animals Committee is unable to be consulted as it has not met for over 12 months and Council is in the process of re-establishing it.

MOTION (Macdonald / Lambert)

That Council support:

1. The designation of a Wildlife Protection Area at Federation Point;
2. The designation of the corresponding Dog 'on-leash' area; and
3. The installation of signage at Site 1 to 5 as depicted on Map 1 attached to the Report, and that appropriate community education be undertaken.

RESOLVED: (Macdonald / Lambert)

That Council support:

1. The designation of a Wildlife Protection Area at Federation Point;
2. The designation of the corresponding Dog 'on-leash' area; and

3. The installation of signage at Site 1 to 5 as depicted on Map 1 attached to the Report, and that appropriate community education be undertaken.

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

Against the Resolution: Nil.

Corporate Planning And Strategy Division Report No. 26

Manly Social Plan

SUMMARY

This report updates the Council on the progress with implementation of the Manly Social Plan 2005-09. It is recommended that Council receives and notes the report.

MOTION (Lambert / Macdonald)

1. That Council receive and note the report, Manly Social Plan 2005-09.
2. That Council congratulate staff and members of the Social Plan Committee for their work on the Manly Social Plan.

RESOLVED: (Lambert / Macdonald)

1. That Council receive and note the report, Manly Social Plan 2005-09.
2. That Council congratulate staff and members of the Social Plan Committee for their work on the Manly Social Plan.

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

Against the Resolution: Nil.

Corporate Planning And Strategy Division Report No. 27

Report on Proposed Redevelopment of Australian Institute of Police Management, North Head

SUMMARY

The Joint Standing Committee on Public Works has announced an inquiry into the proposal by the Australian Institute of Police Management (AIPM) for the redevelopment of the land it currently occupies on North Head. It is recommended that Council make a submission to the Inquiry and also, as a matter of urgency write to the AIPM and the Joint Standing Committee seeking urgent clarification of the tenure of the land subject to the proposal.

Further, Council has very recently also become aware of a referral by AIPM of its proposed redevelopment to the Department of Environment and Heritage, and a submission is being prepared as a matter of urgency to address the Council's concerns regarding the proposal.

MOTION (Lambert / Macdonald)

1. That the report be received and noted;

2. That Council formally seek clarification and ask for an urgent response on the land tenure issue on the Australian Institute of Police Management (AIPM) site at North Head, Manly
3. That with the National Heritage listing of the whole of North Head south and east of the stone walls imminent, the AIPM be encouraged to ensure that planning, redevelopment and future use of its site be done in ways which maximize integration with and minimize impacts on the heritage values and the proposed ecological sanctuary.
4. That the AIPM be encouraged to participate in and support the proposed Joint Statement of Intent for the future management of North Head.

RESOLVED: (Lambert / Macdonald)

1. That the report be received and noted;
2. That Council formally seek clarification of the land tenure issue on the Australian Institute of Police Management (AIPM) site at North Head, Manly
3. That with the National Heritage listing of the whole of North Head south and east of the stone walls imminent, the AIPM be encouraged to ensure that planning, redevelopment and future use of its site be done in ways which maximize integration with and minimize impacts on the heritage values and the proposed ecological sanctuary.
4. That the AIPM be encouraged to participate in and support the proposed Joint Statement of Intent for the future management of North Head

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

Against the Resolution: Nil.

Corporate Planning And Strategy Division Report No. 28

Items for Brief Mention

1. Minutes of Meetings:-

- (i) Manly Sports Facilities Committee – Minutes of Meeting held on 7 April 2006.
- (ii) Sydney Water & Manly Council Partnership – Minutes of Meeting held on 16 March 2006.
- (iii) Manly Sustainability Strategy Management Committee – Minutes of Meeting held on 11 April 2006.
- (iv) Social Plan Implementation Committee – Minutes of Meeting held on 21 February 2006.
- (v) Manly Aboriginal and Torres Strait Island Committee – Minutes of Meeting held on 6 March 2006.
- (vi) Heritage Committee – Minutes of Meeting held on 5 April 2006.
- (vii) Manly Scenic Walkway Committee – Minutes of Meeting held on 4 April 2006.
- (viii) Manly Bicycle Committee – Minutes of Meeting held on 9 March 2006

- (ix) Manly Traffic Committee – Minutes of Meeting held on 1 May 2006
- (x) Manly Harbour Foreshore Management Committee – Minutes of Meeting held on 11 April 2006

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

(a) Manly Sports Facilities Committee – Minutes of Meeting held on 7 April 2006.

Item 4.2.1 Capital Assistance Fund

Recommendation:-

- “1 That the information be noted and received.
- 2 That Clubs act on this immediately and not wait till the closing date. Council's Open Space Co-ordinator will assist with any application if enough time is provided.”

(b) Heritage Committee – Minutes of Meeting held on 5 April 2006.

Item 7.2 The Corso DAs

Recommendation:-

“The Heritage Committee recommends that the current DAs for 7-9 The Corso, 11 The Corso, and 15-23 The Corso should be assessed together, with the appointment by Council of an independent assessor to coordinate a fully transparent public process of assessment.”

(c) Heritage Committee – Minutes of Meeting held on 5 April 2006.

Item 11.6 128 Bower Street, Woodburn

Recommendation:-

“The Heritage Committee recommends that since 128 Bower Street makes a significant contribution to the local streetscape and the adjacent listed property, that the side and front facades of 128 Bower Street should be retained, and the scale of the building be preserved, and that Council put in place guidelines to achieve this.”

(d) Manly Harbour Foreshore Management Committee – Meeting held on 11 April 2006

Item 1: Welcome & Introduction

Recommendation:-

“That the Manly Harbour Foreshores Management Committee Terms of Reference be updated to include recent changes to community and state government representation.”

(e) Manly Harbour Foreshore Management Committee – Meeting held on 11 April 2006

Item 4.1 Little Manly Coastline

Recommendation:-

“That staff draft a letter seeking the extension of the North Harbour Aquatic Reserve to include Spring and Little Manly Coves based on ecological values of the area.”

(f) Manly Harbour Foreshore Management Committee – Meeting held on 11 April 2006

Item 5.4: Establishment of Clontarf/Seaforth Estuary Management Committee

Recommendation:-

“A new Committee of Council, known as the Clontarf/Bantry Bay Estuary Management Committee, be established having stakeholder and Councillor representation, to assist in the development of an Estuary Management Plan for the area of foreshore between Castle Rock and Bantry Bay.”

(g) The Manly Lagoon Catchment Coordinating Committee – Meeting held on 16 March 2006

Item 1.1 Manly Lagoon Rehabilitation Works

Site 5 - Removal of Sand from the Lagoon Entrance

Recommendation:-

Interalia

“3. That Council Staff liaise with the Department of Primary Industries (NSW Fisheries) to investigate alternative options to the current sand removal regime being undertaken at the Lagoon entrance (Site 5), eg, a rolling permit to undertake the works on an as needs basis.”

(h) The Manly Lagoon Catchment Coordinating Committee – Meeting held on 16 March 2006

Item 1.3 Operation Manly Lagoon

Recommendation:-

“1. That Manly and Warringah Council endorse the initiative and use of the “Operation Manly Lagoon” logo.

2. That the logo incorporates the Manly Lagoon Catchment website that is to be developed in 2006.”

(i) The Manly Lagoon Catchment Coordinating Committee – Meeting held on 16 March 2006

Item 3.1 Declaration of Pecuniary Interest and Conflict of Interest

Recommendation:-

“That the Declaration of Pecuniary Interest and Conflict of Interest is a standing item on future agendas.”

(j) The Manly Lagoon Catchment Coordinating Committee – Meeting held on 16 March 2006

Item 3.2 Manly Lagoon & Catchment Integrated Catchment Management Strategy (ICMS)

Recommendation:-

“That an update of the implementation of the Manly Lagoon & Catchment Integrated Catchment Management Strategy (ICMS) is a standing item on future agendas.”

(k) The Manly Lagoon Catchment Coordinating Committee – Meeting held on 16 March 2006

Item 3.4 Strategic Research Initiative in Manly Lagoon Catchment

Recommendation:-

“That Manly and Warringah Council liaise to consider the merits of expanding the Strategic Research Initiative, currently being piloted in the Manly Dam Catchment, to the entire Manly Lagoon Catchment.”

MOTION (Macdonald / Heasman)

1. That the recommendations of Minutes of Meetings, as listed in Item 1 above, being 1(i) to 1(x), be adopted.
2. That in relation to all matters of a substantial nature listed in Item 2 above, being 2(a) to 2(k), be adopted as per the recommendation of the Committees.

RESOLVED: (Macdonald / Heasman)

1. That the recommendations of Minutes of Meetings, as listed in Item 1 above, being 1(i) to 1(x), be adopted.
2. That in relation to all matters of a substantial nature listed in Item 2 above, being 2(a) to 2(k), be adopted as per the recommendation of the Committees.

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

Against the Resolution: Nil.

HUMAN SERVICES AND FACILITIES DIVISION

Human Services And Facilities Division Report No. 2

Manly Food & Wine Festival 2006

SUMMARY

- Advice received confirming that Council may conduct the event provided restaurants do not sell alcohol in the extended outdoor dining areas.
- Council has received its approval from the Liquor Licensing Board for a Temporary On-License Function (the License).
- Council, as the holder of the License will take on the service of wine in the extended outdoor dining areas.
- Wineries who have applied to participate in the Festival will continue as previously, to sell wine from their stalls on behalf of the Licensee (Council) as per the terms and conditions of the Temporary On-License (Function).
- Marketing and promotions for the event are finalized and under control.

MOTION (Hay / Heasman)

That the report for the Manly Food & Wine Festival 2006 be received and noted.

RESOLVED: (Hay / Heasman)

That the report for the Manly Food & Wine Festival 2006 be received and noted.

For the Resolution: Councillors Macdonald, Hay, Heasman, Lambert, Cant, Daley,
Morrison, Aird and Evans

Against the Resolution: Councillor Murphy

CLOSE

The meeting closed at [10:00pm](#)

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

CHAIRPERSON

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