

## Minutes

### Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

**Monday 11 December 2006**

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



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**TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:**

The Planning and Strategy Committee, having met at 10.47pm on Monday 11 December 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 Pedersen  
Councillor B Aird, Chairperson who presided  
Councillor S Cant  
Councillor P Daley  
Councillor J Evans  
Councillor J Hay, AM  
Councillor J Lambert, AM  
Councillor R Morrison  
Councillor D Murphy  
Councillor M Norek

**ALSO PRESENT**

Henry Wong, General Manager  
Jim Hunter, Executive Director Major Projects  
Jennie Minifie, Branch Manager, Planning & Strategy  
Michael Batt, Town Planner  
Elayne Becker, Minute Taker

**APOLOGIES**

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

**MOTION (Macdonald / Pedersen)**

That the apology received from Councillor A Heasman be accepted.

**RESOLVED (Macdonald / Pedersen)**

That the apology received from Councillor A Heasman, be accepted.

**For the Resolution:** Councillors Macdonald, Hay, Lambert, Cant, Murphy, Daley, Morrison,  
Pedersen, Aird, Evans and Norek  
**Against the Resolution:** Nil.

**LEAVE OF ABSENCE**

Nil.

**DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST**

<b>Name:</b>	<b>Item Number:</b>	<b>Nature of Interest:</b>
Councillor Aird	P&S Division Report No.62 – Item No.4(x)	Resides in one of the streets mentioned in the report.

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

That copies of the Minutes of the Meeting of the Planning and Strategy Committee held on Monday 13 November 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 (Pedersen / Lambert)**

That copies of the Minutes of the Meeting of the Planning and Strategy Committee held on Monday 13 November 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, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

**GENERAL MANAGERS DIVISION**

General Managers Division Report No. 39

**Management Plan Quarterly Review - 1st July to 30th September 2006****SUMMARY**

The purpose of this report is to provide a review of the achievements towards meeting the outcomes set by Council in the key objectives in the Management Plan 2006 – 2009 (*Manly Plan*) for the period ending 30<sup>th</sup> September 2006, in accordance with the requirements of the *Local Government Act, 1993*.

**MOTION (Macdonald / Lambert)**

That the report on the first quarterly review of the Management Plan 2006 - 2009 for the period ending 30<sup>th</sup> September 2006 be received and noted.

**RESOLVED (Macdonald / Lambert)**

That the report on the first quarterly review of the Management Plan 2006 - 2009 for the period ending 30<sup>th</sup> September 2006 be received and noted.

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

**Against the Resolution:** Nil.

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**CORPORATE PLANNING AND STRATEGY DIVISION**

Corporate Planning And Strategy Division Report No. 60

**Manly Draft Residential Development Control Plan for the Residential Zone 2006 - Draft Plan for Adoption****SUMMARY**

The purpose of this report is to provide the Council with an update on the status of the Draft Development Control Plan (DCP) for the Residential Zone 2006. The Draft Plan is tabled at this meeting and has been circulated to Councillors under separate cover.

The report also considers the submissions received following the public exhibition of the Plan and recommends the Plan be adopted.

**MOTION (Macdonald / Lambert)**

That:

1. The Council receive and note the report;
2. The Council adopt the Draft Manly Development Control Plan for the Residential Zone 2006, pursuant to Clause 74C(2)(b) and Clause 74C(3) of the *Environmental Planning and Assessment Act, 1979*, incorporating the following amendments:
  - a) The "open space" definition being amended to exclude roof top terraces from open space calculations;
  - b) A reference being included to exclude the provision of additional car parking in the case of alterations and additions to heritage items if the provision of same impacts on the item;
  - c) A clause being included in the General Design Requirement Section which discourages "pop tops";
  - d) A clause being added to the Landscape Section to the effect that swimming pools may not contribute to more than 30% of the total landscaped area;
  - e) The correction of typographical and grammatical errors; and
  - f) The inclusion of the following definition:

"Alts and adds: A development application to alter and add to a building will be taken to be that relating to a new building where more than half of the existing external fabric of the building is demolished. The area of the existing external fabric is taken to be the surface area of all the existing external walls, the roof measured in plan and the area of the lowest habitable floor."
  - g) Photographs be omitted from the revised document at least until appropriate captions have been included.
3. The Plan be known as Manly Development Control Plan for the Residential Zone 2007;
4. The Plan become operational from 1 January 2007.
5. Feedback is provided to those who made submissions in response to public exhibition and

to working group members as the final outcomes of their inputs.

**AMENDMENT (Murphy / Morrison)**

That approval of the Draft Development Control Plan (DCP) for the Residential Zone 2006 be **deferred** to a further meeting with relevant parties, including council staff, and Gabrielle Morrish to further discuss what was expected by all Councillors from the document.

**For the Amendment:** Councillors Hay, Cant, Murphy, Morrison, Pedersen, Aird and Norek

**Against the Amendment:** Councillors Macdonald, Lambert, Daley and Evans

The **AMENDMENT** was declared **CARRIED**

**RESOLVED (Murphy / Morrison)**

That approval of the Draft Development Control Plan (DCP) for the Residential Zone 2006 be **deferred** to a further meeting with relevant parties, including council staff, and Gabrielle Morrish to further discuss what was expected by all Councillors from the document.

**For the Resolution:** Councillors Hay, Cant, Murphy, Morrison, Pedersen, Aird and Norek

**Against the Resolution:** Councillors Macdonald, Lambert, Daley and Evans

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Corporate Planning And Strategy Division Report No. 61

**Manly Sustainability Strategy. Three Year Review: Draft Strategy for final adoption**

**SUMMARY**

The Manly Sustainability Strategy (MSS) directs for a full review every three years to ensure that it is a living strategy, maintains best practice and continues to lead Manly towards the community's vision of a sustainable future. The most recent review commenced early 2005.

On October 16, 2006, Council approved the draft Manly Sustainability Strategy (2006) to be placed on public exhibition for a period of four weeks at seven locations including Council's website. Three community submissions were received. This report discusses these submissions and seeks Council's adoption of the Strategy.

**MOTION (Lambert / Macdonald)**

That:

1. Council adopt the Manly Sustainability Strategy (2006) and commence implementation.
2. Council acknowledges the work of Councillor Lambert, members of the Sustainability Committee and members of Scientific Advisory Committee.

**RESOLVED (Lambert / Macdonald)**

That:

1. Council adopt the Manly Sustainability Strategy (2006) and commence implementation.
2. Council acknowledges the work of Councillor Lambert, members of the Sustainability Committee and members of Scientific Advisory Committee.

**For the Resolution:** Councillors Macdonald, Hay, Lambert, Cant, Murphy, Daley, Morrison,

Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

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Corporate Planning And Strategy Division Report No. 62

**Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees**

**1. Report on Quarantine Station, North Head, Manly**

Council was informed by the Parks and Wildlife Division of the Department of Environment and Conservation on 9 November 2006 of the leasing of the Quarantine Station Pty Ltd commencing 6 November 2006. A copy of the correspondence is attached. Refer Attachment 1.

It is recommended that Council receive and note the information.

**2. Report on Council's Submission on Planning for Bush Fire Protection**

The Draft document "Planning for Bush Fire Protection" prepared by the NSW Rural Fire Service was recently on exhibition for local government comment prior to release for public exhibition.

This follows amendments to the *Environmental Planning and Assessment Act, 1979* and *Rural Fire Act, 1997* which provide for the full mapping of bush fire prone areas, and provisions for infill developments not complying with the PBP document. These are to be referred by councils to the NSW Rural Fire Service for advice. There is no need for advice where a proposal complies with "Planning for Bush Fire Protection" requirements. Development applications for residential subdivisions and "Special Fire Protection Purposes" are dealt with as "Integrated Development" where an approval from the Rural Fire Service must be obtained.

The revised document "Planning for Bush Fire Protection" includes references to the new legislation, clarification of principles related to infill developments, tourist facilities and other forms of development and an improved site assessment methodology. The new guide places a greater emphasis on performance solutions rather than the use of prescriptive controls.

Council's submission expresses the need for State support to resource the additional demands arising from the new responsibilities being placed on Councils under the amended legislation and new guidelines.

It is recommended that Council receive and note the information.

**3. Report on Draft State Environmental Planning Policy (Infrastructure) 2006**

The Draft State Environmental Planning Policy (Infrastructure) 2006 was recently exhibited by Department of Planning. It will replace 19 current State Environmental Planning Policies (many which relate to specific developments in other areas of the state), certain provisions from State Environmental Planning Policy 58, State Environmental Planning Policy 4, and Clauses from the Standard Instrument (Local Environmental Plans) Order 2006, which relate to infrastructure.

Provisions of the draft State Environmental Planning Policy also provide for the development of land zoned "Special Uses" for residential purposes or other uses without

the need for it to be rezoned accordingly.

A submission objecting to these provisions has been made on behalf of Manly Council.

It is recommended that Council receive and note the information.

#### 4. Minutes of Meeting:

- (i) Heritage Committee – Minutes of Meeting held on 1 November 2006.
- (ii) Manly Bicycle Committee – Minutes of Meeting held on 9 November 2006.
- (iii) Manly Community Environment Committee – Minutes of Meeting held on 16 November 2006.
- (iv) Manly Council & Manly Golf Club Partnership – Minutes of Meeting held on 26 October 2006.
- (v) Manly Social Plan Implementation Committee – Minutes of Meeting held on 21 November 2006.
- (vi) Manly LEP Review Working Party – Minutes of Meeting held on 22 November 2006.
- (vii) Manly Scenic Walkway Committee – Minutes of Meeting held on 28 November, 2006.
- (viii) Manly Sustainability Strategy Management Group – Minutes of Meeting held on 14 November 2006.
- (ix) Playground Management Committee – Minutes of Meeting held on 23 November 2006.
- (x) Manly Traffic Committee – Minutes of Meeting held on 27 November 2006.

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

- (a) Manly Sustainability Strategy Management Group – Minutes of Meeting held on 14 November 2006.

##### **Item 8.5 Importance of Baseline Data**

Recommendation:

As part of Council's commitment to sustainability and active transport, the Committee recommends that where significant funding is spent on Local Area traffic management infrastructure, all appropriate safety measures are taken for all modes of transport including bicycle safety.

- (b) Playground Management Committee – Minutes of Meeting held on 23 November 2006.

##### **Item 6.1 Baranbali/Fromelles Playground**

Recommendation:

That the new playground be named **Baranbali Playground** after Baranbali Street, 'Baranbali' being an aboriginal word meaning 'towards the east'.



(c) Manly Traffic Committee – Minutes of Meeting held on 27 November 2006.

**Item 105/06 King Avenue, Fairlight – Request for a Shared Zone to improve pedestrian safety**

Recommendation:

That Council

1. Submit an application to the RTA's Speed Management Section to implement a Shared Zone in King Street for its entire length.
2. Officers prepare an alternative design that separates the raised threshold treatment for the Shared Zone and the improvement to the steep footpath gradient.
3. Carry out a review of the shared zone 6 months after implementation.

**General Manager's note:**

That Council consult with all the residents of King Avenue regarding the proposal for a shared zone.

*Having previously declared an interest Councillor Aird retired from the Chamber.*

**PUBLIC ADDRESSES**

The following person addressed the meeting in relation to Items for Brief Mention, Division Report No.62, No. 4(x) Manly Traffic Committee regarding traffic travelling in Collingwood Street.

Against: Mr Michael Gordon

**MOTION (Lambert / Pedersen)**

That:

1. Council receive and note the information contained in Report on Quarantine Station, North Head, Manly
2. Council receive and note the information contained in Report on Council's Submission on Planning for Bush Fire Protection.
3. Council receive and note the information Report on Draft State Environmental Planning Policy (Infrastructure) 2006.
4. The recommendations of Minutes of Meetings, as listed in Item 4 above, being 4(i) to 4(x), be adopted and staff submit a further report to address safety issues raised by the local residents regarding Item 112/06 Collingwood Street Request for Road Closure between Pacific Parade and Pine Street.
5. In relation to all matters of a substantial nature listed in Item 5 above, being 5(a) to 5(c), be adopted as per the recommendation of the Committees.
6. Mr Michael Gordon be invited to address the Manly Traffic Committee.

**RESOLVED (Lambert / Pedersen)**

That:

1. Council receive and note the information contained in Report on Quarantine Station, North Head, Manly

2. Council receive and note the information contained in Report on Council's Submission on Planning for Bush Fire Protection.
3. Council receive and note the information Report on Draft State Environmental Planning Policy (Infrastructure) 2006.
4. The recommendations of Minutes of Meetings, as listed in Item 4 above, being 4(i) to 4(x), be adopted and staff submit a further report to address safety issues raised by the local residents regarding Item 112/06 Collingwood Street Request for Road Closure between Pacific Parade and Pine Street.
5. In relation to all matters of a substantial nature listed in Item 5 above, being 5(a) to 5(c), be adopted as per the recommendation of the Committees.
6. Mr Michael Gordon be invited to address the Manly Traffic Committee.

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

**Against the Resolution:** Nil.

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**CLOSE**

The meeting closed at 11.50PM

The above minutes were confirmed at a **Planning and Strategy Committee** of Manly Council held on 12 February 2007.

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**CHAIRPERSON**

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