

Agenda

Planning and Strategy Committee

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

Monday 5 May 2014

Commencing at 7.30pm for the purpose of considering items included on the Agenda.

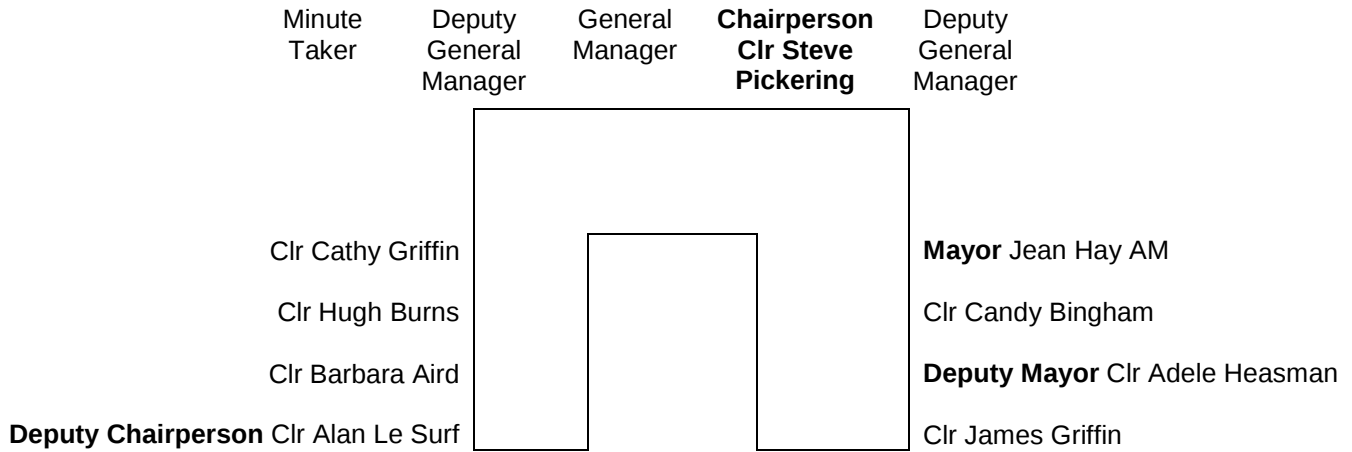
Persons in the gallery are advised that the proceedings of the meeting are being taped for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes a video camera and any electronic device capable of recording speech.

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www.manly.nsw.gov.au



Seating Arrangements for Meetings



Chairperson: Clr Steve Pickering
Deputy Chairperson: Clr Alan Le Surf

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

TO: Planning and Strategy Committee - 5 May 2014
REPORT: Mayoral Minute Report No. 6
SUBJECT: Place Name for the Pedestrianised area of Short Street
FILE NO: MC/14/49666

The section of Short Street between Sydney Road and Raglan Street became a pedestrianised area some 30 years ago. While this area has a street name, it does not have a place name.

Renovation works have been taking place over the past several months and these works are now nearing completion. To give this area some prominence I believe it should be given a place name in addition to its street address name.

I MOVE THAT

I move that the pedestrian space in Short Street be named Manly Plaza

ATTACHMENTS

There are no attachments for this report.

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***** End of Mayoral Minute Report No. 6 *****

TO: Planning and Strategy Committee - 5 May 2014
 REPORT: Item For Brief Mention Report No. 6
 SUBJECT: Items For Brief Mention
 FILE NO: MC/14/40873

1. Tabled Documents

Clrs Pack	Date	Author	Subject
10/4	21 Jan 14	Mr Geoff Provest MP Parliamentary Secretary for Policy and Emergency Services	Real Action on Alcohol Now Campaign.
10/4	20 Mar 14	Norm Nikolich Community Relations Manager Sydney Water	North Head Wastewater Treatment Plan (WWTP) NSOOS Scrubber Replacement Project – Decision report (116 Page Report Tabled).
10/4	7 Apr 14	Hon. George Souris MP Minister for Tourism, Major Events, Hospitality and Racing Minister for the Arts Minister for the Hunter, NSW Government	NSW/Act Alcohol Policy Alliance (NAAPA) <i>Save Our Streets – Real Action on Alcohol Now</i> campaign.
17/4	8 Apr 14	Kevin Young Managing Director, Sydney Water	Odour monitoring at North Head Wastewater Treatment Plant
17/4	9 Apr 14	Hon. Marie Ficarra MLC Parliamentary Secretary to the Premier, NSW Government	Marine Parks
17/4	9 Apr 14	Alison Stone Executive General Manager Crown Lands, NSW Government	Consultation on the Crown Lands Legislation White Paper
17/4	9 Apr 14	Ross Woodward Chief Executive Office of Local Government NSW Government	Circular to Councils 14-10 NSW Councillor and Candidate Report 2012
	14 Apr 14	Mike Baird State Member for Manly	Regarding North Head WWTP NSOOS Scrubber Replacement Project
17/4	15 Apr 14	Hon. Gladys Berejiklian MP Minister for Transport	MyZone and Opal Fares
	22 Apr 14	The Hon Katrina Hodgkinson MP Minister for Primary Industries Minister for Small Business NSW Government	Amnesty on recreational fishing restrictions from ocean beaches and headlands in sanctuary zones in marine parks.

Item For Brief Mention Report No. 6 (Cont'd)

	24 Apr 14	Paul Elton Executive Director Policy Office of Environment & Heritage NSW Government	Fishing in marine park sanctuary zones.
	23 Apr 14	Geoff Withycombe Executive Officer Sydney Coastal Councils	Provision of the Final Report on Summerama 2014
	23 Apr 14	Geoff Withycombe Executive Officer Sydney Coastal Councils	Release of Final Report – Prioritising Coastal Adaption Development Options for Local Government

RECOMMENDATION

1. That the Tabled documents be received and noted.

ATTACHMENTS

There are no attachments for this report.

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***** End of Item For Brief Mention Report No. 6 *****

TO: Planning and Strategy Committee - 5 May 2014
 REPORT: Environmental Services Division Report No. 13
 SUBJECT: Development Applications Being Processed During May 2014
 FILE NO: MC/14/47005

SUMMARY

Development applications being processed during May 2014.

REPORT

The following applications are with the Town Planners for assessment:

DA#	Year	Site	Proposal
684	1999	1-15 Central Avenue	Section 96 Modification - Part 5
185	2001	Wharves and Jetties	Section 96 Modification (change to basement carpark)
531	2003	35 Hill Street	Section 96 Modification - Part 3
372	2005	11 Fairlight Crescent	Section 96 Modification - Part 5
473	2006	87-95 Balgowlah Road	Section 96 Modification - Part 2
197	2007	55 Frenchs Forest Road	Section 96 Modification - Part 3
510	2007	185 Pittwater Road	Section 96 Modification - Part 2
14	2010	1 Barrabooka Street	Section 96 Modification - Part 4
216	2010	13 North Harbour Street	Section 96 Modification - Part 3
367	2010	46 Victoria Parade	Section 96 Modification - Part 3
117	2011	28 Arthur Street	Section 96 Modification - Part 2
126	2011	4 West Street	LEC - Amended Plans - Section 96(8) Modification - Part 2
337	2011	2A Gilbert Street	Section 96 Modification - Part 3
103	2012	7 Gurney Crescent	Section 96 Modification - Part 2
164	2012	1 Allenby Lane	Section 96 Modification - Part 2
170	2012	10 Bligh Crescent	Section 96 Modification - Part 3
178	2012	7 Montpelier Place	Section 96 Modification - Part 2
183	2012	Sandy Bay Road	AMENDED PLANS - NOW - Removal of forty-one (41) swing moorings (eighteen {18} swing moorings retained), demolition of existing twenty-one (21) vessel birth marina, construction of a new marina containing sixty-four (64) vessel births, entry way, platform, above ground fuel tanks, relocation of existing public swing moorings and alterations and additions to the existing boatshed – Clontarf Marina
201	2012	143 Seaforth Crescent	Section 96 Modification - Part 2
236	2012	5 Margaret Street	Section 96 Modification - Part 2
244	2012	2-8 Darley Road	Section 96 Modification - Part 4
265	2012	16 Rosedale Avenue	Section 96 Modification - Part 2
273	2012	16' Skiff Club	Section 96 Modification - Part 2

Environmental Services Division Report No. 13 (Cont'd)

291	2012	25 Curban Street	Section 96 Modification - Part 2
60	2013	40 Pine Street	Section 82A Review - Part 2
99	2013	65 Curban Street	Alterations and additions
105	2013	112 Sydney Road	Section 96 Modification - Part 2
159	2013	13 Ashburner Street	Section 82A Review - Part 2
179	2013	5 Bower Street	Demolition of structure, construction of a three (3) storey dwelling including garage, front terrace, balcony, rear patio, driveway and landscaping
183	2013	36 Beatty Street	Section 96 Modification - Part 2
203	2013	3 Ogilvy Road	Alterations and additions to an existing dwelling including first floor addition, rear extension with deck, garage extension, swimming pool and front fence with gates
210	2013	4 Belgrave Street	Operation of a 'Pedicab' business within the Manly area
213	2013	37 Roseberry Street	Section 96 Modification
229	2013	2 College Street	Alterations and additions to an existing dwelling including partial demolition at the rear, rear addition to the lower ground floor, drive thru double garage, side deck and conversion of the detached garage to a secondary dwelling
233	2013	Wharves and Jetties	Outdoor seating for Hugo's Restaurant to the existing public wharf along the south-western-side area including three (3) umbrellas, thirty-six (36) seats, alterations to the stairs and enclosure of area
240	2013	24 Seaforth Crescent	Alterations and additions to an existing dwelling including rear ground floor terrace with pergola, side balconies with roof, privacy screens and doors to the first floor, internal alterations, front and rear stairs
241	2013	31 Golf Parade	Demolition of existing structure, construction of a new two (2) storey semi-detached dwelling including detached rear single garage with studio above, driveway and crossover
245	2013	58 North Steyne	Alterations and additions to the existing Manly Pacific Hotel including front and side additions with roof bar and shade structure
248	2013	106B Darley Road	Construction of a swimming pool and landscaping on proposed Lot 8 in the Spring Cove Development
255	2013	76 Condamine Street	Alterations and additions to an existing dwelling including rear addition to lower ground floor level with terrace, ground floor side and rear addition with decks, new upper floor level with elevated double carport, new crossover and landscaping

Environmental Services Division Report No. 13 (Cont'd)

256	2013	6 Radio Avenue	Demolition of existing dwelling, construction of new two (2) storey dwelling with attached garage, new driveway, crossover and landscaping
257	2013	159 Seaforth Crescent	Construction of an elevated timber deck with privacy screen and relocation of stairs
258	2013	14 Condamine Street	Alterations and additions to an existing dwelling including second floor addition, double carport and landscaping
259	2013	22 Central Avenue	Alterations and additions to an existing building to create an additional dwelling (caretakers flat) with balcony
262	2013	62 Pittwater Road	Demolition of existing building, construction of an eighteen (18) unit RFB including twenty (20) basement car spaces
264	2013	24 Stuart Street	Conversion of RFB to two (2) semi detached dwellings including rear additions, attic conversions, side and rear decks, single car parking spaces, driveways, crossover and Torren Title Subdivision into two (2) lots.
266	2013	17 Fromelles Avenue	Demolition and construction of a new two (2) storey dwelling, front and rear decks, driveway and landscaping
1	2014	57 Gordon Street	Alterations and additions to an existing dwelling including a ground and first floor additions, extension of rear balconies, shade structures, side stairs with path and new boundary fence
2	2014	81 Castle Circuit	Alterations and additions to an existing dwelling including ground floor front addition, first floor front and rear addition, rear deck with pergola and front patio
5	2014	4 Rolfe Street	Alterations and additions to an existing semi detached dwelling with alterations to the ground floor including changes to facade, side addition and rear deck, rear first floor addition with a front dormer window, one (1) hardstand space in front setback, driveway crossover, landscaping, new front and rear fences
6	2014	8 Cliff Street	Alterations and additions to an existing semi-detached dwelling including a front extension to the first floor
9	2014	13 Daintrey Street	Subdivision of two (2) existing lots into three (3) lots, demolition of the existing dwelling on 11 Daintrey Street with the construction of two (2) x two (2) storey semi-detached dwellings, a rear two (2) storey addition to the existing dwelling and construction of a secondary dwelling above the existing garage on 13 Daintrey Street

Environmental Services Division Report No. 13 (Cont'd)

10	2014	63 Collingwood Street	Alterations and additions to an existing dwelling including partial rear demolition, construction of a rear two (2) storey addition, internal alterations to the ground floor, addition of a shed and landscaping
12	2014	17 Bower Street	Demolition of existing dwelling, construction of a two (2) storey dwelling including garage, terrace, front balcony, swimming pool within the front setback, landscaping and retaining wall to the boundary
13	2014	46 Lewis Street	Alterations and additions to an existing dwelling rear addition to the lower ground floor and second floor, rear courtyards, rear deck, driveway and double carport
17	2014	2 East Esplanade	Alterations and additions to an existing Residential Flat Building including the demolition of existing and construction of new external access stairs and landings
18	2014	16 Cove Avenue	Alterations and additions to an existing Residential Flat Building including the demolition of existing and construction of new external access stairs and landings
19	2014	18 Raglan Street	Demolition of existing structures, construction of a three (3) storey mixed use development containing the re-construction of the funeral parlour/ chapel on ground floor level, and five (5) new residential apartments above with a rooftop terrace and eleven (11) car parking spaces
21	2014	47 Castle Circuit	Alterations and additions to an existing dwelling including demolition of existing carport, construction of a double carport, new upper floor addition with decks, extension of the lower ground floor and ground floor, lift, new driveway and crossover
23	2014	67 Bungaloe Avenue	Alterations and additions to an existing dwelling including the of the existing garage, new garage doors, extension of the existing driveway, new retaining walls, new pedestrian path with entry stairs, tree removal and landscaping
24	2014	14 Jackson Street	Alterations and additions to an existing dwelling including rear basement and ground floor addition, new front fence with gate, swimming pool, deck and double garage
25	2014	10 Seaforth Crescent	Alterations and additions to an existing dwelling including two (2) storey side addition and rear covered balcony with vergola
26	2014	35 Darley Road	Alterations and additions to an existing Residential Flat Building including a third level with bathroom, bedroom and roof terrace

Environmental Services Division Report No. 13 (Cont'd)

27	2014	4 Gordon Street	Alterations and additions to an existing dwelling including rear pergola and sliding doors
28	2014	9A Nield Avenue	Two (2) lot Strata Subdivision of existing semi-detached dwellings
29	2014	5 Plant Street	Demolition of existing, construction of a new two (2) storey dwelling including basement car parking, front terrace, rear deck, pavilion, landscaping, front and rear balconies
30	2014	36 Sydney Road	Demolition of existing buildings, construction of a five (5) storey Mixed Use Development with commercial and retail premises on the ground floor and part of level one (1), boarding rooms on levels one (1) to level four (4) and a two (2) level basement car park
31	2014	80 West Esplanade	Alterations and additions to an existing Residential Flat Building including new attic addition and balcony - Unit 7
32	2014	39 Peronne Avenue	Alterations and additions to an existing dwelling including second floor addition, rear terrace, deck, elevated swimming pool, landscaping, ground floor and lower ground floor extensions
33	2014	85 Cutler Road	Demolition and replacement of a section of an existing front and side fence to the dwelling
34	2014	34 Addison Street	New glass balustrade and aluminium privacy screen to an existing terrace on the attic level on the front of the existing Residential Flat Building - Unit 1
35	2014	4 Judith Street	Demolition of existing dwelling, construction of a new two (2) storey dwelling with a double garage and landscaping
37	2014	72 Raglan Street	Alterations and additions to the ground floor and first floor of the existing duplex building including rebuilding of the entry steps and amendments to the Strata Subdivision Plan
38	2014	12 Ernest Street	Alterations and additions to an existing dwelling including new carport, boundary fencing, widening of the existing driveway, ground floor rear addition, new access stairs, new privacy screens, new roof to ground floor terrace, new balustrades to ground and first floors terraces
40	2014	53-57 Pittwater Road	Enclosure of the existing ground floor terraces to extend tenancy's 1 and 2
41	2014	46 East Esplanade	Alterations and additions to existing building including a new security gate and amendment to change approved store room into a shower room

Environmental Services Division Report No. 13 (Cont'd)

42	2014	32 Peacock Street	Demolition of existing dwelling, construction of a new three (3) storey dwelling with new swimming pool, driveway and landscaping
43	2014	3 Abbott Street	Alterations and additions to an existing dwelling including extend the rear balconies and replace the pergola on the front balcony
44	2014	30 The Corso	Changes to the existing facade, shop fit out and signage – The Hotdog Man
45	2014	31 Pine Street	Alterations and additions to an existing dwelling including rear upper floor addition
46	2014	7 Beatty Street	Alterations and additions to an existing two (2) storey dwelling including new entry stairs, enclosure of existing first floor balconies, internal reconfigurations, roof alterations, retractable awning and new pool wall
47	2014	28 Lodge Street	Demolition of existing dwelling, construction of a new two (2) storey dwelling with attached garage, covered deck, new driveway, new crossover and landscaping
48	2014	30 Adelaide Street	Alterations and additions to an existing dwelling including front and rear decks, modified driveway and landscaping
49	2014	6 Acacia Road	Alterations and additions to the existing two (2) detached dwellings with a first floor addition to the primary dwelling with carport and vestibule and extensions to the secondary dwelling and semi detached terrace with storage rooms underneath
50	2014	94 Condamine Street	Alterations and additions to an existing dwelling including a first floor addition

The following applications are with Lodgment & Quality Assurance for advertising, notification and referral to relevant parties:

206/2013 91 Gurney Cr, SEAFORTH 2092

Demolition of the existing boatshed and construction of a new building

3/2014 18A Whistler St, MANLY 2095

Change of use to Coffee Shop and internal alterations to existing tattoo parlour - Shop 4

18/2007 11 Scales Pde, BALGOWLAH HEIGHTS 2093

Section 96 to modify approved Alterations and additions to an existing dwelling house including a rear ground floor addition, new detached garage, laundry and in-ground swimming pool – involving deletion of the swimming pool, relocation of the stairs, change of use for the pump room and modification to the roof line – Part 2

21/2014 47 Castle Cct, SEAFORTH 2092

Alterations and additions to an existing dwelling including demolition of existing carport, construction of a double carport, new upper floor addition with decks, extension of the lower ground floor and ground floor, lift, new driveway and crossover

Environmental Services Division Report No. 13 (Cont'd)

294/2012 31 Fairlight Cr, FAIRLIGHT 2094

Section 96 (8) to modify approved Demolition of existing residence and construction of three (3) unit strata titled building – Part 2

49/2014 6 Acacia Rd, SEAFORTH 2092

Alterations and additions to the existing two (2) detached dwellings with a first floor addition to the primary dwelling with carport and vestibule and extensions to the secondary dwelling and semi detached terrace with storage rooms underneath

215/2009 57 Beatrice St, BALGOWLAH HEIGHTS 2093

Section 96 to modify approved Demolition of existing construction of a new two (2) storey dwelling house with garage, swimming pool, front fence and landscaping – involving revised pool deck at rear, internal changes and changes to windows and doors – Part 2

191/2012 82 The Corso, MANLY 2095

Section 96 to modify approved Alterations and additions to an existing commercial building including rear and side additions, second storey addition with office space, balcony and lift – involving changes to roof design, windows, internal layout and colours to Rialto Lane elevation – Part 2

51/2014 25 Cutler Rd, CLONTARF 2093

Alterations and additions to an existing dwelling including changes at basement level, at mid level, addition of new deck, new entry and an addition on the northern upper level with a new roof

130/2013 8 Quinton Rd, MANLY 2095

Section 96 to modify approved Alterations and additions to an existing dwelling including excavation and construction of basement, rear addition, detached single garage, swimming pool, vehicle crossing and landscaping – involving changes to windows, internal layout, roof and new feature wall to the swimming pool – Part 2

52/2014 West Esp, MANLY 2095

Alteration and additions to Manly Sea Life Sanctuary including changes to an existing outdoor shark hatch

53/2014 22 Darley Rd, MANLY 2095

Change of use to an Office and fitout – Shop 2 – Condell Financial Pty Ltd

54/2014 550 Sydney Rd, SEAFORTH 2092

Alterations and additions to the former Seaforth TAFE building to create a Residential Health Services Facility for persons, with age related health issues, Community Centre and Cafe

55/2014 36 Gordon St, CLONTARF 2093

Alterations and additions to an existing dwelling including additions at basement, ground and first floor level, new double garage, lift, terrace, tree removal and landscaping

56/2014 35 Jamieson Av, FAIRLIGHT 2094

Alterations and additions to an existing detached dual occupancy including strata redistribution, additions at rear at both levels, new attic level addition, external staircase, new double carport, fence and landscaping

57/2014 3A Northcote Av, FAIRLIGHT 2094

Alterations and additions to an existing duplex including the addition of a bedroom with a bathroom in the attic and the installation of (7) seven skylight windows to the existing roof

Environmental Services Division Report No. 13 (Cont'd)

58/2014 24B Bungaloe Av, BALGOWLAH HEIGHTS 2093

Alterations and additions to an existing dwelling including demolition of existing garage, addition of new storage, laundry, new swimming pool and landscaping

66/2013 63 Griffiths St, BALGOWLAH 2093

Section 96 to modify approved Demolition of existing dwelling and construction of two (2) x two (2) storey dwellings including garage, carports, tree removal, additional driveway, layback and Torrens Title Subdivision – involving alterations to house 1 to provide additional open space as required by condition of consent ANS06 – Part 2

59/2014 243 Pittwater Rd, MANLY 2095

Alterations and additions to the existing building (Harris Farm Markets) including a wash down area with a roof, signage and tree removal

60/2014 14 Pine St, MANLY 2095

Alterations and additions to an existing dwelling including demolition of laundry to create courtyard, internal alterations and first floor addition above the existing garage

61/2014 63 Seaforth Cr, SEAFORTH 2092

Alterations and additions to provide a new inclinor on the eastern side of the property

39/2013 3A Lauderdale Av, FAIRLIGHT 2094

Section 96 to modify approved Demolition of existing structure, construction of two (2) semi-detached x two (2) storey dwellings with double garage stackers, side courtyards, side and rear terraces to the top floor and Torrens Title Subdivision – involving changes to approved ridge heights, changes to windows, new windows, removal of louvre screen on deck, side access door, changes to garage, front awning and reduction of deck – Part 3

62/2014 51 Hope St, SEAFORTH 2092

Alterations and additions to an existing dwelling including demolition of the existing garage, construction of a new double garage with study above, pergola and swimming pool

63/2014 20 Monash Cr, CLONTARF 2093

Alterations and additions to the ground and first floors of the existing dwelling and to the existing carport

64/2014 142 Pittwater Rd, MANLY 2095

Alterations and additions to an existing Residential Flat Building including rendering of the building and construction of a new entry portico

65/2014 33 Gurney Cr, SEAFORTH 2092

Alterations and additions to an existing dwelling including partial demolition of ground floor with a new addition, new fireplace with metal flue, new roof over existing front terrace, new entry stairs with path, new pool fence with seat, new privacy screens, changes to windows and doors

66/2014 12 Clifford Av, FAIRLIGHT 2094

Alterations and additions of an existing duplex including construction of a new deck - Unit 1

67/2014 99 Balgowlah Rd, FAIRLIGHT 2094

Subdivision of the existing lot into two (2) Torrens Title lots, the addition of a ground floor and first floor deck and hardstand area to the existing dwelling on the side

Environmental Services Division Report No. 13 (Cont'd)

68/2014 41-42 East Esp, MANLY 2095

Change of use to convert a residential unit to a Commercial Office space – Manly Astrophysics - Unit 15

105/2012 385 Sydney Rd, BALGOWLAH 2093

Section 96 to modify approved Demolition of existing building and construction of a four (4) storey Mixed Use development comprising of ten (10) residential units, one (1) retail shop, two (2) commercial units and sixteen (16) basement car parking spaces – involving conversion of two (2) commercial units to two (2) residential units – Part 2

The following applications were presented to the Manly Independent Assessment Panel on 17 April 2014.

DA#		Address	Proposal	Determination by MIAP
220	2013	9-11 Victoria Parade,	Demolition of existing structures and construction of a new Mixed Use Development comprising a six (6) storey building containing one (retail) premises on the ground floor, twenty-nine (29) apartments, basement carparking with twenty-eight (28) spaces and Strata Subdivision	Refused
304	2011	6 Fairlight Crescent	Section 96 Modification – Part 3	Refused
20	2014	6 Fairlight Crescent	Alterations and additions to an existing residential flat building including the construction of a rooftop terrace on level four (4)	Refused
155	2013	106 Darley Road	Five (5) Lot Strata Subdivision of approved townhouses and Sixteen (16) Lot Strata Subdivision of approved apartments.	Approved
224	2013	9 Beatrice Street	Alterations and additions to an existing dwelling including rear addition, rear deck, pergola with privacy screen, replace side pergola, terrace area, garden store and block wall to boundary.	Approved

RECOMMENDATION

THAT the information be received and noted.

ATTACHMENTS

There are no attachments for this report.

PS05052014ESD_1.DOC

***** End of Environmental Services Division Report No. 13 *****

TO: Planning and Strategy Committee - 5 May 2014
REPORT: Environmental Services Division Report No. 14
SUBJECT: List of LEC Appeals Relating to Development Applications during May 2014
FILE NO: MC/14/47015

SUMMARY

A list of appeals relating to development application currently listed with the Land and Environment Court.

REPORT

DA#	L&E Appeal Reference	House #	Address	Date Appeal Lodged	Solicitor Company	Current Status
ACTIVE						
203/2013	Class 1 10236/14	3	Ogilvy Road	22/4/2014	TBA	First mention 14 May 2014
19/2014	Class 1 10239/14	18	Raglan Street	23/4/2014	TBA	First mention 21 May 2014
20/2014	Class 1 10225/14	6	Fairlight Crescent	14/4/2014	HDO	First mention 13 May 2014
304/2011 - s96	Class 1 10226/14	6	Fairlight Crescent	14/4/2014	HDO	First mention 13 May 2014
294/2012	Class1 10127/14	31	Fairlight Crescent	5/3/2014	HWL	Section 34 16 May 2014
60/2013	Class 1 10102/14	40	Pine Street	26/2/2014	Maddocks	Section 34AA 27 May 2014
280/2012	Class 1 10916/13	17 & 19	Central Avenue	26/11/2013	Marsdens	Hearing 3-4 June 2014
337/2011	Class 1 10946/13	<u>2A</u> 3	Gilbert Street Eustace Street	6/12/2013	Marsdens	Section 34 conference adjourned to allow for amended plans
96/2013	Class 1 10982/13	1	Beatrice Street	23/12/2013	Marsdens	Adjourned for finalisation of further plans addressing Council's concerns
126/2011	Class 1 10800/13	4	West Street	16/10/2013	Maddocks	Matter to be set down for arbitration 19 May 2014

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

Judgement						
50/2013	Class 1 10633/13	121	North Steyne	16/8/2013	Pikes	Appeal upheld, one level taken off the development, articulation provided to the building fronting Pacific Street

RECOMMENDATION

THAT the information be received and noted.

ATTACHMENTS

There are no attachments for this report.

PS05052014ESD_2.DOC

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

TO: Planning and Strategy Committee - 5 May 2014
REPORT: Environmental Services Division Report No. 15
SUBJECT: Manly LEP 2013 - Proposed Amendment 4
FILE NO: MC/14/48140

SUMMARY

This report details a Planning Proposal prepared for Sydney Water Corporation in relation to the 'Fairlight Reservoir' site. This site was deferred from Manly Local Environmental Plan (LEP) 2013 due to community concerns with the proposed residential zoning in the draft LEP as exhibited in 2012. In considering this Planning Proposal, Council may resolve whether to support the Planning Proposal and submit it to the NSW Planning and Infrastructure (The' Agency') for Gateway Determination.

This report recommends that the Planning Proposal be submitted to the Agency for Gateway Determination and request in its submission that Council's General Manager exercises his delegation in amending the LEP. The Planning Proposal provides for rezoning the site to LEP Zone R1 General Residential.

Sydney Water also proposes a Park as part of future redevelopment of the site. The Planning Proposal also anticipates a public exhibition, as required in the Gateway Determination process.

REPORT

Background

Council received a Planning Proposal to amend Manly Local Environmental Plan (MLEP) 2013 in relation to land known as the Sydney Water Fairlight Reservoir. This site is currently a 'deferred matter' in MLEP in accordance with Council's earlier resolution and consideration of community concerns raised in relation to the future zoning of the site during the MLEP exhibition in 2012.

The subject land is legally described as Lot 1 DP745080, Lot1 DP911745 and Lot 9 DP1164808 at the corner of Ashley Parade and Fairlight Street. The land is zoned Special Uses – 'Water Supply' in MLEP 1988 but has been decommissioned by Sydney Water. The Reservoir is also listed as an Item of the Environmental Heritage under MLEP 2013 and is considered to be of local significance.

A Site Compatibility Certificate was issued by the Director General on the 11 August 2009 permitting residential development and current for 5 years from the issue date. Council made a submission objecting to this Certificate at the time.

Council's latest resolution in relation to the site was at its Ordinary Meeting on the 11th of November 2013 where it resolved as follows:

ii) Continue its support of local residents to have the site made available for public open space and that it be rezoned RE1.

The Planning Proposal is accompanied by a conceptual development plan providing for 5 dwellings with an open space area of 505sqm (being 26.7% of the total area) to be transferred to Council. The future redevelopment including a Park will form the basis of separate discussions with Council according to the Planning Proposal. This conceptual development plan is not part of the Planning Proposal and is not binding on any future Development Application (DA) lodged with Council.

Environmental Services Division Report No. 15 (Cont'd)Details of Planning Proposal

The Planning Proposal is to zone the subject land for the purpose of a residential use, compatible with surrounding residential development. In particular, the MLEP 2013 Maps are amended in the Planning Proposal to:

- Zone the subject land in accordance with MLEP Zone R1 General Residential;
- Insert development standards (FSR, Height and Minimum Lot Size) consistent with the existing standards for surrounding residential development;
- Delete reference to the Local Open Space (RE1) provision for the subject land on the MLEP Land Reservation Acquisition Map; and
- Delete reference to the subject land as a Deferred Matter.

Amendment to ensure the continued heritage listing of the site is also recommended in the Proponents' Statement of Heritage Impact. Accordingly the Planning Proposal is also intended to amend LEP Schedule 5 and LEP Heritage Map to apply heritage listing to the site.

Under the Land Use Table of MLEP 2013, Zone R1 - General Residential is detailed as follows:

1. *Objectives of zone*
 - *To provide for the housing needs of the community.*
 - *To provide for a variety of housing types and densities.*
 - *To enable other land uses that provides facilities or services to meet the day to day needs of residents.*
2. *Permitted without consent*
Home-based child care; Home occupations.
3. *Permitted with consent*
Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Water recreation structures; Water recycling facilities; Water supply systems.
4. *Prohibited*
Advertising structures; Water treatment facilities; Any other development not specified in item 2 or 3.

While the land is proposed to be zoned R1 - General Residential, it is noted that this zone also permits "Recreation area" which is defined in MLEP 2013 as follows:

"recreation area means a place used for outdoor recreation that is normally open to the public, and includes:

- (a) a children's playground, or*
- (b) an area used for community sporting activities, or*
- (c) a public park, reserve or garden or the like,*

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor)."

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This is consistent with the proposed open space purposes to be separately discussed with Council as detailed below in this report.

Sydney Water Proposal to Dedicate part of site for Open Space

Reference is made in the Planning Proposal to Sydney Waters' proposal for part of Fairlight Reservoir site to be a Park or 'community site' and to dedicate this land as open space under separate discussion with Council. In the covering letter dated 25th March 2014, submitted with the Planning Proposal, Sydney Water advises that it *"proposes to dedicate a portion of land to Manly Council for open space purposes on the adoption of the rezoning. Sydney Water will enter into a voluntary planning agreement (VPA) with Council to facilitate the transfer of land"*.

Council's support of a VPA, dedicating land for community infrastructure is commended as the provision of dedicated open space is not binding on Sydney Water or any future owners of the land in the Planning Proposal as submitted. In this regard VPA's may be entered into either with a Planning Proposal/Amending LEP or at a DA stage and must be exhibited for a period of 28 days before the parties can agree.

Specialist Reports and Staff Review

In support of the Planning Proposal the following specialist Consultant reports have been commissioned as follows:

- *Statement of Heritage Impact* by Graham Brooks and Associates dated November 2013 and reviewed by Council's Heritage Advisor.
- *Traffic Impact Assessment* by Traffix dated 27th November 2013 and amended 16 April 2014 (as amended to address anomalies raised by Council in the initial lodgement) and as reviewed by Council's Traffic Team.
- *Noise Impact Assessment* by WSP Acoustics dated 4th December 2013 and reviewed by Council's Environmental Health Officer.
- *Site Contamination Remediation Methodology* by Parsons Brinckerhoff dated 6 December 2011 as additionally requested by Council's Environmental Health Officer.

In relation to the Statement of Heritage Impact, Council's Heritage Advisor concludes that she has no objections to the proposed rezoning, subject to the adoption of the conservation policies contained in the Statement of Heritage Impact at DA stage.

In relation to the Traffic Impact Assessment, Council's Traffic Team advises that the site will generate a very low number of additional vehicle trips which the road is more than capable of accommodating. More detailed comment from the traffic team would be provided at any future DA stage.

In relation to the Noise Impact Assessment, Council's Environmental Health Officer has undertaken a detailed review of technical aspects of this report which may be appropriately resolved at any future DA stage.

Council's Environmental Health Officer has also reviewed the contamination of the site and requested a Preliminary Site Contamination Report in determining whether the land is suitable for the proposed rezoning. This documentation has been received by Council's Officer as requested, detailing the recommended methodology for site remediation. It has been recommended that a Stage 1 Preliminary Site Investigation report be submitted with any Development Application.

Gateway Determination Process

The below steps are part of the LEP Gateway Determination process, forming part of the *Environmental Planning and Assessment Act 1979*.

1. Proponent prepares Planning Proposal.

Environmental Services Division Report No. 15 (Cont'd)

2. Planning Proposal sent to Council for consideration.
3. Council considers whether to be the Responsible Planning Authority in relation to the Planning Proposal (current stage).
4. Council (as RPA) forward Planning Proposal to Department of Planning and Environment.
5. Department's Gateway Panel considers Planning Proposal and issue Gateway Determination (including Delegation to Council).
6. Council prepares LEP Amendment in accordance with Gateway Determination – including Exhibition.

Council is obliged to make a decision to support or not support the Proposal within 90 (ninety) days of receiving it. Supporting the Proposal would mean proceeding to inform the Department of the Proposal and requesting Ministerial delegation to amend the LEP, and to place it on exhibition for 28 (twenty-eight) days.

If Council either fails to make a decision or decides not to support the Proposal, the applicant has the right to directly approach the Department for a review of Council's decision or failure to make a decision. The Department would then determine if the proposal should or should not proceed to exhibition.

CONCLUSION

The Planning Proposal is found to meet Guidelines for the Preparation of Planning Proposals prepared by the Department of Infrastructure. In particular, the Planning Proposal appropriately outlines the need for the Planning Proposal; its relationship to the Strategic Planning Framework and has considered environmental, social and economic impacts. Specialist Consultant reports accompany the Planning Proposal in relation to Heritage, Traffic, Noise and Site Remediation which have been reviewed by relevant staff as reported. Council may submit the Planning Proposal to NSW Planning and Infrastructure for a Gateway Determination. The related proposal by Sydney Water to dedicate open space to Council under separate discussion is also detailed for Council's consideration.

RECOMMENDATION

1. That Council support the Planning Proposal to amend MLEP 2013 for the Sydney Water Fairlight Reservoir site and that Council submit the Planning Proposal to NSW Planning and Infrastructure for a Gateway Determination, enabling Council to make the Amending MLEP under delegation.
2. That Council request the Proponent amend the provisions of the Planning Proposal to zone the land marked as the Community site 'Park' on Conceptual Development Plan at Appendix B of the Planning Proposal from proposed Zone R1 General Residential to Zone RE1 Public Recreation.
3. That on receiving the Delegation from the Department, Council arrange for public exhibition of the Planning Proposal as amended and in accordance with the requirements of the Gateway Determination.
4. That Council request Sydney Water prepare and submit a draft Voluntary Planning Agreement for the dedication of the Community site 'Park' that can be exhibited with the Planning Proposal

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ATTACHMENTS

There are no attachments for this report.

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***** End of Environmental Services Division Report No. 15 *****

TO: Planning and Strategy Committee - 5 May 2014
REPORT: Civic and Urban Services Division Report No. 4
SUBJECT: Car Sharing
FILE NO: MC/14/48439

SUMMARY

The establishment of a car share scheme in Manly provides an alternative option to car ownership. This report recommends that Council seeks public comment on the proposed arrangements for the establishment of a car share scheme in Manly.

REPORT

Background

At the Ordinary Meeting of the 3rd of February 2014, Council resolved:

- 1. Council prepares a proposal for consideration for the location of car share parking spots in the residential zones;*
- 2. The proposal be published and exhibited to the precinct forums, general community, Traffic Committee and other relevant bodies (RMS) for comment;*
- 3. A fee structure be prepared for consideration with the budget papers;*
- 4. Proposals be reported back to Council for final determination; and*
- 5. A car share Scheme be developed.*

Introduction

The establishment of a car share scheme in Manly provides an alternative option to car ownership. It can also complement other transport modes such as walking; cycling and public transit.

Proposed on street car share parking spaces

There are a number of car share operators in the Sydney market, and Council first tested the scheme in 2005 following the calling of expressions of interest.

Since then, 'GoGet' PTY LTD, which was not awarded the 2005 Manly scheme, started operating in Manly soon thereafter, and is now reportedly the single largest operator of shared cars in the Manly LGA, with a pool of 24 cars available for use.

From information provided to Council, 'GoGet' vehicles currently park in residential streets either using residents' permits provided by its members, or by using unrestricted parking.

In order to facilitate and improve the take up of shared car use, such schemes need to operate from dedicated locations.

In the 2005 scheme, Council allowed the operator to use allocated spaces in a Council carpark. However, for car sharing to function effectively, spaces need to be accessible at locations in the community.

'GoGet' has asked Council to consider allocating dedicated parking in the local streets that are close to their customer base. In this regard, Council has sought input from the Precincts.

Civic and Urban Services Division Report No. 4 (Cont'd)

Maps showing on-street car share parking opportunities are included in **Attachment 1**.

Consultation

Consultation has been undertaken with the local community precincts, the Sustainable Transport Advisory Committee and advertised in the Manly Daily, with the following feedback received:

- Ocean Beach, Ivanhoe Park and Fairy Bower community precincts all supported the proposal in principle and made some recommendations for possible parking opportunities;
- North Harbour, Clontarf and The Corso community precincts supported the proposal in principle and suggested that parking spaces should be provided within existing car parks; and
- Balgowlah Heights, Fairlight and Little Manly community precincts have not yet provided any comments on the proposal.

The Sustainable Transport Committee is strongly in support of car sharing.

Proposed car sharing dedicated on street parking spaces were advertised in the Manly Daily 16 April and 26 April. A schedules of replies to the consultation will be Tabled at the meeting.

Proposed Car Share Scheme

The proposed Car Share (Scheme) is attached to this report (refer to **Attachment 2**). The Scheme is based on the requirements of the Roads and Maritime Services for on-street car share parking set out in the RMS guide '**Guidelines for the Implementation of On-Street Car Share Parking**'. These are:

- issue approved car share operators with a written permit for each car share vehicle that is provided with a dedicated car share space;
- issue no more permits than car share spaces provided (except where temporary authorisations are issued when vehicles are removed from the fleet);
- only issue permits against a vehicle's nominated 'storage' or origin location;
- annually renew authorisations; and
- Evaluate any parking schemes once in operation to ensure both Council and community expectations are being met.

Fee structure

NSW councils charge car share operators varying applicable fees for providing dedicated and exclusive on street parking spaces in their area for such businesses to operate from the public road:

For Council to provide car share parking spaces on a 'cost neutral' basis, the following per parking space fees need to be charged. Additionally, an annual licensing permit fee of \$1000 per space for dedicated kerbside parking is also required.

Item	Fees per Car/Space
Application and Commissioning Fee	\$1,400
Decommissioning and make good Fee	\$1,000
Annual Licensing Permit	\$1,000
Annual Maintenance Fee	\$400

Civic and Urban Services Division Report No. 4 (Cont'd)Engagement of Car Share Operators

It is proposed to carry out an expression of interest campaign to invites commercial car sharing companies to apply for on-street dedicated parking spaces.

RECOMMENDATION

That Council:

1. Place on public exhibition the proposed car share scheme (Scheme) for twenty eight (28) days.
2. Call for Expressions of Interest to operate car share schemes in Manly

ATTACHMENTS

- AT- 1** On-Street car share parking opportunities 5 Pages
AT- 2 Draft Car Share Scheme 3 Pages

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***** End of Civic and Urban Services Division Report No. 4 *****



Civic and Urban Services Division Report No. 4.DOC - Car Sharing
On-Street car share parking opportunities

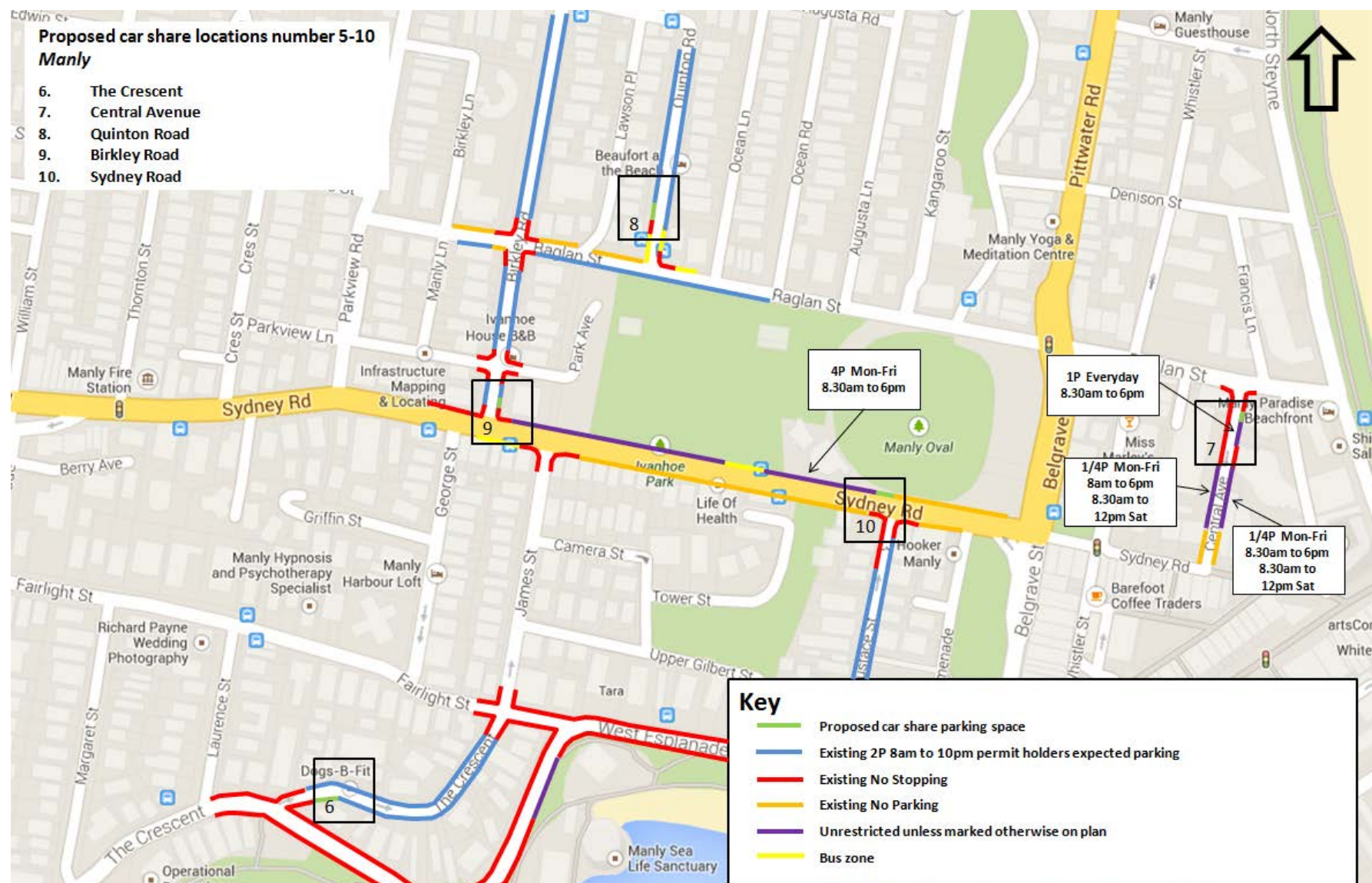


Figure 2: On-street parking opportunities in Manly and Fairlight

Civic and Urban Services Division Report No. 4.DOC - Car Sharing
On-Street car share parking opportunities

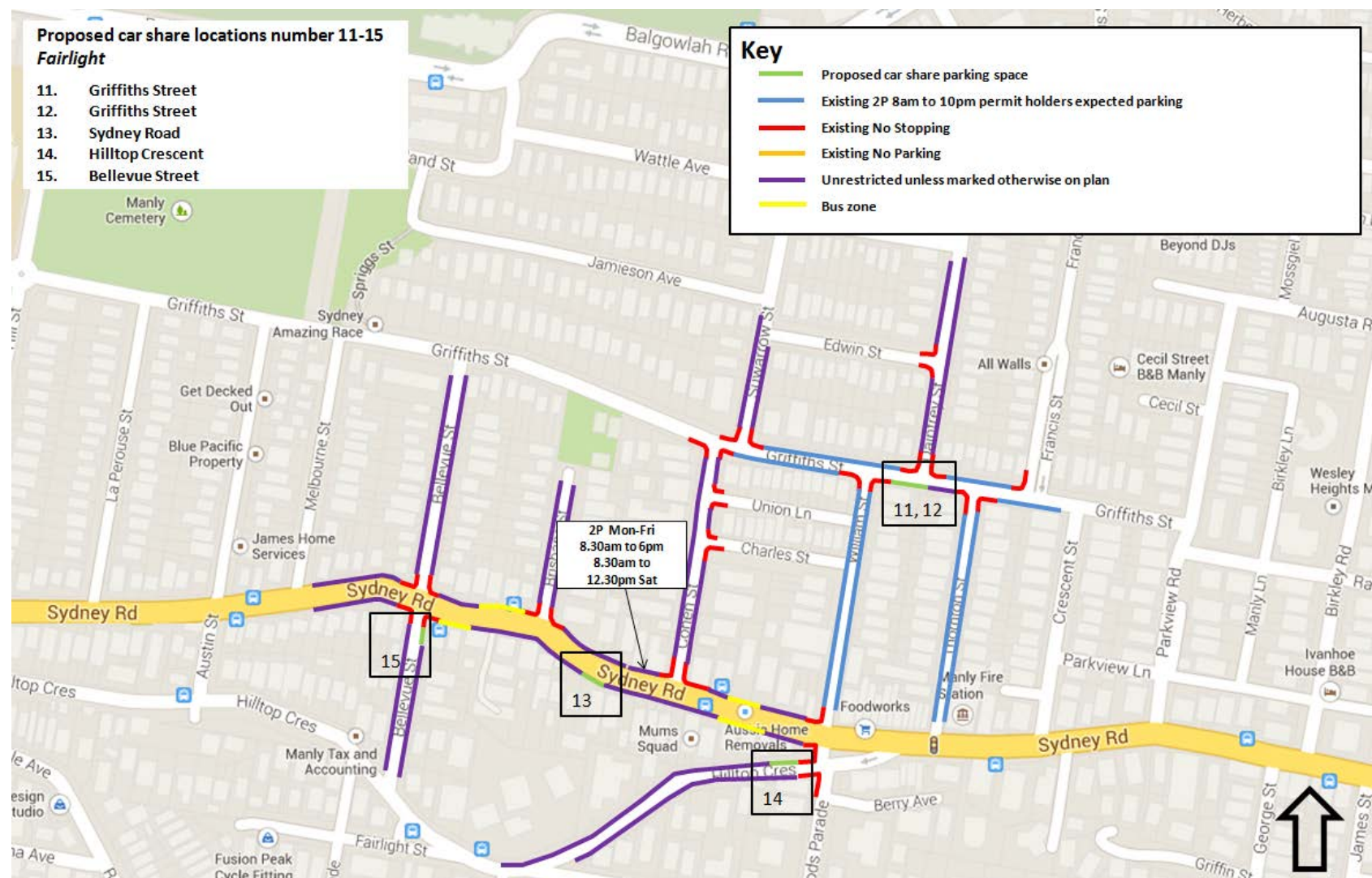


Figure 3: On-street parking opportunities in Fairlight and Balgowlah

Civic and Urban Services Division Report No. 4.DOC - Car Sharing
On-Street car share parking opportunities

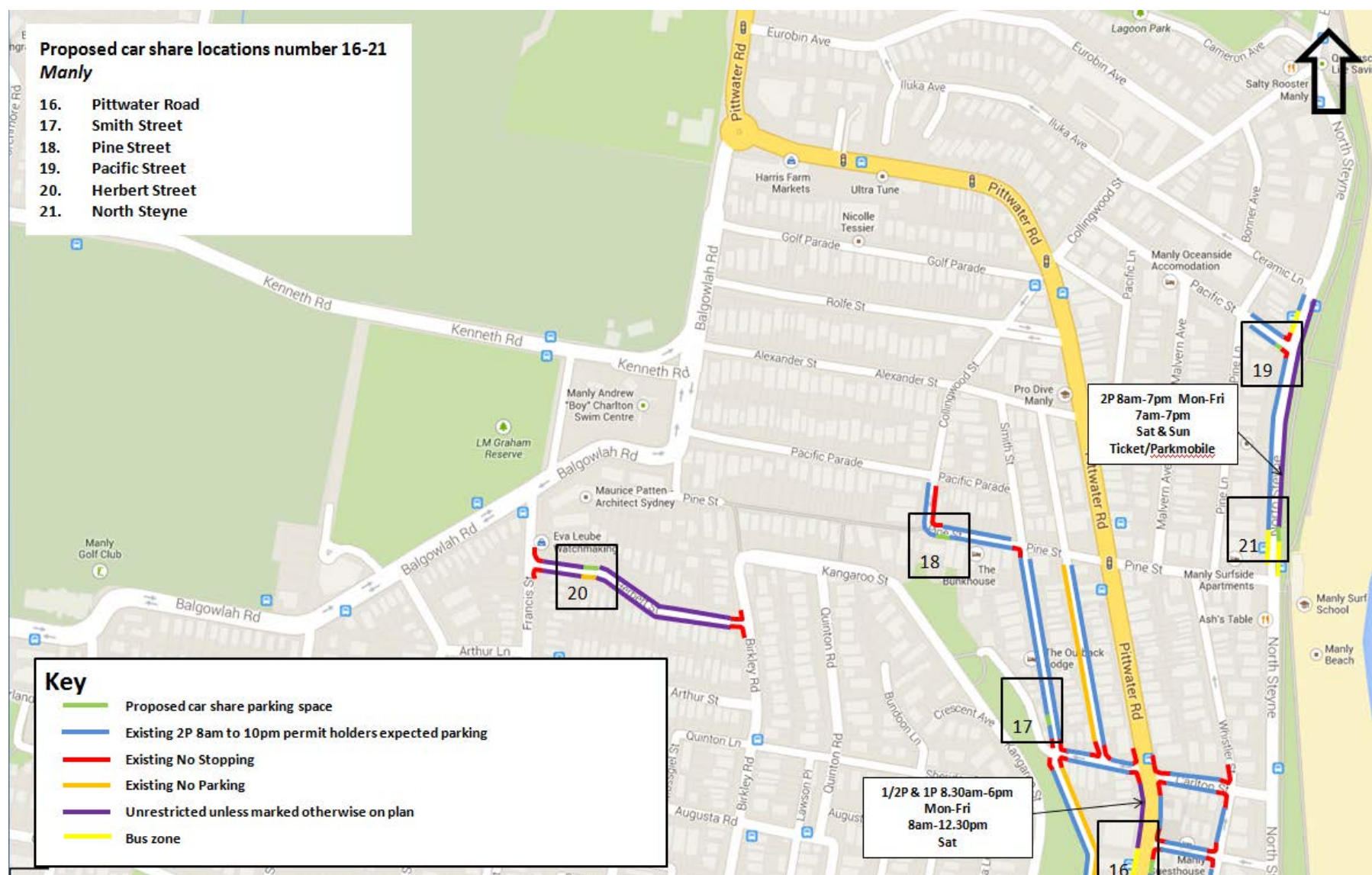


Figure 4: On-street parking opportunities in Manly

Civic and Urban Services Division Report No. 4.DOC - Car Sharing
On-Street car share parking opportunities

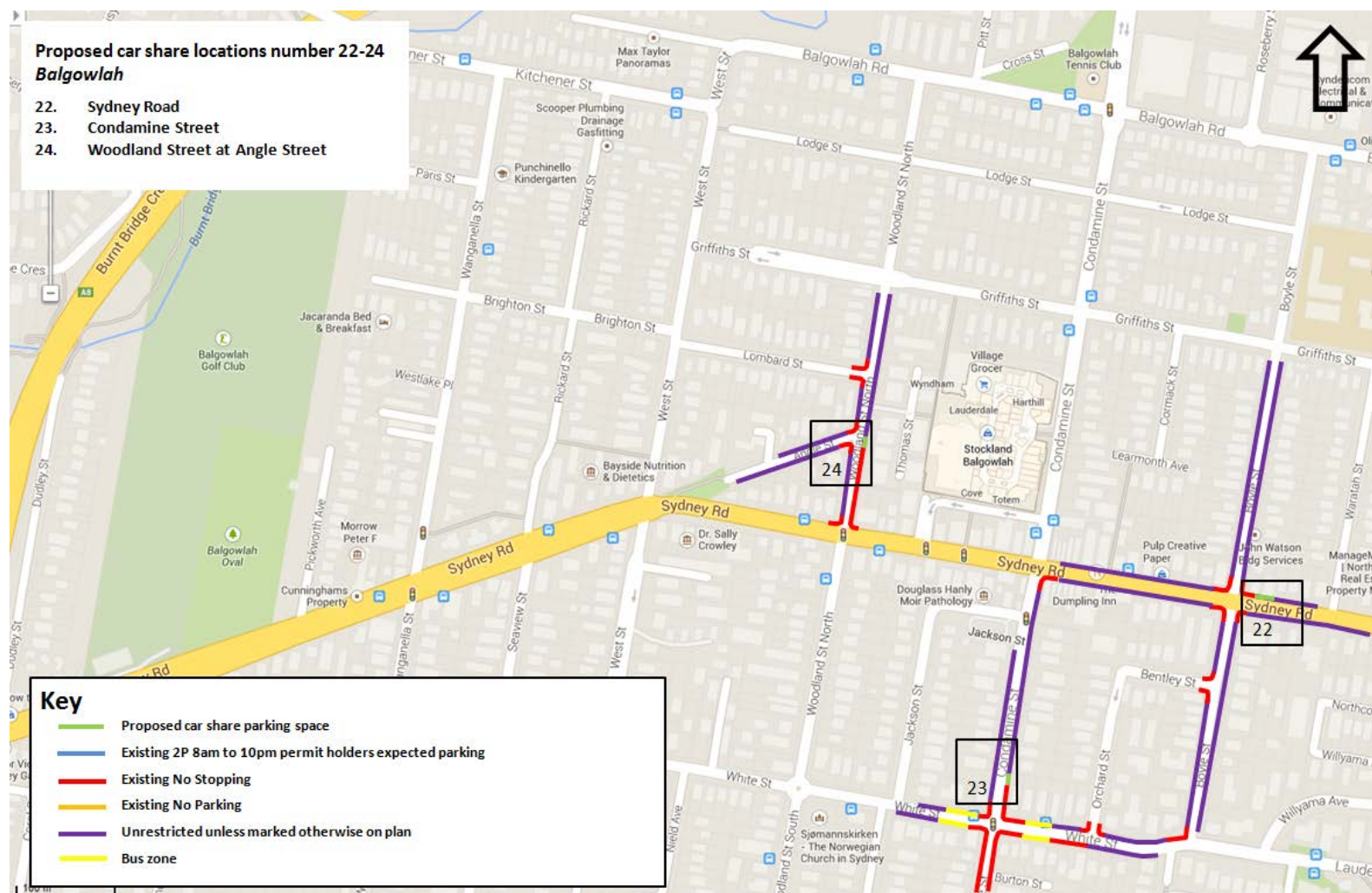


Figure 5: On-street parking opportunities in Balgowlah

**Civic and Urban Services Division Report No. 4.DOC - Car Sharing
Draft Car Share Scheme**

Title: Car Share Scheme (Scheme)

Keywords: Car share, Parking, Permits,

**Responsible
Officer:** Deputy General Manager

1.0 Purpose

The purpose of this Scheme is to support the use of car share within Manly Local Government Area and so encourage reduced car ownership and increased use of sustainable transport such as walking and cycling.

2.0 Authority

This Scheme has been authorised by the General Manager and Council and is available to all Council officials and the general public. It has been developed in consultation with staff and has been exhibited and consulted through the community and Precincts.

3.0 Principles

Car share provides its members the benefits of a private car without the costs of ownership. Individuals can access a fleet of vehicles on an as-needed basis. Car share complements sustainable transport and can, in the longer term lead to a reduction in car dependency and associated parking pressures.

Manly council will provide dedicated and exclusive use car parking spaces for the operation of the Scheme in accord with the guidance and requirements set out by the Roads and Maritimes 'Services (RMS) 'Guidelines for the Implementation of On-Street Car Share Parking', which require a council to :

- Issue approved car share operator with a written permit for each car share vehicle that is provided with a dedicated car share space;
- Issue no more permits than car share spaces provided (except where temporary authorisations are issued when vehicles are removed from the fleet);
- only issue permits against a vehicle's nominated 'storage' or origin location; annually renew authorisations; and
- evaluate any parking schemes once in operation to ensure both Council and community expectations are being met.

4.0 Scope

This Scheme applies to the Manly LGA.

5.0 Definitions

The following definitions, used in this document, are those of used in the Roads and Maritimes' 'Services Guidelines for the implementation of on-street car share parking (RTA, September 2007)':

- A **car share vehicle** is a vehicle made available for use by the members of a car share scheme for periods commencing with a minimum of 1 hour;
- A **member** of a car share scheme is a person who has paid a joining fee to become a member of a car share scheme; and
- A **car share scheme** is a scheme which provides access to vehicles for its members. A car share scheme does not have casual non-member users.

**Civic and Urban Services Division Report No. 4.DOC - Car Sharing
Draft Car Share Scheme**

- A **dedicated on street parking space** is a parking space reserved and signed for the exclusive use of a car share operator.
- An **approved car share operator** is an operator that meets the minimum standard for an operator required by the RMS.

6.0 Procedure for applying for a dedicated car share parking space

Car share operators must apply to council for dedicated on street parking space up to the maximum number of dedicated, as determined from time to time as appropriate by the General Manager, car share parking spaces for the Manly Local Government Area.

All car share operators are required to complete and submit an application form together with the payment of prescribed fees to Council.

Applications will only be accepted if the maximum allocation of car share parking spaces under the Scheme is not already exceeded.

All applications will be referred to the Manly Local Traffic Committee for a recommendation to the General Manager.

7.0 Car Share Parking Licensing Permit

If a car share dedicated parking space is approved the applicant will be issued with a single annual permit for a vehicle to use an allocated parking space. An operator that operates multiple vehicles under the Scheme in the Manly LGA must hold valid Licensing Permits for all vehicles it operates under the Scheme. Failure to do so may void the Licensing Permits of all vehicles issued to it by the Council under the Scheme.

8.0 Fees and Charges

Car share operators are required to pay all fees for each and every dedicated on street parking space under the Scheme.

9.0 Scheme review

This Scheme is subject to regular review at a maximum interval of five years.

Any recognised change to relevant legislation; or directives or guidelines issued by agencies including the NSW Ombudsman and the Department of Local Government; or to Manly Council's related guidelines and procedures will activate an immediate review of this Scheme to ensure it remains current and aligned to best practice policies.

10.0 Relevant References & Legislation

- Car share on street parking application form and information sheet
- The 'Guidelines for the implementation of on-street car share parking' (RTA, September 2007) has been used as guidance for this Scheme.