

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 3 March 2014

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

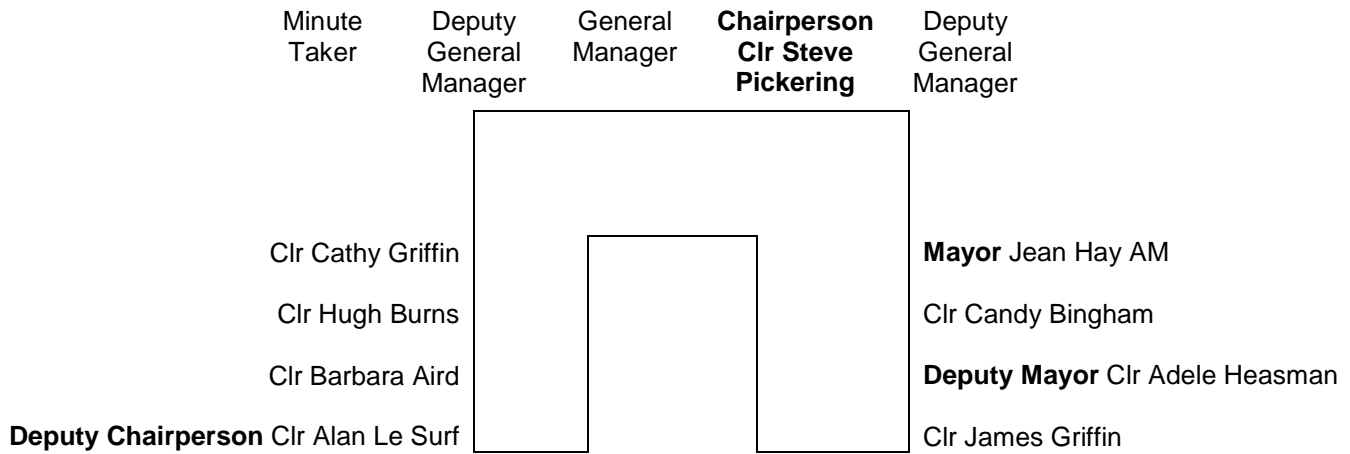
Persons in the gallery are advised that the proceedings of the meeting are being taped for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes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

Copies of business papers are available at the Customer Service Counters at Manly Council, Manly Library and Seaforth Library and are available on Council's website:

www.manly.nsw.gov.au



Seating Arrangements for Meetings



Press

Public
Addresses

Public Gallery

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

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<i>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</i>	

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.

General Managers Division Report No. 4

Tender Evaluation for Supply of Plumbing, Drainage and Gas Fitting Services

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 - 3 March 2014
 REPORT: Item For Brief Mention Report No. 3
 SUBJECT: Items For Brief Mention
 FILE NO: MC/14/16416

1. 2014 National General Assembly of Local Government – Call for Motions

The 2014 National General Assembly of Local Government (NGA), which will be held at the National Convention Centre in Canberra on 15-18 June, is an opportunity for local government to identify and discuss issues which it believes should be addressed by the new Federal Government.

Every council has the opportunity to raise relevant issues for debate at the Assembly and Manly Council is invited to participate in the 2014 NGA by submitting a motion for consideration.

The Australian Local Government Association (ALGA) Board is calling for motions for the 2014 NGA under the theme of *'Getting Down to Business'*.

This theme reflects the renewed focus across all levels of government on the roles and responsibilities of the public sector and the challenges of meeting our communities' needs.

To be eligible for inclusion in the NGA Business Paper motions must follow the principles:

1. Fall under the NGA theme
2. Be relevant to the work of local government nationally; and
3. Complement or build on the policies of state and territory local government associations.

A Discussion Paper has been issued and is available on the ALGA website at www.alga.asn.au.

Motions are to be received no later than 17 April 2014.

2. Tabled Documents

	Date	Author	Subject
	7 Feb 14	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet NSW Government	Circular to Councils 14-03 Improvement and Intervention Framework for NSW Councils
	7 Feb 14	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet NSW Government	Circular to Councils 14-03 Improvement and Intervention Framework for NSW Councils
	13 Feb 14	Bill Gillooly AM Chief Executive Local Government NSW	Manly Council Resolution to Support 'Save Our Streets – Real Action on Alcohol Now' Campaign
	20 Feb 14	Laurie Glanfield Director General Finance & Services NSW Government	Release of a position paper outlining the NSW Government's proposed reform of key elements of the urban water industry in NSW.

Item For Brief Mention Report No. 3 (Cont'd)

	24 Feb 14	Paul McInnes General Manager & reconstruction Programmes Branch Department of Infrastructure and Regional Development	The 2010-11 Local Government National Report - Tabled.
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RECOMMENDATION

1. That reports and 1 and 2 be received and noted.

ATTACHMENTS

There are no attachments for this report.

PS03032014IBM_1.DOC

***** End of Item For Brief Mention Report No. 3 *****

TO: Planning and Strategy Committee - 3 March 2014

REPORT: Report Of Committees Report No. 7

SUBJECT: Minutes for notation by Council - special Purpose Advisory committee without recommendations of a significant nature

FILE NO: MC/14/22485

The following Special Purpose Advisory committee meeting minutes are tabled at this meeting.

1. Manly Local Traffic Committee – 10 February 2014

RECOMMENDATION

That the minutes of the following Special Purpose Advisory Committee meetings be noted.

1. Manly Local Traffic Committee – 10 February 2014

ATTACHMENTS

There are no attachments for this report.

PS03032014RC_1.DOC

***** End of Report Of Committees Report No. 7 *****

TO: Planning and Strategy Committee - 3 March 2014
REPORT: Report Of Committees Report No. 8
SUBJECT: Minutes for notation by Council - Meals on Wheels Advisory Committee - 12 February 2014
FILE NO: MC/14/22566

This report was dealt with at the Meals on Wheels Advisory Committee meeting of 12 February 2014 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Planning and Strategy Meeting, together with the minutes for formal notation by Council.

ITEM 5 Community Visitor's Scheme

The CSM advised that Council was successful in gaining funding from the Federal Government to run a Community Visitor's Scheme until June 2016. This would mean a two day a week position based at Meals on Wheels. Current volunteers will be approached as well as new volunteers identified who would like to be visitors. It is expected to have 20 clients by June who will be visited fortnightly.

RECOMMENDATION

That the minutes of the Meals on Wheels Advisory Committee meeting on 12 February 2014 be received and noted:

ITEM 5 Community Visitor's Scheme

The Committee recommends to the General Manager:
That it endorses the new Community Visitor's Scheme, to be coordinated from Meals on Wheels, and congratulates Council on receiving this funding.

ATTACHMENTS

There are no attachments for this report.

PS03032014RC_2.DOC

***** End of Report Of Committees Report No. 8 *****

TO: Planning and Strategy Committee - 3 March 2014
REPORT: General Managers Division Report No. 1
SUBJECT: Periodic Policy Review
FILE NO: MC/13/148294

SUMMARY

This is a report on the periodic review of the Policy Register (available on Council's website and will be Tabled).

REPORT

Policies in the Policy Register were recently reviewed for legislative changes, currency, duplication and consistency.

There are currently 147 policies in the Policy Register.

As a result of the review, amendments are proposed to existing policies (see Schedule 4). 57 policies are recommended for revocation (see Schedule 2) and 7 new policies are recommended for adoption (see Schedule 3).

RECOMMENDATION

That Council in adopting the revised Policy Register (**Tabled**):

1. Adopt amendments listed in Schedule 4,
2. Revoke policies listed in Schedule 2, and
3. Subject to 1 and 2, reaffirm the policies, as revised, listed in Schedule 1, and
4. Adopt and incorporate policies listed in Schedule 3

ATTACHMENTS

AT- 1	Schedule 1 - Table of Policies in the Policy Register	5 Pages
AT- 2	Schedule 2 - Revocation schedule	3 Pages
AT- 3	Schedule 3 - New Policy Schedule	24 Pages
AT- 4	Schedule 4 - Amendments Schedule	2 Pages

PS03032014GMO_1.DOC

***** End of General Managers Division Report No. 1 *****

ATTACHMENT 1

General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 1 – Table of Policies in the Policy Register.docx

Ref.	Description
A5.	Access to Information Policy
A20.	Advertisements
A30.	Advertising
A40.	A-Frame Signs and Merchandise Offered for Sale
A55.	Asset Disposal Policy
A60.	Awards - Manly Civic Design
B10.	Banners - Display of Banners within Council controlled properties and Reserves
B20.	Beach Management
B80.	Builders' Rubbish Containers
C6.	Carbon Neutral
C12.	Cash Handling Policy
C14.	Charge Card Facility Policy
C15.	Child Protection Policy
C20.	Circuses - The Operation of Circuses with Exotic Animals in Manly
C30.	Circus - Limitation on Performances
C40.	Clean Air Complaints
C50.	Clearing of Shrubs and Undergrowth
C60.	Closed Circuit Television Protocol - Administration Building
C70.	Closed Circuit Television Protocol - Car Parks
C106.	Community Engagement
C108.	Community Gardens
C110.	Community Groups Financial Assistance
C120.	Complaints Management Policy
C125.	Compliance and Enforcement Policy
C150.	Corner Splays - Acquisition of
C180.	Corporate Image
C220.	Council Meetings - Availability of Agenda Papers to Public
C230.	Council Chamber - Seating Arrangements
C280.	Councilors - Reports from Council Officers
C300.	Cultural Policy

ATTACHMENT 1

General Managers Division Report No. 1.DOC - Periodic Policy Review

Schedule 1 – Table of Policies in the Policy Register.docx

Ref.	Description
C320.	Charter of Political Reform
D10.	Debt Recovery - Warrants of Commitment - Authorisation of
D30.	Development Application - Fees for Heritage Buildings
D70.	Dogs - Urban Dog Management
D80.	Dinghies - Storage of Dinghies on Council Foreshores
D100.	Drainage Easements - Construction over
E5.	Use of Eggs from Non-caged Hens
E10.	Election campaigning - Federal, State and Local Government Elections
E20.	Elections – Poll of Electors to be held in conjunction with Ordinary and Extraordinary Elections of Council
E30.	Environmental Levy Component of Rate - Increase in Annual Contribution
E40.	Ethical Charter - Sustainability
F10.	Financial Assistance to Cultural Groups
F20.	Financial Reporting - Measures Of Council Liquidity
F30.	Footpath Trading
F40.	Foreshores - Public Right of Way - Ocean and Harbour Policy
G25.	Gathering Information
G30.	Graffiti Management Policy
G32.	Graffiti Reward Policy
H10.	Hire Boat Operations - Beaches and Reserves
H20.	Hoardings -Placing Of Hoardings at Construction or Demolition Sites
H30.	Honorary Rangers
I18.	Internal Reporting Policy
I20.	Investment Policy
L5.	Late Night Venues 2005 Development Control Plan
L10.	Leases - Council Property - Maintenance Of By Lessee/Licensee
L20.	Leases - Council Property - Payment of Rates and Charges By Lessee
L30.	Library - Borrowers Policy
L40.	Library - Commercial Sponsorship Of Library Activities
L50.	Library - Statement on Freedom of Collection, Access, Use and Librarian's Role
L60.	Library - Local History
L90.	Loan Borrowing and Overdraft Policy

ATTACHMENT 1

General Managers Division Report No. 1.DOC - Periodic Policy Review

Schedule 1 – Table of Policies in the Policy Register.docx

Ref.	Description
M10.	Manly Art Gallery and Museum - Acquisitions and Exhibitions Policy
M20.	Manly Art Gallery and Museum - Free Admission for Children on Organised Tours
M30.	Manly Art Gallery and Museum - Free Admission for Children on Organised Tours
M40.	Manly Art Gallery and Museum - Presentation of Painting Purchased from funds raised by Former Ladies Auxiliary
M50.	Manly Art Gallery and Museum - Support For Local Artists
M61.	Manly After Midnight Policy
M63.	MIAP Protocol for Councillors
M65.	Mayor and Councillor's Remuneration Fees
N20.	Noise Complaints - General
N30.	Noise Complaints - Dogs
N40.	Nuclear Weapons - Abolition and World Peace
N50.	Notification to Precincts, Codes of Conduct and Meeting Practice, via Council News - Manly Daily for submissions in accordance with the Act and Council's policies
O6.	Outdoor Dining Areas
O10.	Overgrowth of Vegetation
P10.	Pamphlets & Leaflets - Distribution on Public Roads and in Shopping Centres
P20.	Parking - Policy - Manly Central Business District
P51.	Payment of Expenses & Provision of Facilities to Mayor & Councillors
P55.	Performance Management Policy
P70.	Precinct Community Forums previously known as Precinct Committees
P80.	Pricing Policy Goods & Services
P90.	Printing and Stationery - Use of Recycled Paper
P100.	Property Acquisition Reserve Fund
P110.	Prosecutions - withdrawal of
P130.	Public Liability Insurance
P140.	Public Sculpture Policy
P150.	Purchasing & Tendering Policy and Guidelines
R5.	Rainwater Tanks
R10.	Rates - Pensioners - Accrual of Rates and Charges and Writing off Interest
R20.	Reconciliation between Indigenous and Non-Indigenous Australians
R25.	Records Management Policy

ATTACHMENT 1

General Managers Division Report No. 1.DOC - Periodic Policy Review

Schedule 1 – Table of Policies in the Policy Register.docx

Ref.	Description
R28.	Recruitment & Selection Policy
R30.	Recycling - Events and Promotions
R35	Regional Collaboration and Forced Amalgamations of Councils
R40.	Reserves - Exclusive Use for Private Functions
R50.	Reserves - Outdoor Furniture - Dedication
R60.	Revenue Policy
R65	Risk Management Policy
R70.	Road Reserves - Outdoor Eating Areas - Licensing of (for the Purpose
R80.	Road Reserve - Lease for Parking as a Development Application Condition
R90.	Road Reserve Leases - Adjacent and Conjoining Parent Lot
R100.	Road Reserves – Driveways
R120.	Road Reserve Leases/Consents - Formula for Determination of Annual Rental/ Occupation Payment (the “Fee”)
S.5	Saturated and Trans Fat Reduction Policy
S10.	Seawalls - Construction and Replacement
S15.	Section 94 Contributions Plan
S20.	Senior Citizens Centre
S30.	Shopping Trolleys - Impoundment
S40.	Signs - Council Projects - Displaying of
S50.	Signs – Road Signs
S70.	Signs - A-Frame signs and Merchandise Offered for Sale
S100.	Sister Cities - Policy on Visits to Council by Overseas Tourists
S105.	Siting of Microwave Base Stations Manly
S110.	Skateboards & Bicycles on The Corso - Control of
S135.	Smoke Free Zones in Manly
S150.	Special Events (Road Closures) Traffic and Transport Management Plan
S160.	Sponsorship - Council Activities and Events
S170.	Sport and Recreation Facilities in Manly - Guiding Principles
S180.	Stalls - Constituent interviewing by Local Members
S190.	Stormwater Control
S200.	Strata Subdivision - New and Old Buildings - Carparking
S210.	Strata Subdivision - Old Buildings

ATTACHMENT 1

General Managers Division Report No. 1.DOC - Periodic Policy Review

Schedule 1 – Table of Policies in the Policy Register.docx

Ref.	Description
S215.	Sustainable Investment Policy
S240.	Swimming Pools - Fencing of
S250.	Swimming Pools (Private) - Leaking
T10.	Telecommunications and Radio Communications Development Control Plan
T20.	Applications from Telecommunications or Radio communications Providers for Infrastructure
T50.	Tourism Policy
T60.	Trading Activities - Hawking & Vending on Public Reserves, Road & Public Places
T69	Tree Management Policy
T70.	Tree Preservation Order
T80.	Trees - Lopping For Electricity Transmission Lines
T85.	Trees – Significant Tree Policy
T90.	Trees - Lopping for Views
T100.	Trees - Removal of "Ficus" Varieties
T110.	Trees - Ringbarking, Poisoning, Root Damage
T115.	Triple Bottom Line Reporting
U10.	Unemployment Relief Schemes
U50	Unstructured Recreation Policy
V10.	Vehicular Crossings and Layback Openings
V20.	Vehicle Crossing Construction - Colour of Concrete
V30.	Vehicle Crossings - Maintenance of Unpaved Crossings
V40.	Vehicle Crossings/Driveways - Non Standard
W10.	Warringah Freeway and Public Transport - Manly Warringah
W20.	Waste Minimisation - Functions and Events in Manly
W30.	Water Courses - Piping Of
W75	Work Health & Safety Policy

ATTACHMENT 2

General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 2 - Revocation schedule

Ref.	Description	Reason for revocation
A30.	Advertising	Merged into Policy A20, no longer needed.
A60.	Awards	Council does not require a policy to initiate any awards.
C30.	Circus - Limitation on Performances	Merged into Policy C20, no longer needed.
C40.	Clean Air - Complaints	Activity controlled by legislation, no longer required.
C50.	Clearing Of Shrubs and Undergrowth	Operational
C60.	Closed Circuit Television Protocol - Administration Building	To be replaced by new Policy on CCTV cameras. See schedule 3.
C70.	Closed Circuit Television Protocol - Car Parks	To be replaced by new Policy on CCTV cameras. See schedule 3.
C110.	Community Groups - Financial Assistance	To be replaced by 'Community and Cultural Grants policy'. See schedule 3.
C220.	Council Meetings - Availability of Agenda Papers to Public	Activity controlled by legislation, no longer required.
C300.	Cultural Policy	To be replaced by new Policy 'Cultural Diversity policy'. See schedule 3.
C320.	Charter of Political Reform	To be replaced by new Policy 'Cultural Diversity policy'. See schedule 3.
D10.	Debt Recovery - Warrants of Commitment - Authorisation of	Not legally valid.
F10.	Financial Assistance to Cultural Groups	To be replaced by new policy 'Community and Cultural Grants'. See schedule 3.
H30.	Honorary Rangers	No longer required by Council, not used.
L20.	Leases - Council Property - Payment of Rates and Charges By Lessee	Merged into L10 Policy, no longer needed.
L30.	Library - Borrowers Policy	To be replaced by new Library Policy. See schedule 3.
L40.	Library - Commercial Sponsorship Of Library Activities	To be replaced by new Library Policy. See schedule 3.
L50.	Library - Statement on Freedom of Collection, Access, Use and Librarian's Role	To be replaced by new Library Policy. See schedule 3.
L60.	Library - Local History	To be replaced by new Library Policy. See schedule 3.
M10.	Manly Art Gallery and Museum - Acquisitions and Exhibitions Policy	To be replaced by new Art and Culture Policy. See schedule 3.
M20.	Manly Art Gallery and Museum - Free Admission for Children on Organised Tours	Incorporated in new Art and Culture Policy. See schedule 3.

ATTACHMENT 2

General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 2 - Revocation schedule

Ref.	Description	Reason for revocation
M30.	Manly Art Gallery and Museum - Collection on Local History	Incorporated in new Art and Culture Policy. See schedule 3.
M40.	Manly Art Gallery and Museum - Presentation of Painting Purchased from funds raised by Former Ladies Auxiliary	Incorporated in new Art and Culture Policy. See schedule 3.
M50.	Manly Art Gallery and Museum - Support For Local Artists	To be replaced by new Art and Culture Policy. See schedule 3.
N20.	Noise Complaints - General	Activity covered by legislation, no longer needed.
N30.	Noise Complaints - Dogs	Activity covered by legislation, no longer needed.
N40.	Nuclear Weapons - Abolition and World Peace	Beyond jurisdiction of Council.
N50.	Notification to Precincts, Codes of Conduct and Meeting Practice, via Council News - Manly Daily for submissions in accordance with the Act and Council's policies.	Operational and covered by legislation.
P20.	Parking Policy - Manly Central Business District	Covered by legislation.
P140	Public Sculpture Policy	Incorporated in new Policy 'Public Art and Memorial Policy'. See schedule 3.
R5.	Rainwater Tanks	Covered by legislation.
R30.	Recycling - Events and Promotions	To be replaced by new Policy to be called 'Events Management Policy'. See schedule 3.
R60.	Revenue Policy	Covered by legislation.
R80.	Road Reserve Leases - Adjacent and Conjoining Parent Lot	Merged into R70, no longer needed.
R100.	Road Reserves – Driveways	Merged into R90, no longer needed.
R120.	Road Reserve Leases/Consents - Formula for Determination of Annual Rental/ Occupation Payment (the "Fee")	Merged into R90, no longer needed.
S30.	Shopping Trolleys - Impounded	Covered by legislation, no longer needed.
S70.	Signs - A-Frame Signs and Merchandise Offered for Sale	Operational, should not be a Policy.
S110.	Skateboards and Bicycles on The Corso - Control of	Operational, should not be a Policy.
S200.	Strata Subdivision - New and Old Buildings - Carparking	Potentially fettering the DA process.
S210.	Strata Subdivision - Old Buildings	Potentially fettering the DA process.
S240.	Swimming Pools - Fencing of	Fully regulated by Swimming Pools Act 1992.
S250.	Swimming Pools (Private) - Leaking	Operational matter, fettering discretion.
T10.	Telecommunications and Radio Communications Development Control Plan	Only refers to now defunct DCP.

ATTACHMENT 2

General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 2 - Revocation schedule

Ref.	Description	Reason for revocation
T20.	Applications from Telecommunications or Radio communications Providers for Infrastructure	Telecommunication companies are required to notify the community and participate in community consultation. Precincts would be notified as a matter of course.
T70.	Tree Preservation Order	Incorporated into Tree Management policy T69.
T80.	Trees - Lopping For Electricity Transmission Lines	Incorporated into Tree Management policy T69.
T85.	Trees – Significant Tree Policy	Incorporated into Tree Management policy T69.
T90.	Trees - Lopping for Views	Incorporated into Tree Management policy T69.
T100.	Trees - Removal of "Ficus" Varieties	Incorporated into Tree Management policy T69.
T110.	Trees - Ringbarking, Poisoning, Root Damage	Incorporated into Tree Management policy T69.
T115.	Triple Bottom Line Reporting	No longer required.
V20.	Vehicle Crossing Construction - Colour of Concrete	Covered by guidelines, does not need to be Policy.
V30.	Vehicle Crossings - Maintenance of Unpaved Crossings	Covered by guidelines.
V40.	Vehicle Crossings/Driveways - Non Standard	Covered by guidelines.
W10.	Warringah Freeway and Public Transport - Manly Warringah	Operational.
W75	Work Health & Safety Policy	Covered by legislation.

ATTACHMENT 3

General Managers Division Report No. 1.DOC - Periodic Policy Review
Schedule 3 - New Policy Schedule

Ref.	Description	Reason for recommendation
TBA	Arts & Culture Policy	Replaces M10-M50 Policies into comprehensive Policy.
TBA	Closed Circuit Television (CCTV) on Public Land Policy	Combines old CCTV Policies A60 & A70 and updates to include new legislation requirements.
TBA	Community and Cultural Grants Policy	Replaces C110 Policy - Community Groups - Financial Assistance & F10 - Financial Assistance to Cultural Groups.
TBA	Cultural Diversity Policy	Replaces C300 - Cultural Diversity Policy.
TBA	Events Management Policy	Incorporates and expands on R30 Policy - Recycling Events and Promotions.
TBA	Library Policy	Replaces L20-L60 Policies into comprehensive Policy.
TBA	Public Art and Memorials Policy	Replaces P140 Policy - Public Sculpture Policy.

**General Managers Division Report No. 1.DOC - Periodic Policy Review
Schedule 3 - New Policy Schedule**

PROPOSED NEW POLICY – ARTS & CULTURE POLICY

Title: Manly Art Gallery and Museum – Arts and Culture

Policy No: Replaces policies M10, M20, M30 & M50

Keywords: Art medium, acquisition, deaccession, exhibition

**Responsible
Officer:** Divisional Manager, Human Services & Facilities

1. PURPOSE AND AUTHORITY

The purpose and broad objective of the policy is to provide guidelines for the Manly Art Gallery and Museum in relation to acquisitions and exhibitions, collections and support of the arts.

This policy has been authorised by the Council and is available to all Council Officials and the community. It has been developed in consultation with staff and will be revised on a regular basis. Ownership of the policy rests with the Divisional Manager, Human Services and Facilities who is responsible for its implementation.

2. POLICY STATEMENT

Manly Art Gallery and Museum aims to enhance the quality of life of its community and to encourage the development of the visual arts, with a collection that is distinctive and of quality and importance compared to other public regional, state and national galleries.

3. PRINCIPLES

The following working principles shall guide the Manly Art Gallery and Museum in its operations and in pursuit of its overall aims and objectives:

- To acquire art works of high quality by significant Australian artists, both historical and contemporary, in the mediums of painting, drawing, watercolour, photography, printmaking, ceramics, glass and small sculpture.
- To develop a collection of significant artworks by artists associated with the Northern Beaches region including Sydney Harbour, to document the social, cultural and artistic history of the region.
- To collect objects for the Museum that reflect and expand on the knowledge of Australian beach culture, with specific reference to the role Manly has played in this history.
- To continue to collect jointly with the Library, materials on local studies and local history.
- To advise and support the loan, acquisition and installation of public art for Manly.
- To facilitate the loan of works for the collection to other public galleries, as approved by the Divisional Manager in consultation with the Director.

ATTACHMENT 3

General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 3 - New Policy Schedule

- To use professional Curators who have appropriate qualifications and accreditation to assist with interpreting, presenting and conserving works from the collection.
- The Arts and Culture Committee will review exhibition programming, acquisitions, de-accessioning, conservation and loans in consultation with the Director of the Art Gallery and Museum.
- The purchase of art works to be approved by the General Manager, in accordance with adopted budget. The purchase of art works in excess of \$5,000 to be by Council resolution following report and recommendation to Council.
- Recommendation for approval of acquisitions be made to the General Manager by the Gallery Director in consultation with the Art and Culture Committee. Works without clear provenance or with unreasonable restrictions on display or storage will not be considered for acquisition.
- Art work will not be purchased directly from Council staff or from members of the Art and Culture Committee.
- To continue to support the needs of local artists by exhibiting their works wherever possible.

4. SCOPE

This policy covers all Council officials, volunteers and Arts and Culture Committee members and any person or organisation who is employed by Manly Council for services in the Manly Art Gallery and Museum.

5. DEFINITIONS

Art Medium:	A medium is the material used by an artist to create a work
Acquisition:	Is the purchase or donation of an art work as approved by the General Manager or the elected Council
De-accession:	To remove or sell a work of art from a collection, because of quality, condition, or irrelevance to the collection. Any funds collected to be kept for the purchase of other works of art
Exhibition:	An art exhibition is the space in which art objects meet an audience. Such exhibitions may present pictures, drawings, video, sound installation, performance, interactive art, new media art or sculptures by individual artists, groups of artists or collections of a specific form of art.

6. IMPLEMENTATION

This Policy will be implemented without delay once adopted by Council. Upon adoption this Policy will be entered into Council's Policy Register, made available online and provided to all staff and any other people directly affected by this policy.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

ATTACHMENT 3

General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 3 - New Policy Schedule

Regular monitoring of compliance with this policy, relevant legislation and Manly Council policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

No specific reporting is required by this Policy.

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of two years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

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

10. RELEVANT REFERENCES AND LEGISLATION

Local Government Act 1993
Library Act 1939

11. RELEVANT COUNCIL POLICIES

Manly Council Code of Conduct

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
	June 2013	Policy Created	Divisional Manager Human Services & Facilities	General Counsel

PROPOSED NEW POLICY – CLOSED CIRCUIT TELEVISION (CCTV) ON PUBLIC LAND POLICY

Title: Replaces A60 & A70

Policy No: Contact Manager Administration for number

Keywords: CCTV, Closed Circuit Television, Public Places CCTV Program

**Responsible
Officer:** Manager Corporate Governance

1. PURPOSE AND AUTHORITY

The objective of this policy is to provide policy guidance with respect to the lawful and effectual management and operation of the Closed Circuit Television (CCTV) network which has been established, and is owned and operated, by Manly Council.

The CCTV network has been established for law enforcement purposes to help improve safety and to help combat anti-social behaviour in the public space within the Manly local government area, as well as providing protection for a number of key Council assets.

Council reserves the right to remove CCTV or relocate based on results of evaluation and review.

2. POLICY STATEMENT

This policy details the management of Council's CCTV network on Council owned or managed land ('public land'), including within Council's administration buildings and car parks.

3. PRINCIPLES

This Policy is based on the following principles:

- The CCTV network is to be operated fairly, within applicable law and only for the purposes for which it is established.
- The system is to be operated with due regard to the privacy and civil liberties of individual members of the public. Information will be obtained fairly and in accordance with privacy and confidentiality provisions relevant legislation.
- The public interest in the operation of the network is to be recognised by ensuring the security and integrity of any supporting operational procedures.
- The public is to be provided with clear and easily accessible information in relation to Council's CCTV network.
- Information recorded should not exceed that which is strictly necessary to fulfil the aims and objectives outlined in this policy.

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- The retention of, and access to, recorded material is only for the purposes provided by this policy or as otherwise permitted by law. Recorded material is to be retained for a minimum period 21 calendar days then it is to be recorded over unless it is required in relation to the investigation of crime or for court proceedings.
- Access to the CCTV control room is to be restricted to appropriately authorised staff of Manly Council, contractors (as required) and law enforcement officers. The control room is to be protected from unauthorised access.
- Contact related to the CCTV network between Manly Council staff and law enforcement officers is to be conducted strictly in accordance with Council's standard operating procedures.

Access to Information

Information contained in the CCTV footage recorded by Council is to be collected for law enforcement purposes and shall only be disclosed to persons or bodies who have a legitimate and lawful right or interest in receiving such information for law enforcement purposes in accordance with relevantly applicable access to information legislation. In that regard, it should be noted that whilst a legal firm provides legal services, it is not a law enforcement body.

In addition, as CCTV footage contains personal information, it will only be disclosed by Manly Council for law enforcement purposes to the extent required or permitted at law. It is a condition of disclosure that such footage only be used for law enforcement purposes.

Record Keeping

Recorded material will be retained for a designated time period unless required in relation to the investigation of crime or for court proceedings.

Records supplied as evidence will be retained in accordance with the *State Records Act 1998* and Council's records keeping policies and procedures.

Supporting documentation

Manly Council has developed operational guidelines for use of CCTV in the Manly LGA. These guidelines are set out in the 'Manly Council CCTV Code of Practice and Standard Operating Procedures' (SOP) and have been created with reference to the NSW Government Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places.

4. SCOPE

This policy applies to all CCTV cameras owned and operated by Manly Council within the Manly LGA.

5. DEFINITIONS

The following definitions apply to terms used in this policy:

Closed circuit television

(CCTV): means a television system that transmits images on a 'closed loop' basis, where images are only available to those directly connected to the transmission system. The transmission of closed circuit television images

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may involve the use of coaxial cable, fibre-optic cable, telephone lines, infra-red and radio transmission systems.

A hand held or fixed video cassette recorder is not included in this definition unless it is connected to a transmission system.

Law Enforcement Agency: see the *Workplace Surveillance Act 2005*.

Public Land: **refers to** land owned or managed by Manly Council and as defined in the *Local Government Act 1993* including public reserves,, swimming pools, public roads and public transport and car parks. It may also refer to sites owned and managed by State Agencies.

Video surveillance refers to surveillance by a closed circuit television system for direct visual monitoring and/or recording of activities on premises or in a place.

6. IMPLEMENTATION

This Policy will be implemented upon adoption by Council.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

There is no compliance reporting required for this policy.

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

There is no specific reporting required for this policy.

9. POLICY REVIEW

This policy is subject to review every 2 years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

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

10. RELEVANT REFERENCES AND LEGISLATION

Government Information (Public Access) Act 2009
Local Government Act 1993
Privacy and Personal Information Protection Act 1998
State Records Act 1998
Workplace Surveillance Act 2005
NSW Government Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places.

11. RELEVANT COUNCIL POLICIES

Manly Council Code of Conduct
Manly Council Internal Reporting Policy
Manly Council Community Safety Strategy
CCTV Code of Practice and Standard Operating Procedures (SOP) (to be developed)

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
	July 2013	Policy created	Manager Corporate Governance	General Counsel

PROPOSED NEW POLICY – COMMUNITY AND CULTURAL POLICY

Title: Community and Cultural Grants Policy

Policy No: Replaces C110 & F10

Keywords: grant, non-profit, community development

**Responsible
Officer:** Divisional Manager, Human Services and Facilities

1. PURPOSE AND AUTHORITY

The purpose of the policy is to provide a framework for direct financial assistance to community organisations to establish, extend and improve programs and services to meet the needs of the local community.

2. POLICY STATEMENT

Manly Council seeks to provide financial assistance to non-profit community groups and organisations to promote community development and build social capacity that will return benefits to the local community.

3. PRINCIPLES

The following principles govern the provision by Council of direct financial assistance for community and cultural grants and recurrent grants:

- Council's Community and Cultural Grants Program should offer a range of categories with funding provided up to \$1000 for establishment or new initiative grants and up to \$1500 for operational assistance and capital grants
- Community and Cultural grant funds must be used strictly for the purpose for which they have been allocated
- Subject to any resolution of Council to the contrary or otherwise, any decision of the Community and Cultural grants assessment panel with respect to the granting of any funding is final and not subject to any appeal process within or outside of Council
- Recurrent grants are to be provided for community groups or non-profit organisations which enter into a suitably worded agreement with Council
- Organisations receiving recurrent grant funding are to invoice Council annually and are required to provide a financial report to Council demonstrating proper and lawful expenditure of funds.

4. SCOPE

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This policy applies to all key stakeholders involved in the annual community and cultural grants program and the allocation of recurrent grants with Manly Council.

The scope applies to community groups, registered charities, non-profit organisations and incorporated bodies to assist in the implementation of community and cultural programs and recurrent grants.

5. DEFINITIONS

Grant means a financial payment for a non-commercial project tied to a specific eligibility criteria or agreement with specified application and acquittal requirements.

Non-Profit Organisation means an organisation that is not operating for the profit or gain of its members.

Incorporated Body means an organisation whose status is registered with NSW Government Fair Trading and operates within the scope of the *Associations Incorporation Act 2009*.

Company means a charitable or not-for-profit organisations can be registered as a public company limited by guarantee. Companies are registered under the *Corporations Act 2001* (Corporations Act), which is Commonwealth legislation as administered by ASIC and recognised Australia-wide.

Recurrent Grant means an agreement to provide a financial or in kind assistance on more than one occasion over a specified time period to achieve a specific outcome.

In Kind Support means a product or service provided in lieu of cash, valued at full commercial rate.

6. IMPLEMENTATION

This policy will be implemented at all times that Council provides direct financial assistance for the community and cultural grants program and for allocation of recurrent grants to non-profit organisations. In the case of artists or individuals carrying out a community project, the project needs to be community based and involve community members who contribute a variety of talents in order to create and carry out the project.

7. MONITORING AND BREACHES

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

No specific compliance reporting is required under this Policy

9. POLICY REVIEW

This policy will be subject to a review every two (2) years.

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General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 3 - New Policy Schedule

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

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 policy to ensure it remains current and aligned to best practice policies.

10. RELEVANT REFERENCES AND LEGISLATION

Local Government Act 1993 (see, especially, s.536)
Associations Incorporation Act 2009
Corporations Act 2001

11. RELEVANT COUNCIL POLICIES

Manly Council Code of Conduct
Community and Cultural Grants Program Guidelines

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
	August 2013	Policy drafted	Divisional Manager HSF	Governance & Legal

NEW POLICY - CULTURAL DIVERSITY POLICY

Title: Cultural Diversity Policy

Policy No: Replaces C300

Keywords: Multiculturalism, cultural diversity, equal opportunity, social justice

**Responsible
Officer:** Divisional Manager, Human Services & Facilities

1. PURPOSE AND AUTHORITY

The purpose of the policy is to provide a set of principles that guide Council's contribution to maintaining a cohesive and supportive community which values cultural diversity and supports the principles of multiculturalism. This policy flows from both state and federal legislation and demonstrates Manly Council's commitment to cultural diversity, equal opportunity and social justice.

This policy has been authorised by the Council and is available to all Council Officials and the community. It has been developed in consultation with staff and will be revised on a regular basis. Ownership of the policy rests with the Divisional Manager, Human Services and Facilities who is responsible for its implementation.

2. POLICY STATEMENT

Manly Council believes that all residents and ratepayers are able to participate in the services and structures, activities and programs of Council regardless of their religious, cultural or linguistic backgrounds.

The Manly community has a right to expect that when using any services of Manly Council, that Council will ensure that services are equitable, accessible and responsive to the needs of all our residents to ensure a socially inclusive society.

Manly Council as a public authority is duty bound to ensure that the social principles of equity, rights, access and participation underpin all aspects of service delivery to the community, regardless of one's religious or cultural and linguistic background.

3. PRINCIPLES

- All people regardless of their background have the same civic rights and obligations and need to accept the rights of others to express their views and values.

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- All people regardless of their background should have a unifying commitment to Australia and the basic structures and principles of Australian society.
- Council has a shared responsibility with other levels of government for promoting the general well being of people from culturally and linguistically diverse backgrounds, to enable them to participate freely and fully in community life.
- Tolerance and mutual respect will be fostered through effective civic leadership and integrated planning that responds to cultural diversity and promotes social inclusion and community harmony.
- Equal opportunity and access will be achieved by ensuring all people regardless of their background, have the same opportunities to participate in employment, education, social and recreational activities that enhance quality of life
- Council will consider the needs of culturally and linguistically diverse backgrounds in the planning and delivery of services and will consult with government and non-government agencies to better inform cultural diversity planning.
- Council will promote a vibrant community that values the economic and social resources of cultural diversity through tourism, employment and citizenship.

4. SCOPE

This policy covers all Council officials and any person or organisation who is employed to work at Manly Council services or facilities and any other such activities undertaken by Council.

Additionally, community members accessing Council's services can be provided information on Council's commitment to cultural diversity, equal opportunity and social justice.

5. DEFINITIONS

Multiculturalism: The preservation of different cultures or cultural identities within a unified society, as a state or nation.

Cultural Diversity: The quality of diverse or different cultures. The concept of diversity encompasses acceptance and respect. It means understanding that each individual is unique, and recognizing our individual differences.

Equal Opportunity: The principle of non-discrimination which emphasizes that opportunities in education, employment, advancement, benefits and resource distribution, and other areas should be freely available to all citizens irrespective of their age, race, sex, religion, political association, ethnic origin, or any other individual or group characteristic unrelated to ability, performance, and qualification.

Social Justice: The fair and proper administration of laws conforming to the natural law that all persons, irrespective of gender, possessions, race, religion, cultural and linguistic background are to be treated equally and without prejudice.

6. IMPLEMENTATION

ATTACHMENT 3

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This policy will be implemented without delay once adopted by Council. Upon adoption this policy will be entered into Council's policy register, made available online and provided to all staff and any other people directly affected by this policy.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

No specific compliance reporting is required by this policy.

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of two (2) years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

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

10. RELEVANT REFERENCES AND LEGISLATION

Racial Discrimination Act 1975
Australian Human Rights Commission Act 1986
Community Relations Commission and Principles of Multiculturalism Act 2000
Local Government Act 1993
Anti-Discrimination Act 1977
Australian Government Access and Equity Strategy
Charter of Public Services in a Culturally Diverse Society
Australian Social Inclusion Agenda

11. RELEVANT COUNCIL POLICIES

Manly Council Code of Conduct
Manly Council Customer Services Charter

12. REVISION SCHEDULE

ATTACHMENT 3

General Managers Division Report No. 1.DOC - Periodic Policy Review
Schedule 3 - New Policy Schedule

Minute No	Date of Issue	Action	Author	Checked by
	September 2013	Policy drafted to replace C300	Divisional Manager, Human Services & Facilities	Governance, Legal & Risk

**General Managers Division Report No. 1.DOC - Periodic Policy Review
Schedule 3 - New Policy Schedule**

PROPOSED NEW POLICY - EVENTS MANAGEMENT POLICY

Title: Events Management Policy

Policy No: REPLACES R30

Keywords: Events, sustainability, risk management, safety, harmony

**Responsible
Officer:** Divisional Manager, Human Services and Facilities

1. PURPOSE AND AUTHORITY

The purpose of the policy is to provide guidelines for the coordination and approval of events, and to ensure all events in Manly have minimal negative impacts on the surrounding environment and neighbourhood, promote sustainability, and meet the expectations of residents, visitors and tourists.

2. POLICY STATEMENT

Council recognises the contribution events make to the character and culture of Manly and is committed to sustainable event practices. The aim of this policy is to support local events which add value to the local community through the provision of positive social, economic, cultural and community outcomes.

3. PRINCIPLES

- Facilitate and support cultural, sporting and social activities and events
- Provide a balance of events and activities across the Manly local government area that align with reasonable community expectations
- Demonstrate a clear benefit to the community as an outcome, by providing a range of social, economic and/or environmental benefits to the Manly community
- Deliver events in a coordinated and collaborative process with defined roles and responsibilities and effective communication with all key stakeholders
- Develop business partnerships and sponsorships of community programs and events
- Incorporate environmentally sustainable practices and waste management as part of the event planning and delivery process
- Inform, educate and engage the community and develop civic pride and sense of place and connection and promote community harmony
- Regularly review the existing events program to make sure the program conforms to these principles
- Promote and assist community and charitable organisations through reduced fees and limit commercial promotions
- Plan, produce and implement events with safety as a priority by ensuring effective risk management, Work Health and Safety practices, public safety, and safe food handling procedures.

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4. SCOPE

This policy applies to all defined events organised directly by Manly Council staff or by external organisations or businesses or any form of collaborations and partnerships between either of these parties to deliver an event.

The scope applies to events that:

- require Council approval
- are produced by Council
- are produced, presented or promoted in partnership with Council; or attract Council funding and/or sponsorship.

5. DEFINITIONS

Minor Events – A small activity that has low risk and low impact on the community and/or its environment with media and target audiences based in the northern beaches/north shore area.

Medium Events – An activity that has a mild impact and/or risk for the community and/or the local environment, as well as an activity that attracts significant public interest or a potentially significant audience including some state or Sydney-based TV commercial broadcasting.

Major Events – An activity that has high impact and/or high risk for the community and/or the local environment, as well as an activity that attracts very significant public interest or a potentially large audience including national or international TV commercial broadcasting.

External Events – An event produced and managed by a party other than Council, which is held on Council controlled land or in a Council venue.

Sustainable Event – An event that minimises impacts on the environment, with particular regard to energy and water use, transportation, waste, biodiversity and pollution prevention

Risk Management – The identification, analysis, assessment, control, and avoidance, minimisation, or elimination of unacceptable risks.

Sponsorship – a contribution in money or in kind by the corporate sector or a private individual in support of a Council activity in exchange for a benefit. The benefit may include (but is not limited to) brand exposure, brand association, hospitality and/or naming rights (permanent or temporary). Sponsorship does not include the selling of advertising space, joint ventures, consultancies, and gifts or donations where the reciprocal benefit provided by Council does not extend beyond some modest acknowledgment.

6. IMPLEMENTATION

This policy will be implemented at all times that Council approves or conducts event-related activities

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Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

No specific compliance reporting is required under this Policy

9. POLICY REVIEW

This policy will be subject to a review every two (2) years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

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 policy to ensure it remains current and aligned to best practice policies.

10. RELEVANT REFERENCES AND LEGISLATION

Work Health and Safety Act 2011
Local Government Act 1993
Waste Avoidance and Resource Recovery Act 2001

11. RELEVANT COUNCIL POLICIES

Manly Council Code of Conduct
Waste Minimisation –Functions and Events Policy
Sponsorship – Council Events Policy and Procedure
Procurement Policy
Cultural Diversity Policy
Beach Management Policy
Risk Management Policy
Banners - Display of Banners within Council Controlled Properties and Reserves

12. REVISION SCHEDULE

ATTACHMENT 3

General Managers Division Report No. 1.DOC - Periodic Policy Review
Schedule 3 - New Policy Schedule

Minute No	Date of Issue	Action	Author	Checked by
	September 2013	New Policy created	Divisional Manager, Human Services & Facilities	Governance, Legal & Risk

**General Managers Division Report No. 1.DOC - Periodic Policy Review
Schedule 3 - New Policy Schedule**

PROPOSED NEW POLICY – LIBRARY POLICY

Title	Library Policy
Policy No:	Replaces L30, L50, and L60
Keywords:	Access, Borrow, Borrowers, Librarian, Library, Local History, Record
Responsible Officer:	Divisional Manager – Human Services and Facilities

1. PURPOSE AND AUTHORITY

The broad objective of this policy is to make policy-based provision with respect to various aspects of the Manly Library so as to ensure equity, fairness, openness and non-discrimination.

A local government library has a role as an unbiased source of recorded knowledge and ideas and has a special responsibility for providing free access to materials and information presenting - as far as possible - all points of view on current and historical issues, including controversial issues.

This policy has been authorised by the Council and is available to all Council officials and the community. It has been developed in consultation with staff and will be revised on a regular basis. Ownership of the policy rests with the Divisional Manager, Human Services and Facilities who is responsible for its implementation.

2. POLICY STATEMENT

Everyone has the right to use a public library, whatever their age, sex, race, religion, national origin, disability, economic conditions, individual lifestyle, or political or social views.

All persons, including residents and non-residents, are eligible to join Manly Library free of charge subject to their producing current proof of their name and address, completing the Manly Library Membership application, and otherwise complying with the relevantly applicable rules pertaining to the Library.

3. PRINCIPLES

Librarians should not exercise censorship in the selection of materials.

The continuous review of library materials is necessary as a means of maintaining a current and useful collection. This policy should not be used as a means of removing materials presumed to be controversial or disapproved of by sections of the community.

Librarians should protect each user's right to privacy with respect to information sought or received and materials consulted, borrowed, or acquired.

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Librarians should cooperate with persons and groups concerned with promoting free expression and free access to ideas.

By joining Manly Library, borrowers undertake to:

- observe the rules of Manly Library
- make good the loss or damage of any item lent to them
- pay any charges or fines incurred
- observe the requirements of relevant legislation related to libraries.

Holders of Manly Library cards may also borrow from any Shorelink Library.

Libraries should endeavour to provide comprehensive and balanced collections, as far as budget, space and availability of materials allow.

Books and non-book materials that have not been subject to Federal or State prohibition should not be excluded from a public library on moral, political, racial, religious, sexist, language, or other sensitive grounds alone. Nor should books be included on these grounds alone, whatever pressure may be brought to bear by individuals or groups.

Adult collections should not be limited because of the possibility that materials may fall into the hands of children.

The arrangement of the collection should facilitate access. Restricting access to certain titles or classes of materials, e.g. by holding them in special collections available on request, can be an indirect form of censorship. No materials should be held in closed access except for the express purpose of protecting them from injury or theft.

The continued development of a collection of materials on Local Studies/Local History should be pursued jointly by the Manly Library and the Manly Art Gallery & Museum (MAGM).

The function of the Manly Library being to collect, organise, record, preserve, and make accessible materials of a "documentary nature", these being published and unpublished written works, maps, plans, newspapers, audio and video material, and the function of the MAGM being to collect, organise, preserve and display "Realia and Artistic Works", these being artifacts, historical objects, pictorial works.

Any exemplary, interpretive examples of original photos, maps and plans which are older than thirty years and which relate to or feature: beach culture, artistic content, classic shots, fashion, transport or panoramas are the responsibility of the Museum for storage and preservation.

4. SCOPE

This policy applies to all Manly Library members and visitors to Manly Library, including Council officials.

5. DEFINITIONS

Library – a place set apart to contain books, periodicals, and other material for reading, viewing, listening, study, or reference, as a room, set of rooms, or building where books may be read or borrowed.

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Librarian – a person trained in library/information science and engaged in library service.

Shorelink – The Shorelink Library Network is a consortium of 5 public libraries on the lower north shore of Sydney. They utilize a shared infrastructure to give the best possible service to their members.

6. IMPLEMENTATION

This Policy will be implemented without delay once adopted by Council. Upon adoption this Policy will be entered into Council's Policy Register, made available online and provided to all staff and any other people directly affected by this policy.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

A list of fees and charges, which are approved and adopted by Manly Council annually, is on display in the Manly Library.

Council reserves the right to ban any borrower who does not observe the rules of Manly Library or the rules of any other Library.

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

No specific compliance reporting is required under this Policy.

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of two (2) years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

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

10. RELEVANT REFERENCES AND LEGISLATION

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General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 3 - New Policy Schedule

Library Act 1939

11. RELEVANT COUNCIL POLICIES

Manly Council Code of Conduct, 2013

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
	September 2013	Created new Policy combining old policies L30, L50 and L60	Divisional Manager, Human Service & Facilities	Governance, Legal & Risk

PROPOSED NEW POLICY - PUBLIC ART AND MEMORIALS POLICY

Title: Public Art and Memorials Policy

Policy No: Replaces P140

Keywords: Public art, memorials, artistic quality, public domain

Responsible Officer: Divisional Manager, Human Services and Facilities

1. PURPOSE AND AUTHORITY

The purpose of the policy is to provide guidelines for decision making in relation to the commissioning, acquiring, maintaining, and de-accessioning of public art and memorials.

2. POLICY STATEMENT

Manly Council seeks to use public art and memorials in the public domain to enhance the cultural value of the area. Public art and memorials are to be selected that commemorate people, places, history and ideas of significance and are sensitive to the Manly environment and culture.

3. PRINCIPLES

- Public art and memorials should support a diversity of artistic media and forms and demonstrate high artistic quality
- Public art and memorials should address the particular characteristics of the Manly environment, including the social and cultural interests of the Manly residents
- Artistic quality of any public art or memorial project is to be reviewed by the Director and Curators of the Manly Art Gallery and Museum, the Art and Culture Committee and curator from the Art Gallery of New South Wales, Museum of Contemporary Art, or similar visual arts body
- Public consultation on public art is to be sought including submissions to ensure that the public art selected achieves maximum appeal
- Public art and memorials should be carefully commissioned and maintained
- Council seeks to build and maintain strong partnerships with all levels of government, the arts sector, the private sector and the local community to ensure opportunities for joint projects, donations and sponsorships which support quality public art and memorials are maximised.

4. SCOPE

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This policy applies to all key stakeholders involved in public art and memorials commissioned and maintained by Manly Council staff or by external organisations or businesses or any form of collaborations and partnerships between either of these parties to manage public art and memorials in the public domain.

The scope of the policy specifically applies to public art and memorials that require:

- Council approval
- Community consultation
- Artistic quality review
- Collaboration and partnership with key stakeholders
- A funder/funding partner

5. DEFINITIONS

Funder	Funder of public art and memorial projects on its own or in partnership with federal and state governments and/or private sector.
Public Art	The term public art refers to any work of art in any media that has been planned and executed with the specific intention of being sited or staged in the physical public domain.
Memorial	A <i>memorial</i> is a structure built in order to commemorate and honour a person, place, historical event or idea of significance that is central to the sense and identity of the Manly community.
Commission	In art, a commission is the hiring and payment for the creation of a piece, often on behalf of another. Artwork may be commissioned by private individuals, by the government or businesses.
Public Domain	Includes but is not limited to streets, squares, parks, reserves and spaces adjacent to or within buildings that are accessible to the general public and are the responsibility of Council.

6. IMPLEMENTATION

This policy will be implemented at all times that Council commissions and maintains public art and memorials.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

ATTACHMENT 3

General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 3 - New Policy Schedule

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any relevantly applicable legislation may be subject to relevant criminal action.

8. REPORTING

No specific compliance reporting is required under this Policy

9. POLICY REVIEW

This policy will be subject to a review every two (2) years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

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

10. RELEVANT REFERENCES AND LEGISLATION

Local Government Act 1993
Roads Act 1993
Art Gallery of New South Wales Act 1980

11. RELEVANT COUNCIL POLICIES

Manly Council Code of Conduct
Art and Culture Policy
De-accessioning Procedure

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
	September 2013	Comprehensive Policy review - Policy redrafted	Divisional Manager, Human Services & Facilities	Governance, Legal and Risk

ATTACHMENT 4

General Managers Division Report No. 1.DOC - Periodic Policy Review Schedule 4 - Amendments Schedule

Ref.	Description	Amendments
A20.	Advertising and Advertisements Policy	<ul style="list-style-type: none"> A20 and A30 Combined. Includes S70. Tobacco advertising is controlled by legislation and is not required to be covered by Council Policy. There is no SEPP 61, reference removed.
A40.	A-Frame Signs and Merchandise Offered for Sale	<ul style="list-style-type: none"> Reference to SEPP 64 added.
A55.	Asset Disposal Policy	<ul style="list-style-type: none"> Additional part added to dealing with conflicts of interest. Preference for disposal by public auction added. Exclusion as to real property as an asset added.
B10.	Banners - Display of Banners within Council controlled properties and Reserves	<ul style="list-style-type: none"> Request approval process added.
B20.	Beach Management	<ul style="list-style-type: none"> General revision
B80.	Builders' Rubbish Containers	<ul style="list-style-type: none"> Insurance policy added. Additional provisions added to principles.
C6.	Carbon Neutral	<ul style="list-style-type: none"> General Update
C15.	Child Protection Policy	<ul style="list-style-type: none"> Amended to comply with NSW Ombudsman's requirements.
C20.	Circuses - The Operation of Circuses with Exotic Animals in Manly	<ul style="list-style-type: none"> Incorporated into C30.
C120.	Complaints Management Policy	<ul style="list-style-type: none"> Amended to comply with NSW Ombudsman's requirements and the CPCS Act.
C180.	Corporate Image	<ul style="list-style-type: none"> General Update
D70.	Dogs - Urban Dog Management	<ul style="list-style-type: none"> Amended to comply with section 13(6) of the Companion Animals Act 1993.
D80.	Storage of Dinghies	<ul style="list-style-type: none"> Updated
I18.	Internal Reporting Policy	<ul style="list-style-type: none"> Updated to comply with legislation
L10	Leases - Council Property - Maintenance Of By Lessee/Licensee	<ul style="list-style-type: none"> Incorporated with L20.

ATTACHMENT 4

General Managers Division Report No. 1.DOC - Periodic Policy Review

Schedule 4 - Amendments Schedule

R25.	Records Management Policy	<ul style="list-style-type: none">• Updated to comply with the State Records Act
R90.	Road Reserves - Leases	<ul style="list-style-type: none">• Merged with R100 & R120.• Renamed Road Reserves- Leases
S160.	Sponsorship - Council Activities and Events	<ul style="list-style-type: none">• General update
T69	Tree Management Policy	<ul style="list-style-type: none">• Updated to include 2013 LEP and DCP requirements and incorporating T70, T80, T85, T90, T100 & T110
General Note – improved formatting made to the Register.		

TO: Planning and Strategy Committee - 3 March 2014
REPORT: Environmental Services Division Report No. 3
SUBJECT: Manly LEP 2013 - Proposed Amendment 3
FILE NO: MC/14/13474

SUMMARY

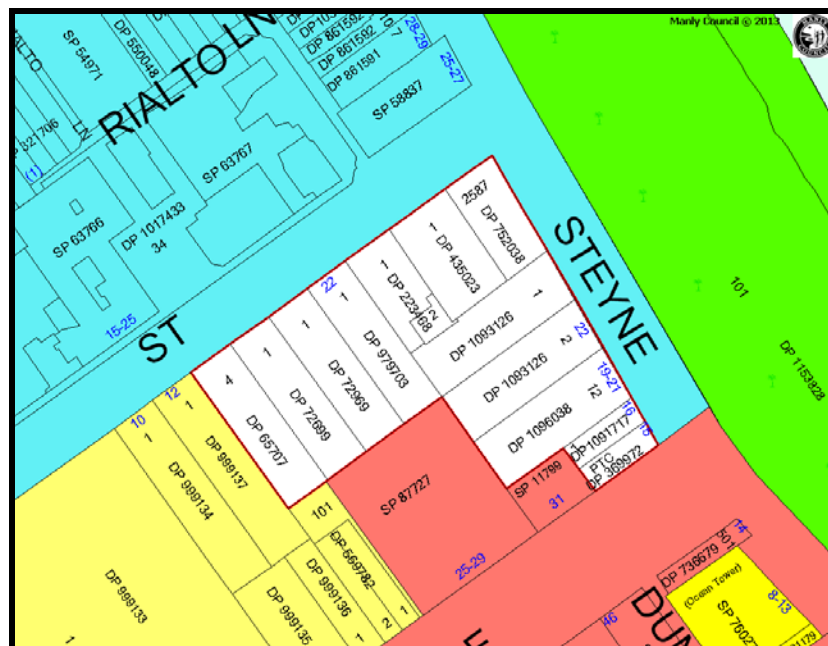
This report details a series of amendments to the Manly LEP 2013 that is not considered to require a public exhibition under the *Environmental Planning and Assessment Act 1979*.

REPORT

A number of amendments to the Manly LEP 2013 are recommended to 1) correct mapping errors, and 2), adopt the "Royal Far West" site deferred by Council pending the Planning Assessment Commission's decision.

These amendments do not require a public exhibition under Section 73A of the *Environmental Planning and Assessment Act 1979*, as follows:

1. Deferred Matter 'Royal Far West'



**Figure 1 – Royal Far West site.
Current land use zoning map and cadastre**

The site is a 'deferred matter' in the Manly LEP 2013.

Council at its Ordinary Meeting in 16 July 2012 resolved to apply the exhibited Draft Manly LEP 2011 zoning of B2 – Local Centre, together with Floor Space Ratio and Height of Building development standards.

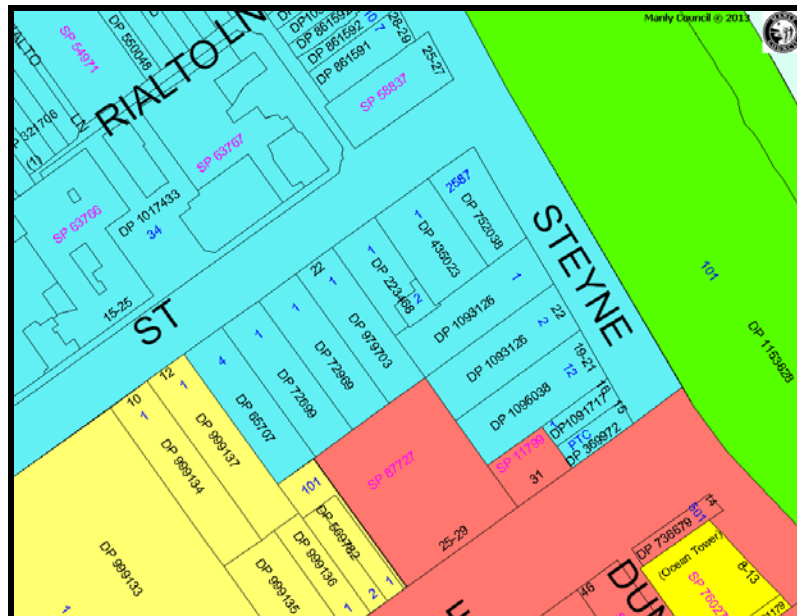
The site was subject to a Part 3A assessment. As such, the Department of Planning and Infrastructure decided to defer the matter in the Manly LEP 2013 until the Planning Assessment Commission (PAC) had made a recommendation on the site in regards to the 'Concept Plan' – the subject of the Part 3A assessment.

Environmental Services Division Report No. 3 (Cont'd)

The PAC made a recommendation for determination of the Concept Plan on 18 April 2013. Any development proposal submitted that relates to the 'Concept Plan' will be subject to the conditions imposed by the PAC, with those conditions superseding LEP development standards for that development proposal only.

This report seeks to adopt the exhibited Draft Manly LEP 2011 development standards, as resolved at its Ordinary Meeting in 16 July 2012. This will allow Council to accordingly assess any future development proposals for the site.

Once the Manly LEP 2013 is amended, any development proposals not related to the 'Concept Plan' will be subject to the development standards of the LEP.



**Figure 2 – Draft Manly 2011 Land use zoning
– Zone B2 Local Centre**

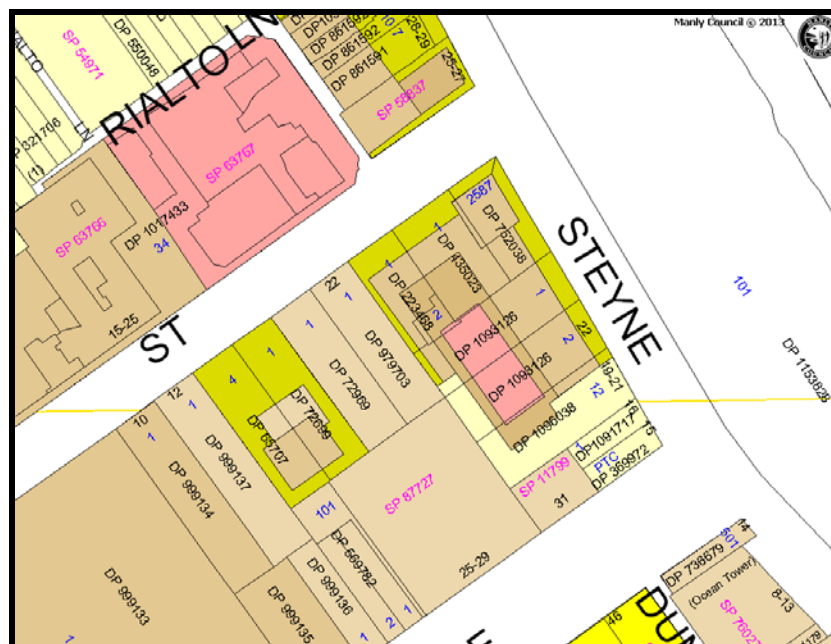
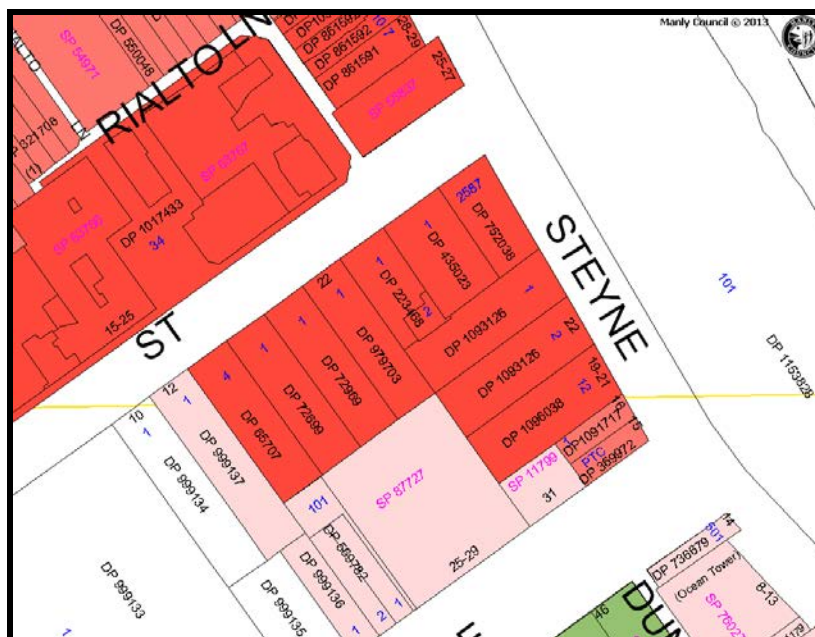


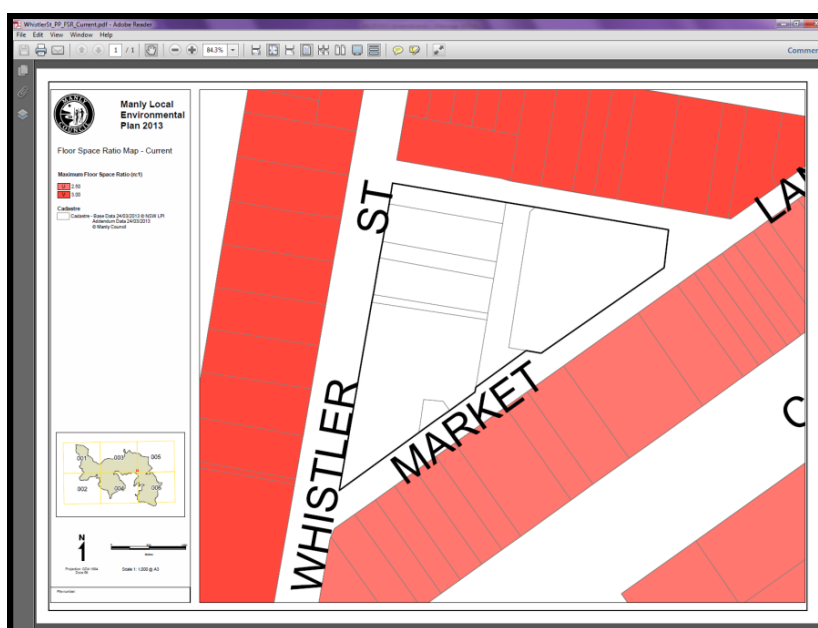
Figure 3 – Draft Manly 2011 Height of Buildings – Various

Environmental Services Division Report No. 3 (Cont'd)



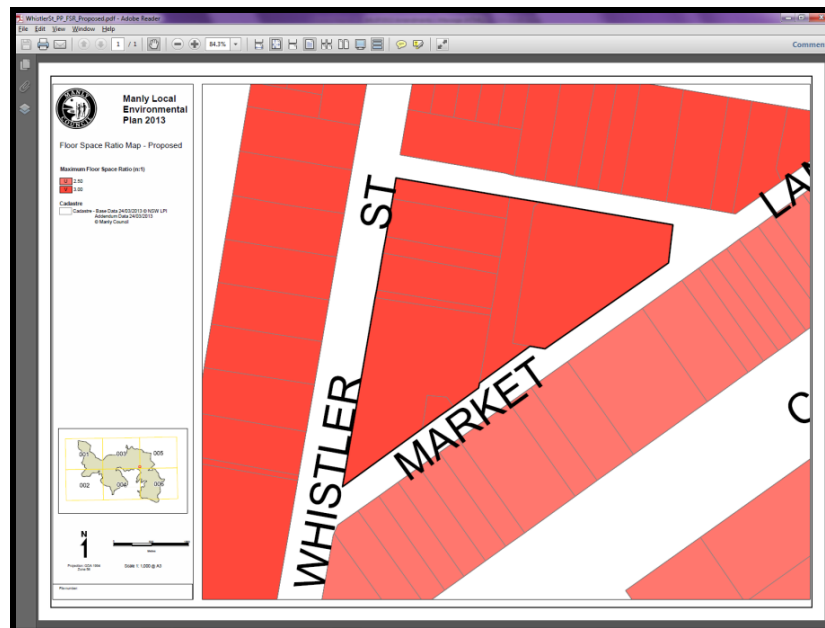
**Figure 4 – Draft Manly 2011 Floor Space Ratio
– ‘3.00’ (dark red) and ‘2.5’ (lighter red)**

2. Mapping error – amendment to Floor Space Ratio Map at ‘Whistler Street and Market Lane’



**Figure 5 – Current Manly LEP 2013
Floor Space Ratio Map**

Environmental Services Division Report No. 3 (Cont'd)



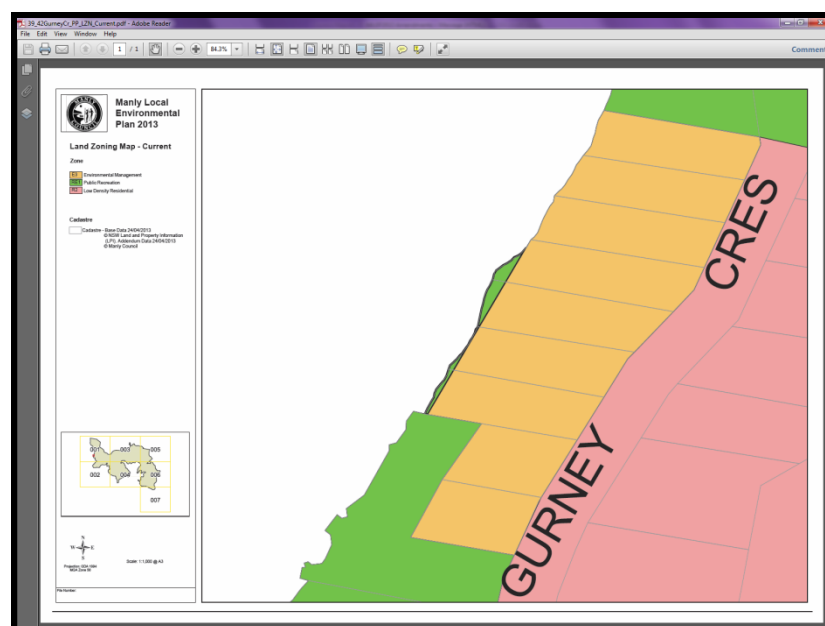
**Figure 6 – Proposed Manly LEP 2013
Floor Space Ratio Map**

While the Height of Buildings control was mapped on to the site from the Business Zone DCP, the FSR standard for the site was omitted in error.

3. Mapping error – amendment to Land Use Zoning Map at 39-42 Gurney Crescent

The Manly LEP 2013 Land Use Zoning Map is in error in regards to the land at 39-42 Gurney Crescent.

The Manly LEP 2013 Land Use Zoning Map needs to be amended to correct the foreshore zoning boundaries of 39 - 42 Gurney Crescent such that the Zone RE1 Public Recreation is omitted from these privately owned properties. All the land at 39-42 Gurney Crescent should be Zone E3 – Environmental Management.



**Figure 7 – Current Manly LEP 2013
Land Use Zoning showing land as both E3 (yellow) and RE1 (green).**

Environmental Services Division Report No. 3 (Cont'd)

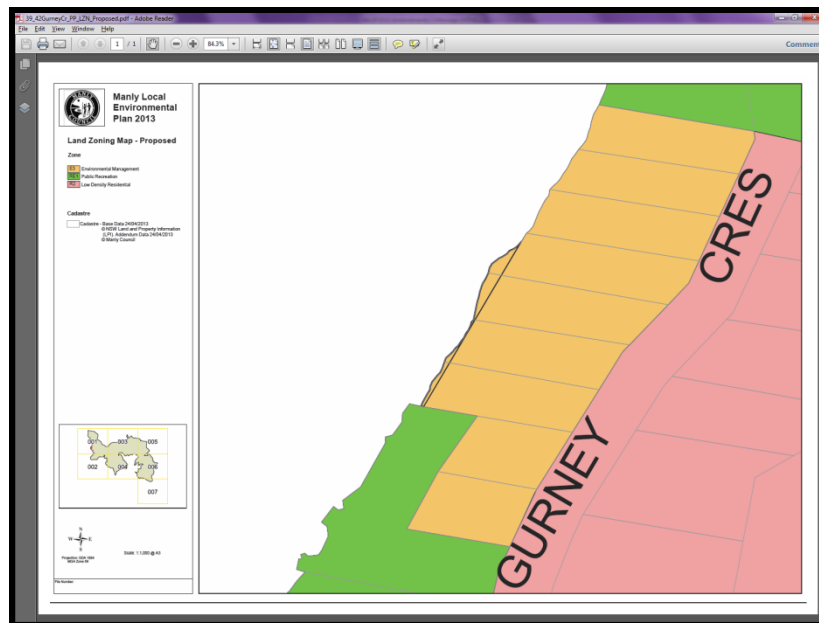


Figure 8 – Proposed Manly LEP 2013 Land Use Zoning showing all land as E3 (yellow).

4. Mapping error – amendment to Acid Sulphate Soils map.

This proposed amendment reinstates land classified as 'Class 2' omitted from Manly LEP 2013. This was omitted in error:

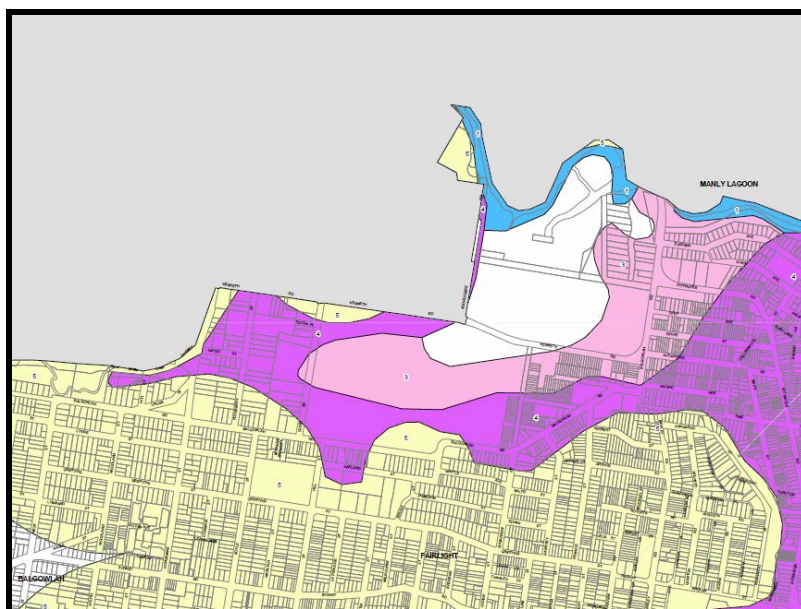
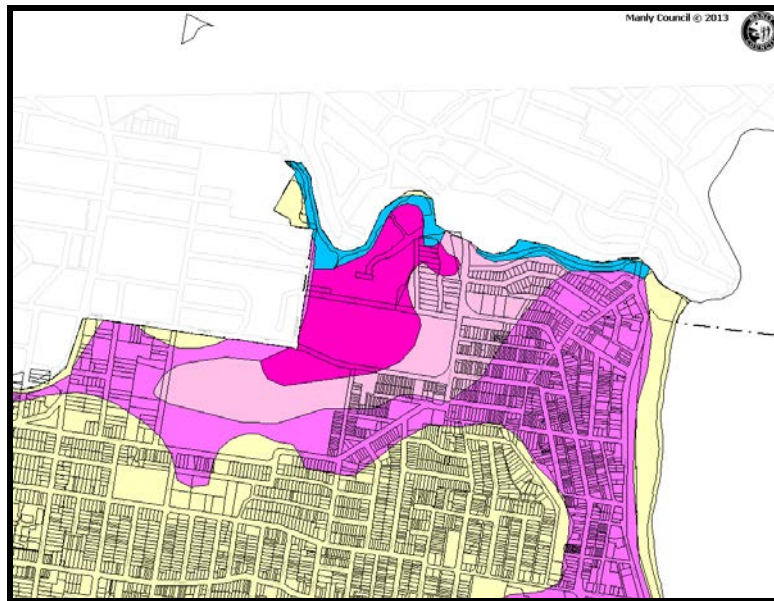


Figure 9 – Current Manly LEP 2013 Acid Sulphate Soils map. White area shows no acid sulphate soils. This is omitted in error.

Environmental Services Division Report No. 3 (Cont'd)



**Figure 10 – Corrected Manly LEP 2013 Acid Sulphate Soils Map
(insertion of Class 2 - dark pink area)**

5. Mapping error – amendment to Heritage map - incorrect label number of heritage item.

St Mary's church is incorrectly labelled "I31" on Heritage Map Grid 005 of the Manly LEP 2013. This needs to be amended. Its correct label is "I254".

6. Wording error – amendment to Clause 4.6 'Exceptions to Development Standards'.

Clause 4.6 details how a development proposal can vary any development standards that are set out by the LEP (e.g. FSR and Height of Building) and the strict criteria that must be satisfied to vary these.

Clause 4.6 (8) details specific requirements where this does not apply, and development proposals must adhere to development standards set out. Clause 4.6 (8) (cb) states that '*a development standard on land to which Part 6 applies*' of the LEP.

This has been worded incorrectly. It does not reflect the intentions of the exhibited Draft Manly LEP 2011 and Council's resolution to adopt the Draft LEP. In the exhibited Draft LEP the clause read '*a development standard on to which Part 7 applies*' of the LEP, where Part 7 were the development standards for St Patrick's Estate.

During the final drafting stages by Parliamentary Counsel, Part 7 was incorporated into Part 6 of the LEP, forming clause 6.19 'Development in St Patrick's Estate'. Therefore the current Clause 4.6 (8) (cb) is incorrect and should not apply to the whole of Part 6 of the LEP. It should only apply to Clause 6.19 'Development in St Patrick's Estate'.

Therefore, Clause 4.8 (8) (cb) should be reworded to state '*a development standard on land to which Clause 6, 19 applies*' to reflect the above.

Conclusion

The reason for the deferred matter status of the Royal Far West site has now been resolved. The other mapping and wording amendments are administrative errors. The amendments listed are considered to be minor amendments under Section 73A of the *Environmental Planning and Assessment Act 1979*. This enables Council to submit a planning proposal to the Department of

Environmental Services Division Report No. 3 (Cont'd)

Planning and Infrastructure requesting delegation to amend the LEP accordingly without the need for community consultation.

RECOMMENDATION

THAT Council adopt the planning proposal to amend the Manly LEP 2013 in applying the exhibited development standards for the Royal Far West site and minor mapping errors contained in the report, and that Council submit to the Department of Planning and Infrastructure LEP Gateway Panel for determination and making of the Amending Manly LEP 2013 under delegation.

ATTACHMENTS

There are no attachments for this report.

PS03032014ESD_2.DOC

***** End of Environmental Services Division Report No. 3 *****

TO: Planning and Strategy Committee - 3 March 2014
REPORT: Environmental Services Division Report No. 6
SUBJECT: Development Applications Being Processed During March 2014
FILE NO: MC/14/22364

SUMMARY

Development application being processed during March 2014.

REPORT

The following applications are with the Town Planners for assessment

DA#	Year	Site	Proposal
185	2001	Wharves and Jetties	Section 96 Modification (change to basement carpark)
372	2005	11 Fairlight Crescent	Section 96 Modification - Part 5
473	2006	87-95 Balgowlah Road	Section 96 Modification
197	2007	55 Frenchs Forest Road	Section 96 Modification
409	2007	11 Oyama Avenue	Section 96 Modification - Part 3
510	2007	185 Pittwater Road	Section 96 Modification
389	2009	8 Woodland Street	Section 96 Modification
14	2010	1 Barrabooka Street	Section 96 Modification - Part 4
225	2010	6 Old Sydney Road	Section 96 Modification
134	2011	16 Augusta Road	Section 96 Modification
337	2011	2A Gilbert Street	Section 96 Modification
40	2012	11 Bruce Street	Section 96 Modification
178	2012	7 Montpelier Place	Section 96 Modification
206	2012	7 Fairlight Street	Section 96 Modification
213	2012	2 Rolfe Street	Section 96 Modification
222	2012	16 Macmillan Street	Section 96 Modification
224	2012	16 Jellicoe Street	Section 96 Modification
244	2012	2-8 Darley Road	Section 96 Modification
273	2012	16' Skiff Club	Section 96 Modification
44	2013	27 Fairlight Street	Demolition and new 3 storey multi dwelling development including 2 units, 2 double garages, front courtyard and rear decks
99	2013	65 Curban Street	Alterations and additions
155	2013	106 Darley Road	Five (5) lot Strata Subdivision of approved Townhouse and Sixteen Lot Strata Subdivision of approved Apartments
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
180	2013	15 Suwarrow Street	Construction of a new two (2) storey dwelling including double garage, detached rear gazebo and driveway
190	2013	60-62 The Corso	Eight (8) Lot subdivision of an existing building
201	2013	90 North Steyne	Strata Subdivision into four (4) lots

Environmental Services Division Report No. 6 (Cont'd)

DA#	Year	Site	Proposal
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
204	2013	17 Carlton Street	Alterations and additions to an existing row house including a rear additions and deck
206	2013	7 Fairlight Street	Section 96 Modification
210	2013	4 Belgrave Street	Operation of a 'Pedicab' business within the Manly area
211	2013	9-28 The Corso	Amendment of an existing Strata Plan including the relocation of car parking spaces and storage areas relating to lots 7,14,37 and 51
212	2013	7 Harvey Street	Construction of a new two (2) storey dwelling including double garage with storage area, rear decks, first floor balconies, swimming pool and spa within the front setback, alfresco area, new driveway, new crossover and landscaping
213	2013	37 Roseberry Street	Section 96 Modification
217	2013	30A Castle Circuit	Construction of a two (2) storey dwelling with double garage, terraces, swimming pool, driveway and landscaping
218	2013	7 Frenchs Forest Road	Conversion of an existing garage to a secondary dwelling, removal of the driveway layack, construction of new double hardstand parking space and new driveway and tree removal
219	2013	402 Sydney Road	Partial demolition of existing building, construction of an attached three (3) storey building to the rear for the purposes of a Boarding House including ten (10) rooms, common room, balconies, courtyards and common outdoor area
220	2013	9 Victoria Parade	Demolition of existing structures and construction of a Mixed use development comprising of a six (6) storey building containing one (retail) premises on the ground floor, twenty-nine (29) apartments, basement car park with twenty-eight (28) spaces and Strata Subdivision
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
230	2013	103 Beatrice Street	Alterations and additions to an existing dwelling including enclosure of existing ground floor patio
231	2013	5 Craig Avenue	Construction of elevated hardstand car parking space to rear of the existing car space and garage
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
236	2013	8 Smith Street	Alterations and additions to an existing row house dwelling including a first floor addition, internal alterations to the ground floor, new windows and a rear awning

Environmental Services Division Report No. 6 (Cont'd)

DA#	Year	Site	Proposal
240	2013	24 Seaforth Crescent	Alterations and additions to an existing dwelling including rear ground floor terrace with vergola, 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
242	2013	7A Alan Avenue	Alterations and additions to existing dwelling including conversion of the existing sub-floor and extension to the lower ground floor to convert to habitable area
243	2013	197-215 Condamine Street	Construction and use of a car wash facility located on the entry level of the retail car park - Balgowlah village shopping Centre
244	2013	102A Seaforth Crescent	Alterations and additions to an existing dwelling including enlarge first floor deck and new double carport
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
246	2013	31 Barrabooka Street	Alterations and additions to an existing dwelling including deck and addition over the existing courtyard
248	2013	106B Darley Road	Construction of a swimming pool and landscaping on proposed Lot 8 in the Spring Cove Development
253	2013	16 Bareena Drive	Alterations and additions to an existing dwelling including side addition, rear deck, windows and new external stairs
254	2013	24 White Street	Alterations and additions to an existing dwelling including a ground floor rear addition, new first floor addition and a store in the basement
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
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
260	2013	16 Moore Street	Alterations and additions to an existing dwelling including new balcony, rear first floor extension and new rear glass doors
261	2013	Balgowlah Road	Demolition of existing 25 metre pool and construction of a new water polo swimming pool, retaining wall, screening, landscaping, spectator seating for Swim

Environmental Services Division Report No. 6 (Cont'd)

DA#	Year	Site	Proposal
			Centre (DA0177/2013) - Andrew Boy Charlton Swim Centre
262	2013	62 Pittwater Road	Demolition of existing building, construction of an eighteen (18) unit RFB including twenty (20) basement car spaces
263	2013	13 Boyle Street	Alterations and additions to an existing dwelling including internal alterations, rear ground floor extension with deck, excavation to create a lower level deck, rear detached extension, carport and landscaping
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 Torrens Title Subdivision into two (2) lots.
265	2013	Wharves and Jetties	Extension of the existing Aldi Store into an adjoining retail tenancy with internal alterations - shops 24 and 24A Manly Wharf
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

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

206/2013 91 Gurney Crescent, SEAFORTH 2092
Demolition of the existing boatshed and construction of a new building

267/2013 59 Woodland Street, BALGOWLAH 2093
Alterations and additions to an existing dwelling including front addition of storeroom and double garage, side addition to ground floor and first floor, rear addition to first floor, front and rear deck, driveway, sunshade and pergola

3/2014 18A Whistler Street, MANLY 2095
Change of use to Coffee Shop and internal alterations to existing tattoo parlour - Shop 4

5/2014 4 Rolfe Street, MANLY 2095
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, MANLY 2095
Alterations and additions to an existing semi-detached dwelling including a front extension to the first floor

8/2014 58 Alexander Street, MANLY 2095
Construction of a rear vergola

Environmental Services Division Report No. 6 (Cont'd)

103/2012 7 Gurney Crescent, SEAFORTH 2092

Section 96 to modify approved Alterations and additions to an existing dwelling including first floor addition, rear addition to lower ground floor and ground floor, a detached double garage, a suspended above ground swimming pool, decks, rooftop garden and landscaping - involving the deletion of condition ANS01, 9 (2Ds01) and 10 (2DS02) in relation to Stormwater Management – Part 2

7/2014 34 Upper Beach Street, BALGOWLAH 2093

Alterations and additions to an existing dwelling including a rear addition to the lower ground floor and ground floor, rear deck extension with roof and stairs

9/2014 13 Daintrey Street, FAIRLIGHT 2094

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

10/2014 63 Collingwood Street, MANLY 2095

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

11/2014 34 Kempbridge Avenue, SEAFORTH 2092

Alterations to an existing deck and addition to a side and rear boundary fence

304/2011 6 Fairlight Crescent, FAIRLIGHT 2094

Section 96 to modify approved Alterations and additions to an existing Residential Flat Building including rear addition to all levels, attic level within the existing roof, internal alterations, lift, new entry foyer, car stackers, landscaping – involving modification to garage roof surface, internal alterations, changes to approved storage shed and bin area, deletion of condition ANS05 in relation to Affordable Rental Unit and modification to condition ANS04 in relation to payable contribution – Part 3

57/2012 19 George Street, MANLY 2095

Section 96 to modify approved Alterations and additions to an existing dwelling including ground floor additions, new verandah to the front, new window, new stairs, new gate, additional car parking space and new driveway – involving further extension of ground floor and first floor at the rear, an additional car parking space at the front and landscaping – Part 2

12/2014 17 Bower Street, MANLY 2095

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, BALGOWLAH HEIGHTS 2093

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

170/2012 10 Bligh Crescent, SEAFORTH 2092

Section 96 to modify approved Construction of a new two (2) storey dwelling with a double garage in the basement level, decks and landscaping – involving modification to the external facade, reduction in the building height and size – Part 2

18/2007 11 Scales Parade, 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

Environmental Services Division Report No. 6 (Cont'd)

367/2010 46 Victoria Parade, MANLY 2095

Section 96 to modify approved Demolition of an existing three (3) storey residential flat building and construction of a five (5) storey Residential Flat Building with basement level parking – involving change to roof design/ profile and modification of the floor levels of the building from level (one) 1 to level four (4) – Part 3

236/2012 5 Margaret Street, FAIRLIGHT 2094 dwelling including front additions involving a double garage with a

Section 96 to modify approved Alterations and additions to an existing terrace above, driveway, stairs and fence – involving internal changes to the ground floor and relocation of the main entrance from the northern wall to the southern wall – Part 2

257/2012 9 Gourlay Avenue, BALGOWLAH 2093

Section 96 to modify approved Alterations and additions to an existing dwelling including addition of a first floor deck, the extension of the existing garage with a studio below and driveway – involving modification to condition ANS02 to include changes finishes to match the existing dwelling and updated Bushfire Assessment Report – Part 3

14/2014 447-449 Sydney Road, BALGOWLAH 2093

Alterations and additions to an existing mixed use building including conversion of a commercial premises to a residential unit, privacy screen and changes to stairs

15/2014 7 Bareena Drive, BALGOWLAH HEIGHTS 2093

Alterations and additions to an existing dwelling including first floor deck extension

16/2014 470 Sydney Road, BALGOWLAH 2093

Construction and installation of an Advertising Structure (under awning sign) - Seaforth Medical Centre

17/2014 2 East Esplanade, MANLY 2095

Alterations and additions to an existing Residential Flat Building including the demolition of existing and construction of new external access stairs and landings

20/2014 6 Fairlight Crescent, FAIRLIGHT 2094

Alterations and additions to an existing Residential Flat Building including the addition of a rooftop terrace on level four (4)

105/2013 112 Sydney Road, FAIRLIGHT 2094

Boarding/Guest House

18/2014 16 Cove Avenue, MANLY 2095

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, MANLY 2095

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, 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. 6 (Cont'd)

The following applications were presented to the Manly Independent Assessment Panel on 20 February 2014.

DA#		Year	Proposal	Determination by MIAP
195	2012	52 Darley Road	Section 96 Modification	Refused
209	2012	43 The Crescent, Manly	Section 96 Modification	Approved
221	2012	38 Abernethy Street	Section 96 Modification	Approved
66	2013	63 Griffiths Street	Demolition of existing dwelling and new 2X2 new dwellings	Approved
162	2013	25A Cliff Street	Detached secondary dwelling within the front setback	Approved
169	2013	123 Sydney Road	Alterations and additions to existing dwelling	Approved
178	2013	17 Allenby Street	Alterations and additions to an existing dwelling including garage forward of the building line, new front porch, rear extension, decks, swimming pool and landscaping	Approved
205	2013	9 Moore Street	Alterations and additions to an existing dwelling including rear extension, deck with an awning, privacy screens, front fence, pergola, internal alterations, swimming pool and landscaping	Approved
234	2013	22 Edgecliffe Esplanade	Conversion of part of existing rear garage fronting Panorama Lane to a secondary dwelling including side roof structure, rear deck, internal partition walls, new windows and doors	Approved
237	2013	1 Nield Avenue	Alterations and additions to an existing dwelling including a second floor addition with rear balcony, internal alterations to the lower ground floor and ground floor	Approved
159	2013	13 Ashburner Street	Alterations and additions to an existing dwelling including first floor addition at the rear	Refused

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. 6 *****

TO: Planning and Strategy Committee - 3 March 2014
REPORT: Environmental Services Division Report No. 7
SUBJECT: List of LEC Appeals Relating to Development Applications during
FILE NO: MC/14/22962

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
280/2012	Class 1 10916/13	17 & 19	Central Avenue	26/11/13	Marsdens	Section 34 Conference Adjourned to allow for amended plans.
337/2011	Class 1 10946/13	<u>2A</u> 3	<u>Gilbert Street</u> Eustace Street	6/12/13	Marsdens	Section 34 conference 21 March 2014
96/2013	Class 1 10982/13	1	Beatrice Street	23/12/13	Marsdens	Listed for mention 1 April 2014
126/2011	Class 1 10800/13	4	West Street	16/10/13	Maddocks	Matter to be set down for arbitration.
50/2013	Class 1 10633/13	121	North Steyne	16/8/13	Pikes	Hearing 26 & 27 March 2014
297/2012	Class 1 10540/13	102	Bower Street	16/7/13	Pikes	Awaiting judgement

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. 7 *****

TO: Planning and Strategy Committee - 3 March 2014
REPORT: Environmental Services Division Report No. 8
SUBJECT: Post Exhibition Report of Amendment to Manly LEP 2013 - Rezoning of 45 Pacific Parade
FILE NO: MC/14/23112

SUMMARY

This report is on the submissions received during the exhibition of the Planning Proposal to amend the Manly LEP 2013 land use zoning of 45 Pacific Parade from Zone SP2 Childcare Centre to Zone R1 General Residential. This report recommends Council proceed with Draft LEP Amendment 2 – Rezoning of 45 Pacific Parade - as exhibited.

REPORT

Council received a Planning Proposal on 25 July 2013 to amend the Manly LEP 2013 land use zoning of 45 Pacific Parade from Zone SP2 Childcare Centre to Zone R1 General Residential.

Council resolved at its Ordinary Meeting on 14 October 2013 (185/13) as follows:

Council place the proposal to rezone 45 Pacific Parade (LOT 1 DP 115643) from SP2 Childcare Centre to R1 General Residential on exhibition for twenty-eight (28) days.

The Planning Proposal was subsequently submitted to the Department of Planning and Infrastructure. On 11 December 2013 the Minister delegated the making of the LEP to Council.

The Draft LEP Amendment 2 was exhibited from 13 January 2014 to 9 February 2014 (28 days).

Public notification was given in the Manly Daily on 11 January 2014. Letters were issued to the surrounding properties on the 10 January 2014. Ocean Beach and Ivanhoe Park Community Precincts were notified by Council's Precinct Coordinator giving notice of the proposed rezoning.

The Plans were available to view at Manly Council Chambers, Manly Library and on Council's website.

Submissions

One late submission was received by Council on 14 February 2014 from the residents of 49 Pacific Parade, Manly.

The submission raises concerns about parking issues in the area if the site were allowed to be redeveloped into a residential use. It notes current parking pressure along Pacific Parade, Pine Street and residents using their off street parking/garages as storage facilities and therefore putting additional pressure on parking in the street. It also raises concerns about Council not patrolling the street due to 'insufficient funds'.

The submission has been forwarded to the appropriate Council section to deal with the parking issues raised.

The submission does not directly oppose the proposed rezoning of the site. Concerns raised relate to a potential development application for residential development on the site. The concerns regarding street parking would be an issue that would be dealt with, if and when, an application for redevelopment of the site is received. The concerns raised are not a reason to refuse rezoning of the site.

It is to be noted that the subject site is surrounded by Zone R1 – General Residential and the rezoning would be consistent with the character of the locality.

Environmental Services Division Report No. 8 (Cont'd)**Next Steps**

The making of this Draft LEP is delegated to Council. If Council resolves to make the Draft Manly Local Environmental Plan Amendment No. 2 as exhibited, Council officers and the General Manager (as delegated by Council) would contact NSW Parliamentary Counsel and Department of Planning and Infrastructure to finalise drafting of the LEP and arrange for its notification on the NSW Legislation website.

Conclusion

There is no objection to the proposed rezoning of the site after exhibition. Council officers have found that the proposal meets the requirements set out in legislation and environmental planning instruments. The rezoning of the land is the most suitable way to meet the objectives of the land owner and applicant.

RECOMMENDATION**That:**

1. Council support the rezoning of 45 Pacific Parade from SP2 Child Care Centre to R1 General Residential; and
2. Council proceed to prepare and make the Draft Manly Local Environmental Plan Amendment No. 2 as exhibited.

ATTACHMENTS

There are no attachments for this report.

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