



New South Wales

Manly Local Environmental Plan 1988 (Amendment No 54)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/02479/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2003 No 581

Clause 1 Manly Local Environmental Plan 1988 (Amendment No 54)

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Manly Local Environmental Plan 1988 (Amendment No 54)*.

2 Aims of plan

The aims of this plan are:

- (a) to allow, with the consent of Manly Council, the carrying out of development on part of the land to which this plan applies for the purpose of a boarding house and to regulate the circumstances in which the Council may consent to that development, and
- (b) to amend *Manly Local Environmental Plan 1988* to insert a clause and Schedule relating to master plans.

3 Land to which plan applies

- (1) To the extent that this plan allows a boarding house with consent, it applies to Lot 1, DP 72699 and Lot 4, DP 65707, being part of land known as No 22 Wentworth Street, Manly, as shown edged heavy black on Sheet 2 of the map marked "Manly Local Environmental Plan 1988 (Amendment No 54)" deposited in the office of Manly Council.
- (2) To the extent that this plan provides for the possible preparation and adoption of master plans, it applies to all land under *Manly Local Environmental Plan 1988*.

4 Amendment of Manly Local Environmental Plan 1988

Manly Local Environmental Plan 1988 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 7 Interpretation

Insert in alphabetical order in clause 7 (1):

master plan means a document (consisting of written information, maps and diagrams) that makes more detailed provisions relating to development of the land to which it relates than this plan. A master plan:

- (a) outlines long-term proposals for development of the entire site to which a master plan relates, and
- (b) explains how those proposals address the range of matters set out in clause 37 (3).

[2] Clause 37

Insert after clause 36:

37 Master plans

- (1) The council must not grant consent to any development on land included, on or after the commencement of this clause, in Schedule 12 unless:

- (a) if a draft master plan for the development of the land is required by the council and has been adopted by the council, the council has had regard to it, or
 - (b) if a draft master plan for the land:
 - (i) has not been submitted to the council for adoption, or
 - (ii) has been submitted to the council but has not yet been adopted by the council,

the council decides, having regard to the particular circumstances of the development and after it has considered the matters set out in subclause (3), that it may grant consent to the development application and not prejudice the orderly development of the land.

- (2) A draft master plan may be prepared by, or on behalf of, the owner of the land concerned following consultation with the council.

2003 No 581

Manly Local Environmental Plan 1988 (Amendment No 54)

Schedule 1 Amendments

- (3) A master plan is to address, illustrate and explain, where appropriate, proposals covering the following range of matters (but is not limited to them):
- (a) design principles drawn from an analysis of the site and its context,
 - (b) phasing of development,
 - (c) distribution of land uses, including open space and foreshore public access,
 - (d) subdivision pattern,
 - (e) building envelopes and built form controls,
 - (f) pedestrian, cycle and road access and circulation network, with particular regard to public transport servicing,
 - (g) parking provisions,
 - (h) heritage conservation, including both Aboriginal and European heritage,
 - (i) infrastructure provision,
 - (j) site remediation.

[3] Schedule 5 Development for additional purposes

Insert at the end of the Schedule:

Land being Lot 1, DP 72699 and Lot 4, DP 65707, being part of land known as No 22 Wentworth Street, Manly, as shown edged heavy black on Sheet 2 of the map marked "Manly Local Environmental Plan 1988 (Amendment No 54)"—rented residential accommodation that provides each lodger at the accommodation with a principal place of residence for a period of not less than 3 consecutive months.

2003 No 581

Manly Local Environmental Plan 1988 (Amendment No 54)

Amendments

Schedule 1

[4] Schedule 12

Insert after Schedule 11:

Schedule 12 Master plans

(Clause 37)

The Royal Far West Children's Health Scheme and Services for the Aged complex of buildings at No 22 Wentworth Street, Manly, being parts of Lots B and C and Lot A, DP 369972, part Lot C, DP 333913, Lots 1–3, DP 223468, Portion 2587, DP 752038, Lot 1, DP 435023, Lot 1, Section 5, DP 979703, Lot 1, DP 72969, Lot 1, DP 72699 and Lot 4, DP 65707, as shown edged heavy black on Sheet 1 of the map marked "Manly Local Environmental Plan 1988 (Amendment No 54)".

BY AUTHORITY