



New South Wales

## **Manly Local Environmental Plan 1988 (Amendment No 51)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/00718/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

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## 2002 No 777

Clause 1                      Manly Local Environmental Plan 1988 (Amendment No 51)

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# Manly Local Environmental Plan 1988 (Amendment No 51)

## 1 Name of plan

This plan is *Manly Local Environmental Plan 1988 (Amendment No 51)*.

## 2 Aims of plan

This plan aims:

- (a) to add to, remove from and further describe properties as items of the environmental heritage in Schedule 4 to *Manly Local Environmental Plan 1988 (the 1988 plan)*, and
- (b) to bring under the heritage provisions of the 1988 plan a new conservation area, namely the Pittwater Road Conservation Area, and
- (c) to provide that Manly Council must not grant consent to a development application relating to a conservation area unless it has considered the provisions of any development control plan relating to heritage conservation areas (*any relevant dcp*), and
- (d) to amend a heading to a clause in the 1988 plan, and
- (e) to update a reference to a provision in an Act in the 1988 plan.

## 3 Land to which plan applies

- (1) To the extent that this plan adds, removes and further describes properties as items of the environmental heritage, it applies to land listed in Schedule 1 [5]–[8].
- (2) To the extent that this plan brings into the 1988 plan a new conservation area, it applies to the land known as the Pittwater Road Conservation Area, as shown edged heavy black on the map marked “Manly Local Environmental Plan 1988 (Amendment No 51)” deposited in the office of Manly Council.

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- (3) To the extent that this plan provides for the Council to consider the provisions of any relevant dcp in determining a development application, it applies to all land within heritage conservation areas under the 1988 plan.
  - (4) To the extent that this plan amends a clause heading, it applies to all land with Zone No 2 having frontage to Pittwater Road, Manly.

**4 Amendment of Manly Local Environmental Plan 1988**

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

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Schedule 1      Amendments

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**Schedule 1    Amendments**

(Clause 4)

**[1]    Clause 7 Interpretation**

Insert at the end of the definition of *item of the environmental heritage* in clause 7 (1):

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**[2]    Clause 7, definition of “small shop”**

Omit “as defined in section 76A of the *Factories Shops and Industries Act 1962*”.

Insert instead “within the meaning of section 78B of the *Shops and Industries Act 1962*”.

**[3]    Clause 21 Conservation area**

Insert after clause 21 (2) (b):

, and

- (c) the provisions of any development control plan relating to heritage conservation areas.

**[4]    Clause 32, heading**

Omit the heading to the clause. Insert instead:

**32    Development of land having frontage to Pittwater Road, Manly**

**[5] Schedule 4 Items of the environmental heritage**

Insert in alphabetical order of street name under the headings *Architectural and Archaeological Items* and **(A) Alphabetical Entry by Street** in the Schedule the following items:

Residential flat building	5a Carlton Street, Manly (Lots 1–4, SP 16614)
Row house	26 Denison Street, Manly (Lots 9 and 16, DP 233249)
Row house	28 Denison Street, Manly (Lot 10, DP 233249)
Row house	30 Denison Street, Manly (Lot 11, DP 233249)
Row house	32 Denison Street, Manly (Lot 12, DP 233249)
Row house	34 Denison Street, Manly (Lot 13, DP 233249)
Row house	36 Denison Street, Manly (Lot 14, DP 233249)
Row house	38 Denison Street, Manly (Lot 15, DP 233249)
Baby health care centre	1 Pittwater Road, Manly (Lot C, DP 332042)
House	80 Pittwater Road, Manly (Lot 62, DP 192310)
House	82 Pittwater Road, Manly (Lot 1, DP 798774)
House	105 Pittwater Road, Manly (Lot 9, DP 2427)
House	107 Pittwater Road, Manly (Lot 1, DP 1030198)
House	108 Pittwater Road, Manly (Lot 2, DP 576052)

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Schedule 1 Amendments

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House	110 Pittwater Road, Manly (Lot 1, DP 576052)
Service station	167 Pittwater Road, Manly (Lot 1, DP 303817, Lot 2, DP 656268 and Lots 9–12, Section 6, DP 2427)
House	184 Pittwater Road, Manly (Lot 30, DP 2427)
Pumping station	252 Pittwater Road, Manly (Lot 1, DP 744872)
Memorial club	52 Raglan Street, Manly (Lot 2077, DP 7520385)
House	53 Whistler Street, Manly (Lot 1, DP 742272)
House	55 Whistler Street, Manly (Lot 1, DP 85051)
House	65 Whistler Street, Manly (Lot 24, DP 192310)

### [6] Schedule 4

Omit from the Schedule under the headings *Architectural and Archaeological Items* and **(A) Alphabetical Entry by Street** the following items:

Pittwater Road (from Denison Street to Collingwood Street, Manly)

House 63 Pittwater Road, Manly

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Amendments

Schedule 1

**[7] Schedule 4**

Insert after each item shown in Column 1 below, being matter in the Schedule under the headings *Architectural and Archaeological Items* and **(A) Alphabetical Entry by Street**, the matter relating to that item shown in Column 2 below:

Column 1	Column 2
15–17 Pittwater Road, Manly	(Lots 1–5, DP 64980)
25 and 27 Pittwater Road, Manly	(Lot 2, DP 226667 and Lot 1, DP 515956)
35–49 Pittwater Road, Manly	(Lots 1–8, DP 233249)
61 Pittwater Road, Manly	(Lot 1, DP 1024498)
77 Pittwater Road, Manly	(Lot 1, DP 503181)
210–214 Pittwater Road, Manly	(Lots 3–5, DP 107720)
216–218 Pittwater Road, Manly	(Lots 1 and 2, DP 107720)
226 Pittwater Road, Manly	(Lot 1, DP 798037)

**[8] Schedule 4**

Insert at the end of the matter under the headings *Landscape Items* and **(B) Alphabetical Entry by Park, Reserve etc** in the Schedule the following item:

Natural escarpment

Kangaroo Park

**[9] Schedule 4**

Insert at the end of the matter under the heading **CONSERVATION AREA** in the Schedule:

The Pittwater Road Conservation Area

BY AUTHORITY