

**ITEM 12.5****NOTICE OF MOTION NO 65/2018 - REZONING OF PARCELS OF  
LAND, MANLY WARRINGAH MEMORIAL PARK****TRIM FILE REF****2018/730101****ATTACHMENTS****NIL**

Submitted by: Councillor Candy Bingham

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**MOTION**

That Council prepare a Planning proposal to rezone the five lots owned by Sydney Water and the Crown at the north east corner of the intersection of Wakehurst Parkway and Kirkwood Street in Allambie Heights/Seaforth, from Low Density Residential (R2) to Public Recreation (RE1) under the Warringah Local Environmental Plan 2011.

The five lots consist of:

- A. Three Crown land lots:
  - a. Lot 76 DP 504237
  - b. Lot 77 DP 504237
  - c. Lot 2 DP 710023.
- B. Two Sydney Water lots:
  - a. Lot 1 DP 710023 – bushland site (surplus land)
  - b. Lot 1 DP 835123 – with water tower (reservoir).

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**BACKGROUND FROM COUNCILLOR CANDY BINGHAM**

These parcels of land are within the boundaries of the Manly Warringah War Memorial Park Plan of Management.

The land includes bushland and part of the Wakehurst Golf Course, and a section is traversed by the circuit trail for cycling and walking within the Memorial Park.

In addition, the bushland area protects the Manly Dam Catchment and is part of a wildlife corridor. It also contributes to the scenic amenity of the Park.

The land has an important function in protecting the natural environment of the Manly Dam Catchment and providing for recreation.

Rezoning the parcels of land to RE1 would be consistent with the former County Open Space zoning and with the current zoning of the adjoining Manly Warringah War Memorial Park.

The rezoning proposal would correct what is now seen as an anomaly in WLEP2011, and ensure that the future land use is consistent with the protection and management of the Manly Warringah War Memorial Park.

## History

In the Warringah LEP 1985 the 3 Crown land lots and adjoining bushland on Sydney Water land were zoned County Open Space.

Crown land identified as County Open Space in WLEP1985 within Manly Dam Catchment was identified as public open space in WLEP2000 – with the exception of the three Crown land lots currently zoned R2 (low density residential). The exclusion of these lots appears to be an anomaly. The three lots of Crown land were zoned R2 in the translation of WLEP2000 (Manly Lagoon Locality) to WLEP2011.

### Sydney Water land

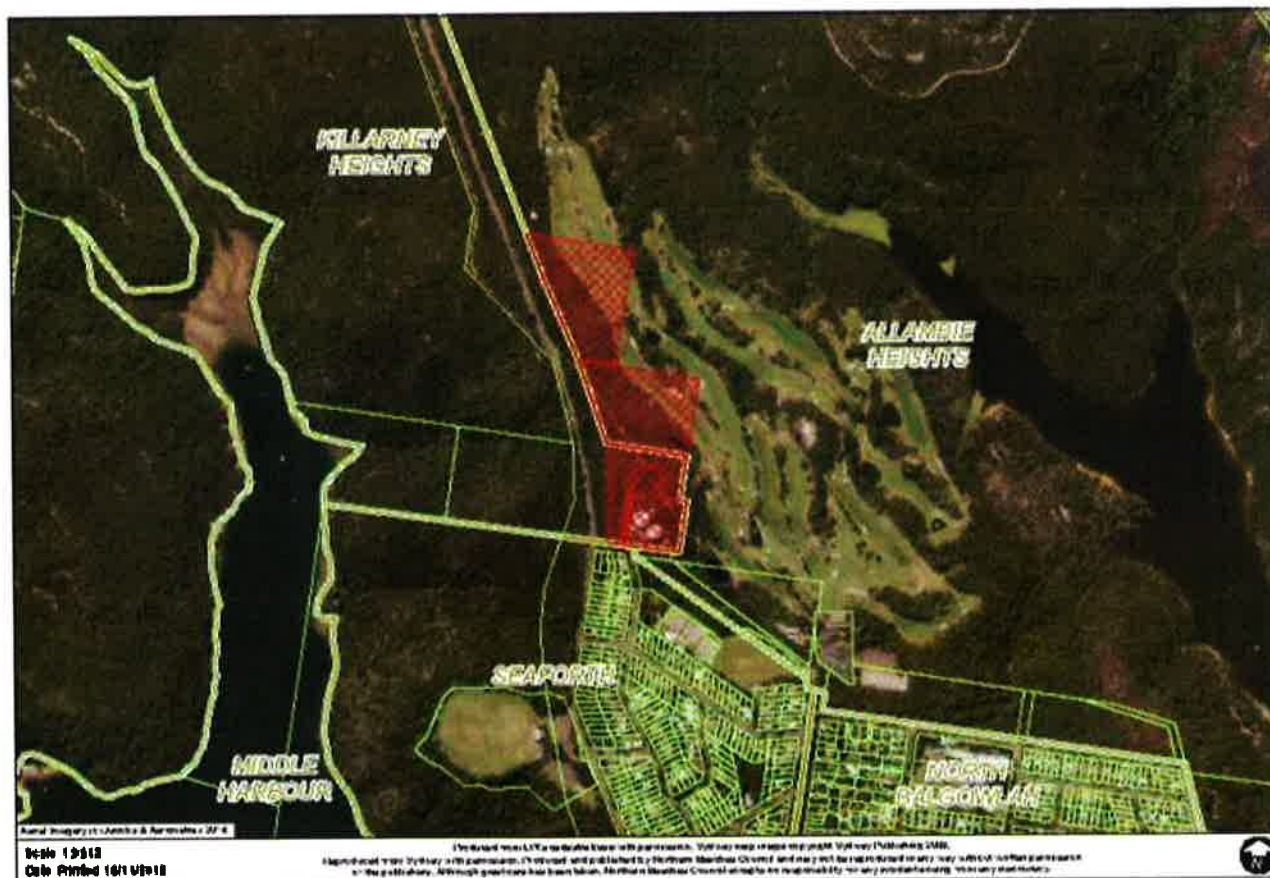
Between 1985 and 2000 the undeveloped land was zoned as County Open Space similar to other Crown land around the boundaries of the Catchment that has since been incorporated into the Manly Warringah War Memorial Park.

As part of the 'place based' WLEP2000, the bushland site was included with the adjoining Sydney Water land, previously zoned for special uses in the 1985 zoning map. WLEP2000 did not identify special uses sites and in the rezoning process to the standard instrument WLEP2011 the bushland site was converted to R2 (low density residential) without any intervening environmental assessment taking place.

The former zoning as County Open Space should be acknowledged and environmental values protected via rezoning this parcel of land to RE1 consistent with the surrounding Park.

The land shares a common boundary with the Park on three sides, and should be integrated into the Park.

Images identifying the parcels of land in question:



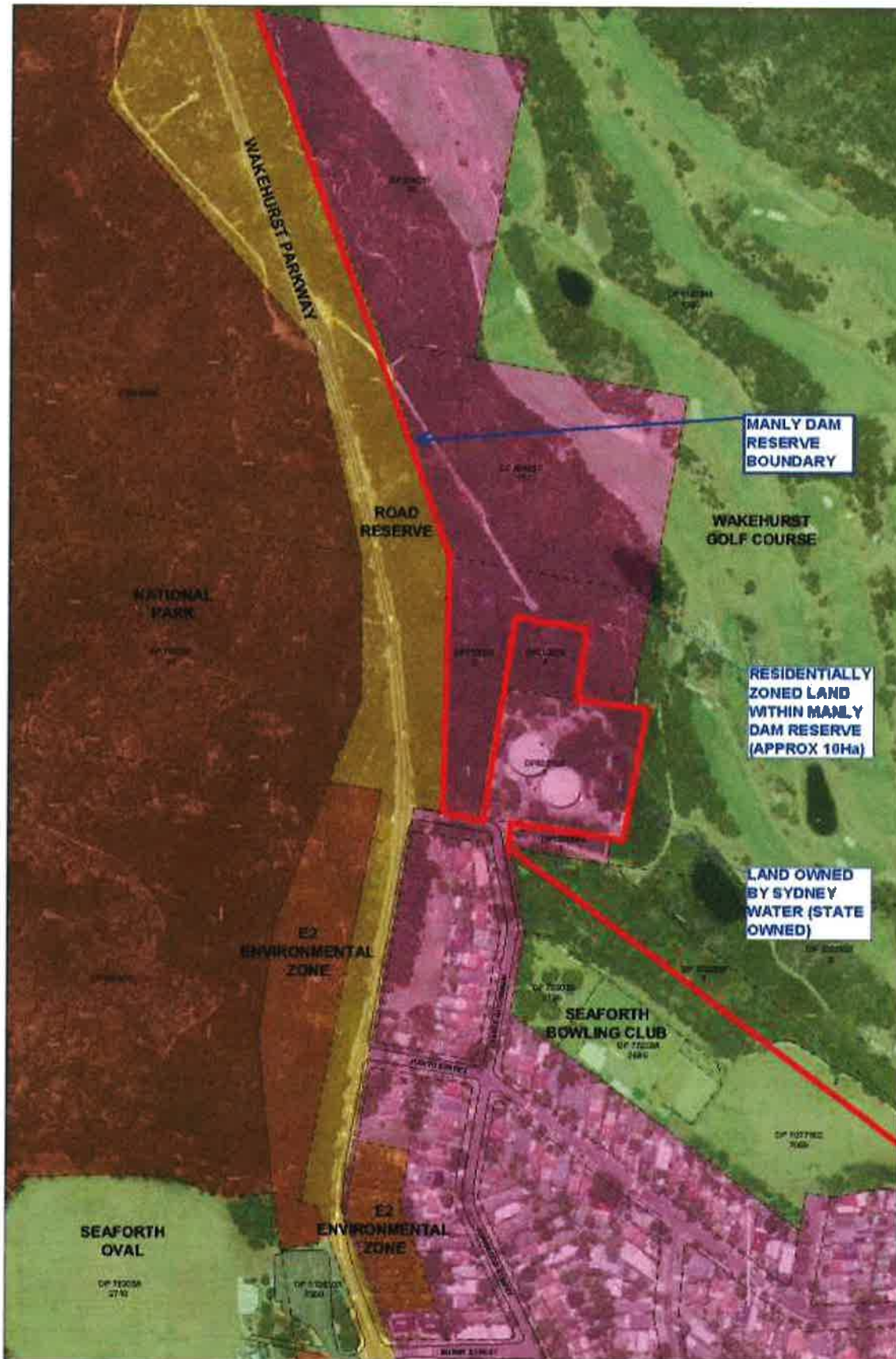


DIAGRAM SHOWING RESIDENTIAL LAND ZONING IN MANLY DAM RESERVE



**CHIEF EXECUTIVE OFFICER REPORT**

*In accordance with Council's Code of Meeting Practice Clause 4.15(a) I offer the following report on this matter to assist Council in the deliberation of this motion:*

When preparing Warringah LEP 2011 Council was required to take the existing provisions of Warringah LEP 2000, and translate these into the State Government's new Standard Instrument LEP format.

Under Warringah LEP 2000, the Sydney Water and Crown land referenced above were all located in the G3 Manly Lagoon Suburbs Locality and were deemed to be residential land. Under Warringah LEP 2000, none of these parcels was zoned Public Open Space or Open Space Reservation. Accordingly, in making Warringah LEP 2011, all of these lots were zoned R2 Low Density Residential, consistent with the zoning under the previous planning instrument.

It is not known if Sydney Water or the Crown will be supportive of the proposal to rezone their land.

It is noted that the two Sydney Water lots (Lot 1 DP 710023 and Lot 1 DP 835123) are not located within the Manly Warringah War Memorial Park Plan of Management.

This motion can be delivered within existing operational budgets.

**VOTING****FOR:** Unanimous**CARRIED****12.4 NOTICE OF MOTION NO 64/2018 - CASTLE DRUMMING CONCERNS***NOTE: Councillor Amon withdrew this item.***12.5 NOTICE OF MOTION NO 65/2018 - REZONING OF PARCELS OF LAND, MANLY WARRINGAH MEMORIAL PARK***NOTE 1: Councillor Ferguson left the chamber at 10:08pm and returned at 10:11pm.**NOTE 2: Councillor Amon left the chamber at 10:08pm and returned at 10:11pm.***360/18 RESOLVED*****Cr Bingham / Cr Regan***

That:

- A. Council prepare a Planning Proposal to rezone the five lots owned by Sydney Water and the Crown at the north east corner of the intersection of Wakehurst Parkway and Kirkwood Street in Allambie Heights/Seaforth, from Low Density Residential (R2) to Public Recreation (RE1) under the Warringah Local Environmental Plan 2011. The five lots consist of:
  - a. Three Crown land lots:
    - i. Lot 76 DP 504237
    - ii. Lot 77 DP 504237
    - iii. Lot 2 DP 710023.
  - b. Two Sydney Water lots:
    - i. Lot 1 DP 710023 – bushland site (surplus land)
    - ii. Lot 1 DP 835123 – with water tower (reservoir).
- B. Council prepare a Planning Proposal to rezone two lots owned by the Crown in the vicinity of King Street and Wandella Rd from Low Density Residential (R2) to Public Recreation (RE1) under the Warringah Local Environmental Plan 2011. The two lots are identified as:
  - a. Lot 7370 DP 1165551, being land adjoining 102 King Street Manly Vale
  - b. Lot 7369 DP 1165551, Wandella Road, Allambie, south of Jenna Close.

**VOTING****FOR:** Unanimous**CARRIED**

