



## Agenda

### Planning and Strategy Committee

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

**Monday 12 May 2008**

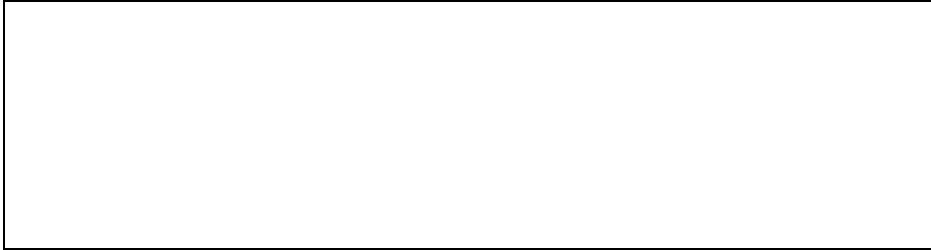
Commencing at 7:30pm for the purpose of considering items included on the Agenda.

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 Services Counter at Manly Council, Manly Library and Seaforth Library and are available on Council's website:  
[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)*

# Seating Arrangements for Meetings

Staff      Staff      General  
Manager      Chairperson      Staff      Minute  
Taker



**Mayor** Dr Peter  
Macdonald

**Deputy Mayor**  
Clr Mark Norek

Clr Joanna Evans

Clr Barbara Aird

Clr Brad Pedersen

Clr Richard  
Morrison

Clr Jean Hay AM

Clr Adele  
Heasman

Clr Dr Judy  
Lambert AM

Clr Simon Cant

Clr David Murphy

Clr Pat Daley

Press

Press

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Public  
Addresses

**Public Gallery**

**Chairperson:** Councillor Barbara Aird  
**Deputy Chairperson:** Deputy Councillor Adele Heasman

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

**TO:** Planning and Strategy Committee - 12 May 2008  
**REPORT:** General Managers Division Report No. 9  
**SUBJECT:** Seaforth TAFE Site - Poll of Electors  
**FILE NO:**

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## SUMMARY

This report presents the final results of the Seaforth TAFE Poll of electors.

## REPORT

This report presents the final results of the Seaforth TAFE Poll of electors.

In pursuant of a Council resolution, the NSW State Electoral Office (SEO) conducted the non binding Poll of Electors on the future use of the Seaforth TAFE Site.

The following three (3) questions were polled:

1. Do you support the re-opening of the former Seaforth TAFE site at cnr Frenchs Forest and Sydney Roads, Seaforth as an educational facility?
2. In the event that the State Government does not decide to re-open the site as an educational facility:

Do you support redevelopment of only the former TAFE site for new residential, retail, commercial and community purposes to the north of the heritage library and public space, and retain the existing Sydney Road alignment?

3. In the event that the State Government does not decide to re-open the site as an educational facility:

Do you support redevelopment of the former TAFE site and realign Sydney Road to create two new development sites for residential, retail, commercial and community purposes with a new Town Square incorporating the heritage library?

The final results declared by the SEO are attached (refer Attachment 1).

In summary,

- a) 69% of electors supported the site's continued use as an educational institution,
- b) 65% of the electors did not support either Option 2 or 3; and
- c) of those who supported a form of development on the site, 24% supported Option 2 and 11% supported Option 3.

## RECOMMENDATION

Given the Poll results, it is recommended that:

1. That the Minister for Planning and the Minister for Education be advised of outcome of the Poll, and
2. That Council seeks an immediate commitment from the government that the Seaforth TAFE

**General Managers Division Report No. 9 (Cont'd)**

site will be retained for use as an educational institution, and that Minister for Planning will not act to rezone the site for use for any other purposes.

**ATTACHMENTS**

**AT- 1** Final results of the Seaforth TAFE Poll of electors 1 Page

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\*\*\*\*\* End of General Managers Division Report No. 9 \*\*\*\*\*

## ATTACHMENT 1

### General Managers Division Report No. 9 - Seaforth TAFE Site - Poll of Electors Final results of the Seaforth TAFE Poll of electors

#### Final Results of Manly Poll held 3 May 2008

Last updated 6/05/2008 2:22:00 PM  
(Note: If using Windows Explorer or Firefox press Ctrl and F to update information on page)

Below results are for the poll held in relation to the use of the Seaforth TAFE Site and Town Centre to be held on Saturday 3 May 2008. Results will become available from 6pm on polling day.  
Polling place level results will be available at midday Monday 5 May 2008.

##### Question 1

Do you support the re-opening of the former Seaforth TAFE site at cnr Frenchs Forest and Sydney Roads, Seaforth as an educational facility?

Yes	1676
No	736
Total Formal	2412
Informal	23
Total	2435

##### Question 2

In the event that the State Government does not decide to re-open the site as an educational facility:

Do you support redevelopment of only the former TAFE site for new residential, retail, commercial and community purposes to the north of the heritage library and public space, and retain the existing Sydney Road alignment?

Yes	1171
No	1241
Total Formal	2412
Informal	23
Total	2435

##### Question 3

In the event that the State Government does not decide to re-open the site as an educational facility:

Do you support redevelopment of the former TAFE site and realign Sydney Road to create two new development sites for residential, retail, commercial and community purposes with a new Town Square incorporating the heritage library?

Yes	515
No	1902
Total Formal	2417
Informal	18
Total	2435

**TO:** Planning and Strategy Committee - 12 May 2008  
**REPORT:** Item For Brief Mention Report No. 8  
**SUBJECT:** Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees  
**FILE NO:**

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**1. Reports:**

**The Future of Manly Hospital: Minister for Health response**

Last year Council wrote to the Minister for Health, The Hon. Reba Meagher, MP expressing concerns about the future of Manly Hospital and stating that in the interest of the whole community "the Manly Hospital land be retained as a health care facility or designated for aged care, to meet future demand."

A response is now to hand, indicating that the future of the site "would be determined in consultation with the community, and that a possible use would be aged care." The letter, signed by the Parliamentary Secretary for Health, is attached for the information of the Council.

**2. Minutes of Meetings without recommendations of a substantial nature:**

- i) Playground Management Committee – 21 February 2008
- ii) Manly Harbour Foreshores Management Committee – 15 April 2008
- iii) Manly Scenic Walkway Committee – 22 April 2008
- iv) Project Manly LEP Working Group – 22 April 2008

**3. The following Minutes contain recommendations of a substantial nature requiring formal Council adoption as follows:**

**i) Manly Sustainable Strategy Management Group – 1 April 2008**

**a) Item 7.1 Manly's Code of Respect for the Environment**

Recommendation

That Council adopt the Code of Respect for the Environment:

i) Manly's Code of Respect for the Environment:

The environment has a special place in the hearts and minds of both residents and visitors to Manly.

Our community vision:

"A vibrant and inclusive community which values its heritage and works together to create a sustainable lifestyle and environment for all to enjoy."

**Item For Brief Mention Report No. 8 (Cont'd)**

There are many things you can do to help us achieve this vision:

**E**NJOY MANLY... and remember:

**N**o smoking at our beaches and public outdoor places.

**J**ust look at the birds, don't feed them!

**O**ur drinking fountains save you buying bottled water.

**Y**our protection of our endangered Little Penguins and Long-nosed Bandicoots is needed.

**M**anly's waterways and bushland need your protection too.

**A**void wasteful packaging and littering.

**N**o plastic bags!

**L**eave your car at home.

**Y**our support is greatly appreciated... ENJOY MANLY!

- ii) That the Code be displayed at the Visitor Information Centre;
- iii) That the Code be made available for interested shops and businesses to display; and,
- iv) That the Code be printed on calico bags to be available for sale at the Visitor Information Centre and Manly Environment Centre.

**ii) Manly Sports Facilities Committee – 4 April 2008****a) Item 8 LM Graham Master Plan - Update****Recommendation**

That the LM Graham Reserve Steering Committee recommendation, that Active Sport be the main direction for LM Graham Reserve Master Plan, be fully supported by the Manly Sport Facilities Committee. Also that the following matters be referred to that Committee for consideration.

- i. That the cricket nets be relocated on LM Graham Reserve as a matter of urgency.
- ii. That the possible recycling of 40,000 litres of backwash from the Manly Swim Centre be investigated as a water saving project funded through the Manly Council Environment Levy.

**b) Item 9 2008/09 Budget Estimates****Recommendation**

That Council supports the same level of funding of \$85,000 for the sports facilities upgrade in the 2008/09 Budget, to maintain safe player conditions.

**iii) Manly Community Environment Committee – 17 April 2008****a) Item 5 Environmental Levy Review and Environmental Levy 2008/09****Recommendation**

If there is no decision on the climate change levy in time for this 2008/9 financial



**Item For Brief Mention Report No. 8 (Cont'd)**

year, it is our strong view that \$150,000 should be set aside for climate change from the environmental levy.

**Divisional Manager's Note:**

At its Extraordinary Meeting held on Tuesday 6 May 2008 Council resolved to put the proposal of a special rate variation to collect funds to address climate change initiatives to a poll of electors in the Manly LGA. Given this it is unlikely a 'climate change levy' if supported and approved will be able to commence until the 2009/10 financial year. I am concerned if Council adopts this recommendation it will be at the expense of other existing and important projects currently funded by the Environmental Levy which relate to progressing bush care, water cycle management, environmental education and biodiversity initiatives.

I would recommend that Council does not adopt the committee's recommendation but alternatively notes the committee's desire to fund climate change initiatives, and waits until after the deliberations of the Environment Committee meeting in May where Council's resolution on the 6<sup>th</sup> May can be discussed and the impacts to any changes in the priorities for allocating funds be carefully considered.

**b) Item 6 Penguins at Manly Wharf**Recommendation

That the Environment Committee and Council supports the additional proposed conservation areas in Manly Cove as outlined in the NPWS report to be presented to the Penguin Recovery Team on 29 April 2008.

**c) Item 7 Sydney Water Issues**Recommendation

Council write to Sydney Water:

- i. Stating that it is unacceptable that there are odours from the North Head Sewage Treatment Plant and biosolid trucks and call for independent monitoring.
- ii. Expressing concern that the tender document being prepared for trucking of biosolids for the next 5 years (with a 5 year option) ensures an outcome of no odour emissions from biosolids trucks.
- iii. Requesting that Council be afforded an opportunity to review and comment on tender specification before Sydney Water next tender for Sludge Removal.

**iv) Climate Change Working Group – 23 April 2008****a) Item 7.2 24 Hour Hot Water Referral Service**Recommendation

That the 24-hour Hot Water Referral Service project, to provide immediate information to residents on installing a solar hot water system when their existing electric system fails, be implemented as a matter of high priority.

**Item For Brief Mention Report No. 8 (Cont'd)****v) Social Plan Implementation – 24 April 2008****a) Item 6.1a Australasian Clubhouse Conference (mental health)**Recommendation

This Committee recommends that Council funds the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

*'Australasian Clubhouse Conference'* to be held by the Pioneer Clubhouse in September 2008 in regard to objective A. Mental Health. Recognising that travel subsidies are necessary, but is not a key area for funding from the Social Plan, to provide funding only for the second component - printing and posting costs associated with conference marketing and registration. Total amount to be funded: \$1,000.

**b) Item 6.1b Referral Kit and Manual for the Homeless**Recommendation

This Committee recommends that Council funds the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

*'Referral kit and resource manual for the homeless'* to be prepared by Manly Community Centre in regard to objective B. Information and Support Services. It is more appropriate that SPIC support the resource kit for agencies and the client leaflet. The evaluation project is considered a bigger project that would require greater funds to conduct this in a comprehensive way. Total amount to be funded: \$1,500.

**c) Item 6.1.c Drink Check 2008**Recommendation

This Committee recommends that Council funds the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

*'Drink Check 2008'* to be implemented by Manly Drug Education & Counselling Centre (MDECC) during Manly Food and Wine festival in May 2008. This program, in regard to objective E. Community Safety & Crime Prevention, would be supported through the Code of Respect campaign. Noting the opportunities available to increase the use of volunteers and therefore reduce the number of paid staff hours required. Total amount to be funded: \$2,500.

**Divisional Manager's Note:**

If Council resolves to support this funding it is intended to advertise our intention to fund these groups for a period of 28 days allowing public comment before allocating funds to the groups concerned. This note refers to Items 6.1a, 6.1b, 6.1c (above) and also Item 7.2 (below).

## Item For Brief Mention Report No. 8 (Cont'd)

## d) Item 7.2 NAIDOC Week School Competitions 2008

Recommendation

- This Committee recommends that Council provide funds to Koori Kids for this year's NAIDOC Week school competition. Total amount to be funded: \$450.
- That, in future years, the Koori Kids program would be better advised to seek funding through Council's Community Grants Awards program available in August each year.
- That Koori Kids liaise with the Northern Beaches Aboriginal Education Consultative Group (AECG) as this group provides awards and funding for local Indigenous young people.

vi) Clontarf/ Bantry Bay Working Group – 28 April 2008

## a) Item 4.1 Public Exhibition of the Final draft of the Estuary Management Plan (EMP)

Recommendation

- i. That the Working Group endorsed the Final Report of the Clontarf/Bantry Bay Estuary Management Plan for adoption.
- ii. That a separate report is prepared on the issue of dinghy storage with a plan which details design and location of storage facilities throughout the Clontarf/Sandy Bay foreshore.
- iii. That a separate report is prepared on the issue of 'Sandy Bay as dog off-leash area' with a range of alternative solutions, based on community submissions and further feedback.

**RECOMMENDATION**

1. It is recommended that the information from the Parliamentary Secretary for Health be received and noted.
2. That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2i, 2ii, 2iii and 2iv**, be **adopted**.
- 3 i) That the minutes of the **Manly Sustainability Strategy Management Group -1 April 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 7.1 Manly's Code of Respect for the environment**

That Council adopt the Code of Respect for the Environment:

- i) Manly's Code of Respect for the Environment:  
The environment has a special place in the hearts and minds of both residents and visitors to Manly.

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**Item For Brief Mention Report No. 8 (Cont'd)**

to create a sustainable lifestyle and environment for all to enjoy.”

There are many things you can do to help us achieve this vision:

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- ii) That the Code be displayed at the Visitor Information Centre;
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- iv) That the Code be printed on calico bags to be available for sale at the Visitor Information Centre and Manly Environment Centre.

- ii) That the minutes of the **Manly Sports Facilities Committee - 4 April 2008** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 8 LM Graham Master Plan – Update**

That the LM Graham Reserve Steering Committee recommendation, that Active Sport be the main direction for LM Graham Reserve Master Plan, be fully supported by the Manly Sport facilities Committee. Also, that the following matters be referred to that Committee for consideration.

- i. That the cricket nets be relocated on LM Graham Reserve as a matter of urgency.
- ii. That the possible recycling of 40,000 litres of backwash from the Manly Swim Centre be investigated as a water saving project funded through the Manly Council Environment Levy.

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That Council supports the same level of funding of \$85,000 for sports facilities upgrades in the 2008/09 Budget, to maintain safe player conditions.

- iii) That the minutes of the **Manly Community Environment Committee -17 April 2008** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 5 Environmental Levy Review and Environmental Levy 2008/9**

If there is no decision on the climate change levy in time for this 2008/9 financial year,

**Item For Brief Mention Report No. 8 (Cont'd)**

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**b) Item 6 Penguins at Manly Wharf**

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**c) Item 7 Sydney Water Issues**

Council write to Sydney Water:

- i. Stating that it is unacceptable that there are odours from the North Head Sewage Treatment Plant and biosolid trucks and call for independent monitoring.
- ii. Expressing concern that the tender document being prepared for trucking of biosolids for the next 5 years (with a 5 year option) ensures an outcome of no odour emissions from biosolids trucks.
- iii. Requesting that Council be afforded an opportunity to review and comment on tender specification before Sydney Water next tender for Sludge Removal.

- iv) That the minutes of the **Climate Change working Group -23 April 2008** be **adopted**, including the following recommendations of a substantial nature:

**a) Item 7.2 24-Hour Hot Water Referral Service**

That the 24-hour Hot Water Referral Service project, to provide immediate information to residents on installing a solar hot water system when their existing electric system fails, be implemented as a matter of high priority.

- v) That the minutes of the **Social Plan Implementation -24 April 2008** be **adopted**, including the following recommendations of a substantial nature:

**a) Item 6.1a Australasian Clubhouse Conference (mental health)**

This Committee recommends that Council funds the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

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*'Referral kit and resource manual for the homeless'* to be prepared by Manly

**Item For Brief Mention Report No. 8 (Cont'd)**

Community Centre in regard to objective B. Information and Support Services. It is more appropriate that SPIC support the resource kit for agencies and the client leaflet. The evaluation project is considered a bigger project that would require greater funds to conduct this in a comprehensive way. Total amount to be funded: \$1,500.

c) **Item 6.1c Drink Check 2008**

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d) **Item 7.2 NAIDOC Week School Competitions 2008**

- This Committee recommends that Council provide funds to Koori Kids for this year's NAIDOC Week school competition. Total amount to be funded: \$450.
- That, in future years, the Koori Kids program would be better advised to seek funding through Council's Community Grants Awards program available in August each year.
- That Koori Kids liaise with the Northern Beaches Aboriginal Education Consultative Group (AECG) as this group provides awards and funding for local Indigenous young people.

vi) That the minutes of the **Clontarf/Bantry Bay Estuary Management Working Group -28 April 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 4.1 Public exhibition of the Final draft of the Estuary Management Plan (EMP)**

- i. That the Working Group endorsed the Final Report of the Clontarf/Bantry Bay Estuary Management Plan for adoption.
- ii. That a separate report is prepared on the issue of dinghy storage with a plan which details design and location of storage facilities throughout the Clontarf/Sandy Bay foreshore.
- iii. That a separate report is prepared on the issue of 'Sandy Bay as dog off-leash area' with a range of alternative solutions, based on community submissions and further feedback.

**ATTACHMENTS**

**AT- 1** Response from Minister for Health re future of Manly Hospital 2 Pages

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\*\*\*\*\* End of Item For Brief Mention Report No. 8 \*\*\*\*\*

## ATTACHMENT 1

### Item For Brief Mention Report No. 8 - Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees Response from Minister for Health re future of Manly Hospital



## Minister for Health

Mr H Wong  
General Manager  
Manly Council  
PO Box 82  
MANLY NSW 1655

Dear Mr Wong

I refer to your correspondence to the Minister for Health, the Hon Reba Meagher MP, concerning the future of Manly Hospital. The Minister has asked that I respond on her behalf. The delay in responding is regretted.

The redevelopment of health services on the Northern Beaches of Sydney will include the construction of a new hospital at Frenchs Forest. The hospital will provide services at a higher level than those currently provided at Manly and Mona Vale Hospitals. Redevelopment of community health facilities will also be undertaken on the Northern Beaches hospital campus, the complementary healthcare facility in Mona Vale, and in the Manly area.

The former Ministers for Health, the Hon Morris Iemma MP and the Hon John Hatzistergos MLC, have stated in Parliament that the future of the Manly Hospital site would be determined in consultation with the community, and that a possible use would be aged care.

The next stage of planning, the Project Definition Plan, will include a site selection process for community health services to be located in the Manly area. A value management study will be undertaken to develop and apply selection criteria to ensure that the site selected is best placed to deliver high quality care in an accessible and cost effective manner. This process will include representation from the local community as well as from health professionals and managers. I am advised that Manly Council will be engaged as a partner in this site selection process.

Until the Northern Beaches Hospital is opened, acute inpatient services at both Manly and Mona Vale will be maintained. In the year to June 2007 the Iemma Government committed \$3.2M to upgrades and maintenance of Manly Hospital, including a newly refurbished intensive care unit.

Manly Council	
2 APR 2008	
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2) Document No	

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28 MAR 2008

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## ATTACHMENT 1

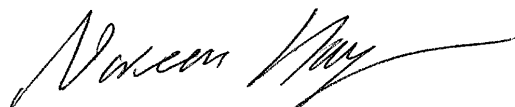
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### Item For Brief Mention Report No. 8 - Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees Response from Minister for Health re future of Manly Hospital

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Thank you for raising your concerns with the Minister. Should you wish to discuss your concerns further, please contact Mr Frank Bazik, General Manager, Northern Beaches Health Service, on 9976 9820.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Noreen Hay', with a long, sweeping horizontal line extending to the right.

Noreen Hay MP  
**Parliamentary Secretary for Health**



**TO:** Planning and Strategy Committee - 12 May 2008  
**REPORT:** Planning And Strategy Division Report No. 15  
**SUBJECT:** Clontarf / Bantry Bay Estuary Management Plan Adoption  
**FILE NO:**

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## SUMMARY

At Council's Planning and Strategy Committee meeting of 10<sup>th</sup> March, 2008, Council resolved to place the draft Clontarf/Bantry Bay Estuary Management Plan (EMP), along with the supporting documents (Estuary Processes Study and Estuary Management Study), on public exhibition (PS28/08).

The documents were publicly exhibited at five locations from 17 March to 21 April 2008. During this period, a field day was also organised to obtain direct community feedback on the Plan. Seventy eight (78) submissions were received.

The Clontarf/Bantry Estuary Management Working Group, at its meeting on 28 April 2008, reviewed all submissions and staff responses. The plan is now presented to Council for formal adoption on the recommendation of staff and the working group.

## REPORT

### Background

As advised to Council in March 2008, Council has elected to develop Estuary and Coastline Management Plans (EMPs and CMPs) for the coastal and harbour foreshore areas in response to legislative requirements and community issues in accordance with current best practice for the management of coastal and estuary foreshores.

Council received grant funding from the NSW Government to undertake the development of the EMP. This was supported with Manly's Environment Levy.

The Clontarf/Bantry Bay EMP has been developed in consultation with the Clontarf/Bantry Bay Estuary Management Working Group, comprised of representatives from the community, Precincts, Aboriginal Heritage Office, State Government agencies, Scientific Advisory Panel and Councillors.

This Clontarf/Bantry Bay EMP sets 10 Goals and 35 Objectives to be addressed through 85 Management Options. These are summarised in Attachment 1. Ten key issues the plan addresses relate to: Water Quality & Pollution, Aquatic/Inter-tidal Habitat Conservation and Management, Bushland/Terrestrial Habitat Conservation and Management, Sedimentation & Beach Erosion, Hazards & risk including climate change, Estuary Use, Access, Foreshore infrastructure & facilities, Heritage Conservation, Monitoring.

The following 15 management options are proposed for high priority implementation:

<b>SE1.1.</b>	Carry out a comprehensive study on estuarine sediment transport patterns.
<b>FI3.1.</b>	Install horizontal dinghy and kayak storage racks at Sandy Bay in consultation with nearby residents and dinghy owners.
<b>FI4.1.</b>	Assess and implement options to restore collapsed Sangrado swimming enclosure.
<b>AH1.2.</b>	Encourage NSW Maritime and DPI (Fisheries) to increase the enforcement of boating restrictions over seagrass beds. Develop interpretative signage to notify seagrass beds as protected areas.

**Planning And Strategy Division Report No. 15 (Cont'd)**

<b>FI3.2.</b>	Install rods/poles at Gurney Crescent & Castle Circuit to tie dinghies & kayaks and educate owners regarding protection of trees & middens, and decrease erosion of foreshore.
<b>WQ3.2.</b>	Investigate & seek to address possible sources of high faecal coliforms and enterococci levels in Sangrado swimming enclosure.
<b>WQ2.1.</b>	Confirm, with Sydney Water, the presence of all sewage overflow points within the Clontarf / Bantry Bay study area including the five known ones.
<b>HC1.2.</b>	Construct boardwalk type structure where MSW bisects Aboriginal midden at Sandy Bay.
<b>WQ4.1.</b>	Undertake a comprehensive study on Clontarf groundwater aquifer to identify present extraction rate, recharge and other relevant issues.
<b>WQ4.3.</b>	Assess current greywater direct diversion (GDD) uptake within Manly Council (including the study area) through undertaking a residential survey.
<b>HR1.2.</b>	Undertake inspections to assess stability of seawalls protecting public lands. If upgrading is required, promote eco- friendly sea walls.
<b>FI2.1</b>	Construct a public floating pontoon beside Sangrado swimming enclosure and encourage NSW Maritime to assess for other boat landing facilities within the study area.
<b>MO2.1.</b>	Monitor use of the Manly Scenic Walkway.
<b>AH3.2.</b>	Design and implement, the 'Fisher Bay Mangrove Expansion Program'.
<b>TH1.3.</b>	Identify adhoc tracks from private properties entering bushlands and approach property owners to ensure their safety and continued maintenance at an appropriate and specified standard.

For the information of all Councillors, copies of the Clontarf/Bantry Bay EMP, Final Report have been provided under separate cover. The adoption of the Clontarf/Bantry Bay Estuary Management Plan will greatly enhance Council's ability to seek external funding for the implementation of the various management options.

**Consultation**

To ensure wider community involvement into the development of the Plan, an extensive awareness campaign and consultation process was undertaken. Community & Stakeholder consultation was achieved through community/stakeholder field days, display panels, Council's webpage, and information in Precinct newsletters.

Community & user groups' survey forms were distributed through various means with a total of 120 survey forms returned. Two community consultation field days were held –Clontarf Reserve (21 October 2006) and Seaforth (12 November 2006).

A further community consultation field day was held at Clontarf Reserve on 29 March 2008 to receive feedback on the draft Estuary Management Plan.

**Planning And Strategy Division Report No. 15 (Cont'd)****Public Exhibition**

The draft Clontarf/Bantry Bay EMP along with supporting documentation was publicly exhibited from 17 March to 21 April 2008. Documents were placed on public exhibition at the following locations:

- Manly Council Chambers,
- Manly Environment Centre,
- Manly Library,
- Balgowlah Heights Women's Bowling Club,
- Clontarf Marina, and
- Council's website at [www.manly.nsw.gov.au](http://www.manly.nsw.gov.au) under the Manly Council News section.

Exhibition of the EMP was advertised in the Manly Daily, on Council's web-page and also through Community Precincts' Newsletters. A Field Day was held at Clontarf Reserve on Saturday, 29 March 2008 between 10:00 am to 2:00 pm to receive community feedback on the Plan.

**Submissions**

A total of seventy eight (78) submissions were received and have been circulated in their entirety **under separate cover**. Submissions were related to two main issues:

A. 'Sandy Bay as a dog off-leash area':

Seventy (70) submissions were received calling for 'Sandy Bay as a dog off-leash area'.

- Background to issue: The Sandy Bay tidal flat has been traditionally used as dog off-leash area for decades under an informal management approach without Council enforcing control or regulation of the activity. During community consultation, there was wider support to retain the area as dog off-leash area and for Council to restrict use of the area. With dog-walking identified as one of the major activities during the EMP development process, the draft plan proposed to 'assess, in consultation with Sandy Bay residents, possibility of declaring Sandy Bay tidal flat as off-leash dog area' as one of the management options.

The responses through public submissions echoed similar sentiments expressed during initial community consultation. A majority (64) of submissions strongly supported the status quo (i.e continuation of Sandy Bay as dog off-leash area) but there was hesitance to support an official declaration. A total of six submissions indicated concern over increased dog activities over the years and suggested regulations through timed access.

- Staff Response: Through analyzing community feedback received during the public exhibition phase and seeking information from other local government organisations, a separate report will be prepared with a range of alternative solutions for consideration by Council.

Action Proposed in the Plan:

- *Obtain further community feed back to find an appropriate solution*
- *Analyse feed back to formalise a proposal to seek legislative approval.*

No change is required to the draft EMP as a result of community submissions.

B. Dinghy Storage:

Seven (7) submissions were received.

- Background to Issue: Lack of dinghy and kayak storage was identified as a key issue. Historically dinghies have been stored along the foreshore of Sandy Bay, Sangrado and Pickering Point. Extensive number and random storage of dinghies and other boats along the

**Planning And Strategy Division Report No. 15 (Cont'd)**

foreshore impact on the aesthetic and environmental nature of the area. Public submissions supported removal of unused dinghies but opposed construction of dinghy storage racks (because of view). Alternative suggestion received is to construct dinghy storage along Middle Harbour Siphon NSOOS (at Monash Crescent).

- Staff Response: Prior to the implementation of dinghy/kayak storage facilities, community endorsement would be sought through the development and provision of a dinghy storage plan which details design and location of storage facilities throughout the Clontarf/Sandy Bay foreshore. This approach is in line with previous implementation strategies at Forty Baskets and Little Manly Reserves.

Action Proposed in the Plan:

- *Investigate appropriate design and location for dinghy and kayak storage facilities within Sandy Bay*
- *Seek community and Precinct feedback*
- *Introduce a dinghy registration/licensing system to establish improved storage.*

No change is required to the draft EMP as a result of community submissions.

The plan's actions in relation to both matters clearly highlight that further consultation is required with the local community before future management options can be devised and reported back to Council for final adoption.

To address each of the above two issues (A & B) it was the view of the working group and staff that both these issues should be the subject of separate investigations and reports to Council in the future and that these issues should not hold back the adoption of the other 83 management options. Added to this none of the submissions suggested any change on the draft EMP.

**TBL (Triple Bottom Line) Report**

An assessment of the Clontarf/Bantry Bay Estuary Management Plan has been undertaken in accordance with Council's TBL Assessment & Reporting procedures. The social, environmental and economic considerations of the plan to be adopted are summarized below:

***Social Implications***

The following social implications and mitigation measures have been identified:

- The Plan has positive significant implications on social aspects such as of community wellbeing, community involvement, heritage, education and minor implications on equity & diversity, health, safety and governance.
- The Plan is developed on suggestions/proposals contributed by community, Precincts and other stakeholders. Hence, the Plan ensures social needs of the community and thus offers significant social benefits.
- The Plan proposes enhancement of general amenities such as public toilets, street lights, restoration of collapsed Sangrado Swimming enclosure and installation of dinghy/kayak storage
- This Plan specifically meets access needs of people with disability, one of the target groups identified in the Manly Social Plan.
- The Plan offers opportunities for community participation in implementation as well as monitoring.
- This Plan proposes specific activities for conservation of Aboriginal, natural and cultural heritage such as protection of Aboriginal middens, signify historical tramline and remnants of Laura Street Wharf.
- The Plan raised debate and subsequently received overwhelming community support to maintain Sandy Bay as dog off-leash area.

**Planning And Strategy Division Report No. 15 (Cont'd)**

- The Plan addresses water pollution issues, especially at public swimming enclosures to contain health hazards of swimmers and other water users.
- The Plan, however, does not provide local and sustained employment opportunities or improve public transport services and infrastructures. It is considered that these issues are outside the scope of this Plan.

***Environmental Implications***

The following environmental implications and mitigation measures have been identified:

- The Plan has significant positive implications on environmental aspects such as biodiversity, land integrity and pollution and minor implications on water efficiency, waste management.
- The Plan does not propose any clearance/disturbance of vegetation or habitat.
- The Plan is developed on suggestions/proposals contributed by community, Precincts and other stakeholders. Hence, the Plan ensures environmental aspirations of the community and thus offers significant environmental benefits.
- The Plan proposes protection of seagrass beds, management of SEPP19 bushlands, introduction of sea-grass friendly moorings and conservation of aquatic and inter-tidal habitats.
- The Plan proposes undertaking of 'Fisher Bay Mangrove Expansion Program'.
- The Plan proposes a comprehensive study on estuarine sediment transport patterns with measures to address siltation at Clontarf Swimming enclosure.
- This Plan aims at achieving water efficiency through understanding of status of groundwater aquifer and also grey water direct diversion.
- This Plan proposes specific activities for pollution such as maintenance of existing Gross Pollution Traps (GPTs), installation of new SQIDS (Stormwater Quality Improvement Devices) and installing pit inserts in litter hotspots.
- The Plan proposes structured monitoring of the environmental health of the estuary including water quality, ecological diversity, bush lands and erosion/siltation processes.
- The Plan, however, does not propose any measures for reduced greenhouse gas emissions or efficient energy use directly. It is considered that these issues are outside the scope of this Plan.
- The Plan fulfils implementation of Action C1.3.4 (undertake Estuary Management Plan for Clontarf and Bantry Bay coastline areas) of Manly Sustainability Strategy 2006. The Plan is linked to state targets set by the Natural Resources Commission (NRC) and regional targets set by the Sydney Metropolitan Catchment Management Authority (SMCMA).

***Economic Implications***

The following economic implications and mitigation measures can be reported:

- The Plan has significant positive implications on infrastructure development.
- The Plan has minor positive implications on business attractions & retention, benefits to local economy and R&D.
- The Plan has an implementation cost, including 1-5 years of operation & maintenance, of \$2.10 million over a five-year period. Manly Council is already spending 0.71 million on on-going activities mentioned in the Plan. Implementation responsibility of all proposed management options rests with a number of State Government agencies and Manly Council. It is expected that State Government agencies will also share costs through funding support and technical assistance.
- The Plan proposes construction of floating pontoon, dinghy & kayak storage racks, introducing sea-grass friendly moorings.
- The Plan proposes to promote natural features of 'Clontarf – Sandy Bay – Fisher Bay – Ellery's Punt Reserve' area and thereby promoting eco-tourism.
- With boat landing facilities, improved water quality, restored swimming enclosures, the Plan promotes enhanced estuary utilization and visitation and thus generating local economic benefits.

**Planning And Strategy Division Report No. 15 (Cont'd)****Clontarf/Bantry Bay Estuary Management Working Group Recommendation**

The Clontarf / Bantry Estuary Management Working Group, at its meeting on 28 April 2008, has reviewed all 78 submissions and staff responses (presented under separate cover). The committee resolved the following:

1. That the Working Group endorsed the Final Report of the Clontarf/Bantry Bay Estuary Management Plan for adoption.
2. That a separate report is prepared on the issue of dinghy storage with plan which details design and location of storage facilities throughout the Clontarf/Sandy Bay foreshore.
3. That a separate report is prepared on the issue of 'Sandy Bay as dog off-leash area' with a range of alternative solutions, based on community submissions and further feedback.
4. That the Clontarf/Bantry Bay Estuary Management Working Group be considered as dissolved (*note: in accordance with their Terms of Reference, the Harbour Foreshore Management Committee will take on the overseeing role of implementation of the EMP*).
5. That members of the Clontarf/Bantry Bay Estuary Management Working Group be invited to attend the Harbour Foreshore Management Committee meetings.

**RECOMMENDATION**

1. That Council adopts the Clontarf/Bantry Bay Estuary Management Plan.
2. That Council refers the adopted Plan to selected State Government agencies (NSW DECC, NSW Maritime, NSW DPI) for their further assistance in implementation.
3. Implementation of the adopted EMP is monitored and reported to the community and Harbour Foreshore Management Committee.
4. That Council receive further reports that progress a resolution on the issue of 'Sandy Bay as dog off-leash area' and 'dinghy storage' with a range of alternative solutions, based on feedback from the precincts, community and NSW Government Agency feedback.

**ATTACHMENTS**

<b>AT-1</b>	Clontarf Bantry Bay EMP Summary of Key Management Options	11 Pages	
<b>AT-2</b>	Clontarf Bantry Bay Estuary Management Plan Final Report May 2008	135 Pages	Circulated Separately
<b>AT-3</b>	Clontarf Bantry Bay submissions	21 Pages	Circulated Separately

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\*\*\*\*\* End of Planning And Strategy Division Report No. 15 \*\*\*\*\*

## **Draft Clontarf/Bantry Bay Estuary Management Plan**

### **Summary of Key Strategies**

**May 2008**

#### **Introduction**

The Clontarf/Bantry Bay Estuary Management Plan has been prepared under the NSW Government's Estuary Management Program. The Program is designed to fulfil the requirements of the NSW Estuary Management Policy 1992 and the NSW Coastal Policy 1997.

The draft Clontarf/Bantry Bay Estuary Management Plan has been developed in consultation with the Clontarf/Bantry Estuary Management Working Group. The Working Group has representations from the Manly Council, community Precincts, Government organisations (Department of Environment & Climate Change, NSW Maritime, Department of Primary Industries, and Department of Lands), Manly Council's Scientific Advisory Panel, neighbouring councils, local community and from the Aboriginal community. The EMP forms part of Councils wider coastal management planning process. Coastline/Estuary Management Plans have been developed for Cabbage Tree Bay, Manly Lagoon, Little Manly, Forty Baskets and Manly Cove study areas with similar documents currently being prepared for North Harbour.

The plan will coordinate management efforts of local government, state government agencies and community to address issues regarding the social, cultural, environmental, recreational and commercial amenity of the estuary.

A particular strength of the plan is the extensive and direct community and stakeholder engagement program employed to develop a schedule of achievable and targeted management actions. This extensive community and stakeholder participation generated wide support for the plan and provides a considerable head start towards achieving the estuary management goals.

#### **Planning Implications**

The development of Estuary Management Plan is identified in Council's Manly Management Plan 2007-2010 (MC 2007) and Sustainability Strategy 2006. The initiation of the Clontarf/Bantry Bay EMP has been indicated as part of the draft North East Subregional Strategy (E2.1) (DoP 2007).

Preparation of this EMP fulfils implementation of Action C1.3.4 (Establish a Community Working Group and undertake Estuary Management Plan for Clontarf and Bantry Bay coastline areas) of Manly Sustainability Strategy 2006.

## ATTACHMENT 1

### Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption Clontarf Bantry Bay EMP Summary of Key Management Options

#### Formulation Processes, Key Steps & Dates

The NSW Government, through its 'Estuary Management Manual' (1992), provides a strategic process for the development of Estuary Management Plans in NSW. This EMP has been developed following the strategic process (**Table A**).

**Table A. Key Steps & Implementation Dates**

<b>Step 1</b>	<b>Estuary Management Working Group (WG)</b>
8 May 2006 22 June 2006 20 September 2006	Council approves establishment of the Working Group Proposal First meeting
	<b>Community Consultations</b>
Sep-Dec 2006 Oct-Nov 2006 21 Oct & 12 Nov 2006 Oct -Dec 2006	Display Panels, creation of website, Precincts newsletter Questionnaire survey Community Field Days Key management issues identified
<b>Steps 2 - 3</b>	<b>Data Compilation &amp; Estuary Processes Study</b>
Apr-Jun 2007 9 July 2007 16 July 2007	Drafts circulated, comments received, reviewed, finalised Endorsement at WG meeting Council adopts the study
<b>Step 4</b>	<b>Estuary Management Study</b>
July-Oct 2007 29 October 2007 11 February 2008	Drafts circulated, comments received, reviewed, finalised Endorsement at WG meeting Council adopts the study
<b>Steps 5 - 7</b>	<b>Estuary Management Plan (EMP)</b>
Nov 2007 – Feb 2008 22 February 2008 10 March 2008 17 March – 21 April 08 28 April 2008	Drafts circulated, comments received, reviewed, finalised Endorsement at WG meeting for public exhibition Council approves public exhibition Public exhibition Endorsement at WG meeting for final adoption Council adopts the EMP

#### Key Management Issues & Goals

A long list of management issues was identified during community consultations. This long list of management issues were further discussed in detail in the 'Clontarf / Bantry Bay Estuary Management Working Group' meetings held on 30 October, 27 November and 11 December 2006. Issues requiring future management are presented under 10 key broad based headings (with 2-letter code shown within bracket) and have been followed throughout this report.

For each management issue, a goal has been defined (**Table B**). The goals for the Clontarf/Bantry Bay Estuary are presented below. These have been discussed, scrutinized and agreed at the Clontarf/Bantry Bay Estuary Management Working Group meeting dated August 13, 2007.



## ATTACHMENT 1

### Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption Clontarf Bantry Bay EMP Summary of Key Management Options

**Table B: Goals set against each key management issues**

Key Management Issues	Goals
Water Quality & Pollution (WQ)	1.0 Ensure that the water quality of the estuary is suitable for maintaining healthy natural aquatic ecosystems, and for recreational pursuits
Aquatic/Inter-tidal Habitat Conservation & Management (AH)	2.0 Restore and maintain a healthy and diverse mix of aquatic and intertidal habitats that will maintain and improve biodiversity and ecological functions of the estuary.
Bushland/Terrestrial Habitat Conservation & Management (TH)	3.0 Protect and enhance urban bush land and native vegetation areas
Sedimentation & Beach Erosion (SE)	4.0 Manage erosion and sedimentation to reduce their impact on the natural environment and recreational amenity
Hazards& risk including climate change (HR)	5.0 Assess, minimize and mitigate risks from natural hazards including climate change
Estuary Use (EU)	6.0 Improve and meet the environmental, socio-economic and recreational needs of estuary use
Access (AC)	7.0 Ensure safe public accessibility of waterways, foreshores and other areas of the estuary.
Foreshore infrastructure & facilities (FI)	8.0 Improve social amenity through rationalisation of foreshore structures which are sympathetic to social and ecological needs and manage public risks.
Heritage Conservation (HC)	9.0 Ensure that all Aboriginal and European (cultural and natural) heritage areas in the estuary are preserved and protected in consultation with appropriate bodies.
Monitoring (MO)	10. Measure the condition and usage of the estuary to gauge the effectiveness of the Estuary Management Plan in achieving its goal and management objectives

#### Proposed Management Options

This Plan sets 10 Goals and 35 Objectives to be addressed through 85 Management Options. Only 53 of these are new activities. Of these 53, 15 management options are proposed for immediate implementation, 25 within 2 years, 12 within 3-4 years and only 1 at later years. Overall, 22 management options have been rated to have high priority, 56 as medium priority and only 7 as low priority. Proposed 85 management options are:

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**Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption**  
**Clontarf Bantry Bay EMP Summary of Key Management Options**

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**Water Quality**

- WQ1.1.** Formulate comprehensive Stormwater Management Plan for Manly LGA encompassing the study area.
- WQ1.2.** Continue maintaining existing gross pollutant traps (GPTs) in the Clontarf catchment.
- WQ1.3.** Investigate feasibility of installing new Stormwater Quality improvement Devices (SQIDs) at priority locations taking into account current best practice technologies.
- WQ1.4.** Install pit inserts in litter hotspots throughout the study area.
- WQ2.1.** Confirm, with Sydney Water, the presence of all sewage overflow points within the Clontarf / Bantry Bay study area including the five known ones.
- WQ3.1.** Work with relevant agencies to minimise faecal *coliforms* and *enterococci* levels at all three public swimming enclosures.
- WQ3.2.** Investigate & seek to address possible sources of high faecal coliforms and enterococci levels in Sangrado swimming enclosure.
- WQ4.1.** Undertake a comprehensive study on Clontarf groundwater aquifer to identify present extraction rate, recharge and other relevant issues.
- WQ4.2.** Monitor extracted groundwater for salinity and other parameters for early signs of contamination.
- WQ4.3.** Assess current greywater direct diversion (GDD) uptake within Manly Council (including the study area) through undertaking a residential survey.
- WQ4.4.** Make rainwater tank and associated infrastructure purchases by residents more attractive and thereby facilitate reduced stormwater generation.
- WQ5.1.** Introduce Manly Council's Seachange program in the study area to educate sustainable stormwater management and pollution prevention.

**Aquatic Habitat & Conservation**

- AH1.1.** Encourage NSW DPI to prepare periodic up-to-date seagrass distribution maps.
- AH1.2.** Encourage NSW Maritime and NSW DPI to increase the enforcement of boating restrictions over seagrass beds. Develop interpretative signage to notify seagrass beds as protected areas.
- AH2.1.** NSW DPI to continue to keep NSW Maritime, Manly Council and community informed of the updated information on distribution of *Caulerpa taxifolia*.

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**Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption**  
**Clontarf Bantry Bay EMP Summary of Key Management Options**

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- AH2.2.** Encourage NSW DPI to continue implementing the 'Control Plan for *Caulerpa taxifolia* in NSW'.
- AH3.1.** Protect existing mangroves and carry out regeneration activities.
- AH3.2.** Design and implement the 'Fisher Bay Mangrove Expansion Program'.
- AH3.3.** Identify, map, protect and enhance saltmarsh habitat within the study area.
- AH4.1.** Encourage DECC and NSW DPI to continue to enforce declared protected areas of ecological significance.
- AH4.2.** Encourage DECC to undertake a study of possible penguin nest sites in Middle Harbour and community to report penguin sightings.
- AH4.3.** Support volunteer groups to facilitate conservation and protection of aquatic and inter-tidal habitats.
- AH4.4.** Work with NSW DPI to disseminate information brochures outlining the importance of aquatic habitats and the penalties involved in harming them.
- AH5.1.** Continue to collate, analyse recent knowledge and study factors affecting degradation of ecologically important/critical habitats.
- AH5.2.** Investigate best practice beach raking in other Councils and incorporate that knowledge for possible implementation at Clontarf. Improve Council staff knowledge regarding eco sensitivities in beach raking and other services.
- AH5.3.** Retain rocky foreshores and cliff-lines as important coastal habitat. Where new upgrading or building of seawalls needed, ensure to incorporate recent knowledge on seawall restorations supporting ecological habitat.

**Terrestrial Habitat & Conservation**

- TH1.1.** Prepare a comprehensive bushland management plan and develop a staged implementation programme.
- TH1.2.** Prepare management plans for the six identified SEPP 19 bushlands, to fulfill statutory requirement.
- TH1.3.** Identify adhoc tracks from private properties entering bushlands and approach property owners to ensure their safety and continued maintenance at an appropriate and specified standard.
- TH1.4.** Council to continue to be an active participant in the Die-Back Working Group.
- TH1.5.** Involve Precincts to discuss the issue of view maintenance with property owners.

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**Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption**  
**Clontarf Bantry Bay EMP Summary of Key Management Options**

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- TH2.1.** Investigate possibility of establishing corridors linking different bushlands and assess their ecological significance.
- TH2.2.** Continue and reassess Council's Street Tree Planting Programme within the study area.
- TH3.1.** Continue Community Bush Care Volunteers programme in the study area.
- TH3.2.** Continue publication of 'Bushland News' and circulate widely in the community.
- TH3.3.** Continue annual 'Native Plant Giveaway' programme to support residents in maintaining native vegetations on private properties.

**Sedimentation & Erosion**

- SE1.1.** Carry out a comprehensive study on estuarine sediment transport pattern.
- SE2.1.** Define and implement mitigation measures for erosion prone sites.
- SE2.2.** Define and implement measures to address siltation at the Clontarf swimming enclosure.

**Hazards & Risks**

- HR1.1.** Commission a geotechnical study for specific sections of foreshore areas to identify and prioritise risks, and establish risk based management options.
- HR1.2.** Undertake inspections to assess stability of seawalls protecting public lands. If upgrading is required, promote eco- friendly sea walls.
- HR1.3.** Work with the State Emergency Services (SES) and other agencies to continuously update Emergency Action Plan including evacuation procedures in the event of storm surges and tsunامي.
- HR2.1.** Assess impact of climate change on areas of ecological significance and devise adaptive measures.
- HR2.2.** Work with the Sydney Coastal Councils Group to develop a regional/ local level climate change model considering protection provided by existing seawalls and rocky foreshores.
- HR2.3.** Collaborate with the Sydney Coastal Councils Group/ Macquarie Uni /CSIRO project investigating climate change adaptations in Manly.
- HR2.4.** Revise/Update Council's policy and strategy documents incorporating federal and/or state guidelines/recommendations regarding climate change adaptations.

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**Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption**  
**Clontarf Bantry Bay EMP Summary of Key Management Options**

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**Estuary Use**

- EU1.1.** Ensure safe public access to foreshores including maintenance of natural vegetation.
- EU1.2.** Install adequate garbage and waste recycling stations in public places.
- EU1.3.** Liaise with relevant state authorities regarding the consolidation of existing signage with signage more sympathetic to the area.
- EU1.4.** Promote natural features of 'Clontarf - Sandy Bay- Fisher Bay – Ellery's Punt Reserve' parts of the study area.
- EU1.5.** Develop and implement Pickering Point Landscape Development Program.
- EU1.6.** Promote community events and education programs to achieve sustainable use of the estuary.
- EU2.1.** Facilitate and encourage non-motorised boating activities (kayaking, wind surfing etc) in the waterways.
- EU2.2.** Encourage NSW Maritime to enforce current speed limits and mooring restrictions by increased patrolling.
- EU2.3.** Encourage NSW Maritime to consider a designated 'boat exclusion zone' at Clontarf to ensure safety of swimmers.
- EU2.4.** Support continuation of jetski (PWC) ban.
- EU2.5.** Continue program, with NSW Maritime & Council's Starboard Right & Green (SR&G) program, to educate boat owners about waterway etiquettes and possible impact on marine environment.
- EU3.1.** Support continuation of ban on commercial fishing.
- EU3.2.** Encourage DPI (Fisheries) & NSW Health to monitor Dioxin levels in Sydney Harbour waters.

**Access**

- AC1.1.** Enhance maintenance schedule and retain and enhance the native vegetation along the Manly Scenic Walkway.
- AC2.1.** Audit disability access of all parks and bays within the study area.
- AC3.1.** Assess, in consultation with nearby residents, possibility of declaring Sandy Bay tidal flats as off-leash dog area.
- AC3.2.** Install adequate dog faeces bins and bag dispensers.

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**Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption**  
**Clontarf Bantry Bay EMP Summary of Key Management Options**

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**Foreshore Infrastructure**

- FI1.1.** Work with NSW Maritime to introduce seagrass friendly moorings.
- FI1.2** Work with NSW Maritime to realign and maintain the same number of permanent moorings in front of Clontarf beach for the safety of swimmers and protection of seagrass beds.
- FI2.1.** Construct a public floating pontoon beside Sangrado swimming enclosure and encourage NSW Maritime to assess the need for boat landing facilities within the study area.
- FI3.1.** Install horizontal dinghy and kayak storage racks at Sandy Bay in consultation with nearby residents and dinghy owners.
- FI3.2.** Install rods/poles at Gurney Crescent & Castle Circuit to tie dinghies & kayaks and educate owners regarding protection of trees & middens, and decrease erosion of foreshore.
- FI4.1.** Assess and implement options to restore collapsed Sangrado swimming enclosure.
- FI5.1.** Enhance general amenities such as public toilets, telephone booths and street lights at convenient locations
- FI5.2.** Improve and facilitate traffic management around public reserves and beaches.

**Heritage Conservation**

- HC1.1.** Review Aboriginal Site Management Report for Manly Council (2006) and associated reports to prioritize management needs and develop a plan of implementation.
- HC1.2.** Construct boardwalk type structure where MSW bisects Aboriginal midden at Sandy Bay.
- HC1.3.** Prevent damage to Aboriginal middens in critical condition.
- HC1.4.** Confirm and prepare a number of Aboriginal sites suitable for public visitation.
- HC2.1.** Assess heritage significance of 'Laura Street Wharf' and propose its inclusion in the heritage list.
- HC2.2.** Interpret old tram line near the Spit Bridge to signify historical past.
- HC3.1.** Organise awareness campaign to highlight heritage conservation including heritage talk to school children.
- HC3.2.** Develop management guidelines for sites that are located within private properties.

## ATTACHMENT 1

### Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption

#### Clontarf Bantry Bay EMP Summary of Key Management Options

##### Monitoring

- MO1.1.** Develop a comprehensive monitoring programme including key indicators and mechanisms of monitoring in consultation with relevant organisations.
- MO1.2.** Monitor the environmental health of the estuary, including water quality, erosion/accretion, bush lands, ecological diversity and abundance.
- MO2.1.** Monitor use of the Manly Scenic Walkway.
- MO2.2.** Monitor the use of waterways at different points of the estuary.
- MO3.1.** Establish participatory monitoring and encourage community participation.
- MO4.1.** Review monitoring results and revise/update management options.

##### **Implementation Time frame**

Of 85 management options proposed in this EMP, 32 options are on-going activities of the Council and/or other agencies. Among newly proposed 53 options, 15 have been proposed for immediate implementation (**Table C**), 25 within two years, 12 within 3-4 years and only 1 on 5<sup>th</sup> or later years.

**Table C: Management Options proposed for immediate implementation**

Sl. No.	Management Options	Responsible Agencies	Estimated Cost (\$)	Remarks
1	<b>SE1.1.</b> Carry out a comprehensive study on estuarine sediment transport patterns  (to be combined with HR1.2)	MC (NR), DECC	50,000	50% DECC grant approved
2	<b>FI3.1.</b> Install horizontal dinghy and kayak storage racks at Sandy Bay in consultation with nearby residents and dinghy owners.	MC (US, Design & Technical)	11,000	
3	<b>FI4.1.</b> Assess and implement options to restore collapsed Sangrado swimming enclosure.	MC (US)	150,000	
4	<b>AH1.2.</b> Encourage NSW Maritime and DPI (Fisheries) to increase the enforcement of boating restrictions over seagrass beds. Develop interpretative signage to notify seagrass beds as protected areas.	DPI (Fisheries), NSW Maritime, Manly Council-NR, SMCMA	10,000	
5	<b>FI3.2.</b> Install rods/poles at Gurney Crescent & Castle Circuit to tie dinghies & kayaks and educate owners regarding protection of trees & middens, and decrease erosion of foreshore	MC (US, CEP), Precincts	2,900	
6	<b>WQ3.2.</b> Investigate & seek to address possible sources of high faecal coliforms and enterococci levels in Sangrado swimming enclosure.	Sydney Water, MC (NR)	2,000	
7	<b>WQ2.1.</b> Confirm, with Sydney Water, the presence of all sewage overflow points within the Clontarf / Bantry Bay study area including the five known ones.	Sydney Water, MC (NR)	0	Already being implemented

## ATTACHMENT 1

### Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption

#### Clontarf Bantry Bay EMP Summary of Key Management Options

Sl. No.	Management Options	Responsible Agencies	Estimated Cost (\$)	Remarks
8	<b>HC1.2.</b> Construct boardwalk type structure where MSW bisects Aboriginal midden at Sandy Bay.	MC (P&R), AHO	0	Already implemented
9	<b>WQ4.1.</b> Undertake a comprehensive study on Clontarf groundwater aquifer to identify present extraction rate, recharge and other relevant issues.	MC (NR), DWE	45,000	
10	<b>WQ4.3.</b> Assess current greywater direct diversion (GDD) uptake within Manly Council (including the study area) through undertaking a residential survey.	MC (S&C, NR & CEP)	10,000	Student project
11	<b>HR1.2.</b> Undertake inspections to assess stability of seawalls protecting public lands. If upgrading is required, promote eco- friendly sea walls.	MC (US & NR)	0	SE1.1 & HR 1.2 will be a combined study
12	<b>FI2.1</b> Construct a public floating pontoon beside Sangrado swimming enclosure and encourage NSW Maritime to assess for other boat landing facilities within the study area	MC (US), NSW Maritime	70,000	Grant received to construct pontoon from NSW Maritime
13	<b>MO2.1.</b> Monitor use of the Manly Scenic Walkway.	MC (P&R)	10,000	Student project
14	<b>AH3.2.</b> Design and implement, the 'Fisher Bay Mangrove Expansion Program'.	MC (P&R), DPI (Fisheries)	45,000	
15	<b>TH1.3.</b> Identify adhoc tracks from private properties entering bushlands and approach property owners to ensure their safety and continued maintenance at an appropriate and specified standard.	MC (P&R)	0	Staff time
<b>Total</b>			<b>405,900</b>	

#### Community Involvement

Many of the management strategies adopted for Clontarf/Bantry Bay estuary offer opportunities for community involvement particularly activities such as revegetation projects, monitoring programs and environmental education, as well as general monitoring of plan implementation and effectiveness. Local groups are therefore encouraged to take an active position in the management of their estuary, to liaise regularly with the community representatives on the Estuary Management Working Group, and seek out opportunities wherever possible for community participation in implementation of the strategies adopted.

#### Financial Implications

Council has been successful in gaining funding of \$25,000 (to be matched \$:\$) under the State Government's Estuary Management Program for the implementation of a Sedimentation Process Seawall Stability Study proposed in the EMP.

The total cost of implementing (including 1-5 years of operation and maintenance) all 85 management options addressing 10 key management issues is estimated to be \$ 2.10 million over a period of five years. As implementation responsibility of all proposed management options rests with a number of agencies including Manly Council. Hence, adoption of this EMP does not commit Council to allocate immediate funding. A total of



## ATTACHMENT 1

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### **Planning And Strategy Division Report No. 15 - Clontarf / Bantry Bay Estuary Management Plan Adoption**

### **Clontarf Bantry Bay EMP Summary of Key Management Options**

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\$0.41 million will be required for 15 management options identified for immediate implementation. Funding from alternative sources outside of Council budget will be necessary.

The adoption of the Clontarf/Bantry Bay Estuary Management Plan will greatly enhance Council's ability to seek external funding for the implementation of the various management options.

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**TO:** Planning and Strategy Committee - 12 May 2008  
**REPORT:** Planning And Strategy Division Report No. 16  
**SUBJECT:** Gazettal of State Environmental Planning Policy (Infrastructure) 2007:  
Implications for Manly  
**FILE NO:**

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## SUMMARY

The purpose of this report is to advise on the gazettal of *State Environmental Planning Policy (Infrastructure) 2007* and the implications for Manly.

## REPORT

### Background

*State Environmental Planning Policy (Infrastructure) 2007* was gazetted on 21 December 2007 and took effect on 1 January 2008.

The SEPP Infrastructure repeals and replaces 20 previous SEPPs with one consolidated and updated SEPP. The SEPP also introduces a wide range of new powers for public and private infrastructure providers to carry out work with minimal involvement of council. The Department of Planning (DoP) contends that the SEPP infrastructure aims to “facilitate the delivery of infrastructure by streamlining a complex array of local, regional and state planning instruments”. The DOP also state that the SEPP Infrastructure “provides for the efficient development, redevelopment or disposal of Government Land.”

The SEPP Infrastructure applies to all land in New South Wales. Where there is any inconsistency between other environmental planning instruments, including the Manly LEP 1988, the SEPP Infrastructure will override the other environmental planning instruments.

### Implications of the SEPP Infrastructure for Manly

The SEPP Infrastructure will have a number of implications for Council. A summary of the key implications follows:

#### 1. Additional development of Land

Under the SEPP Infrastructure, State Land may be developed for certain purposes that would otherwise be prohibited under the Manly LEP 1988. To ensure additional development is “appropriate”, the DOP require that a “site compatibility certificate” be obtained from the Director General of the Department of Planning, prior to the development application stage. A site compatibility certificate is a new planning tool which the DOP processes internally, without council input. It should be noted that Council may, in some instances, continue to be the consent authority for the development where a site compatibility certificate has been obtained.

There are three scenarios where the SEPP infrastructure and ‘site compatibility certificate’ could be used to allow additional development that may otherwise be prohibited:

- 1. Additional uses on ‘State land’:** under clause 18 of the SEPP, State land may be developed for a purpose that is permitted on adjacent land. This can occur despite the use being prohibited under Manly LEP 1988. For example, where a school site adjoins a residential zone, the school could be developed as housing because residential development is permissible in the adjoining residential zone. This clause removes the need to rezone State land and subsequently consult the community regarding rezoning applications.

Under the SEPP Infrastructure ‘State land’ means Crown land under the *Crown Land Act 1989* and most other land owned by a public authority other than a council. State land In

**Planning And Strategy Division Report No. 16 (Cont'd)**

Manly affected by CI18 includes schools, community facilities, police stations and the local court. The clause does not apply to land zoned as Open Space or National Parks.

**II. Multi-dwelling housing on hospital and health care sites:** under CI 57(2), additional uses are permitted on land zoned 'special uses', where that special use is a hospital, day surgery, medical centre, community health facility, health consulting rooms or ambulance facility.

The types of additional development permitted on these sites are multi dwelling housing, business premises or retail facilities to cater for patients and staff, biotechnology research or development industries. Various facilities in Manly will be affected by this clause, including the Manly Hospital and Bear Cottage.

**III. Multi Dwelling housing near railway stations:** despite the provision of any council LEP, multi unit dwellings can be developed on behalf of a public authority within 800m of 18 key Sydney railway stations identified. This clause does not directly affect Manly.

## **2. Permissibility and development assessment provisions for infrastructure development**

The SEPP Infrastructure identifies 25 types of infrastructure. A framework of development controls, assessment, consent and notification for each of the 25 types infrastructure is then outlined in the SEPP Infrastructure. By way of summary, this process is set out as follows:

**I. Does the infrastructure development require consent?** For each infrastructure type, the SEPP identifies infrastructure development that is either:

- a) Permissible with consent (council generally remains the consent authority).
- b) Permissible without consent (an assessment under Part 5 of the EPA&A Act may be required).
- c) Exempt Development (no assessment is required).

**II. On what land may the infrastructure be developed?** The SEPP Infrastructure identifies 'prescribed' zones where the 25 Infrastructure activities can be carried out. Some infrastructure types such as utility networks are permitted in all zones, irrespective of Manly LEP 1988. Other infrastructure, such as sewage treatment plants, are permitted in a limited number of zones.

When NSW councils prepare their new standard LEPs, all Councils are required to delete the existing 'special use' zoning for infrastructure and rezone the land in accordance with the adjoining 'prescribed' zone as set out in the SEPP Infrastructure. For example, the adjoining 'prescribed' zone for most schools in Manly is the residential zone. As a result, most schools would need to be rezoned 'residential' in order to comply with the State Government requirements for Standard LEPs.

**III. Are public authorities required to notify council of infrastructure works?** The SEPP outlines when a public authority must notify council of any development that is proposed to be carried out without development consent. Notification is only required where the public authority believes that the development is likely to have a substantial impact on local heritage, infrastructure and other services provided by council. Any response received from council within 21 days after the notice is given must be taken into consideration.

A summary of these three components for key infrastructure activities is provided as follows:

- *Educational establishments*- can be developed by or on behalf of a public authority in all residential, business and special uses zones. Council currently restricts schools to a 'special use' zone. Certain works may be carried out without consent, including one storey libraries, one storey class rooms and demolition of buildings. The corollary is that existing educational establishments can expand onto adjacent land in any zone (other than open space and National Park) and such works can be carried out without council consent.

**Planning And Strategy Division Report No. 16 (Cont'd)**

- *Electricity and gas transmission/distribution networks* generally work can be carried out without consent by or on behalf of a public authority on any land. Restrictions apply to some works. Certain works are identified as exempt development.
- *Emergency service facilities*– can be developed by or on behalf of a public authority in the business zones. This includes buildings used in 'connection' with emergency services. Emergency services can also undertake minor alteration and additions, demolition and internal fit outs without need for a development consent.
- *Health service facilities* - can be carried out with consent by any person in prescribed residential, business and special purpose zones. Certain works can be carried out without consent by or on behalf of a public authority. State land that is currently zoned as a 'special use' zone for a health service facility (i.e. hospital) can be developed by or on behalf of a public authority for multi dwelling housing, research facilities or a business premises.
- *Parks and public reserves on crown land reserved* - development for a purpose consistent with a plan of management adopted for the land can be carried out without consent by or on behalf of the Department of Lands, a Trustee of the reserve or a Ministerial Corporation. On public land reserved under the control of or vested in the council, development for a purpose specified in the SEPP can be carried out without consent by or on behalf of a council. Purposes specified include roads, single storey car parks, playing fields, information facilities, lighting, landscaping, amenity facilities, maintenance depots and environmental management works.
- *Public administration buildings and building of the Crown* - can be developed, including minor alteration and additions, demolition and internal fit outs, without need for a development consent. This will be of practical benefit to council and should result in cost savings.
- *Waterway or foreshore management activities* – can be undertaken without consent by or on behalf of a public authority. Works include construction, routine maintenance, emergency as a result of coastal erosion and storms, beach nourishment, foreshore stabilization and foreshore access ways.
- *Other infrastructure facilities* - the SEPP Infrastructure identifies other types of infrastructure activities that can be carried out with or without development consent. The other infrastructure types include air transport facilities, correctional centres, electricity generating works, flood mitigation works, railways, research stations road infrastructure, sewage systems, stormwater management systems, telecommunication facilities, waste facilities, water supply systems.

**3. Exempt Development**

The SEPP Infrastructure identifies a raft of works that are exempt development. The types of development that are exempt from requiring a consent are similar to councils exempt development schedule in the Manly LEP 1988. The types of exempt development include access ramps, awnings, internal and external alterations, car parks, decks, fences, hoardings, portable offices, security cameras, scaffolding and signage.

In addition to the exempt development applicable to all State land, the SEPP further identifies exempt development for specific types of private infrastructure uses such as educational establishments, electrical generating works, photovoltaic cells, electrical and gas transmission or distribution networks, road infrastructure and telecommunication facilities.

**4. Development Assessment**

SEPP Infrastructure contains requirements that council must consider when assessing development near specified gas pipelines, level crossings, together with noise and vibration impacts along particular road corridors. This applies to a wide range of applications that are not connected to public infrastructure. Until the DOP release guidelines it will remain unclear how these requirements will apply in development assessment.

**Planning And Strategy Division Report No. 16 (Cont'd)****Conclusion**

SEPP Infrastructure amalgamates over 20 SEPPs into one environmental planning policy document. Operationally, the documents identify 25 types of infrastructure and works related to this infrastructure. The works are either exempt development, or permissible with or without consent. The SEPP also prescribes the zones where infrastructure works can occur. In the case of an inconsistency between SEPP Infrastructure and Manly LEP 1988, the SEPP Infrastructure overrides the Manly LEP zoning.

The SEPP Infrastructure allows the Department of Planning to issue 'site compatibility certificate' that can be used to allow additional development that may otherwise be prohibited under Manly LEP 1988. This may occur where the State wants to develop state land for a purpose that is permitted on adjacent land. For example, where a school site adjoins a residential zone, the school may be developed as multi unit housing. Alternatively, a site compatibility certificate can be issued by the Department to allow multi-dwelling housing or business premises on hospital and health care sites. A development application is still required in this instance and Council will generally remain the consent authority.

The Department of Planning has significantly increased the variety and scope of works that can be undertaken by or on behalf of public authority without consent. Additional works may also be undertaken by a private infrastructure provider in some instance. Under such circumstances Council will only be notified if the public authority believes that the development is likely to have a substantial impact on local heritage, infrastructure and other services provided by council. In effect, by removing the need for a development application, the SEPP Infrastructure bypasses the need for community input into the planning and consent process. The SEPP also raises considerable concerns regarding the transparency and community involvement in the disposal and development of government owned land.

**RECOMMENDATION**

It is recommended that the report be received and noted.

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of Planning And Strategy Division Report No. 16 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 12 May 2008  
**REPORT:** Planning And Strategy Division Report No. 17  
**SUBJECT:** Manly Cemetery Security Measures  
**FILE NO:**

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## **SUMMARY**

In 2007 Council's Cemetery Working Group requested that the Council prepare a report on security measures for the Manly Cemetery due to vandalism. The consultant, Mr Chris Betteridge of Musecape Pty Ltd has provided a report, with the main recommendation being for dark coloured metal fencing (approximately 2.1m high), around the cemetery in an open palisade (or picket) style, and no night time access, to reduce vandalism.

## **REPORT**

### **Background**

Manly Cemetery is a local heritage item and has been the subject of a number of random acts of vandalism over the years, raising concern in the community regarding the protection of this important historic site. "Manly Cemetery is recognised by the community as having played a special role in the development of Manly and New South Wales, and community members lobbied for the recognition of the Cemetery through the New South Wales Heritage Office State Heritage Icons Project" (ref: Manly Cemetery Conservation Management Plan, 2006). Note: The State Heritage Icons Project (run in 2006) identified heritage items based upon nominations from the community. Manly Cemetery received the greatest number of nominations of all items identified by local communities as having particular heritage significance.

A Conservation Management Plan (CMP) was prepared for the cemetery in 2006, for the management of the cemetery and Council staff were successful in obtaining a NSW Heritage Office grant to assist in the repair to some of the more seriously damaged and iconic graves. Considerable repair works have been carried out in the cemetery under this grant.

### **Consultant's Report and Recommendations**

The consultant's report (circulated under separate cover) discusses a variety of measures to reduce vandalism to the cemetery. The most effective measure investigated and recommended is fencing (approximately 2.1m high) around the entire perimeter of the cemetery. The type of fence recommended is a style used by NSW schools, which has proved to have greatly reduced trespass and vandalism. This fence has an 'open picket' metal style in appearance and being a dark colour will appear recessive in the landscape. The consultant estimates that the cost of such a fence would be around \$300 000. This type of security measure and fence does not require the additional security measure of lighting or sensors around the cemetery.

In addition to the perimeter fencing it is recommended that Council provide informational, directional and law enforcement signage that encourages visitors to adopt positive attitudes to the cemetery and report suspicious activities. Interpretative signage that communicates the significance of the cemetery is also recommended to improve the understanding and educational values of the cemetery to the community. Liaison with local schools to improve understanding and respect for such places, and liaison with the local police, and approaches to local business for sponsorship, are also recommended.

### **Cemetery Working Group and Heritage Committee**

The draft final report (March 2008) was circulated to the Cemetery Working Group and the Heritage Committee members. All comments received from members were passed onto the consultant to take into account in the preparation of the final report. The comments provided from

**Planning And Strategy Division Report No. 17 (Cont'd)**

members of both committees supported the consultant's recommendation for fencing the cemetery and associated security measures.

**Conclusion**

The fencing of the cemetery with a sympathetically designed open palisade (picket) style fence, of the height and colour recommended ( to be the subject of a separate development application) would be appropriate in heritage terms given the historical, associational, aesthetic, social, educational and research values of the cemetery to the local government area. The protection of this valuable resource and historic site for the community is considered to require the recommended style of fencing and associated security measures to conserve the heritage significance of the cemetery.

**RECOMMENDATION**

It is recommended that Council:

1. Support the consultant's recommendation for the installation of sympathetically designed open palisade (or picket) style perimeter fencing combined with prohibition of night time access.
2. Approve the provision of informational and educational signage and liaison with local schools and police.
3. Note that \$100,000 has been allocated in the draft Budget for 2008/09, and that a staged approach to erecting fencing at the Manly Cemetery would be required over several years to be financially sustainable.

**ATTACHMENTS**

**AT- 1** Manly Cemetery Report 29 Pages Circulated Separately

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\*\*\*\*\* End of Planning And Strategy Division Report No. 17 \*\*\*\*\*