



## Agenda

### Ordinary Meeting

Notice is hereby given that a Ordinary Meeting of Council will be held at Council Chambers, 1 Belgrave Street, Manly, on:

**Monday 16 October 2006**

Commencing at 7:30 PM 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)*



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(In accordance with Clause 66 in Council's Code of Meeting Practice, Public Forum is for a maximum of fifteen (15) minutes for <i>matters that are not listed on the Agenda</i> . A total of five (5) people may address Council for a maximum of three (3) minutes each.)	
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**QUESTIONS WITHOUT NOTICE****MATTERS OF URGENCY**

(In accordance with Clause 14 of the Local Government (Meetings) Regulations, 1993)

**CLOSED SESSION**

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

**TO: Ordinary Meeting - 16 October 2006**  
**REPORT: Notice of Motion Report No. 18**  
**SUBJECT: Precinct Office Bearers Available to all Ratepayers**  
**FILE NO:**

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Councillor Norek will move:

That all ratepayers residential or non-residential be allowed to hold an executive position with a precinct committee, to ensure that Manly Council fits in line with the State Government (State election Authorities) position on this issue.

**Background:**

Why can't all ratepayers have the opportunity to hold a position of office bearer to a precinct? Council politics at it's ugliest once again.

I find it disturbing that a ratepayer whom contributes to Council revenue can not be apart of a precinct committee system. The precinct system was formed to allow all ratepayers an opportunity to contribute to the community and provide valuable feedback and input to councils DA's and policy.

This is a voluntary position that is very hard to find people to take up the role and contribute to their community. All ratepayers must have the opportunity to have their say. Manly council is fast loosing touch with the residents of Manly and valuing their input.

Since the State Election Authority allows non-residents who own land and therefore payrates to vote in local elections even though they physically don't live in the area.

Notes: (Please see SEC policy on this issue below.)

[http://www.seo.nsw.gov.au/our\\_electoral\\_process/local\\_government\\_electoral\\_system/enrolment](http://www.seo.nsw.gov.au/our_electoral_process/local_government_electoral_system/enrolment)

The rolls for Local Government Elections are made up of two categories, the Residential Roll and the Roll of Non-Resident Electors, Occupiers and Rate paying Lessees.

**Residential Electors**

All electors enrolled on the Commonwealth/State electoral roll and who reside in the ward/area where the election is held are automatically included on the roll as at the close of the roll.

**Non Residential Electors, Roll of Occupiers and Roll of Rate paying Lessees**

The Non-Residential Roll is a roll of persons who pay rates on a property they own in an area but who do not live at that property or in that Council area. The roll of Occupiers and Rate paying Lessees covers both occupiers of rateable land who are not owners, and lessees who, under the terms of their leases, must pay rates.

The General Manager of the Council is required to advertise for enrolments in a newspaper circulating in the area twice or more in the 60 days before the close of rolls. These advertisements will be placed by all Councils. The General Manager is responsible for compiling and certifying the roll of non-residents, roll of occupiers and roll of rate paying lessees.

A claim for inclusion on the non-residential roll and the roll of occupiers and rate paying lessees must be made in writing on the prescribed form and must be lodged with the General Manager.

Only those persons who have made application in writing to the General Manager will appear on these rolls. The roll of non-residents, roll of occupiers and roll of rate-paying lessees lapses after

**Notice of Motion Report No. 18 (Cont'd)**

each election. Therefore any person who has applied at previous elections to appear on these rolls will have to reapply for the election.

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of Notice of Motion Report No. 18 \*\*\*\*\*

**TO:** Ordinary Meeting - 16 October 2006  
**REPORT:** Notice of Motion Report No. 19  
**SUBJECT:** Corso Survey to Ascertain Transport Requirements  
**FILE NO:**

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Councillor Daley will move:

That Council conduct a survey of people on the Corso on Friday and Saturday nights to ascertain their transport needs and that council seek the assistance of the local business community regarding this project.

**ATTACHMENTS**

There are no attachments for this report.

OM161006NM\_3

\*\*\*\*\* End of Notice of Motion Report No. 19 \*\*\*\*\*

**TO:** Ordinary Meeting - 16 October 2006  
**REPORT:** Item For Brief Mention Report No. 11  
**SUBJECT:** Items for Brief Mention - Minutes for adoption by Council - Special Purpose Committees and Joint Committees  
**FILE NO:**

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**1. Minutes Of Meetings:**

- i. ACCESS COMMITTEE MINUTES OF MEETING HELD ON 21 SEPTEMBER 2006
- ii. COMMUNITY SAFETY COMMITTEE MINUTES OF MEETING HELD ON 17 AUGUST 2006
- iii. COMMUNITY SAFETY COMMITTEE MINUTES OF MEETING HELD ON 21 SEPTEMBER 2006
- iv. MANLY YOUTH COUNCIL MINUTES OF MEETING HELD ON 18 SEPTEMBER 2006
- v. THE MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETINGS HELD ON 9 AUGUST 2006
- vi. THE MANLY SISTER CITIES COMMITTEE MINUTES OF MEETING HELD ON 6 SEPTEMBER 2006
- vii. MANLY VISITOR AND COMMUNITY BOARD MINUTES OF MEETING HELD ON 7 SEPTEMBER 2006
- viii. JOINT SERVICES COMMITTEE MINUTES OF MEETING HELD ON 28 SEPTEMBER 2006

**2. THE FOLLOWING MINUTES CONTAIN RECOMMENDATIONS OF A SUBSTANTIAL NATURE REQUIRING FORMAL COUNCIL ADOPTION AS FOLLOWS:**

- (a) Manly Visitor and Community Board Minutes of Meeting Held on 7 September 2006

**Item 4.1 - BUSINESS ARISING FROM PREVIOUS MINUTES  
Boxing Day**

**Recommendation**

1. That the North Head Sanctuary Foundation be responsible for the transport services from the Town Centre to North Head.
2. That Council consider the operational costs and labour availability for a "Park and Ride" transport arrangements from Kenneth Road area to Manly beachfront and support appropriate signage.
3. That the need for toilet facilities and the sale/provision of water for purchase by the public at North Head be clarified.
4. Lions Club could be approached to sell water.
5. That Manly restaurants/cafes be approached seeking their cooperation, participation and pricing details for a Boxing Day Brunch menu. A report by the M C of C to be tabled at the next meeting.
6. That following any decision to progress this concept of a Boxing Day brunch, Manly Police be advised of the transport and restaurant arrangements.
7. That the issue of traffic and parking at Dobroyd Head be considered by Council's Traffic Committee when details are finalised.



**Item For Brief Mention Report No. 11 (Cont'd)****Divisional Manager Human Services and Facilities note:**

The Council's event calendar does not include a Boxing Day event. If Council considers progression of the event provision of a satellite parking system for transport of patrons for the Boxing Day Breakfast, as proposed by the Manly Chamber of Commerce, additional costs in the form of transport buses, signage and staffing will be incurred. Transport from Kenneth Road to the bus bay at Manly Ocean beachfront between 8.30am and 12.00 noon on Boxing Day 26th December 2006, additional costs to Council are estimated at \$5,000.00.

- (b) Community Safety Committee Minutes of Meeting Held on 21 September 2006

**Item 7.5 - Pathway Parking In Bolingbroke Pde**

An issue of concern was raised about the use of the crown land between the end of Bolingbroke Pde and the public pathway. Several residents vehicles from properties in Lauderdale Ave are lobbying to retain these informal parks as permanent and legal. All residents apparently have alternate access from Lauderdale Ave.

The committee discussed this issue and agreed that this would be a dangerous mix of use. The harbour foreshore path is now extremely well used by pedestrians, dogs and children on bicycles. Apart from the congestion issue to continue to allow vehicles parking here would be extremely unsafe.

**Recommendation**

That the committee does not support the alienation of the pathway along the foreshore off Bolingbroke Pde for the use of private vehicle parking for safety reasons due to the heavy pedestrian usage in that space.

**Divisional Manager Human Services and Facilities note:**

Manly Community Safety Committee Meeting of 21 September 2006 - item 7.5 **Parking in Bolingbroke Parade Fairlight** was omitted from the circulated minutes. Item 7.5 amended minutes to be circulated by email to the Committee members.

**RECOMMENDATION**

1. That the recommendations of **Minutes of Meetings**, as listed in Item 2, being 2(i) to 2(viii), as listed above, be adopted.
2. That in relation to all matters of a substantial nature listed in Item 2 above, being 2 (a) to 2 (b) be adopted as per the recommendation of the Committees.

**ATTACHMENTS**

There are no attachments for this report.

OM161006IBM\_1

\*\*\*\*\* End of Item For Brief Mention Report No. 11 \*\*\*\*\*

**TO: Ordinary Meeting - 16 October 2006**  
**REPORT: General Managers Division Report No. 33**  
**SUBJECT: Election of Deputy Mayor**  
**FILE NO:**

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## SUMMARY

Section 231 of the *Local Government Act, 1993* empowers the Council to elect one of its members to act as Deputy Mayor for the Mayoral term or for a shorter term.

A Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the Office of the Mayor.

The election for Deputy Mayor will be held at the Ordinary Meeting of Council on 16 October 2006.

## REPORT

The term of the current Deputy Mayor is up to September 2006. At an Extraordinary meeting of Council held on 11 September 2006, Council resolved as follows:

- “1. That the elections for the positions of Deputy Mayor, Chairperson and Deputy Chairperson of Council’s Principal Committees of Land Use Management and Planning and Strategy, be conducted at the Ordinary Meeting to be held on 16 October, 2006.
2. That the term of office for the Deputy Mayor, Chairperson and Deputy Chairperson of the Land Use Management and Planning and Strategy Committees be extended to 16 October, 2006.”

The Council is required to conduct an election to fill this position for a further term.

## Procedure

Clause 124 of Part 12 of the Local Government (Elections) Regulation 1998 provides that the Deputy Mayor is to be elected in accordance with Schedule 3 of the Regulation. The provisions of the Schedule are summarised as follows:-

1. A nomination for the Office of Deputy Mayor is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is **not valid unless** the nominee has indicated consent to the nomination **in writing**.

There is no prescribed form of "nomination paper". However, for convenience, "nomination papers" have been prepared and **distributed**.

2. If only one Councillor is nominated, that Councillor is elected. If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by:-
  - (a) Preferential Ballot.
  - (b) Ordinary Ballot.
  - (c) Open Voting.

(Note: It has been Manly Council long-standing practice to have Open Voting.)

3. If the method is by Preferential or Ordinary Ballot, it shall be by secret vote.

**General Managers Division Report No. 33 (Cont'd)**

4. The General Manager (or a person appointed by the General Manager) is the Returning Officer.

The primary difference between Ordinary Ballot/Open Voting and Preferential Ballot is:-

- (i) Preferential Ballot - **Only one ballot is taken** and Councillors are to mark their votes by placing the numbers "1", "2", "3" and so on, against the various names so as to indicate the order of their preference for the candidates. Preferences must be shown for all candidates (Clause 9 of Schedule 3).

The formality of a ballot paper under this part is to be determined in accordance with Clause 76 of the Local Government (Elections) Regulation, 1998. In essence, the ballot paper must:-

- (a) Be completed in accordance with the directions for the showing of preferences.
- (b) Be initialled by the Returning Officer or an Electoral Officer.
- (c) Not contain a mark or writing which would enable the voter to be identified.

If a candidate has an absolute majority of first preference votes (i.e. more than one half of the number of formal ballot papers), that candidate is elected.

If not, the candidate with the lowest number of first preference votes is excluded and that candidate's votes transferred to that candidate's second preferences. This procedure continues until a candidate receives an absolute majority.

- (ii) Ordinary Ballot/Open Voting - Separate and continuing ballots/votes are taken to exclude the candidate with the lowest vote.

When there are two candidates remaining, a ballot/vote is taken **to elect** the candidate with the higher number of votes.

**Tied Candidates (Choosing by Lot)**

If, on any count of votes, the number of votes cast for two candidates are equal and:-

- (a) those candidates are the only candidates in, or remaining in the Election - the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected; or
- (b) those candidates are the ones with the lowest number of votes on the count of the votes - the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

If on any count the number of votes cast for three or more candidates are equal and the lowest number of votes on the count of the vote - the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

**Summary of Procedure**

A summary of the procedure is as follows:-

- (a) Councillors will be called upon by the Returning Officer to submit their nomination papers (in writing signed by two or more Councillors and with nominees written consent) **before 7pm on Monday, 16 October 2006.**

**General Managers Division Report No. 33 (Cont'd)**

- (b) Nominations received will be read to the Meeting by the Returning Officer and he will ask if any of the candidates so nominated wish to withdraw.
- (c) If there are more candidates than one, an election will be carried out in accordance with the provisions of Schedule 3 of the Local Government (Elections) Regulation 1998 as outlined above, and Councillors will be requested to resolve whether the election is to proceed by Preferential Ballot, by Ordinary Ballot or by Open Voting.
- (d) (i) If a Preferential or Ordinary ballot is required, ballot papers will be prepared and distributed to Councillors for marking:-
  - Upon completion of marking of the ballot papers by Councillors, the ballot papers will be collected on behalf of the Returning Officer and the votes will be counted.
- When the ballot or ballots, as required pursuant to the provisions of Schedule 3, have been completed and a result obtained, the Returning Officer will announce the result to the meeting.
  - (ii) If the election is by Open Voting, then votes **to exclude candidates (if more than two)** and, where there are two candidates, votes to elect a candidate will be taken by show of hands.

When one candidate has a majority of votes the Returning Officer will declare this Councillor duly elected.

**Term**

Section 231(2) of the *Local Government Act, 1993* states that the person may be elected for the Mayoral term or a shorter term.

As Council is aware the current Mayoral term at Manly Council will be for 4 ½ years. However, the practice has been to elect the Deputy Mayor for a one year term only.

**RECOMMENDATION**

1. That Council elect a Deputy Mayor for the period to **September 2007**.
2. That Council determine the method of voting for the election of Deputy Mayor for the 2006/2007 term.

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of General Managers Division Report No. 33 \*\*\*\*\*

**TO: Ordinary Meeting - 16 October 2006**  
**REPORT: General Managers Division Report No. 34**  
**SUBJECT: Appointment of Chairperson and Deputy Chairperson for it's Principal Committee**  
**FILE NO:**

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## **SUMMARY**

The purpose of this report is to appoint the Chairperson and Deputy Chairperson for the Principal Committees of Land Use Management and Planning and Strategy.

## **REPORT**

The Council has two Principal Committees. These are the Land Use Management Committee and the Planning and Strategy Committee which are Principal Committees. They meet in Committees-of-the-Whole (membership consists of all councillors) and on a monthly cycle.

Under the *Local Government Act*, the Mayor is ex-officio Chairperson of all committees established by Council.

However it is the practice of Manly Council for the roles of Chair and Deputy Chair to be delegated to other Councillors.

### **Principal Committees**

Council's Code of Meeting Practice established (2) Principal Committees:-

- Planning and Strategy Committee
- Land Use Management Committee

The functions and responsibilities of the Principal Committees are as follows:-

#### **1. Planning and Strategy Committee**

##### ***Functions and Responsibilities:***

To consider and resolve on all matters pertaining to the Planning and Commissioning of facilities, works and services, and in particular:-

- (i) Forward planning (Local Environmental studies)
- (ii) Statutory planning (Local Environmental Plans and Development Control Plans)
- (iii) Management Plans (Reserves)
- (iv) Special Planning Projects
- (v) Urban Design Guidelines
- (vi) Special Design Projects
- (vii) Specification of Services
- (viii) Commissioning and Contracting of Work

**General Managers Division Report No. 34 (Cont'd)**

- (ix) Monitoring of construction works
- (x) Monitoring of the Annual Works Programme
- (xi) Traffic Management - Works Implementation
- (xii) Waste Management and Recycling
- (xiii) Public Place Cleansing
- (xiv) Road Safety
- (xv) Flood Plain and Estuary Management
- (xvi) Asset Management

**2. Land Use Management Committee*****Functions and Responsibilities:***

To consider and resolve on matters pertaining to:-

- (i) Development Control (Processing of development applications)
- (ii) Associated Land Use Matters (fire safety, compliance, etc.)
- (iii) Strata Subdivision Applications
- (iv) Land Subdivision Applications
- (v) Advertising Signs

Each Principal Committee presently comprises the whole of the Council with a **quorum of seven**.

**RECOMMENDATION**

1. That Council establish a Planning & Strategy Committee and Land Use Management Committee as its Principal Committees with the Functions & Responsibilities outlined in the above report.
2. That Council proceed to elect Chairpersons and Deputy Chairpersons for its Principal Committees of Land Use Management and Planning and Strategy for the period to September 2007.
3. That Council determine the method of voting as applied to the election of the Deputy Mayor.
4. That in accordance with s377 of the Local Government Act Council delegate to the two (2) Principal Committees of Land Use Management and Planning and Strategy the power to resolve on matters properly before each Principal Committee.

**ATTACHMENTS**

There are no attachments for this report.

OM161006GMO\_4

\*\*\*\*\* End of General Managers Division Report No. 34 \*\*\*\*\*

**TO: Ordinary Meeting - 16 October 2006**  
**REPORT: General Managers Division Report No. 31**  
**SUBJECT: Regional Sportsgrounds Analysis - Final Report**  
**FILE NO:**

---

## **SUMMARY**

In late 2005, SHOROC commissioned Thompson Tregear Pty Ltd to undertake a regional sportsgrounds analysis. This was in response to the Councils desire to work more strategically in planning for the sustainable development and maintenance of sportsgrounds within the SHOROC region, incorporating Manly, Mosman, Pittwater and Warringah local government areas.

The SHOROC Executive acknowledged the important role of the Manly Warringah Pittwater (MWP) Sporting Union within the region, particularly in relation to the sportsgrounds allocation process, and requested that the Sporting Union Executive Committee should be consulted in the review process.

## **REPORT**

The Final Tregear Report was presented to the SHOROC Executive at their meeting on 24 August 2006. As a result, the Executive requested that a meeting be convened between the Mayors, Warringah Administrator and members of the MWP Sporting Union Executive for the purpose of discussing some of the principles of the Tregear Report findings. The Executive also requested that a Communication Plan be drafted and tabled for consideration by the MWP Sporting Union Executive members at the same time.

Subsequently, the Mayors and the Warringah Administrator met with the MWP Sporting Union President, Mr Eric Galloway, and members of his Executive on 14 September 2006 at Warringah Council. As an outcome of this meeting Mr Galloway commented that the Sporting Union Executive understands the Councils position and that they wish to work with Councils to resolve the issues.

Therefore, please find attached copies of the following documents for Council's consideration.

1. Final Regional Sportsgrounds Analysis Report (Confidential - under separate cover)
2. Draft Communication Plan as a recommended way forward

## **RECOMMENDATION**

That Council:

1. Note the findings of the Regional Sportsgrounds Analysis Report.
2. Authorise the Mayors and General Managers to oversee the implementation in accordance with the agreed Communication Plan and in consultation with the MWP Sporting Union Executive.

## **ATTACHMENTS**

**AT- 1** Attachment 1 - Communication Plan 2 Pages

OM161006GMO\_1

\*\*\*\*\* End of General Managers Division Report No. 31 \*\*\*\*\*

**ATTACHMENT 1**

**General Managers Division Report No. 31 - Regional Sportsgrounds Analysis - Final Report  
Attachment 1 - Communication Plan**

**TREGEAR FINAL REPORT: COMMUNICATION PLAN**

<b>Item</b>	<b>Action</b>	<b>Task</b>	<b>Resourcing</b>	<b>Responsibility</b>	<b>Timing</b>
1	Finalise Tregear Report	Presentation of Final Report for consideration by the SHOROC Executive Committee	Member Councils	Executive Director Consultant	24 Aug 06 Completed
2	Preliminary discussions with MWP Sporting Union Executive	1. Invite MWP Sporting Union representation 2. Schedule meeting 3. Discuss the principles of the Tregear Report findings		SHOROC Executive MWP Sporting Union	14 Sept 06 Completed
3.1	SHOROC Report to member Councils	Executive to report on Tregear recommendations seeking in principle support to commence dialogue.		SHOROC	Sept/Oct 06
3.1.1	Media Release	Present Tregear Report findings and Councils agreed actions		SHOROC	Sept/Oct 06
3.1.2	Establish regional 'Sports Liaison Group'  ▪ Decisions to be informed by the Internal Working Group and key agencies	1. Identification and appointment of 'Sports Liaison Group' members (refer Tregear recommendations) 2. Schedule Oct 06 inaugural meeting 3. Identify and implement key tasks 4. Develop Strategic Plan	SHOROC	▪ Sports Liaison Group membership to be agreed ▪ MWP Sporting Union Executive to advise their representation	Nov 06
3.2.	Establish an operational (internal) working group  Note: Project coordinator has a sunset clause as once new systems are in place this will be a staff reporting process only	1. Identify representatives from member councils 2. Schedule inaugural meeting 3. Develop scope of work 4. Appoint a project coordinator (Casual 6-12 months only)	Member Councils	SHOROC Executive Director (establishment stage only) Project Coordinator Council technical officers	Nov 06



**ATTACHMENT 1**

**General Managers Division Report No. 31 - Regional Sportsgrounds Analysis - Final Report**  
**Attachment 1 - Communication Plan**

		<p>5. Implement tasks in streamlining Councils internal and external reporting and communication processes including:</p> <ul style="list-style-type: none"> <li>▪ Administrative &amp; Accounting systems</li> <li>▪ Condition/use of sportsfields (audit)</li> <li>▪ Capital works program</li> <li>▪ Standard data collection methods</li> <li>▪ Standard user agreement</li> <li>▪ Review allocation process</li> <li>▪ Benchmarking</li> </ul>			
4.	Endorsement of draft Strategic Plan	<p>1. Seek Council/key agencies endorsement of draft Strategic Plan                  2. Implementation within agreed timeframe</p>		SHOROC report to Councils/key agencies	June 07
5.	Media Release	Present strategic directions for renewed partnership in the sustainable provision and maintenance of sportsfields amenity in the region		SHOROC	June 07

**TO: Ordinary Meeting - 16 October 2006**  
**REPORT: General Managers Division Report No. 32**  
**SUBJECT: Permit Parking Scheme - Ethel Street (west), Seaforth**  
**FILE NO:**

## SUMMARY

Council undertook a consultation survey of residents in Ethel Street who live in the section on the southern side of the street between Sydney Road and Manly Road over bridge with the view to implement a Parking Scheme Area in this section of the street to give them relief from the shortage on street parking in this section of the street.

## REPORT

The section of Ethel Street in question is zoned business on the northern side of the street and residential on the southern side, which is multi-unit residential development in character.

Some of the older blocks in this section of the street provide only limited off street parking on their property, thus residents in these properties have to compete with business and commercial users for parking.

To facilitate the most appropriate Scheme for this area, a survey of residents was conducted in July and the following are the survey results:

### Analysis

Survey forms were hand delivered to all letter boxes in Ethel Street, between the Manly Road overpass and Sydney Road on 30 June 2006. There are forty-five (45) rateable properties in Ethel Street on Council's property system, including the RSL Club and three vacant blocks of land. Some properties have multiple tenants.

A total of fifteen (15) residents of Ethel Street responded to the survey. A summary of the responses to the survey questions is included below.

The majority of residents expressed a difficulty with the current parking in Ethel Street and a preference for the implementation of a new a permit parking scheme to operate seven days a week. The majority of respondents felt that the existing three permit type scheme and costs as operating in other permit areas in Manly, was acceptable.

Question 1	Answer 1	
I live in Ethel Street?	Yes	100%
	No	0%
	Total	100%

Question 2	Answer 2	
In your opinion, what impact will the scheme have on parking in your street?	Negative Impact	7%
	Some negative impacts	7%
	Neutral	13%
	Mostly positive impact	27%
	Positive Impact	47%
	Total	100%

## General Managers Division Report No. 32 (Cont'd)

Question 3	Answer 3	
How often do you experience parking difficulties in your street?	Infrequently	13%
	Somewhat infrequently	7%
	Neutral	7%
	Sometimes	13%
	Frequently	53%
	No answer	7%
	Total	100%

Question 4	Answer 4	
How strongly do you support the proposed permit parking scheme?	Strongly Opposed	7%
	Opposed	7%
	Neutral	0%
	Support	13%
	Strongly support	60%
	No answer	13%
	Total	100%

Question 5	Answer 5	
Please indicate your preference for the time limit for non-permit holders within the restricted area	1/2 hour	40%
	1 hour	40%
	2 hours	7%
	3 hours	7%
	4 hours	0%
	More than 4 hours	0%
	No answer	7%
	Total	100%

Question 6	Answer 6	
Between what hours should the new time limit apply?	Full time	13%
	8am – 10pm	33%
	9am – 5pm	27%
	Other*	13%
	No answer	13%
	Total	100%
	* Other: Mon – Fri 9am – 5pm, Sat 9am – 12 noon 1/2 hr 10am-6pm Mon – Fri, 8.30am-6pm Sat - Sun	

Question 7	Answer 7	
Which days of the week should the restrictions apply?	Monday	12%
	Tuesday	12%
	Wednesday	12%
	Thursday	12%
	Friday	12%
	Saturday	24%
	Sunday	12%
	No answer	2%
	Total*	100%
*Multiple responses allowed		

## General Managers Division Report No. 32 (Cont'd)

Question 8	Answer 8	
In addition to the basic 3 permits per household, how many additional permits should be allowed per household?	0	60%
	1	13%
	2	7%
	3	7%
	More	0%
	No answer	13%
	Total	100%

Question 9	Answer 9	
Is the fee for the 2nd permit appropriately priced?	Too cheap	7%
	Cheap	20%
	Neutral	47%
	Moderate	0%
	Too expensive	13%
	No answer	13%
	Total	100%

Question 10	Answer 10	
Is the fee for the 3rd permit appropriately priced?	Too cheap	7%
	Cheap	13%
	Neutral	33%
	Moderate	7%
	Too expensive	27%
	No answer	13%
	Total	100%

**RECOMMENDATION**

That Council, subject to confirmation from the Manly Traffic Committee, implement a Permit Parking Scheme in Ethel Street, on the southern side of the street, between Sydney Road and the Manly Road over bridge as follows:

1. The Scheme is known as the Ethel Street West Scheme Area.
2. The Scheme shall have a one hour parking limit between 8am and 10pm everyday, Permit Holder Excepted,
3. The Scheme shall be reviewed administratively after 12 months.

**ATTACHMENTS**

There are no attachments for this report.

OM161006GMO\_2

\*\*\*\*\* End of General Managers Division Report No. 32 \*\*\*\*\*

**TO: Ordinary Meeting - 16 October 2006**  
**REPORT: Corporate Services Division Report No. 27**  
**SUBJECT: Report on Council Investments as at 30 September, 2006**  
**FILE NO:**

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## SUMMARY

Latest accounting statements for the period to 30 September, 2006

1. Statement showing general fund bank account balance as at 30 September, 2006.
2. Cash investments as at 30 September, 2006.

## REPORT

### 1. Statement Showing General Fund Bank Account Balance as at 30 September, 2006

Limit of overdraft arranged with bank	<b>\$400,000.00 Dr</b>
Bank Balance as at 30 September, 2006 <sup>(1)</sup>	<b>\$1,127,967.03 Cr</b>

### 2. Details of Council Investments Pursuant to the General Regulation as at 30 September, 2006.

In accordance with clause 212 of the Local Government (General) Regulation 2005, a report setting out the details of money invested must be presented to Council on a monthly basis.

For the information of Councillors, the following cash investments were held by Council as at 30 September, 2006.

Invest Date	Maturity/ Call date	Institution	Term (Days)	Rate	Amount	Interest
15/07/02	15/07/07	HSBC	1826	6.76	1,000,000.00	16,895.75 <sup>(2)</sup>
15/08/02	15/07/07	HSBC	1795	6.76	2,008,481.93	33,791.50 <sup>(2)</sup>
30/07/02	12/12/06	Bendigo Bank	1596	7.95	510,200.00	9,937.49 <sup>(3)</sup>
08/08/02	08/08/07	Bank of Qld	1826	7.48	1,000,000.00	18,691.75 <sup>(4)</sup>
18/02/03	18/02/08	Macquarie Bank	1826	5.75	1,000,000.00	28,750.00 <sup>(6)</sup>
02/04/04	02/04/09	Adelaide Bank	1826	6.54	500,000.00	8,156.72 <sup>(7)</sup>
03/12/04	03/12/09	NM R'child & Son (Aust)	1826	7.24	700,000.00	12,635.29 <sup>(8)</sup>
15/12/04	15/12/09	Aust Central C/U	1826	7.15	1,000,000.00	17,874.99 <sup>(9)</sup>
25/10/05	25/10/06	Emu Structured Note	365	7.00	500,000.00	35,000.00 <sup>(11)</sup>
05/07/06	05/07/12	WBC PP Ethical Note	2192	7.58	500,000.00	18,941.75 <sup>(12)</sup>
21/05/04	21/05/07	CBA	1095	6.20	719,877.16	44,632.38 <sup>(10)</sup>
12/09/06	12/12/06	IMB	63	6.04	1,250,000.00	19,695.89
11/07/06	11/10/06	IMB	92	6.09	1,250,000.00	19,187.67
30/08/06	28/11/06	LGFS	90	6.31	2,000,000.00	31,117.81
		LGFS Ethical Fund	@CALL	6.43	1,058,141.78	
		IMB	@CALL	6.00	5,000.00	
		CBA	@CALL	5.95	<u>3,128,236.20</u>	
					<b>18,129,937.07</b>	

- 1) Balances in-excess of \$750,000 earns 5.50%pa
- 2) Interest to 15 October, 2006 only
- 3) Interest to 12 September, 2006 only
- 4) Interest to 8 November, 2006 only
- 5)
- 6) Interest to 18 February, 2007 only
- 7) Interest to 2 October, 2006 only
- 8) Interest to 3 December, 2006 only
- 9) Interest to 15 December, 2006 only

**Corporate Services Division Report No. 27 (Cont'd)**

- 10) Interest to 21 May, 2007 only
- 11) Interest calculated at the guaranteed interest floor of 7.00%pa for the first year
- 12) Interest to 5 January, 2007 only

Except for (5), (6), (10) and (11) interest is calculated at a floating rate, fixed for the duration of each subsequent quarter, based on the prevailing interest rates at the quarterly reset date/s. (12) resets on a semi-annual basis.

<b>Investment Performance</b>	<b>Council</b>	<b>Benchmark*</b>	<b>90 day BBSW**</b>
Returns - September 2006 [%pa]:	<b>6.55</b>	<b>6.43</b>	6.18

\* benchmark is 90day BBSW plus 0.25%pa

\*\* 90 day BBSW is the average 90 day bank bill rate for the month.

**Certification – Responsible Accounting Officer**

The Chief Financial Officer hereby certifies that the investments listed above have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

**RECOMMENDATION**

1. That the statement of General Fund Bank Account balance as at 30 September, 2006 be received and noted.
2. That the certification by the Chief Financial Officer be noted.
3. That details of Council's cash investments as at 30 September, 2006 be received and noted.

**ATTACHMENTS**

There are no attachments for this report.

OM161006CSD\_3

\*\*\*\*\* End of Corporate Services Division Report No. 27 \*\*\*\*\*

**TO:** Ordinary Meeting - 16 October 2006  
**REPORT:** Corporate Planning And Strategy Division Report No. 52  
**SUBJECT:** Manly Sustainability Strategy - Three Year Review: Draft Updated Strategy for Public Exhibition  
**FILE NO:**

---

## SUMMARY

The Manly Sustainability Strategy (MSS) directs for a full review each three years to ensure that it is a living strategy, maintains best practice and continues to lead Manly towards the community's vision of a sustainable future. The most recent review commenced early 2005.

The myManly and Futures Forums were key community consultation processes that have influenced and informed the updated draft Strategy's development.

The updated Strategy adopts a framework based on the ten United Nations Sustainable Cities Melbourne Principles, under which 41 major programs for action have been identified.

This report presents the draft Manly Sustainability Strategy (2006) to Council for consideration of public exhibition for a period of four weeks.

## REPORT

In accordance with its Terms of Reference, the Manly Sustainability Strategy Management Group (MSSMG) has guided the review of the Strategy. A copy of the draft document is circulated under separate cover.

*\*\*\*Please note the Draft Manly Sustainability Strategy, as circulated to Councillors, has not as yet been desktop published. This will be undertaken following public exhibition to ensure that any changes resultant from the exhibition process can easily be included. This includes the integration of appropriate photography and pictures.*

## Process

The three year review, guided by the MSSMG, involved the following:

- Council staff reviewed the entire MSS to identify which actions were completed, which were still underway, those that will be ongoing, and those that were no longer best practice management. Significant staff consultation including workshops and focus groups.
- Community Consultation:
  - *myManly* community sustainability art competition held in early 2005.
  - Futures Forum held September 2005
  - Community consultation from State of Environment reporting, Plan of Management development and policy documents.
- SAP, Social Plan Implementation Committee and MSSMG all considered the draft document and focused on specific elements.

## Aim of the MSS

The MSS has been designed as a strategic ten year planning document and aims to direct six key areas of action:

- **Local Government leadership** – leading by example.;
- Guiding **Education for Sustainability**;
- **Partnerships** with the community, business and other government agencies to address sustainability;

**Corporate Planning And Strategy Division Report No. 52 (Cont'd)**

- Participation and coordination – **widespread involvement** of local people and organisations, and coordinating the relevant activities;
- Adopting a **holistic approach** which links together related physical, environmental, economic, social, health and cultural issues;
- **Measuring, monitoring and reporting** on progress towards sustainability.

**Integration of Planning**

The MSSMG has considered State Government planning initiatives in the preparation of the MSS, including the NSW Government's Metropolitan Strategy for the Sydney Region *City of Cities - A Plan for Sydney's Future* (2005), the principal plan for the future growth of the Sydney Region for the next 25 years.

A Sub-Regional Plan for the North-East Sub region (comprising Manly, Warringah and Pittwater LGAs) is now being prepared by Dept. Planning to translate the Metropolitan Strategy into planning strategies for the sub-region. These reforms require the preparation of a new Local Environmental Plan (LEP) for each LGA.

Local Planning Strategy

The preparation of a Local Planning Strategy will bring together the findings of previous studies and reports, both statutory and non-statutory, including the State of the Environment report, and Social Plan. The draft MSS will also provide the basis of the Local Planning Strategy to inform the review of all Council's planning controls including the preparation of a new principal Local Environmental Plan and Development Control Plan.

Regional Planning

Each of the SHOROC Councils' Sustainability Strategies, or similar, have been taken into consideration and those actions adopted which are consistent with the Manly vision. This will ensure consistency across the SHOROC group, and where possible, direct partnership opportunities across the Northern Beaches.

In particular, Manly has considered:

- Warringah Council's *"Living Warringah – in focus"* (2005)
- Mosman Council's *Environmental Management Plan 2005 – 2008*
- Pittwater Council's *Pittwater Sustainability Policy 2006*

**The Draft Manly Sustainability Strategy Framework**

Through the myManly and Manly Futures Forums, Council and the community agreed on a vision for Manly:

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

This vision, as documented in *Surfing the Future: A Vision of Manly for 2025* (2005), identified major themes important for achieving Manly's vision as well as issues of concern to inform the MSS in its review. The major themes were intended to guide the MSS, however, the MSSMG recognised that they did not align directly with the United Nations Melbourne Principles for Sustainable Cities which were identified as the appropriate basis for the MSS. Therefore additional themes were developed for inclusion in the draft strategy.

The UN Principles were adopted as a framework as they allow sustainability issues to be grouped in a commonsense structure which ensures that common issues are not considered in isolation and that barriers to the holistic approach needed to achieve sustainability are not created.



**Corporate Planning And Strategy Division Report No. 52 (Cont'd)**

Hence there are six themes under which the ten UN Principles fall. Each Principle forms a chapter where 41 Programs of action have been identified (see attachment). All programs have goals, indicators, responsibilities, timeframes and related policy identified.

**Implementation**

The MSS needs considerable funds and other resources to make it happen, but these resources should be viewed as an investment in the future, and will in many cases generate medium to longer term savings.

Private, community and volunteer sectors also invest significant amounts of time, energy and money to support various initiatives, and by bringing together partners, this often provides resources to implement many of the strategies identified in the MSS.

Some of the desirable actions / directions presented in the strategy are not wholly within the power of Council to implement. For example: housing diversity, community ethnicity, elimination of sewage overflows and leaks, direct management of aquatic resources. In these instances the strategy should be interpreted to mean that Council will make every reasonable endeavour to foster the desired direction and to work cooperatively with other owners or managers. However it must be acknowledged that establishing change solely through policy and publicity is very dependent on the support and goodwill of others.

Monitoring, evaluation and review strategies have been identified to ensure the sustainability of the MSS itself. These strategies include updating the structure of the 2006/07 State of Environment Report to reflect the MSS's themes, and using the tool for monitoring and evaluation of the MSS's implementation.

The next full review of the MSS is scheduled to commence in 2010. The next community visioning process is identified to commence no later than 2015 and will in reality occur earlier as changes in local issues / circumstances demand, eg, 2009 is not an unrealistic timeframe for an update of Council's long term vision document to ensure it retains its relevance.

Following adoption of the MSS as a final document, staff and the MSSMG will also prepare a summary community version which will emphasise how the community can contribute to environmental sustainability through their individual and group actions.

**Public Exhibition**

It is proposed that the draft updated Manly Sustainability Strategy (2006) be placed on public exhibition for a period of four weeks inviting community comment at various locations in the Manly LGA including:

- On Council's web site
- Council Chambers
- Manly Library
- Manly Environment Centre

**Conclusion**

The revised Manly Sustainability Strategy guides Manly's Council, citizens and stakeholders toward Manly's vision, presenting a series of concrete actions. These actions are not 'quick-fixes', but policies that will allow Manly's families and future generations to enjoy the best that Manly has to offer. With them, Manly will continue to build awareness in sustainability, and play our part in both local and global solutions – to "think globally and act locally".

**Corporate Planning And Strategy Division Report No. 52 (Cont'd)****RECOMMENDATION**

It is recommended that Council:

1. Adopt the draft Manly Sustainability Strategy (2006) for public exhibition for a period of four weeks;
2. Congratulate and extend its thanks to members of Council's Manly Sustainability Strategy Management Group and Scientific Advisory Panel in guiding and contributing to the preparation of the draft Strategy.

**ATTACHMENTS**

<b>AT- 1</b>	Draft Manly Sustainability Strategy 2006	2 Pages	
<b>AT- 2</b>	MANLY SUSTAINABILITY STRATEGY For Today and Future Generations. Draft	120 Pages	Circulated Separately

OM161006CPSD\_1

\*\*\*\*\* End of Corporate Planning And Strategy Division Report No. 52 \*\*\*\*\*

**Draft Manly Sustainability Strategy (2006) Principles and Programs**

**A. A Long Term Vision for Manly**

*A1. A shared long-term vision for Manly based on: sustainability, intergenerational, social, economic and political equity; and our individuality.*

A1.1 Ten Year Visioning Process

A1.2 Maintenance of the Manly Sustainability Strategy Program

**B. A Safe and Cohesive Manly**

*B1. Achieve long-term social and economic security.*

B1.1 Creating "Sense of Place" /Neighbourhood Renewal Program

B1.2 Community Services and Development Program

B1.3 Housing and Sustainability Program

B1.4 Sustaining Healthy Communities Program

B1.5 Financial Reform and Economic Policy for Sustainability Program

B1.6 Sustainable Coastal Tourism Program

B1.7 Companion Animals Program.

**C. A Natural, Sustainable Manly**

*C1. Recognise the intrinsic value of Manly's geodiversity, biodiversity and natural ecosystems, and protect and restore them.*

C1.1 Protecting our Water Cycle and Catchments Program

C1.2 Sustainable Marine Environments Program

C1.3 Coastline and Estuary Management Program

C1.4 Geodiversity Program

C1.5 Maintaining our Biodiversity and Terrestrial Environments Program

C1.6 Flora Program

C1.7 Fauna Protection Program

*C2. Enable Manly's community to minimise our ecological footprint.*

C2.1 Water Cycle Management Program

C2.2 Sustainable Energy

C2.3 Corporate Greenhouse Program

C2.4 Responding to Greenhouse and Climate Change Program

C2.5 Preserving Air Quality Program

C2.6 Waste Avoidance Program

*C3. Promote sustainable production and consumption, through appropriate use of environmentally sound technologies and effective demand management.*

C3.1 Responsible Production and Purchasing Program

**Corporate Planning And Strategy Division Report No. 52 - Manly Sustainability Strategy - Three Year Review: Draft Updated Strategy for Public Exhibition  
Draft Manly Sustainability Strategy 2006**

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**D. A Living Manly**

*D1. Build on the characteristics of ecosystems in the development and nurturing of a healthy and sustainable Manly.*

- D1.1 Land Information Systems
- D1.2 Managing Urban and Regional Growth
- D1.3 Integrating Land Use and Balanced Transport
- D1.4 TravelSmart Program
- D1.5 Liveable Neighbourhoods Program

*D2. Recognise and build on the distinctive characteristics of Manly, including its human and cultural values, history and natural systems.*

- D2.1 Conserving Cultural Heritage and Landscapes Program
- D2.2 Indigenous Communities and Sustainability
- D2.3 Sustainability through Culture and the Arts

**E. An Involved Manly**

*E1. Empower people and foster participation.*

- E1.1 Schools for Sustainability Program
- E1.2 Businesses for Sustainability
- E1.3 Volunteers program
- E1.4 Libraries Building Sustainable Communities
- E1.5 Manly Environment Centre

*E2. Expand and enable cooperative networks to work towards a common, sustainable future.*

- E2.1 Partnerships for Action
- E2.2 Sustainability in the Region – SHOROC

**F. A Well Governed Manly**

*F1. Enable continual improvement, based on accountability, transparency and good governance.*

- F1.1 Embracing Sustainability in Government - Leading by Example
- F1.2 Research and Development for Sustainability Program
- F1.3 Assessing, Measuring and Reporting on Sustainability

**TO:** Ordinary Meeting - 16 October 2006  
**REPORT:** Corporate Planning And Strategy Division Report No. 53  
**SUBJECT:** Maintenance of Manly Cove Netted Swimming Enclosure  
**FILE NO:**

---

### SUMMARY

Council, in conjunction with the NSW Department of Primary Industries, Oceanworld, dive media and local dive operators, is proposing to hold a "seahorse awareness" event on Ocean Care Day Sunday 3rd December 2006. This event stems from recent investigations into best practice for cleaning of marine structures and threatened species conservation.

The day would involve:

- Manual cleaning of major marine growth overseen by the NSW Department of Primary Industries,
- Presentations on the Manly seahorse population,
- Community education with a variety of marine ecology displays.

### REPORT

The netted-swimming enclosure in Manly Cove (West) has been assessed by Council as being vulnerable to tear and collapse due to the significant increase in the rate of marine growth in recent years attributed to improved water quality.

Changes to Fisheries Management legislation have meant that the cleaning methods employed pre-2004 do not satisfy the requirements of NSW Department of Primary Industries and Council staff have been investigating suitable cleaning methods which satisfy both community and legislative expectations.

In recent weeks a number of community concerns have been raised in respect to the maintenance of the structure, mostly due to misinformation. A number of subsequent articles (including 23rd September 2006 Manly Daily Mayoral Column) have also been printed in reference to this issue.

Council staff met with representatives of the NSW Department of Primary Industries, Oceanworld and local divers to discuss the conservation of seahorse habitat formed by the netted-swimming enclosure in Manly Cove and to resolve an agreed way forward.

A number of positive outcomes have arisen from the meeting including innovative approaches to maintenance, opportunities for research as well as the potential to turn what could have been otherwise, into a positive result for all involved, including a Seahorse Awareness Event proposed for Ocean Care Day.

The day would involve:

- Manual cleaning of major marine growth by qualified divers overseen by the NSW Department of Primary Industries (NSW Fisheries) representatives (Council would be required to obtain a Licence from NSW DPI);
- Presentations by the NSW Department of Primary Industries, Council and Oceanworld on the Manly seahorse population;
- A community education day with a variety of marine ecology displays including Council based information (Manly Cove Coastline Management Plan consultation), NSW Department of Primary Industries Fishcare Trailer and sausage sizzle.

**Corporate Planning And Strategy Division Report No. 53 (Cont'd)**

In addition, those present at the meeting are clear on the process to date and concur that Council has approached the issue responsibly in the best interest of the seahorse population. Work in finalising an agreed work method statement to clean the net is ongoing and is hoped to be finalised over the coming weeks. Protection of the resident seahorse population on the net is paramount in the method to be finally recommended.

**RECOMMENDATION**

It is recommended that Council:

1. Hold a "seahorse awareness" event as part of Ocean Care Day celebrations held Sunday 3 December 2006, in conjunction with the NSW Department of Primary Industries (NSW Fisheries), Oceanworld, dive media and local dive operators;
2. Request a further report outlining the proposed method statement for cleaning the Manly Cove netted swimming enclosure be presented to Council for consideration in the near future, once negotiations are complete with the NSW Department of Primary Industries.

**ATTACHMENTS**

There are no attachments for this report.

OM161006CPSD\_2

\*\*\*\*\* End of Corporate Planning And Strategy Division Report No. 53 \*\*\*\*\*

**TO:** Ordinary Meeting - 16 October 2006  
**REPORT:** Corporate Planning And Strategy Division Report No. 54  
**SUBJECT:** East West Cycleway Link - Report on Community Consultation  
**FILE NO:**

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## SUMMARY

In February 2006 a report entitled '*Cycle Path Options for East-West Cycleway – Manly to Balgowlah*' was presented to Manly Council by Manidis Roberts Consultants. The report presented a number of options to complete part of the "Missing Link" in the east-west bicycle route between Manly Cove and Balgowlah. Specifically, the report focuses on the area between the junction of the Scenic Walkway and Lauderdale Ave and Bolingbroke Parade.

Subsequently, on 29 March 2006, Council convened a meeting of interested stakeholders to discuss the report with a view to attaining general agreement on a preferred option. An '*Addendum to Report – April 2006*', completed by Manidis Roberts Consultants summarising the outcomes of this meeting, was then put on exhibition and community consultation invited.

This report recommends Council approve implementation of the preferred option, subject to funding.

## REPORT

The '*Addendum to Report – April 2006*', in part, made the following conclusion:

*'There is broad approval for Option 3b, a shared pedestrian-bicycle path on the southern side of Lauderdale Avenue, given that initial surveys show it would be feasible, and cause minimum impact.'*

Following the exhibition period, sixteen responses were received from the public responding to the above conclusion, twelve in support, two against and two supporting other options in the original report.

A grant application to the Sharing Sydney Harbour Access Program, completed in July 2006, for shared funding of Option 3b, is still under consideration. Advice received from the Grant Program's Management Team is that it is anticipated that successful grant applicants will be notified in November 2006. Subject to a successful funding grant, construction of the 'Shared Path' could commence in early to mid 2007.

Should implementation of the 'Shared Path' be undertaken, it is considered necessary to convert the existing footpaths that run along the foreshore between the Art Gallery and Manly Ferry Wharf, and between Manly Ferry Wharf and Victoria Parade, to 'Shared Paths'. This will allow for an uninterrupted off-road travel path for cyclists, together with pedestrians, from the proposed East-West Link to Manly Ferry Wharf and on to the recently implemented on-road cycle lanes in Wentworth Avenue and off-road path in Victoria Parade. Cyclists will then be enabled to access the 'Shared Path' on the Manly Beach front and will be encouraged to bypass The Corso given the existing off-road facilities in Wentworth Avenue and Victoria Parade.

The costs associated with this upgrade are minor given that the implementation of signage and line marking at regular intervals is all that is required. With respect to pedestrian safety on these paths being reduced due to the presence of cyclists, the significant footpath widths of six metres between the Art Gallery and Manly Ferry Wharf and four metres between Manly Ferry Wharf and Victoria Parade, are considered suitable to safely accommodate both pedestrians and cyclists, even in the summer peak.

**Corporate Planning And Strategy Division Report No. 54 (Cont'd)**

Further, at these two locations access to the Manly Cove beachfronts is generally restricted to a number of stair cases leading down to the sand. At these locations, potential conflicts could be further minimised through additional signage and line marking to alert all path users.

**RECOMMENDATION**

It is recommended that, subject to obtaining a sign off from the Precinct, Council:

1. Approve the implementation of Option 3B from the '*Cycle Path Options for East-West Cycleway – Manly to Balgowlah*' report (Feb 2006), subject to a successful funding grant from the Sharing Sydney Harbour Access Program;
2. Approve the implementation of 'Shared Path' signage and line marking on the existing six metre wide footpath between the Art Gallery and Manly Ferry Wharf and the four metre wide footpath between Manly Ferry Wharf and Victoria Parade, in order to provide cyclists with an uninterrupted off-road facility between the proposed East-West link, Manly Ferry Wharf and Manly Beach;
3. Write to the parties who made submissions, thanking them for their comments and informing them of Council's resolution.

**ATTACHMENTS**

**AT- 1** Summary of responses to East West cycleway link 2 Pages

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\*\*\*\*\* End of Corporate Planning And Strategy Division Report No. 54 \*\*\*\*\*



**Corporate Planning And Strategy Division Report No. 54 - East West Cycleway Link - Report on Community Consultation**  
**Summary of responses to East West cycleway link**

**Manidis Roberts Report on Proposed East-West Cycleway Link – Public Exhibition**  
**Summary of Responses**

<b>Respondent</b>	<b>Comments</b>
1	<b>In favour</b> – traffic travels extremely fast around this very bendy road. As a parent I frequently cycle with my children into Manly along the southern footpath of Lauderdale Avenue and very rarely meet a pedestrian, I guess most people choose to walk on the Scenic Walkway.
2	<b>In favour subject to conditions/comments</b> – Council must enforce cycle ban on the Scenic Walkway rigorously. Safety concerns due to vehicles exiting driveways colliding with cyclists and pedestrians. Pedestrians would be at risk from cyclists on the path. Widening footpath could lead to severe loss of amenity for some residents and result in the loss of trees and nature strip, having a resulting negative visual and environmental impact.
3	<b>In favour</b> – I live on Lauderdale Ave and cycle into Manly most days. I have had many near collisions with motor vehicles and have also been knocked off my bike. I am a committed environmentalist and cycle wherever possible. This proposal will encourage cycling and can make a real difference to a household's greenhouse gas emissions.
4	<b>In favour</b> – There is currently no safe option for cyclists to travel from Balgowlah to Manly. We must take action to care for our children and having just viewed Al Gore's film, 'An Inconvenient Truth', I can say that we must take action to help restore environmental balance.
5	<b>In favour</b> – We would like to be able to cycle into Manly on either the Scenic Walkway or on a proper path on Lauderdale Ave. This is currently how we ride to school in Manly but it is very dangerous and actually scary in sections. Please provide a safe and effective pathway for cyclists to use to ride into Manly.
6	<b>In favour</b> – the proposal is a critical missing link in the Manly Bike Plan. Proposal is commended and should proceed with expedition.
7	<b>In favour</b> – The existing footpath used by my children along the southern side of Lauderdale Avenue is appalling; there are steps and missing sections. Recently, I was hit by a motor vehicle whilst cycling on Lauderdale Avenue on my way to pick up my children from school, despite my height of 6 foot and a yellow safety cycling jacket that I was wearing. My children and I enjoy cycling, they see more and we chat more as we cycle. I've lost 10kg since I stopped driving.
8	<b>In favour</b> – The existing situation of being required to ride on Lauderdale Avenue gives my family no alternative other than to drive to Manly several times a day. I am sure many families will take advantage of cycling in and around Manly and any move to allow for safer cycling would aid this. With summer approaching, I am sure a lot of school runs could be converted to bike runs if safe cycleways were available.

**Corporate Planning And Strategy Division Report No. 54 - East West Cycleway Link - Report on Community Consultation**  
**Summary of responses to East West cycleway link**

**Manidis Roberts Report on Proposed East-West Cycleway Link – Public Exhibition**  
**Summary of Responses, cont**

<b>Respondent</b>	<b>Comments</b>
9	<b>In favour</b> – Having recently purchased a bicycle, I have experienced first-hand the difficulties of riding it safely. I have enjoyed the sense of security on the existing designated cycleways in the area. Council's proposal would greatly improve the quality of life for Manly citizens in general by reducing vehicular traffic and emissions.
10	<b>In favour</b> – The existing footpath has some narrow sections and is dangerous. Cars are bad for the environment and finding a car space is boring. I wish there were bikes instead of cars.
11	<b>In favour</b> – The existing network of on-road cycle paths requires that cyclists travel 6km to get from King Avenue to Manly, even though this trip along Lauderdale Avenue is only 2km. Why can't there be a safe way that's quicker? I saw the film on global warming last week and I'm really worried about it. Please give us a safe way to cycle so we don't have to hurt the environment when we go to Manly.
12	<b>In favour</b> – a win-win situation; safe access for cyclists into Manly and bicycles removed from the Scenic Walkway. This is another Council initiative that reduces congestion and greenhouse gas emissions.
13	<b>Against</b> – Supports an integrated link between Balgowlah and Manly that would be a tourist attraction for Manly. One that extends into the sea from the corner of the aquarium and joins to the ferry terminal. Compromised design and accommodating minorities leads to a half-baked initiative that ends up with everyone unhappy. I support a path for pedestrians and cyclists (separated) that is by the sea along the existing route, not one that deviates to Lauderdale Avenue.
14	<b>Against</b> – A gross waste of money. The existing Scenic Walkway is suitable for use as a Shared Path. Spend your scarce resources fixing up potholes instead.
15	<b>Against</b> – only supportive of a fully Shared Path for the full length of the Scenic Walkway. Manly residents and Council should make a serious commitment to promoting and using Active Transport. Shared Paths work throughout Australia and the world, why not in Manly? For each pedestrian frightened by a cyclist, there are many cyclists frightened, injured or killed by motor vehicles. The biggest benefit of this alternate option is the low cost.
16	<b>Against</b> – The proposed Shared Path will only benefit a small percentage of the community. The existing footpath is narrow and we doubt it can be successfully widened to safely accommodate pedestrians and cyclists. The reduction in road width on Lauderdale Avenue will have serious traffic flow implications. Substantial parking problems already exist, the proposal will exacerbate this. When a collision is imminent, the only escape route for pedestrians and cyclists will be to travel onto the road. The proposal is not an efficient use of limited Council funds.

**TO:** Ordinary Meeting - 16 October 2006  
**REPORT:** Environmental Services Division Report No. 64  
**SUBJECT:** 52-54 Wanganella Street, Balgowlah  
**FILE NO:** DA235/06

**Application Lodged:** 9 June 2006  
**Applicant:** Equiset Services Sydney Pty Ltd  
**Owner:** Trustees of Catholic Church  
**Estimated Cost:** \$3.2 million  
**Zoning:** Manly Local Environmental Plan, 1988 - Part Zone No 5 - Special Uses 'School and Church' and Part zone No 2 - Residential  
**Surrounding Development:** Single and Multiple residential dwellings  
**Heritage:** Listed as an Item of Environmental Heritage in the Manly LEP - schedule 4

### **SUMMARY:**

1. DEVELOPMENT CONSENT IS SOUGHT TO DEMOLISH PARISH HOUSE, ERECT TEACHING AND ADMINISTRATION BUILDING AND ALTERATIONS AND ADDITION TO EXISTING ST CECILIA'S CATHOLIC PRIMARY SCHOOL.
2. THE APPLICATION WAS NOTIFIED TO THE ADJOINING PROPERTIES AND ADVERTISED IN THE MANLY DAILY INVITING SUBMISSIONS FROM 26 JUNE 2006 AND 10 JULY 2006. SIXTEEN (16) SUBMISSIONS OBJECTING TO THE DEVELOPMENT HAVE BEEN RECEIVED.
3. THE APPLICATION WAS REFERRED TO COMMUNITY PRECINCT AND COMMENTS RECEIVED FROM THE NORTH HARBOUR AND CLONTARF PRECINCT COMMUNITY FORUMS.
4. THIS APPLICATION IS PRESENTED TO THE LAND USE MANAGEMENT MEETING BY COUNCILLORS LAMBERT AND MACDONALD.
5. SITE INSPECTION IS RECOMMENDED.
6. THE APPLICATION IS RECOMMENDED FOR CONDITIONAL APPROVAL.

### **LOCALITY PLAN**

Shaded area is subject land.



### **REPORT**

#### **Introduction**

The subject site has street frontages to Wanganella Street, White Street, Seaview Street Balgowlah respectively on the west, north and eastern frontages of the site. The site also directly

**Environmental Services Division Report No. 64 (Cont'd)**

adjoins residential properties to the south known as 52 Wanganella Street and 57 Seaview Street Balgowlah. The site is currently accessed via Wanganella Street and Seaview Street.

The site currently contains a number of buildings including Church, school hall, classrooms and parish house.

Development consent is sought to demolish the parish house, erect a new teaching and administration building and alterations and addition to existing St Cecilia's Catholic Primary School

In detail the proposed development comprises the following.

- Refurbishment and conversion of the single storey building from classrooms to community rooms
- Demolition of the enclosed corridor between the two storey and the single storey building (proposed community uses) fronting Wanganella Street
- Demolition of 'Parish house' at No 59 Seaview Street
- Demolition of the two storey administration and toilet block
- Replacement of the above buildings with a teaching and administrative building
- Demolition of external stairs on the northern elevation of the two storey building fronting Wanganella Street

Following consideration of the development application at Council's Development Assessment Unit on 5 October, 2006, Council Staff met with the Applicant, Architect, Planners and Church representatives on 9 October, 2006, to discuss issues and recommendations arising from the DAU's deliberations.

**Development Control Plan Numerical Assessment**

The following is an assessment of the proposal's compliance with the numerical standards of the Residential D.C.P. While the site is only part zoned Residential No. 2 a justification for applying this plan to the development site is provided in Planning Comments. Detailed consideration of the proposed standards is also included in the Planning Comments.

	<u>Permitted/ Required</u>	<u>Proposed</u>	<u>Complies Yes/No</u>
Floor space ratio	0.5:1	0.53:1	No (Yes by condition)
Wall height South side	6.9m	5.8- 7.2m	Yes, on average
Roof height	3.0m	3.0m	Yes
Setback Front (Seaview St- new building)	6m	6m	Yes
South side setback	2.3m	3.6m to 57 Seaview St	Yes
<b>Car Parking – Residents</b>	6 spaces existing	8 spaces	Yes, based no increase in students or staff

**Environmental Services Division Report No. 64 (Cont'd)****Applicant's Supporting Statement**

In support of the application the applicant has submitted a Statement of Environmental Effects, prepared by Planning Workshop Australia; a Heritage Impact Statement prepared by John Graham & Associates, Traffic Report prepared by Colston Budd Hunt & Kafes, Environmental Noise Impact Assessment for New Teaching and Administration Block and renovations to staff and teaching block prepared by Renzo Tonin and Associates, Hydraulic and Fire Services Report prepared by the LHO Group

**Submissions**

In response to the notification and advertising, sixteen (16) submissions were received objecting to the development. One (1) submission is unsigned but identified as a response to the DA 'compiled by the affected residents of Seaview, White, Audrey and Wanganella Streets Balgowlah'. One (1) submission also refers to a community forum held on 15 July 2006 in relation to the proposed development. Concerns raised in all received submissions include the following:-

**Traffic and Parking**

- Concern that the proposed additional teaching building would result in a larger intake of students and a resultant additional traffic impact in Seaview, White and Wanganella Streets.
- Potential traffic congestion is a concern in light of existing difficulties experienced by neighbours in getting in and out of driveways during school hours including poor visibility from the amount of cars parked and illegal parking.
- The drive off the street parking is not considered to be in keeping with the streetscape and considered a child safety issue including the proposed perpendicular parking for two cars across the Seaview St frontage and its relationship to the footpath.
- Addition of 'no parking' signs in vicinity of school not considered to be a satisfactory solution and extent of existing bus zone considered to occupy more of the kerb than is necessary.
- Potential loss of residents kerbside parking available to residents as a result of school expansion.
- Increase in onsite facilities for parent pick-up/drop off suggested as well as a suggestion for on onsite parking bay fronting the church/school for buses, wedding and funeral vehicles.
- Insufficient attempt to address existing and potential increased traffic management issues in the development.
- Improvement to the existing situation is considered to be warranted with the proposed development having regards to existing problems.
- Inadequate parking for staff considering various delivery vans and tradespersons and occasional educational caravans.
- The new proposed access to the school in Seaview Street is considered to introduce an unacceptable extension of currently unacceptable practices of parent pick-up and drop-off with double parking.
- Insufficient provision of additional onsite parking (2 proposed).

The new 2 storey/2 and a half storey building to replace existing cottage at 57 Seaview Street.

- New development is taller than the surrounding environment and creates excessive overshadowing including loss of early morning sunlight to 50 Wanganella Street.
- The proposed footprint, floorspace and lack of open space represent an overdevelopment of the land currently zoned residential.
- Lack of aesthetic appeal.
- Adjoining units are not typical of the area where such housing type is limited in the area.
- Concern in relation to precedent of overdevelopment in the areas generally.

**Environmental Services Division Report No. 64 (Cont'd)**

- A reorientation of the building at 90 degrees to the existing building suggested to better minimise its impact on neighbours to the south rather than the proposed continuation of a long building through to Seaview Street (ie suggests a north west orientation rather than the proposed east west orientation)
- School building should be located on the school zoned land - not residential
- Template of building sought
- Heritage value of the 'Parish House' to be demolished should be recognised and it is considered that the building should be considered for heritage listing on the assessment of significance prepared with the application.

**Noise**

- The applicant's noise assessment is only based on existing student numbers and does not consider the noise effects of any increase in students.
- In relation to alterations and additions to 52 Wanganella the location of entrances on the southern side is considered to result in potentially excessive noise impact
- Change of use of 57 Seaview Street from cottage to school use considered to have adverse effect on the enjoyment of the neighbouring property and acoustical privacy particularly if windows are opened.
- Impact of proposed air-conditioning units on the southern side.
- Noise impacts from the north facing veranda on 57 Seaview St considered likely to be particularly busy space and generate noise.
- Lack of intended soundproofing or double glazing of windows.

**Privacy**

- Loss of privacy from windows in the new 2 storey building

**General**

- Lack of pre Lodgement consultation with residents
- Loss of heritage value in Seaview street with proposed demolition works
- Concern about future expansion plans referring to the applicants' 'additional community room' which lists various uses but state 'but not limited to' such uses. Suggestion that the 'community rooms' would be used for evening classes to 10 pm at night are raised in submission but not referred to in the application
- Loss of views
- Inadequate consideration of stormwater management given the extent of hard surface areas and considered lack of onsite detention. Reuse of water sought particularly in relation to increased toilet facilities
- In relation to alterations and additions to 52 Wanganella from 3 classrooms to 2 rooms with toilet and kitchen it is suggested that a better use would be for the library or upgraded staff rooms and would allow the new two storey building to be reduced in size. Also in relation to this building the location of the entrance on the southern side is considered to result in potentially excessive noise impact and security problems if used in the evenings.
- Use of the areas between the church and school building considered better suited for toilet block or parking (proposed passive play area) as considered to currently be a wind tunnel and not suitable for a play area. Alternatively a play area on 59 Seaview St considered to have less impact on neighbours
- Loss of property Value
- Design of fencing between 57 and 59 Seaview Street considered to further enclose present outlook
- Bin location in Seaview Street considered unsightly in street and impact on neighbours in respect of odours and noise at collection times. The existing dropping of rubbish in and around the school is also noted

**Environmental Services Division Report No. 64 (Cont'd)**

## Landscaping

- Lack of detail in respect of planting between 59 Seaview Street and the neighbouring property given potential to block sunlight, will they grow quick enough to be effective screen and will they cope with being shaded on the south side.
- Loss of a tree for the northern verandah (57 Seaview Street)
- One of the plants proposed to be retained at 52 Wanganella Street has died and another is suffering requiring review of the landscaping plan

Community Meeting- a submission summarises a meeting held on site with about sixty (60) persons attending with the following concerns raised

- Impact of the proposed new building on the amenity of the occupants of the adjoining block at 57 Seaview St
- Impact on the Seaview Street streetscape
- Potential increased traffic problems in the street surrounding the school
- Lack of full community consultation

**Precinct Community Forum Comments**

The application was discussed at the North Harbour Precinct Community Forum on the 6th July 2006 and the following comments received:

"Eileen & Grace presented for the DA. One Stream School. Facilities to be built are to improve the amenities for the children and to provide more consistent architectural style. No increase in students. Current capacity remains the same 210 pupils – 25 below capacity. Trees to be planted around the perimeter.

Ray Coulson (spoke on behalf of Seaview residents) against the DA.

Residents concerns re traffic management, parking, noise levels from the building, design doesn't work for the location, privacy issues and light issues for surrounding dwellings, view from surrounding houses impeded, rainwater tanks for toilet use ie incorporate some environmental friendliness.

Ray Coulson put **Motion** to reject the current proposal on the grounds of traffic management, loss of view, unsympathetic buildings, loss of sunlight, parking issues, location on site should be horizontal.

Seconded by Jenny Mc Namara

For the Motion 12 - Against 1 - Abstain 5.

**Chairman's Note** The meeting was strongly represented by local residents. On the other hand, aside from the presenters the school was not represented at all!

Meeting of residents and school committee occurred on July 8. Discussions between residents, school and Council are ongoing

The application was also discussed at the Clontarf Precinct Community Forum on the 5th July 2006 and the following comments received:

"The Parish house is zoned residential and is to be replaced by a 2 storey classroom together with removal of 2 large trees. Residents are concerned that the building will be overshadowing neighbouring properties with loss of green space, privacy and views, and that the design is not sympathetic with the local character. Traffic and parking are already a major concern causing

**Environmental Services Division Report No. 64 (Cont'd)**

considerable inconvenience to the neighbours. If in future the capacity of the new building were to be used to increase student number, traffic and parking issues would be even worse.

Motion proposed by Walter Giles, Seconded by Neil Padden. "The Parish House is zoned residential and no case id given for rezoning to special use.

The general streetscape is single storey; the block of apartments at 57 Seaview Street is an unfortunate exception and should not be allowed to become a precedent for large buildings in this area.

The applicant states that there will be no increase in student numbers, but, if approved, the infrastructure could support increased numbers, which would bring increased parking problems and traffic issues.

The Precinct is concerned by the scale and bulk of the proposed building, and the loss of amenity to the neighbours through shadowing and loss of views".

Clontarf Precinct - Unanimous

North Harbour Residents 6 votes in favour.

**Engineers Comments**

No objections, subject to conditions contained within the Recommendation.

**Traffic Engineers Comments**

*Pedestrian Access:* There are no proposed changes to pedestrian access for the school students to the subject site.

*Vehicular Access:* The proposal details two modifications to the existing two (2) vehicular access pints to the subject site these are as follows:-

*Wanganella Street:* It is proposed to consolidate the two 3.0m wide access driveways to one 6.0m wide driveway allowing entry and exit.

*Seaview Street:* It is proposed to widen the existing 3.0m wide driveway to 6.0m.

**RECOMMENDATION**

That the applicant be allowed to consolidate the two 3.0m wide access driveways on Wanganella Street to one 6.0m wide driveway allowing entry and exit.

Further that; the applicant be allowed to widen the existing 3.0m wide driveway on Seaview Street to 6.0m.

**Building Officer Comments**

No objections to the proposed alterations and additions to a Class 9(b) school requiring type B construction from a building point of view, subject to conditions contained within the Recommendation.

The Environmental noise impact assessment compiled by Renzo Tonin & Associates has also been assessed and the following considerations raised:



**Environmental Services Division Report No. 64 (Cont'd)**

1. The use of the classrooms near the boundary of 57 Seaview Street – if they are used for noisy activities (such as music) there may be intrusive or offensive noise transmitted to the residences in 57 Seaview Street.
2. The volume, location and frequency of any bells used.
3. Noise created by any activities after traditional school hours.

Further, the noise report concluded that *“all classroom windows on the southern façade remain closed”*. At this a mechanical ventilation assessment has not been carried out to see if this is a suitable solution. If the windows are to remain closed this may require addition mechanical venation that may lead to an increase in the plant noise – this will then need to be controlled. In relation to the assessment of noise in relation to this application it is considered that a cap has to be placed on the number of students, staff and people attending after hour activities.

**Landscape Officer Comments**

A Brush Box (*Lophostenon Confertus*) located adjacent the existing court approximately 8-10 m in height should be retained within the proposal.

A paperbark (*Melaluca Quinguinerinia*) approximately 6m in height is in reasonable condition and its removal is to be subject to the replacement of a suitable endemic tree on the existing Seaview Street frontage.

**Heritage DA Sub- Committee Comments**

The application was discussed at the DA Sub- Committee of the Heritage Committee on the 2nd August 2006 and the following comments received:

"The proposal has minimal heritage Significance"

**Heritage Advisor Comments***Heritage Status:*

Heritage Item: Yes  
(an item of environmental heritage in Manly Local Environmental Plan 1998 Schedule 4)  
Vicinity of heritage Item: Yes

*Description of Site/Buildings(s):*

St Cecilia's Church and Primary School is located on a corner site in a residential area with street frontages to Wanganella Street to the west, White Street to the north and Seaview Street to the east. Three (3) brick buildings zoned special uses front Wanganella Street. They are: a single storey building; a two storey building and the double height church. The school playground is located on the corner of White and Seaview Street. A single storey residential building known as the 'Parish House' fronts Seaview Street.

*Proposal*

The proposal is to refurbish and construct additions to the St Cecilia's Primary School to improve the facilities and learning environment. It is to include:

*Compliance with Heritage Controls*

Manly Local Environmental Plan 1988 cl 18, & 19  
Manly Development Control 2001 cl 3.11  
Australian ICOMOS, The Burra Charter

**Environmental Services Division Report No. 64 (Cont'd)***Assessment of Heritage Impact*

*Refurbishment and conversion of the single storey building fronting Wanganella Street from classrooms to community rooms and the demolition of the enclosed corridor between the two storey and the single storey building.*

*Comment*

While there are no objections to the proposed alterations and use of the single storey building it is considered that the site of the single storey is relatively under utilised. The applicants have submitted one option in the submitted application that will result in: the demolition of a residential building that is historically linked to the Church and contributes historically and aesthetically to the existing area; the formation of a two storey building 65mts long that due to its length and massing does not enhance the heritage listed Church; and a site that is relatively unutilised.

An application for an area of this size needs to demonstrate that a thorough analysis has been undertaken and that all options for the whole area have been considered

*Demolition of 'Parish House' at No 59 Seaview Street**Comment*

The Parish House is located on the western side of Seaview Street between the playground and a three storey block of flats. The single storey bungalow constructed in the 1920's is of face brick and pebbledash on a sandstone base. The Parish House was purchased in 1955 by the Church in the same year that St Cecilia's Church was constructed. The building is relatively intact even though there have been alterations and additions to the building to accommodate the use as a presbytery.

Although the building of the Parish House contributes historically and aesthetically to the residential area its significance is such that it is not listed as an item of heritage significance. The Heritage Impact Statement in assessing the cultural significance of the Parish House indicated that it contributed to the overall significance of the heritage listed St Cecilia's Church. However it concluded that demolition is acceptable to 'ensure continued operation of the school' and 'will have no negative effects on the heritage listed church at the corner of Wanganella and White Street'.

The initial use of the Church site was a playground for the adjoining church-school constructed in 1930. As the church and school are intrinsically linked it is considered that the proposal to demolish the Parish House to enable redevelopment to ensure continued operation of the church-school is acceptable if options for its retention have been explored.

*Demolition of the two storey administration and toilet block and the external stairs.**Comment*

The two storey administration and toilet block is located at the rear of the two storey brick building adjacent to the heritage listed Church. This building was the original church-school building constructed in 1930. A first floor level was added in 1960 and the administrative and toilet block added to the rear in 1978. It is considered that the proposed demolition of the administrative and toilet block and the external stairs to the north will not have a detrimental impact on the building or on the Church.

**Environmental Services Division Report No. 64 (Cont'd)**Replacement of the above buildings with a teaching and administrative building*Comment*

Approval is sought for the replacement of the Parish House and the administration and toilet block with a two storey building that will extend west and connect with the two storey brick building fronting Wanganella Street. The proposal will read as one long two storey stepped building that extends from Wanganella Street to Seaview Street.

The Statement of Environmental Effects stated in its conclusion that 'the proposed works will not have any detrimental impacts on adjoining properties as they are sufficiently setback from the southern boundary and suitably screened and the materials chosen have been designed to blend in with the surrounding residential context'. The Heritage Impact Statement stated that the proposed two storey brick building 'will have no negative effects on the heritage listed church at the corner of Wanganella and White Street'

- Seaview Street façade

The Parish House is a single storey residential building with a complex roof form that contributes architecturally and historically to the existing residential area. It is situated between a three storey block of flats (an exception within the context of the relatively low residential area) and the school playground.

The proposed brick building fronting Seaview Street retains the existing front setback and provides two (2) car spaces within the front setback. As the land slopes from the west to the east the building from the Seaview Street will read as a two and a half storey building. A single gable roof is proposed with a central projecting box to the façade.

Although the building is within the vicinity of the church it is considered that the façade fronting Seaview Street should relate to the existing residential streetscape. Further improvements could be made to the façade fronting Seaview Street.

These include:

- Reducing the height of the building by reconsidering the roof design
- Articulate the relatively flat façade;
- Incorporate the stairs to the first level into the overall building form;
- Remove the carparking in front of the building by providing parking partly below ground level; and
- Clarify the height, materials and details of the proposed store and its impact on the streetscape

- Northern façade

The existing two storey building with the administrative and toilet block addition in 1978 is a fairly dominant element adjacent to the Church. It is proposed to extend the gable over the lift and corridor and to step the building down a metre and to continue the two storey built form to Seaview Street. The building length will total 65mts.

To reduce the impact on the Church it is recommended that:

- The length of the building is broken down, for example by reducing the height of the extended roof and stepping the lift in from the line of the existing and proposed building.

*Conclusion*

While there are no objections to the proposal in principle it is considered that:

- An application for an area of this size needs to demonstrate that a thorough analysis has been undertaken and that all options for the whole area have been considered

**Environmental Services Division Report No. 64 (Cont'd)**

- The proposal to demolish the Parish House to enable redevelopment to ensure continued operation of the church-school is acceptable if options for its retention have been explored.
- The proposed demolition of the administrative and toilet block and the external stairs to the north will not have a detrimental impact on the building or on the Church.
- If Council considers recommendation further improvements should be made to the façades.

These include but are not limited to:

Seaview Street.

- Reducing the height of the building by reconsidering the roof design
- Articulate the relatively flat façade;
- Incorporate the stairs to the first level into the overall building form;
- Remove the carparking in front of the building by providing parking partly below ground level; and
- Clarify the height, materials and details of the proposed store and its impact on the streetscape Northern façade
- The length of the building is broken down, for example by reducing the height of the extended roof and stepping the lift in from the line of the existing and proposed building.

**Planning Comments****Site and location description**

The subject site has street frontages to Wanganella Street, White Street, Seaview Street Balgowlah respectively on the west, north and eastern frontages of the site. The site also directly adjoins residential properties to the south known as 50 Wanganella Street and 57 Seaview Street Balgowlah.

The site contains a number of buildings associated with existing church and school.

The site has an area of 4594m<sup>2</sup> comprising various lots. The existing and proposed development functions as an integrated site and new building work is proposed across lot boundaries on the site. In this regard conditions for lot consolidation are recommended.

Development in the surrounds comprises predominantly single dwelling houses, a Residential Flat building adjoining the site to the south as well and multi unit development to the north across White Street.

**Planning Controls & Compliance Assessment*****Manly LEP 1988***

The site is predominantly located in Zone No. 5 - special uses and the property known as 57 Seaview Street (occupied by a cottage building) is located in zone No. 2 – The Residential Zoned land is used in association with the church/school.

The existing and proposed development is permissible with consent in both the special uses and residential zone. The proposal is considered satisfactory in response to the relevant objectives of the zones, with potentially adverse amenity impacts to neighbouring properties, streetscape and road network identified and considered within this report and addressed by conditions.

Pursuant to clauses 18 and 19 of the Local Environmental Plan the status and significance of the existing church building as a heritage item is recognised and assessed by Council's Heritage Advisor. Having particular regard to the heritage significance of the heritage item (church) and its setting as well as proposed development in the vicinity of the item a number of amendments are sought to the design of the new Teaching and Administration building. The recommended

**Environmental Services Division Report No. 64 (Cont'd)**

amendments are considered an appropriate response to heritage as well as the Seaview Street streetscape which is recognised in resident submissions as reflecting heritage values. Accordingly conditions are contained in the recommendations of this report requiring amended plans reflecting concerns and issues of the Council's Heritage Advisor. Such amendments are to be to Council's satisfaction prior to the activation of any consent ('deferred commencement') and include roof height reductions to Seaview Street and along the length of the building, additional façade articulation and incorporation of stair and parking into building form (basement level). Subject to amended plans as recommended the application is considered to be a satisfactory response to the LEP listed heritage of the church and its setting as well as the streetscape significance in the vicinity.

***Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005***

The site is partly located within the foreshore area affected by this policy. The proposal is considered to satisfy the relevant objectives of this SREP, such that it is considered acceptable from the perspective of visual impact and neighbour amenity to the extent of considerations and recommendation of this report..

**Residential DCP** – The Development Control Plan for the Residential zone 2001 amendment 1 applies to part of the site zoned residential known as 59 Seaview Street and it also considered an appropriate planning tool and future planning direction in assessing the remainder of the site. Council's Strategic Planners advise that in future planning reviews of the LEP zones that the Department of Planning seek to remove schools and churches from the special uses zone and place them entirely within the residential zone (in which they are already permissible uses). On this basis the future zoning of the entire site would be residential. Accordingly the total site is assessed under the Residential Development Control Plan as follows and with particular regard to development requirements for floor space ratio, height, setback, streetscape, overshadowing, parking and access and stormwater

**Floor Space Ratio (FSR):** The proposed fsr for the site reflects a density of buildings consistent and in scale with the existing and desired character of the locality. The plans before Council currently reflect a 0.03 variation to the DCP FSR control and conditions of consent which require further floorspace reductions to the new building will reduce FSR to full technical compliance.

**Height:** The height of the proposed new Administration and Classroom Building is two storeys and while a predominance of 1 and part 2 storey dwellings is recognised in the street the presence of two storey dwellings including residential flat buildings are not considered uncharacteristic of the streetscape. In relation to wall and roof height controls the development is considered satisfactory and satisfies the objectives of the controls.

**Setback:** Council's setback controls are a particular consideration in relation to the siting of the new building in relation to the Seaview Street frontage as well as the south side boundary adjoining no 57 Seaview Street.

The length of the new building along the southern boundary of the site is not considered to be consistent with the local context. In this regard the core envelope of the new building is some 39m in length also noting its attachment to an existing building extenuating this length further. The adjoining residential property to the south is some 27m in length. While the proposed 3.7m setback is an improvement on the buildings to be demolished ('Parish cottage' setback 2.5m and rear of 'Hall' setback 1.5m) the continuous length of the building is considered to accentuate its bulk. In this regard the design modification sought in relation to the new building are to include improved articulation to Council's satisfaction by conditions of this report.

Other setbacks reflect existing conditions are considered to comply with the controls.

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*Open Space:* The extent of open space is not considered to be significantly changed and satisfies the Development Control Plan standards in the DCP do not apply to non-residential development. The development is however considered to satisfy the objectives in respect of enhancing the amenity of the site. The proposed open space areas are not considered to detrimentally impact the amenity of the streetscape and surrounding areas with new planting and more detailed planting and details sought by condition

*Streetscape and Heritage:* Recommended amendments contained in the Heritage Officers report are also considered to appropriately address development requirements 3.9 and 3.11 in respect of Streetscape, fences and walls. The streetscape of Seaview Street is to be improved with façade and roof modifications to the new building as well as relocation of parking in the front setback to a basement level. Recommended design detail for bin areas is also sought and opportunity available for these structures to be also located in such a basement.

*Overshadowing:* The proposed development complies with the Residential Development Control Plan standards for the minimisation of shadow effects. In this regard the minimum number of hours to neighbours living room windows required at a mid winter period is two (2) hours and the proposal retained a minimum three (3) hours. While open space areas on the adjoining residential property are predominantly concrete surfaces area the degree of shadow to these areas including the existing rear drying year satisfies the Development Control Plan controls.

*Parking And Access:* Council's assessment of parking and access by its Traffic and Transport Manager concludes that the proposed new driveway access ways are either a consolidation or widening of existing driveways and are satisfactory. It is also noted that there are no proposed changes to pedestrian access for the site. Opportunities to address the management of existing traffic, parking and safety issues for the site are appropriately required in recommendations to this report.

In relation to proposed parking for two (2) vehicles off Seaview Street, community concern is raised in respect of their appropriateness in terms of vehicular and pedestrian management and safety. An alternate basement location for these spaces is also recommended for improvement to the streetscape. While such an arrangement is sought by Councils' specialist staff some traffic benefit is also recognised in general planning terms, enabling the pedestrian and vehicle movements to be further separated.

*Stormwater:* Council's Design Engineer's Assessment recommends onsite detention and comprehensive Stormwater management for the site. Conditions of any approval reflect these recommendations and are generally consistent with matters raised in resident submissions in this regard.

*Objectives of Development Control Plan:* The proposals satisfies the key objectives of the Residential Zone as follows:-

(a) *to set aside land to be used for purposes of housing and associated facilities;*

The site is partly zoned residential and partly zoned special use- school and church. The development is permissible in both zones and is satisfactorily assessed in the context of the surrounding residential zone.

(b) *to delineate, by means of development control in the supporting material, the nature and intended future of the residential areas within the Municipality;*

Council's Residential DCP, Access DCP, Waste Minimisation and Management DCP have all been considered in the assessment of the proposal and subject to conditions.

**Environmental Services Division Report No. 64 (Cont'd)**

- (c) *to allow a variety of housing types while maintaining the existing character of residential areas throughout the Manly Council area;*

The proposed development is considered compatible with the character of the surrounding residential locality subject to conditions particularly in relation to the Seaview Street façade of the new building.

- (D) *to ensure that building form, including alterations and additions, does not degrade the amenity of surrounding residents or the existing quality of the environment;*

The design of the development is considered to maintain acceptable levels of neighbour's amenity in terms of privacy, views, overshadowing and visual impact.

- (e) *to improve the quality of the residential areas by encouraging landscaping and permitting greater flexibility of design in both new development and renovations;*

The proposal has been reviewed by Council's Landscaping Officer as being acceptable under conditions.

- (f) *to allow development for purposes other than housing within the zone only if it is compatible with the character and amenity of the locality compatible with the character and amenity of the locality*

The proposed development as recommended with conditions in respect of the design of the new building, a more detailed landscaping plan and a management plan in respect of traffic, parking and safety is considered compatible with the character and amenity of the locality.

- (g) *to ensure full and efficient use of existing social and physical infrastructure and the future provisions of service and facilities to meet any increased demand;*

The proposal is not considered to result in any increase in demand on services and facilities.

- (h) *to encourage the revitalisation of residential areas by rehabilitation and suitable redevelopment.*

The proposed redevelopment of the school/church site is considered to complement the site and surrounds. The aesthetics, streetscape context and setting have been given close attention in the assessment of the application and considered satisfactory.

- (i) *to encourage the provision and retention of tourist accommodation that enhances the role of Manly as an international tourist destination, and particularly in relation to the land to which Manly Local Environmental Plan 1988 (Amendment No 57) applies.*

N/A

**Submissions**

The resident submissions raise a range of issues most of which are considered in a specific areas of this report. Other issues not elsewhere considered are as follows:

*Opportunity for expansion of student capacity:* Resident submissions contain some considerable degree of concern that the proposed development will bring rise to an expansion of the school community for various reasons resulting in a commensurate increase in traffic, parking and noise problems. The professional reports are based on the applicant's stated position that there is no increase in student or staff numbers. Any such increases in numbers will require such assessments to be reviewed and it is considered that in the circumstances that any approval of this application contain conditions enforcing the limitation on student and staff increases. Any proposal to increase numbers would require the lodgement of further development applications accompanied by an appropriately comprehensive range of considerations and measures concerning but not limited to traffic and parking, noise and prepared in consultation with local residence and the community.

**Environmental Services Division Report No. 64 (Cont'd)**

*Design of Garbage Bin area:* A bin store area is located along the length of the new driveway off Seaview Street. It is indicated to be 1.7m wide at the Seaview Street frontage and a length of 5.5m from the street frontage into the site. The structure is 5m from the adjoining residential property to the south and appropriately enclosed. Condition of any consent are also recommended to ensure the bin area is appropriately integrated into the landscape design

*Future Community Uses:* In relation to objective 4(a)(iv) of the Local Environmental Plan the extent to which the proposal incorporates community use is considered to 'encourage greater community involvement in school facilities and promote adaptation of existing education structures, which will allow multiple use and community access, particularly those facilities which are not needed at the present time'. The scale and extent of such uses are also defined and limited by conditions.

**CONCLUSION:**

The proposal has been considered pursuant to Section 79C of the Environmental Planning and Assessment Act 1979, the Manly Local Environmental Plan, 1988, and Development Control Plans (DCP) including the Development Control Plan for the Residential Zone 2001. From this assessment the proposal is considered a satisfactory form of development notwithstanding the range of issues and concerns identified.

With the appropriate conditions the proposal is subsequently recommended for conditional approval as a 'deferred commencement:' consent.

**RECOMMENDATION**

- A** THAT pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, deferred commencement consent be granted in respect of development application 235/06 to demolish parish house, erect teaching and administration building and alterations and addition to existing St Cecilia's Catholic Primary School at 52 and 54 Wanganella Street and 59 to 63 Seaview Street Balgowlah with the consent not operating until the applicant has provided satisfactory proposals on the following matters A1- A3 within 6 months of the date of this resolution.
- A1** Amended Plans in respect of the new teaching and administration building are to be submitted incorporating the following redesign
- Reducing the height of the building by reconsidering the roof design
  - Articulate the relatively flat façade with part of façade further stepped in (reductions in gross floor areas to achieve a strictly complying FSR and opportunity for further shadow reductions are sought in conjunction with this request for articulation);
  - Incorporate the stairs to the first level into the overall building form;
  - Remove the carparking in front of the building by providing parking partly below ground level; and
  - Clarify the height, materials and details of the proposed store and its impact on the streetscape
  - The length of the building is broken down, for example by reducing the height of the extended roof and stepping the lift in from the line of the existing and proposed building.
- A2** A more detailed landscaping plan incorporating the following redesign/detail
- Integration of bin enclosure into the landscaping including fencing and planting and providing detail full architectural detail of material and finishes to Council's satisfaction.
  - Details of bike storage racks at an appropriate location on the site.
  - A Brush Box (Lophostenon Confertus) located adjacent the existing court approximately 8-10 m in height should both be retained and protected through construction stages.



**Environmental Services Division Report No. 64 (Cont'd)**

- A paperbark (Melaluca Quinguinerinia) approximately 6m in height is in reasonable condition and its removal is to be subject to the replacement of a suitable endemic tree on the existing Seaview Street frontage.
- Supplementary street planting along the White Street frontage in consultation with Council's Parks and Reserves Coordinator.
- Details of proposed planting schedules are to include generally advanced pot size at planting and consideration of appropriate height and scale at maturity to minimise shadow impact and retain scale with the surrounding building form particularly at the southern side boundary.

A3 A Management Plan to address traffic, parking and safety measures is to be substantial commenced in consultation with the local residential, school and church community and providing preliminary recommendations to suitably address ongoing issues arising from the public participation process in relation the proposed development.

Evidence of items A1- A3 are to be submitted with a period of 6 months pursuant to Section 80(3) of the Act.

**This consent is a 'deferred commencement:'**

B. Upon satisfactory resolution of the above matters the consent shall operate with the following conditions:-

## DA1

This approval relates to drawings/plans Nos. DA 01 to 04 all dated 13 April 2006 and received by Council on the 9 June 2006

## ANS01

Additional community uses of the church / school facilities are to be subject to separate development consent and are to have full regard to likely environmental effects including neighbours privacy, noise, security and general amenity. In this regard it is noted that proposed/approved uses of the community rooms include administrative functions, craft activities, parish committee meetings, music preparation group, and other periodic church activities and gatherings including liturgy planning groups and family sacramental preparation groups.

## ANS02

The number of students and teachers is not to exceed the existing capacity of the school which currently accommodates a maximum number of two hundred and ten (210) students and fifteen (15) staff with a single class for each year groups and one (1) additional class for special needs including language and music lessons.

## ANS03

Photographic archival recording is to be made and submitted to Council of the existing parish cottage prior to issue of the Construction Certificate and commencement of works including a record of all contents, including fixtures and fittings as per guidelines provided by the Heritage Office.

## ANS04

The recommendations of the Environmental noise impact assessment compiled by Renzo Tonin & Associates are to be complied with. Furthermore the use of the classrooms near the boundary of 57 Seaview Street are not to be used for noisy activities (such as music) and by activities after traditional school hours as there may be intrusive or offensive noise transmitted to the residences in 57 Seaview Street. Further, the volume, location and frequency of any bells used is to be controlled in the fit out of the new building.

**Environmental Services Division Report No. 64 (Cont'd)**

## ANS05

All classroom windows on the southern façade remain closed during class time. In this regard a mechanical ventilation assessment is to be carried out to reflect this restriction and produce a suitable solution and not to increase in the plant noise

## ANS06

The site is to be consolidated into a single parcel prior to the occupation of the new building.

## ANS07

Air conditioning and other plant equipment must be acoustically screened from adjoining residential properties such that potential for noise offences are removed.

## DA009

The construction of a vehicular footpath crossing is required. The design and construction including allowable width shall be in accordance with the current Policy of Council and Specification for the Construction of Vehicle Crossings. All works shall be carried out prior to the issue of Occupation Certificate.

## DA011

All surplus vehicular crossings and/or kerb laybacks shall be removed and the kerb and nature strip reinstated prior to issue of the Occupation Certificate.

## DA012

The driveway/access ramp grades, access and car parking facilities shall comply with the Australian Standard for Off-Street Parking AS2890.1-2004 or later editions.

## DA016

Pursuant to Section 97 of the Local Government Act, 1993, Council requires, prior to issue of the Construction Certificate, or commencement of any excavation and demolition works, payment of a Trust Fund Deposit of \$. The Deposit is required as security of compliance with Conditions of Consent, and as security against damage to Council property during works on the site.

Note: Should Council property adjoining the site be defective eg, cracked footpath, broken kerb etc., this shall be reported in writing to Council, at least 7 days prior to the commencement of any work on site.

Note: Where Council is not the principal certifying authority, refund of the trust fund deposit will also be dependant upon receipt of a final occupation certificate by the Principal Certifying Authority and infrastructure inspection by Council.

## DA017

No obstruction shall be caused to pedestrian use of Council's footpath or vehicular use of any public roadway during construction.

## DA341

Any heritage listed stone kerb removed for construction of a driveway or other approved works, is to be removed without damaging it and contact is to be made with Councils Works Manager on Telephone 9976 1455 for the stone to be transported to Councils Depot.

## DA342

Separate application shall be made to Council's Infrastructure Division for approval to complete, to Council's standards and specifications, works on Council property. This shall include vehicular crossings, footpaths, drainage works, kerb and guttering, brick paving, restorations and any miscellaneous works. Applications shall be made a minimum of twenty-eight (28) days prior to commencement of proposed works on Council's property. Applicant to notify Council at least 48 hrs before commencement of works to allow Council to supervise/inspect works.

**Environmental Services Division Report No. 64 (Cont'd)**

## DA343

Any adjustment to the public utility service is to be carried out in compliance with their standards and the full cost is to be borne by the applicant.

## DA018

Details of the builder's name and licence number contracted to undertake the works shall be provided to Council/Accredited Certifier prior to issue of the Construction Certificate.

## DA021

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 person or part of 20 persons employed at the site, by effecting either a permanent or temporary connection to the Sydney Water's sewerage system or by approved closets.

## DA022

Retaining walls being constructed in conjunction with excavations with such work being in accordance with structural engineer's details. Certification of compliance with the structural detail during construction shall be submitted to the Principal Certifying Authority.

## DA023

No person shall use or occupy the building or alteration which is the subject of this approval without the prior issue of an Occupation Certificate.

## DA024

A sign must be erected on the subject site in a prominent position stating that unauthorised entry is prohibited and giving details of the name of the builder or the person responsible for the site and 24 hour contact details. The sign is to have dimensions of approximately 500mm x 400mm. Note: The sign is not required if the building on the site is to remain occupied during the course of the building works.

## DA026

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans with certification being submitted to the Principal Certifying Authority during construction from a registered surveyor certifying ground and finished ridge levels.

## DA031

Consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act which gives certain rights to adjoining owners, including use of the common boundary. In the absence of the structure standing well clear of the common boundary, it is recommended that you make yourself aware of your legal position which may involve a survey to identify the allotment boundary.

## DA039

Four (4) certified copies of the Structural Engineer's details in respect of all reinforced concrete, structural steel support construction and any proposed retaining walls shall be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

## DA040

Where any excavation extends below the level of the base of the footing of a building on an adjoining allotment of land, the person causing the excavation shall support the neighbouring building in accordance with the requirements of the Building Code of Australia.

**Environmental Services Division Report No. 64 (Cont'd)**

DA044

The floor surfaces of bathrooms, shower rooms and WC compartments are to be of an approved impervious material properly graded and drained and waterproofed in accordance with AS3740. Certification is to be provided to the Principal Certifying Authority from a licenced applicator prior to the fixing of any wall or floor tiles.

DA047

A suitable sub-surface drainage system being provided adjacent to all excavated areas and such drains being connected to an approved disposal system.

DA048

The implementation of adequate care during demolition/ excavation/ building/ construction to ensure that no damage is caused to any adjoining properties.

DA058

An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

DA357

Four (4) copies of Architectural Drawings consistent with the development consent and associated specifications are to be submitted to Council/Accredited Certifier prior to the issue of the Construction Certificate.

DA077

An approved water interceptor shall be provided within the property, across the driveway at the property boundary, and all stormwaters shall be conveyed by underground pipe to Council's street gutter to the satisfaction of the Principal Certifying Authority.

DA109

All demolition is to be carried out in accordance with AS2601-2001.

DA111

Asbestos cement sheeting must be removed in accordance with the requirements of the WorkCover Authority.

DA084

Roofwaters and surface stormwaters from paved areas are to be conveyed by pipeline to Council's street gutter in accordance with Council's standards and specification for Stormwater Drainage.

DA088

A system of Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) shall be provided within the property in accordance with Council's Specification for On-site Stormwater Management 2003. This system is to incorporate rainwater recycling systems in accordance with Council's environmental water saving policies. The design and details shall be submitted with the Construction Certificate Application and be approved by the Council/Accredited Certifier prior to the issue of the Construction Certificate. The specification can be downloaded from Council's web site [www.manly.nsw.gov.au](http://www.manly.nsw.gov.au) free of charge or a hardcopy can be purchased from Council.

DA100

A positive covenant in respect of the installation and maintenance of onsite detention works is required to be imposed over the area of the site affected by onsite detention and/or pump system prior to the issue of the Occupation Certificate for the building and prior to the release of the trust fund deposit.

**Environmental Services Division Report No. 64 (Cont'd)**

DA119

A Fire Safety Schedule specifying the fire safety measures (both current and proposed) that should be implemented in the building premises shall be submitted with the Construction Certificate application, in accordance with Part 9 Clause 168 of the Environmental Planning and Assessment Regulation 2000. Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

DA120

The building being erected in Type B, Class 9(b). construction for a Class building in accordance with the Fire Resistance Provisions of the Building Code of Australia.

DA121

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

DA230

No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.

DA236

Landscaping is to be carried out in accordance with the approved Landscape Plan submitted in conjunction with the Development Application. Landscaping is to be maintained at all times. In particular, evidence of an agreement for the maintenance of all plants for a period of 12 months from the date of practical completion of the building is to be provided to the Principal Certifying Authority prior to issue of the Final Occupation Certificate.

DA237

All healthy trees and shrubs identified for retention on the plan must be:

- (i) Suitably marked before any development starts and be suitably protected from damage during the construction process; and
- (ii) Retained unless their location or condition is likely to cause damage and their removal has been approved by Council.

DA238

All disturbed surfaces on the land resulting from the building works authorised by this approval shall be revegetated and stabilised so as to prevent any erosion either on or adjacent to the land.

DA239

The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree or trees unless in conformity with this approval or subsequent approval is prohibited.

DA240

No tree other than on land identified for the construction of buildings and works as shown on the building plan shall be felled, lopped, topped, ringbarked or otherwise wilfully destroyed or removed without the approval of Council.

DA346

Trees and shrubs liable to damage are to be protected with suitable temporary enclosures for the duration of the works. These enclosures shall only be removed when directed by the Principal Certifying Authority. The enclosures are to be constructed out of F62 reinforcing mesh 1800mm high wired to 2400mm long star pickets, driven 600mm into the ground, spaced 1800mm apart at a minimum distance of 1000mm from the tree trunk.

DA348

Precautions shall be taken when working near trees to be retained including the following: - do not store harmful or bulk materials or spoil under or near trees - prevent damage to bark and root

**Environmental Services Division Report No. 64 (Cont'd)**

system - do not use mechanical methods to excavate within root zones - do not add or remove topsoil from under the drip line - do not compact ground under the drip line.

DA261

A sediment/erosion control plan for the site shall be submitted for approval to the Council/Accredited Certifier **prior to the issue of the Construction Certificate**. Implementation of the scheme shall be completed prior to commencement of any works on the site and maintained until completion of the development.

DA269

A Construction Certificate Application is required to be submitted to and issued by the Council/Accredited Certifier prior to any building works being carried out on site.

DA270

Should you appoint Council as the Principal Certifying Authority (PCA) to undertake inspections during the course of construction then the following inspection/certification are required:

Silt control fences

Footing inspection - trench and steel

Reinforced concrete slab x2

Framework inspection

Wet area moisture barrier

Drainage inspection

Driveway crossing/kerb layback

Landscaping inspection

Health inspection

Final inspection

The cost of these inspections by Council is \$2530 (being \$230 per inspection inclusive of GST). **Payment of the above amount is required prior to the first inspection.** Inspection appointments can be made by contacting the Environmental Services Division on 9976 1414.

At least 24 hours notice should be given for a request for an inspection and submission of the relevant inspection card. Any additional inspection required as a result of incomplete works will incur a fee of \$110.

DA271

An Occupation Certificate is to be issued by the Principal Certifying Authority prior to occupation of the development.

DA279

All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.

DA283

Any De-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- a) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA certified laboratory or Manly council for compliance with ANZECC Water Quality Guidelines
- b) If tested by NATA certified laboratory, the certificate of analysis issued by the laboratory must be forwarded to Manly Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.
- c) Council will grant approval to commence site de-watering to the stormwater based on the

**Environmental Services Division Report No. 64 (Cont'd)**

- water quality results received.
- d) It is the responsibility of the applicant to ensure that during de-watering activities, the capacity of the stormwater system is not exceeded, that there are no issues associated with erosion or scouring due to the volume of water pumped.
  - e) Turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.
  - f) Also the developer must contact the Department of Infrastructure, Planning and Natural Resources and comply with any of their requirements.

**DA285**

Roof and framing including provision for tie downs, bracing and fixings are to be designed by a practising Structural Engineer. The Engineer is to specify appropriate wind category relating to the site terrain, house design and height of the structure, with details being submitted to the Principal Certifying Authority prior to the commencement of framework.

**DA332**

The capacity and effectiveness of erosion and sediment control devices must be maintained to Council satisfaction at all times.

**DA333**

A copy of the Soil and Water Management Plan must be kept on-site at all times and made available to Council officers on request.

**DA334**

Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted.

**DA335**

Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.

**DA336**

Drains, gutters, roadways and access ways shall be maintained free of sediment and to the satisfaction of Council. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.

**DA337**

Building operations such as brickcutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

**DA338**

All disturbed areas shall be stabilised against erosion to Council satisfaction within 14 days of completion, and prior to removal of sediment controls.

**DA339**

Stormwater from roof areas shall be linked via a temporary downpipe to a Council approved stormwater disposal system immediately after completion of the roof area. Inspection of the building frame will not be made until this is completed to Council satisfaction.

**DA340**

The applicant and/or builder must prior to the commencement of work, install at the periphery of the site, measures to control sedimentation and the possible erosion of the land. The measures must include:-

**Environmental Services Division Report No. 64 (Cont'd)**

- (i) siltation fencing;
- (ii) protection of the public stormwater system; and
- (iii) site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

**DA289**

Building or construction work must be confined to the hours between 7.00am to 6.00pm, Monday to Friday and 7.00am to 1.00pm, Saturday, with a total exclusion of such work on Public Holidays and Sundays. Non-offensive works where power operated plant is not used and including setting out, surveying, plumbing, electrical installation, tiling, internal timber or fibrous plaster fixing, glazing, cleaning down brickwork, painting, building or site cleaning by hand shovel and site landscaping, is permitted between the hours of 1.00pm to 4.00pm Saturdays. Note: That the Protection of the Environment Operations Act 1997 may preclude the operation of some equipment on site during these permitted working hours.

**DA319**

Details of the method of termite protection which will provide whole of building protection, inclusive of structural and nonstructural elements, shall be submitted to the Council/Accredited Certifier prior to issue of the Construction Certificate. Attention is drawn to the provisions of Australian Standard 3660.1 "Protection of Buildings from Subterranean Termites New Buildings" and to Council's Code for the "Protection of Buildings Against Termite Attack".

**DA320**

Prior to issue of the Occupation Certificate, a durable termite protection notice shall be permanently fixed to the building in a prominent location detailing the form of termite protection which has been used in accordance with Council's Code for the "Protection of Buildings Against Termite Attack".

**DA323**

This approval shall expire if the development hereby permitted is not commenced within 2 years of the date hereof or any extension of such period which Council may allow in writing on an application made before such an expiry.

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of Environmental Services Division Report No. 64 \*\*\*\*\*



**TO: Ordinary Meeting - 16 October 2006**  
**REPORT: Human Services And Facilities Division Report No. 3**  
**SUBJECT: Community and Cultural Group Subsidies Allocation of 2006/07 Grants**  
**FILE NO:**

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## **SUMMARY**

Report on the allocation of financial donations and subsidies to community and cultural groups for 2006/07.

Council approval of the allocation of financial donations and subsidies to the successful organisations is requested.

## **REPORT**

### **COMMUNITY GRANTS**

#### **Background:**

In May 1994, Council established a Community Grants Program to provide financial assistance to local community groups. Under this program Council can grant assistance to community groups in the following way:

- a **Operational Assistance:** – Contribution to the general operation of the service or program up to \$2,000.
- b **Capital Grant** – Allocation of funds to purchase equipment or upgrade facilities up to \$2,000.
- c **Seeding/Establishment Grant up to \$1,000** – this grant is considered as a grant of a one-off nature to enable a group to meet establishment costs/incorporation costs. Groups will be considered eligible for this grant on one occasion only.

To be eligible for funding, the community group or organization should satisfy as many of the following criteria as possible –

1. Provide or service an identified community need.
2. Service a client group of at least 50% Manly residents.
3. Complement existing services provided to the community of Manly.
4. Be an incorporated body or registered charity.

#### **Council allocated \$10,000 for Community grants in the 2006/07 budget for this financial year.**

This amount is allocated for both capital and operational assistance. All applicants listed in the table below submitted an application. A total of approximately \$27,247.00 of funding was requested from 23 organisations.

A panel was convened from staff of the Human Services and Facilities Division to assess the applications.

The process of awarding amounts is always difficult due to the services needs and their valuable contributions to the community. Some organizations requested \$1,500 for operational and others \$1,500 for capital and some applied for capital and operational funding. The amount awarded to the organization was dependent on the degree of ongoing merit that the project represented and the meeting of the above criteria.

## Human Services And Facilities Division Report No. 3 (Cont'd)

The 23 applicants are listed in the table below:

<u>Organisation</u>	<u>Application for amount below</u>	<u>Recommendation Amount to be awarded</u>	<u>Category</u>
1. Peninsular Senior Citizens Toy Repair Group Inc.	\$500	\$500	Operational Assistance
2. Lifeline – Northern Beaches Inc.	\$1,500	\$1,000	Operational Assistance
3 Manly Warringah Pittwater Torch Bearers for Legacy	At discretion of the committee	nil	
4. Vision Australia formerly Blind Society	\$1,500	\$1,500	Operational Assistance
5. Manly Warringah Pittwater Aid Inc.	\$1,500	\$1,000	Operational Assistance
6. Manly RSL Sub-Branch Women's Auxillary	\$1,500	\$500	Operational Assistance
7. Northern Enterprise Inc.	\$1,500	nil	
8. Lifesart Northern Beaches (Early childhood intervention service)	\$757	\$750	Operational Assistance
9. Ella Westwood Manly Cenotaph Memorial Trust Committee	\$1,500	\$500	Operational Assistance
10. Cubby Toy House Library Inc.	\$1,500	\$500	Operational Assistance
11. Northern Beaches Child at Risk Committee	\$1,000	\$500	Operational Assistance
12. Learning Links	\$1,500	nil	
13. Manly Warringah Pittwater Branch Animal Welfare League	\$490	nil	
14. Consumer Activity Network (Mental health)	\$1,500	nil	
15. Aboriginal Support Group	\$300	\$300	Operational Assistance
16. Lone Parent Family Support Service	\$400	\$100	Operational Assistance
17. Bosnia Herzegovina Project Inc.	\$1,500	\$250	Operational Assistance
18. Aunties & Uncles Co-operative Project Ltd.	\$1,500 op \$500 cap	\$1,000	Capital Grant
19. Uniting Care Ageing Wesley Heights	\$1,500.00	\$500	Operational Assistance
20. Pioneer Clubhouse	\$1,500	nil	
21. House With No Steps	\$1,500	nil	
22. Northern Beaches Multiple Birth Club	\$1,500	\$300	Operational Assistance
23. Northern Beaches Neighbourhood Service Easy Care Gardening	\$800	\$800	Operational Assistance
<b>TOTAL</b>	<b>\$27,247</b>	<b>\$10,000</b>	

**Human Services And Facilities Division Report No. 3 (Cont'd)**

The above requests have come from Community groups who provide valuable service to many different population groups. Consequently, with so many applications it was very difficult to allocate the limited budget. The groups which were not funded this year, are subsidised by Council in other ways, or already receive government grant funding.

**CULTURAL GRANTS*****Background***

Council's Cultural Grants Program was established to help community groups develop projects to service identified cultural needs in the community. Financial assistance is granted under the following categories:

**Operational Assistance** - Contribution to the general operation of the service or program up to \$1,500.00.

**Capital Grant** - Allocation of funds to purchase equipment or to upgrade facilities up to \$1,500.00.

**Seeding/Establishment Grant** - This is a one off grant to enable a group to meet establishment/incorporation costs up to \$1,000. Groups are eligible for this grant on one occasion only.

Groups are eligible to apply for funding under the Cultural Grants Program if they satisfy as many of the following criteria as possible:

- Provides or services an identified community cultural need.
- Services a participant group of which at least 50% are residents of Manly Council.
- The service complements existing cultural services and programs provided to the community of Manly.
- Be an incorporated body.
- Is consistent with Council's Cultural Policy.
- Is not a Manly Council Service or Project.

**2006/2007 Cultural Grants Applications**

A budget of \$7,500 has been set for the 2006/07 Cultural Grants Program.

A total of six applications were received. A summary of those received is listed below

<b>Organisation</b>	<b>Application</b>	<b>Recommendation</b>
1. Manly Music Club	Operational assistance \$1,000	\$1,000 operational
2. Artists in Motion	Operational assistance \$1,000	\$1,000 operational
3. Sempre Con Te	Operational assistance \$1,000	Nil
4. Manly Warringah Pipe Band	Operational assistance \$1500.00 Capital assistance \$1,500	\$1,500 capital
5. Manly District Band	Capital assistance \$1500	\$1,500 capital
6. Manly Warringah Choir	\$1,500 Operational assistance	\$1,500 operational
<b>Total</b>	<b>\$9,000</b>	<b>\$6,500</b>

**Human Services And Facilities Division Report No. 3 (Cont'd)**

As a condition of entry, applicants 1 and 2 are required to provide their incorporation status prior to payment being made.

**RECOMMENDATION**

1. That Council receive and adopt the report.
2. Award the **2006/2007 Community Grants** of the recommended amounts to the following organisations:

<b><u>Organisation</u></b>	<b><u>Recommended Amount</u></b>
1. Peninsular Senior Citizens Toy Repair Group Inc.	\$500 operational
2. Lifeline – Northern Beaches Inc.	\$1,000 operational
3 Manly Warringah Pittwater Torch Bearers for Legacy	nil
4. Vision Australia formerly Blind Society	\$1,500 operational
5. Manly Warringah Pittwater Aid Inc.	\$1,000 operational
6. Manly RSL Sub-Branch Women's Auxillary	\$500 operational
7. Northern Enterprise Inc.	nil
8. Lifestart Northern Beaches (Early childhood intervention service)	\$750 operational
9. Ella Westwood Manly Cenotaph Memorial Trust Committee	\$500 operational
10. Cubby Toy House Library Inc.	\$500 operational
11. Northern Beaches Child at Risk Committee	\$500 operational
12. Learning Links	nil
13. Manly Warringah Pittwater Branch Animal Welfare League	nil
14. Consumer Activity Network (Mental health)	Nil
15. Aboriginal Support Group	\$300 operational
16. Lone Parent Family Support Service	\$100 operational
17. Bosnia Herzegovina Project Inc.	\$250 operational
18. Aunties & Uncles Co-operative Project Ltd.	\$1,000 capital
19. Uniting Care Ageing Wesley Heights	\$500 operational
20. Pioneer Clubhouse	nil
21. House With No Steps	nil
22. Northern Beaches Multiple Birth Club	\$300 operational
23. Northern Beaches Neighbourhood Service Easy Care Gardening	\$800 operational
<b>TOTAL</b>	<b>\$10,000</b>

**Human Services And Facilities Division Report No. 3 (Cont'd)**

3. Award the **2006/2007 Cultural Grants** of the recommended amounts to the following organizations:-

<b>Organisation</b>	<b>Recommended</b>
Manly Music Club	\$1,000 operational
Artists in Motion	\$1,000 operational
Manly Warringah Pipe Band	\$1,500 capital
Manly District Band	\$1,500 capital
Manly Warringah Choir	\$1,500 operational
<b>Total</b>	<b>\$6,500</b>

4. That all organisations who applied for a grant in 2006/2007 allocation be advised of the Council's resolution in writing.

**ATTACHMENTS**

**AT- 1** ATT 1 Community Grants Applicant Groups 06-07 3 Pages

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\*\*\*\*\* End of Human Services And Facilities Division Report No. 3 \*\*\*\*\*

**ATTACHMENT 1**

**Human Services And Facilities Division Report No. 3 - Community and Cultural Group Subsidies Allocation of 2006/07 Grants  
ATT 1 Community Grants Applicant Groups 06-07**

**ATTACHMENT 1.**

**COMMUNITY GRANTS APPLICANT GROUPS 06/07**

<b>Name and Address</b>	<b>Amount requested</b>	<b>Project to be funded</b>
1. Peninsular Senior Citizens Toy Repair Group Inc	\$500	After relocation to Ingleside back into full operation Still require ongoing funding to cover operational needs. All our production is donated to Charity free of charge Have been operating for 31 years
2. Lifeline – Northern Beaches	\$1,500 Op assist \$1,500 Cap	Operational assistance – to the general operation of services to the local community Capital assistance – purchase computer equipment & printers
3. Manly Warringah Pittwater Torch Bearers for Legacy	Discretion of Cttee	Maintenance of legacy House at Dee Why and provision of all services to dependants in Manly Warringah and Pittwater areas at no charge to the recipients
4. Vision Australia formerly Royal Blind Society	\$1,500 op	To improve and promote independence for people who are sight impaired, legally blind or have multiple needs by providing assessment, support and training of low vision aids & equipment etc
5. Manly Warringah Pittwater Community Aid Inc	\$1,500 Op	Volunteers provide ongoing support to Manly residents with services e.g. individual transport to hospital, doctors, dentists, specialists, hydrotherapy and community activities Volunteers are reimbursed for out of pocket expenses
6. Manly RSL Sub-Branch Women's Auxiliary	\$1,500 Op	To continue and maintain necessary work the RSL Women's Auxiliary has done for 80 years (This was normally carried out by Manly Mayoress' Committee)
7. Northside Enterprise Inc	\$1,500 Op	Continue with surveying local community (Businesses) and compile reports within the "Cando" Community Development Project. Caters for people with intellectual and/or multiple disabilities.
8. Lifestart Northern Beaches (Early Childhood Intervention Service)	\$757 Op	Continuation of school holiday program for Lifestart children and siblings. Music therapist to run fun sessions as part of the activities

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9. Ella Westwood Manly Cenotaph Memorial Maintenance Trust Committee	\$1,500 op	Continuation of patriotic and inspirational work for the deceased War heroes of Manly. To assist with necessary Cenotaph repair work carried on from Ella Westwood (Official custodian from 1938-1995)
10. Cubby House Toy Library Inc Sandra Gillett	\$1,500 Op	To contribute toward the cost of employing part time Librarian who works 8 hours a week. Cubby House supports children with special needs and their families
11. Child at Risk Committee	\$1,000 Op	The Child at Risk Forum day: Forum topic is "Working with Men; focussing on men with young families and the services available for them
12. Learning Links	\$1,500 Op	Targets children with learning difficulties. Teaching of appropriate interaction and behavioural skills for each situation to interact positively with the peers, family and wider community
13. Manly Warringah Pittwater Branch Animal Welfare League NSW	\$490 Cap	Helping owners with knowledge on animal care Accepting abandoned & unwanted pets Laundry tubs to replace old and rusty ones
14. Consumer Activity Network (Mental Health)	\$1,500 Op	Monthly Women's Discussion Group Monthly Creative Writing sessions Cultures Pearls – Recovery activity to access range of art and culture on Northern Beaches
15. Aboriginal Support Group – Manly Warringah Pittwater	\$300 Op	Financial assistance to update and reprint Aboriginal Support group brochures
16. Lone Parent Family Support Service	\$400 Op	Produce quarterly newsletter which is posted out to clients Postage usually \$100 per quarter
17. Bosnia Herzegovina Project Inc	\$1,500 Op	Funding for a Nutrition Project for the Bosnian Muslim elderly group – collecting Bosnian cooking recipes and compile into cook book which would be launched at the Art & Craft Show
18. Aunties and Uncles Co-operative Family Project Ltd	\$1,500 Op \$500 Cap	Operational assistance to cover advertising in Manly Daily and volunteer induction training for 6 vols Capital Equip – towards the purchase of presentation equipment e.g. overhead projector, portable screen, whiteboard etc.
19. Uniting Care	\$1,500 Op	The Men's Shed facility has spent in excess of \$45,000 in constructing and fitting out the

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Ageing Wesley Heights		Shed. Request is for operating costs which are budgeted at \$11,000 per year
20. Pioneer Clubhouse	\$1,500 Op	To help cover costs of sending 2 members and 2 staff to the 7 <sup>th</sup> Australia/New Zealand Clubhouse Conference in Dunedin NZ to assist Clubhouses to improve the quality of service
21. House With No Steps, PO Box 93, Frenchs Forest 1640 Diane	\$1,500 Op	To provide funding for wages of Social support workers to help people (Manly residents) with disabilities function more effectively and confidently in their everyday lives
22. Northern Beaches Multiple Birth Club	\$1,500 Op	To provide for playgroups e.g. hall hire, tea/coffee, mix & mingle, play & create. To benefit the social support network for socialising
23. Northern Beaches Neighbourhood Service – Easy Care Gardening	\$800 Op	Contribution towards fuel costs for the service vehicle (\$4,700 per annum) – seeking 17% of this cost i.e. \$800

**CULTURAL GRANT APPLICANT GROUPS 06/07**

<b>Name of Organisation</b>	<b>Amount requested</b>	<b>Project to be funded</b>
Manly Music Club	\$1,000	Concert artist fees for performances in Cardinal Ceretti chapel
Artist in motion	\$1,000	Establishment grant
Sempre Con Te	\$1,000	Establishment grant
Manly Warringah Pipe Band	\$1,500 op \$1,500 cap	Operational support Purchase new drums
Manly District Band	\$1,500 cap	Purchase new cornet and instruments
Manly Warringah Choir	\$1,500 op	Operations hire of soloist, musicians and advertising



**TO:** Ordinary Meeting - 16 October 2006  
**REPORT:** Human Services And Facilities Division Report No. 4  
**SUBJECT:** International Day for the Elimination of Violence Against Women - White Ribbon Day  
**FILE NO:**

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## SUMMARY

The White Ribbon Day campaign is an awareness campaign to draw attention of the community to the International Day held each year on 25<sup>th</sup> November for the elimination of violence against women.

Councillor Pedersen brought this important community awareness and safety program to the staff for implementation, following discussions with the General Manager.

## REPORT

### Background

The White Ribbon Campaign is a community awareness campaign focusing on the International Day for the Elimination of Violence Against Women (IDEVAW) known as White Ribbon Day, on 25 November each year. Attention to this important community awareness program was brought to staff by Councillor Pedersen.

The symbol of the day is the wearing of a white ribbon which denotes that the wearer will not ***"commit, condone or remain silent about violence against women and children."***

The objective to the community on White Ribbon Day is to:

- Create awareness of the White Ribbon campaign and the issue surrounding violence against women
- Educate people on how they can become involved, donate or obtain further information
- Generate funds through the sale of White ribbons to support a local violence prevention/support service

Councils' staff has planned a program as follows:

### Pre-White Ribbon Day Activities week commencing 20th November:

- Posters and leaflets distributed to local businesses and Manly Council facilities to create public awareness of White Ribbon Day
- White ribbon logo on Council website
- **Wednesday 22nd November** 2006, a press photo opportunity will be staged outside Council Chambers
- A prominent local sporting team has been invited to participate by wearing white ribbons, and by the team placing their painted handprint to the "The Hands Against Violence Banner" to be undertaken with media presence/ photo opportunity to cover the story at the Town Hall forecourt
- A light morning tea served at Town Hall will follow the activities of the morning

This banner bearing the handprints of the team, will signify the above commitment; that the hand will not ***"commit, condone or remain silent about violence against women and children."***

Volunteers sell white ribbons during photo opportunity and in the following days leading up to and including 25<sup>th</sup> November 2006, as well as offering information to interested persons.

**Human Services And Facilities Division Report No. 4 (Cont'd)**

- “The Hands Against Violence Banner” is to be hung on the Ocean beachfront for White Ribbon Day and for some weeks following the awareness campaign.
- Large white ribbons will be hung from balconies across the front of the Council Chambers and on each of the trees in The Corso.

These striking visual images of the trees decorated with white ribbons and the banner at the Ocean beachfront, will raise public awareness to the campaign objectives.

- **Friday 24th November** white ribbons sold to Manly Council staff and to an interested community by Volunteers.
- **White Ribbon Day – Saturday 25th November 10am – 4pm** Councillors will be invited to distribute White Ribbons with our volunteers, provide promotional material throughout Manly CBD and collect gold coin donations. The donations will be given to a local violence support service assisting women.

**RECOMMENDATION**

That Council:-

1. Receive and adopt the report on White Ribbon Day activities for week leading to and including 25<sup>th</sup> November 2006.
2. Councillors are invited to the media launch and to respond to the invitation to distribute White Ribbons and information on 25th November in exchange for a gold coin donation to the community.
3. That these donations be given to a local violence support service assisting women.

**ATTACHMENTS**

There are no attachments for this report.

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\*\*\*\*\* End of Human Services And Facilities Division Report No. 4 \*\*\*\*\* .