



Agenda

Planning and Strategy Committee

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

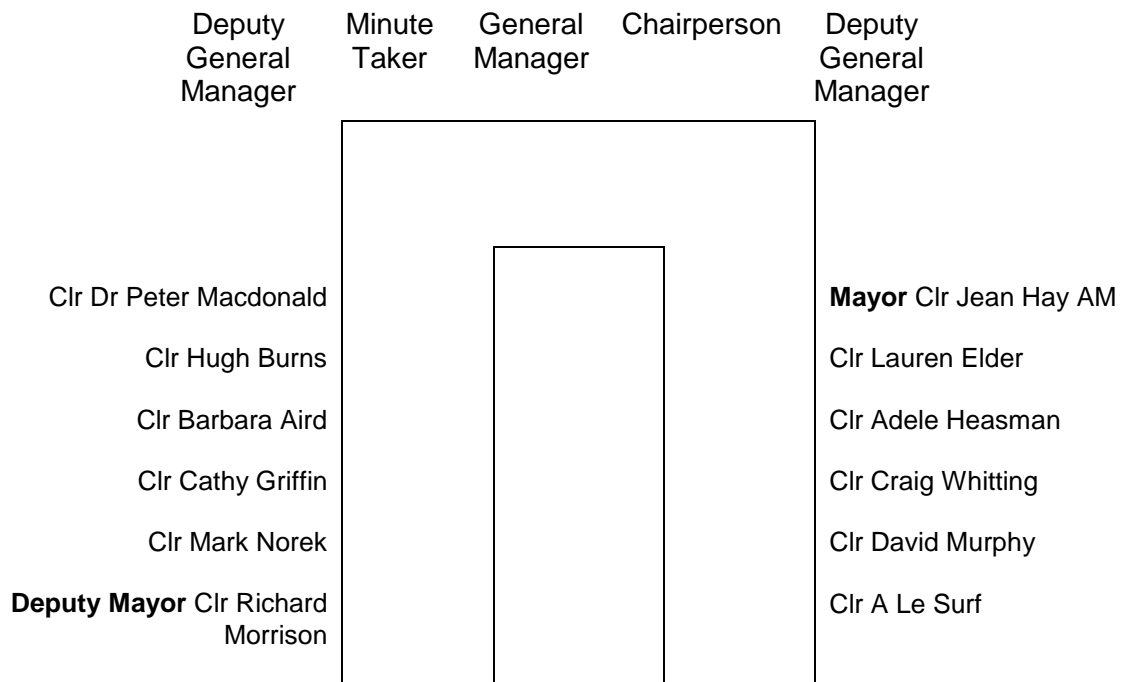
Monday 7 March 2011

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*

Seating Arrangements for Meetings



Press

Public
Addresses

Public Gallery

Chairperson: Councillor Alan Le Surf
Deputy Chairperson: Councillor Adele Heasman

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MATTERS OF URGENCY

(In accordance with Clause 241 of the Local Government (General) Regulations, 2005)

CLOSED COMMITTEE ITEMS**CONFIDENTIAL COMMITTEE OF THE WHOLE****Civic and Urban Services Division Report No. 4**

Supply and Delivery of Ready Mix Concrete Materials. T2011/10 and SHOROC T06-10

It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

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

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Mayoral Minute Report No. 3
SUBJECT: Australia Day Honours 2011
FILE NO:

The Mayor requests that Council formally congratulate the following residents of the Manly Local Government area who were awarded 2011 Australia Day Honours.

Member of the Order of Australia:

Roger William Allen AM

For service to the information technology sector through leadership roles, venture capital investment and professional development, and as a supporter of the Indigenous community.

Medal of the Order of Australia:

Louise Mary Gilmore OAM

For service to carers and their families through support and advocacy roles.

Medal of the Order of Australia:

Merron Jean Howard OAM

For service to the community through roles with the Centre for Children's Cancer and Blood Disorders at the Sydney Children's Hospital.

RECOMMENDATION

I Move that

The Mayor writes to the Manly LGA Honours recipients congratulating them on their awards.

ATTACHMENTS

There are no attachments for this report.

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***** End of Mayoral Minute Report No. 3 *****

TO: Planning and Strategy Committee - 7 March 2011

REPORT: Item For Brief Mention Report No. 3

SUBJECT: Items for Brief Mention and Tabled documents

FILE NO:

1. Reports:

Date	Author	Subject
19 January 2011	Dr Michael Boyle, Chief of Staff, Office of Senator Evans, Minister for Tertiary Education, Skills, Jobs and Workplace Relations	A response to Council's letter of 25 November 2010 concerning the Transport Workers Union's campaign for improved safety in the road transport industry campaign ('safe rates'). Attachment 1.
30 January 2011	Philip Sansom, Chair Sydney Metropolitan CMA	Covering letter forwarding the 2009-2010 Sydney Metropolitan Catchment Management Authority Annual Report (tabled for information). Attachment 2.
31 January 2011	Bill Gillooly AM Secretary General Local Government Association of NSW	Letter informing all NSW councils of the online availability of the findings of its commissioned report on the needs of Local Government in responding to climate change. Attachment 3.
7 February 2011	Leo Kennedy, Assistant Secretary, Chronic Disease and Alcohol Branch, Department of Health and Ageing	A response to Council's letter of 4 November 2010 concerning alcohol promotion at sporting events and facilities. Attachment 4.
15 February 2011	Greg Hunt MP, Shadow Minister for Climate Action, Environment and Heritage	A response to Council's letter re Ban on non bio-degradable plastic bags in NSW. Attachment 5.
18 February 2011	SHOROC Inc	SHOROC has written bringing to the attention of councils the Board's resolution. Minutes of the SHOROC Board meeting held 9 February 2011 are tabled for information. At that meeting the SHOROC Board considered a report on the review of the SHOROC governance structure, as part of the SHOROC Corporate & Operational Plan 2010-2014. Attachment 6.

RECOMMENDATION

That the correspondence be received and noted.

Item For Brief Mention Report No. 3 (Cont'd)**ATTACHMENTS**

AT- 1	Senator Evans letter re Transport Workers Union campaign for Safe Rates	2 Pages
AT- 2	Sydney Metro CMA letter and Annual Report	2 Pages
AT- 3	LGA letter re Climate Change survey	1 Page
AT- 4	Department of Health & Ageing letter re alcohol promotion	2 Pages
AT- 5	Greg Hunt MP letter re non bio-degradable plastic bags	1 Page
AT- 6	SHOROC letter re SHOROC Board resolution re governance	2 Pages

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***** End of Item For Brief Mention Report No. 3 *****

Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents
Senator Evans letter re Transport Workers Union campaign for Safe Rates



Office of Senator Chris Evans
Leader of the Government in the Senate
Minister for Tertiary Education, Skills, Jobs and Workplace Relations

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



Dear Mr Wong

Thank you for your letter of 25 November 2010 to Senator Chris Evans, Minister for Jobs and Workplace Relations, on behalf of Manly Council, concerning the Transport Workers Union's campaign for improved safety in the road transport industry campaign ('safe rates'). The Minister has asked me to reply on his behalf.

The Australian Government is committed to improving safety for drivers in the road transport industry. I am pleased to advise you that the Australian Government is making progress on this commitment, with Senator the Hon Jacinta Collins, Parliamentary Secretary for School Education and Workplace Relations, releasing the *Safe Rates, Safe Roads* Directions Paper on 26 November 2010 for public consultation. The Paper builds on previous work undertaken by the National Transport Commission (NTC), which found there was a link between how truck drivers are paid and poor safety outcomes. In its 2008 report, *Safe Payments: Addressing the Underlying Causes of Unsafe Practices in the Road Transport Industry*, the NTC recommended regulating rates and conditions for heavy vehicle drivers in order to increase road safety.

The options canvassed in the Paper were developed in consultation with the Safe Rates Advisory Group (the Advisory Group). The Advisory Group was established by the Hon Julia Gillard MP, then Minister for Employment and Workplace Relations, on 15 December 2009. The Transport Workers Union was represented on the Advisory Group, as well as employer and industry representatives and safety and regulation experts.

Feedback on the Paper will play an important role in helping the Government decide how to address this national issue in a way that is responsive to the community and the road transport industry. On behalf of Mr Evans, I encourage Manly Council to make a submission during the consultation period. The Paper will be open for public comment until 28 January 2011 (www.deewr.gov.au/saferatessaferoads).

ATTACHMENT 1

Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents Senator Evans letter re Transport Workers Union campaign for Safe Rates

2

Improving safety for all road users is an important but complex issue. The process described above will ensure that the issue of safe rates for drivers in the heavy vehicle industry is addressed in a consultative way, with the aim of finding practical solutions that achieve both safety and efficiency in the industry.

Thank you for again bringing your concerns to the Government's attention. I trust the information provided is helpful.

Yours sincerely



Dr Michael Boyle
Chief of Staff

19 January 2011

ATTACHMENT 2

Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents Sydney Metro CMA letter and Annual Report



Mr Henry Wong
General Manager, Manly Council
PO Box 82
Manly NSW 1655

Dear Mr Wong, *Henry*



It is with pleasure that I forward to you the 2009-2010 Sydney Metropolitan Catchment Management Authority (SMCMA) Annual Report. This document captures the exceptional scope of projects and activities being undertaken across Sydney to preserve our unique and precious natural resource assets. Important work is being achieved with valued assistance from our local government partners, including Manly Council.

SMCMA projects and partnerships particularly relevant to your council include:

Sydney Coastal Councils Group: Coastal Community Engagement: Summer Activities Program and Coastal Connection Strategy

The SMCMA has provided \$20,000 to fund a summer activities program as part of the Coastal Connection Strategy.

Funding for this project is sourced from the Australian Government's Caring for our Country program, forming part of 'Engaging NSW Communities in Coastline Conservation' which is a cross regional project involving the five coastal CMA regions in NSW. This project is one of nine projects that aim to increase engagement of coastal community organisations in delivering rehabilitation, restoration and conservation projects, across a range of coastal environments in the SMCMA region.

The project has four main components/objectives. These are:

- (a) To create a community engagement strategy and run capacity building events to aid the recruitment of the next generation of conservation volunteers
- (b) To increase the participation and diversity of community members undertaking on-ground volunteer work.
- (c) To raise awareness across the Sydney region of coastal natural resource management issues, by improving skills and knowledge through the Summer Activities Program.
- (d) To extend the Summer Activities Program on-ground works involving rehabilitation, restoration and conservation of significant coastal environments.

Sites for on-ground works will include Manly Council: North Head; Warringah Council:

Narrabeen Lagoon and Sutherland Shire: Kurnell/Kamay-Botany Bay National Park.

These locations have been purposefully selected because of their iconic characteristics, as well as having established conservation volunteer organisations and environment centres that are closely aligned with them. The locations represent the types of environments that are available across the region such as dunes, riparian areas, urban bushland and intertidal habitats.

All 15 SCCG member councils undertake restoration works of their natural coastal and estuarine environments, mainly by volunteers, and there will be opportunity to use these sites in addition to the three specific rehabilitation/conservation sites.

Stakeholders and key land managers include the 15 SCCG member councils:- Botany Bay, Hornsby, Leichhardt, Manly, Mosman, North Sydney, Pittwater, Randwick, Rockdale, Sutherland, City of Sydney, Warringah, Waverley, Willoughby and Woollahra. The specific rehabilitation sites are Manly, Narrabeen and Kurnell.

Sydney Metropolitan Catchment Management Authority PO Box 3720 PARRAMATTA NSW 2124

**Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents
Sydney Metro CMA letter and Annual Report**

- 2 -

Monitoring of seagrass friendly moorings

This project is funded by the Federal Government. The project is one component of a larger project funded via the NSW Coastal Catchment Management Authorities to further the environmental and sustainability objectives of a national program "Bringing Back the Fish" to navigable waters around Australia.

Adequate seagrass coverage of harbour and river bottoms is essential to aquatic life. Fish experts are concerned that vessels using traditional concrete block and chain moorings cause scouring of harbour or river beds and inhibit the growth of seagrass.

The SMCMA is assisting with a trial of a seagrass friendly mooring design at Manly Cove. Over a three year period these moorings will be monitored for their effectiveness in reducing the impact of moorings on aquatic habitats.

Stakeholders and key land managers who will be involved and consulted include the Department of Industry and Investment NSW, NSW Maritime, Manly Council and mooring licencees.

Catchment Action Plan: NRM Themes:

The Catchment Action Plan for the Sydney region outlines specific natural resource management (NRM) targets to be achieved. The Catchment Action Plan is structured around key themes: Biodiversity, Water, Land and Community. Many of the SMCMA projects deliver outcomes across two or more of these key themes.

The Community Theme in particular works to integrate NRM practices and principles into a wide range of activities by partnering with Local Governments across Sydney.

Achievements of the SMCMA Community CAP theme appear on page 46-49

Yours sincerely,



Philip Sansom,
Chair, Sydney Metropolitan CMA

Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents
LGA letter re Climate Change survey

Local Government
Association of NSW



Shires Association
of NSW

Our ref: R06/0041 Out-19149
Further contact: Amy Lovesey

31 January 2011

Attn: General Manager

In November 2010, the Local Government and Shires Associations of NSW undertook a survey of NSW councils on the needs of Local Government in responding to climate change.

Over 100 councils responded and a report on the survey results has been produced. The report explains that:

- most councils are taking action to reduce their greenhouse gas emissions and prepare for climate change;
- the biggest barriers for councils to achieving progress in acting on climate change are competing priorities and lack of funding;
- most councils have not allocated a budget for climate change action;
- many councils are seeking external funding to plan and implement measures to address climate change; and
- having the support of senior management within council was seen as the most significant driver, among other mechanisms, to accelerate action on climate change within councils.

The report highlights the needs of NSW councils in responding to climate change and includes recommendations for all levels of government in addressing these needs. The report is available online at: www.lgsa-plus.net.au/www/html/3637-needs-of-local-government-.asp

The Local Government Climate Change program helps councils to address the significant challenge that climate change presents. It has now been operating for over 4 years and is funded until 31 March 2011. The Associations are continuing to seek funding to assist councils to adapt to climate change. For more information about the Climate Change Program please contact Amy Lovesey, Climate Change Project Training Manager, on 02 9242 4128 or email amy.lovesey@lgsa.org.au or visit the Climate Change Action Pack website: www.lgsa-plus.net.au/ClimateChangeActionPack.

Yours sincerely



Bill Gillooly AM
Secretary General

GPO Box 7003 Sydney NSW 2001
L8, 28 Margaret St Sydney NSW 2000
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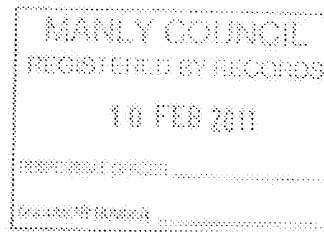
ATTACHMENT 4

Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents Department of Health & Ageing letter re alcohol promotion



Australian Government
Department of Health and Ageing

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



Dear Mr Wong

Thank you for your correspondence of 4 November 2010 to the New South Wales Minister for Health, the Hon Carmel Tebbutt MP, regarding alcohol promotion at sporting events and facilities. The issue of alcohol advertising falls within the portfolio responsibility of the Minister for Health and Ageing, the Hon Nicola Roxon MP. The Minister has asked me to reply on her behalf.

Your concern regarding alcohol promotions at sporting functions and facilities has been noted. The Australian Government is committed to changing Australia's drinking culture and to addressing the problems associated with binge drinking, especially among young people. As part of a comprehensive approach, the Government is implementing the National Binge Drinking Strategy to address binge drinking, particularly among young people. With the addition of \$50 million through the 2010-11 Federal Budget, the Government has now committed \$103.5 million to the National Binge Drinking Strategy, including:

- \$34.4 million for community level initiatives to confront the culture of binge drinking, particularly in sporting organisations;
- \$25 million for a community sponsorship fund to provide an alternative to alcohol industry sponsorship for local community sporting and cultural organisations;
- \$20 million for advertising that confronts young people with the costs and consequences of binge drinking, the 'Don't turn a night out into a nightmare' campaign;
- \$19.1 million to intervene earlier to assist young people and ensure that they assume personal responsibility for their binge drinking; and
- \$5 million for enhanced telephone counselling and referral services.

The \$25 million community sponsorship fund mentioned above aims to remove the links between alcohol and the community-based sporting and cultural activities that young people are often directly involved in.

GPO Box 9848 Canberra ACT 2601
Telephone: (02) 6289 1555 Fax: (02) 6289 2777

ATTACHMENT 4

Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents Department of Health & Ageing letter re alcohol promotion

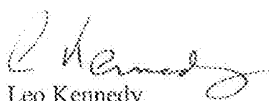
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As you may be aware, the Government has formally established the Australian National Preventive Health Agency, commencing on 1 January 2011. The Agency will lead Australia's fight against preventable diseases through initiatives targeting obesity, alcohol, and tobacco.

The Government addressed alcohol advertising in its report, *Taking Preventative Action -- A Response to Australia: The Healthiest Country by 2020 -- The Report of the National Preventative Health Taskforce*, available at www.preventativehealth.org.au. The Government's stated approach is to pursue voluntary and collaborative approaches with the alcohol industry to promote a more responsible approach to alcohol in Australia before considering more mandatory regulation.

It is anticipated that the Agency will be tasked to monitor the compliance of the alcohol industry with voluntary codes of practice and other commitments on responsible alcohol advertising, as well as supporting behavioural change aimed at minimising harmful alcohol consumption.

Yours sincerely



Leo Kennedy
Assistant Secretary
Chronic Disease and Alcohol Branch
7 February 2011

Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents
Greg Hunt MP letter re non bio-degradable plastic bags



Greg Hunt MP

FEDERAL MEMBER FOR FLINDERS



SHADOW MINISTER FOR CLIMATE ACTION, ENVIRONMENT AND HERITAGE

Shop 4, 184 Salmon Street (PO Box 274), Hastings Vic 3915

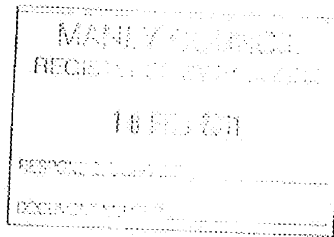
Tel: (03) 5979 3188 Fax: (03) 5979 3034

Email: greg.hunt.mp@aph.gov.au

Website: www.greghunt.com.au

15 February 2011

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



Dear Mr Wong,

Henry

Thank you for your recent letter, concerning a Ban on non bio-degradable plastic bags in New South Wales.

I appreciate and respect the views of the Manly Council, and support the use of bio-degradable plastic bags.

If I can be of assistance to you in the future on this or any other matter, please do not hesitate to contact me.

Yours sincerely,

Greg Hunt
GREG HUNT MP

GH:ls

Regards, Greg

*msc
Table*

ATTACHMENT 6

Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents SHOROC letter re SHOROC Board resolution re governance

PO Box 361 Brookvale NSW 2100

Ph: 02 9905 0095

Fx: 02 9939 6454

Email: admin@shoroc.nsw.gov.au

Web: shoroc.com



18 February 2011

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



Dear Henry

Re: SHOROC Board resolution regarding governance

At its meeting of 9 February 2011, the SHOROC Board considered a report on the SHOROC governance structure, a review conducted as part of the SHOROC Corporate & Operational Plan 2010-2014 approved by the Board in May 2010.

In regard to this report the Board resolved:

- To receive and note the review of SHOROC's governance structure.
- To agree that there is no change to the current Board structure.
- To agree that SHOROC enable greater opportunities for Councillor involvement through:
 - An annual Councillor Forum held for Councillors to raise and discuss regional issues, priorities, costs savings and efficiencies.
 - Consultation of Councillors early in the process of developing major policies or projects.
 - Circulation of Board business papers to the Board members two weeks prior to Board meetings. Late agenda items will be circulated to Board members no later than 2 days prior to the Board meetings, however if this deadline cannot be met urgent items can be tabled at the meeting if the President declares the item urgent.
 - Publication of Board minutes on the SHOROC website.
 - Informing Councillors of media releases prior to circulation to media.
- To agree that councils consider:
 - Circulating papers to Councillors two weeks prior to the Board meetings to enable an opportunity for Councillors to provide input to their Council delegates on Agenda items if they wish.
 - Reporting SHOROC Board papers to council for noting and, if applicable, adoption.
 - Agreeing a process for Councillors to bring items to the Board for consideration, based on the process agreed by Board.

A partnership of Manly, Mosman, Pittwater and Warringah Councils - making our region and our councils even stronger.

ATTACHMENT 6

Item For Brief Mention Report No. 3 - Items for Brief Mention and Tabled documents SHOROC letter re SHOROC Board resolution re governance

PO Box 361 Brookvale NSW 2100

Ph: 02 9905 0095

Fx: 02 9939 6454

Email: admin@shoroc.nsw.gov.au

Web: shoroc.com



- *To note that any suggestions from individual Councillors should always come through the Board delegate and any suggestions coming directly to SHOROC from Councillors will be referred to that council's delegates on the SHOROC Board for consideration and inclusion or otherwise on the Board Agenda.*
- *To agree that the governance structure and processes for Councillor involvement are reviewed in 12 months to ensure the most effective and appropriate structure and processes are in place.*
- *To agree that community involvement in SHOROC policy and project development and priority setting should be through Mayors and elected Councilors and that formal community consultation on major projects should be conducted by councils, unless otherwise agreed by Board.*
- *To agree that the Agendas and Minutes of the GMAC not be published on the website.*

Yours sincerely

Ben Taylor
SHOROC Executive Director

A partnership of Manly, Mosman, Pittwater and Warringah Councils - making our region and our councils even stronger.

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Item For Brief Mention Report No. 4
SUBJECT: Items for Brief Mention
FILE NO:

1. Manly Precinct Liquor Accord

Manly Precinct Liquor Accord (PLA) which is an outcome of the Hassle Free Nights initiative of the Director General of Communities NSW has advised of recent directives at the date of the official launch on 1st March 2011.

In Manly, 15 late night licenses are identified as mandatory participants, and 9 voluntary participants are identified in the initial documentation provided to Council, and referred to Community Safety Committee at the meeting of 10th February 2011.

Council is in receipt of an email from Communities NSW dated 26 February 2011 (Attachment 1) which advises that the following measures commenced as part of the Hassle Free Nights initiative as of 1 March 2011:

A. Mandatory on the License - An additional measure to form **part of the license conditions** of mandatory participants in the Manly PLA:

- a. Undertake a Precinct Safety Assessment as part of a Venue Safety (or equivalent) Plan.

B. Voluntary as Supplementary measures to support the Manly PLA:

- a. Ensuring staff are aware of, and adhere to, crime scene preservation procedures
- b. Participating in the Precinct Charter (to be developed by Communities NSW and Manly PLA participants).
- c. Trialing the individual responsibility resource for 16 to 18 year olds (to be developed by Communities NSW).

C. Existing measures confirmed by the Director General, Communities NSW and noted on the license as mandatory for Manly PLA participants:

- a. Co-fund, promote and distribute late night transport wallet cards.
- b. Promote the Manly Night Shuttle.
- c. Co-fund and provide staff badges – “Ask me how to get home”.
- d. Support the implementation of the Alcohol Free Zones (AFZs) and Alcohol Consumption Prohibited Zones (ACPZ) education campaign.
- e. Display a ‘Respect our Community’ poster for take away liquor outlets.
- f. Ensure your staff attend *RSA on the Frontline* workshops.

D. Voluntary measure which all Manly PLA participants are strongly encouraged to support is:

- a. Supporting Manly Council’s voluntary agreement with late night food traders.

It is recommended that the information be received and noted.

Item For Brief Mention Report No. 4 (Cont'd)

2. Summary of Code of Conduct matters for 2010

Nature of matter	
1. Conduct generally	7
2. Misrepresentations/misinformation	4
3. Conflict of interests	3
4. Inappropriate interaction between councillor and staff	1
5. Conduct of councillor in Council meetings	1
6. Misuse of council resources	1
7. Unlawful/inappropriate motions	0
8. Alleging breach of code of conduct in Council meeting or other public forum	0
9. Political donations	0
10. Inappropriate/unlawful lobbying	0
11. Misuse/mishandling of confidential information	0
12. Other	0
Total	17
Finalised	17

Outcome:

There was no breach found in 16 of the complaints. Included in the 16, three were referred to independent conduct reviewers, on which Council subsequently resolved to take no further action.

The remaining complaint, although there was prima facie evidence of a breach for inappropriate interaction between councillor and staff, the General Manager resolved the complaint by the use of alternative and appropriate strategies in accordance with clause 12.9(c) of the Code of Conduct.

It is recommended that the information be received and noted.

RECOMMENDATION

1. It is recommended that the information be received and noted.
2. It is recommended that the information be received and noted.

ATTACHMENTS

AT- 1 Correspondence from Communities NSW dated 26Feb11 re Hassle Free Nights 6 Pages

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***** End of Item For Brief Mention Report No. 4 *****

ATTACHMENT 1

Item For Brief Mention Report No. 4 - Items for Brief Mention - Summary of Code of Conduct matters for 2010, and Manly Precinct Liquor Accord Correspondence from Communities NSW dated 26Feb11 re Hassle Free Nights

Sue Johansson

From: Hassle Free [hasslefree@communities.nsw.gov.au]
Sent: Saturday, 26 February 2011 9:55 AM
Subject: Manly Precinct Liquor Accord
Attachments: Manly_Attachment 1.pdf; Manly_Attachment 2.pdf
Importance: High

Dear colleague

On 17 January 2011, the Director-General, Communities NSW wrote to mandatory participants concerning the Manly Precinct Liquor Accord (PLA) and approved the measures your Accord had proposed. In addition the Director-General suggested and sought feedback on a range of potential supplementary measures for the PLA. These supplementary measures were proposed as additional strategies to prevent identified harm to members of the public associated with the misuse and abuse of liquor in the precinct; and to protect and support the good order or amenity of the precinct in connection with issues arising from the presence of licensed premises in the precinct.

Consultation

During the recent consultation regarding these measures, representatives of Communities NSW met and listened to feedback from industry peak bodies, representatives from local liquor accords as well as licensees and operators from late trading venues in each of the PLAs. Consultative meetings were also attended by relevant stakeholders such as Police and local councils. In addition, Communities NSW received written feedback from licensees, local liquor accords, industry groups, Police and local councils. Your participation in this recent consultation is appreciated.

The final decision regarding conditions to be applied to licences has been driven by the overall objective of this initiative to reduce alcohol-related crime and anti-social behaviour in our main entertainment precincts. Although discussions have focused on licensed venues, many of the measures that are part of the PLA include locally tailored solutions that represent a cooperative approach between NSW Police, Government agencies, licensed premises and communities. Consideration has been given to all submissions and the Director-General has now written to licensees notify them of the conditions to be placed on their venue's liquor licence as part of their mandatory participation in the Manly PLA as well as other measures that will form part of the PLA.

Based on the feedback presented to the Director-General (see Attachment 1), it is clear that stakeholders want an opportunity to focus on the delivery of the locally developed PLA measures to address identified risks and contribute to the safety and vibrancy of the entertainment precinct. The Director-General is therefore of the opinion that many of the supplementary measures proposed are not required at this time and would only warrant further consideration if the local measures do not address the potential for significant risk of harm in and around licensed premises within the Manly precinct or are not implemented effectively by participants. This would be evident from the monitoring and evaluation which forms part of the *Hassle Free Nights* Action Plan and additional measures would only proceed after further consultation.

Final Determination

As advised through the consultative process, the *Hassle Free Nights* legislation requires consideration of harms and the risk of harm in the entire precinct. The Director-General's determination reflects the need to mitigate harms arising in the precinct and not merely within a licensed venue. On the basis of the recent consultation the Director-General is therefore placing one condition additional to those proposed by the PLA participants and approved in her letter of 17 January 2011. The Director-General is satisfied that this measure is required in order to prevent harm to members of the public associated with the misuse and abuse of liquor in the precinct (including harm arising from violence or other anti-social behaviour); and/or to protect and support the good order or amenity of the precinct in connection with issues arising from the presence of, or any proposed increase in the number of, licensed premises in the precinct.

Measures that will form part of licence conditions of mandatory participants

The following additional measure is imposed by the Director-General and will form part of the licence conditions of mandatory participants to commence from 1 March 2011 until further notice:

- Undertake a Precinct Safety Assessment as part of your Venue Safety (or equivalent) Plan

Details of that condition are at Attachment 2.

The other measures that will be conditions on the licences of mandatory participants as part of the Manly PLA were confirmed in the Director-General's correspondence of 17 January 2011. These will operate until further notice:

Item For Brief Mention Report No. 4 - Items for Brief Mention - Summary of Code of Conduct matters for 2010, and Manly Precinct Liquor Accord
Correspondence from Communities NSW dated 26Feb11 re Hassle Free Nights

Attachment 1

SUMMARY OF FEEDBACK REGARDING ADDITIONAL MEASURES

Based on written submissions and extensive face-to-face feedback, decisions have been made regarding the proposed supplementary measures. This document details:

- an additional measure that will form part of your licence conditions commencing from 1 March 2011;
- supplementary measures that you are encouraged to support but which do not form part of your licence conditions; and
- proposed measures that will not be implemented.

Measure that will form part of your licence conditions commencing 1 March 2011

This additional measure will form part of your licence conditions and is imposed by the Director-General, Communities NSW. It will commence on 1 March 2011 and operate until further notice.

Precinct Safety Assessment

It will be a condition on your licence that a Precinct Safety Assessment is included as part of your venue's safety (or equivalent) plan. The Assessment needs to be conducted by 31 March 2011.

After consideration of the feedback received on the proposed PLA safety plan, the measure has been revised. The identified requirements in the PLA safety plans are still considered appropriate but should now be addressed as an extension of your venue's existing safety plan (or its equivalent) in a defined section entitled 'Precinct Safety Assessment'.

Supplementary measures that you should support commencing from March 2011

The following supplementary measures are not conditions on your licence, however your support of these measures is strongly encouraged:

Crime Scene Preservation Guidelines

Whilst the requirement for venues to follow the crime scene preservation guidelines remains a high priority, this measure will not be included as a condition on liquor licences as part of the Precinct Liquor Accord.

It is important for Government and venues to work together in the implementation of this measure. Communities NSW will include crime scene preservation as a key component of the *RSA on the Frontline* workshops.

Item For Brief Mention Report No. 4 - Items for Brief Mention - Summary of Code of Conduct matters for 2010, and Manly Precinct Liquor Accord
Correspondence from Communities NSW dated 26Feb11 re Hassle Free Nights

Precinct Charter

Communities NSW will work in collaboration with PLA participants within the precinct to develop a *Precinct Charter*.

To help establish Manly as a safe and vibrant entertainment precinct, the *Precinct Charter* will outline the rights and responsibilities for both customers and late night trading businesses. PLA participants are expected to support this initiative.

Individual responsibility resource for 16 to 18 year olds

Communities NSW will develop an individual responsibility resource for 16 to 18 year olds to educate students on the risks associated with alcohol use, and the impact and accountability of their behaviour on themselves, friends and the community. This will be trialled in Manly.

Proposed measures that will not be implemented

Two-month trial of restrictions on takeaway liquor sales

The proposed condition of restrictions on takeaway sales will not be imposed on participants in the Manly Precinct Liquor Accord. Feedback from stakeholders indicates that the majority of alcohol consumed on the streets is brought in to the Manly precinct from unidentified external premises. Mandatory participants that provide takeaway sales in the Manly precinct are encouraged to continue to proactively engage with Police and Council rangers when patrons are seen to be consuming purchases in the Alcohol Free and Alcohol Consumption Prohibited Zones.

Item For Brief Mention Report No. 4 - Items for Brief Mention - Summary of Code of Conduct matters for 2010, and Manly Precinct Liquor Accord
Correspondence from Communities NSW dated 26Feb11 re Hassle Free Nights

Attachment 2

**SUPPLEMENTARY MEASURES APPROVED BY THE DIRECTOR-GENERAL
 MANLY PRECINCT LIQUOR ACCORD**

A. The following condition is imposed on your liquor licence commencing from 1 March 2011 until further notice.

Measure Precinct Safety Assessment		
Description The Precinct Safety Assessment will be a separate component of existing safety plans. The Assessment must articulate the responsibilities of the venue and actions being undertaken to contribute to the development of a safe and vibrant entertainment precinct.		
Deliverables	Responsible	Cost Contribution
1. Undertake a Precinct Safety Assessment by 31 March 2011.	Venue	Mandatory participants to meet in-kind costs
2. The Precinct Safety Assessment for venues in Manly must consider, but not be limited to: <ul style="list-style-type: none"> • safe design principles • issues relating to patron capacity • mechanisms for detecting patrons who have pre-fuelled • management of the entry and dispersal of patrons 	Venue	
3. Strategies in the assessment to be implemented by 7 April 2011.	Venue	
4. All staff to be informed of the Precinct Safety Assessment and the strategies the venue is initiating to promote a safe and vibrant entertainment precinct.	Venue	
5. A copy of the assessment entitled 'Precinct Safety Assessment' to be kept in the venue's RSA Register.	Venue	
6. Precinct Safety Assessment to be made available to local police and/or OLGR inspectors.	Venue	
7. The Precinct Safety Assessment's effectiveness is to be reviewed after three (3) months and again at intervals of not less than six (6) months.	Venue	

Item For Brief Mention Report No. 4 - Items for Brief Mention - Summary of Code of Conduct matters for 2010, and Manly Precinct Liquor Accord
Correspondence from Communities NSW dated 26Feb11 re Hassle Free Nights

B. The following measures will form part of the PLA agreement but are not conditions on a licence. The support of all members is sought to help enhance the safety and amenity of the precinct and to reduce the risk of harm.

Measure Crime Scene Preservation Procedures			
Description Venues are to follow a formal set of procedures for crime scene preservation in the case of a violent incident on their premises. The procedures are articulated in the 'Crime Scene Preservation Guidelines' (NSW Police, July 2010)			
Deliverables		Responsible	Cost Contribution
1.	Crime Scene Preservation Guidelines followed as required.	Venue	Mandatory participants to meet in-kind costs
2.	All venue staff to be made aware of the procedures outlined in the Guidelines.	Venue	
3.	Guidelines are reinforced as part of <i>RSA on the Frontline</i> training.	Communities NSW	

Measure Precinct Charter			
Description The Precinct Charter will focus on the key areas seen as important by precinct stakeholders			
Deliverables		Responsible	Cost Contribution
1.	Draft the terms and principles of the Precinct Charter by 31 March 2011.	Communities NSW in consultation with stakeholders	Mandatory participants to meet in-kind costs
2.	Seek feedback from mandatory and voluntary participants in the PLA to ensure it is tailored to local needs.	Communities NSW	
3.	Support the Precinct Charter and ensure all staff are aware of it.	Venue	
3.	Display a copy of the Precinct Charter in a prominent position in the venue.	Venue	Communities NSW
4.	Communities NSW will recognise venues for supporting the Charter.	Communities NSW	

ATTACHMENT 1

Item For Brief Mention Report No. 4 - Items for Brief Mention - Summary of Code of Conduct matters for 2010, and Manly Precinct Liquor Accord Correspondence from Communities NSW dated 26Feb11 re Hassle Free Nights

Measure Individual responsibility resource for 16 to 18 year olds			
Description This resource will educate young people on the risks associated with alcohol use, the accountability and impacts of their behaviour on themselves, friends and the community.			
Deliverables		Responsible	Cost Contribution
1.	Work with stakeholders to develop and trial the resource.	Communities NSW	Communities NSW
2.	Provide support and input as required.	Venues	

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Report Of Committees Report No. 7
SUBJECT: Minutes for Adoption by Council - Special Purpose Committees - without recommendations of a substantial nature
FILE NO:

The Minutes of the following Special Purpose Committee Meetings are tabled at this meeting.

Minutes of Meetings for adoption without recommendations of a substantial nature.

- i) Councillors Implementation Working Group – 3 February 2011
- ii) Waste Committee – 16 February 2011

RECOMMENDATION

That the Minutes of the following Special Purpose Committee Meetings be adopted:

- i) Councillors Implementation Working Group – 3 February 2011
- ii) Waste Committee – 16 February 2011

ATTACHMENTS

There are no attachments for this report.

PS070311RC_2.doc

***** End of Report Of Committees Report No. 7 *****

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Report Of Committees Report No. 8
SUBJECT: Minutes for adoption by Council - Sports Facilities Committee - 4 February 2011
FILE NO:

These reports were dealt with at the Sports Facilities Committee meeting of 4 February 2011 and were listed as a Recommendation in those minutes. These items are hereby submitted to the Planning and Strategy Meeting, together with the minutes for formal adoption by Council.

1. ITEM 4 Report - Update on Items from Previous meetings

This report will update the committee on previous items raised.

- Cloud master Systems
 - Manly Oval, Keirle Park, and Grahams Reserve, Seaforth Oval) all have the Cloudmaster system installed Clubs that have lighting controlled by the Cloudmaster systems should have now provided to Council the mobile phone numbers of the club representatives who will have authority to operate the lights during the season.
- North Head –Use of Oval
 - A letter has been drafted for the General Manger signature to the Sydney Harbour Federation Trust requesting a meeting regarding the possible use of the oval at North Head. This is pending considering that the General Manager of Warringah Council has offered Manly Council the use of Curl Curl oval; the Parks Manager will further investigate this option.
- Manly Oval Toilet Block refurbishment
 - Funding has been confirmed by Council to match the Community partnerships grant received by the Manly Cricket and Rugby Clubs an extension of the grant time frame was received until 31st March 2011. Works have been planned costed and will be completed by the extended time frame.
- Mounties development - Ivanhoe Park
 - The Parks Manager has contacted the Club and will arrange an onsite meeting to discuss boundary issues only, in relation to wall new seating location. All other items will be related to any Development application lodged.
- Black out date for renovations of fields
 - A report will be included for the April meeting.
- Balgowlah Oval possibilities for field re sizing
 - A report detailing possibilities will be tabled at the April meeting.

At this item it was asked by Volley ball was it possible to add additional courts on Manly beach. It was outlined that the existing number of courts on Manly beach was the agreed number, and that it would not be possible to increase the number of courts.

Report Of Committees Report No. 8 (Cont'd)**2. ITEM 6 REPORT: Future Agenda Items for Committee**

The Committee was requested to consider any future agenda items that could be reported on in the future.

In order that items be fully investigated and reported on in a regulated time frame items should be listed ahead of time to allow time for reporting.

- The refurbishment of the Keirle Park Skate bowl and half pipe ramps.
- Bubbler installation at sporting ovals.
- Regulations or standards for portable Volley ball nets.
- Cloud master systems for other sporting fields.

RECOMMENDATION

That the minutes of the Sports Facilities Committee meeting on 4 February 2011 be adopted including the following items:

1. ITEM 4 REPORT: Update on Items from Previous meetings

That the Committee received and noted the report.

2. ITEM 6 REPORT: Future Agenda Items for Committee

- i) The Committee received and noted the report.
- ii) That future items be reported back to the Committee at subsequent meetings for consideration.

ATTACHMENTS

There are no attachments for this report.

PS070311RC_3.doc

***** End of Report Of Committees Report No. 8 *****

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Report Of Committees Report No. 9
SUBJECT: Minutes for adoption by Council - Community Environment Committee –
9 February 2011
FILE NO:

This report was dealt with at the Community Environment Committee meeting of 9 February 2011 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Planning and Strategy Meeting, together with the minutes for formal adoption by Council.

1. ITEM 4 MANLY ENVIRONMENT CENTRE

Julie Taylor Mills, on behalf of the Manly Environment Center's Conference Committee reported to the Committee on an Environmental Levy Bid for 2011 for \$40,000 to facilitate the International Conference for Environment Centre's in September 2011.

2. ITEM 5 URGENT REQUEST FOR FUNDING FOR DREDGING OF WITCHES GLEN

Report from Council's Manager, Parks and Reserves, on the urgent need to dredge the pool at the base of Witches Glen. Officers from DECCW have assisted in the temporary relocation of aquatic life.

Council's Bushland Manager has advised that \$40,000 remains from the current year's Environmental Levy and is requesting the Environment Committee's support to use these moneys to fund the immediate dredging.

RECOMMENDATION

That the minutes of the Community Environment Committee meeting on 9 February 2011 be adopted including the following items:

1. ITEM 4 MANLY ENVIRONMENT CENTRE

The Committee strongly supports this bid for inclusion in this year's bids to go to Council for approval.

2. ITEM 5 URGENT REQUEST FOR FUNDING FOR DREDGING OF WITCHES GLEN

The Committee supports the staff recommendation that residual moneys of \$40,000 from the current year's bushland funding from the environmental levy be used for dredging Witches Glen.

ATTACHMENTS

There are no attachments for this report.

PS070311RC_4.doc

***** End of Report Of Committees Report No. 9 *****

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Report Of Committees Report No. 10
SUBJECT: Minutes for adoption by Council - Community Safety Committee –
10 February 2011
FILE NO:

These reports were dealt with at the Community Safety Committee meeting of 10 February 2011 and were listed as a Recommendation in those minutes. These items are hereby submitted to the Planning and Strategy Meeting, together with the minutes for formal adoption by Council.

1. ITEM 4 Report – Draft Manly Crime Prevention Plan

The Committee was provided with an overview of the Action Plan contained within the draft Manly Crime Prevention which targets alcohol related assaults.

The Committee then endorsed the draft Manly Crime Prevention Plan 2011-21013.

2. ITEM 8 Report – Working Party to discuss Development Application and Liquor Licence consent conditions

The Chair acknowledged the input of all members of the Working Party. It was confirmed that following the report and recommendations made from the December 2010 meeting, the Working Party should be dissolved.

RECOMMENDATION

That the minutes of the Community Safety Committee meeting on 10 February 2011 be adopted including the following items:

1. ITEM 4 Report – Draft Manly Crime Prevention Plan

The Committee recommends following a report presented to Council, that Council:

- adopts the draft Manly Crime Prevention Plan 2011-2013 and Supporting Documentation;
- provides public notice of the draft Plan and Supporting Documentation;
- places the draft Plan and Supporting Documentation on public exhibition and advises key stakeholders of a public exhibition period of 28 days during which time submissions will be invited;
- considers all submissions received, and then resolve to either amend the draft plan or adopt it without amendment as the Manly Crime Prevention Plan 2011-2013;
- submits the Manly Crime Prevention Plan 2011-2013 to the NSW Attorney General for approval as a safer community compact;
- applies for funding through the NSW Department of Justice and Attorney General to implement actions in the endorsed Manly Crime Prevention Plan 2011-2013.

Report Of Committees Report No. 10 (Cont'd)**2. ITEM 8 Report – Working Party to discuss Development Application and Liquor Licence consent conditions**

That the Community Safety Committee Working Party to discuss Development Application and Liquor Licence consent conditions be thanked for its contribution, and now be disbanded in acknowledgement of having completed its objectives.

ATTACHMENTS

There are no attachments for this report.

PS070311RC_1.doc

***** End of Report Of Committees Report No. 10 *****

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Report Of Committees Report No. 11
SUBJECT: Minutes for adoption by Council - Surf Club Liaison Working Group –
15 February 2011
FILE NO:

This report was dealt with at the Surf Club Liaison Working Group meeting of 15 February 2011 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Planning and Strategy Meeting, together with the minutes for formal adoption by Council.

1. ITEM 7 GENERAL BUSINESS

The Mayor noted that Council had received a communication from Manly Life Saving Club's General Manager, identifying the Club's position in relation to this swimming club.

Discussion held regarding the safety aspects of the Bold and Beautiful swimming group with their activity held on Australia Day.

RECOMMENDATION

That the minutes of the Surf Club Liaison Working Group meeting on 15 February 2011 be adopted including the following items:

1. ITEM 7 GENERAL BUSINESS

The Committee requests that Council advises the Bold and Beautiful swimming club on the policies and procedures and regulations required to be adhered to when holding an event.

ATTACHMENTS

There are no attachments for this report.

PS070311RC_5.doc

***** End of Report Of Committees Report No. 11 *****

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Planning And Strategy Division Report No. 6
SUBJECT: Master Plan for the Balgowlah Industrial Zone
FILE NO:

SUMMARY

This report informs Council of the preparation of a draft Master Plan for the Industrial Zone in accordance with Council's resolution dated 27 June 2010. It is recommended that at this stage Council proceed to publically exhibit the draft Master Plan. A further report to Council will deal with submissions received during this exhibition and make final amendments to Council for adoption of the Master Plan.

REPORT

INTRODUCTION

A draft Master Plan for the Industrial Zone under Manly local Environmental Plan 1988 has been prepared by consultants, Hassell with specialist input by Christopher Hallam & Associates in relation to traffic and parking; and Worley Parsons in relation to environmental impacts. The draft Master Plan was prepared to provide a framework for Council's future land use, traffic function, pedestrian movement, public domain and development controls.

BACKGROUND

At its Ordinary Meeting on 27 June 2010 Council adopted a Notice of Motion by Councillor Griffin and resolved at that time, in part as follows:

"Manly Council accede to community and three Precinct Forum requests to develop as a matter of urgency a comprehensive Master Plan for the Balgowlah/Manly Vale Industrial Zone, (Enterprise Zone as it will become known) establishing planning priorities including but not limited to:

- a. Changes to roads, traffic management, and parking;*
- b. Pedestrian and bike paths;*
- c. Landscaping, tree plantings, open space and public place furniture;*
- d. Diversity of land uses;*
- e. Environmental impacts of large scale excavation on the water table."*

MASTERPLAN METHODOLOGY

In preparing the Master Plan, the Consultants have established four (4) options for discussion and testing. These options were based on analysis and a consultation phase involving stakeholders (industrial landowners and adjoining residents) early in the process. The adopted options had particular regard to an amended road structure; the function of the precinct as well as opportunities identified for public domain improvements and appropriate development guidelines. Land uses were based on the recommendations of the *Manly Zone 4 Industrial Strategic Review* (December 2009) undertaken in the drafting of the Manly LEP 2011 and providing strategic direction in earlier amendments to Manly LEP 1988. The *Zone 4 Industrial Strategic Review* recommendations for future zonings were also considered by Council's LEP/DCP Working Group.

The established options were assessed and developed in a matrix format tested against key criteria derived from the analysis and consultation. While the options and matrix assessment are fully detailed in the Master Plan, options 2 and 4 were preferred and are reported in brief as follows:

Planning And Strategy Division Report No. 6 (Cont'd)Option 2

This option involves establishing a primary gateway to the precinct on Hayes Street at the intersection with Condamine Road, including amendments to this intersection. This option also includes residential crossing opportunities at each end of Roseberry Street (within the precinct).

Advantages identified in this option include improved internal and external traffic function. This option also allows all traffic to enter and exit the precinct through a new Hayes Street gateway reducing traffic along Balgowlah Road. Disadvantages of this option include significantly higher traffic capacity at Hayes Street and Condamine Street (based on schematic design). The RTA would also need to be involved in any wider regional traffic issues to be negotiated.

Option 4

This option involves connecting the northern and southern ends of Quirk Road to allow two way movement between Condamine Street and Kenneth Road. This option also establishes a 'primary gateway' at Roseberry Street north.

Advantages identified in this option include reduced pressure on Roseberry Street and high traffic intersections; and improved links through the precinct. Disadvantages include substantial cost of construction and impacts on Manly West Park in terms of amenity and flood waters during flood events.

Options 1 and 3

Option 1 is a 'base' option representing the status quo and option 3 recommends the Roseberry Street be limited to one way traffic movement (north to south). Neither of these options was preferred by the Consultant when tested against key criteria.

PUBLIC PARTICIPATION AND CONSULTATIONS**Pre Exhibition Consultation**

Workshops have been undertaken with both adjoining residential landowners and Industrial landowners to inform and assist in the preparation of this Master Plan. Warringah Council have also been provided with draft extracts of the Master Plan. Councillors will also recall a presentation of the draft Plan undertaken by the Consultants in December 2010. A draft Master Plan document was also circulated to Councillors at that time. A final draft Master Plan is provided as an attachment to this report.

Workshop with adjoining residential landowners

Residential landowners adjoining the study area were invited to a community meeting on 7th September 2010 at Pioneer Clubhouse, Quirk St. While full details of issues and comments arising from this workshop are contained in the Master Plan document (attached) some key points from the discussion include:

- **Traffic & Parking:** Investigations sought into traffic calming to Balgowlah Road and Kenneth St; improvements in Hayes St; opening of Quirk Street; avoiding increased traffic and both traffic impacts and loss of residential amenity beyond the study precinct. Provision of street parking was also considered.
- **Pedestrian:** Improved accessibility and linkages sought with existing conflicts minimised. Pedestrian refuges sought.
- **Streetscape:** Improvements in terms of footpaths and street planting sought.
- **Character:** Poor landscape character identified in Roseberry Street and Manly West Park. Investigation sought into opportunities for broader usage encouraging safety, particularly at night.
- **Land Use:** Lower visitation uses are to be encouraged in the industrial area. Potential was noted for business uses rather than industrial/retail.
- **Built Form:** Ensure high quality design and built character. Investigation into minimum lot sizes were also suggested.

Planning And Strategy Division Report No. 6 (Cont'd)***Workshop with Industrial Landowners***

Owners in the study area were invited to a community meeting on 28th September 2010 at Pioneer Clubhouse, Quirk St. This invitation was also extended to any tenants who occupy premises in the study area. While full details of issues and comments arising from this workshop are contained in the Master Plan document some key points from the discussion include:

- **Traffic & Parking:** Investigations sought into opening of Quirk Street, one way movement and road widening in Roseberry St; primary access point in Hayes St; It was observed that streets are near capacity. Loading and deliveries were also issues raised.
- **Land Use:** Approvals for major developments have changed the character and rents are too high for small light industry. Low demand for industrial uses were noted and investigation into business/commercial uses sought subject to adequate parking.
- **Built Form:** Opportunity appears to exist for increased density within the central portion of the precinct subject to adequate parking.
- **Character:** Pedestrian crossings would improve safety. Public access to the proposed Woolworths car park to be opened to maximise public benefit. There does not appear to be critical mass for industrial units which appear to prefer bigger precincts with better transport services.

Consultations with Warringah Council

Initial Consultations with Warringah Council have commenced with an extract from the draft Master Plan provided in December 2010 for the Council's consideration. Warringah Council's staff have reviewed the four preliminary options and the identified constraints and opportunities and provided preliminary comments on 15 December 2010. This submission noted the proposed options relating to changes to the road system in the area, e.g. new pedestrian path along Kenneth Road, raised pedestrian platforms to provide pedestrian crossings and slow traffic, widening of Roseberry Street from 9.7m to 12.8m, and a reconfigured intersection at Hayes and Condamine Streets to allow egress north and south from the area to Burnt Bridge deviation. This submission also noted that Options 3 and 4 also open Quirk Road to traffic for its length, and that option 3 suggests making Roseberry Street one-way southbound. In relation to these changes Warringah Council states:

"These options will have impacts on traffic movements in Warringah, especially along Kenneth Road and Quirk Road, and possibly on to Campbell Parade and its signalised intersection with Condamine Street if Quirk Road is opened. The operation of intersections is important and in this case the roundabouts at Kenneth / Quirk and Kenneth / Roseberry are significant. In terms of impacts on intersections with Condamine Street, such as Kenneth Road and Campbell Parade, the RTA comments on the options will be significant. However, it is difficult to make educated comments in response to the preliminary master plan as no modelling or traffic study has been included.

Such a traffic study should address the impact of development on traffic on the road network and particularly the adjacent key intersections. The impact of development such as Bunnings, Woolworths and the neighbourhood centre on traffic that spreads into Warringah and the impact on the functioning of Manly Vale as a Local Centre should also be addressed."

Exhibition of draft Master Plan

Exhibition of the draft Master Plan is now proposed to more broadly inform the public and invite further community participation in this process prior to final consideration, review and adoption of the Master Plan.

It is proposed that the exhibition be notified in the Manly Daily and for individual letters to be mailed to all persons who attended and/or expressed interest in the community workshops. All community precincts and Warringah Council are also to be notified directly. The draft Master Plan is proposed to be notified for a period of four (4) weeks located on Council's website as well at the Town Hall and Library.

Planning And Strategy Division Report No. 6 (Cont'd)**ACTIONS FOLLOWING EXHIBITION**

Following public exhibition and a review of comments and submissions received, the draft Master Plan will be further reported to Council for its final endorsement. Once the Master Plan is approved by Council, Council may resolve to amend the Industrial Zone DCP based on recommendations contained in the Master Plan. In order to implement other recommendations in the Master Plan, Council may also prepare staging schemes and investigate road infrastructure upgrades as recommended in the Master Plan.

Matters arising in the draft Master Plan that may be progressed in future DCP's are as follows:

- Promotion of a higher FSR to the west and central areas.
- Increased height in the centre of the precinct and at the Condamine Street interface.
- Increases in both FSR and height may provide greater articulation of future built but also to particularly ensure reduced bulk to residential interfaces to the north and south.
- Retention of existing minimum street setback. Greater setbacks may be implemented at Condamine Street due to increase height and FSR.
- Design elements for the public domain to promote improved pedestrian links through the precinct and to encourage focus on Manly West Park.

Planning and Economic Implications

The Master Plan recommendations include significant road infrastructure improvements which are cost prohibitive to Council including road construction in Quirk Street also constrained by its floodway location. The Master Plan by its very nature involves long term planning and broad future planning directions for the precinct. Notwithstanding the cost constraints of opening Quirk Street. There are a number of more immediate recommendations arising from the Master Plan that may proceed in relation to street improvements in the short term. The Master Plan's recommendations for amendments to the Manly DCP for the Industrial Zone will have medium term effects providing improved controls for future proposed developments. Zoning and development provisions in the new Manly LEP 2011 will also be appropriately informed by the draft Master Plan. However in relation to the zoning of unmade road at Quirk Road the draft LEP 2011 does intend to retain a public recreation zone for this land at this stage.

Conclusions

The draft Master Plan has been prepared by Hassell Pty Ltd on behalf of Manly Council which seeks to establish planning priorities and to review long term vision for the Manly Industrial Zone. Shorter term recommendations are also made in relation to general streetscape improvements including footpaths and street planting. Exhibition of the draft Master Plan is now recommended to progress this project. A further report to Council will follow exhibition and an assessment of submissions.

RECOMMENDATION

THAT the draft Master Plan for the Balgowlah Industrial Zone be place on exhibition.

ATTACHMENTS

There are no attachments for this report.

PS070311PSD_1.doc

***** End of Planning And Strategy Division Report No. 6 *****

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Planning And Strategy Division Report No. 7
SUBJECT: Late Night Venues DCP
FILE NO:

SUMMARY:

This report has been prepared in response to Council Resolution 251/10 at the Ordinary Meeting of 13 December 2010; that Staff bring back a report to Council on the feasibility of strengthening Manly's existing Late Night Development Control Plan to incorporate the trial licensing features and other improvements in the City of Sydney Late Night Plan. The report updates the Council on the status of the City of Sydney DCP following recent intervention by the Minister for Planning and recommends action that can be taken by Council under current provisions of the *Environmental Planning & Assessment Act, 1979*, to regulate the operating hours and Management of Late Night Venues in Manly LGA.

REPORT

At its ordinary meeting of 13 December 2011 the Council resolved:

"That staff bring back a report to Council on the feasibility of strengthening Manly's existing Late Night DCP to incorporate the trial licensing features and other improvements contained in the current City of Sydney Late Night Plan."

Upon review of the City of Sydney Late Night Trading Premises DCP 2007, it is noted that this DCP contains provisions to regulate the operating hours and management of late night trading hours. This document was published prior to planning reforms to amend the Environmental Planning and Assessment Act in 2008. Section 80A (10B)-(10E) of the Act was introduced to enable consent authorities to impose reviewable conditions to deal with noise and capacity issues associated with development. The Act supersedes all local environmental plans and development controls.

It is therefore not necessary to develop specific controls in a DCP as the Act provides the opportunity to use reviewable conditions on development consent. In effect this means council can 'trial' license periods for all new late night trading premises as part of the development approval process under Part 4 of the Act. Councils may impose reviewable conditions on entertainment venues, function centres, pubs, registered clubs and restaurants where the impact of noise and capacity is not yet clear.

It is recommended that Council Development Assessment Planners utilise Section 80A of the Act (Attachment 1) to impose reviewable conditions to development consent as an when it is considered necessary to review the impact of late night licensed premises.

City of Sydney Late Night Trading Development Plan Amendment Revoked by Minister of Planning

The City of Sydney recently reviewed their late night trading premises DCP to reflect the legislative changes and prepared an amendment to the 2007 DCP in 2010. This draft amendment was revoked by the Minister for Planning, the Honorable Tony Kelly in December 2010. In a NSW Government press release issued on 15 December 2010, the Minister cited that the proposed DCP controls are an inappropriate use of planning powers, which would have allowed City of Sydney Council to review conditions for operating hours at 14 days notice and subject licensed premises to potentially unending rolling trial periods.

Planning And Strategy Division Report No. 7 (Cont'd)

The Minister stated that that a one size fits all approach is not appropriate and the existing CoS Late Night DCP will remain in place until a review led by a whole of government taskforce of key stakeholders looks at the issue of late night premises. Stakeholders invited to be part in the process include NSW Police, NSW Communities (including Office of Liquor and Gaming and Racing), Department of Planning, City of Sydney, National Drug Alliance local community representatives and industry.

Current Regulation of Late Night Venues

The present role of Consent Authorities/Councils is to continue to assess Development Assessments, ensure compliance with Development Certificates, exercise powers to issue fire safety orders under EP&A Act, and continue to address noise under the *Protection of Operations Act, 1997*.

The Office of Liquor, Gaming and Racing assesses applications for liquor licenses and variations under the Liquor Act and can regulate hours, noise, numbers, CCTV, security, lockout provisions, RSA etc and use enforcement powers under the Liquor Act.

NSW Police possess enforcement powers under the Liquor Act, EP&A Act and other legislation.

Summary of controlsExisting Premises:

Existing premises continue to operate under existing development consents or existing use rights. These premises can now have music without need for permit/consent and may apply to councils to vary development consents. Premises with existing DAs with capacity conditions must display signs specifying the capacity. Councils or other parties can apply under Liquor Act provisions to seek conditions on liquor licenses.

New Premises:

All new premises will require development applications. The Department of Planning has issued guidance on matters that should typically be considered during development assessment under Part 4 of the EP&A Act.

Operational plans of management should not be made a condition of consent. Issues concerning management of licensed premises should be dealt with under the Liquor Licence.

Conditions of Development Consent:

Appropriate planning conditions should typically address public amenity, design and building safety issues. Prescribed conditions in EP&A Regulations 2000 include requirements to display signs specifying the capacity under clause 98D and emergency evacuation plans under Schedule 3A.

Reviewable Conditions:

Under section 80A of the EP&A Act, reviewable conditions can be imposed by Council to development consent for entertainment venues, function centres, pubs, registered clubs and restaurants where the impact of noise and capacity is not yet clear. The Act supersedes the DCP provisions; therefore it is not necessary to repeat these arrangements due to the statutory power under the Act provided to council to impose reviewable conditions. In effect, reviewable conditions can be used to trial extensions of hours of operation and increases in maximum capacities where it is difficult to assess potential impact. This provides a site specific approach to addressing the impact of late night premises on local amenity and noise.

Planning And Strategy Division Report No. 7 (Cont'd)**RECOMMENDATION**

It is recommended that Council's Development Assessment Planners utilise Section 80A of the EPA 2008 Act to impose reviewable conditions on development consents in relation to hours of operation and patron capacity, as and when it is considered necessary to review conditions in relation to the impact of noise and capacity of late night licensed premises.

ATTACHMENTS

AT- 1 Late Night Venues - Section 80A of the EPA 2008 1 Page

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***** End of Planning And Strategy Division Report No. 7 *****

Section 80A of the Act

(10B)

Review of extended hours of operation and number of persons permitted. A development consent that is granted subject to a reviewable condition may be granted subject to a further condition that the consent authority may review that condition at any time or at intervals specified by the consent and that the reviewable condition may be changed on any such review.

(10C)

The regulations may make provision for or with respect to the kinds of development that may be subject to a further condition referred to in subsection (10B), the matters that must be included in such a condition and the procedures for a review under such a condition.

(10D)

A decision by a consent authority to change a reviewable condition on a review is taken to be a determination of a development consent for the purposes of this Act.

Note. A review application or an appeal against a determination of a development consent may be made under Division 7A or 8.

(10E)

For the purposes of subsections (10B)–(10D), a *reviewable condition* means any of the following:

- (a) a condition that permits extended hours of operation (in addition to other specified hours of operation),
- (b) a condition that increases the maximum number of persons permitted in a building (in addition to the maximum number otherwise permitted).

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Environmental Services Division Report No. 3
SUBJECT: Development Applications Being Processed During March 2011
FILE NO:

SUMMARY

Development Applications being processed during March 2011.

REPORT

The following applications are with the Town Planners for assessment.

35	2004	8 The Corso	Section 96 Modification
142	2004	17 Peacock Street	Section 96 Modification
507	2005	31 Boyle Street	Section 96 Modification
197	2006	24 Smith Street	Section 96 Modification
424	2006	168 Woodlands Street	Section 96 Modification
216	2007	88 Bower Street	Section 96 Modification
421	2007	Manly Golf Club - Kenneth Road	Section 96 Modification
149	2008	2 West Promenade	Section 96 Modification
174	2008	8 Coral Street	Section 96 Modification
463	2008	75 The Corso	Section 96 Modification
24	2009	7 Marine Parade	Alterations & Additions to mixed use building
137	2009	243 Pittwater Road	Section 96 Modification
180	2009	Manly Wharf	Hugos extended outdoor seating
258	2009	258 Sydney Road	Section 96 Modification
401	2009	31 Ellery Parade	Section 96 modification
402	2009	28 Alexander Street	Section 96 modification
404	2009	57 Quinton Road	Section 96 Modification
412	2009	11 Scales Parade	82A Review
11	2010	44 Alma Avenue	Partial demolition, Alterations and Additions, pool, cabana and landscaping
14	2010	1 Barrabooka Street	Alterations & Additions
16	2010	164 Condamine Street	Section 96 Modification
23	2010	15 Jackson Street	Section 96 Modification
47	2010	288 Sydney Road	Section 96 Modification
48	2010	10 Geddes Street	Section 96 Modification
61	2010	44-46 Seaforth Crescent	Alterations and Additions
64	2010	3 Rignold Street	Alterations and Additions
67	2010	31 Seaforth Crescent	Demolition of existing, new 4 level dwelling
107	2010	17-29 Roseberry Street	Section 96 Modification
120	2010	5 Bentley Street	Section 96 Modification
148	2010	22 Jackson Street	Section 96 Modification
162	2010	27 Daintrey Street	Alterations and additions

Environmental Services Division Report No. 3 (Cont'd)

192	2010	19A West Street	Alterations and Additions
200	2010	14 Ellery Parade	Alterations and additions
224	2010	2 Peacock Street	Alterations and Additions
235	2010	40 Alma Street	Alterations and Additions
248	2010	1 Marshall Street	Alterations and Additions
265	2010	7 Battle Boulevard	Alterations and additions
267	2010	36 Malvern Avenue	Alterations and additions
273	2010	54 Upper Clifford Avenue	Spa, deck retaining wall, pergola and landscaping
280	2010	37 Peronne Avenue	Alterations and additions
297	2010	65 Woodland Street	Partial demolition and new 2 storey dwelling
312	2010	32 Fromelles Avenue	Partial demolition and new 2 storey dwelling
314	2010	42 Pacific Parade	Hardstand and new driveway
316	2010	1 Baltic Street	Demolition and new 2 storey dwelling
321	2010	31 Ocean Road	Alterations and additions
326	2010	8 Francis Street	Alterations and additions
329	2010	11A Monash Crescent	Alterations and additions to existing dwelling
336	2010	555 Sydney Road	Strata Subdivision into 5 lots
337	2010	1 Griffiths Street	Alterations and additions
340	2010	30 Rickard Street	Alterations and additions
345	2010	7 Laurence Street	Demolition of existing and new Part 2 and Part 3
347	2010	46 East Esplanade	Establish use for Shops 1&2 as a restaurant and Shop 3 as bar/cafe
352	2010	39 Hill Street	Alterations and additions
356	2010	3 East Esplanade	Alterations and additions to RFB
357	2010	96 North Steyne	Strata Subdivision of RFB
358	2010	80 Bower Street	Demolition of existing and new 3 storey dwelling
360	2010	46 Malvern Avenue	Alterations and additions
364	2010	6 Mossgiel Street	Alterations and additions
367	2010	46 Victoria Parade	Demolition and new 7 storey dwelling
368	2010	65 Peronne Avenue	Demolition of existing and construction of part 2 and part 3
374	2010	3 Tutus Street	Demolition and new 3 storey dwelling
376	2010	17 Cove Avenue	Alterations and additions to Manly Waters private hospital
377	2010	26 Heathcliff Crescent	Alterations and additions
381	2010	49 Seaforth Crescent	Alterations and additions
382	2010	18 Ellery parade	Alterations and additions
387	2010	4 Karingal Street	Alterations and additions
388	2010	39 Peacock Street	Partial demolition of existing and new 2 storey dwelling
389	2010	12 Willawa Street	Demolition of existing and new 2 storey dwelling
392	2010	2 Boronia Lane	Demolition of existing and new 2 x 2 storey dwellings
393	2010	13 Barrabooka Street	Alterations and Additions

Environmental Services Division Report No. 3 (Cont'd)

396	2010	16 New Street	Demolition of existing and new 2 storey dwelling
398	2010	18A Thornton Street	Alterations and additions
399	2010	155 Condamine Street	Alterations and additions
400	2010	42 Daintrey Street	Alterations and additions
401	2010	35 Arthur Street	Alterations and additions
402	2010	38 Bungalow Avenue	Alterations and additions
403	2010	5 Lewis Street	Alterations and additions
404	2010	28 Ellery Parade	Demolition and new 2 storey dwelling
407	2010	8 Thornton Street	Alterations and additions
408	2010	131 Clontarf Street	Alterations and additions
409	2010	41 Malvern Avenue	Alterations and additions
410	2010	20 Magarra Place	Demolition of existing and new RFB
411	2010	8 James Street	Alterations and additions to RFB
412	2010	47 Osborne Road	Alterations and additions
413	2010	11 Birkley Road	Alterations and additions
414	2010	69 Peronne Avenue	Demolition and new 2 storey dwelling
415	2010	43 The Crescent	Strata Subdivision of RFB
416	2010	3 Allenby Street	Demolition and new 2 storey dwelling
418	2010	28 Lewis Street	Alterations and additions
419	2010	4 Quinton Road	Alterations and additions to RFB
420	2010	270 Pittwater Road	Change of use to Education Establishment (Stella Maris)
421	2010	470 Sydney Road	Change of use to Dental Consultancy & fitout
422	2010	14 George Street	Front and side fence, 2 hardstand carparking spaces
424	2010	34 Wanganella Street	Pool, deck, amphitheatre and landscaping
425	2010	5 Harwood Place	Alterations and additions
426	2010	3 Oyama Avenue	Demolition & new 4 storey RFB
1	2011	159 Seaforth Crescent	Alterations and additions
2	2011	6 Sandra Place	Alterations and additions
3	2011	15 East Esplanade	Enclosure of balcony in RFB
5	2011	11 Gordon Street	Alterations and additions
7	2011	18 Smith Street	Alterations and additions
8	2011	27 Eurobin Avenue	Alterations and additions
9	2011	13 Lister Avenue	Alterations and additions
10	2011	59 North Steyne	Alterations and additions to RFB
12	2011	47 Golf parade	Alterations and additions
13	2011	16 Fisher Street	Alterations and additions
14	2011	26 Castle Circuit	Alterations and additions
15	2011	565 Sydney Road	Change of use to Thai Restaurant (refreshment room)
16	2011	64 Wanganella Street	Alterations and additions
17	2011	10 Seaforth Crescent	Alterations and additions
18	2011	348 Sydney Road	Change of use to commercial premises and fitout & signage

Environmental Services Division Report No. 3 (Cont'd)

21	2011	470 Sydney Road	Change of use to medical practice and fitout
25	2011	385 Sydney road	Advertising structure for Commonwealth Bank
27	2011	98 Lauderdale Avenue	Alterations and additions to RFB
29	2011	197 Condamine Street	Change of use to Dental Consultancy & fitout
30	2011	33 Ashburner Street	2 Lot Strata Subdivision of RFB
31	2011	15 The Corso	Advertising Structure - under awning sign
32	2011	41A Castle Circuit	New elevated detached double garage

The following applications are with Lodgment & Quality Assurance for notification, advertising and referral to relevant parties.

291/2007 85 New Street, CLONTARF 2093

Section 96 to modify approved Alterations and additions to dwelling including double garage to replace existing carport

19/2011 4 Allenby Street, CLONTARF 2093

Alterations and additions to an existing dwelling including side and front addition to ground and first floor, bi-fold doors to rear and a double carport within the front setback

20/2011 20 Adelaide Street, BALGOWLAH HEIGHTS 2093

Alterations and additions to an existing dwelling including family flat, remove carport, new double garage, balconies, terrace, swimming pool and landscaping

22/2011 11 Cutler Road, CLONTARF 2093

Alterations and additions to an existing dwelling including front extension, internal alterations, new terrace to rear with access stairs, front fence, replace existing doors, extend roof and landscaping

23/2011 6 Fairlight Crescent, FAIRLIGHT 2094

Alterations and additions to an existing Residential Flat Building including rear extension to ground, first and second floors, balconies to the front of the building, loft floor space within the existing roof, roof terrace, lift and landscaping

24/2011 46 Darley Road, MANLY 2095

Alterations and additions to an existing dwelling including internal alterations, rear extension, front fence and landscaping

26/2011 25 Jackson Street, BALGOWLAH 2093

Demolition of existing dwelling, construction of a multi-dwelling development containing two (2) x two (2) storey dwellings with attached garages, retaining walls and landscaping

122/2009 77 Pittwater Road, MANLY 2095

Section 96 to modify approved Alterations and additions to Flat 1 of an existing Residential Flat Building including new awning and courtyard and rebuilding the street front fences on Pittwater Road and Carlton Street including new sliding gate

111/2010 74 Lauderdale Avenue, FAIRLIGHT 2094

Section 96 to modify approved Alterations and additions to an existing dwelling including extensions, car turntable, front fence, decks, above ground swimming pool forward of the building line and landscaping

401/2007 26 Malvern Avenue, MANLY 2095

Section 96 to modify approved Alterations and additions to a pair of semi-detached dwelling houses including first floor additions

Environmental Services Division Report No. 3 (Cont'd)

129/2010 70 Seaview Street, BALGOWLAH 2093

Section 96 to modify approved Alterations and additions to an existing semi-detached dwelling including first floor addition, decks and carport

33/2011 25 Edgecliffe Esplanade, SEAFORTH 2092

Alterations and additions to an existing dwelling including a store room, garage extension and deck extension

34/2011 9 Brighton Street, BALGOWLAH 2093

Alterations and additions to an existing dwelling including a first floor addition and rear extension

35/2011 23 Abernethy Street, SEAFORTH 2092

Construction of a swimming pool, decking and landscaping

186/2007 9 Bolingbroke Parade, FAIRLIGHT 2094

Section 96 to modify approved Alterations and additions to two (2) attached (Duplex) dwellings

411/2007 85 Seaforth Crescent, SEAFORTH 2092

Section 96 to modify approved Alterations and additions to the existing multi-level dwelling including rear stair access and internal lift and an inclinator to the foreshore

36/2011 16 Benelong Street, SEAFORTH 2092

Alterations and additions to an existing dwelling including single garage, front extension and fence

37/2011 122 Sydney Road, FAIRLIGHT 2094

Alterations and additions to an existing Residential Flat Building including the replacement of the existing garage roof and walls

38/2011 19 Macmillan Street, SEAFORTH 2092

Alterations and additions to an existing dwelling including a first floor addition, demolition of the garage, new pergola, extension of deck and new garage

39/2011 14 Baranbali Avenue, SEAFORTH 2092

Construction of a front fence

40/2011 13 Cohen Street, FAIRLIGHT 2094

Alterations and additions to an existing dwelling including extension of dwelling with a new ensuite, rear deck and pergola extension

41/2011 7 Belgrave Street, MANLY 2095

Advertising Structure

Environmental Services Division Report No. 3 (Cont'd)**Manly Independent Assessment Panel**

The following applications were presented to MIAP on 17 February, 2011.

DA#	Site	Proposal
361/08	11 Barrabooka Street, Clontarf	Section 96 Modification
188/10	11 Barrabooka Street, Clontarf	Pool level bathroom and bar
95/10	40 Bower Street, Manly	Section 96 Modification
218/10	45 Lauderdale Avenue, Fairlight	Demolition and erection of a three (3) storey RFB containing two (2) units with garage, decks, pool and landscaping
33/10	25A Cliff Street, Manly	Retaining walls and access stairs
123/10	220 Sydney Road, Fairlight	Alterations and additions to existing RFB including new first floor, new side and rear decks and new side fence
106/10	358 Sydney Road, Balgowlah	Alterations and additions including demolition of the rear section, new take-away use facing Lane 34, extension of the existing pharmacy and change of use of the first floor residence to office with fitout
264/10	10 & 10A Addison Road, Manly	Two (2) storey dwelling with basement car parking, pool and landscaping

Currently the following applications are scheduled for MIAP 17 March, 2011.

DA#	Site	Proposal
402/09	28 Alexander Street, Manly	Section 96 Modification
66/07	11-27 Wentworth Street, Manly	Section 96 Modification
342/10	360 Sydney Road, Balgowlah	Demolition of existing and new four (4) storey mixed use building

RECOMMENDATION

THAT the information be noted.

ATTACHMENTS

There are no attachments for this report.

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***** End of Environmental Services Division Report No. 3 *****

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Environmental Services Division Report No. 4
SUBJECT: List of Appeals relating to Development Applications - March 2011
FILE NO:

SUMMARY

A list of Appeals relating to Development Applications active during March 2011.

REPORT

DA#	L&E Appeal Reference	House #	Address	Date Appeal Lodged	Solicitor Company	Current Status
526/07	Class 4 40533/10	65/ 7	Rignold Street/ Sandra Place	05/07/10	Pikes	Hearing 23&24/03/11
13/10	Class 1 10584/10	46-48	North Steyne	27/07/10	HWL	Hearing 28/02/11
264/10	Class 1 11006/10	10 & 10A	Addison Road	15/12/10	Pikes	Callover 09/03/11
238/02	Class 1 11046/10		Manly Wharf Hotel East Esplanade	22/12/10	HWL	Callover 04/03/11
26/09	Class 1 10420/10 S56A Appeal		Manly Bathers Pavilion West Esplanade	22/12/10	Pikes	Hearing 04/03/11
213/10	Class 1 11056/10	62	Alexander Street	23/12/10	Pikes	S34 Conference 14/03/11
149/08	Class 1 10014/11	2	West Promenade	11/01/11	Pikes	S34 Conference 25/03/11
393/10	Class 1 10060/11	13	Barrabooka Street	24/01/11	Pikes	Hearing 18&19/04/11

RECOMMENDATION

THAT the information be received and noted.

ATTACHMENTS

There are no attachments for this report.

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***** End of Environmental Services Division Report No. 4 *****

TO: Planning and Strategy Committee - 7 March 2011
REPORT: Human Services And Facilities Division Report No. 3
SUBJECT: Draft Manly Crime Prevention Plan 2011-2013
FILE NO:

SUMMARY

This report presents the draft Manly Crime Prevention Plan 2011-2013 to Council.

It is proposed that Council adopts the draft Manly Crime Prevention Plan 2011-2013 and commences a public exhibition period of 28 days to consult the stakeholders and the community.

The legislation governing the adoption of the draft Manly Crime Prevention Plan is the Children (Protection and Parental Responsibility) Act 1997 No 78. Following an exhibition period and the receipt of submissions, the draft Plan will be forwarded to the NSW Attorney General to be endorsed. When the Manly Crime Prevention Plan is adopted by Council and endorsed by the NSW Attorney General's Department, Council is considered eligible for funding.

REPORT

Preparation of the draft Crime Prevention Plan

The first Manly Crime Prevention Plan was written in 1999, approved by Council and endorsed by the Attorney General of New South Wales as a Safer Community Compact in 2000. The 1999 Plan has remained the basis for Manly's community safety activities since that time.

The draft Manly Crime Prevention Plan 2011-13 is the second produced by Manly Council. Development of the draft plan has been guided by the Children (Protection and Parental Responsibility) Act 1997 No 78, Part 4: Local Crime Prevention.

In accordance with Division 2 (Preparation of Plans), preparation of the plan has followed this process:

- Crime profile developed (data from NSW Bureau of Crime Statistics and Research, NSW Office of Liquor, Gaming & Racing and Manly Police).
- Analysis of crime priority (for example, why chosen, where, when, who).
- Situation Analysis (key factors contributing to the priority crime in Manly).
- Action Plan developed in consultation with a Working Party including members of the Community Safety Committee.
- Monitoring and Evaluation considered.
- Draft document presented to NSW Justice and Attorney General's Department for comment.
- Presented to Community Safety Committee meeting of 10 February 2011 for endorsement.

Local Crime Priority

The draft Manly Crime Prevention Plan 2011-13 uses a range of data sources along with a situational analysis to identify one local crime priority. The priority for the draft Manly Crime Prevention Plan 2011-13 is:

- *Assault (non-domestic violence related), specifically alcohol-related assault.*

Human Services And Facilities Division Report No. 3 (Cont'd)**Actions necessary to progress the draft Manly Crime Prevention Plan**

In accordance with Part 4, Division 2, Sections 34-38 of The Children (Protection and Parental Responsibility) Act 1997 No 78, Council may consider adopting the draft Plan and Supporting Documentation in order for it to be placed on public exhibition.

Following a 28 day exhibition period, consultation of key stakeholders, and consideration of submissions, the draft Plan (Attachment 1) and Supporting Documentation (Attachment 2) will be presented to Council for adoption as the Manly Crime Prevention Plan 2011-2013.

In accordance with Part 4, Division 3, Sections 39-42 of The Children (Protection and Parental Responsibility) Act 1997 No 78, the Manly Crime Prevention Plan will be presented to the NSW Attorney General for endorsement as a Safer Community Compact.

Council may be considered eligible to apply for grant funding from the NSW Justice and Attorney General's Department to implement key strategies within the Action Plan. Council is required to report six-monthly to the NSW Justice and Attorney General's Department on implementation and success.

RECOMMENDATION

THAT

1. Council adopts the draft Manly Crime Prevention Plan 2011-2013 and Supporting Documentation which will target alcohol-related non-domestic violence related assaults.
2. Council follows the provisions within The Children (Protection and Parental Responsibility) Act 1997 No 78 to place the draft Plan and Supporting Documentation on public exhibition for a period of 28 days to allow the final Plan to be submitted to the NSW Attorney General for approval as a safer community compact.

ATTACHMENTS

AT- 1	Draft Manly Crime Prevention Plan 2011-2013	29 Pages
AT- 2	Supporting documentation for Draft Manly Crime Prevention Plan	13 Pages

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

Manly Council



DRAFT

DRAFT Manly Crime Prevention Plan

2011-2013

CONTENTS:

1. Introduction
2. Summary of Action Plan
3. Local Crime Priority
4. Data Analysis
 - 4.1. The nature of Assaults (alcohol related)
 - 4.2. Time of Assaults
 - 4.3. Victims and Offenders of Assaults
 - 4.4. Location of Assaults
 - 4.5. Summary of Priority Crime
5. Situational Analysis
 - 5.1. Density of licensed premises
 - 5.2. Late Night Trading
 - 5.3. Late Night Transport
 - 5.4. Risky Drinking and Binge Drinking Culture
6. Action Plan targeting Alcohol Related Assaults
7. Monitoring and Evaluation

DRAFT

1. Introduction

Manly Council has a proven and ongoing commitment to increase community safety and to continue to work towards crime prevention. The Manly Crime Prevention Plan 2011-13 is the second produced by Manly Council. The first Manly Crime Prevention Plan was written in 1999, approved by Council and endorsed by the Attorney General of New South Wales as a Safer Community Compact in 2000. The 1999 plan has remained as the basis for Manly's community safety activities since that time.

Council's approach, presented in the Manly Crime Prevention Plan 2011-13 involves a multi-faceted effort that builds on existing initiatives and experiences, draws together a wide range of agencies and local businesses to develop and to implement new solutions.

The Manly Crime Prevention Plan 2011-13 uses a range of data sources along with a situational analysis to identify one local crime priority. The priority for the Manly Crime Prevention Plan 2011-13 is:

Assault (non-domestic violence related), specifically alcohol-related assault.

Council is highly aware of community opinion regarding alcohol-related violence in the Manly LGA (local government area). As part of its responsibility to maintain public order and ensure community safety, Council has established many initiatives over past years. Key Actions are ongoing and integral to addressing the issues in a sustainable manner. Council continues to implement initiatives in partnership with other key stakeholders in the area, including the Community Safety Committee, Manly Police and the Manly Liquor Accord.

The purpose of this Crime Prevention Plan is to guide the actions of Manly Council and its partners over the next three years in order to reduce alcohol-related assaults.

Following input from the Community Safety Committee, the draft Plan will be presented by Council for adoption of the draft, and then placed on public exhibition for community consultation.

Following consideration of all submissions, Council will move to adopt the Plan, and subsequently seek approval from the NSW Attorney General for endorsement as a Safer Community Compact in accordance with the provisions of Part 4 of the Children's (Protection and Parental Responsibility) Act 1997.

Policy and legislative framework

Council is guided by the NSW State Plan (2006). This is a ten-year plan aimed at improving services, setting priorities and planning to meet the challenges facing the state for the period 2006-2016. The key themes of the State Plan are Rights, Respect and Responsibility. The Plan sets targets for 2016 to reduce the incidence of property crimes against households by 15%, to reduce the incidence of violent crimes against individuals by 10% (Priority R1), and to reduce by 10% the proportion of people who perceive problems in their local area associated with antisocial behaviour (Priority R3).

The draft Manly Crime Prevention Plan has targeted Assault (non-DV related), which is an offence also in line with 2 out of 3 of the NSW State Plan (2006) goals:

- reduced rate of crime, particularly violent crime
- reduced levels of anti-social behaviour

Human Services And Facilities Division Report No. 3 - Draft Manly Crime Prevention Plan 2011-2013

Draft Manly Crime Prevention Plan 2011-2013

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Manly Council's Management Plan (2008-2011) identifies a 'Safe and Cohesive Manly' as a principal activity, the objective being to achieve long-term social and economic security. Key initiatives for 2008-2011 include 'to consider and adopt the Manly Crime Prevention Strategy', with a sub-activity of developing and implementing Community Safety initiatives as adopted by Council.

The Crime Prevention Plan 2011-2013 is to focus on the following:

- Maintain external partnerships e.g. with police
- Research current data on criminal activity and anti-social behaviour
- Decrease fear of crime in the local and visitor community
- Devise appropriate communication strategies
- Monitor and evaluate the effectiveness of agreed strategies
- Facilitate a community with strong social bonds

Community Safety Committee

The Community Safety Committee is a Special Purpose Committee of Council which was established in 1994. The Committee was one of the first of its type in NSW and it was initially developed from a Council Alcohol Working Party. The Alcohol Working Party was established to explore ways to alleviate problems associated with alcohol related violence and anti-social behaviour principally in the Manly CBD.

The Community Safety Committee is chaired by Mayor Jean Hay AM and membership of the Committee includes key council staff, five Councillors, the local Member for Manly, Manly Police, Manly Chamber of Commerce, Manly Liquor Accord, Manly Youth Council, Manly Drug Education and Counselling Centre (MDECC), Northern Beaches Health Promotions, Department of Corrective Services, Manly Warringah Cabs, State Transit Authority, late night food traders, Manly Community Centre, Precinct representatives and several members of the community. The Committee is guided by a terms of reference, and its monthly meetings allow for discussion on issues of community safety.

The Committee has provided Council with invaluable guidance and advice regarding alcohol related issues in the Manly LGA. The Committee also takes part in late night safety audits and surveys of the Manly CBD, which help to guide strategies and actions for Manly Council and Manly Police. Development of the draft Manly Crime Prevention Plan 2011-2013 has been guided by a Working Party which has included members of the Community Safety Committee.

Description of Manly

Tourism, retail and related businesses constitute the local economy of Manly. More than five million day trippers and long stay visitors arrive annually, the majority of people visiting during the summer months. Manly's Ocean Beach is considered one of the most popular and well known beaches in Australia and is the second most visited place for international tourists after Darling Harbour. Half of all daytime visitors arrive by ferry from the Sydney CBD.

The Corso pedestrian strip is the feature for tourists leaving the ferry and transiting from the harbour to the wide ocean beach. The Manly CBD comprises a mix of retail and other commercial property centred on The Corso and adjacent streets. The CBD has a dense concentration of restaurants, bars and hotels, and this entertainment precinct attracts large numbers of young patrons from surrounding areas and is crowded with revellers late into the night on weekends, especially in the warm summer months.

**Human Services And Facilities Division Report No. 3 - Draft Manly Crime Prevention Plan
2011-2013**

Draft Manly Crime Prevention Plan 2011-2013

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Several times a year Manly hosts a number of major events such as the Jazz Festival, the Food and Wine Festival, and the Festival of Surfing which attract extremely large numbers of visitors to the CBD. Recent summertime additions to the events calendar are 'Saturdays at Sunset' which includes family entertainment, and the "World Food Markets" on Friday nights. Both attract large numbers of families to Manly in the early evenings. There are many other surfing, sporting and cultural events and festivals which attract both daytime and night-time visitors to Manly.

The Manly area has a number of hotels with high occupancy rates and is also a popular destination for young international travellers who often stay in the several backpacker hostels. Manly hosts a number of English language schools and an International College of Management, attracting a large population of foreign students.

DRAFT

2. Summary of Action Plan

The Action Plan focuses on five key areas:

Project:	1.0 LATE NIGHT TRANSPORT
	Reduce the number of patrons congregating in public space after leaving venues by improving late night transport options in order to encourage safe and efficient dispersal out of the CBD.
Project:	2.0 EDUCATE
	Development of a range of community education programs targeting specific groups.
Project:	3.0 REGULATION AND ENFORCEMENT
	Ensuring the physical environment in the CBD is safely maintained by input from Council.
Project:	4.0 PLANNING
	Inclusion of conditions within plans and policies to create a safer late night Manly
Project:	5.0 ENGAGE
	Build cohesive partnerships and improve late night safety in Manly.

3. Local Crime Priority

This section explains why it is proposed that the Manly Crime Prevention Plan focus on the chosen crime priority:

Assault (non-domestic violence related)

Alcohol-related crime and associated antisocial behaviour in the Manly CBD is an issue that continues to cause significant problems despite innovative initiatives and ongoing communication between key stakeholders. This problem is well-documented, broad-based and persistent.

The depth of community concern about the number of assaults in Manly late at night is evident through the many consultations with the community. This consultation includes the Manly Social Plan 1999-2004, Crime Prevention Plan 2000-2004, and the Manly After Midnight report in 2005.¹ Manly Council has received numerous complaints from concerned residents, with a similar theme expressed by letters from frustrated residents to the Manly Daily.

Assault is traumatic for the victim, and when reported in the media, adds to a greater perception of crime and a fear of experiencing assaults and anti-social behaviour if visiting Manly after dark. Management of the perception of crime in our community is crucial, as is identified in the State Plan (Priority 3) and should be considered by Council, the Police and stakeholders as important as the crime data itself.

Manly Police identify the crime of **Assault (non-domestic violence related)** as their number one priority, and have provided statistics for the Manly Crime Prevention Plan 2011 -2013, in support of this offence. Manly Police have made it known that alcohol-related assaults very often go unreported, with actual assault numbers most likely double to triple those reported.

Under-reporting of assaults and anti-social behaviour was also identified as an issue during consultation for the development of the previous Manly Crime Prevention Plan. Official police reports of assaults and fighting in the CBD clearly do not reflect the actual rate of incidence, which is certainly higher. It is apparent that some victims choose not to report the incident to police. Crime figures must therefore be seen as underestimates.

For the purpose of this Plan, assault is defined as:

"the direct (and immediate/confrontational) infliction of force, injury or violence upon a person or persons or the direct (and immediate/confrontational) threat of force, injury or violence where there is an apprehension that the threat could be enacted".²

¹ See Draft Manly Crime Prevention Plan 2011-2013 – Supporting Documentation for further details.

² "Local Government Area Crime Report Series – Manly 2008" - NSW Bureau of Crime Statistics and Research (2009), p. 38.

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4. Data Analysis³

Data in Table 1 shows that in 2009 the Manly LGA was ranked **43rd out of 141** local government areas for incidents of assault (non-domestic violence related).⁴

Putting this ranking of **Manly at 43rd** in context with the Northern Beaches region, this figure is substantially higher than neighbouring local government areas of; **Pittwater ranked at 118th** and **Warringah ranked at 120th**.

The rate per 100,000 population in 2009 for incidents of non-DV related assaults in **Manly was 676.6**, again significantly higher than Pittwater (278.8) and Warringah (270.7), NSW (568.7); and greater than the Sydney Statistical Division (500.6).

Table 1. Recorded criminal incidents of Assault - non-domestic violence related; number, rate and rank in Local Government Areas within the Northern Beaches Statistical Subdivision. ⁵					
	2005	2006	2007	2008	2009
MANLY Local Government Area					
Rate per 100,000 population	643.1	613.8	651.0	813.2	676.6
Number of Incidents	250	241	260	324	277
Population	38877	39263	39937	39841	40939
Rank	63	63	58	33	43
<u>Other Local Government Areas in the Northern Beaches Statistical Subdivision</u>					
PITTWATER Local Government Area					
Rate per 100,000 population	252.2	227.9	234.9	282.9	278.8
Number of Incidents	142	129	134	162	164
Population	56306	56595	57037	57269	58818
Rank	128	129	124	123	118
WARRINGAH Local Government Area					
Rate per 100,000 population	223.8	201.2	215.0	258.6	270.7
Number of Incidents	309	280	303	368	390
Population	138048	139163	140948	142309	144092
Rank	131	133	128	125	120
New South Wales					
Rate per 100,000 population	608.6	604.4	608.5	610.2	568.7
Sydney Statistical Division					
Rate per 100,000 population	539.7	531.1	542.2	548.6	500.6

³ A detailed crime profile which investigates other major offences can be found in Draft Manly Crime Prevention Plan 2011-2013 - Supporting Documentation.

⁴ LGA's that have populations greater than 3,000 people.

⁵ NSW Bureau of Crime Statistics and Research, online data tools, accessed 23 September 2010.
<http://bocd.lawlink.nsw.gov.au/bocd/cmd/ranking/Process>

4.1 The nature of Assaults (alcohol-related)

Manly has a particular problem with assaults which involve alcohol, as confirmed by the following:

- 72.6% of assaults in Manly in 2009 were alcohol related.
- As Table 2 shows, this is significantly higher than neighbouring Warringah (49.2%) and Pittwater (53.7%), and also the similar beachside local government areas of Waverley (52.2%) and Randwick (47.2%).

Table 2: Number and proportion of assaults (non-DV related) flagged as alcohol related by NSW Police in 2009 ⁶		
LGA	Number of offences	% Alcohol Related
Manly	277	72.6
Pittwater	164	53.7
Warringah	390	49.2
Sydney	3,949	60.8
Waverley	362	52.2
Randwick	617	47.2

Table 3 and 4 below show data provided by Manly Police for 2010. Alcohol has played a part in the majority of these incidents.

Table 3: Number and proportion of selected incidents flagged as alcohol related in the Manly Local Area Command during 2010 ⁷			
Incident	Total	Alcohol Related	Percentage
Assault	396	214	64%
Malicious damage	515	64	12%
Powers – move on	607	462	76%
Resist/hinder/assault officer	39	32	82%
Street offence	455	411	90%

Table 4: Number and proportion of selected incidents flagged as alcohol related in the suburb of Manly during 2010 ⁸			
Incident	Total	Alcohol Related	Percentage
Assault	274	190	69%
Malicious damage	285	51	18%
Powers – move on	559	440	79%
Resist/hinder/assault officer	35	31	89%
Street offence	430	392	91%

⁶ NSW Bureau of Crime Statistics and Research: NSW Recorded Crime Statistics per LGA accessed on website (<http://www.lawlink.nsw.gov.au/Lawlink>) on 6 January 2011.

⁷ Manly LAC boundary replicates Manly LGA boundary – information provided by Manly Police 250111.

⁸ Information provided by Manly Police 250111.

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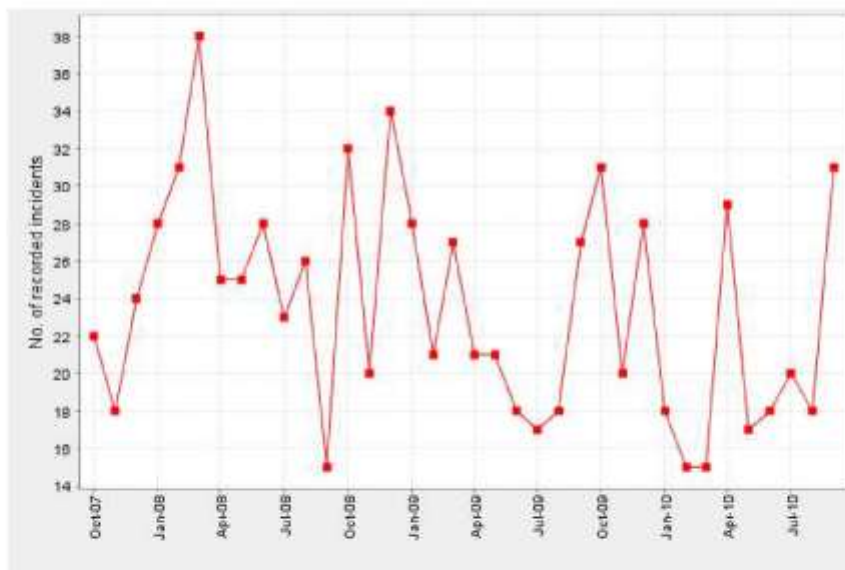
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4.2 Time of Assaults

This section presents data showing that the peak period for assaults (non-DV related) tends to be the summer period and also early hours of Sunday and Saturday mornings.

Graph 1: Assault – non-domestic violence related in Manly by month: October 2007 to September 2010⁹



Graph 1 shows the number of assaults per month from October 2007 to September 2010. Generally, the summer season reveals the peak rate for assaults, however January – March 2010 had very low rates of assaults, peaking again in April 2010 and rising towards September 2010.

The BOCSAR crime trends tool for assault (non-DV related) reveals no statistically significant upward or downward trend over the 36 month period from October 2007 to September 2010.

Graph 2 shows the proportion of non-DV related assault incidents by time of day and day of week during 2008 in Manly. Peak times for assaults can be seen on weekends. Predominantly incidents occur on Sunday mornings (midnight until 6am), Saturday mornings (midnight until 6am), followed by Saturday nights between 6pm and midnight. These peak assault periods are reflected by Manly Police local data.

⁹ NSW Bureau of Crime Statistics and Research crime trends tools (reference number: 2011-311712-7) Accessed on website 6 January 2011 (<http://bocsd.lawlink.nsw.gov.au>)

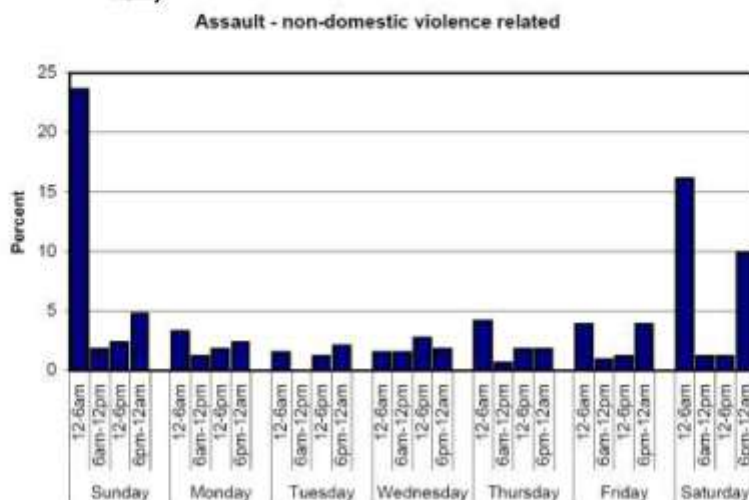
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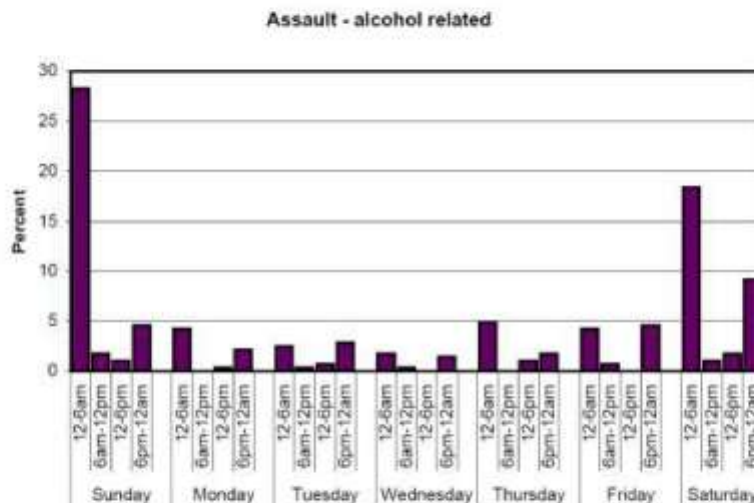
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Graph 2: Assault (non-DV related) incidents for time of day and day of week for 2008 in Manly¹⁰



Graph 3 shows the proportion of alcohol related incidents by time of day and day of week during 2008 in Manly. This mirrors the proportion of assault (non-DV related) incidents shown in Graph 2 as most incidents occurring in the early hours of Sunday morning, closely followed by Saturday morning.

Graph 3: Proportion of alcohol related assault incidents by time of day and day of week for 2008 in Manly¹¹



¹⁰ Local Government Area Crime Report Series – Manly 2008*, NSW Bureau of Crime Statistics and Research, 2009, p. 14.

¹¹ Ibid. p. 16.

4.3 Victims and Offenders of Assaults

Table 5 shows that in 2009, 78% of assault (non-DV related) victims are male, and of those 51% were aged 18-29 years old.

Table 5: Age and gender of victims of assault (non DV violence related) recorded by NSW Police in the Manly LGA 2009 ¹²				
Age	Male	Female	Unknown	Total
0 - 17	13	7	0	20
18 - 29	124	41	0	165
30 - 39	57	5	1	63
40 +	45	12	0	57
Unknown	3	2	1	6
Total	242	67	2	311

Table 6 reveals that 80% of offenders/ persons of interest of assault (non-DV related) were male, and of these 42% were aged 30-39 years of age.

Table 6: Age and gender of persons of interest (POI's) proceeded against by NSW Police in relation to assault (non DV violence related) occurring in the Manly LGA in 2009 ¹³				
Age	Male	Female	Unknown	Total
0 - 17	3	2	0	5
18 - 29	6	3	0	9
30 - 39	26	8	0	34
40 +	14	0	0	14
Unknown	12	3	0	15
Missing/unknown	1	0	0	1
Total	62	16	0	78

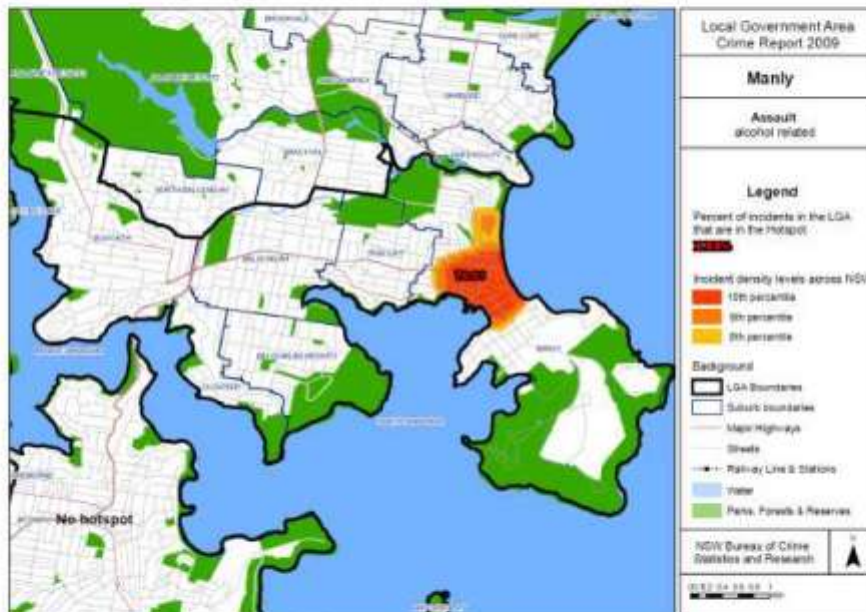
¹² NSW Bureau of Crime Statistics and Research: NSW Recorded Crime Statistics per LGA accessed on website (<http://www.lawlink.nsw.gov.au/Lawlink>) on 4 January 2011.

¹³ Ibid.

4.4 Location of Assaults

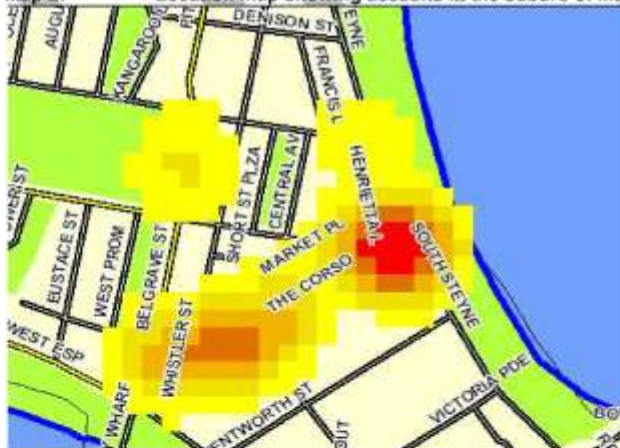
Map 1 shows that 78.81% of alcohol related assaults in the Manly LGA occur within the hotspot shown in the Manly CBD.¹⁴ This illustrates the high density of alcohol related assaults which occur in central Manly.

Map 1: Percent of alcohol related assaults in the Manly LGA that are in the CBD hotspot – NSW BOCSAR



Map 2 shows that within the suburb of Manly, the key hotspot location for assaults is at the Ocean Beachfront area of The Corso, a secondary hotspot location is at the junction of The Corso/ Darley Road.¹⁵

Map 2: Location map showing assaults in the suburb of Manly for 2010



¹⁴ Local Government Area Crime Report 2009 – Hotspot Map for Manly LGA, NSW Bureau of Crime Statistics and Research – accessed through http://www.bocsar.nsw.gov.au/Lawlink/bocsar/ll_bocsar.nsf/pages/bocsar_lga_Manly on 170111

¹⁵ Map provided by Manly Local Area Command on 250111

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Table 9 shows the top six locations for assault (non-DV related) in Manly. The majority occurred in outdoor/public places or licensed premises.

Table 9: Recorded criminal incidents of Assault - non-domestic violence related occurring in Manly LGA by premises type and year – top six locations only. ¹⁶			
Premises Type	2007	2008	2009
Outdoor/Public Place	106	133	166
Licensed Premises	64	73	91
Residential - Dwelling	21	24	26
Retail/Wholesale	12	12	14
Public Transport Facilities	7	13	8
Residential - Temporary Accommodation	5	4	7

Table 10 provides an analysis of alcohol related assaults occurring within licensed premises in 2007. Although there are only 7 hotel licenses in Manly, the majority of incidents occur on this premise type. This is supported by information provided by Manly Local Area Command in Table 11 which shows that out of 64 alcohol related assaults during 2010, 45 occurred within hotels/pubs.

Table 10: Incidents of Alcohol Related Assault Occurring on Licensed Premises ¹⁷		
Type of licensed premises	No of incidents	
	Manly	NSW
Liquor - club licence	3	1,121
Liquor - hotel licence	67	4,848
Liquor - on-premises licence	11	547
Liquor - packaged liquor licence	0	38
Other	0	148
Total	81	6,702

Whilst it is acknowledged in Table 9 that most alcohol related assaults in Manly occur in outdoor areas or public space, Manly has double the rate of alcohol related assault occurring within licensed premises (218 per 100,000 population) than in NSW (102 per 100,000 population).¹⁸

Table 11: Alcohol Related Assaults in Licensed Premises in Manly during 2010 by type of License Premises. ¹⁹		
Club	Hotel/pub	On-premise
3	45	16

¹⁶ Data taken from <http://bocd.lawlink.nsw.gov.au/bocd/cmd/crime/SummaryOffenceInput> NSW Bureau of Crime Statistics and Research website. 4 January 2011.

¹⁷ Social Profile Report – February 2009, NSW Office of Liquor, Gaming & Racing

¹⁸ Ibid.

¹⁹ Information provided by Manly Local Area Command on 250111

4.5 Summary of Priority Crime

Table 11 provides a summary of the nature of assaults (non-DV related) in the Manly local government area, in particular the hotspot location, priority times, profile of victims and offenders and other relevant factors.

Table 11: Summary table of priority crime selected			
Hotspot	Priority times	Victims and offenders	Other factors
The Corso, particularly close to the Ocean Beachfront	Sunday morning between midnight and 6.00am, followed by Saturday morning between midnight and 6.00am.	Predominantly young males: <ul style="list-style-type: none"> Victims aged between 18 – 29 yrs. offenders/persons of interest aged between 30 - 39 yrs 	<ul style="list-style-type: none"> Manly has a significantly higher rate of assault (non-DV related) than the Northern Beaches region, Sydney, NSW or similar areas in greater Sydney. Majority of incidents of assault (non-DV related) are alcohol related (72.6% in 2009)

5 Situational Analysis

This section highlights key factors which can be seen to contribute towards the significant problem Manly experiences in terms of alcohol-related assault. Further detail on these contributing factors can be found in the Draft Manly Crime Prevention Plan 2011-2013 - Supporting Documentation.

5.1 Density of licensed premises

Manly is a recognised late night entertainment area for the Northern Beaches region.²⁰

The Manly LGA has a high concentration of licensed premises, with a higher rate of liquor licenses per 100,000 population than NSW (350 compared to 220 across NSW)²¹.

Table 12: Number of Liquor Licenses per 100,000 population ²²		
	Manly	NSW
No of Licences	130	14,440
Population	37,110	6,549,177
Rate (no of liquor licences / 100,000 population)	350	220

As Table 12 shows, in 2009 the Manly local government area had 130 liquor licenses. 23 of these are authorised to trade extended hours.²³ Most of the venues are within a short walk from each other, clustered around The Corso in the CBD, with seven hotels, three nightclubs and approximately 100 other venues with liquor licenses. The Corso is less than a kilometre in length. This area is the most heavily used by the local community and by visitors with an increasing number of residents living nearby in new apartment developments.

5.2 Late night trading

The closing time of licensed premises remains a sticking point for the community and local businesses. Most of the hotels and nightclubs in Manly have extended hours trading to cater for the many late night patrons visiting Manly's vibrant entertainment precinct on Friday and Saturday nights.

Late night trading of licensed premises creates a vibrant entertainment precinct in Manly, but it also brings greater intoxication levels and the resultant noise impacts, increased malicious damage and an assault level which significantly increases after midnight.

A number of late night food traders in the CBD also remain open to take advantage of the number of patrons leaving late night licensed venues.

Patrons congregate in and around the food shops and historically these areas have been associated with assaults. Late night community safety audits have found litter from these late night food traders is often not managed well, and this unkempt appearance potentially adds to a lack of respect of late night visitors to Manly. Discarded litter and particularly glass bottles could also be used as weapons during assaults in the public areas outside licensed premises and late night food traders.

²⁰ The Manly Development Control Plan for Late Night Venues (2005) aims to regulate activities in the entertainment precinct of Manly (see Supporting Documentation for information on DCP).

²¹ Social Profile Report: Manly LGA, NSW Office of Liquor, Gaming & Racing, February 2009.

²² Ibid.

²³ Ibid.

There is much that Council has done in regard to late night trading of licensed premises, and these initiatives can be viewed in 'Supporting Documentation for the Manly Crime Prevention Plan'.

5.3 Late night transport

Late night transport options out of Manly include State Transit Authority buses, taxis, the Manly Night Shuttle²⁴ and the ferry to the city.

Late night taxi ranks have been established on the Ocean Beach front (junction of North Steyne and Raglan Street), and on Belgrave Street outside Council Chambers. Ministry of Transport and Infrastructure coordinates the placement of security personnel on both ranks on Friday and Saturdays between 10.30pm and 5.00am.

Closing times of late night licensed premises has often conflicted with the traditional taxi 'change-over' time of 3.00am, when there are less taxis on the roads. Many late night patrons start to make their way home between 2.00am and 3.30am.

Queues at Manly's two taxi ranks are significant at this time in the morning (often over 100 people waiting at Belgrave Street), and these locations can quickly become 'hotspots' for assaults. Waiting in a long line at either of the two late night taxi ranks or waiting for a STA bus can create frustration and tension amongst large groups of intoxicated persons often resulting in fights, excessive noise and vandalism.

Ensuring late night patrons have the necessary means to leave Manly as quickly as possible at the end of their night out significantly reduces the risk of anti-social behaviour occurring.

5.4 Risky Drinking and Binge Drinking Culture

Over the past decade there has been a steady increase in the proportion of the Australian population who drink alcohol, the figure reaching 83 % (of adults) in 2004.²⁵ The average Australian is estimated to consume 7.8 litres of alcohol every year.²⁶ The problem is not found, however, in average consumption levels. One in five Australians (20.6 %) drink at levels that are risky or are at high risk of harm at least once a month, especially young adults.²⁷ Many also engage in risky and antisocial behavior when intoxicated.

Manly is an entertainment centre for the region and attracts large groups of young people to its many centrally located and easily accessible restaurants, bars and hotels. Anecdotally local service providers and Manly Police point to concerns that larger numbers of young people are drinking to excess. A night out in Manly appears for many to have become one of drinking until intoxicated. Notwithstanding the short and long-term health impacts of binge drinking, becoming a victim or an offender in an assault is far more likely to occur with greater intoxication levels.

There is very little data available on alcohol consumption by young people in the Northern Beaches. However in August to November 2009, Manly Drug Education & Counselling Centre (MDECC) surveyed 646 young people as part of the ReSet

²⁴ For an explanation of the operation of Manly Night Shuttle, see Draft Manly Crime Prevention Plan 2011-2013 - Supporting Documentation.

²⁵ AIHW 2005, cited in the Ministerial Council for Drug Strategy, 2006.

²⁶ World Advertising Research Centre, 2002.

²⁷ Manly Drinkcheck Project, Final Report 2008, Manly Drug Education and Counseling Centre.

project.²⁸ In this survey, 93.6% of the sample drank alcohol. Of those surveyed, 38.8% were considered to be drinking alcohol at 'harmful' levels requiring counselling or treatment, whilst 25.4% were considered at 'moderate risk' requiring intervention.

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²⁸ Information obtained from MDECC in June 2010. ReSet is a peer outreach project and early intervention strategy for amphetamine-type stimulants, alcohol and lifestyle choices. Of the valid surveys conducted by MDECC, 55% identified as male, and 45% as female. Those aged 18-24 years inclusive accounted for 65% of the sample. For more details: <http://www.reset.org.au/>

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6 Action Plan targeting Alcohol Related Assaults

Project:	1.0 LATE NIGHT TRANSPORT
Rationale:	The peak period for assaults is after midnight on weekends which is the time when many patrons leave venues to get home. Many assaults currently occur between young people waiting for transport.
Objective:	To reduce incidence of alcohol related assaults in CBD at night time on the weekends
Expected outcome:	Reduce the number of patrons congregating in public space after leaving venues by improving late night transport options in order to encourage safe and efficient dispersal out of the CBD.
ACTION 1.1	Co-ordinate consultation with late night transport (11pm – 4am) stakeholders annually to review services and prepare for each summer season by development of a late night transport plan
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none"> • Number of patrons on STA bus services operating on Friday & Saturday night after midnight • Number of taxis servicing both Belgrave Street and Raglan Street taxi ranks • Hours of operation of secure taxi ranks • Number of patrons transported out of Manly on Manly Night Shuttle • Number of meetings held with late night transport stakeholders • Improved communications with late night transport services
Time-Frames	Pre-summer workshop/consultation: Sept/Oct Late night transport plan developed: October Implementation: October – April Evaluation: April/May
Lead Agency & Partners	Manly Council, Community Safety Committee, State Transit Authority, Manly Warringah Cabs, Ministry of Transport, Manly Night Shuttle, Manly Liquor Accord, Manly Police
Funding Required	\$300 Manly Council
Milestones	<ul style="list-style-type: none"> • Stakeholders identified • Consultation/workshop completed • Plan developed and agreed upon by stakeholders • Plan ready for implementation
ACTION 1.2	Raise awareness of late night transport options and encourage usage by development of late night transport resources
Priority	Year 1
Performance Measures	<ul style="list-style-type: none"> • Increased patronage of all late night transport services • Reduce incidence of PCA offences on Northern Beaches • Number of late night transport resources distributed • Number of licensed premises and bottle shops distributing resources • Number of pre and post summer surveys conducted to assess awareness of transport options • Number of signs in position promoting late night transport departure points
Time-Frames	Pre-summer late night survey: Jan 2011 Signage erected: Jan 2011 Production and distribution: Feb 2011 Development of website resources: Feb 2011 Post-summer late night survey: April 2011 Evaluation: May 2011

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Lead Agency & Partners	Manly Council, Community Safety Committee, State Transit Authority, Manly Warringah Cabs, Ministry of Transport, Manly Night Shuttle, Manly Police, Northern Beaches Health Promotion, Manly Liquor Accord, Manly Youth Council
Funding Required	\$10,000 Manly Council/ Manly Liquor Accord/ Communities NSW
Milestones	<ul style="list-style-type: none"> • Pre-summer patron survey conducted to gauge awareness levels • Late night transport resource developed and distributed • Website resources developed and operating • Post-summer patron survey conducted to gauge awareness levels of transport options • Evaluation of late night transport solution completed
ACTION 1.3	Trained peer educators to provide information to patrons in The Corso on Saturday night to encourage greater use of late night transport options and hubs
Priority	Year 1
Performance Measures	<ul style="list-style-type: none"> • Increased patronage of all late night transport services • Reduce incidence of PCA offences on Northern Beaches • Number of peer educators trained • Number of patrons in contact with peer educators • Number of Saturday nights project is implemented • Number of licensed premises participating • Number of late night transport resources handed out by peer educators • Number of pre and post project surveys conducted to assess awareness of transport options
Time-Frames	Project plan developed: February 2011 Training of peer educators: February 2011 Pre-project survey: February 2011 Project implemented: March 2011 Post-project survey: April 2011 Evaluation completed: May 2011
Lead Agency & Partners	Manly Council, Northern Beaches Health Promotion, Manly Liquor Accord, Manly Youth Council, MDECC, Manly Police
Funding Required	\$10,000 Manly Council/ grant funding
Milestones	<ul style="list-style-type: none"> • Project plan developed • Pre-project patron survey conducted to gauge awareness levels • T-shirts designed and printed for peer educators to wear during project • Training of four peer educators completed • Project implemented on four Saturday nights in Manly • Post-project patron survey conducted to gauge awareness levels of transport options • Evaluation report completed

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Project:	2.0 EDUCATE
Rationale:	In response to community concern about alcohol related problems in the local community Council has a key role to play in both developing resources itself to raise awareness and to also support other agencies to develop programs to reduce alcohol-related harm.
Objective:	To develop and facilitate the provision of information to reduce alcohol related assaults
Expected outcome:	Development of a range of community education programs targeting specific groups.
ACTION 2.1	'Stay Safe' – target high risk groups of international students, backpackers and visitors by producing resource to raise awareness of key safety issues concerning alcohol, responsibility and local services
Priority	Year 1
Performance Measures	<ul style="list-style-type: none"> • Number of language schools and backpackers participating • Number of welcome packs produced • Number of infringements (fail to quit and drinking in AFZ) issued • Number of complaints received by council regarding noise and anti-social behavior on beaches and reserves • Number of referrals to local services from language schools and backpackers • Number of language school orientation sessions attended
Time-Frame	Project plan designed: June 2011 Resources developed :July 2011 Project implemented: October 2011 to March 2012 Evaluation completed: April 2012
Lead Agency & Partners	Manly Council, Manly Police, MDECC, NB Health Promotion, Liquor Accord, Language Schools and Backpackers, Chamber of Commerce
Funding Required	\$10,000 from external grant funding In-kind support from Manly Council, Manly Police, MDECC, NB Health Promotion, Liquor Accord, language schools and backpackers
Milestones	<ul style="list-style-type: none"> • Project plan designed and approved • Evaluation Plan identifies data sources • Pre and post summer season data obtained • Existing resources identified and new resources developed for use • Presentation of safety issues by Manly Police and MDECC at language school orientation sessions • Evaluation report completed
ACTION 2.2	'Safer Bars' - educate licensed premises staff from late night trading premises on handling aggressive patrons, raising awareness of AFZ locations and late night transport options and fail to quit responsibilities
Priority	Year 2
Performance Measures	<ul style="list-style-type: none"> • Number of 'fail to quit' offences • Number of alcohol-related assaults • Proportion of incidents recorded by Manly Police that were alcohol-related • Number of licensed premises staff attending training
Time-Frames	Prior to summer season (September – October 2012)
Lead Agency & Partners	Manly Liquor Accord, NSW OLGR Liquor Accord Delivery Unit, NSW Communities, Manly Licensing Police, Manly Council
Funding Required	\$20,000 external grant funding

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Milestones	<ul style="list-style-type: none"> • 'Safer Bars' programme designed • Training delivered • Pre and post summer season data obtained • Evaluation report produced
ACTION 2.4	'Shout it Out' – binge drinking project targeting licensed premises to reduce the number of alcoholic drinks that patrons are permitted to purchase in any single shout or round
Priority	Year 2
Performance Measures	<ul style="list-style-type: none"> • Reduction in alcohol related assaults involving young males • Increased awareness of patrons of risk of binge drinking • Number of licensed premises participating in project • Number of surveys conducted to gauge success
Time-Frames	October 2012 – March 2013
Lead Agency & Partners	NB Health Promotion, Manly Council, Manly Police, Manly Liquor Accord, NSW OLGR Liquor Accord Delivery Unit
Funding Required	\$5,000 NB Health Promotion
Milestones	<ul style="list-style-type: none"> • Project plan developed • Project implemented • Licensed premises adopt policy to limit drinks per round/ 'shout' • Pre and post summer season surveys implemented • Evaluation report produced
ACTION 2.5	Raise awareness of Council and Police strategies contained within the Manly Crime Prevention Plan
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none"> • Number of surveys conducted with Precincts in Year 1 and at end of Crime Prevention Plan implementation to measure perception of safety • Number of media releases produced regarding actions from the Crime Prevention Plan • Number of media articles in Manly Daily publicising Crime Prevention Plan strategies
Time-Frames	Ongoing through life of Crime Prevention Plan 2010 - 2013
Lead Agency & Partners	Manly Council, Community Safety Committee and Manly Police
Funding Required	\$500 Manly Council for media costs
Milestones	<ul style="list-style-type: none"> • Pre and post Crime Prevention Plan surveys completed • Successful safety initiatives promoted to the community • Media releases written for Manly Daily • Mayoral Messages and Manly Daily articles published • Precinct surveys evaluated and report produced

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Project:	3. 0 REGULATION AND ENFORCEMENT
Rationale:	Council is well placed to identify, enforce and regulate issues to improve late night safety in Manly.
Objective:	To reduce incidents of illegal drinking in the Alcohol Free Zone (AFZ) and Alcohol Consumption Prohibited Zones (ACPZ's) and to identify safety issues impacting on public safety
Expected outcome:	Ensuring the physical environment in the CBD is safely maintained by input from Council.
ACTION 3.1	Enforce the Alcohol Free Zone and Alcohol Consumption Prohibited Zones
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none"> • Number of AFZ and ACPZ infringement notices issued by Manly Police and Council Night Rangers • Number of complaints to council regarding illegal drinking on beaches and reserves • Number of major events and festivals requiring increased enforcement • Number of planning meetings held with key stakeholders
Time-Frames	2011 – 2013 ongoing
Lead Agency & Partners	Manly Council Night Rangers and Manly Police
Funding Required	In-kind, staff time
Milestones	<ul style="list-style-type: none"> • Manly Police and Council Night Rangers continue to adequately enforce the zones accordingly • Pre and post major events and festival planning meetings (e.g. Australia Day, New Years Eve and Manly Food & Wine Festival) held with key stakeholders in Manly to ensure enforcement of the zones • Pre-summer season planning meeting held with key stakeholders to ensure clear communication regarding enforcement
ACTION 3.2	Conduct annual late night community safety audits of Manly CBD.
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none"> • Number of Community Safety Committee members attending • Number of Precinct members attending • Number of safety issues identified • Number of solutions implemented
Time-Frames	One annually
Lead Agency & Partners	Manly Police, Community Safety Committee, Manly Council
Funding Required	In-kind staff time by Manly Council and Manly Police Community Safety Committee and Precincts volunteer own time
Milestones	<ul style="list-style-type: none"> • Safety audit completed annually • Evaluation report written • Identified issues addressed promptly • Solutions implemented
ACTION 3.3	Review liquor license applications to reduce impact on local community
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none"> • Number of liquor licence applications received by Council • Number of submissions made to applicants and NSW OLGR regarding liquor licence applications
Time-Frames	Ongoing 2010-2013
Lead Agency & Partners	Manly Council and Manly Licensing Police

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Funding Required	in-kind – staff time
Milestones	<ul style="list-style-type: none"> • Submissions made direct to NSW OLGR regarding liquor licence applications in Manly • Conditions imposed on liquor licence applications by NSW OLGR in line with Council and Licensing Police concerns
ACTION 3.3	Investigate means to reduce trading hours of late night licensed premises
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none"> • Relevant data identified and obtained • Reports compiled • Regular reports to Community Safety Committee • Recommendations received from Community Safety Committee and Council regarding reduced trading hours
Time-Frames	Ongoing 2010-2013
Lead Agency & Partners	Manly Council
Funding Required	In-kind staff time
Milestones	<ul style="list-style-type: none"> • Legislation identified through which to lodge application to reduce trading hours • Continued liaison with Communities NSW to identify means of reducing trading hours
ACTION 3.4	Enforce development consent conditions of late night licensed premises in Manly
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none"> • Number of inspections conducted by Enforcement staff • Number of breaches issued by Council to late night licensed premises
Time-Frames	Ongoing 2010-2013
Lead Agency & Partners	Manly Council's Enforcement and Regulation Team, Council Night Rangers
Funding Required	In-kind staff time
Milestones	<ul style="list-style-type: none"> • Continued monitoring of late night licensed premises to ensure compliance with development consent conditions regarding noise restrictions, density and trading hours

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Draft Manly Crime Prevention Plan 2011-2013

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Project:	4. 0 PLANNING
Rationale:	Council has the responsibility to maintain and introduce the required planning controls and policies to ensure community safety
Objective:	To develop and contribute to policies and plans which will mitigate the negative impact of late night licensed premises
Expected outcome:	Inclusion of conditions within plans and policies to create a safer late night Manly
ACTION 4.1	Ensure that all development applications involving licensed premises and major public space projects be assessed for CPTED (Crime Prevention through Environmental Design) by trained Council staff and/or in conjunction with Manly Police
Priority	Year 2
Performance Measures	<ul style="list-style-type: none"> Number of development assessments which meet criteria are assessed for CPTED principles
Time-Frames	February 2012
Lead Agency & Partners	Manly Council and Manly Police
Funding Required	\$700 per staff member if training for Council staff required, otherwise in-kind staff time arranged with trained Manly Police officers
Milestones	<ul style="list-style-type: none"> Criteria developed for development assessments to be assessed for CPTED principles Memorandum of Understanding signed with Manly Police to pass relevant development applications to them to assess Council staff trained in CPTED principles All relevant development assessments are CPTED assessed
ACTION 4.2	Review Council's policies and planning instruments to consider late night trading
Priority	Year 3
Performance Measures	<ul style="list-style-type: none"> Number of Council policies and plans identified which impact on late night trading in Manly Number of submissions made as part of consultation by Council when reviewing policies and plans which impact on late night trading in Manly
Time-Frames	2013, or as consultation is called for by Council's Planning & Strategy Team
Lead Agency & Partners	Manly Council
Funding Required	In-kind, staff time
Milestones	<ul style="list-style-type: none"> Council policies and plans amended with regarding to community concern regarding late night trading
ACTION 4.4	Develop liquor licence application policy for Council
Priority	Year 3
Performance Measures	<ul style="list-style-type: none"> Draft policy prepared Number of submissions made to Council following public exhibition of draft Council policy on liquor licence applications
Time-Frames	2013
Lead Agency & Partners	Manly Council
Funding Required	in-kind – staff time

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Milestones	<ul style="list-style-type: none">• Investigate other Council policies on liquor licence applications• Develop a draft Council policy on liquor license applications to be placed on public exhibition• Report written to Council regarding draft policy on liquor licence applications• Policy on liquor licence applications adopted
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Draft Manly Crime Prevention Plan 2011-2013

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Project:	5.0 ENGAGE
Rationale:	Council is a key stakeholder in the discussion regarding alcohol in the community and can build capacity via local partnerships and will continue to engage young people
Objective:	To build capacity in the community by engaging with target groups and with key partners to combat alcohol related assaults and to provide alcohol free alternatives
Expected outcome:	Build cohesive partnerships and improve late night safety in Manly.
ACTION 5.1	Support the Manly Precinct Liquor Accord (Hassle Free Nights)
Priority	Year 1
Performance Measures	<ul style="list-style-type: none"> • Number of meetings attended • Number of strategies implemented • Number of alcohol-related assaults • Number of licensees participating
Time-Frames	Jan 2011 – Jan 2012
Lead Agency & Partners	Communities NSW, Manly Liquor Accord, Manly Council, Manly Police
Funding Required	\$5,000 Communities NSW and late night licensees
Milestones	<ul style="list-style-type: none"> • Manly Precinct Liquor Accord strategies endorsed by Director General of Communities NSW • Strategies implemented
ACTION 5.2	Provision of all ages affordable drug and alcohol entertainment for young people
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none"> • Number of alcohol-free activities provided for young people • Number of young people aged 18-21 years attending each event • Number of referrals to Council's Adolescent and Family Counselling Team • Number of referrals to Manly Drug Education and Counselling Centre
Time-Frames	Ongoing 2010-2013
Lead Agency & Partners	Youth and School Aged Services Manly Council, Manly Youth Council
Funding Required	\$12,000 per annum, Manly Council
Milestones	<ul style="list-style-type: none"> • 10 drug and alcohol-free entertainment provided each year
ACTION 5.3	Support the Manly Liquor Accord
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none"> • Number of meetings held by Manly Liquor Accord • Number of meetings attended by Manly Council • Number of members contributing financially • Number of actions from Crime Prevention Plan which Manly Liquor Accord is a partner of
Time-Frames	Ongoing 2010-2013
Lead Agency & Partners	Manly Council, Manly Liquor Accord, Manly Police
Funding Required	In-kind staff time
Milestones	<ul style="list-style-type: none"> • Manly Liquor Accord Executive in place

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	<ul style="list-style-type: none">• Manly Liquor Accord Executive meeting regularly• AGM's held annually• Members of Manly Liquor Accord contributing financially• Manly Liquor Accord partner with Council for strategies in Crime Prevention Plan
ACTION 5.4	Support the 'Street Pastors' Initiative
Priority	Year 1, 2, 3
Performance Measures	<ul style="list-style-type: none">• Number of written updates received from Street Pastors• Number of briefing meetings held with Street Pastors• Level of funding received from Council
Time-Frames	Ongoing 2010- 2013
Lead Agency & Partners	Manly Council, Salvation Army, Ministries of Manly
Funding Required	Up to \$5,000 - Council community grants and CDSE grants available
Milestones	<ul style="list-style-type: none">• Regular networking and referral of information between Council and Street Pastors• Street Pastors become a member of Community Safety Committee• Street Pastors continue to operate on Saturday nights in Manly CBD

7 Monitoring and Evaluation

Monitoring	Evaluation
<p>Base line data collected prior to commencement , and throughout Actions will include:</p> <ul style="list-style-type: none"> • NSW BOCSAR statistics • Local crime statistics from Manly Police • Patron numbers from transport providers • Internal reporting data available from Council • Results of pre-Action surveys <p>A comprehensive 'Evaluation Plan' will be written prior to the commencement of each Action which details:</p> <ul style="list-style-type: none"> • Objectives • Indicators • Data source • Method 	<p>Council's Community Safety Coordinator will be responsible for conducting a thorough evaluation of each strategy, in line with the 'performance measures' outlined above, in order to ensure 'milestones' have been achieved.</p> <p>Much of the base line data collected prior to and throughout Actions will be compared on completion of the Action (e.g. pre and post survey data, or statistics from BOCSAR or Manly Police).</p> <p>The final evaluation report will also include a full and comprehensive description of how the Action was implemented, in order for the project to be replicated if successful.</p> <p>Possible outcomes following evaluation will also be to report on whether the Action had unexpected outcomes, and of course whether the Action was successful, and if not, why not.</p>



DRAFT Manly Crime Prevention Plan

SUPPORTING DOCUMENTATION

2011-2013

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APPENDIX ONE: Crime Profile for Manly LGA

The following Tables 1, 2 and 3 are a summary of the major offences in Manly, showing how Manly ranks compared to NSW and other local government areas, and also whether these major offences are trending upwards, downwards or remain stable.

Table 1 shows the number, rate and ranking of major offences in Manly.

Table 1 ¹				
Number of recorded criminal incidents for major offences in Manly for 2009		Rate per 100,000 population for 2009 for major offences		LGA Rank in 2009 out of 141 LGA's
Type of Offence	No of offences	Manly	NSW	Manly
Murder	0	0	1.1	0
Assault – DV related	71	179.0	371.7	125
Assault – non-DV related	275	693.3	563.1	31
Sexual offences	48	121.0	136.1	93
Robbery	36	37.8	84.1	53
Break and enter – dwelling	149	375.6	592.9	102
Break and enter – non-dwelling	46	116.0	274.5	134
Motor vehicle theft	56	141.2	319.6	104
Steal from motor vehicle	189	476.5	672.3	84
Steal from retail store	123	310.1	293.7	30
Steal from dwelling	134	337.8	303.9	77
Steal from person	90	226.9	140.8	6
Fraud	201	506.7	496.7	26
Malicious damage to property	485	1,222.70	1,447.7	91

¹ NSW Bureau of Crime Statistics & Research. NSW Recorded Crime Statistics 2003 to 2009 (December 2009 data). Incidents of major offences as recorded by NSW Police for each NSW LGA: Number, rate and rank, accessed on 240610.

http://www.bocsar.nsw.gov.au/lawlink/bocsar/ll_bocsar.nst/pages/bocsar_crime_stats

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Table 2: Trends in Recorded Crime Statistics 2005 to 2009 for Manly LGA ²		
Offence category	Annual percentage change 2008 to 2009	Average annual percentage change 2005 to 2009
Murder ³	N.A.	N.A.
Assault - domestic violence related	Stable	Stable
Assault - non-domestic violence related	Down by 17.4%	Stable
Sexual assault	N.A.	N.A.
Indecent assault, act of indecency and other sexual offences	Stable	Stable
Robbery without a weapon	N.A.	N.A.
Robbery with a firearm	N.A.	N.A.
Robbery with a weapon not a firearm	N.A.	N.A.
Break and enter dwelling	Down by 31.0%	Down by 13.9%
Break and enter non-dwelling	Down by 45.9%	Stable
Motor vehicle theft	Stable	Stable
Steal from motor vehicle	Down by 47.1%	Stable
Steal from retail store	Up by 55.7%	Up by 14.7%
Steal from dwelling	Stable	Stable
Steal from person	Stable	Down by 12.6%
Fraud	Down by 2.4%	Stable
Malicious damage to property	Stable	Stable

² NSW Bureau of Crime Statistics & Research. NSW. Trends in recorded crime statistics for major offences by area 2005 to 2009, accessed on 240610.

http://www.bocsar.nsw.gov.au/lawlink/bocsar/l/bocsar.nsf/pages/bocsar_crime_stats

³ "N.A." indicates that the number of incidents recorded was too small for a reliable trend test to be performed.

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Table 3 – Summary of five top offences in Manly with comparisons to Warringah, Pittwater, Sydney and NSW					
Offence type		Rate per 100,000 population for 2009 for major offences ⁴	LGA Rank in 2009 out of 141 LGA's ⁵	Annual percentage change 2008 to 2009 ⁶	Average annual percentage change 2005 to 2009 ⁷
Assault non-DV related	Manly	679.1	42	Down by 17.4%	Stable
	Warringah	270.7	120	Stable	Up by 3.8%
	Pittwater	278.8	118	Stable	Stable
	Sydney	499.1		Down by 11.7%	Stable
	NSW ⁸	566.6	N/A	Stable	Stable
Steal from motor vehicle	Manly	900.0	79	Down by 47.1%	Stable
	Warringah	524.4	68	Stable	Stable
	Pittwater	729.6	26	Stable	Stable
	Sydney	878.4		Down by 26.6%	Down by 6.1%
	NSW	827.8	N/A	Down by 18.8%	Stable
Steal from retail store	Manly	199.2	32	Up by 55.7%	Up by 14.7%
	Warringah	213.1	50	Up by 9.3%	Up by 7.2%
	Pittwater	108.7	101	Stable	Stable
	Sydney	305.5		Stable	Up by 2.7%
	NSW	284.8	N/A	Stable	Up by 2.8%
Steal from person	Manly	196.6	6	Stable	Down by 12.6%
	Warringah	58.6	40	Up by 28.9%	Up by 6.9%
	Pittwater	42.1	47	Stable	Stable
	Sydney	194.0		Stable	Down by 5.1%
	NSW	147.9	N/A	Down by 4.8%	Down by 5.5%
Malicious damage	Manly	1,326.0	89	Stable	Stable
	Warringah	979.6	103	Stable	Up by 6.5%
	Pittwater	1,111.9	87	Stable	Up by 6.5%
	Sydney	1,366.3		Down by 16.5%	Stable
	NSW	1,566.0	N/A	Stable	Stable

Table 3 provides a summary of the five major offences types in Manly which are either above the NSW rate per 100,000 population, or have a high LGA ranking or have an upward trend over the last 36 months. It also compares Manly with neighbouring Warringah and Pittwater LGA's, and Sydney and NSW.

⁴ NSW Bureau of Crime Statistics & Research. NSW Recorded Crime Statistics 2003 to 2009 (December 2009 data). Incidents of major offences as recorded by NSW Police for each NSW LGA: Number, rate and rank, accessed on 240610.

http://www.bocsar.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsl/pages/bocsar_crime_stats

⁵ NSW Bureau of Crime Statistics & Research. Local Government Area Ranking Tool, accessed on 240610. http://www.bocsar.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsl/pages/bocsar_onlinequeries

⁶ NSW Bureau of Crime Statistics & Research. NSW, Trends in recorded crime statistics for major offences by area 2005 to 2009, accessed on 240610.

http://www.bocsar.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsl/pages/bocsar_crime_stats

⁷ Ibid.

⁸ NSW Bureau of Crime Statistics & Research. NSW Recorded Crime Statistics 2009 (2010). Accessed on 240610. http://www.bocsar.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsl/pages/bocsar_crime_stats

Key findings from crime profile:

- Whilst malicious damage is Manly's most reported offence, it is less than the NSW rate per 100,000 population (Manly is 1,325.7 per 100,000 population compared to 1,588.6 in NSW). This offence is also trending down.
- Table 2 reveals that over a 36 month period, only one offence, steal from retail store, trended upwards. Manly Police report in January 2010 that this was as a result of targeted discussions with local retailers to encourage reporting of shoplifting, as many incidents had not been reported. Whilst this offence has increased, it still remains less than the NSW rate per 100,000 population (204.1 in Manly, 288.0 in NSW).
- Table 1 shows that assault (non DV-related) ranks Manly 31st out of 140 LGA's in NSW, this offence is also a significantly higher rate per 100,000 population (854.4 in Manly) compared to NSW (629.1).
- In Table 1, Manly ranked 9th for steal from person, however the analysis of trends in Table 2 shows that this offence has trended downwards over the last 36 months (in 2003 Manly recorded 242 incidents, and was 3rd in the LGA Ranking across NSW).
- All other offences remain either stable, or have trended downwards.

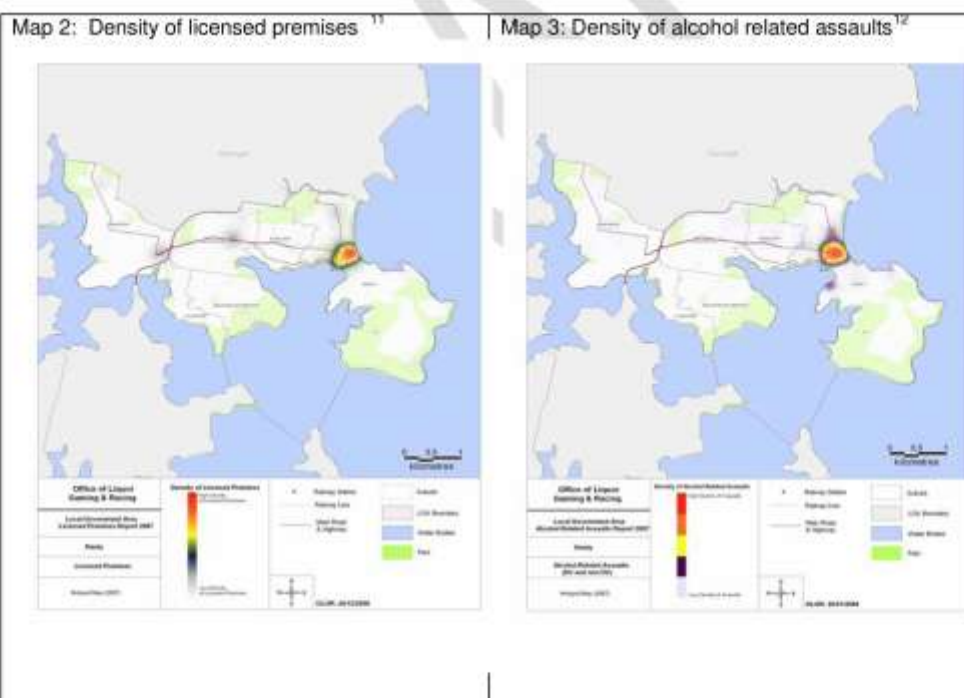
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APPENDIX TWO: Density of Late Night Licensed Premises

The density of late night licensed premises in Manly's CBD can be considered to be one of the key factors impacting on alcohol-related anti-social behaviour and neighbourhood disturbances. Over the last ten years there have been several large-scale apartment developments in the CBD and Ocean Beachfront area. This has often led to complaints by residents of the impact of noise and alcohol related anti-social behaviour (e.g. vomiting, urinating and vandalism) on their buildings and in the surrounding area from licensed premises. Manly faces the dilemma of similar beachside entertainment centres, of balancing the needs of residents whilst not wishing to discourage local business. A recent SHOROC study noted the growing potential for conflict between business and residential uses, particularly in town centres with a growing night time economy and growing proportion of residential dwellings.⁹

Studies have shown that those living close to liquor outlets, or in areas with a high density of licensed premises are more likely to report problems in their neighbourhood from drunkenness and property damage.¹⁰ In 2005 the Manly After Midnight Working Party revealed a deep dissatisfaction amongst residents of Manly due to the impact of alcohol-related anti-social behaviour and assaults in the CBD.

Map 2 highlights the density of licensed premises, and Map 3 shows the density and location of alcohol related assaults. Both hotspots appear to mirror each other, suggesting a correlation between the density of licensed premises and the number of alcohol related assaults in Manly LGA.



⁹ SHOROC Regional Employment Study, 2008.

¹⁰ For example: Liquor Outlet Concentrations and Alcohol-related Neighbourhood Problems, Alcohol Studies Bulletin No. 8, NSW Bureau of Crime Statistics and Research, April 2006.

¹¹ Social Profile Report – February 2009, NSW Office of Liquor, Gaming & Racing

¹² Social Profile Report – February 2009, NSW Office of Liquor, Gaming & Racing

APPENDIX THREE: Late night Manly

This section details the initiatives which Manly Council has either led or partnered in order to improve public safety late at night in Manly.

Manly After Midnight

In May 2004 the Manly After Midnight Working Party consulted the community, business groups and other stakeholders about problems in late night Manly. Surveys indicated that 70% of respondents were of the view that premises should close no later than 2.00am. A second validation survey conducted by Taverner Research in June 2005 revealed that 65% of those questioned favoured a closing time before 2.00am.

In October 2005 Manly Council adopted the Manly After Midnight Policy which has an objective "Activities in the Manly CBD after midnight be regulated to ensure public amenity, safety, enjoyment and convenience".

Code of Respect

In November 2005, in a Police initiative supported by Council and the Manly Liquor Accord, approximately 70 people representing a diverse cross section of the community attended a day forum. The aim was to discuss concerns about alcohol related violence and anti-social behavior and arrive at a consensus for a solution. The result was a list of the top ten activities that the community would not tolerate in the area. Importantly this list was accompanied by an overriding theme of respect. Code of Respect signs were posted in public spaces and licensed venues, and this initiative was launched to the community during the summer of 2005/2006.

Manly Late Night Venue Development Control Plan (DCP)

Council adopted the Manly DCP for Late Night Venues in December 2005, the purpose of which is to regulate the activities and design of late night venues in the 'entertainment precinct' of Manly. The objectives include promoting the CBD as a safe place for all the community late at night, minimize disturbances, recognize the 'entertainment precinct' as a place where people can be safely entertained, and to regulate late night venues to achieve these objectives. The DCP also limits the number of patrons to 8000 attending late night licensed venues within the entertainment precinct. Hours of operation are set at 2.00am close, with a restricted entry policy from 12.30am.

CCTV network

In order to better manage the public area late at night in Manly, a network of approximately 42 CCTV cameras have been installed by Council around the CBD. It is a highly capable system which is monitored by Council from two screens on Friday and Saturday nights from 11.00pm to 5.00am. A Memorandum of Understanding ensures that the Police can access recorded footage and utilize the live vision facility as required. Police can also be notified immediately by Council staff when an incident is identified on screen. The CCTV network is a valuable additional tool made available to the Police to assist in planning, reduction, prevention and detection of crime in the CBD.

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'Night Owl' Rangers

In 2006, following a request from Manly Police, Council employed 'Night Owl' Rangers to patrol the Manly CBD on Friday and Saturday nights. 'Night Owl' Rangers work alongside Police in attending to noise complaints as well as compliance enforcement. These rangers are also authorized by the Commissioner of Police to enforce the Alcohol Free Zone in the Manly CBD, and the Alcohol Consumption Prohibited Zones of the beaches, parks and reserves in Manly.

The Manly After Hours Venue Management Plan (VMP)

During the second quarter of 2008, Superintendent Dave Darcy of Manly Police, in conjunction with the Community Safety Committee, the Manly Liquor Accord and other key stakeholders, developed a new approach to managing the CBD which achieved a voluntary closure of all hotels at 2.30am.

The Venue Management Plan was based on the principles of the Manly After Midnight Policy, extending them in a coordinated process to change the nature of the business, patron mix and expectations of those coming to Manly on weekend nights. The VMP was officially implemented on 15 August 2008.

To bring more families into The Corso, a Council Events Management Strategy was implemented for the summer of 2008/2009. The aim was to generate business opportunities earlier in the evening for licensed premises which would then close earlier. Licensed premises were encouraged to market their business for early evening dining and entertainment.

'Saturdays at Sunset' continues to provide Saturday night family friendly entertainment in The Corso, and Council boosted early night family entertainment by the introduction of the World Food Markets on a Friday night during the summer of 2009/2010.

Following the implementation of the VMP, data from Manly Police and feedback from Manly Night Owl Rangers suggested a decrease in the levels of public intoxication and an improvement in behavior.

However, in December 2008, the Minister of Gaming & Racing released an amendment to the Liquor Act which imposed special conditions on 48 high-risk licensed venues, of which one of the major hotels in Manly was placed at Number two. This venue subsequently pulled out of the voluntary VMP, and most other late night venues followed. Manly Police and Council's 'Night Owl' Rangers subsequently reported that alcohol-related assaults and anti-social behavior increased.

Section 79 Disturbance Complaint under the Liquor Act 2007

In May 2009, following a resolution of Council, a Section 79 Disturbance Complaint was lodged in conjunction with a disturbance complaint submitted by Manly Police with the NSW Office of Liquor, Gaming & Racing (OLGR). Manly Council's submission outlined how the residents of Manly had been impacted by patrons leaving late night licensed premises, particularly in relation to alcohol-related anti-social behaviour and assaults, and requested:

- A cease service of alcohol at 2.00am, for a closing time of 2.30am
- Strict enforcement of Responsible Service of Alcohol
- Financial membership of the Liquor Accord

Due to delays caused by the NSW Supreme Court hearings about validity of the Section 79 applications, and the length of time that the Director General of

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Communities NSW took to assess the applications, Manly Police have since withdrawn their Section 79 Disturbance Complaint, as the data gathered in May 2009 was considered dated. Manly Council's Section 79 Disturbance Complaint was deemed by the NSW Supreme Court judgment to be invalid as it did not name specific licensed premises.

The Community Safety Committee, at its meeting in November 2010 recommended that Council continue to gather relevant data for the summer period of 2010/2011 in the event that a new Section 79 Disturbance Complaint is considered necessary.

Manly Community Safety Partnership

In October 2009, the NSW Gaming & Racing Minister announced a "Community Safety Partnership" for Manly to tackle alcohol-related violence. The scheme brought together Manly Police, licensed venues, Council staff, transport operators, Australian Hotel's Association (AHA), late night food traders and community members. An action plan was developed to manage transport, increase training for licensed premises frontline staff, address litter, lighting and public toilet facilities as well as design safety messages targeting individual responsibility. Regular meetings with stakeholders were held throughout the summer period of 2009/2010.

Hassle-Free Nights

In March 2010, the NSW State Government announced an initiative called 'Hassle-Free Nights', which proposed that Manly, along with key locations in the city of Sydney, Parramatta, Newcastle and Wollongong, be included in a precinct approach to reduce alcohol-related violence. This initiative followed on from the Manly Community Safety Partnership and the Manly Precinct Liquor Accord (PLA) was established. A narrow precinct boundary was set by the Director General of Communities NSW and those licensees within the boundary, as mandatory participants, were requested to financially contribute to agreed actions. Actions targeting late night transport were deemed to be priorities for funding. Council continues to meet with other members of the Manly PLA to progress endorsed strategies.

Alcohol Free Zone (AFZ) and Alcohol Consumption Prohibited Zone (ACPZ)

The Alcohol Free Zone is centered around Manly's CBD, and is in place 24 hours a day/ 7 days a week until 11 July 2014. Any person observed to be drinking in an Alcohol Free Zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of. The intention of an Alcohol Free Zone is to combat anti-social behaviour and to address community concern for specific locations. An Alcohol Free Zone can be an effective tool used by Manly Police and authorized Council Rangers to prevent the escalation of irresponsible street drinking to incidents involving serious crime. For example, Police and Council's Night Rangers stringently enforced the AFZ during Australia Day 2010 in order to ensure a safe and enjoyable day for residents and visitors to Manly.

Most of Manly's parks, beaches and reserves are also 'Alcohol Consumption Prohibited Zones'. Manly Council enforces these zones through Section 632 of the Local Government Act.

Over the years, Manly Police have been called out to several beach and park locations due to crowds of unruly party goers. In response to concerns that the

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community were unaware of these restrictions, in October 2010, Council produced a "Know the Signs: Avoid the Fines" postcard and poster. This resource was made available to bottle shops, the Visitor Information Centre, licensees, Manly Police, and local backpackers.

Late night transport

A number of strategies over the years have been put in place to encourage the safe dispersal of hotel patrons and others visiting late night entertainment venues at closing times, including:

The Pumpkin Bus:

In the summer of 2004/2005, the 'Pumpkin Bus', a special Manly late night summer free bus, commenced operating on Friday and Saturday nights. The Manly Pumpkin Bus was a joint initiative of Sydney Buses, Manly Council and the Manly Liquor Licensing Accord to help late night party-goers get home safely. 'Pumpkin Punter' volunteers from Manly Youth Council (in distinctive navy blue and orange "Ask me how to get home tonight" T-Shirts) distributed late night transport information and safety tips at late night venues on weekends.

Late Night Transport Information Card

During the summer of 2004/2005, a late night Transport Information Card was developed giving details of all local transport options available on Northern Beaches (including the 'Pumpkin Bus') between midnight and 5.00am. The Transport Information Card was a joint project with the NSW State Transit Authority and Manly, Warringah and Pittwater Councils.

Secure late night taxi ranks

Security (2-3 security guards) is provided by NSW Transport on Friday and Saturday nights (10.30pm – 5.00am) at Manly's two late night taxi ranks at Belgrave Street and North Steyne/Raglan Street. These guards help direct taxis into the rank, and also ensure patron safety of all those waiting in the queue for a taxi.

The Steyne Commuter Bus

In 2007, Council and two of the major hotels agreed that a local free bus service, the 'Steyne commuter bus' would commence. This was a free commuter bus service picking up passengers four times per hour outside the Steyne Hotel between 11.00pm and 4.00am on Friday and Saturdays. This service operated for 18 months taking locals in the Manly area home safely. Unfortunately this lapsed due to lack of ongoing funding.

The Manly Night Shuttle

In December 2009, The Manly Night Shuttle commenced operation through the provision of an exemption order which was granted by the Minister of Transport as an initiative of the Manly Community Safety Partnership. The Manly Night Shuttle is a private shuttle bus operator which services Manly on Friday and Saturday nights between midnight and 4.00am. The Manly Night Shuttle has two designated pick up points: immediately in front of the late night taxi ranks at Belgrave Street and North Steyne/ Raglan Street. Patrons pay \$5.00 each to go to one of three destination points: Freshwater shops, Seaforth shops or Warringah Mall bus-stop.

Late Night Transport Solution

At their meeting of 9 December 2010, the Community Safety Committee recommended two late night transport hubs be created and promoted at the North Steyne/ Raglan Street and Belgrave Street taxi ranks. This strategy was subsequently endorsed by Council at its Ordinary Meeting of 13 December 2010. As

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part of this initiative, State Transit buses will shift departures after midnight from the bus shelter at the corner of Raglan and Belgrave Street to Gilbert Park bus shelters, virtually opposite the late night taxi rank and the Manly Night Shuttle departure point. This aim is to provide late night patrons a range of transport options from midnight until the early hours of the mornings on weekends, moving people out of the CBD quicker and therefore reducing the potential for anti-social behaviour or assaults.

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APPENDIX FOUR: Community Consultation

This section reviews the outcome of consultation conducted with the community relevant to late night Manly and perceptions of safety.

Crime Prevention Plan (2000-2004)

Public perceptions of crime are just as important as statistics. Council's 2000-2004 Crime Prevention Plan researched issues of crime, fear and safety in the Manly area. Consultation for the Plan revealed that:

- locations repeatedly nominated by people as areas where they felt unsafe were the Manly Ocean Beachfront, Manly CBD (including The Corso) and Manly Wharf. These areas rated relatively unsafe at night time both statistically and perceptually.
- Crime in general, intoxicated persons and loutish/offensive behaviour were the key issues that made people feel uneasy about their safety while in Manly.
- 'Drunks/louts/street gangs' and 'walking alone' were the main safety concerns at night.
- Residents who lived in the immediate surrounds of The Corso related feeling scared after being regularly woken by the sound of smashing glass, shouting and fighting going on in the street below.
- Other residents complained that their cars parked on the street were regularly vandalised by drunks walking home, particularly in the Whistler Street, North Steyne and Pittwater Road areas.

A review of the crime statistics for the 2000-2004 Crime Prevention Plan recorded high rates in the Manly area for offences such as offensive conduct, offensive language or assault. Hotspot locations included The Corso and surrounding streets. The greatest problems occurred between 1.00am to 4.00am, and mostly they occurred on the weekend.

Manly Social Plan (2004-2009)

A range of target groups in the community were consulted for the development of the 2004-2009 Manly Social Plan.

Consultations with older residents suggested that some felt alienated from Manly at night, as there was a perception of it being taken over by young, often drunk people. Many older people said that they did not feel comfortable going out to eat in Manly at night because of the drunken anti-social behaviour on the streets. Older people living close to the Manly CBD were also concerned about the resultant noise and fights when the late night venues closed.

Consultations with parents, members of the gay and lesbian community, youth and young men identified a general concern about the apparent lack of safety for young people in Manly especially close to and in The Corso, because of factors such as alcohol abuse, violence, and poor lighting.

A survey of Council's Precinct Committees identified concern with the degradation of The Corso, late night noise, vandalism and anti-social behaviour and personal safety.

Manly After Midnight (MAM) Consultation

In May 2004 the MAM Working Party consulted the community, business groups and other stakeholders about problems in late night Manly. 28 written submissions were received, four public hearings were held, and two surveys were conducted.

An analysis of surveys¹³ highlighted resident concern regarding the disruption to their lifestyle because of the late night commercial activities of the CBD. Responses suggested that disruptions were becoming more frequent, and there was a perception of 'degradation of the village and family amenity of Manly'. All surveys complained of rowdy and offensive behavior and language after midnight as large rowdy groups roamed away from The Corso. Urinating and other excreta in doorways, on private premises, corridors, alcoves, undressing in public, loud car stereos, 'hooning' and speeding, litter, especially fast food cartons, cigarettes, shopping trolleys, beer bottles (often broken), cans and containers and empty glasses, smashing lights, throwing empty bottles into private premises.

Several respondents claimed that the expansion of entertainment benefits the licensed commercial premises, to the detriment of residents, Council, Police, support groups and infrastructure services. Survey results also highlighted a desire by the community for earlier closing for licensed venues, preferably before 2.00am.

¹³ Report of the Manly After Midnight Working Party: Appendix 5 – Analysis of Submissions and Questionnaires (May 2005).