

# MANLY COMMUNITY FORUM

A community-led monthly newsletter for Manly residents

July 2023

## NAIDOC Week 2023 in Manly

Celebrations of the 2023 National NAIDOC Week 'For Our Elders' has kicked off earlier this month with rallies across the country in support of the Voice.

This included two separate events in Manly each led by our State and Federal members.

Warringah Federal MP Zali Steggal, as part of a group she supports called Warringah for the Voice, joined 120 locals who had walked from Balgowlah, Curl Curl and North Harbour converging at Manly Wharf for a rallying photoshoot in support of the Voice.

Meanwhile James Griffin, Member for Manly, in collaboration with the Manly Chamber of Commerce hosted an informal evening in conversation with Garry Farrer a proud Wiradjuri man.

Both our local elected representatives have information on The Voice on their respective websites.

Council supported NAIDOC week with numerous school holiday activities across the LGA.



## AGENDA

- Christmas in July 2023
- Council updates

**A short meeting will be held this Monday as we indulge in a catered Christmas in July social celebration and fundraiser for the Community Northern Beaches**

## Manly Wharf; new cafe, same old crappy toilets

One café closes and then another one opens. Max Brenner Chocolate Café is returning to Manly Wharf. The Australian owned, family run business owns and operates 23 chocolate Cafes through Australia, and they are currently recruiting a Chocolate Café Manager while fitting out their newest location on Manly Wharf. Proposing to operate Monday to Sunday; 7.00am to 11.00pm; with up to 8 staff serving a total of 65 seats, including an internal dining area containing 57 seats and 8 outdoor dining.

We look forward to more improvements on the Wharf as the new lease holder, Howard Smith Wharf from Brisbane settles in after his \$80mil purchase of the lease for the Manly Wharf and Manly Wharf Hotel. Lets hope that the ongoing appalling toilet situation at the Wharf is resolved by the new lease holder. These toilets under ground in the carpark have never been anything but disgusting, even when they have worked.

In other wharf news.....

Work under the wharf adjacent to the Wharf Hotel continues as the concrete cancer was more extensive than originally assessed. No word when it will be completed.

RMS have yet to start their work on Wharf number 3 but we are assured it is funded and will start soon.

**OUR NEXT MEETING IS ON MONDAY 17 JUL AT 7PM AT MANLY YACHT CLUB**

# Draft Compliance and Enforcement Policy

The Draft Compliance and Enforcement Policy has now closed for submissions, but you can still email council with any complaints. The proposed changes to the Compliance and Enforcement Policy describe a Risk Based Triage Process where all enquiries are managed using a risk-based approach which are triaged to determine their priority/urgency. Matters identified as the greatest risk (urgent or high) will be actioned as a priority.

A new section has been included providing information on this new risk-based triage process, with examples of what constitutes urgent, high, medium and low risk concerns and how these will be responded to.

This new risk rating table, where 'matters' are categorised, Urgent, High, Medium and Low has been included to assist Council staff to identify the risk rating attributed to various types of customer enquiries.

There is also a new section outlining how customer concerns are managed, including the steps undertaken from preliminary assessments and risk categorisation, to investigations and finally enforcement action.

Guidance is provided on the key steps of the investigation including the point an update will be sent to customers, most likely an email announcing no action can be taken because the matter is not in the Urgent or High priority category

The Draft Policy identifies the circumstances in which no action may be taken. Some examples include where Council does not have jurisdiction to address a concern, there is insufficient information, or evidence to pursue a matter, or the report relates substantially to a matter previously investigated by Council and there is no new or compelling information or evidence which would cause Council to change its earlier decision.

The Draft Policy states that Council is unable to take action or intervene in disputes relating to the activities or behaviours which are of a private or civil nature e.g. dividing fence or retaining wall disputes, trespass, encroachments, damage to private premises or actions resulting from the behaviour of a person.

continued.....

So it is very unlikely that Council will respond to any complaint regarding parking. Someone parked across a driveway or contrary to any parking signs would be categorised as low risk, irrespective of how annoying it might be to residents and ratepayers. Hopefully the car will have moved by the time the complaint has been triaged according to the risk based process.

Any reports of dogs off leash in an on leash area or the beach would also likely be met with a No Action communication from Council given the new risk based triage process. And a dog barking incessantly in the neighbourhood?

Concerned about bicycles, e bikes of otherwise in the Corso with riders not wearing a helmet, forget it. This is not in Council's jurisdiction.

And the new legislation to get parked trailers off the roads after 28 days. Again, considered a low priority.



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▶ LEVEL 3, SUITE 21, 22 DARLEY ROAD, MANLY ◆

# Draft Compliance and Enforcement Policy continued

And finally.....

The new section on DA and building compliance. Mostly not their problem, so forget making a complaint unless it's one of the following in the 'Urgent' column.

- Major water pollution incident
- Imminent threat to public health or safety
- Incidents relating to unauthorised asbestos removal or dumped asbestos · Major sewer blockage/leak
- Major flooding · Food poisoning outbreak
- Legionella outbreak
- Unauthorised demolition of a heritage item or building in a heritage conservation area
- Dog attack
- Land clearing and/or removal of trees
- Unsafe or dangerous structures adjacent to public land, for example awnings over footpaths.

Reports relating to development compliance (i.e. alleged non-compliance with a development consent or a complying development certificate) should be referred directly to the appointed principal certifier for investigation and appropriate action.

And...

Local Councils generally do not carry out assessments or proactive audits of construction certificates, complying development certificates, occupation certificates or other certificates issued by private certifiers, and any enquiries or concerns regarding these instruments should be referred directly to the certifier for response.

Helpfully the new Policy provides a new section outlining how to seek a review of a decision if there is dissatisfaction with the outcome of an investigation or dissatisfaction with the conduct of a Council employee. Paragraph 6 on page 15 of the 19-page document says

All Council Officials, including staff, Councillors and contractors, are expected to follow Council's Code of Conduct. This code is prescribed by regulation and sets out the minimum requirements of conduct. Any allegations regarding the conduct of staff for the management of compliance and enforcement enquiries will be managed by Council's Complaints Resolution team.

A complaint against a staff member in breach of the code or report other unacceptable behaviour can include:

- inappropriate behaviour
- Breach of privacy
- Providing false or misleading information
- Recklessly or deliberately damaging property
- Fraud and Corruption
- Breach of powers

Council has provided a Policy that explains why it can't ensure compliance and enforcement and if residents and ratepayers are unhappy about this then, as the Policy states

A complaint can be submitted online by using Council's 'Complaint Form'. If a person is disputing a determination made by Council on the management of their enquiry, this can also be raised as a complaint with Council using the same complaint form.

These matters may be referred to the relevant Business Unit for review, consideration and response.

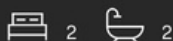
Good luck.



## THE AGENCY



4/104 Bower Street, Manly



Stunning ocean views in premier beachside address

Auction 15th July at 9:45am



1/49-51 Ashburner Street, Manly



Coastal chic on the beachfront with wondrous views

Auction 15th July at 10:30am

We have just listed these two incredible properties. Wake up to glistening north-easterly views looking towards The Bower and Shelly Beach.

Otherwise secure an apartment in the exclusive southern corner of Manly Beach with shimmering views over the ocean's horizon.

Jake has sold over 500 properties in the Manly area over the past 20 years. If you are looking for an agent with an exceptional track record, along with honesty and integrity, look no further than Jake Rowe.



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# Draft Tree Canopy Plan submission

A joint submission by the North Harbour Community Group, Balgowlah Residents' Group, Baringa Bush Residents' Group (Seaforth), Manly Community Forum and North Balgowlah community network.

The Draft Tree Canopy Plan is comprehensive. It acknowledges and identifies many of the issues of concern for residents in relation to the challenges facing the amalgamated council in improving both the quantity and quality of the tree canopy cover across the Northern Beaches LGA.

However, the Draft Plan is limited in its focus on trees within the urban environment. Community groups believe the council should be developing an Urban Forest Strategy, which encompasses all vegetation and habitat and the functions and species they support, not only trees greater than 3m in height. Within a broader Urban Forest Strategy, the tree canopy plays a vital role in creating and maintaining a healthy urban forest environment.

We support the council adopting the Draft Tree Canopy Plan subject to consideration of our recommendation that councillors accept that the creation of an overarching Urban Forest Strategy should be a high priority for the near future.

In relation to trees on council-owned land (primarily street and park trees) we understand and appreciate why they are currently managed by the Parks & Recreation Department, under the umbrella of the Transport & Infrastructure Division. However, given the wider importance of the tree canopy as an integral part of an urban forest environment, we believe the management of street and park trees is better aligned with the Environment & Sustainability Division. We understand this would require a change to the council's organisation structure – and we ask this be seriously considered.

The entire 15 page submission can be read on the Manly Community Forum website.

# Brickbats & Bouquets

- **Bouquet** to the Council for the excellent repair of the brickwork on the footpath along East Esplanade. So much better than a bit of sticky black asphalt.
- **Brickbat** to Council for the new doggy poo bag dispensing system. Even if the bags are now green and bio degradable the metal box with no lid or weep holes to let the water out leaves a lot to desired.
- **Bouquet** to Community Forums in the Manly Ward for their excellent submission on the Tree Canopy. It is available on the MCF website.
- **Brickbat** to the cockatoos breaking off all the new growth on the fig trees along Addison Road and in the Corso opposite the Former Town Hall. Thanks to the local resident for sweeping it all up and putting it in his green bin. But the cockies were back again the following day dropping more leaves and branches.



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