



NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that of a meeting of **Community Environment Committee** will be held:

DATE: WEDNESDAY 10 DECEMBER, 2014

TIME: 7.00pm – 9.00pm.

PLACE: The Councillors' Room, Manly Town Hall, 1 Belgrave Street, Manly.

COMMITTEE MEMBERS:

Councillors

Cllr Jean Hay AM, Mayor (ex officio)	Manly Council
Cllr Cathy Griffin	Manly Council (Chair)
Cllr Hugh Burns	Manly Council

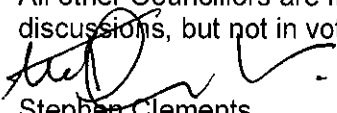
Other Representatives

Karen Pitt	Penguin Warden Representative
Michella Burgers	Community Representative
Diana Deeley	Community Representative
Jacqueline French	Community Representative
Natasha Hammond-Deakin	Community Representative
Lloyd Keen	Community Representative
Keelah Lam	Community Representative
Jon Panic	Community Representative
Jan Ritchie	Community Representative
Janne Seletto	Community Representative
David Thomas	Community Representative
Lee DeGail	National Parks & Wildlife Representative

Council Staff

Judy Reizes	Manager, Manly Environment Centre
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All other Councillors are free to attend as observers and are invited to do so and to engage in discussions, but not in voting, on any matter before the Committee.


Stephen Clements
Deputy General Manager
Executive Manager – Land Use and Sustainability
Date: 28 November, 2014.



MEETING TO BE HELD ON Wednesday, 10 December, 2014

at 7.00pm.

MANLY TOWN HALL, THE COUNCILLORS' ROOM, 1 BELGRAVE ST, MANLY

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| ITEM 1 | Apologies and leave of absence. |
| ITEM 2 | Declarations of Interest – Pecuniary
Non - Pecuniary |
| ITEM 3 | Confirmation of Minutes of Meeting 12 November, 2014 and Matters Arising. |
| ITEM 4 | MEC Report & Current Local Environmental Issues Report |
| ITEM 5 | Presentation by Karen Smith, Education Officer, Aboriginal Heritage Office, Manly |
| ITEM 6 | Environmental Levy Balances |
| ITEM 7 | Update on NSW Rural Fire Service 10/50 Vegetation Clearing Code of Practice |
| ITEM 8 | Manly 2015 |
| ITEM 9 | Longnosed Bandicoot Road Mortality Prevention Options. |
| ITEM 10 | Penguin Warden Report |

- ITEM 11 Sydney Water Issues**
- ITEM 12 Cabbage Tree Bay – Issues Update**
- ITEM 13 Squid Fishing**
- ITEM 14 Wildlife Corridors - Street Trees**
- ITEM 15 Shark Campaign**
- ITEM 16 General business brought to the Attention of the Chair Prior to the Meeting
and Approved for Consideration**
- ITEM 17 Next Meeting: Wednesday 11 February, 2015 at 7.00pm (no January
meeting)**



MINUTES OF MEETING

COMMUNITY ENVIRONMENT ADVISORY COMMITTEE

HELD WEDNESDAY 12 NOVEMBER, 2014

NOTE: All minutes are subject to confirmation at a subsequent Council or Planning and Strategy Committee meeting.

PRESENT:

Councillors

Cllr Cathy Griffin

Cllr Hugh Burns

Chair

Other Representatives

Michella Burgers

Jacqueline French

Lloyd Keen

Keelah Lam

Jan Ritchie

Janne Seletto

Community Member

Community Member

Community Member

Community Member

Community Member

Community Member

Council Staff

Judy Reizes

Manager, Manly Environment Centre

TO THE MAYOR AND COUNCILLORS OF THE COUNCIL

The **Community Environment Advisory Committee** met on 12 November, 2014, to consider the matters referred to it and now provides the following advice to Council.

OPEN The meeting commenced at 7.10pm.

ITEM 1 APOLOGIES AND LEAVE OF ABSENCE

Diana Deeley, Natasha Hammond, Jon Panic, Karen Pitt, David Thomas.

ACTION

ITEM 2 DECLARATION OF INTEREST

Nil

ITEM 3 CONFIRMATION OF MINUTES

The minutes of the Committee meeting held 8 October, 2014 are confirmed. However, it was noted that Keelah Lam was shown as an apology when she was present at the meeting.

MATTERS ARISING

It was resolved at Council's Ordinary Meeting held on 10 November, 2014 that the minutes of the Community Environment Advisory Committee be adopted.

ITEM 4 MEC REPORT and MANLY ENVIRONMENT CENTRE ISSUES

That the monthly MEC Report as tabled be accepted.

ITEM 5 ENVIRONMENTAL LEVY BALANCES

The Committee has not received the Environmental Levy Balances for the current financial year to date.

The Chairperson will request a meeting with the General Manager and staff to discuss the environmental levy balances.

ITEM 6 RURAL FIRE SERVICE 10/50 VEGETATION CLEARING CODE OF PRACTICE

a. Update on Legislation

There will be a demonstration outside the Premier's office on Monday 24 November at 11am.

Recommendation:

This Committee expressed concern about the devastating impact of the loss of large trees being cut down by residents under the guise of the new 10/50 Legislation. In particular the Committee expressed concern about the trees and bushland on the church land at Spring Cove and at the rear of Bower Street and on both sides of Darley Road.

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b. Significant Trees within the Curtilage of New Developments

Recommendation:

Manly Council to write to Rural Fire Service expressing concern about the 10/50 legislation and managing appropriately for fire.

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This committee supports the content of the submission made by Sydney Coastal Councils.

ITEM 7 LONG-NOSED BANDICOOT ROAD MORTALITY PREVENTION OPTIONS

The Chair reported that Council has considered the proposal and it will now go to the Traffic Committee for consideration and implementation.

ITEM 8 LITTLE PENGUIN REPORT

We note that the NSW Government is proposing to reduce the number of fast ferry operators from two to one, and that they will

operate from the main wharf.

Recommendation:

Council should write to RMS requesting that the second wharf, beside the Manly Wharf Hotel, revert to a public wharf to allow small watercraft to berth there to avoid their impacting on the seagrass and reducing the traffic on the western side of Manly Wharf.

We note that since the installation of the four courtesy moorings outside the swimming enclosure, the number of people anchoring there and coming ashore to shop and buy takeaway has increased. This is causing damage to the seagrass and is endangering penguins and people as they anchor and then use their motorized dinghy and park on the beach.

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ITEM 9 SYDNEY WATER ODOUR ISSUES

a. Odours from Trade Waste Customers discharging into the NSOOS

The Committee looks forward to the reply to the letter Council has written to the Managing Director of Sydney Water requesting information on what and why western Sydney companies apparently permitted to discharge waste with a high organic content creating odour and corrosion problems in the NSOOS. The Committee expresses its concern regarding the effects this may have on the odour problems identified in Manly, including the Whistler Street Sewage Pumping Station and the North Head Sewage Treatment Plant.

b. Odours from the North Head Sewage Treatment Plant

It is noted the Sydney Water has engaged a consultant to consult with the community on odour issues from the North Head Sewage Treatment Plant.

Recommendation:

That Council should write to Sydney Water to invite the new consultant to address a CEC meeting and discuss their brief.

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ITEM 10 CABBAGE TREE BAY –

a. Marine Estate Management Bill of 2014

This Bill was passed through Parliament last week. This document subsumes all of the regulations for Aquatic Reserves and Marine Parks.

Recommendation:

Council should write to the Minister and ask him to clarify when a Management Plan for the Cabbage Tree Bay Aquatic Reserve will be developed and adopted.

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b. Designated Swimming Zone

The Committee is extremely disappointed to read the response of Mr. Graham Dunleavy from RMS when he has restated the RMS position that motorised boats cannot be prohibited from the CTBAR because the RMS does not have the capacity to ensure compliance and the area must be available at all time as a 'safe haven'. In addition prohibiting boats would also include non motorised vessels such as kayaks and SUPs.

This Committee accepts that Cabbage Tree Bay should be a "safe haven" in the event of an emergency. However, it is not appropriate for boats to enter and spend time anchoring and then remaining for long periods of time. There has been a dramatic increase in the use of the area for passive recreation in the bay and this conflicts with large vessels entering the area. In addition the Committee expressed concern that the boats were using the area as a parking lot to idle while the occupants manoeuvred to the shoreline to access the coffee shops and restaurants in the area.

Recommendation:

Council responds to the RMS re affirming the need to permit only non motorised passive recreation vessels in the CTBAR.

Council request that RMS take into consideration the following:

Background:

- **1995**, the Council formed the first Cabbage Tree Bay Working Group including the community and other stakeholders
- **2000**, the Manly Council Cabbage Tree Bay Plan of Management (funded by Coastcare) was adopted.
- **2002** Cabbage Tree Bay was gazetted as a No-Take Aquatic Reserve (the only accessible No-take Aquatic Reserve in Sydney). The council and the community regard it as having "Sanctuary" status.

Since that time NSW Fisheries and Manly Council have worked hard to ensure compliance and enforce the 'no take' regulations. RMS have on occasions been requested to manage the large boats entering the area. Anchoring was initially permitted in the area, however in successive gazettals this has been removed and now there is confusion as to whether boats are permitted in the area.

- **2008**. DECCW formed a Working Group of all the stakeholders to protect the Bay.
- **2010**. A draft Plan of Management was circulated for discussion. This draft plan recommended a small number of boat moorings be installed in the bay, however over 200 submissions objected to this proposal as well as outright objecting to motorised boats in the area. The plan remains in draft.
- **February 2011**. World Surfing Reserve declared. The Boundary confirmed by Crown Lands extends from outside the headland and into the foreshore of Shelly Beach. This

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coincides with the boundaries of Manly Council and the Cabbage Tree Bay Aquatic Reserve. All of these boundaries extend into the ocean.

- **May 2012.** Cabbage Tree Bay Working Group (CTBAR) was formed under the auspices of Manly Council and NSW Fisheries.
- **December 2012.** The CTBAR Working Group launched the Friends of Cabbage Tree Bay Volunteers Group to assist Council and Fisheries in the protection and conservation of Sydney's only accessible No-take Aquatic Reserve. The volunteers have actively engaged in the area by recording activities on the Bay demonstrating the need for a review and adoption of a Management Plan for the area. There is overwhelming opposition to motorised boats being in the area.
- **March 2014.** Shelly Beach rated NSW Best Beach and 4th in Australia
- **July 2014.** Keep Australia Beautiful NSW awarded the Friends of Cabbage Tree Bay Volunteers an Award for Community Actions and Partnerships.

The committee supports the contention that motorised boats should be prohibited from the CTBAR because the area is regarded as a passive recreation area for swimmers, snorkelers, divers and surfers.

BOATS AND MOORING BUOYS

- Boats moored in waters where people are snorkelling, diving and swimming create a great risk, particularly as the environment changes rapidly and boats are affected by the currents and wind. Experienced diver Valerie Taylor often speaks about how she was snorkelling at a distance from a large moored boat and the wind changed suddenly so the boat swung around and almost hit her in the head.
- Large vertical displacements between wave crests on very short time frames (seconds) as a result of the wave amplitude in the Bay create a major entanglement hazard for recreational divers, snorkelers, surfers and swimmers.
- Manly divers have reported in meetings with RMS staff a number of incidents because boaters ignored dive flag warnings and almost ran over divers in Cabbage Tree Bay.

BOAT ACCIDENT STATISTICS, 3,000 + in TEN YEARS

Analysis of NSW Maritime's "Boating Incidents in NSW, June 2012" demonstrates the risk of injury from boats to people in the water. In nearly a third of all serious injury incidents, the victim was undertaking an 'in water' activity.

FISHERIES VOLUNTEER TRAINING ASSISTS WITH COMPLIANCE

Illegal fishing has been an ongoing problem in the reserve, however Fisheries and Council have facilitated numerous training sessions for

the Volunteers.

Monitoring, onsite education and improved reporting processes by the Volunteers has moderated the negative and illegal behaviours and provided valuable information to Fisheries and Council to target resources to ensure greater levels of compliance.

ITEM 11 SQUID FISHING IN NORTH (SYDNEY) HARBOUR AQUATIC RESERVE

The whole of North Harbour is zoned W2 Environmental Protection in the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

The objectives of this zone are as follows:

- a. To protect the natural and cultural values of waters in this zone
- b. To prevent damage or the possibility of longer term detrimental impacts to the natural and cultural values of waters in this zone and adjoining foreshores.
- c. To give preference to enhancing and rehabilitating the natural and cultural values of waters in this zone and adjoining foreshores.
- d. To provide for the long-term management of the natural and cultural values of waters in this zone and adjoining foreshores.

It would appear that squid fishing in this zone is incompatible with all of these objectives.

Recommendation:

That Council write to NSW Fisheries reiterating support for the continuation of the current prohibition of taking squid from the North (Sydney) Harbour Aquatic Reserve as it accords with the W2 objectives of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

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ITEM 12 WILDLIFE CORRIDORS – STREET TREES

The consultant will have a meeting shortly to show the results of the survey and the plan to the community.

Recommendation:

That members of this Committee be invited to the presentation by the Consultant.

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ITEM 13 SHARK CAMPAIGN

The Committee continues to support the NoNSWsharkcull campaign

Recommendation:

That Manly Council reiterate its desire to commence the shark meshing program later in the year and end earlier the following year to avoid the whale migration season as well as continuing to investigate the non-lethal methods of detection that keep the beaches safe.

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ITEM 14 GENERAL BUSINESS

NATIONAL SURFING RESERVE CONVENTION IN 2015

As Manly Council is designated as Surf City, the Committee supports the concept of a National Surfing Reserve Convention in Manly and is happy to provide advice to the organisers.

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ITEM 15 NEXT MEETING DATE:

Date: Wednesday 10 December, 2014

Time: 7.00pm.

Venue: Manly Council Chambers.

Meeting closed at 9.10pm.

DRAFT



TO: Manly Community Environment Committee
MEETING DATE: 10 December, 2014
AUTHOR: Judy Reizes, Community Environment Committee Co-ordinator
SUBJECT: MEC and Current Local Environmental Issues Report

Manly Environment Centre Report

The MEC has worked on the following initiatives:-

INTERNSHIPS AND VOLUNTEERS:

A number of new Volunteers have started with us.

We had two Work Experience Students from North Sydney Boys High School with us in November in preparation for Ocean Care Day.

We continue to receive more Intern and Volunteer applications every month.

MEETINGS:

Meetings attended included:-

31 October – Meeting with owner of Bower Restaurant to discuss storage of FOCTB materials.

1 - 2 November – Nature Conservation Council State Conference.

3 November – Meeting with Marine forum speakers.

9 November – NPA Forum on Sydney Harbour Marine Park at Bondi Pavilion.

10 November – Our Land, Our Water, Our Future meeting with NCC Campaigner.

11 November – Meeting with Oceanwatch re their 25th birthday celebration.

12 November – Lisa Wriley from TEC re Cash for Containers campaign. Meeting with Mosaic Management to discuss entertainment for Ocean Care Day.

14 November – Meeting with Marketing Manager Sea Life Sanctuary.

19 November – Bump Out Weaving Bridges Project from IUCN World Parks Congress.

20 November – Meeting with founder of Divers for Sharks from Brazil. Meeting at Australian Museum re Virtual Excursions Australia.

VISITS/EVENTS/LAUNCHES:

9 NOVEMBER – NATIONAL PARKS ASSOCIATION MARINE FORUM ON SYDNEY HARBOUR MARINE PARK AT BONDI PAVILION

This Forum was very well attended by over 80 people. Speakers from a wide spectrum included representatives from the conservationist movement, scientists, present and past State Government managers, industry, environmental law and community.

Judy Reizes gave a presentation about the existing measures in place to protect and conserve Sydney Harbour and the history of Cabbage Tree Bay Aquatic Reserve. Judy Reizes was also a facilitator for a workshop on Co-ordinating Networks to Accomplish Marine Outcomes. Robynne Millward was a facilitator for a workshop on community engagement and Cabbage Tree Bay.

The MEC had a large display to support their presentations which generated a lot of interest. Cabbage Tree Bay was cited by everyone as the successful marine conservation model to follow and this generated a lot of questions.

11 - 19 NOVEMBER – WHALES FROM GURINGAI FESTIVAL WEAVING BRIDGES PROJECT EXHIBITION AT WORLD PARKS CONGRESS

The pod of three whales was invited to be on display for the duration of the Congress and were on display on a stage in the WIN Stadium in front of the World Indigenous Networks Pavilion. Over 5000 people attended the Congress.

17 NOVEMBER SUE HALMAGYI MEMORIAL EVENT AT THE THIRD CEMETERY, NORTH HEAD

The North Head Sanctuary Foundation organised this event to commemorate the work of the late Sue Halmagyi, founder and manager of their Nursery for Endangered Plants and the replanting of the Third Cemetery. This event was very well attended by an extensive range of people whose involvement, like Sue's stretched back over many years. A bench with a commemorative plaque to Sue was unveiled by her grandchildren.

RECOMMENDATION:

Report be received and noted.

Judy Reizes
Manly Community Environment Committee Co-ordinator
24 November, 2014.