



Community and Stakeholder Engagement Report

Proposed amendment to Little Manly Coastline Management Plan (Categorisation of Community Land at 40 Stuart Street, Manly)

Impact level: 4

Consultation period: 7 July 2021 to 18 August 2021

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1. Summary

This report outlines the community and stakeholder engagement conducted from 7 July 2021 to 18 August 2021 as part of a proposal to categorise the Community Land at 40 Stuart Street, Manly as 'Park' and amend the Little Manly Coastline Management Plan.

This proposal looks to return the land to the community as public open space so it can be enjoyed for recreational activities.

The feedback indicated a high level of support for the proposal, with comments citing that this has been long-awaited by the community and the additional space will be enjoyed by locals, families, and visitors.

Respondents who did not support the proposal cited financial and parking issues.

Council used an independent consultancy (Parkland Planners) as part of this consultation to conduct a public hearing for the proposed categorisation of 40 Stuart Street, Manly.

1.1. Key outcomes



Total unique
responses received¹

71



Online Your Say submission

Submissions: 69

How responses were
received

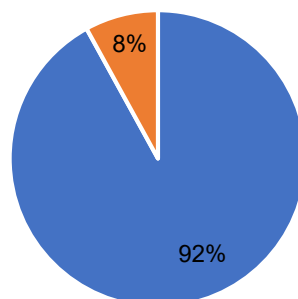
Email submissions

Received: 3



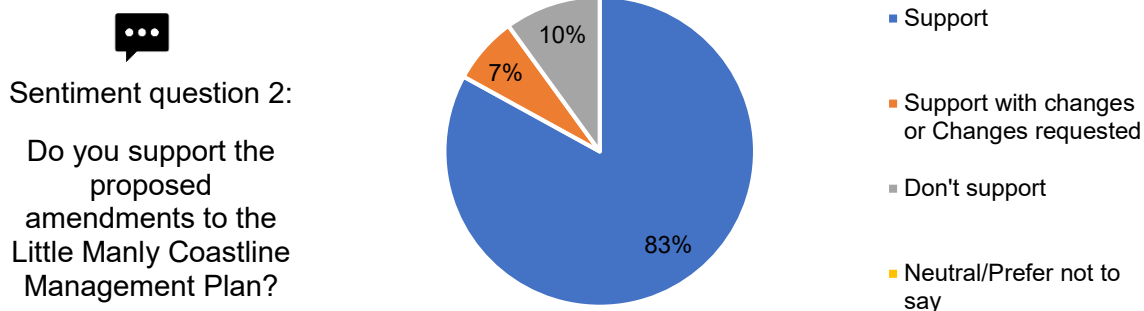
Sentiment question 1:


Do you agree with the
proposal to categorise
the Community Land
at 40 Stuart Street,
Manly as Park?







- Agree
- Don't agree
- Neutral/Prefer not to say

¹ One community member provided submissions both online and via email. This was counted as one unique response.



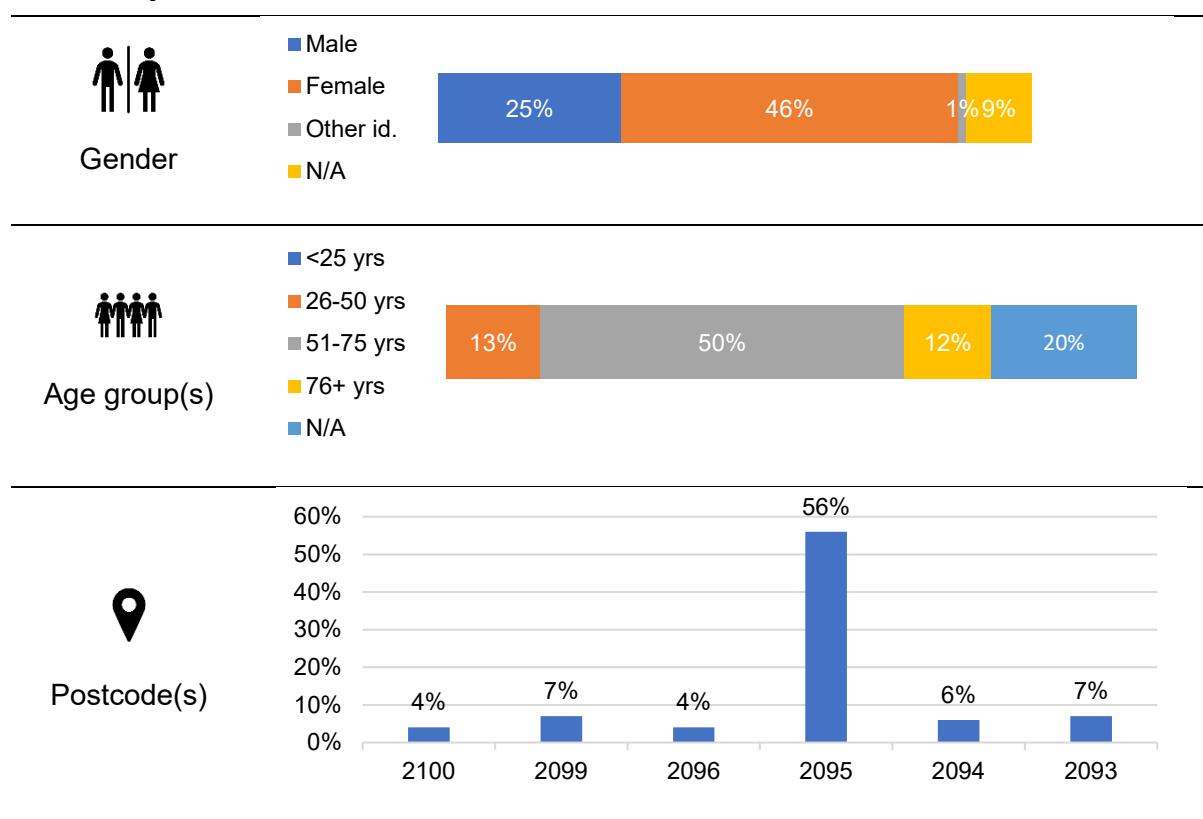
	Long-awaited	Enjoyment
	Public space	Parking
	Access	Cost
	Feedback themes	

1.2. How we engaged

	Visitors: 730	Visits: 1032	Av. time onsite: 1m24s
Have Your Say			
	Letterbox drop to parts of postcode 2095	Distribution: 145 letters	
	Site signs: Yes	Number: 4 signs	
	Community Engagement (fortnightly) newsletter: 3 editions	Distribution: 20,000 subscribers	
	Council (weekly) e-News: 2 editions	Distribution: 150,000 subscribers	
	Stakeholder email: 2 emails	Distribution: 237	
	Electronic direct mail (EDM)		
	Online public hearing session (Teams) ²	Attendance: 5	
	Face-to-face sessions		

² The community members who attended the public hearing all provided an online submission as well.

1.3. Who responded³



2. Background

In 2019, we developed the Little Manly Reserves Landscape Masterplan to provide a long-term strategy for improvements to the reserves. An action was included in the masterplan that would see the property at 40 Stuart Street demolished and the land incorporated into the adjoining park (Little Manly Reserve). The first step toward this was the reclassification of the land as Community Land earlier this year.

It was then proposed to categorise the Community Land at 40 Stuart Street, Manly as Park and include the land in the Little Manly Coastline Management Plan 2004.

Our aim is to return the land to the community as public open space so it can be enjoyed for recreational activities.

Community Land is required to be categorised under the Local Government Act. The Park category has been identified as most appropriate to meet our objectives.

3. Engagement objectives

- Objective 1: build community and stakeholder awareness of participation activities (inform)
- Objective 2: provide accessible information so community and stakeholders can participate in a meaningful way (inform)

³ Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail.

- Objective 3: identify community and stakeholder concerns, local knowledge and values (consult)

4. Engagement approach

Community and stakeholder engagement for this project was planned, implemented and reported in accordance with Council's [Community Engagement Matrix](#) (2017).

A project page⁴ was established on our have your say platform with information provided in an accessible and easy to read format. The page included site plans and information about the categorisation process, as well as links to relevant Council documents and resolutions.

The project was primarily promoted through our regular email newsletter (EDM) channels.

Feedback was captured through an online comment form embedded onto the have your say project page. The form included a question that directly asked respondents for their level of support on the proposal.

An open-field comments box provided community members a space to explain or elaborate on their support, not support or neutral sentiment as well as any other feedback they wished to contribute.

Email and written comments were also invited. Contact details for the project manager were provided as a channel for the community to ask any questions about this project.

Local residents were invited to attend a public hearing on the proposed 'Park' categorisation of the land at 40 Stuart Street, Manly, in accordance with the Local Government Act 1993. Council used an independent facilitator (Parkland Planners) to conduct the public hearing.

Submissions were monitored as they were received to identify and respond to questions and requests for clarification. As a result, the amendments document was changed during the consultation period to reflect the current land classification status of 34 and 36 Stuart Street as being Community Land not Operational Land (as originally stated).

The proposed amendments relating to actions to acquire 40 Stuart Street were also removed from the exhibited documents as Council had already acquired that land.

5. Findings⁵

The vast majority (92 percent) of people who made a submission agreed with the proposal to categorise the land at 40 Stuart Street, Manly as Park. Reasons included that it has been long-awaited by the local community as it will allow shared community use of the land, it will increase public access to the harbour, and will provide more passive recreation space for locals, families and visitors.

8 percent of people who made a submission did not agree with the proposal to categorise the land as Park citing the land is too expensive for use as a park, that this parcel of land will not make a significant difference to the size of the reserve, and concern that this proposal will increase the number of people who come to Little Manly and put even more pressure on parking in the area.

Further detail and recommendations are provided in the Parkland Planners produced Public Hearing and Submissions Report for the proposed categorisation 40 Stuart Street, Manly.

⁴ <https://yoursay.northernbeaches.nsw.gov.au/proposed-amendment-little-manly-coastline-management-plan>

⁵ Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

Issues raised during the public consultation are outlined in the table 1 below.

Table 1: Issues raised during community engagement

Issue	Council Response
Concern about eviction of current residents	Council has included a note on the lease since 2020 for 40 Stuart Street that it has been identified for demolition in the future. The lease expires in July 2022, at which point the site will be vacated and demolished. The existing tenant has been in occupation prior to 2020.
Loss of income to Council	While Council will lose the rental income from the property once it is vacated, the community benefit of the additional open space significantly outweighs the lost income.
The permanency of the classification and categorisation	The Local Government Act allows for the reclassification of land. There is a specified process that will require community engagement, public hearing and for Council to vote in favour of the proposition.
The café should be relocated to 40 Stuart Street. The categorisation should allow for this.	This proposal to relocate the café was examined during the masterplan process and was found not to be feasible based on the high capital cost involved with the relocation with a low likelihood of an acceptable return on investment. There is a risk that the Development Application to use 40 Stuart Street would not be supported due to limited on street parking and close proximity to adjoining residence. The categorisation does not preclude the relocation from happening in the future.
This parcel of land will not make a significant difference to the size of the reserve. Council should sell the land and use the proceeds on other projects.	Council recognises the need for more public open space and this proposal provides an opportunity to do this.
40 Stuart Street provides an important buffer to traffic and noise and should be left in place.	The increase in traffic due to the demolition of 40 Stuart Street will be negligible.
Potential increase in the number of people who come to Little Manly resulting in pressure impacting availability of parking in the area.	It is unlikely that the increase in size of the park will result in a substantial increase in patronage. Instead, it is envisaged that extra space will provide less congestion for the current users.
Safety of pedestrians in Stuart Street	The Traffic Networks Team regularly monitors pedestrian and vehicle safety in eastern Manly and implements road safety measures where warranted.
Inclusion of exercise equipment in the top corner of the reserve.	There are no current plans to install fitness equipment at Little Manly Beach. The closest facilities of this nature are in East Esplanade Reserve, Manly approximately 500m away.

Appendix 1 - Verbatim community and stakeholder responses*

Part A: Online submissions

Number	Comment ⁶
1	The areas is a popular areas for families with young children and locals more amenities for their enjoyment would be worthwhile
2	The park at Little Manly is loved and used by increasing numbers of people each year, We need more space , so adding the land at 40 Stuart St to the park is a necessary and wise move. Also, it is the just and right thing to do , as 40 Stuart St was purchased by Council solely for the purpose of adding the land to the Little Manly park.
3	Yes we agree to the Community Land at 40 Stuart St being in the category of Park. It will increase the size of the existing park and it was bought for that purpose. Yes, we support the proposed amendments to the Little Manly Coastline Management Plan when they state that 34,36 and 40 Stuart St are all Classified Community Land. The three foreshore properties, 34 36 and 40 Stuart St should be referred to as Community Classified Land throughout the Little Manly Coastline Management Plan 2021 to be presented to the Northern Beaches Council Councilors on September 28, 2021.
4	This is important public land, and should be part of the Little Manly Beach precinct. The beach is used by many locals and others - it is a popular friendly beach, much used by families. The house should simply not be in private hands.
5	Any plan to increase public land in Sydney, especially Manly, gets my full support
6	Encourage recreational and community shared spaces and support the health and well being for the community. For community to enjoy. So it can be enjoyed by the community as recreational space and return back to the community for shared use.
7	We have the whole of little manly point park that is under-utilised. Clear out the shrubs and use the parkland already available. It is a complete waste of fund knocking down this house, just so a few residents can get their view back. There is already limited parking in the area.
8	Yes, love emphasis on natural features , sandstone, playground upgrade, improved pedestrian access and not over developing. Also traffic calming important. Doesn't always feel safe near road with little kids.
9	The lovely house at 40 Stuart St should remain as a buffer to the road traffic as removing it will destroy the heritage of the area. We do not require any more vacant land as the park area currently being used, has never been maintained (and still isn't). The only people I have seen maintaining the grass are residents who actually watered the lawn to keep it semi-usable, including the previous owners of No. 40. Until a proper maintenance schedule is in force, please leave well alone, and do not spoil the ambience of the area. I have used this beach for over 60 years but am sick of the poor maintenance of the gardens and lawn, and especially the bindii.
10	My wife and I live on Osborne Rd. We regularly use Little Manly Beach and the associated small green area for family recreation activities. As a long term resident, I note that increasing numbers of people, including plenty of non Manly

*Personal details and inappropriate language have been redacted where possible. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.

⁶ Some people only answered the sentiment question in the online submission form and did not provide further comments.

	<p>people, are making good use of Little Manly. More park space is urgently needed, and its taken a while.</p> <p>As an aside, I hope that Council will one day buy the adjacent monstrosity built privately some years ago. It was slack of the then Council, who, when given the opportunity, failed to seize the moment. Plenty of shame on Jean Hay and her ilk!</p>
11	Expansion of public open space is an advantage to the community
12	<p>I have seen many public spaces on the Harbour side in Manly be taken over by restaurants, shops & bars over the years I have grown up & lived on the Northern beaches...</p> <p>I agree & would like to see this area changed to park, allowing more public space & ensuring it is kept for community to use and allowing many rather than just few to enjoy an open, beautiful area & coastline.</p>
13	<p>I note you have corrected the originally stated classification of land at 34 and 36 Stuart Street 'operational' to 'community'. Please be sure this is reflected in all documentation of the whole process, as well as the new Little Manly Coastline Management plan. Thank you.</p> <p>I agree with teh area being redefined as a 'Park'</p>
14	It's a terrific idea, well done Council.
15	I'd very much like to see this parcel of land (in fact the whole dune area) made public space. All beaches should be for that matter. A costly and lengthy plan but well worth it for the human and natural benefits it will bring in the form of outdoor recreational space.
16	We do not believe the change makes a significant difference to the Park area. The Council would have better use of funds by selling the land and using the money on other necessary activities. Our rates have jumped 25% this year and we need some control on the budget. This asset is valuable and would benefit more ratepayers by selling the land.
17	<p>I believe this property should never have been available as private land so close to a public beach .</p> <p>The community will benefit from the conversion proposed.</p>
18	<p>QUESTION:</p> <p>What happens after the 21 yeas or 30 years with Minister's consent as community reclassification to Park? I think this should be open space in perpetuity to remain as is with no intervention of new Councils in the future</p>
19	<p>It is a long awaited change that 40 stuart is officially integrated in the public park, as should all dwellings on the little manly beach front.</p> <p>Thank you for taking utmost care regarding pedestian traffic in this area. There is a very sensitive intersection between Stuart and Addison where pedestians do not have yet have the appropriate settings to be protected from traffic. There is a need for 2 crosswalk sections on that intersection. It is increasingly busy with pedestrians and cars are driving too fast.</p> <p>Thank you very much for yoour consideration.</p>
20	I am greatly in favour of this proposal to upgrade and increase public space around this beautiful area and increase the amount of natural environment
21	The proposal will result in much needed open space for community use,
22	I used to live near Little Manly Beach and was able to observe activities by families from all over Manly as well as Sydney. I taught my grandchildren how to swim there and had many picnics with friends as well; however, the park area is too small for people to enjoy this ideal family location. Even when this community beach was first planned many years ago, it was never to be occupied by private property. Little Many Beach should be shared by everyone!
23	I support increased public open space in urban areas adjacent to the harbour

	It is what the public want, only pity is that the Council can not purchase all properties, through resumption if necessary, so that all of the land area can be incorporated as Community land. Council and the fantastic Community group who let the fight to retain this site as Community land are to be congratulated on their decision to demolish No.40 Stuart Street and return this site to the Little Manly Coastline Management plan.
24	Change reference to community land and add lot 40 please. I lived in manly for most of my life, and plan to return.
25	I believe that the Community Land at 40 Stuart Street, Manly, should be categorised as Park. The intention of myself and many other community members is that this parcel at 40 Stuart Street should join the parcels of Community Land at 34 and 36 Stuart Street to form a Park that is available to all community members to share. The unification of these blocks is long overdue.
26	Keen for 40 Stuart to become Park in line with long term vision. Park space is desperately need in this part of Mably to help families enjoy Little Manly space.
27	Land for the enjoyment of all.
28	<p>This land will be a wonderful addition to the Little Manly Reserve, allowing beautiful Sydney Harbour to be enjoyed by more than just a select few!</p> <p>Please could you have your senior staff review the Plan as it incorrectly refers to 34 and 36 Stuart Street as Operational Land. The LEC Decision of 9/10/2013 clearly declares these properties to be Community Land. Eight years should be long enough to get this right!</p>
29	<p>The park at Little Manly is heavily patronised on weekends and public holidays. Most of the attendees seem to be residents of the Northern Beaches. The ferry day trippers seem to regard this beach as too far to walk to.</p> <p>During busy times, this park is a haven from the overcrowding in the Corso, main beach, East Esplanade and Shelley Beach sites. Therefore, I strong support the modest expansion of this park by changing the zoning of the council-owned 40 Stuart Street to the Park category. This will help preserve this valuable piece of land for current and future generations. It is also sensible as it helps to address the likely higher demand in future as a result of the inevitable growth in the population of the Northern Beaches.</p>
30	<p>Submission to the consultation regarding the Proposed Amendments to the Little Manly Coastline Management Plan 2004.</p> <p>I agree that the Categorisation of 40 Stuart Street should be 'Park'.</p> <p>I support this because Little Manly is very busy and popular and more space is needed for passive recreation. Little Manly is such a beautiful harbour beach and having the foreshore as 'Park' is a wonderful asset for the community. The beach is particularly popular with seniors and with families with small children and is visited by people from all over the Northern Beaches and actually from all over the World.</p> <p>The community has been campaigning for this since 2005 and the plan for open space has been in place since the early 1950s when the Cumberland Plan designated the land as green open space.</p> <p><u>Incorrect Information</u></p>

I have looked at the two-page document called 'Proposed Amendments to the Little Manly Coastline Management Plan 2004' and found that, regrettably, it contains incorrect information.

This document states that 34 and 36 Stuart St are classified as Operational Land. This is wrong. The classification of 34 and 36 Stuart St is Community Land.

Even though the Little Manly Master Plan 2019 correctly shows 34 and 36 Stuart St as classified as Community Land, the Proposed Amendments to the Little Manly Coastline Management Plan 2004 refers to them as classified as Operational Land. This means the consultation information is incorrect, inconsistent and hence misleading and confusing to the community.

The problem arises because the Little Manly Coastline Management Plan 2004 is old and has not been updated to incorporate the following event.

In December 2012, Manly Council decided to sell 34 and 36 Stuart St despite the fact that this action was never in the Little Manly Coastline Management Plan 2004. This led on 9/10/2013 to the case in the Land and Environment Court of Save Little Manly Beach Foreshore Inc v Manly Council the judgement from which declared both 34 and 36 Stuart St are classified as Community Land.

Quoting from the judgement, "Declaration that the respondent's land of 34 and 36 Stuart St, Manly is classified as Community under the Local Government Act 1993." Judge Biscoe.

The document 'Proposed Amendments to the Little Manly Coastline Management Plan 2004' uses the wording of the classification of Operational Land in regards to 34 and 36 Stuart St. That Operational Land classification needs to be corrected to the Community Classification as declared in the judgement by the Land and Environment Court.

The court case was in 2013 and Manly Council should have acknowledged the court decision and updated the Little Manly Coastline Management Plan 2004.


So, it is not possible to sensibly or accurately amend the Little Manly Coastline Management Plan 2004 just for 40 Stuart St without making some other updates.

One further detail is that the resolution of 26 Nov 2019 was not worded in accordance with the Local Government Act in relation to Community Land. Save Little Manly Beach Foreshore Inc sought legal advice on this. The follow up resolution of 23 Feb 2021 was worded correctly and replaces the resolution of 26 Nov 2019. So basically 40 is now reclassified (as is mentioned correctly on the consultation webpage) and that reclassification is not dependent on amending the Little Manly Coastline Management Plan 2004.

Details of Incorrect Information

The following sections of the 'Proposed Amendments to the Little Manly Coastline Management Plan 2004' are incorrect:

1. The page numbering in columns 2 and 3 are all reversed except for page 77 / 108 and page 78 / 109.

	<p>2. PDF Page 45 Section 4.2 'Description: Land at 40 Stuart Street which is intended to comprise the western side of Little Manly Reserve.</p> <p>The wording western side is inaccurate since 34 and 36 are further to the West of 40. The wording implies the reserve ends at 40.</p> <p>3. PDF p 223 Terrestrial Issues – Action Plan</p> <p>'LOL2. Maintain the classification of Nos. 34 and 36 Stuart Street as operational until all or part of 38 Stuart Street, earmarked for acquisition, has been acquired. Once this property has been acquired the land be classified as Community Land.'</p> <p>34 AND 36 ARE NOT CLASSIFIED AS OPERATIONAL THEY ARE CLASSIFIED AS COMMUNITY LAND and the classification is no longer dependent on the acquisition of part or all of 38 because the court case has already designated 34 and 36 as being classified as Community Land.</p> <p>The following sections of the 'Little Manly Coastline Management Plan 2004' <u>Support Document</u> are also incorrect regarding 34 and 36 Stuart St:</p> <ol style="list-style-type: none"> 1. Page 15 Section 4.3 References to 34 and 36 Stuart St need to be corrected. 2. Page 16 Section 4.4 References to 34 and 36 Stuart St need to be corrected. 3. Page 17 Section 4.5.1 States that 36, 38 and 40 are 'open space to be acquired'. This is incorrect as 36 and 40 have now been acquired and 38 has been zoned E4 since 2014 4. Page 77 Section 6.14.1 References to 34 and 36 Stuart St need to be corrected. 5. Page 78 Section 6.14.2 References to 34 and 36 Stuart St need to be corrected. 6. Appendix 2 34 and 36 Stuart St need to be shaded orange i.e. community land. 7. Appendix 5 Needs to be updated for 34 and 36 Stuart St. <p> Save Little Manly Beach Foreshore Inc 18 July 2021</p>
31	<p>Why are the properties at 34 and 36 Stuart St not also included in the scope of this amendment? Little Manly Coastline Action Plan</p>

	<p>Terrestrial Issues – Action Plan - Land Ownership and Logistics Recommendations / Strategies. Delete action LOL2, and replace with: 'LOL2. Maintain the classification of Nos. 34 and 36 Stuart Street as operational until all or part of 38 Stuart Street, earmarked for acquisition, has been acquired. Once this property has been acquired the land be classified as Community Land.'</p> <p>What is the justification for this? The wait may be forever and the community could be benefiting far more from its ownership of these properties.</p>
32	With the upgrade of the kiosk at Little Manly (which I agree with), it makes sense to have extra parkland so people can spread out more and enjoy the facilities. It also gives children more playing space while parents enjoy the kiosk. I support the move.
33	There is no sense in this proposal. You wish to destroy an existing house where people can live and replace it with grass for "recreational purposes". The area called Little Manly Reserve is adequate as it is.
34	Excellent idea to include this lot as part of the Little Manly Beach Park, which is well-used and could do with the extra space which this inclusion would result in. I believe the community needs this and agree that it should be reclassified and the plans moved forward as soon as possible.
35	I support the proposal to reclassify 40 Stuart street, Manly as Park and to return the land to the community as public open space so it can be enjoyed for recreational activities.
36	This matches the surrounding categorisation and is appropriate. Well done.
37	Foreshore land should be accessible to the public
38	At last this land will be part of the community park as has been envisaged for the last forty years. A really good idea that I totally support.
39	Categorising this land as a park is clearly in the interest of the community, as expressed by the engagement of the community in this matter. We fully support it.
40	The whole of the Little Manly beachfront was gazetted decades ago to become Open Space and park land for the benefit of the community and to enhance the beauty of the area. The demolition of 40 Stuart Street and park land to be developed will be a step in the right direction. The former Manly Council totally compromised Little Manly's Open Space beachfront when they allowed 38 Stuart Street become a private dwelling - against all the years of the community's hard work in campaigning for Open Space as was the govt mandate. The concept of more Open Space such as will occur with the demolition of 40 Stuart Street is truly welcomed by all - for general public use and enjoyment.
41	I would also support installing exercise equipment in the top corner of the property (out of the way) near to Stewart Street.
42	So many people, mostly families, enjoy the Little Manly beach space, particularly over the warmer months. I believe this extra park area will be wonderful for them.
43	It will be great to have some additional park/open space at Little Manly Beach. We live in a very dense area and within the residential areas there is really very little open space. This is not a large area but every little bit helps.
44	When & if No 38 becomes available for sale the price would be over the top for purchase be Northern Beaches Council so Council should forget about purchasing in the future. It would be a very expensive block to turn into parkland & the money would be better used elsewhere where it would do more good for the complete Council area.
45	It is the most common sense decision. Additional 'park' land has community and environmental benefit.

Part B: Emailed submissions

Number	Comment
1	<p>Hi,</p> <p>I'd like to register my support for the reclassification of 40 Stuart St to park.</p>
2	<ul style="list-style-type: none"> • I understand the Classification of 34 and 36 Stuart Street has been changed to Community , as per the Land and Environment Court ruling. • The land and house 40 Stuart Street under the Council Motion by the Administrator was really the way to go, we still have a Café surrounded by toilets under your present system • Because it was voted to change by the Councillors doesn't mean it was a right decision. • We do need a Community Classification on the house and land, but how does that leave the house on 34 Stuart Street. • By demolishing the house on 40 Stuart Street this will leave just a sliver of land extra into the park and the loss of the value of house and land of approx 8 million dollars of community asset. This just doesn't sit well financially. • The Community Classification , which I understand there are now many subsections, should allow the inclusion of 40 of a Café System, separate change rooms and separate toilets, with no chance of a residential building on this land, followed by the removal of the hotch potch buildings on the knoll/hill and also the removal of the electricity sub station more than possible with todays electronic advancements.
3	<p>Dear Michael Regan, Mayor and Ray Brownlee, CEO Northern Beaches Council,</p> <p>As [REDACTED] Save Little Manly Beach Foreshore Inc we demand that the Proposed Amendments to the Little Manly Coastline Management Plan be corrected.</p> <p>This document states that 34 and 36 Stuart St are Operational Land. This is wrong. They are both classified Community Land. The classification of 34 and 36 Stuart St is Community Land.</p> <p>This was established in the 9/10/2013 Judgement, Land and Environment Court NSW, Save Little Manly Beach Foreshore Inc v Manly Council.</p> <p>Quote, " Declaration that the respondent's land of 34 and 36 Stuart St, Manly is classified as Community under the Local Government Act 1993." Judge Briscoe.</p> <p>It is not everyday that a community group takes it's council to court to prevent their council from selling Community Land, and yet after Manly Council lost the case and was ordered to pay all costs Manly Council took no steps to up date the Little Manly Coastline Management Plan 2004 and neither has Northern Beaches Council since.</p>

SLMBFNC worked extremely hard for the past 16 years to save this Sydney Harbour Foreshore Beach for the Community. We are very angry that 34 and 36 Stuart St are incorrectly classified in these Proposed Amendments to the Coastline Management Plan 2004.

It is totally unacceptable.

We know that by putting incorrect information, as regards to the classification of 34 and 36 Stuart St, on the Council website that not only will the community be confused and misled but developers will start to make plans for developments on the land. Potentially also the owners of 38 Stuart St, zoned E4, will also be misled.

Amazingly, even though the Little Manly Master Plan 2019 correctly shows 34 and 36 Stuart St as Community Land, the Proposed Amendments to the Coastline Management Plan refers to them as Operational. This means the consultation information is incorrect.

This isn't the first time in this long process of acquiring Community Land at Little Manly Beach Foreshore that Councils both Manly Council and now unfortunately Northern Beaches Council have done the wrong thing.

Council Non Actions list

Date	Council Motions	<i>Council - inactions</i>	<i>Evidence</i>
070423	General Manager's Report - attempts to rezone 34, 36, 38 and 40 from Open space to Residential defeated (vote : unanimous 12 out of 12)		
070423	Council votes to buy No.38	<i>no bid put in at auction</i>	
080218	Council votes to compulsory acquire No.38	<i>no action taken.</i>	
080218	Council votes to demolish No.36	<i>no demolition carried out.</i>	
080218	Council votes to classify No.36 as community land	<i>not filed properly.</i>	
100627	Council controls won in Land & Environment Court for No.38 Stuart St	<i>removed by same Council</i>	

		Council illegally tried to sell off community land.		
	131009	<i>Save Little Manly Beach Foreshore Incorporated v Manly Council (No 2) [2013] NSWLEC 156 Justice Biscoe at [37]</i> <i>"In March 2013 the Council changed the register to again show No 36 as operational land, notwithstanding that the comment remained on the register (that is community land). There is evidence that this change occurred on the instruction of the Council's Deputy General Manager because he understood that the community classification of No 36 was a mistake (for reasons not pressed in these proceedings)."</i>		
	131209	Council Spot rezones no.38, and rescinds rezoning of No.34 & 36 after Court Action (5to4) (J. Griffin and C. Bingham support spot rezoning of No.38 from open space to residential.)		
	191126	NBC fails to include 40 Stuart St in first draft Little Manly Masterplan		
	210707	NBC states 34 and 36 are operational in proposed amendments to Little Manly Coastline Management Plan		
<p>This list of failures, particularly by Manly Council should explain why we are now so angry at what seems to be the last straw.</p> <p>It is outrageous that obstructions, such as not including 40 Stuart St in the first draft of the Little Manly Masterplan , are still occurring and we cannot believe the errors in the current Proposed Amendments.</p> <p>We therefore demand that the Proposed Amendments be corrected and uploaded to the Have Your Say page immediately. Not doing so makes a nonsense of the consultation process and would infuriate all of Manly, but especially all of those community members who have worked so hard to keep this iconic Sydney Harbour Foreshore Public.</p> <p>During the court case the interest was not just State-wide but Nation-wide.</p> <p>Australians believe their Sydney Harbour Foreshores are Public Lands.</p>				

Document administration	
Version	1.0
Date	13 September 2021
Status	Final