

Report on outcomes of public notification

Project name	Proposed lease renewal – Manly 16ft Skiff Sailing Club - Crown lease
Public notification period	Friday 21 April to Sunday 21 May 2023
Background	Council is proposing to grant Manly 16ft Skiff Sailing Club Inc a 10-year lease for part of Lot 7011 DP1074608, East Esplanade, Manly. The lease is for continued occupation of part of the land and building, for sailing, sporting, clubhouse, storage, and associated indoor and outdoor recreation activities.
Total number of submissions	Three (3) submissions received via email
Summary of findings	<p>Feedback collected during the notification period showed community support for the proposal to grant the new lease to Manly 16ft Skiff Sailing Club.</p> <p>All submissions were supportive of the proposal, however concern was raised around noise to surrounding neighbours when patrons exit the Clubhouse.</p> <p>A standard noise clause in the Crown Lease template will be implemented to address noise concern over the Crown lease land which is under Council's care, control and management.</p>
Approach	<p>The public notification was given accordance with the Crown Land Management Act 2016 and Section 70 of the Crown Land Management Regulation 2018.</p> <p>A project page¹ was established on our Have Your Say platform and included project information and the lease plan.</p> <p>The project was primarily promoted through resident letter notifications, Council's E-News and our Have Your Say community engagement newsletter.</p> <p>Feedback was captured through an online submission form embedded onto the project page. An open-field comments box provided community members a space to share their comments. Email and written submissions were also invited. Contact details were provided should people have questions.</p>

¹ <https://yoursay.northernbeaches.nsw.gov.au/proposed-lease-renewal-manly-16ft-skiff-sailing-club-crown-lease>

How we notified	
Properties notified by letter	380 letters
Signage installed onsite	2 signs
Visitors to Your Say page	45 visits

Findings		
Theme	What we heard	Council response
Club's history of providing for the community	<p>The club has a long-standing history of providing facilities for various levels of skiff sailing, social benefit, and enhancing public recreation at this iconic location.</p> <p>Support for granting the new lease.</p>	Council notes support of the proposal.
Noise mitigation	<p>Concerns of excessive noise coming from liquor licenced premises, poker machines, the clubhouse during events, and patrons leaving the clubhouse.</p>	<p>Council has shared the concerns of noise from patrons with the club for its information and action, noting the noise is generated from the licensed premises and poker machines which are outside of the scope of the proposed lease that is only for land and storage. The clubhouse building, located below the Mean High Water Mark, is leased by the Club from Transport for NSW. This is a matter to be addressed with Transport for NSW under their lease agreement with the club.</p> <p>A clause prohibiting noise disturbance will be included to address noise concern over the subject lease of land and storage which is under Council's care, control and management, however this does not relate to the operation of the clubhouse building.</p>

Verbatim submissions*	
No.	Submission
1	<p>Manly 16ft Skiff Sailing Club is a long-established Manly icon which provides facilities for Championship Skiff Sailing and all levels down to beginners. In addition it is a haven for community social and dining facilities. Renewal of this lease will enable the Club to continue its excellent work, and provide unique local facilities. I strongly and respectfully urge the Council to renew the lease as requested. Thank you.</p>

Verbatim submissions*

No.	Submission
2	<p>The licensed premises does not proactively manage the effect their noise has on their neighbourhood. The club is situated in a high density residential area and should be doing more to minimise their effect on their neighbours.</p> <p>The only thing they do to minimise noise is display a small A4 sign at the exit of the building.</p> <p>Patrons (some of which are intoxicated) leaving the club congregate on the leasehold land and at the street level. These patrons can be extremely noisy. The club does nothing to manage this noise. Once patrons leave the club's front door the club does nothing to manage their noise.</p> <p>The club holds music events that on occasion can be extremely noisy. Even when they are informed that the noise is effecting their neighbours they do not reduce the noise.</p> <p>Their poker machines play music all through the night. After everyone has gone home and the street quiets down their poker machines can be heard in the early hours of the morning.</p> <p>These issues have been raised with the club four times on various occasions in the past 6 months. They are aware of the issues and do nothing to reduce their noise.</p> <p>There are many other licensed premises in the area that manage their noise responsibly.</p> <p>I ask that the council renew their lease with some clear directives about noise management. Simple measures could include,</p> <ol style="list-style-type: none"> 1. The promotion with in the premises about leaving the club quietly. 2. They already employ a security guard for inside the premises. Why can't the same security guard work outside later in the evenings to manage the noise of the exiting patrons. 3. Turn their poker machines either down or off after hours. <p>The above also does not mention the constant flow of delivery trucks and garbage trucks that frequent the facility. They start at 5.30 am and don't stop coming for most of the day. All of the trucks leave their motors running whilst delivery items. Some delivery's take up to 30 minutes.</p> <p>The neighbours feel that the club has little or no regard for their neighbours, and it seems evident that they don't, as they are aware of all of the above and have not acted on any issue that could reduce noise.</p> <p>Thank you fir your time</p>
3	<p>To give you some background, I believe I am in a situation to give you accurate feedback on the operations of the Manly 16'Skiff Club.</p> <p>I consider I was their nearest neighbour, [REDACTED], for over 30 years, up to the middle of 2012. Please remember this is a high density residential area.</p> <p>The operation of the Club, which included loud, drunk patrons leaving the Club, late at night or in the early hours of the morning, mainly in the 3 or 4 years prior to when I left, was the reason.</p> <p>At the time I settled into my home the Club was a great facility for sailors and the surrounding residents.</p>

Verbatim submissions*

No.	Submission
	<p>Some years later the Club put in a Development Application to extend the Club. This was a red flag to residents who could see the quiet enjoyment of their homelife disrupted.</p> <p>Our fears at that time were allayed by the Club agreeing not to increase their membership that existed at that time. This was inserted as a condition of their DA</p> <p>Based on that agreement the residents accepted that this was not going to affect their quality of life.</p> <p>This assumption was correct until we started noticing a much increased activity and noise at night.</p> <p>On investigation we discovered they had allowed a membership around five times that of the agreed number.</p> <p>When confronted by Council, after we advised them, the Club quickly put in a Section 94 certificate to have that clause struck out (and in doing so were in breach of the agreement with residents)</p> <p>Based on approval of the then Council officers, and what I believe was pressure from what was then a large Club which had an increasing revenue from alcohol sales and poker machines, the section 94 Certificate was approved (by the Independent Panel.) This increase in alcohol sales and poker machine profits no doubt increased their revenue to an extent where, when they amalgamated with the St George Sailing Club large amounts of money were transferred to St George Sailing Club premises. The residents pain was the St George Clubhouse gain. So much for the Club benefiting the Manly Community.</p> <p>Late night functions / events, amplified music / trivia nights and the endless stream of loud patrons who had been drinking continued.</p> <p>After over 30 years I had a close community of residents who I used to discuss this issue with. We referred to it as a 'drinking club' not a Skiff Club.</p> <p>Sadly, the full extent of negative feedback by many of the residents was not heard. These being the ones in the social housing / Housing Commission complex adjoining the Skiff Club. When I discussed it with the friends I had living there they said because of their position they felt powerless to complain. They just suffered in silence.</p> <p>Unless the Club's activities have changed over the past 11 years, which I doubt, I believe the residents deserve a fresh approach, and this appears to be the only opportunity (for 10 years) to do that.</p> <p>I suggest that more vigorous noise restrictions be included in the Lease (if it is allowed). If allowed, this would include restricting the finish time of functions to 10.00pm and any other measures to solve the above problem associated with alcohol / drunken behaviour and late night noise. I support any inclusion that enhances the sailing part of the Club.</p>

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

Document administration	
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Notes	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.