

# Manly Night Time Economy Strategy

Prepared for  
Northern Beaches  
Council

October 2022

**HiIPDA**  
CONSULTING

**EMM**  
creating opportunities

# CONTENTS

<b>1</b>	<b>Introduction .....</b>	<b>6</b>
1.1	Defining the night time economy .....	6
1.2	Study area .....	7
1.3	Study approach .....	8
1.4	Report structure.....	9
<b>2</b>	<b>Planning and policy context .....</b>	<b>11</b>
2.1	State policy.....	11
2.2	Local policy.....	15
<b>3</b>	<b>Economy .....</b>	<b>23</b>
3.1	Employment.....	23
3.2	Gross value added.....	25
3.3	Expenditure.....	26
3.4	Business counts.....	29
<b>4</b>	<b>The night time environment .....</b>	<b>32</b>
4.1	Local assets .....	32
4.2	Night time trading.....	32
4.3	Licensed premises .....	34
4.4	Outdoor dining.....	38
4.5	Transport and access .....	39
4.6	Resident population.....	43
4.7	Land use conflicts.....	45
4.8	Crime.....	50
4.9	Events.....	55
4.10	Tourism .....	55
4.11	SWOT Analysis.....	57
<b>5</b>	<b>Stakeholder Engagement.....</b>	<b>60</b>
5.1	Previous engagement work .....	60
5.2	Targeted stakeholder engagement.....	62
<b>6</b>	<b>Planning control considerations.....</b>	<b>66</b>
6.1	Land uses and zones .....	66
6.2	Additional LEP controls .....	69
6.3	Manly Development Control Plan.....	72
<b>7</b>	<b>Case studies .....</b>	<b>76</b>
7.1	City of Sydney DCP 2012 – managing land use conflicts.....	76
7.2	Renew Newcastle/Australia .....	78
7.3	Victorian State Government – Agent of Change laws.....	79

7.4	Amsterdam's Night Mayor .....	81
7.5	Rosario's Night Time Picnic .....	82
7.6	Vilnius, Lithuania – Kultūros Naktis .....	82
7.7	Leicester City Council UK – investment in the public realm and cultural facilities .....	83
7.8	Splash Adelaide – events and the NTE .....	84
7.9	Parramatta Night City Framework 2020-2024 .....	85
7.10	City of Yarra – Post strategy implementation .....	87
<b>8</b>	<b>Strategy .....</b>	<b>90</b>
8.1	Objectives .....	90
8.2	Principles .....	91
8.3	Strategic directions .....	92
8.4	Support businesses in the night time economy .....	93
8.5	Diversify the night time economy .....	108
8.6	A safe and pleasant environment .....	111
8.7	Promotion and advocacy .....	113
	<b>APPENDIX A : Stakeholders consulted .....</b>	<b>114</b>
	<b>APPENDIX B: Acoustic assessment .....</b>	<b>115</b>

## Tables

Table 1-1: Reporting phases .....	8
Table 2-1: North District Plan Planning Priorities .....	12
Table 2-2: Sydney 24-hour Economy Strategies .....	13
Table 2-3: Proposed amendments through the Fun SEPP .....	14
Table 2-4: Existing business and industrial zones, and proposed employment zones .....	15
Table 2-5: Relevant LSPS policies and actions .....	16
Table 2-6: Relevant goals from <i>Shape 2028</i> .....	18
Table 2-7: Relevant strategies from <i>Connected Through Creativity 2029</i> .....	20
Table 3-1: Manly (study area) and Northern Beaches total employment by ANZSIC 1-digit industries (2016) .....	24
Table 3-2: Employment within commonly NTE associated ANSZIC four-digit industries and estimated Manly NTE industries GVA (2016) .....	25
Table 3-3: Total spend Manly suburb and Northern Beaches (YE March) .....	26
Table 3-4: Selected NTE associated businesses at the ANZSIC 2-digit code .....	30
Table 4-1: Number of venues trading in the NTE by time of trading .....	34
Table 4-2: Liquor licence outlet saturation for selected localities .....	35
Table 4-3: Late trading venues .....	37
Table 4-4: Local car parking facilities .....	40
Table 4-5: Public transport connectivity to Manly's NTE .....	41
Table 4-6: Complaints in the suburb of Manly 2016-2021 .....	45
Table 4-7: Counts and rates of selected crimes from January 2017 to December 2021 (rate per 100,000 people) ..	50
Table 4-8: Comparison of assault in selected NSW suburbs (rate per 100,000 people), January 2019 to December 2021 ..	52
Table 4-9: Annual events in Manly .....	55
Table 4-10: Share of visitor spend, current and forecast, NSW .....	57
Table 6-1: Residential zone objectives and land uses .....	68

Table 6-2: Manly DCP review and potential responses .....	73
Table 7-1: Late night trading hours in the City of Sydney DCP .....	77
Table 8-1: List of strategic directions and actions .....	92
Table 8-2: Support for business in the NTE post lockdown .....	93
Table 8-3: Example of standard late trading hours for different land uses .....	96
Table 8-4: Precinct vision .....	105
Table 8-5: NTE activities for different interest groups .....	108

## Figures

Figure 1-1 : The study area .....	8
Figure 3-1: Economic analysis study area .....	23
Figure 3-2: Total spend by composition between July 2018 - March 2021 .....	27
Figure 3-3: Manly NTE spend .....	28
Figure 3-4: Manly NTE spend by broad category (July 2018 - March 2021) .....	29
Figure 3-5: Registered businesses across the Northern Beaches and proportion in the Manly study area .....	30
Figure 4-1: Key 'anchors' in and near the study area .....	32
Figure 4-2: NTE venues in the study area (Friday & Saturday nights) .....	33
Figure 4-3: Liquor licence categories, Manly (as of July 2021) .....	35
Figure 4-4: Location of licensed premises .....	36
Figure 4-5: Alcohol-Free Zone, Manly (2021) .....	38
Figure 4-6: Outdoor dining approvals in the study area .....	39
Figure 4-7: Access points and public transport routes .....	42
Figure 4-8: Location of noise complaints, 2016-2021 .....	47
Figure 4-9: Density of complaints, 2016-2021 .....	48
Figure 4-10: Complaints and night time trading .....	49
Figure 4-11: Incidences of non-domestic violence related assault and liquor offences in Manly, 2015-2020 .....	53
Figure 4-12: BOCSAR crime hotspot maps for incidents between April 2021 and March 2021 .....	54
Figure 4-13: Breakdown of visitor origin, Manly, year ending March 2019 .....	56
Figure 4-14: Outdoor dining in Manly .....	57
Figure 6-1: Zoning in the study area .....	67
Figure 6-2: Built form controls .....	70
Figure 8-1: Manly Town Hall .....	90
Figure 8-2: Potential external facade noise levels .....	97
Figure 8-3: Manly, Wentworth Street .....	100
Figure 8-4: Lankelly Place Lights, City of Sydney. ....	101
Figure 8-5: Promotional flyer for KALOF's successful Youth Week Millennial Market, run by and for young people ... .....	102
Figure 8-6: Examples public space interventions .....	103
Figure 8-7: Proposed NTE precincts .....	104
Figure 8-8: Selection of vacant shopfronts in the study area (26 October 2021) .....	110
Figure 8-9: The Concourse Chatswood / Riverside Theatre Parramatta .....	111
Figure 8-10: Selected examples of street signage and wayfinding in the study area .....	112
Figure 8-11: Key public toilets in Manly .....	112
Figure 8-12: <i>Streets as Shared Spaces</i> pop-up seating and dining area – Market Place and Whistler Street. ....	113

## Quality Assurance

### Report Contacts

---

**Jesse Rowlings**

**Consultant**

Bachelor of Science (UoW), Master of Urban and Regional Planning (USyd, current)

[jesse.rowlings@hillpda.com](mailto:jesse.rowlings@hillpda.com)

### Supervisor

---

**Elizabeth Griffin**

**Expert adviser**

Bachelor of Arts (Geography), Master of Urban Planning MPIA

[liz.griffin@hillpda.com](mailto:liz.griffin@hillpda.com)

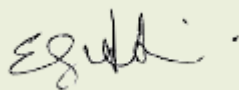
### Quality Control

---

This document is for discussion purposes only unless signed and dated by a Principal of HillPDA.

Reviewer

Signature



Dated

19/04/22

### Report Details

---

Job Number	P21057
Version	V3
File Name	P21057 – Manly Evening and Night Time Economy: Stage Two Report
Date Printed	19 April 2021



# INTRODUCTION

# 1 INTRODUCTION

Manly is an iconic location on the Northern Beaches. It is a premier beach destination offering an eclectic mix of waterfront restaurants, bars and laneways bustling with cafes and independent traders.<sup>1</sup> Manly offers an extensive night life which contributes to the local economy, culture, and community. It serves as a gateway to the Northern Beaches and as an important tourism destination within Sydney. Manly is a well recognised late night entertainment precinct within the Northern Beaches Local Government Area (LGA). While this brings many benefits, it has also been associated with antisocial behaviour conflicts between land uses and user groups. Northern Beaches Council has commissioned this study to identify ways to strengthen the Manly night time economy and minimise conflicts by balancing the needs and sensitivities of businesses, visitors, and residential communities.

This report presents findings from research into the Manly's night time economy (NTE). It considers the geographic and strategic context of Manly, the characteristics of the local population, the nature of the night time economy as well as current conflicts, issues, and planning controls.

The Manly NTE project will provide important input to the Manly Place Plan, which is currently being developed. The Place Plan will deliver a place-based, tactical oriented strategy to address the current and future needs of Manly as a strategic centre.

## 1.1 Defining the night time economy

Night life is an important part of any city's culture and liveability. While dining and hotel venues form a prominent component of a centre's night life, a night time economy can include a broad range of activities that occur at night time, typically under three core areas: entertainment, food, and drink. Specific activities may include night time shopping, sports and recreation, amusement parks, the arts and entertainment, events, pubs, clubs and bars, restaurants, and takeaway food services, as well as support services such as transport and accommodation.<sup>2</sup>

This study adopts the New South Wales (NSW) Treasury's definition of an NTE:

*The night time economy includes all the commercial activity that takes place outside the traditional business day, across the evening (6pm-9pm), night time (9pm-2am), and late night (2am to 6am). The range of industries involved in the NTE is diverse and broad, including core functions such as live music venues, restaurants, and bars; as well as supporting businesses including transport, retail, and accommodation services.*<sup>3</sup>

In Australia, the NTE accounts for around 26 per cent of total employment and contributing 19 per cent of total turnover.<sup>4</sup> Making better use of the evening and night time to stimulate economic activity increases productivity, stimulates investment, increases employment opportunities, and enhances liveability. A successful and vibrant NTE can improve social cohesion, raise a centre's profile for increased investment and reduce anti-social behaviour through increased passive surveillance.<sup>5</sup>

Northern Beaches Council has identified, in their Local Strategic Planning Statement, a need to diversify the NTE. Local government is able to influence the NTE through:

- Planning controls
- Strategic planning and policy
- Regulation and compliance

<sup>1</sup> Northern Beaches Council cited at <https://www.northernbeaches.nsw.gov.au/community/place-making/discover-our-places/strategic-centres/manly-snapshot> on 11 August 2021

<sup>2</sup> NSW Department of Planning and Environment (2018) *Guide for establishing and managing Night Time Uses* p 5

<sup>3</sup> NSW Treasury (2020), *Sydney 24 Hour Economy Strategy*

<sup>4</sup> Council of Capital City Lord Mayors (2018) *Measuring the Night Time Economy 2016-17*, p. 5.

<sup>5</sup> [https://www.randwick.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0003/292503/Draft-Night-Time-Economy-Study.pdf](https://www.randwick.nsw.gov.au/__data/assets/pdf_file/0003/292503/Draft-Night-Time-Economy-Study.pdf)

- Funding or delivering events
- Availability and quality of public space
- Providing cultural and recreational venues – community centres, libraries, pools, art galleries, theatres
- Marketing and promotion
- Advocating, collaborating and partnerships.<sup>6</sup>

Whilst this study adopts the NSW Treasury definition of NTE as outlined above, HillPDA notes the importance of the transition period between afternoon and evening activity as key to managing the NTE in Manly. This study considers the implications of the NTE for the core NTE hours outlined above, but also for the ‘shoulder periods’ where NTE activities intersect with ‘day time’ economy activities.

## 1.2 Study area

The study area was defined in consultation with Northern Beaches Council. The study area contains the commercial core of Manly as shown in Figure 1-1 .

Manly is located on an isthmus connecting Sydney Harbour’s North Head to the mainland. Manly is 17 kilometres north west of Sydney Central Business District (CBD) and 15 minutes away on the fast ferry. Manly Strategic Centre has dual water frontages being located between Sydney Harbour on one side and an ocean surf beach on the other. This water setting offers a high level of amenity and makes the centre attractive to overseas and domestic tourists. The beach location makes an important contribution to the culture of Manly.

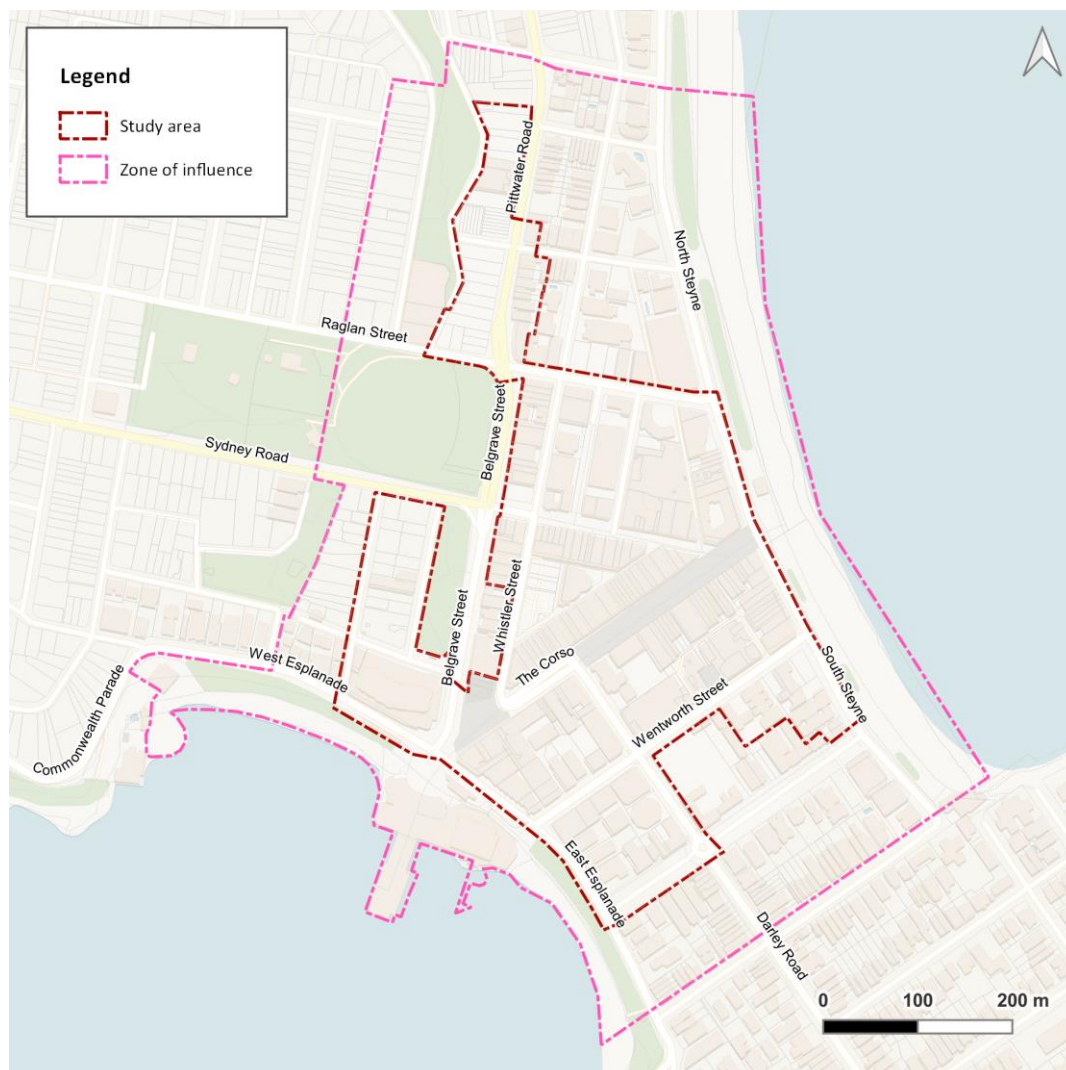
The Corso is a pedestrian spine of Manly stretching from harbour to beach, lined with local heritage buildings. Branching off The Corso, Darley Road, Sydney Road, South and North Steyne and Belgrave Street as well as the vibrant evolving laneways all offer an array of shops, cafes and services. The study area offers a mix of cultural, tourist, retail, entertainment uses, alongside other economic, residential and infrastructure uses. The Corso provide a pedestrian spine through the centre which connects Manly Beach and Many Ferry Wharf and public transport interchange. Belgrave Street extends from the Manly Ferry Wharf to the north and provide the main road connection to surrounding suburbs.

Surrounding the study area are a mix of public and private recreation land uses and residential land uses in a mix of densities. Whilst these areas are outside the study area, NTE related impacts on surrounding sensitive receivers or critical infrastructure in the immediate surrounds is a consideration of this study.

Though not directly contained within the study area, HillPDA notes that important ‘drawcard’ sites such as the Manly Art Gallery and Museum, Shelly Beach, and North Head are key drivers of visitation to the study area and are also considered broadly, in this report (identified in Figure 4-1).

<sup>6</sup> NSW Department of Planning and Environment (2018) *Guide for establishing and managing Night Time Uses*

Figure 1-1 : The study area



Source: Northern Beaches Council, HillPDA

### 1.3 Study approach

The study was undertaken in several stages. The project was undertaken during the COVID-19 pandemic and consequently some aspects of the method had to be revised as the project progressed to enable the work to proceed. Key components of each stage are outlined below.

Table 1-1: Reporting phases

Reporting phase	Key content
<b>Stage 1: The night time environment and targeted community engagement</b>	<ul style="list-style-type: none"> <li>• Examination of the study area</li> <li>• Understanding the policy context</li> <li>• Observations of night time activities in the study area</li> <li>• Engagement with key stakeholders and night time businesses</li> <li>• Economic analysis</li> <li>• Preliminary acoustic assessment</li> <li>• Review of planning controls</li> <li>• Assessment of NTE strengths, weaknesses opportunities and threats</li> </ul>

Reporting phase	Key content
<b>Stage 2: Draft Manly Night Time Economy Strategy</b>	<p>Development of a NTE strategy for Manly including:</p> <ul style="list-style-type: none"> <li>• A clear NTE vision</li> <li>• Guiding principles to support the lively, vibrant, and successful NTE</li> <li>• Establishment of clear objectives and actions aligning with Council's LSPS, CSP and other policies</li> <li>• Options for delivering diversity in after-hours uses, providing a mix that caters to locals and visitors and expands outside of typical entertainment or alcohol-centred uses</li> <li>• Specific interventions and recommendations that respond to the Stage 2 findings including items as: <ul style="list-style-type: none"> <li>– Potential for improving outcomes for outdoor dining, entertainment venues and public art</li> <li>– Existing and preferred mix of businesses, their ability to function within the NTE and opportunities to provide after-hours 'routine' services to balance entertainment uses</li> <li>– Traffic and public transport recommended improvements and the role of Council and State authorities to provide, support and advocate for those improvements</li> <li>– Suitability of the existing pedestrian network and potential improvements</li> <li>– Public domain amenity</li> <li>– Potential safety issues and opportunities/responsibilities in delivering a safe environment</li> <li>– Potential compliance issues, including recommendations for communicating, implementing and enforcing Council and other requirements</li> <li>– Longer term considerations relating to revitalisation and resilience, in the context of the overarching Place Plan.</li> </ul> </li> </ul>
<b>Stage 3: Acoustic assessment</b>	<p>Assess the acoustic environment having regard for:</p> <ul style="list-style-type: none"> <li>• sensitive uses and activities</li> <li>• sources of complaints and conflict</li> <li>• baseline acoustic mapping in the strategic centre.</li> </ul> <p>Develop noise guidelines (base line, upper limits, and built form attenuation measures and/or other planning controls and guidelines) in accordance with relevant legislation and current best practice for inclusion into the Development Control Plan (DCP).</p>
<b>Stage 4: Final Manly night time economy strategy</b>	<ul style="list-style-type: none"> <li>• Refine final draft Manly Night Time Economy Study in line with previous findings</li> <li>• Liaise with Manly Place Plan consultant to integrate final NTE findings into broader Place Plan document ahead of public exhibition.</li> </ul>

Source: HillPDA

## 1.4 Report structure

This report is structured as follows:

Section 1 | Introduction

Section 2 | Planning and policy context

Section 3 | The night time environment

Section 4 | Economic analysis

Section 5 | Stakeholder engagement

Section 6 | Planning control considerations

Section 7 | Case studies

Section 8 | Strategy



# PLANNING AND POLICY CONTEXT

## 2 PLANNING AND POLICY CONTEXT

This chapter summarises the implications of existing state and local government policy and statutory instruments, identifying key priorities and goals and their implications for the Manly NTE Strategy.

### 2.1 State policy

This section summarises policy set by the NSW Government, highlighting relevant actions and strategies and their implications for the delivery of the Manly NTE Strategy.

#### 2.1.1 Greater Sydney Region Plan

The *Greater Sydney Region Plan - A Metropolis of Three Cities* (the Region Plan) sets out the Greater Sydney Commission's (GSC) strategy to guide development in Greater Sydney to 2036. The Region Plan recognises that:

*"A vibrant and safe night-time economy enhances Greater Sydney's standing as a global city, while meeting the social and recreational needs of shift workers, young people, tourists and visitors."*<sup>7</sup>

The Region Plan establishes a vision for a city where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The plan contains 10 strategic directions which establish the aspirations for the region over the next 40 years. Each direction is divided into objectives, with Objectives 9 (Supporting the creative industries and innovation) and 22 (Investment and business activity in centres) being particularly relevant to strengthening the night time economy.

Some of the aspirations of the Region Plan that relate to building a successful night time economy include:

- Reduce the regulatory burden for creative and temporary uses within the night time economy
- Ensure that the night time economy is safe, vibrant and accessible, but consider adequate noise control, appropriate operating hours, and the provision of safe late night travel options
- Ensure that potential negative impacts of the night time economy are successfully mitigated.

The implications of the Region Plan for the Manly NTE Strategy therefore include a need to focus on issues of inclusion and connection; providing for a diverse and creative range of activities; and growing and strengthening the NTE whilst addressing any potential negative impacts.

#### 2.1.2 North District Plan

The GSC released district plans for Greater Sydney, detailing district-specific implementation pathways for the Greater Sydney Region Plan. The *North District Plan* (the District Plan) is a 20-year plan to manage growth in the context of economic, social, and environmental matters to achieve the 40-year vision for Greater Sydney. Manly is located at the southern boundary of the North District. The District Plan states that:

*'Stimulating and diversifying the night-time economy in appropriate locations across the District can support local economies and culture'*<sup>8</sup>

The District Plan identifies Manly as a strategic centre. Strategic centres are to be the focus for investment in public transport and locations with:

- high levels of private sector investment
- flexibility, so that the private sector can choose where and when to invest
- co-location of a wide range of activities including residential
- high levels of amenity, walkability and being cycle-friendly

<sup>7</sup> Greater Sydney Commission [2018], *Greater Sydney Region Plan* [p. 57]

<sup>8</sup> North District Plan (2018), Greater Sydney Commission

- areas identified for commercial uses and, where appropriate, commercial cores.<sup>9</sup>

The District Plan identifies that there are barriers relating to the growth of the NTE including regulatory burden and impact on adjacent land uses, as well as opportunities such as under-utilised private and public space and activation of the public realm. The District Plan establishes 24 planning priorities for the North District. Relevant priorities from the District Plan and their implications for the Manly NTE Strategy are discussed in Table 2-1: North District Plan Planning Priorities.

**Table 2-1: North District Plan Planning Priorities**

Planning Priority	Potential ways Manly NTE Study can contribute
<b>Planning Priority N4</b> <ul style="list-style-type: none"> <li>Objective 9 – Greater Sydney celebrates the arts and supports creative industries and innovation</li> </ul>	<ul style="list-style-type: none"> <li>Investigate avenues to support increased presence of creative industries in the study area and review any relevant Local Environmental Plan (LEP) or DCP barriers</li> <li>Reduce regulatory burden for creative industries for interim and temporary uses</li> </ul>
<b>Planning Priority N6</b> <ul style="list-style-type: none"> <li>Objective 12 – Great places that bring people together</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that streets are recognised as a place for people as well as movement</li> <li>Ensure that planning and policy controls provide a diverse land use mix, fine grain urban form, and high amenity and walkability to support people coming together</li> <li>Consider improvements to heritage legibility and wayfinding to improve public space quality</li> <li>Investigate flexible and innovative approaches to revitalise high streets, ensure that a wide range of options are considered to boost the Manly NTE</li> </ul>
<b>Planning Priority N10</b> <ul style="list-style-type: none"> <li>Objective 36 – Provide access to jobs, goods and services <ul style="list-style-type: none"> <li>attracting investment and activity in strategic centres and providing jobs growth</li> <li>diversifying the range of activities in centres</li> <li>improving walkability within and to the centre</li> <li>designing parking that can be adapted to future uses</li> <li>providing for a diverse and vibrant night time economy in a way that responds to potential negative impacts</li> </ul> </li> <li>Objective 39 – Encourage opportunities for new smart work hubs</li> <li>Objective 44 – Further develop Manly as a cultural, tourist, retail and entertainment precinct, and encourage diversified commercial activity to improve economic resilience</li> </ul>	<ul style="list-style-type: none"> <li>Consider whether Manly should have a defined “core” of intensive NTE uses to protect residential, mixed, and less NTE-intensive uses outside the core</li> <li>Investigate how barriers to pedestrian mobility and connectivity can be reduced within the study area</li> <li>Assess whether there are barriers to the establishment of smart work hubs (i.e., WeWork) with flexible hours that could contribute to the Manly NTE and more flexible and efficient use of private space</li> <li>Ensure public realm and planning controls and policy enhance public safety and minimise the risk of antisocial behaviour and crime</li> <li>Enable inclusion for all residents and visitors and foster connection and participation</li> <li>Consider how alternate uses including entertainment, cultural experiences, and retail contribute to Manly’s NTE to expand the NTE offering</li> <li>Support the NTE though free Wi-Fi access for work and play</li> </ul>
<b>Planning Priority N13</b> <ul style="list-style-type: none"> <li>Objective 58 – Consider opportunities to implement place-based initiatives to attract more visitors, improve visitor experiences and ensure connections to transport at key tourist locations</li> </ul>	<ul style="list-style-type: none"> <li>Consider pedestrian connectivity and opportunity for public realm improvements associated with Manly Wharf to improve legibility and wayfinding for visitors</li> </ul>

<sup>9</sup> Greater Sydney Commission North District Plan, p67

### 2.1.3 Sydney 24-hour Economy Strategy

The *Sydney 24-hour Economy Strategy* was released by NSW Treasury through its Global NSW initiative in September 2020 with the aim of driving Greater Sydney toward a vibrant and productive 24-hour economy. The *24-hour Economy Strategy* contains opportunities and recommendations, with those directly relevant outlined in Table 2-2: along with their implications for the Manly NTE Strategy.

In addition to the initiatives in the table below, the following actions from the *Sydney 24-hour Economy Strategy* are considered directly relevant to the NTE Strategy.

- **Action 2:** Implement a Neon Grid to map the city's 24-hour hubs.
  - Manly can support the implementation of a Neon Grid by ensuring its NTE is diverse, safe, and lively whilst increasing its connectedness to the rest of the Grid.
- **Action 15:** Streamline liquor licensing to support venues
  - Council can support the ongoing streamlining of the licensing and approvals process, including small bars and micro-breweries, to help encourage low-impact alcohol consumption and diversification of NTE activities.
- **Action 23:** Support globally significant events
  - Council should continue to support local events to develop their potential, as well as reducing any barriers to attracting global or national events.
- **Action 39:** Make the Neon Grid a digital, centralised information platform for all of Greater Sydney's 24-hour hubs
  - Support the Destination NSW to implement its digital Neon Grid by developing relevant marketing collateral, filling event calendars, and developing localised mapping and information systems to link into the Neon Grid.

**Table 2-2: Sydney 24-hour Economy Strategies**

Initiatives	Potential ways Manly NTE Study can contribute
<b>Integrated planning and place-making</b> <ul style="list-style-type: none"> <li>Expand community and industry-led safety programs</li> <li>Develop and incentivise participation in precinct-based streetscape atmospheres and activations</li> <li>Enable and support the variable use of under-utilised public and private spaces and buildings to accommodate small-scale live performance, arts and culture events</li> <li>Identify and preserve places of historic and cultural significance</li> </ul>	<ul style="list-style-type: none"> <li>Collaborate with State Government to leverage efficiencies from broader planning initiatives and cement Manly's place as a key night-time hub</li> <li>Assess community and industry views on safety concerns, utilise audit and Council data to identify and problem areas and investigate place design and planning control solutions</li> <li>Encourage small-scale live performance and cultural venues as part of future development</li> <li>Consider opportunities for planning policies to encourage versatile use of public and private space for events and cultural uses</li> <li>Investigate wayfinding and integration opportunities for local Aboriginal and non-Aboriginal heritage in and near the study area to increase NTE cultural opportunities</li> </ul>
<b>Diversification of night-time activities</b> <ul style="list-style-type: none"> <li>Extend opening hours across low impact retail businesses</li> <li>Review live music and noise regulations to maintain opportunities for venues and musicians</li> <li>Simplify requirements and improve affordability for creating pop-ups and cultural events</li> </ul>	<ul style="list-style-type: none"> <li>Identify areas and business types where business hours could be extended with minimal impact on neighbouring land uses</li> <li>Review planning controls for noise and vibration restrictions that could impact the viability of live music venues</li> <li>Consider whether planning controls are preventing temporary uses of public and private space for events and cultural uses, food trucks and other pop-up activations</li> </ul>

Initiatives	Potential ways Manly NTE Study can contribute
<ul style="list-style-type: none"> <li>Relaxation of restrictions for food trucks and other types of pop-up activations</li> <li>Extend and promote opening hours across major cultural institutions</li> </ul>	<ul style="list-style-type: none"> <li>Investigate opportunities for evening and night time events at Council-operated cultural institutions</li> <li>Consider possibility of new or relocated Council-operated cultural institutions in the study area, with reference to the <ul style="list-style-type: none"> <li>Arts and Creativity Strategy Actions</li> <li>Cultural Mapping Audit</li> <li>Social Infrastructure Study</li> <li>Community Centre Strategy</li> </ul> </li> </ul>
<b>Industry and cultural development</b> <ul style="list-style-type: none"> <li>Establish ongoing business engagement forums</li> <li>Ensure affordable spaces for creative industries</li> </ul>	<ul style="list-style-type: none"> <li>Investigate whether any existing Council-business fora sufficiently address NTE issues</li> <li>Consider planning and policy interventions that may provide additional space for creative industries within the study area</li> </ul>
<b>Mobility and improved connectivity</b> <ul style="list-style-type: none"> <li>Extend late-night transport choice and safety</li> <li>Implement enhanced parking options for night-time hubs</li> <li>Ensure safe options for end-of-trip connections for workers and consumers of the night-time economy</li> </ul>	<ul style="list-style-type: none"> <li>Investigate where better late night public transport is required</li> <li>Investigate planning and policy interventions for parking provision that provides improved access to key NTE locations within the study area</li> <li>Consider urban design treatments to increase safety and comfort at public transport access points</li> </ul>
<b>Changing the narrative</b> <ul style="list-style-type: none"> <li>Re-align public perception of health, safety and wellbeing within night-time hubs</li> <li>Develop distinct branding for key night-time hubs to communicate the unique value proposition of each</li> </ul>	<ul style="list-style-type: none"> <li>Investigate where public amenity and safety improvements are needed within the study area</li> <li>Identify strengths of and opportunities for Manly NTE to assist Council in marketing Manly as a night time hub</li> </ul>

## 2.1.4 Proposed Fun SEPP

The Department of Planning Industry and Environment (DPIE) has placed an Explanation of Intended Effects on public exhibition which proposes amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The proposal amendments are to support hospitality, events and arts industries use through enabling some low impact development as exempt and complying development under the Environmental Planning and Assessment Act 1979. The proposed amendments are considered in the context of the study area in Table 2-3.

**Table 2-3: Proposed amendments through the Fun SEPP**

Proposed Fun SEPP provisions	Considerations
Alfresco dining is to be exempt development	Approvals still required under the Roads Act 1993, the Local Government Act 1993 and the Liquor Act 2007
A change of use from retail to small live music or arts venues is to be complying development	<p>Requires an amendment to the National Construction Code so that a small live music or arts venue is treated as a Class 6 building</p> <p>Venues can be used for a range of arts, handicraft and performance activities; however, this excludes building or production activities, such as wood or metal cutting, that require fixed machinery</p> <p>Potential acoustic impacts limited by restrictions on trading hours from 7am to 10pm Monday to Saturdays and 7am to 8pm on Sundays or public holidays.</p>

Proposed Fun SEPP provisions	Considerations
Simplification of rules for temporary events on Council and private land	<p>Approval under the <i>Local Government Act 1993</i> is required for events on public/community land, at which time Council will consider amenity, safety, and potential environmental impacts</p> <p>Exempt pathway for the use of private land for small and minimal-impact events on private land</p> <p>Potential for short term traffic and transport issues, and approval for serving of food and alcohol, dependent on the scale of the event.</p>

### 2.1.5 Employment zone review

DPIE is current undertaking a suite of planning reforms to deliver a simplified and efficient planning system to NSW. As part of this work, DPIE has developed proposed new employment zones that are intended to suit the future of work, be fit for purpose, and support productivity and jobs growth, while facilitating the delivery of strategic plans and planning priorities. The proposed employment zone aim to support long-term economic recovery through job creation and encourage increased productivity in NSW. The proposed employment zone framework seeks to respond to various trends, exacerbated by the COVID-19 pandemic, including the growth of online retail, reliance on freight and logistics, the importance of local centres, flexible working arrangements, and the continued rise of multi-use businesses and the experience economy.

The existing business and industrial zones as defined in the Standard Instrument LEP and the proposed new employment zones are shown below.

**Table 2-4: Existing business and industrial zones, and proposed employment zones**

Existing business and industrial zones	Proposed employment zone framework
<p><b>Business zones:</b></p> <ul style="list-style-type: none"> <li>• B1 Neighbourhood Centre</li> <li>• B2 Local Centre</li> <li>• B3 Commercial Core</li> <li>• B4 Mixed Use</li> <li>• B5 Business Development</li> <li>• B6 Enterprise Corridor</li> <li>• B7 Business Park</li> <li>• B8 Metropolitan Centre</li> </ul> <p><b>Industrial zones:</b></p> <ul style="list-style-type: none"> <li>• IN1 General Industrial</li> <li>• IN2 Light Industrial</li> <li>• IN3 Heavy Industrial</li> <li>• IN4 Working Waterfront</li> </ul>	<p><b>Employment zones:</b></p> <ul style="list-style-type: none"> <li>• E1 Local Centre</li> <li>• E2 Commercial Centre</li> <li>• E3 Productivity Support</li> <li>• E4 General Industrial</li> <li>• E5 Heavy Industrial</li> </ul> <p><b>Other productivity related zones:</b></p> <ul style="list-style-type: none"> <li>• MU1 Mixed Use</li> <li>• W4 Working Foreshore</li> </ul> <p><b>Flexible precinct zone:</b></p> <ul style="list-style-type: none"> <li>• SP4 Local Enterprise</li> </ul>

## 2.2 Local policy

This section considers adopted and draft Northern Beaches Council policies that relate to the Manly NTE Strategy and their potential implications for the strategy

## 2.2.1 Towards 2040: Local Strategic Planning Statement

Northern Beaches Council adopted *Towards 2040* as its Local Strategic Planning Statement (LSPS) in March 2020. The LSPS outlines the 20-year vision, planning priorities and actions for land use in the Northern Beaches. The LSPS is aligned with and seeks to action the Greater Sydney Region Plan and North District Plan.

To align the Northern Beaches Council with the Region and District Plans, the LSPS establishes specific Planning Priorities and actions, with those directly relevant to the Manly NTE Strategy outlined in Table 2-5: Generally, the LSPS seeks to diversify Manly's NTE whilst minimising conflicts with existing uses, especially residential.

The LSPS's priority 30 outlines its aims for the Northern Beaches NTE. It identifies Manly as the only designated late-night entertainment precinct within the LGA (currently) and aims to deliver a NTE strategy for Manly that will broaden the range and of night time activities, minimise land use conflict and protect sensitive uses, improve late night public transport, increase trading hours and foster a live music culture.

**Table 2-5: Relevant LSPS policies and actions**

Policy & Actions	Potential ways Manly NTE Study can contribute
<b>Priority 11: Community facilities and services that meet changing needs</b> <ul style="list-style-type: none"> <li>11.3: Plan for new and upgraded infrastructure and develop LEP and Development Control Plan (DCP) controls that facilitate and incentivise joint and shared use, universal design and multi-use facilities</li> <li>11.8: Investigate funding mechanisms for new social infrastructure, especially through precinct-based urban renewal in strategic centres</li> </ul>	<ul style="list-style-type: none"> <li>Consider how planning and policy intervention could encourage alternative uses of existing facilities and promote the development of flexible spaces</li> <li>Consider how new developments in the study area could contribute to social infrastructure</li> </ul>
<b>Priority 12: An inclusive, healthy, safe and socially connected community</b> <ul style="list-style-type: none"> <li>12.1 Engage early with State agencies in precinct and place plans to plan for healthy, safe, active and socially connected communities</li> </ul>	<ul style="list-style-type: none"> <li>Ensure alignment with the Manly Place Plan and any relevant State planning requirements</li> </ul>
<b>Priority 14: A community enriched through the arts and connected through creativity</b> <ul style="list-style-type: none"> <li>14.3: Investigate opportunities for the shared use of public and private facilities</li> <li>14.4: Review barriers to enable the arts and creative initiatives such as approval processes and planning pathways</li> <li>14.8: Investigate arts and creative opportunities to grow place vibrancy including in the NTE strategy</li> </ul>	<ul style="list-style-type: none"> <li>Investigate ways to boost the arts and creative initiatives</li> <li>Investigate opportunities for the shared and/or interim use of public and private facilities</li> <li>Assess potential pathways for integration of public art into place planning in Manly</li> <li>Consider barriers to arts and entertainment in Manly including available facilities, planning restrictions, and integration with other land uses</li> </ul>
<b>Priority 15: Housing supply, choice and affordability in the right locations</b> <ul style="list-style-type: none"> <li>15.2: Develop LEP and DCP controls informed by the local housing strategy to respond to community needs and minimise land use conflicts; removal of floor-space ratio (FSR) controls for dwellings in Manly, street activation in centres.</li> <li>15.4: Investigate mechanisms for mixed use residential development in centres while meeting requirements for minimum levels of retail and commercial floor space</li> </ul>	<ul style="list-style-type: none"> <li>Investigate opportunities to minimise conflicts relating to NTE impacts (for example, noise) in the study area</li> </ul>
<b>Priority 17: Centres and neighbourhoods designed to reflect local character, lifestyle and demographic changes</b>	<ul style="list-style-type: none"> <li>Activate public spaces and provide active transport opportunities</li> </ul>

Policy & Actions	Potential ways Manly NTE Study can contribute
<p><b>Priority 19: Frequent and efficient regional public transport connections</b></p> <ul style="list-style-type: none"> <li>19.6: Advocate for bus rapid transit (BRT) between Manly and Brookvale-Dee Why</li> <li>19.8: Advocate for improved ferry services to Manly</li> </ul>	<ul style="list-style-type: none"> <li>Enable night time activity and outdoor dining, identify and ease restrictions on interim and temporary uses</li> <li>Ensure that Manly NTE supports and enables future growth within 800m of public transport by minimising potential land use conflict</li> <li>Ensure that interfaces with public transport hubs maximise potential to support NTE through urban design and placemaking</li> <li>Continue working with Transport for NSW to ensure Manly Cove project (wharf 3 upgrade and enhancement of former aquarium site) supports and enhances the local NTE</li> </ul>
<p><b>Priority 20: Sustainable local transport networks</b></p> <ul style="list-style-type: none"> <li>20.3: Investigate improvements to transport interchanges such as ferry wharves and bus stops to support multi-modal trips</li> </ul>	<ul style="list-style-type: none"> <li>Consider the reliance of the NTE on local transport networks and identify opportunities for improvement</li> </ul>
<p><b>Priority 21: Redesigned road space and facilities to match changing community needs</b></p> <ul style="list-style-type: none"> <li>21.2: Develop LEP and DCP controls that relate to loading areas and freight, delivery and waste collections, common storage facilities; and parking provision rates near public transport and car shares</li> <li>21.3: Investigate opportunities for consolidated urban freight hubs, shared spaces and kerbside spaces for freight activities</li> </ul>	<ul style="list-style-type: none"> <li>Assess suitability of current DCP controls relating to freight, deliveries, waste collection, and car parking where they impact on NTE</li> </ul>
<p><b>Priority 22: Jobs that match the skills and needs of the community</b></p> <ul style="list-style-type: none"> <li>22.3: Review planning controls to support specific industry sectors and implement the Arts and Creativity Strategy</li> <li>22.4 Prepare a night-time economy strategy</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that Manly remains a vibrant centre providing diverse jobs including in the NTE</li> <li>Investigate opportunities to alter planning controls to facilitate specific industries that can support the NTE (including arts and culture, live music) within the study area</li> </ul>
<p><b>Priority 29: A thriving, sustainable tourism economy</b></p>	<ul style="list-style-type: none"> <li>Ensure that a strong tourism economy and improved public transport is delivered to support Manly's NTE whilst maintaining quality of life for residents and protecting the environment</li> </ul>
<p><b>Priority 30: A diverse night-time economy</b></p> <ul style="list-style-type: none"> <li>30.1: Prepare a night-time economy strategy</li> <li>30.2: Review late-night venue controls in the Manly DCP and LEP</li> <li>30.5: Investigate mechanisms to manage and monitor the night-time economy (including reviewable conditions of consent and approvals processes).</li> </ul>	<ul style="list-style-type: none"> <li>Assess suitability of late-night venue controls in the LEP and DCP</li> <li>Investigate best-practice options for management and monitoring of NTE by Council</li> <li>Consider designation of 'entertainment precinct' area with separate controls and policies</li> </ul>

## 2.2.2 Shape 2028: Northern Beaches Community Strategic Plan 2018 – 2028

Northern Beaches Council adopted *Shape 2028* as its Community Strategic Plan (CSP) in April 2018. The CSP outlines a vision for the new LGA, developed through extensive engagement with the community. The CSP proposes a vision for the Northern Beaches:

*“a safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment.”<sup>10</sup>*

The CSP is key in guiding the development and progress of the Northern Beaches and establishes baseline data for demographics and economy in the LGA and an analysis of opportunities and threats. It also aligns the LGA with the District Plan. The CSP contains goals and strategies, with those directly relevant to the Manly NTE Strategy outlined in Table 2-6.

**Table 2-6: Relevant goals from *Shape 2028***

Goal & Strategies	Implications for Manly NTE Strategy
<b>Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing</b> Strategies: <ul style="list-style-type: none"> <li>Collaborate with the community in the design of vibrant open spaces and neighbourhoods</li> </ul>	<ul style="list-style-type: none"> <li>Ensure previously undertaken community consultation is considered in drafting the Strategy and that adequate</li> <li>Engage with key stakeholders during the development of the strategy</li> </ul>
<b>Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities</b> Strategies <ul style="list-style-type: none"> <li>Encourage a broad range of activities that enable social interaction, stimulate wellbeing, and support people at each stage of their lives</li> </ul>	<ul style="list-style-type: none"> <li>Ensure planning control and policy interventions are directed at diversifying the NTE for all potential users</li> </ul>
<b>Goal 10: Our community is stimulated through a diverse range of cultural and creative activities and events</b> Strategies: <ul style="list-style-type: none"> <li>Support the arts and creative communities</li> <li>Expand cultural events and creative opportunities, including safe nightlife opportunities</li> <li>Provide more events and opportunities for young people to socialise</li> </ul>	<ul style="list-style-type: none"> <li>Investigate ways to boost the arts and creative initiatives</li> <li>Investigate opportunities for the shared and/or interim use of public and private facilities</li> <li>Assess potential pathways for integration of public art in the public domain</li> <li>Consider barriers to arts and entertainment in Manly including available facilities, planning restrictions, and integration with other land uses</li> </ul>
<b>Goal 15: Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life</b> Strategies: <ul style="list-style-type: none"> <li>Facilitate active and safe urban environments through increased economic activity, in keeping with local character</li> <li>Enhance and extend opportunities for sustainable tourist economy throughout the area</li> </ul>	<ul style="list-style-type: none"> <li>Consider planning controls to improve safety, especially at night time</li> </ul>
<b>Goal 16: Our integrated transport networks meet the needs of our community; and</b> <b>Goal 17: Our community can safely and efficiently travel within and beyond Northern Beaches</b> Strategies: <ul style="list-style-type: none"> <li>Advocate for improved transport options and networks</li> <li>Ensure transport planning is integrated with land use planning</li> <li>Improve public transport options and connectivity to better meet our community’s travel needs</li> <li>Improve parking options in centres, villages and places</li> </ul>	<ul style="list-style-type: none"> <li>Determine if there is a need for improved late-night transport access to and from the study area</li> </ul>

<sup>10</sup> Shape 2028 – Northern Beaches Community Strategic Plan (2018), Northern Beaches Council.

### 2.2.3 Better Together Social Sustainability Strategy

Council adopted *Better Together: Social Sustainability Strategy 2040* in August 2021. *Better Together* is a roadmap that aims to provide long-term social direction, build resilience and existing services and resources, and enhance the skills and knowledge of the community. The five principles of the strategy are:

- Active, inclusive and safe
- Well served
- Well run
- Fair for everyone
- Thriving local economy.

The key implication for the NTE Strategy from *Better Together* is that changes to Manly's NTE should benefit Manly in a fair way, growing the local economy to be more resilient, diverse, inclusive, and safe through a range of active measures involving Council, the local community, and businesses. Manly's NTE should foster a sense of belonging and inclusion, whilst minimising antisocial behaviour and barriers preventing local residents and visitors alike from participating in the NTE. Manly's NTE should also be a home for innovative and emerging industries, enabling local entrepreneurs and young people to work in the community in which they live.

### 2.2.4 Destination Northern Beaches: Creating a sustainable visitor economy

Council recently adopted *Destination Northern Beaches*, which is the first Northern Beaches-wide Destination Management Plan (DMP). It is a five year strategic plan to guide the economic potential of tourism whilst balancing the needs of the environment and Northern Beaches residents. The DMP contains an analysis of key market sectors and identifies opportunities for growth.

The focus of the DMP is on sustainably increasing the Northern Beaches' tourism yield, particularly by increasing tourism spend on a per-person basis. This includes converting day trippers into overnight stays. The NTE Strategy could seek to leverage tourism by encouraging daytime visitors to stay in the study area into the evening and night time. This could support increased tourism spend within the NTE. Additionally, a focus on attracting and developing events that drive overnight visitation, particularly in off-peak tourist seasons and midweek, could benefit the NTE.

### 2.2.5 Manly 2015 Master Plan

*Manly 2015*, a master plan for Manly, was crafted in 2011 to envision Manly as an iconic area with outstanding build and natural environment qualities, with a pedestrianised town centre, sustainable design, and people-friendly atmosphere. *Manly 2015* contains a range of design strategies to achieve these goals, with those directly relevant to the Manly NTE Strategy outlined below:

- Minimise vehicle and pedestrian conflict within the Manly town centre
- Rectify lack of a 'village heart'
- Improve parking and minimise vehicular access to the town centre
- Increase pedestrianisation in the town centre
- Increase pedestrian and commercial activity through the streets and lanes surrounding the Corso.

The key implications from *Manly 2015* for the NTE Strategy include investigating planning and policy interventions for traffic calming and pedestrianisation within the Manly town centre and identifying mechanisms to provide more public space for NTE operations (such as festivals, outdoor dining etc).

*Manly 2015* will be replaced by the Manly Plan Plan when it is completed.

## 2.2.6 Connected through creativity 2029

*Connected Through Creativity 2029* (2019) is the Northern Beaches Council's Arts and Creativity Strategy. It sets out Council's commitment to supporting and growing its arts and cultural sectors.

The strategy identifies three outcomes and nine strategies. The relevant outcomes and strategies and their implications for the Manly NTE Strategy are outlined in Table 2-7 below.

**Table 2-7: Relevant strategies from *Connected Through Creativity 2029***

Outcomes and Strategies	Implications for Manly NTE Strategy
<b>Outcome 1: Inspiring Places and Spaces</b> 1. Infuse public spaces with creativity 2. Make room for creative expression 3. Celebrate cultural heritage	<ul style="list-style-type: none"> <li>Assess whether the Coast Walk Public Art Trail can be better connected to Manly's centre and how it could be activated at night through night-specific installations near NTE activity areas</li> <li>Consider opportunities for overlap with the NTE and Culture Map Live (when established)</li> </ul>
<b>Outcome 2: Innovative and Creative Industries</b> 4. Enable creative sector vitality 5. Collaborate to innovate 6. Grow thriving arts hubs	<ul style="list-style-type: none"> <li>Investigate the potential of operating network events for creatives in the study area (including 'Monthly Mixers' and 'Creatives Connect') in the evening to augment NTE patronage</li> <li>Leverage successful cultural events such as Manly Jazz Festival, Taste of Manly, and Food World markets to support the NTE</li> <li>Review planning controls to foster live music culture (including large and small events)</li> <li>Assess the potential of the Events Grants Program to focus on events that deliver NTE benefits to Manly, including in off-peak seasons and weeknights to broaden and diversify NTE.</li> </ul>

## 2.2.7 Draft Night Time Economy Framework

Northern Beaches Council prepared the draft *Night Time Economy Framework* (NTE Framework) in May 2020. The NTE Framework responds to community consultation that has identified a need for more evening and night time activity across the Northern Beaches, as well as lifestyle and economic changes that have seen a move away from "the traditional 9 to 5"<sup>11</sup> toward a 24-hour economy.

The NTE Framework identifies Council's role as providing the following:

- Planning controls
- Regulation and compliance
- Hosting events
- Upgrading and maintaining public space
- Providing cultural and recreational venues – community centres, libraries, pools, art galleries, theatres
- Marketing and promotion
- Advocating, collaborating and partnerships.

Key implications from the NTE Framework have informed the direction of this report, and are listed below:

- Develop a baseline understanding of Northern Beaches NTE as it currently exists
- Determine what the community wants for NTE, what barriers it faces to going out at night, what areas need to improve, and what concerns they have
- Use community research to interrogate NTE audit and community engagement results
- Determine objectives, unmet demand, assets and opportunities, what the community wants, and develop actions backed up by data

<sup>11</sup> Night Time Economy Framework (2020), Northern Beaches Council

- Consider impacts of a growing NTE on sensitive receivers, particularly immediate residents.

### 2.2.8 Community Centres Strategy

In March 2021, Northern Beaches Council adopted the *Community Centres Policy and Strategy*. The *Community Centres Strategy* outlines benchmarking and future needs assessment for community space in the Northern Beaches, including Manly. The Strategy reveals that Manly is lacking in community space currently, especially within the study area – including small and/or inadequate community spaces that are not ‘multipurpose’.

There is potential for any future or current community space to be used to contribute to the NTE. As Council owns and operates such spaces, there is scope for Council to encourage, host, or develop events and/or activities in these spaces while keeping costs low for participants and operators.

The relevant findings for Manly include the following points, along with their implications for the Manly NTE Strategy:

- The long-term future of Manly Town Hall and its potential to contribute community space for NTE uses (i.e., night classes or workshops, rehearsal/performance spaces, exhibition spaces, among other things)
- The construction of a new district-sized community facility in Manly, and how this facility could contribute community space for NTE uses
- The future shared use of non-Council and private community space to meet floorspace gaps, and whether facilities of this ilk could help to provide an NTE use in parts of Manly with low provision of community facilities.

### 2.2.9 Northern Beaches employment study – background report

In 2019, SGS Economics and Planning prepared a *Northern Beaches Employment Study Background Report* (the Background Report) for Northern Beaches Council. The study, along with other reports prepared by and for Council, was to inform the Local Strategic Planning Statement among other Council work. The report focuses on key industrial areas, areas with potential for growth, and transport access and distance between employment centres and identifies emerging trends and drivers, as well as challenges and opportunities. Some of the key findings and Manly NTE Strategy implications from the Background Report include:

- Investigate retail operating hours as tenancies with later opening hours can support retailing services such as cinemas and restaurants, creating a symbiotic relationship and sustaining the NTE
- Ensure any changes to NTE do not impact on essential NTE workers such as cleaners, road workers, freight, and shift workers.

A group of young people are celebrating at night. They are holding up small, star-shaped confetti or sparklers. The scene is illuminated by warm, glowing string lights hanging from above. The overall atmosphere is festive and joyful. The image has a dark blue overlay, and the word "ECONOMY" is centered in white text.

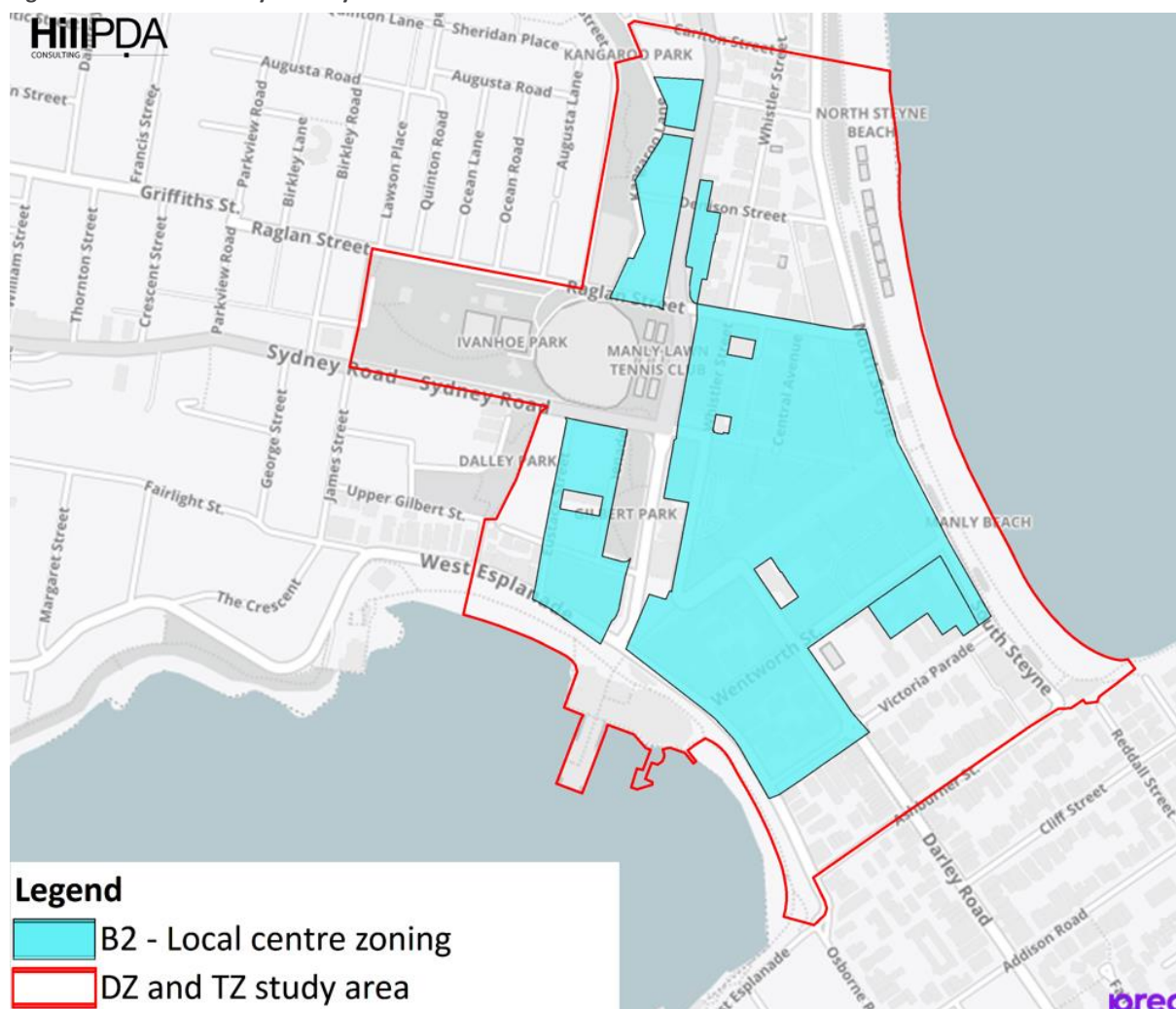
ECONOMY

### 3 ECONOMY

The following chapter undertakes a review of the existing socio-economic environment of Manly town centre with a particular focus on indicators pertaining to the NTE. Metrics such as employment generated, Gross Value Added and retail expenditure are analysed. The information in this Chapter has been sourced from the Australian Bureau of Statistics (ABS), Community/Economy .id, Spendmapp and Transport Performance Analytics (TPA).

The geographical boundary used for the study area in this chapter is shown in Figure 3-1. The boundary is comprised of an ABS boundary known as a 'Destination Zone' (DZ), specifically, DZ 114192982.

**Figure 3-1: Economic analysis study area**



Source: HillPDA

#### 3.1 Employment

As of 2016, the study area generated around 4,695 jobs, which represented approximately five per cent of all employment generated within the Northern Beaches (approximately 88,235 jobs). Industries that are closely linked to the NTE (accommodation and food services), are represented at a significantly greater proportion in the study area as compared to the Northern Beaches (27 per cent and nine per cent respectively). This higher proportion of accommodation and food services employment reflects the study area's role as the late-night entertainment precinct within the Northern Beaches and suggests a higher concentration of NTE businesses.

**Table 3-1: Manly (study area) and Northern Beaches total employment by ANZSIC 1-digit industries (2016)**

Industry	Manly (study area)		Northern Beaches	
	#	%	#	%
Agriculture, Forestry and Fishing	3	0.1%	388	0.4%
Mining	0	0.0%	81	0.1%
Manufacturing	46	1.0%	5,205	5.9%
Electricity, Gas, Water and Waste Services	5	0.1%	468	0.5%
Construction	80	1.7%	7,684	8.7%
Wholesale Trade	63	1.3%	4,489	5.1%
Retail Trade	508	10.8%	11,140	12.6%
<b>Accommodation and Food Services</b>	1,256	26.8%	7,517	8.5%
Transport, Postal and Warehousing	43	0.9%	1,949	2.2%
Information Media and Telecommunications	101	2.2%	1,654	1.9%
Financial and Insurance Services	189	4.0%	1,868	2.1%
Rental, Hiring and Real Estate Services	194	4.1%	1,899	2.2%
Professional, Scientific and Technical Services	586	12.5%	8,466	9.6%
Administrative and Support Services	144	3.1%	2,753	3.1%
Public Administration and Safety	322	6.9%	2,768	3.1%
Education and Training	241	5.1%	7,943	9.0%
Health Care and Social Assistance	473	10.1%	11,458	13.0%
Arts and Recreation Services	59	1.3%	1,695	1.9%
Other Services	170	3.6%	3,979	4.5%
Inadequately/not stated	210	4.5%	4,830	5.5%
<b>Total</b>	4,693	100.0%	88,234	100.0%

Source: Table Builder, 2016 Census

The following section investigates employment in NTE-related industries in more detail. These industries are listed in Table 3-2 below and are organised by Australian and New Zealand Standard Industrial Classification (ANZSIC) four-digit industry categories. ANZSIC four-digit categories are the most detailed level that the ABS provides Place of Work data at and includes division, subdivision, group, and class information.

Of the around 4,695 jobs that were generated in the study area, around 1,275 or 27 per cent were linked to NTE industries. Some key observations of Manly's role in the Northern Beaches NTE are shown below:

- Despite only five per cent of employment generated in the Northern Beaches being in the study area, almost a sixth (16 per cent) of employment linked to NTE industries in the LGA were in the study area
- Over a quarter (27 per cent of employment in the study area was linked to NTE industries
- 28 per cent of pubs, taverns and bars employment in the Northern Beaches is in the study area
- Around a fifth (19.5 per cent) of cafe and restaurant employment in the Northern Beaches is in the study area
- Accommodation employment in the Northern Beaches is heavily skewed towards the study area, with around 40 per cent of accommodation employment being in the study area.

Despite only hosting 6 per cent of all employment in the LGA, the study area has significantly higher percentages of nearly all NTE-related employment within the LGA (Table 3-2), with only 'brothel keeping and prostitution services', 'clubs (hospitality)', and 'other gambling activities' being comparatively less prevalent in the study area than the rest of the LGA.

**Table 3-2: Employment within commonly NTE associated ANSZIC four-digit industries and estimated Manly NTE industries GVA (2016)**

Industry	Count of jobs in Manly (study area)	Count of jobs in Northern Beaches	% of LGA jobs located in Manly (study area)	GVA (\$m)
Food Retailing, nfd	3	39	7.7%	0.2
Accommodation and Food Services, nfd	5	22	22.7%	0.3
Accommodation	194	499	38.9%	17.8
Food and Beverage Services, nfd	41	187	21.9%	2.5
Cafes, Restaurants and Takeaway Food Services, nfd	5	39	12.8%	0.3
Cafes and Restaurants	631	3,235	19.5%	38.4
Takeaway Food Services	153	1,534	10.0%	9.3
Catering Services	9	216	4.2%	0.5
Pubs, Taverns and Bars	218	777	28.1%	13.3
Clubs (Hospitality)	5	1,001	0.5%	0.3
Other Gambling Activities	0	90	0.0%	0.0
Brothel Keeping and Prostitution Services	0	5	0.0%	0.0
Creative and Performing Arts Activities, nfd	0	6	0.0%	0.0
Performing Arts Operation	0	47	0.0%	0.0
Creative Artists, Musicians, Writers and Performers	10	391	2.6%	0.3
Performing Arts Venue Operation	0	21	0.0%	0.0
Total	1,274	8,104	15.7%	83.2

Source: ABS Table Builder, 2016 Census, Economy .id, HillPDA.

### 3.2 Gross value added

Gross Value Added (GVA) as an economic metric referring to the value of outputs less the cost of inputs for a company, industry, sector, or municipality. It measures the contribution made to a region's wealth or gross regional product (GRP). In the case of Manly's NTE, its GVA contributes to the Northern Beaches GRP.

In 2016, there were around 88,230 jobs generated across the Northern Beaches. These jobs, across their various industries, contributed around an estimated \$10.5 billion to the Northern Beaches GRP. We estimate that the industries and jobs located in the study area generated around \$562 million in GVA in the same period. This was five per cent of that generated across the Northern Beaches.

A more detailed analysis of industries closely associated with the NTE reveals that in 2016 these industries generated an estimated \$83 million in GVA. This was around 15 per cent of the GVA generated across the study

area, significantly higher than the aforementioned five per cent GVA that the study area as a whole contributed to the LGA's GRP. This data reflects the importance of Manly's NTE to both Manly and the Northern Beaches.

### 3.3 Expenditure

The following expenditure information was sourced from Spendmapp. Sales and spend data is provided at the suburb and LGA level for privacy reasons.

#### 3.3.1 Total spend

In the year to March 2021, total expenditure recorded across the Northern Beaches was \$6.8 billion. Of this \$5.5 billion or 81 per cent was sourced from Northern Beaches residents, with the remaining \$1.3 billion or 19 per cent being sourced from tourists and visitors to the LGA.

In comparison, in the year to March 2021, total expenditure recorded in Manly was around \$555 million. This represented 8 per cent of the Northern Beaches total recorded expenditure. Measures implemented to reduce the spread of the COVID-19 pandemic impacted total expenditure recorded in Manly. This is evident in total spend being \$29 million or 15 per cent lower than the \$584 million recorded in the previous year (YE March 2020).

Residents have remained the primary source of expenditure in Manly. This is evident in 71 per cent of sales in 2020 and 74 per cent in 2021 being sourced from Manly and Northern Beaches residents. Interestingly, spend from Manly residents increased by \$8 million or 6 per cent between the years ending in March 2020 to 2021 while spend from other Northern Beaches residents decreased by \$11 million or 4 per cent over the period. This is likely a result of the first and second COVID-19 lockdown measures imposed in March and then December of 2020.

Despite a strong core of local spend, tourists and visitors provide an important source of spend in Manly with 29 per cent of total spend in 2020 being sourced from tourists and visitors. In the year to March 2021, the proportion of sales attributed to tourists and visitors decreased by \$26 million or 15 per cent. However, this decreased figure accounted for a similar proportion (26 per cent) of the total spend recorded.

The higher proportion of visitor expenditure recorded in Manly, compared to the Northern Beaches in 2021 (26 per cent and 17 per cent, respectively), reflects that Manly is a strong tourist and visitor attractor. A strong and vibrant NTE supports this sector, having positive economic flow on effects to other businesses and locality.

**Table 3-3: Total spend Manly suburb and Northern Beaches (YE March)**

Category	Manly (\$m)		Northern Beaches (\$m)
	2020	2021	2021
Manly residents spend	142	150	5,519
Remaining NB resident spend	270	259	
Visitor outside NB spend	172	146	1,293
<b>Total Local Spend</b>	<b>584</b>	<b>555</b>	<b>6,812</b>
Manly resident escape spend in NB	172	178	
Resident escape spend outside NB	228	173	2,263
Resident online spend	340	306	4,318

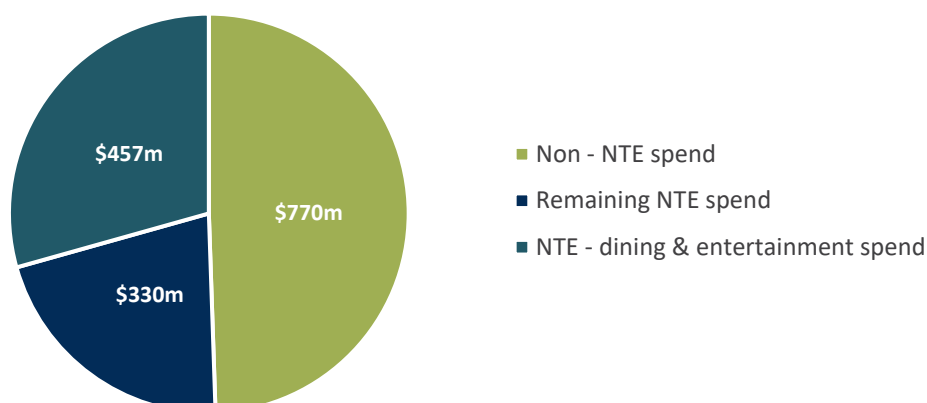
Source: Spendmapp

### 3.3.2 NTE spend

The following data is sourced from Spendmapp's NTE spend data. This data recorded spend across various categories between 6pm to 6am and is therefore representative of operators that comprise the NTE.

The NTE economy is an important component of Manly's economy. This is evidenced by NTE spend comprising just over half (\$787 million or 51 per cent) of all spend recorded in Manly between July 2018 and March 2021. Of this \$787 million in NTE spend, 58 per cent or \$457 million was attributed to dining and entertainment.

**Figure 3-2: Total spend by composition between July 2018 - March 2021**

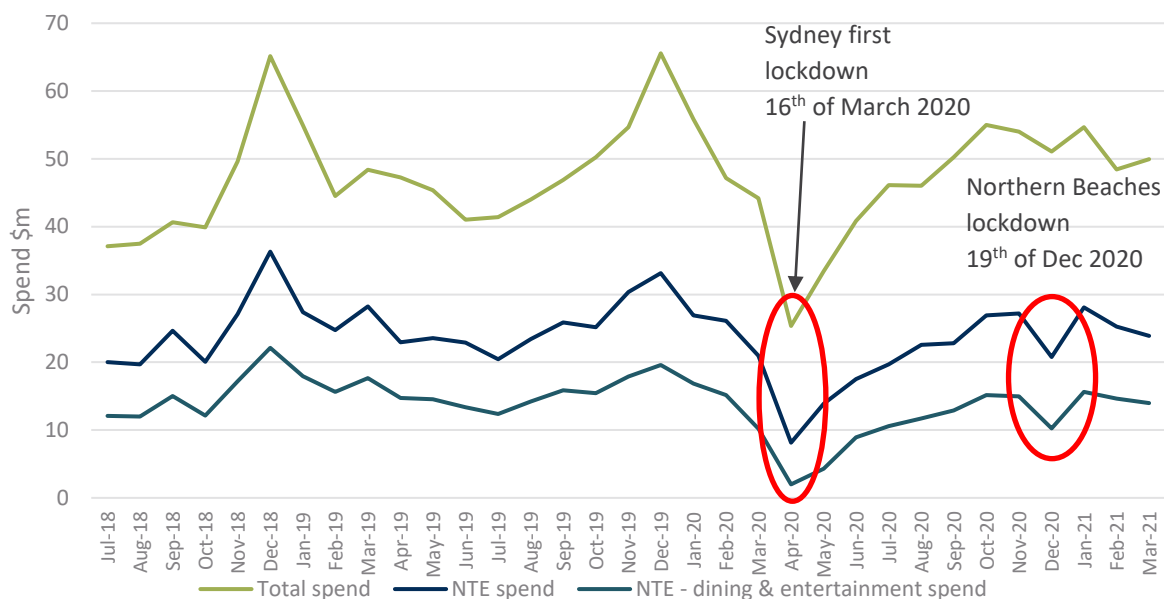


Source: Spendmapp, HillPDA

The figure below shows the monthly spend recorded within the suburb of Manly between July 2018 and March 2021. From the spend data, the following can be observed:

- Between July 2018 and April 2020 (pre-COVID-19 impact) the NTE comprised, on average, 53 per cent of all spend in Manly. Of this, 61 per cent was attributed to dining and entertainment spend.
- In comparison in the year to March 2021 (post-COVID-19 impact), the NTE comprised 46 per cent of all spend in Manly. Of this, 53 per cent was attributed to dining and entertainment spend.
- Spend peaks in the end of year holiday season between October and December.
- The NTE comprises a significant proportion of spend captured in Manly. Despite overall expenditure reducing due to the measures implemented to curtail the COVID-19 pandemic, the NTE continues to comprise a significant component of expenditure captured in the centre. This suggests that the centre continues to be a strong attractor and anchor for the local economy.

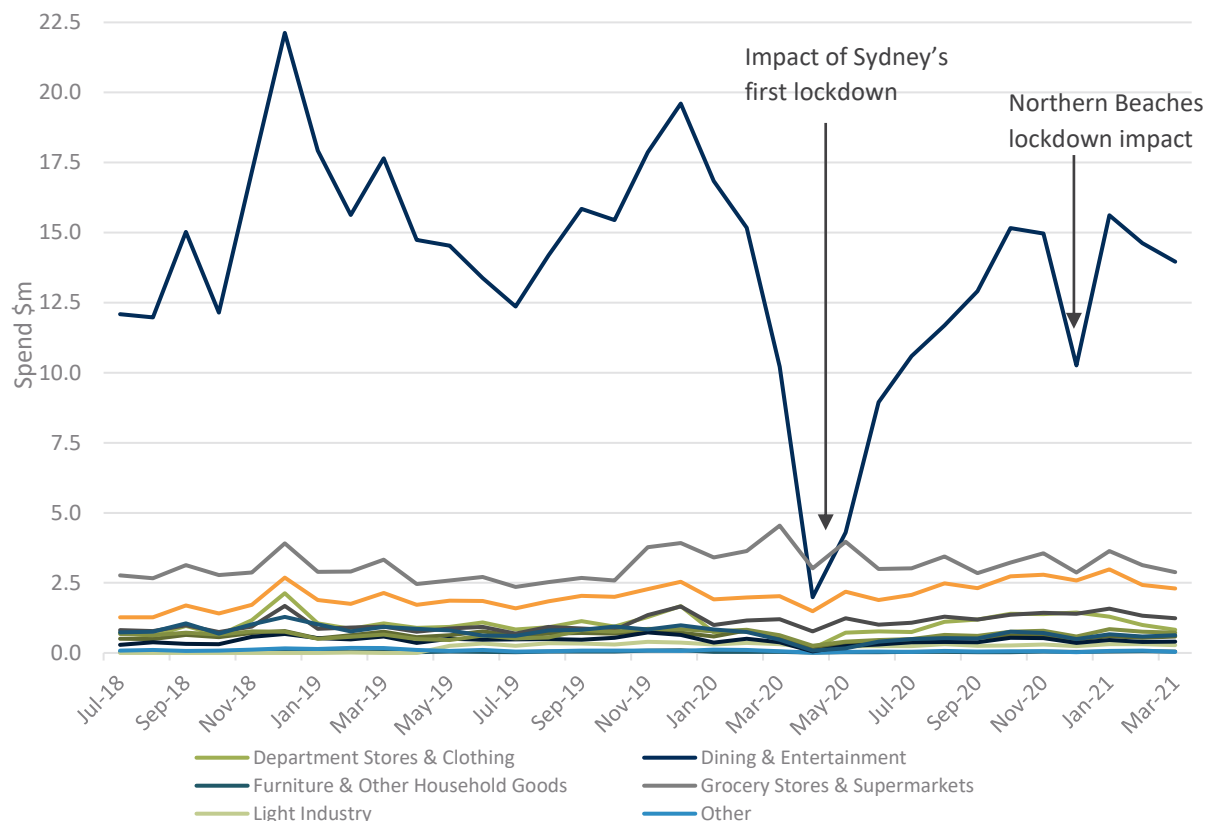
**Figure 3-3: Manly NTE spend**



Source: Spendmapp, HillPDA

Figure 3-4 details the composition of Manly's NTE by its various broad expenditure category components. Spend related to the NTE is predominantly comprised of dining and entertainment expenditure which, on average, accounted for 58 per cent of all the spend over the period. The next largest spend category is grocery stores and supermarkets which accounts, on average, for around 13 per cent of total spend in Manly. The third largest category is specialised food retailing, accounting for on average 9 per cent of the NTE's spend. On average, these three retail categories comprise 80 per cent of spend related to the NTE economy.

**Figure 3-4: Manly NTE spend by broad category (July 2018 - March 2021)**



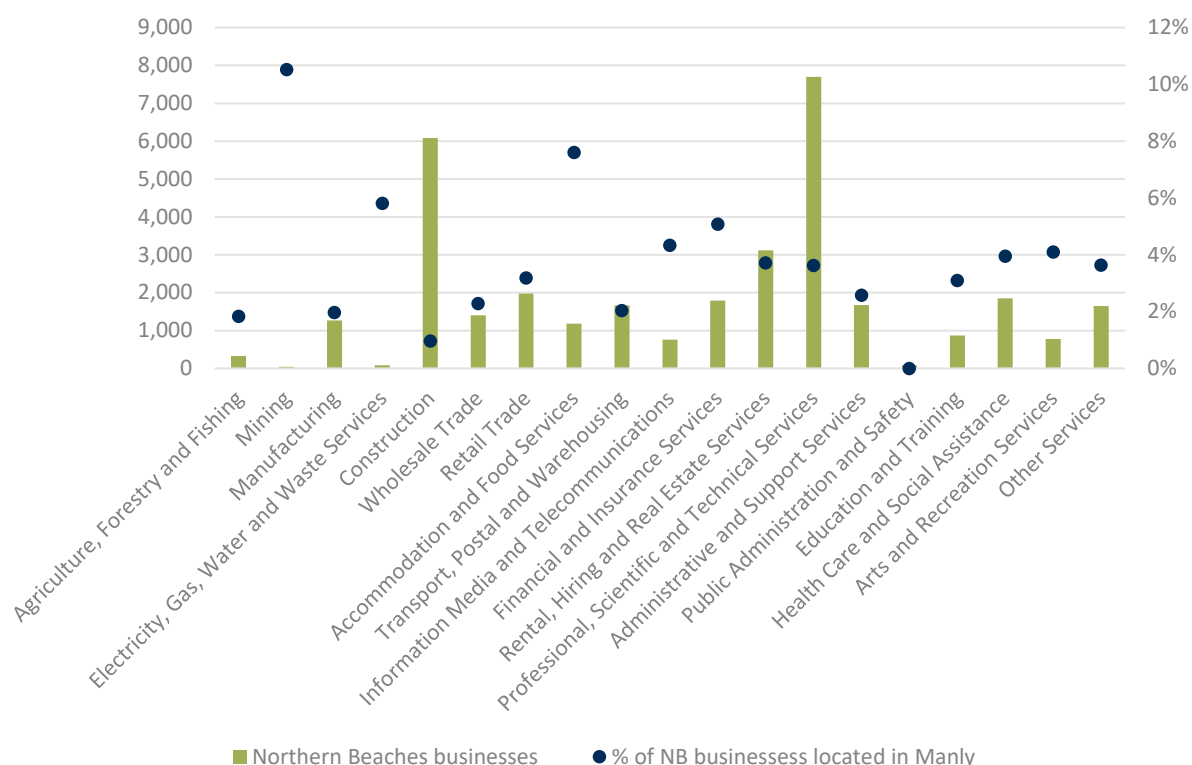
Source: Spendmapp, HillPDA

### 3.4 Business counts

The following has been sourced from Economy .id and provides information on businesses registered in the Northern Beaches and Manly study area as of the 19<sup>th</sup> of April 2021.

In July of 2021, there were around 34,300 registered businesses within the Northern Beaches. Of these 1,070 or three per cent were in Manly. Of the NTE industries, Manly had a comparatively higher concentration of accommodation and food service businesses with almost one in ten businesses registered across the Northern Beaches located in Manly.

Figure 3-5: Registered businesses across the Northern Beaches and proportion in the Manly study area



Source: Economy .id – businesses registered as of the 19<sup>th</sup> of April 2021, HillPDA

A more detailed analysis at the ANZSIC two-digit level indicates that Manly contained 170 registered businesses are that are closely linked to the NTE. This represented around six per cent of all such categorised businesses registered across the Northern Beaches. Importantly, Manly contained 90 registered accommodation and food and beverage businesses, representing around eight per cent of such businesses across the Northern Beaches. The concentration of accommodation and food and beverage within Manly would have positive flow on effects to the NTE.

Table 3-4: Selected NTE associated businesses at the ANZSIC 2-digit code

Industry at the ANZSIC 2-digit	Registered businesses		% in Manly
	Manly	Northern Beaches	
Food Retailing	9	261	3.4%
Accommodation	8	124	6.5%
Food and Beverage Services	82	1,059	7.7%
Gambling Activities	0	9	0.0%
Personal and Other Services	57	1,037	5.5%
Creative and Performing Arts Activities	15	451	3.3%
<b>Total</b>	<b>171</b>	<b>2,941</b>	<b>5.8%</b>

Source: Economy .id – businesses registered as of the 19<sup>th</sup> of April 2021, HillPDA

# ECONOMIC ANALYSIS



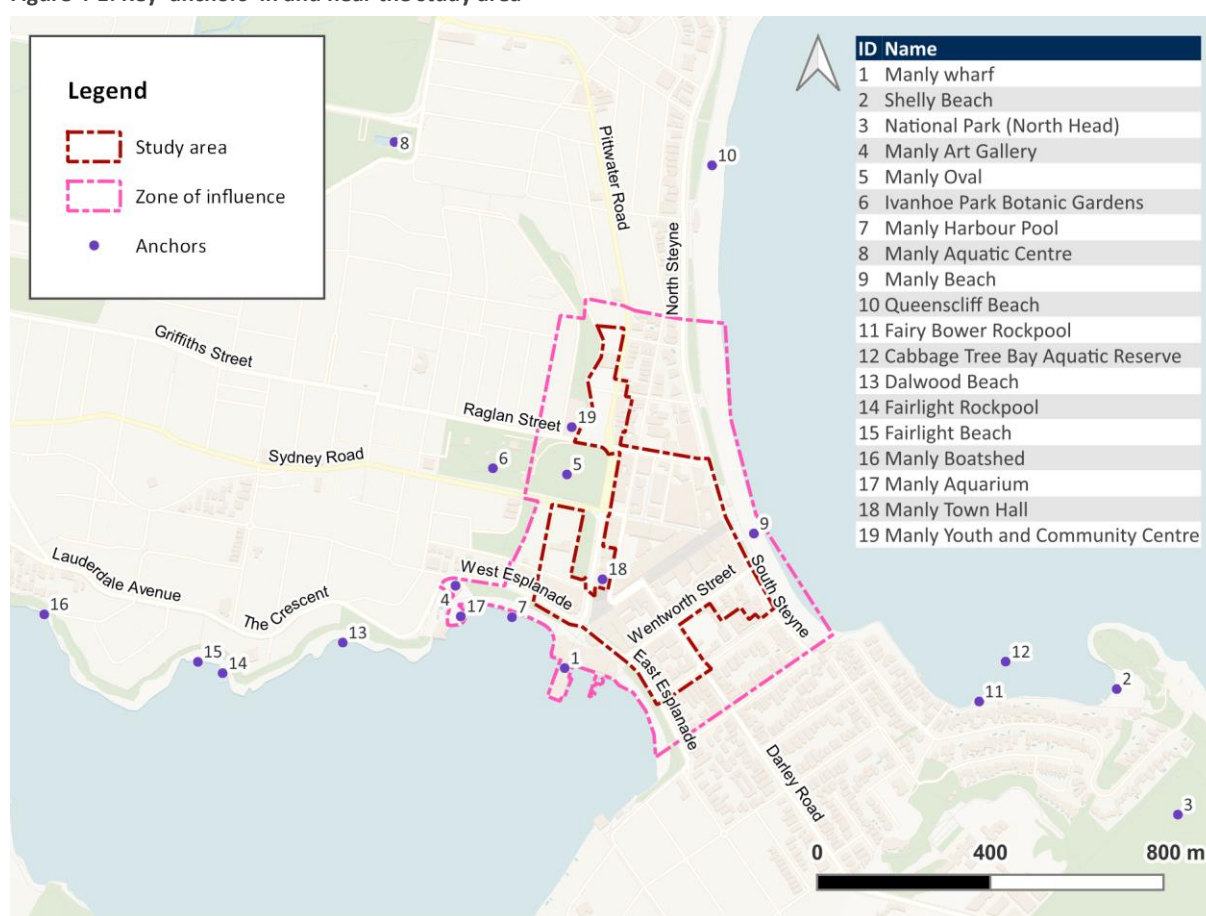
## 4 THE NIGHT TIME ENVIRONMENT

This Chapter examines some of the key characteristics of the night time environment using available data sources. It describes key aspects of the study area that influence the NTE.

### 4.1 Local assets

Manly is a very vibrant and active place. Figure 4-1 displays a selection of key ‘anchors’ for the study area, including important civic and cultural sites, beaches and parks and other facilities. These anchors are important in securing the popularity and importance of Manly and supporting the other uses in the study area. Additionally, they attract visitors to Manly who may then participate in the NTE within the study area.

Figure 4-1: Key ‘anchors’ in and near the study area



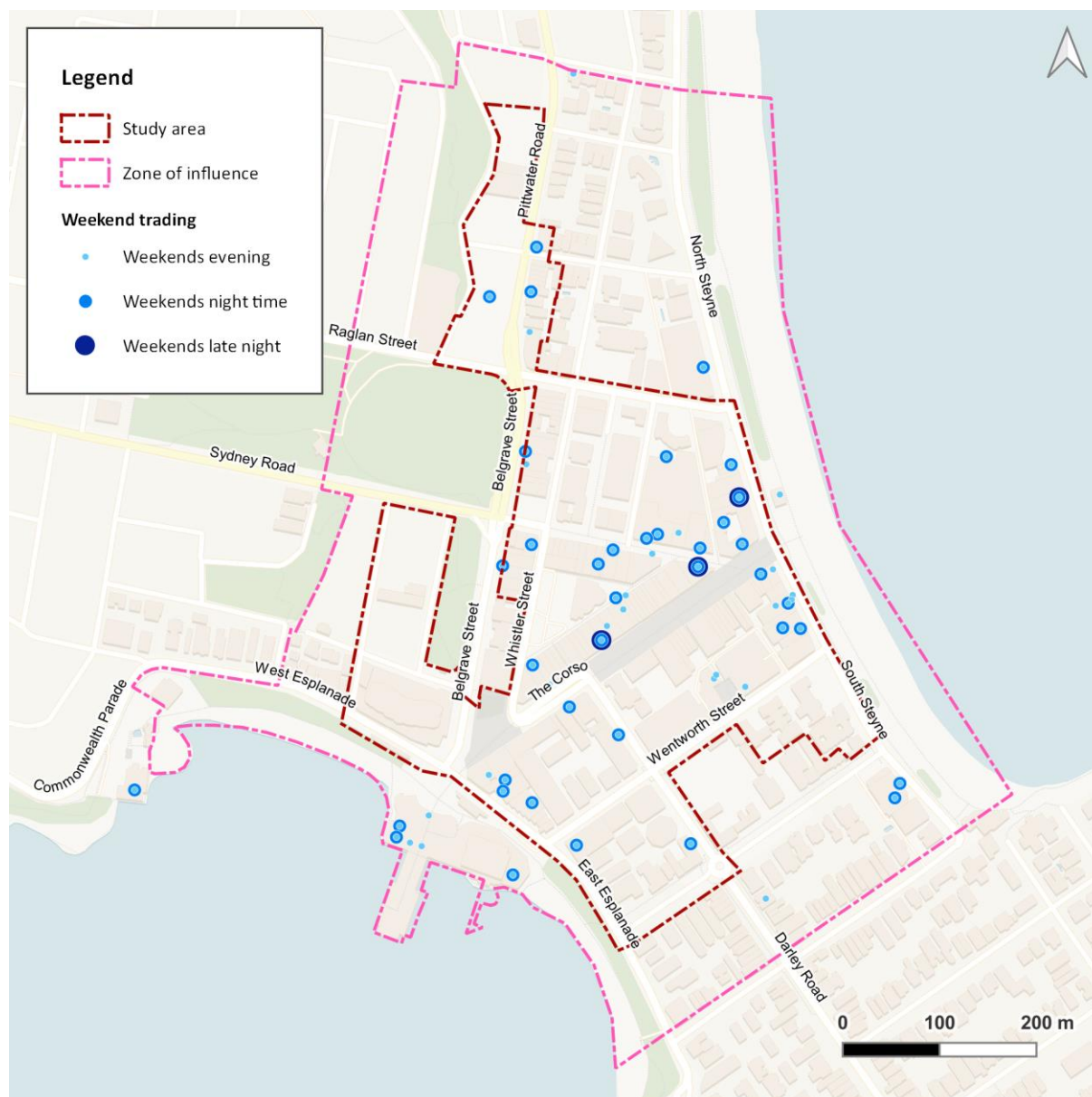
Source: HillPDA

### 4.2 Night time trading

The data used in this section was obtained using publicly available data through Google. Data was separated into weekend nights (Friday and Saturday night) and weekday nights to identify any discrepancies in late night trading. The data was used to generate outputs for whether a venue was open or closed during the NTE opening hours, in categories as follows:

- Evening (6pm-9pm)
- Night time (9pm-2am)
- Late night (2am-6am).

Figure 4-2: NTE venues in the study area (Friday & Saturday nights)



Source: HillPDA, Google (2021)

As seen in Figure 4-2, the massing of venues with open hours in the evening and night time is in three main clusters:

- A north-eastern quadrant focused on South Steyne, and Sydney Road, with some venues on The Corso
- A cluster along the Esplanade
- The venues associated with Manly Wharf
- NTE venues are scattered through the study area with a secondary cluster in the northernmost section of the study area along Belgrave Street/Pittwater Road.

The only late night venues in the study area are located on The Corso and South Steyne. Interestingly, few NTE venues front onto The Corso, potentially resulting The Corso being a quiet area with poor natural surveillance during the night time. Belgrave and Wentworth Streets have few NTE venues, despite their locations near the heart of the study area. There appears to be little difference in the number of NTE venues in the study area

on weekday nights as opposed to weekend nights, with only a handful of venues extending their closing hours from the evening into the night time, but no apparent change in total number of venues.

**Table 4-1: Number of venues trading in the NTE by time of trading**

Venue Type	Weekday			Weekend		
Venue Type	Evening	Night	Late	Evening	Night	Late
Bar / pub / club	23	22	3	23	22	3
Café	9	1	1	9	2	0
Restaurant	24	10	0	24	11	0
Retail	6	1	2	6	1	1
Supermarket	4	3	0	4	3	0
<b>Total</b>	<b>66</b>	<b>37</b>	<b>6</b>	<b>66</b>	<b>39</b>	<b>4</b>

Source: HillPDA, Google (2021)

As seen in Table 4-1, the main component of the NTE venues in the study area is bars, pubs and clubs, and restaurants. These make up the majority of venues, though some stores, supermarkets, and cafes also have opening hours that extend into the NTE and likely provide auxiliary services, supporting the dining and entertainment functions of the NTE.

Consideration could be given to focussing the NTE into a ‘night time activity zone’ or ‘entertainment zone’ that has different rules and functions, providing certainty and assurances to residents and business operators inside and outside such a zone. Additionally, a zone of more intensive NTE uses could prevent the fragmentation of Manly’s NTE and encourage an NTE that has a strong sense of vitality.

### 4.3 Licensed premises

Liquor and Gaming NSW (L&GNSW) and the Independent Liquor and Gaming Authority (ILGA) are responsible for issuing and revoking liquor licences. The relevant types of liquor licence are:

- On-premises: licences for venues where the sale or supply of alcohol is not the primary business purpose, including restaurants and cafes, cinemas and art galleries, live music and cultural events, and nightclubs.
- Hotel or general bar: licences for pubs or large bars, with more than 120 patrons.
- Small bar: licences for bars with under 120 patrons.
- Packaged: licences for bottle shops.<sup>12</sup>

#### 4.3.1 Outlet saturation

L&GNSW provides geolocated liquor licence data including scores for ‘outlet saturation’, which relates to the concentration of licenced premises in an area. L&GNSW identify outlet saturation as an environmental risk factor for alcohol-related harm<sup>13</sup>. As shown in Table 4-2, Manly’s outlet saturation is extremely high compared to the rest of the Northern Beaches and to NSW as a whole. To some extent, it may be reasonable for Manly to have an above average saturation given the large number of visitors to Manly and its prominent profile as a tourist destination. Even accounting for this, the saturations rates for Manly are considered to be high.

<sup>12</sup> Liquor and Gaming NSW [2021], *Liquor licence types* [<https://www.liquorandgaming.nsw.gov.au/operating-a-business/liquor-licences/liquor-licence-types>]

<sup>13</sup> Liquor and Gaming NSW [2021], *Suburb of Manly report* [<https://livedata.liquorandgaming.nsw.gov.au/Suburb/2658-Manly>]

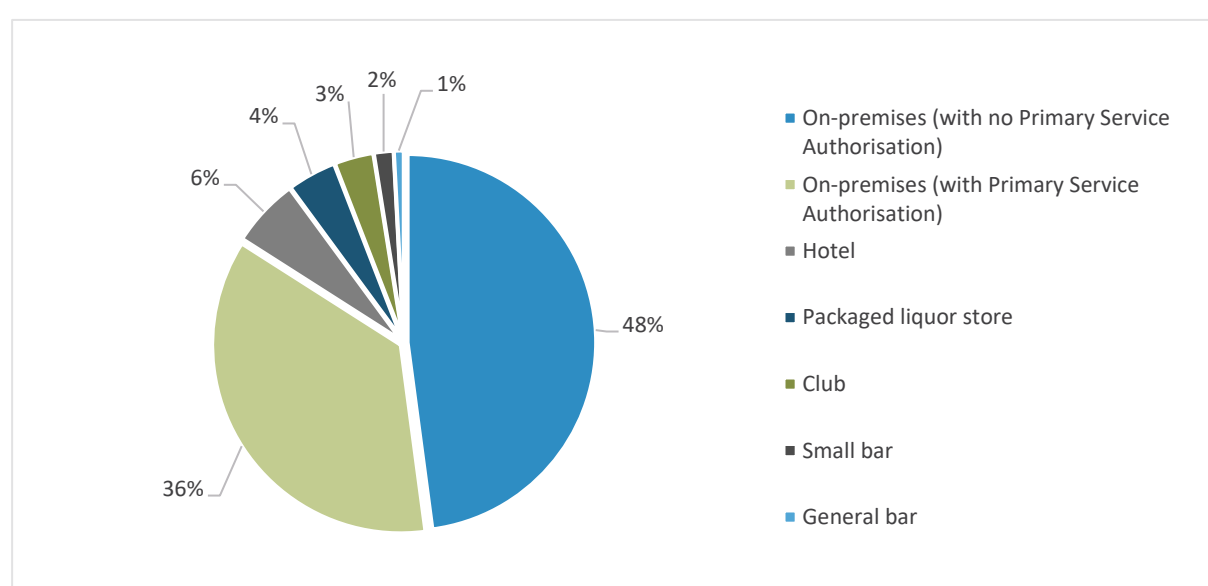
**Table 4-2: Liquor licence outlet saturation for selected localities**

Locality	July 2019	July 2020	July 2021
Manly	699.6	718.5	750
Northern Beaches	192.2	196.6	209.2
NSW	185.7	193.9	204.6

Source: Liquor and Gaming NSW (2021).

Despite this intense outlet saturation, Manly's licences are diversified, and the vast majority are on-premises licences (i.e. at restaurants or nightclubs). Less than half of these on-premises licences have Primary Service Authorisation, enabling them to serve alcohol without food. The quantity of each type of liquor licence is shown in Figure 4-3. Of the total 119 authorised liquor licences in Manly, 84% (or 100 licences) are on-premises licences.

**Figure 4-3: Liquor licence categories, Manly (as of July 2021).**



Source: Liquor and Gaming NSW (2021).

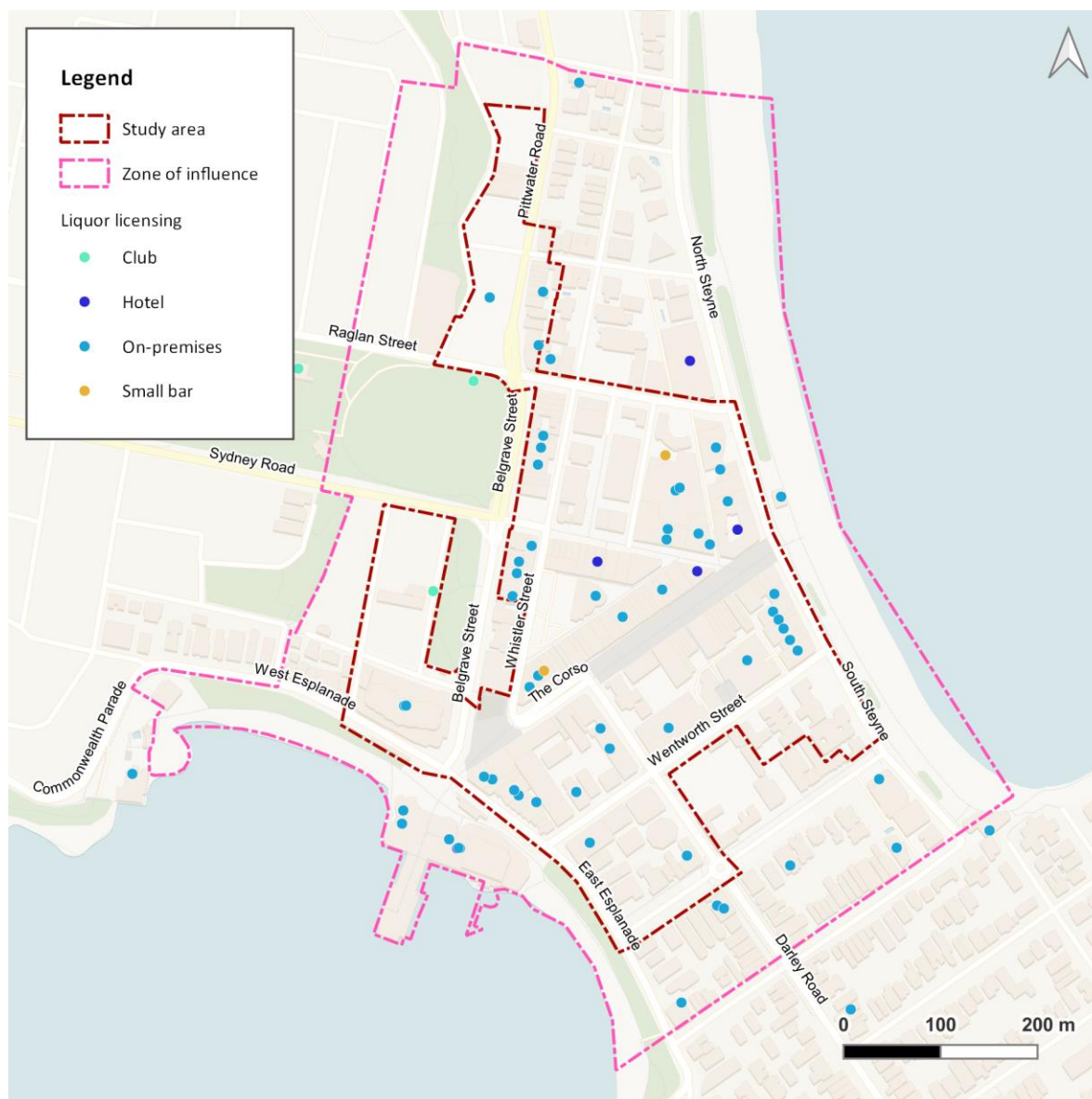
L&GNSW also operate a demerit and incentives system for alcohol licensees, replacing the former Violent Venues scheme, providing discounts on fees for venues with clean records and demerits for offences against the system. Previously, under the Violent Venues scheme, alcohol-related and non-domestic assaults were recorded against venues and those venues faced stricter conditions and increased monitoring. The final Violent Venues scheme list revealed no venues in Manly were on the list<sup>14</sup>. However, one venue within the study area, The Ivanhoe Hotel, was on the list the previous year (2018).

Liquor Accords were established to produce practical solutions to alcohol-related problems in communities, by forming voluntary groups of industry-based stakeholders. The Northern Beaches Liquor Accord is active<sup>15</sup>.

<sup>14</sup> Liquor and Gaming NSW [2021], *Fewer premises on violent venues list* [<https://www.liquorandgaming.nsw.gov.au/news-and-media/fewer-premises-on-violent-venues-list>]

<sup>15</sup> Liquor Accords Australia [2021], *Liquor Accords NSW* [<https://www.liquoraccord.org/liquor-accords/nsw>]

Figure 4-4: Location of licensed premises



Source: Liquor and Gaming NSW

#### 4.3.2 Late trading alcohol premises

Table 4-3 below identifies venues with liquor licences that enable very late trading. This can serve to enable disturbances and antisocial behaviour when venues close, with significant numbers of intoxicated patrons being ejected into the public environs. Council could consider whether to allow future applications associated with liquor licences that permit unrestricted trading, or trading until 5am.

**Table 4-3: Late trading venues**

Venue name	Liquor licence type	Permitted trading hours (end)
The Manly Club	Club licence	Unrestricted
Manly Lawn Tennis Club	Club licence	Unrestricted
Ivanhoe Hotel	Hotel licence	To 5am
Manly Hotel	Hotel licence	To 3am
New Brighton Hotel	Hotel licence	To 5am*
Manly Pacific Sydney	Hotel licence	To 5am
Steyne Hotel	Hotel licence	To 5am
Manly Wharf Hotel	Hotel licence	To 12am
The Greenhouse Manly	Hotel licence	To 12am*
Donny's	Hotel licence	Not stated*
Cumberland	Small bar licence	To 12am
Bresact Pty Ltd	Small bar licence	Not stated*

\* - venue subject to (unknown) reduced trading hours

Source: HillPDA, NSW Office of Liquor and Gaming (2021)<sup>16</sup>

### 4.3.3 Outdoor alcohol restrictions

The majority of the Manly study area is a designated an Alcohol-Free Zone (AFZ) as seen in Figure 4-5. AFZs prohibit the consumption of alcohol in designated roads, footpaths and public carparks 24 hours per day. AFZs are established in consultation with the community and police with the view to impacting alcohol related antisocial behaviour. Police and Rangers are able to confiscate alcohol from a person they reasonably believe is consuming alcohol in an AFZ.

Most beaches, reserves, and parks in Manly are subject to 24 hour per day restrictions on the consumption of alcohol as designated Alcohol Prohibited Areas (APAs). A handful are subject to restrictions on the consumption of alcohol between 8am and 8pm. APAs operate in a similar fashion to AFZs. Additionally, on special events such as Australia Day or New Year's Eve, temporary APAs are established for relevant areas in Manly. The majority of the Manly study area is a designated Alcohol-Free Zone (AFZ), as seen in Figure 4-5. AFZs prohibit the consumption of alcohol in designated roads, footpaths, and public carparks 24 hours per day. AFZs are established in consultation with the community and police with the view to impacting alcohol-related antisocial behaviour. Police and Rangers are able to confiscate alcohol from a person they reasonably believe is consuming alcohol in an AFZ.

<sup>16</sup> NSW Office of Liquor and Gaming (2021), [<https://www.liquorandgaming.nsw.gov.au/resources/liquor-licence-data>]

Figure 4-5: Alcohol-Free Zone, Manly (2021)



Source: Northern Beaches Council [2021]

## 4.4 Outdoor dining

Outdoor dining in Manly is organised under Council's *Outdoor Dining and Footpath Merchandise Policy*. Council's aims under this policy include supporting a vibrant and welcoming street environment, maintaining the pedestrian thoroughfare and accessibility, and supporting local economic development<sup>17</sup>. Council charges rental fees calculated on a per square metre per annum basis, as well as requiring a security bond to cover any damage to Council assets. Council has waived fees for outdoor dining as of April 2020 as part of a COVID-19 business support plan and community care package. These measures are temporary and would be subject to future Council resolutions.

<sup>17</sup> 'Outdoor Dining and Footpath Merchandise Guide', Northern Beaches Council, 2019, ([https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/policies-register/outdoor-dining/outdoor-dining-and-footpath-merchandise-policy/outdoor-dining-footpath-merchandise-guide\\_0.pdf](https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/policies-register/outdoor-dining/outdoor-dining-and-footpath-merchandise-policy/outdoor-dining-footpath-merchandise-guide_0.pdf))

Figure 4-6: Outdoor dining approvals in the study area



Source: Northern Beaches Council (2021), HillPDA,

In total, there were 45 outdoor dining permits within the study area and an additional 9 located just outside the study area, as seen in Figure 4-6. The outdoor dining areas are largely confined to the eastern waterfront or associated with the pedestrianised area of Sydney Road. There are only a small number of permits located outside of these clusters. The limited NTE venues and outdoor dining approvals along The Corso suggest there may be opportunities to intensify NTE activities here. Consideration could also be given to identifying a section of the Corso as a Luxe dining precinct or similar.

## 4.5 Transport and access

*“Getting home safely after an evening out is a prime requirement for any night time economy. So too is the ability to move easily around the centre on foot. Growth in the night time economy depends on corresponding growth in transport and infrastructure.” City of Sydney Open Sydney Discussion Paper*

Public transport availability contributes to the enjoyment of the night time experience. Having convenient and reliable public transport would make it easy for participants in the NTE and to arrive and depart the study area with minimum disturbance. Inadequate public transport makes the NTE less accessible to some groups in the community and increases the risk of anti-social behaviour and noise disturbance by allowing groups to gather late into the night.

This section provides an overview of the transport options for accessing Manly, along with any implications for the Manly NTE.

#### 4.5.1 Car access

Manly's local road network is connected to the wider road network of Sydney through the A8, via Pittwater and Sydney Roads. The A8 provides access to the rest of the Northern Beaches to the north, and to North Sydney to the south via the M1 Warringah Freeway.

Publicly available private vehicle parking in and around the study area is available in a mix of on and off street car parks, with short term and all day car parking options. Within the study area, on street car parking is limited to certain streets, with 30 minute parking until 6pm or 10pm. In the surrounding residential areas, on street car parking is limited to 2 hours until 10pm or permitted. Paid street parking is available on North and South Steyne.

There are four council-owned car parks in Manly located either within or adjacent to the study area. Additionally, there are two privately-owned, publicly-accessible car parks within or adjacent to the study area. These facilities support private vehicle access to Manly. Details of the car parks are provided in Table 4-4. Of the facilities, only the Whistler Street Car Park is open 24 hours from Friday to Saturday. Otherwise, car parks generally operate from around 6 or 7am to around midnight.

**Table 4-4: Local car parking facilities**

Facility Name	Number of Car Spaces	Opening Hours	Ownership
Whistler Street Car Park	311 (5 accessible bays, 4 motorcycle bays, 11 'parents with prams' bays)	Monday to Thursday 6:30am to 12:30am Friday to Saturday 24 hours Sunday 6:30am to midnight	Council
Peninsula Car Park	289 (5 accessible bays, 5 motorcycle bays)	Monday to Saturday 7am to 12:30am Sunday 7am – midnight	Council
Pacific Waves Car Park	170 (4 accessible bays, 2 motorcycle bays)	Monday to Saturday 6:30am to 12:30am Sunday 6:30am to midnight	Council
Manly National Car Park	220 (5 accessible bays, 5 motorcycle bays, 5 car share bays)	Monday to Saturday 6:30am to 12:30am Sunday 6:30am to midnight	Council
Grande Esplanade	92	Monday to Sunday 7am to midnight	Private
Manly Wharf	unknown	Monday to Sunday 6am to midnight	Private

Source: Northern Beaches Council, HillPDA

#### 4.5.2 Public transport

Public transport in Manly is provided by ferry services at Manly Wharf and bus services centred around Manly Wharf Interchange and along Belgrave Street, West Esplanade and East Esplanade. These services are primarily located along the western and southern boundaries of the study area.

TfNSW is currently planning an upgrade of Manly Wharf 3, intended to improve accessibility, customer amenities, as well as services for operators of recreational vessels, commercial vessels and their customers. TfNSW is also the initial planning stages of a related project to enhance the area of the former Manly Sea Life Aquarium.<sup>18</sup>

An overview of these public transport connections and their access to Manly at night is shown below in Table 4-5, and a map of public transport stops is shown at Figure 9. Manly is also serviced by two express commuter services (not shown), however these services only run in morning and afternoon peaks.

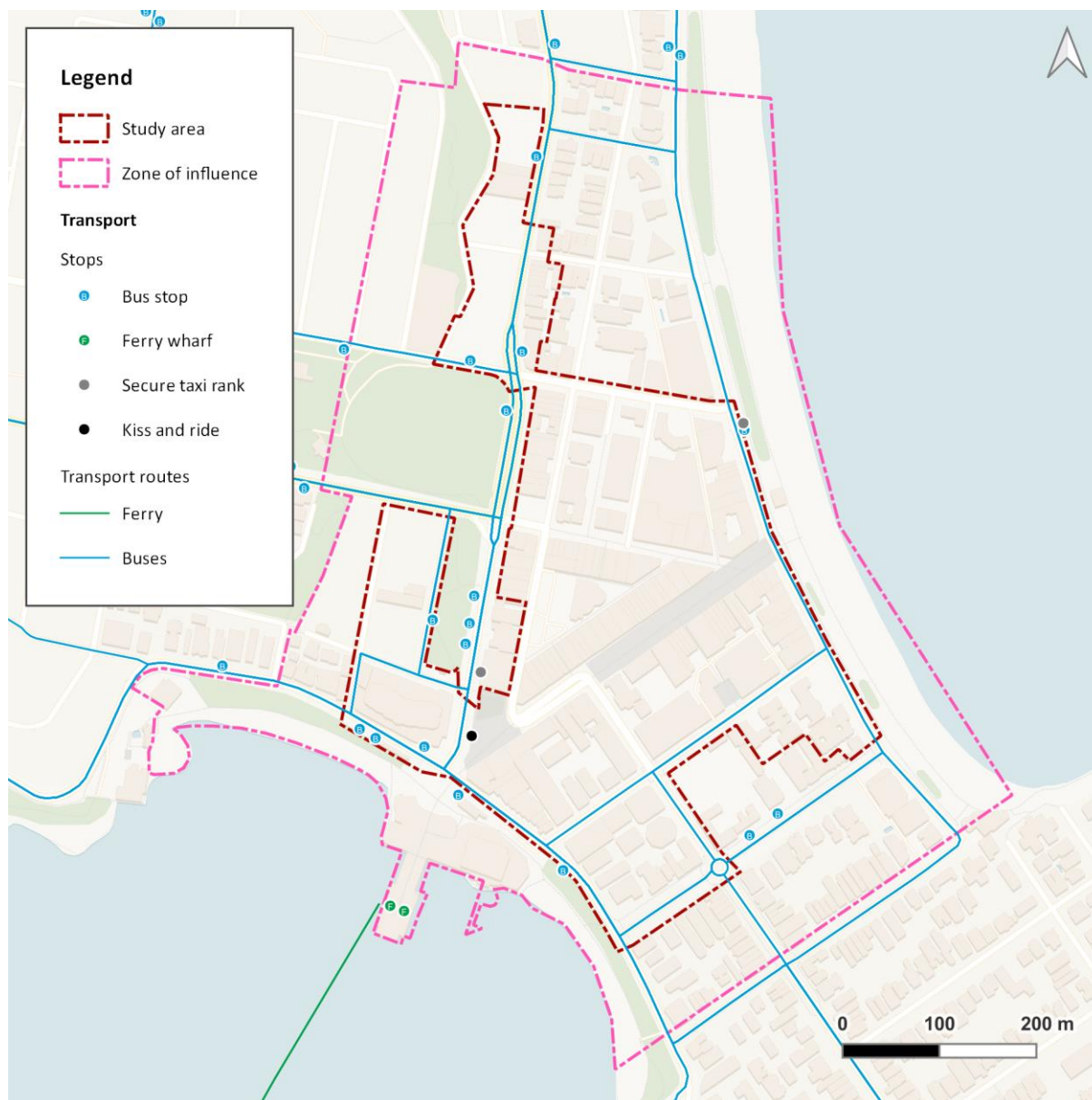
**Table 4-5: Public transport connectivity to Manly's NTE**

Transport mode	Route	Weeknights		Saturday night	
		Frequency	Last service (outbound)	Frequency	Last service (outbound)
Ferry					
Regular ferry	Manly to Circular Quay	15-30 minutes	00:55	30-45 minute	00:55
Fast ferry	Manly to Circular Quay	10-20 minutes peak 30 minutes off-peak	20:40	30 minutes	20:40
Bus					
B141	Manly to Austlink via Seaforth and Frenchs Forest	30 minutes	22:55	30 mins	22:55
B142	Allambie Heights to Manly	1 hour	03:10	1 hour	03:10
B144	Chatswood to Manly via St Leonards	15 minutes	00:22	15 minutes	00:22
B144N	North Sydney to Manly (Night Service)	30 minutes (until 03:20, then 1 hour)	04:20	30 minutes (until 03:20, then 1 hour)	04:20
B162	Seaforth to Manly	30 minutes (until 20:00, then 1 hour)	23:50	1 hour	23:50
B166	Frenchs Forest to Manly via Dee Why Beach	10 minutes (until 20:20, then 30 minutes)	03:05	20 minutes (until 19:20, then 30 minutes)	03:05
B167	Warringah Mall to Manly via South Curl	30 minutes (until 22:18, then 1 hour)	00:18	30 minutes (until 22:18, then 1 hour)	00:18
B199	Palm Beach to Manly via Mona Vale & Dee Why	15 minutes (until 00:36, then 30 mins)	03:36	15 minutes (until 02:36, then 30 mins)	03:36

Source: Transport for NSW

<sup>18</sup> TfNSW (Sep 2021), *Manly Cove*. [roads-waterways.transport.nsw.gov.au/projects/manly-wharf-3-upgrade]. Accessed 20 Oct 2021.

Figure 4-7: Access points and public transport routes



Source: HillPDA, TfNSW (2021)

### 4.5.3 Commercial transport

Commercial transport options, such as taxis, Uber, hire cars and rideshare platforms complement and compete with private vehicle and public transport modes. They can extend options beyond private vehicle use when public transport may not be the most attractive option. For instance, they extend the hours that can be spent at a venue, provide direct access to a destination or provide a more luxurious service than a typical public transport option. Commercial transport is not a replacement for public transport, given the comparatively high cost and potential unreliability of securing services.

Manly is serviced by two Secure Taxi Ranks (STRs) on Belgrave Street and North Steyne. STRs are taxi ranks that are staffed by security personnel. The two STRs in Manly are staffed on Friday and Saturday nights between

10:30pm and 5:00am, supporting safe and secure access to the Manly NTE.<sup>19</sup> The locations of the STRs are shown in Figure 4-7. There is one designated 'kiss and ride' and rideshare pickup and drop off spot in Manly, at the intersection of Belgrave Street and The Corso (see Figure 4-7). However, the kiss and ride is a small and competitive space shared with buses, taxis, and rideshare vehicles, as well as private vehicles.

Additionally, whilst there is no designated street parking for carshare vehicles, Council operates a permit scheme under which carshare operators may apply to receive a parking permit. The vehicle must then be parked within the relevant permit scheme area.<sup>20</sup> As noted in Table 4-4, Manly National Car Park has five dedicated carshare spaces.

#### 4.5.4 Active transport

Active transport is often a key contributor to a lively NTE as it enables flexibility in arrival and departure times, particularly later in the night when public transport frequency is lower. Additionally, pedestrians and cyclists have lower travel speeds and no need for parking, encouraging browsing and enabling them to stop at venues and restaurants with ease. Manly is home to a relatively walkable grid structure, with good permeability. This, in addition to its laneways and pedestrian-only zones, encourages and facilitates walking.

Manly has a range of bicycle parking options providing active transport access to the study area, including at Manly Wharf, Shelly Beach and North and South Steyne Beach, Seaforth Oval and North Harbour Reserve, and secure parking within the Whistler Street car park (though this requires an access card).<sup>21</sup> Manly is underserved by bicycle lanes, with their provided 'Safe Cycling Network' showing main routes as on-road, unseparated paths, however there are some on-road bike lanes, such as on Darley Road.<sup>22</sup> This is likely to reduce uptake of active transport in the short term.

## 4.6 Resident population

The study includes residential strata units and a small number of detached dwellings. Consequently, the study area has a resident population. ABS TableBuilder has been used to compile statistics from the 2016 Census, at the meshblock level, to approximate the study area boundary. A demographic snapshot of the characteristics of the resident population is provided below. Notably, in 2016 the study area had a usual resident population 2,730, living in 1,575 dwellings.

<sup>19</sup> 'Secure Taxi Ranks', Transport NSW, accessed 20 July 2021, <https://transportnsw.info/travel-info/safety-security/safe-travel-in-taxis-hire-vehicles/secure-taxi-ranks>

<sup>20</sup> 'Car share parking permit', Northern Beaches Council, accessed 9 August 2021, <https://www.northernbeaches.nsw.gov.au/services/parking/manly-parking-permit-scheme/car-share-parking-permit>

<sup>21</sup> 'Bicycle parking', Northern Beaches Council, accessed 12 October 2021, <https://www.northernbeaches.nsw.gov.au/services/parking/bicycle-parking>

<sup>22</sup> 'Safe Cycling Network', Northern Beaches Council, accessed 12 October 2021, <https://northernbeaches.maps.arcgis.com/apps/webappviewer/index.html?id=abedc5db2afb4951a5596b64acc2641e>



The usual resident population of Manly catchment area in 2016 was 2,730, living in **1,575 dwellings** with an **average household size of 1.5**.



In 2016, the **median population age** Manly study area **was 31**, lower to the median age across Greater Sydney.

In 2016, 1.4 per cent of the population of Manly catchment area were **over the age of 85**, compared to 1.9 per cent in Greater Sydney. At 43.8 per cent of the population, there was a higher proportion of residents aged between 25 and 39 years old than in Greater Sydney (23.4 per cent).



In Manly in 2016, a **language other than English** was spoken in 18.5 per cent of households, significantly lower than the 38.2 per cent of Greater Sydney households.



In 2016, 37.7 per cent of residents of Manly catchment area aged 15 and over had a **Bachelor degree level qualification** or above in 2016, significantly higher than Greater Sydney's 28.3 per cent.

In Manly, 59.8 per cent of people aged over 15 years stated that their **highest level of educational attainment** was Year 12 (or equivalent), higher than Greater Sydney (17.3 per cent).



In 2016, 1,501 residents of Manly were recorded as being in the labour force in the week before census night. Of residents in the labour force, 2.6 per cent were unemployed, while 41.5 per cent were **employed full-time** and 11.3 per cent were employed part-time.

More Manly residents worked in **Professional Scientific and Technical services** than any other industry in 2016 (11.8 per cent). Other common employment industries were Financial and Insurance service (6.4 per cent) and **Accommodation and food services** (4.1 per cent).



On the day of the 2016 Census, 17.6 per cent of people in Manly catchment area travelled to work in a **private car (as driver or passenger)**, 25.5 per cent travelled via **public transport** and 7.6 per cent **walked only**.



In 2016, 27.7 per cent of Manly study area households reported an **income of \$3,000 or more per week**, significantly higher than Greater Sydney's 23.6 per cent. In the same period, 9.2 per cent of households reported a weekly income of less than \$650, lower than the 16.8 per cent recorded across Greater Sydney.



At the 2016 Census, Manly catchment area had a high proportion of **Family with no children** (25.8 per cent) and **lone person households** (26.9 per cent) compared to Greater Sydney (33.4 per cent and 21.6 per cent respectively).

Source: ABS Census 2016, TableBuilder.

## 4.7 Land use conflicts

Council provided HillPDA with access to its complaints register, which contained over six hundred noise complaints within the Manly suburb, from 2016 to present. The nature and geographic location of these complaints has been used to inform the below analysis about land use conflicts.

Complaints were received from a range of sources including phone calls to Council, emails, and through Council's website. HillPDA has separated the complaints into broad categories by their main topic of concern. This data is shown in Table 4-6 below. HillPDA has also undertaken spatial analysis of the complaints register, as seen in Figure 10 and Figure 11.

The nature of the complaints data meant that it was unable to be filtered by time of day. Therefore, the following sections apply to noise complaints made at various times of day, including the evening and night time. Though many complaints were directly relevant to the NTE (for example, complaints about music, loud patrons, venues operating too late etc), many of the complaints made about evening or night time noise disturbances related to those auxiliary support services that enable the NTE such as cleaning, deliveries, and rubbish collection. Complaints typically noted that these services prevented them from sleeping or relaxing at home.

**Table 4-6 Complaints in the suburb of Manly 2016-2021**

Noise category and complaints detail	Complaint count
<b>Commercial activity</b> Including loud operations (of hotels, restaurants, pubs), cleaning work, setting up, delivery times, banging noises from gyms, venues operating outside DA conditions, opening hours	115
<b>Construction</b> Including jackhammering, workers conversations, operating hours, internal construction	101
<b>Household</b> Including neighbours' music, conversations and arguments etc	88
<b>Plant</b> Including air conditioning, refrigeration, exhaust fans etc	83
<b>Recorded music</b> Including from restaurants, cafes, hotels, restaurants, pubs, and gyms, especially complaining about bass and vibration	67
<b>Council operations</b> Including from rubbish collection, street sweeping, leaf blowing, roadworks and footpath construction	33
<b>People</b> Including parties in beaches and parks, loud talking on the street, public drunkenness, skateboarding in The Corso, and bagpipe practice in the park	30
<b>Unknown</b> Noise complaints from unknown sources, or not enough detail provided	25
<b>Live music</b> Including busking in The Corso, and DJs at pubs, clubs and hotels	22
<b>Events</b> Including surfing competitions, markets etc	11
<b>Outdoor dining</b>	5

Noise category and complaints detail	Complaint count
Schools/childcare	4
Traffic	1

Source: HillPDA, Northern Beaches Council 2021

Commercial activity generated the highest count of noise complaints in Manly, and if combined with the ‘plant’ category, would contain roughly one third of all noise complaints. Generally, these issues were raised by residents whose sleep was affected by noise. Core issues included:

- Concerns that some venues were operating outside various restrictions, or were illegally operating as a bar
- Rubbish collection (especially for NTE premises, i.e., glass bottle collection) being too loud and too early/late in the day (a major complaints area, though it was not always made clear whether these were Council or commercial operations)
- Premises receiving deliveries too early/late in the day.

Complaints about construction-related issues were the second most frequent, largely centred around works being undertaken too early/late in the day and waking people up, and noise being simply too loud. Manly residents also complained about neighbours waking them up, especially through parties or loud arguments. Complaints about plant typically referred to noisy air conditioners and extractor fans keeping people awake at night.

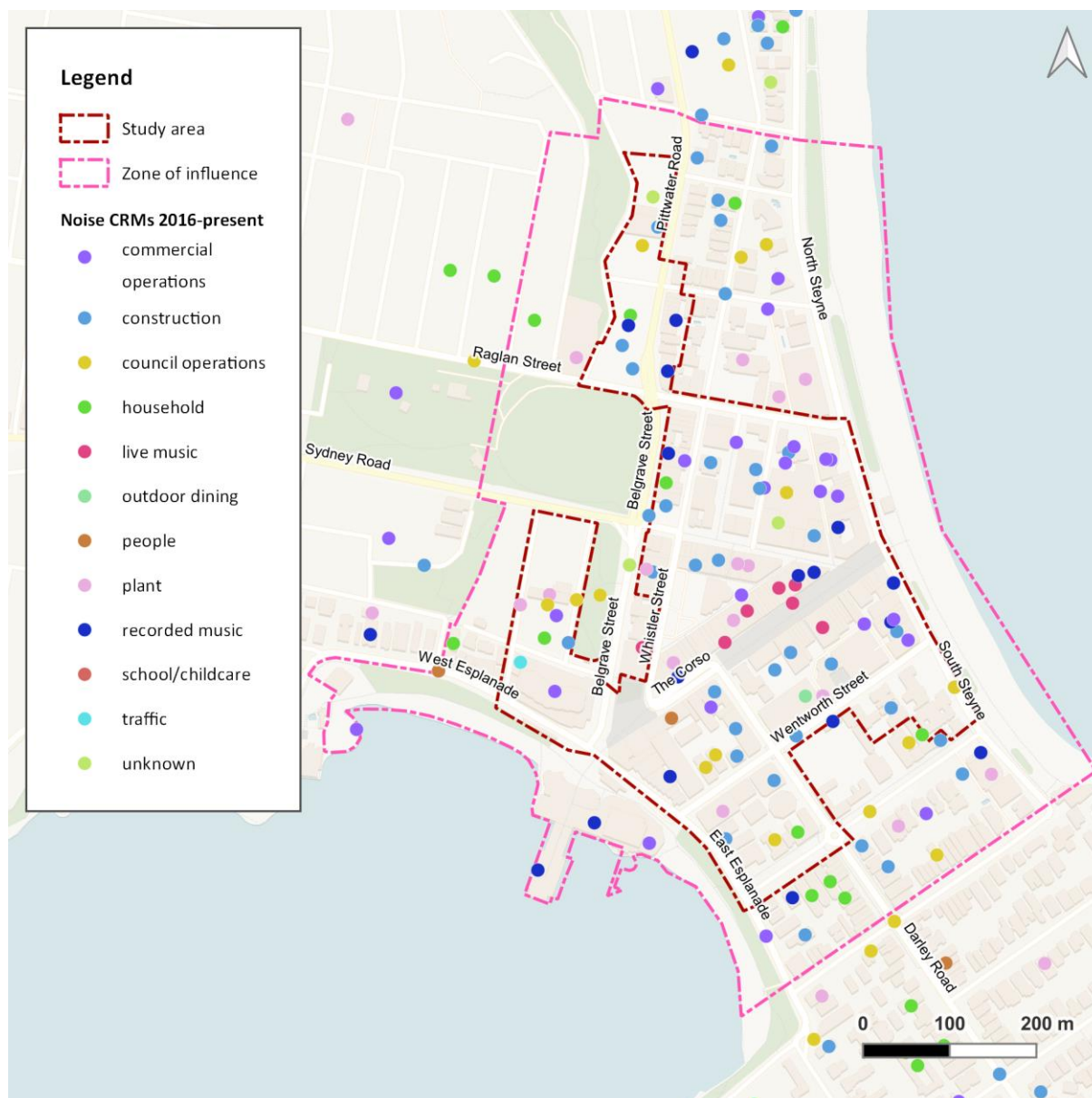
Live and recorded music combined also constituted a major portion of complaints in Manly, particularly venues playing recorded music too early/late in the day and interrupting residents’ sleep. Residents noted that music was being played outside permitted hours, and that bass frequencies carried into their living and sleeping quarters. Complaints about live music typically referred to buskers being too loud or playing for too long and bothering office workers, particularly on The Corso.

Complaints about people typically related to parties in parks and on beaches, as well as public drunkenness, loud conversations, and skateboarders. Residents complained about these activities going on too late at night. Some residents complained about venues adjacent to residential areas being granted alcohol licenses resulting in increased noise from patrons milling around. An additional note was that, though a small number of complaints noted the use of Council’s ‘Noise App’ to record their complaint, uptake was apparently minimal across the 600+ complaints. There may be scope to increase the uptake of the app alongside any intensification of the NTE in Manly as a mitigation approach.

Few complaints referred to outdoor dining or events. The complaints that did largely consisted of concerns about the volume of noise, with amplified announcements and loud patrons being major concerns, as well as the bump-in and bump-out of markets being too early in the day or too late in the night. This suggests that outdoor dining and events may be reasonably compatible with the other land uses in the study area and could be increased with minimal risk of conflict.

Despite suggesting positive implications for some aspects of the NTE in Manly, analysis of the noise complaints shows that land use conflict is a key issue in managing the NTE. Of particular concern are plant noise and support services for the NTE – these will have to be carefully managed if any intensification of the NTE is to occur in sensitive locations.

Figure 4-8: Location of noise complaints, 2016-2021

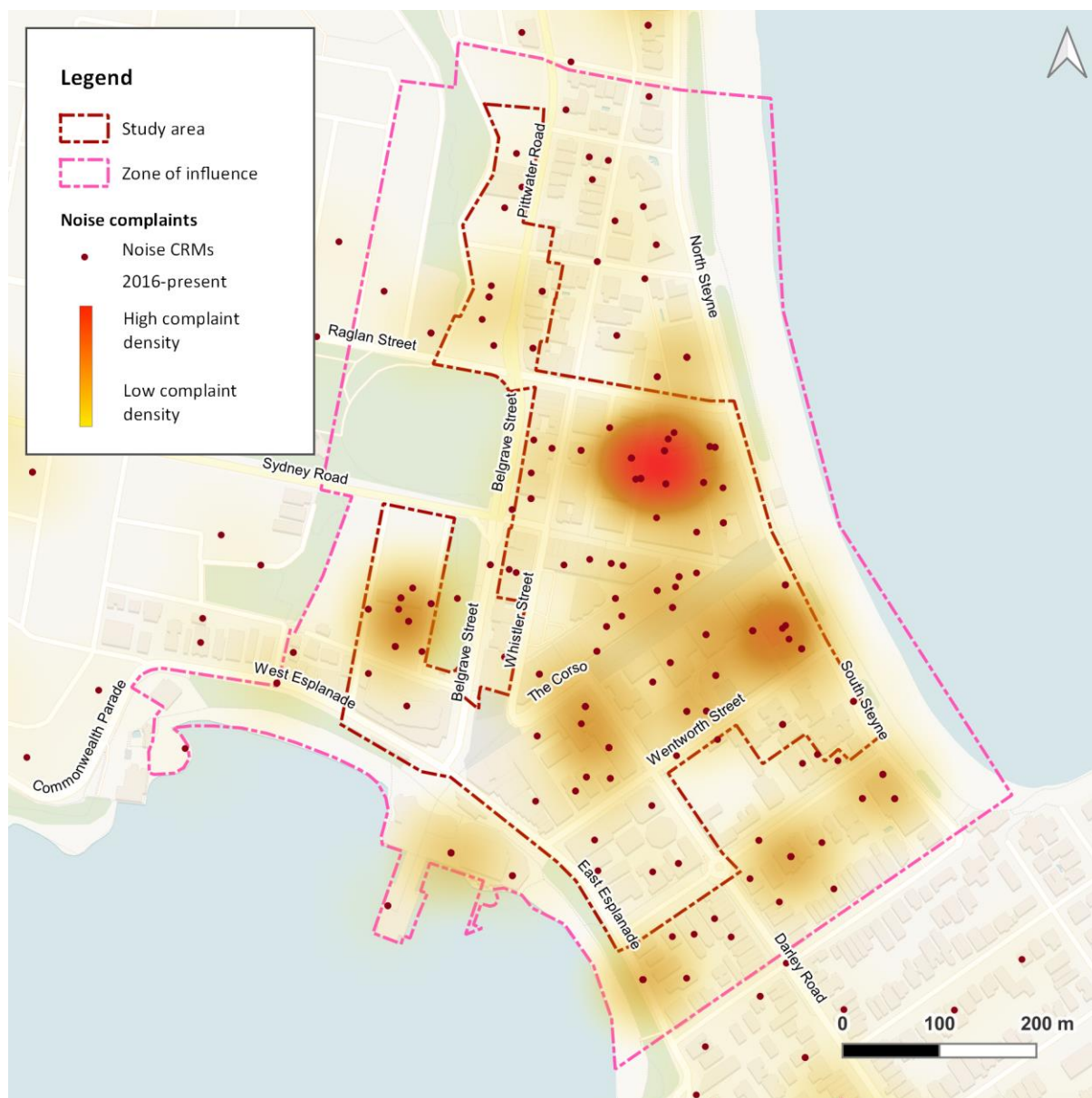


Source: Northern Beaches Council, 2021; HillPDA

The above map shows the location of recorded noise complaints by category. Complaints are spread reasonably evenly throughout the area, though there is a concentration of commercial operations noise complaints centred around the northeast section of the study area, and live and recorded music complaints along The Corso.

Construction complaints – typically about operations being too loud, or too early/late in the day – are spread throughout the study area, possibly suggesting a systemic issue with construction regulations. Plant complaints were also widespread through the study area and often kept complainants awake at night.

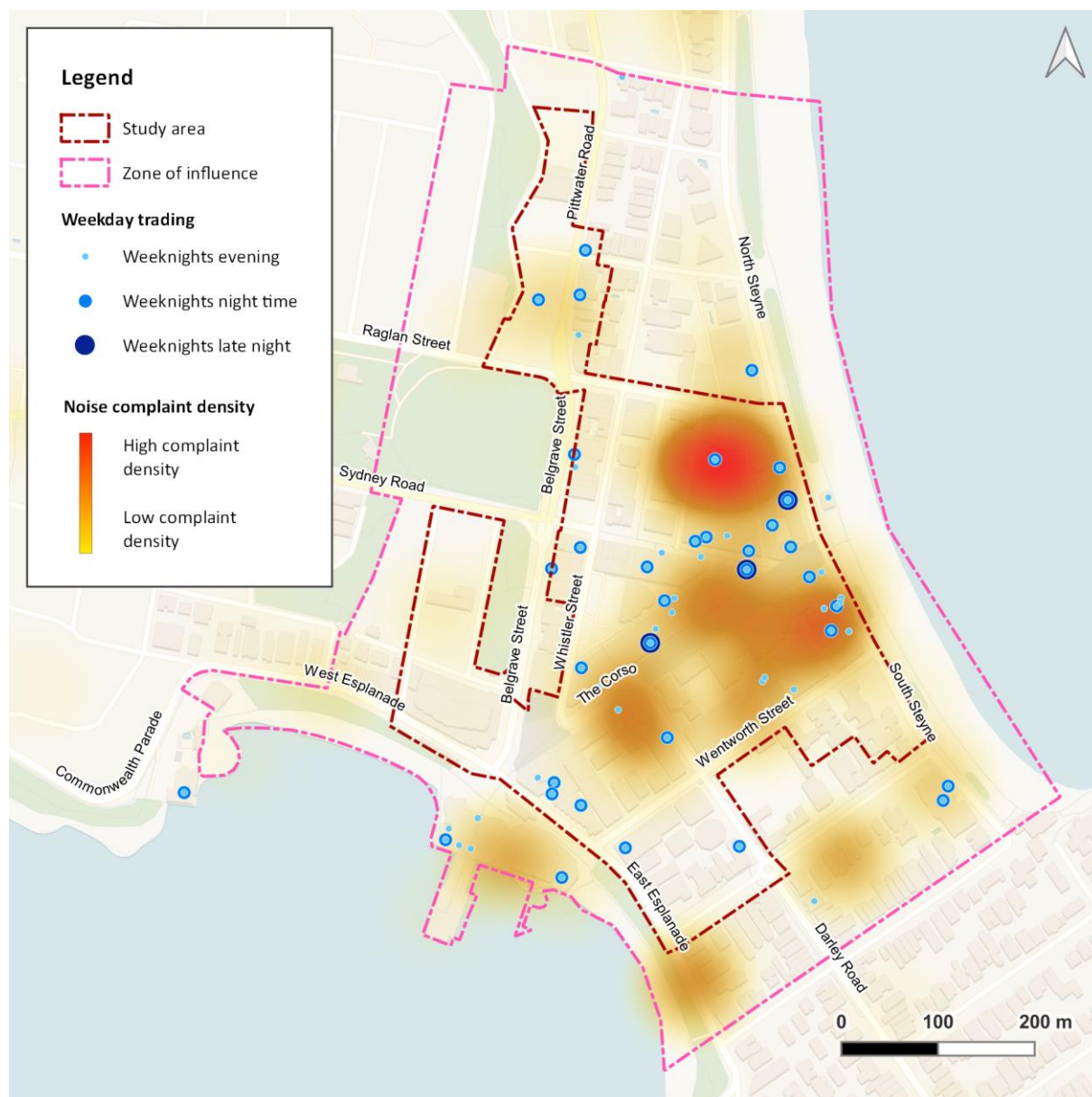
Figure 4-9: Density of complaints, 2016-2021



Source: Northern Beaches Council, 2021; HillPDA

Whilst there is some concentration of noise complaints evident, particularly around the northeast section of the study area, bounded by North Steyne, Sydney Road and Raglan Street, complaints are generally spread relatively evenly throughout the study area. This hotspot in the northeast aligns well with a concentration of liquor licences (Section 4.3), containing many on-premises liquor licences, three hotel licences, and one small bar licence.

Figure 4-10: Complaints and night time trading



Source: HillPDA, Northern Beaches Council (2021), Google (2021)

As seen in Figure 12, noise complaint density in the study area has a strong geographical relationship with NTE premises (discussed in section 4.2). The most significant complaint density hotspots are in the northeast section of the study area, along North Steyne, and between The Corso and Wentworth Street. Complaints in these areas typically related to commercial operations, construction, recorded music, and plant. This suggests that, despite some prevalence of complaints about recorded music, complainants in key NTE areas are typically concerned about noises that can be prevented or minimised such as rubbish collection and delivery timing, air conditioning, exhaust fans, alarms going off, and construction timing.

Complainants in this area were generally concerned that noises as described above were intruding into their living and sleeping quarters too early or late in the day. Overall, complaints in these NTE intensive areas largely related to auxiliary aspects of commercial operations, not the core aspects (such as patron noise, equipment noise etc).

## 4.8 Crime

Crime and antisocial behaviour impact negatively on the experience of participants in the NTE. A safe night time environment attracts a greater diversity of participants in the NTE and supports an enjoyable experience. This section considers crime rates in the suburb of Manly and hotspots for the location of crime in the study area.

### 4.8.1 Crime rates

Detailed data obtained from the NSW Bureau of Crime Statistics and Research (BOSCAR) for selected crimes in Manly during the period January 2017 to December 2021 is shown Table 4-7 compared with the Northern Beaches and NSW state-wide trends and rates. This provides a broad insight into crime in the study area.

**Table 4-7: Counts and rates of selected crimes from January 2017 to December 2021 (rate per 100,000 people)**

Year to	December 2021	December 2021	December 2019		December 2020		December 2021	
Area	Trend (3 year)	Trend (5 year)	Count	Rate	Count	Rate	Count	Rate
<b>Alcohol-related assault</b>								
Manly	Stable	Down 8.3% per year	168	944.4	86	481.0	125	699.1
Northern Beaches (LGA)	Down 18.6% per year	Down 8.3% per year	522	190.9	342	124.8	347	126.6
New South Wales	Stable	Down 5.0% per year	19,770	244.5	17,653	216.1	17,113	209.5
<b>Theft (break and enter non-dwelling)</b>								
Manly	n.c.	n.c.	17	95.9	14	78.6	11	61.8
Northern Beaches (LGA)	Down 19.2% per year	Down 14.2% per year	174	63.6	122	44.5	114	41.6
New South Wales	Down 15.6% per year	Down 10.2% per year	9,925	122.7	7,383	90.4	7,132	87.3
<b>Malicious damage to property</b>								
Manly	Down 16.3% per year	Down 10.2% per year	166	933.2	137	766.2	117	654.4
Northern Beaches (LGA)	Down 17.4% per year	Down 5.5% per year	1,347	492.7	1,045	381.3	922	336.4
New South Wales	Down 7.7% per year	Down 6.2% per year	57,170	706.9	53,316	652.8	49,136	601.6
<b>Robbery</b>								
Manly	n.c.	n.c.	7	39.4	7	39.1	6	33.6
Northern Beaches (LGA)	Down 20.1% per year	Stable	50	18.3	34	12.4	32	11.7
New South Wales	Down 17.4% per year	Down 8.6% per year	2,556	31.6	2,117	25.9	1,760	21.5

Year to	December 2021	December 2021	December 2019		December 2020		December 2021	
Area	Trend (3 year)	Trend (5 year)	Count	Rate	Count	Rate	Count	Rate
<b>Domestic assault</b>								
Manly	Down 21.1% per year	Stable	48	269.8	33	184.6	30	167.8
Northern Beaches (LGA)	Down 19.3% per year	Down 3.4% per year	487	178.1	351	128.1	318	116.0
New South Wales	Down 22.3% per year	Up 2.1% per year	31,332	387.4	32,280	395.2	32,133	393.4
<b>Non-domestic assault</b>								
Manly	Stable	Down 7.1% per year	181	1017.5	129	721.5	155	866.9
Northern Beaches (LGA)	Down 14.4% per year	Stable	683	249.8	559	204.0	502	183.2
New South Wales	Down 7.2% per year	Down 4.2% per year	32,392	400.5	29,533	361.6	28,144	344.6

Source: NSW Bureau of Crime Statistics and Research (2022).

In all categories, Manly's crime rates are significantly higher than the Northern Beaches as a whole, and for alcohol-related and non-domestic assaults, and for malicious damage to property, are significantly higher than the rate across NSW. Key findings are listed below:

- Counts and rates of crimes listed above have remained relatively stable in Manly throughout the study period, though downward trends are apparent for some. These trends are likely (at least partially) associated with decreased mobility and increased restrictions on activities associated with the COVID-19 pandemic.
- Rates for alcohol-related assaults are highly concerning in Manly and compare poorly to rates across NSW and the Northern Beaches, consistently occurring roughly three times more frequently in Manly than NSW. To add to this discussion, HillPDA has provided a selection of other coastal, tourist-driven economies and rates of alcohol-related and non-domestic assault (see Table 4-8). Manly compares poorly to these areas.
- Rates of alcohol-related and non-domestic assault in Manly compare poorly with other suburbs in Sydney, particularly in the year to December 2019. As shown in Table 4-8, Manly's rates of alcohol-related and non-domestic assault appear to be more similar to regional areas such as Coffs Harbour and Wollongong than other Sydney suburbs. In all instances, Manly's assault rates are far higher than the NSW rate.
- Though rates of theft (break and enter non-dwelling) are extremely low in the Northern Beaches, and very low in Manly, rates of malicious damage to property are very high in Manly and roughly double the rate for the Northern Beaches. Rates of malicious damage to property in Manly are also significantly higher than NSW rates.
- Robbery, theft, and domestic assault rates both occur more frequently in Manly than in the Northern Beaches but are lower or similar to NSW rates.

**Table 4-8: Comparison of assault in selected NSW suburbs (rate per 100,000 people), January 2019 to December 2021**

Suburb	Alcohol-related assault			Non-domestic assault		
	Year to December 2019	Year to December 2020	Year to December 2021	Year to December 2019	Year to December 2020	Year to December 2021
Bondi Beach	529.8	681.5	501.8	641.7	741.5	659.1
Coffs Harbour	825.1	696.4	832.8	962.0	888.1	1,212.3
Coogee	548.4	246.8	287.9	518.9	252.7	329.1
Cronulla	543.3	354.1	313.7	502.6	318.7	354.1
<b>Manly</b>	<b>944.4</b>	<b>481.0</b>	<b>699.1</b>	<b>1,017.5</b>	<b>721.5</b>	<b>866.9</b>
Maroubra	221.7	223.3	217.3	398.5	381	333.4
Port Macquarie	267.9	263.0	352.1	393.4	385.2	507.4
Shellharbour	231.8	366.6	137.5	208.6	572.9	481.2
Wollongong	753.3	522.3	582.4	1,228.8	1,058.5	1,081.6
<i>New South Wales</i>	<i>244.5</i>	<i>216.1</i>	<i>209.5</i>	<i>400.5</i>	<i>361.6</i>	<i>344.6</i>

Source: NSW Bureau of Crime Statistics and Research (2022).

The above analysis of crime in Manly reveals that there is a significant risk of high rates of alcohol-related non-domestic assaults contributing to a feeling of unsafeness and unease in Manly, particularly at night time. The impact of anti-social behaviour and the perceived and actual frequency of crimes in Manly is likely to have negative repercussions for the NTE by deterring some groups in the community from visiting the study area in the evening and contributing to poor night time amenity and image.

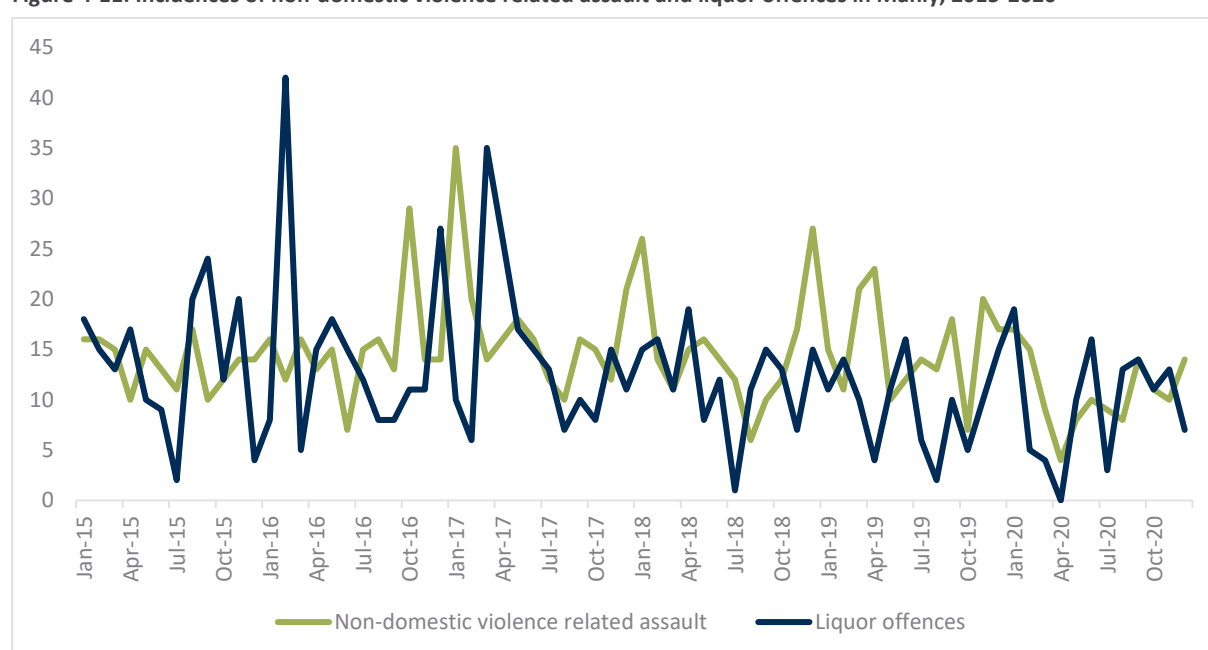
### 4.8.2 Seasonality

Figure 4-11: illustrates the seasonal aspect of the following two offences related to alcohol consumption:

- Non-domestic violence related assault
- Liquor offences – including sale, purchase or consumption of alcohol in breach of licence conditions, regulations, or laws (including distribution offences, consumption of alcohol in public by a minor, consuming alcohol in an alcohol free zone)<sup>23</sup>.

As Figure 4-10Figure 4-11 shows, there is a strong seasonal component to the selected crimes, with strong peaks occurring in most summers, and troughs in the cooler months. Peak months for incidents tend to be December through March. This could reflect increased summer tourist numbers and a concentration of events including Christmas, New Years, and Australia Day.

**Figure 4-11: Incidences of non-domestic violence related assault and liquor offences in Manly, 2015-2020**



Source: HillPDA, NSW Bureau of Crime Statistics and Research (2021).

### 4.8.3 Crime hotspots

Mapped data from BOCSAR reveals crime ‘hotspots’ in the study area, as shown in Figure 4-12. The selected crime hotspots show that the study area is host to a high concentration of incidences of all the selected crimes.

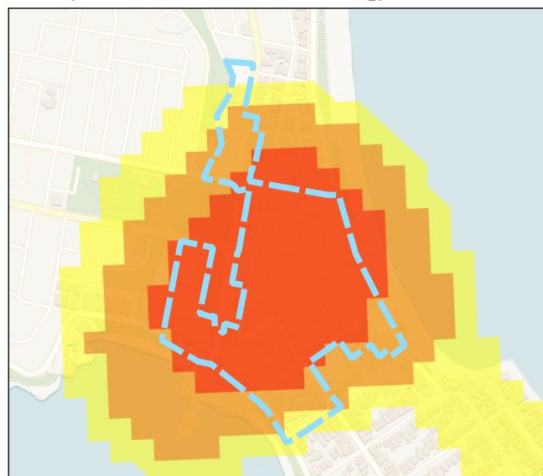
<sup>23</sup> ‘Glossary for the NSW Crime Tool’, BOCSAR, 2021, ([https://www.bocsar.nsw.gov.au/Pages/bocsar\\_crime\\_stats/bocsar\\_glossary.aspx](https://www.bocsar.nsw.gov.au/Pages/bocsar_crime_stats/bocsar_glossary.aspx))

**Figure 4-12: BOCSAR crime hotspot maps for incidents between April 2021 and March 2021**

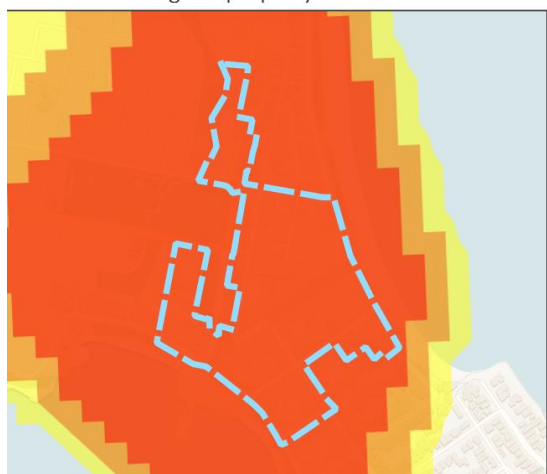
Alcohol-related assault



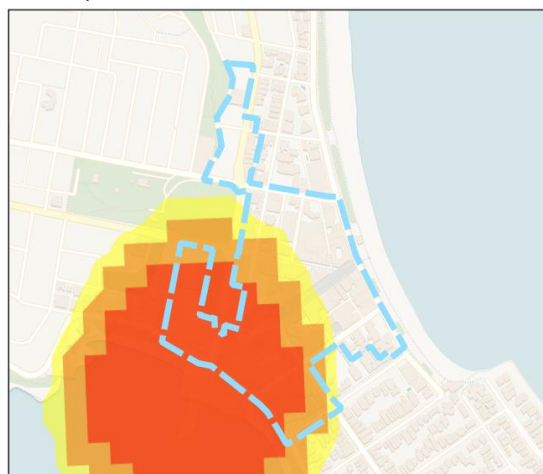
Theft (break and enter non-dwelling)



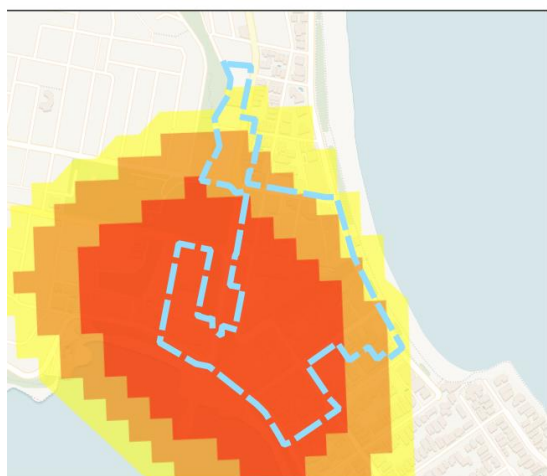
Malicious damage to property



Robbery



Domestic assault



Non-domestic assault



**Legend**



Study area

Crime density (April 2020 – March 2021)



High



Medium



Low

Source: Adapted from NSW Bureau of Crime Statistics and Research (2021).

## 4.9 Events

Manly has a range of annual events of varying sizes, many occurring within or partially within the study area. A list of selected relevant events is shown below.

**Table 4-9: Annual events in Manly**

Event Name and Information	Event Date(s)
Australia Day Various activities and activations throughout the Northern Beaches and Manly.	26 January
Sydney Surf Pro International surfing event with various sideshows.	March
Taste of Manly / Taste of the Beaches Annual month-long food and wine event, previously isolated to Manly over one weekend, now throughout the Northern Beaches including various venues in Manly.	May
Manly Jazz Festival Annual jazz event held within the study area in multiple locations over the October long weekend.	October long weekend
Manly Christmas Choral Concert	Early-mid December
New Year's Eve	31 December

Source: Northern Beaches Council

Additionally, Manly and the Northern Beaches are host to a variety of regular events and groups including the following:

- KALOF (Keep A Look Out For) – KALOF is the Northern Beaches Council's Youth Development Team. It organises events for young people throughout the Northern Beaches; including the Northern Composure Band Competition, Youth Week activities (April), the 24/7 Film Festival, and many other smaller events. All KALOF events are drug and alcohol free.
- Manly Arts and Craft Market – open-air market run every weekend on The Corso and Sydney Road.
- Manly Fresh Market – farmers' markets held every Sunday in Short Street Plaza.

These events contribute to the NTE by increasing visitation sales and activities throughout to the study area. There may be scope for an intensification of the events schedule, particularly in the evening and night time, and outside peak tourism season. It is noted that live music has traditionally made up a more significant proportion of the NTE in Manly and the Northern Beaches (Manly Jazz Festival notwithstanding), largely based in pubs and clubs. A return to a more live entertainment-friendly environment would support the growth and diversification of Manly's NTE.

## 4.10 Tourism

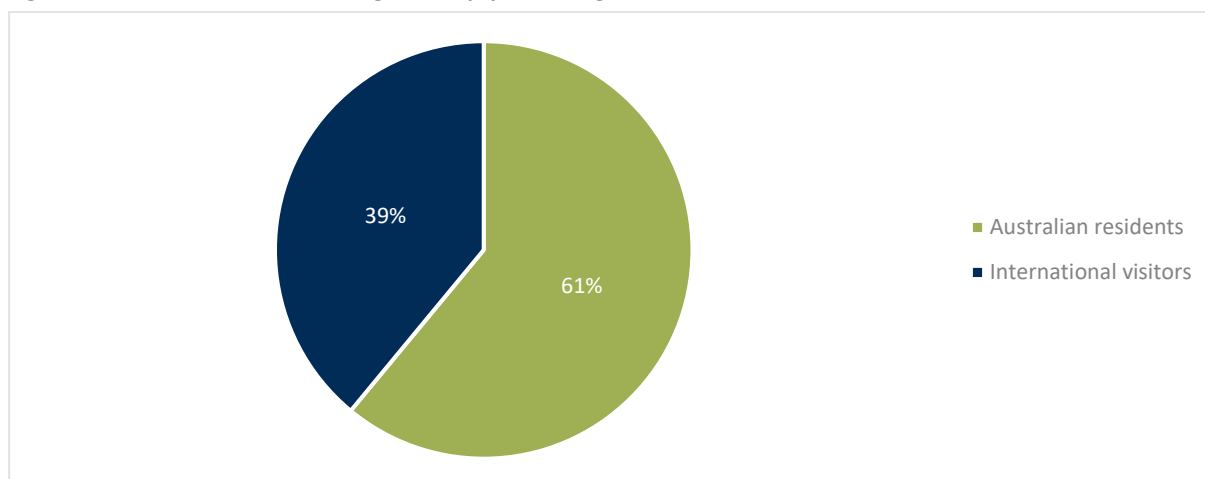
Manly's NTE is supported by a strong tourist economy, with overnight visitors comprising a key element of NTE expenditure. In the year ending March 2019, Manly received over 2.6 million visitors, though only 8 per cent of total visitors to Manly stayed overnight in Manly, with most visiting as part of a daytrip<sup>24</sup>. Over the years 2016-2019, the total number of visitors to Manly increased by 18 per cent<sup>24</sup>, representing strong growth that can be leveraged to support the NTE.

The top five sources of international visitors to Manly are the UK, USA, China, New Zealand, Germany<sup>24</sup>. This differs slightly from the rest of NSW, who's top five sources of international visitors are China, USA, New Zealand,

<sup>24</sup> 'Manly Tourism Precinct: Visitor Profile', Destination NSW, 2020, ([https://files.northernbeaches.nsw.gov.au/sites/default/files/Manly-Visitor-Profile\\_2019.pdf](https://files.northernbeaches.nsw.gov.au/sites/default/files/Manly-Visitor-Profile_2019.pdf))

the UK, and Japan<sup>25</sup>. Additionally, of international visitors to Manly, nearly 1 in 5 were backpackers (18 per cent)<sup>24</sup>. International visitors to Manly typically spent their time visiting the beach, shopping, eating out, and going to pubs, clubs and discos; whereas domestic visitors preferred to limit their time to visiting the beach and eating out<sup>24</sup>. This may explain the strong restaurant sector of the NTE, reflecting local demand; and the concentration of the pubs and clubs' sector to a small number of larger venues catering to a more itinerant market.

**Figure 4-13: Breakdown of visitor origin, Manly, year ending March 2019**



Source: Destination NSW, 2020<sup>24</sup>

As seen in the chart above, strong domestic demand provides a level of resilience to Manly's tourism, particularly with intrastate visitors from regional NSW. This domestic market is likely to be a key factor in a post-COVID-19 era while international tourism remains suppressed or non-existent. Data for the year ended December 2020 shows that tourism to Manly was down 67 per cent year on year, with international visitors dropping from 1 million in 2019 to just 200,000 in 2020, due to the impact of COVID-19<sup>26</sup>. Domestic daytrip and overnight tourism also dropped significantly, but not as completely as international tourism<sup>26</sup>. The sharp decline in international tourism occurred against a backdrop of strong growth, with the total number of international and domestic visitors to Manly increasing by 18 per cent over 2016-2019.<sup>27</sup>

Though only a portion of the above visitor numbers represent visitors that will contribute to Manly's NTE, overnight visitors likely constitute a large percentage of the visitor spend in Manly, supported by LGA residents spend. These overnight visitors represent 8 per cent of total international and domestic visitors to Manly,<sup>27</sup> therefore the Destination Management Plan's focus on increasing visitor spend rather than total number of visitors should be appropriate. Destination NSW's data for visitor expenditure reveals that travellers to greater Sydney spent an average of \$264 per night,<sup>28</sup> likely slightly lower than an equivalent figure for Manly.

<sup>25</sup> 'Travel to New South Wales: Year ended March 2020', Destination NSW, 2021, (<https://www.destinationnsw.com.au/wp-content/uploads/2020/08/travel-to-nsw-time-series-mar-2020.pdf>)

<sup>26</sup> 'Manly Visitor Profile', Destination NSW, 2021 (<https://www.destinationnsw.com.au/wp-content/uploads/2021/05/manly-visitor-profile-2020.pdf>)

<sup>27</sup> 'Manly Tourism Precinct: Visitor Profile', Destination NSW, 2020, ([https://files.northernbeaches.nsw.gov.au/sites/default/files/Manly-Visitor-Profile\\_2019.pdf](https://files.northernbeaches.nsw.gov.au/sites/default/files/Manly-Visitor-Profile_2019.pdf))

<sup>28</sup> 'Sydney Visitor Profile', Destination NSW 2021, (<https://www.destinationnsw.com.au/wp-content/uploads/2020/08/travel-to-sydney-snapshot-mar-2020.pdf>)

**Table 4-10: Share of visitor spend, current and forecast, NSW**

Category	Share of visitor spend 2018-19	Forecast share of visitor spend 2028 29
International visitors	30.7%	40.1%
Domestic overnight travel	52.7%	46.4%
Day trips	16.6%	13.5%

Source: Tourism Research Australia, 2019<sup>29</sup>

Table 4-10 shows the share of visitor spend in Australia, and forecasts that international visitor share of spend would increase, while domestic overnight travel and day trips' shares would decrease. However, these findings were made prior to the COVID-19 pandemic, and it is likely that international tourism will remain suppressed for a significant period of time, resulting in a higher share of domestic visitors. Manly's strong tourism draw represents a significant opportunity to strengthen its NTE, taking advantage of the captive market by offering an increased variety and/or intensity of NTE activities.

**Figure 4-14: Outdoor dining in Manly**



Source: HillPDA

## 4.11 SWOT Analysis

The below is a summary of the key findings from the review of the night time environment in this chapter, focused around strengths, weaknesses, opportunities and threats.

<sup>29</sup> 'Tourism Forecasts 2019', Tourism Research Australia, 2019, ([https://www.tra.gov.au/ArticleDocuments/185/Tourism\\_Forecasts\\_2019.pdf.aspx](https://www.tra.gov.au/ArticleDocuments/185/Tourism_Forecasts_2019.pdf.aspx))

<h3>Strengths</h3> <ul style="list-style-type: none"> <li>• Strong public transport connectivity to key markets in Sydney CBD and nearby areas of Northern Beaches via ferry and bus, with stops in close proximity to study area</li> <li>• International and domestic reputation as tourist destination with strong attractions</li> <li>• Popular and wide-ranging events calendar including Manly Jazz Festival, Australia Day, Taste of Manly / Taste of the Beaches</li> <li>• Strong local market – 81% of spend in Manly in 2021 was from Northern Beaches residents (partially due to COVID-19 impacts)</li> <li>• Strong food and beverage offering</li> <li>• Heritage protections have ensured the presence of fine-grain and variety of floorplates</li> </ul>	<h3>Weaknesses</h3> <ul style="list-style-type: none"> <li>• Restricted access to Greater Sydney (no rail connectivity, two road entrances only, reliance on ferry and bus), vehicular access to study area is poor</li> <li>• Alcohol-related activities are somewhat limited to restaurants and hotels etc., with few licences for potentially popular small bars</li> <li>• Perceived lack of live music and entertainment venues</li> <li>• Perceived lack of options available after 9pm (including restaurants, bars, cocktail bars)</li> <li>• Perceived lack of outdoor seating and resting areas, public bathrooms and water fountains</li> <li>• Perceived lack of family activities and events for children including entertainment</li> <li>• Poor connectivity along the axis of the Corso; crossing of the Esplanade and Steyne</li> </ul>
<h3>Opportunities</h3> <ul style="list-style-type: none"> <li>• High population density within the study area, with high incomes – captive market to provide a good product to</li> <li>• Potential to designate precincts within the study area for focussed, intensive NTE uses targeted to particular groups (e.g. families)</li> <li>• Ensure that NTE activities target a range of user groups</li> <li>• Diversify the night time offer to include non-alcohol related uses focussing on fitness, the arts, entertainment and leisure</li> <li>• Better manage the balance between residential and night time uses</li> <li>• Examine the public realm and how it could be improved to support the NTE</li> <li>• Better manage movement of people out of the study area, particularly once public transport ceases</li> <li>• Encourage events and alternate uses of public and private space to reduce seasonality</li> <li>• Intensify popular events calendar, adding evening and night options, especially in cultural / entertainment events</li> <li>• Increase activation in key locations to improve natural surveillance</li> <li>• Opportunity to address concerns around NTE and make it better for all of Manly, increasing connection, inclusion, wellbeing, social cohesion and resilience as per the <i>Better Together Social Sustainability Strategy 2040</i></li> </ul>	<h3>Threats</h3> <ul style="list-style-type: none"> <li>• If unaddressed, intensity and hotspots in study area, especially for alcohol-related and non-domestic assaults, could tarnish the area's reputation and decrease the likelihood of visitors and locals participating in the NTE</li> <li>• Over a quarter of employment in Manly is reliant on the visitor economy, any negative outcomes from changes to the NTE could threaten this</li> <li>• Planning controls (including noise and other complaints) restricting options after 9pm</li> <li>• Perceived lack of public transport safety could reduce access availability and equity</li> <li>• Any ongoing or future restrictions of movement due to COVID-19 or other reasons threaten Manly's visitor/tourist economy</li> </ul>

# STAKEHOLDER ENGAGEMENT

A background graphic consisting of a grid of squares. Each square contains a dark blue silhouette of a person's head and shoulders. The grid is partially obscured by a large white rectangular frame that encloses the text.

## 5 STAKEHOLDER ENGAGEMENT

### 5.1 Previous engagement work

Northern Beaches Council has undertaken recent stakeholder engagement on related projects. These engagement activities were not directed at the study area identified for this report, or at the NTE specifically, but some issues have been raised which are relevant to this study. HillPDA has reviewed these findings to inform this report and the engagement approach applied.

#### 5.1.1 Northern Beaches Community Engagement Analysis

The Northern Beaches Community Engagement Analysis report was prepared in June 2019 to analyse trends from community engagement previously undertaken by Northern Beaches Council between 2016 and 2019. The report divides engagement results into key themes and values that are commonly raised during engagement activities. Key themes and their implications for the Manly NTE Strategy are summarised below.

The engagement identified a perceived need for more entertainment venues, including cinemas, small bars, and live music venues. The community also expressed a desire for more event spaces, safe night time event opportunities, and indicated that there was a lack of night time activities for youth. The report also identified that some people felt unsafe moving around in Manly at night, including because of a lack of adequate lighting. The report noted that the community felt that the Corso has undesirable elements affecting perceived safety during the day and night. Finally, the report identified that many residents felt that public transport was inadequate and reduced access for locals to the NTE.

Some key implications for Manly's NTE Strategy include:

- Investigating whether planning or policy controls are preventing the number of live music venues, cinemas, and small bars, and other event spaces from increasing
- How planning and policy controls could improve night time safety in Manly
- Assessing whether public transport access aligns with NTE operating hours in Manly.

#### 5.1.2 Northern Beaches Visitor Survey

In 2020, a Northern Beaches Visitor Survey was conducted to generate a better understanding of the nature of the visitor economy in the Northern Beaches. Interviewers intercepted visitors at Manly Ferry, Manly Beach, and Governor Phillip Park to ascertain key information about visitors in Manly. Similar interviews had been undertaken by the same consultant in 2018 and 2019 also. Key findings and implications for the Manly NTE Strategy are outlined below.

- Few Manly residents indicated awareness of the visitor centre or Art Gallery, with 61% of residents being unaware of either, including one respondent who suggested Manly should have an art gallery. This suggests that an awareness campaign tied into evening and night time events at the gallery could contribute to Manly's NTE
- Survey respondents were very happy with the food and beverage offering, suggesting that Northern Beaches Council could focus on improving other NTE areas before food and beverage
- The vast majority of respondents arrived in Manly by ferry (65%), with visitors arriving by car and visitors arriving by bus both representing 11% of respondents.

Respondents also had a chance to provide suggestions for improvements that would make Manly a better place for locals and visitors. Some of the responses potentially relevant to Manly's NTE include:

- There is a lack of options available after 9pm (restaurants, bars, cocktail bars)
- There is not enough parks and outdoor seating and resting areas

- There is not enough public bathrooms and water fountains
- There are not enough bins, especially near the beach and ferry
- There should be more live music, markets, and art galleries and displays
- The Corso should be better connected at both ends; the Esplanade is difficult to cross from the wharf
- There is not enough outdoor dining.

The visitor survey found that respondents felt that public space improvements and an increased variety of activities and events throughout the NTE would contribute to its success. Respondents expressed support for improving the connection between the Corso and the wharf and for addressing the lack of options available after 9pm.

### 5.1.3 Northern Beaches Council Community Safety Survey

In 2019, a community safety survey was undertaken on behalf of Northern Beaches Council. The telephone survey asked Northern Beaches residents a variety of questions relating to how safe they felt at different times and locations, and where and why they felt unsafe. Generally, the survey found that the vast majority of the respondents had not felt unsafe at any time in the last 12 months.

However, of those that had felt unsafe in the last 12 months, approximately half of the relevant incidents had occurred at night. The top incidents that caused a respondent to feel unsafe were caused by violence and aggressive behaviour, and drug and alcohol affected people. Additionally, it is concerning that the top two responses for where a respondent felt unsafe were “Manly” and “on a bus/at a bus stop”. When asked for more detailed responses, various locations within Manly were identified as places where incidents had occurred, including the main taxi rank in Manly, The Corso, Manly Ferry, and on a bus in Manly. These findings have potentially negative implications for the Manly NTE and reinforce that providing safe and equitable access is crucial for a successful NTE.

### 5.1.4 Community Safety Plan survey

To inform the development of its Community Safety Plan, Northern Beaches Council conducted an online survey in September 2019. Participants were asked questions about their experiences of feeling unsafe within the LGA, revealing that the vast majority of respondents who had felt unsafe felt that way during dusk (15%) and night (61%), with a third of respondents saying that they were in Manly when they felt unsafe. The top five responses for the cause of respondents feeling unsafe comprised the majority of incidents, and are listed below:

- People hanging around in the street / loitering
- Drug and alcohol affected people
- Violence and aggressive behaviour
- Public drinking
- Harassment.

Less frequent causes of respondents feeling unsafe included drug use, vandalism, mental health related issues, large crowds, and various incidences of theft.

When asked what could improve feelings of safety, respondents identified passive and active surveillance methods including improved sightlines and lighting, CCTV, and increased street activity. More intensive safety interventions that respondents identified included increased police or security presence, safe transport hubs, and improved maintenance of public spaces.

These responses have major implications for the Manly NTE Strategy.

## 5.2 Targeted stakeholder engagement

### 5.2.1 Consultation method

Due to the COVID-19 pandemic and associated lockdowns, HillPDA were unable to undertake detailed stakeholder engagement in the study area. In lieu of this, HillPDA conducted a robust review of existing engagement (see section 5.1 above) as well as a detailed targeted engagement process. HillPDA were provided a list of key stakeholders from Northern Beaches Council, which included both internal and external to Council. We arranged engagement sessions via video call with these stakeholders, and many of them provided additional contact information for relevant stakeholders.

In addition HillPDA also attended, presented and facilitated discussion of Manly's NTE at meetings of:

- Northern Beaches Council's Youth Advisory Group
- Manly Business Chamber
- The Manly Place Plan Project Working Group.

A schedule of stakeholders consulted and notes from the various sessions are provided at Appendix A. Council was also in discussion with Transport for NSW.

### 5.2.2 Consultation findings

The following is a summary of points raised by stakeholders throughout the consultation process. Points are reported as they were raised in the consultation and have not been amended to reflect the views of HillPDA or Council.

#### Stakeholders felt that positive aspects of the Manly NTE are:

- The selection of restaurants and bars at Manly
- The walkability of the town centre
- Live music and Art Gallery – strong cultural backbone
- Manly Arts Festival has some night time events
- Manly's negative reputation around antisocial behaviour from the late 1990s-early 2000s has dissipated
- Re-established Liquor Accord

#### Stakeholders identified the following constraints from urban structure and governance

- There is a lack of affordable spaces for creative uses
- Too much 'red tape' around late trading, outdoor dining, DA conditions – DCP conditions on the Corso are restrictive
- Representations from local residents (e.g. objections and complaints) make it difficult to operate or gain approval for night time uses
- Laneways and alleyways are dark, underutilised

#### Stakeholders reported the following key issues:

##### Public toilets

- Manly Police revealed that one of the biggest concerns is public urination, typically in the Corso or the Esplanade
- Council's Youth Advisory Group (YAG) noted that safety, location, and prevalence of public toilets were all concerns, especially for young female participants

- Numerous participants across the groups noted that they had experienced specific incidents of feeling unsafe at specific toilets (notably, the Manly Wharf toilets)
- Lack of family facilities (i.e., baby changing rooms)

### **Crime and safety**

- Aggression and loudness from drunk people result in safety concerns in Manly afterhours
- Larger venues typically attract large and potentially rowdy crowds that are less easy to manage
- Various parties involved in consultation revealed that safety in Manly had significantly improved over the late 1990s and early 2000s where violence was much more commonplace
- Manly Police also confirmed the findings from the BOCSAR data in section 4.8.2, that summer is typically peak season for crime and antisocial behaviour in Manly
- Women typically do not feel safe at night in Manly
- Alcohol-related antisocial behaviour strongly linked to the Corso, East Esplanade
- Participants would not consider Manly as a 'family place' after 9pm

### **Retail offering**

- Council's Youth Advisory Group participants revealed that while they would typically go to Manly to utilise the shopping facilities, these are closed by the evening and they no longer have a reason to visit
- There are too many blank shop fronts, but some landlords have indicated that they do not wish to participate in any pop-up activities or similar
- Some parts of Manly's retail offering appear dated and detract overall amenity and the night time experience
- Empty or closed retail shopfronts detract from NTE experience
- Absent or poor retail offering at night

### **Transport and access**

- Parking was a concern, with some participants arriving or departing early to secure a car park
- Public transport to some areas of the Northern Beaches is harder than others, and acts as a barrier to participating in Manly's NTE
- Public transport uptake will likely be low in the immediate post-COVID-19 era, exacerbating private vehicle access issues

### **Cultural scene and events**

- Manly is home to the only regional art gallery in the Northern Beaches
- Manly's event calendar is sporadic, needs to be filled out and attract permanent fixtures
- Loss of all-weather activities: cinema and aquarium have gone
- Manly Art Gallery underutilised, not connected well enough (wayfinding)
- Manly Library also hosts activities but could be better utilised
- Major events typically finish at 5pm to ensure intoxicated people are in private venues (for security reasons)
- Busking fees among the highest in Greater Sydney
- Event fees are very high

### **Stakeholders identified opportunities to improve the NTE:**

HillPDA's consultation found that participants had a wide range of ideas for Manly's NTE in the future:

- More live music

- More outdoor dining, especially on the Corso
- More non-alcohol-related activities, family-friendly and intergenerational activities
- Sports and recreation activations (indoor rock climbing, indoor skate park, play equipment etc)
- Free events
- Using art and cultural activations to improve public spaces and have more family-friendly opportunities
- Better laneway activations
- Improved wayfinding
- Cultural/community uses of Manly Town Hall for NTE
- Public art trail, open-air art shows
- Cinema space (or, small cinema spaces), outdoor cinema
- Precinct approach for intensive NTE uses
- Capitalise on popularity of East Esplanade as a space and make it safer, active, comfortable
- Strong domestic demand post-COVID-19
- Night markets
- Night time retail
- NTE grant program
- Request Council to waive DA application fees or requirement for evening and night time retail.

An aerial photograph of a coastal landscape, featuring a large, forested island in the center, surrounded by a body of water. The foreground shows rolling hills and fields, with a small settlement visible on the island. The entire image is overlaid with a dark blue semi-transparent filter.

# PLANNING CONTROL CONSIDERATIONS

## 6 PLANNING CONTROL CONSIDERATIONS

The following chapter considers the local planning framework as it relates to the delivery and operation of the NTE in the study area. It principally draws on an analysis of the Manly LEP and DCP with a critical assessment of how the planning controls may impact on NTE outcomes for the natural, built and social environments.

The considerations in this section relate to the existing planning controls for Manly. It should be noted that Council is preparing a new LEP and DCP for the Northern Beaches. Additionally, the Draft Fun SEPP and ongoing Employment Zones review (see sections 2.1.4 and 2.1.5) may impact on any considerations raised in this section.

### 6.1 Land uses and zones

#### 6.1.1 B2 Local centre

##### Zone objectives

The principal zone applying to the study area is B2 Local Centre (Figure 6-1). The objectives of the zone are provided below. The first three objectives are mandatory under the Standard Instrument LEP, with the final objective unique to the Manly LEP.

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area
- To encourage employment opportunities in accessible locations
- To maximise public transport patronage and encourage walking and cycling
- **To minimise conflict between land uses in the zone and adjoining zones and ensure amenity for the people who live in the local centre in relation to noise, odour, delivery of materials and use of machinery.**

The last objective (in bold) attempts to minimise the potential for land use conflicts. However, the objective effectively places the burden of impact mitigation on NTE land uses/developers. An alternative approach would be to share mitigation responsibilities evenly between NTE developers and developers of residential development. Notably, the objectives for the neighbouring R1 General Residential and R3 Medium Density zones do not include a similar objective that could encourage mitigation against noise disturbance arising from the study area, which is known to have a vibrant NTE. Such an objective could require a residential development in the study area or nearby to demonstrate compatibility with existing NTE land uses as part of the building design.

The objective, while well intended, does not protect against land use conflict in the long term. For example, if an established noise generating venue were closed over an extended period of time and subsequently resumed operation, that land use could be viewed as introducing a conflict or not ensuring the amenity of residents, when in fact the venue use was approved and established first.



## Permissible land uses

The B2 Local Centre zone is a ‘closed zone,’ meaning that unless a land use (or associated group term) is specifically stated as being permitted, it is prohibited. Land uses generally associated with NTE that are permitted the B2 Local Centre zone under the Manly LEP are:

- Amusement centres
- Commercial premises
- Community facilities
- Entertainment facilities
- Function centres
- Information and education facilities
- Passenger transport facilities
- Recreation facilities (indoor)
- Registered clubs
- Restricted premises
- Tourist and visitor accommodation.

With the exception of Amusement Centres, these land uses are required to be permitted under the Standard Instrument LEP. Notably, commercial premises are a wide-ranging group term that includes retail premises land uses such as:

- Shops, such as clothing and convenience stores and larger supermarkets
- Markets, both open air and within existing buildings
- Kiosks, being smaller and potentially permanent outlets for selling food or other small convenience items.
- Restaurants, cafes, small bars and pubs.

Business premises are also permitted under Commercial premises and may be relevant to the NTE if suited for extended trading hours, such as a late operating hairdresser or a betting agency.

Information and education facilities include land uses such as galleries and libraries, and recreation facilities (indoor) and can include land uses such as gyms and experience-based recreation uses.

Land uses that are currently prohibited, even though that could potentially support the NTE, include:

- Light industry, which could potentially allow for low impact creative industrial uses, such as art studios attached to galleries
- Artisan food and drink industry: Food and drink manufacturers with associated restaurants, retail and tours/workshops, such as breweries or coffee roasters

Overall, the existing permitted land uses are capable of delivering NTE land uses, with the potential for additional uses to expand the breadth of potential NTE opportunities.

### 6.1.2 Adjacent residential zones

The study area is surrounded by a mix of R1 General Residential and R3 Medium Density Residential zones. The objectives of those zones and relevant permitted land uses are provided in Table 6-1 below.

**Table 6-1: Residential zone objectives and land uses**

	Notable objectives	Notable permitted land uses
R1 General Residential	<ul style="list-style-type: none"> <li>● To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> </ul>	<ul style="list-style-type: none"> <li>● Bed and breakfast accommodation</li> <li>● Information and education facilities</li> <li>● Recreation facilities (indoor)</li> </ul>

	Notable objectives	Notable permitted land uses
R3 Medium Density Residential	<ul style="list-style-type: none"> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>To encourage the revitalisation of residential areas by rehabilitation and suitable redevelopment.</li> <li>To encourage the provision and retention of tourist accommodation that enhances the role of Manly as an international tourist destination.</li> </ul>	<ul style="list-style-type: none"> <li>Information and education facilities</li> <li>Recreation facilities (indoor)</li> <li>Restaurants or cafes</li> <li>Take away food and drink premises</li> <li>Tourist and visitor accommodation</li> </ul>

Source: Manly LEP

The objectives and permissibility of the R3 Medium Density Residential zone suggests that it is intended to support the role of Manly strategic centre as a tourist destination, particularly with regard to overnight accommodation. They could reasonably be interpreted as an expectation that the zone's dual residential and tourism priorities are to be balanced. This interpretation may conflict with the B2 Local Centre's objectives which appear to prioritise residential amenity.

The R1 General Residential zone appears to place a lower emphasis on tourism land uses, with no specific tourism related objective and typically lower impact tourism land uses permitted with consent.

## 6.2 Additional LEP controls

### 6.2.1 Principal development standards

The primary principal development standards in Manly LEP that apply to the study area are related to height and floor space ratios (FSRs). In the study area, the LEP generally allows buildings between 10 and 15 m (or three to five stories) along selected road frontages with some exceptions that allow for buildings of up to 25 m (up to eight stories). Sites where the latter are permitted are either set back from road reserves or separated from adjoining development by roads or laneways. The maximum FSR for much of the study area is 3:1. The exceptions are along Pittwater Road where the FSR is 1:1 to 2:1 and along The Corso, where the FSR is 2.5:1.

Despite these controls, a desktop review indicates that the predominant height of existing buildings is two to three stories, with some buildings of four to five stories being interspersed throughout the area. This suggests that there is potential for infill development, assuming alignment with other planning controls and development feasibility could be achieved. The relatively high FSR suggests that Council is seeking future developments that consistent with the typical built form of multi storey commercial uses.

Residential uses would typically have lower FSRs in order to achieve solar, privacy and other desired built form outcomes. Further introduction of these land uses may introduce additional land use conflict and potentially make it more difficult for NTE land uses to operate without complaints and additional restrictions. In order to provide certainty, Council may consider a non-residential FSR to limit residential land uses, or similar additional local provision.

In the surrounding residential zoned areas, height controls are generally comparable, ranging from 11 to 13 m, but with lower FSRs. This is appropriate for the anticipated residential or hotel accommodation outcome.

**Figure 6-2: Built form controls**



### 6.2.2 Heritage conservation areas

Clause 5.10 of the Manly LEP relates to Heritage conservation. It contains several provisions for heritage conservation areas and heritage items, as mapped on the Manly LEP Heritage Map.

The majority of the study area is mapped as part of one of two heritage conservation areas: C1 Pittwater Road Conservation Area and C2 Town Centre Conservation Area. Public areas are classified as having landscape heritage value associated with street trees or beach characteristics, with many lots identified as containing heritage items, primarily the buildings themselves.

The clause requires, in part:

- A development application for any demolition or external alterations to any heritage item or building within a heritage conservation area
- A development application for Internal structural changes to a heritage item building
- A heritage management document (e.g., heritage assessment) and conservation management plan to be prepared, upon Council's request, for development on mapped land.

The above does not apply to exempt development, such as that identified in the Codes SEPP, or identified in Manly LEP Schedule 2 Exempt Development. Such exempt development includes certain business identification signs.

The clause also allows for development incentives (e.g., otherwise prohibited development) if Council is satisfied that it aligns with multiple conservation principles. The Manly DCP also includes requirements related to heritage, discussed further in section 6.3.

Balancing the protection of Manly's heritage character with the need for NTE businesses to operate efficiently is always a challenge. Heritage requirements have the potential to increase development application costs, assessment costs and determination timeframes by limiting complying development pathways. They may also limit options for businesses that seek to have an NTE component, particularly those that require internal

modifications to heritage buildings. These considerations need to be balanced against the importance of protecting the heritage characteristics of Manly which is known to be a drawing factor. Any changes to heritage controls to enable NTE or economic development more generally should be carefully considered in this context.

### 6.2.3 Tourist and visitor accommodation

Clause 6.15 of the Manly LEP relates to tourist and visitor accommodation, with the clause extracted below.

*(1) The objective of this clause is to maintain the supply and availability of tourist and visitor accommodation in Manly to as many different tourists and visitors as possible.*

*(2) Development consent must not be granted to development for tourist and visitor accommodation unless the consent authority is satisfied that the development will not provide accommodation to the same person for a period of more than three consecutive months.*

The clause appears to be designed to ensure that tourism and visitor accommodation, such as serviced apartments, do not transition to residential accommodation. This would be a positive outcome for the tourism driven component of the NTE, which would benefit from increased turnover.

Whilst not specifically related to tourist and visitor accommodation under the Manly LEP, Short Term Rental Accommodation (STRA) such as Airbnb and Stayz. STRA can increase the diversity of accommodation supply in an area and complement existing tourist and visitor accommodation. STRA is supported by a new planning framework, including standard provisions.

### 6.2.4 Gross floor area in zone B2

Clause 6.15 of the Manly LEP relates to the delivery of commercial floorspace in B2 Local Centre zoned land, with the clause extracted below.

*(1) The objective of this clause is to provide for the viability of Zone B2 Local Centre and encourage the development, expansion and diversity of business activities, that will contribute to economic growth, retention of local services and employment opportunities in local centres.*

*(2) This clause applies to land in Zone B2 Local Centre.*

*(3) Development consent must not be granted to the erection of a building on land in Zone B2 Local Centre unless the consent authority is satisfied that at least 25% of the gross floor area of the building will be used as commercial premises.*

*(4) Development consent must not be granted for development on land to which this clause applies if the gross floor area of any retail premises on the land would exceed 1,000 square metres.*

The clause's requirement that 25 per cent of a building is to be used as a commercial premises extends to retail, business and office premises land uses. It is noted that tourism and visitor accommodation, information and educational facilities and recreational facilities (indoor) are not defined as a 'commercial premises' but could be valid additions to the Manly NTE. Another term may be more suitable to reflect a wider range of businesses being appropriate. Objective 1 could also be amended to specifically recognise the importance of the NTE.

The maximum allowance of 1,000 sqm likely has the effect of prohibiting very large shops, such as full line supermarkets, or specialised retail premises. This may also affect larger food and drink premises that are able to consolidate sites, noting that the Ivanhoe Hotel site area is approximately 1,000 sqm. The clause reflects a balance between encouraging larger premises that could attract more people and smaller venues that offer a diversity of options and attract a variety of patrons. Any change to the clause should consider that balance.

### 6.2.5 Noise impacts: licensed premises

Clause 6.21 of the Manly LEP relates to the assessment responsibilities for licensed premises, such as pubs, bottle shops, restaurants that serve alcohol or producers/wholesalers of alcohol. It is extracted below.

*(1) The objective of this clause is to ensure that development applications for licensed premises consider any noise impact on residential accommodation in the vicinity.*

*(2) Before granting development consent for development involving the use of land as licensed premises under the Liquor Act 2007, the consent authority must consider the impact of any noise nuisance likely to be generated by the proposed development on residential accommodation in the vicinity of the proposed development.*

Notwithstanding the importance of ensuring noise impacts are appropriately considered as part a development application, the clause can be considered in the context of the objectives of the B2 Local Centre zone which requires that the acoustic amenity of residents is to be ensured and Section 4.15 of the EP&A Act which requires that the environmental, social and economic impacts of all development applications be considered. It is also unclear what would trigger this specific clause. As an example, it is unclear if an unlicensed music venue attracts the same level of scrutiny as an additional live music component in an existing licensed venue.

Consideration could be given to:

- The benefits of the approach over the standard assessment process
- The potential for applying a more precise noise standard for consideration
- An alternative positive clause that is more permissive regarding certain acoustic emission sources (e.g., live music).

## 6.3 Manly Development Control Plan

*Manly Development Control Plan 2013* (Manly DCP) applies to area where the Manly LEP applies. This section focuses on Manly DCP sections that directly relate to the NTE, including the following sections:

- Section 3.1: Streetscapes and townscapes
- Section 3.2: Heritage considerations
- Section 3.4: Amenity
- Section 4.1: Residential development
- Section 4.2: Development in Business centres
- Section 4.2.5: Development in Manly Town Centre
- Section 5.1: The Manly Town Centre Heritage Conservation Area

These sections of the Manly DCP relate to built form outcomes and environmental impact management. They are generally written in the context of all development, rather than the NTE context. The sections of the Manly DCP are discussed in Table 6-2, focusing on the implications of the controls on NTE uses and potential responses. These responses should be considered in the context of broader Manly land uses, character and desired outcomes.

Any change to the Manly DCP would be considered as part of future development applications or modifications to existing consents. Impacts would continue to be considered on a case by case basis, with environmental impacts assessed as per the requirements of the EP&A Act.

**Table 6-2: Manly DCP review and potential responses**

Section	Implications	Potential responses that could be investigated
Section 3.1: Streetscapes and townscapes	<ul style="list-style-type: none"> <li>A cohesive built form and design excellence is desired to encourage a unified character in the Manly centre. Evening townscapes are not specifically acknowledged, which may result in NTE character not being considered for the centre as a whole</li> <li>Increased permeability through sites is preferred. This can encourage activation during the day but may create undesirable areas after hours if activation is not maintained.</li> </ul>	<ul style="list-style-type: none"> <li>Objectives for interactions between buildings and the public realm as part of an NTE character</li> <li>Objectives for after-hours activation of private/public spaces</li> <li>Objectives for maintaining activation of corner/end of vista sites after hours to contribute to character outcomes</li> </ul>
Section 3.2: Heritage considerations	<ul style="list-style-type: none"> <li>Maintaining and incorporating heritage features both inside and outside of buildings is a clear requirement. This can help create a cohesive identity for NTE uses throughout the centre.</li> <li>Maintaining heritage characteristics (e.g., windows) may also have the effect of reduced ability to mitigate environmental impacts</li> <li>Restricting internal alteration requirements may complicate or increase the cost of construction/operation of NTE venues</li> </ul>	<ul style="list-style-type: none"> <li>Manly's heritage character is likely a major point of difference for NTE users and should be preserved</li> <li>Worked examples of acceptable alterations to heritage characteristics</li> <li>Case studies demonstrating innovative approaches to incorporating heritage items</li> </ul>
Section 3.4: Amenity	<ul style="list-style-type: none"> <li>Licensed premises noise requirements appear to be based on standard conditions and more restrictive than other NTE land uses. They may be unachievable in a mixed use area where residential uses are immediately adjacent</li> <li>Licensed premises specific noise requirements do not acknowledge that other types of NTE land uses may have poor noise impacts (e.g., a 24 hour gym where weights are dropped)</li> <li>Strict reliance on background noise to set new threshold levels may have the result of decreasing thresholds over time, particularly if a venue closes.</li> <li>The requirement for balconies, veranda and rooftop areas to be closed at 10pm is not justified within the DCP. It may be overly restrictive and does not allow for demonstration of acceptable impacts or alternative mitigation measures.</li> </ul>	<ul style="list-style-type: none"> <li>Objective stating that NTE land uses in the Manly centre are accepted to have noise impacts and that NTE uses are to demonstrate that those impacts are compatible with the desired Manly NTE character</li> <li>Consider removing specific controls for licensed premises and replacing them with objectives for daytime, evening and night time periods</li> <li>Consider removing numerical requirements and replacing them with performance criteria and references to guidelines that are to be addressed in technical reporting</li> <li>Consider removing requirements for closure of balconies, veranda and roof top areas and replacing them with requirements that NTE outdoor uses are to be demonstrated to be compatible with the surrounding environment</li> </ul>
Section 4.1: Residential development	<ul style="list-style-type: none"> <li>Residential land uses do not appear to have a requirement to incorporate measures to mitigate impacts from the surrounding area, which may result in an increase in sensitive land uses in the Manly Centre</li> </ul>	<ul style="list-style-type: none"> <li>Include requirement that residential development consider existing and likely noise impacts and incorporate sufficient mitigation measures (e.g., double glazed windows)</li> </ul>
Section 4.2.5: Development in Manly Town Centre	<ul style="list-style-type: none"> <li>Controls generally encourage activation, particularly the prohibition of security shutters on the external faces of buildings</li> <li>Late night venue objectives encourage the establishment of NTE land uses targeting a mix of users</li> <li>Late night venue controls relating to access to public spaces do not clearly articulate Council's concerns regarding conflict between users,</li> </ul>	<ul style="list-style-type: none"> <li>Worked example of desired outcome for an NTE frontage to a public space</li> <li>Worked example of outdoor dining (private or public realm) with acceptable impacts and mitigation measures</li> <li>Consider reducing standard hours for large, licensed premises to midnight, with the goal of encouraging public transport</li> </ul>

Section	Implications	Potential responses that could be investigated
	<p>potentially leading to uneven responses and outcomes.</p> <ul style="list-style-type: none"> <li>• Late night venue controls are generally targeted towards licenses premises as a whole, leaving a gap in the assessment of other types of businesses or lower intensity licensed premises (e.g., small bars or performance venues)</li> <li>• Requiring closure of all restaurants and licensed premises at set times (1am and 2am respectively) may have the effect of introducing a large amount of inebriated people in the public realm at the same time, without access to public transport.</li> <li>• Car parking controls clearly identify the issues associated with allowing parking in the centre, with those issues also applying to the NTE environment. The controls suggest reduced car parking rates may apply. It does not provide certainty in what level may be acceptable.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish criteria for a lower impact class of licensed premises standard trading hours to 2am, with the goal of encouraging lower-risk and experience-led venues</li> <li>• Establish criteria for extended trading hours for licensed premises where Council is satisfied outcomes are acceptable. Extended trading hours may be linked to a trial period.</li> <li>• Consider removing trading hour maximum for non-alcohol venues, instead requiring demonstration of acceptable impacts, with the goal of providing a point of difference for lower risk activities.</li> <li>• Extended trading hours may be tied to mapping where evidence has identified an area with a lower risk of conflict.</li> <li>• Consider opportunity to set maximum car parking rate in the Manly centre, requiring applications to demonstrate why parking is required (e.g., deliveries or services)</li> </ul>
Section 5.1: The Manly Town Centre Heritage Conservation Area	<ul style="list-style-type: none"> <li>• Controls largely relate to built form, such as redevelopment of buildings and bulk and scale.</li> <li>• Matters related to NTE land uses include internal fit outs and street level activation, discussed above. However, these subjects are not discussed in the context of the NTE</li> <li>• Residential developments are to be constrained and to incorporate noise abatement measures. While this is positive and generally reflective of matters discussed above, there is not guidance as to what benefits this has for preserving and encouraging the NTE.</li> </ul>	<ul style="list-style-type: none"> <li>• Objective identifying the NTE as a character component of the Manly Town Centre Heritage Conservation Area</li> <li>• Objective encouraging ground level uses to operate in the evening hours</li> <li>• Clearly establish that noise abatement measures in new residential development serve to manage impacts associated with the NTE</li> </ul>

# CASE STUDIES

## 7 CASE STUDIES

To assist in developing an understanding of how jurisdictions can manage, support, and develop their NTEs, HillPDA have undertaken a desktop review of a selection of strategies applied by other Councils. This section contains summarised findings of these case studies and ‘lessons learnt’ for Manly’s NTE Strategy. In selecting case studies, we have sought to:

- Present a range of strategies and approaches that have been implemented successfully, and/or
- Focussed on locations of a similar scale to Manly.

### 7.1 City of Sydney DCP 2012 – managing land use conflicts

In 2013, the City of Sydney released its *Open Sydney* strategy and action plan. Open Sydney is intended to guide the long-term development of the City of Sydney’s night time economy to 2030<sup>30</sup>. As a result of the strategy, City of Sydney conducted a range of consultation activities revealing that stakeholders desired:

- Late-night activity near where they live
- Increased opening hours
- Increased diversity of late-night activities on offer<sup>30</sup>.

The goals of the strategy are to diversify City of Sydney’s NTE, increasing its resilience and broadening its appeal to a variety of users. City of Sydney aimed to reduce the reliance on young people and alcohol consumption as key drivers of the NTE, and to encourage more retail and more diverse age groups participating in the NTE.

*By 2030, we hope the night-time economy will be transformed from a focus on younger people and drinking to 40% of people being over 40. We also hope that 40% of operating businesses at night will be shops. We’re encouraging a larger variety of retailers and attractions to stay open late, to broaden people’s choices of things to do at night. We hope to double the city’s night-time turnover to \$30 billion and increase night-time employment by 25% to 100,000 jobs<sup>29</sup>.*

City of Sydney has adopted a range of strategies to achieve its goals for the diversification of its NTE, and to refocus its NTE away from alcohol consumption. Some key strategies are listed below:

- Implementing outdoor alcohol-free zones
- Night-time diversification grants (grants provided to businesses to enable later trading hours, special events, introduction of cultural uses etc)
- Establishment of a Nightlife and Creative Sector Advisory Panel<sup>30</sup>.

Most importantly however, City of Sydney made significant changes to its DCP to enable the commencement of a system for designating late night trading areas. The result of these changes is the creation of three types of late night trading areas:

- Late Night Management Areas
- City Living Areas
- Local Centre Areas.

These areas have been mapped in the City of Sydney DCP based on specific character requirements. The DCP then prescribes the types of venues and standard opening hours, dependent on which area they are located in. An application for late night trading hours must include a ‘plan of management’, addressing various issues including noise, requested opening hours, security and safety details, and amenity impacts.

<sup>30</sup> ‘Night time economy’, City of Sydney, accessed 10 August 2021 <https://www.cityofsydney.nsw.gov.au/business-economy/night-time-economy>

The other key component of City of Sydney's approach is the division of venues into impact categories as follows:

- Category A: High impact premises – including large pubs, hotels and bars, dedicated performance venues (with a capacity greater than 250), clubs, karaoke venues with liquor licenses
- Category B: Low impact premises – including small pubs and bars, dedicated performance venues (with a capacity lower than 250), and any other premises Council determines to impact on the amenity and safety of an area
- Category C: Any premises that does not hold a liquor licence – including grocery stores and retail, but not including food and beverage premises or adult entertainment premises.

City of Sydney DCP specifies base and extended trading hours for that apply to premises dependent on what type of trading area they are in and what category of premises they are.

**Table 7-1: Late night trading hours in the City of Sydney DCP**

		Category A		Category B		Category C Unlicensed premises Indoor
		Indoor	Outdoor	Indoor	Outdoor	
Late Night Management Area	Base	6am to midnight	10am to 10pm	6am to 2am	7am to 10pm	24 hours
	Extended	24 hours	9am to 1am	24 hours	7am to 1am	
City Living Area	Base	7am to 11pm	10am to 8pm	7am to 1am	7am to 8pm	24 hours
	Extended	7am to 5am	9am to midnight	7am to 5am	7am to midnight	
Local Centre Area	Base	10am to 10pm	10am to 8pm	7am to 11pm	7am to 8pm	7am to 2am
	Extended	10am to midnight	9am to 10pm	7am to midnight*	7am to 10pm	
All other areas	Base	10am to 10pm	10am to 8pm	7am to 10pm	7am to 8pm	7am to midnight
	Extended	10am to midnight	10am to 10pm	7am to midnight	7am to 10pm	

Source: City of Sydney, 2020

An additional inclusion is that any extension of trading hours that is granted beyond that shown in the table is approved on a trial basis.

### Lessons learnt for Manly NTE Strategy

The net result of this approach in City of Sydney's DCP is certainty and consistency for all key stakeholders. The requirements and benefits for late-night operators are clear and apply across the LGA, while residents and any sensitive receivers are fully aware of where their property is in relation to the prescribed late night trading areas. This provides certainty around the upper limits of what the NTE may become in their immediate surrounds. Further learnings are:

- Where possible, planning controls may include clear and concise predetermined outcomes to support the business community. For example, different standard late night trading hours for different areas.
- Councils can support place-based planning outcomes by embedding place into planning controls. For example, varying planning controls around noise or trading hours in areas identified for intensive NTE uses, or areas unlikely to impact residents' amenity.

## 7.2 Renew Newcastle/Australia

Since 2008, Renew Newcastle has been connecting entrepreneurs, artists and artisans, and not-for-profit organisations with empty spaces in Newcastle, NSW's second largest city. Renew has successfully connected clients with spaces donated by councils, property developers, and owners. Enabling emerging and/or creative industry operators to occupy underutilised spaces in cities works to stimulate renewal, activation, and economic development in areas that most need it, improving the quality of frontage and streetscape.<sup>31</sup>

By connecting proponents with spaces, Renew helps them to bridge the gap between operating out of a garage or spare room and paying market rates for high-quality retail or workshop space in the CBD. This allows those proponents to commit to their project in a space outside their home, and to bring their activities and daily needs into the city, supporting local businesses significantly more than a vacant shopfront. Renew's approach can also support innovation, by enabling proponents to trial an idea with less financial outlay. If a proponent is then successful, it may lead to them paying market rent in the future. Reduced outgoings for new businesses can also mean more accessible price-points for their goods and services, benefiting local and visiting shoppers.

Renew typically operates on rolling 30 day leases, offering flexibility to both parties. Additional benefits to landlords are purportedly that their property will be looked after, as opposed to degrading, the minimisation of graffiti and vandalism, and the potential for clients to modify or improve the space. For landlords offering a part of their larger building, benefits also include increased foot traffic. Diverse, innovative, creative operators in formerly empty spaces also inject energy into a CBD – providing a different offering to stale chains that may operate state or nation-wide.

Some examples of Renew Newcastle proponents include:

- A boutique men's shirt manufacturer, with a small retail space and work area with table and sewing machine
- A photographer, operating a dark room and office space to work, also hosting workshops
- An artist, needed to move away from a 'home studio' to a discrete workspace, also operates a small retail space
- A ceramics and jewellery maker, operating a studio and retail space, and running lessons
- Newcastle Writers Festival, organises readings, book launches, panel discussions – the organisers were able to secure an office space rather than operating out of volunteers' home spaces.
- Newcastle Youth Orchestra, which is operated by a small board and volunteers, were able to secure an office space from which to manage events and seek patrons.

Following the successes of its program in revitalising Newcastle, Renew has expanded into a nation-wide venture as Renew Australia. Many cities around Australia are now forming their own urban revitalisation projects utilising Renew's methodology.<sup>32</sup> Examples include:

- Renew Burnie rolled out in early 2021, in Burnie, Tasmania. The program, supported by the local business chamber, allows 30 day rolling licenses for free to local entrepreneurs, artists, and artisans to occupy empty shops in the Burnie CBD.<sup>33</sup>

<sup>31</sup> 'Renew Newcastle', Renew Newcastle, accessed 10 August 2021 <https://www.renewnewcastle.org>

<sup>32</sup> 'Renew Australia', Renew Australia, accessed 10 August 2021 <https://www.renewaustralia.org>

<sup>33</sup> 'Renew Burnie', Business Northwest, accessed 10 August 2021 <http://www.bcci.net.au/renew-burnie/>

- Create Maitland – Maitland, NSW. Pilot project has commenced by Council producing a prospectus of potential proponents including their requirements for spaces. Prospective clients include community counsellors, art collectives, dance teachers and a podcasting studio.<sup>34</sup>
- Creative CBD Toowoomba is running a trial program in Toowoomba, Queensland, to activate six spaces over a 12 month period. The program is positioned as a ‘business incubator’ program. A key component of this strategy is a “complement not compete” principle, meaning proponents are selected based on complementing the local economy. ‘For sale / for lease’ signs are able to remain in the window whilst the space is being activated.<sup>35</sup>
- Renew Wollongong operated in Wollongong NSW, supported by Council, to activate empty spaces in Wollongong’s main shopping street, Crown Street. Two of the proponents continue to operate successful businesses in Wollongong after the completion of the project, and a Council officer now manages a “Creative Container” in Crown Street (a repurposed shipping container available as an exhibition space).<sup>36</sup>

### Lessons learnt for Manly NTE Strategy

Partnering owners of vacant or underutilised properties and proponents requiring a space that is not available, or not affordable, on the market can boost the vitality and vibrancy of a city’s centre. Manly’s key shopping and activity streets contain high-quality buildings with attractive frontages and heritage significance, but are expensive to occupy. As a result, some are advertised for lease or sale and left unoccupied for a substantial time, reducing the activity levels in key parts of Manly. Additionally, unoccupied or underutilised retail spaces, and the bias toward daytime retail in key areas such as The Corso have negative impacts on passive surveillance and vibrancy at night time.

### Potential actions arising

- Assess commercial vacancy rate, and if warranted, consider developing a Renew Manly program
- Investigate whether there are existing barriers to temporary and popup uses in vacant buildings (including from landlords)
- Liaise with Renew Australia to explore viability, any available resources, and potential benefits to Manly.

## 7.3 Victorian State Government – Agent of Change laws

In 2014, Victoria introduced (Planning Scheme Amendment VC120) planning laws to implement the ‘agent of change’ principle for live music entertainment and nearby noise-sensitive residential uses. The laws aim to enable a ‘best of both worlds’ scenario whereby the ‘agent of change’ (i.e., the proposed new or additional use) is required to attenuate its noise emissions in ways that go beyond the Australian Standard for residential noise and are specifically tailored to live music entertainment. In doing so, existing uses are protected, and new uses must adjust their proposal based on the ongoing existence of those uses.

Specifically, the new laws contained the following purposes:

- To recognise that live music is an important part of the State’s culture and economy
- To protect live music entertainment venues from the encroachment of noise sensitive residential uses
- To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise

<sup>34</sup> ‘Create Maitland’, Maitland City Council, accessed 10 August 2021 <https://www.maitland.nsw.gov.au/our-services/business/create-maitland>

<sup>35</sup> ‘Creative CBD Toowoomba Program’, Toowoomba Region, accessed 10 August 2021 <https://www.tr.qld.gov.au/community-business/invest/cbd-pda/14470-creative-cbd-toowoomba-program>

<sup>36</sup> ‘Renew Wollongong’, Facebook, accessed 10 August 2021 <https://www.facebook.com/renewwollongong/>

- To ensure that the primary responsibility for noise attenuation rests with the agent of change.<sup>37</sup>

Victoria's Agent of Change laws aim to provide a solution that aims to work for all parties.

Clause 6.21 of Manly LEP requires the consent authority, when considering development applications for licensed premises, to consider the impact of noise nuisance on residential development in the vicinity of the proposed development. Consideration could be given to broadening this provision to apply an "agent of change principle" and to enable the imposition of conditions of consent that require appropriate noise attenuation at a residential development or a licensed premises/live music venue.

Common noise complaints in Manly included various types of noise – most often music – emanating from venues, and anecdotal evidence from HillPDA's targeted engagement suggests that live music entertainment is severely limited in Manly due to residential complaints. If new developments in Manly (either for residential purposes or live music entertainment) were required to prevent noise from emanating from or entering their buildings, the diversity of activity in Manly could be increased without land use conflict. In Victoria, these changes were aligned with a grant process providing live music venues with matched funding to complete noise isolation works – it is unlikely that this would be feasible for a local government, however, alternate funding mechanisms could be investigated and venue owners could be encouraged to improve noise attenuation.

### Lessons learnt for Manly NTE Strategy

Manly currently lacks live music venues, despite being the host of the hugely successful Manly Jazz Festival. According to the Australian Live Music Office, despite the presence of a large recorded music industry in NSW, there is simultaneously a 'music venue crisis'.<sup>38</sup> There exists an opportunity for Manly to carefully consider how it could capitalise on this lack of venues in NSW and, potentially, position itself as a 'music centre' for Greater Sydney.

It would be worth considering, whether the agent of change principle, whilst protecting existing venues, may represent higher costs for any new venues. Additionally, providing an environment where live music can succeed and contribute to the NTE also requires ancillary facilities such as rehearsal spaces and recording studios – at affordable prices. As identified in the Victorian experience, it is often more cost effective for a developer to fund noise control at neighbouring venue(s) than to sound-proof their entire development to the required standard.<sup>39</sup> In this way, a simple intervention that dictates a market-led solution could solve a significant portion of land use conflict in an efficient manner.

In summary, live music and cultural entertainment require adequate support from the planning sector and from local government. Manly is well-positioned to benefit from these sectors, but it requires intervention.

### Potential actions arising

- Investigate the feasibility of applying 'agent of change'-style requirements for DAs in an identified NTE-intensive zone (including for pubs, taverns, and nightclubs; late night retail; restaurants and dining and others) in the NSW legislative context
- Consider developing a Live Music Strategy to identify how the success of the Manly Jazz Festival (among other successful music events) can be translated into a thriving live music culture in Manly that drives place vitality and vibrancy, and contributes to a diverse NTE
- Audit live music venues, rehearsal spaces, and recording studios in the Northern Beaches to determine adequacy of capacity and creation of a Live Music Map to use in marketing and information campaigns.

<sup>37</sup> Victorian Planning Provisions, VC120, 52.43

<sup>38</sup> Live Music Office (2021). <https://livemusicoffice.com.au/nsw-parliament-music-inquiry-tables-60-recommendations-including-increased-support-for-the-live-music-office/>

<sup>39</sup> NSW Legislative Council (2018), *The music and arts economy in New South Wales*, p.114  
<https://www.parliament.nsw.gov.au/lcdocs/inquiries/2471/Final%20report%20website.pdf>

## 7.4 Amsterdam's Night Mayor

In 2012, Amsterdam introduced a 'night mayor'. This was a measure introduced as part of a range of concerns about safety and antisocial behaviour occurring in Amsterdam's nightlife. The night mayor was tasked with organising a response to these issues, particularly around conflicts between NTE and local residents. In Amsterdam, the role operates as an independent, not-for-profit entity that liaises with all stakeholders.

Following widespread consultation with stakeholders, the key action was to run a three-year pilot program in Amsterdam's major nightlife district, Rembrandt Plein. This area was known for alcohol-related violence and other antisocial behaviour. As part of the pilot program, the city put money toward improving investment opportunities, consultation, improved access, lighting, and wayfinding, and improved information provision. The city also hired 'hosts' to patrol the street on Friday and Saturday nights from 9pm to 6am, as well as developing an app for residents to report incidents and nuisances, connecting them to one of the hosts for the incident to be investigated. Other works included removal of a taxi rank to outside the main area and the placement of signs warning visitors not to disturb local residents. Opening hours were also increased, allowing bars to stay open until 6am and nightclubs to 8am.

The results of this pilot program were that nuisance reports from residents reduced by 30 per cent, and violence reduced by 25 per cent. Additionally, longer opening hours led to a more staggered disbursement and quieter patronage, rather than all attendees being turned out into public areas at closing time.<sup>40</sup>

### Lessons learnt for Manly NTE Strategy

Whilst these changes in Amsterdam could have been made by some mechanism other than a 'night mayor', it should be noted that the perceived authority and "journalistic appeal"<sup>41</sup> enables the night mayor to intervene and take action on community, business, and governance concerns and ideas and connect the relevant parties to 'make things happen'. A night mayor could serve to unite the various participants in Manly, and to grow its NTE in a way that works for all involved.

Seijas and Gelders<sup>42</sup> (Mirik Milan Gelders was Amsterdam's first night mayor) identified four main areas where night mayors typically operate:

- Advocacy
- Policy
- Mediation
- Fund raising.

For Manly, the presence of a strong local Council and the development of the NTE Strategy suggest that a Manly Night Mayor would not need to operate in the realm of *policy*, and the presence of an active Business Chamber and above average local wages suggest a Manly Night Mayor would not need to operate in the realm of *fund raising*. In HillPDA's research and understanding of NTE issues in Manly, whilst there are some issues around land use conflict, the majority of stakeholders want the same things for Manly's NTE: a diverse, safe, and vibrant environment that is accessible to all. A night mayor may be able to ensure that the collective goodwill is not wasted, especially by operating within the *advocacy* and *mediation* realms, liaising with businesses, residents, and Council.

<sup>40</sup> Sound Diplomacy (2021), 'A Guide to Managing Your Night Time Economy', <https://www.sounddiplomacy.com/night-time-economy-guide>

<sup>41</sup> Seijas and Gelders (2020), 'Governing the night-time city: The rise of night mayors as a new form of urban governance after dark', *Urban Studies* 58(2), p. 319.

<sup>42</sup> Ibid, p. 327.

## 7.5 Rosario's Night Time Picnic

Rosario is a city in central Argentina with a population nearing two million. Typical of Argentina, Rosario has an active night life, with many residents dining late into the night. However, it also suffers from a bad reputation with regard to safety in public places after dark. Rosario possesses high-quality public spaces but struggles to utilise them at night time due to safety concerns.

In 2017, Rosario developed a strategy to promote inclusive and family-friendly night time activities that are affordable for both the city and its residents. Identifying an opportunity to capitalise on Argentines' love for picnics, in January 2017 Rosario's Mayor used social media to invite the entire city to have a 'night picnic' in the city's public spaces. The initial event attracted 50,000 people who enjoyed live music (hired by the government), their own food, and the option to purchase food from vendors. The events have continued to grow and now the Night Time Picnic will occur periodically throughout the year, activating specific public spaces as determined by the government.

Key benefits to the city include its low cost, with the only outgoings being performers' fees, lighting and audio equipment. Additionally, the presence of so many people in the city centre's spaces, and their arrival and dispersal from the event creates large amounts of foot traffic that may be directed into other venues and shops before and after the event. Rosario's citizens were also encouraged to use active transport to attend the events, promoting health, wellbeing, and sustainability. A key outcome was that successful events can encourage habitual use of an area.<sup>43</sup>

### Lessons learnt for Manly NTE Strategy

Urban open space must be conducive to safety at night and during the day – this will likely require some changes. However, if Council can establish regular and well-attended events in key public spaces, it does not need to spend a lot of money on increasing the utility, visitation, and safety of these spaces.

Hosting events in the evening or at night time that are successful and family-friendly could help to encourage the area's habitual use by groups that may not feel comfortable there presently – and in doing so, move the reputation away from alcohol-related activity and antisocial behaviour, and improve outcomes for nearby residents.

### Potential actions arising

- Consider establishing a regular Night Time Picnic in Manly, either dispersed through key public spaces or focused on an intervention area (such as East Esplanade)
- Ensure that existing public spaces promote dwell time, comfort and safety in the evening and night as well as during the day
- Consider a regular night time market or other event that does not compete with existing retailers and is a destination that attracts visitors to the study area.

## 7.6 Vilnius, Lithuania – Kultūros Naktis

Vilnius, Lithuania's capital city, is a smaller city of approximately 500,000 people. Though the city has successfully restructured toward being a technology and entrepreneurship city following its post-Soviet decline, it has struggled with a severe lack of night time activities. Vilnius' tech-based population includes a large number of people who work in different time zones, or who have otherwise different work schedules. This has been seen

<sup>43</sup> Sound Diplomacy (2021), 'A Guide to Managing Your Night Time Economy', <https://www.sounddiplomacy.com/night-time-economy-guide>

as an opportunity by Vilnius' government, enabling the provision of NTE activities and services at a diverse range of times.

Due to its small size, Vilnius is unable to compete with other, more 'global' cities, for major events and activities, including live music. However, due to its ability to offer intimate venues in a medieval Old Town, Vilnius can attract local performers and offer niche events without having to compete with international names.

To capitalise on this opportunity, Vilnius' government established Kultūros Naktis (Culture Night) to increase the vitality of the city at night time. Though some financial input was provided by the government, it is largely funded by sponsors. In 2016, its 122 events attracted 100,000 visitors, with 600 artists performing or displaying their works.<sup>44</sup>

### Lessons learnt for Manly NTE Strategy

Coordinated, large-scale cultural events can require input from government – but it does not need to be major financial input. Additionally, pivoting toward art and culture can help to promote a different kind of reputation – away from alcohol-related activity.

Large, recurring events such as Kultūros Naktis can promote habits in residents and visitors. Though an individual may not have participated in the city's cultural sector before, a positive experience at a major cultural event may prompt them to utilise other cultural attractions. This could have major benefits for Manly's cultural sector.

### Potential actions arising

- Consider creating a Culture Night for Manly. This approach could combine with others listed as case studies (such as Renew Newcastle) to activate underutilised spaces for recurring or one-off events distributed throughout the study area, including for visual art shows or intimate theatre or film venues.
- Use a Culture Night (or similar) to reposition Manly as not just an NTE hub, but a cultural hub also, to capitalise on the domestic travel market post-COVID-19 recovery. Council could attempt to replicate the success of Manly Jazz Festival, but with a cultural festival celebrating other parts of the creative sector such as visual arts and theatre/film.

## 7.7 Leicester City Council UK – investment in the public realm and cultural facilities

Leicester, a small city in the United Kingdom, has made investments and public realm improvements to encourage investment and activate public spaces to improve the cities ambience at night time.<sup>45</sup> Establishment of a large pedestrianised areas provided a safe, family friendly environment that is suited to evening activities. An annual calendar of festivals and events that focus on the celebrating the city's diversity have also use this space. A business improvement district was established in 2017 and Council has worked in partnership with other stakeholders to increase the number of events for the night-time economy.

The Council also partnered with development agencies and other tiers of government to build a new cultural centre in the heart of the city known as Curve Theatre which has brought theatre, cinema, art centre and café bar to the city centre. The theatre has played a significant role in diversifying the night time economy and bringing people into the centre in the evening.

Other initiatives that have proved beneficial include:

- Re-establishing an old, non-operational theatre in an underutilised area of the city to reinvigorate foot traffic

<sup>44</sup> Sound Diplomacy (2021), 'A Guide to Managing Your Night Time Economy', <https://www.sounddiplomacy.com/night-time-economy-guide>

<sup>45</sup> Local Government Association (2016) *Approaches to managing the night-time economy*, UK

- Creating a Night-time Economy Strategic Delivery Group, incorporating members from the community, businesses, police, Council, and ambulance service to guide Council's NTE interventions
- Worked with developers to find spaces for non-alcohol-related night-time leisure activities with private operators having since gained development consent for an indoor climbing centre and a mini golf facility<sup>46</sup>.

### Lessons learnt for Manly NTE Strategy

- Creating a connected and wide-spread pedestrian precinct that is safe and pleasant enabled evening activities for different user groups and encouraged increased pedestrian traffic in a safer environment
- Council-led investment in cultural centres increased pedestrian traffic, diversified that range of activities available in the evening and reduced reliance on alcohol-related NTE activities
- Encouraging the development and use of spaces in cities for non-alcohol-related leisure activities that stay open in the evening could support the NTE and enable more a more diverse demographic to participate. Leisure activities such as indoor sporting facilities could also be lower-impact on sensitive receivers than alcohol-related premises and live entertainment.



*Curve theatre Leicester, UK*

Source: Venue Scanner

## 7.8 Splash Adelaide – events and the NTE

Splash Adelaide launched in 2011 to support the South Australian State Government to increase the number of visitors into the City. Prior to the commencement of Splash Adelaide, short trading hours were common and most restaurants and cafes usually closing after lunch time. Splash Adelaide was launched by Adelaide City Council to draw crowds back in to the city by adding more events and using the public space as part of the activity space to bring more people to the CBD and invite people to stay longer after work.

Between 2011 and 2019 Splash Adelaide created more than 1,300 jobs and more than \$90 million turnover in economy. More than 550 events and projects occur every year as part of the program. Since this program started

<sup>46</sup> Local Government Association (2016) *Approaches to managing the night-time economy*, UK

over 40 temporary art installations occurred across the city and 339 outdoor dining area have been permitted in City of Adelaide<sup>47</sup>.

### Lessons learnt for Manly NTE Strategy

- Council-led events in the evenings such as carnivals, street parties, food festivals, night markets, Christmas Markets and live music can support increased patronage both spatially and temporally, activating particular areas or 'dead spots' on events calendars
- Events and activations that focus on points of difference for the specific place can contribute to the success of a place long-term and its recognisability, impacting tourism and the NTE.



Source: Adelaide City Council

## 7.9 Parramatta Night City Framework 2020-2024

City of Parramatta is aiming to become a 24-hour city centred on the Parramatta CBD. Though it is already host to Australia's 8<sup>th</sup> largest NTE, providing over 8,000 jobs, Parramatta aims to be a thriving city that champions late night business, creativity, and safety. To achieve its vision of being a 24-hour city, Parramatta has identified the following focus areas:

- Planning for a future 24-hour CBD and late trading centres
- Parramatta as a centre of late night business, leisure and culture
- A night city supported by infrastructure
- Promoting Parramatta as a thriving night time destination
- Keeping our city safe and engaging our community
- Parramatta as a leading night city<sup>48</sup>.

<sup>47</sup> [www.cityofadelaide.com.au/media-centre/splash-adelaide-is-open-for-ideas/](http://www.cityofadelaide.com.au/media-centre/splash-adelaide-is-open-for-ideas/)

<sup>48</sup> City of Parramatta, Parramatta Night City Framework, 2020-2024

Previous engagement work had identified that Parramatta's NTE was unsafe and had negative effects on amenity for surrounding residents. To achieve in its identified focus areas and balance the needs and desires of its residents, Parramatta will undertake the following actions:

- Identify late night entertainment precincts for the purposes of specific planning controls.
- Investigate the possibility of allowing low risk and small scale cultural uses to be classified as complying development.
- Develop a resource for residents moving to late night entertainment precincts to educate them on reasonable expectations for night time noise levels.
- Incorporate the Parramatta Small Bars Policy into the DCP.
- Develop a Night Time Economy Diversification Grant to encourage new businesses to participate in the NTE.
- Trial later opening hours for Council facilities (including libraries, community halls, indoor recreation facilities etc).
- Run night markets in the Parramatta CBD.
- Develop a city-wide events and festivals strategy that considers NTE.
- Develop a live music strategy.

Following the Parramatta Night City Framework, City of Parramatta amended its planning certificates (Section 10.7(5) certificates) to include a NTE advisory for properties in Business and Industrial zoned lands. The advisory advises the lands are within proximity to centres, with the NTE of City of Parramatta being a priority. Residents are made aware the nature of NTE venues and events may affect the use and enjoyment of land due to operating hours, noise and other measures. It concludes with "This is considered part of living in/near a commercial centre."<sup>49</sup>

City of Parramatta has also recently placed its draft Late Night Trading Development Control Plan on public exhibition, with a report back to council expected in early 2022.<sup>50</sup> The draft DCP focuses on establishing late night trading areas in the Parramatta CBD, with standard and extended trading hours, acoustic controls and plan of management requirements. Essentially, the draft DCP anticipates more intensive uses in the core of the Parramatta CBD, with intensity reducing in transitional areas that interface with more suburban character areas. Key outcomes for the core CBD area include:

- Trading areas:
  - Licensed premises base hours extend from 6am to 11pm outdoors and 2am indoors.
  - Licenses premises extended indoor hours are 24 hours, with outdoor areas open until 3am
  - Non licensed premises base hours are 24 hours
  - Extended hours are approved as a reviewable condition and subject to 12 month reviews
- Acoustic controls
  - Noise controls primarily consider entertainment noise (e.g. patron noise), with separate mechanical noise controls
  - Noise limits are established based on measurement data across Sydney, including Parramatta, and typical noise ingress through window facades.
  - Day and night time noise (to midnight) may be up to 71 dB (66dB until 7am) at the site boundary

<sup>49</sup> <https://www.cityofparramatta.nsw.gov.au/sites/council/files/2020-11/LivingInANightTimePrecinct.pdf>

<sup>50</sup> <https://participate.cityofparramatta.nsw.gov.au/late-night-trading-DCP>

- New sensitive receivers (e.g. new residential development) are to prepare noise impact assessments to demonstrate that they achieve suitable internal noise criteria
- New NTEs that share a common partition with a sensitive receiver are also to demonstrate suitable internal noise criteria for the receiver.

### Lessons learnt for Manly NTE Strategy

- Policy that enables and encourages uses that are more suitable for areas with sensitive receivers (for example, small bars over large pubs) should be prioritised over restrictive policy for existing uses.
- NTE uses that do not currently exist, or exist in small quantities, may need encouragement (including grants) to risk participating in the Manly NTE.
- Council can lead and support events that operate at night time, contributing to the wider NTE.
- Council controls can establish noise limits in NTE areas based on measurements.

## 7.10 City of Yarra – Post strategy implementation

The City of Yarra, in central Melbourne, is known for its dynamic NTE focused in Collingwood, Fitzroy and Richmond. To address community concern that the NTE was having negative impacts, particularly with regard to alcohol consumption and antisocial behaviour, the City of Yarra adopted its *Night Time Economy Strategy 2014-2018* in 2014 and has subsequently implemented a number of programs to strengthen the NTE and its management.


The original Strategy contained three key objectives:

- A safe night time economy - at night public spaces are well-kept and people behave respectfully
- A vibrant night time economy - at night there are a range of people and ages, and a diversity of facilities and activities, not centred on alcohol
- A functional night time economy - at night entertainment precincts accommodate people at peak times, attract people to walk, cycle or use public transport and have adequate public amenities (e.g., toilets) and infrastructure.

Widespread acceptance of these objectives set a platform for implementing change. Since the strategy was prepared a number of initiatives have been implemented to further to outcomes from the initial strategy. These include:


- **Regular monitoring:** City of Yarra Council undertakes an annual Customer Satisfaction Survey on a broad range of matters. The Council has included questions relating to safety and amenity during the night time to enable monitoring of experiences of the night time environment. Issues raised in the survey are referred to Council and where appropriate, projects to address issues are formulated and form part of the Council's program for the following year.
- **Focussed engagement:** Council has led community discussions to celebrate nightlife, discuss issues and work towards community led solutions. The Yarra 5:9 was one such discuss help in a local pub with notable panellists involved in the night time economy
- **Acoustic Management:** For a period, the City of Yarra operated a Live Music Venues Grants Program which is for activities such as acoustic engineering, sound proofing and refurbishments that help to reduce noise related issues and complaints. Around 25,000 was allocated in grants annually under this program.<sup>51</sup> The program was later merged with a wider community arts grant program.

<sup>51</sup> City Of Yarra Arts and Cultural Strategy 2016-2020 p.17



A community dialogue on sustaining a vibrant, diverse and safe Yarra night life.

Page 3



Attendees mingling.

### Celebrating the nightlife in Yarra that the community has built

On 21<sup>st</sup> of June, Yarra City Council hosted *Yarra 5 to 9: The Night Time Economy* Event at the LuWow bar in Fitzroy.

Four panellists headlined the event, coming from very different perspectives including: Adrian Basso, Manager of PBS Radio 106.7FM, Patrick Donovan, CEO of Music Victoria, Brian Vandenberg, Manager of Alcohol, Tobacco and UV policy of VicHealth and John Henshall, Principal of Essential Economics.

Attendees included members of the Yarra Liquor Forum, local businesses, local residents, representative from the Victorian Commission for Gambling and Liquor Regulation, Victoria Police and the Victorian Taxi Industry Association, local government representatives and other interested stakeholders.

Source: City of Yarra

#### Lessons learnt for Manly NTE Strategy

- Consider whether 'crime prevention through environmental design' (CPTED) principles are sufficiently implemented in any identified antisocial activity hotspots.
- Consider implementing annual 'Consumer Satisfaction Survey' that contains questions around safety that could then inform Council interventions.
- Council could investigate the appropriateness of running a grants program to support NTE businesses in soundproofing or otherwise modifying their premises to be more friendly to sensitive receivers.

An aerial night view of a city with a river and numerous lit-up buildings. Overlaid on the lower half is a semi-transparent rectangular area showing a festival scene with white tents, colorful umbrellas, and people. The word "STRATEGY" is centered in white text within this festival area.

# STRATEGY

## 8 STRATEGY

The section provides potential strategies and approaches to support the Manly NTE and balance the needs of competing interest groups in the study area. It is not envisaged that Council would implement all strategies outlined in this section. A range of strategies has been described that can be further considered and investigated as part of the Manly Place Plan Project or as opportunities arise in the future.

### 8.1 Objectives



Figure 8-1: Manly Town Hall



Source: HillPDA

## 8.2 Principles

Having an agreed direction by all stakeholders can help achieve a successful NTE that is fun and safe as well as contributing to jobs growth and the local economy. The following principles have been developed with reference to the Night Time Economy Commissioner's office and the *24 Hour Economy Strategy*. They are proposed to guide decision making in the study area to support a successful night time economy. It is suggested that future investment in Manly's NTE should align with the principles below.

1

### Local assets

Manly has many natural and built assets that are the foundation of the current night time economy. Ongoing protection, management and maintenance of these assets is essential to the long term wellbeing of businesses and the community. Providing a high quality public domain and environmentally sustainable natural assets will continue to be a priority.

2

### Partnerships

Northern Beaches Council understands the needs of businesses and the essential role they have in the night time economy. The impacts of businesses on the community need to be managed so that the positive impacts are maximised and the negative impacts are appropriately managed. A partnership between businesses and the community will be essential to achieving balanced and fair outcomes that will allow the night time economy to prosper.

3

### Community

Manly offers night time activities suited to all sectors of the community. Manly is to be a place where families, young people, older people and people of all abilities can come together in the evening or night time to enjoy a broad range of activities.

4

### Safe and healthy

Manly is to be a safe environment for all users throughout the evening and night time. Manly will have high levels of passive surveillance, centred around active streets and spaces, access control treatments and space/activity management strategies. Manly will offer a healthy environment during the night time to support healthy lifestyles through providing opportunities for physical activities, access to diverse food and beverage options, and opportunities for social and community interactions.

5

### Connected

Transport opportunities will be available to support the NTE to support those who are enjoying a night out as well as those who work during the evening and night

time. Planning for evening and night time travel by private car, taxi, rideshare, public transport and active transport is an ongoing need.

## 6

### Culture

The Manly NTE will support a diverse range of businesses, artistic and creative industries, the tourism sector and entertainment sector. Collectively, these will meet the needs of all in the community and contribute to the local culture and identity, creating a sense of pride in Manly.

## 7

### Exciting and unique

Manly is to have its own unique atmosphere – it will be a place that is fun and interesting; cultural and friendly; social and entertaining. Manly is a place where people come to work and play, enjoying the arts and culture, the energy of the streets at night time, food, experiences, live events and opportunities to enjoy the outdoors and be active<sup>52</sup>.

## 8

### Sustainable

Council's investment in Manly's NTE will bring substantial reward through long-term economic and environmental sustainability, to provide local jobs and a lively hub of activity in Manly's high quality environment.

### 8.3 Strategic directions

This section outlines broad strategic directions for Council to support the growth of a vibrant and successful night time economy as described in the vision statement above. An overview of the directions and actions is provided in Table 8-1 below.

**Table 8-1: List of strategic directions and actions**

Strategic direction	Actions
Support businesses in the night time economy	<ul style="list-style-type: none"> <li>Support businesses to recover from COVID-19-related impacts</li> <li>Improve certainty for businesses, residents and artists</li> <li>Improve amenity and public domain</li> <li>Support year-round activity</li> <li>Develop NTE activity clusters</li> </ul>
Diversifying the night time economy	<ul style="list-style-type: none"> <li>Cater for a diverse range of interest groups</li> <li>Enable pop-ups and temporary activities</li> <li>Encourage live music and performing arts</li> </ul>
A safe and pleasant environment	<ul style="list-style-type: none"> <li>Improve wayfinding and street signage</li> <li>Provide well-located, accessible, and safe public toilet and rubbish disposal facilities</li> </ul>
Promotion and advocacy	<ul style="list-style-type: none"> <li>Establish an ongoing working group to champion the NTE</li> </ul>

<sup>52</sup> Deloitte (2019) Imagine Sydney Play: The economic and social potential of a playful city.

## 8.4 Support businesses in the night time economy

### 8.4.1 Support businesses to recover from COVID-19-related impacts

The impact of the lockdowns during the COVID -19 Pandemic has been substantial, particularly for the hospitality and entertainment sectors. Council has initiated its *Back to Business* program to support local businesses to recover from the most recent lockdown. At the time of writing that program was being transitioned back to business as usual. During discussion with stakeholders several ideas emerged on ways to support businesses post lockdown and attract people into Manly. These are summarised in the table below.

**Table 8-2: Support for business in the NTE post lockdown**

Aim	Options for Council's consideration
Develop a program of events to support local business	<p>Expand Council's events program to include opportunities for local business such as:</p> <ul style="list-style-type: none"> <li>• 'Dinner on the Beach'. Local restaurants could set up takeaway options with a hub near the beach with appropriately-distanced customers, BYO picnic blankets, alcohol etc.</li> <li>• 'Taste of Manly' to enable bars and restaurants to open in a limited capacity, including: <ul style="list-style-type: none"> <li>– Location on a lane or the Corso</li> <li>– Free tastings of different wines, spirits, beers etc</li> <li>– Free tastings of foods.</li> </ul> </li> <li>• Summer Artist Trail from Manly Art Gallery to the wharf with local artis stalls, local food retailer stalls and musicians</li> <li>• Outdoor cinema at Manly Oval supported by local cafes and restaurants operating form on site stalls.</li> </ul> <p>Note: The events are intended to provide opportunities for local businesses rather than attract competition.</p>
Encourage additional, family friendly night time activities	<ul style="list-style-type: none"> <li>• Advertise for and enable proponents to operate innovative pop-up activities in open space (with reduced or waived fees), including in the Corso. Activities could include: <ul style="list-style-type: none"> <li>– rock climbing course</li> <li>– mini skate park</li> <li>– mini golf</li> <li>– circus activities (i.e. slacklining)</li> <li>– outdoor cinema (with food trucks / beverage offering)</li> <li>– skate rink</li> <li>– art shows.</li> </ul> </li> </ul> <p>These activities would be new offer that are not pre-existing in the Manly town centre. Short-term successes may then translate into feasibility for opening a permanent premises, increasing vitality and diversity in Manly.</p>
Improve profitability of outdoor events for stall holders	Waive or reduce outdoor event permit fees (for a set period) on weeknights and/or weekends.
Capitalise on post lockdown tourism	<p>Investigate possibilities to attract domestic tourists to Manly or entice day visitors to stay into the night time, including:</p> <ul style="list-style-type: none"> <li>• Package deals of a return trip on the fast ferry and a dinner at a select of local restaurants</li> </ul>
Reduce parking fees	Council could consider a trial period of fee-free parking to encourage people to visit Manly in the evening or night time.
Support local musicians	<ul style="list-style-type: none"> <li>• Council could consider waiving busking fees for a specified period</li> <li>• Opportunities for outdoor entertainment could be established on a trial basis for a specified period</li> </ul>

Aim	Options for Council's consideration
	<ul style="list-style-type: none"> <li>• Council could consider a trial period of reduced restrictions on noise from live music for premises located within the area shaded blue in Figure 8-2 to (say) 10pm on week nights and (say) midnight on Friday and Saturday nights, as a way of supporting the recovery of the live music industry and attract people to Manly.</li> </ul>

#### 8.4.2 Improve certainty for businesses, residents and artists

Business operators have advised that there is a lack of certainty in the business environment caused by a conflict between the operation of businesses in the evening and concern of nearby residents. Resident complaints to Council have included complaints about music, loud patrons, venues operating too late and the like. Venue operators have reported that development applications are met with strong objections from local residents. Conflicts between residents and business are reported to be hampering business operations, business growth and making it difficult for businesses to expand or evolve. This is considered to be a key issue for the short term and long term success of the night time economy in Manly.

Like any town centre the size of Manly, it is reasonable to assume that there will be some noise generated by businesses in the evening and night time. Establishing clearer “planning rules” could provide certainty to businesses and residents about what they can expect. Amending the planning rules has the potential to aid both business and residents achieve a shared level of clarity. These rules could aim, to set down a fair playing field for both businesses and residents. They can be supported by a range of strategies to manage noise impacts of business activity in the night time. Noise controls and their application to new residential and venue developments would aim to:

- To recognise that live music and entertainment is an important part of the Manly Night Time Economy
- To protect live music entertainment venues from further encroachment of noise sensitive residential uses
- To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise
- To ensure that the primary responsibility for noise attenuation rests with the proponent of the development.

#### Possible intervention: Suggested amendments to Manly DCP

It is suggested that Council consider amending the Manly DCP Clause 4.2.5.6 Late Trading Venues in the Manly Town Centre Entertainment Precinct to provide greater certainty for businesses and residents. Some approaches are outlined below:

- A) Establish clear objectives for managing evening and night time trading which:
  - Recognise that the Manly NTE is integral to the commercial, social and cultural environment of the Northern Beaches
  - Support evening and night time trading to contribute to:
    - Manly as an iconic cultural and economic centre
    - A diverse range of businesses and entertainment being available to meet the needs of residents, workers and visitors
  - Provide opportunities for late trading and live music in areas where risks can be appropriately managed and the potential for causing disturbance to residents can be mitigated
  - Encourage a mix of late opening shops and businesses, like grocery stores, bookshops, hairdressers, and gyms, as well as licensed theatres, pubs, cafes, small bars and restaurants in late night precincts, to cater for the needs of all age groups and encourage a safer night time environment.
  - Establish clear expectations for development applications in the study area.

- B) Define lower impact/risk and higher impact/risk land uses in the NTE, to enable different management approaches and planning mechanism to be applied according to the degree of risk:
- Enable low impact uses such a retail, restaurants, takeaway food outlets and small bars to trade 7.00am to midnight or even 24/7 trading within the study area, to encourage greater diversity and multiple venues rather than large capacity venues
  - Establish a late trading area where trading beyond midnight may occur, subject to a merit based assessment of impacts. We anticipate that this area would be similar in extent to the Corso West precinct in Figure 8-7 below. Particular consideration could be given to laneways, where there would be limited conflict with sensitive land uses and opportunities for smaller scale and experience-based indoor venues.
- C) Enable other limitations on operations, where appropriate, to limit noise at venues including:
- Limits on crowd capacity
  - Limits on number of events per year
  - Limits of consecutive days of events
  - Time restrictions for rehearsals and events
  - Noise monitoring of events.
- D) Require future development of sensitive receivers, including residential development, in the study area to:
- Demonstrate consideration of the existing acoustic environment including:
    - Traffic noise
    - Mechanical plant noise
    - Potential noise emissions from existing NTE activities such as patrons and live music.
  - Demonstrate through the development assessment process, that they incorporate acoustic considerations in the building fabric capable of mitigating existing outdoor noise levels to suitable internal levels (AS2107). Potential external façade noise levels are shown in Figure 8-2, based on measured and estimated noise levels.
- E) Require NTE operators in the study area to:
- Trade in accordance with their conditions of approval
  - Demonstrate that they can satisfy the relevant Noise Policy for Industry or Noise Guide for Local Government, where seeking extension to trading hours
  - Dispose of glass (and other waste that generates loud noises) internally within the premises between the hours of 10.00pm to 7.00am.
- F) Allow operators to innovate and demonstrate compliance by:
- Removing existing DCP requirements for outdoor areas to be closed at a certain time, instead highlighting them as potential sources of noise to be considered and potentially mitigated
  - Identifying public domain interaction points as potential areas for conflict between patrons and the public, requiring plans of management to plan for transitions between the public and private realms
  - Establishing baseline acceptable sensitive receiver thresholds for noise (Figure 8-2), while also establishing the acceptability of +5dB over background as per current controls
  - Removing requirements for licensed premises to not be audible within any habitual room between midnight and 7am as current best practice stipulates noise controls at a façade (as proposed above)
  - Council could also encourage residents to undertake appropriate mitigation measures, potentially with support from Council

G) Encourage variable trading hours according to risk of impact to:

- Provide certainty for businesses and residents
- Establish a policy position on acceptable trading hours for different business types. Table 8-3 provides an example matrix of potential standard late night trading hours.

**Table 8-3: Example of standard late trading hours for different land uses**

Risk/impacts	Land use	Indoor		Outdoor*	
		Standard	With mitigation to Council's satisfaction	Standard	With mitigation to Council's satisfaction
<div>High</div> <div>↑</div>	<ul style="list-style-type: none"> <li>Pubs</li> <li>Hotels</li> <li>Clubs</li> <li>Entertainment venues and the like with a capacity greater than 200 people</li> </ul>	5am to midnight	5am to 2am the next day if in the Late Trade Area (see below)	10am to 10pm	9am to 12 midnight
	<ul style="list-style-type: none"> <li>Small bars</li> <li>Restaurants with a liquor license</li> <li>Entertainment and performance venues with less than 300 person capacity</li> <li>Cinemas with capacity less than 300 people</li> </ul>	5am to midnight	No limit subject to DA assessment OR Fun SEPP (Exempt and Complying)	10am to midnight	7am to 2am
	<ul style="list-style-type: none"> <li>Retailers</li> <li>Gyms</li> <li>Cafes</li> <li>Restaurants without a liquor licence</li> </ul>	24 hours or as determined by the DA assessment OR Fun SEPP (Exempt and Complying)	24 hours or as determined by DA assessment OR Fun SEPP (Exempt and Complying)	5am to 10pm	5am to 12pm
Low					

\* Includes decks, balconies and rooftop areas and any external access

Figure 8-2: Potential external facade noise levels



Source: EMM (2021); DPIE (2021); Rodney Stevens Acoustics (2019); Acoustic Logic (2018); DFSI (2018)

0 50 100  
m  
GDA 1994 MGA Zone 56  
N

**KEY**

<span style="border: 2px solid purple; padding: 2px;"> </span> Study area	Land zoning (Manly LEP 2013)	<span style="background-color: #90EE90; border: 1px solid black; padding: 2px;"> </span> RE1 Public recreation
<span style="border: 2px solid orange; padding: 2px;"> </span> Local government area	<span style="background-color: #ADD8E6; border: 1px solid black; padding: 2px;"> </span> B1 Neighbourhood centre	<span style="background-color: #90EE90; border: 1px solid black; padding: 2px;"> </span> RE2 Private recreation
<span style="border: 2px dashed black; padding: 2px;"> </span> Existing area of concern	<span style="background-color: #4682B4; border: 1px solid black; padding: 2px;"> </span> B2 Local centre	<span style="background-color: #FFD700; border: 1px solid black; padding: 2px;"> </span> SP2 Infrastructure
<span style="border: 2px solid purple; padding: 2px;"> </span> Potential area of concern	<span style="background-color: #D2B48C; border: 1px solid black; padding: 2px;"> </span> E4 Environmental living	<span style="background-color: #FFD700; border: 1px solid black; padding: 2px;"> </span> SP3 Tourist
Noise level (dB(A) L <sub>90</sub> )	<span style="background-color: #F08080; border: 1px solid black; padding: 2px;"> </span> R1 General residential	<span style="background-color: #90EE90; border: 1px solid black; padding: 2px;"> </span> W1 Natural waterways
<span style="border: 1px solid black; padding: 2px;"> </span> Measured noise level	<span style="background-color: #FF6347; border: 1px solid black; padding: 2px;"> </span> R3 Medium density residential	
<span style="background-color: black; color: white; padding: 2px;"> </span> Estimated noise level*		

Study area

Manly night-time economy study  
Acoustic assessment  
Figure 4.1



### **Possible intervention: Amendment to Manly LEP**

Clause 6.21 of Manly LEP requires the consent authority, when considering development applications for licensed premises including major alterations and additions, to consider the impact of noise nuisance on residential development in the vicinity of the proposed development. In future, Council could investigate opportunities to broaden this provision to apply to both residential development and licensed premises. This would enable Council to require residential development to be designed and constructed to minimise conflicts with late trading venues. The clause could specify matters to be considered or specific requirements for development in the Late Trade and Entertainment Area shown in an LEP map overlay. This could give statutory strength to enable the imposition of conditions of consent that require appropriate noise attenuation at a residential development or a licensed premises/live music venue.

Council may also revisit the necessity of existing land use conflict minimisation objective of the current B2 Local Centre zone as part of the upcoming employment zone reforms. The goal of a review would be to establish a balance between residential and non-residential uses in the centre and the primacy of the merit based assessment process in managing impacts at the source at the DA stage. This could be incorporated into a forthcoming consolidation of LEPs in Northern Beaches LGA or the implementation of the employment zone reforms.

### **Possible intervention: Policy position and handling of complaints**

The suggested amendments to the Manly LEP and DCP are proposed to assist in providing a planning framework that better allows Council to manage development in the study area to minimise land use conflict. It is also intended to provide a fair playing field to both the operators of late trading venues and residents. Provided the noise emanating from a venue is within the proposed DCP limits (once tested), there may be no justifiable cause for complaint from residents. This position could be made clear to residents and venue operators through a position statement published on Council's website.

Council may wish to engage an independent acoustic specialist to undertake acoustic readings from time to time. This would provide Council with reliable information on the noise environment and compliance with the relevant standards. Such readings could be used to update acceptable noise limits such as those shown in Figure 8-2.

### **Possible intervention: Grant program for acoustic treatments**

In future, Council could investigate opportunities for establishing a grants program to actively support the NTE. A grant program would provide an indication of Council's commitment to the NTE in the Northern Beaches as well as providing practical support to businesses. The grants could be made available to businesses that would improve night time visitations as well as management of impacts of NTE, such as acoustic assessment or attenuation measures. Parramatta Council's Night Time Economy Activation Grants<sup>53</sup> is a successful example. Grants could be relevant to other parts of the LGA as well as the study area.

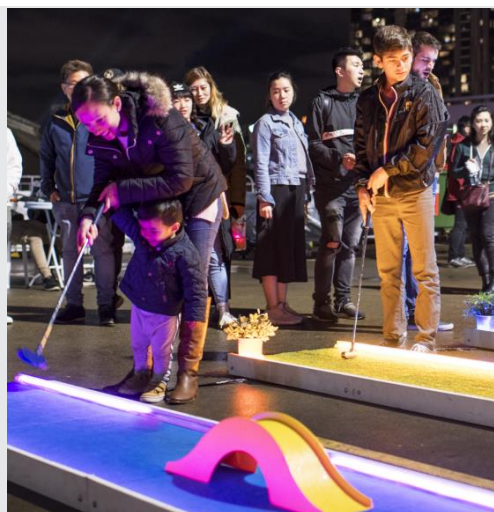
---

<sup>53</sup> Photo from City of Paramatta; Grant information sourced from <https://www.cityofparramatta.nsw.gov.au/vision/night-city/night-time-economy-activation-grants>

### Parramatta Night Time Economy Activation Grants

The Night Time Economy Activation Grants are designed to support local businesses, community groups, event organisers and individuals to develop projects that will support the growth and diversity of the night time economy in the City of Parramatta, while supporting the ability to trial new and interesting concepts that will build capacity in our local night time sector into the future. Council provides a funding pool of \$50,000 for the Night Time Economy Activation Grants each grant round of which \$40,000 is directed to Parramatta CBD. The grants are available for:

- Capital improvements to facilitate night time activity
  - To support improvements to a business that encourage night time visitation, such as public art, creative lighting and functional lighting upgrades
  - Capital improvements to in-venue acoustics to help manage sound transfer from venues to surrounding properties.
- Business development
  - To assist in covering fees and charges associated with the establishment of a new or expanded night time business or activity. This could include development application fees, outdoor dining or street activity use charges, event permits or liquor licensing fees.
  - To assist with development application costs associated with seeking an extension of trading hours of a business.
  - Assisting with additional operational and staffing costs associated with extended trading hours, or a new night time activity.
- Night time programming
  - Providing a new or additional service or offering in a retail or service premise conducted after 5pm, such as a workshop.
- Live Music
  - Financial support for live music programming as part of an event or inside a business.
  - Studies or acoustic reports to support development applications or licence approvals to host live music.



#### 8.4.3 Improve amenity and public domain

Manly is fortunate to have an exceptional physical environment that is well-known and is highly valued by the community as well as attracting large visitation, mostly for day trips. Widely recognised assets include Shelley Beach, Manly Wharf, Manly Beach and Manly Art Gallery and Museum. However, much of the study area and surrounds are in poor condition or detract from the public domain, including poorly-activated laneways, vacant shopfronts, unoccupied buildings, and poorly-articulated frontages. Council should focus on improving the consistency and quality of the public domain and rolling out a cohesive update. An improved public realm supports on-street evening and night time dining opportunities and would increase patronage to Manly.

Figure 8-3: Manly, Wentworth Street



Source: HillPDA

### Possible interventions

- Through the Manly Place Planning process, consider ways to support laneway activation, noting the potential to create evening “eat streets.” The purpose of the laneways and their activation should be established in the Manly Place Plan. Council could also consider whether Rialto Lane could be pedestrianised and activated.
- Consider implementing a lighting strategy to coincide with a wayfinding strategy. Parts of the study area that are identified as NTE activity precincts should have well-lit pathways and highlighted entrances (see Figure 8-7) to identify their role in the NTE and increase safety and sense of place. A lighting strategy could also consider the merits of interactive lighting, artistic lighting, or lighting with individual themes across the different activity precincts.

Figure 8-4: Lankelly Place Lights, City of Sydney.<sup>54</sup>



Source: (City of Sydney, 2021)

#### 8.4.4 Support year-around activity

As discussed in section 3.9, Manly has a robust calendar of events and activities, including internationally renowned events such as the Manly Jazz Festival and the Sydney Surf Pro. Manly is also host to a range of smaller events including Australia Day, New Year's Eve, and Christmas events, with various occasional events and markets.

Manly's event calendar typically centres on the warmer months – especially summer. This presents an opportunity for Council to invigorate Manly in the off-season. Events contribute to the NTE by increasing foot traffic and visitation to the area; and successful events typically lead to a higher demand to host similar events in the area.

Venues for events are generally limited to public spaces at the beachfront, near the Wharf and on The Corso. While these locations are suitable for some types of outdoor events, provision of facilities suited to performances and the Arts may increase the diversity of the NTE as well as supporting local artists. The stage in The Corso (John Speight Stage), in its current state, provides some potential for performance but this is limited by the stage size. This facility is well used during events, such as the Manly Jazz Festival, while at other times it is largely unused.

<sup>54</sup> Lankelly Place Lights (2021), City of Sydney [<https://www.cityartssydney.com.au/artwork/lankelly-place-lights/>].

### Possible interventions: expand opportunities to bring people into the study area during the off-season

Council could encourage increased visitation to the study area during the winter months by:

- Positioning Manly as an 'events hub', providing a year-round calendar of events and activities of varying sizes.
- Capitalise on the success of extant events like Manly Jazz Festival and investigating the possibility of inviting Manly Jazz Festival 'sideshows' through the year.
- Investigating 'quick wins' for COVID-19 recovery, possibly including:
  - Millennial Market (market night run by and for under 25s as run by KALOF, see Figure 8-5)
  - 'Night Picnic/winter whisky event' at the beach or Esplanade parks
  - Reduce or waive event fees for NTE events during winter
  - Encourage pop-up, family friendly evening and night time activities such as ice skating
- Consider option for enhancing performance space, including as part of the investigations into the future use for the Manly Town Hall site
- Investigate opportunity for an covered area within the study area to support increased night time activities during the winter period, including retail and outdoor dining.

Figure 8-5: Promotional flyer for KALOF's successful Youth Week Millennial Market, run by and for young people



**KALOF**



Source: Northern Beaches Council, 2021

**Figure 8-6: Examples public space interventions**



Laneways as outdoor entertainment venues



Sunken stage / amphitheatre, Redfern Park, Minto

Source: (L) Alan Blakely, 2014<sup>55</sup>, (R) Brett Boardman, 2011<sup>56</sup>

#### 8.4.5 Develop NTE activity clusters

A balanced approach to supporting the NTE while also managing the impacts of noise and disturbance to the neighbourhood, could involve considering selected part(s) of the study area for different user groups. This may assist Council to apply focussed management approaches and planning controls while also limiting the future spread of high risk noise generating developments. This would enable Council to permit low risk evening trading, such as retail and restaurants, by default in some areas, while a small precinct could be the focus of late night time trading.

The following precincts have been identified as suited to NTE activities and they are illustrated in the Figure 8-7:

- Corso East
- Corso West
- Sydney Road
- Manly Cove
- Ocean Beach.

Defining a night time activity cluster can assist in enhancing activation, attracting particular businesses and managing community expectations while also providing a focus for specific planning controls and requirements for developers and operators.

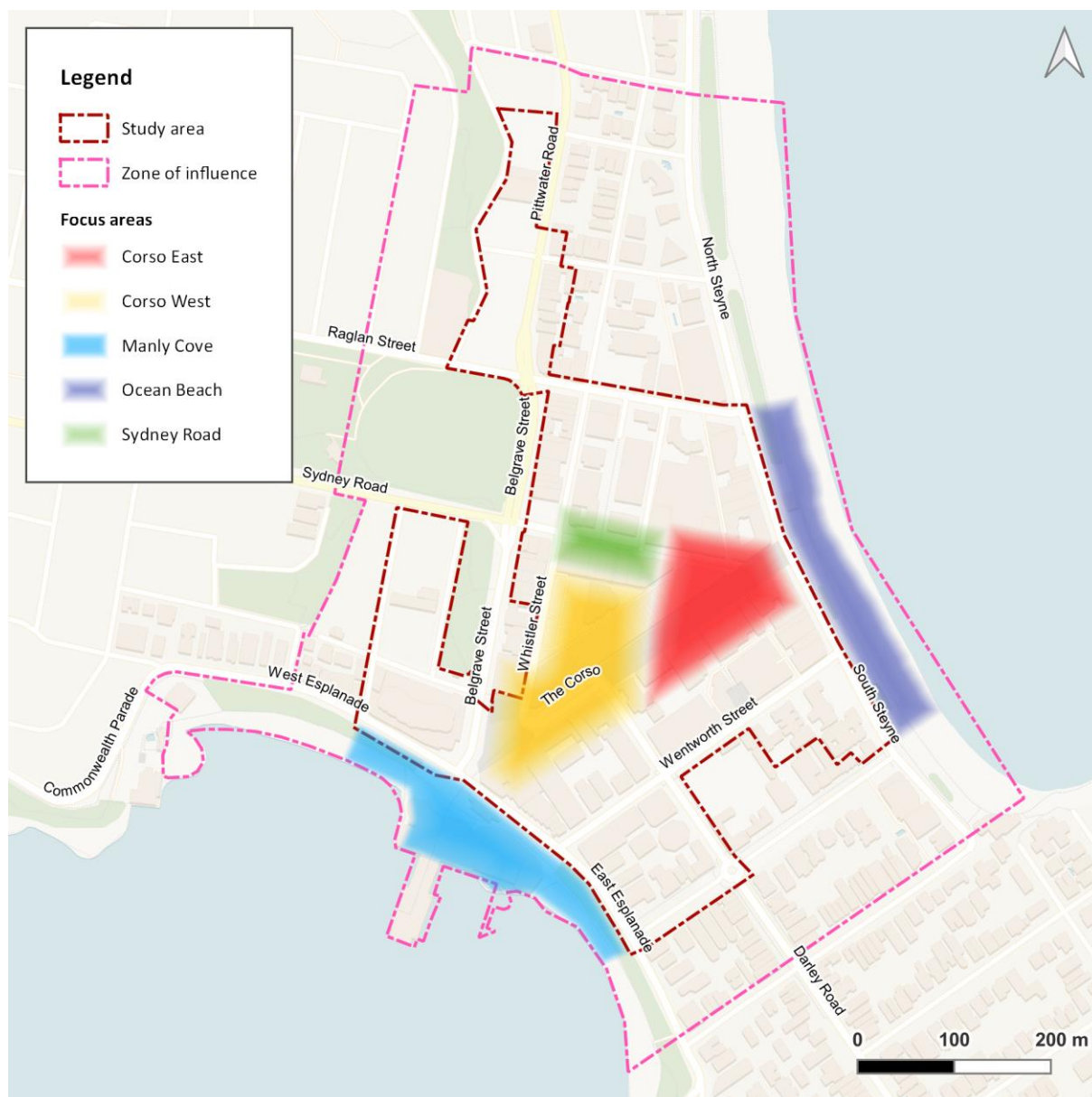
While it is important to maintain flexibility to accommodate the changing needs of businesses, vision statements have been provided in table 8-3 for each precinct. Streetscape and amenity improvements in those locations could focus on providing a night time environment that is attractive to businesses and visitors, including public toilet provision, wayfinding, and lighting. Where appropriate, providing a focus on attracting and hosting events could increase place vitality.

<sup>55</sup> Alan Blakely, 2014 (<https://glumac.com/urban-renewal-in-salt-lake-city/>)

<sup>56</sup> World Landscape Architect, 2011 (<https://worldlandscapearchitect.com/redfern-park-creating-playground-experience/#.YYoFr6FBw-Q>)

Table 8-4 provides a vision for each precinct and some suggested improvements to meet the needs of different user groups.

**Figure 8-7: Proposed NTE precincts**



Source: HillPDA

**Table 8-4: Precinct vision**

Precinct: Corso East	
Vision statement	<p>The intersection of the Corso and Sydney Road is at the centre of Manly's nightlife. This area is the home of entertainment, live music, pubs, clubs and bars. Standard late opening hours and the availability of unlimited opening hours (subject to criteria being met) make Corso East a thriving hub of activity.</p> <p>When people think of a night out in Manly, they think of Corso East. Corso East is the destination that Sydney Road and The Corso lead to and it is home to welcoming frontages, active streets, and a hubbub of conversation, music, and activity.</p>
Key user groups	<ul style="list-style-type: none"> <li>• Tourists, visitors, backpackers</li> <li>• Live music and entertainment fans</li> <li>• Young adult locals</li> <li>• Workers</li> </ul>
Desirable uses	<ul style="list-style-type: none"> <li>• Pubs, bars, clubs, live music, entertainment</li> <li>• Restaurants and cafes</li> <li>• Late-trading retail</li> </ul>
Opportunity sites	<ul style="list-style-type: none"> <li>• Laneways – Henrietta Lane and Central Avenue – many blank frontages and some vacant shopfronts, lack of activity.</li> <li>• Sites could host small bars, underground bars, outdoor dining, wine bars, markets, hole-in-the-wall fast food.</li> </ul>
Suggested improvements	<ul style="list-style-type: none"> <li>• Corso amenity improvements</li> <li>• Wayfinding improvements</li> <li>• Lighting to highlight laneway and street entrances and improve safety</li> <li>• Public toilet provision to meet stated community need – subject to a suitable space being located and funding provided</li> </ul>
Precinct: Corso West	
Vision statement	<p>Corso West is Manly's cultural home. Visitors looking to experience the best of the Northern Beaches cultural capital rush to theatres, cinemas, and music venues in Corso West. Corso West also hosts community facilities that enable creatives and young people to engage and collaborate in the heart of Manly, near to the venues they work and play at.</p> <p>Manly Town Hall and Manly Plaza are the centre of Corso West and their vibrancy encourage visitors and locals to find out 'what's going on'. Manly Town Hall is the centre of a cultural hub that facilitates a wide variety of uses with flexible and affordable spaces throughout the day, evening, and night. The surrounding cafes, restaurants, and other businesses enjoy the presence of a new customer base at their doorstep.</p>
Key user groups	<ul style="list-style-type: none"> <li>• Tourists, visitors</li> <li>• Live music, theatre, art and entertainment fans</li> <li>• Locals</li> <li>• Musicians, creatives</li> </ul>
Desirable uses	<ul style="list-style-type: none"> <li>• Live music, theatre, cinema</li> <li>• Rehearsal and studio spaces</li> <li>• Galleries</li> <li>• Restaurants and cafes</li> <li>• Markets</li> </ul>
Opportunity sites	<ul style="list-style-type: none"> <li>• Council-owned sites (such as Manly Town Hall) – could be repurposed as creative hub including cinema, theatre, rehearsal spaces</li> </ul>

	<ul style="list-style-type: none"> <li>• ICMS The Corso site – council could encourage mixed use including cinema or theatre spaces</li> <li>• Space in front of Whistler St Carpark – could be converted to an outdoor plaza through road closure. This could be a possible location for a stage or similar for outdoor performances (noting that accessible parking would need to be relocated)</li> <li>• Library – could be reconstructed to provide community and cultural spaces in heart of Corso West</li> <li>• South-west end of The Corso – could have vehicular access restricted and space made public open space with a village green or similar</li> </ul>
--	---

Suggested improvements	<ul style="list-style-type: none"> <li>• Wayfinding</li> <li>• Corso amenity improvements</li> <li>• Whistler Street and Market Place amenity improvements</li> <li>• Restrict vehicular access</li> <li>• Lighting, including lighting installations to aid with placemaking</li> <li>• Public toilet provision</li> </ul>
------------------------	---

### Precinct: Sydney Road

Vision statement	<p>The Sydney Road precinct is Manly's dining room, home to a vast variety of restaurants and bars with outdoor dining, laneway activations, and buskers. It is the place where locals and visitors alike come to eat and socialise. High levels of amenity and a great atmosphere attract successful restauranteurs and bar operators from around Greater Sydney to set up shop in Manly.</p> <p>Many people eat at Sydney Road before going to Corso East to a bar or nightclub or walking down Market Place to see the theatre or a recital in Corso West. Sydney Road's location makes it an entry point for the study area, with people walking through and enjoying the bustling atmosphere, or alighting from their bicycle to visit Manly from here.</p>
------------------	--

Key user groups	<ul style="list-style-type: none"> <li>• Tourists, visitors</li> <li>• Locals</li> <li>• Foodies and bar connoisseurs</li> <li>• Passers-by / after-work crowd / punters</li> </ul>
-----------------	---

Desirable uses	<ul style="list-style-type: none"> <li>• Restaurants, cafes, takeaway, fine dining</li> <li>• Bars and pubs</li> </ul>
----------------	--

Opportunity sites	<ul style="list-style-type: none"> <li>• Laneways and plazas – Short Street and Short Street Plaza should be a core part of Sydney Road precinct, with active frontages, lighting, and amenity improvements</li> <li>• Sydney Road interface – is a key entrance to Manly, but it provides mixed messaging to the pedestrian. Council should emphasise and celebrate this entrance with lighting and/or art installation (i.e., an archway or similar) and roadway treatments such as a pedestrianised/shared intersection.</li> </ul>
-------------------	--

Suggested improvements	<ul style="list-style-type: none"> <li>• Wayfinding</li> <li>• Streetscape and amenity improvements</li> <li>• Lighting</li> <li>• Public toilet provision</li> </ul>
------------------------	---

### Precinct: Manly Cove

Vision statement	<p>Manly Cove is a key anchor for the Northern Beaches. It welcomes tourist and commuters alike to Manly and provides a high level of public amenity to all users. Manly Cove is a flexible area that can host key evening and night time events, simultaneously providing access to Greater Sydney and the rest of Manly. Event attendees can choose to return home or remain in Manly Cove and enjoy themselves, or quickly and easily disperse to one of the other NTE Zones to continue their night in Manly.</p> <p>Manly Cove will also be the home of twilight and sunrise events in Manly, capitalising on its natural beauty and suitability for such events. Its location near The Corso, Manly Art Gallery &amp;</p>
------------------	---

	Museum, and Manly Pavilion provides ample opportunity for open-air events (markets, art pop-ups, live music) that can activate the space in the evening and night time.
Key user groups	<ul style="list-style-type: none"> <li>• Tourists and visitors</li> <li>• Locals</li> <li>• Families</li> <li>• Young people</li> <li>• Live music, art and entertainment fans</li> <li>• Musicians, creatives</li> </ul>
Desirable uses	<ul style="list-style-type: none"> <li>• Outdoor events</li> <li>• Markets, food and beverage, art and music</li> </ul>
Opportunity sites	<ul style="list-style-type: none"> <li>• Manly Visitor Information Centre – should be relocated to a more significant site. Consider staffing at some NTE hours, potentially as a base for ‘NTE hosts’</li> <li>• Fairlight Walk – should be rejuvenated and act as a stronger linkage between Manly Art Gallery &amp; Museum and Manly Wharf – consideration could be given as to its inclusion as part of an art trail, potentially with evening and night time activations.</li> </ul>
Suggested improvements	<ul style="list-style-type: none"> <li>• Wayfinding</li> <li>• Streetscape and amenity improvements</li> <li>• Lighting</li> <li>• Public toilet provision</li> <li>• Increased and more flexible seating options</li> <li>• Plantings to prevent noise leakage from park to residential; and from road to park</li> </ul>
<b>Precinct: Ocean Beach</b>	
Vision statement	<p>Ocean Beach is Manly’s backyard. It is a pristine and beautiful environment in which locals and visitors can relax and unwind. Ocean Beach has the key asset of <i>space</i> – this abundance of public space attracts a wide range of events and activities, including sporting events (such as surf and skate competitions), festivals, markets, and cultural events. The social and physical fabric of Ocean Beach encourage people to stay in Manly before and after events here.</p> <p>Ocean Beach is a place where people can enjoy the climate and vibe of Manly in their own way, outside of any specific venue. The presence and movement of people in and around Ocean Beach encourages others to join in, perhaps with a picnic or takeaway meal.</p>
Key user groups	<ul style="list-style-type: none"> <li>• Tourists and visitors</li> <li>• Locals</li> <li>• Families</li> <li>• Young people</li> <li>• Outdoor recreation fans – surfers, runners, etc</li> </ul>
Desirable uses	<ul style="list-style-type: none"> <li>• Outdoor events</li> <li>• ‘Showcase’ pop-ups (i.e., skateboarding competition, rock climbing tournament etc)</li> <li>• Markets, food and beverage, live music</li> <li>• Outdoor dining</li> </ul>
Opportunity sites	<ul style="list-style-type: none"> <li>• Intersection with The Corso – this should be one of the centrepieces of Manly. A grand entrance to one of Australia’s best beaches from one of its best entertainment precincts. It should be celebrated with plantings and installations that create a strong sense of entrance and arrival. It should have pedestrian priority to reduce barriers to walkability.</li> <li>• Foreshore walk / seating area – whilst the functionality of this area at present is wonderful and it is highly utilised, the amenity and aesthetics should be updated. This should be undertaken in a way that aligns with works in the rest of the study area to improve sense of place.</li> </ul>
Suggested improvements	<ul style="list-style-type: none"> <li>• Wayfinding, streetscape and amenity improvements</li> <li>• Public toilet provision in accessible, well-lit area with passive surveillance</li> </ul>

## 8.5 Diversify the night time economy

### 8.5.1 Cater for a diverse range of interest groups

It is crucial for Manly's NTE to be accessible and attractive not just to one subculture, but to all potential participants. This does not mean that every activity or event must be suitable for everyone, but that Manly can play host to a wide enough range of activities and events that there is always *something for everyone*.

The following cohorts are identified as 'target markets' for the NTE

- Families
- Young adults
- Older people
- Tourists
- Workers.

HillPDA suggest that Council consider the extent to which Manly can provide activities to each of these groups. The table below identifies some activities and events and the target market (age bracket) they might typically be suitable for. Activities and events that are currently not present (or not widely present) in Manly are shown in **bold**.

**Table 8-5: NTE activities for different interest groups**

Age group	Typical NTE activities and events
Children	<ul style="list-style-type: none"> <li>Playgrounds</li> <li><b>Water play spaces</b></li> <li>Family events including dinners and picnics</li> </ul>
Teenagers	<ul style="list-style-type: none"> <li><b>Skateparks, basketball courts etc</b></li> <li>Places to 'hang out'</li> <li>Cheap / free events</li> <li>Outdoor events (i.e., surf competition, skate competition...)</li> <li><b>All-ages live music</b></li> </ul>
Families	<ul style="list-style-type: none"> <li>Family events including dinners and picnics</li> <li>Markets</li> <li><b>Outdoor cinema</b></li> <li><b>Cinemas and theatres</b></li> <li><b>All-ages live music</b></li> <li>Cheap / free events</li> <li>Restaurants and cafes</li> <li><b>Late trading retail</b></li> <li>Convenience / personal services retail</li> </ul>
Young adults (e.g. 18-24 years)	<ul style="list-style-type: none"> <li>Bars, clubs and taverns</li> <li><b>Late trading retail</b></li> <li><b>Live music</b></li> <li><b>Art installations</b></li> <li>Outdoor events</li> <li><b>Arts and cultural events</b></li> <li>Markets</li> <li>Restaurants and cafes</li> <li><b>Cinemas</b></li> </ul>

Age group	Typical NTE activities and events
	<ul style="list-style-type: none"> <li>Sports events</li> </ul>
Adults	<ul style="list-style-type: none"> <li>Restaurants and cafes</li> <li><b>Late trading retail</b></li> <li><b>Live music and performances</b></li> <li><b>Arts and cultural events</b></li> <li><b>Art installations</b></li> <li>Markets</li> <li><b>Theatre and cinemas</b></li> <li>Sports events</li> </ul>
Older people	<ul style="list-style-type: none"> <li>Restaurants and cafes</li> <li><b>Theatre and cinemas</b></li> <li><b>Arts and cultural events</b></li> <li><b>Live music and performances</b></li> <li>Markets</li> </ul>
Tourists	<ul style="list-style-type: none"> <li>Bars, clubs and taverns</li> <li>Restaurants and cafes</li> <li><b>Live music and performances</b></li> <li><b>Arts and cultural events</b></li> <li>Sports events</li> <li><b>Late trading retail</b></li> <li>Markets</li> <li><b>Art installations</b></li> <li>Cheap / free events</li> </ul>
Workers	<ul style="list-style-type: none"> <li>Convenience / personal services retail</li> <li><b>Late trading retail</b></li> <li>Restaurants and cafes</li> <li>Bars, clubs, and taverns</li> </ul>

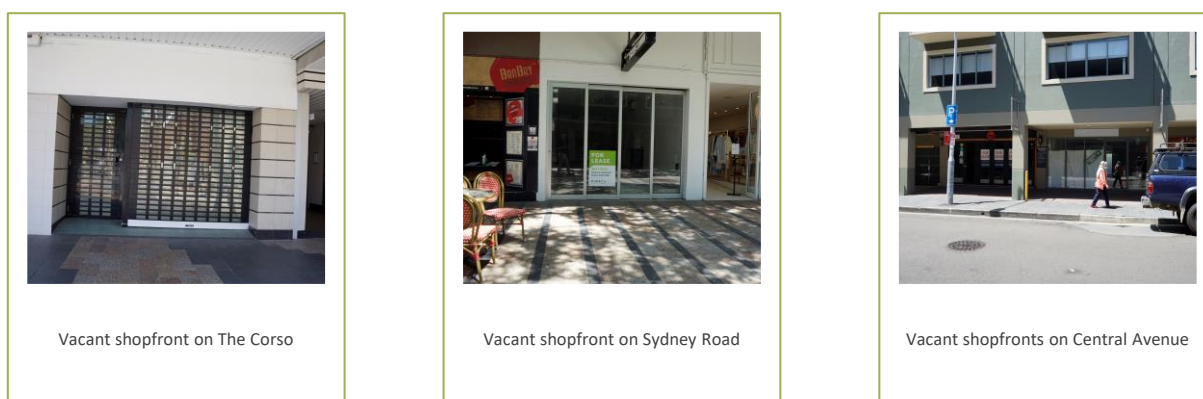
Council could also specifically consider activity and event suitability for residents and visitors with disabilities. This is an important component of an inclusive NTE and requires its own focus.

Council could also investigate options for private sector delivery of some items in bold as part of the redevelopment of any large opportunity sites in the study area. Incentives to developers to provide facilities to benefits the NTE could also be considered.

### 8.5.2 Enable pop-ups and temporary activities

There are many vacant shopfronts within the study area. It is highly likely that this has been exacerbated due to the impact of the COVID-19 pandemic, however, a lack of passive surveillance and empty shopfronts has been widely cited as an issue throughout HillPDA's consultation process (Figure 8-8). The presence of vacant shopfronts detracts from the vibrant and vital 'vibe' of Manly.

**Figure 8-8: Selection of vacant shopfronts in the study area (26 October 2021)**



Source: HillPDA

### **Possible interventions: Encourage pop ups**

HillPDA suggest that Council focus on encouraging temporary and pop-up use of unused spaces in the study area. The case study of 'Renew Newcastle' (see section 7.2) provides an example of how councils can successfully activate vacant spaces. The core findings from the case study suggest that Council could:

- Investigate whether there are existing barriers to temporary and popup uses in vacant buildings (including from landlords)
- Liaise with Renew Australia to explore viability, any available resources, and potential benefits to Manly
- Ensure that any pop ups that eventuate do not impact the existing local businesses and are family-friendly.

### **8.5.3 Encourage live music and performing arts**

Live music and performing arts are a core component of a successful and diverse NTE. HillPDA's consultation and background study suggest that these aspects of Manly's NTE are lacking, with insufficient venues and limiting noise controls being a primary concern (see section 8.4.2 for a discussion of potential noise controls).

The ongoing success of Manly Jazz Festival (and Manly's rich live music history) suggests that there is a potentially strong latent demand for live music and the performing arts in Manly and from visitors to Manly. The consultation undertaken by HillPDA, as well as previous consultation undertaken by Council, revealed that wanting more live music was a common theme among Manly and Northern Beaches residents. Additionally, whilst Council's complaints database showed that there were many complaints about recorded music in the evening and at night, few complaints were received about live music other than daytime busking on The Corso. This seems to be because noise complaints are placing significant limitations on live music in existing venues.

Council could consider whether Manly should have a dedicated performance venue (for theatre and live music). Such a venue should be custom designed for sound attenuation and have flexible spaces for rehearsal and performance. This venue could potentially be located in the heart of Manly, providing a space for both live music and theatre performances and growing Manly's reputation as a cultural centre. Opportunities for delivery of a performance space by the private sector could be explored.

### **Possible interventions: Bring back live music**

- The current investigations on the adaptive reuse of Manly Town Hall could include feasibility as a performance space to support the Northern Beaches' music and culture scene

- Council could consider the possibility of installing power to Rialto Square to enable busking and live performances.

Figure 8-9: The Concourse Chatswood / Riverside Theatre Parramatta



Source: <https://www.flickr.com/photos/timqin/6132567866>

## 8.6 A safe and pleasant environment

### 8.6.1 Improve wayfinding and street signage

Wayfinding has been identified in consultation as a concern for the study area. The Corso provides a central spine to Manly, facilitating pedestrian access and a strong retail core. Manly's grid layout and small size entice visitors to get around on foot and see everything that Manly has to offer. Currently, wayfinding and street signage do not match this excellence. Improving in these key areas would improve the visitor and tourist experience in Manly and benefit local businesses.

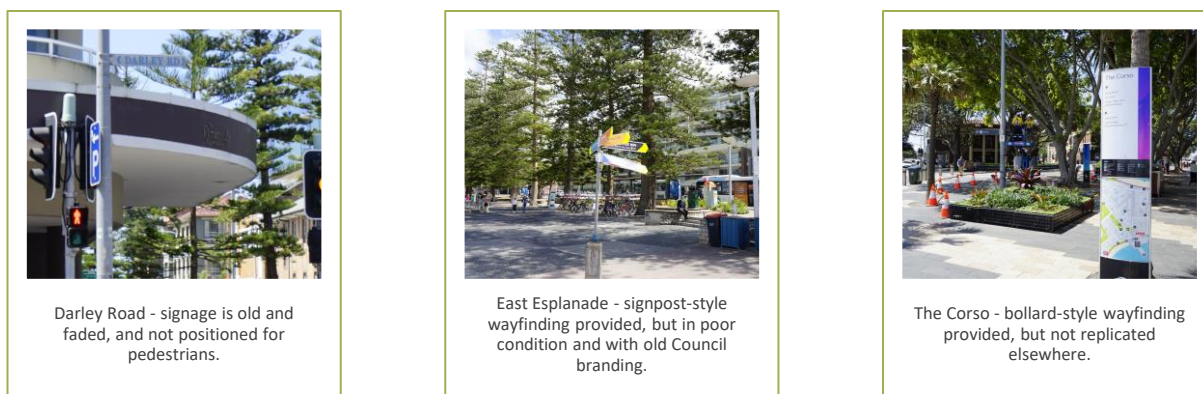
Wayfinding and signage are also key contributors to a successful visitor and tourist economy and help to keep NTE participants safe and enable them to find businesses and cultural facilities. It is especially important for venues that are located away from the key thoroughfares.

The key benefits from a cohesive, legible, and widespread wayfinding system are:

- To encourage active transport – people are more likely to walk to secondary and tertiary sites, as well as less-frequently trafficked sites, if they are confident that they will arrive there
- Benefit the local economy – increased pedestrian traffic means more passing trade
- Improve passive surveillance and safety – more people walking around in the public domain can increase perceptions of safety.<sup>57</sup>

<sup>57</sup> City of Sydney (2012), 'Legible Sydney: Wayfinding Strategy'

Figure 8-10: Selected examples of street signage and wayfinding in the study area



Source: HillPDA

### Possible interventions: Improving way finding

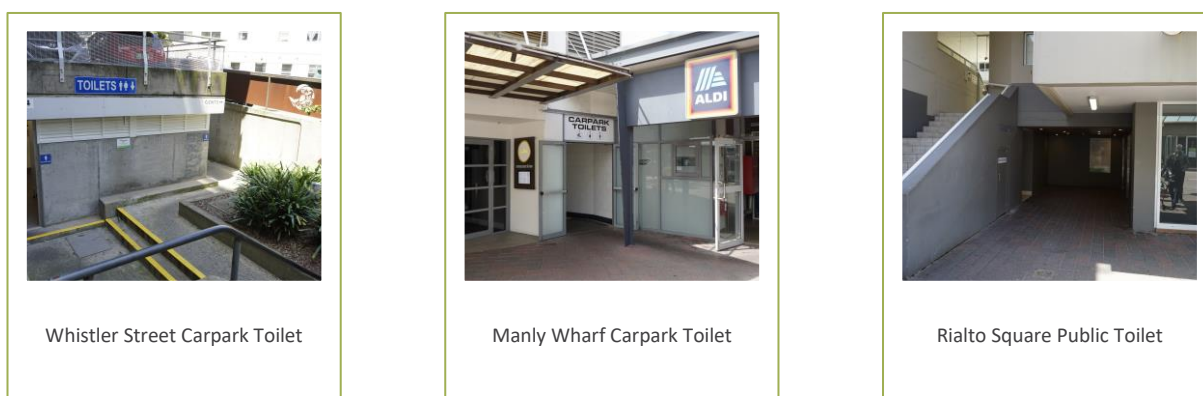
Council could investigate improving wayfinding by:

- Undertaking a wayfinding strategy which is visible in the night time as well as the day time
- Ensuring laneways and pedestrianised areas have legible and cohesive street signage and numbering (where possible) to enable visitors to locate them and navigate to them, using lighting to make these visible in the night time.

### 8.6.2 Address public needs

The importance of adequate public service provision to the NTE cannot be understated. Providing sufficient rubbish bins, toilets, and seating opportunities can help to reduce antisocial behaviour, pollution, and can help to direct NTE users to linger in areas that are suitable. Currently in Manly, some areas are well serviced by seating and rubbish bins (such as Manly Beach, parts of the Corso, and Market Place, whilst others are underserved. Generally, the stakeholders report that the provision of public toilet facilities in Manly is inadequate, and the location and layout of public toilets has frequently been raised as a safety concern. In addition reports of public urination and urination in private gardens/front yards are a key concern. Many women and young people reported that they do not feel safe using the public toilets at night time.

Figure 8-11: Key public toilets in Manly



Source: HillPDA

### Possible interventions: increase the supply of public toilets in a safe setting

Council could establish a program to

- Improve safety and amenity of public toilets at night time by renovating existing facilities to make them safer and more inviting at night time, to improve visitor experiences.
- Council could seek the provision of additional public toilets as part of a developer contribution on key development sites to secure public bathroom facilities in key locations at street level, at low or no cost to Council.

**Figure 8-12: Streets as Shared Spaces pop-up seating and dining area – Market Place and Whistler Street.**



Source: HillPDA

## 8.7 Promotion and advocacy

### 8.7.1 Establish an ongoing working group to champion the NTE

For Manly's NTE to be successful and sustainable, it needs support. Strong local voices can engage with the public, liaise with Council and work to understand the needs of business in relation to the NTE. The stakeholder engagement undertaken for this study identified that there is strong interest from the business sector in supporting a sustainable NTE in Manly.

The case studies demonstrate the success of 'night mayors,' or other bodies, in advocating for the NTE in various jurisdictions globally (see section 7.4). Council could consider the potential for encouraging an existing community group to be a voice for the business sector, the local community, Council and relevant state agencies (e.g. NSW Police). The committee would focus on solving challenges facing the NTE in Manly and on acting on opportunities.

### Possible interventions: Advocate for the NTE

Council could consider encouraging a community based group to advocate for the NTE.

## APPENDIX A : STAKEHOLDERS CONSULTED

Manly Business Chamber

Manly Youth Advisory Group

Economic Recovery Taskforce

Manly Place Plan Working Group

Nikki Griffiths, Northern Beaches Council Manager of Place and Economic development, Town Centre Management

Belinda Van Den Berg, Northern Beaches Council Team Leader, Events

Deb Kempe, Northern beaches Council, Team Leader, Economic Development and Tourism

Nicole Silburn, Northern Beaches Council, Tourism Coordinator

Kath Young, Northern Beaches Council, Community Safety Co-ordinator

Matt Clifton, Licensed Venue Operator

Holly Vaughn, Australian Tourism Export Council

Josephine Bennett, Northern Beaches Council, Manager, Arts and Cultural Development

Alicia Terry, Northern Beaches Council, Team Leader, Arts and Cultural Development

Senior Constable Lorraine Yates, Crime Prevention Officer, NSW Police, Manly Local Area Command

Justin Bourke, Northern Beaches Council, Youth Officer

NSW Night Time Commissioners Office

City of Sydney Council, Night Time Economy Planner

Elizabeth Brown, Northern Beaches Council Place Coordinator

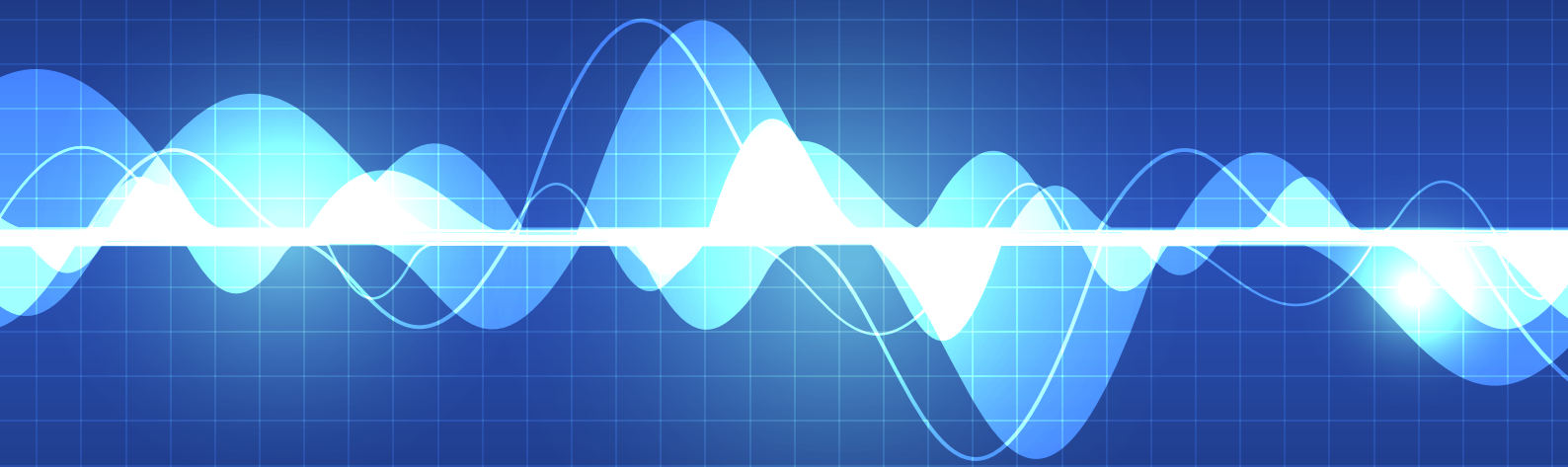
Elizabeth Robertson, Local Government NSW Senior Policy Officer / Night Time Economy Councils' Committee

## APPENDIX B: ACOUSTIC ASSESSMENT

# Manly Evening and Night-time Economy Acoustic Assessment

---

Prepared for HillPDA  
March 2022





## Servicing projects throughout Australia and internationally

### SYDNEY

Ground Floor, 20 Chandos Street  
St Leonards NSW 2065  
T 02 9493 9500

### NEWCASTLE

Level 3, 175 Scott Street  
Newcastle NSW 2300  
T 02 4907 4800

### BRISBANE

Level 1, 87 Wickham Terrace  
Spring Hill QLD 4000  
T 07 3648 1200

### ADELAIDE

Level 4, 74 Pirie Street  
Adelaide SA 5000  
T 08 8232 2253

### MELBOURNE

Ground Floor, 188 Normanby Road  
Southbank VIC 3006  
T 03 9993 1905

### PERTH

Suite 9.02, Level 9, 109 St Georges Terrace  
Perth WA 6000  
T 02 9339 3184

### CANBERRA

Level 2, Suite 2.04, 15 London Circuit  
Canberra City ACT 2601

# Manly Evening and Night-time Economy Study

## Acoustic Assessment

### Report Number

---

J210157 RP2

### Client

---

HillPDA

### Date

---

11 March 2022

### Version

---

v2 Final

### Prepared by

---



**Carl Fokkema**

Associate - Acoustics

11 March 2022

### Approved by

---



**Najah Ishac**

Director - Acoustics

11 March 2022

This report has been prepared in accordance with the brief provided by the client and has relied upon the information collected at the time and under the conditions specified in the report. All findings, conclusions or recommendations contained in the report are based on the aforementioned circumstances. The report is for the use of the client and no responsibility will be taken for its use by other parties. The client may, at its discretion, use the report to inform regulators and the public.

© Reproduction of this report for educational or other non-commercial purposes is authorised without prior written permission from EMM provided the source is fully acknowledged. Reproduction of this report for resale or other commercial purposes is prohibited without EMM's prior written permission.

# Table of Contents

1	Introduction	1
2	Standards and Guidelines	2
2.1	Noise Policy for Industry	2
2.2	Noise Guide for Local Government	4
2.3	Australian Standard AS/NZ 2107:2016	5
2.4	Manly Development Control Plan (DCP) 2013 Amendment 11	5
2.5	Additional issues	7
3	Review of similar studies	8
3.1	Previous studies	8
3.2	Key issues	8
3.3	Manly complaints	8
4	Acoustic environment	9
5	Sensitive land use	11
5.1	Residential encroachment	11
5.2	Existing premises	11
6	Recommendations	12
6.1	Key issues	12
6.2	Opportunities	13
6.3	Constraints	14
6.4	Planning levels	14
7	Findings	17

## Tables

Table 2.1	Project amenity noise levels	3
-----------	------------------------------	---

## Figures

Figure 4.1	Manly Evening and Night-time Economy Study	10
Figure 6.1	Planning levels	15

# 1 Introduction

The purpose of this report is to assist HillPDA and Northern Beaches Council in understanding the existing acoustic environment, potential acoustic constraints and opportunities of the study area and provide some direction for the economic study from an acoustic amenity and impact perspective. The finding and recommendations contained in this report has been drawn into the Manly Evening and Night-time Economy (NTE) Study.

The key aspects considered in this report are:

- standards and guidelines;
- review of similar studies – key issues;
- Draft Manly Night Time Economy Report prepared by HillPDA;
- review of sensitive landuse;
- discussion of existing background noise levels; and
- recommendations.

It is noted that the Manly NTE is not solely focused on entertainment, licensed premises and restaurants. The NTE study is to review the full potential of the evening and night-time economy including commercial, retail and service industries subject to business survey and economic review identifying potential demand for such additional uses.

## 2 Standards and Guidelines

### 2.1 Noise Policy for Industry

The NSW EPA *Noise Policy for Industry* (2017) (NPfI) sets assessment noise levels, consistent methods and best practice measures to manage industrial noise including commercial and retail operations. The objectives of noise trigger levels established in accordance with the NPfI are to protect the community from excessive intrusive noise and preserve amenity for specific land uses. It should be noted that the audibility of a noise source does not necessarily equate to disturbance at an assessment location. Further, that noise policy and guidelines do not prescribe audibility based targets and hence the level of audible noise from a source or site does not imply compliance or otherwise with targets.

To ensure these objectives are met, the EPA provides project noise trigger levels (PNTL), namely intrusiveness and amenity. In the context of local government noise issues, the procedures of the NPfI are typically applied to the operation of mechanical plant and equipment.

#### 2.1.1 Intrusive noise levels

The NPfI intrusiveness noise triggers require that  $L_{Aeq,15min}$  noise levels (energy average noise level over a 15-minute period) from a site do not exceed the rated background level (RBL) by more than 5 dB during the relevant operational periods. The intrusiveness noise levels are only applicable at residential assessment locations.

Intrusive noise level criteria do not apply to non-residential assessment locations, eg hotels, serviced apartments and other short-term accommodation.

#### 2.1.2 Amenity noise levels

The assessment of amenity is based on noise levels specific to the land use. The noise levels relate only to industrial noise and exclude road or rail noise. Where the measured existing industrial noise approaches recommended amenity noise level, it needs to be demonstrated that noise levels from new industry will not contribute to existing industrial noise such that amenity noise levels are exceeded.

To ensure that amenity noise levels are maintained, the cumulative noise from all commercial operations in an area should aim to achieve the amenity noise levels.

The corresponding project amenity noise levels for the sensitive receivers are given in Table 2.1.

**Table 2.1 Project amenity noise levels**

Assessment location	Period	Recommended amenity noise level, dB L <sub>Aeq, period</sub>
Residential – suburban	Day	55
	Evening	45
	Night	40
Residential – urban	Day	60
	Evening	50
	Night	45
Hotels, motels, caretakers' quarters, holiday accommodation, permanent resident caravan parks	Day	65
	Evening	55
	Night	50

1. Day: 7.00 am to 6.00 pm Monday to Saturday; 8.00 am to 6.00 pm Sundays and public holidays; evening: 6.00 pm to 10.00 pm; night: 10.00 pm to 7.00 am Monday to Saturday, 10.00 pm to 8.00 am Sundays and public holidays.

### 2.1.3 Sleep disturbance

The NPfI suggests that a detailed maximum noise level event assessment should be undertaken where night-time noise levels at a residential location exceed:

- L<sub>Aeq,15 minute</sub> 40 dB or the prevailing RBL plus 5 dB (whichever is the greater); and/or
- L<sub>Amax</sub> 52 dB or the prevailing RBL plus 15 dB (whichever is the greater).

Guidance regarding potential for sleep disturbance is also provided in the RNP. The RNP calls upon numerous studies that have been conducted into the effect of maximum noise levels on sleep. The RNP acknowledges that, at the current (2011) level of understanding, it is not possible to establish absolute noise level criteria that would correlate to an acceptable level of sleep disturbance. However, the RNP provides the following conclusions from the research on sleep disturbance:

- maximum internal noise levels (L<sub>Amax</sub>) below 50 to 55 dB are unlikely to awaken people from sleep; and
- one or two noise events per night, with maximum internal noise levels (L<sub>Amax</sub>) of 65 to 70 dB, are not likely to affect health and wellbeing significantly.

It is commonly accepted by acoustic practitioners and regulatory bodies (ie EPA) that a facade including a partially open window will reduce external noise levels by 10 dB. Therefore, external noise levels in the order of 60 to 65 dB calculated at the facade of a residence is unlikely to awaken people according to the RNP.

If noise levels over the screening criteria are identified, then additional analysis would consider factors such as:

- how often the events would occur;
- the time the events would occur;
- whether there are times of day when there is a clear change in the noise environment (such as during early morning shoulder periods); and
- current scientific literature available regarding the impact of maximum noise level events at night.

## 2.2 Noise Guide for Local Government

The NGLG generally applies the principal of 'offensive noise' under the provisions of the *Protection of the Environment Operations Act 1997* (the POEO Act) and the *Protection of the Environment Operations (Noise Control) Regulation 2008* (the Noise Control Regulation). 'Offensive noise' is defined in the dictionary of the POEO Act as noise:

- (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
  - (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
  - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
- (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

The POEO Act and Noise Control Regulation allow for an assessment of offensive noise in some neighbourhood noise situations without the use of a sound level meter to measure actual noise levels.

In terms of licensed premises, the current NGLG confirms these are typically managed by the NSW Office of Liquor, Gaming and Racing (OLGR). The following noise condition is generally applied to licensed premises:

The  $L_{A10}$ \* noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz–8kHz inclusive) by more than 5dB between 7:00 am and 12:00 midnight at the boundary of any affected residence. The  $L_{A10}$ \* noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz–8kHz inclusive) between 12.00 midnight and 7.00 am at the boundary of any affected residence. Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12.00 midnight and 7.00 am.

\* For the purpose of this condition, the  $L_{A10}$  can be taken as the average maximum deflection of the noise emission from the licensed premises. This is a minimum standard. In some instances the Director may specify a time earlier than midnight in respect of the above condition. Interior noise levels which still exceed safe hearing levels are in no way supported or condoned by the Director

Noise created by mechanical equipment is generally outside OLGR's responsibility, and local councils should manage these issues.

The NGLG (Section 3.6 case studies) also provide some relevant and important examples for open air events that might be pursued within the Manly NTE precinct, with specific relaxed approaches to noise limits at venues such as Centennial Park and Moore Park Trust, Sydney Cricket Ground and Sports Ground Trust, Royal Botanical Gardens and Domain, Darling Harbour, Parramatta Stadium and Sydney Opera House. These venues use noise prevention notices to enable events to occur whilst balancing the potential noise impacts for residential receivers through a number of measures including:

- limits on crowd capacity;
- limits on number of events per year;
- limits of consecutive days of events;
- time restrictions for rehearsals and events; and
- noise monitoring of events.

The Draft NGLG no longer includes the above noise condition for licensed premises, and simply confirms that licensed premises are managed by Liquor and Gaming NSW (formerly OLGR). However, a review of the Liquor and Gaming NSW website confirms that the standard  $L_{A10}$  noise conditions are still typically applied.

## 2.3 Australian Standard AS/NZ 2107:2016

In the absence of specific Council or EPA criteria, AS/NZS 2107:2016 – *Recommended Design Sound Levels and Reverberation Times for Building Interiors* internal design noise levels can be adopted to assist Council in determining appropriate internal noise levels for assessment of noise intrusion for residential and other sensitive receivers. Specifically, AS/NZS 2107:2016 provides guidance on internal design sound levels for houses and apartments in inner city areas, entertainment areas or on major roads that are typically noisier environments, and for houses and apartments in suburban areas or near minor roads.

## 2.4 Manly Development Control Plan (DCP) 2013 Amendment 11

Manly DCP 2013 Section 3.4 Amenity (Views, Overshadowing, Overlooking/Privacy, Noise) provides requirements to address sunlight and overshadowing, privacy and security. In terms of acoustic privacy the Section 3.4.2.3 Acoustical Privacy (Noise Nuisance) of the DCP states the following:

See also Noise Guide for Local Government prepared by NSW Department of Environment, Climate Change and Water in 2010.

- a) Consideration must be given to the protection of acoustical privacy in the design and management of development.
- b) Proposed development and activities likely to generate noise including certain outdoor living areas like communal areas in Boarding Houses, outdoor open space, driveways, plant equipment including pool pumps and the like should be located in a manner which considers the acoustical privacy of neighbours including neighbouring bedrooms and living areas.
- c) Council may require a report to be prepared by a Noise Consultant that would assess likely noise and vibration impacts and may include noise and vibration mitigation strategies and measures. See particular requirements for noise control reports for licenced premises below at paragraph g) below.

### Licensed Premises

See also paragraph 4.2.5.6.c Late Night Venues in Manly Town Centre and Surrounds

- d) LEP clause 6.21 provides for consideration of noise impacts from licensed premises being either new premises and places; or alterations and additions to existing premises. While 'licensed premises' are not defined in the LEP or DCP, the definition adopted from the Liquor Act refers to any premises (or places) that are licenced under the Liquor Act 2007. In this regard any DA where a licence is required for the sale of liquor must consider this clause.
- e) The types of development that may be licenced include Restaurants, Cafes, Clubs, Hotels, Pubs, Entertainment Venues, and Community Facilities and the like. The types of licences may be granted and held under the Liquor Act 2007 for such premises include hotel licences, club licences, small bar licences, on-premises licences and others. In relation to Licensed Premises the Liquor Act 2007 provides and regulates the liquor license approvals process administered by the Office of Liquor, Gaming and Racing. With particular reference to potential noise impacts from Licenced Premises, the Standard Noise Criteria is applied by the Office of Liquor Gaming and Racing.

- f) In relation to the assessment process applicants are encouraged to lodge the DA and liquor license application simultaneously. While the Office of Liquor, Gaming and Racing will not issue an approval for a liquor license until development consent has been granted by Council, effective consideration of matters such as noise impacts may be better resolved when dealt with concurrently.
- g) Noise Control reports are to be submitted with DAs for licensed premises for the management of patron noise (including patrons exiting the premises) and other offensive noise (including amplified music and plant and equipment noise emissions) emitted over the life of the development. The Noise Control report is to demonstrate to the satisfaction of Council that the activities carried out and related to the operation of the premises will meet the following requirements:
- i. The  $L_{A10}$ \* noise level emitted from the licensed premises must not exceed the background of noise level in any Octave Band Centre Frequency (31.5Hz to 8kHz inclusive) by more than 5dB between 7am and 12 midnight at the boundary of any affected residence.
  - ii. The  $L_{A10}$ \* noise level emitted from the licensed premises must not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz to 8kHz inclusive) between 12 midnight and 7am at the boundary of any affected residence.
  - iii. The noise level from the licensed premises must not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am or as otherwise required under conditions of development consent.
  - iv. Balconies, verandahs, any roof top areas and any external access thereto must be closed to patrons between the hours of 10pm to 8am daily to minimise noise nuisance.

**\*Note:** For the purposes of condition, the  $L_{A10}$  can be taken as the average maximum deflection of noise emission from licensed premises.

See also *paragraph 3.9.3 Noise from Mechanical Plant*.

**Notes:** Development proposals including changes of use may lead to new or exacerbated noise impacts. For example a new residential development may be located close to existing noisy activities or a new or intensified noisy activity may be proposed close to existing residential areas. Common noisy activities include commercial premises, main roads and some entertainment facilities.

The application of the  $L_{A10}$  noise descriptor for licenced premises in the DCP is consistent with the approach of the Noise Guide for Local Government and application of licence conditions imposed by the NSW Office of Liquor, Gaming and Racing (OLGR).

However, item iv. contained in the DCP outlined above is an additional restriction not included in the scope of standard conditions applied to licensed premises and could impede potential Manly NTE recommendations and outcomes.

## 2.5 Additional issues

In addition to the above guidelines, Council may place specific additional measures to address site conditions that may result in noise and or vibration impact on sensitive receivers. This typically occurs where different uses are accommodated within the same building. In these instances, consideration of noise transmission between common walls/floors and potential structural borne vibration needs to be addressed.

Councils typically address these issues through a range of Conditions of Consent to limit noise and vibration transfer within the building structures. Typical conditions adopted by Council in the past is as follows:

The  $L_{A10}$ \* noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz–8kHz inclusive) by more than 3dB when assessed indoors at any occupied commercial premises whilst the premises is in operation.

\* For the purpose of this condition, the  $L_{A10}$  can be taken as the average maximum deflection of the noise emission from the licensed premises.

The ongoing use of the premises/property must not give rise to 'offensive noise' as defined under the provisions of the Protection of the Environment Operations Act 1997.

## 3 Review of similar studies

### 3.1 Previous studies

EMM has conducted a preliminary review of similar Evening and Night-time Economy studies for the following Local Government Areas:

- City of Sydney;
- Georges River Council;
- Randwick City Council; and
- Wollongong City Council (Draft).

EMM has also reviewed *Night-Time Economy Management: International Research and Practice* by Dr Phil Hadfield prepared for City of Sydney, September 2011 that provides an extensive international literature review on all aspects of the night-time economy including noise.

### 3.2 Key issues

Whilst the Council studies do not go into significant detail in terms of noise, the key issues identified are:

- conflict in mixed use zones for evening and night-time economic activities and balance of residential noise amenity (Council planning and legacy issue);
- lack of adequate noise mapping in NTE areas (Council issue);
- mechanical plant and equipment (Council consent and compliance issue);
- garbage and bottle disposal/pickup (Council consent and compliance issue);
- patron and music noise from venues (OLGR licensing issue); and
- antisocial traversing of patrons through the NTE areas and surrounding precincts (Police public issue).

Not noted but to a lesser extent can be an issue in entertainment precincts or where gyms operate late at night in the transfer of noise and vibration within and between buildings.

### 3.3 Manly complaints

A review of Draft Manly NTE Report prepared by HillPDA has confirmed some critical key issues specific to Manly in terms of the generation of complaints. Specifically, it appears that a significant portion of the complaints relate to commercial operations support services including cleaning (including bottle disposal), deliveries, venues operation outside of conditions of approval, opening hours and mechanical plant.

Garbage collection has also been identified as a key noise complaint within the Manly NTE area from the data provided by HillPDA and additional commentary provided from Council Environmental Team. Whilst recorded music from existing venues is also highly represented in the number of noise complaints (10%).

Conversely, live music and outdoor dining represent a very low proportion (<5%) of the total number of complaints.

## 4 Acoustic environment

Council has provided EMM with a sample of development applications (DAs) from within the Manly NTE study area. These DAs were reviewed and where relevant, measured background noise levels during the evening and night assessment periods were extracted. To provide an indication of the range of measured levels and spatial distribution, the data have been inserted into an aerial photo of the area in conjunction with land use zoning. The data is limited from the information provided by Council to date, so in the absence of additional data EMM has utilised its experience in this and similar areas and guidance from Section 2 of the NPfI to develop estimated (\*) background noise level zones for the precinct shown in *Italics*.

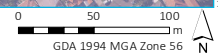
A summary of measured and estimated background noise levels, identification of existing hot spot areas and potential areas of focus are summarised in Figure 4.1.

A review of the levels reported in the DA submissions confirm existing evening  $L_{A90}$  background noise levels typically in the range of 48–57 dB and 43–47 dB at night. This identifies significant variability in the acoustic environment within the Manly NTE study area and the difficulty in providing detailed mapping of background noise level zones. Site observations and review of DA reports has confirmed that noise levels at discrete locations within the NTE study area can vary greatly as a result of exposure to traffic, mechanical plant, commercial activities, and natural elements including wind in trees, wave action, birds etc.

The variability in the acoustic environment highlights the need for development applications to Council within this area to include acoustic assessments to either address potential noise intrusion for sensitive land uses from existing noise generating activities, and for noise generating activities to assess noise from their operations and implement mitigation and management controls to minimise noise impacts on existing sensitive landuses. Specifically, where proposed sensitive land uses are in proximity to noise generating NTE operations and for NTE operations that propose to trade during the evening and night.



Source: EMM (2021); DPIE (2021); Rodney Stevens Acoustics (2019); Acoustic Logic (2018); DFSI (2018)



## KEY

- |   |                               |
|---|-------------------------------|
| <span style="border: 2px solid magenta; padding: 2px;"> </span> Study area                                    | Land zoning (Manly LEP 2013)  |
| <span style="border: 2px solid orange; padding: 2px;"> </span> Local government area                          | B1 Neighbourhood centre       |
| <span style="border: 1px dashed black; padding: 2px;"> </span> Existing area of concern                       | B2 Local centre               |
| <span style="border: 1px solid black; padding: 2px;"> </span> Potential area of concern                       | E4 Environmental living       |
| Noise level (dBA) $L_{A90}$   | R1 General residential        |
| <span style="background-color: white; border: 1px solid black; padding: 2px;"> </span> Measured noise level   | R3 Medium density residential |
| <span style="background-color: black; border: 1px solid black; padding: 2px;"> </span> Estimated noise level* |                               |

- |   |
|---|
| <span style="background-color: #90EE90; border: 1px solid black; padding: 2px;"> </span> RE1 Public recreation  |
| <span style="background-color: #90EE90; border: 1px solid black; padding: 2px;"> </span> RE2 Private recreation |
| <span style="background-color: #FFFFE0; border: 1px solid black; padding: 2px;"> </span> SP2 Infrastructure     |
| <span style="background-color: #FFFFE0; border: 1px solid black; padding: 2px;"> </span> SP3 Tourist            |
| <span style="background-color: #E0FFFF; border: 1px solid black; padding: 2px;"> </span> W1 Natural waterways   |

Study area

Manly night-time economy study  
Acoustic assessment  
Figure 4.1

## 5 Sensitive land use

In terms of sensitive land use, private residential use is most sensitive to increased economic activity and resultant noise emissions within the Manly study precinct. Discussions with Council have also identified a number of areas that denote existing 'hot spots' resulting in noise complaints either from patrons, music or mechanical plant. As noted in Section 3.3, whilst mechanical plant is a common complaint in the Manly NTE area, noise complaints from patron and music noise is typically low.

Key areas identified by Council include North and South Steyne, Market Lane and Central Avenue areas (Figure 4.1). All ongoing areas of concern for Council should be incorporated in the place plan and restrictions and/or measures implemented to minimise existing noise issues and minimise any further intensification of night trading issues within these areas and where they could impact residential zones. This zone is also consistent with the mapping of complaints prepared by HillPDA in their Draft Manly Night Time Economy Report. This does not preclude further development of NTE uses within these areas, however there will be a need for an acoustic assessment to demonstrate compliance with the required noise limits as per the NPfI, NGLG or Council DCP.

An area critical to noise impacts can often be the forgotten 'back of house' of restaurants and licensed premises where ambient background noise levels can tend to be relatively low, sensitive residential receivers close and the generation of noise from mechanical plant, garbage and bottle disposal the greatest noise source from a premises. These issues can generally be addressed through acoustic assessment, acoustic design and site management.

### 5.1 Residential encroachment

For new residential development within existing precincts, it is essential for proponents to consider potential noise impacts from existing and likely future land uses and design the development to address noise intrusion from external sources including mechanical plant, patrons, music and garbage collection through the use of existing background and ambient  $L_{Aeq}$  and  $L_{Amax}$  noise level measurements.

The requirement for consideration of noise intrusion should be requested by Council as part of the development application process with conditions of consent reflecting the assessment and requirements to be achieved.

### 5.2 Existing premises

For existing noise generating premises, continued use and/or extension of hours will require commitment of the operators to control noise emissions and minimise noise impacts associated with music, patrons, mechanical plant, and garbage disposal in order to comply with noise limits as per the NPfI, NGLG or Council DCP.

The requirement for consideration of noise emission from the premises and impacts on nearby sensitive receivers should be requested by Council as part of the development application process with conditions of consent reflecting the assessment and requirements to be achieved.

# 6 Recommendations

## 6.1 Key issues

Section 3.2 identified a number of key issues that will require consideration in the development of the Manly NTE. This section provides a brief commentary of potential mitigation and management measures to address each issue.

### 6.1.1 Conflict in mixed use zones

Conflict in mixed use zones is an ongoing concern for evening and night-time economic activities and balance of residential noise amenity. This is principally a Council planning and legacy issue. Critical in moving forward with the NTE will be incorporation of requirements for encroaching residential development to mitigate their developments to take into consideration the existing acoustic environment, including not only traffic and mechanical plant noise but also potential noise emissions from existing NTE activities such as patrons and music. This can be done for example by Council requiring that new residential developments include acoustic considerations in the building fabric capable of mitigating existing outdoor noise levels to suitable internal levels.

It will also be incumbent on NTE operators to trade in accordance with their conditions of approval and where seeking extension to trading hours, demonstrate that they can satisfy the relevant NPfl, NGLG or Council noise standards.

### 6.1.2 Noise mapping

As part of the development of the NTE precinct, Council should endeavour to utilise the noise data provided in the acoustic assessments to develop noise mapping of the precinct. As a minimum the database should be developed and updated as applications are processed and assessed, and ideally backdated with older noise impact assessments.

As a minimum they should include the development address, brief description of development, measurement location and existing measured day, evening and night  $L_{A90}$  background and  $L_{Aeq}$  ambient noise levels.

### 6.1.3 Mechanical plant and equipment

This is an ongoing Council consent and compliance issue. As part of any acoustic assessment for new development, the proponent should identify existing and new plant and equipment proposed for a development and demonstrate that it can satisfy the requirements of NPfl, NGLG or Council DCP.

Sensitive developments, such as new residential in NTE precincts should consider the existing acoustic environment and consider any mechanical plant and equipment associated with adjacent premises into account when designing their development. In some situations, it may be more cost effective to assist the adjacent noise generating premises with the plant and equipment with revised plant selections or at source mitigation rather than look to mitigate a building for noise intrusion.

### 6.1.4 Garbage and bottle disposal/pickup

Principally a Council contract and consent issue in terms of allowable times for garbage disposal and pickup, however garbage disposal within a premises should also be considered. It is recommended that all glass disposal from licenced premises be restricted to internally within the premises between the hours of 10.00 pm to 7.00 am. Where practical, Council should limit garbage pickup in confined areas with high residential density between the hours of 7.00 am to 10.00 pm.

In terms of larger scale garbage pickup, Council could consider the provision of a communal garbage storage area or areas located away from sensitive receivers and providing potential mitigation for pest and other health concerns. There would remain the issue of transfer of garbage from individual premises to the communal garbage area which may result in its own unique impacts.

#### 6.1.5 Patron and music noise

Patron and music noise from licensed NTE premises is largely an OLGR concern, however a review of the complaints prepared by HillPDA confirm that noise from patrons and live music is only a very small percentage of complaints (<5%). This low level of complaints should provide some confidence that patron and live music noise can be effectively managed to minimise noise impacts.

Considering the reported low level of complaints from patrons, outdoor dining and retail uses should be encouraged. We recommend the restriction on closure of balconies, verandas, any roof top areas contained in Manly DCP Section 3.4.2.3 (g) (iv) be reconsidered to extend to 12.00 am midnight and rely on the noise limit conditions of Section 3.4.2.3 (g) for addressing noise issues. Wholesale closure of outdoor areas with no basis on compliance with noise limits could adversely limit the potential of the NTE. If required additional mitigation or management measures such as partial enclosures, limiting the number of patrons, lowering the background music levels etc. can be considered.

#### 6.1.6 Antisocial behaviour

Antisocial behaviour of traversing patrons through the NTE and adjacent areas is a police and public issue, however much of the antisocial behaviour centres around The Corso, The Wharf and South Steyne. Whilst police are the principal control mechanism for monitoring and managing these impacts, active and passive surveillance can also assist.

Creating a vibrant, active and engaged NTE within The Corso through a range of business including retail, food and beverage and licensed premises would provide a level of passive surveillance at least during the evening and early night periods. CCTV beyond that installed and operated by premises may be another mechanism to further reduce the potential for antisocial behaviour.

### 6.2 Opportunities

We believe there are the following conceptual opportunities for the Manly NTE:

- Provide new and vibrant late night retail offerings along the core business area of The Corso. These businesses could perhaps be permitted extended trading hours without development consent or on a trial basis.
- Low impact uses such a retail and non-licensed food and drink premises could be promoted for 7.00 am to 12.00 am midnight or even 24/7 trading.
- Extended trading hours for service, commercial and retail premises within the core business and fringe areas of the NTE precinct. These businesses could perhaps be permitted extended trading hours without development consent or on a trial basis with a focus on 7.00 am to 12.00 am midnight.
- Expansion of food, licensed premises within the core business area around The Corso and Belgrave Street (subject to zoning of mixed use/residential) with a driver for multiple small restaurants and bars rather than single large patron numbers.

- Consideration of Manly laneways where there is limited conflict with sensitive land use for small scale ‘hole in the wall’ wine bars and similar that are largely contained indoors.
- Restaurants and retail on the north-eastern NTE precinct fronting Pittwater Road (with appropriate noise controls) and likely restricted trade to 10.00 pm with potential for trial periods up to 12.00am midnight.
- Consideration of a limited number of ‘cultural events’ throughout the year under special provisions such as night markets, noodle fairs etc, that are encouraged with more flexible noise conditions.
- Update the current DCP to:
  - relax restrictions on outdoor areas associated with licensed premises;
  - apply a clear requirement for new residential development to consider the acoustic environment (through measurement and assessment) surrounding their sites and to mitigate to address potential noise intrusion from mechanical plant and commercial activities associated with NTE businesses; and
  - alternatively identify a zone within the NTE precinct with an assumed external facade noise level representing existing or potential noise from NTE premises. All new residential development will have to meet minimum noise attenuation requirement for building facades and provide alternative ventilation to enable windows to be closed for control of noise intrusion in order to meet the internal design noise levels of AS2107.

## 6.3 Constraints

Based on the current information we have identified the following constraints for the Manly NTE:

- restriction in the intensification of late-night trading, specifically entertainment and licensed premises within the ‘hot spot’ existing area of concern as shown in Figure 4.1;
- provision of licensed premises in fringe areas identified as likely to experience lower background noise levels to the north, south and west of the NTE precinct; and
- restriction on intensification of use where there are residential interfaces.

Notwithstanding the above, new applications or extension to existing premises sought in these areas would be considered where it can be demonstrated through the provision of a detailed acoustic assessment, that noise limits in accordance with the NPfI, NGLG and Council noise standards can be met.

## 6.4 Planning levels

To more readily facilitate the Manly NTE, this report has utilised background noise levels reported in Figure 4.1 to develop planning noise levels for zones within the NTE precinct. The purpose of planning levels is to streamline the assessment and approvals process for Council and applicants within the NTE precinct and promote greater growth in the economy without significant impediments of highly detailed noise assessments requiring long term noise monitoring and the like.

The planning levels proposed to facilitate the Manly NTE is broken into key zones identified based on existing ambient and background noise level measurements within these areas and assumed levels from experience in areas with similar landuse characteristics. The proposed planning levels are provided in Figure 6.1.



Source: EMM (2022); MetroMap (2021); Rodney Stevens Acoustics (2019); Acoustic Logic (2018); DFSI (2017)

## KEY

- Study area
- Local government area
- Cadastral boundary

## Noise planning levels

- Blue
  - $L_{Aeq,15\ min}$  evening 45 dB /  $L_{Aeq,period}$  40 dB
  - $L_{Aeq,15\ min}$  night 40 dB /  $L_{Aeq,period}$  35 dB
  - $L_{Amax}$  52 dB (external)
- Orange
  - $L_{Aeq,15\ min}$  evening 50 dB /  $L_{Aeq,period}$  45 dB
  - $L_{Aeq,15\ min}$  night 45 dB /  $L_{Aeq,period}$  40 dB
  - $L_{Amax}$  52 dB (external)
- Green
  - $L_{Aeq,15\ min}$  evening 55 dB /  $L_{Aeq,period}$  50 dB
  - $L_{Aeq,15\ min}$  night 50 dB /  $L_{Aeq,period}$  45 dB
  - $L_{Amax}$  55 dB (external)

## Planning levels

Manly night-time economy study  
Acoustic assessment  
Figure 6.1

It is acknowledged with the intensification of use within the Manly NTE there may be an increase in noise related complaints. These planning levels seek to provide a transparent procedure for Council, applicants and potentially impacted residential properties to assess noise exposure. A review of the measured  $L_{Aeq}$  noise levels associated with the background levels from which Figure 4.1 was derived, confirm existing  $L_{Aeq}$  noise levels consistent or higher than those proposed within the planning levels of Figure 6.1.

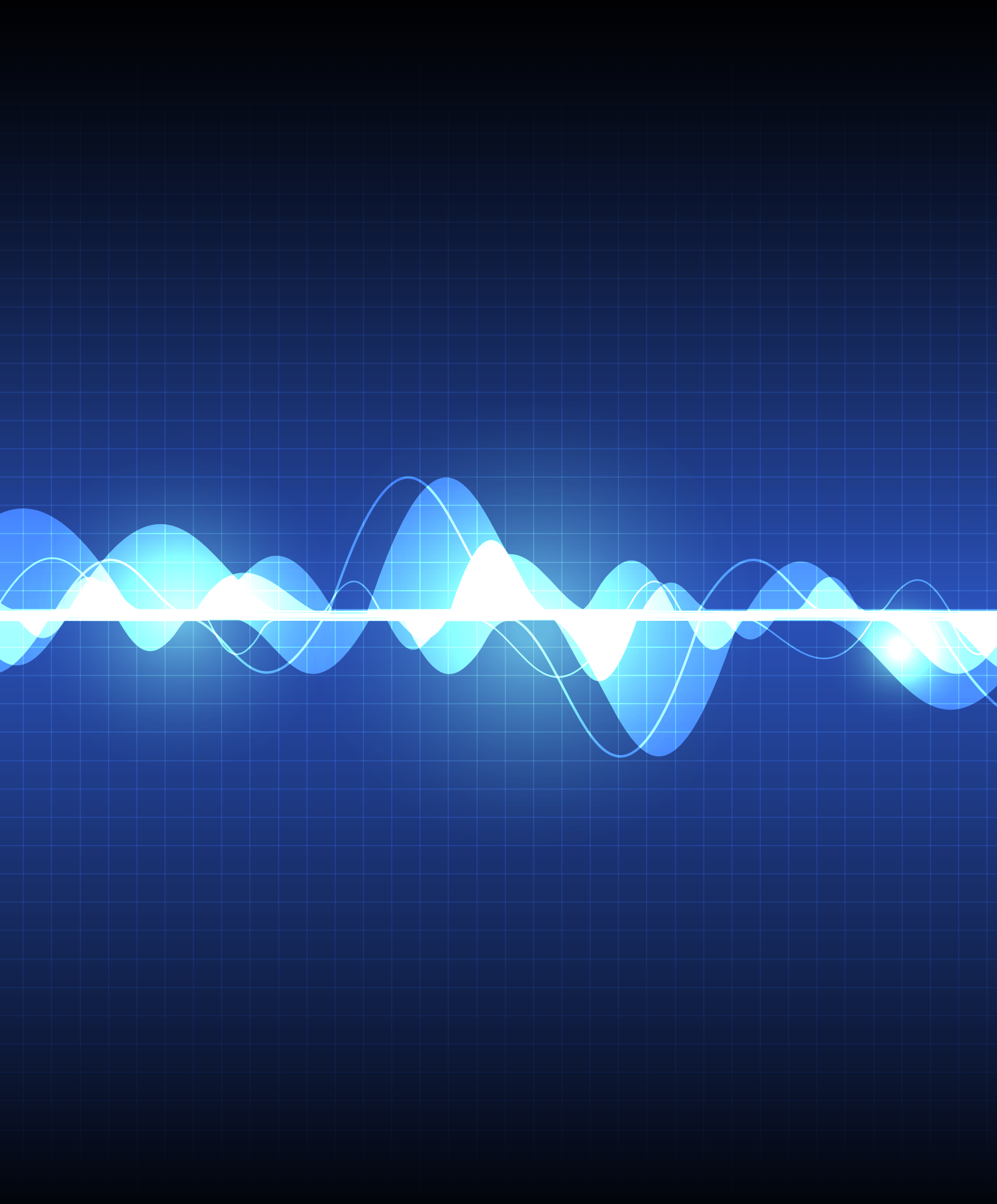
The levels in Figure 6.1 can be utilised to assist Council and applicants to develop target noise levels to be achieved for any new use or operation within the Manly NTE, with the target level relating to the residential assessment location within the relevant zones. It provides a simplified approach for Council, applicants and residents in determining noise level exposure. These planning levels are cumulative levels from multiple uses or operations, hence the noise contribution from each applicant should typically be 5dB below the baseline planning levels presented in Figure 6.1. Where a residential receiver is only impacted by one use or operation the baseline planning levels may be considered appropriate for assessment of noise impacts.

## 7 Findings

The acoustic assessment confirms the following:

- significant opportunities exist for accommodating evening and night-time trade within the core commercial areas of the NTE precinct;
- a portion of the NTE study area has existing issues with noise complaints and non-compliant development and poses a constraint to the further expansion of these areas;
- where there are existing complaints from premises, Council should be looking to enforce retrospective noise and management controls to premises to minimise noise impacts;
- mixed use, shop top housing and nearby residential interfaces have potential to result in noise complaints and would constrain developments without the implementation of noise controls and management measures to premises;
- background and ambient noise levels can vary greatly across the study area and there is limited data available to adequately map background noise levels;
- amendments to the DCP are recommended in order to facilitate the NTE;
- all development applications within the NTE should be accompanied with an acoustic assessment (excluding daytime retail/commercial development) to address either noise emissions (music, patrons, mechanical) or noise intrusion into residential and commercial development; and
- Council, applicants and residents can utilise the proposed planning levels (Figure 6.1) to assist in the assessment of noise from proposed uses or operations within the Manly NTE to ensure that noise levels achieve the proposed planning levels proposed.





## Disclaimer

1. This report is for the confidential use only of the party to whom it is addressed ("Client") for the specific purposes to which it refers and has been based on, and takes into account, the Client's specific instructions. It is not intended to be relied on by any third party who, subject to paragraph 3, must make their own enquiries in relation to the issues with which this report deals.
2. HillPDA makes no representations as to the appropriateness, accuracy or completeness of this report for the purpose of any party other than the Client ("Recipient"). HillPDA disclaims all liability to any Recipient for any loss, error or other consequence which may arise as a result of the Recipient acting, relying upon or using the whole or part of this report's contents.
3. This report must not be disclosed to any Recipient or reproduced in whole or in part, for any purpose not directly connected to the project for which HillPDA was engaged to prepare the report, without the prior written approval of HillPDA. In the event that a Recipient wishes to rely upon this report, the Recipient must inform HillPDA who may, in its sole discretion and on specified terms, provide its consent.
4. This report and its attached appendices are based on estimates, assumptions and information provided by the Client or sourced and referenced from external sources by HillPDA. While we endeavour to check these estimates, assumptions and information, no warranty is given in relation to their reliability, feasibility, accuracy or reasonableness. HillPDA presents these estimates and assumptions as a basis for the Client's interpretation and analysis. With respect to forecasts, HillPDA does not present them as results that will actually be achieved. HillPDA relies upon the interpretation of the Client to judge for itself the likelihood of whether these projections can be achieved or not.
5. Due care has been taken to prepare the attached financial models from available information at the time of writing, however no responsibility can be or is accepted for errors or inaccuracies that may have occurred either with the programming or the resultant financial projections and their assumptions.
6. This report does not constitute a valuation of any property or interest in property. In preparing this report HillPDA has relied upon information concerning the subject property and/or proposed development provided by the Client and HillPDA has not independently verified this information except where noted in this report.
7. In relation to any valuation which is undertaken for a Managed Investment Scheme (as defined by the Managed Investments Act 1998) or for any lender that is subject to the provisions of the Managed Investments Act, the following clause applies:  
  
This valuation is prepared on the assumption that the lender or addressee as referred to in this valuation report (and no other) may rely on the valuation for mortgage finance purposes and the lender has complied with its own lending guidelines as well as prudent finance industry lending practices, and has considered all prudent aspects of credit risk for any potential borrower, including the borrower's ability to service and repay any mortgage loan. Further, the valuation is prepared on the assumption that the lender is providing mortgage financing at a conservative and prudent loan to value ratio.
8. HillPDA makes no representations or warranties of any kind, about the accuracy, reliability, completeness, suitability or fitness in relation to maps generated by HillPDA or contained within this report.

*Liability limited by a scheme approved under the Professional Standards Legislation*



## **SYDNEY**

Level 3, 234 George Street  
Sydney NSW 2000  
GPO Box 2748 Sydney NSW 2001  
t: +61 2 9252 8777  
f: +61 2 9252 6077  
e: [sydney@hillpda.com](mailto:sydney@hillpda.com)

## **MELBOURNE**

Suite 114, 838 Collins Street  
Docklands VIC 3008  
t: +61 3 9629 1842  
f: +61 3 9629 6315  
e: [melbourne@hillpda.com](mailto:melbourne@hillpda.com)

**WWW.HILLPDA.COM**