



Coffs Harbour City Council

02 October 2013

ORDINARY MEETING

The above meeting will be held in the Council Chamber, Administration Building, corner Coff and Castle Streets, Coffs Harbour, on:

THURSDAY 10 OCTOBER 2013

The meeting commences at **5.00pm** and your attendance is requested.

AGENDA

1. Opening of Ordinary Meeting
2. Acknowledgment of Country
3. Disclosure of Interest
4. Apologies
5. Public Addresses / Public Forum
6. Mayoral Minute
7. Mayoral Actions under Delegated Authority
8. [Confirmation of Minutes of Ordinary Meeting – 26 September 2013](#)
9. [Notices of Motion](#)
10. [General Manager's Reports](#)
11. [Consideration of Officers' Reports](#)
12. Requests for Leave of Absence
13. Matters of an Urgent Nature
14. [Questions On Notice](#)
15. Consideration of Confidential Items (if any)
16. Close of Ordinary Meeting.

Steve McGrath
General Manager



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
10 OCTOBER 2013

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ITEM DESCRIPTION

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NOM13/12 RENAMING OF HIGH STREET SPORTING FIELDS

NOM13/13 INCORPORATED ENTITY RELATING TO WASTE MANAGEMENT

GENERAL MANAGER'S REPORT

GM13/31 NOTICE OF DRAFT POLICY TO BE PLACED ON PUBLIC EXHIBITION -
COUNCILLOR EXPENSES AND FACILITIES POLICY

CITY PLANNING DEPARTMENT REPORTS

CP13/34 MAJOR PROJECT APPLICATION MP05_0083 - CONCEPT PLAN APPROVAL -
SANDY BEACH NORTH - LOT 22 DP 1070182, LOTS 497 AND 498 DP 227298,
PACIFIC HIGHWAY AND PINE CRESCENT, SANDY BEACH

CP13/35 COFFS HARBOUR SWIMMING POOL INSPECTION PROGRAM

CORPORATE BUSINESS DEPARTMENT REPORTS

CB13/59 COUNCIL MEETING DATES 2014

CB13/60 DRAFT PLAN OF MANAGEMENT FOR WOOLGOOLGA BEACH RESERVE

CB13/61 DEVELOPER CONTRIBUTION PLANS REVIEW

CB13/62 ENVIRONMENTAL LEVY WORKING GROUP - COMMUNITY NOMINATIONS

CB13/63 TEEN PLAYGROUND AT PARK BEACH HOLIDAY PARK

ITEM DESCRIPTION

The following item either in whole or in part may be considered in Closed Meeting for the reasons stated:

CB13/64 BUSINESS OPPORTUNITY

A portion of this report is confidential for the reason of Section 10A (2):

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

and in accordance with Section 10A (1) the meeting may be closed to the public.

QUESTIONS ON NOTICE

QON13/5 COSTS ASSOCIATED WITH BUSKERS' FESTIVAL



COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
COUNCIL CHAMBERS
COUNCIL ADMINISTRATION BUILDING
COFF AND CASTLE STREETS, COFFS HARBOUR
26 SEPTEMBER 2013

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COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

26 SEPTEMBER 2013

Present: Councillors D Knight (Mayor), J Arkan, N Cowling, R Degens, G Innes, B Palmer, K Rhoades, S Townley and M Sultana (from 5:05pm).

Staff: General Manager, Acting Director Corporate Business, Director City Infrastructure Services, Director City Planning, Acting Director Community Development and Executive Assistant.

The meeting commenced at 5:00pm with the Mayor, Cr D Knight in the chair.

We respectfully acknowledge the Gumbayngirr Country and the Gumbayngirr Aboriginal peoples who are traditional custodians of the land on which we meet and their Elders both past and present.

The Mayor reminded the Chamber that the meeting was to be recorded, and that no other recordings of the meeting would be permitted.

DISCLOSURE OF INTEREST

No disclosures of interest tabled.

PUBLIC ADDRESS

There were no Public Addresses

MAYORAL MINUTE

MM13/4 2013 LOCAL GOVERNMENT NSW CONFERENCE - VOTING DELEGATES FROM COFFS HARBOUR CITY COUNCIL

- 218** **RESOLVED** (Arkan/Degens) that Coffs Harbour City Council resolve the nomination of 1 (one) Councillor to replace Cr Innes as a voting delegate for the 2013 LGNSW Conference.

General Manager invited nominations for a voting delegate for the 2013 LGNSW Conference.

Clr Degens was the only nomination received and declared nominated.

CONFIRMATION OF MINUTES

- 219** **RESOLVED** (Townley/Arkan) that the minutes of the Ordinary meeting held on 22 August 2013 be confirmed as a true and correct record of proceedings.

Cr Sultana arrived at the meeting at 5:05pm.

GENERAL MANAGER'S REPORTS

GM13/29 ELECTION OF DEPUTY MAYOR

To seek Council's decision on the election of a Deputy Mayor.

- 220** **RESOLVED** (Arkan/Degens) that:
1. Council resolve to elect a Deputy Mayor for the ensuing twelve (12) months.
- 221** **RESOLVED** (Innes/Townley) that:
2. Nominations for the position of Deputy Mayor be called and the method of election be by open ballot (show of hands).

The General Manager advised that he had received only one nomination for the position of Deputy Mayor and Clr Degens was elected as Deputy Mayor for the ensuing twelve months.

GM13/30 2013 DISCLOSURE OF INTEREST BY COUNCILLORS AND DESIGNATED PERSONS

To table the Register of Returns received in accordance with s450A Local Government Act 1993.

- 222 RESOLVED** (Palmer/Arkan) that the Register of Disclosures by Councillors and Designated Persons for the period July 2012 – June 2013, as tabled, be noted.

CITY INFRASTRUCTURE SERVICES DEPARTMENT REPORTS

CIS13/45 ACQUISITION OF EASEMENT OVER LOT 1122 DP 622536 - 7A NEWCASTLE DRIVE, TOORMINA

Report seeking Council approval for the acquisition of an easement to drain sewage over a property at 7A Newcastle Drive, Toormina and described legally as Lot 1122 DP 622536.

- 223 RESOLVED** (Arkan/Palmer):

1. That Council proceed to acquire an easement of variable width for the drainage of sewage over Lot 1122 DP 622536, 7A Newcastle Drive, Toormina as shown approximately on the plan attached to this report.
2. That Council be responsible for all costs associated with the matter.
3. That the owner be compensated on the terms contained within this report.
4. That all necessary documents associated with the acquisition of the easement be executed under the Common Seal of Council.

**CIS13/46 LEASE - COFFS HARBOUR REGIONAL AIRPORT GROUND LEASE
SITES TO EAGLE COPTERS AUSTRALASIA**

Seeking authority for the execution of leases between Coffs Harbour City Council as the registered proprietor of Lot 30 in DP 835497 and of Lot 3 in DP 790102 to Eagle Copters Australasia ACN 150 018 894 under the Common Seal of Council.

224 RESOLVED (Palmer/Arkan):

1. That Council accept the surrender of Lease(s) of Lot 30 in DP 835497 to Northern Region SLSA Helicopter Rescue Service and of Lot 2 in DP 790102 to Paul Ellis Cox subject to the contemporaneous formalisation of new lease(s) to Eagle Copters Australasia ACN 150 018 894
2. The Council as registered proprietor of Lot 3 in DP790102 (the demised premises) authorises the lease of the demised premises to Eagle Copters Australasia ACN 150 018 894 for a period of twenty (20) years and an option for a further period of ten (10) years subject to the standard terms and conditions of Coffs Harbour City Council's airport leases and other conditions as required to give effect to the proposed agreement.
3. The Council as registered proprietor Lot 30 in DP835497 (the demised premises) authorises the lease of the demised premises to Eagle Copters Australasia ACN 150 018 894 for a period of twenty (20) years and an option for a further period of ten (10) years subject to the standard terms and conditions of Coffs Harbour City Council's airport leases and other conditions as required to give effect to the proposed agreement.
4. That Council provide a rent free period in the lease of Lot 30 DP 835497 to Eagle Copters Australasia ACN 150 018 894 up to the earlier of 12 months from the commencement of the lease or upon issue of an occupation certificate for the refurbished/hangar.
5. That any necessary documents required to give effect to the lease of Lot 30 in DP835497 and Lot 2 in DP 790102 to Eagle Copters Australasia ACN 150 018 894 be executed under the common seal of Council.
6. That all costs associated with the new leasing arrangement be paid by the lessee.

**CIS13/47 RENEWAL OF LEASE TO ON TRACK COMMUNITY PROGRAMS
INC - SUITE 2 169-171 ROSE AVENUE, COFFS HARBOUR**

Seeking Council authority to renew lease with On Track Community Programs Incorporated for Suite 2 in 169-171 Rose Avenue, Coffs Harbour.

225 RESOLVED (Arkan/Cowling):

1. That Council, as registered proprietor of Lot 10 DP 861850, grant a lease of Suite 2 in 169-171 Rose Avenue, Coffs Harbour to On Track Community Programs Incorporated for a term of 10 months and 8 days commencing 23 August 2013 with options to renew the lease for two consecutive periods of one year each from 1 July 2014.
2. That Council's seal be affixed to the lease of Suite 2 in 169-171 Rose Avenue, Coffs Harbour to On Track Community Programs Incorporated and all other documents required to give effect to the lease agreement and options to renew.

**CIS13/48 LEASES FOR CAR RENTAL CONCESSIONS AT COFFS HARBOUR
AIRPORT**

Seeking Council authority to enter into leases with car rental companies occupying Car Rental Booths and car parking spaces at Coffs Harbour Airport.

226 RESOLVED (Townley/Arkan):

1. That Council, as registered proprietor of Lot 22 DP 812274, grant a lease of Car Rental Booth No.1 in the RPT Terminal Building at Coffs Harbour Airport to Atigram Pty Ltd for a term of five years commencing 1 August 2013.
2. That Council's seal be affixed to the lease of Car Rental Booth No.1 in the RPT Terminal Building at Coffs Harbour Airport to Atigram Pty Ltd and all other documents required to give effect to the lease agreement.
3. That Council, as registered proprietor of Lot 22 DP 812274, grant a lease of Car Rental Booth No.4 in the RPT Terminal Building at Coffs Harbour Airport to Craftview Pty Ltd for a term of four years eleven months and twelve days commencing 20 August 2013.
4. That Council's seal be affixed to the lease of Car Rental Booth No.4 in the RPT Terminal Building at Coffs Harbour Airport to Craftview Pty Ltd and all other documents required to give effect to the lease agreement.
5. That Council, as registered proprietor of Lot 22 DP 812274, grant a lease of Car Rental Booth No.5 in the RPT Terminal Building at Coffs Harbour Airport to Usellus Holdings Pty Ltd for a term of five years commencing 1 August 2013.
6. That Council's seal be affixed to the lease of Car Rental Booth No.5 in the RPT Terminal Building at Coffs Harbour Airport to Usellus Holdings Pty Ltd and all other documents required to give effect to the lease agreement.

**CIS13/49 RELEASE OF RESTRICTION ON USE - 39 ESTUARY DRIVE,
MOONEE BEACH**

To obtain Council approval to execute the necessary documents to release a restriction over 39 Estuary Drive, Moonee Beach which was created for Asset Protection Zone purposes.

227 RESOLVED (Palmer/Arkan):

1. That Council execute under seal all necessary documents to release the existing restriction on Title for an Asset Protection Zone over Lot 1 DP 1130029.
2. That all costs associated with this matter be borne by the owners of Lot 1 DP 1130029.

**CIS13/50 WATER EFFICIENCY STRATEGIC PLAN 2013 - DRAFT REVIEW TO
PUBLIC EXHIBITION**

The objective of this report is to inform Council that the Water Efficiency Strategic Plan (WESP) and the Water Efficiency Implementation Plan (WEIP) have been reviewed as per the five year timeframe and it is proposed that Clarence Valley Council, (Council partners in the Regional Water Supply Scheme) put the drafts on public exhibition and call for submissions from the Coffs Harbour and Clarence Valley communities regarding these documents.

228 RESOLVED (Arkan/Palmer) that Council notes that the draft Water Efficiency Strategic Plan (WESP) and draft Water Efficiency Implementation Plan (WEIP) are proposed to be put on public exhibition in October by Clarence Valley Council and submissions called from the Coffs Harbour and Clarence Valley communities.

**CIS13/51 CONTRACT NO. RFT-568-TO: WEST WOOLGOOLGA
SPORTSFIELDS BULK EARTHWORKS**

To report on tenders received for Contract No. RFT-568-TO to undertake bulk earthworks associated with stage 1 of the West Woolgoolga Sports complex and to gain Council approval to accept a tender

229 RESOLVED (Arkan/Cowling):

1. That Council accept the tender of JK Williams Contracting Pty Ltd and ABN 45 056 566 771 for Contract No. RFT- 568 - TO, West Woolgoolga Stage 1 – Bulk Earthworks for the lump sum amount of \$ 599,921.96 incl. GST, subject to a satisfactory financial assessment, on the basis that:
 - a) The tender is the most advantageous tender following the application of Council's Tender Value Selection System.
 - b) The Tenderer has the necessary experience in similar works and his ability and performance are satisfactory.
 - c) Council holds sufficient Sec 94 funds to undertake the works.
2. That the contract documents be executed under the Seal of Council.

**CIS13/52 CITYWORKS COMMERCIALISATION REVIEW - PROJECT
CONTROL GROUP**

To seek Councillor appointment to the Project Control Group overseeing the development of the business case and implementation plan for commercialisation of the CityWorks branch (for consideration by Council) and to provide an update on the project to date.

230 RESOLVED (Sultana/Arkan) that Council:

1. Note progress on the Commercialisation Review of CityWorks
2. Appoint the Mayor and Deputy Mayor as members of the Project Control Group.

CIS13/53 COMMUNITY ENGAGEMENT REGARDING SUSTAINABLE SERVICE DELIVERY

To propose a Community Engagement Program seeking feedback on options regarding Levels of Service considerations which could assist in addressing Council's unsustainable financial position.

231 RESOLVED (Cowling/Palmer) that Council:

1. Note the information in the report including the identification of Council's annual financial gap.
2. Endorse in principle the Level of Service Community Engagement project.
3. Adopt the Community Engagement Strategy for Levels of Service.
4. Note that a further report will be presented regarding a Continuous Improvement Program.

CORPORATE BUSINESS DEPARTMENT REPORTS

CB13/54 CONDUCT OF FINANCIAL REVIEW - SECTION 355 FACILITY MANAGEMENT COMMITTEES

To provide Council with details of the financial review of the financial records of Council's Section 355 facility management committees for the year ended 30 June 2013.

232 RESOLVED (Palmer/Sultana) that the report on the financial review of the Section 355 facility management committees be noted.

CB13/55 AMENDMENTS TO THE 2013/2014 FEES AND CHARGES

To provide Council with details of the review of the Goods and Services Tax (GST) status of each of the fees and charges listed in the 2013/ 2014 Fees & Charges document; as a result of amendments to the A New Tax System (GST) Act 1999.

233 RESOLVED (Degens/Palmer) that the report on the amendments to the 2013/2014 Fees and Charges due to amendment of the GST legislation be noted.

CB13/56 COMMUNITY CAPITAL INFRASTRUCTURE GRANTS PROGRAM

To provide Council with recommendations in relation to the operations of the Community Capital Infrastructure Grants Program.

234 RESOLVED (Palmer/Sultana):

1. That Council endorses the guidelines for the Community Capital Infrastructure Grants Program.
2. That the initial Community Projects Grants Program co-funding requirement be amended from \$2 community contribution for \$1 grant commitment, to a 50% contribution with a minimum of 20% financial cash contribution.
3. That due to timing, Council have a single round of funding in the current financial year with applications to the Community Capital Infrastructure Grants Program to close 29 November 2013.
4. That Council report annually on the outcomes of the program, and note on any changes in subsequent years to the adopted program guidelines.

CB13/57 BANK BALANCES AND INVESTMENT FOR JULY 2013

To list Council's Bank Balances and Investments as at 31 July 2013.

235 RESOLVED (Palmer/Degens):

1. That the bank balances and investments totaling (from loans, Section 94 and other avenues that form the restricted accounts and are committed for future works) one hundred and fifty seven million, eight hundred and thirty eight thousand, two hundred and forty two dollars (\$157,838,242) as at 31 July 2013 be noted.
2. That the general fund unrestricted cash and investments totaling forty one thousand, five hundred dollars and two dollars (\$41,502) as at 31 July 2013 be noted.

CB13/58 FINANCIAL RESULT FOR YEAR ENDED 30 JUNE 2013

To report on the final results of the financial position of various activities to the year ended 30 June 2013.

236 RESOLVED (Palmer/Sultana):

1. That the results for the financial year 2012/13 be noted as follows:

	\$	
General Account	42,598	surplus
Water Account	(1,362,977)	deficit
Sewer Account	281,902	surplus

2. That the various revotes from 2012/2013 to 2013/2014 as detailed in Attachment 4 as follows, be adopted.

SUMMARY	REVOTE \$	FUNDING			
		Revenue \$	External \$	Environmental Levy \$	Restricted Equity \$
General Account	33,520,744	4,489,185	4,435,670	269,550	24,326,339
Water Account	589,774	285,734			304,040
Sewer Account	11,411,435	94,610	1,337,558		9,979,267

3. Council endorses the revote of \$200,000 for the potential replacement of a core software system.
4. Council endorses the revote of \$150,000 of surplus funds to assist in reducing the 2013/14 deficit.

COMMUNITY DEVELOPMENT DEPARTMENT REPORTS

CD13/1 NANA GLEN SPORT, RECREATION & EQUESTRIAN CENTRE MANAGEMENT COMMITTEE MEMBERSHIP

To recommend to Council appointment of a community member to the Nana Glen Sport, Recreation & Equestrian Centre Management Committee.

237 RESOLVED (Arkan/Sultana) that Mr Jim Cleary be appointed to the Nana Glen Sport, Recreation & Equestrian Centre Management Committee

CD13/2 C.EX COFFS INTERNATIONAL STADIUM FOCUS GROUP

To approve the amended terms of reference, Community and Councillor nominations for the 2013-2015 C.ex Coffs International Stadium Focus Group.

238 RESOLVED (Arkan/Innes):

1. To adopt the updated terms of reference for the C.ex Coffs International Stadium Focus Group.
2. To approve the appointment of the following community members to C.ex Coffs International Stadium Focus Group for a two (2) year term, from 1 October 2013:
Mr Phil Crofts
Mr Phillip Holt
Mr Paul Taylor
Mr Peter Wardman
3. To appoint two (2) councillors to the C.ex Coffs International Stadium Focus Group.
4. To note the appointment of the CHISSI (2) and Naming Rights sponsor (1) delegates to the group

The General Manager called for nominations for Councillor representatives on the C.Ex Coffs International Stadium Focus Group, the following were received:

Councillor Sultana nominated by Councillors Cowling and Rhoades.
Councillor Rhoades nominated by Councilors Arkan and Degens.

No other nominations were received.

Councillors Sultana and Rhoades were declared as the Councillor representatives on the C.Ex Coffs International Stadium Focus Group.

CD13/3 COFFS HARBOUR ECONOMIC STRATEGY 2013 - 2017

To report back to Council regarding the feedback received from the public exhibition, and to recommend endorsement of the final Coffs Harbour Economic Strategy and Action Plan document.

239 RESOLVED (Degens/Innes) that Council defer consideration of the Economic Strategy pending a workshop with Councillors regarding the implications of the strategy.

CITY PLANNING DEPARTMENT REPORTS

CP13/28 COFFS HARBOUR COMPREHENSIVE KOALA PLAN OF MANAGEMENT 2014 PROJECT PLAN

To obtain Council's endorsement for the Coffs Harbour Koala Plan of Management 2014 Project Plan.

- 240** **RESOLVED** (Sultana/Townley) that Council endorse the attached Coffs Harbour Koala Plan of Management 2014 – Project Plan.

CP13/29 HIGH VALUE HABITATS OF COFFS HARBOUR LOCAL GOVERNMENT AREA - ENDANGERED ECOLOGICAL COMMUNITIES AND OVER-CLEARED VEGETATION TYPES

To recommend that Council place on public exhibition the Endangered Ecological Communities and Over-cleared Vegetation types mapping and accompanying report for the Coffs Harbour Local Government Area.

- 241** **RESOLVED** (Townley/Arkan):
1. That Council endorse release of the following digital layers and report for public exhibition and invite submissions for a period of 30 days:
Data Layer:
 - 1.1 Draft Coffs Harbour Endangered Ecological Communities mapping
 - 1.2 Draft Over-cleared Vegetation Types mappingReport:
Mapping High Value Habitats and Biodiversity Assets of the Coffs Harbour Local Government Area: Endangered Ecological Communities and Over-cleared Vegetation Types
 2. That a report be brought back to Council on the draft Coffs Harbour Endangered Ecological Communities mapping and the draft Over-cleared Vegetation Types mapping, following exhibition.

CP13/30 PLANNING PROPOSAL PP_2013_COFFS_001_00 FOR PART LOT 3, DP270533 DRESS CIRCLE, COFFS HARBOUR AND AMENDMENTS TO DRAFT COFFS HARBOUR DEVELOPMENT CONTROL PLAN 2013 (COMPONENT E15 - TOURIST DEVELOPMENT PRECINCTS)

The purpose of this report is to inform Council of the outcome of the exhibition of a Planning Proposal (PP) at Dress Circle, Coffs Harbour, and to progress draft Development Control Plan (DCP) 2013 Component E15 – Tourist Development Precincts.

The report recommends that Council endorse the final PP by adopting draft Coffs Harbour Local Environmental Plan (LEP) 2013 (Amendment No. 1) to rezone the subject land from Rural 1A Agriculture under Coffs Harbour City LEP 2000 to R1 General Residential under draft Coffs Harbour LEP 2013; and to forward it to NSW Planning and Infrastructure (P&I) to coordinate the making of the LEP.

The report also recommends that Council adopt draft Coffs Harbour DCP 2013 Component E15 – Tourist Development Precincts as exhibited, and as amended to update the locality map for the Dress Circle location.

242 RESOLVED (Arkan/Innes):

1. That Council endorse the final Planning Proposal PP_2013_COFFS_001_00 (Part Lot 3, DP270533, Dress Circle, Coffs Harbour) by adopting draft Coffs Harbour Local Environmental Plan 2013 (Amendment No. 1) (Attachment 1).
2. That Council instructs the General Manager or his delegate to consult with NSW Planning and Infrastructure on the terms of the Local Environmental Plan, to ensure its consistency with the objectives, outcomes and provisions of the Planning Proposal.
3. That upon completion of the legal instrument being drafted, the Minister for Planning be requested to make a Local Environmental Plan.
4. That the landowner and those who made submissions to PP_2013_COFFS_000_01 be informed of Council's decision.
5. That Council adopt Component E15 Tourist Development Precincts of draft Development Control Plan 2013 (Attachment 3).

FOR

Cr Rhoades
Cr Townley
Cr Palmer
Cr Degens
Cr Knight
Cr Arkan
Cr Innes
Cr Sultana
Cr Cowling

AGAINST

Nil

CP13/31 DEVELOPMENT APPLICATION 27/14 SUBDIVISION (BOUNDARY ADJUSTMENT) LOT 12, DP 597557 AND LOT 21, DP 847393 NO. 69 AND 68-70 BONVILLE STATION ROAD, BONVILLE

The purpose of this report is to present Development Application 27/14 for Council's consideration, which is an application for a boundary adjustment.

The properties the subject of the proposed development are Lot 12, DP 597557, No. 69 Bonville Station Road and Lot 21, DP 847393, No. 68 - 70 Bonville Station Road, Bonville. Conditional approval of the application is recommended. The following map illustrates the existing lot configuration.

243 RESOLVED (Arkan/Innes):

1. That the written objection made pursuant to Clause 6 *State Environmental Planning Policy No. 1 - Development Standards* for the variation to the minimum allotment size under Clause 18(5A) of Coffs Harbour Local Environmental Plan 2000 be supported in this particular case.
2. That Development Application 27/14 for Boundary Adjustment at Lot 12, DP 597557, No. 69 Bonville Station Road and Lot 21, DP 847393, No. 68 - 70 Bonville Station Road, Bonville be approved subject to conditions appended to this report (Attachment 3).

FOR

Cr Rhoades
Cr Townley
Cr Palmer
Cr Degens
Cr Knight
Cr Arkan
Cr Innes
Cr Sultana
Cr Cowling

AGAINST

Nil

CP13/32 DEVELOPMENT APPLICATION STATISTICS AND PERFORMANCE MONITORING - 2012/13 - UPDATE

To present Council with a summary report on Development Application statistics and performance monitoring for the financial year ending 30 June 2013.

- 244 RESOLVED** (Palmer/Arkan) that Council note the report on statistical information for Development, Construction and Complying Development Certificate Applications for the financial year 2012/2013.

CP13/33 CLIMATE CHANGE POLICY

For Council to adopt the Climate Change Policy.

- 245 RESOLVED** (Degens/Arkan) that Council adopts the Climate Change Policy.

REQUESTS FOR LEAVE OF ABSENCE

No requests for leave of absence.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

QUESTIONS ON NOTICE

QON13/4 STUDY - SEA CONDITIONS IN THE HARBOUR

The report was noted.

This concluded the business and the meeting closed at 5:41 pm.

Confirmed: 10 October 2013.

.....
Denise Knight
Mayor

RENAMING OF HIGH STREET SPORTING FIELDS

Purpose:

Councillor Nan Cowling has given notice of her intention to move:

That the sporting fields at Woolgoolga known as the High St Sporting fields be renamed “The Clive Joass Memorial Sporting Fields”.

Rationale:

Clive worked tirelessly for the Woolgoolga community and according to Graeme Clarke these fields were completed due to Clive’s persistence.

He gave a massive contribution in voluntary hours to see this project progress to completion. He gave of his time to see that the youth of Woolgoolga would have the sporting fields to keep them happy and healthy. This will be a wonderful honour for his contribution to Woolgoolga.

Staff Comment:

Mr Clive Joass was the driving force behind the Woolgoolga Sports Council for many years and campaigned hard to help address the shortage of sports fields available for the Northern Beaches. He leaves a legacy of improved sporting facilities and a framework for community management of community sporting facilities.

We would recommend that the naming of the facility be kept consistent with other examples in the LGA (Coffs Coast Sport and Leisure Park, Richardson Park, Vost Park, Ayrshire Park, Brelsford Park, etc) and be called ‘Clive Joass Memorial Sports Park’.

INCORPORATED ENTITY RELATING TO WASTE MANAGEMENT

Purpose:

Councillor Sally Townley has given notice of her intention to move:

That Council seek to form an incorporated entity for the purpose of developing and supporting future projects relating to waste management, in particular reuse and recycling.

Background:

By creating a corporate entity (either an incorporated association, co-operative or not-for-profit entity), Council will be in a better position to leverage state government funding for waste management projects. Such an entity would ideally include CHCC as well as Nambucca and Bellingen Councils. Additionally, the group would include representatives from employment and training service providers such as Youth Directions and CHES.

Council could apply for the upcoming state government funding as well as provide a legal framework for the employment and training of wage-subsidised persons.

There are many examples of successful waste management operations, such as recycling and resale centres, and all of these include a social component, ie provision of employment and training.

The first step is to create the entity through the provisions of the Department of Fair Trading. The entity would be managed by unpaid Directors from the agencies as outlined above as well as some representatives from the wider community.

The initial cost to council would only be in staff time (Governance section) to prepare and submit the paperwork for registration.

Staff Comment:

- Councils require Ministerial Approval to form a corporation or other entity under Section 358 of the Local Government Act 1993.
- Following the creation of a dedicated waste services group, a new Waste Strategy is now being developed. Consideration of this proposal should ideally form part of those discussions to determine if it fits within the future strategic direction of Council and any partnering Councils.
- The upcoming state government funding is being delivered through the Waste Less Recycle More (WLRM) initiative with significant funding being restricted to local government. A community based entity, even involving councils, may be ineligible for the restricted components?
- The WLRM initiative is predominantly for infrastructure and not operational costs. The funding is also only for five years (including 2012/13), and is silent beyond that?
- Future projects may need to be contestable by open tender, due to the value of project, and may not be able to be reserved for this entity to operate.

NOTICE OF DRAFT POLICY TO BE PLACED ON PUBLIC EXHIBITION - COUNCILLOR EXPENSES AND FACILITIES POLICY

Purpose:

To advise Council and the community of the public exhibition of the draft Councillor Expenses and Facilities policy.

In accordance with Section 252 of the Local Government Act 1993, (the Act) Council is required within five (5) months after the end of each financial year to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor and Councillors in relation to discharging the functions of civic office.

In accordance with Section 253(5) of the Act if there are anything other than minor changes, the policy is to be advertised allowing for at least 28 days for public submissions.

Description of Item:

The purpose of the Policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred by Councillors. The Policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable and meet the expectations of the local community.

Sustainability Assessment:

- **Environment**

This is not applicable to this report.

- **Social**

This is not applicable to this report.

- **Civic Leadership**

The purpose of Council policies is to ensure transparency and accountability in local government. The implementation enables Council to identify and respond to the community. This is consistent with the *Coffs Harbour 2030* Community Strategic Plan strategy *LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour.*

- **Economic**

The budget includes allocations to account for the expenses included within the policy. If Council requires any amendments to the Policy relating to payment of expenses, the impact of these changes on the 2013/14 adopted budget will need to be considered.

Broader Economic Implications

There are no broad economic impacts associated with the implementation of the recommendations.

Delivery Program/Operational Plan Implications

The ongoing development and review of Council policies and plans are accommodated within Council's budget structure. This expenditure is monitored through Council's monthly and quarterly budget reviews.

Risk Analysis:

This is not applicable to this report.

Consultation:

The purpose of this report is the notification of public exhibition period to allow no less than 28 days for submissions.

Statutory Requirements:

Section 253 of the Act states:

253 Requirements before policy concerning expenses and facilities can be adopted or amended:

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.

Issues:

The following amendments have been made to the Councillor Expenses and Facilities Policy as adopted 22 November 2012.

Reference	Amendment
11.11.2 pg.7 and Appendix A	Mobile phone- wording update to clarify telecommunication plan inclusions. Added wording regarding email notification when data usage reaches 80% of the allowable
11.11.3 pg 8	iPad- as above
12.7 pg 9 pg, 22.2 pg 14 and Appendix A	Update to the amounts payable for accommodation and meals to latest tax determination TD 2013/16
16.1 pg 11	Care expenses- wording update to clarify that care expenses include eldercare, disability care and care of ill or injured relatives
21 pg 13	Clause requiring report to Council on the outcome of Local Government program sessions removed
Numbering	Numbering in document updated to improve readability
Parts	Added parts and reordering of information to improve readability.

Councillors may also wish to make amendments/submissions to the policy. The draft policy will be advertised according to legislative requirements.

Implementation Date / Priority:

Implementation for public exhibition is immediate.

Recommendation:

1. In accordance with Section 253(5) of the Local Government Act 1993, Council gives public notice of its intention to adopt the Councillor Expenses and Facilities Policy as attached and allow at least 28 days for the making of public submissions.
2. Following the exhibition period, Council considers a further report including a summary of any submissions received.


Locked Bag 155, Coffs Harbour, NSW 2450 ABN 79 126 214 487	COFFS HARBOUR CITY COUNCIL	
<h2 style="margin: 0;">Councillor Expenses and Facilities Policy</h2>		
<p>Policy Statement:</p> <p>Councillor expenses and facilities policies allow for Councillors to receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties as elected representatives of the residents and ratepayers of the City of Coffs Harbour. All expenses incurred by Councillors are to relate to the performance and carrying out of their civic duties.</p>		
<p>Director or Manager Responsible for Communication, Implementation and Review:</p>		
<p>Related Legislation, Division of Local Government Circulars or Guideline:</p> <ul style="list-style-type: none"> • <i>Local Government Act 1993</i> • <i>Local Government (General) Regulation 2005</i> • DLG 'Guidelines for the payment of expenses and the provision of facilities to mayors and Councillors'. October 2009 • Code of Conduct Policy • ICAC publication 'No excuse for Misuse' 		
<p>Does this document replace an existing policy?</p> <p>Councillors Expenses and Facilities Policy As adopted by Council 22 November 2012</p>		<p>Yes</p>
<p>Other Related Council Policy or Procedure:</p> <p>Nil</p>		
<p>Application:</p> <p>It is mandatory for all Councillors to comply with this policy.</p>		
<p>Distribution:</p> <p>This policy and guidelines are available on Council's website under Council policies. Copies distributed to all Councillors.</p> <p> <input checked="" type="checkbox"/> Internet <input checked="" type="checkbox"/> Intranet <input type="checkbox"/> Email <input type="checkbox"/> Noticeboard <input checked="" type="checkbox"/> ECM </p>		
<p>Approved by:</p> <p>Executive Team:</p> <p>Council :</p> <p>Resolution No:</p>	<p>Signature:</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p style="text-align: center;">General Manager</p>	
<p>Council Branch Responsible: Governance & Legal Services</p>	<p>Date of next Review:</p>	

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PART 1 - PRELIMINARY

1. Objective

The purpose of this policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred, or to be incurred by the Mayor and Councillors.

To ensure that the fees paid, civic expenses reimbursed and facilities provided to the Mayor and Councillors are appropriate and reasonable to the importance of the Office.

To ensure that the Mayor and Councillors do not suffer financial hardship by meeting their Civic responsibilities as a member of the governing body of the Council or as an elected person.

2. Introduction

In accordance with the provisions of the Local Government Act 1993, the Council is required to adopt a policy concerning the payment of fees and expenses and the provision of facilities to the Mayor and other Councillors in relation to their roles as elected persons and members of the governing body of the Council.

Councillors, in carrying out their civic responsibilities, are required to attend a variety of functions in their capacity as a representative of Council i.e., Council meetings, Committee meetings, and as delegates.

Councillors will also be expected to attend a variety of functions in a capacity where they may not directly represent Council, but attendance is relevant to their effectiveness as Councillors, i.e., attendance at community functions.

3. Legislative Provision

The *Local Government Act 1993* recognises this obligation and makes provision (Division 5 of Chapter 9) for payment of fees (s.248 and s.249); payment of expenses (s.252) and provision of facilities (s.252).

4. Basis of Providing Facilities

Unless otherwise provided, the facilities which may be provided to the Mayor and Councillors under this policy, shall be provided without reduction of the annual fees payable to the Mayor and Councillors, as determined by the Council, under Section 248-254A inclusive of the Act.

5. Reporting Requirements

Clause 217 of the Local Government (General) Regulation 2005 requires Council to include detailed information in its Annual Report about the payment of expenses and facilities to Councillors.

An annual report is to include the following information:

- Details (including the purpose) of overseas visits undertaken during the year by Councillors, Council staff or other persons while representing the Council (including visits sponsored by other organisations).

Attachment

- Details of the total cost during the year of the payment of the expenses of, and the provision of facilities to Councillors in relation to their civic functions (as paid by the Council, reimbursed to the Councillor or reconciled with the Councillor), including separate details on the total cost of each of the following:
 - The provision during the year of dedicated office equipment allocated to Councillors on a personal basis, such as iPads and mobile telephones (including equipment and data plan costs but not including call costs).
 - Telephone calls made by Councillors, including calls made from mobile telephones provided by Council and from landline telephones.
 - The attendance of Councillors at conferences and seminars.
 - The training of Councillors and the provision of skill development for Councillors.
 - Interstate visits undertaken during the year by Councillors while representing the Council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses.
 - Overseas visits undertaken during the year by Councillors while representing the Council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses.
 - The expenses of any spouse, partner (whether of the same or the opposite sex) or other person who accompanied a Councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Director-General from time to time.
 - Expenses involved in the provision of care for a child of, or an immediate family member of, a Councillor, to allow the Councillor to undertake his or her civic functions.

Council's Annual Report must also incorporate a copy of this policy.

6. Misuse of Council Resources

Councillors should have a clear understanding of their responsibilities in using Council's resources. Councillors must:

- Not use his or her official position to accept or acquire an unauthorised personal profit or financial advantage (other than of a token kind as defined by Coffs Harbour City Council's Adopted Code of Conduct).
- Not use Council resources for private purposes unless such use is lawfully authorised and proper payment is made where appropriate.
- Not convert to his or her own use any property of the Council.
- Not use Council's facilities, equipment and services to produce election material or for any other political purpose.
- Ensure that council property, including intellectual property, official services and facilities are not misused by any other person or body.

Additional guidance can be found in Council's Code of Conduct, the Independent Commission Against Corruption publication "No excuse for misuse - preventing the misuse of council resources" and the Department of Local Government's 'Guideline for the Payment of Expenses and the Provision of facilities to Mayors and Councillors' for Local Councils in NSW.

7. General Expense Allowances

In accordance with clause 403 of the Regulation there is no provision for a general expense allowance for Councillors. A general expense allowance is a sum of money paid by council to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe.

8. Approval and Dispute Resolution Processes

Approval arrangements for the payment of expenses for Councillor attendance at conferences will be:

- (a) The Council, through resolution duly passed at a Council Meeting;
- (b) The Mayor and General Manager, where such conferences are in accordance with this policy (Part 4, section 5);
- (c) If the Mayor requires approval, this can be done jointly by the Deputy Mayor or another Councillor and the General Manager.

The Mayor, in consultation with the General Manager, is responsible for authorising payment of expenses and the provision of facilities (not relating to attendance at conferences as above) in accordance with this policy.

The Deputy Mayor, or another Councillor, and the General Manager are responsible for authorising payment of expenses and the provision of facilities for the Mayor in accordance with this policy.

Should a dispute arise about the provision of expenses and facilities, or when an expense claim is not approved by the Mayor and General Manager, then the disputed decision is to be reviewed by the external members of the Governance and Audit Committee.

9. Monetary Limits

Monetary limits are mentioned throughout this policy. (Appendix A) provides a table listing all monetary limits.

Any expenses incurred in excess of the limits within this policy should be reported to Council and approval obtained, where possible, prior to the expenses being incurred.

10. Private Benefit

Councillors (incl Mayor) should not obtain private benefit from the provision of equipment and benefit from the provision of equipment and facilities, nor from travel bonuses such as 'frequent flyer' schemes or any other loyalty programs while on council business. It is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment back to council. Anything other than incidental private use should be reimbursed to council at the recognised cost.

PART 2 - FACILITIES FOR MAYOR AND COUNCILLORS

11. Councillors

To assist the Councillors, including the Mayor in carrying out the duties of their office, they are if they request such, entitled to receive the benefits of the following facilities for use in connection with their civic duties, without reduction (unless otherwise stated) of the fees payable under Section 248 of the Act:

- 11.1 A copy of the Electoral Rolls for the whole Council area and access to Council policies, relevant Acts and Regulations.
- 11.2 Access to a Councillors' Room in the Coffs Harbour City Council Administration Building, suitably equipped with access to telephone, computer terminal connection, copying and printing facilities.
- 11.3 Secretarial service including typing, photocopying, printing and postage for the following purposes:
 - 11.3.1 Initiating correspondence to, and answering correspondence received from, residents/ratepayers, Members of Parliament, Government Departments, statutory authorities/bodies, other local authorities, other Councillors, local government related bodies and organisations, the media or the general public in relation to the business of the Council or local government subject to a response to petitions received by Councillors will only be made to the principal person who lodges the petition and not all signatories.
 - 11.3.2 Replying to invitations to attend functions/gatherings received in their capacity as a Councillor;
 - 11.3.3 Communications to Councillors and Council's staff on official business;

Provided that under no circumstances will the Council permit the facilities provided to be used for the initiation or issue of circular type letters or election material / letters.
- 11.4 Suitable meals associated with Council and Council Committee meetings, and meetings of Councillors with Parliamentary representatives, visiting dignitaries and other delegations.
- 11.5 Suitable stationery supplies.
 - 11.5.1 Councillor business cards, name badges and Council promotional apparel, e.g., scarf, tie, cuff-links, etc.
 - 11.5.2 Stationery - use of Council letterhead and envelopes for Council business.
 - 11.5.3 Postage - official Councillor correspondence – This is to be directed through the Council's own mail system.

Attachment

- 11.6 Access to Information - Councillors can obtain copies of Council information, if the information is required to enable a Councillor to undertake their role as defined under S232 of the Local Government Act 1993.

When seeking information on policy issues and day to day matters, in the exercise of their statutory role as a member of the Council, Councillors must contact the General Manager, Director, or an officer nominated by the Director.

- 11.7 Preparation of media material except material for an election campaign - professional advice and assistance from officers in preparing media material (other than election campaign material) relevant to the Councillor's role subject, in each case, to the approval of the General Manager.

- 11.8 Recognition of Service - Council will provide a plaque and suitable gift as recognition of service to former Councillors and Mayors who have served a minimum of one (1) term.

- 11.9 Access to a suitable vehicle or vehicles (if available) provided by the Council for use on official duties connected with the office of Councillor. If required, Councillors are also issued with a cab charge card. Cab charge cards are for Council business, when a Council vehicle is not reasonably available to provide such transport, or the provision of a vehicle would not be economical in the circumstances.

- 11.10 Provision of four car parking reserved spaces at the Coffs Harbour City Council Administration Building for the specific use of Councillors on Council business during business hours.

- 11.11 The following furniture and/or equipment which shall remain the property of the Council, subject to the conditions specified and subject to the immediate return of such furniture and/or equipment to the Council in good operational order and condition upon ceasing to be an elected member of the Council:

11.11.1 Three (3) drawer filing cabinet if specifically required.

11.11.2 A mobile phone – with blue tooth installed in the Councillor's private vehicle if required.

- An appropriate call plan will be entered into, whereby Council meets the cost of the monthly service and access fees and individual Councillors meet the cost of any additional private calls.
- The Councillor's business mobile phone number is to be made available to the public.
- Council's current telecommunication plan covers Council related calls and includes 1GB of data
- Councillors will receive an email notification when data usage reaches 80% of the allowable.
- The cost (as charged by Council's provider) of personal calls and data in excess of 1GB is to be reimbursed by the Councillor.

Attachment

- 11.11.3 An iPad or other form of electronic system and software to enable processing of correspondence and access to Council business papers, minutes, policies and other Council records if such are distributed to Councillors in electronic data form.
- Computer software training - Councillors will be provided with computer software training where necessary to undertake Councillor duties. Course fees and software will be met by Council.
 - Council's current telecommunication plan includes 4GB of data
 - Councillors will receive an email notification when data usage reaches 80% of the allowable.
 - Council's telecommunication plan provider issues warnings to the user advising that usage is approaching data limits.
 - The cost (as charged by Council's provider) of data in excess of 4GB is to be reimbursed by the Councillor.
- 11.11.4 Security Key - Councillors are to be provided with a security key for access to building and a key to access the Councillors Room.
- 11.11.5 Corporate clothing and protective clothing and equipment when required.

12. Additional Facilities for the Mayor

The Mayor shall, in carrying out the duties of that office, be entitled to receive the benefit of the following facilities without reduction of the fees payable under Section 248 and/or 249 of the Act:

A similar facility shall be available to the Deputy Mayor at any time he or she is required to act as the Mayor in accordance with Section 231 of the Act.

- 12.1 Suitable furnished office accommodation within the Coffs Harbour City Council Administration Building.
- 12.2 Secretarial services including typing, photocopying, printing, postage, email, facsimile and telephone facilities.
- 12.3 Administrative assistance associated with any Council function, meetings, publications and the like.
- 12.4 Office refreshments for entertainment purposes.
- 12.5 The provision of a suitable and appropriate vehicle fully serviced and maintained for both civic and private use. In the event of the vehicle being used for private use Council shall set any contribution level from time to time. The current contribution rate is nil, subject to the following clause:

Attachment

A fuel card is provided for refuelling from Council authorised facilities, however, during periods of private use any refuelling occurring outside a 200km radius from the Council administrative centre, must be paid for by the Mayor.

At any time the Deputy Mayor is required to act as the Mayor, in accordance with Section 231 of the Act. "the provision of a suitable and appropriate vehicle fully serviced and maintained for use for all official, executive and social duties connected with the office shall be made available."

12.6 The provision of an allocated parking space at Council's Administration Building.

12.7 The provision of expenses and facilities for the Mayor and/or partner to attend on behalf of Council in the office of the Mayor on official or legal occasions. As a guide the amounts payable for accommodation and meals will be the maximum reasonable travel and meal expense amounts determined by the Australian Taxation Office (ATO), as stated on the ATO website, currently [TD 2013/16](#)– Table 3.

If the Mayor is attending a conference and accommodation is available at the conference venue, Council will pay for a standard double room at the venue. Council will pay for the night before and/or after the conference where this is necessary because of travel and/or conference timetables.

12.8 Mobile/car communication technology, including charges for rental, calls, etc related to civic duties. Any calls of a personal nature are to be reimbursed to council.

12.9 Stationery, including Mayoral letterhead, envelopes and stationery generally.

12.10 If the Mayor so chooses, provision of a corporate purchase card to be used for official Council business and expenditures provided under the annual allocation for discretionary expenditure for the office of Mayor. The corporate purchase card is to be used in situations where it is not reasonably possible to go through the Council's normal procedures for the ordering and/or payment for goods or services.

12.11 Ceremonial clothing including Mayoral robes and Chain of Office.

PART 3 - REIMBURSEMENT AND ACQUISITION OF EQUIPMENT

13. Reimbursement

13.1 Councillors will receive a regular copy of their mobile phone account. Calls not used for council business are to be reimbursed to Council.

13.2 Postage of official Councillor correspondence - Councillors will be reimbursed where expenses can be verified and where it is impractical to use the Council's own mail system.

Attachment

- 13.3 Councillors seeking reimbursement for sustenance expenses should provide receipts in accordance with Goods and Services Tax (GST) requirements.

14. Acquisition of Equipment

Upon ceasing the position of Councillor or Mayor all equipment must be returned to Council or Councillors may purchase equipment at either trade-in-value or the price Council would obtain for its disposal or particular items may be purchased at current written down value.

PART 4 - EXPENSES FOR COUNCILLORS

15. Payment of expenses for spouses, partners and accompanying persons.

There may be limited instances where certain costs incurred by the Councillor on behalf of their spouse, partner or accompanying person are properly those of the Councillor in the performance of his or her functions (hence they are properly incurred by, and reimbursable to the Councillor). An accompanying person is a person who has a close personal relationship with the Councillor and/ or provides carer support to the Councillor.

As a consequence, meeting the reasonable costs of spouses and partners or an accompanying person for attendance at official council functions that are of a formal and ceremonial nature, is considered appropriate when accompanying Councillors within the local government area. Such functions would be those that a Councillor's spouse, partner or accompanying person could be reasonably expected to attend. Examples could include but not be limited to, Australia Day award ceremonies, Citizenship ceremonies, civic receptions and charitable functions for charities formally supported by council.

Limited expenses of spouses, partners or accompanying persons associated with attendance at the Local Government and Shires Associations' annual conferences could be met by councils. These expenses should be limited to the cost of registration and the official conference dinner. Travel expenses, any additional accommodation expenses, and the cost of partner/ accompanying person tours etc. should be the personal responsibility of individual Councillors.

Consideration should also be given to the payment of expenses for the spouse, partner or accompanying person of a mayor, or a Councillor when they are representing the mayor, when they are called on to attend an official function of council or carry out an official ceremonial duty while accompanying the mayor outside the council's area, but within the State. Examples could include charitable functions to which the mayor has been invited and award ceremonies and other functions to which the mayor is invited to represent the council.

The above circumstances should be distinguished from spouses, partners of accompanying persons who accompany a Councillor at any event or function outside the council area, including interstate and overseas, where the costs and expenses of the spouse or partner or accompanying person should not be paid by council (with the exception of attendance at the Local Government and Shires Associations annual conferences, as noted above).

Attachment

The above examples should also be distinguished from circumstances where spouses, partners or accompanying persons accompany Councillors at seminars and conferences and the like. In these situations all costs, including any additional accommodation costs, must be met by the Councillor or the spouse/ partner/ accompanying person.

The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above should be confined specifically to the ticket, meal and/ or the direct cost of attending the function. Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

16. Care Expenses

- 16.1 Council will reimburse Councillors for the cost of care services incurred while on authorised Council business. This includes childcare, eldercare, disability care and care of ill or injured relatives when provided by a registered carer. Expense claims for reimbursement are to be accompanied by an itemised receipt and a maximum of \$18.50 per hour per caree applying. This will be paid to a maximum of \$2200 annually.
- 16.2 Council will give consideration to the payment of other related expenses associated with the special requirements of Councillors with disability and access needs, including reasonable transportation provisions for those unable to drive a vehicle, to allow them to perform their normal civic duties and responsibilities. Costs could include accommodation, meals and travel expenses for carers, accompanying a Councillor where required.

PART 5 - TRAVEL COSTS - USE OF COUNCILLORS PRIVATE VEHICLES

17. Councillors

17.1 Councillors, subject to the Councillor's private vehicle being currently registered and covered by Compulsory Third Party Insurance, may claim a kilometre allowance for use of private vehicles when used to travel (including return) between their place of residence and:

17.1.1 Attending Council, Committee or Sub Committee meetings as a Councillor or delegate of the Council, engagements, appointments and attending to the transaction of Council business;

17.1.2 Inspections listed on the Council Meeting Agenda, undertaken in compliance with a resolution of the Council or at the request of a resident;

17.1.3 Attending public meetings and civic functions convened by the Council or other community meetings where a Councillor has been invited to attend;

Any conference as defined in the policy.

17.2 Kilometre rates for such travel will be paid at the rate set by the 'ATO cents per kilometre rates' at the date of travel. Such rate shall be deemed to cover and include any claims for accidental damage or repairs to the Councillor's own vehicle, and any loss of no claim bonus and any excess not covered by insurance.

17.3 Payment is subject to a formal claim on the prescribed voucher form being lodged by the Councillor not later than three (3) months after the travel occurred.

17.4 Costs of traffic or parking fines incurred while travelling in vehicles on Council business are the responsibility of the driver.

PART 6 - CONFERENCES HELD IN AUSTRALIA

In this part Conference means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions, events, etc related to the industry of local government and held within Australia.

18. Who may attend Conferences:

- 18.1 Any Councillor may be nominated and authorised to attend conferences.
- 18.2 The Mayor may authorise a substitute Councillor to attend any conference in lieu of the Mayor.

19. What Conferences may be Attended:

The conferences to which this policy applies shall generally be confined to:

- Local Government Association (LGA) and Australian Local Government Association (ALGA) Conferences.
- Special "one-off" conferences called or sponsored by or for the LGA and/or ALGA on important issues.
- Annual conferences of the major Professions in Local Government
- Australian Sister Cities Conferences.
- Regional Organisation of Council's Conferences.
- Conferences, which further training and development efforts of the Council and of Councillors, or which relate to or impact upon the Council's functions.
- Any meetings, conferences, organisations or bodies on which a Councillor of the Council may be elected, or appointed to be, a delegate or member of the Council or the LGA.

20. Councillors' Attendance

- 20.1 That Councillors attending either conferences or seminars funded by Council be required to attend at least 90% of scheduled sessions.
- 20.2 That, other than in the most exceptional circumstances, where Councillors fail to comply with this policy, they be required to show cause why they should not reimburse any Council costs incurred.

21. Local Government and Shires Association Councillor Professional Development Program and Other Local Government Conference and Seminar Programs

That the Mayor and General Manager be delegated the right to approve Councillors' applications to attend any workshop sessions or seminars as part of the Local Government Professional Development Program and other affiliated programs.

22. Conference Costs

The following shall apply for Councillors authorised and/or appointed as delegates under this policy to attend Conferences (as defined above):

22.1 Registration

The Council will pay all normal registration costs for Councillors/delegates which are charged by organisers, including those relating to official luncheons, dinners and tours/inspections which are relevant to the interests of the Council.

22.2 Accommodation and Meals

As a guide the amounts payable for accommodation and meals will be in line with the maximum reasonable travel and meal expense amounts determined by the Australian Taxation Office, as stated on the ATO website, currently [TD 2013/16](#) table 3.

Excerpt taken from table 3 shown below:

	Accommodation and Meals \$
Sydney	265.00
Breakfast	32.00
Lunch	45.25
Dinner	63.40

If accommodation is available at the conference venue, Council will pay for a standard double room at the venue. Council will pay for the night before and/or after the conference where this is necessary because of travel and/or conference timetables.

22.3 Travel

22.3.1 All reasonable travel costs for Councillors/delegates to and from the conference location and venue will be met by the Council. Where appropriate, travel will be provided by air (economy class). Depending upon the location or circumstances, it may be more appropriate for travel to be undertaken by car or train.

22.3.2 Where trains are used the Council will provide first class travel, including sleeping berths where available.

22.3.3 Where travel by motor vehicle is used it should be undertaken by Council vehicle where available, or by private vehicle subject to prior approval of the General Manager.

22.3.4 Councillors using private vehicles in accordance with this policy may claim the "kilometre" allowance at the date of travel as per Clause 3.2, but subject to such cost not exceeding economy class air fares to and from the particular destination.

Attachment

- 22.3.5 Costs of vehicle hire, taxi fares and parking which are reasonably required and incurred in attending conferences, will be reimbursed by the Council.
- 22.3.6 Costs of traffic or parking fines incurred while travelling in private or Council vehicles on Council business are the responsibility of the driver.

23. Conference Costs - Incidental Expenses

- 23.1 So that Councillors, as delegates of the Council attending conferences are not financially disadvantaged, each Councillor attending in pursuance of a Council resolution or Mayoral authority, shall be entitled to reimbursement of incidental expenses.
- 23.2 The amount of the payment under Clause 9.1 shall be equal to reasonable costs substantiated by a tax invoice receipt or statutory declaration to the effect that the expenditure was incurred, subject to daily limits specified in Appendix A.
- 23.3 Such payment shall be made to cover all incidental expenses associated with the conference attendance such as:
 - 23.3.1 All telephone or facsimile calls. Council will meet the cost of telephone calls from the delegate to his/her family and to Council during the period of the conference. Other telephone expenses are to be paid for by the delegate;
 - 23.3.2 Laundry - Council will meet the cost of reasonable laundry or dry cleaning services, if necessary;
 - 23.3.3 Any optional activity in a conference program;
 - 23.3.4 Gifts taken - If it is appropriate that gifts be required for presentations, Council will provide items as determined by the General Manager;
 - 23.3.5 Gifts received - Council's Code of Conduct should be adhered to at all times. Any gifts received should be declared on return.
- 23.4 The following Incidental expenses will not be met by Council:
 - 23.4.1 Bar fridge – Council will not meet the cost of any expenses incurred from the use of the bar fridge provided in the hotel room.
 - 23.4.2 Bar service – Council will not meet the cost of any expenses incurred at the bar located within the hotel other than where special guests have been invited for drinks at the request of the Mayor or leader of the Council's delegation.
- 23.5 A cash payment for incidental expenses under this clause may be paid to a Councillor in advance, subject to any portion being refundable to the Council within seven (7) days of the conclusion of the conference if the actual period of attendance is less than that upon which the allowance was assessed.

24. Conference Costs - Payment in Advance

24.1 The Council will normally pay registration fees, accommodation costs and airline/train tickets direct to conference organisers/travel agent in advance. Where this is not appropriate or possible a cash allowance or cheque equivalent thereto may be paid in advance to the attendee for payment to the appropriate party.

24.2 Any advance payments must be properly accounted for on the prescribed voucher form within one (1) month after such conference.

25. Conference Costs - Councillors'/Delegates' Accompanying Person

25.1 Where the Councillor is accompanied at a conference all costs for, or incurred by, the accompanying person, including travel, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the Councillor/accompanying person and not by the Council. Accompanying person's registration, or accompanying person's program fees, is to be paid to the conference organiser, etc. and paid at the time of registration. The Council is prepared to receive such registration and payments and to forward them on to the conference organiser, etc with any Council delegates' registration.

25.2 Where the Council meets, on account, any expenditure or cost on behalf of an accompanying person attending a conference, such expenditure must be repaid to the Council by the Councillor/accompanying person within seven (7) days of being invoiced for such expenditure following the conclusion of the conference.

Note: Reference should also be made to section 2.14 Payment of Expenses for spouses, partners and accompanying persons.

PART 7 - CONFERENCES OVERSEAS

26. Attendance at Overseas Conferences

Proposals for overseas travel by Councillors and staff on Council business will be documented in the annual Operational Plan, outlining the direct and tangible benefits to Council and the community for the proposed trip. The plan will be widely circulated in the community. Community input about the proposed visit can therefore be considered as part of the Operational Plan review and budget finalisation process.

Overseas travel must be approved by a meeting of the full council prior to a Councillor undertaking the trip. Travel must be approved on an individual trip basis. Retrospective reimbursement of overseas travel expenses is not permitted, unless prior authorisation of the travel has been obtained.

Travel proposals should be included in the council business papers. The use of a mayoral minute to obtain council approval for travel is not appropriate as it is not consistent with principles of openness and transparency.

A detailed report should be given in the Annual Report for the year in which the visit took place, outlining how the objectives were met and what quantifiable benefits will flow into the community.

Overseas conferences, seminars and courses - reimbursement of costs associated will be in accordance with the conditions applying for conferences held in Australia except:

- 26.1 The terms "conference" and "delegation" as occurring in this policy include visits of cultural exchange between Council and other Local Government areas as part of Council's Business of Local Government;
- 26.2 Accommodation expenses incurred for conference and/or other travel/delegation etc. will be paid, including for the night prior to and following such conference or delegation, depending upon travel schedules, as expressly authorised by Council prior to such travel being incurred.
- 26.3 Accommodation that may be required in transit to overseas conferences should equate to an Australian 4 star ranking.
 - 26.3.1 Travel costs for both air and ground charges will be met by Council as follows:
 - 26.3.2 Airfares will be at business class standard if flight is more than ten hours
 - 26.3.3 Any travel by train will be first class, including sleeping berths where necessary
 - 26.3.4 Road transport will be by taxi or hire car having regard to distance and the constraints of time.

PART 8 - LEGAL ASSISTANCE FOR COUNCILLORS

27. Legal and Representation Costs - Enquiries, Investigations, Hearings, etc

That in the event of:

27.1 Any enquiry, investigation or hearing by any of:

- the Independent Commission Against Corruption;
- the Office of the Ombudsman;
- the Department of Local Government;
- the Police;
- the Director of Public Prosecutions; or
- the Local Government Pecuniary Interest Tribunal,

Into the conduct of a Councillor; or

27.2 Legal proceedings being taken against a Councillor, arising out of or in connection with the Councillor's performance of his or her civic duties or exercise of his or her functions as a Councillor, Council shall reimburse such Councillor, at the conclusion of such enquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a solicitor/client basis, PROVIDED THAT:

27.2.1 The amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis;

27.2.2 The Councillor's performance or exercise of the civic duty or function was in the opinion of Council bona fide and/or proper, and the Councillor acted in good faith as required under Section 731 of the Local Government Act.

27.2.3 The amount of such reimbursement shall be limited to the extent that only fees charged at a rate equivalent to the average hourly rate then being charged by Council's Solicitors will be paid, i.e., any portion of the expenses representing any hourly charge rate higher than the hourly charge rate of Council's Solicitor will not be reimbursed;

27.2.4 For proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor

27.2.5 If a Councillor is defending an action in defamation the statements complained of were made in good faith in the course of exercising a function under the Act

27.2.6 The Council is not the plaintiff in the action; and

27.2.7 The proceedings were not initiated by the Councillor

Attachment

- 27.3 Legal advice relating to a pecuniary interest, conflict of interest or matter governed by the Code of Conduct which in the opinion of the General Manager is necessary to clarify the particular Councillor's responsibilities in the performance of his/her duties as a Councillor will be provided and paid for by Council.
- 27.4 Council will not meet the costs of a councillor (or council employee) seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- 27.5 Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act should be distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. An example of the latter is expenses arising from an investigation as to whether a councillor acted corruptly by using knowledge of a proposed rezoning for private gain. This latter type of expense would not be covered by council.

If there is doubt as to whether the matter was a result of a Councillors duty or function under the Act, the matter would be referred for initial assessment to council's legal or insurance representatives to determine. When this determination is received it should then be reported to Council.

PART 9 - INSURANCE AND HEALTH MAINTENANCE AND ASSESSMENT PROGRAMS

28. Insurance - Councillors

The Council will insure, or will provide for the insurance of Councillors for:

28.1 Personal Accident and Travel

28.1.1 Personal injury whilst ever engaged in or on any Council activity, worldwide, covering bodily injury caused by accidental, violent, external and visible means up to a sub-limit for death determined by the Council and also covering permanent disablement, temporary total disability and temporary partial disability. The cover does not include medical expenses as medical expenses cannot be included due to the provisions set down in the Health Act. The Council shall determine the distribution of any benefits arising from such insurance to the Councillor or his/her beneficiaries.

28.1.2 Councillors are to receive the benefit of insurance cover for:

Personal Accident and Travel

Benefits	Cover
Death Benefit	Elected Members \$500,000
Weekly Benefits	<ul style="list-style-type: none"> ▪ 100% of average weekly income up to a maximum of \$4000 per week ▪ Aggregate Period - 156 weeks ▪ Temporary Partial Disablement benefits shall be limited to 75% of average weekly income up to a maximum of \$3000 per week, indexed annually by CPI from the date of claim.
Personal Liability	\$10,000,000
<i>Note: Full details of coverage available on request.</i>	

28.2 Professional Indemnity/Public Liability

28.2.1 Public Liability.

28.2.2 Professional Indemnity - For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty or function is in the opinion of Council bona fide and/or proper and is carried out in good faith, as required under section 731 of the Local Government Act, BUT subject to any limitation or conditions set out in the policy of insurance, which is, at the direction of Council, taken out.

28.2.3 Professional Indemnity - For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors, carried out in good faith BUT subject to any limitations or conditions set out in the policy of insurance which is, at the direct of Council, taken out.

Attachment

28.3 To indemnify each insured person(s) (Councillors) for all costs, charges, expenses and defence costs **but** excluding **fines** and **penalties** incurred in relation to any **prosecution** (criminal or otherwise) of any insured person(s), attendance by any insured person(s) at any official investigation, examination, inquiry or other proceedings ordered or commissioned during the period of insurance by any official body or institution that is empowered to investigate the affairs of the Council by reason of any wrongful act wherever or whenever committed or allegedly committed by the insured person(s) in their capacity as insured person(s), BUT subject to any limitations or conditions set out in the policy of insurance which is, at the direction of the Council.

28.4 Councillors and Officers Liability - Councillors and Officers Liability Insurance provides limited financial protection to Councillors and staff in circumstances where they may be named as an individual to a claim, and the normal protections under the Local Government Act or Council's General and Professional Liability insurance are not available.

The protection provided covers the liability to pay civil damages, the claimants legal costs, and the Councillors or staff member's costs incurred in the claim (policy limit \$1million). The protection extends to the estate and heirs of a deceased Councillor or staff member.

The policy specifically excludes protection for claims brought by a Councillor or staff members against another.

PART 10 - ANNUAL FEES - MAYOR AND COUNCILLORS

29. Fees Payable to Councillors

Pursuant to Section 248 of the Act, the Council shall, prior to 30th June each year, set by resolution, the annual fees to be paid to a Councillor for the following year commencing 1st July, provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal. Such payment shall be subject to Section 254A of the Regulations and any specific resolution of the Council under Section 254A.

30. Fees Payable to the Mayor

Pursuant to Section 249 of the Act, the Council shall, prior to 30th June each year, set by resolution, the annual fee to be paid to the Mayor for the following year commencing 1st July provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal.

31. Sacrificing Annual Councillors Fees to Complying Superannuation Funds

In accordance with the Australian Taxation Office Interpretative Decision 2007/205, Council may enter into an arrangement with a Councillor under which the Councillor agrees to forego all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf.

Appendix A - MONETARY LIMITS FOR EXPENSES

Policy Ref No.	Expense Type	Limit Amount	Comment
Part 6	Attendance at workshops and training Courses	Enrolment fee, including official luncheons, dinners & tours.	
Part 6	Attendance at dinners and other civic related Functions	Cost of service/function	
Part 6 22.2	Accommodation - If accommodation is available at conference or training venue, Council will pay for a standard double room at the venue where the overnight cost exceeds current ATO guideline.	As per ATO guidelines for reasonable travel allowance expenses for current financial year, currently maximum amount (Sydney-\$265 per night)	As per ATO guidelines for current financial year and destination TD 2013/16 table 3
Part 6 22.2	Meals	Breakfast \$32.00 Lunch \$45.25 Dinner \$63.40	As per ATO guidelines for reasonable travel allowance expenses for current financial year TD 2013/16 table 3
Part 6 23.1	Incidental expenses associated with attendance at seminars and training courses	\$26.05 daily	Actual expense up to current ATO limit daily. Examples: car parking, road tolls.
Part 6 22.3	Air Travel	Actual Fare	
Part 6 22.3	Rail Travel	Actual Fare	
Part 6 22.3	Bus Travel	Actual Fare	
Part 5 17.1 – 17.4	Use of private motor vehicle	Per km allowance as defined by the ATO rates per business km + car parking at venue	Engine capacity Rate per km: Up to 1600cc \$0.63 1601 -2600cc \$0.74 2600cc & over \$0.75
Part 2 11.11.2	Telephone call costs and related expenses	Council's current telecommunications plan	Covers Council related calls and includes 1GB of data per month
Part 2 11.11.3	Internet Access	Council's current telecommunications plan	Up to 4 GB of data per month
Part 4 16	Carer expenses	Up to \$2200 per annum	Hourly rate \$18.50.
Part 2 11.5.3	Postage	Reasonable postage – to be processed through Council's mail system	

Coffs Harbour
City Council
Locked Bag 158
Coffs Harbour NSW 2460
ABN 79 126 214 497

**Coffs Harbour City Council
Claim for Reimbursement of Expenses by
Mayor / Councillors**



Name of Claimant: _____

Travel Costs - Use of private vehicle while on official Council business Engine capacity: _____ cc

Date	Purpose of Travel (e.g. to and from Council meeting)	Distance (km)

Total distance travelled : _____ km @ _____ cents per km **Total claim \$** _____
(office use) (office use)

Other Expenses

(Must be approved by the Mayor and General Manager and relate to your role as a Councillor)

Date	Description of Incurred Expense	Claim amount

Total claim \$ _____
(office use)

I attach the relevant receipts and declare that the above expenses were incurred by me and are payable under the provisions of Coffs Harbour City Council's Councillor Expenses and Facilities Policy,

Signature of Councillor: _____ Date: _____

Office Use Only _____

Total payable \$ _____

Payment Authorised : _____ General Manager Date: _____

Payment Authorised : _____ Mayor (if applicable) Date: _____

Title	Doc No	Version	Author	Reviewer	Approver	Approval Date
	FRM-155					

Uncontrolled when printed

Page 1 of 1

MAJOR PROJECT APPLICATION MP05_0083 - CONCEPT PLAN APPROVAL - SANDY BEACH NORTH - LOT 22 DP 1070182, LOTS 497 AND 498 DP 227298, PACIFIC HIGHWAY AND PINE CRESCENT, SANDY BEACH

Purpose:

To inform Council who is responsible for determining the development application(s) associated with this Concept Plan Approval and of the assessment considerations associated with the process.

Description of Item:

Further to the Court of Appeal's determination of the validity of the Concept Plan Approval for MP05_0083, Sandy Beach North, Council at its meeting of 11 April 2013 resolved that:

1. *Council accepts the decision of the Court of Appeal and negotiates costs with the Respondents as detailed in the advice from Sparke Helmore Lawyers dated 18 March 2013 (provided as a confidential attachment to the report considered by Council at its meeting on the 27 March 2013);*
2. *Council consider a further report once further advice has been received from Sparke Helmore Lawyers regarding the processing of future development applications arising from the NSW Government Part 3a approved concept plan.*
3. *Council seek a second legal opinion, in relation to the matter raised in point 2 above, from an accredited environmental / planning law specialist solicitor from within Council's legal panel.*

Further advice was received from Sparke Helmore Lawyers in response to the repeal of Part 3A of the Environmental Planning and Assessment Act 1979, and covered:

- who will be responsible for assessing the development application(s);
- whether the consent(s) granted are required to be consistent with the Concept Plan Approval; and
- whether the consent(s) granted can be subject to limitations or conditions, and the process for doing so.

A second legal advice, in accordance with Council's resolution was also obtained. A copy of the legal advices is appended to this report as a confidential attachment (Attachment 1).

Background

- On 20 December 2010, the Minister for Planning issued the Concept Plan Approval for a community title subdivision of approximately 200 residential lots along the western and southern boundaries of the site.
- On 15 March 2011, Council challenged the decision in proceedings in the Class 4 Jurisdiction of the Land and Environment Court. On 23 January 2012, it was determined that the Concept Plan Approval was valid.
- In March 2012, Council filed an appeal in the Court of Appeal against this decision and this appeal was dismissed in March 2013.

- The Concept Plan Approval remains valid and may be acted upon only by obtaining further approval(s).
- A copy of the Concept Plan Approval is appended to this report (Attachment 2).

Legal Advice

- **Consent Authority**

Development within the terms of the Concept Plan Approval will be taken to be development that can be carried out with consent under Part 4 of the Environmental Planning and Assessment Act.

Ordinarily, Council will determine the development application(s). Dependent on the scale of the development application, eg the number of lots to be subdivided, the Joint Regional Planning Panel may determine the development application(s).

- **Consistency with Concept Plan Approval**

Council must not grant consent under Part 4 of the Act unless it is satisfied that the development is generally consistent with the terms of the Concept Plan Approval.

It is important to note that the provisions of any environmental planning instrument such as the Coffs Harbour Local Environmental Plan (LEP) 2013 or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the Concept Plan Approval. It is also noted that Councils legal advisors have indicated that to be "generally consistent" the proposed future development does not need to be the same as the development described in the Concept Plan Approval, provided it is not contrary or "antipathetic" to the terms of the Concept Plan Approval.

There is no "positive obligation" on the Council to approve any development application that is consistent with the Concept Plan Approval. However, if Council were to refuse an application, it should be careful to do so on the basis of demonstrable impact that cannot be cured by way of condition, but could equally be cured by a similarly "consistent" alternative design.

- **Options for Imposing Limits / Conditions on Development Consents**

The legal advice confirms that Council may impose conditions on future development and/or establish standards in its planning instruments or development control plans that are "not inconsistent" with the Concept Plan Approval. The Council may, for example, be able to address flooding or environmental or other impacts in this manner when determining applications for this particular development.

Sustainability Assessment:

Environmental, social and economic considerations relevant to the future development of this site will be evaluated as part of the application process.

- **Economic**

Delivery Program/Operational Plan Implications

The Concept Plan Approval endorses approximately 200 lots on this site when the applicable Developer Contribution Plan endorses approximately 35 lots. As a consequence, the Contribution Plan requires review. This work is underway and forms part of the Deferred Areas Review (Moonee, Emerald Beach and Sandy Beach / Hearnese Lake) with an expected completion date of April 2014.

Risk Analysis:

Council is exposed, in the short term, due to the currency of the Hearnese Lake / Sandy Beach Developer Contributions Plan. This exposure is being addressed by a review of the Plan.

If Council were to refuse an application which was consistent with the Concept Approval, it may be open to a costs order in relation to any subsequent Land and Environment Court proceedings.

Related Policy and / or Precedents:

The matter is reported to Council in response to its resolution of 11 April 2013.

Statutory Requirements:

This report considers statutory planning considerations relevant to the next application phase for the Sandy Shores development.

Issues:

One of the legal advices has indicated that Council should consider preparing development guidelines or a development control plan that could be applied to this Concept Plan Approval to assist planning officers and the determining body (Council or JRPP) in their future assessment of the development application(s). It is highlighted in this advice that these guidelines or controls must not be "inconsistent" with the Concept Plan Approval.

This work is not considered necessary as any development application must have regard to the terms of the Concept Plan Approval. Further, it is not normal planning practice to prepare development controls or guidelines for specific post approval concept development proposals such as the Sandy Shores Development. In any event they may not be utilised - the proponent may opt not to act upon the concept approval. It is the proponent's role and task to prepare and justify the conformity of future development application(s) for this site to that of the Concept Plan Approval and for Council to be satisfied that such application(s) is not inconsistent with that Approval.

Implementation Date / Priority:

The Concept Plan Approval is valid. The next steps, including the timeframe for the implementation of this development, lies with the proponent.

Recommendation:

That the report on the development application process associated with MP05_0083 - Concept Plan Approval - Sandy Beach North - Lot 22 DP 1070182, Lots 497 and 498 DP 227298, Pacific Highway And Pine Crescent, Sandy Beach be noted.

Concept Approval

Section 750 of the *Environmental Planning & Assessment Act 1979*

I determine:

- (a) Pursuant to section 750 of the *Environmental Planning and Assessment Act 1979* (the Act) to approve the concept plan referred to in Schedule 1, subject to the terms of approval and modifications in Schedule 2 and the proponent's Statement of Commitments in Schedule 3; and
- (b) Pursuant to section 75P(1)(b) of the Act, that approval to carry out the project shall be subject to Part 3A of the Act.

The modification and further assessment requirements are required to:

- Encourage the orderly future development of the site;
- Ensure adequate mitigation of environmental impacts of future development; and
- Ensure protection and restoration of threatened species and their habitat.



Anthony (Tony) Kelly MLC
Minister for Planning

Sydney 20 DEC 2010 2010.

SCHEDULE 1

Application No.: 05_0083

Proponent: Sydney NSW Property Consultants Pty Ltd

Approval Authority: Minister for Planning

Land: Lot 22 DP 1070182 and Lots 497 and 498 DP 227298, Pacific Highway and Pine Crescent, Sandy Beach, Coffs Harbour LGA.

Project: Sandy Beach North residential subdivision including:

- Community title residential subdivision;
- Associated road, cycle and pedestrian traffic routes;
- Indicative architectural concepts for six building types;
- Landscape concept;
- Noise attenuation barriers;
- Recreational open space;
- Ecological buffers and environmental protection areas;
- Vegetation, habitat, bushfire and foreshore management concepts;; and
- Stormwater management concept.

Note: Not all aspects of the Concept Plan have been approved

DEFINITIONS

Act	means the <i>Environmental Planning and Assessment Act 1979</i> .
BCA	means Building Code of Australia.
Concept Plan	means the project as described in Schedule 1 and as modified by Schedule 2.
Council	means Coffs Harbour City Council.
DECCW	means the Department of Environment Climate Change and Water or its successors.
Department	means the Department of Planning or its successors.
Director-General	means the Director-General of the Department or his/her nominee.
Environmental Assessment	means the Environmental Assessment entitled <i>Concept Plan Application for Residential Subdivision Sandy Beach North, Pacific Highway Sandy Beach Volumes 1 and 2 prepared by Planning Workshop Australia and dated 17 March 2009</i> .
Conservation Area (CA)	means that part of the site outside the boundaries of the lakeside perimeter road of the southern and western precincts and identified as Conservation Area (CA) as depicted in Schedule 3.
LPMA	means the Land and Property Management Authority or its successors.
Minister	means the Minister for Planning.
PCA	means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.
Preferred Project Report	means the Preferred Project Report (PPR) entitled <i>Preferred Project Report MP 05_0083 Pacific Highway Sandy Beach North</i> prepared by Willana Associates Pty Ltd and dated August 2010 and addendum letter dated 27 October 2010.
Proponent	means Sydney NSW Property Consultants Pty Ltd or any party acting upon this approval.
Regulation	means the <i>Environmental Planning and Assessment Regulation 2000</i> .
Site	means the land identified in Schedule 1.

SCHEDULE 2**PART A – ADMINISTRATIVE CONDITIONS****Concept Plan Description**

A1. Concept Plan approval only is granted to the project described generally below:

- a) Community Title residential subdivision;
- b) Associated road, cycle and pedestrian traffic routes;
- c) Indicative architectural concepts for six building types;
- d) Landscape concepts;
- e) Noise attenuation barriers;
- f) Recreational open space areas;
- g) Rehabilitation of ecological buffers and environmental protection areas;
- h) Vegetation, habitat and bushfire foreshore management concepts; and
- i) Stormwater management concepts.

As modified by the modifications in Part B of Schedule 2.

Note: The proponent sought Concept Plan approval for community title subdivision of 280 lots. Due to environmental constraints, approval has not been granted to a scheme of this size. Modifications to the Concept Plan are detailed in Part B of this schedule.

A2. To avoid any doubt, this Concept Plan approval does not approve any future development within the areas described as Stage 6, Stage 2, and that part of Stage 1 east of the extension of Ti-Tree Road as depicted on the modified staging plan at Schedule 3.

Consistency of Future Development

A3. The proponent shall carry out the Concept Plan and all related future applications generally in accordance with the:

- a) Environmental Assessment;
- b) Preferred Project Report and addendum letter; and
- c) The Statement of Commitments.

except for:

- 1) Any modification which may be necessary for the purpose of compliance with the BCA and any Australian Standard incorporated into the BCA; and
- 2) Otherwise provided by the modifications and further assessment requirements of this approval.

A4. In the event of any inconsistency between:

- a) The modifications and further assessment requirements of this approval and the drawings/documents referred to in condition A3, the modifications and further assessment requirements of this approval shall prevail to the extent of the inconsistency; and
- b) Any drawing/document listed in condition A3, the most recent document shall prevail to the extent of the inconsistency; and
- c) The modifications and further assessment requirements of this approval and the Statement of Commitments, the modifications and further assessment requirements of this approval prevail to the extent of the inconsistency.

A5. If there is any inconsistency between this Concept Plan approval and any future application, this Concept Plan approval shall prevail to the extent of the inconsistency.

Limits of Approval

A6. This Concept Plan approval shall lapse five (5) years after the date the approval is endorsed by the Minister, unless works the subject of any related application are physically commenced, on or before that lapse date. The Director-General may extend this lapse date if the Proponent demonstrates to the satisfaction of the Director-General that the project remains current,

appropriate and reflective of the best use of the site at the date the approval would otherwise lapse.

- A7. To avoid any doubt, this approval does not permit the construction of any component of the Concept Plan (including any clearing of vegetation).

PART B – MODIFICATIONS TO CONCEPT PLAN PURSUANT TO SECTION 750(4) OF THE ACT

Note: In making the modifications as described in this schedule, the Minister has only granted Concept Plan approval to a community title subdivision of approximately 200 residential lots along the western and southern boundaries of the site.

Subdivision Layout

- B1. The north western precinct (Stage 6) containing approximately 45 lots, the north eastern precinct (Stage 2) containing approximately 15 lots, and the eastern edge of the southern precinct, east of the extension of Ti-Tree Road (part of Stage 1) containing approximately 14 lots are not approved and this land is to be added to the Conservation Area (see Schedule 3).
- B2. No roads, acoustic barrier walls or residential lots are to encroach into the 20 metre wide 7B Scenic Buffer zoned land that runs immediately parallel to the Pacific Highway road reserve along the western boundary of the site.
- B3. Stage 5 is approved subject to the further requirements listed at C11.

Access

- B4. The proposed direct connection to the Pacific Highway in the north-western corner of the site is not approved.
- B5. Both Lots 497 and 498 DP 227298 are to be used for the access road from Pine Crescent to the site.
- B6. The perimeter road on the lakeside of the development (refer Schedule 3) is to have a finished surface level of RL3.6m AHD. The construction of all roads is to be in accordance with the specifications of Coffs Harbour Council.

Environment

- B7. All land within the Conservation Area is to be managed in accordance with a Conservation Area Management Plan (CAMP) (refer C10).

PART C - FURTHER ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Pursuant to section 75P(2)(c) of the Act, the following environmental assessment requirements apply with respect to future stages of the project:

Subdivision

- C1. Each future application for subdivision is to include:
- (a) subdivision plans to Council's specifications, that show as a minimum, the following:
 - i. dimensions of proposed allotments;
 - ii. location of all structures proposed and retained on site;
 - iii. location and width of asset protection zones (APZ);
 - iv. access points; and
 - v. any easements, covenants or other restrictions either existing or required on the site.
 - (b) draft community management statement;
 - (c) design guidelines for future housing developed in consultation with Council;
 - (d) outline of landscaping using locally native species and taking into consideration bushfire safety and the knowledge of the traditional Aboriginal custodians;
 - (e) details of construction methods, including sensitive fauna clearance and re-location methods prior to vegetation removal, methods to protect vegetation to be retained and erosion and sediment control;
 - (f) stormwater management incorporating water sensitive urban design principles;
 - (g) roads constructed to Council's specifications; and
 - (h) demonstration of compliance with this approval.

Acid Sulfate Soils Management

- C2. An Acid Sulfate Soils Management Plan describing methods for determining the presence of such soils and the proposed methods for dealing with such soils should they be encountered.

Wallum froglet

- C3. Clarification of the nature and extent of Wallum froglet habitat, including details of protective measures to mitigate against impacts on this species.

Noise

- C4. In order to determine appropriate noise attenuation measures, it must be demonstrated that a road traffic noise modelling and assessment has been undertaken in accordance with all relevant guidelines for traffic noise attenuation for residential dwellings.

Water Management

- C5. In order to ensure the protection of groundwater quality and the water quality of Hearn's Lake:
- a) A detailed groundwater assessment is to be undertaken to determine the pre-development groundwater levels and groundwater quality over the proposed development area and the contribution of groundwater to Hearn's Lake and coastal dunes (any groundwater monitoring bores are to be licensed under the *Water Act 1912* and *Water Management Act 2000*);
 - b) base line water quality data within Hearn's Lake and underlying groundwater is to be established, as are the development of trigger levels;
 - c) monitoring of water quality within the underlying groundwater and stormwater treatment system within the proposed Hearn's lake is to be incorporated in the monitoring program in the draft Environmental Management System (EMS);
 - d) All stormwater to be discharged is to be treated and any stormwater discharge will have a neutral or beneficial impact on surface and groundwater water quality;
 - e) Water quality control devices are to be sited in such a way as to minimise their impact with the Conservation Area.

Access

- C6. A traffic, parking and access assessment report is to be submitted which accurately assesses the impact of the proposal on the local road network using the traffic generation rates used in recent RTA household surveys. Consideration is to be given to providing safe connections for pedestrians and cyclists to the existing network, this should include appropriate traffic management treatments at conflict points and off-road facilities;

Aboriginal Cultural Heritage

- C7. The applicant shall develop and implement an archaeological sub-surface investigation program in consultation with the Director-General, local Aboriginal community and DECCW to ascertain the location, nature, scale, and significance of the Aboriginal Cultural Heritage (ACH) values located within the potential archaeological deposits within the project area, particularly the areas identified as PAD 1, as detailed in the Aboriginal Archaeological report prepared by Mary Dallas Consulting, submitted with the EA.

The result of the program, including any proposed management recommendations should be made available to Registered Aboriginal stakeholders for discussion prior to any decision regarding their management being determined. This program should be implemented and finalised prior to determination of the first subdivision application.

Domestic Animals

- C8. Future applications must demonstrate that the keeping of cats and dogs (with the exception of assistance animals, as defined under the *Commonwealth Disability Discrimination Act 1992*) within the site is prohibited and that all residential lots are to be encumbered to this effect with a Section 88B instrument under the *NSW Conveyancing Act 1919*.

Recycled Water Supply

- C9. Future applications must include an assessment investigating the viability of providing dual reticulation to future housing lots.

Conservation Area Management Plan

- C10. The Conservation Area Management Plan shall at a minimum include the following:
- (a) dimensions and area of the Conservation Area;
 - (b) details of how rehabilitation of degraded areas within the Conservation Area is to occur;
 - (c) measures to address any archaeological artefacts/sites;
 - (d) measures to control weeds;
 - (e) measures to control feral dogs and cats;
 - (f) details of fencing and other measures to be provided to protect existing and future vegetation;
 - (g) details of measures to protect threatened species and endangered ecological communities;
 - (h) details of how the area is to be managed having regard to the Coffs Harbour Koala Plan of Management;
 - (i) bushfire management;
 - (j) measures to control public access within the conservation area to minimise damage;
 - (k) details of future management and funding arrangements for the area and measures to be implemented for the long term protection of the area, for example through dedication;
 - (l) consultation to be undertaken with Council, LPMA and DECCW;
 - (m) performance objectives detailing measurable performance and completion criteria;
 - (n) detailed planting species list, composition and density for each vegetation community and, for EECs to be rehabilitated, this is to include ground, mid and canopy species and species composition must be benchmarked against a reference EEC community;
 - (o) details on creek bank erosion management;
 - (p) timing and responsibilities;
 - (q) monitoring, reporting and adaptive management procedures; and
 - (r) developer maintenance period reflecting completion criteria.

Environmental Impact of Stage 5

- C11. The future application for the residential subdivision of Stage 5 must include:
- a) an assessment of the Stage 5 land to determine an appropriate offset for the development of this stage to the satisfaction of the Director General;
 - b) proposed arrangements to secure an offset and the protection and management of that land for conservation purposes in perpetuity to the satisfaction of the Director General; and
 - c) any offset is to be managed in accordance with a specific Conservation Area Management Plan including details as per C10.

Note: this may include consideration of both on-site and off-site offsets

Flood Floor Levels

- C12. Future applications for dwellings are to demonstrate that the minimum floor levels for habitable rooms are RL 4.1m AHD. All residential lots are to be encumbered to this effect with a Section 88B instrument under the *NSW Conveyancing Act 1919*.

Dedication of Land

- C13. Prior to any construction, or as otherwise determined by the Director-General, the Proponent must provide evidence of an agreement for the dedication by the Proponent to LPMA of approximately 6 ha of land as addition to the Coffs Coast Regional Park, as committed to by letter dated 27 October 2010. Once dedicated the Proponent is not required to manage the dedicated land in accordance with the Conservation Area Management Plan.

Such an agreement must outline the Proponent's commitment to establish boundary fences and trails satisfactory to the needs of LPMA prior to the land being added to the Regional Park. The proponent must ensure suitable funding for the amendment of existing reserve-specific fire, pest, weed and management plans. The funding should be sufficient to ensure actions within the amended plans relevant to the new additions are able to be completed.

Drainage

- C14. A flooding and drainage assessment is to be undertaken to:
- a) ensure that adequate provision is made for the drainage under the highway via the existing and extended culverts. The hydraulic performance and the degree of flood immunity provided by the highway or flood behaviour upstream of the highway is not to be affected; and
 - b) demonstrate that the proposed perimeter road/levee system is capable of draining stormwater from the site as well as protecting the future residential subdivision from regular inundation.

APPENDIX E STATEMENT OF COMMITMENTS

Statement of Commitments – Environmental Management, Mitigation and Monitoring					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of measure	Timing for Completion	Monitoring and Reporting
1. Erosion and Sediment Control (Construction Phase)	1.1 Minimise the escape of wind-borne particles by complying with the final version of the Environmental Site Management Strategy prepared by Conacher Environmental Group in accordance with the requirements of Coffs harbour Council.	1.1.1 Minimise disturbed area. 1.1.2 Promptly rehabilitate disturbed areas. 1.1.3 Regularly water disturbed areas of the site. 1.1.4 Erect sedimentation fences, inlet filters, hay bale barriers and diversion drains as required. 1.1.5 Maintain erosion and sediment controls during the construction phase and defects liability period.	To ensure that air pollution does not exceed DECCW standards. To ensure that the quality of the receiving waters (Hearnes Lake) is not decreased by sediment or nutrient loads.	Ongoing during the construction phase. All erosion and sediment control measures are to be in place prior to any work commencing on site.	Any complaints to be recorded in a Complaints Register and valid claims to be acted on within one hour. Visual monitoring shall be carried out by the Project Manager on a weekly basis. Details of all complaints and inspections to be included in monthly Compliance Report.
2. Permanent Stormwater Management	2.1 Ensure that water quality in Hearn's Lake and Double Crossing Creek is not diminished.	2.1.1 Install permanent water quality control measures in accordance with the Water Management Strategy prepared by Worley Parsons. 2.1.2 This strategy is to incorporate the principles of Water Sensitive Urban Design and is to be in accordance with the requirements of Council.	To ensure that water quality in receiving waters is not decreased in quality by sediment or nutrient loads.	All permanent stormwater measures to be in place prior to the issue of a Subdivision Certificate.	Project manager and PCA to ensure compliance

<p>3. Site Safety and Security</p>	<p>3.1 Minimise risk of injury to contractors or employees</p>	<p>3.1.1 The principal contractor shall prepare a Health and Safety Plan and a Traffic and Pedestrian Management Plan as part of a Construction Management Plan (CMP) which is to be submitted to the Project Manager and the PCA for approval. The contractor shall comply with the approved Plans.</p>	<p>To ensure Occupational Health and Safety Act 2000, Occupational Health and Safety Regulations 2001 and relevant Codes and Practices. To ensure traffic and pedestrian management during the construction phase complies with relevant standards.</p>	<p>Prior to commencement of any work on site and to be maintained until the completion of construction.</p>	<p>Monitoring and reporting of incidents to be recorded in the Incident Register and included in a monthly Compliance report. WorkCover to be notified in appropriate circumstances.</p>
<p>4. Acid Sulphate Soils</p>	<p>4.1 Minimise disturbance of acid sulphate soils by limiting excavations to approximately 2m depth.</p>	<p>4.1.1 Comply with the provisions of the Acid Sulphate Soils Manual (ASSMAC 1998) and the findings of the Acid Sulphate Soils section of the Preliminary Geotechnical Report prepared by Coffey 2004</p>	<p>To ensure that significant volumes of acid sulphate soils are not disturbed</p>	<p>Prior to the issue of a Construction Certificate</p>	<p>Project Manager to monitor excavations and address compliance in the monthly Compliance Report</p>
<p>5. Construction of New Building and Subdivision Works</p>	<p>5.1 Minimise noise, dust and vibration and amenity impacts by generally complying with the Construction Noise</p>	<p>5.1.1 The contractor shall prepare a Construction Noise Management Plan as</p>	<p>To mitigate adverse construction impacts. To designate suitable areas of the site for</p>	<p>ESMP to be approved and implemented by PCA prior to commencement of any works on site and to remain</p>	<p>Project Manager to address in monthly Compliance Report.</p>

	Management Plan and Health and Safety Plan	part of the Environmental Site Management Plan (ESMP).	construction compounds. To ensure that only small areas of the site are disturbed at any one time.	In force for the life of the construction.	
6: Landscaping and Embellishment	6.1 Soften the visual impact of the development.	Carry out Landscaping as per the Landscape Concept Plans as they relate to the approved development footprint. Rehabilitate those parts of the site outside the development footprint in accordance with the approved final Vegetation Management Plan. Landscaping is to be designed in accordance with the principles of Water Sensitive Urban Design	To soften the overall appearance of the development and to ensure that those parts of the site are suitably rehabilitated.	Prior to the issuing of a final Subdivision Certificate.	Project Manager to address compliance in monthly report.
7: Traffic	7.1 To ensure that safe and efficient vehicular and pedestrian access is provided to the site.	7.1.1 Construct all streets and pathways to Coffs Harbour Council's standards. 7.1.2 Prepare a Traffic Management Plan in accordance with the requirements of Council as part of the CMP and manage traffic in accordance with this plan. 7.1.3 Comply with the recommendations of the Traffic Impact Assessment prepared by Mark Waugh Pty Ltd	To comply with the relevant standards	Prior to the commencement of any works on site	Project Manager to monitor compliance.

8. Utilities	8.1 Protect existing utilities adjacent to the site	<p>8.1.1 Clearly mark the location of underground utilities.</p> <p>8.1.2 Notify relevant utility authorities is any damage occurs.</p> <p>8.1.3 Ensure that all services are installed in accordance with Coffs Harbour Council's normal requirements.</p> <p>8.1.4 Rehabilitate disturbed areas including public roads.</p>	<p>To ensure that infrastructure is not damaged</p> <p>To ensure that appropriate services are provided to each new lot.</p> <p>To ensure that any damaged areas are repaired</p>	<p>Prior to construction commencing</p> <p>Prior to the issuing of a Subdivision Certificate</p> <p>Prior to the issuing of a Subdivision Certificate</p>	<p>Project Manager to monitor and report in monthly Compliance Report</p>
9. Vegetation Management	9.1 Protect existing vegetation species outside the development footprint.	<p>9.1.1 Prepare a Vegetation Management and Rehabilitation Plan (VMRP) in consultation with Council and relevant Government agencies for those parts of the site outside the development footprint.</p> <p>9.1.2 Rehabilitate those areas outside the development footprint in accordance with the VMRP.</p> <p>9.1.3 This plan is to include details of how public access through the site to the beach is to be managed.</p>	<p>To minimise the loss of existing native vegetation</p>	<p>Prior to the issuing of any Construction Certificate.</p> <p>To be completed prior to the issuing of any Subdivision Certificate.</p> <p>Prior to the issuing of any Construction Certificate.</p>	<p>Project manager to address compliance in monthly report</p>
10. Aboriginal Cultural	10.1 To comply with the recommendations of the	10.1.1 That the area identified as PAD 1 be	To comply with DECCW requirements	Prior to the issuing of an Construction Certificate	Project Manager, project archaeologist and local aboriginal

Heritage	Aboriginal Archaeological (AA) report prepared by Mary Dalls Consulting Archaeologist	Further investigated to determine if it has any Aboriginal archaeological significance. 10.1.2 Should PAD 1 prove to have any Aboriginal significance then all protocols required by DECCW are to be implemented. 10.1.3 The area identified as SBN 1 is to be managed in accordance with the recommendations in the AA report.			community representatives if required.
11. Geotechnical	11.1 To achieve a stable landform	11.1.1 Comply with the recommendations of the Preliminary Geotechnical Assessment report prepared by Coffey and dated 24 January 2004	To ensure that geotechnically stable lots and infrastructure are created	Prior to the issue of Subdivision Certificate	Project Manager to address compliance in monthly Compliance Report.
12. Community Consultation	12.1 To keep the Community and Government Agencies apprised of progress of the development	12.1.1 Provide information updates on a publically accessible website to keep the community informed of progress. 12.1.2 Establish and maintain a Community Consultation Program for the life of the project. 12.1.3 Consult with Coffs Harbour Council and all relevant	To ensure that the community are advised of progress on site and that they have an avenue for dialogue with the developer/contractor.	Prior to commencing work on site and throughout the life of the project Prior to commencing work on site and throughout the life of the project	Project Manager to address compliance in monthly Compliance Report.

13 Urban Design	13.1 To establish a consistent high quality form of architectural and public domain design throughout the subdivision.	Government agencies throughout the course of the project. 13.1.1 Provide an open space network throughout the development including foot and cycle paths. 13.1.2 Provide high quality public domain with generous landscaping and well designed buildings addressing the street and open space. 13.1.3 Establish a Design Review Panel to prepare Development Design Guidelines and to assess final housing designs to ensure consistency with these Guidelines.	To ensure that the urban form is consistent and appropriate for this setting.	Prior to the issuing of any Construction Certificate. Prior to the issuing of any Construction Certificate.	Project Manager to address compliance in monthly Compliance Report.
14 Bushfire Management	14.1 Minimise the impact and manage the risk of bushfire.	14.1.1 Prepare a Bushfire Plan of management in accordance with the requirements of Planning for Bush Fire Protection 2006, including a Bushfire incident and Evacuation Plan which is to be submitted to the Rural Fire Service for approval.	To ensure that future residents are adequately protected from the threat of bushfire.	Prior to the issue of a Construction Certificate	Project Manager to address compliance in monthly Compliance Report.
15 Acoustics	15.1 Minimise the impact of noise primarily from the Pacific Highway on the development	15.1.1 Prepare an acoustic model for the site to determine the measures to be	To ensure that future residents are adequately protected from the impact of	Prior to the issuing of a Construction Certificate.	Project Manager to address compliance in monthly Compliance Report.

16 Waste Management	16.1 To treat waste management in a sustainable manner	<p>implemented in the design of the buildings to achieve satisfactory acoustic levels.</p> <p>16.1.1 Prepare a Waste Management Plan and submit it to Council for approval.</p> <p>16.1.2 This plan is to include a waste recycling specifying diversion rates for the construction and post-construction phases</p>	noise primarily from the Pacific Highway	To ensure that waste from the construction and operation of the subdivision is dealt with in an environmentally sensitive manner	Prior to the Issuing of a Construction Certificate.	Project Manager to address compliance in monthly Compliance Report.
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SCHEDULE 3

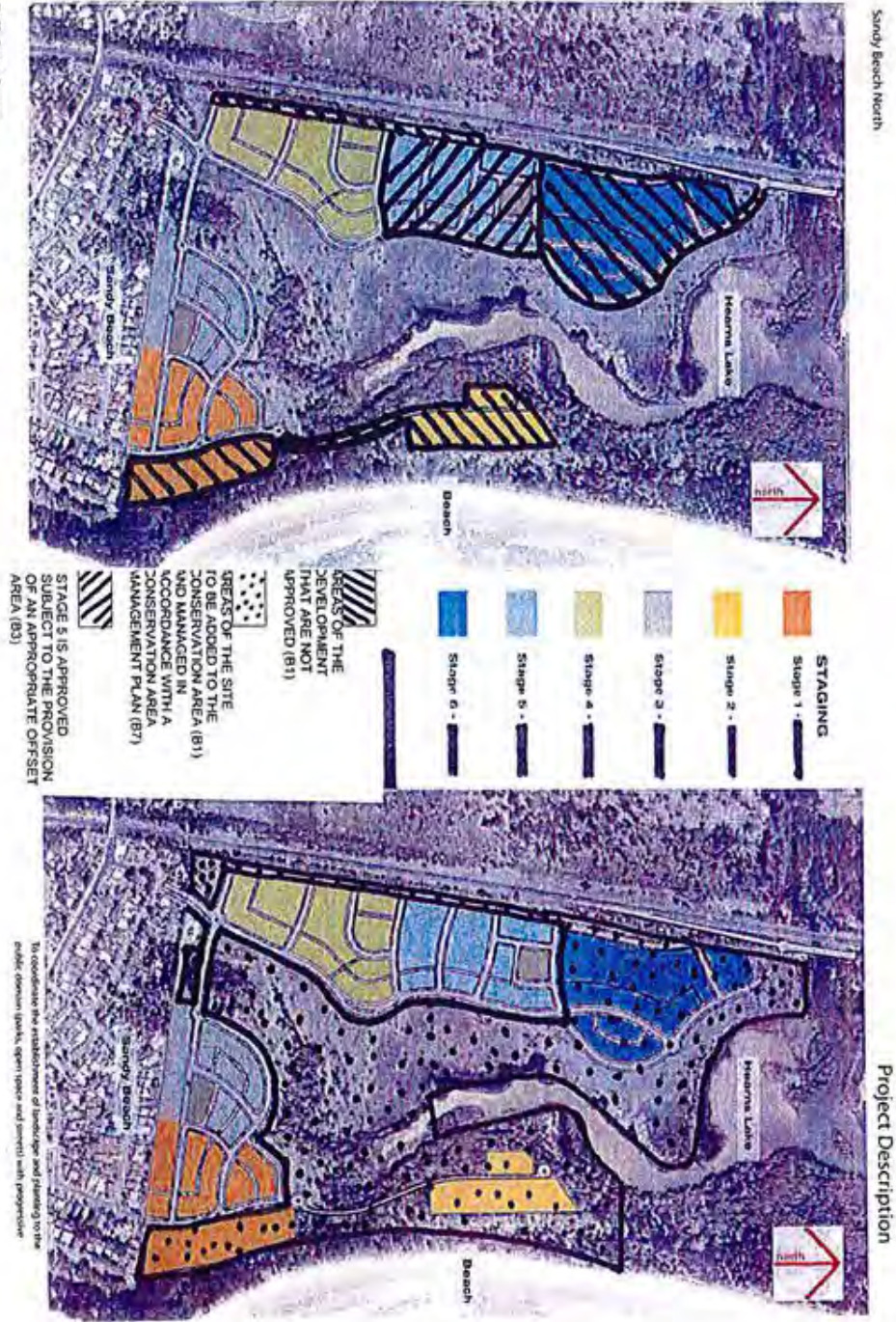


Fig 72 - Staging Summary

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COFFS HARBOUR SWIMMING POOL INSPECTION PROGRAM

Purpose:

The purpose of this report is to seek Council's endorsement of the implementation of the Swimming Pool Inspection Program to meet the requirements of the Swimming Pools Act 1992.

Background

In 2012, a comprehensive review of the Swimming Pools Act 1992 was finalised. This review identified a number of amendments designed to enhance the safety of children under the age of five years around private swimming pools in NSW.

From this review, the Swimming Pools Amendment Act 2012 commenced on 29 October 2012 which made a number of amendments to the Swimming Pools Act 1992.

One of these amendments is Section 22B of the Swimming Pools Act 1992 which requires Council's to develop and adopt a swimming pool inspection program, in consultation with their local communities, by 29 October 2013. Council's must then inspect the swimming pools in accordance with their adopted Swimming Pool Inspection Program.

Description of Item:

The swimming pool inspection program has been developed to ensure Council meets its obligations under Section 22B of the Swimming Pools Act 1992, with the aim to improve the compliance of pool barriers in the Coffs Harbour area and lower the risk of children drowning in swimming pools on private properties.

The Swimming Pool Inspection Program (Attachment 1) outlines the proposed swimming pool inspection program for Coffs Harbour City Council. The program provides a hierarchial inspection program based on mandatory inspections, as required by the Swimming Pools Amendments Act 2012, and elective inspections prioritised by risk.

Sustainability Assessment:

- **Environment**

The program is associated with existing swimming pools and spas. Minimal works will be carried out associated with swimming pool barrier upgrades and as such there will be minimal environmental impact.

- **Social**

The program has been developed to provide a safer environment for the community by increasing the number of compliant swimming pool barriers.

- **Civic Leadership**

The purpose of this report is to provide a program which enhances the safety of children around swimming pools. The program provides a hierarchial inspection program based on mandatory inspections and risk.

- **Economic**

Broader Economic Implications

Inspection Fees

The Swimming Pools Regulation 2008 allows fees to be charged to carry out inspections. The first inspection is \$150 and the second inspection is \$100. These inspection fees have been adopted and are included in the 2013/2014 Fees and Charges.

Resourcing

An additional resource will be required to carry out the inspections associated with the Swimming Pool Inspection Program. This resource will be funded through the inspection fees as outlined above. It is envisaged 500 initial inspections will be carried out on swimming pools. State statistics indicate at least one (1) follow up inspections is usually required to bring the swimming pool barrier into compliance.

Penalty Infringement Notices

The Swimming Pools Regulation 2008 allows for the issue of Penalty Infringement Notices for a breach of the Swimming Pools Act and Regulation.

Penalty Infringement Notices may be issued on pool owners when outstanding works have not been completed as per directions issued by Council and these are detailed in Attachment 2.

Delivery Program/Operational Plan Implications

The ongoing development and review of Council's programs are accommodated within Council's budget structure. This expenditure will be monitored through Council's quarterly budget reviews.

Risk Analysis:

Compliance with Legislation

The swimming pool inspection program is required to be implemented and adopted by Council by 29 October 2013. If this does not occur Council will not be complying with current legislation.

Consultation:

Community consultation was carried out through a survey. This survey was available on Council's website and from a swimming pool display located in Council's administration building.

The survey was also advertised on Council's page in the Advocate newspaper. This advertisement was then emailed to all preschools, primary schools and high schools requesting they place it in their school newsletters.

A total of 35 submissions were received and are included as a confidential attachment (Attachment 3). These are confidential as the submissions may contain personal or private information or other considerations against disclosure as prescribed under the *Government Information (Public Access) Act 2009*.

Of the 35 submissions received, 28 would like to see multi unit occupancies and tourist facilities inspected as initial priority. Six (6) submissions objected to the imposition of the inspection fee. However, only one (1) submission objected to the need for the program.

Related Policy and / or Precedents:

This is not applicable to this report.

Statutory Requirements:

This program has been developed to ensure compliance with Section 22B of the Swimming Pools Act 1992.

Issues:

The new requirements under the Swimming Pools Amendment Act 2012, requiring Council's to implement a swimming pool inspection program, is unknown territory for all Council's in NSW.

Coffs Harbour City Council has approximately 4000 pools on the database. The provision of one (1) resource to carry out these inspections will take approximately 8 years. A review of the program will occur in 12 months from the commencement of the program to determine if the program requires further resourcing.

From 29 April 2014, all dwellings with a pool shall have a relevant Compliance Certificate prior to sale or rental. The number of pools which fall into this category is difficult to determine as it will vary from year to year.

Implementation Date / Priority:

The program is required to be adopted and implemented by 29 October 2013 under the Swimming Pools Amendments Act 2012.

Recommendation:

That Council endorses the Swimming Pool Inspection Program (Attachment 1).



COFFS HARBOUR CITY COUNCIL Swimming Pool Inspection Program

October 2013



THIS IS A LOOKING AFTER OUR ENVIRONMENT PROJECT
Helping to achieve the 2030 Community Vision

1. Introduction

Swimming pool safety is a critical issue that affects the entire community. Every year, many toddlers drown or are severely injured in swimming pools on private properties throughout Australia.

Alarming, the NSW Government has identified a high level of non-compliant pool barriers around swimming pools on private properties. To improve the level of compliant pool barriers in NSW and lower the risk of young children drowning in swimming pools on private properties, the NSW Government adopted amendments to the Swimming Pools Act 1992 (Act) on 29 October 2012 and other legislation, with delayed commencement provisions.

Section 22B of the Act requires Council's to develop and adopt a mandatory pool inspection program, in consultation with their local community, by 29 October 2013. Council's must then inspect the swimming pools in accordance with adopted pool inspection program.

This document outlines the swimming pool inspection program for Coffs Harbour City Council. It aims to reduce the risk of children drowning in swimming pools in the Coffs Harbour community by developing a comprehensive inspection schedule for all swimming pools in the local government area (LGA). The hierarchy of inspections to be carried out is based on a mandatory versus an elective inspection program and the level of risk.

2. Definitions

Exempt development – in respect of swimming pools means a portable swimming pool installed in accordance with the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Note: Exempt swimming pools, which meet the definition of a swimming pool, are included within the following inspection program.

Multi-occupancy development – is a building, or buildings that is, or are, situated on premises that consist of more than two dwellings.

Relevant occupation certificate – in respect of a swimming pool means an occupation certificate issued under the Environmental Planning and Assessment Act 1979 and that is less than 3 years old and that authorises the use of the swimming pool.

Swimming pool – means any excavation, structure or vessel:

(a) That is capable of being filled with water to a depth greater than 300 millimetres, and ;

(b) That is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity;

And includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations not to be a swimming pool for the purposes of the Act.

Spa – includes any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

Tourist and Visitor accommodation – means a building or place that provides temporary or short term accommodation on a commercial basis and includes backpacker's accommodation, bed and breakfast accommodation, farm stay accommodation, hotel or motel accommodation and serviced apartments.

3. To what properties does this program apply?

This program applies to swimming pools (both outdoor and indoor) and spas that are situated or installed, on premises on which a residential building, a moveable dwelling or tourist and visitor accommodation is located, but does not apply to swimming pools and spas that are situated, or proposed to be constructed or installed, on any premises occupied by the Crown or by a public authority.

4. Swimming Pool Inspection Program

Coffs Harbour City Council's Swimming Pool Inspection Program will be implemented utilising a hierarchical order of inspection priority detailed within the following tables 1 and 2. This order will be utilised to prioritise inspections having regard to legislative requirements and resource limitations. The program will be a continuous program, relating to pools on private properties, not on public land in accordance with Section 4 of the Act.

Table 1 reflects mandatory legislative inspections that must be undertaken whilst **Table 2** reflects inspections that Council may elect to undertake.

The pools listed in Table 2, whilst not requiring mandatory inspection under the Act, have been added to the inspection program, in recognition of the risk of young children drowning in swimming pools.

Swimming pools with a valid Certificate of Compliance or a relevant Occupation Certificate are not required to be inspected as part of this Swimming Pool Inspection Program for three years from the date of issue of the Certificate of Compliance or a relevant Occupation Certificate (Section 22B(3) of the Act). However if Council is made aware of a pool that no longer has compliant pool barriers, then the pool may be inspected earlier.

Table 1: Pool Inspection Program – Mandatory pool inspections

Hierarchy of Inspections	Types of Pool Inspections
1	When Council becomes aware of non compliant pool barriers: (a) During inspections of other works (not associated with swimming pools) (b) Upon receipt of a written complaint (investigations to commence by Council within 3 days, as specified in Section 29A of the Act) (c) Upon receipt of a notice from an accredited certifier submitted in accordance with Section 22E of the Act (d) Upon receipt of a customer request (e) When Council suspects a pool contravenes the Act (e.g. pools constructed without approval)
2	When an inspection request is received: (a) Prior to the sale/lease of properties with pools - mandatory after 29 April 2014 (Schedule 2 of the Swimming Pools Amendment Act 2012) (b) Voluntarily from pool owners (Section 22C of the Act). Council must carry out these inspections within 10 business days of receiving the inspection requests (Section 17 of the Swimming Pools Regulation 2008)
3	Tourist and visitor accommodation every 3 years - mandatory after 29 April 2014 (Section 22B(2) of the Act) consisting of: (a) Hotels (b) Motels (c) Serviced apartments (d) Bed and Breakfast accommodation (e) Backpackers accommodation, But does not include: (f) Camping grounds (g) Caravan Grounds (h) Eco-tourist facilities.
4	Multi-residential dwellings with more than two dwellings, every 3 years - mandatory after 29 April 2014 (Section 22B (2) of the Act).



Table 2: Pool Inspection Program – Elective pool inspections

Hierarchy of Inspections	Types of Pool Inspections
1	Pools approved prior to 1990
2	Pools approved between 1990 – 2000 without a current Certificate of Compliance
3	Pools approved between 2001 – 2010 without a current Certificate of Compliance or Occupation Certificate
4	Pools approved from 2010 without a current Occupation Certificate or Certificate of Compliance. i.e. Council has not carried out a final inspection within the proceeding 6 month period
5	Other pools, without a current Certificate of Compliance or Occupation Certificate, including exempt pools

5. Pool Barrier Compliance

Council must inspect swimming pools in the Coffs Harbour LGA in accordance with its adopted Swimming Pool Inspection Program, and check that pool barriers comply with the requirements of the Section 22B(4) of the Act. Inspections can be performed by Council’s authorised officers or a qualified accredited certifier (Section 22A of the Act). Council’s power of entry is consistent with the Local Government Act 1993.

5.1 General Requirements for Outdoor Swimming Pools

In accordance with Section 7 of the Act:
‘The owner of the premises on which a swimming pool is situated must ensure that the swimming pool is at all times surrounded by a child-resistant barrier:

- (a) that separates the swimming pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premises, and
- (b) that is designed, constructed, installed and maintained in accordance with the standards prescribed by the regulations.’

5.2 Current Swimming Pool Standards and Legislation

The standards and legislation that are currently applicable to swimming pools are the:

- Swimming Pools Act 1992
- Swimming Pools Amendment Act 2012
- Swimming Pools Regulation 2008
- Swimming Pools Amendment Regulation 2013-08-20 13
- Building Code of Australia – Volumes 1 and 2
- Australian Standards AS 1926.1 and AS 1926.2

5.3 Certificate of Compliance

In order to obtain a Certificate of Compliance, under Section 22D of the Act, the swimming pool must:

- Be registered on the state wide register of swimming pools;
- Be inspected by Council’s authorised officer or an accredited certifier, and
- Comply with the requirements of Part 2 of the Act.

A Certificate of Compliance is valid for 3 years from the date of issue.

5.4 Determining Pool Barrier Compliance

During a pool barrier inspection, Council’s authorised officer will utilise checklists relevant to the age of the pool to determine whether the pool barriers comply with the relevant safety standards. If the pool barriers have:

(a) Not been altered, then the pool barriers will be required to comply with the safety standards that were applicable at the time of construction.

(b) Been substantially altered or the means of access to the pool has been rebuilt, then the pool barriers will be required to comply with the safety standards that were applicable when the modifications were assessed.

(c) Never complied with the safety standards that were applicable at the time of construction, then the pool barriers will be required to comply with the current standards.

5.5 Non Compliant Pool Barriers

A Certificate of Compliance cannot be issued by Council's authorised officer or an accredited certifier when the pool barriers do not satisfy the requirements of the Act. Consequently, if the pool barriers were inspected by:

- An accredited certifier - The accredited certifier is required to provide written notice to the pool owner detailing non compliant pool barrier issues and forward a copy of the notice to Council (Section 22E of the Act). Council will then investigate the non-compliant pool barriers and initiate appropriate action required to have them modified to meet compliance standards.
- Council's authorised officer - Notices and Directions will be provided to the pool owner detailing corrective actions and timeframe to rectify non compliant pool barrier issue. If corrective works are not performed within the specified timeframe, then a Penalty Infringement Notice may be issued and legal action may be taken (in accordance with the swimming pools legislation).

6. Standard Investigation Procedures

In determining the extent of the upgrade and an appropriate timeframe to comply, the following factors will be taken into consideration:

- Whether there is an immediate threat to life safety
- Accessibility from public land
- The year the pool was constructed
- Conditions of approval relating to the pool and barrier
- The conditions of the existing pool barrier
- The location of the swimming pool and the barrier
- Any special characteristics or uses of the pool e.g. a physiotherapy pool
- The type and use of building on the site where the pool is constructed
- Previously issued compliance certificates, occupation certificates and building certificates
- The relevant legislation and Australian Standards

The rules of evidence collection apply and are critical in the event that an immediate threat to life safety is present and/or if enforcement action is required to rectify a breach.

The Swimming Pools Act 1992 has very specific provisions in terms of pool safety compliance. Specifically for taking action after investigations, the Notices, Directions, Penalty Infringement Notices and Offences provisions under the Act are applicable.

In addition, the following procedures may apply:

- Owners of the swimming pool will be contacted by Council to arrange a time for an inspection of the premises (where possible).
- Swimming pools and barriers will be inspected by Council officers.
- Photos and/or videos may be taken of the pool fence for record purposes.
- Where it is identified there are outstanding pool safety matters, Council will issue a Notice of Intention to issue a Direction, followed by a Direction under Section 23 of the Swimming Pools Act. Where there is an immediate safety threat, a Direction will be served without a preceding Notice of Intention.
- The Direction will outline what works are required and give a prescribed period of time for the works to be completed. Council may review the time period for completion where it is considered reasonable to do so. All requests for extension in time are to be in writing and must provide reasons for such a request, including a schedule for completion of the works if appropriate.
- An owner who is the recipient of a Direction has a right of appeal to the Land & Environment Court.
- Failure to carry out works within the prescribed period may result in the issue of Penalty Infringement Notices and/or the instigation of legal proceedings to enforce Council's Direction.
- Inspection fees will be charged in accordance with Council's Schedule of Fees and Charges and the requirements of the Swimming Pools Act and Regulations hereunder.

Council will view pool safety offences as serious and issue Notices and Directions as standard procedure. Penalty notices will be issued at the discretion of the authorised officer. Prosecution may also be considered where deemed to be appropriate. A minimal tolerance approach is considered appropriate and is consistent with other enforcement policies by Council.

7. Pool Inspection Fees

For the purpose of issuing a Certificate of Compliance, Council will charge a pool barrier inspection fee of \$150 for the first inspection carried out, in accordance with Section 18A of the Swimming Pools Regulation 2008. This fee is payable prior to Council's authorised officer attending the property.

Should a further inspection be required, then an additional inspection fee of \$100 will be levied and require payment at the time of booking the reinspection. Subsequent pool barrier inspections will not incur further inspection fees.

8. Consultation

Community consultation was carried out through a survey. This survey was available on Council's website and from a swimming pool display located in Council's administration building.

The survey was also advertised on Council's page in the Advocate newspaper and this advertisement was then emailed to all preschools, primary schools and high schools requesting they place it in their school newsletters.

9. References

- Swimming Pools Act 1992
- Swimming Pools Amendment Act 2012
- Swimming Pools Regulation 2008

Attachment 2

Penalties under the Swimming Pools Act 1992

Offence under the Act	Penalty Notice (issued by Council)	Court Maximum Penalty
Section 7 (1): Failure to comply with general requirements for outdoor pools associated with dwelling	\$550	50 penalty units = \$5,500
Section 12: Failure to comply with general requirements for outdoor pools associated with movable dwelling and tourist and visitor accommodation	\$550	50 Penalty units = \$5,500
Section 14: Failure to comply with general requirements for indoor pools	\$550	50 Penalty units = \$5,500
Section 15(1): Failure to maintain child-resistant barrier	\$550	50 Penalty Units = \$5,500
Section 16: Failure of Occupier to keep access to pool securely closed	\$550	50 Penalty Units = \$5,500
Section 17(1): Failure to display or maintain prescribed warning notice near pool	\$110	5 Penalty Units = \$550
Section 23(3): Failure to comply with direction	\$550	50 Penalty Units = \$5,500
Section 30B(1): Failure to register a pool	\$220	20 Penalty Units = \$2,200

COUNCIL MEETING DATES 2014

Purpose:

To seek Councillors' confirmation to set Council's meeting dates for the period January 2014 to December 2014.

Description of Item:

Council protocol provides for meeting dates to be scheduled on the second and fourth Thursday each month commencing at 5.00 pm. Some conflicting dates arise throughout the year once public holidays are gazetted and other special events are made known, eg ALGA and LGSA.

The second April meeting which falls on 24 April 2014 is the day before Anzac Day. This meeting could be held on Wednesday 23 April 2014.

Sustainability Assessment:

The adoption of meeting dates poses no sustainability issues.

Consultation:

Consultation has taken place with the senior Executive Team.

Related Policy and / or Precedents:

Council protocol is to meet on the second and fourth Thursday of each month at 5.00 pm. Council has changed meeting dates by resolution as the need has arisen.

Statutory Requirements:

Section 365 of the Local Government Act provides for Council to meet at least ten times a year in different months.

Issues:

In 2006 it was resolved to hold one Council meeting in December. It is recommended that one meeting also be held in December 2014, being Thursday 11 December or Thursday 18 December 2014.

Council has a well established precedent of having a recess during January. For the coming period, Thursday 13 February 2014 would be the first meeting for the New Year.

The Council meeting scheduled for 24 April falls in the same week as Easter Monday and Anzac Day. In addition, this is a school holiday period. It is proposed to only have one meeting in April.

Thursday 10 July and Thursday 25 September fall within the school holidays. No provision to change these dates has been made.

Implementation Date / Priority:

Subject to Council's final resolution, quarterly advertisements and a media release will be issued to advise the community.

Recommendation:

1. That no Council meetings be scheduled for January 2014.
2. That the first meeting in 2014 be scheduled for 13 February 2014.
3. That meetings from February to November 2014 be scheduled on the second and fourth Thursday of each month with the exception of April where only one meeting will be held on 10 April 2014.
4. That the last Council meeting for 2014 be held on 18 December 2014.

**COFFS HARBOUR CITY COUNCIL
COUNCIL MEETING DATES - 2014 - TO BE CONFIRMED**

<p>JANUARY 2014 - No Council Meetings</p>	<p>MAY 2014 Thursday 5.00pm 8 - Ordinary Thursday 5.00pm 22 - Ordinary</p>	<p>SEPTEMBER 2014 Thursday 5.00pm 11 - Ordinary Thursday 5.00pm 25 - Ordinary</p>
<p>FEBRUARY 2014 Thursday 5.00pm 13 - Ordinary Thursday 5.00pm 27 - Ordinary</p>	<p>JUNE 2014 Thursday 5.00pm 12 - Ordinary Thursday 5.00pm 26 - Ordinary</p>	<p>OCTOBER 2014 Thursday 5.00pm 9 - Ordinary Thursday 5.00pm 23 - Ordinary</p>
<p>MARCH 2014 Thursday 5.00pm 13 - Ordinary Thursday 5.00pm 27 - Ordinary</p>	<p>JULY 2014 Thursday 5.00pm 10 - Ordinary Thursday 5.00pm 24 - Ordinary</p>	<p>NOVEMBER 2014 Thursday 5.00pm 13 - Ordinary Thursday 5.00pm 27 - Ordinary</p>
<p>APRIL 2014* Thursday 5.00pm 10 - Ordinary</p>	<p>AUGUST 2014 Thursday 5.00pm 14 - Ordinary Thursday 5.00pm 28 - Ordinary</p>	<p>DECEMBER 2014 Thursday 5.00pm 18 - Ordinary</p>
<p>PUBLIC FORUM A public forum is held on the second Meeting of each month at 5.00pm. Four days' notice is required. Members of the public cannot address Council on the same topic more than once in a six months period. Members of the public are invited to address Councillors. Enquiries should be directed to the Executive Assistant to the Mayor.</p>		

* Due to Easter Monday and Anzac Day falling in the third week of April there will not be a second meeting.

DRAFT PLAN OF MANAGEMENT FOR WOOLGOOLGA BEACH RESERVE

Purpose:

To submit a Draft Plan of Management for Part of Reserve 63076 for Public Recreation and Resting Place and reserve for Public Recreation (Southern section of Woolgoolga Beach Reserve), recommending that the Draft Plan be referred to Trade & Investment, Crown Lands requesting approval to place the Draft Plan on Public Exhibition.

Description of Item:

The Woolgoolga Beach Reserve follows the beach from Woolgoolga Headland to Woolgoolga Lake. The reserve contains the Woolgoolga Beach and Lakeside Caravan Parks along with several public recreation areas including the main Woolgoolga Beach Reserve and Woolgoolga Lake picnic area. The Reserve is Crown Land with Coffs Harbour City Council being appointed Corporate Manager of the Reserve Trust in July 2002. Since that time, Council has consolidated business activities within the reserve and has commenced a strategic planning process.

This Draft Plan of Management is for the southern section of Woolgoolga Beach Reserve. Council, as Corporate Manager of the Trust has previously adopted the Draft Plan of Management for Part of Reserve 63076 for Public Recreation and Resting Place and Reserve 72664 for Public Recreation (northern section of Woolgoolga Beach Reserve). The Northern section Plan of Management is currently with Crown Lands awaiting formal adoption by the Minister responsible for administering Crown Land.

There is no current Plan of Management (POM) for the Woolgoolga Beach Reserve (Southern Section). The previous POM was adopted after community consultation in 1992 but was rescinded by the Department of Lands several years later as there had only been minor implementation of the plans strategies and recommendations. Council commenced a new planning process shortly after being appointed Corporate Manager of the Reserve Trust and on 3 June 2004 resolved to send a new Draft POM to the Department of Lands requesting permission to place the plan on public exhibition. The Draft Plan was forwarded to the Department of Lands requesting approval but no approval was forthcoming due to several Aboriginal Land Claims over parts of the reserve, which were submitted after the Plan was forwarded to the Department. The Land Claims remained unresolved for several years and in 2008 Council advised the Department that due to the extended period taken for approval, the Trust was withdrawing their request to place the plan on public exhibition and would be redrafting a new POM for Woolgoolga Beach Reserve.

In 2010, Council again referred a Draft Plan of Management to Crown Lands requesting approval to place the plan on Public exhibition. Despite wide acceptance of the strategies within the plan by Crown Lands officers, the plan was rejected on the basis that the Woolgoolga Beach Caravan Park was to be reduced in size and the Crown Lands Department were reluctant to approve a plan that resulted in any loss of traditional caravanning and camping sites. Council was requested to revisit the plan and develop an outcome that did not result in the loss of caravan and camping sites.

At this stage, Council decided to split the Woolgoolga Beach Reserve planning process in two and develop a separate plan for the Northern and Southern sections of the Reserve. The Northern section was completed first and as previously mentioned, is awaiting adoption by Crown Lands.

The Southern section Draft Plan of Management has now been finalised after extensive consultation with Crown Lands and special interest organisations and stakeholders. The plan still recommends a contraction of the Caravan Park and expansion of the public open space, but Crown Land officers have been involved in the planning stage and understand the rationale behind the proposed changes.

The key strategies contained within the plan include:

Woolgoolga Beach Caravan Park

- Reduction in area of the park by approximately 30%.
- Retain current reception/managers residence and reconfigure park entry
- Upgrade cabin stock to capitalise upon location and outlook
- Upgrade park infrastructure and site quality
- Long Term Residents to retain rights under their current lease agreements

Public Open Space

- Approximately 30% of current beach caravan park returned to public open space
- Promenades and vistas opened up linking town centre to foreshores and beach
- Upgraded public facilities including playground, cycle/walkway, public recreation areas, public art and improved pedestrian access
- Relocation of parking to areas not suitable for public recreation
- Create pedestrian/cycle links through the reserve, improving access to Woolgoolga Beach, Woolgoolga Lake and Woolgoolga Headland.
- Relocation of Woolgoolga Marine Rescue to a location in Arrawarra
- Relocation of Woolgoolga Surf Life Saving Club to the vacated Marine Rescue site.

Coffs Coast State Park

Consolidate management strategies and improve funding opportunities through the inclusion of Woolgoolga Beach Reserve into the Coffs Coast State Park Trust.

Environmental Management

Implement management strategies and actions contained in the draft POM including:

- Vegetation and Habitat Management
- Catchment Management
- Fire Management
- Coastal Processes Management
- Coastal Views and Visual Amenity.

Sustainability Assessment:

• **Environment**

The Draft POM establishes management strategies and actions to preserve and enhance the natural environment within the reserve whilst facilitating improved public access where appropriate.

The enhancement of the tourist facilities within the reserve has the potential to increase visitor numbers to the locations, increasing the environmental impacts upon the reserve. The implementation of the environmental management strategies will assist in ameliorating these impacts. Improved operational revenues from increased tourist activity will also be used to fund environmental protection and enhancement works within the reserve.

- **Social**

The improvements to the reserve will create a stronger community connection with the reserve. Providing more open space for the public, along with improved recreational infrastructure, is predicted to have positive social outcomes for the Woolgoolga community.

The reduction in size of the Woolgoolga Beach Caravan Park will have moderate impact upon holiday makers during peak season. The reduced number of camping sites and cabins will result in the inability to cater for current visitor loads for a 3 week period during the Christmas Holidays. Current visitor numbers can be maintained for the remainder of the year with potential for visitor growth in the future. The reduction in site numbers will have a negative social impact upon some clients over the Christmas period but it is anticipated that this impact can be reduced through early communication with clients and a regular natural attrition rate amongst holiday makers over the Christmas period.

- **Civic Leadership**

The Woolgoolga Beach Reserve Trust works towards achieving the outcomes set down in the Coffs Harbour 2030 Community Strategic Plan, and are consistent with the following strategies:

- LP1.1 - Our businesses and industries are future-driven, smart, innovative and green.
- LP1.2 - Our economy is strong and diverse providing a wide range of rewarding employment opportunities which are available to all.
- MA2.1 - We have effective plans and policies for a network of integrated cycle ways, footpaths and walking tracks.
- MA2.3 - We actively promote cycling and walking.
- LE1.2 - Our Aboriginal culture and its links to the land is valued and understood.
- LE1.3 – We have many opportunities for nature experiences and learning through improved access to natural areas.
- LE2.1 – Our forests, beaches, headlands, ocean, rivers, forested mountain backdrop, plants and animals are conserved for future generations.
- LE2.2 - We have active programs to restore and improve our environment.
- LE3.1 - We are responsible in the use and management of our natural resources and work to reduce our ecological footprint.

- **Economic**

Broader Economic Implications

The improvement to the caravan park is predicted to have positive impacts upon revenue generation. The reduction in size of the Woolgoolga Beach Caravan Park will be offset by the provision of improved products which, in the short term, have a similar, if not greater earning potential that those currently offered. Long term, the improvements to the parks will result in an increase in funds available to reinvest in the reserve system.

Delivery Program/Operational Plan Implications

There are no Delivery Program / Operational Plan implications. All works will be funded through Trust revenue and Crown Land Public Reserves Management Fund loans.

Risk Analysis:

The development of a Draft Plan of Management for the Reserve is a risk management tool within itself. Expert consultants, CHCC staff and key stakeholder groups have been involved in its development. The next step of the process will subject the Draft Plan of Management to community consultation, providing more vigor to the amelioration of inherent risks.

Consultation:

The draft POM has been developed in close consultation with Trade & Investment Crown Lands, the Woolgoolga SLSC Board and Club Working Group, Woolgoolga Marine Rescue, NSW Marine Rescue and various Council departments.

Substantial community consultation will be undertaken during the Public Exhibition period with comments sought from a wide cross section of the community.

Related Policy and / or Precedents:

Council, as Corporate Manager of a variety of Reserve Trusts, often refers Draft POM's to Trade & Investment Crown Lands requesting permission to place the document on Public Exhibition.

Statutory Requirements:

Coffs Harbour City Council is Corporate Manager of the Woolgoolga Beach Reserve Trust under the Crown Lands Act.

Issues:

Public Open Space

The expansion of the area available for public recreation, and the creation of a village green with visual and pedestrian links between the town centre, the beach and Woolgoolga Headland is strongly supported within the community. Previous POM's showed positive support for additional open space, which is reinforced by the recommendations contained in the Woolgoolga Town Centre Study Vision document.

Loss of Caravan/Camping sites at Woolgoolga Beach

The loss of caravan and camping sites as a result of a 30% reduction in the park size will have an impact upon visitor numbers during peak times. For the bulk of the year, site availability will be maintained but during the peak Christmas period, current demand for sites exceeds the proposed site availability. Whilst this will cause concern for the clients involved, it is anticipated that many of the clients concerns can be resolved through early and regular communication and through the natural attrition of annual visitors.

Long Term Residency

The plan recognises the occupancy by residents and ensures that the resident's rights under their existing tenancy agreements are protected. The plan identifies the need to reduce the extent that residential living occurs on the public reserve and as such, clauses within each tenancy agreement prohibiting 'on-selling' will be enforced. There are currently 8 long term residents at Woolgoolga Beach Caravan Park.

Woolgoolga Surf Life Saving Club & Woolgoolga Marine Rescue

Substantial consultation has taken place with the two volunteer rescue organisations which are currently located within the Reserve.

Council has negotiated with both parties and has achieved agreement, from both organisations, on the following points:

- Woolgoolga Marine Rescue will relocate to a proposed location in Arrawarra. The Arrawarra site will present a safer and more accessible launching facility for the organisation and the proposed improvements to the Arrawarra boat ramp and associated infrastructure will see the site become the focus for boating activities on the Northern Beaches. This move is supported at a local and State level within the Marine rescue organisation.
- The Trust will meet the cost of relocating the Marine Rescue organisation to Arrawarra. This will be funded through Trust revenues.
- Woolgoolga Surf Life Saving Club will relocate to the vacated Marine Rescue site and construct a new Club facility. The current club site is under threat from coastal processes and the relocation will improve the long term viability of the club with regards to coastal processes. The relocation has been put to the Club members and was accepted at a formal club meeting.
- The Trust will meet the costs of demolishing the existing Surf Club building and will be funded through Trust revenues.

Implementation Date / Priority:

The Draft POM will be forwarded to Trade & Investment Crown Lands immediately after Council resolves to refer the Plan.

Recommendation:

That Council, as Corporate Manager of the Woolgoolga Beach Reserve Trust, refer the Draft Plan of Management for Part of Reserve 63076 for Public Recreation and Resting Place and reserve for Public Recreation (Southern section of Woolgoolga Beach Reserve) to Trade & Investment Crown Lands, requesting approval to place the Draft Plan of Management on Public Exhibition.

As Reported to Council Meeting 10 October 2013

Attachment

DRAFT PLAN OF MANAGEMENT

for

Part of RESERVE 63076 for PUBLIC RECREATION and RESTING PLACE and RESERVE for PUBLIC RECREATION (southern section of Woolgoolga Beach Reserve)



for the
WOOLGOOLGA BEACH RESERVE TRUST
and



August 2013

DRAFT PLAN OF MANAGEMENT

for

**Part of RESERVE 63076 for PUBLIC RECREATION
and RESTING PLACE and RESERVE 72664 for
PUBLIC RECREATION**

for the

WOOLGOOLGA BEACH RESERVE TRUST

prepared by

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August 2013

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Disclaimer:

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Drawing No WB - 02	Concept Plan - Woolgoolga Beach Caravan Park
Drawing No WB - 03	Masterplan - Woolgoolga Beach Public Open Space

1 PREAMBLE

1.1 INTRODUCTION

This Draft Plan of Management has been prepared in accordance with the relevant provisions of the *Crown Lands Act 1989* to provide a framework for the future management, use and development of the southern part of the reserved Crown Land known as the Woolgoolga Beach Reserve and includes the Woolgoolga Beach Caravan Park. The Crown land which is the subject of this Draft Plan is part of Reserve 63076 for Public Recreation and Resting Place notified on 27th November 1931 and Reserve 72664 notified on 2nd April 1948 for the purpose of Public Recreation. The land is identified in Figure 01.

This Crown land comprises a resource in a unique coastal setting and provides community facilities, holiday accommodation and recreation opportunities for the enjoyment of the community.

1.2 BACKGROUND TO THIS PLAN OF MANAGEMENT

Coffs Harbour City Council was appointed the corporate trust manager of the Woolgoolga Beach Reserve on 19th July 2002. This reserve includes the Woolgoolga Beach Caravan Park and Woolgoolga Lakeside Caravan Park as well as other substantial areas of coastal reserved lands that were formerly managed by a community trust. The Woolgoolga Beach Plan of Management (1992 Plan) was adopted by the then Minister for Conservation and Land Management on 23rd March 1992 and addressed a range of planning issues including development as well as management initiatives. The 1992 Plan was cancelled by the Minister on 31st October 1996 and is no longer a binding statutory document.

The decision to prepare this Draft Plan of Management reflects an ongoing requirement to ensure the assets of the Reserve are managed in a manner that will result in the optimum benefit to the community. A key aim of this Plan is to address regulatory and environmental requirements as well as commercial considerations. In particular the management of the caravan park must be integrated with the wider land management responsibilities of the Trust to create a balanced approach to the operation of commercial activities within a very significant area of public open space.

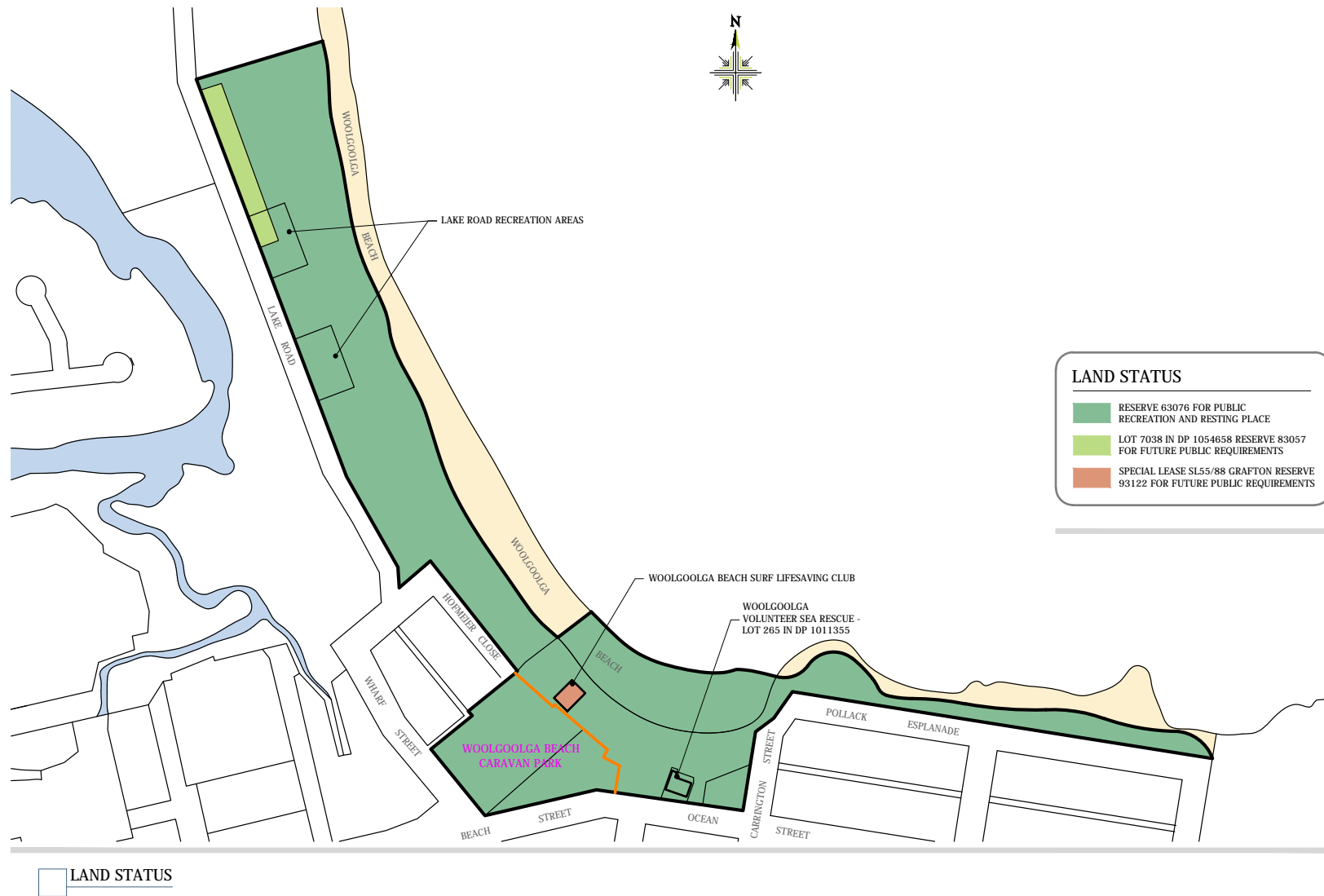
1.3 PURPOSE OF THIS DRAFT PLAN OF MANAGEMENT

The purpose of this Draft Plan of Management is to establish objectives, environmental and management strategies and actions and identify the means the Trust will employ in the future management of the Reserve. The Plan of Management outlines a management direction for the next 8 to 10 years for the part of Woolgoolga Beach Reserve shown in Figure 01 in accordance with the requirements of the *Crown Lands Act 1989*.

Implementation of this Plan of Management will lead to:

- Improved and sustainable resource management;
- Protection of the resources of the Reserve;
- Respect for and conservation of the cultural and historic heritage of the site and the land;
- Enhanced environmental and social outcomes;

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- Meeting the needs of residents and visitors through the provision of additional and improved facilities;
- Improved facilities and access for people with disabilities;
- Better capacity to address changing community and environmental requirements;
- Maintaining and improving the financial performance of the Woolgoolga Beach Caravan Park by improving the road a site layout, increasing site areas and improving the range and quality of cabin accommodation;
- Increased local economic activity as a consequence of increased visitation;
- An appropriate balance between responsible land management and the continuation of commercial enterprise on public land;
- A reduction in the area of the caravan park while maintaining the essential character and long term viability of the Reserve including the Woolgoolga Beach Caravan Park;
- Implementation of a process to facilitate the relocation of the Woolgoolga Volunteer Sea Rescue to Arrawarra within two years and the development of new premises by the Woolgoolga Beach Surf Life Saving Club when the land is vacated;
- The development of a pedestrian avenue to link the Woolgoolga Town Centre to the beachfront; and
- Provision of a safe pedestrian access route along the Woolgoolga Headland to link with the Coastal Walkway.

1.4 BASIS FOR MANAGEMENT

The management of the Woolgoolga Beach Reserve is to be in accordance with the objects and principles of Crown land management described in Sections 10 and 11 of the *Crown Lands Act 1989* and the land management provisions of Part 5 of the Act. The land will therefore be used and managed in accordance with the following:

- The Plan of Management applying to the land;
- *Crown Lands Act 1989*;
- Crown Lands Caravan Parks Policy and Policy Guidelines;
- *Environmental Planning and Assessment Act 1979* and any planning instrument permitting the use of the land for a specified purpose or otherwise regulating the use of the land;
- *Threatened Species Conservation Act 1995*;
- *Environmental Protection and Biodiversity Conservation Act 1999*;
- *Local Government Act 1993*;
- *Residential Parks Act 1998*;
- *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*; and
- other applicable statutory controls.

1.5 OBJECTIVES FOR THIS PLAN OF MANAGEMENT

The objectives for this Plan of Management are to:

- Identify the resources and values of the Reserve;

- Recognise the role of the Reserve in providing for the recreational and open space requirements of the community;
- Establish a vision and strategic direction for the future management and improvement of the Reserve;
- Propose initiatives that address the legal and policy parameters relevant to the management of the Reserve;
- Develop an approach to the ongoing management of the Reserve that is integrated with the requirements of the Coffs Harbour Coastal Reserves Plan of Management and the Coffs Harbour City Council Open Space Strategy 2010;
- Provide for management actions that will protect, conserve and enhance the natural, cultural, scenic, social, recreational and economic values of the Reserve;
- Preserve the financial contribution the Woolgoolga Beach Caravan Park makes to the management of the Reserve and to the local community; and
- Allow for a staged improvement process that is achievable in terms of planning and financial constraints.

At a fundamental level the Strategy will address the following key issues in relation to all aspects of the proposed initiatives and actions:

Social equity – decision making that leads to greater access to and delivery of services and facilities;

Environmental sustainability – using only the resources that are required to deliver facilities and services and improving overall physical amenity while reducing detrimental impacts on natural assets;

Economic prosperity - promoting the development of jobs, business improvement and market growth in a sustainable manner; and

Corporate governance – managing assets and resources in a way that is accountable, transparent, responsive, efficient, equitable and addresses relevant regulatory and statutory requirements.

2 DESCRIPTION OF THE RESERVE

2.1 LOCATION AND CONTEXT

Woolgoolga is situated on the Mid North Coast of NSW, approximately 25 km north of Coffs Harbour, 55km south of Grafton and 3 km east of the Pacific Highway.

With a population of around 5,000 people Woolgoolga has long been enjoyed for its relaxed seaside ambiance and moderate climate and is a popular holiday destination. Development of community and urban services has been in part enabled by the economic contribution of tourist activity. Direct expenditure on the town’s tourism products including accommodation stimulates and supports other services that provide for a strong and balanced local economy.



The Reserved land to which this Plan of Management applies adjoins and extends to the north of the Woolgoolga Town Centre. The land is used for a variety of recreational, day use, holiday and commercial purposes and is a valuable social, recreational, tourist and economic resource for the Woolgoolga community and the local government area. The land has significant scenic and environmental values and includes, beach, headland and dunal areas some of which support valuable flora and fauna communities.

2.2 LAND STATUS – see Figure 01

The section of the Woolgoolga Beach Reserve addressed by this Draft Plan of Management has a total area

of approximately 12.6 hectares with the following Reserves and land descriptions relevant to the land area:

- Part of Reserve 63076 for Public Recreation and Resting Place notified on 27th November 1931 which extends south to the Woolgoolga Headland, and
- Lot 7038 in DP 1054658, Reserve 83057 for Future Public Requirements.

2.2.1 Leases and Licenses

A number of current leases and licenses authorise activities within the Reserve.

Woolgoolga Volunteer Sea Rescue Inc (WVSR) occupies its premises by way of a lease from the Reserve Trust over Lot 265 in DP 11011355 which covers an area of 842.9 square metres. The WVSR’s stated purpose is “to protect and preserve lives at sea”. Originally known as the Volunteer Rescue Organisation this group was established by members of the Woolgoolga community at a public meeting in August 1965. Initially a radio base station was set up in the caravan park office with two privately owned fast boats and a first aid attendant on call to provide assistance for craft that may have encountered difficulties. The first rescue was successfully carried out in July 1966 and in the intervening years countless numbers of people have received the benefit of the service. Financial support of the organisation is largely generated by a monthly market which is held in the Reserve on the open area to west of the WVSR headquarters.

The following table provides a brief description of other existing tenures;

Tenant/licensee	Purpose
R Williams	Caretakers Residence Woolgoolga Beach Caravan Park
Marine Rescue Woolgoolga	Markets - Woolgoolga Beach Reserve
Kaur, Surinder (Bollywood Beach Markets)	Markets - Woolgoolga Beach Reserve
WASP Boardriders Inc	Woolgoolga Beach - Surf Competitions
Mojosurf P/L (Mojosurf & Aussie Surf Adventures)	Woolgoolga Beach - Surf School
Ingleby & Quigley (Solitary Islands Surf School)	Woolgoolga Beach - Surf School
Girlfit P/L	Commercial Fitness Activity
Woolgoolga Surf Life Saving Club	Container Site adjacent to Surf Club premises

2.2.2 Woolgoolga Surf Club

The Woolgoolga Surf Life Saving Club premises are located on an in-holding under a special lease in perpetuity (SL 55/18 Grafton) over Reserve 93122 for Future Public Requirements. This land is not presently part of the Woolgoolga Beach Reserve, however, access to the clubhouse is provided through the Reserve and must be adequately maintained.

The possible future re-development of the Club premises is a relevant issue for the planning of the improvement of the caravan park and adjoining public domain areas of the Reserve. This was a matter addressed in the 1992 Plan of Management and has always been identified as a significant consideration in relation to the future management of the Woolgoolga Beach Reserve. In terms of current and emerging policy with respect to sea level rise, climate change and coastal recession a redevelopment of the existing premises of the Surf Life Saving Club would not be an appropriate planning and design response. This has been confirmed by findings and recommendations in the recently completed Coffs Harbour Coastal Processes and Hazard Definition Study and the Coastal Zone Management Plan.

The most recent development with respect to this matter is the Woolgoolga Volunteer Sea Rescue will relocate to Arrawarra within two years as part of Coffs Harbour City Council's plan for the improvement of boating safety and facilities for the Northern Beaches of the local government area. As this initiative is implemented Arrawarra will become a focal point for recreational fishers. This will enable the Woolgoolga Surf Life Saving Club to come forward with a plan for the development of new premises on the land vacated by the Volunteer Sea Rescue. This will allow the current Surf Club premises to be vacated and the existing Clubhouse demolished. Clearly this initiative will have a significant beneficial impact on the character of the beachfront reserve and provide a long term solution for the ongoing operational requirements of both organisations.

2.3 LOCAL HISTORY

Prior to European settlement the area in and around Woolgoolga was occupied for thousands of years by the Gumbaynggirr people. They were one of the largest coastal Aboriginal nations and inhabited land from the Nambucca River in the south through to the Clarence River in the north and west to the Northern Tablelands. They camped, hunted and foraged on the land in areas that were largely defined by their natural features and resources. A midden at Woolgoolga Lake suggests there was significant Aboriginal occupation of the area with the headlands, beaches, estuary and creeks providing an abundant source of food. The name Woolgoolga is derived from the Gumbaynggirr word for the Lilly Pilly. The commencement of European settlement in the area in the 1840's brought significant change with the farming, fencing and subdivision of the land. Today the Garby elders are entrusted with the task of maintaining and passing on traditional knowledge to future generations.¹

By the 1870's there were substantial impacts from European settlement. Access was opened up from the north via the Clarence River Valley and proclamation of Woolgoolga as a town appeared in the NSW Government Gazette in 1888. The earliest interest in the area had been for grazing but a focus on timber getting in the valuable north coast hardwood forests in the late 1800's and early 1900's resulted in the establishment of sawmilling operations at Woolgoolga Beach.

The isolation of the settlement created a heavy reliance on shipping for transport and led to the successive construction of three jetties to facilitate the transport of timber and agricultural produce. The largest of these jetties, which was built with government funding, had its land base at the present site of the surf club and was around 450 metres in length. This gave Woolgoolga the status of a port with a capacity to service the requirements of the timber, sugar and banana industries. For a period of 50 years

¹ Fact Sheet 1, Gumbaynggirr Nation, Arrawarra Sharing Culture

this was the stimulus for the growth and development of the town, however, improvements to the port facilities at Coffs Harbour eventually made the jetty redundant and lead to its demolition in the 1950's. Prior to the reservation and gazettal of the land for the purposes of public recreation and resting place in 1931 much of the main beach park and adjacent areas close to the jetty were used for industrial and commercial purposes. Timber getting activities and tram and railway lines and then roads linked this area to the Woolgoolga village and the hinterland. Old plans of the reserve show a tram line leading from the Esplanade (now Hoffmeier Close) north to a storage depot. This area is now dissected by Lake Road and on the north eastern side supports regenerating dunal vegetation.

The removal of the jetty had a substantial impact on the town's economy and in the following years tourism was more actively promoted. The key attraction was the safe beach and the area that was formerly the head of the jetty became the site for the Surf Life Saving Club which traces its beginnings back to 1932. A camping reserve was also established on the site and proved to be very popular. The commercial and industrial activities continued alongside the use of the beachfront areas for recreational pursuits. Aerial photographs dating back to 1943 show clearings behind the beach for camping and day visitation.

In the late 1960's the development of the caravan park at Woolgoolga Beach was formalised with the addition of improved facilities and the area was set aside more specifically for campers and caravanners. The development of facilities in the Woolgoolga Lakeside Caravan Park occurred in the late 1950's.

Thus Woolgoolga Beach Reserve comprises a number of public reserves that were gazetted at different times and for a variety of public purposes. This occurred as land use requirements and the public interest changed over time. The creation of the Reserve demonstrates the foresight of early planners, officers of the Crown, interested community members and visitors in ensuring the Woolgoolga peninsular area was held in trust for the community as public land.

3 STATUTORY FRAMEWORK

3.1 INTRODUCTION

This Draft Plan of Management has been prepared in accordance with the *Crown Lands Act 1989*, to provide a framework for the future management, use and development of the Woolgoolga Beach Reserve. Other legislation including environmental planning policies as well as guidelines and strategies also require consideration especially where any new development proposals are contemplated.

3.2 CROWN LANDS ACT 1989

The objectives and principles of Crown land management are listed in Sections 10 and 11 of the *Crown Lands Act, 1989* and form the starting point for the preparation of Draft Plans of Management. The principles of Crown land management are that:

- Environmental protection principles be observed in relation to the management and administration of Crown land;
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible;
- Public use and enjoyment of appropriate Crown land be encouraged;
- Where appropriate, multiple use of Crown land be encouraged;
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity; and
- Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.

The *Crown Lands Act 1989* and existing policy for the management of Crown land encourages the appropriate commercial use of Reserved Crown land. Appropriate commercial activity can not only meet the needs of public users of a reserve but also generate the financial means required to manage and improve the Crown Reserve system generally. It should be noted that it is a specific requirement of the Act that the proceeds of commercial undertakings on reserved Crown land be spent on the management of reserved Crown land.

Part V of the Act provides that a Council may be appointed as a corporation to manage a Crown reserve. Some of the main provisions of Part V of the Act as they relate to a Council's on-going management are:

- With the Minister's consent, Council as trustee may sell, lease, license or grant an easement or license etc. over part or the whole of a reserve;
- The Act does not prescribe the length of leases or licenses of reserved land;
- The Minister may direct how the proceeds of sale, lease or license is applied;
- If a reserve trust is acting in good faith in its management of the affairs of the reserve trust the liability of its members is safeguarded; and
- The Minister responsible for the Crown Lands Act or the reserve trust (with the agreement of the Minister) may prepare a Plan of Management for the reserve.

Reserve trusts have a statutory responsibility to manage land in the public interest and to achieve the Principles and Objects of Crown Land Management as defined by the Act. The focus of a reserve trust's activities in relation to land under its control is generally defined by the public purpose(s) of the reservation. Where a Plan of Management has been adopted by the Minister for Lands the trust is required to implement the actions described in the Plan. In the absence of a Plan of Management the detail of how a reserve is developed and used is a matter for the trust provided always its actions are consistent with the purpose of the reservation and in conformity with the relevant requirements of the Act. Money generated from commercial activities on the reserve must be spent on the management or development of the reserve although the Minister may direct that money is applied for the improvement of other reserves.

3.2.1 Crown Lands (General Reserves) By-law 2006

The By-law provides a regulatory framework for the general conduct of the affairs of Reserve Trusts including meeting procedures, maintenance of records and accounts and general provisions in relation to the use of the reserve. Division 1 of the By-law has provisions with respect to public access, fees and charges, permitted and prohibited conduct and penalties that may be applied in the event of a breach. Schedule 1 of the By-law lists the reserves to which the By-law applies and Woolgoolga Beach Reserve is included in the schedule.

3.3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The *Environmental Planning and Assessment Act 1979 (EP&A Act)* provides the statutory basis for the development consent process in New South Wales. Section 79C of Part 4 of the *EP&A Act* outlines the factors that a Council must consider when assessing a Development Application. These include:

- any environmental planning instrument;
- any draft environmental planning instrument that has been placed on public exhibition and details of which have been notified to the consent authority;
- any development control plan;
- the Regulations;
- the likely impacts of the development, including environmental impacts on both the natural and built environment, and social and economic impacts on the locality;
- The suitability of the site for the development;
- any submissions made in accordance with the Act or the Regulations; and
- the public interest.

The Act has a range of other provisions that may take effect depending upon the nature of a development proposal and the issues that may be encountered. In recent times the Act has also been amended by the introduction of a new Part known as Part 3A (this is discussed further below) as well as new provisions dealing with methods of assessment and consent authorities.

3.4 RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

3.4.1 NSW Coastal Policy 1997

The *NSW Coastal Policy 1997* was released by the New South Wales Government to replace the 1990 Coastal Policy. The stated purpose of the Policy is:

The main challenge for the Government and the community in the coastal zone is to provide for population growth and economic development without putting the natural, cultural and heritage values of the coastal environment at risk. In recognition of this challenge, the Coastal Policy incorporates the principles of ecologically sustainable development (ESD) into coastal planning. ESD aims to ensure that development occurs in such a way that the ecological processes on which life depends are maintained.

The definition of the coastal zone takes in areas within one kilometre of the ocean, as well as an area of one kilometre around coastal lakes, lagoons, islands, estuaries and rivers. The Policy addresses a number of key coastal themes including:

- population growth in terms of physical locations and absolute limits;
- coastal water quality issues, especially in estuaries;
- disturbance of acid sulfate soils;
- establishing an adequate, comprehensive and representative system of reserves;
- better integration of the range of government agencies and community organisations involved in coastal planning and management;
- indigenous and European cultural heritage; and
- integration of the principles of ESD into coastal zone management and decision making.

The Policy sets out a hierarchy of goals, objectives and strategic actions which include an emphasis on improving water quality and maintaining public access to the coastline.

The Coastal Policy proposes a range of management planning approaches including catchment management plans be implemented in consultation with relevant agencies to ensure sustainable development and use of natural resources occurs in harmony with the protection of the environment. A Plan of Management under the Crown Lands Act 1989 is one of the most valuable management tools available to implement the Policy.

3.4.2 State Environmental Planning Policy No. 21 – Caravan Parks

In 1986 the Government made changes to the prevailing legislation to allow both short-term and long-term accommodation to occur in caravan parks by way of moveable dwellings. This brought about a wider definition for caravan parks.

State Environmental Planning Policy No. 21 – Caravan Parks (SEPP 21) was prepared in order to ensure that this wider meaning applied to all relevant planning instruments whether existing or proposed. In essence the SEPP stated that where caravan parks are a permissible land use they will take on this wider meaning.

In addition, the Policy makes development consent mandatory for all new caravan park proposals regardless of local instruments. Council's are also required to have regard to the impact of new long and/or short-term dwelling sites on residential and tourism land uses and operations in their local area.

A key element of the Policy is found in Clause 8, sub-clause (4A). The clause removes the effect of any other environmental planning instrument and the need for a development application with respect to the installation of moveable dwellings on land approved for use as a caravan park.

3.4.3 State Environmental Planning Policy No 44

State Environmental Planning Policy No 44 – Koala Habitat Protection seeks to protect koala habitat by requiring a plan of management for all developments in core koala habitat and by encouraging core koala habitat to be included in environment protection zones in LEPs. The adoption of a Comprehensive Koala Plan of Management that covers the entire Coffs Harbour Local Government Area implements a consistent approach and replaces the requirement under SEPP 44 for proposed developments in the LGA to address koala issues in individual plans.

3.4.4 State Environmental Planning Policy No .71

State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71) was introduced in October 2002 as part of the NSW Government's Coastal Protection Package. SEPP 71 applies to the coastal zone of the State as defined in the Coastal Protection Act 1979. The Policy gives statutory force to some of the elements of the *NSW Coastal Policy 1997* and makes the Minister for Planning the consent authority for certain developments. The Policy also defines a category of sensitive coastal locations. Finally, the Policy identifies master plan requirements for certain developments in the coastal zone.

While the policy primarily comes into consideration when a development application is submitted for determination the objectives and general principles established in the SEPP should be recognised as relevant to any coastal planning exercise. The objectives of SEPP 71 are:

- a) *to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales Coast, and*
- b) *to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and*
- c) *to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and*
- d) *to protect and preserve Aboriginal cultural heritage and Aboriginal places, values, customs, beliefs and traditional knowledge, and*
- e) *to ensure that the visual amenity of the coast is protected, and*
- f) *to protect and preserve beach environments and beach amenity, and*
- g) *to protect and preserve native coastal vegetation, and*
- h) *to protect and preserve the marine environments of New South Wales, and*
- i) *to protect and preserve rock platforms, and*
- j) *to manage the coastal zone in accordance with the principles of ecologically sustainable*

development (within the meaning of section 6(2) of the Protection of the Environment Administration Act 1991), and

- k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic qualities of the surrounding area, and*
- l) to encourage a strategic approach to coastal management.*

Clause 8 of the Policy establishes a list of the matters that a consent authority must take into consideration in assessing developments in the coastal zone.

3.4.5 State Environmental Planning Policy – Major Development and State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Major Development) 2005 commenced on 29th July 2005 and underwent a substantial revision which came into effect on 1st July 2009. Further amendments were made in 2011. The purpose of the Policy was to identify projects to which the development assessment requirements under Part 3A of the Act should apply and to set out the functions of Regional Planning Panels in determining specified development applications.

The changes which occurred in 2011 relate to the removal of Part 3A from the *EP&A Act* and consequently the SEPP now only contains some basic transitional provisions related to that previous regime. *State Environmental Planning Policy State and Regional Development (SRD) 2011* commenced when Part 3A of the Act was repealed.

Among other things this Policy establishes what types of development constitute State Significant Development (SSD), State Significant Infrastructure (SSI) as well as Regional Development (in conjunction with Schedule 4A of the EP&A Act).

A review of the Policy highlights that for tourist caravan park development to be classified as State Significant Development the site has to be classified as a sensitive coastal location, the capital investment value (CIV) of the work must be \$10 million or more and the facility must be considered to be a tourist related facility which is other than a 'commercial premises'.

The capital investment value for a project is determined to be the cost of establishment of the facility. In the case of a caravan park this value excludes components such as cabins. The facility comprises the creation of the infrastructure which includes the short term dwelling sites and all services but cabin accommodation is viewed as 'discretionary spending' as the sites can be utilised with or without cabins.

It is also possible that the proposed development work could constitute Regional Development. This occurs by way of Schedule 4A of the *EP&A Act* coupled with the provisions of the SEPP. The Schedule indicates that development with a capital investment value of more than \$20 million is classified as Regional Development and is determined by a Joint Regional Planning Panel. Similarly, a Crown Development (a particular type of development) having a capital investment value of more than \$5 million is classified as Regional Development and is determined by a Joint Regional Planning Panel.

The development program proposed as part of this Plan of Management for the Woolgoolga Beach Caravan

Park does not fall within the various provisions of the *State and Regional Development SEPP* outlined above.

3.4.6 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 provides that certain types of works do not require development consent under Part 4 of the *EP&A Act*. However, it does not prevail over *SEPP 14 – Coastal Wetlands*, *SEPP 26 – Littoral Rainforests* or *SEPP State and Regional Development* where there are inconsistencies. Further, the Infrastructure SEPP does not remove the requirement to obtain consent from the Minister in relation to State Significant Development.

Clause 20 of *SEPP (Infrastructure)* provides that a range of works are “exempt development” when carried out on behalf of a public authority. These works are itemised in Schedule 1 of the SEPP and include paths and ramps for disabled access, fencing, small decks, prefabricated sheds of up to 30 m² in area, retaining walls up to 2m in height, landscaping including paving and access tracks, minor external and internal alterations to buildings, open car parks (size is not specified) and demolition of buildings covering an area of up to 100m².

Clause 65 (2)(d) of the Policy provides that in respect of land reserved within the meaning of the *Crown Lands Act 1989*, development can be carried out without consent by or on behalf of the Director-General of the Land and Property Management Authority, a trustee of the reserve or the Ministerial Land Corporation, or an administrator of the reserve if the development is for purposes of implementing a plan of management adopted for the land. It should be noted that where this occurs, a review of environmental factors (REF) under Part 5 of the Act is usually undertaken.

Clause 65 (3) of the Policy provides that development for any of the following purposes may be carried out by or on behalf of a council without consent on a public reserve under the care and control or vested in Council;

- (a) roads, cycleways, single storey car parks, ticketing facilities and viewing platforms;
- (b) outdoor recreational facilities, including playing fields, but not including grandstands;
- (c) information facilities such as visitors’ centres and information boards;
- (d) lighting, if light spill and artificial sky glow is minimized in accordance with AS/NZS 1158: 2007 *Lighting for Roads and Public Spaces*;
- (e) landscaping, including irrigation schemes (whether they use recycled or other water)
- (f) amenity facilities;
- (g) maintenance depots;
- (h) environmental management works.

Pursuant to the provisions of Clause 66(2) a number of additional works may be able to be undertaken as exempt development on a Crown reserve where a plan of management has been adopted.

Clearly the provisions of this SEPP are relevant to the future implementation of this Plan of Management as well as to the Trust’s ongoing management of the Reserve lands.

3.5 COFFS HARBOUR LOCAL ENVIRONMENTAL PLANS

The *Coffs Harbour* Local Environmental Plan 2000 (*LEP*) provides the primary planning framework for the Reserve. The general aims of the LEP in relation to statutory land-use planning for Coffs Harbour are:

- (a) to provide a single local environmental plan for the City of Coffs Harbour, and
- (b) to encourage economic growth and development within the City, and
- (c) to provide for development within the City in an ecologically sustainable manner, and
- (d) to improve the well-being of people within the City.

The objectives of the Plan are:

- (a) to provide a policy framework for the preparation of more detailed development control plans, and
- (b) to identify areas for compatible development opportunities, and
- (c) to protect environmentally sensitive areas and the City's heritage, and
- (d) to allow for the equitable provision of social services and facilities for the community.

The land covered by this plan of management is zoned 6A Open Space Public Recreation. The range of land-use permitted in the 6A zone is limited by the objectives of the zone and the content of Plans of Management is a critical part of the development control process. Any development, apart from a brothel, that is authorised by an adopted Plan of Management is permissible without the consent of Council. *SEPP - Infrastructure* also provides for "development without consent" on the basis of the provisions of an adopted Plan of Management. See Figure 02 for land-use zones.

The *Draft Coffs Harbour LEP 2013* was adopted by Council on 13 December 2012 and forwarded to the Department of Planning for gazettal under Section 68 of the *Environmental Planning & Assessment Act 1979*. The Draft Plan has been prepared and exhibited pursuant to the State Government's intention to establish new Standard Local Environmental Plans throughout the State. In the Draft Plan, a majority of the reserve will be Zone RE1 Public Recreation which allows "caravan park" as a land-use that is permissible with consent. An area in the south west corner of the caravan park will be Zone R1 General Residential which also allows "caravan park" as a land-use that is permissible with consent. The land which is the current site of the Woolgoolga Surf Life Saving Club will be zoned RE 2 Private Recreation

3.6 LOCAL GOVERNMENT ACT 1993

While *the Local Government Act 1993* contains a range of provisions that have relevance to the management and improvement of the Reserve an aspect of particular importance is the approval requirements for the operation of caravan parks that flow from Section 68 of the Act.

Section 68 of the Act requires the owner or manager of a caravan park to seek an approval from Council to operate a caravan park and, in certain circumstances, the prior approval for the installation of moveable dwellings. Council can impose conditions on the operation and structure of a caravan park. The current Section 68 Approval to Operate for Woolgoolga Beach Caravan Park is included at Appendix 1.

3.6.1 Local Government (Manufactured Homes, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

This Regulation contains standards for the development and operation of caravan parks and addresses technical planning and design standards with respect to site types, setbacks from roads, boundaries and facilities, site coverage, road dimensions, provision of amenities, installation of moveable dwellings and the like. Clause 74 of the Regulation provides that the prior approval of a council is not required for the installation of a relocatable home or an associated structure on a dwelling site within a caravan park so long as it is designed and constructed in accordance with the requirements of the regulations. This exemption is modified by Clause 75 which requires prior approval of Council for installation of or modification to a relocatable home, rigid annex or associated structure on flood liable land.

3.7 RURAL FIRES ACT 1997 – refer to Figure 02.

Amendments to the *Rural Fires Act 1997* have led to the mapping of bush fire prone lands and a requirement for development proposals to respond to the requirements of the “*Planning for Bushfire Protection 2006*” Guidelines. In addition the Act now defines a number of different land uses including tourist accommodation within the category of “special fire protection purpose”. Development proposals coming within this category need to respond to a more restrictive set of requirements in the guidelines.

Bushfire Prone Land mapping found on the Coffs Harbour City Council web site indicates that the vegetated area running north-south along the Lake Road peninsula and portions of the Lakeside Caravan Park is designated as fire prone land. Where this designation occurs and a proposed development is for a special fire protection purpose, a bushfire safety authority must be obtained from the Rural Fire Service. This is achieved by way of a report prepared by a bushfire specialist that usually accompanies and is assessed as part of the development application.

3.8 RESIDENTIAL PARKS ACT 1998

This legislation was developed by the Government to ensure that the rights of permanent park residents and owners were clearly defined and that appropriate processes and procedures were established in this regard. The Act has greatest significance in caravan parks which are given over wholly to permanent residents or in parks with large numbers of residents. In 2006 the Act was reviewed, revised and amended.

3.9 THREATENED SPECIES CONSERVATION ACT 1995

The *Threatened Species Conservation Act 1995* is the main legislation protecting threatened species of fauna and flora in NSW. The Act and the *Threatened Species Conservation Regulation 2002* contain a comprehensive framework for listing threatened species. Individual species, populations and ecological communities may be listed under the legislation once a point is reached where there is an identifiable level of endangerment including “vulnerable”, “endangered” and “critically endangered”. The legislation also has a role in improving the identification, conservation and recovery of threatened species and reducing the threats faced by those species.



LAND USE ZONING - COFFS HARBOUR LEP 2000



BUSHFIRE PRONE LAND

ZONING - COFFS HARBOUR LEP 2000

- 2E RESIDENTIAL TOURIST
- 6A OPEN SPACE PUBLIC RECREATION
- 6C PRIVATE RECREATION ZONE
- SECONDARY KOALA HABITAT

BUSHFIRE PRONE LAND

- CATEGORY 1
- CATEGORY 2

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3.10 POLICIES AND GUIDELINES

The following non-statutory policies and guidelines are relevant to the implementation of this Plan of Management. It is expected that the management of the Reserve will review policies and guidelines as they are updated or changed and will modify operational and development activities accordingly.

3.10.1 Sea Level Rise

In September 2012 the NSW Government made a number of significant changes to way in which the planning and development on the coast is managed. As part of the reform package the 2009 NSW Sea Level Rise Policy Statement was withdrawn with a view to providing greater flexibility in considering local conditions in the determination of future hazards and preparing coastal management plans. The key components of the first stage of the NSW Government's coastal reforms have;

- Removed the recommendations in regard to statewide sea level rise benchmarks;
- Given support local councils in the determination and adoption of projections with specific relevance to the local conditions;
- Provided clarity with respect to the preparation and issue of Section 149 planning certificates; and
- Made it more straightforward for landholders to install temporary works to reduce the impacts of erosion.

Coffs Harbour City Council has developed a range of policies and programs that allow for ecologically sustainable growth in coastal areas while addressing the risk to life and property from coastal hazards and flooding. This Plan of Management will provide a planning framework for the next five to ten years for Woolgoolga Beach Reserve and it is anticipated that as the accuracy of sea level rise projections improve over time the Plan may need to be reviewed. Most of the existing infrastructure of the Reserve and the Caravan Park has a short to medium term design life or remaining life. New development will be engineered to meet the requirements of the Council's planning and regulatory controls with respect to coastal development.

3.10.2 Crown Lands Caravan Park Policy

The Crown Lands Caravan Parks Policy was issued in 1990 by the former Department of Lands. The primary impetus for the creation of the Policy was to address issues of long-term residency, the numbers of holiday vans and to improve the appearance and management of caravan parks. The Policy establishes policies, objectives and strategies relevant to the future management and development of caravan parks on Crown land in NSW.

The objectives of the Crown Lands Caravan Parks Policy are:

- a. *to develop a caravan park and camping ground system on Crown land which meets the needs of the community and provides a range of facilities for short-term use, long term use and camping.*
- b. *to manage caravan parks on Crown land in an environmentally acceptable manner, to provide for the protection of important scenic, natural and cultural resources consistent with the objects and*

principles of the Crown Lands Act, 1989.

- c. *to ensure that caravan parks and camping grounds on Crown land are managed in a way that provides appropriately for the recreational and social needs of the community.*
- d. *to encourage the entrepreneurial management of caravan parks on Crown lands in order to provide the community with an appropriate standard of facility and the government with an optimum financial return for the land it provides.*

It is clear, particularly from objective (d) above, that the intent of the Crown Land Caravan Parks Policy is that there will be a commercial orientation in the management of Crown caravan parks. However, this objective is one of a set of objectives of equal weight and therefore matters of environmental and community need must be addressed alongside financial considerations.

3.11 LOCAL PLANS, POLICIES AND STRATEGIES

Coffs Harbour City Council has a range of other controls, policies, guidelines and strategies in place. These take the form of development control plans (DCPs), development guidelines and the like. Depending upon the proposed activities, works or development proposals that emerge in the Reserve over time a number of the following documents are among those that may require consideration;

- Coffs Harbour 2030 Plan is a strategic plan for the entire local government area which has an emphasis on sustainability and the value of the area's natural environment and its significance to the community;
- Council's Delivery Program and Operational Plan, which sets overall objectives and performance targets for activities, budgets and other issues relating to open space and recreation management;
- Coffs Harbour Coastal Reserves Plan of Management (2000)
- Coffs Harbour Recreation and Open Space Strategy;
- Coffs Harbour Regional Vegetation Management Plan and the Coffs Harbour Vegetation Study 1996;
- Class 5 Vegetation Mapping, 2012;
- Coffs Harbour Koala Plan of Management 1999;
- Coffs Harbour Waterways Catchment Management Committee Strategic Plan 1997;
- Coffs Harbour Biodiversity Action Strategy 2012- 2030;
- Bushfire Management Plans;
- Council policies (facilities for people with disabilities, dogs, horses, vehicles on beaches, etc.); and
- Social and cultural plans.

The following sub sections provide a brief outline of some key documents that have specific relevance.

3.11.1 Coffs Harbour 2030 Plan, 2009

Coffs Harbour 2030 Plan is a strategic plan for the community of Coffs Harbour. It establishes the Vision for Coffs Harbour and sets out to identify the goals and strategies to achieve the Vision. The Vision is stated as:

“Coffs Harbour is a model of sustainable living. We value, respect and protect our natural environment and acknowledge that it sustains us and future generations. We work together to live sustainably. We have respect for, and learn from, our diverse communities of many ages and cultures. We are healthy, caring and actively engaged in our communities. We move around safely, easily and sustainably. Our economy is strong and diverse and our businesses are leaders in innovation and sustainability. We value all people and use the goodwill in our community to build a better future for our children. We think globally and act locally.”

The 2030 Plan is modelled around five key themes, three of which have relevance to Woolgoolga and therefore this Plan of Management. The relevant themes are: Learning and Prospering; Places for Living; and Looking after our Environment.

In summary, **sustainable tourism** is identified in the Plan as a key market with capacity to supply rewarding employment opportunities that will underpin a strong and diverse local economy through sustainable business models and practices. Innovative and sustainable building design is seen as central to a built environment tailored for sustainable living. It is envisaged that the creation of urban spaces and the development of inviting harbour and foreshores will result in a strong sense of community, identity and place and as well as being a focal point for the city and people. The plan aims to protect and expand public spaces and facilities that are accessible, safe and child friendly. The reduction of the city’s ecological footprint and responsible management of the natural assets will be achieved through the implementation of land use policies and practices that endeavour to conserve and restore the region’s unique environment and biodiversity values.

3.11.2 Coffs Harbour City Council Open Space Strategy 2010 – “Connecting Parks and People”

With over 250 public reserves managed by Council, the Open Space Strategy aims to guide the planning, development and management of the public open spaces and detail Council’s intent in relation to the protection, development and management of its open space network.

It is considered that the extensive and diverse array of open space is an asset of the Coffs Harbour community that enhances the lives of all residents but is also seen as valuable to the wider community of NSW. As stated in the City’s 2030 plan, it is the vision of the City that the creation of open spaces and the development of inviting harbour and foreshores will result in a strong sense of community, identity and place and as well as being a focal point for the city and people.

The plan proposes the introduction of a *Capital Works Prioritisation Framework* that will assist the Council to assess, evaluate and prioritise nominated open space improvement projects against a set of weighted recreation needs and benefits criteria as well as its ‘readiness to proceed’.

The Strategy endeavours to respond to the impact of high visitation to foreshore areas and an increasing community expectation on the quality and design of public areas, changes in population distribution and the resulting changes in the use of open spaces and influence of environmental changes which have or will impact on the natural environments.

The Open Space Strategy aims to achieve the following outcomes;

- Keep pace with the open space demands of a growing city;
- Improve community health & wellbeing;
- Provide for social and family recreation;
- Provide a diverse, equitable and accessible network of open space and opportunities;
- Protect biodiversity and key habitats;
- Respond to forecast climate change;
- Provide sustainable and cost effective management;
- Promote partnerships and community engagement; and
- Optimise sporting opportunities.

In relation to Woolgoolga (identified as Precinct 2), the following actions are identified;

- Investigate a new location for an upgraded Skate Park in Woolgoolga.
- Improve swimming and non-motorised water craft opportunities at Woolgoolga Lake.
- Provide for events including theatre, music and arts in public open space at appropriate times.
- Create a connected open space network that can fulfil a range of functions including social and family recreation.
- Pursue, where practical, the dedication of key lands as public open space performing habitat and/or corridor functions, that will add value to existing open space, in conjunction with any residential development of lands identified in Council's current urban growth strategies.
- Consult with LPMA/Reserve Trust regarding consideration of the addition of Woolgoolga Beach Reserve to the Coffs Coast State Park.
- Develop a Master Plan for the Woolgoolga Beach Reserve and embellish to a **District Social Family Space** through redesign and provision of facilities for wider age ranges, paths, picnic facilities, car parking & amenities.
- Work with relevant agencies to effect road closure at Lakeside reserve and reclassification to Public Reserve. Upgrade to a **local Social Family Recreation (SFR) space**, with improved play space, picnic facilities and landscaping. Investigate options for redressing erosion problems. Rationalise and improve car parking.
- Formalise walkway around Woolgoolga Headland, as part of Solitary Islands Coastal Walkway.

The attributes of a **District Social Family Space** are:

- Meeting place; shade and shelter, seating and drinking water, access to nature, all accessible to people with a disability.
- Some areas to have picnic/BBQ, toilets, additional facilities might include skate facilities, free access tennis & basketball courts etc.
- Some to have irrigated green lawns, formed path (not necessarily sealed) and lights and rubbish collection system.
- Mix of 4 or more recreation activity areas catering for broad cross sections of the community;
- Incorporation of natural features for play.
- Inclusive of people with disabilities;
- Car parking provided in addition to on road parking;
- "Play" provisions also apply;
- Preferably minimum size 2 hectares. Provision of toilets;

- Integration with existing walkways/cycleways and link to off road trail networks.

While there are some additional facilities proposed for the Woolgoolga Beach Reserve the area adjacent to the Town Centre already has a majority of the characteristics and the facilities identified in the Strategy as being the attributes of a “District Social Family Space”. A key focus for the ongoing improvement of the space will be improvements to the facilities and accessibility for people with disabilities.

3.11.3 Coffs Harbour Coastal Processes and Hazards Definition Study

The study represents the initial stage in developing a Coastal Zone Management Plan to address such risks in the Coffs Harbour local government area. The Study includes a technical assessment of the possible threats posed by climate change, extreme weather and sea level rise. The study uses the NSW Government's scientific guidelines and forecast sea level rise and investigates the coastal processes occurring along the Coffs Harbour LGA coastline and the extent of the coastal hazards that are likely to arise from these processes.

The Study looks at the likelihood of either coastal erosion or coastal inundation during extreme weather at three different timescales. These are 'Immediate', in the year '2050' and in the year '2100'. At each of these timescales, maps and hazard lines have been developed for the LGA that show erosion or inundation on the basis of 'almost certain', 'unlikely' and 'rare'.

The purpose of the Study is simply to identify those potential coastal hazards. Subsequently the Coastal Zone Management Plan will put in place the strategies needed to mitigate the impacts of identified potential hazards. The second stage of the process which identifies and evaluates management options is currently in progress.

3.11.4 Coastal Zone Management Plan

Council has completed Stage 1 of the coastal zone planning process via the Coffs Harbour Coastal Processes and Hazard Definition Study. The Study identified the likelihood of hazards occurring such as beach erosion, coastal inundation and the impacts of sea level rise on these hazards by 2100. Council is now progressing through Stages 2 and 3 which involve investigating all potential options for managing coastal hazards. Consultation was undertaken with the community during March 2012, including at Woolgoolga, to present the benefits and trade-offs that are relevant to the planning options and to establish an understanding of the community's preferences for the options. The Preliminary Draft Report from Stage 2 which contains the results of the risk assessment exercise and the proposed management options was prepared by BMT WBM Pty Ltd.

3.11.5 Class 5 Vegetation Mapping, 2012

In December 2012 Council adopted the Class 5 Vegetation mapping layer (Version 1.1 2012) and associated documents which detail and illustrate the vegetation communities of the Coffs Harbour local government area. For the first time, all Coffs Harbour vegetation communities have been consistently classified and mapped across the entire local government area. This will provide information on the type and extent of vegetation communities in the in the Council area and enable the identification of threatened ecological

and vegetation communities that are under-represented in the reserve system. It will also facilitate comparisons of vegetation community distribution and extent across the local government area.

The development of the 'Class 5' vegetation map is a multi-agency initiative supported by Coffs Harbour City Council, the Office of Environment Heritage and the Northern Rivers Catchment Management Authority. It is anticipated the fine-scale vegetation map will be adopted by a range of end-users and natural resource managers and be considered the 'benchmark' for vegetation assessment in Coffs Harbour.

Large areas of rainforest and wet sclerophyll forest are mapped in the west and south of the local government area across the fertile areas of the eastern Dorrigo Plateau, escarpment ranges and the upper reaches of the Orara and Bucca valleys. In contrast, much of the sandstone and coastal landscapes in the north support large stands of dry sclerophyll forest, heathlands and forested wetlands. Overall, the variety of soil moisture gradients, geologies and altitudes support a diverse array of vegetation communities. The coastal areas have the most complex vegetation patterns with this being reflected in the number of communities mapped in those areas.

3.11.6 Coffs Harbour Coastal Reserves Plan of Management 2000

This Plan was prepared to guide the future management, use and development of coastal Crown reserves for which Coffs Harbour City Council is the appointed Corporate Manager of the Reserve trust. The Plan incorporates and supplements the existing Plan of Management for the Woolgoolga Lake Reserve and provides guidance with respect to the management of the estuary, dune system and headland. The Plan specifically excludes Woolgoolga Beach Reserve because it was managed by a Community Trust at the time the Plan was prepared. However, many of the proposed strategies and management actions included in the Plan are relevant with some having a direct impact on land that is covered by this Plan.

3.11.7 Koala Plan of Management 1999

The Koala Plan of Management was adopted in 1999 and aims to provide a consistent approach to koala management and planning throughout the Coffs Harbour City local government area. The Plan is a Comprehensive Koala Plan of Management pursuant to the provisions of SEPP 44. The Plan reduces the requirements in relation to assessments of koala habitat for new development proposals. Koala habitat has been defined and mapped in the Plan and specific management and planning guidelines established. Land within the Reserve on the western side of Lake Road has been identified and mapped as secondary koala habitat and development and management activities within the reserve must recognise the provisions and guidelines established in the Plan. Refer to Figure 02 for area of secondary koala habitat.

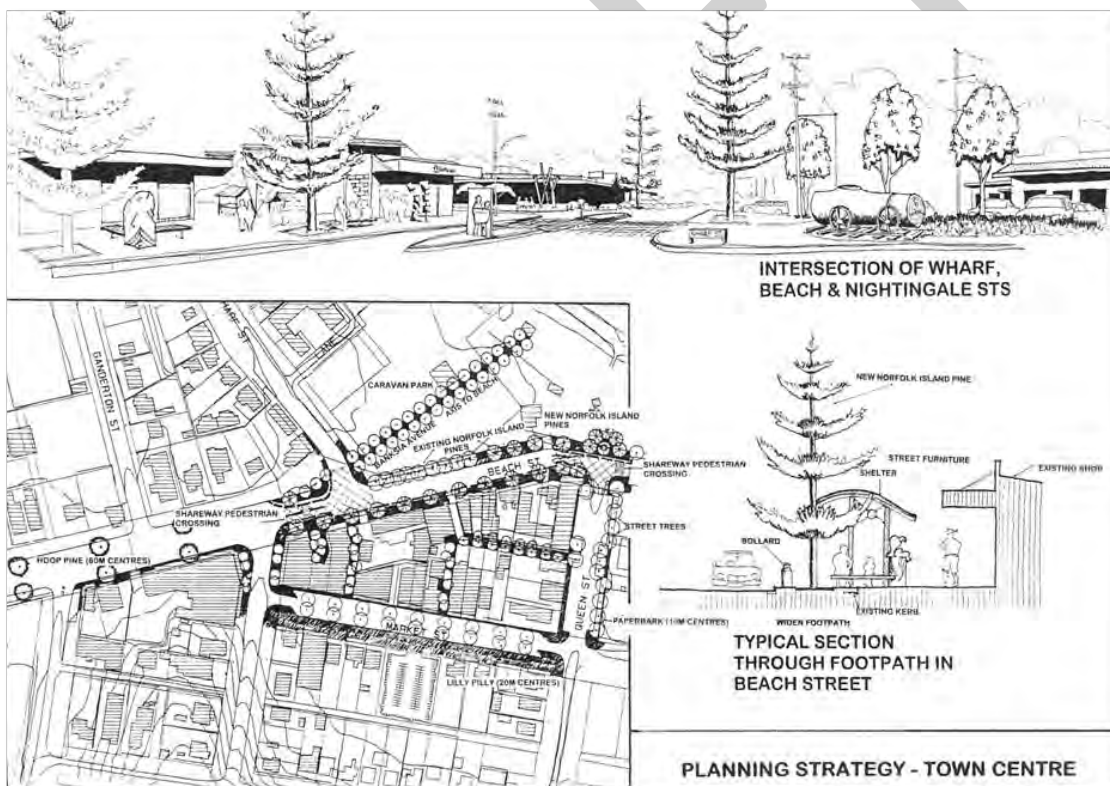
3.11.8 Woolgoolga Town Centre Study 1996

While this particular study was prepared some 15 years ago it has been a significant influence in determining the way in which Woolgoolga has developed over the past 10 years. A number of conclusions from the study have been reflected in Council's planning framework and have had an impact on development proposals and facilitated improvements to the commercial, traffic, residential and open space environments of Woolgoolga.

With respect to the Woolgoolga Beach Reserve the Town Centre Study strongly advocated the preservation and improvement of the facilities and opportunities the Reserve provides for residents and visitors. In particular the study identifies the critical importance of tourism for the economic well-being of Woolgoolga and the significant role of caravan parks in the provision of tourist accommodation. While the study raised the possibility of relocating the Woolgoolga Beach Caravan Park to increase the supply of public open space it also outlined the negative impacts that could be associated with such a step. The Masterplan presented in the Study recommended a number of initiatives which impact on the Reserve and the facilities it provides including;

- The creation of a “pedestrian avenue” through the Reserve to link the Town Centre to the beach and form a “vista”. This proposal required a reduction in the area of the caravan park and was in part predicated on a view that a new caravan park could be developed nearby to address the identified need to preserve the total provision of tourist accommodation; and
- Creation of a “market square” related to the area currently used by the WWSR for its monthly markets.

The relevant sketch plans from the Masterplan are reproduced below.



3.12 OTHER STATUTORY AND POLICY DOCUMENTS

There are a number of other documents that are relevant to the ongoing management of the reserve or that have been considered in the preparation of this Plan including;

- *Native Vegetation Conservation Act 1999;*

- *SEPP No.14 – Coastal Wetlands;*
- *Environmental Conservation and Biodiversity Protection Act 1999;*
- *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales;*
and
- *Disability (Access to Premises - Buildings) Standards 2010, Disability Discrimination Act 1992.*

3.13 SUMMARY

The management, operation and development of the Woolgoolga Beach Reserve are subject to a number of statutory controls. It is a fundamental requirement of this Plan of Management that the Reserve Trust Manager will comply with the requirements of applicable legislation and regulations and seek to implement approvals and consents.

Government Departments and agencies also maintain policy and guideline material that may be relevant.

DRAFT

4 EXISTING SITUATION

4.1 DEVELOPMENT AND FACILITIES

There is a range of improvements located throughout the Reserve which have a significant capital value and contribute positively to the community's use and enjoyment of the Reserve. The following provides a summary of the nature and purpose of those improvements. For the purposes of this Draft Plan of Management the Reserve will be referred to in terms of four management units shown in Figure 03;

- Headland;
- Woolgoolga Beach Public Open Space;
- Woolgoolga Beach Caravan Park; and
- Dune System.

4.1.1 Headland

The Woolgoolga Headland is at the south eastern extremity of the Reserve. The Headland is an exposed environment and supports dwarf heath vegetation communities. It is valued for its visual quality and prominence on the coastal landscape and for providing open and elevated locations with panoramic coastal views. The narrow section of the Headland on the northern side of Pollack Esplanade is part of Reserve 63076 for Public Recreation. This area is primarily accessed for walking but does contain two picnic shelters and garbage bins. While the area of land is small there are a number of management issues to be addressed including erosion control, protection and restoration of native vegetation and the appropriate design and location of viewing facilities, signs and pedestrian access.

4.1.2 Woolgoolga Beach Public Open Space

The southern end of Woolgoolga Beach and the adjoining areas of public open space are a major recreational focus for Woolgoolga and Coffs Harbour residents and visitors to the region. The beach is a dynamic natural system, subject to wave action, tidal influences and sand migration. Woolgoolga Beach also forms an important part of the marine fish habitat. Management issues relating to the beach include sometimes overlapping responsibilities of multiple management authorities, beach erosion, seaweed removal, bait collection, surf life saving and water safety, boat launching and boating safety, litter and access for dogs, horses, boats and vehicles.

The Public Open Space provides an expansive natural setting for a range of recreational pursuits and a number of commercial activities and supports a range of regular community events including monthly markets and a local food festival. Sustainable management and development of the facilities and services in the Public Open Space is essential for the community and the tourist use of the area contributes to the local economy.

The Public Open Space provides a range of facilities that support access to the beach and the ocean and is the focal point for the link between the town centre and the beachfront. There is a variety of day use and recreational facilities located in the areas which adjoin Caravan Park and the main commercial area of

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NATURAL ENVIRONMENT	TO RECOGNISE, PROTECT, Attachment THE ENVIRONMENTAL VALUES AND RESOURCES AND SCENIC QUALITY OF THE RESERVE.
CULTURAL VALUES	TO RECOGNISE, INTERPRET, AND PROMOTE VALUABLE INDIGENOUS AND EUROPEAN CULTURAL HERITAGE RELATING TO THE RESERVE AND THE LOCAL AREA INCLUDING THE CONTINUATION OF TRADITIONAL HOLIDAYING ACTIVITIES.
RECREATION	TO PROVIDE FOR A RANGE OF RECREATIONAL AND HOLIDAY ACTIVITIES BASED ON THE NATURAL AND CULTURAL FEATURES OF THE RESERVE.
CARAVAN PARK	TO OPTIMISE THE CONTRIBUTION OF THE CARAVAN PARK TO THE RESERVE BY PROVIDING A VARIETY OF TOURISM ACCOMMODATION OPTIONS WITH AN EMPHASIS ON FAMILY AND ECOLOGICALLY SUSTAINABLE HOLIDAY OPPORTUNITIES. IN ADDITION THE ACCOMMODATION AND SOCIAL NEEDS OF EXISTING CARAVAN PARK LONG-TERM RESIDENTS MUST BE CONSIDERED TO ENSURE THEIR RIGHTS ARE RESPECTED AS WELL AS THEIR FINANCIAL CONTRIBUTION TO THE MANAGEMENT AND IMPROVEMENT OF THE RESERVE.
UTILITY SERVICES	TO PROVIDE NECESSARY SERVICES SUCH AS RETICULATED WATER, POWER, SEWERAGE DISPOSAL AND DRAINAGE IN AN EFFICIENT AND ENVIRONMENTALLY ACCEPTABLE MANNER.
SAFETY AND PUBLIC HEALTH	TO PROVIDE AND MAINTAIN FACILITIES, IN A MANNER THAT MINIMISES RISK TO RESERVE USERS AND PROMOTES A HEALTHY LIFESTYLE.
RESERVE INFORMATION	TO EFFECTIVELY INFORM PEOPLE OF THE F0C0FJ9NC5HF-6I HQZ 57HJ-4H9G5B8 FACILITIES AS WELL AS APPROPRIATE WAYS TO USE AND CARE FOR THE RESOURCES OF THE RESERVE.
INTEGRATED COASTAL MANAGEMENT	TO PROMOTE AND ASSIST INTEGRATED COASTAL LAND MANAGEMENT ASSOCIATED WITH THE USE AND IMPROVEMENT OF THE RESERVE

the town including;

- Barbecue and picnic shelters;
- Public toilets and beach showers;
- Numerous seats and picnic tables;
- A children's playground;
- A public boat launching ramp;
- Car and boat trailer parking areas;
- Information signage for the Solitary Islands Marine Park; and
- A fish cleaning table.

The Coffs Harbour City Council Open Space Strategy 2010 has defined this part of the Woolgoolga Beach Reserve as a **District Social Family Space** and requires the development of a Masterplan and redesign which will propose facilities for wider age ranges, paths, picnic facilities, car parking & amenities. These objectives are consistent with and complement the longstanding proposal for the development of a "pedestrian avenue" to create a "vista" and a link from the town centre to the beachfront.

The area leased by Woolgoolga Volunteer Sea Rescue supports a substantial brick building with tiled roof. The building provides garaging for rescue craft and equipment, offices and a hall. The hall is used for Woolgoolga Volunteer Sea Rescue meetings and fund raising events and can be hired by members of the community. A small two storey section on the north eastern corner of the building houses communication equipment. The Volunteer Sea Rescue also has tenure over an adjacent area which is used to run monthly markets.

The Woolgoolga Life Saving Club is located adjacent to the Caravan Park beach access to the south of the end of Hoffmeier Close. The land is leased Crown land and not part of the Woolgoolga Beach Reserve, however, access to the clubhouse is provided through the Reserve and the Caravan Park and must be adequately maintained. In a practical sense the site of the clubhouse is an integral part of the beachfront public domain. Current and emerging policy with respect to sea level rise, climate change and coastal recession would suggest the existing location of the clubhouse will not be an appropriate long term planning and design response. The existing clubhouse is dated and no longer fulfils the current and future requirements of the Club. It is therefore an appropriate time to bring forward consideration of long term options for meeting the operational requirements of this essential community organisation.

4.1.3 Woolgoolga Beach Caravan Park – refer to Drawing WB - 01

Woolgoolga Beach Caravan Park occupies an area of 1.7125 hectares within Reserve 63076 and is managed by Council as Trustees of the Reserve. The Park is on the southern end of Woolgoolga Beach, north of the main public parking area and boat ramp and adjacent to the shops and cafes on Beach and Wharf Streets. The Park's Beach Street frontage is lined with mature Norfolk Island Pines. The boundaries of the Caravan Park have been established for operational purposes and to define the limits of the Park within the larger Reserve. There is no perimeter fencing on either of the frontages to Beach or Wharf Streets although some denser vegetation provides screening for Park guests on Wharf Street.

The Caravan Park is a long-standing component of the character of the Woolgoolga Town Centre. With three quarters of the boundaries being unfenced it is an area that is freely accessed by the public. Thus long-term residents, campers, caravanners and other holiday makers who stay in the Caravan Park are in constant contact with local residents and other visitors. While this may give the Park a unique character it presents a range of management challenges particularly with respect to security.

The operational approval for Woolgoolga Beach Caravan Park is issued pursuant to Section 68 of the Local Government Act 1993 and provides for the following sites;

Long Term	Short Term	Campsites	Total
25	83	0	108

The current allocation of operational sites in use within the Park is as follows;

Long Term	Short Term and Campsites				Total
	Powered	Cabins & Park Vans	Holiday Van	Unpowered	
8	80	18	0	0	106

The entry to the Caravan Park is taken from Beach Street with the Reception Area, Office, Manager’s Residence and a public parking area all situated within the entry precinct. The Park entry does not provide an attractive sense of arrival with large areas of hard surface and poor delineation between public day-use areas and the Caravan Park. The Park is well maintained and the principal buildings and infrastructure are in good serviceable condition, however, the style of buildings (amenities and office/residence) could not be regarded as complementary to the coastal context of the Park and tend to dominate the landscape.

There are 14 cabins and 4 park vans of varying age and condition located throughout the Park. These units provide self-contained accommodation of reasonable quality, however, only a small proportion of the accommodation stock could be regarded as matching the quality and potential of the location. The cabins and sites along the northern boundary of the Park have a prime beach-front position with a northerly aspect and coastal views. A proportion of the short-term powered sites are of a good standard, however, the open boundaries of the Park mean there is limited privacy. Landscaping provides little or no shade. A number of the powered sites have very small areas and are accessed from narrow dead end roads. The long term residential sites are scattered in the western precinct of the Park with the sites and moveable dwellings generally maintained to a high standard.

A large amenities block of brick construction is centrally located providing toilet, shower and laundry facilities. A camp kitchen is located adjacent to this facility. The barbecues, picnic shelters and children’s playground in the adjoining public open space supplement the facilities provided within the Park.

Aspects of the existing design and layout of the Caravan Park roads and sites are only able to continue on the basis of exemptions from current regulatory requirements. In particular:

- Setbacks of dwelling sites from Park boundaries do not comply with regulatory requirements. On Beach Street there are 9 sites that extend to the Park boundary;

- A substantial proportion of sites within the Park are very small in relation to the average size of contemporary caravans, recreational vehicles and tents – a number of sites are smaller than the minimums required by regulation while others fall well short of current industry standards for a short term powered site; and
- 21 powered sites and 9 cabins sites are accessed from 4 metre wide dead end roads. These roads are used for two way traffic, however, the minimum width for a two way road under the current regulation is 6 metres.

In practice these deficiencies mean not all sites in the Park can be used. In peak periods it is impossible to provide parking for every site and as a result guest vehicles are parked outside the Park which in turn contributes to traffic congestion in the town centre. There are also limitations on the capacity to install new market appropriate cabin accommodation. These factors have a significant impact on the commerciality of the Park and the contribution it makes to the local economy.

4.1.4 Dune System

The coastal dune system is formed from mobile marine sands and creates a barrier protecting inland vegetation and land uses from salt spray, storms, wind and wave action. Dunal vegetation stabilises dunal sands and forms specialised plant communities. These communities include the frontal dune complex and hind dune woodlands.

There are two informal fenced picnic areas located on the northern side of Lake Road within the hind dune area. Each of these areas has two small picnic shelters and informal parking areas and facilitate direct pedestrian access through to the beach. Management issues relating to the dunal system include the impact of erosion and accretion, weed control (in particular, Bitou Bush, Lantana, Glory Lily and Asparagus Fern), fire management, pedestrian and vehicle access, rubbish dumping, vegetation clearing and access to coastal views.

4.2 ENVIRONMENTAL CONTEXT AND CONSIDERATIONS

The natural environmental context and landscape presents a number of challenges to be addressed in the day to day management of the Reserve.

4.2.1 Coastal Management

Council has completed Stage 1² of the coastal zone planning process via the Coffs Harbour Coastal Processes and Hazard Definition Study. The Study identified the likelihood of hazards occurring such as beach erosion, coastal inundation and the impacts of sea level rise on these hazards. Council is now progressing through Stages 2 and 3 which involve investigating all potential options for managing coastal hazards. Consultation was undertaken with the community during March 2012, including at Woolgoolga, to present the benefits and trade-offs that are relevant to the planning options and to establish an understanding of the community's preferences for the options.

² Coffs Coast Coastal Processes and Hazards Definition Study Volume 1: Final Report, BMT WBM Pty Ltd, 2011

In recent years Woolgoolga Beach has experienced some coastal recession as a result of wave climate conditions and storm events. The rate of recession increases in a northerly direction along the beach. The impact has been a scarping of the fore dune face and lower sub aerial beach. It is possible that a change in wave climate conditions more easterly will lessen the extent of recession, however, a more eroded beach position is likely into the future if current wave climate conditions persist.

The Report from Stage 2³ which contains the results of the risk assessment exercise and the proposed management options was prepared by BMT WBM Pty Ltd. With respect to future long term recession the report states that “With a 0.9 m sea level rise by 2100, the shoreline modelling indicates Woolgoolga Beach may experience significant recession of up to 105 m (and up to 45 m by 2050 with 0.4 m sea level rise)” and “For the ‘rare’ case of a 1.4 m sea level rise by 2100 the extents of recession are shown by the shoreline modelling to increase, to up to 170 m at Woolgoolga”.

With respect to beach erosion the report states “...the beach position is a response to wave climate over the last few decades. It is difficult to determine the potential extent of beach erosion at Woolgoolga because it appears that the recent beach state is the most eroded along a large extent of the beach. It is prudent to assume that a more eroded beach position may occur in the future, for example, if the current wave climate were to persist into the future.”

Clearly issues associated with the predicted impacts of climate change, sea level rise and coastal recession are significant factors in the planning framework for Woolgoolga Beach Reserve and the future development of infrastructure and facilities.

4.2.2 Vegetation

Although the area of the reserve is relatively small it supports a diverse range of significant vegetation. The ongoing management of the reserve must address the preservation and maintenance of these vegetation communities.

In December 2012 Council adopted the Class 5 Vegetation mapping layer (Version 1.1 2012) and associated documents⁴ which detail and illustrate the vegetation communities of the Coffs Harbour local government area. The mapping together with a comprehensive report provides information in relation to the extent and the type of vegetation communities found in the local government area. Figure 04 shows the general location of the vegetation communities found in the Reserve. The following provides a general description of each of those communities.

The Headland management unit supports small areas of three vegetation communities;

- **Kangaroo Grass Headland Grasslands** - A grassland in which Kangaroo Grass is clearly most abundant. Blue Couch and Prickly Couch may also occur. Abundant shrubs include the prostrate *Pultenaea maritima*, Guinea Flower, and Rice Flower. Scattered Coast Banksia occurs as an

³ Coffs Coastal Zone Management Plan Final Draft Report, BMT WBM Pty Ltd, 2012

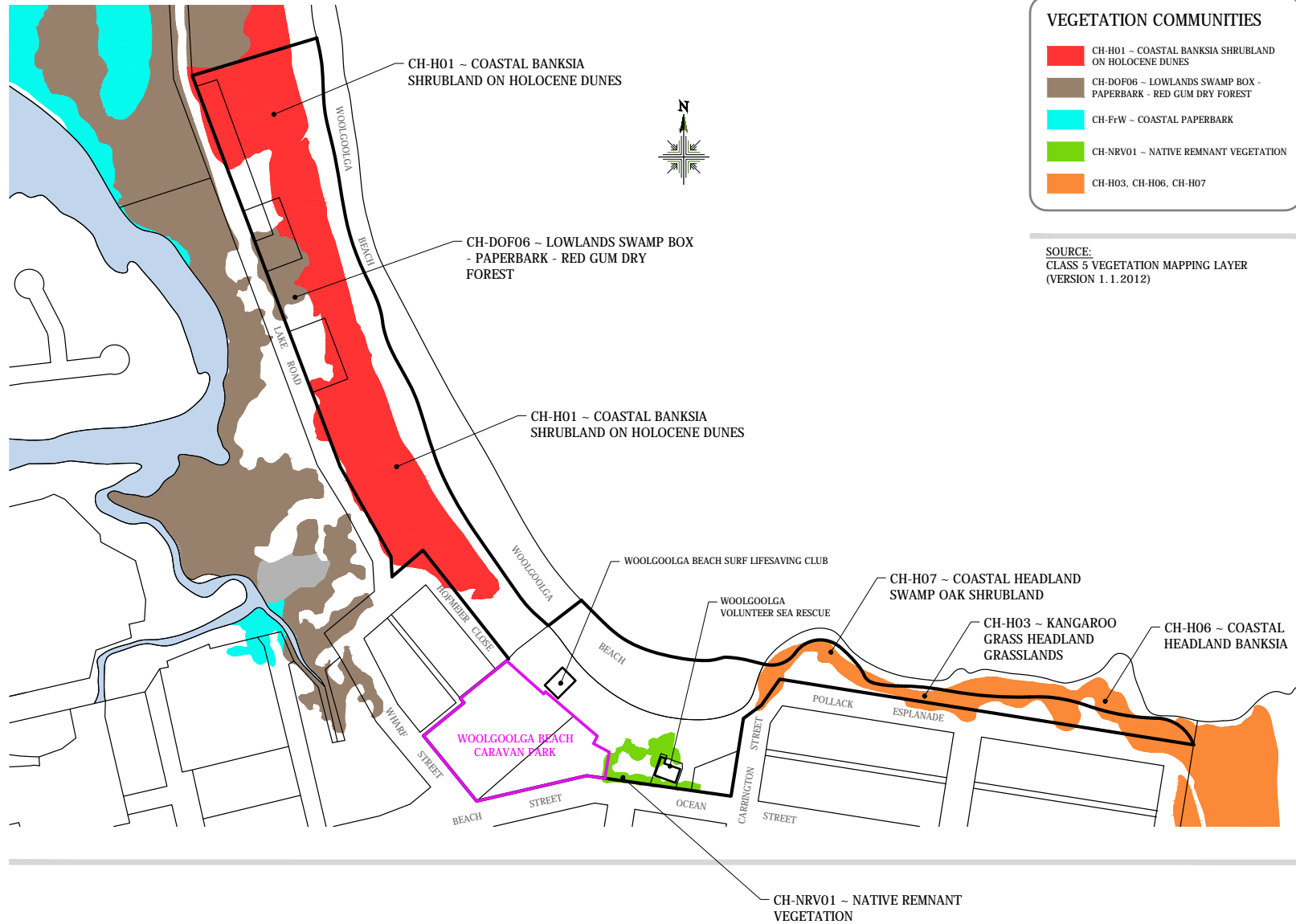
⁴ Fine-scale Vegetation Map for the Coffs Harbour Local Government Area, VOLUME 2: VEGETATION COMMUNITY PROFILES, September 2012

VEGETATION MAPPING

VEGETATION COMMUNITIES

- CH-H01 - COASTAL BANKSIA SHRUBLAND ON HOLOCENE DUNES
- CH-DOF06 - LOWLANDS SWAMP BOX - PAPERBARK - RED GUM DRY FOREST
- CH-FrW - COASTAL PAPERBARK
- CH-NRV01 - NATIVE REMNANT VEGETATION
- CH-H03, CH-H06, CH-H07

SOURCE:
CLASS 5 VEGETATION MAPPING LAYER
(VERSION 1.1.2012)



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emergent. Herbs include the twining *Polymeria calycina*, and succulent *Apium prostratum*, Fireweed, *Melanthera biflora* and Everlasting Daisy. This community occurs in exposed locations on headlands with salt laden onshore winds.

- **Coastal Headland Banksia** - Coast Banksia is present in the upper layer. Littoral rainforest shrubs and small trees may also occur in the upper and mid layers such as Tuckeroo, Three-veined Laurel and Beach Acronychia. Swamp Oak and Black She-oak occurring in the upper and mid layers were observed during rapid site assessments of this community. Vines such as Hairy Silkpod and Sweet Morinda are common. The ground layer consists of a dense layer of grasses with Kangaroo Grass, Basket Grass, Prickly couch and *Ottochloa gracillima*. Sites are often weedy and steep slopes are subject to landslip and erosion; and
- **Coastal Headland Swamp Oak Shrubland** - Swamp Oak and/or Broad-leaved Paperbark form a shrubland to low open forest cover. Coast Banksia and Forest Red Gum may also occur. There is a sparse mid layer of Cheese Tree. The ground layer contains Kangaroo Grass, Creeping Beard Grass, Wattle Mat-rush and Native Violet. Common vines occurring in this community are Lawyer Vine, Wombat Berry and Common Silkpod.

Natural vegetation has generally been progressively removed from the **Woolgoolga Beach Public Open Space** management unit. Originally the land was cleared to make way for industry but now supports the infrastructure and facilities that are typically required in an urban parkland setting. While there is some remnant native vegetation the number of individual specimens is relatively small and cannot be assigned to a floristic community due to the limited size, level of disturbance and fragmentation.

The **Dune System** management unit supports the largest areas of natural vegetation on the land covered by this plan of Management and two vegetation communities are represented.

- **Coast Banksia Shrubland on Holocene Dunes** - this plant community dominates the Dune System and management unit. It is an open to closed forest which is found along Holocene fore-dunes. Relatively undisturbed areas of this community have an over-storey characterised by Coast Banksia, Tuckeroo, and Brush Cherry. Coast Wattle and Beach Acronychia may occur in the middle strata. Lawyer Vine is common growing as tangles in the various strata. The ground cover is comprised of *Dianella congesta*, Blady Grass, Native violet, Bracken Fern, Prickly Couch and Creeping Beard Grass; and
- **Lowlands Swamp Box - Paperbark - Red Gum Dry Forest** - a small section of this vegetation community is found in and adjoining the northernmost recreation area on Lake Road. A dry open forest which has a varied dominance in the canopy usually of Swamp Box, Broad-leaved Paperbark, Pink Bloodwood, Red Mahogany, Willow Bottlebrush and Forest Red Gum. The ground layer is distinctive and consists of Kangaroo Grass, Wiry Panic, Mat- Rushes, Guinea Flower, Blue Flax-lily, White Root and Bracken Fern.

4.3 SUMMARY

The southern section of the Woolgoolga Beach Reserve is focused around the main beach and the public domain open space that adjoins the town centre. The public open space is well developed and provides a range of facilities for public use which include picnic and BBQ facilities, a contemporary playground, boat

ramp, parking and public toilets. These facilities support and complement the recreational use of the Beach and are an important resource for tourism and the local businesses in the town centre.

The Volunteer Sea Rescue and the Surf Life Saving Club provide essential public services. It is important the facilities for these organisations are capable of supporting the long term viability of the contribution they make to public safety, to the community and to the use of the Reserve.

Importantly the Reserve also supports a commercially viable tourist facility with capacity to contribute to a consistent and effective management regime. Woolgoolga Beach Caravan Park has long been recognised as a valuable coastal caravan park which is located in a town that offers a good range of urban services as well as recreational opportunities. The Trust must continue to invest in improving the Woolgoolga Beach Caravan Park to keep in step with evolving market trends and changing consumer expectations to ensure the Park continues to be a commercially viable, valuable asset of the community. The issues associated with the character and design of the public domain and the need to achieve site areas and a road system that comply with regulatory and market requirements will impact on the area of the Caravan Park and the number of sites.

The Reserve also has significant environmental values and a high priority must be given to management, protection and preservation of those features. As a consequence the ongoing improvement of the Reserve must achieve a balanced approach to a number of sometimes competing issues. Therefore this Plan of Management aims to;

- Achieve an appropriate balance between responsible land management and the continuation of commercial enterprise on public land;
- Improve the relationship between the various essential activities and services that are accommodated within the Reserve;
- Establish an appropriate balance between the allocation of land to the public domain and to the Caravan Park;
- Provide for the long term viability of the Woolgoolga Volunteer Sea Rescue and the Woolgoolga Surf Life Saving Club;
- Upgrading the layout, functionality, servicing and presentation of all facilities in the Reserve; and
- Recognise and address the planning and management constraints associated with environmental issues.

5 TOURISM CONTEXT

5.1 NEW SOUTH WALES TOURISM AND THE VISITOR ECONOMY

The government's NSW Plan 2021 is focussed around rebuilding the State's economy – *"The Government's number one priority is to restore economic growth and establish NSW as the first place in Australia to do business."* Growth in the economy will not only generate more jobs but produce more revenue to improve services, reduce taxes, build more infrastructure and tackle the cost of living. The Plan is a "whole of state" initiative and identifies a number of high potential growth industries including tourism. A key goal of the Plan is to double tourism expenditure in NSW with the *Visitor Economy Taskforce* and *Destination NSW* being established to provide strategic direction and funding support to regional tourism organisations.

The Industry Action Plan for the Visitor Economy will outline a vision and a ten year development strategy. A key aim will be to identify drivers for, and barriers to growth and innovation including those caused by government practices. The Action Plan will also deliver a program and mechanisms for government and industry to encourage sector growth, competitiveness and innovation with performance indicators to monitor progress. The *Visitor Economy Taskforce* will undertake work that is aligned with the NSW Industry Action Plan framework to;

- deliver a strategy to double tourism measured by overnight visitor expenditure by 2020;
- formulate a comprehensive strategy which will include measures to influence people to travel to NSW including for events and to regional NSW; and
- foster a sustainable tourism industry and help increase economic benefits for NSW from tourism.

A number of functions to be specifically addressed by the Taskforce are integral to the ongoing role of Crown land and the contribution it makes to the growth of the visitor economy including:

- Crown land tourism development schemes;
- strategies and programs to develop regional tourism and events; and
- establishing destination development strategies.

Caravan parks such as Woolgoolga Beach have a key role in achieving the government's objectives of growth in overnight visitation.

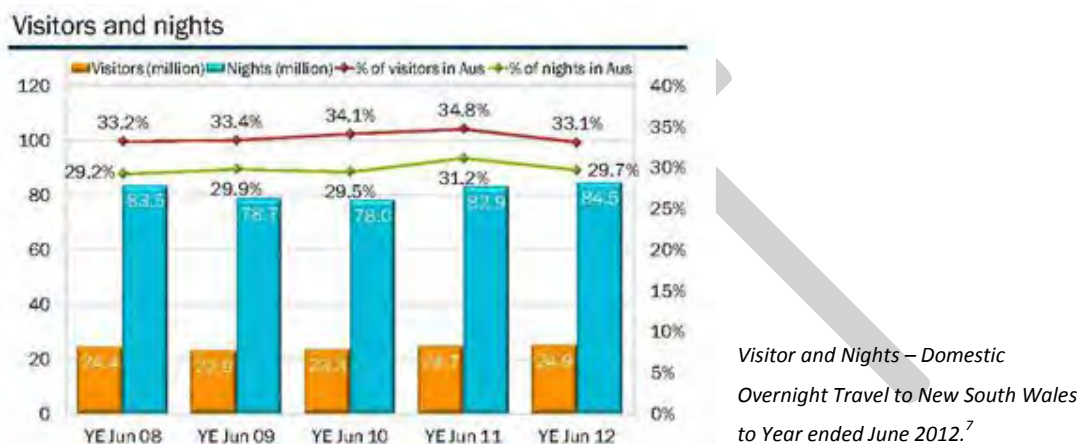
5.2 STATE AND REGIONAL TOURISM

Australians currently spend \$24 billion dollars on domestic overnight holidays each year. The total economic value of domestic tourism has reached more than 70 billion dollars, achieving 25% growth in the last 10 years. Almost 60% of national domestic overnight and day expenditure is generated from holiday makers alone⁵. Total expenditure of overnight visitors in NSW to the year ended 30 June 2012 was \$14.1

⁵ National Visitor Survey, June 2012, Tourism Research Australia

billion. The visitor economy supply chain generates added economic multipliers, which means every dollar spent on tourism generates an additional 92 cents in other parts of the economy. At 1.92 tourism’s multiplier is greater than mining(1.66) and retail trade(1.81).⁶ Of all Australian states, NSW continues to attract the highest number of domestic overnight visitors, maintaining 33.1% of national market share and receiving 24.9m domestic overnight visitors in the year to June 2012. These visitors spent 84.5m nights in the state. Compared to 2011 the number of visitors increased by 0.9% and the number of nights by 1.9%.

The figure below shows the trends in overnight domestic visitation to NSW for the five years to June 2012.



Regional NSW received 80.6% of holiday visitors and 82% of holiday nights in NSW in the period to June 2012. Importantly 16.8% of travellers to Regional areas of NSW choose to stay in a caravan park or commercial camping ground.⁸

5.3 MID NORTH COAST TOURISM

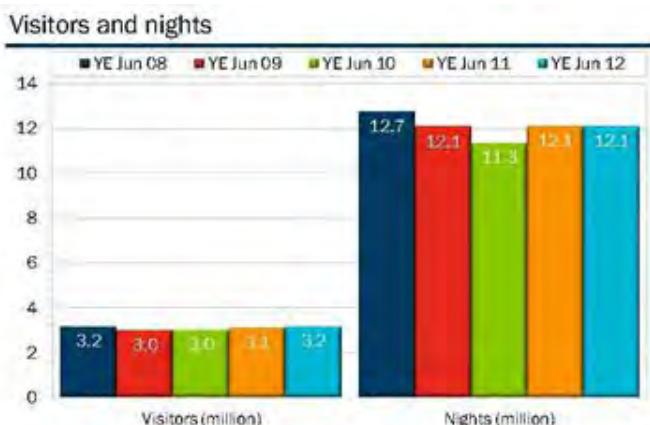
The NSW Mid North Coast is among the Top 20 tourist regions of Australia in regard to the attraction of Tourism Expenditure, ranking 6th in 2011/12 and claiming a \$1.7 billion slice of the national financial yield. The Region received 18% of overnight visitors and 19.5% of visitor nights in Regional NSW with an average expenditure of \$141 per night per person.. The Mid North Coast has a number of coastal regional centres with a long history of providing holiday accommodation and experiences including Coffs Harbour, Port Stephens, Great Lakes and Port Macquarie.

The figure below shows that an additional 100,000 domestic overnight visitors stayed in the Mid North Coast region in the twelve months to June 2012 when compared to the prior 12 month period, representing a 1.5% increase in the number of domestic overnight visitors. The number of visitor nights remained stable over the 12 month period to June 2012. The length of stay in the Region for the period was in the order of 3.8 nights.

⁶ Tourism’s Contribution to the Australian Economy, 1997-98 to 2010-11, Tourism Research Australia, April 2012.

⁷ Travel to New South Wales – Year ended June 2012, Destination NSW

⁸ Travel to Regional NSW – Year ended June 2012, Destination NSW



Visitor and Nights – Domestic
Overnight Travel to New South Wales

Source: Travel to Mid North Coast –
Year ended June 2012, Destination
NSW⁹

A commercial caravan park or camping ground is the preferred place to stay for 21.9% of the visitors to the Region which represents almost 32% of total nights spent in commercial accommodation establishments. Over 90% of the visitors to the Region travel in a private or company owned motor vehicle. The Mid North Coast region is well located to attract travellers from Sydney and large regional centres and is well recognised as a convenient stopover for visitors travelling between Sydney and Brisbane. Some key facts about visitors to Coffs Harbour¹⁰ are:

- The City attracts on average 790,000 domestic overnight visitors, 75,000 international visitors and 675,000 domestic day visitors each year;
- Domestic overnight visitors contribute \$335 million to the Coffs Harbour local economy spending on average \$424 per trip;
- 11% of Domestic overnight visitors choose to stay in caravan and camping accommodation;
- The vast majority of visitors to the area travel by private car;
- 37% of domestic overnight visitors travelling to Coffs Harbour are aged between 25-44 years and 37% are aged between 45-64 years; and
- A key lifecycle group is families with young children comprising approximately 37% of domestic overnight visitors.

5.4 CARAVAN PARKS ON CROWN LAND

In New South Wales there are approximately 900 caravan parks, camping grounds and primitive camping grounds of which about 30% are on Crown land managed by the Crown Lands Division of the Department of Trade and Investment. Caravan parks on Crown land supply a disproportionately large component of the available sites for tourists in New South Wales and occupy some of the State’s premium tourist accommodation locations. Over the past 20 years the number of caravan parks in New South Wales has declined by about 10% and a number of parks on freehold land to the north of Coffs Harbour have been redeveloped. In the coastal zone there is often development pressure on existing caravan parks. In many instances the strategic value of the land has increased resulting in re-zoning and re-development for residential or other forms of commercial and tourist land-use.

⁹ Travel to Mid North Coast, June 2012, Destination NSW

¹⁰ Tourism Profile for Local Government Area in Regional Australia, City of Coffs Harbour

The number of tourist sites in the remaining caravan parks is also decreasing. Most parks were originally developed in the 1960's and 1970's, however, the design parameters from that time are no longer appropriate for many contemporary vans, 5th wheelers, motor-homes, cabins or even large tents. As a consequence the redesign and improvement of caravan parks to meet current and future consumer expectation can result in reductions in the total number of sites in any given park. At the same time there has been significant growth in the caravan, camper trailer, campervan and motor-home markets. In this context the managers of caravan parks on Crown reserves such as the Woolgoolga Beach Caravan Park have a responsibility to conserve the supply of sites and the range of available site types for tourists.

5.5 SUMMARY

Over the last 10 years the overnight domestic tourism market has been steadily evolving in response to a variety of economic and employment factors as well as a significant shift in the accessibility and take-up of information systems such as the internet and mobile technologies. Domestic visitation has experienced a level of recovery from the events surrounding the Global Financial Crisis which had a negative impact on consumer confidence and contributed to a contracting tourism market. Most importantly the levels of visitation to the Mid North Coast Region have been consistent.

In this economic context the commercial performance of the Woolgoolga Beach Caravan Park has remained stable and this will allow the Trust to take the necessary steps to enable the Park to continue to build its reputation as a quality holiday destination. As part of this process older accommodation product will need to be replaced and new products introduced with specific market targets in view. The layout and size of the sites in the Park will also need to be modified to address the requirements of contemporary caravans and camper vehicles. This approach has the potential to create enhanced financial returns in the context of an appropriate, environmentally responsible improvement program even though the total number of sites in the Park may need to be reduced.

6 MANAGEMENT OVERVIEW

6.1 MANAGEMENT VISION

This Draft Plan of Management is based on a 'Vision Statement' that is intended to guide the Reserve Trust in its decision making processes. It is then supported by management principles which in turn generate specific management objectives and strategies and implementation plans. A number of the detailed concept and implementation plans are part of this Draft Plan. In some areas final outcomes will be subject to further detailed consideration. This will allow the Reserve Trust to be responsive to economic factors, new information, and social and technological change.

The Vision of the Reserve Trust in managing Woolgoolga Beach Reserve is:

To conserve and maintain the natural and scenic environmental values of the Woolgoolga Beach Reserve while providing a range of recreational and tourist facilities and opportunities to address the economic and social needs of local residents and visitors to the region.

6.2 VALUES

The Woolgoolga Beach Reserve has a range of significant values inherent in the natural and historic characteristics of the land and the recreational opportunities it provides. The Woolgoolga coastline has particular significance in the NSW North Coast Region with its long beach, estuary and prominent headland. These factors combine to create a resource of high scenic, conservation and recreational value. These values are outlined below.

Natural and Conservation Values

Woolgoolga Beach Reserve comprises a natural system of beach, sand dunes, headland and creek and estuary foreshore. These areas support a range of vegetation types including communities of local and regional significance which provide significant fauna habitats. The reserve adjoins the special conservation area of the Solitary Islands Marine Park.

Recreation and Tourism Values

The Woolgoolga Beach Reserve provides a range of bush land, park, beach and water based recreational opportunities. These areas provide a major focus for the recreation activities of local residents and tourists. Important facilities include public recreation areas, walkways, the caravan park and premises for community based service organisations.

Social and Economic Values

The Woolgoolga Beach Reserve forms an important part of the community life of Woolgoolga and Coffs Harbour City. The use of this natural and historic setting for exercise, relaxation, holidays and social gatherings contributes to the identity and well being of the community. The reserve is a major resource for tourism that makes a significant financial contribution to the local economy.

6.3 MANAGEMENT PRINCIPLES

The Vision for the continuing management and development of the Woolgoolga Beach Reserve will be implemented in conformity with the following specific management principles:

Natural Environment	To recognise, protect, and enhance the environmental values and resources and scenic quality of the Reserve.
Cultural Values	To recognise, interpret, and promote valuable indigenous and European cultural heritage relating to the Reserve and the local area including the continuation of traditional holidaying activities.
Recreation	To provide for a range of recreational and holiday activities based on the natural and cultural features of the Reserve.
Caravan Park	To optimise the contribution of the caravan park to the Reserve by providing a variety of tourism accommodation options with an emphasis on family and ecologically sustainable holiday opportunities. In addition the accommodation and social needs of existing caravan park long-term residents must be considered to ensure their rights are respected as well as their financial contribution to the management and improvement of the reserve.
Utility Services	To provide necessary services such as reticulated water, power, sewerage disposal and drainage in an efficient and environmentally acceptable manner.
Safety and Public Health	To provide and maintain facilities, in a manner that minimises risk to Reserve users and promotes a healthy lifestyle and by facilitating the development of suitable premises for the Woolgoolga Surf Life Saving Club and the Woolgoolga Volunteer Sea Rescue.
Reserve Information	To effectively inform people of the Reserve’s attributes, activities and facilities as well as appropriate ways to use and care for the resources of the Reserve.
Integrated Coastal Management	To promote and assist integrated coastal land management associated with the use of the Reserve and in particular the Woolgoolga Beach Caravan Park.

In the development, improvement and management of the Reserve the Trust will adopt sustainability principles and recognise the need for:

- a) conservation of energy and reduction in carbon dioxide emissions,
- b) building materials and building processes that involve low embodied energy;

- c) building design and orientation that uses passive solar design, day lighting and natural ventilation;
- d) energy efficiency and conservation;
- e) water conservation and water reuse;
- f) waste minimisation and recycling;
- g) the use of landscaping to provide shade, shelter and screening; and
- h) potential for adaptive reuse of structures and materials.

6.4 COFFS COAST STATE PARK

It is relevant to note that Coffs Harbour City Council is the appointed Trust manager of the Coffs Coast State Park. The State Park includes reserved lands stretching from Sawtell in the south through to the northern end of Park Beach and extending west along Coffs Creek and into the Coffs Harbour City Centre. Significant recreational and tourist facilities including the Park Beach and Sawtell Beach Caravan Parks are within the State Park. The administrative and management resources employed in the operation of those Parks also take responsibility for the day to day operation of the Woolgoolga Caravan Parks.

There would be clear operational efficiencies if all four Caravan Parks were part of the same administrative structure. In this regard consideration could be given to adding the Woolgoolga Beach Reserve and other reserved Crown land at Woolgoolga to the Coffs Coast State Park. Aside from the efficiencies and consistency that will be achieved, the character of the Woolgoolga Beach Reserve is compatible with the reserved lands that are currently part of the State Park.

7 PROPOSED IMPROVEMENT PROGRAM

7.1 INTRODUCTION

Assessment of the requirements of the community and the capacity of the Reserve to support visitation and use has resulted in identification of a range of desirable improvements to the facilities provided in the Reserve. The desirability of particular improvements has been considered on the basis of capacity to address a number of key parameters including;

- The principles, parameters and objectives established in relevant legislation and policies of the New South Wales government and Coffs Harbour City Council;
- Safety, security and regulatory compliance;
- Potential to achieve environmental objectives and protect and preserve the inherent natural features of the Reserve;
- Potential to improve visitor amenity;
- Potential to improve the day-to-day management of the Caravan Park and its interface with public access to and enjoyment of the adjoining reserved land;
- Potential to generate income and profit; and
- Cost and contribution to the local economy.

As a consequence the proposed improvements to the Reserve will be focused on the development of appropriate and sensitive design elements that recognise the inherent values of the Reserve, contribute to the scenic quality of the location and protect and enhance the environmental and commercial resources and values of the Reserve.

The Caravan Park and its development and relationship to the adjoining public open space have long been a focus for attention from the local community and Council. The proposed improvement program for the Reserve seeks to enhance the balance and interface between the Caravan Park and the public domain. The proposed design solutions for access and the location of infrastructure demonstrate the commitment of the Trust and the government to the appropriate improvement of sensitive coastal commercial Crown land assets within the context of broader community objectives and long term planning outcomes.

7.2 PROPOSED IMPROVEMENTS

7.2.1 The Headland

The Headland will continue to be managed as a primarily natural area with a focus on preserving the health of the existing vegetation communities. In response to the Coffs Harbour City Council Open Space Strategy 2010 a pedestrian pathway will be constructed to link the Woolgoolga Beach Public Open Space with the Solitary Islands Coastal Walkway which currently terminates at the southern boundary of the Reserve.

7.2.2 Woolgoolga Beach Public Open Space – refer to Drawing WB - 03

The proposed improvement program will achieve the aim of establishing a range and standard of facilities in this area to meet Council's criteria for a District Social Family Space. The location and layout of facilities will create an integrated public domain with a capacity to support a variety of interrelated activities and uses. The most significant initiatives will be;

- Development of a "pedestrian avenue" to link the town centre to the beachfront; and
- Relocation of the Woolgoolga Volunteer Sea Rescue to Arrawarra within two years to create an opportunity for the development of new premises by the Woolgoolga Surf Life Saving Club; and
- Demolition of the existing Surf Club premises which will open up the beachfront.

The implementation of these proposals and the impact on adjoining areas will result in a transformation of the Reserve which will revitalise the character of the Town Centre and enhance the presentation and commercial viability of the Caravan Park.

Pedestrian Access

It is proposed to create a pedestrian pathway system which will form a link from the intersection of Beach Street and Wharf Street through to the beachfront. A subsidiary link will connect to the existing footpath along Beach and Ocean Streets and the proposed premises for the Woolgoolga Beach Surf Life Saving Club.

The surface will be interlocking pavement with opportunities to include public art as an integral part of the design of the surface treatment. Areas on Beach Street and at the beachfront will include high quality urban furniture that complements the oceanfront environment. Landscaping will use endemic species but will be based around and complement the landscape character established by the existing Norfolk Island pines. A key benefit will be the presentation of Beach Street will be much more open and create the opportunity to establish a greater sense of arrival for the Town Centre.

The development of the pedestrian avenue will have a range of impacts on the design and management of the Caravan Park. Not the least is a reduction in the area of the Park from 1.712 hectares to 1.54 hectares which will have an impact on the number of sites in the Park. The point at which the Caravan Park entry road crosses the promenade will have a clear variation in the texture of the paved surface with a bollard system that forces pedestrians to stop and take care before crossing. The southern boundaries of the Caravan Park will be fenced and landscaped to provide security and privacy for guests.

New Premises for the Woolgoolga Surf Life Saving Club

Over the past 12 months a series of discussions in relation to this initiative have been facilitated by Council in its role as the manager of the Reserve Trust. The floor area and the condition of the existing Surf Club building is such that extensive repairs and renovations and expansion would be required to adequately address the long term operational needs of the Club. Furthermore the existing site is within the area identified as "almost certain" to be impacted by coastal inundation and erosion by 2050. As a result the Surf Life Saving Club has reached agreement with the Reserve Trust for the organisation to move toward establishment of new Club premises on the land currently occupied by Woolgoolga Volunteer Sea Rescue.

The Volunteer Sea Rescue has agreed to relocate to Arrawarra as part of Council's wider strategic initiative to improve boating facilities and safety for boat users on the Coffs Coast.

At this stage no firm decisions have been made with respect to the design of a new facility, however, this Draft Plan of Management commits the Reserve Trust to achieving an appropriate outcome by allocating an area within the Reserve for the development of the new premises. The Trust will be required to initiate and facilitate a consultative process to establish parameters for the design of a facility that is capable of meeting the needs of the organisation while preserving the integrity and functionality of the Reserve for community use. The agreed solution will address requirements for vehicular and pedestrian access in a way that complements the established public use of the Reserve but allows for efficient response to emergency situations.

The new Clubhouse will be of a design that will complement the character of the Reserve and the Town Centre and provide a long term solution for the operation of the Club and the services its member provide to the community. Access to and from the Club premises will be integrated with the pathway system for the Reserve and will also allow for direct pedestrian access from Ocean Street. The redevelopment proposed by the Surf Club will be subject to normal requirements for development consent. The Surf Club will occupy the land on the basis of a long term Crown lease and will be responsible for funding the project.

The existing leased site will be vacated, the Clubhouse demolished and that land added to the Reserve. This will produce an outcome consistent with principles for coastal development, open up the frontage of the caravan park to the beach and expand the area of accessible public beachfront open space. Future surf patrol requirements will be addressed with the construction of a "patrol deck" which is central to the main swimming area.

Day-use Facilities

A number of improvements and additions will be made to the existing passive and active recreation facilities provided in the Reserve including:

- Redesign of the main parking area off Carrington Street to reduce the area of hard surface but provide for a larger number of vehicles;
- Provision of a more formal pedestrian pathway system to link the parking area to Hoffmeier Close;
- Relocation of existing picnic shelters away from the area immediately in front of the Caravan Park;
- Removal of the parking area and public amenities opposite the end of Ocean Street and rehabilitation of the area to create an improved interface between the Reserve and Town Centre;
- Provision of new public amenities as part of the re-development of the WVSR premises; and
- A comprehensive approach to landscaping which will include new plantings, paving, new park furniture, signposting and a vegetation replacement and management program.

The following table shows proposed staging for implementation.

Item	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
Pathway system					
Park furniture and landscaping					
Re-develop day visitor parking areas					
Public toilets					
Relocate Picnic Shelters					
Patrol Deck					
Environmental Management					
Beach Access and Fencing					
Signposting					

7.2.3 Woolgoolga Beach Caravan Park – refer to Drawings WB - 02

In terms of the future financial performance of the Woolgoolga Beach Caravan Park the proposed improvement program has been formulated to appeal to;

- Families and mature travelers seeking a contemporary caravan park or accommodation in a smaller urban centre close to the ocean and with an excellent ancillary facilities;
- Travellers seeking an overnight or short stay in an easily accessed caravan park on the coast that is close to all urban services; and
- People seeking a caravan park or accommodation option that takes up the challenges of implementing an environmentally sustainable approach to providing tourist accommodation.

The proposed Concept Plan for the redesign and improvement of the Woolgoolga Beach Caravan Park incorporates changes required to facilitate the development of the pedestrian avenue. However, any solution that adequately addresses the current regulatory requirements and achieves an appropriate mix of sites and accommodation will also have a significant impact on the number of approved sites.

Although the Concept Plan proposes to reduce the number of sites to 75 the redesign of the Caravan Park and the improvement in the quality of sites and accommodation will produce improved revenue and profit outcomes. In addition this investment program has been considered in conjunction with the upgrade of the Woolgoolga Lakeside Caravan Park where the number of approved sites has been increased from 67 to 88 sites. This overall approach represents a balanced investment in the ongoing contribution the entire Woolgoolga Beach Reserve makes to Woolgoolga and the wider community of the region and the state. At the completion of the program the Park will supply the following mix of sites and accommodation;

Site Type	Number of Sites
Long term sites	8
Short term powered sites	45
En-suite powered sites	4
Cabin Accommodation	18
Total	75

Park Entry:

The main entry to the Caravan Park from Beach Street is an integral component of the presentation of the Woolgoolga Town Centre and the beachfront public domain. The existing entrance does not make a positive contribution to the character of Woolgoolga. The entry forecourt will be re-configured to occupy a smaller area to reduce the impact of hard surface at the entry to the Park and the public domain beachfront open space. Entry and exit lay-bys will be provided that comply with the requirements of the caravan park regulations. The public parking to the east of the entrance will be removed and the area integrated with the public open space. Some redesign and renovation of the manager's residence is proposed to enhance the character of the Park entry and the sense of arrival for guests. Additional landscaping and upgraded signage will further improve the aesthetic appeal of the Park entrance.

Access and egress will be controlled by boom gates to provide security for management and guests. It is also proposed to install an exit boom gate in the south western corner of the Park. This will enable a proportion of guests to exit via Wharf Street thereby reducing the number of vehicles crossing the proposed pedestrian avenue.

Internal Road and Site Layout

A fundamental objective for the proposed improvement of the Park is to bring the internal road system and every site into compliance with the relevant regulatory requirements. This will involve re-alignment and widening of existing roads and the removal of some roads. The access pattern will utilise a combination of one way and two way roads designed to accommodate contemporary caravans and smaller recreational vehicles and fifth wheelers. Dead end roads will be eliminated. The introduction of an exit onto Wharf Street will also reduce traffic across the proposed pedestrian avenue.

Sites that are undersize will be eliminated with the minimum area for a drive in powered tourist site being over 70 square metres. The reconfiguration of the sites will include upgrades to power heads, water supply and sullage. This investment will mean every site in the Park is market appropriate and available for occupation throughout the year.

It is proposed to install en-suite facility units to service four sites on the north western boundary of the Park. This will increase the range of site types available in the Park and address an expressed market demand, particularly from the senior travellers who are a key part of the Park's clientele.

Beachfront Cabin Accommodation:

The beachfront area supports a majority of the Park's stock of cabin accommodation. The improvement program provides for the installation of 13 new cabins which will replace existing cabins. There are five cabins in the Park with a substantial remaining economic life that are popular with the Park's clients which will be retained and relocated within the Park. The total number of cabins at the completion of the proposed program will only be one more than at present, however, the new products will provide an integrated range of designs to cater for a variety of market segments at a much higher overall quality than the existing cabin stock.

Accessible Cabins - In May 2011 new Federal legislation commenced that requires tourist accommodation establishments to make specific provision for people with disabilities when new construction is undertaken.

The Woolgoolga Beach Reserve Trust is also subject to a policy adopted by Council in 2005 that commits the Trust to establishing a capability “of accommodating people with disabilities at the ratio specified in the Building Code of Australia”. At present Woolgoolga Beach Caravan Park does not supply any fully compliant cabins for disabled access and therefore two accessible cabins will be installed.

Environmentally Responsible Design - All new cabins will be designed with a specific focus on the incorporation of environmentally sustainable design features which will include;

- Solar hot-water with gas boost;
- Some use of solar energy generation and “green glass”;
- Additional attention to insulation and cross flow ventilation with a view to eliminating air conditioning;
- Grey water recycling;
- Establishment of “sustainability” standards for the selection of all materials, fittings and appliances;
- Achieving an energy star rating for each cabin; and
- A preference for materials and products manufactured in Australia.

General Improvements

A number of other initiatives will be implemented across the Park aimed at creating an improved holiday experience for guests and generally upgrading the overall quality of the Caravan Park and its interface with the Woolgoolga Town Centre and the beachfront. These items include fencing and landscaping to the Wharf Street and Beach Street boundaries of the Park and relocation of the existing drying area in conjunction with changes to road and site layout.

The table below provides an indication of the proposed staging for implementation.

Item	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
Entry Lay-bys and Parking					
Entry Boom gate					
Managers Residence and Office					
Internal Road Alterations					
Re-organise dwelling sites					
Relocate Drying Area					
Landscaping and Pathways					
Exit Boom gate and Crossing					
Central Amenities Upgrade					
Accessible Cabins(1-1)					
New Cabins(2-3-2-2-2)					
Relocate Existing Cabins(3-2)					
En-suite Facilities					
Relocate Shelters					

7.2.4 Dune System

The future management of this area will primarily be focused on vegetation management. In due course minor improvements will be made to the facilities provided in the Lake Road Recreation Areas, however, these will continue to be low key and informal in character. Both areas provide pedestrian links to the beach. These access points can be affected by storm events and must be actively monitored and managed in the interest of public safety.

7.3 ASSESSING PROPOSED IMPROVEMENTS

It will be noted that this Draft Plan of Management proposes that a number of development projects should be brought forward by the Reserve Trust over the next 5 to 10 years. While there has been wide ranging analysis and consideration of these proposals during the preparation of the Draft Plan the following are some of the key issues that should still be considered by the Reserve Trust when deciding whether a particular land use or development is to proceed within the Reserve;

- The compatibility of the proposal with the notified purpose of the reserve;
- The compatibility with the Vision Statement and Management Principles for the Reserve;
- The provisions of relevant planning instruments including the Coffs Harbour Local Environmental Plan;
- The need for the proposal, it will promote and be ancillary to the use and enjoyment of the reserve as distinct from satisfying a requirement generated by an adjoining property or by an unassociated community need;
- Design and aesthetic integrity – is the detailed design appropriate to the character of the Town and the Reserve and does it contribute to an integrated approach to the design of improvements to the Reserve?
- The benefit the improvement would bring to the normal reserve user;
- The impact on the existing use of the reserve; and
- The Management responsibility and public availability of the improvement or facility to reserve users.

7.4 AUTHORISED ACTIVITIES AND WORKS

A range of measures have been identified as required to implement this Plan of Management to ensure the Woolgoolga Beach Reserve and the Woolgoolga Beach Caravan Park is improved and managed in accordance with the Principles of Crown Land Management. These improvements and actions are identified and described in Sections 5 and 6 of this Plan of Management and in the Drawings. The improvements and works are itemised below under each of the relevant Management Precincts, are authorised pursuant to Clause 65(2) of *SEPP Infrastructure 2007*. Refer to Drawings WB – 02 and WB - 03.

Management Unit	Authorised Activities and Improvements
The Headland	Alterations, additions and renovation to existing shelters; storm water drainage; construction and maintenance of pedestrian pathways; fencing, vegetation management; and landscaping.

Woolgoolga Beach Public Open Space	Demolition of existing public toilets; demolition of the existing Surf Club premises and the Volunteer Sea Rescue premises; excavation; construction and amplification of underground utility service infrastructure; road works and construction of parking areas; storm water drainage; fencing; vegetation management; landscaping; construction of pathways; relocation of existing picnic and barbecue shelters; construction of public amenities; construction of a surf patrol deck; installation of park furniture;
Woolgoolga Beach Caravan Park	Alterations, additions to and renovation of the existing manager’s residence, park office and reception area; demolition; excavation; installation of boom gates; construction and amplification of underground utility service infrastructure; road works and construction of parking areas; reconfiguration, alteration and relocation of existing approved dwelling sites; storm water drainage; installation of relocatable homes(cabins) in accordance with the caravan park regulations; fencing, vegetation management; landscaping; construction of pathways; .
Dune System	Alterations, additions and renovation to existing shelters; road works and car park construction; storm water drainage; construction and maintenance of pedestrian pathways; fencing, vegetation management; and landscaping.

7.5 FINANCING IMPROVEMENTS

The Woolgoolga Beach Reserve and the Woolgoolga Beach Caravan Park generate income primarily from rental of tourist sites for holiday accommodation. The Caravan Park is trading profitably and each year contributes a levy equal to 5% of Gross Revenue to the Public Reserves Management Fund(PRMF). Funding for new initiatives can therefore be made from two sources: net profit (gross profit less operational expenses, PRMF contributions and depreciation) and loans. The only area where additional financial assistance may be considered relates to the application for grant funding to undertake environmental works and to contribute towards the cost of public facilities.

8 MANAGEMENT ACTIONS AND PROPOSED IMPROVEMENTS

The following tables detail the Management Objectives and Management Actions to be implemented by the Reserve Trust. In the first instance the Objectives and Actions are designed to achieve the Vision for the Reserve and address the Management Principles outlined in Sections 6.2 and 6.3.

The implementation of the identified Actions will address the Management Issues identified in Section 6.4. Where Actions involve physical improvements to the Reserve and reserve facilities those actions will be in accordance with the plans and drawings that form part of this Plan of Management. Where further documentation is required the planning and design process will be guided by and comply with the Vision, Principles and Objectives established by this Plan.

8.1 NATURAL ENVIRONMENT

8.1.1 Vegetation and Habitat Management

Objectives	Actions
Restore natural vegetation and enhance the recreational and visual amenity of the Reserve	<ul style="list-style-type: none"> • Continue to implement and review Vegetation Management Plans; • Protect areas that support endangered ecological communities; • Implement and continue weed control, planting and natural regeneration programs: <ul style="list-style-type: none"> - Community Care group projects; - Bitou Bush Control program; - Headland vegetation and restoration; • Provide support to the local Dunecare group; • Actively manage bush land adjoining recreation areas, viewing locations and other high use locations; • Restore natural vegetation as resources allow; • Provide for improved feeding, habitat and movement of koalas through planting endemic species appropriate to Secondary Koala Habitat; • Be involved as required in the implementation of the strategies for the camp identified in the Our Living Coast Regional Flying Fox Program.
Minimise disturbance to native vegetation	<ul style="list-style-type: none"> • Use appropriate siting for recreation facilities and walkways; • Manage pedestrian, horse and vehicle access; • Implement fire management Actions; • Address un-authorized damage to vegetation and refuse dumping; • Implement public education programs; • Define residential buffer areas and protect vegetation through mulching, edge planting and/or fencing as appropriate;

8.1.2 Catchment Management

Objectives	Actions
Implement effective catchment management within the reserve and minimise impacts on coastal water quality	<ul style="list-style-type: none"> • Implement erosion control measures, litter and silt traps and wetland filters where required to control storm water; • Use chemicals in accordance with approved Council guidelines; • Promote catchment management principles where appropriate.

8.1.3 Fire Management

Objectives	Actions
Minimise fire hazard to private property and appropriately manage natural coastal vegetation	<ul style="list-style-type: none"> • Provide and maintain adequate fire control access; • Provide and maintain fuel free and fuel reduced zones where necessary. Minimise disturbance to natural vegetation; • Exclude fuel reduction burning except in special circumstances (eg flora management); • Maintain a record of fire history; • Refer to Guidelines for Fire Management in Council Controlled Reserves for further details.

8.1.4 Coastal Processes

Objectives	Actions
Manage coastal processes and climate change while allowing for natural occurrences	<ul style="list-style-type: none"> • Protect and maintain dunal vegetation; • Adapt beach accessways to allow for storm erosion where possible; • Close access and repair damage as necessary after storm events; • Adopt the relevant policies of the NSW government and Council in relation to responsible management with respect to climate change and sea level rise; • Develop specific climate change adaptation plans as part of an integrated approach across the local government area. • Reconfigure infrastructure, sites and accommodation within the Caravan Park operational boundaries as required to address long term impacts of coastal recession and sea level rise. Sacrifice land to retain a sandy beach through a process of planned natural retreat. In association with this, sacrifice sewer assets if and when the Caravan Park must be abandoned (beyond 2050) as a consequence of these impacts.

8.1.5 Seaweed Removal

Objectives	Actions
Maintain the role of seaweed in the marine ecology while providing for the recreational amenity of high use areas of the beach	<ul style="list-style-type: none"> • Leave seaweed to normal tidal movements where ever possible; • Move seaweed away from high use areas of the beach as follows: <ul style="list-style-type: none"> - move seaweed from beach to base of dunal system, - in exceptional circumstances, where seaweed quantities are too large to dispose on site, stockpile seaweed for removal by contractor licensed by NSW Fisheries; • All works in the inter-tidal zone are to be carried out under a letter of authority from NSW Fisheries.

8.1.6 Coastal Views and Visual Amenity

Objectives	Actions
Protect and enhance the visual amenity of the Lakeside precinct of the Reserve	<ul style="list-style-type: none"> • Select materials and designs for buildings, furnishings, signs and pathways which are compatible with the natural environment, create a unified theme for the Reserve and reinforce local character and design themes; • Locate facilities, accessways and signs to minimise impact on visual amenity while being clearly visible.
Enhance opportunities to enjoy coastal views from designated recreation and public viewing areas	<ul style="list-style-type: none"> • Provide viewing platforms and well located paths and seats to allow enjoyment of views while protecting the natural environment; • Carry out limited selective plantings which comprise endemic coastal species only. Unauthorised vegetation pruning, poisoning or removal on the reserve is prohibited.

8.2 CULTURAL VALUES

Objectives	Actions
Protect and enhance Aboriginal cultural values in the Reserve	<ul style="list-style-type: none"> • Comply with the requirements of the Due Diligence code of Practice for the Protections of Aboriginal Objects in NSW before proceeding with improvement works; • Identify and protect significant sites and consult with relevant groups and authorities prior to commencement of works on site; • Ensure access to significant sites for Aboriginal use; • Provide interpretation of significant sites where appropriate; • Maintain on-going consultation with Garby Elders, Council’s Aboriginal Consultative Committee and Department of Environment & Conservation.

Objectives	Actions
Protect and enhance European cultural values and heritage sites in the Reserve	<ul style="list-style-type: none"> • Identify and protect significant sites; • Provide appropriate interpretation of significant sites where desirable.

8.3 RECREATION

8.3.1 Recreation Facilities

Objectives	Actions
Maintain and upgrade designated recreation areas to cater for a range of passive recreation activities	<ul style="list-style-type: none"> • Provide recreation facilities within existing appropriate and designated locations. The recreation areas may provide over time: <ul style="list-style-type: none"> - picnic tables, shelters and electric BBQs - public toilets and beach showers - playgrounds - garbage bins - lighting - shade tree planting (use mainly local native species) - pedestrian pathways and cycleways - off street parking - fencing to protect natural vegetation - directional and interpretive signs; • Develop recreational facilities in accordance with the Coffs Harbour City Council Open Space Strategy 2010.

8.3.2 Litter and Beach Cleaning

Objectives	Actions
Reduce the incidence of litter and improve recreational amenity	<ul style="list-style-type: none"> • Install and maintain litter bins in convenient locations. Monitor bin use and modify servicing and bin provision as required. Encourage the community to provide information on litter collection requirements to assist Council; • Include litter reduction in public education programs.

8.3.3 Pedestrian and Cycle Access

Objectives	Actions
Develop, maintain and rationalise existing pedestrian access to best suit current use and	<ul style="list-style-type: none"> • Provide facilities that comply with requirements with respect to accessibility; • Review existing track system (both constructed and informal access) taking into account:

<p>conditions and to ensure access safety, usability and protection of the natural environment</p>	<ul style="list-style-type: none"> - level of use - beach and surf conditions (consult WSLSC) - vegetation - erosion - visibility and convenience - Solitary Islands Coastal Walk • Close, relocate and/or upgrade tracks as required; • Adapt track design to local topography and conditions as appropriate eg. board and chain, stairs, timber beach ramps, gravel or sand tracks, bitumen sealed or paved paths, track definition by bollards or fencing; • Maintain access way structures and track side vegetation to encourage use, ensure safety and protect vegetation in riparian areas. Temporary track closure may be required after storm events.
<p>Implement the Solitary Islands 'Coastal Walk' project</p>	<ul style="list-style-type: none"> • Implement Coastal Walk Strategy Plan within the Reserve subject to community acceptance; • Prepare Site Plans prior to each stage of construction to show track location, vegetation restoration, facilities and signs; • Identify costs and seek funding in conjunction with Solitary Islands Coastal Walk Working Party.
<p>Provide cycle access within the reserves and to facilitate local links</p>	<ul style="list-style-type: none"> • Construct and/or maintain shared cycleway/walkway access in the dune area, creek foreshores and lake foreshores where appropriate.

8.3.4 Access for Boats, Vehicles, Horses and Dogs

Objectives	Actions
<p>Provide beach access for vehicles, dog exercising and horse riding while retaining amenity for others and protecting the environment</p>	<ul style="list-style-type: none"> • Implement Council policies for vehicles, dogs and horses on beaches; • Install dog waste disposal units on any part of the beach used for dog exercising (in accordance with the Companion Animals Act 1998).
<p>Provide adequate emergency access and manage existing vehicle access points to minimise environmental impacts and unauthorised access</p>	<ul style="list-style-type: none"> • Upgrade and maintain vehicle access as required; • Install emergency and maintenance vehicle access which prevents unauthorised access (eg locked slip rail or chain); • Provide and maintain fire control access.
<p>Improve parking especially in high use areas</p>	<ul style="list-style-type: none"> • Where appropriate remove parking areas that occupy prime foreshore or recreational locations; • Upgrade the public parking area in Hoffmeier Close;

Objectives	Actions
	<ul style="list-style-type: none"> • Reconfigure the parking area adjacent to the boat ramp in conjunction with the development of the new Surf Club premises and the relocation of the Volunteer Sea Rescue to Arrawarra.
<p>Minimise any adverse impacts on the environment or on recreational opportunities as a result of allowing access to the beach for horses.</p>	<ul style="list-style-type: none"> • Investigate any beach access points used by horses. • Determine suitability of access and requirements for upgrading or restrictions to access.

8.4 WOOLGOOLGA BEACH CARAVAN PARK

Objectives	Actions
<p>Preserve the financial contribution the caravan park makes to the management of the reserve and to the local community;</p>	<ul style="list-style-type: none"> • Improve the Caravan Park and develop facilities in accordance with Drawing No WB - 02 including alterations to the road and site layout; • Install boom gates to control access and egress and construct a boom gate controlled exit from the Park into Wharf Street ; • Install quality on-site accommodation designed to complement the character of the coastal setting and capable of generating a consistent income stream to finance the ongoing management of the caravan park and make a substantial contribution to the management of the adjoining reserved lands; • Provide communal facilities within the caravan park in accordance with the relevant regulations and improve ancillary facilities for guests including barbecues and children’s play equipment; • Maintain an adequate supply of short term sites for caravans, tents and recreational vehicles.
<p>Recognise the rights of long-term residents.</p>	<ul style="list-style-type: none"> • Ensure resident’s rights under existing tenancy agreements are protected.
<p>Increase public access to the beach and public open space and strengthen links between the beach and the Town Centre.</p>	<ul style="list-style-type: none"> • Undertake a staged contraction of the area of the caravan park and the number of sites to 75 sites to facilitate the development of a pedestrian avenue linking the town centre, the beachfront and other elements in the reserve; • Improve access and parking for emergency vehicles; • Remove the car park adjacent to the existing caravan park entry to increase the area of useable public open space; Provide appropriate visitor car parking for the caravan park in accordance with the Local Government(Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

Objectives	Actions
Have a staged development process that is achievable in terms of planning and financial constraints.	<ul style="list-style-type: none"> • Aim to undertake the improvement program over 5 stages based on the internal capacity of the caravan park to support the funding of the works. Also allow for progressive development and funding of the proposed pedestrian avenue and associated improvements to the adjoining public open space.

8.5 UTILITY SERVICES

Objectives	Actions
Enable the maintenance and installation of public utilities and services within the Reserve	<ul style="list-style-type: none"> • Right of entry and access for services and plant maintenance is to be provided; • Take care in maintenance activities to avoid disturbance to natural areas; • Avoid location of new services in or through natural areas; • If the installation of services is essential, it is to be carried out to an approved installation and rehabilitation strategy.

8.6 PUBLIC SAFETY

8.6.1 Safety and Risk Management

Objectives	Actions
Provide health, safety and risk management for the general public and those involved in maintenance and management activities.	<ul style="list-style-type: none"> • Carry out regular risk management inspections for accessways, fencing, structures and equipment and implement maintenance and repairs as required; • Make adequate provision for future beach and surf safety when the existing Surf Club is demolished by constructing a “patrol deck” in a location that is agreed with the Woolgoolga Beach Surf Life Saving Club; • Maintain picnic areas and playgrounds in accordance with Council’s Playground and Picnic Area Plans of Management; • Carry out tree maintenance to remove hazards or obstructions; • All maintenance and capital improvement works to be carried out in accordance with Council’s Safe Working Code.

8.6.2 Regulation of Activities

Objectives	Actions
Discourage inappropriate behaviour and activities and reduce the incidence of	<ul style="list-style-type: none"> • Exercise powers under Crown Lands Act, Crown(General Reserves) By-law and Local Government Act; • Issue on the spot fines or prosecute where appropriate;

<p>vandalism of facilities or vegetation</p>	<ul style="list-style-type: none"> • Consult with and take advice from the NSW Police; • Implement public education program; • Select and install vandal resistance materials and design for facilities; • Determine and implement suitable measures to address problems specific to particular areas in consultation with relevant authorities including the NSW Police, eg: <ul style="list-style-type: none"> ○ alcohol restrictions ○ lighting ○ hours of use (picnic areas, facilities) ○ location and design of facilities and landscaping ○ modify activities which are prohibited or permissible; • Ensure prohibited activities are adequately signposted; • Respond promptly to incidences of damage to native vegetation: <ul style="list-style-type: none"> ○ site inspection by Council staff and rangers (include Care group where incident occurs in group project areas) ○ determine appropriate action for each case eg. on the spot fine, prosecution, restoration agreement, restoration and protection of the area, publicity and education ○ maintain record of incidences and action determined; • Restore and protect damaged vegetation.
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8.7 RESERVE INFORMATION

Objectives	Actions
<p>Provide signs to identify prohibited activities, safety warnings and reserve information.</p>	<ul style="list-style-type: none"> • Design signs in accordance with State Wide Best Practice Guidelines to convey appropriate information for each site (eg. Prohibited activities, advisory information, contact numbers for reporting problems); • Minimise number of signs used by combining information.

8.8 INTEGRATED MANAGEMENT

8.8.1 Co-ordination

Objectives	Actions
<p>Regularise the status of the lands under the care control and management of the Trust.</p>	<ul style="list-style-type: none"> • Initiate liaison with the Crown Lands Division of the Department of Trade and Investment to adjust the entire seaward boundary of R 63076 to MLWM(Mean Low Water Mark). This will obviate the opportunity for misunderstandings of the responsibilities of the relevant management agencies and enable effective management of the intertidal zone especially with respect to licensing of commercial activities.

Objectives	Actions
	<ul style="list-style-type: none"> • Consider adding Woolgoolga Beach Reserve to Coffs Coast State Park.
<p>Implement the Plan of Management and relevant statutory requirements in an ongoing, co operative and timely manner within the available resources</p>	<p>Refer inquiries and liaise as required with government agencies:</p> <ul style="list-style-type: none"> • <u>National Parks and Wildlife Service (Dept of E &CC)</u> Reserve and vegetation management on land adjoining National Parks and Coffs Coast State Park or involving threatened species, Aboriginal sites or Solitary Islands Coastal Walk. • <u>NSW Fisheries</u> Activities of recreational and professional fishers - a permit is required under Section 205 of the Act to harm or remove any marine vegetation, whether alive or dead, including seaweed, sea grass and mangroves. Bag limits for bait collection and seaweed removal; • <u>NSW Marine Park Authority (Solitary Islands Marine Park):</u> <ul style="list-style-type: none"> ○ Prior notification of seaweed removal and beach cleaning on intertidal areas within Marine Park; ○ Promotional material and interpretive signs; ○ Shared regulation of activities by Council Rangers and Marine Park Rangers (within Marine Park and adjoining areas); ○ Implementation and development of SIMP Zoning and Operations Plans - consider in review of beach access policies for animals and vehicles and development of facilities near the SIMP eg. accessways and boat ramps; • <u>NSW Waterways:</u> <ul style="list-style-type: none"> ○ Regulations applying to jet skis and water craft; ○ Provision and maintenance of boat access facilities; • <u>Crown Lands Division, Department of Trade and Investment:</u> <ul style="list-style-type: none"> ○ Plan of Management adoption and revisions, Crown Lands leases ○ Coastline hazard management; ○ Funding grants; ○ Soil erosion and acid sulfate soil (Community Advisory Services); ○ Water quality (Resource, Access and Planning); • <u>Department of Planning:</u> <ul style="list-style-type: none"> ○ Approvals for activities within areas covered by State ○ Environment Planning Policies (eg. SEPP 71); • <u>Fire Control Officer and Fire Control Management Committee:</u> Fire Control Management Plans and requirements; • <u>Coastcare:</u> Funding programs, education and public awareness activities; • <u>Coffs Harbour Waterways Catchment Management Authority:</u> <ul style="list-style-type: none"> ○ Funding programs; ○ Catchment Management Committee Strategic Plan; ○ Educational and public awareness activities.

Objectives	Actions
<p>Maintain a co-ordinated approach to management of the range of environmental issues.</p>	<ul style="list-style-type: none"> • Liaise with teams and professionals within Council and in other Authorities to ensure an integrated approach to implementing the requirements of the Estuary Management Plan, Vegetation Management Plans, Our Living Coast Regional Flying Fox Program, Coffs Harbour Biodiversity Action Strategy 2012- 2030 and Coastal Zone Management Strategies, etc.
<p>Facilitate a process to achieve relocation of the Woolgoolga Volunteer Sea Rescue to Arrawarra to enable the development of new premises for the Woolgoolga Beach Surf Life Saving Club and the demolition of the existing Surf Club building.</p>	<ul style="list-style-type: none"> • Initiate and continue a transparent consultative process with the organisations and the community to develop an appropriate plan to accommodate both service organisations; • Identify a lease area with frontage to Ocean Street that is capable of accommodating the reasonable requirements for the continuing efficient operation of the Woolgoolga Beach Surf Life Saving Club; • Liaise with the Crown Lands Division of the Department of Trade and Investment with respect to policy requirements and the development of an appropriate tenure; • Establish design criteria for the proposed premises that will lead to the development of a facility that is complementary to the natural attributes of the reserve, facilitates the continuation of the existing uses of the reserve and adequately addresses the ongoing requirements of the Club; • Facilitate the demolition of the existing Surf Club premises and rehabilitation of the vacated land; • Liaise with Crown Lands with respect to addition of the former lease area to the Reserve.

8.8.2 Commercial Activities

Objectives	Actions
<p>Allow for commercial activities which enhance recreational opportunity without adverse impacts on other recreational users, the natural environment or visual amenity.</p>	<ul style="list-style-type: none"> • Approve commercial activities that are compatible with the use of the reserve. Conditions of approval are to apply for insurance, lease or permit fees, minimising noise and other impacts on users and adjoining residents; environment or visual amenity as appropriate. • Fee structures will reflect the level of community benefit from the activity.

8.8.3 Adjoining Development

Objectives	Actions
Minimise impacts on the Reserve from adjoining development	<ul style="list-style-type: none"> • Consent requirements for developments adjoining and likely to impact on the Reserve should include appropriate conditions to minimize the impact of development on the amenity of the reserve and to protect its resources and values.

8.8.4 Funding

Objectives	Actions
Maximise funding opportunities to enable implementation of the Plan of Management	<ul style="list-style-type: none"> • Implement the improvements proposed for the caravan parks through funding from trading profits and borrowing from the Public Reserves Management Fund; • Ensure up to date information is available on relevant funding programs; • Apply for funding for suitable projects; • Co-ordinate and maximise funding opportunities eg. matching Council funding with government funding and by obtaining funding for community group projects.

8.8.5 Project Planning and Implementation of Other Plans

Objectives	Actions
Prepare, revise and implement plans or actions for management areas or projects within the Reserve.	<ul style="list-style-type: none"> • Picnic areas and playgrounds are to be installed and maintained in accordance with Council’s Picnic Areas and Playgrounds Plans of Management; • Implement Solitary Islands Coastal Walk Strategy Plan, subject to community acceptance and re-exhibition of Coastal Walk Strategy Plan.
Complete site assessment, planning and design to assist in works programs and sourcing of funds	<ul style="list-style-type: none"> • Prepare concept Plans for upgrading recreation areas; • Prepare and revise project Plans for community groups; • Prepare bush regeneration Plans for priority areas as required and in accord with Council’s Bush Regeneration Status Report; • Carry out environmental and user needs assessments at site planning and design stage as required for all improvements; • Liaise with stakeholders to ensure all issues are addressed through the site assessment project planning process.

8.8.6 Leases and Licenses

Objectives	Actions
Enable leases and licenses for appropriate uses	<ul style="list-style-type: none"> • Council may enter into a lease or license for whole or part of the lands to which this Plan applies provided that: • Management of the land is in accordance with this Plan of Management, relevant Crown and Council policies and guidelines; • The use of the land is in the public interest; • The granting of the lease, license or estate is in accordance with the relevant provisions of the <i>Crown Lands Act 1989</i>.

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9 IMPLEMENTATION AND REVIEW

This Plan provides a long term strategy for the management of the southern part of the Woolgoolga Beach Reserve. It is anticipated the majority of the works described will be implemented over a ten year period. Priorities for works and funding are to be addressed on an annual basis to meet community needs.

Progress in relation to the implementation of the Plan will be monitored by the Reserve Trust and the Trust will report on an annual basis to the Crown Lands Division of the Department of Trade and Investment.

This Plan is to be reviewed approximately every five years or as required to ensure that it continues to be relevant with respect to government legislation and policy and community expectations.

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Attachment

APPENDIX 1
Section 68 Approval

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REFERENCES

Document Name	Reference area/applicability/comment
<p>Coffs Harbour 2030 Plan A Strategic Plan for the Coffs Harbour Community, December 2009</p>	<p>Vision Statement</p> <p>Coffs Harbour is a model of sustainable living. We value, respect and protect our natural environment and acknowledge that it sustains us and future generations. We work together to live sustainably. We have respect for, and learn from, our diverse communities of many ages and cultures. We are healthy, caring and actively engaged in our communities. We move around safely, easily and sustainably. Our economy is strong and diverse and our businesses are leaders in innovation and sustainability. We value all people and use the goodwill in our community to build a better future for our children. We think globally and act locally.</p> <p>Achieved through Five Themes</p> <p>Learning and Prospering (LP)</p> <p>LP1: We are recognised as a model of sustainable business and industry with a strong and diverse local economy.</p> <p>LP1.1 Our businesses and industries are future-drive, smart, innovative and green.</p> <p>1.1.1 Develop markets around renewable energy, sustainable tourism...</p> <p>LP1.2 Our economy is strong and diverse providing a wide range of rewarding employment opportunities which are available to all.</p> <p>LP1.2.1 Encourage and support the development of high value, sustainable new business and industry.</p> <p>LP1.2.3 Assist existing business operations to grow as sustainable enterprises.</p> <p>Places for Living (PL)</p> <p>PL1: We have designed our built environment for sustainable living.</p> <p>PL1.1 We use best practice urban design and infrastructure development to promote sustainable living.</p> <p>PL1.1.1 Focus development on central medium density urban centres.</p> <p>PL1.1.2 Create balanced pedestrian friendly communities with a mix of residential, business and services.</p> <p>PL1.3 We live and work in buildings which are attractive and sustainable.</p> <p>PL1.3.2 Encourage innovative and sustainable building design.</p> <p>PL2: We have created through our urban spaces, a strong sense of community, identity and place.</p> <p>PL2.1 We have beautiful, liveable and accessible spaces for all our people to enjoy.</p> <p>PL2.1.1 Plan for, and commit to, developing the harbour and foreshores as an inviting, vibrant place that forms the focal point for our city and people.</p> <p>PL2.1.2 Protect and expand public spaces and facilities and ensure</p>

Document Name	Reference area/applicability/comment
	<p>they are accessible and safe for all.</p> <p>PL2.1.3 Ensure urban areas have a focus as gathering places for people rather than cars.</p> <p>PL2.3 We have urban spaces which are child friendly.</p> <p>PL2.3.2 Create safe connections to spaces and facilities used by children.</p> <p>PL3: We have vibrant rural communities</p> <p>PL3.1 Our villages are revitalized and maintain their unique identities.</p> <p>PL3.1.2 Provide each village with the services and facilities needed to maintain a sense of local community.</p> <p>PL3.1.4 Create a sense of place for all in each of our communities.</p> <p>PL3.2 Our villages support a strong tourism base around local produce, arts, culture and nature experiences.</p> <p>Moving Around (MA)</p> <p>MA2: Many of us walk and cycle from place to place.</p> <p>MA2.1 We have constructed an interconnected network of cycle ways, footpaths and walking tracks that connect our urban communities, hinterland and coastal villages.</p> <p>Looking after our Community (LC)</p> <p>LC3: We enjoy a comprehensive range of community, artistic and cultural opportunities.</p> <p>LC3.3 We enjoy life together through a range of community events and recreational opportunities.</p> <p>LC3.3.2 Create opportunities for enhancement of the community's sense of well being.</p> <p>Looking after our Environment (LE)</p> <p>LE2: We protect and restore our environment to conserve its unique biodiversity for future generations.</p> <p>LE2.1 Our forests, beaches, headlands, ocean, rivers, forested mountain backdrop, plants and animals are conserved for future generations.</p> <p>LE2.1.1 Ensure land use management policies and practices conserve the region's unique environmental and biodiversity values.</p> <p>LE3: We manager our resources and development sustainably.</p> <p>LE3.1 We are responsible in the use and management of our natural resources and work to reduce our ecological footprint.</p> <p>LE3.1.2 Use best practice to prevent pollution impacts on our environment.</p>
Local Environment Plan 2000	<p>http://www.coffsharbour.nsw.gov.au/places-for-living/land-use/Documents/LEP%202000/Local%20Environmental%20Plan%202000.pdf</p>
Draft Coffs Harbour Local Environment Plan 2013	<p>The Draft Coffs Harbour LEP 2013 was adopted by Council on 13 December 2012 and forwarded to the Department of Planning for gazettal under Section 68 of the Environmental Planning & Assessment Act. Will replace City LEP and LEP 2000.</p>
Our Living City Settlement Strategy	<p>Is a citywide strategy that aims to provide a blueprint for a smart city with accessible and reliable transport, a strong regional economy, a vibrant community and a healthy natural environment.</p>

Document Name	Reference area/applicability/comment
	<p>The Strategy meets the requirements of the North Coast Regional Environment Plan (REP) 1988 and the Mid North Coast (MNC) Regional Strategy 2006.</p> <p>One of its main objectives is to provide mechanisms to ensure the growing city offers a range of quality styles of living, working and recreating.</p> <p>Under the Strategy Woolgoolga is regarded as a Coastal Town.</p>
Coffs Harbour Open Space Strategy 2010	http://www.coffsharbour.nsw.gov.au/places-for-living/land-use/public-open-space/Documents/Open-Space-Strategy-Context-And-Key-Outcomes.pdf
Coffs Harbour Coastal Zone Management Plan, Draft Management Study, February 2012	This Report presents management options for treating risks from erosion and recession and from coastal inundation to assets and land within the Coffs Harbour LGA coastal zone. The report presents the risk assessment for coastal hazards, then risk treatment options to manage coastal hazards for each asset at intolerable risk by 2100.
Coffs Harbour Coastal Reserves Management Plan 2000	Prepared to guide management, use and development of Coastal Crown Reserves for which Coffs Harbour City Council is the appointed Corporate Manager of the Reserve Trust.
GeoLink, Woolgoolga Lake Estuary Management Study	Identifies potential management strategies for the Coastal Zone Management Plan (CZMP) for Woolgoolga Lake estuary.
Coffs Harbour City Council Development Control Plans	Coastal and Hinterland Rural Lands (DRAFT) DCP
North Coast Regional Environmental Plan	<p>The REP is deemed to be a SEPP, but remains in force locally only until commencement of Council's LEP based on the Standard Instrument template. (December 2008)</p> <ul style="list-style-type: none"> • Division 1, Part 6: Tourism and Recreation • Division 2: Coastal Development • Division 2: Recreation <p>http://www.legislation.nsw.gov.au/viewtop/inforce/epi+51+1988+FIRST+0+N/</p>
Mid North Coast Regional Strategy 2006-2031 (March 2009)	http://www.planning.nsw.gov.au/plansforaction/pdf/midnorthcoast_regionalsstrategy_final.pdf
Northern Rivers Regional Biodiversity Management Plan	http://www.environment.gov.au/biodiversity/threatened/publications/recovery/pubs/northern-rivers.pdf
Coffs Harbour Coastal Processes and Hazards Definition Study, May 2010	Includes information on Wave and Wind Climate conditions of the Coffs Coast region and assessment of Woolgoolga Beach.
North Coast Regional Tourism Plan	http://corporate.tourism.nsw.gov.au/Sites/SiteID6/objLib13/North_Coast_Regional_Tourism_Plan.pdf
Mid North Coast Tourism Strategic Business and Marketing Plan, Mid North Coast Tourism Inc	<p>http://www.midnorthcoasttourism.com.au/system/files/2/Strategic%20Business%20and%20Marketing%20Plan.pdf</p> <p>The document states that:</p> <p>“The 2010-2012 periods will be one of realisation of new approaches and strategies for the RTO and Mid North Coast industry and stakeholders, and, a time of possible new direction and leadership for regional tourism in NSW.”</p>

Document Name	Reference area/applicability/comment
	Section 7.0 Short Term and Long Term objectives of the organization Section 12 Marketing Plan Section 17 Campaign Target Markets Section 18 Target Tourism Areas – Food & Wine, Nature & Adventure.
<p>Coffs Harbour City Council, <i>Koala Management Plan</i>, <u>1999</u></p> <p>Coffs Harbour City Council, <i>Vegetation Strategy</i>, <u>September 2003</u>.</p> <p>Coffs Harbour City Council, <i>Woolgoolga Town Centre Study</i>, <u>1996</u></p> <p>Department of Lands, <i>Crown Lands Caravan Parks Policy</i>, <u>April 1990</u></p> <p>Geolink, <i>Data Compilation and Estuary Processes Study, Darkum Creek, Woolgoolga Lake and Willis Creek</i>, <u>September 2011</u></p> <p>Our Living Coast Regional Flying Fox Program, September 2010.</p> <p>Parkland Environmental Planners, Guy Sturt and Associates, Pacific Coast Partners and Dr Rob Lander, <i>Park Beach Reserve Plan of Management</i>, <u>February 2009</u>.</p> <p>Sustainable Futures Planning and Design, <i>Plan of Management for Woolgoolga Beach Reserve</i>, <u>October 1990 but adopted 23 March 1992</u>.</p> <p>Destination NSW, <i>Travel to Mid North Coast Tourism Profile Year Ending June 2012</i>.</p> <p>Tourism New South Wales, <i>The Size and Shape of the New South Wales Tourism Industry</i>, <u>August 2009</u>.</p>	

DRAFT

Attachment

DRAWINGS

- | | |
|---------------------------|--|
| Drawing No WB - 01 | Existing Plan, Site Setout and Site Analysis - Woolgoolga Beach Caravan Park and Reserve |
| Drawing No WB - 02 | Concept Plan - Woolgoolga Beach Caravan Park |
| Drawing No WB - 03 | Masterplan - Woolgoolga Beach Public Open Space |

DRAFT



- Attachment**
- 01 EXISTING CARAVAN AND ORGANISED - PRESENTS A LARGE EXPANSE OF UNRELIEVED HARD SURFACE.
 - 02 DAY-USE CAR PARK - ACCESS CONFLICTS WITH THE CARAVAN PARK ENTRY AND ADDS TO THE AREA OF HARD SURFACE.
 - 03 EXISTING MANAGER'S RESIDENCE AND OFFICE - DESIGN IS NOT APPROPRIATE TO THE CHARACTER OF THE LOCATION.
 - 04 NARROW DEAD END ROADS ARE LESS THAN THE WIDTH REQUIRED BY THE REGULATIONS AND ARE IMPRACTICAL IN TERMS OF ACCESS FOR CARAVAN AND TRAILERS. THESE FACTORS GIVE RISE TO SAFETY CONCERNS.
 - 05 SMALL SITES ARE NOT LARGE ENOUGH TO ACCOMMODATE CONTEMPORARY CARAVANS OR EVEN LARGER TENTS AND MAINTAIN LEGAL SEPARATION DISTANCES. TWO SITES ARE GENERALLY BOOKED OUT TOGETHER AS A SINGLE SITE.
 - 06 SITES AND ROADS ARE NOT SET BACK FROM THE CARAVAN PARK BOUNDARY.
 - 07 POOR ROAD DESIGN RESULTS IN UNNECESSARILY LARGE AREA OF HARD SURFACE.
 - 08 SITES IN THIS PART OF THE PARK COMPLY WITH REGULATORY REQUIREMENTS AND ARE OF SUFFICIENT AREA TO ACCOMMODATE CONTEMPORARY VANS AND TENTS.
 - 09 OLDER STYLE EXISTING CABINS ARE SMALL AND REQUIRE REPLACEMENT WITH CONTEMPORARY FAMILY UNITS.
 - 10 SITES ALONG THE NORTHERN BOUNDARY OF THE PARK HAVE OUTSTANDING VIEWS AND ARE SUITABLE FOR QUALITY CABIN ACCOMMODATION.
 - 11 EXISTING PLAYGROUND - RECENTLY UPGRADED.
 - 12 CARAVANS, TENTS AND CABINS BINGE UPON THE MAIN STREET AND RETAIL AREA AS RESULT OF ABSENCE OF SETBACK AND POOR DESIGN OF ROADS AND SITES.
 - 13 EXISTING CENTRAL AMENITIES AND CAMP KITCHEN ARE IN GOOD CONDITION.
 - 14 SURF CLUB AND DAY-USE CAR PARK - UNFORMED AND UNSURFACED.
 - 15 EXISTING SURF CLUB - POSSIBILITY FOR REMOVAL AND DEVELOPMENT OF A NEW JOINT FACILITY WITH WOOLGOOLGA VOLUNTEER SEA RESCUE.
 - 16 DAY-USE PICNIC AND BARBECUE FACILITIES ARE WITHIN THE OPERATIONAL AREA OF THE CARAVAN PARK.



KEY :

 BUILDINGS	 82 SHORT-TERM SITES
 CABIN SITES	 8 LONG-TERM SITES
 INDICATIVE PARK LANDSCAPING	107 TOTAL SITES

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Agenda - Ordinary Meeting 10 October 2013 - CORPORATE BUSINESS DEPARTMENT REPORTS

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- Attachment**
- 01 MODIFY THE OVERLAY THE HOLIDAY PARK; REMOVE EXISTING BEACH TO ROADS AND SITES THAT DO NOT COMPLY WITH REGULATORY PROVISIONS. PROVIDE 1.5 METRE FENCING TO CARAVAN PARK BOUNDARY WITH LANDSCAPE PLANTINGS TO EDGE OF PEDESTRIAN PROMENADE.
 - 02 CREATE A PEDESTRIAN PATHWAY SYSTEM LINKING THE TOWN CENTRE TO THE BEACH TO FACILITATE GREATER USE OF THE BEACHFRONT RESERVE FOR PASSIVE RECREATION.
 - 03 MAINTAIN EXISTING LONG-TERM SITES AND ADEQUATE SUPPLY OF POWERED SITES FOR CARAVANS, TENTS AND RECREATIONAL VEHICLES.
 - 04 CREATE A HIGH QUALITY CABIN PRECINCT USING PURPOSE DESIGNED ACCOMMODATION WHICH TAKES ADVANTAGE OF THE BEACHFRONT LOCATION.
 - 05 REDUCE EXISTING INTERNAL ROAD WIDTH TO ALLOW FOR ONE-WAY TRAFFIC ONLY AND INCREASE DEPTH OF SITES.
 - 06 REMOVE THE EXISTING HOLIDAY PARK VEHICULAR ENTRANCE AND VISITOR AND DAY-USE CARPARK. RESTORE THE AREA AND INTEGRATE WITH THE EXISTING DAY-USE AREAS. UPGRADE THE PEDESTRIAN PATHWAY FROM OCEAN STREET THROUGH TO THE BEACH.
 - 07 DEVELOP A NEW ENTRY ROAD CONFIGURATION TO THE HOLIDAY PARK AND VISITOR PARKING WHICH COMPLIES WITH THE REQUIREMENTS OF THE REGULATIONS.
 - 08 ALTER AND RENOVATE THE EXISTING MANAGERS RESIDENCE TO CREATE A MORE CONTEMPORARY AESTHETIC CHARACTER.
 - 09 MAINTAIN AND RENOVATE THE EXISTING CENTRAL AMENITIES TO BETTER SERVICE THE REQUIREMENTS OF THE HOLIDAY PARK.
 - 10 ESTABLISH AN OUT-ONLY BOOM GATE CONTROLLED EXIT FROM THE HOLIDAY PARK TO REDUCE VEHICULAR TRAFFIC ACROSS THE PEDESTRIAN PROMENADE.
 - 11 RETAIN ALL EXISTING SIGNIFICANT VEGETATION AND CONSOLIDATE THE CHARACTER OF THE RESERVE AND THE HOLIDAY PARK THROUGH THE IMPLEMENTATION OF AN ONGOING PLANTING AND LANDSCAPING PROGRAM.
 - 12 SURF CLUB SITE TO BE VACATED & INTEGRATED WITH BEACHFRONT OPEN SPACE IN FAVOUR OF DEVELOPMENT OF NEW SURF CLUB PREMISES ON LAND CURRENTLY OCCUPIED BY WOOLGOOLGA VOLUNTEER SEA RESCUE.
 - 13 INSTALL (2) TWIN SITE EN-SUITE UNITS TO SERVICE FOUR NORTHERN SHORT-TERM SITES.



KEY :

BUILDINGS	49 SHORT-TERM SITES
18 CABIN SITES	8 LONG-TERM SITES
INDICATIVE PARK LANDSCAPING	75 TOTAL SITES

JOB NAME: WOOLGOOLGA BEACH RESERVE PLAN OF MANAGEMENT
 DRG TITLE: CONCEPT PLAN - WOOLGOOLGA BEACH CARAVAN PARK

CLIENT: WOOLGOOLGA BEACH RESERVE TRUST
 JOB No: 28.24
 DATE: AUGUST 2013
 A2 SCALE: 1:500
 DRG No: WB-02



- Attachment**
- 01 DEVELOP NEW PROPOSED WOOLGOOLGA SURF LIFE SAVING CLUB IN THE AREA CURRENTLY OCCUPIED BY THE WOOLGOOLGA VOLUNTEER SEA RESCUE. FACILITATE THE RELOCATION OF THE VOLUNTEER SEA RESCUE TO ARRARA WARRA WITHIN TWO YEARS AS PART OF COUNCIL'S STRATEGY TO IMPROVE BOATING FACILITIES AND SAFETY FOR THE COFFS COAST NORTHERN BEACHES. DETERMINE THE BOUNDARIES FOR THE AREA TO BE LEASED BY THE SURF CLUB. WORK WITH THE CLUB TO ENSURE THE DESIGN FOR THE NEW PREMISES WILL MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER AND FUNCTIONALITY OF THE RESERVE AND FULFIL THE LONG TERM OPERATIONAL REQUIREMENTS OF THE CLUB. PROVIDE PEDESTRIAN ACCESS TO THE CLUB FROM OCEAN STREET AND VEHICULAR ACCESS FROM THE EXISTING CAR PARK OFF CARRINGTON STREET.
 - 02 DEVELOP A PEDESTRIAN PATHWAY NETWORK TO LINK THE TOWN CENTRE AND THE PROPOSED SURF CLUB TO THE BEACH AND PUBLIC DOMAIN DAY USE AREAS. PROVIDE OPPORTUNITY FOR SCULPTURAL ELEMENTS, OUTDOOR PERFORMANCES, SEATING AND EXTENSIVE LANDSCAPING WHILE RETAINING SUBSTANTIAL OPEN SPACE AREAS FOR MARKETS AND COMMUNITY EVENTS.
 - 03 DEMOLISH THE EXISTING SURF CLUB PREMISES AND REHABILITATE THE SITE TO CREATE AN EXPANDED OPEN BEACHFRONT AREA. ADD THE LEASE AREA TO THE RESERVE.
 - 04 CONSTRUCT A SURF LIFE SAVING PATROL DECK TO FULFIL THE REQUIREMENTS OF THE SURF CLUB.
 - 05 FORMALISE AND EXPAND THE PROVISION OF PUBLIC PARKING IN HOFFMEIER CLOSE.
 - 06 REDEFINE THE AREA OCCUPIED BY THE HOLIDAY PARK TO EXPAND THE AREA OF PUBLIC DOMAIN OPEN SPACE WHILE RETAINING A COMMERCIALLY VIABLE OPERATIONAL AREA WHICH IS CAPABLE OF GENERATING THE FUNDS TO SUPPORT THE IMPROVEMENT AND MAINTENANCE OF THE WIDER RESERVE FOR COMMUNITY ENJOYMENT.
 - 07 REMOVE THE EXISTING DAY USE PARKING AREA TO REDUCE THE EXTENT OF HARD SURFACE AND DEMOLISH THE EXISTING PUBLIC AMENITIES. RESTORE THE AREA AS AN INTEGRAL PART OF THE PUBLIC DOMAIN OPEN SPACE. CONSTRUCT NEW PUBLIC AMENITIES OF A DESIGN THAT IS APPROPRIATE TO THE CHARACTER OF THE RESERVE AND TO MATCH COMMUNITY REQUIREMENTS.
 - 08 DEVELOP A NEW ENTRANCE TO THE HOLIDAY PARK WITH ENTRY AND EXIT LAYBYS AND VISITOR PARKING WHICH COMPLIES WITH THE REQUIREMENTS OF THE REGULATIONS.
 - 09 ALTER AND UPGRADE THE CHILDREN'S PLAYGROUND TO KEEP SPACE WITH CONTEMPORARY REGULATORY REQUIREMENTS AND OFFER FACILITIES FOR A RANGE OF AGE GROUPS. INCLUDE PROVISION OF SHADE AND SEATING FOR PARENTS AND CARERS.
 - 10 PROVIDE PICNIC AND BARBECUE SHELTERS IN SUITABLE LOCATIONS THROUGHOUT THE RESERVE OF A DESIGN THAT WILL COMPLEMENT THE CONTEMPORARY CHARACTER OF OTHER NEW FACILITIES.
 - 11 UPGRADE THE PEDESTRIAN PATHWAY FROM OCEAN STREET THROUGH TO THE BEACH.
 - 12 RE-CONFIGURE THE EXISTING PARKING AREA TO MAKE BETTER USE OF THE SPACE AND TO MATCH THE REQUIREMENTS OF THE SURF CLUB. REDUCE THE AREA OF HARD SURFACE.
 - 13 EXTEND THE BEACHFRONT PATHWAY TO LINK WITH AND EXTEND THE COASTAL WALKWAY.



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JOB NAME: WOOLGOOLGA BEACH RESERVE PLAN OF MANAGEMENT

DRG TITLE: MASTERPLAN - WOOLGOOLGA BEACH CARAVAN PARK & PUBLIC OPEN SPACE

CLIENT: WOOLGOOLGA BEACH RESERVE TRUST JOB No: 28.24

DATE: AUGUST 2013 SCALE: A2 @ 1:800



DEVELOPER CONTRIBUTION PLANS REVIEW

Purpose:

To present to Council the following draft amended Developer Contributions Plans and Development Servicing Plans:

1. Regional, District and Neighbourhood Facilities & Services 2013
2. Coffs Harbour Road Network 2013
3. City Centre Car Parking 2013
4. Hearnese Lake/Sandy Beach Release Area 2013
5. Jetty Area Car Parking
6. Korora Rural Residential Release Area 2013
7. Mines and Extractive Industries 2013
8. Moonee Release Area 2013
9. North Coffs Release Area 2013
10. North Boambee Valley (East) Release Area 2013
11. North Bonville 2013
12. Park Beach Area 2013
13. South Coffs 2013
14. West Coffs Harbour 2013
15. West Woolgoolga 2013
16. Water Supply Development Servicing Plan 2013
17. Wastewater Development Servicing Plan 2013.

This report recommends that the Plans be placed on public exhibition for a period of 30 days.

Description of Item:

Council's current Developer Contributions Plans and Development Servicing Plans currently make reference to the Coffs Harbour Local Environmental Plan 2000 and various Development Control Plans that apply to specific release areas.

Council, at its meeting on 13 December 2012, resolved to adopt the Local Environmental Plan (LEP) 2013 and the Coffs Harbour Development Control (DCP) 2013. Further, at that meeting Council resolved to submit LEP 2013 to the Department of Planning and Infrastructure for Gazettal.

On 27 September 2013 Council received formal advice of the gazettal of LEP 2013. Following receipt of this advice, and the adoption of the Coffs Harbour DCP 2013 in December 2012, Council's Draft Developer Contributions Plans and Development Servicing Plans have been amended to refer to these recently adopted documents rather than the superceded LEP 2000 and various area specific DCP's.

Some other minor amendments to the contributions plans have also been undertaken and these are discussed in the "Issues" section of this paper.

The amendments to the Draft Plans are considered to be generally 'housekeeping' in nature.

Sustainability Assessment:

- **Environment**

There are no environmental issues associated with this report.

- **Social**

Council's Developer Contributions Plans are a mechanism for funding infrastructure and services that provide for the needs of additional population.

- **Civic Leadership**

It is appropriate that Council's contributions plans reflect the most recent strategies and plans rather than outdated documents. This will ensure a greater strategic alliance to Council's adopted Coffs Harbour 2030 Plan and its various components.

- **Economic**

Broader Economic Implications

There are no economic implications associated with the draft plans.

Delivery Program/Operational Plan Implications

There are no Delivery Program/Operational Plan implications associated with this report.

Risk Analysis:

The changes to the plans as proposed would reduce risk by way of referring to current strategies and plans rather than superceded documents.

Consultation:

Council's Developer Contributions Internal Working Group has been consulted in the preparation of this report.

Related Policy and / or Precedents:

There are no related policies or precedents associated with this report.

Statutory Requirements:

Section 26(4) of the Environmental Planning and Assessment Regulation 2000 provides that draft contributions plans must be exhibited for at least 28 days. A notice of exhibition is required to be placed in the local newspaper.

Issues:

There have been some additional minor amendments to the plans that relate to referencing some of Council's adopted strategies.

Specifically the following plans have been amended to reference Councils 'Our Living City Settlement Strategy' rather than previous superceded urban development strategies and related documents:

- Coffs Harbour Road Network Contributions Plan
- Hearnes Lake/Sandy Beach Contributions Plan
- Moonee Release Area Contributions Plan
- North Bonville Area Contributions Plan
- West Coffs Contributions Plan
- West Woolgoolga Contributions Plan.

The following plans have been amended to reference Council's adopted Coffs Harbour Open Space Strategy 2010, the Coffs Harbour Sports Facilities Plan and the Coffs Harbour City Council's Social and Community Strategic Plan in lieu of the superceded Open Space Strategy 1998 and Coffs Harbour City Council's Community Services Plan:

- Hearnes Lake/Sandy Beach Contributions Plan
- Moonee Release Area Contributions Plan
- North Bonville Area Contributions Plan.

The abovementioned amendments ensure that the Draft Plans demonstrate the current nexus or need for the facilities that are the subject of a monetary contribution.

The Regional, District and Neighbourhood Facilities and Services Contributions Plan requires some amendments to better align with the Sports Facilities Plan, and a comprehensive review of this plan is currently in progress. It is anticipated that this review will be the subject of a Council report in the near future.

The existing 'Roads, Trunk Drainage and Mines and Extractive Industries Plan' has been amended by the deletion of contributions towards two items, those being the upgrade of the Loaders Lane/Coramba Road intersection and the construction of a culvert on James Small Drive. Both these items have been completed and all necessary contributions accounted for. The revised draft plan now includes only contributions towards road maintenance associated with quarrying operations. The contribution applicable to mines and extractive industries in the draft plan has been updated to current day values.

The Water Development Servicing Plan and Waste Water Development Servicing Plan have an additional clause inserted – Clause 7.12, which references Council's adopted Works In Kind Policy. This inclusion is to ensure users can clearly identify the requirements associated with any proposed works in kind.

Implementation Date / Priority:

The Draft Plans will be placed on public exhibition immediately should Council adopt the recommendations of this report.

Recommendation:

That the following Draft Section 94 Developer Contributions Plans and Draft Section 64 Development Servicing Plans be placed on public exhibition for a period of 30 days and submissions be invited

- 1. Regional, District and Neighbourhood Facilities & Services 2013**
- 2. Coffs Harbour Road Network 2013**
- 3. City Centre Car Parking 2013**
- 4. Hearnes Lake/Sandy Beach Release Area 2013**
- 5. Jetty Area Car Parking**
- 6. Korora Rural Residential Release Area 2013**
- 7. Mines and Extractive Industries 2013**
- 8. Moonee Release Area 2013**
- 9. North Coffs Release Area 2013**
- 10. North Boambee Valley (East) Release Area 2013**
- 11. North Bonville 2013**
- 12. Park Beach Area 2013**
- 13. South Coffs 2013**
- 14. West Coffs Harbour 2013**
- 15. West Woolgoolga 2013**
- 16. Water Supply Development Servicing Plan 2013**
- 17. Wastewater Development Servicing Plan 2013.**

ENVIRONMENTAL LEVY WORKING GROUP - COMMUNITY NOMINATIONS

Purpose:

To report to Council on the applications received for membership on the Environmental Levy Working Group. As members cannot attend all meetings this report recommends that all five applicants be appointed community members to the Environmental Levy Working Group.

Description of Item:

The Environmental Levy Working Group operates as a Section 355 Committee to assess submissions received for funding under Councils Environmental Levy Program, and provide a recommended program of works to Council for consideration and inclusion in the Draft Delivery Program.

At a meeting held 25 June 2009 Council adopted that the Environmental Levy community representative positions are to be declared vacant every four years and nominations be invited for the vacant positions.

In May 2013 an Environmental Levy Working Group Committee Meeting Procedures report was adopted by Council with the following details for Committee Membership in section 2: The composition of the Committee will be as determined by Council Resolution from time to time, but will generally comprise three Councillors, three staff members as appointed by the General Manager, and three community representatives appointed by Council Resolution. There were five vacating community members.

The five vacating community members for June 2013 include:

Mr Adrian Maloney
Mr Garry Dew
Ms Jane Ireland
Mr Justin Couper
Mr Rod McKelvey.

Advertisements were placed in the local newspaper on 10 and 17 July 2013 advising the community that members were being sought to represent the Coffs Harbour community in the Environmental Levy Working Group.

Subsequently a total of five nominations were received from the following community members:

Mr Rod McKelvey
Mr Garry Dew
Ms Jane Ireland
Ms Robyn Thomson
Ms Justine Maunsell

All applications received represent community members with attributes that would render them suitable for the committee.

Sustainability Assessment:

- **Environment**

In considering the applications received, the level of qualifications and experience on environmental issues have been considered in assessing the appropriateness of potential working group members.

- **Social**

The inclusion of community members on the Environmental Levy Working Group is considered appropriate in order to provide the best outcomes from funding submissions. Additionally where possible, membership has been recommended having regard to the demographics of the applicants to assist in an equitable distribution of areas within the LGA.

- **Civic Leadership**

Councils Environmental Levy Program seeks to promote sound environmental practices and promotes leadership and involvement in key environmental issues which accords with Councils strategic theme of "Looking after our Environment".

- **Economic**

Broader Economic Implications

The Environmental Levy Working Group will assist in preparation of the Environmental Levy Program for consideration by Council.

Delivery Program/Operational Plan Implications

There are no direct economic outcomes associated with the appointment of community members to the Environmental Levy Working Group on Councils Delivery Program.

Risk Analysis:

Council is required to have community members in the Environmental Levy Working Group. The working group makes recommendations to Council for suitable environmental projects, they are assessed on criteria from the Environmental Levy Policy which is based on Council adopted strategies. Council has the final decision as to which projects are adopted therefore there is minimal risk to Council in having projects that are not aligned to Council strategies being adopted.

Consultation:

Council staff familiar with the operation of the Environmental Levy Working Group has been consulted in preparing this report.

Related Policy and / or Precedents:

The Environmental Levy Policy which was adopted on 23 May 2013 states that the community representative positions are to be declared vacant at 30 June every four years and nominations be invited for new membership. It also allows existing members to re-nominate.

Statutory Requirements:

Section 355 of the Local Government Act provides for Council to exercise its functions by way of a committee of Council.

Issues:

In assessing the applications, several factors were used to assist in determining the community members for inclusion on the Environmental Levy Working Group. These factors included the completeness of the application, previous experience on a broad range of environmental issues, potential pecuniary interests, previous committee experience, and demographical location.

Historically the working group has always had a minimum of four community members with a maximum of eight in 2002. For the past four years there have been five community members, this has proven invaluable where not all members of this small group are able to attend every meeting. In particular, during the scoring process any member, community or otherwise, cannot score applications where they have a pecuniary or non-pecuniary interest. As membership is not limited each application is scored and then averaged based on how many members are eligible to vote. Therefore if there are applications where a few members are unable to vote it allows a broader range of knowledge and experience in the scoring to be maintained, which allows more diverse applications to be selected.

All five applications received represent community members with attributes that would render them suitable for the committee. They come from a wide demographic area representing the broader community as a whole, from Arrawarra in the North, Nana Glen in the West, Bonville in the South and The Jetty in the East. Full applicant details are included in a separate confidential attachment.

Implementation Date / Priority:

The recommendation of this report will be implemented immediately upon Council adoption.

Recommendation:

That all five applicants, Mr Garry Dew, Mr Rod McKelvey, Ms Jane Ireland, Ms Robyn Thomson and Ms Justine Maunsell are appointed to the Environmental Levy Working Group.

TEEN PLAYGROUND AT PARK BEACH HOLIDAY PARK

Purpose:

To recommend a supplier for the construction of a teen oriented playground area within Park Beach Holiday Park.

Description of Item:

Park Beach Holiday Park, as part of its current Business Plan and Sustainable Improvement Strategy and Masterplan (SISM), is installing a new 'teen' focused playground. The SISM originally recommended that the playground be installed to the south of the current 'jumping pillow'. However, this location is no longer deemed suitable as the proposed location now acts as an overland drainage channel during periods of high volume rainfall.

As an alternative, the playground is now proposed to be constructed on the site of the park tennis court and utilising the existing surface and fencing in the construction of the playground. The rationale for constructing the playground in lieu of the tennis court is that tennis is limited in its accessibility during peak times (4-6 guests) whereas the playground can cater for multiple users (20-40 guests) over an extended period. The park has negotiated access to a local tennis facility for any guest that still wishes to partake in tennis.

Detailed designs and costings have been sourced from two key providers, Moduplay Group Pty Ltd and PlayRope Pty Ltd, based upon a brief that specified key elements but also provided the supplier with opportunities to showcase new and unique 'teen' focused play and leisure opportunities. Key elements included active play areas along with 'chill-out' areas that provided options for wireless connectivity and the ability to stream music through the play equipment via integrated speaker systems.

Sustainability Assessment:

- **Environment**

The Park Beach Holiday Park operates under a plan of management which provides balance between recreational use and environmental issues. Whilst tourists increase environmental pressure on the locations visited the, impact is offset by a reduction in environmental pressures at their place of origin. The park generates funds that contribute to the environmental maintenance of the adjoining reserve system.

- **Social**

The parks are part of the local tourism infrastructure and provide a major recreational resource. Funds generated through the caravan parks are used to maintain the greater reserve system and provide locations for social and recreational use by tourists and local residents. The playground has been designed to enhance the social interactions of teen guests within the park.

- **Civic Leadership**

The Coffs Coast State Park Trust works towards achieving the outcomes set down in the Coffs Harbour 2030 Community Strategic Plan, and are consistent with the following strategies:

LP1.1.1 - Develop markets around renewable energy, sustainable tourism, sustainable agriculture and fisheries, local produce, creative and clean industries.

PL2.1.2 - Protect and expand public spaces and facilities and ensure they are accessible and safe for all.

- **Economic**

Broader Economic Implications

Through profitable trading the parks provide a direct economic benefit to the community and through guest spending provide a stimulus to the localities in which they operate. Revenue from holiday park operations will be used to fund the project.

Delivery Program/Operational Plan Implications

The improvements proposed are in line with the Parks Business Plan and SISM and will assist in achieving the desired financial outcomes for the business unit, with all profits being directed back into the reserve system in which the park operates.

Risk Analysis:

Council's Holiday Parks are fully self-funding so there is no direct risk to Council's Operational Plan. Investment on this scale carries inherent risk but this has been ameliorated through sustainable business planning and market assessment.

Consultation:

Council's Landscape Architect, who has strong experience in playground design and construction, has been consulted on the design and feedback had been sought on the quality and capability of the suppliers who have both undertaken previous works for Coffs Harbour City Council.

Related Policy and / or Precedents:

The suppliers, Moduplay Pty Ltd and PlayRope Pty Ltd, are both captured under Local Government Procurement (LGP Contract Number: "LGP308-2 Playground, Open Space and Recreational Infrastructure") and as such, there is no requirement to go to tender. The market has been tested via quotation to ensure value for money and consultation with Council's Landscape Architect has been carried out.

Statutory Requirements:

Local Government Procurement (LGP) has been prescribed under section 55 of the Local Government Act, allowing councils to utilise supply arrangements coordinated by LGP without the need to go to tender in their own right. LGP and the Department of Commerce's State Contracts Control Board are the two NSW entities who have this legislative requirement.

Awarding the project is in line with the Local Government Tendering Act 1993 and Local Government (General) Regulation 2005.

Issues:

There are difficulties in assessing quotations of this nature due to the individual products offered by the various suppliers. The recommended supplier is the best design submitted based upon the brief given, and their customer service quality and ability to instill consumer confidence have also been highly regarded in the assessment of the proposals.

Implementation Date / Priority:

11 October 2013.

Recommendation:

That Coffs Harbour City Council, as Corporate Manager of the Coffs Coast State Park Trust, considers the quotations provided and adopt the recommendation contained in the separate confidential attachment to this report.

BUSINESS OPPORTUNITY

Purpose:

To obtain Council consent to acquire a business enterprise.

Description of Item:

Council has been offered the opportunity to acquire a business enterprise. The attached confidential report explains the proposal in detail.

Recommendation:

That Council move the motion as detailed in the confidential attachment.

COSTS ASSOCIATED WITH BUSKERS' FESTIVAL

Purpose:

Councillor Mark Sultana has asked for the following information:

That a full breakdown of Council's direct and other costs associated with the Buskers' Festival 2013. In particular:

- a) Cost benefit analysis of the event.
- b) A profit and loss statement for all previous Buskers' Festivals.

Staff Comment:

To undertake a formal cost benefit analysis of the Festival, Council would need to commit funding of between \$27,000 and \$150,000 depending on scope and experience of those undertaking the analysis.

Regarding the profit and loss statement for all previous festivals, with the time available, the below table is provided. If required more detail can be collated and this can be back to 1999. It was at this time that, following community and business input, the Festival which was originally run by Rotary, became an annual Council run event.

Given that the Festival has only just finished for 2013, a full breakdown for 2013/2014 will not be available until all invoices have been received.

After the 2010 Festival an informal, in house, evaluation was undertaken and formed the basis of an Economic Impact Assessment for 2010 Coffs Harbour International Buskers & Comedy Festival. This document has been provided to Councillors separately for information.

		<u>2012/13</u>	<u>2011/12</u>	<u>2010/11</u>	<u>2009/10</u>	<u>2008/09</u>
		\$	\$	\$	\$	\$
Operating Expenses						
517076	Total Operating Expenses	<u>111,353</u>	<u>112,005</u>	<u>123,001</u>	<u>110,229</u>	<u>93,453</u>
Operating Revenue						
517721	Events Income	<u>(48,300)</u>	<u>(63,235)</u>	<u>(78,162)</u>	<u>(70,077)</u>	<u>(58,195)</u>
NET DEFICIT		<u><u>74,553</u></u>	<u><u>48,770</u></u>	<u><u>44,839</u></u>	<u><u>40,152</u></u>	<u><u>35,258</u></u>