



# **RICHMOND VALLEY COUNCIL**

## **Minutes**

### **Reserve Trust Meeting**

**Tuesday, 10 November 2009**

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**MINUTES OF THE RESERVE TRUST MEETING OF RICHMOND VALLEY COUNCIL, HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND GRAHAM PLACE, CASINO, ON TUESDAY, 10 NOVEMBER 2009 AT 2.00 P.M.**

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**PRESENT**

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Crs. S.A. George (Deputy Mayor/Chairman), C.J. Cox, O. Crawford, B.J. Jeffery, D.A. Kinnish, S.E. Morrissey and S.N. Wheatley.

The General Manager, Director Corporate Services, Director Environmental Development Services and Executive Assistant (Roslyn Townsend) were also in attendance.

**1 APOLOGIES**

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Apologies were tendered on behalf of Cr. Sullivan (Mayor) and Cr. Mustow.

**RT101109/ 1 RESOLVED** (Cr. Morrissey/Cr. Crawford)

That such apologies be accepted and leave of absence granted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr. Sullivan, Cr. Mustow

**2 DECLARATION OF INTERESTS**

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Nil.

**3 REPORTS**

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**3.1 EVANS HEAD COASTAL RESERVES - PLAN OF MANAGEMENT**

**Reference:** Parks and Reserves - Planning

**Prepared by:** Planning Officer

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**Background**

It was determined late 2006 by the then General Manager Crown Lands Division to provide for an overarching planning scheme for the Richmond Coast Regional Crown Reserves encompassing crown land in Evans Head. This arrangement provided for strategic planning through the use of statutory Plans of Management for areas of crown estate. The Planning Structure allowed for the Richmond Coast Regional Crown Reserves to be the overarching Plan of Management

under which specific management plans for individual reserves could be produced or provide opportunity for Plans of Management for grouping of reserves to be managed in accordance with one plan.

Richmond Valley Council saw an opportunity to incorporate a number of Crown Reserves for which Council was trustee, to be managed in a way where funds generated through the operation of the Silver Sands Holiday Park could be allocated to a number of coastal reserves throughout Evans Head. In this way works and projects planned within close proximity to the coastline within Crown Reserves can be funded through Silver Sands generated capital for improvement works that will ultimately improve assets utilised by visitors and the local inhabitants of Evans Head alike. Funds derived from the Silver Sands Holiday Park have the initial priority to finance upkeep and works within the Evans Head Recreational Reserve and then may provide funding for other reserves included within the plan as available.

Richmond Valley Council had been considering ways in which funds from the holiday park could be allocated to fund nearby coastal reserve projects since early 2002 but an earlier version of a draft plan of management irredeemably suffered setbacks in 2007 following the draft being sent to the Department of Lands for comment. Due to staffing shortages at the Department and miscommunications as far as the intent and direction of the plan, comment regarding the earlier draft was not forthcoming and the format and style of the document became dated.

The most recently produced Plan of Management for the Evans Head Coastal Reserves has been compiled by GHD Consultancy on Council's behalf to present an up to date management plan based upon most recent and best practice principles. The format, style and intent of recently exhibited and adopted coastal Plans of Management have been suggested as referenced by the Department and ensure the document is contemporaneous.

The Evans Head Coastal Reserves Plan of Management will replace, whilst still making reference to the:

- Shark Bay/ Razorback Lookout Plan of Management (05/02/1996).
- Evans Head Recreational Reserve Management Plan (10/03/1992) – (to be updated separately).
- Airforce Beach Plan of Management.

It will also include other Crown Reserves not managed under previous plans, including; Kalimna Park, Paddon Memorial and Coast Guard Park, the 'public baths' on the northern side of the Elm Street Bridge, Bingarra Reserve and other assorted coastal reserves outlined within the map provided within the draft plan.

## **Report**

### ***Issues***

The Silver Sands Holiday Park (formerly Caravan Park) is currently operating under the Evans Head Recreational Reserve Management Strategy (Richmond

River Shire Council November 1991) and is due to be superseded by the Evans Head Recreational Reserve Master Plan incorporating the Business/Operational Plan for Silver Sands Holiday Park. The Master Plan is intended for exhibition and adoption concurrent to the Evans Head Coastal Reserves Plan of Management exhibition and adoption. It is further anticipated a specific Plan of Management for the Holiday Park and Evans Head Recreational Reserve will be prepared to operate alongside the Evans Head Coastal Reserves Plan of Management specific to improvements intended for the Holiday Park and reserve site.

The Evans Head Recreational Reserve Master Plan details improvements and expansion planned for the Holiday Park and reserve in accordance with Department of Lands' intentioned direction for the site. As the Master Plan and the Evans Head Coastal Reserves Plan of Management have been prepared in close consultation with the Department, the resultant plans reflect the Lands Department's direction for the Holiday Park and reserve and provide for the effective distribution of capital for works planned throughout the coastal reserves specified within the Evans Head Coastal Reserves Plan of Management.

The alternative option to not adopt the plan would mean that opportunity would be lost to fund Park and Reserve improvement works within reserves that would not be otherwise funded in the future.

### ***Legal***

As the Plan of Management was produced on behalf of Richmond Valley Council as directed by the Department of Lands, Council is obliged to give public notice and exhibit the draft plan, together with any other matter considered appropriate to enable the draft plan and its implications to be understood in accordance with the Crown Lands Act 1989. The exhibition period is to be at least 28 days to be displayed by the Reserve Trust and by the Department during which time representations may be made to the Minister for consideration before adoption, as specified within section 113 of the Crown Lands Act 1989.

The Minister may then adopt the Plan of Management for the Evans Head Coastal Reserves with or without alteration and may impose a condition requiring the trust to indemnify the Crown against any liability or claim for compensation that may arise as a result of the reserve being used for the additional purpose specified within the plan.

The exhibition of the two plans concurrently will kerb costs associated with the public consultation process and allow resources to be on hand to attend to enquiries relative to the intertwined documents.

### ***Policy***

The introduction and implementation of the draft Evans Head Coastal Reserves Plan of Management has the intention of superseding the previous Plans of Management for each of the coastal reserves for which the Plan of Management serves to replace. The intent and actions contained within earlier plans are referred to and referenced within the new document.

***Environmental***

Environmental implications and consequences relating to the implementation of the Evans Head Coastal Reserves Plan of Management are largely positive due to the inclusion of environmental works within the plan seeking to further the quality of stormwater discharge, coastal and riverbank erosion control and works to rehabilitate and protect existing vegetation. All consequential effects from environmental protection works of this nature necessarily have a positive flow on effect to better water, air, soil and natural habitat quality.

The only vegetative removal works permitted as a consequence of proposed actions within the plan are to maintain line of sight distances for the continuing effective operation of the coast guard tower, enable viewing distances within the immediate area of the lookout and the removal of invasive weed species during rehabilitation works.

***Asset***

The Evans Head Coastal Reserves Plan of Management has the potential to improve existing assets and provide for new. Service and maintenance will be greatly improved due to increased funding opportunities provided through the Silver Sands Holiday Park.

***Social***

The Plan of Management for Evans Head Coastal Reserves will provide improvement opportunities within public areas that will enrich social opportunity and enjoyment through accessibility enhancement.

***Consultation***

The preparation of the draft Evans Head Coastal Reserves Plan of Management has undergone extensive consultation with the Department of Lands to produce the contemporary version of the plan proposed for endorsement by the Trust. A series of 'issues reconciliation' between the Department and Richmond Valley Council was initiated beginning with a meeting 6 December 2006 after the previous draft plan stalled whilst awaiting comment. Since the initial issues reconciliation, numerous meetings to progress the draft have been conducted 20 March 2007, 31 October 2008, 13 May 2009 and 23 June 2009. In addition there has been much informal conversation between the Department, Richmond Valley Council and GHD Consultancy to enable the Plan to be produced.

The draft plan will be exhibited for a minimum period of 28 days and submissions will be invited from the public and relevant agencies during this time. The Evans Head Coastal Reserves Plan of Management will also be publically exhibited alongside the Evans Head Recreational Reserve Master Plan through a forum presentation conducted at Evans Head.

***Economic***

The close relationship of the Evans Head Coastal Plan with the regional planning process supported by the Department of Lands provides for greatly increased economic benefit for tourism, business and employment in the local area. The realisation of projects and works intended for reserves aided by Holiday Park revenue will provide economic opportunity through the provision of the works specified within the plan. Improvements to the coastal reserve network will provide employment as well as enticing tourism and revenue to the area, providing overall economic advantage.

***Staff***

One member of planning staff will be required to oversee the exhibition process involving response to enquiries, collation of submissions and report writing/amendment to the plan. GHD have been the contracted consultants for the preparation of the plan and will be advised regarding any amendments considered necessary. The exhibition process will require one member of the planning staff to be available for public viewing and enquiries regarding the document.

***Strategic Links***

Inclusive within the plan is the mechanisms to provide for pedestrian and cycleway linkages throughout the coastal reserves, as proposed future actions. The plan will further the intent of the State cycle and pedestrian linkage plan.

Other future action proposed will improve accessibility within and between coastal reserves through the maintenance of existing and provision of new paths and cycle ways.

***Financial Implications***

The adoption and endorsement of the Evans Head Coastal Reserves Plan of Management presents minimal financial implications to Council as the funding for the plan preparation and exhibition has been provided through funds allocated for Regional Reserve planning. The utilisation of Trust funds for the Coastal Reserve Plan falls within the ambit of Trust responsibilities and Council has managed contract arrangements without formal ongoing approvals from the Department.

***Statutory/Policy Implications***

The adoption of the Evans Head Coastal Reserves Plan of Management provide a statutory document to oversee the operation of a number of reserves and replaces previous individual Plans of Management for reserves whilst still recognising existing actions and intent contained within the previous plans.

***Climate Change***

The implementation of foreshore improvement works and hazard reduction measures in accordance with the draft Plan of Management will serve to counter negative impacts resulting from climate change, such as sea water level rise and increased tidal and storm erosion activity.

***Sustainability (ESD Principles)***

The adoption and use of the Evans Head Coastal Reserves Plan of Management would further the attainment of Ecologically Sustainable Principles through providing for water, air and soil quality improvements as sustainability indicators.

**Conclusion**

The adoption of the draft Evans Head Coastal Reserves Plan of Management will provide for opportunity to fund improvements and new works within Evans Head reserves within close proximity to the coastline. The plan adoption and endorsement by the Minister will ultimately improve assets utilised by visitors and the local inhabitants of Evans Head alike.

The alternative option to not adopt the plan would mean that opportunity would not be taken up to fund park and reserve works within reserves that presently are in need of improvements, are under-resourced and unfunded.

Note: A copy of the Draft Evans Head Coastal Reserves Plan of Management had been distributed to Trust members in conjunction with this report.

**RECOMMENDATION**

Recommended that:

1. The Trust endorse the draft Evans Head Coastal Reserves Plan of Management.
2. The Trust refer the draft Plan of Management to the Crown and request the Plan be endorsed for public exhibition.

**RT101109/ 2 RESOLVED** (Cr. Jeffery/Cr. Morrissey)

That the above recommendation be adopted.

FOR VOTE - Cr. Cox, Cr. Crawford, Cr. George, Cr. Jeffery, Cr. Morrissey, Cr. Wheatley

AGAINST VOTE - Cr. Kinnish

ABSENT. DID NOT VOTE - Cr. Sullivan, Cr. Mustow

### **3.2 SUMMARY OF THE CORAKI PUBLIC RECREATION RESERVE BOARD MEETING HELD ON 12 OCTOBER 2009**

**Reference:** Parks and Reserves - Design and Construction, Service Provision, Trusts; Laws and Enforcement - Standards; P42846

**Prepared by:** Governance Officer

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#### **Background**

The Coraki Public Recreation Reserve Board met on 12 October 2009.

The Board has the function of care, control and management of Coraki Caravan Park and to provide input to the Reserve Trust in respect of the Caravan Park and other Public Recreation Reserves in Coraki.

#### **Report**

##### ***Issues***

The Coraki Public Recreation Reserve Board considered the following matters at its meeting held on 12 October 2009:

- Disabled Toilet Block – construction to commence soon
- Approval given for purchase and installation of a new clothes line
- Timber barriers installed in the Caravan Park
- Boom gate under consideration with review of Management Plan
- Signage under review
- Interim Treasurers report made – due to ongoing problems with statements from the Commonwealth Bank
- New members of the Board congratulated
- Site fees reviewed (refer to separate report)
- Keys and security arrangements discussed
- Management Plan to be reviewed in December meeting
- Supervision of children in amenities block discussed
- Park Rules reviewed (refer to separate report)

A copy of the Minutes of the Coraki Public Recreation Reserve Board Meeting held on 12 October 2009 has been circulated separately to each Councillor.

#### **Conclusion**

Consideration of the recommendations by the Trust will satisfy the Trust's obligations.

**RECOMMENDATION**

Recommended that the information be received and noted.

**RT101109/ 3 RESOLVED** (Cr. Kinnish/Cr. Jeffery)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.  
ABSENT. DID NOT VOTE - Cr. Sullivan, Cr. Mustow

**3.3 CORAKI PUBLIC RECREATION RESERVE - CARAVAN PARK RULES AND FEE STRUCTURE**

**Reference:** Parks and Reserves - Design and Construction, Service Provision, Trusts; Laws and Enforcement - Standards; Financial Management - Fees and Charges; P42846

**Prepared by:** Governance Officer

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**Background**

The Coraki Public Recreation Reserve Board met on 12 October 2009.

The Board has the function of care, control and management of Coraki Caravan Park and to provide input to the Reserve Trust in respect of the Caravan Park and other Public Recreation Reserves in Coraki.

**Report*****Issues***

The Coraki Public Recreation Reserve Board met on 12 October 2009. The Board reviewed the Rules for the Coraki Caravan Park, and the Fee structure. The Board has proposed new Park Rules and a new Fee Structure. A copy of the proposed Park Rules and new Fee Structure have been incorporated in this report. The Board understands and accepts that there are still a small number of long term tenants of the Coraki Caravan Park, who have a lease, the terms of which must be respected.

The proposed changes to the Park Rules tidy up some inconsistency in language in the current rules, make it clear the Reserve is for public recreation and not permanent residence, and deal with the following new issues:

- Grounds on which a person can be refused entry or asked to leave.
- Speed limit for motor vehicles.
- Disposal of garbage.
- Use and cleaning of the BBQ area.
- A need for greater supervision of children in the amenities block.

The new fee structure has been proposed for the following reasons:

- The fees have not been increased for some years
- Annual income from site fees is about \$27,700 per year.
- Annual operating expenses are about \$33,400 per year.
- Interest earned on bank balance is about \$200 per year on average.
- This leaves an annual deficit of about \$5,500 per year.
- Electricity charges represent about 40% of operating expenditure
- Electricity charges are expected to increase 40% in the next year
- The facilities have improved with significant investment in recent years in security of the park through installation of timber barriers to prevent through traffic, creation of an alcohol free zone, improvements in lighting and power distribution, and there will be further improvement with the construction of the new Disabled Toilet.
- Some caravan owners who visit the park use air-conditioning and this increases electricity charges significantly. A new charge of \$5.00 is proposed for running air conditioners.
- The park is well managed and well maintained thanks to the efforts of the Caretakers and the Board.
- However, the cost of planned capital expenditure and the current deficit on operating income and expenditure will run down the substantial amount of cash in hand that the Board has had in the past.
- The Board has considered its position in the market (that is how the proposed fee structure will compare with similar standard camping grounds in the region), affordability for the patrons that visit regularly, and the impact that the proposed fee increase may have on patronage.

The Board understands that the remaining long term tenants have a lease, the terms of which determine rental and any fees or charges applying to the holders of these leases.

The Board understands that any changes to the site fees would have to be approved by the Reserve Board Trust, and then Councils Revenue Policy would have to be amended by Council to reflect the approved change.

### ***Legal***

In managing a Crown Reserve such as the Coraki Public Recreation Reserve, the Board must comply with both the Crown Lands Act 1989 No 6, the Residential Tenancies Act (where applicable) and the Local Government Act 1993 No. 30.

S.608 (2) of the Local Government Act 1993 No 30 allows a Council to charge a fee for admission to a building or enclosure. Division 3 - Council fees for non-business activities, S.610 C, D, E, and F outlines the factors that must be taken into consideration in determining fees, and requires a Council to give at least 28 days Public Notice of a determination of fees. This is usually done when the Operational Plan and Revenue Policy is adopted by Council each year in May.

**Conclusion**

Consideration of the recommendations by the Trust will satisfy the Trust's obligations.

**RECOMMENDATION**

Recommended that:

1. The proposed new Park Rules be approved.
2. The proposed new Fee Structure be approved for public notification and public comment for a period of not less than 28 days in accordance with Section 610F of the Local Government Act 1993 No. 30.

**RT101109/ 4 RESOLVED** (Cr. Wheatley/Cr. Kinnish)

That:

1. The proposed new Park Rules be approved.
2. The proposed new Fee Structure (including the proposed new charge of \$5.00 per week to run air conditioning) be approved for public notification and public comment for a period of not less than 28 days in accordance with Section 610F of the Local Government Act 1993 No. 30.

FOR VOTE - All Council members voted unanimously.  
ABSENT. DID NOT VOTE - Cr. Sullivan, Cr. Mustow

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**CORAKI PUBLIC RECREATION RESERVE**  
**CARAVAN PARK RULES**  
**THESE RULES MUST BE ADHERED TO BY ALL VISITORS AT ALL TIMES**

Coraki Caravan Park is located on Crown Reserve Pt. R. 71099 which was dedicated for the purpose of Public Recreation. The Caravan Park is available to visitors for camping, caravanning, and passive recreation, but it is not available for permanent residence. All visitors must comply with these rules to ensure a pleasant and safe stay for all.

- (1) This Caravan Park is operated by Caretakers who are available from 8.00am to 5.00pm daily.
- (2) All visitors wishing to stay overnight must report to the Caretakers as soon as they arrive.
- (3) The Caretakers have the right to refuse entry to any person, on reasonable grounds, for example; drunkenness, threatening, aggressive or inappropriate behaviour, drug taking or dealing in drugs.
- (4) Fees for the use of Caravan and Tent sites, including charges for additional persons and the use of airconditioning units, are provided overpage. These fees have been approved by the Reserve Board Trust and Richmond Valley Council
- (5) All fees must be paid in advance. If the fees are not paid in advance, the Caretakers have the right to ask the visitor to leave the Caravan Park.
- (6) Visitors are requested to vacate their site by 10,00am on day of departure. The Caretakers reserve the right to charge an additional day's fee for visitors who do not comply.
- (7) The maximum period of stay for any visitor (except for the Caretakers) is 6 weeks.
- (8) Amenities provided in the Caravan Park are strictly for the use of authorized visitors only.
- (9) Small dogs and cats are allowed on the Caravan Park but must be kept inside the van or tent.
- (10) Dogs and cats may be walked on a lead outside the van or tent for exercise and toileting, but all animal waste must be picked up and properly disposed of.
- (11) Visitors are allowed to park a maximum of two motor vehicles at each site. All additional motor vehicles must be parked outside the Caravan Park area. The speed limit is 10 kph in the park.
- (12) Drunkenness, offensive behaviour or rowdy parties will not be tolerated under any circumstances. Consumption of alcohol is to be restricted to Caravan and tent sites only. Conduct of all persons on a site is the responsibility of the authorized visitor who invites them on to the site.
- (13) TV and radio sets are to be kept at a volume that will not annoy visitors on neighbouring sites. A noise curfew applies after 10.00pm.
- (14) CB radios must not be used on or in the vicinity of the Caravan Park as they interfere with TV reception.
- (15) A noise curfew applies after 10.00pm.
- (16) The BBQ area is available for all visitors, and must be cleaned after use.
- (17) All garbage must be well wrapped and then disposed of in the receptacles provided.
- (18) Fish are not to be cleaned in the park.
- (19) Open fires are prohibited.
- (20) Washing of boats in the park is prohibited.
- (21) Children up to the age of 12 years must be accompanied by an adult in the amenity blocks.
- (22) Riding of skateboards, roller skates or roller blades on Caravan Park is prohibited.

**These Caravan Park Rules were adopted by the Coraki Public Recreation Reserve Board on (date)**

### Proposed New Fee Structure

#### CORAKI CARAVAN PARK SITE FEES

	Current Fees 2009/2010 \$\$\$	Proposed Fees \$\$\$	Proposed Increase %
<b>POWERED SITES</b>			
<b>PROPOSED NEW CHARGE - TO RUN AIRCON.</b>		\$5.00	New charge
<b>WEEKLY - Short Term (less than 27 days)</b>			
1 Person	\$40.00	\$50.00	10.0%
2 Persons	\$54.00	\$69.00	15.0%
Extra Persons	\$4.00	\$10.00	6.0%
<b>WEEKLY - Long Term (greater than 27 days)</b>			
1 Person	\$37.00	\$47.00	10.0%
2 Persons	\$51.00	\$66.00	15.0%
Extra Persons	\$4.00	\$10.00	6.0%
<b>DAILY</b>			
1 Person	\$15.00	\$20.00	5.0%
2 Persons	\$20.00	\$25.00	5.0%
Extra Persons	\$4.00	\$5.00	1.0%
<b>UNPOWERED SITES (Caravans &amp; Tents)</b>			
<b>WEEKLY - Short Term (less than 27 days)</b>			
1 Person	\$26.00	\$31.00	5.0%
2 Persons	\$36.00	\$46.00	10.0%
Extra Persons	\$3.00	\$4.00	1.0%
<b>WEEKLY - Long Term (greater than 27 days)</b>			
1 Person	\$23.00	\$28.00	5.0%
2 Persons	\$31.00	\$41.00	10.0%
Extra Persons	\$3.00	\$4.00	1.0%
<b>DAILY</b>			
1 Person	\$10.00	\$15.00	5.0%
2 Persons	\$13.00	\$18.00	5.0%
Extra Persons	\$3.00	\$4.00	1.0%
<b>KEY DEPOSIT</b>	\$20.00	\$20.00	0.0%
<b>GST included</b>			

The Meeting closed at 2.12 p.m.

**CONFIRMED - 17 November 2009**

**CHAIRMAN**