



RICHMOND VALLEY COUNCIL

Minutes

Reserve Trust Meeting

Tuesday, 3 August 2010

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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, 3 AUGUST AT 2.00 P.M.

PRESENT

Crs. C.J. Sullivan (Mayor), C.J. Cox, O. Crawford, B.J. Jeffery, D.A. Kinnish, R.A. Mustow and S.N. Wheatley.

The General Manager, Director Corporate Services, Director Works, Director Environmental Development Services, Co-ordinator Silver Sands Holiday Park and Executive Assistant (Roslyn Townsend) were also in attendance.

1 APOLOGIES

Apologies were tendered on behalf of Cr. George and Cr. Morrissey.

RT030810/ 1 RESOLVED (Cr. Wheatley/Cr. Kinnish)

That such apologies be accepted and leave of absence granted.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr. George, Cr. Morrissey

2 DECLARATION OF INTERESTS

Nil.

3 REPORTS

3.1 PEDESTRIAN ACCESS THROUGH LITTORAL RAINFOREST - SILVER SANDS HOLIDAY PARK - PROGRESS REPORT

Reference: Parks and Reserves - Design and Construction, Service Provision, Trusts; P1001587

Prepared by: Co-ordinator Silver Sands Holiday Park

Background

At the Reserve Trust Meeting held on 6 April 2010, it was resolved to re-open the access to the North Wall through the littoral rainforest at the Silver Sands Holiday Park.

This report is an update on the progress of the matter.

Report

Issues

The April report outlined a number of issues in relation to re-opening the forest walkway from the Silver Sands Holiday Park to the North Wall at Evans Head.

Following the Trust's decision to re-open the walkway, the following issues had to be investigated:

- Environmental concerns
- Public health and safety concerns
- Crime concerns, and
- Legal issues.

Due to the initial fence structure being subject of a development approval, a Section 96 application was lodged on behalf of the Reserve Trust outlining the proposal to open the forest accessway from the Silver Sands Holiday Park to the carpark near the skatepark on the Evans Head Recreation Reserve.

Following assessment of the Section 96 application, the following information/action was required to assist with the approval process.

- Formal referral to be made to the Department of Environment, Climate Change and Water and the Department of Environment, Water, Heritage and Arts.
- As both the NSW Police and Council's Community Projects and Social Planning Co-ordinator are unsupportive of the access gate being installed, a full Crime Prevention Assessment is to be undertaken,
- A Statement of Environmental Effects must be completed to address issues indicated in the Plan of Management for Silver Sands Holiday Park and the Flying Fox Plan of Management.

Policy

The re-opening of the access may also have implications to existing policies, such as the Flying Fox Plan of Management, which need to be considered.

Environmental

The April report outlined the environmental concerns with re-opening the access way. Now that this has been resolved by the Trust, correspondence with the relevant State and Commonwealth agencies is being undertaken.

A consultant has been engaged to prepare a Review of Environmental Factors and a Statement of Environmental Effects as required in the correspondence

from Environmental Development Services staff. It is expected that these reports will be completed by the end of August 2010.

Consultation

The Silver Sands Holiday Park Co-ordinator and Environmental Development Services staff are currently in consultation with the relevant agencies, and NSW Police regarding the Trust's resolution.

Staff

Environmental Development Services staff and the Silver Sands Holiday Park Co-ordinator are investigating all the relevant issues associated with re-opening the access way.

Financial Implications

The financial implications are not fully known at this stage, however it is expected that the consultant's fees could be approximately \$10,000. The Silver Sands Holiday Park can fund the expected consultancy fees.

Conclusion

The additional information requested regarding the Section 96 Application is being addressed. It is envisaged that all the issues will be finalised by the end of August and if necessary, a further report will be submitted to the September 2010 Trust Meeting.

RECOMMENDATION

Recommended that the ongoing processes in regard to the opening of the pedestrian access through the littoral forest at the Silver Sands Holiday Park and the engagement of consultants to prepare the information required for the Section 96 Application be endorsed by the Reserve Trust.

A **Motion** was moved by Cr. Cox and seconded by Cr. Wheatley

That the ongoing processes in regard to the opening of the pedestrian access through the littoral forest at the Silver Sands Holiday Park and the engagement of consultants to prepare the information required for the Section 96 Application be endorsed by the Reserve Trust.

An **Amendment** was moved by Cr. Crawford and seconded by Cr. Jeffery

That no further action be taken on this matter.

The mover and seconder of the **Motion** sought and were granted the permission of the meeting to withdraw the **Motion**.

The **Amendment** then became the **Motion** and was **carried** (as follows):

RT030810/ 2 RESOLVED (Cr. Crawford/Cr. Jeffery)

That no further action be taken on this matter.

FOR VOTE - Cr. Sullivan, Cr. Cox, Cr. Crawford, Cr. Jeffery, Cr. Wheatley

AGAINST VOTE - Cr. Kinnish, Cr. Mustow

ABSENT. DID NOT VOTE - Cr. George, Cr. Morrissey

3.2 EVANS HEAD RECREATION RESERVE BUSINESS DEVELOPMENT STRATEGY - PROGRESS REPORT

Reference: Parks and Reserves - Design and Construction, Service Provision, Trusts, Planning; P1001587

Prepared by: Co-ordinator Silver Sands Holiday Park

Background

The public exhibition period and associated actions for the Evans Head Recreation Reserve Business Development Strategy (Masterplan) have previously been reported to the Reserve Trust.

On 4 May 2010, the Reserve Trust assessed the issues raised in the submissions received and prepared a response to both the Land and Property Management Authority and Integrated Site Design.

Responses have now been received from the Land and Property Management Authority and Integrated Site Design in relation to the submissions. This report provides information in relation to same.

Report

Issues

The attachments (which have been circulated separately to Councillors) indicate the responses from the Land and Property Management Authority and Integrated Site Design to the Trust's recommendations on the submissions received to the Draft Masterplan.

The main points of difference between the two responses are in relation to the management of Holiday Van owners. Both the Land and Property Management Authority and Integrated Site Design do not support any compensation for holiday van owners or relocating affected holiday vans, however they both support the recreation facilities, including the pool/water playground.

Consultation

Extensive consultation has been undertaken with the public, Silver Sands Holiday Park clients, residents, Reserve Trust and relevant authorities in regard to the Masterplan. The Reserve Trust submitted its concerns for consideration.

Strategic Links

If adopted, the Masterplan will be the overarching Plan of Management for the Silver Sands Holiday park business.

Conclusion

The consultant, Integrated Site Design has nearly completed the amended Masterplan and once the amendments are completed, a final Draft Masterplan will be presented by Integrated Site Design to the Reserve Trust for adoption.

RECOMMENDATION

Recommended that the report be received and noted and that the Trust further consider the matter following receipt and consideration of the amended Masterplan.

RT030810/ 3 RESOLVED (Cr. Cox/Cr. Mustow)

That the Reserve Trust express its concerns with the correspondence received from the Land and Property Management Authority and that the issue of holiday vans outside of the circle being given an option of relocating in the circle at their expense, be clarified. Further, that the Trust reconsider the Masterplan on receipt of the finalised document.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr. George, Cr. Morrissey

3.3 EVANS HEAD COASTAL RESERVES PLAN OF MANAGEMENT

Reference: Parks and Reserves – Design and Construction, Maintenance, Planning, Land Use and Planning - Planning; P1001587

Prepared by: Planning Officer

Background

In December 2006 and March 2007, reports provided to Council outlined discussions held with the then Department of Lands in relation to developing an overarching planning scheme for the Richmond Coast Regional Crown Reserve. A subsidiary plan for the Silver Sands Holiday Park and other prominent coastal reserves throughout Evans Head was instigated to amalgamate the subject reserves under a common plan and mechanism.

The undertaking to complete the Evans Head Coastal Reserves Plan of Management was reported to the Reserve Trust meeting on 10 November 2009. The presented Draft resulted from collaboration between the Land Property Management Authority (LPMA) (previously Department of Lands), Richmond Valley Council and GHD Consulting engaged for the preparation of the document. The Draft Plan endorsed at the meeting of 10 November 2009 represented a culmination in active discussion between Council and the LPMA to provide an up-to-date programme for use of the reserves in line with contemporaneous plans used elsewhere for coastal reserves. The preparation of a Draft Plan for exhibition has been an extensive undertaking to rejuvenate an abandoned draft and provide the public with direction for the reserves within a revised format. The intention and focus throughout the plan making process has been to fund maintenance and improvements throughout the newly affiliated reserves with revenue from the Silver Sands Holiday Park.

The Draft Evans Head Coastal Reserves Plan of Management (PoM) serves to provide a framework for the management of the Crown land reserves stipulated within the Plan, and to provide an element of detail as to actions and facilities proposed for the reserves.

Submissions received during the exhibition period were assessed according to relevance and comment is provided for each within the appendix to the PoM and has been circulated separately to Councillors with the Business Paper. The most notable changes proposed to the Plan 'as adopted' were recommended by the LPMA after the conclusion of all discussions and considerations. The LPMA 'recommendations' are discussed within the body of this report.

Report

Issues

Purposes for the Plan of Management being made as given within the document include:

- To provide a more strategic and coordinated management framework to enhance the management and administration of the coastal Crown reserve system within Richmond Valley Local Government Area at Evans Head.
- To provide a management framework to facilitate the strategic management of the coastal processes and hazards on the Evans Head coastline.
- To enable Council and the Government to effectively fulfil the obligations of the NSW Coastal Policy.
- To facilitate sustainable triple bottom line outcomes for the Evans Head coastal reserve system and environs.

Correspondence received from the Land Property Management Authority dated 14 May 2010 recommended last minute amendments to the Plan following completion of the exhibition period and finalisation of the draft Plan. Implications involved with the changes specified below, were discussed at a Council Information Session on 6 July 2010. Subsequent correspondence was received

on 9 July 2010, withdrawing the 14 May 2010 directions following ongoing discussions with the Department.

The LPMA sought to remove references to Richmond Valley Council as Trust and replacement with a more non-specific reference to “a separate Holiday Parks Trust” throughout the document.

The correspondence and the later email revoking the suggested changes to the Plan of Management are provided have been circulated separately to Councillors for information.

The Plan of Management for the selected Coastal Reserves of Evans Head is provided for endorsement by the Trust inclusive of references to Richmond Valley Council as Trust as the plan was exhibited, however the LPMA correspondence ‘...recognise(s) that amendments may still need to be made in due course’.

Legal

The Plan of Management was produced on behalf of Richmond Valley Council as directed by the Land and Property Management Authority. Council was obliged to give public notice and exhibit the draft plans, together with any other matters considered appropriate to enable the draft plans and their implications to be understood in accordance with the Crown Lands Act 1989. The exhibition period exceeded the required 28 days. The draft plan was displayed by the Reserve Trust and by the Land and Property Management Authority 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.

Environmental

Environmental implications and consequences relating to the implementation of the Plan of Management are largely positive due to the inclusion of works to improve and enhance the natural environment. Actions within the plan involve coastal dune, water quality improvement and general revegetation works.

Asset

The Plan of Management has the potential to improve existing assets and provide for new assets. The plans are designed to provide facilities to encourage the general public to utilise the reserves.

Social

The Plan of Management is likely to provide for improvements within public areas to enrich social opportunity and enjoyment.

Consultation

The Draft Masterplan for the Silver Sands Holiday Park and the Draft Plan of Management for the Coastal Reserves were exhibited concurrently over an

extended period 19 December 2009 until 12 February 2010. The extended time period for exhibition was to provide opportunity for viewing of the document and to invite submissions from interested individuals/groups over the Christmas holiday period. In addition, an advertised Information Session for the general public was held Thursday, 4 February 2010 and respective representatives from GHD Consultants, Land and Property Management Authority and Richmond Valley Council were available at the Recreation Hall adjoining Silver Sands Holiday Park Evans Head. Comments and issues raised during the event were recorded for inclusion within the PoM.

A summary of submissions received is included within Appendix B of the Plan of Management and has been provided to give a summary of amendments made since the Trust endorsed the draft for exhibition. A copy of Appendix B has also been circulated separately to Councillors.

Financial Implications

The intention since the inception of the Plan was to allow revenue generated from the Silver Sands Holiday Park to fund capital improvements and maintenance of Crown reserves within the PoM. However, given the extensive works program proposed for the Silver Sands Holiday Park it is doubtful whether funding from that source will be available in the short term. This raises some concern as there may be expectations that Council would fund the proposed works in the Coastal Reserves Plan of Management.

Conclusion

The adoption of the Evans Head Coastal Reserves Plan of Management will seek to provide for opportunity to fund improvements and maintenance within the coastal reserves subject to the Plan presented for endorsement and ultimately subject to Ministers consent. The intent of the Plan since inception was to provide funding for improvements and maintenance for the reserves from revenue generated by the Silver Sands Holiday Park. Whilst there is opportunity for improvements to be made to reserves as stipulated within the Plan of Management, the most recent 'recommendations' proposed and rescinded by the Land and Property Management Authority, reserve the allocation of funds subject to final Ministerial consent.

It is anticipated the Plan's adoption and endorsement by the Minister may ultimately improve assets utilised by visitors and residents of Evans Head.

The Plan of Management is a large document (in excess of 200 pages) and a hardcopy can be supplied to individual Trust members upon request. The final version has undergone relatively minor amendment since the draft presented and endorsed on 10 November 2009. The Plan synopsis has been provided and circulated separately with the Business Paper.

RECOMMENDATION

Recommended that the Reserve Trust endorse the Evans Head Coastal Reserves Plan of Management, subject to confirmation being provided by the Minister as to funding availability to implement the Plan.

RT030810/ 4 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - Cr. Sullivan, Cr. Cox, Cr. Crawford, Cr. Jeffery, Cr. Mustow, Cr. Wheatley

AGAINST VOTE - Cr. Kinnish

ABSENT. DID NOT VOTE - Cr. George, Cr. Morrissey

3.4 SUMMARY OF THE CORAKI PUBLIC RECREATION RESERVE BOARD MEETING HELD ON 21 JUNE 2010

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

Prepared by: General Manager

Background

The Coraki Public Recreation Reserve Board met on 21 June 2010.

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 21 June 2010:

- Revised Draft Plan of Management - Richmond River Foreshore Reserve Coraki - Plan endorsed by Reserve Trust on 4 May 2010 and forwarded to the Land and Property Management Authority to be placed on public exhibition.
- Disabled Toilet Block Completion - Breakdown of project costs provided.
- Alcohol Free Zone Signage - Signs approved by Manager Environment Health and Regulatory Control following an inspection of same.
- Electrical Maintenance - Ladies Toilets Security Lights - Contract let to Barry Herman Electrician for installation of lights and the raising of the electricity boxes above peak flood level height.

- Clothes Line Purchase - Installation of clothes line completed by Jim Brennan.
- Department of Lands Website - Coraki Caravan Park is now listed on the Department of Lands Caravan and Camping Website.
- Cash Flow and Annual Budget - Adoption of Cash Flow Forecast Budget for 2010/2011 financial year.
- Consumption of Alcohol on Kerbside outside River Junction Café - Council resolved on 18 May 2010 that Richmond Terrace, Coraki remain an alcohol free zone.
- River Bank Erosion - Deferred to next meeting.
- Treasurer's Report - Accepted as presented.
- Length of Meetings - Preference for meetings to generally be no more than 1.5 hours duration.
- Signage of Unisex Disabled Toilet - Sign specification details to be sourced.
- Cleaning of Unisex Disabled Toilet - Council to be approached with a proposal that the Board forgo the mowing contribution and Council engage a cleaner to open, close and clean toilets.
- Baby Change Table - Decision to not proceed with baby change table until feedback received from disabled users.

A copy of the Minutes of the Coraki Public Recreation Reserve Board Meeting held on 21 June 2010 have 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.

RT030810/ 5 RESOLVED (Cr. Kinnish/Cr. Wheatley)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr. George, Cr. Morrissey

The Meeting closed at 2.41 p.m.

CONFIRMED - 17 August 2010

CHAIRMAN