

GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 34):

The Hon. PETER PRIMROSE: Minister, just following up on that question; it is the same question essentially. In relation to those four pilots that took place in 2015, I note that none of those councils have actually made a submission to this inquiry. I have been to the department's web page and I cannot find any material after the material relating to the actual introduction of the pilots. Is it possible for you to provide us with the findings and maybe an evaluation of those pilots so that the Committee can be aware of what actually happened?

The Hon. NIAL BLAIR: Mr Clarke, do you have any information or are you happy to take that on notice?

Mr CLARKE: Yes, we can take that on notice. We have briefed the councils in those four areas about the results of the pilot and we have a range of material that we would be happy to provide about the finding of those pilots. I just make the point that that was a desktop exercise; no actual land transferred as a result of that pilot. It was simply to explore that concept of local land and we can provide some further information.

QUESTION (as interpreted, where required):

Please provide information about the Local Land Pilot, including findings.

Full copy of the transcript is available at:

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

ANSWER

Attached are the following documents which outline information and results of the Local Land Pilot:

1. Local Land Pilot - Summary figures – overall
2. Local Land Pilot – Summary report on findings
3. Corowa Shire Council – Summary Figures from Local Land Pilot
4. Tamworth Regional Council – Summary Figures from Local Land Pilot
5. Tweed Shire Council – Summary Figures from Local Land Pilot
6. Warringah Council – Summary Figures from Local Land Pilot

Full copy of the transcript is available at:

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Local Land Pilot

Summary figures – Corowa Shire Council

November 2015

Summary of Corowa Shire Council results from the pilot

- Corowa local government area has a large number of Crown reserves concentrated along or close to the Murray river.
- A total of 186 Crown land reserves were assessed and classified within the local government area.
- Corowa Shire Council had a high level of engagement from management and staff within the council in the pilot process which allowed discussions to quickly develop a strong open collaborative nature between council and the Department.
- Resourcing requirements for the assessment of Crown land parcels was between 0.6 to 1.1 hours of council staff time.
- Council considered 47% of these Crown reserves to be local land predominantly used by the local community.
- Corowa Shire Council expressed an interest in 26% of the Crown reserves within the local government area. A breakdown of the numbers is provided in Table 1.

Table 1: Summary of land classifications and Corowa Shire Council interest

| Total reserves | Classification | | No. of reserves council interested in | Area of reserves council interested in (ha) | Comments |
|----------------|----------------|----------|--|---|--|
| | Local | State | | | |
| 186 | 89 (47%) | 86 (46%) | 49 (26% of total reserves 55% of local land) | 731 ha (18% of total reserve area) | 25 of the 49 reserves council is interested in (51%) are already managed by council as reserve trust manager. 24 reserves are managed by others |

Please note: numbers of state and local land classifications do not equal total number of reserves as some reserves were classified as both state and local by Council or due to data discrepancies with the Crown land parcels.

A full list of the reserve types that and council was interested in are presented in Table 2.

Table 2: Reserves of interest to Corowa Shire Council based on current management type

| Reserve purpose | Number of reserves |
|---|--------------------|
| Crown reserves managed by Council | |
| Parks/recreation reserves, flora & fauna reserves | 14 |
| Community centres, community purposes or heritage purposes | 4 |
| Rubbish Depot | 1 |
| Swimming pool/public baths/sporting club facilities | 1 |
| Home for the Aged | 1 |
| Crown reserves managed by others | |
| Boy Scout / Girl Guide halls | 3 |
| Public Hall | 1 |
| Recreation reserves | 5 |
| Commons | 4 |
| Memorial hall/public hall/community hall | 1 |
| School of Arts | 1 |
| Showground/racecourse | 1 |
| Cemeteries, cemetery extensions, preservation of graves sites | 7 |
| Rubbish depots / nightsoil depots | 3 |
| Quarries | 2 |
| Total | 49 |

* This information reflects the results of the Local Land Pilot only. No decisions have been made or are proposed to be made based on these results.

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Local Land Pilot

Summary figures – Pilot Overall

May 2016

Summary of results from Warringah Council, Corowa Shire Council, Tamworth Regional Council, and Tweed Shire Council

- The aim of the Local Land Pilot was to test the concept of devolving land of local significance to local Councils.
- Four Councils – Warringah (metropolitan LGA), Corowa (inland rural LGA), Tamworth (regional centre LGA) and Tweed (coastal regional LGA) – participated in the Local Land Pilot with Department of Primary Industry – Lands.
- Warringah local government area, as the metropolitan council area in the pilot, has the highest population growth pressures, which in turn places pressures on open space, the environment and community use of that space.
- Tamworth local government area was the largest of the four pilot council areas with the highest number of Crown land reserves.
- Corowa local government area has a large number of Crown reserves concentrated along or close to the Murray River.
- Tweed local government area has a high number of the Crown reserves concentrated along the coastal zone where there are development, environmental pressures and community scrutiny on changes to land use.
- All four pilot Councils had a high level of engagement from management and staff within the council in the pilot process which allowed discussions to quickly develop a strong open collaborative nature between council and the Department.
- Resourcing requirements for the assessment of Crown land parcels was between 0.6 to 1.1 hours of council staff time. This was consistent across the four pilot areas.
- Table 1 summarises the results for each pilot Council and overall.
- Table 2 summarises reserves of interest to all pilot Councils.

Table 1: Summary of land classifications and Pilot Council interest

| Council | Total reserves | Classification | | No. of reserves council interested in | Area of reserves council interested in (ha) | Comments |
|------------------------------|----------------|----------------|--------------|--|---|---|
| | | Local | State | | | |
| Warringah | 240 | 161 (67%) | 80 (33%) | 150 (62% of total reserves & 93% of local land) | 960 ha (40% of total reserve area) | 66 of the 150 reserves council is interested in (44%) are already managed by council as reserve trust manager. 84 reserves are managed by others. |
| Tamworth Regional | 519 | 169 (33%) | 360 (69%) | 124 (24% of total reserves & 73% of local land) | 1964 ha (14% of total reserve area) | 47 of the 124 reserves council is interested in (38%) are already managed by council as reserve trust manager. 77 reserves were managed by others. |
| Corowa Shire | 186 | 89 (47%) | 86 (46%) | 49 (26% of total reserves & 55% of local land) | 731 ha (18% of total reserve area) | 25 of the 49 reserves council is interested in (51%) are already managed by council as reserve trust manager. 24 reserves are managed by others |
| Tweed Shire | 226 | 142 (63%) | 153 (68%) | 66 (29% of total reserves & 46% of local land) | 159 ha (9% of total reserve area) | 53 of the 66 reserves council is interested in (80%) are already managed by council as reserve trust manager. 13 reserves are managed by others |
| All Councils combined | 1171 | 561 (48%) | 679 (58%) | 389 (33% of total reserves & 69% of local land) | 3814 ha (17% of total reserve area) | 191 of the 389 reserves councils are interested in (49%) are already managed by council as reserve trust manager. 198 are managed by others |

Table 2: Reserves of interest to All Pilot Councils - based on current management

| Reserve purpose | Number of reserves |
|--|--------------------|
| Crown reserves managed by Councils | |
| Parks/recreation reserves, flora & fauna reserves | 171 |
| Community centres, community purposes or heritage purposes | 26 |
| Rubbish Depot | 12 |
| Swimming pool/public baths/sporting club facilities | 5 |
| Cemeteries | 12 |
| Water reservoirs | 4 |
| Future public requirements | 8 |
| Racecourses and showgrounds | 4 |
| Boatshed | 1 |
| Local government purposes | 1 |
| Public Recreation and Coastal Environmental Protection | 1 |
| Storage | 1 |
| Tourist Facilities and Services | 1 |
| Caravan park/Caravan and camping park | 6 |
| Bushfire brigade services | 6 |
| Water reservoirs | 1 |
| Parking and access | 6 |
| Trig station | 2 |
| Access or roadway | 1 |
| Aviation purposes | 1 |
| Long daycare centre | 1 |
| Preservation of Aboriginal carvings and drawings | 1 |
| Home for the Aged | 2 |
| Sub Total | 274 |

* This information reflects the results of the Local Land Pilot only. No decisions have been made or are proposed to be made based on these results.

(continued over)

| Reserve purpose | Number of reserves |
|---|--------------------|
| Crown reserves managed by others | |
| Boy Scout / Girl Guide halls | 10 |
| Public Hall | 1 |
| Travelling Stock Routes | 6 |
| Future public requirements | 1 |
| Recreation | 2 |
| Rubbish depot | 1 |
| Artist environment / education facility | 1 |
| Disability services | 1 |
| Recreation reserves | 8 |
| Commons | 4 |
| Memorial hall/public hall/community hall | 1 |
| School of Arts | 2 |
| Children's playground | 1 |
| Future public requirements | 1 |
| Memorial hall/public hall/community hall | 3 |
| Showground/racecourse | 1 |
| Cemeteries, cemetery extensions, preservation of graves sites | 11 |
| Rubbish depots / nightsoil depots | 5 |
| Quarries | 2 |
| Future public requirements | 17 |
| Water supply/access to water supply | 8 |
| Access or roadway | 2 |
| Drainage | 4 |
| Church/school purposes | 1 |
| Rifle range | 1 |
| Travelling Stock Routes | 1 |
| Trig station | 2 |
| Access or roadway | 2 |
| Literary institute/School of Arts | 1 |
| Village purposes | 2 |
| Plantation | 1 |
| Wharf site | 1 |
| Rubbish depot | 2 |
| Public recreation | 6 |
| Public School purposes | 2 |
| Sub Total | 115 |
| Total | 389 |

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Local Land Pilot

Summary of key findings and recommendations

November 2015

Background

The Crown Lands Management Review (March 2014) identified that Crown land management arrangements could provide greater flexibility for managing Crown land that is predominantly used by local communities. The Review recommended that the Government should retain Crown land of state significance while devolving land of local significance to a local level of ownership and management. The NSW government has explored this state and local land concept through the local land pilot, and a stocktake and strategic assessment of state lands.

Key findings

The pilot identified a number of key findings including that:

- a) Criteria need to be refined to better reflect the factors that councils take into account when making decisions on whether the local community will benefit from council owning or managing the land.
- b) A set of agreed principles be applied providing further guidance for the implementation of a local land model. These principles will underpin and guide the local land model process.
- c) The implementation of a local land model needs to be flexible to take into account the differences between metropolitan, regional and rural councils and the different needs and challenges they face.
- d) Negotiation on the ownership or management of Crown land that is identified as local land be a two-stage process involving Local Aboriginal Land Councils in tripartite negotiations with local community consultation as part of implementation of the model.

Key recommendations

1. Proposed changes to the local criteria

In light of the key findings, the local land criteria have been revised and it is recommended that these criteria be used as a guide to identifying land which may be more suitable for local government ownership or management. The recommended criteria from the pilot are as follows:

Taking into account surrounding land uses or the landscape in which the Crown land is situated, local land includes:

- *Land that provides, or has the demonstrated potential to provide, consistent with local planning instruments, a public good* predominantly for people in the local government area or in adjacent local government areas;*
- *Land use that is consistent with the functions of local government, or land that has identified potential to be used for activities consistent with local government functions;*

- *Land that is managed, or has the identified potential to be managed, as a community asset by local government or some other body.*

Any land not meeting the local land criteria will default to state land.

- * *Public good is a good that is neither excludable nor rival, meaning that people cannot be prevented from using a public good, and one person's enjoyment of a public good does not reduce another person's enjoyment.*

2. Proposed principles

The framework for the local land model should be guided by a set of agreed principles, noting that Local Aboriginal Land Councils have not been consulted in their development to this point. It is recommended that these agreed principles be adopted and applied in the implementation of the local land model.

- **Collaboration.** State and local government should collaborate to achieve the best outcomes in the public interest. They are jointly responsible for delivering social, economic and environmental benefits for local communities and NSW more broadly.
- **Subsidiarity.** State and local government should coordinate their activities in accordance with the principle of subsidiarity which states that matters that can be, ought to be dealt with at the local level, rather than at State level. Applying this principle will limit duplication and ensure land is owned and managed at the level most equipped to deliver the maximum social, economic and environmental outcomes for the local community, region or state.
- **Only change for the better.** Where there is no identifiable benefit in transferring land, maintaining the status quo is acceptable. Transfer of land has the potential to cause concern in communities, and should only be made where it is expected to generate benefits for one or both of the state and local governments without disadvantaging the other.
- **Complementarity.** Local land reform should not be at cross-purposes with local government reforms or other government public land management reforms.
- **Simplicity and flexibility.** Public land ownership and management should be simple and flexible to allow them to be adapted to future (unforeseen) situations. Similarly the model of land transfer itself should be flexible enough to enable regions (councils or the Department) to tailor the process according to their needs, capacity and resources.
- **Partnerships.** Key stakeholders should be identified and engaged early to partner in a diverse range of solutions relating to significant land decisions. This may include Aboriginal land organisations, and groups of adjacent councils or joint organisations of councils who may wish to collectively engage in a local land model.
- **Community engagement and volunteerism.** Local community engagement and volunteerism is highly valued by all levels of Government and should not be diminished by implementation of local land transfers.
- **Multiple use.** Crown land and local government land management practices should facilitate shared use of public land and discourage exclusive-use arrangements which lead to scarcity of community use land, or which result in the underutilisation of that land to the detriment of NSW or local communities.
- **Transparent community service obligations.** Community use of Crown and other public lands encourages vibrant and diverse communities. Community use arrangements should be transparent and fair, so as to make best use of the land and distribute costs appropriately.

3. Next steps

The local land concept will now be further progressed with initial implementation of a two-stage process within the four pilot local council areas. Any land transfers that may arise in the future will be staged, entirely voluntary and agreed through a comprehensive negotiation framework.

Stage 1 will focus on identifying and transferring ownership of those lands where all parties agree that lands are local lands, where the lands are unencumbered and there are no matters affecting the transfer of those lands (such as unresolved native title claims). It will focus on lands already managed by councils and where management costs are already borne by council. Stage 1 will commence in the second half of 2016. The first half of 2016 will involve planning the process and further engagement on the process with councils and other stakeholders, including Aboriginal Land Councils.

Stage 2 will focus on negotiations on ownership of land where there are interests from more than one party. Stage 2 negotiations will commence following agreement on Stage 1 outcomes.

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Local Land Pilot

Summary figures – Tamworth Regional Council

November 2015

Summary of Tamworth Regional Council results from the pilot

- Tamworth local government area was the largest of the four pilot council areas with the highest number of Crown land reserves.
- A total of 519 Crown land reserves were assessed and classified within the local government area. 28% of these reserves were travelling stock routes.
- Tamworth Regional Council had a high level of engagement from management and staff within the council in the pilot process which allowed discussions to quickly develop a strong open collaborative nature between council and the Department.
- Resourcing requirements for the assessment of Crown land parcels was between 0.6 to 1.1 hours of council staff time.
- Council considered 33% of these Crown reserves to be local land predominantly used by the local community. Council classified some of these reserves as both local and state land due to the reserve use and management.
- Tamworth Regional Council expressed an interest in 24% of the Crown reserves within the local government area. Council identified this interest within the Crown reserves that were classed as local land. A breakdown of the numbers is provided in Table 1.

Table 1: Summary of land classifications and Tamworth Regional Council interest

| Total reserves | Classification | | No. of reserves council interested in | Area of reserves council interested in (ha) | Comments |
|----------------|----------------|-----------|---|---|---|
| | Local | State | | | |
| 519 | 169 (33%) | 360 (69%) | 124 (24% of total reserves 73% of local land) | 1964 ha (14% of total reserve area) | 47 of the 124 reserves council is interested in (38%) are already managed by council as reserve trust manager. 77 reserves were managed by others. |

Please note: numbers of state and local land classifications do not equal total number of reserves as some reserves were classified as both state and local by Council

A full list of the reserve types that council was interested in are presented in Table 2.

Table 2: Reserves of interest to Tamworth Regional Council based on current management type

| Reserve purpose | Number of reserves |
|---|--------------------|
| Crown reserves managed by Council | |
| Parks/recreation reserves, flora & fauna reserves | 39 |
| Rubbish Depot | 11 |
| Community centres, community purposes or heritage purposes | 9 |
| Cemeteries | 6 |
| Water reservoirs | 4 |
| Racecourses and showgrounds | 3 |
| Swimming pool/public baths/sporting club facilities | 2 |
| Future public requirements | 1 |
| Crown reserves managed by others | |
| Travelling Stock Routes | 6 |
| Future public requirements | 1 |
| Recreation | 1 |
| Rubbish depot | 1 |
| Memorial hall/public hall/community hall | 3 |
| Recreation reserves | 2 |
| School of Arts | 1 |
| Children's playground | 1 |
| Future public requirements | 1 |
| Future public requirements | 10 |
| Water supply/access to water supply | 8 |
| Cemeteries, cemetery extensions, preservation of graves sites | 4 |
| Access or roadway | 2 |
| Drainage | 2 |
| Rubbish depots / nightsoil depots | 2 |
| Church/school purposes | 1 |
| Rifle range | 1 |
| Travelling Stock Routes | 1 |
| Public School purposes | 1 |
| Total | 124 |

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Local Land Pilot

Summary figures – Tamworth Regional Council

November 2015

Summary of Tamworth Regional Council results from the pilot

- Tamworth local government area was the largest of the four pilot council areas with the highest number of Crown land reserves.
- A total of 519 Crown land reserves were assessed and classified within the local government area. 28% of these reserves were travelling stock routes.
- Tamworth Regional Council had a high level of engagement from management and staff within the council in the pilot process which allowed discussions to quickly develop a strong open collaborative nature between council and the Department.
- Resourcing requirements for the assessment of Crown land parcels was between 0.6 to 1.1 hours of council staff time.
- Council considered 33% of these Crown reserves to be local land predominantly used by the local community. Council classified some of these reserves as both local and state land due to the reserve use and management.
- Tamworth Regional Council expressed an interest in 24% of the Crown reserves within the local government area. Council identified this interest within the Crown reserves that were classed as local land. A breakdown of the numbers is provided in Table 1.

Table 1: Summary of land classifications and Tamworth Regional Council interest

| Total reserves | Classification | | No. of reserves council interested in | Area of reserves council interested in (ha) | Comments |
|----------------|----------------|-----------|---|---|---|
| | Local | State | | | |
| 519 | 169 (33%) | 360 (69%) | 124 (24% of total reserves 73% of local land) | 1964 ha (14% of total reserve area) | 47 of the 124 reserves council is interested in (38%) are already managed by council as reserve trust manager. 77 reserves were managed by others. |

Please note: numbers of state and local land classifications do not equal total number of reserves as some reserves were classified as both state and local by Council

A full list of the reserve types that and council was interested in are presented in Table 2.

Table 2: Reserves of interest to Tamworth Regional Council based on current management type

| Reserve purpose | Number of reserves |
|---|--------------------|
| Crown reserves managed by Council | |
| Parks/recreation reserves, flora & fauna reserves | 39 |
| Rubbish Depot | 11 |
| Community centres, community purposes or heritage purposes | 9 |
| Cemeteries | 6 |
| Water reservoirs | 4 |
| Racecourses and showgrounds | 3 |
| Swimming pool/public baths/sporting club facilities | 2 |
| Future public requirements | 1 |
| Crown reserves managed by others | |
| Travelling Stock Routes | 6 |
| Future public requirements | 1 |
| Recreation | 1 |
| Rubbish depot | 1 |
| Memorial hall/public hall/community hall | 3 |
| Recreation reserves | 2 |
| School of Arts | 1 |
| Children's playground | 1 |
| Future public requirements | 1 |
| Future public requirements | 10 |
| Water supply/access to water supply | 8 |
| Cemeteries, cemetery extensions, preservation of graves sites | 4 |
| Access or roadway | 2 |
| Drainage | 2 |
| Rubbish depots / nightsoil depots | 2 |
| Church/school purposes | 1 |
| Rifle range | 1 |
| Travelling Stock Routes | 1 |
| Public School purposes | 1 |
| Total | 124 |

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Local Land Pilot

Summary figures - Tweed Shire Council

November 2015

Summary of Tweed Shire Council results from the pilot

- A total of 226 Crown land reserves were assessed and classified within the Tweed Shire local government area as part of the Local Land Pilot.
- There was a high level of engagement from Council officers in the pilot process which allowed discussions to develop a strong open collaborative nature.
- Resourcing requirements for the assessment of Crown land parcels was between 0.6 to 1.1 hours of council staff time.
- Council considered 63% of all Crown reserves within the Shire to be 'local land' predominantly used by the local community. Council classified some of these reserves as both local and state land due to its use and management.
- Council expressed an interest in 29% of the Crown reserves within the Shire. A breakdown of the numbers is provided in Table 1.
- A high number of the Crown reserves within Tweed local government area are concentrated along the coastal zone where there are development, environmental pressures and close community scrutiny on changes to land use.

Table 1: Summary of land classifications and Tweed Shire Council interest*

| Total reserves | Classification | | No. of reserves council interested in | Area of reserves council interested in (ha) | Comments |
|----------------|----------------|-----------|--|---|--|
| | Local | State | | | |
| 226 | 142 (63%) | 153 (68%) | 66 (29% of total reserves 46% of local land) | 159 ha (9% of total reserve area) | 53 of the 66 reserves council is interested in (80%) are already managed by council as reserve trust manager. 13 reserves are managed by others |

Please note: numbers of state and local land classifications do not equal total number of reserves as some reserves were classified as both state and local by Council

A full list of the reserve types that council was interested in are presented in Table 2.

Table 2: Reserves of interest to Tweed Shire Council based on current management*

| Reserve purpose | Number of reserves |
|--|--------------------|
| Crown reserves managed by Council | |
| Parks/recreation reserves, flora & fauna reserves | 28 |
| Cemeteries | 6 |
| Caravan park/Caravan and camping park | 6 |
| Bushfire brigade services | 2 |
| Swimming pool/public baths/sporting club facilities | 2 |
| Community centres, community purposes or heritage purposes | 1 |
| Future public requirements | 1 |
| Water reservoirs | 1 |
| Home for the Aged | 1 |
| Boatshed | 1 |
| Local government purposes | 1 |
| Public Recreation and Coastal Environmental Protection | 1 |
| Storage | 1 |
| Tourist Facilities and Services | 1 |
| Crown reserves managed by others | |
| Future public requirements | 5 |
| Village purposes | 2 |
| Plantation | 1 |
| Wharf site | 1 |
| Public School purposes | 1 |
| Rubbish depot | 1 |
| Drainage | 1 |
| Public recreation | 1 |
| Total | 66 |

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Local Land Pilot

Summary figures – Warringah Council

November 2015

Summary of Warringah Council results from the pilot

- Warringah local government area, whilst being the smallest local government area, as the metropolitan council area in the pilot, it has the highest population growth pressures which places pressures on open space, the environment and community use of that space.
- A total of 240 Crown land reserves were assessed and classified within the local government area.
- Warringah Council had a high level of engagement from management and staff within the council in the pilot process which allowed discussions to quickly develop a strong open collaborative nature between council and the Department.
- Resourcing requirements for the assessment of Crown land parcels was between 0.6 to 1.1 hours of council staff time.
- Council considered 67% of these Crown reserves to be local land predominantly used by the local community.
- Warringah Council expressed an interest in 62% of the Crown reserves within the local government area. A breakdown of the numbers is provided in Table 1.

Table 1: Summary of land classifications and Warringah Council interest

| Total reserves | Classification | | No. of reserves council interested in | Area of reserves council interested in (ha) | Comments |
|----------------|----------------|----------|---|---|--|
| | Local | State | | | |
| 240 | 161 (67%) | 80 (33%) | 150 (62% of total reserves 93% of local land) | 960 ha (40% of total reserve area) | 66 of the 150 reserves council is interested in (44%) are already managed by council as reserve trust manager. 84 reserves are managed by others. |

Please note: numbers of state and local land classifications do not equal total number of reserves as some reserves were classified as both state and local by Council or due to data discrepancies with the Crown land parcels.

A full list of the reserve types that council was interested in are presented in Table 2.

Table 2: Reserves of interest to Warringah Council based on current management type

| Reserve purpose | Number of reserves |
|--|--------------------|
| Crown reserves managed by Council | |
| Parks/recreation reserves, flora & fauna reserves | 90 |
| Community centres, community purposes or heritage purposes | 12 |
| Future public requirements | 6 |
| Parking and access | 6 |
| Bushfire brigade services | 4 |
| Trig station | 2 |
| Racecourses and showgrounds | 1 |
| Access or roadway | 1 |
| Aviation purposes | 1 |
| Long daycare center | 1 |
| Preservation of Aboriginal carvings and drawings | 1 |
| Crown reserves managed by others | |
| Boy Scout / Girl Guide halls | 7 |
| Recreation | 1 |
| Artist environment / education facility | 1 |
| Disability services | 1 |
| Recreation reserves | 1 |
| Public recreation | 5 |
| Future public requirements | 2 |
| Trig station | 2 |
| Access or roadway | 2 |
| Literary institute/School of Arts | 1 |
| Rubbish depot | 1 |
| Drainage | 1 |
| Total | 150 |

* This information reflects the results of the Local Land Pilot only. No decisions have been made or are proposed to be made based on these results.

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 36):

The Hon. NIALL BLAIR: They are just to give the Committee a bit of an example of the types of Crown lands that may be considered for sale where they are landlocked and some other pieces of land. That is just an example but if the Committee wanted we could probably prepare something. That is just to have a look at but we could probably prepare some examples of that making sure that we remove lot and DP numbers so that they cannot be identified and maybe provide some examples to the Committee of the types of land that is considered for sale.

The Hon. TREVOR KHAN: That would be helpful.

Mr DAVID SHOEBRIDGE: Do you have a separate body of statistics for the 99-year leases?

Ms STONE: Yes, we do.

Mr DAVID SHOEBRIDGE: Could you provide that as well?

Ms STONE: We can certainly provide a summary.

Mr DAVID SHOEBRIDGE: A summary that cuts across the same period as you have done for sales. The Minister gave a series of figures.

The Hon. NIALL BLAIR: I gave 2012 to 2016. **Ms STONE:** We can do that.

QUESTION (as interpreted, where required):

Please provide information on sales from 2012-2016 (including the total value and average etc).

Full copy of the transcript is available at:

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

Please provide information on 99 year leases from 2012-2016 (including the total value and average etc).

ANSWER

Between January 2012 and July 2016:

- There were a total of 225 sales
- Total value of \$ \$24,724,720 in land sales
- Average sale price was \$121,259
- Highest sale price was \$3,093,750
- There was an average of 50 sales per year

There were no 99 year leases granted between 2012 and July 2016. NOTE: For information only – there were two 98 year leases granted on 1 January 2014 to Port Of Newcastle Operations Pty Limited.

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 37 – 38 and page 40):

Pages 37-38 - The Hon. MICK VEITCH: I thought you may well have been briefed by the Hon. Trevor Khan about this morning but apparently not. Earlier today there was a line of questioning around plans of management. We spoke at length with the City of Sydney witnesses about the process they have followed with the plans of management. Essentially they have elevated that to the Local Government Act requirements for consultation. I asked them whether or not they had had the Minister sign off on any of their plans of management. Since you have been the Minister how many plans of management have you signed off on? Friday, 29 July 2016 Legislative Council Page 38 GPSC NO. 6

Ms STONE: We could provide those numbers.

The Hon. NIALL BLAIR: There are one or two that spring to mind but I would have to get those to you.

Page 40 - The Hon. MICK VEITCH: Was the plan of management for Bondi signed off by the Minister?

Mr McPHERSON: I would have to get back to you on that one.

QUESTION (as interpreted, where required):

How many Plans of Management has the Minister approved?

ANSWER

1. Six Plans of Management have been adopted by the current Minister for Lands and Water.

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2. The minister has not signed off on the Plan of Managment

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 38):

Ms STONE: I can clarify two points: the proposals are speaking to the point you are trying to raise, which is that councils do have solid processes that they are required to go through under the Local Government Act if they are putting out plans of management. What is the value add from the State Government's perspective? I think it speaks to that. In addition, the Minister in his opening statement talked about the requirement in the proposed new bill to have a community engagement strategy prepared that will outline at what level decisions need to go through appropriate consultations.

Mr DAVID SHOEBRIDGE: That will be statewide policy that will be adapted to individual sales and enforceable as a statutory instrument?

Mr CLARKE: The Minister will have the responsibility under the proposed new bill to approve the community engagement strategy and the department will be responsible for complying with the strategy, and it will outline the principles, the processes and requirements for the various types of activities and dealings that happen on Crown land so the community has a clear understanding of how and when they can be engaged. For individual circumstances that will be tailored to those particular processes, whether it is a plan of management or sale process or some other activity around Crown land.

Mr DAVID SHOEBRIDGE: There will be a legal obligation to comply with the strategy and some remedy if that is not complied with? The community does not value highly a right without a remedy.

Mr CLARKE: If I can take that on notice. I do not know the proposed provision in the new bill in relation to community engagement and strategy, except that the Minister will be required to approve it and the department will be required to comply with it.

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The Hon. NIAL BLAIR: Returning to the start to close the loop on the plans of management; there is a requirement for the consultation and the Minister does sign off on it. That is the current process. Whether it is my view or whether it should be or not the Minister signs off, that is what the legislation says. The point I was making is that the most important part is making sure that the consultation occurs adequately and people are engaged in that process before it gets to the Minister for sign-off.

Mr DAVID SHOE BRIDGE: The reason I ask about the legal enforceability of the consultation strategy is that a good many of the submissions have said there are really good principles, legal processes and structure in the current Crown Lands Act, but it has not been enforced by the department or the bureaucrats. In places such as the Tallis trust the local community are tearing their hair out about getting the law enforced. You can have all the rights in the world in statute but unless somebody enforces them they end up being valueless. Have you taken those concerns on board and will it be enforceable?

The Hon. NIAL BLAIR: We will take that on notice and come back to you.

QUESTION (as interpreted, where required):

Will it be a legal obligation to comply with the Community Engagement Strategy and some remedy if not complied with? Will the strategy be legally enforceable?

ANSWER

The proposed new Crown Land legislation will require the Minister to prepare a Community Engagement Strategy in relation to certain proposals for, and dealings with, Crown land.

Persons involved in administering the proposed new Act will be required to comply with the approved Strategy. This will be a statutory obligation.

Matters relating to consequences and remedies for non-compliance are being considered as part of the drafting process.

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 39 & 40):

Page 39 - The Hon. MICK VEITCH: You spoke of rentals. When Government agencies are leasing Crown land do they pay a lease to the department?

Ms STONE: Our starting principle for sale and lease of land is market value and then through a series of policies that we have either on rebates or waivers you can apply, depending whether you are a community or sporting organisation or qualify under any of those policies.

The Hon. MICK VEITCH: Government departments on Crown land would pay market rent?

Ms STONE: They start at market rent and depending what the use of that land may be for it still may qualify. I will add, when there are acquisitions by government agencies of Crown land, and that applies to councils, they are required to transfer at market rate.

The Hon. MICK VEITCH: Are there any Government departments outstanding on payment of those fees to the department? **Ms STONE:** I would need to check on that.

The Hon. MICK VEITCH: I am told Yasmar training facility, Juvenile Justice, have not paid their fees. Could you deny or confirm that?

Ms STONE: We can do that.

The Hon. MICK VEITCH: The next thing is about collection of back rents, back lease fees and the department. Is there a current figure on how much is outstanding in lease fees from Crown land?

The Hon. TREVOR KHAN: Does this include western lands and the like?

The Hon. MICK VEITCH: In general.

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Ms STONE: We do have rent in arrears that sits on the department's books. We can get you those figures. I will indicate that is an area that we are looking to further investigate given that some of that is because it relates to a deceased estate, some of it relates to an incorrectly applied figure, duplicate applications, those sorts of things. We can provide that further detail.

Page 40 - Ms STONE: I will just clarify: we are also guided by Treasury guidelines. If there is an agreement by the Treasurer that we can transfer it nil consideration that is one of the provisions that we are able to currently access. Some of those are policy decisions, but as a guiding principle in terms of Crown land when it is considered for sale or disposal or leasing, you start at market rent as a first principle.

Mr DAVID SHOEBRIDGE: I understand that with externalities, but within government it seems bizarre. The CHAIR: Just to bring that home: a government department has the ability to waive or exempt based on the proposal. Is that right?

Ms STONE: Only with the Treasurer's approval. There are Treasury guidelines that allow us to proceed down that path.

The CHAIR: I think they are very helpful because we were certainly going down the track where Crown Lands was going to ask full market value for some community rentals and that was going to impact Meals on Wheels. Local council was not right to go and ask full market rents from those people that are volunteering.

Ms STONE: They are two different concepts. What I was responding to there was really about the transfer of land between government agencies. In terms of yes we start with market rent and then we can apply a rebate for sporting organisations, non-government organisations, community organisations that allow the social value of the land being used that is not at the requirements of market rent.

Mr DAVID SHOEBRIDGE: Minister and Ms Stone, it might be useful if you gave us in detail on notice, maybe with reference to the Treasury guidelines—divide the two up.

Ms STONE: We can do that.

INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 39):

The Hon. MICK VEITCH: State significant Crown land and plans of management around those, they are the ones that are essential for the Minister to sign off. Minister, I am certain you have had staff read the submissions that have come to this inquiry and noted that there are quite a few around Bondi Pavilion. Is there a plan of management for Bondi?

Mr McPHERSON: There is, that is correct.

The Hon. MICK VEITCH: How old is it?

Mr McPHERSON: I think it is 2014, but I can get you the exact date.

The Hon. MICK VEITCH: Can you find out? There are a number of people who have made submissions about that particular pavilion.

The Hon. TREVOR KHAN: It has been a topic.

Mr McPHERSON: There has been some confusion around that.

Mr DAVID SHOEBRIDGE: Is it your understanding that the current redevelopment proposal would be consistent with the plan of management, or do you want to take that on notice?

Mr McPHERSON: I would have to take that on notice because I have not seen the proposal.

QUESTION (as interpreted, where required):

1. When was the Bondi Plan of Management prepared?
2. Did the Minister approve the Bondi Plan of Management?

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3. Is the current development proposal consistent with the plan?

ANSWER

1. Preparation of the Plan of Management commenced in 2012. The draft Plan of Management was exhibited in 2014 and the final Plan was adopted by Waverley Council as the manager of the Bondi Park Reserve Trust in November 2014.
2. No, the Minister has not had the Plan of Management submitted to him for approval
3. Consideration of the development proposal is a planning matter. Waverley Council is the relevant authority for determining the development application. As the POM has not been submitted to the Minister, no opinion has been formed if the proposal is consistent with the plan.

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

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Ms STONE: Our starting principle for sale and lease of land is market value and then through a series of policies that we have either on rebates or waivers you can apply, depending whether you are a community or sporting organisation or qualify under any of those policies.

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The Hon. MICK VEITCH: Are there any Government departments outstanding on payment of those fees to the department? **Ms STONE:** I would need to check on that.

The Hon. MICK VEITCH: I am told Yasmar training facility, Juvenile Justice, have not paid their fees. Could you deny or confirm that?

Ms STONE: We can do that.

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Mr DAVID SHOEBRIDGE: Minister and Ms Stone, it might be useful if you gave us in detail on notice, maybe with reference to the Treasury guidelines—divide the two up.

Ms STONE: We can do that.

QUESTION (as interpreted, where required):

1. What is the process for determining rents for Government agencies leasing Crown land?
2. Are there any Government Departments/Agencies with outstanding lease or acquisition payments?
3. Does Yasmar training facility, Juvenile Justice have outstanding lease payments?
4. What are the current rent in arrears figures?

Please include the Treasury Guidelines.

ANSWER

1. Government agencies are required to pay market value for lease of Crown land as per NSW Treasury Direction 469.01.
2. Government agencies (Federal, State and Local) owe a total of \$1.484M to Department of Industry (DoI) - Lands. This amount includes all tenures (leases and licences) as well as monies owed on land being acquired (acquisitions) by an agency that are past the due date.
3. The Minister for Juvenile Justice owned the entire Yasmar site prior to it being gifted (without seeking compensation) and subsequently declared Crown land in 2006. Juvenile Justice has continued to occupy the western wing of the site since that time as a training facility and pays no rent as it considers that an agreement was reached to that effect at that time. DoI Lands is currently investigating the original agreement regarding their continued occupation of the site at nil cost.
4. The total amount of payments in arrears on tenure (which includes leases, licences and permits), and acquisition accounts owed to DoI Lands is \$18.138M as at 31 July 2016. Of this amount the total owing on lease accounts is \$2.238M.

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page numbers 37 & 41):

Page 37 - The Hon. MICK VEITCH: One of your predecessors indicated that the new Crown Lands Act would be taken as an exposure draft. In your contribution today and I think in the Chamber one day you mentioned that you would be introducing the bill at some stage in the next session. Are you planning to not have an exposure draft?

The Hon. NIALL BLAIR: I guess this inquiry was not occurring when previous Ministers maybe were talking about the process that may occur. I have given a pretty clear indication as to the direction that the bill is heading. We have given our response to the Crown lands white paper and I think it is fairly safe to say that when we introduce the bill to Parliament there will not be any new surprises or anything that will be away from what was signalled or flagged in the response to the Crown lands white paper and answers to questions or statements that I am making here today in the Committee inquiry. As I said, I guess that is probably the opportunity to discuss what we are doing in more detail than just putting out an exposure. We are also continuing to consult with all of the stakeholders that have been involved throughout the process as well. As I said, I do not think there are going to be any surprises in this case. We have said that we will take eight redundant pieces of legislation down to one and I have outlined some of those areas today.

The Hon. MICK VEITCH: If you are not going to put out a draft is there any chance you might be able to table the draft legislation just for the Committee to have a look at? I can ask. **The Hon. NIALL BLAIR:** I do not have a copy to table. **The Hon. MICK VEITCH:** You can take it on notice and get it to us. I just thought I would ask.

Page 41 - Mr DAVID SHOEBRIDGE: Minister, just quickly on the issue of the draft legislation, will you give some commitment—I am happy for you to take it on notice and consider it—if you are not going to put an exposure draft out to at least leave the legislation lying on the table of the

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Parliament for a sufficient period of time for stakeholders to read it and consider it before we go into the second reading debate? I am happy for you to take it on notice as to maybe timing.

The Hon. NIALL BLAIR: At least over the weekend.

Mr DAVID SHOEBRIDGE: A reasonable period of time I would have thought would be in the order of three weeks, but I am more than happy for you to take it on notice to think about it.

The Hon. NIALL BLAIR: I will take the final answer on notice as far as whether we will or we will not or what is the time frame. But I will make this observation that through going through the white paper process to providing the Government response, the ongoing consultation with that, the opportunity for stakeholders and members of this Committee to be able to discuss these issues, again I am very confident that by the time we introduce legislation into the Parliament we will have had the ability to openly discuss and, from where I sit, a beneficial opportunity to be able to put some concerns at rest, to clarify some confusion or misunderstandings. I will come back with my response but I just put it in that context. This is something that we are very happy to be open about and we are discussing it at many forums.

Mr DAVID SHOEBRIDGE: We are discussing the principles, but of course the principles and the drafting are two different issues and I suppose the community concern—

The Hon. NIALL BLAIR: I will take that on notice and come back to the Committee.

QUESTION (as interpreted, where required):

1. When will the legislation be tabled?
2. How much time will you provide for review prior to the second reading speech?

ANSWER

1. The new Crown Land legislation is proposed to be introduced into Parliament in Spring Session 2016. A final date is not yet confirmed.
2. The Ministerial Office currently preparing information regarding the new bill for distribution.

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<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 43):

Mr DAVID SHOEBRIDGE: To be honest, I am as much in the dark now as the witnesses were today about what the statutory regime will be and what the statutory protections are. I have asked whether or not there will be a statutory protection and the answer seems to be, no, there will be a commitment to negotiate. Did I miss it? I will ask you again: Will there be a statutory protection to ensure that the Aboriginal land councils are notified and given sufficient notice before land is transferred to become local land?

Mr CLARKE: I will take that on notice given that the drafting process is underway.

QUESTION (as interpreted, where required):

Will there be a statutory protection to ensure that the Aboriginal land councils are notified and given sufficient notice before land is transferred to become local land?

ANSWER

Yes.

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 43):

The CHAIR: I am happy to do that. Since the Minister talked about watering holes, I wish to bring up the particular issue of fishing watering holes. I note some of the interest in public access to fishing areas, particularly Molineaux Point. There has been a lot of discussion about that place and access for community benefit. It was never meant to be shut off and now there is razor wire shutting off access. There are roads across the State that have been shut down with signs saying "no river access", and if we look at the community benefit and certainly stakeholders, maybe you can answer the question why local councils or other people are shutting down access to those areas which are meant to be of benefit to the community?

The Hon. NIAL BLAIR: I am happy to take the specifics of the one example you have cited on notice.

The CHAIR: I am not at liberty to talk about the submission at this point in time, but I know it is a raging concern. It will become a public submission in the future.

The Hon. NIAL BLAIR: I am happy to take that on notice.

QUESTION (as interpreted, where required):

Why has access to Molineaux Point been limited?

ANSWER

Molineaux Point at Port Botany is not Crown land. As such I am not responsible for matters, including recreational fishing access, at Molineaux Point.

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Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 44):

The CHAIR: You and I know, Minister, under the guise of safety we can make any rule to close down anything. Recreational fishing, to a large degree, can have an element of risk, but we are not going to fence the whole ocean. I would like to see that the Government takes on board the spirit of its commitment to recreational fishers, particularly the community point where Crown lands was negotiated with that outcome and certainly Port Kembla. A lot of submissions also talked about the Parramatta pool and the development or future of that particular area. Will you give this Committee an update of what is happening there?

Mr DAVID SHOEBRIDGE: Particularly concerns about the lack of public consultation regarding the boundary adjustment that is going through now. There are real concerns that the boundary adjustment that is happening to the park has occurred without any community consultation. Basically fans of football clubs were spoken to and that is it.

The Hon. PETER PRIMROSE: And what consultation is required under the Act.

Ms STONE: We may need to get back to you with the details on that one. It is not one we are familiar with.

Mr DAVID SHOEBRIDGE: Nor are the local community, I am sorry.

The CHAIR: Read through the submissions and you will probably find something.

Mr DAVID SHOEBRIDGE: It is the boundary adjustment between the park owned by the Parramatta Trust and the venue. I think it is called the border adjustment.

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Ms STONE: We would need to determine whether we are talking about Crown land or whether it is council land, so we will get back to you.

Mr DAVID SHOEBRIDGE: It is Crown land.

The Hon. PETER PRIMROSE: It is Crown land.

Mr DAVID SHOEBRIDGE: Parramatta Trust.

The CHAIR: You can take that question on notice.

QUESTION (as interpreted, where required):

1. What are the consultation requirements under the Crown Land Act regarding boundary adjustments?
2. What consultation occurred in relation to Parramatta Pool?

ANSWER

1. Neither the Parramatta Pool nor Parramatta Stadium are located on Crown land. As such there is no consultation requirement in the Crown Lands Act for the boundary adjustments at these sites.
2. As above.

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 45):

Mr DAVID SHOEBRIDGE: How do you evaluate 42 per cent of the State at just \$11 billion?

Ms STONE: I will take the answer in two parts because I can come back and clarify the Newcastle court house as well. Annually the department goes through a mass valuation process for the value of the Crown estate. You will be aware that we do that for the purposes of making sure that what is recorded on the department's books for submission into an annual Treasury process is done appropriately. With 42 per cent of the State we do not go out and value individual parcels of land, so we apply—

Mr DAVID SHOEBRIDGE: A formula?

Ms STONE: A formula and a method that is approved through the Valuer General and appropriate agencies. Where we do individual evaluations is where we are striking a commercial rate and that is where we go to where you are asking for market value for sale, transfer or lease and then according to our rebates policy if it is for a sporting group, a community group or a not-for-profit we can apply those rebates. I always say that Crown land is not a cheap or free alternative to private land and we need to make sure that we have those valuations done either through individual, independent valuers or we use the agreed formulas that are provided.

Mr DAVID SHOEBRIDGE: You say that it is not a cheap alternative but if 42 per cent of the State is valued at roughly the same as four blocks in the city then it is an extraordinarily cheap alternative. I know I would not compare grazing land in western New South Wales to a block in Pitt Street but—

The Hon. NIAL BLAIR: That is exactly what you just did.

Full copy of the transcript is available at:

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

Mr DAVID SHOEBRIDGE: I will happily compare 42 per cent of the State to four blocks in the city. It seems a remarkably unbalanced valuation that you have got.

Ms STONE: The annual process that we do go through is a Treasury-approved process.

Mr DAVID SHOEBRIDGE: Can you provide us with some detail about that process?

Ms STONE: I can provide further detail on that process.

QUESTION (as interpreted, where required):

Please provide detail on the Crown land Estate Valuation process.

ANSWER

The Crown Land Estate is valued annually for financial reporting purposes using primarily a mass valuation process. This involves the grouping of properties and application of an average market land value rate to land that is not under tenure, and average market yield to land which is under tenure. Market land value and capitalisation rates are determined having regard to both recent market evidence and statutory land valuation data. A small proportion of reserves are individually valued. These are predominantly located in Metropolitan and Coastal urban areas.

A full review of mass valuation rates is undertaken every 3 years, with indexation of valuations in intervening years.

Valuations are made in accordance with the current Australian Accounting Standard - *AASB13 Fair Value Measurement* and Treasury Accounting Policy - *TPP 14-01 Valuation of Physical Non-Current Assets at Fair Value*. The Treasury Policy requires valuations to be made having regard to the existing mandated use for which government land is held.

Full copy of the transcript is available at:

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 46):

Mr DAVID SHOEBRIDGE: Minister, the bar graph in front of you shows the outcomes for Aboriginal land claims over five-year periods. Indeed, you can see just how few determinations there have been that are positive in land claims that have been lodged really for the past 20 years. In fact, if we go back to your submission you have got "finalise land claims on an annual basis". From what I could tell from that very small red bar graph almost certainly all or the great majority of those are land claims that have been finalised by being actually denied or refused. Can you give a breakdown on a year-by-year basis of what "finalise" means—how many were refused, how many were granted and how many were withdrawn?

Ms STONE: We can provide those numbers.

QUESTION (as interpreted, where required):

How many Aboriginal Land Claims have been lodged? How many of those have been withdrawn, granted or refused?

ANSWER

Since 1983/84, 40,913 Aboriginal Land Claims have been lodged.

Since 1983/84, 2,810 Aboriginal Land Claims granted and 8,070 refused following investigation in accordance with the provisions of S.36 of the *Aboriginal Lands Rights Act*.

Since 1983/84, 1,735 Aboriginal Land Claims have been withdrawn.

Full copy of the transcript is available at:

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

| Financial Year | Claims Lodged | Granted | Refused | Withdrawn | Total Granted/Refused/ Withdrawn |
|----------------|---------------|--------------|--------------|--------------|--|
| 1983/84 | 179 | 4 | 0 | 0 | 4 |
| 1984/85 | 2,061 | 103 | 397 | 167 | 667 |
| 1985/86 | 533 | 92 | 490 | 213 | 795 |
| 1986/87 | 195 | 105 | 106 | 101 | 312 |
| 1987/88 | 191 | 259 | 260 | 176 | 695 |
| 1988/89 | 266 | 16 | 46 | 38 | 100 |
| 1989/90 | 173 | 19 | 184 | 57 | 260 |
| 1990/91 | 374 | 10 | 150 | 12 | 172 |
| 1991/92 | 404 | 43 | 216 | 30 | 289 |
| 1992/93 | 460 | 108 | 117 | 14 | 239 |
| 1993/94 | 591 | 18 | 200 | 26 | 244 |
| 1994/95 | 129 | 167 | 220 | 13 | 400 |
| 1995/96 | 413 | 262 | 182 | 17 | 461 |
| 1996/97 | 126 | 242 | 168 | 11 | 421 |
| 1997/98 | 71 | 172 | 85 | 5 | 262 |
| 1998/99 | 82 | 187 | 186 | 6 | 379 |
| 1999/00 | 223 | 88 | 138 | 4 | 230 |
| 2000/01 | 129 | 78 | 93 | 71 | 242 |
| 2001/02 | 136 | 24 | 26 | 5 | 55 |
| 2002/03 | 251 | 66 | 96 | 14 | 176 |
| 2003/04 | 118 | 61 | 105 | 8 | 174 |
| 2004/05 | 339 | 34 | 50 | 25 | 109 |
| 2005/06 | 6,983 | 44 | 138 | 13 | 195 |
| 2006/07 | 1,154 | 11 | 372 | 13 | 396 |
| 2007/08 | 502 | 97 | 308 | 8 | 413 |
| 2008/09 | 2,056 | 20 | 1065 | 7 | 1,092 |
| 2009/10 | 8,796 | 73 | 1152 | 6 | 1,231 |
| 2010/11 | 8,907 | 28 | 282 | 97 | 407 |
| 2011/12 | 209 | 89 | 399 | 43 | 531 |
| 2012/13 | 474 | 77 | 426 | 118 | 621 |
| 2013/14 | 214 | 48 | 179 | 28 | 255 |
| 2014/15 | 2,410 | 19 | 50 | 156 | 225 |
| 2015/16 | 1,764 | 146 | 184 | 233 | 563 |
| Totals | 40,913 | 2,810 | 8,070 | 1,735 | 12,615 |

The information provided is an extract from internal databases managed by NSW Department of Industry - Lands. Whilst every effort has been made to ensure the accuracy and completeness of the information we are unable to guarantee the data is free of errors or omissions. Copyright, New South Wales Department of Industry - Lands, 2016

Full copy of the transcript is available at:

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 46):

Mr DAVID SHOEBRIDGE: Minister, what are the protections for Aboriginal land councils because as soon as it is transferred to freehold it ceases to become claimable land under section 36? Maybe Mr Clarke might tell us what the protections are or do you want to pick that up in your answer on notice.

Mr CLARKE: If we could take that one on notice.

QUESTION (as interpreted, where required):

What are the protections for Aboriginal Land Councils in relation to the transfer of local land to Councils?

ANSWER

Local Aboriginal Land Councils will be involved in voluntary negotiations about the potential for land transfers with the State and Local Councils. All decisions through those voluntary negotiations will be reached by agreement.

There will be a statutory protection which will explicitly provide that land cannot be vested in Councils as part of the local land process without the consent of the relevant Local Aboriginal Land Council.

Full copy of the transcript is available at:
<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 47):

Mr MICK VEITCH: In the white paper there was a foreshadowing of some changes to the way dedicated lands are treated. Will that be accommodated in the new bill? Is that the direction the bill will be taking? The Hon. NIAL BLAIR: We will take that on notice, if that is okay.

QUESTION (as interpreted, where required):

How will dedicated lands be dealt with in the new legislation?

ANSWER

It is proposed that dedicated lands will remain a distinct category of land and will also remain subject to all existing protections in the new legislation.

At a purely technical level, dedicated lands will be brought within the definition of "Crown land", which includes reserved lands and other Crown lands. Dedicated land was historically excluded from the *Crown Lands Act 1989* definition of "Crown land". However, other than in relation to the process for revoking a dedication, the Minister's powers to deal with dedicated land will be the same as for reserved Crown land.

On this basis, dedicated land will become a type of Crown land, but the existing special protections for dedicated land will be maintained.

Full copy of the transcript is available at:

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

Accordingly, the new legislation will retain the requirement that revocation of dedicated land cannot occur without the Minister giving Parliament notice of the proposed revocation and an opportunity to disallow the revocation. The new legislation will not affect any existing dedications and will allow for future dedications.

This will ensure that at an operational level, there will be no changes to the way dedicated lands are treated.

Full copy of the transcript is available at:

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 29 July 2016, Sydney

CONTEXT (page number 46):

The Hon. MICK VEITCH: Are you aware of any area in the State where local Aboriginal land councils have been appointed as trustees of Crown land? Can you take that question on notice and come back to us?

Ms STONE: There is nothing that prevents an Aboriginal land council from being a trustee. We would have to check how many we do have though, thank you

QUESTION (as interpreted, where required):

1. Can Aboriginal Land Councils be appointed Trustees of Crown land?
2. Have any Aboriginal Land Councils been appointed Trustees of Crown land?

ANSWER

1. Yes
2. Yes.

Full copy of the transcript is available at:

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>

INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

29 July 2016

Supplementary Questions

Question for the Department of Industry – Lands

1. Can the Department of Industry - Lands provide the committee with the result of the survey of residents regarding the Brunswick Heads Boat Harbour Master Plan as referred to in submission 87a to this inquiry?

ANSWER

Version 2 of the draft Report Brunswick Heads Boat Harbour Masterplan – Community Consultation dated August 2016 is provided below (double click to open). The report provides an analysis of options being considered for the Brunswick Heads Boat Harbour Master Plan and the findings of the community consultation feedback.



MHL2469 - Brunswick
Heads Boat Harbour M

Full copy of the transcript is available at:

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryEventTranscript/Transcript/9712/Transcript%20-%2029%20July%202016%20-%20Uncorrected%20-%20Sydney%20hearing.pdf>



Public Works
Manly Hydraulics Laboratory



BRUNSWICK HEADS BOAT HARBOUR MASTER PLAN – COMMUNITY CONSULTATION

Report MHL2469
August 2016

Prepared for:



Department of
Primary Industries
Lands

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BRUNSWICK HEADS BOAT HARBOUR MASTER PLAN – COMMUNITY CONSULTATION

Report MHL2469
August 2016

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Report No. MHL2469

First published (draft) August 2016



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Foreword

NSW Public Works' Manly Hydraulics Laboratory (MHL) was commissioned by Department of Primary Industries – Lands (DPI, Lands) to undertake a preliminary Multi Criteria Analysis (MCA) of options being considered for the Brunswick Heads Boat Harbour Master Plan.

This report details the findings of the community consultation feedback. The preliminary MCA is presented in a separate report MHL 2459.

This report was prepared by Matthieu Glatz, Zoran Tripovic and Edward Couriel. It involved undertaking a review of the existing Draft Master Plan and analysis of the community consultation feedback to develop an overall understanding of the stakeholders and community views in regards to the Draft Master Plan.

Executive Summary

The Department of Primary Industries – Lands (DPI, Lands) is developing a new Master Plan for the Brunswick Heads Boat Harbour precinct in consultation with the local community and other stakeholders. DPI, Lands has requested the assistance of NSW Public Works' Manly Hydraulics Laboratory (MHL) in analysing the results of the community consultation online survey and to consolidate these results with the stakeholder consultation carried out by Ardill Payne & Partners to obtain an overall understanding of the stakeholders and community views on the Draft Master Plan options.

The following tasks were undertaken:

- Review of the Brunswick Heads Boat Harbour Master Plan Scope, Vision and Planning Objectives reports and stakeholder workshop materials available;
- Analyse community consultation feedback; and
- Consolidate community consultation feedback and stakeholder consultation results to obtain an understanding of the stakeholders and community views on the Draft Master Plan options.

Based on the results of the consultation, an understanding of the view of the key stakeholders and local community has been developed. While the outcome slightly varies for each component that makes up the proposed Master Plan options, overall key stakeholder expectations can be observed. The key areas of concern or key criteria identified to develop an optimal Master Plan include:

- Maintenance or improvement of current facilities (existing boat ramp) and amenities (toilets, shower, waste infrastructures)
- Balanced amount of natural areas and developments to align with the Simple Pleasures theme of the town
- Public access to and along the foreshore
- Access for rescue services and training
- Environmental impact on river, native vegetation and wildlife
- Interaction with other land uses or harbour users
- Safety of all users
- Spatial limitation of the harbour
- Cost
- Accordance with existing plans, policies and guidelines

The criteria considered significant by the stakeholders and local community in regards to each Master Plan component are as follows:

- Small boat launch and retrieval facilities:
 - Easy and still water access
 - Improved access to boat ramp
 - Improved manoeuvring area

- Rapid launch facility and boat / ski storage is required for offshore rescues
- Re-use of existing facilities such as the existing slipway
- Paddle craft launch and retrieval facilities:
 - Separation of motorised and non-motorised crafts
 - Possible use of alternative launch site to avoid major developments
- Large boat launch and retrieval facilities:
 - Requirement for an emergency haul out of sinking or disabled boats
 - Requirement for haul out of large boats
- Marina layout:
 - Consideration of future increase in demand for berths and mooring pens
 - Consequences of large marina on onshore facilities (e.g. one car park for every 3 berths)
 - Berth pen orientation and prevailing winds
- Land based uses:
 - Accordance with permissible uses of current zoning
 - Consistency with the Strategic Planning Objectives for the site
 - Develop a small commercial area including café, fish and chip, restaurant and small retail
 - Improve fire and waste infrastructure
 - Investigate residential options
 - Provide rescue facilities (e.g. storage, helipad)
 - Provide infrastructure for large boat retrieval
 - Minimise impact on Sonny Cole Memorial
 - Maximise other compatible land uses (e.g. storage for commercial equipment or paddle craft, BBQ, cultural signage, playground, fishing area, fish cleaning tables, etc.)

The above criteria highlighted as part of the key stakeholder and community consultation undertaken to date will be used as input to form evaluation criteria for the preliminary Multi-Criteria Analysis (MCA) to be completed in the next stage of this project as presented in MHL report 2459.

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1. Introduction and Project Background

1.1 Background

DPI, Lands is developing a new Master Plan for the Brunswick Heads Boat Harbour precinct in consultation with the local community and other stakeholders. The project is funded and resourced jointly by Transport for NSW and DPI, Lands who have engaged Ardill Payne & Partners (APP) to prepare designs, construction plans and costings for preferred launching and retrieval systems for small boats (trailer-able power and sail boats) and larger boats, provide safe and separate access for non-motorised craft (kayaks, skis and paddleboards), and to develop options for a marina within the Boat Harbour complex.

Substantial work has been completed on identification and development of options, including a series of options for small boat launch and retrieval, large boat retrieval via a mobile crane pad, parking options, and three options for marina layouts (Options 1 and 2 being orientated North/South and Option 3 being orientated East/West). A number of meetings and workshops have been undertaken with key stakeholders to share information about key issues, concerns and requirements and to seek feedback on the options developed.

DPI, Lands has requested the assistance of MHL in analysing the results of the community consultation online survey and to consolidate these results with the stakeholder consultation carried out by Ardill Payne & Partners to obtain an overall understanding of the stakeholders and community views on the Draft Master Plan options.

1.2 Scope

A summary of the scope of this report is provided below:

- Review of the Brunswick Heads Boat Harbour Master Plan Scope, Vision and Planning Objectives reports and stakeholder workshop materials available;
- Analyse community consultation feedback; and
- Consolidate community consultation feedback and stakeholder consultation results to obtain an understanding of the stakeholders and community views on the Draft Master Plan options.

2. Consultation Methodology

2.1 Key Stakeholders

The key stakeholders involved in the creation of the Brunswick Heads Boat Harbour Draft Master Plan options included:

- Representatives from local community and Brunswick Heads residents
- Byron/Brunswick Angling & Deep Sea Fishing Club
- Brunswick/Byron Fisherman's Co-operative
- Brunswick Heads Cruising & Yacht Club Association
- Group Emergency Services: Branch Local SLSC & Marine Rescue
- College of Marine Studies
- Byron Shire Council
- Brunswick Head Chamber of Commerce
- OEH
- DPI, Lands

2.2 Key Components of the Master Plan

Stakeholders and community consultation were carried out in stages in regards to the following key components of the proposed Master Plan configuration:

- Small boat launch and retrieval facilities
- Paddle craft launch and retrieval facilities
- Large boat launch and retrieval facilities
- Marina layout
- Land based uses

The various layout options for each component are provided in **Appendix A**.

The views of the key stakeholders and of the local community representatives on each of these components are detailed in **Section 3**.

2.3 Consultation Approach

The purpose of the key stakeholder and community consultation was to present the different options proposed for the Brunswick Heads Marina and to rationalise the associated opportunities and constraints.

The consultation carried out in Brunswick Heads to date includes:

- A number of workshops with key stakeholders undertaken as part of the Master Plan preparation

- A number of one-on-one meetings with key stakeholders undertaken as part of the Master Plan preparation
- Publication of the Brunswick Heads Boat Harbour Master Plan “Have your Say” Online Survey

All existing community consultation feedback to date has been considered in this report.

2.3.1 Stakeholder Workshops

Stakeholder workshops were conducted by DPI, Lands in 2011 to understand the main criteria that could be used to establish a base for the Master Plan based on the stakeholder suggestions and observations about existing facilities and expected future requirements.

APP undertook an additional stakeholder workshop in March 2015 as part of the Brunswick Heads Boat Harbour Master Plan Project. The workshop allowed the stakeholders to sketch their ideas about the development on aerial photographs.

This data was then used to create a couple of Stakeholders Worksheets that represented proposed layouts of the marina and captured the various stakeholder ideas.

2.3.2 One-on-one Meetings

One-on-one meetings were carried out following the completion of the worksheets to ensure that the proposed worksheets encompassed each stakeholder suggestion.

All stakeholders except the Brunswick Heads Cruising Yacht Club Association were supportive of the proposed layouts. The BHCYC wanted a clubhouse as well as some boat maintenance facilities. These options were discarded due to non-compliance with the planning objective and environmental reasons.

The Master Plan options for each component were developed based on the results of the Stakeholder workshops and one-on-one meetings.

2.3.3 “Have your Say” Online Survey

The “Have you Say” Online Survey was accessible between February and April 2016. A copy of this survey is presented in **Appendix B** and illustrations of the response to the multiple choice questions are provided in **Appendix C**. It asked the community to provide feedback on the suggested Master Plan component options and general comments about the proposed developments. There were 178 respondents to the survey. The main respondent categories are presented in **Table 2.1** below.

The majority of the respondents are either local residents, regular visitors of the harbour or motorised/non-motorised user in the harbour. Community groups represented the largest respondent category compared with other stakeholder categories such as boat tenants and government officials.

Table 2.1 – Main Respondent categories

| Respondent Category | Percentage of Respondent |
|---|---------------------------------|
| I am a local resident | 49% |
| I visit or walk around the boat harbour regularly | 46% |
| I launch my motorised vessel here regularly | 20% |
| I launch my paddle craft here regularly | 19% |
| I am a regular visitor | 18% |
| I represent a community group | 15% |
| I launch my non-motorised vessel here regularly | 9% |
| I operate a business on or near the Boat Harbour | 5% |
| I moor a yacht in the Boat Harbour | 2% |
| I provide an emergency service here | 2% |
| I work for Council or a government agency that regulates activities in or near the boat harbour | 1% |

N.B.: The percentages do not add up to 100% as respondents could select multiple choices.

Nine respondents provided replies to the survey without using the survey form. Those persons provided general free-format email responses or email responses that followed the structure of the survey. The applicable views of these respondents and the critical relevant points raised by them have been summarised and consolidated as far as practicable into the most related questions from the online survey. Some responses comprised hand-written answers and lengthy commentary that have been rationalised to take into consideration the main views relevant to the Brunswick Heads Boat Harbour Master Plan. As far as practicable, general remarks have been categorised according to key survey form questions. For example, comments like “excessive bitumen area” or “Brunswick Heads should not be changed into a giant carpark” have been interpreted as relating to the “Carpark extent is excessive”. Comments like “Destroying the natural feel of the Harbour” or “keeping the area low key” have been interpreted as relating to alignment with the “Simple Pleasures Theme”.

It is important to note that some responses to the survey were not directly linked to the Master Plan development precinct and therefore have not been incorporated in the survey results making up this report. Comments regarding suggested amendments to the retaining wall along the river and erosion issues downstream of the study area, for example have not been explicitly considered here.

The responses to some questions have occasionally been provided within the answer to another survey question. It is noted that while effort has been made to interpret, categorise and consolidate free-format and non-survey form responses, some such responses may have been missed on some occasions, however, the overall integrity of the reported survey responses is considered to be nevertheless well representative.

3. Consultation Outcome

3.1 Small boat launch and retrieval facilities

3.1.1 Stakeholder Criteria and Option Discussion

As described in the Brunswick Heads Boat Harbour Master Plan Scope, Vision and Planning Objectives – Report 1, the key stakeholder worksheets used as a base to develop the proposed options were created based on the following criteria:

- All stakeholders agreed that maintenance and improvement of the existing ramp is required
- Additional parking is essential for cars and trailers to allow full capacity utilisation of the boat ramp
- All stakeholders considered that the provision of a second boat ramp in the western boat harbour would provide easy and still water access
- The existing boat ramp could be replaced by a larger ramp and embayment to minimise impact of river current
- Manoeuvring area should be improved
- Access is to be provided for rescue services training
- Maintenance of existing fish cleaning table is preferred for the fishing club
- Rapid launch facility and boat / ski storage is required for offshore rescues

The small boat launch and retrieval facilities options proposed in the Draft Master Plan are illustrated in **Appendix A** and include:

- Option 1: Existing boat ramp and formalised parking (9 spaces) at the back of the ramp. This option was considered to be of little value as most criteria are not matched, parking would remain an issue and access to water would remain in the river current.
- Option 2A: Upgraded existing boat, formalisation of the carpark at the back of the ramp and creation of 30 additional parking spaces along the western side of the boat harbour. This option would provide additional parking sufficient for current ramp capacity. However, access to the river would still be in difficult river current conditions.
- Option 2B: Same as option 2A with boat ramp reconstructed as an embayment ramp. This option would provide a safer access to the water away from the river current allowing the boat ramp to act as a two-lane boat ramp. Additional parking capacity would be required and this option would encroach on the SEPP 14 boundary.
- Option 3A: Upgraded existing boat ramp, placement of amenities at the back of the ramp, develop the existing slipway to create additional two-lane boat ramp and creation of 64 car and trailer parking spaces on the western side of the harbour. This option would provide additional parking area while providing two boat ramps including

one ramp in calmer condition. Some additional amenities are proposed at the back of the existing boat ramp.

- Option 3B: Upgraded existing boat ramp as an embayment ramp and creation of 64 car and trailer parking spaces on the western side of the harbour. This option would provide additional parking area while providing a two-lane boat ramp. However, this option would encroach on the SEPP 14 boundary.

3.1.2 Local Community Criteria and Option Discussion

Questions 2 and 3 of the online survey asked about the preferred option out of the five suggested small boat launch/retrieval options (illustrated in **Appendix A**) and why this option has been selected.

174 of the 178 respondents provided a preferred option and/or comments about the options. The summary of the preferred small boat launch and retrieval facilities responses is provided in **Table 3.1**.

Table 3.1 – Preferred small boat launch and retrieval facilities options

| Answer Options | Response Percent | Response Count |
|--|------------------|----------------|
| Option 1 Existing Ramp & Formalised Parking | 25.9% | 44 |
| Option 2A Upgrade Existing Ramp & Parking | 12.9% | 22 |
| Option 2B New Embayment & Formalised Parking | 6.5% | 11 |
| Option 3A Upgrade Existing Ramp, Slipway and Parking | 24.1% | 41 |
| Option 3B New Embayment and Parking | 5.3% | 9 |
| Other options including: | 25.3% | 47 |
| Ferry Reserve Ramp instead of Options | 10.0% | 17 |
| Do Nothing | 4.7% | 8 |
| Two Ramps Option without Parking | 2.4% | 4 |
| None | 6.5% | 15 |
| Protect ramp with rock wall instead of embayment | 1.2% | 2 |
| Various Layout, Indifferent | 1.8% | 3 |
| <i>answered any of two questions</i> | | 174 |
| <i>skipped both questions</i> | | 4 |

The two preferred options are Option 1 (Existing Ramp & Formalised Parking) and Option 3A (Upgrade Existing Ramp, Slipway and Parking). Interestingly, Option 1 includes the minimum amount of changes to the area while Option 3A includes the maximum amount of changes. Both embayment options (2B and 3B) appear to be the least attractive options.

A few people suggested the consideration of alternative options for the boat ramp such as the development of the Ferry Reserve boat ramp (over 10% of respondents) or the use of the slipway as a second boat ramp without developing the entire car park. People suggesting two alternative option were included as a single "Other Option" entry, however, the two options were added in the detailed list.

After consolidation of the recurrent reasons provided for the option selection, the selection criteria that have been mentioned by more than two people have been identified and are

listed in **Table 3.2**. It is important to note that all responses were analysed to consider any strategic responses that may have been provided by only one person.

Table 3.2 – Main selection criteria for small boat launch and retrieval facilities options

| Main Selection Criteria (mentioned more than twice) | Response Percent | Response Count |
|---|------------------|----------------|
| Carpark extent is excessive | 17.2% | 30 |
| Environment / vegetation should be protected | 16.1% | 28 |
| Option should align with Simple Pleasure / Low Key | 12.1% | 21 |
| Option should make area safer for user | 8.0% | 14 |
| Parking should be improved | 7.5% | 13 |
| Minor change is best | 6.9% | 12 |
| Multiple ramp is beneficial (split traffic, reduce congestion) | 6.3% | 11 |
| | 3.4% | 6 |
| Use of existing infrastructure appears more practical | 3.4% | 6 |
| River has a limited capacity and small size for increase boat traffic | 3.4% | 6 |
| Option has more space for turn-around | 1.7% | 3 |
| Option appears cost-effective | 1.7% | 3 |
| Storage is required | 1.7% | 3 |
| An area should be dedicated to marine uses | 1.7% | 3 |

Question 13 of the online survey also investigates the views on the use of the slipway as a second boat ramp. About 45% of the respondents did not answer. However, about 2/3 of the respondents found this second boat ramp beneficial due to the calm water, convenience for rescue use, improved access to the water and the split traffic. The last third opposing this option was concerned about the congestion in the harbour, the increase in carpark requirement associated with this development, the cost and the disturbance to boats moored in the Harbour.

The community appears to be divided into three distinct categories:

- “Simple Pleasures” Category: this group considers the “Simple Pleasures” theme as a main priority. Excessive car parks and vegetation clearing is inappropriate. Minimal or no change to the area is best. Over-use of the river is a risk to the river health. The main selection criteria for this category include:
 - Alignment with Simple Pleasures (i.e. Low Key, Minimal development)
 - No excessive carpark
 - Environment/vegetation should be protected
 - River has a limited capacity and small size for increase boat traffic
 - Maintain or re-use existing infrastructure
- “Development” Category: this group sees the development of the marina as a growth opportunity for the town. Additional boat ramp and associated car parking is required. Development is necessary to improve the area and cater for future needs. The main selection criteria for this category include:

- Safer use of boat ramp
 - Improved car parking
 - Multiple ramp is beneficial to reduce congestion
 - Improved space and access to ramp
- “Intermediate” Category: this group shares the views of both other groups. A balanced development taking into consideration natural environment and future development requirements. Major development is not preferred but some changes are necessary to improve safety, access and use of the foreshore. The main selection criteria for this category include:
 - Safer use of boat ramp
 - Improve car parking
 - No excessive carpark
 - Environment/vegetation should be protected
 - River has a limited capacity and small size for increase boat traffic
 - Multiple ramp is beneficial to reduce congestion
 - Re-use existing infrastructure

3.2 Paddle craft launch and retrieval facilities

3.2.1 Stakeholder Criteria and Option Discussion

As described in the Brunswick Heads Boat Harbour Master Plan Scope, Vision and Planning Objectives – Report 1, the key stakeholder worksheets used as a basis to develop the proposed options were created based on the following criteria:

- All stakeholders considered the eastern side of harbour or beach ramp could be used for paddle craft launch/retrieval
- Recreational paddle craft launch/retrieval location is to be separated from trailer boat launch/retrieval area

The proposed common arrangement for paddle craft would allow the separation between motorised and non-motorised crafts.

3.2.2 Local Community Criteria and Option Discussion

Questions 4 and 5 of the online survey asked about the preferred option for paddle craft launch / retrieval options (illustrated in **Appendix A**) and why this option has been selected.

Out of the 178 respondents, about 30% did not respond. The summary of the preferred paddle craft launch and retrieval facilities options is provided in **Table 3.3**.

Table 3.3 – Preferred small boat launch and retrieval facilities options

| Answer Options | Response Percent | Response Count |
|--------------------------------------|------------------|----------------|
| Common Arrangement for Paddle Craft | 51.6% | 64 |
| Other | 53.2% | 66 |
| <i>answered any of two questions</i> | | 124 |
| <i>skipped both questions</i> | | 54 |

About half of the respondents supported the proposed common arrangement while the other half suggested alternative options. Six people both selected the common arrangement and suggested an alternative option and hence the response percentages in **Table 3.3** add up to about 105% instead of 100%.

After consolidation of the recurrent reasons given for the option selection, the selection criteria that have been mentioned by more than two people have been identified and are listed in **Table 3.4**.

Table 3.4 – Main selection criteria for paddle craft launch / retrieval facilities options

| Main Selection Criteria (mentioned at least twice) | Response Percent | Response Count |
|--|------------------|----------------|
| Many alternative paddle craft launch area already (Massey Greene, Ferry Reserve, Beach Ramp, etc.) | 36.3% | 45 |
| Safety of paddle craft user | 22.6% | 28 |
| Separate Power Boat from Paddle Craft | 18.5% | 23 |
| Consideration of Lot 7005 (for Paddle Craft Storage) | 4.8% | 6 |
| Proposed paddle craft area is too large | 4.0% | 5 |
| Not enough choice was provided | 2.4% | 3 |

Over a third of the respondents suggested that the paddle craft launch area was not necessary within the harbour given the large number of alternative locations to launch paddle craft such as the Ferry Reserve boat ramp, Massey Greene or the Old Beach Ramp. Some people found the proposed paddle craft area too large.

A few people questioned why Lot 7005 was not incorporated into the Master Plan development.

A few people highlighted the lack of choice for the paddle craft option, since only one option was provided. This may potentially have influenced several people to select this option as the best one by default.

About 23% of the respondents mentioned that the safety of paddle craft users is important and that power craft and paddle craft should be separated.

Question 14 of the survey focused on this safety issue and asked how can power boats and paddle boats be separated. Out of the 178 respondents, 45% did not respond. The main responses that have been mentioned by more than two people have been identified and are listed in **Table 3.5**.

Table 3.5 – Main responses to how can power boats and paddle boats be separated

| Main Answer | Response Percent | Response Count |
|---|------------------|----------------|
| Paddle Craft Launch Outside Harbour | 38.4% | 33 |
| Dedicated Boat Ramps for each type of crafts | 25.6% | 22 |
| Speed Limits | 14.0% | 12 |
| Opposite End of Marinas | 12.8% | 11 |
| No Problem / No separation required | 5.8% | 5 |
| Limit Powerboats | 4.7% | 4 |
| Marker Buoy/Separation between power and paddle craft | 3.5% | 3 |

Over a third of the respondents suggested that paddle craft launching / retrieval facilities should be developed outside of the harbour. About 26% of the respondents believe that a dedicated boat ramp for each type of craft is required. About 14% of the respondents believe that enforcement of speed limits in the harbour and river would resolve the issue. About 13% of the respondents think that having the boats and paddle craft launching facilities at opposite ends of the marina is sufficient. A few people did not see the necessity of separating both types of craft. Some people suggested various options such as placement of markers or buoys to separate the two zones or reduction of the number of power boats.

The main selection criteria in regards to the paddle launch / retrieval facilities include:

- Safety of paddle craft users
- Separation of power boat and paddle craft
- Extent of development (Is a major paddle craft launch/retrieval development really required given the other alternatives?)

3.3 Large boat launch and retrieval facilities

3.3.1 Stakeholder Criteria and Option Discussion

As described in the Brunswick Heads Boat Harbour Master Plan Scope, Vision and Planning Objectives – Report 2, the key stakeholder worksheets used as a base to develop the proposed options were created based on the following criteria:

- Brunswick Heads Cruising Yacht Club (BHCYC) requested haul out and launch facilities
- Both DPI, Lands and BHCYC identified a need for emergency haul out facilities to cater for sinking or disabled boats
- Interaction with other users

- Code and environmental constraints
- Space limitations

The two proposed locations for the emergency haul out facility at the location of the existing slipway or near the entrance to Massey Greene Caravan Park at the southeast end of the harbour appear to provide an adequate amount of space and would have similar impact on the environment.

The location near the slipway was generally preferred to the southeast corner of the harbour by most stakeholders except for BHCYC.

In both locations, the use of an emergency crane pad for mobile crane or boat trailer launch and retrieval options are preferred.

3.3.2 Local Community Criteria and Option Discussion

Questions 6 and 7 of the online survey asked about the preferred option out of the two suggested large boat launch / retrieval location options (illustrated in **Appendix A**) and why this option has been selected.

Out of the 178 respondents, about 38% did not respond. The summary of the preferred large boat launch and retrieval facilities options is provided in **Table 3.6**.

Table 3.6 – Preferred large boat launch and retrieval facilities location options

| Preferred Options | Response Percent | Response Count |
|---|------------------|----------------|
| Near the site of the existing slipway | 92.8% | 103 |
| Near the entrance to Massey Greene Caravan Park | 7.2% | 8 |
| <i>answered any of two questions</i> | | 111 |
| <i>skipped both questions</i> | | 68 |

Once again, the large majority of the respondents preferred the large boat launch/retrieval facilities to be located near the existing slipway.

After consolidation of the recurrent reasons provided for the option selection, the selection criteria that have been mentioned by more than two people have been identified and are listed in **Table 3.7**.

Table 3.7 – Main selection criteria for large boat launch and retrieval facilities options

| Main Selection Criteria (mentioned at least twice) | Response Percent | Response Count |
|--|------------------|----------------|
| Space / Ease of Access | 19.8% | 22 |
| No disturbance to/Separation from other users | 10.8% | 12 |
| None of the options / Doubtful if required | 8.1% | 9 |
| Rescue and Emergency | 7.2% | 8 |
| Entrance Constraint at MGCP | 2.7% | 3 |
| All facilities gathered in one area | 2.7% | 3 |

About 20% of the respondents found this location more spacious which allows better access for trailers or large trucks. The separation of this emergency pad from the other users was considered significant for about 11% of the respondents. About 9% of the respondents did not support any of the options and did not consider the large boat launch and retrieval facilities as necessary given the current lack of demand. About 8% of the respondents understood the need of such facilities for rescue purposes. A few people mentioned that there would be too many constraints near the Massey Greene Caravan Park entrance.

The main criteria in regards to the large boat launch / retrieval facilities include:

- Access and space
- Interaction with other harbour users
- Rescue and emergency priority access

3.4 Marina layout

3.4.1 Stakeholder Criteria and Option Discussion

As described in the Brunswick Heads Boat Harbour Master Plan Scope, Vision and Planning Objectives – Report 3, the key stakeholder worksheets used as a basis to develop the proposed options were created based on the following criteria:

- Future increase in demand from the existing 29 moored boats to a potential of 30 berths for BHCYC, 20 boats for the fisherman's cooperative as well as a few commercial boat/charters and spare mooring pens for visitors;
- Link with facilities on shore (e.g. one car park space is required for every 3 berths);
- Berth pen orientation and prevailing winds;
- Interaction with other harbour users; and
- Environmental considerations such as water quality and boat wake erosion.

DPI, Lands and BHCYC proposed an east-west floating marina configuration. However, it was noted that a north-south configuration would better accommodate the boat ramp at the existing slipway site and would provide greater safety by preventing boats from crossing the proposed paddle craft launching area. This configuration was preferred by the Byron/Brunswick Angling and Deep Sea Fishing Club, Fisherman's Co-operative and one of the community representatives. The second community representative considered that the various options provided too many large boat berths.

It is important to note that staging of the marina would occur and proceeding to the next stage would depend on the demand and potentially additional community and stakeholder consultation when the need arises.

3.4.2 Local Community Criteria and Option Discussion

Questions 8 and 9 of the online survey asked about the preferred option out of the three suggested marina layout options (illustrated in **Appendix A**) and why this option has been selected.

About a third of the total respondents did not answer these questions. The summary of the preferred marina layout options is provided in **Table 3.8**.

Table 3.8 – Preferred marina layout options

| Answer Options | Response Percent | Response Count |
|--|------------------|----------------|
| Option 1 - Three North-South pontoons (single sided pontoon to the west) | 30.8% | 37 |
| Option 2 - Three North-South pontoons (single sided pontoon to the east) | 10.8% | 13 |
| Option 3 - Two East-West pontoons | 20.0% | 24 |
| Other including: | 38.3% | 46 |
| Either | 0.8% | 1 |
| None | 31.7% | 38 |
| BHCYC Layout | 3.3% | 4 |
| Various | 7.5% | 9 |
| <i>answered any of two questions</i> | | 120 |
| <i>skipped both questions</i> | | 58 |

Close to a third of the respondents preferred the Option 1 marina. Option 2 appears to be the least attractive. However, over a third of the respondents did not support any of the three options. A few people endorsed the BHCYC layout and some variations were suggested in the staging proposed for Option 3.

After consolidation of the recurrent reasons provided for the option selection, the selection criteria that have been mentioned by more than two people have been identified and are listed in **Table 3.9**.

Table 3.9 – Main selection criteria for marina layout options

| Main Selection Criteria (mentioned at least twice) | Response Percent | Response Count |
|--|------------------|----------------|
| Too many berth / Too Large | 28.3% | 34 |
| Less Structure / Single Marina / Stage 2 Only is preferred | 18.3% | 22 |
| Impact on Environment and Wildlife | 13.3% | 16 |
| Easy Boat Access In and Out of Harbour | 11.7% | 14 |
| Shallow bar is very notoriously difficult to cross | 10.8% | 13 |
| Conflict with other users | 8.3% | 10 |
| Easy Access to Marina | 7.5% | 9 |
| Prevailing Wind Direction for Mooring | 7.5% | 9 |
| Too shallow river and small length for increased use | 6.7% | 8 |
| Safety | 4.2% | 5 |

The main concern highlighted by over a quarter of the total respondents was the proposed size of the marina that was assessed as too large with too many berths. Over 18% of the respondents suggested to reduce the number of structures to a single pontoon marina or to two stages out of the three proposed. About 13% of the respondents were concerned by the environmental impact on the river and local wildlife and a few people suggested that the river is too shallow and of too small length to cater for a significant increase in vessels. Both accesses in and out of the harbour and to the water were mentioned multiple times. Over

10% of the respondents mentioned the highly hazardous entrance of the river with a very shallow bar that does not allow regular passage for large boats making the proposed increase in moorings inappropriate. About 8% of the respondents highlighted that the marina should be organised to avoid adverse interaction with other harbour users such as boats crossing the paddle craft launching area or the marina blocking access to slipway/emergency pad. Finally, over 7% of the respondents were concerned about the prevailing wind direction for the proposed mooring layouts.

The main criteria in regards to the marina layout include:

- Size of marina including number of berths and structures
- Impact on environment, river and wildlife
- Access in/out of harbour and to foreshore
- Interaction with other harbour users
- Prevailing wind direction

3.5 Land based uses

3.5.1 Stakeholder Criteria

As described in the Brunswick Heads Boat Harbour Master Plan Scope, Vision and Planning Objectives – Report 4, the key stakeholder worksheets used as a basis to develop the proposed options were created based on the following criteria:

- Accordance with permissible uses of current zoning
- Car parking should be improved and include additional car park spaces required for other uses (e.g. car park required for boat ramp, marina)
- Amenities should be improved
- Environmental impact
- Spatial constraints
- Cost
- Consistency with the Strategic Planning Objectives for the site
- Conflicts with other priority outcomes for the area and integration of the various stakeholder requirements
- Maintain community access to foreshore (pedestrian and bicycle)
- Include commercial facilities such as restaurant or boutique shopping
- Improve fire and waste infrastructure
- Investigate residential options
- Provide rescue facilities (e.g. storage, helipad)
- Provide infrastructure for large boat retrieval
- Provide clubhouse, fenced carpark and maintenance facilities for BHCYC

Most stakeholders supported the proposed options except BHCYC due to the missing

clubhouse, boat maintenance facilities and fenced car park. However, these exclusive uses (fenced carpark and clubhouse) are not conforming to the strategic planning objective aimed at shared used. Moreover, the boat maintenance facilities are considered by some stakeholders to generate a too high risk of pollution for the sensitive marine park environment surrounding the harbour.

3.5.2 Local Community Key Criteria

Questions 10 and 11 of the online survey request feedback on the land based uses report and on the type of land based uses that community is expecting in the harbour. Question 12 also asked how the facilities and public access to the foreshore could be improved.

About 35% of the total respondents did not answer any of these questions. After consolidation of the recurrent responses to the three above questions, the preferred land based uses and comments that have been mentioned by more than two people have been identified and are listed in **Table 3.10**.

Table 3.10 – Main Land Based Uses and Comments

| Main Land Uses / Comments (mentioned at least twice) | Response Percent | Response Count |
|---|------------------|----------------|
| Public Amenities / Toilets / Showers | 56.9% | 66 |
| Landscaping / Open Space / Outdoor Seating / Picnic Area | 45.7% | 53 |
| Public Access to and along foreshore | 34.5% | 40 |
| Proposed number of carpark spaces is excessive | 25.9% | 30 |
| Maritime College / Environmental & Marine Training Facilities | 25.0% | 29 |
| Restaurant (Usually Seafood) | 22.4% | 26 |
| No Hotel / No Tourist Accommodation | 21.6% | 25 |
| Take-away shop / Fish and Chips | 17.2% | 20 |
| Small Retail (e.g. Tackle Shop) | 17.2% | 20 |
| Sewage Pump Out / Waste Infrastructures | 15.5% | 18 |
| No Large Commercial Area | 14.7% | 17 |
| Café | 12.9% | 15 |
| BBQ | 11.2% | 13 |
| Improved parking | 10.3% | 12 |
| Conserve Sonny Cole Memorial | 9.5% | 11 |
| Walkway / Boardwalk | 8.6% | 10 |
| Clubroom | 8.6% | 10 |
| Marine Rescue Facilities | 7.8% | 9 |
| (Dry) Storage | 6.9% | 8 |
| No Changes | 6.9% | 8 |
| Environmental, History or Cultural Signage/ Education Centre | 6.0% | 7 |
| Playground | 5.2% | 6 |
| Bicycle Access | 5.2% | 6 |
| Boat Hire/Charter | 4.3% | 5 |
| Fishing Area | 3.4% | 4 |
| Function Room with Views | 3.4% | 4 |
| Fishing Pontoons | 3.4% | 4 |
| Fuel | 2.6% | 3 |
| Service and Repair | 2.6% | 3 |
| Eco-friendly Tours Operators | 2.6% | 3 |
| Sealed Road Access to Ramp | 2.6% | 3 |

| Main Land Uses / Comments (mentioned at least twice) | Response Percent | Response Count |
|--|------------------|----------------|
| Fire Infrastructure | 2.6% | 3 |
| Lighting | 2.6% | 3 |

Close to 57% of the responses highlight the need for improved amenities in the harbour such as toilets (open 24 hours if possible) and showers. About half of the respondents would like to preserve some open spaces, landscaping and outdoor seating. Over a third of the respondents consider the access to and particularly along the foreshore as essential. While improved car parking is considered valuable, about 30% of the people are concerned about the large number of carpark spaces proposed on the various options and about the same number would like a space for the maritime college and marine training facilities. Over a quarter of the respondents would like to see a restaurant such as a seafood restaurant. About a quarter of the respondents are not supporting the use of the harbour for accommodation or a hotel. A take away shop (e.g. fish and chips), café and BBQ area are also popular answers. The retail area should remain small. Sewage pump out and walkway/boardwalk are also supported. The local community appears to be attached to the Sonny Cole Memorial and close to 10% does not desire to see it replaced by the rescue facilities. Clubroom and rescue facilities are also considered beneficial by close to 10% of the respondents.

The main community preferences for the land-based uses include:

- Upgraded amenities and waste infrastructures
- Limit impact on environment with a balance between green spaces (park, natural vegetation) and development (carpark, commercial area)
- Provide public access to and along the foreshore (e.g. boardwalk, bicycle access)
- Develop a small commercial area including café, fish and chips, restaurant and small retail but no accommodation or large retail
- Provide access to marine rescue facilities and marine training facilities
- Minimise impact on Sonny Cole Memorial
- Maximise other uses compatible with above developments (e.g. BBQ, cultural signage, playground, dry storage, fishing area, etc.)

3.6 Overall Master Plan Comments

Overall, most stakeholders agree with the proposed options except BHCYC that consider their requests were not taken into consideration (clubroom, fenced parking and boat maintenance area) as discussed in **Section 3.3.1**.

Question 15 completed the online survey questionnaires by asking for suggestions and overall comments on the way to improve the harbour and the facilities. The most common suggestions and comments that have been mentioned by more than two people are listed in **Table 3.11**.

Table 3.11 – Common Suggestions and Comments regarding the boat harbour and facilities

| Main Suggestions and Comments | Response Percent | Response Count |
|---|------------------|----------------|
| Environmental Consideration (wildlife, river health, native vegetation) | 25.3% | 25 |
| Toilet / Showers (24-hour) | 19.2% | 19 |
| More Community Consultation Needed | 14.1% | 14 |
| Alignment with Simple Pleasures Theme | 11.1% | 11 |
| Maritime College / Marine Training Facilities | 9.1% | 9 |
| Maintain Access | 8.1% | 8 |
| Care for Memorial Park (marine rescue to be located east of park) | 7.1% | 7 |
| Marine Rescue not on Memorial Park | 7.1% | 7 |
| Parks / Garden / Open Spaces | 6.1% | 6 |
| Pump Out / Sewerage | 6.1% | 6 |
| Maintenance (Keep Clean / Tidy) | 6.1% | 6 |
| Balance Parks vs. Developments | 6.1% | 6 |
| Improve Entrance Bar | 6.1% | 6 |
| Include Lot 7005 in development area | 6.1% | 6 |
| Less Carpark | 5.1% | 5 |
| Education Signage | 4.0% | 4 |
| No Changes | 3.0% | 3 |
| Groyne or rock wall to protect ramp | 3.0% | 3 |

The main overall comments are consistent with the comments on each of the components of the boat harbour. Impact on the environment should be considered carefully with completion of an EIS. Upgrade of the amenities and sewage facilities are critically needed. There should be a balance between natural open spaces and developed areas, that would match the “Simple Pleasures” theme of the town. Access to and along the foreshore is to be maintained. About 14% of the respondents believe that additional community consultation should be carried out to ensure the community is fully included into the decision-making process. There is a fair demand for a dedicated space for a maritime college and marine training facilities. The Sonny Cole Memorial is a popular location and its preservation is recommended. Education signage as well as regular maintenance would be appreciated along the foreshore.

3.7 Alternative Boat Harbour Layout Ideas

Numerous alternative layouts for the Boat Harbour Master Plan were provided in some responses to the survey. Some of these included only a few notes about the boat harbour while others included a great level of detail. All alternative layout ideas proposed have been considered as part of this review of the survey. The main concept ideas arising relevant to the Boat Harbour Master Plan are discussed below.

There was general opposition to the removal of the parkland along the western side of the harbour to replace this by car parking areas. Preferred locations for car spaces were indicated to be along the eastern side of the road leading to the existing boat ramp and along the main road south of the harbour. These locations are in agreement with some of the

locations proposed by APP. However, a couple of respondents were concerned about the impact of carpark spaces on the vegetation along the road leading to the boat ramp and highlighted that this section should remain unchanged. A number of respondents suggested that the cycleway along the main road should remain. The placement of outdoor tables with shade and/or barbeques was also suggested along the harbour foreshore and within the existing parkland west of the harbour.

The existing boat ramp upgrade was deemed necessary by multiple respondents and a few people suggested the construction of a groyne or rock walls along the boat ramp instead of the creation of an embayment to protect the ramp from the strong currents in the river, in this way not encroaching on the SEPP14 zone. A new cleaning bench next to the boat ramp was also suggested by several respondents.

Amenities and toilet blocks were proposed at various locations. The most popular amenities location was within the current informal carpark at the back of the boat ramp, as suggested by APP as part of the Small Boat Launch and Retrieval Option 3a.

The relocation of the marine rescue shed was mentioned several times. The majority of people suggested the shed should be moved east of its current location (without interfering with the Sunny Cole Memorial) while a few people suggested to relocate it along the harbour foreshore.

Creation of a foreshore walkway all around the harbour was suggested and one respondent proposed the creation of footpaths on top of the training walls on either side of the boat harbour entrance. Another respondent suggested the removal of the existing road along the foreshore on the eastern bank.

Regarding the old slipway, various options were mentioned including filling, restoration or complete removal. The large boat retrieval area was usually suggested to be located near the slipway as suggested also by APP.

The upgrade of the beach ramp and creation of car spaces along the road leading to it were mentioned multiple times. A number of proposed layouts suggested the reclamation of lot 7005 as part of the boat harbour precinct development.

In regards to the marina configuration, several people mentioned that no changes should be made and many respondents found the proposed layouts too large. Some respondents agreed with the proposed Option 1 marina layout and some others preferred Option 3. The construction of a single pontoon or small finger wharves was also mentioned multiple times. Additional ideas for the marina included a small boat pontoon along the eastern side of the harbour, construction of an emergency pontoon in the south-east corner of the harbour, reduction of the number of mooring points along the eastern side and the use of the western bank of the harbour for sick bays and damaged vessels. Construction of a commercial berth along the southern bank of the harbour and a mix north-south and east-west pontoon layout was also proposed.

4. Conclusion and Recommendations

4.1 Overall Master Plan Criteria

Based on the above consultation, an understanding of the view of the key stakeholders and local community has been developed. While the outcome slightly varies for each component, overall expectations can be observed. The key areas of concern or key criteria to develop an optimal Master Plan include:

- Maintenance or improvement of current facilities (existing boat ramp) and amenities (toilets, shower, waste infrastructures)
- Balanced amount of natural areas and developments to align with the Simple Pleasures theme of the town
- Public access to and along foreshore
- Access for rescue services and training
- Environmental impact on river, native vegetation and wildlife
- Interaction with other land uses or harbour users
- Safety of all users
- Spatial limitation of the harbour
- Cost
- Accordance with existing plans, policies and guidelines

These criteria apply in the selection of any option for all Master Plan components. Further component specific criteria can also be developed based on the stakeholder and community consultation and are described in the following sections.

4.2 Small boat launch and retrieval facilities

Regarding the small boat launch and retrieval facilities, the stakeholders and local community considered the following criteria as important:

- Easy and still water access
- Improved access to boat ramp
- Improved manoeuvring area
- Rapid launch facility and boat / ski storage is required for offshore rescues
- Re-use of existing facilities such as the existing slipway

4.3 Paddle craft launch and retrieval facilities

Regarding the paddle craft launch and retrieval facilities, the stakeholders and local community considered the following criteria as important:

- Separation of motorised and non-motorised crafts
- Possible use of alternative launch site to avoid major developments

4.4 Large boat launch and retrieval facilities

In regards to the large boat launch and retrieval facilities, the stakeholders and local community considered the following criterion as important:

- Requirement for an emergency haul out of sinking or disabled boats
- Requirement for haul out of large boats

4.5 Marina layout

In regards to the marina layout, the stakeholders and local community considered the following criteria as important:

- Consideration of future increase in demand for berths and mooring pens
- Consequences of large marina on onshore facilities (e.g. one car park for every 3 berths)
- Berth pen orientation and prevailing winds

4.6 Land based uses

In regards to the land based uses, the stakeholders and local community considered the following criteria as important:

- Accordance with permissible uses of current zoning
- Consistency with the Strategic Planning Objectives for the site
- Develop a small commercial area including café, fish and chip, restaurant and small retail
- Improve fire and waste infrastructure
- Investigate residential options
- Provide rescue facilities (e.g. storage, helipad)
- Provide infrastructure for large boat retrieval
- Minimise impact on Sonny Cole Memorial
- Maximise other compatible land uses (e.g. storage for commercial equipment or paddle craft, BBQ, cultural signage, playground, fishing area, fish cleaning tables, etc.)

4.7 Recommendations

The community consultation allowed the determination of the key interests and concerns in regards to the different components of the Brunswick Heads Boat Harbour Master Plan. These key concerns and interests can be used to form evaluation criteria for a preliminary Multi-Criteria Analysis (MCA) to be completed in the next stage of this project as presented in MHL report 2459.

5. References

Ardill Payne and Partner, 2015, Brunswick Heads Boat Harbour Master Plan Scope, Vision And Planning Objectives

Ardill Payne and Partner, 2015, Brunswick Heads Boat Harbour Master Plan Report No. 1 Small Boat Launch & Retrieval

Ardill Payne and Partner, 2015, Brunswick Heads Boat Harbour Master Plan Report No. 2 Large Boat Launch & Retrieval

Ardill Payne and Partner, 2015, Brunswick Heads Boat Harbour Master Plan Report No. 3 Marina Layout Options and Design

Ardill Payne and Partner, 2015, Brunswick Heads Boat Harbour Master Plan Report No. 4 Land Based Uses Report

Appendix A – Proposed Options for each Master Plan Component

DRAFT

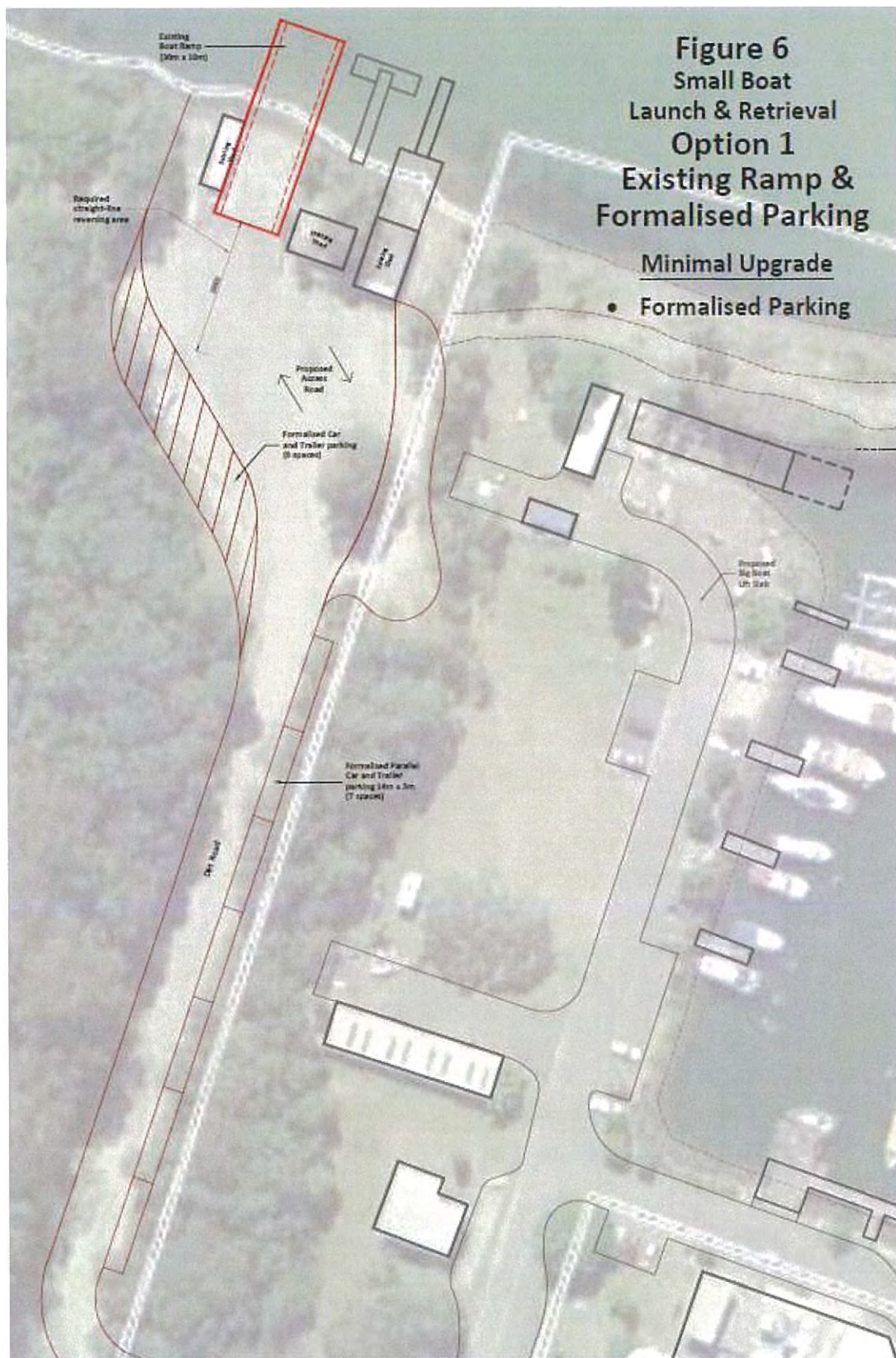


Image Source: APP (2015)



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SMALL BOAT LAUNCH AND RETRIEVAL FACILITIES – OPTION 1

MHL 2469

Figure
 A1

AppendixA_2469.ppt

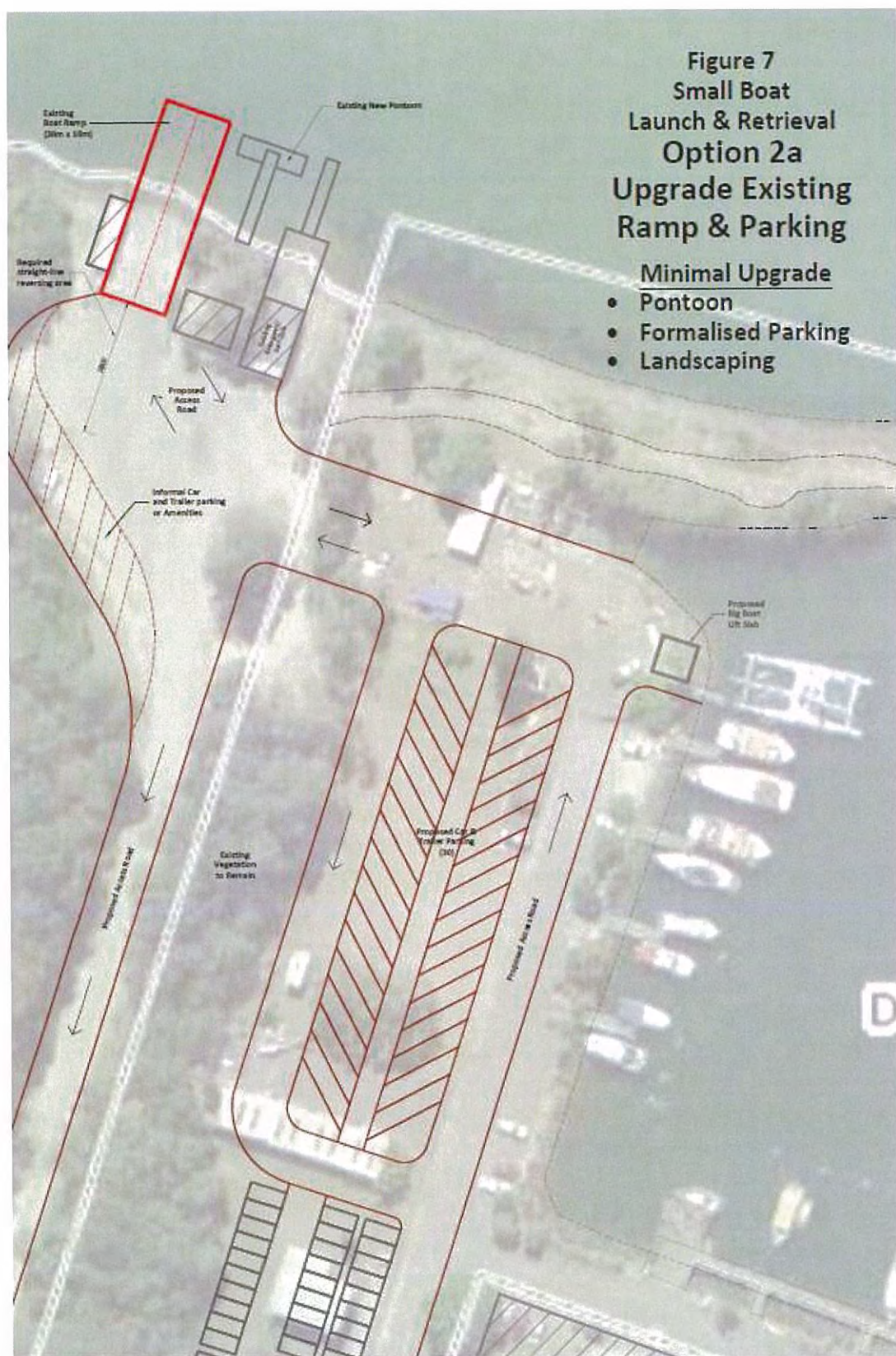


Image Source: APP (2015)



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SMALL BOAT LAUNCH AND RETRIEVAL FACILITIES – OPTION 2A

MHL 2469

Figure
 A2

AppendixA_2469.ppt

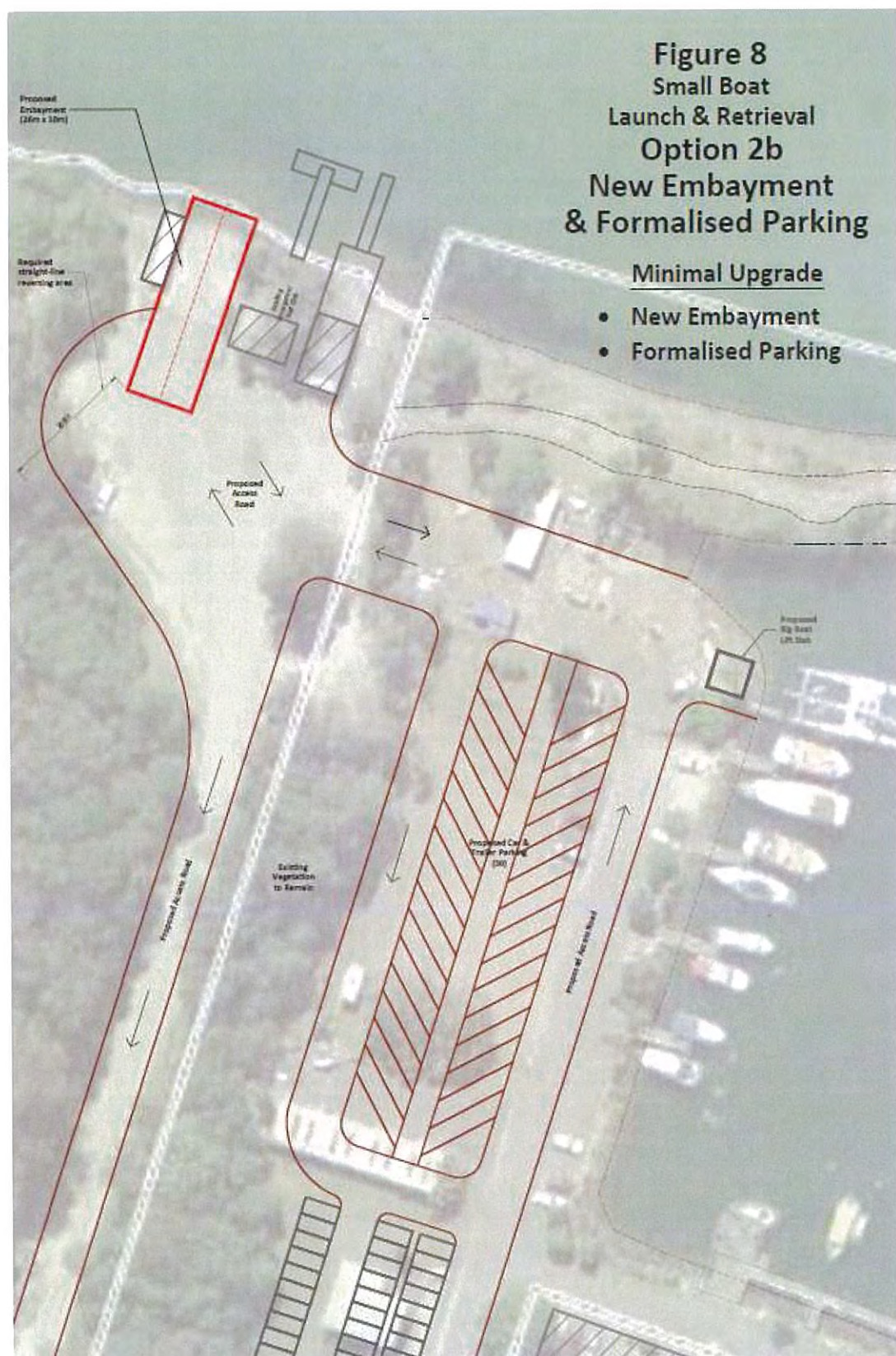


Image Source: APP (2015)



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SMALL BOAT LAUNCH AND RETRIEVAL FACILITIES – OPTION 2B

MHL 2469

Figure
 A3

AppendixA_2469.ppt

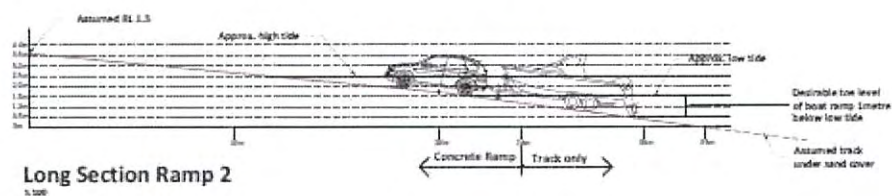
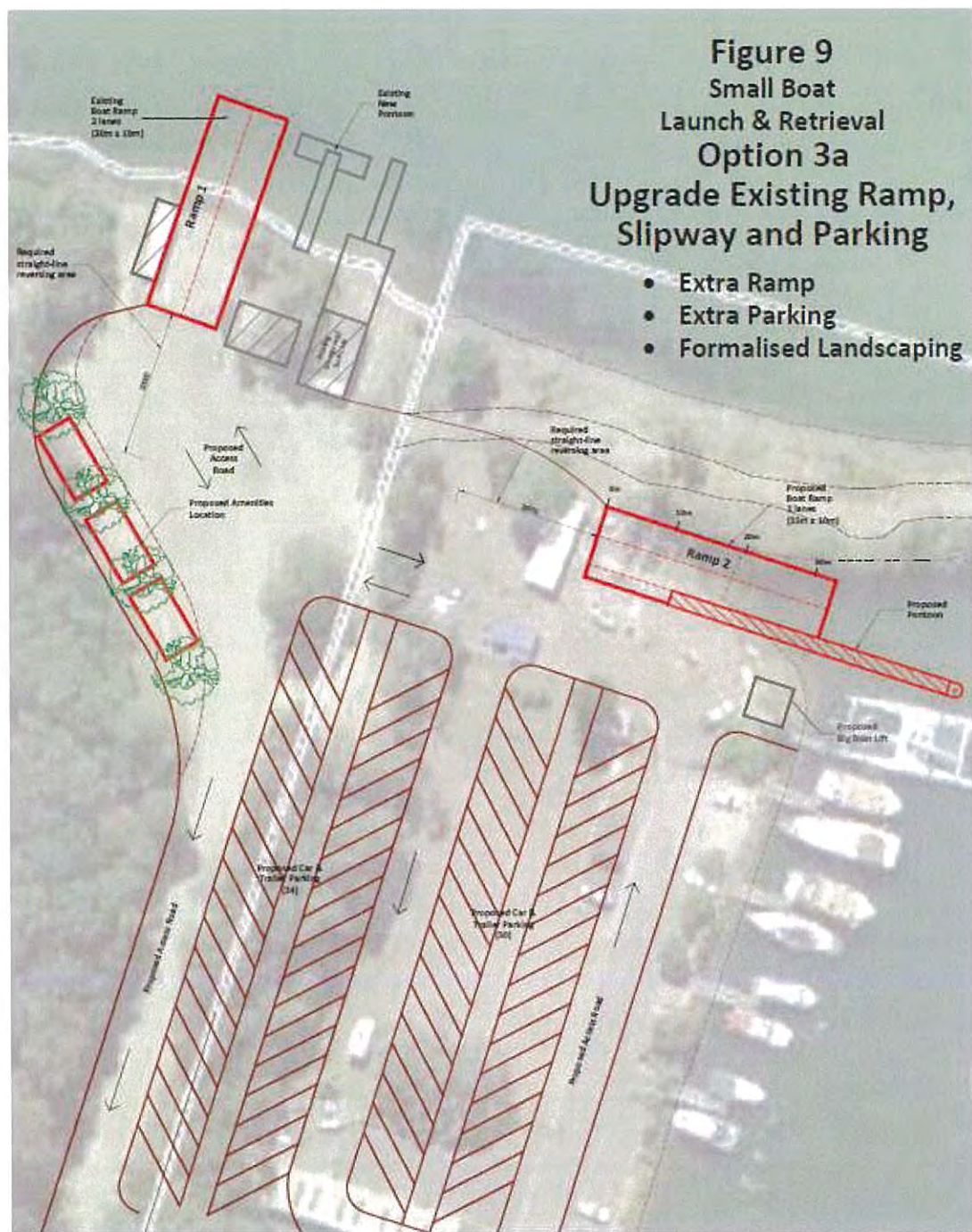


Image Source: APP (2015)



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**SMALL BOAT LAUNCH AND RETRIEVAL
 FACILITIES – OPTION 3A**

MHL 2469

**Figure
 A4**

AppendixA_2469.ppt

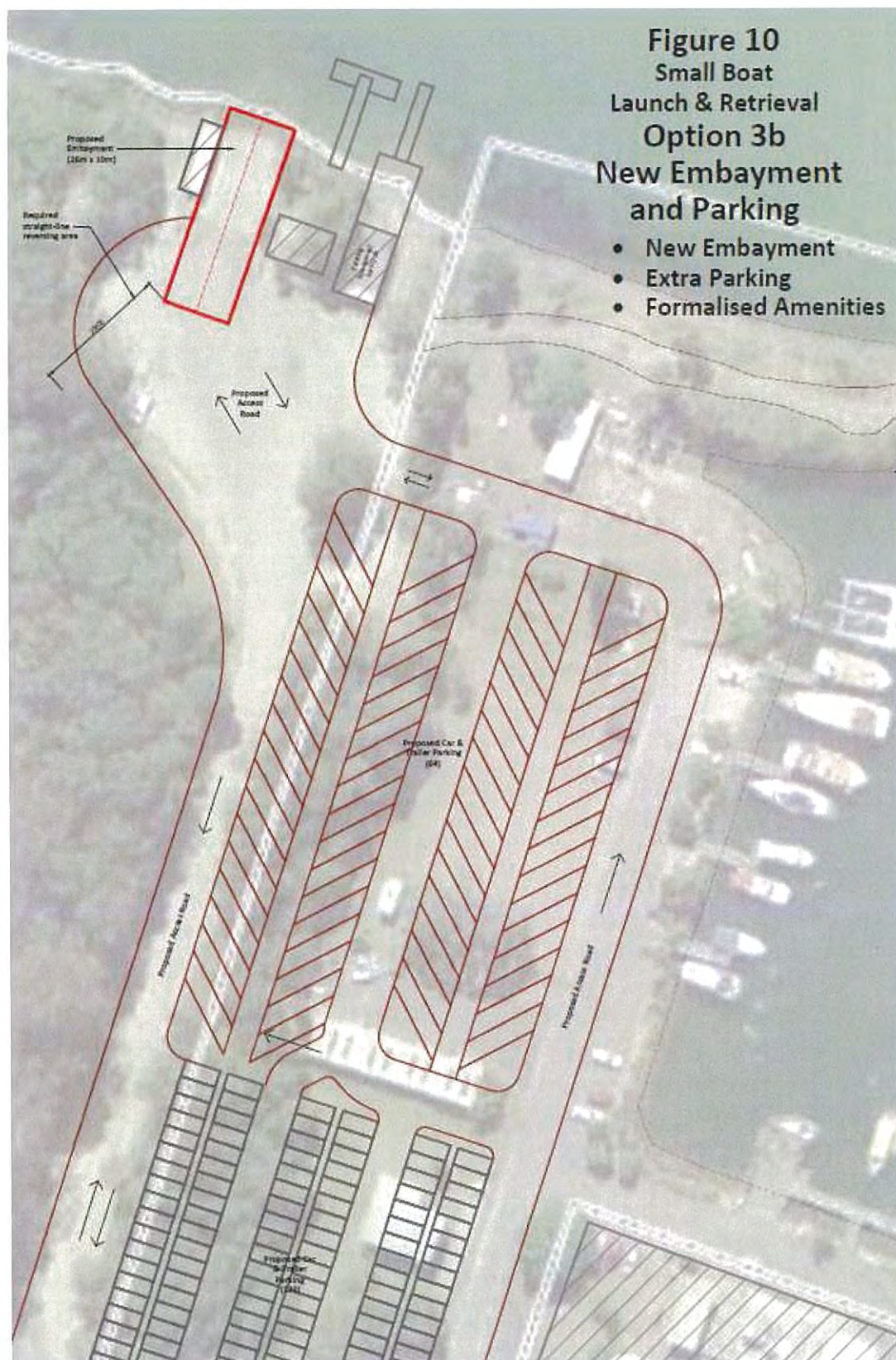


Image Source: APP (2015)



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SMALL BOAT LAUNCH AND RETRIEVAL FACILITIES – OPTION 3B

MHL 2469

Figure
 A5

AppendixA_2469.ppt

Figure 11
Small Boat
Launch & Retrieval
Common Arrangement
for Paddle Craft
to all Upgrades

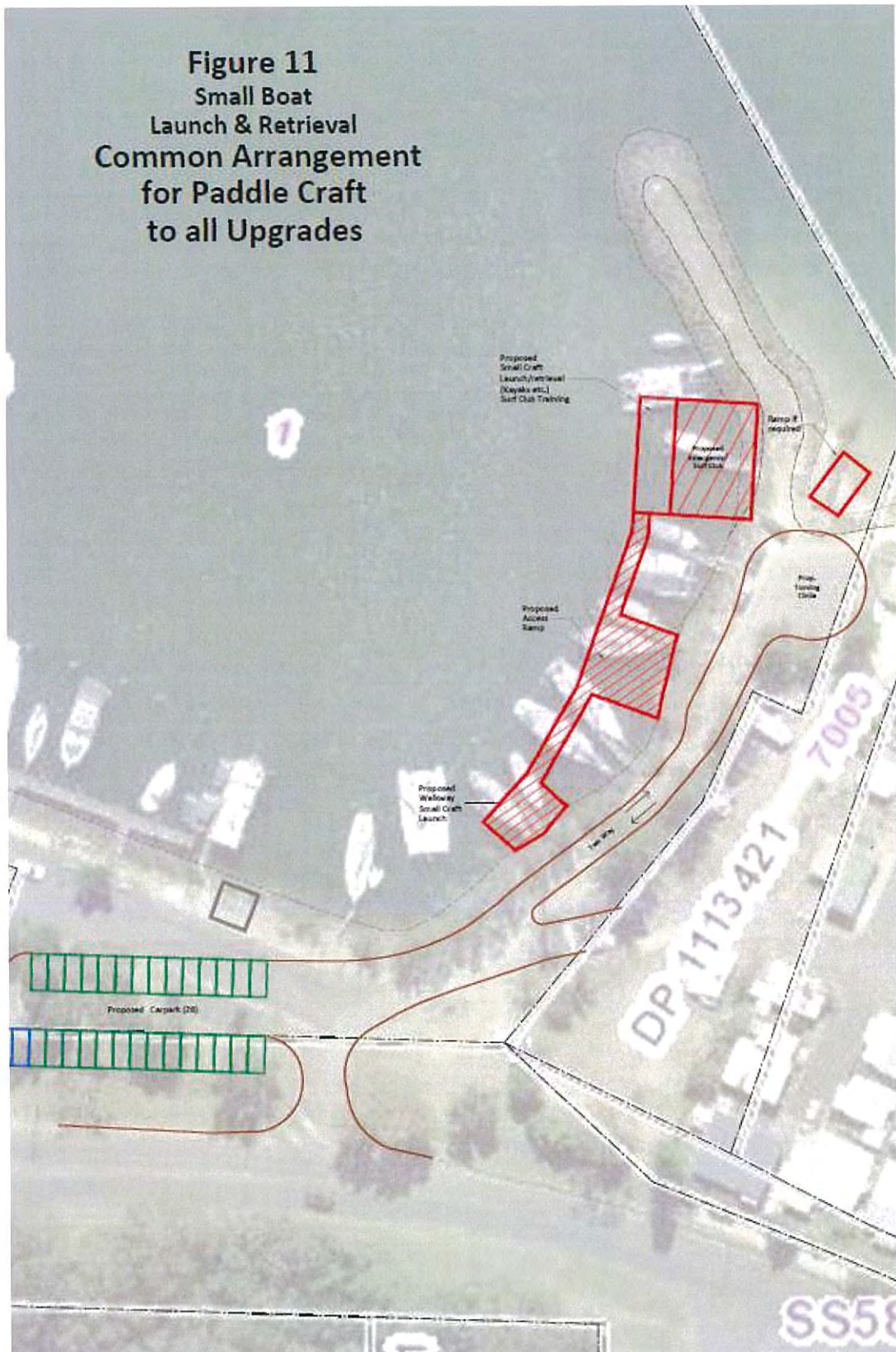


Image Source: APP (2015)



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PROPOSED PADDLE CRAFT
LAUNCH/RETRIEVAL FACILITIES OPTION

MHL 2469

Figure
A6

AppendixA_2469.ppt



Image Source: Google Earth (2016)



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LARGE BOAT LAUNCH AND RETRIEVAL FACILITIES POSSIBLE OPTIONS

MHL 2469

Figure
A7

AppendixA_2469.ppt



Image Source: APP (2015)



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MARINA LAYOUT – OPTION 1

MHL 2469

Figure
A8

AppendixA_2469.ppt

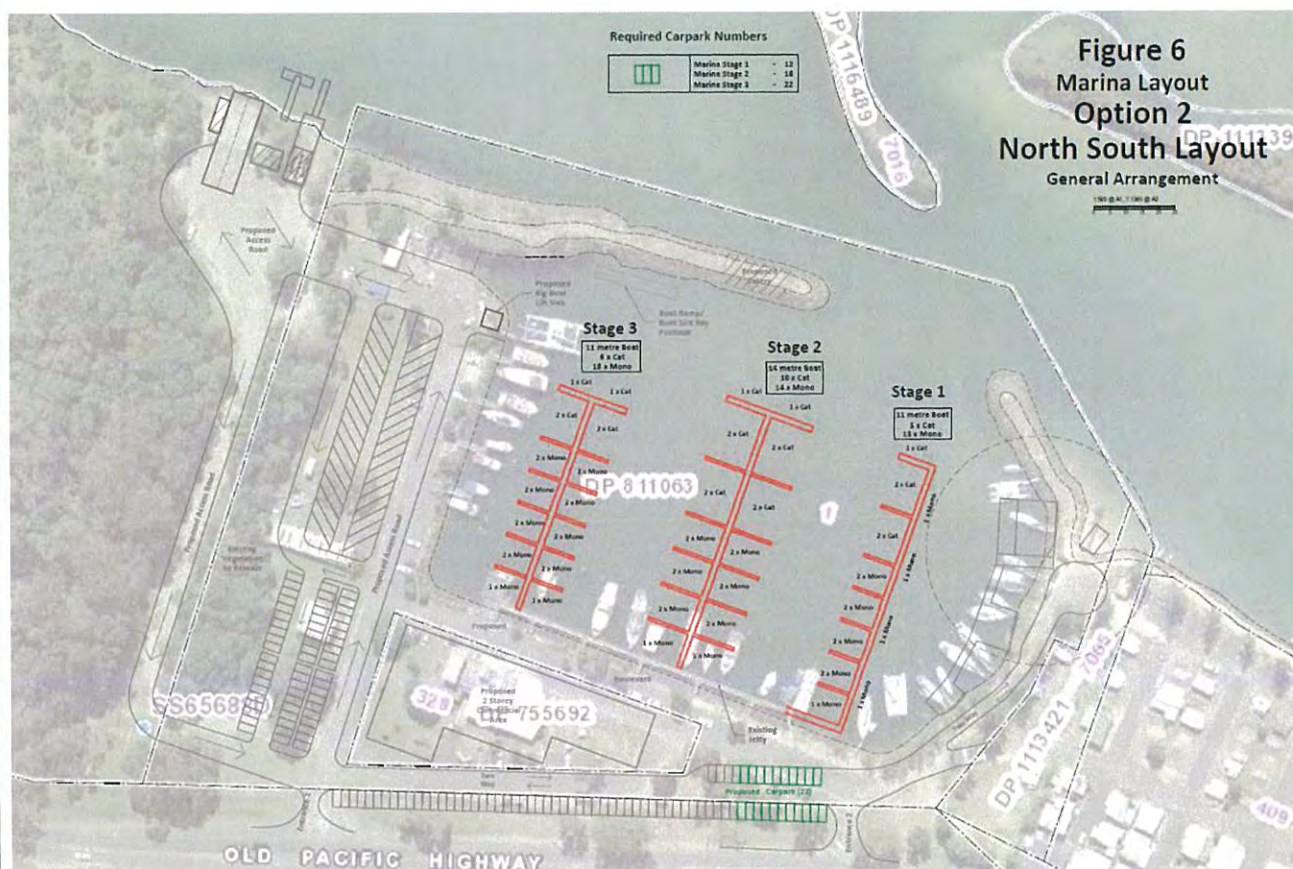


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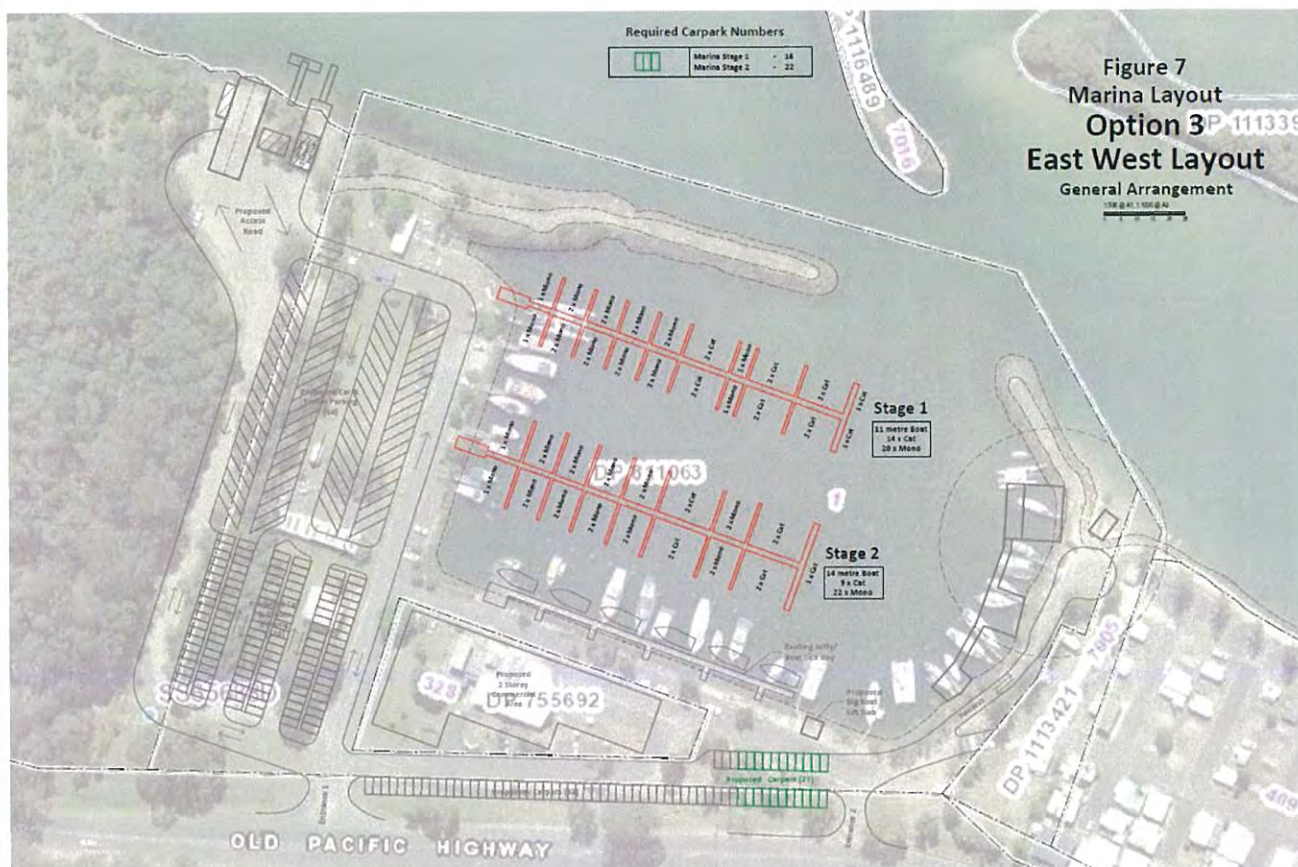


Image Source: APP (2015)



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MARINA LAYOUT – OPTION 3

MHL 2469

Figure
 A10

AppendixA_2469.ppt

Appendix B – Community Consultation Survey

Please use this form to have your say about the future of the Brunswick Heads Boat Harbour.

A. Tell us about yourself

Which of the following options best describes you and your interest in the Brunswick Heads Boat Harbour?

| <i>(Tick the option/s that best describe you)</i> | |
|--|--|
| I am a local resident | |
| I represent a community group | |
| I operate a business on or near the Boat Harbour | |
| I moor a yacht in the Boat Harbour | |
| I moor a commercial vessel in the Boat Harbour | |
| I launch my motorised vessel here regularly | |
| I launch my non-motorised vessel here regularly | |
| I launch my paddle craft here regularly | |
| I visit or walk around the Boat Harbour regularly | |
| I provide an emergency service in the Boat Harbour | |
| I work for Council or a government agency that regulates activities in or near the Boat Harbour. | |
| Other – please describe: | |

B. Small Boat Launch and Retrieval

Ardill Payne **Report No. 1 Small Boat Launch and Retrieval Investigations** proposes a number of different options for launch and retrieval of small boats – that is power and sail boats which can be transported by a car and trailer.
Which option do you prefer?

| <i>(Tick the option that you prefer)</i> | |
|---|----------------------|
| Option 1 Existing Ramp & Formalised Parking | (Figure 6, page 22) |
| Option 2A Upgrade Existing Ramp & Parking | (Figure 7, page 23) |
| Option 2B New Embayment & Formalised Parking | (Figure 8, page 24) |
| Option 3A Upgrade Existing Ramp, Slipway and Parking | (Figure 9, page 25) |
| Option 3B New Embayment and Parking | (Figure 10, page 26) |
| Another option (please describe this option) | |
| Please tell us why you prefer the option you have chosen. | |

C. Launch and Retrieval of Paddlecraft

Ardill Payne **Report No. 1 Small Boat Launch and Retrieval Investigations** also proposes an option for launch and retrieval of Paddle Craft. Which option do you prefer?

| <i>(Tick the option that you prefer)</i> | |
|---|----------------------|
| Option 1 Existing Ramp & Formalised Parking | (Figure 6, page 22) |
| Another option (please describe this option) | |
| Please tell us why you prefer the option you have chosen. | |

D. Large Boat Launch and Retrieval

Ardill Payne **Report No. 2 Large Boat Launch and Retrieval Investigations** proposes that an emergency crane pad be provided for lifting large boats in distress – that is for single and multi-hull boats up to 13 metres in length, and up to 15 tonnes in weight, that are typically moored in the Boat Harbour. (These are boats that are too big to be brought in by car and trailer).

This facility would be available in emergencies only and would not be available for general repairs and maintenance. Two possible locations are proposed for the emergency crane pad, which location do you prefer?

| <i>(Tick the option that you prefer)</i> | |
|---|--|
| Near the site of the existing slipway | |
| Near the entrance to Massey Greene Caravan Park | |
| Another option (please describe) | |
| Please tell us why you prefer the option you have chosen. | |

E. Marina Layout

Ardill Payne **Report No. 3 – Marina Layout Investigations** proposes a number of options for layout of a marina. Which option do you prefer?

| <i>(Tick the option that you prefer)</i> | |
|--|--|
| Option 1 – North South Layout (Figure 5, page 20) | |
| Option 2 – North South Layout (Figure 6, page 21) | |
| Option 3 – East West Layout (Figure 7, page 22) | |
| Another option (please describe this option and/or draw it on the aerial photo attached to this survey form) | |
| Please tell us why you prefer the option you have chosen. | |

F. Land Based Uses

Ardill Payne **Report No. 4 – Land Based Uses** provides information about the current and possible future land based uses within the Boat Harbour precinct. Do you have any comments about this report?

| |
|--|
| <i>(Please provide your comments here)</i> |
|--|

What land based uses would you like to see in the Boat Harbour precinct in the future and why ?

| |
|--|
| <i>(Please provide your comments here)</i> |
|--|

G. Improvements to facilities and public access to the foreshores

How do you think facilities and public access to the foreshore be improved?

| |
|--|
| <i>(Please provide your comments here)</i> |
|--|

H. The Old Slipway Site

Do you think the old slipway site be used as a boat ramp? If so, why?

| |
|--|
| <i>(Please provide your comments here)</i> |
|--|

I. Separation of power boats and paddle boats

How do you think power boats and paddle boats could be separated for improved safety?

| |
|--|
| <i>(Please provide your comments here)</i> |
|--|

J. Other Improvements

What other ideas, comments or suggestions do you have to improve the Brunswick Heads Boat Harbour and facilities?

| |
|--|
| <i>(Please provide your comments here)</i> |
|--|

K. Improvements to facilities and public access to the foreshores

How do you think facilities and public access to the foreshore be improved?

| |
|--|
| <i>(Please provide your comments here)</i> |
|--|

Your Contact Details

Please provide your name and contact details if you would like more information about the project.

| | | | |
|------------------------------|--|-----------|--|
| First name | | Last name | |
| Salutation | <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Dr <input type="checkbox"/> Other: | | |
| Postal address | | | |
| Email address | | | |
| Daytime telephone (Landline) | | Mobile | |

Privacy notice:

Please note that information collected through this survey will not be given to any other third party except where required by law. All information provided will be held by the Department of Primary Industries, Lands, Crown Property Services and will be managed in accordance with provisions under the Privacy and Personal Information Protection Act 1998.

Submitting the form

Please send your completed form by post or email to:

The Project Officer

Jacqui Parry

Telephone:

Email:

Postal Address

Senior Property Development Project Officer

02 66 919 615

Jacqui.Parry@crownland.nsw.gov.au

PO Box 4291, Coffs Harbour, NSW, 2450

| | | | |
|-----------------|--|------|--|
| Office use only | | | |
| Entered by | | Date | |
| Checked by | | Date | |

Aerial Photo of Brunswick Boat Harbour

You can draw your ideas, thoughts or options on this aerial photo and submit them with your survey form.



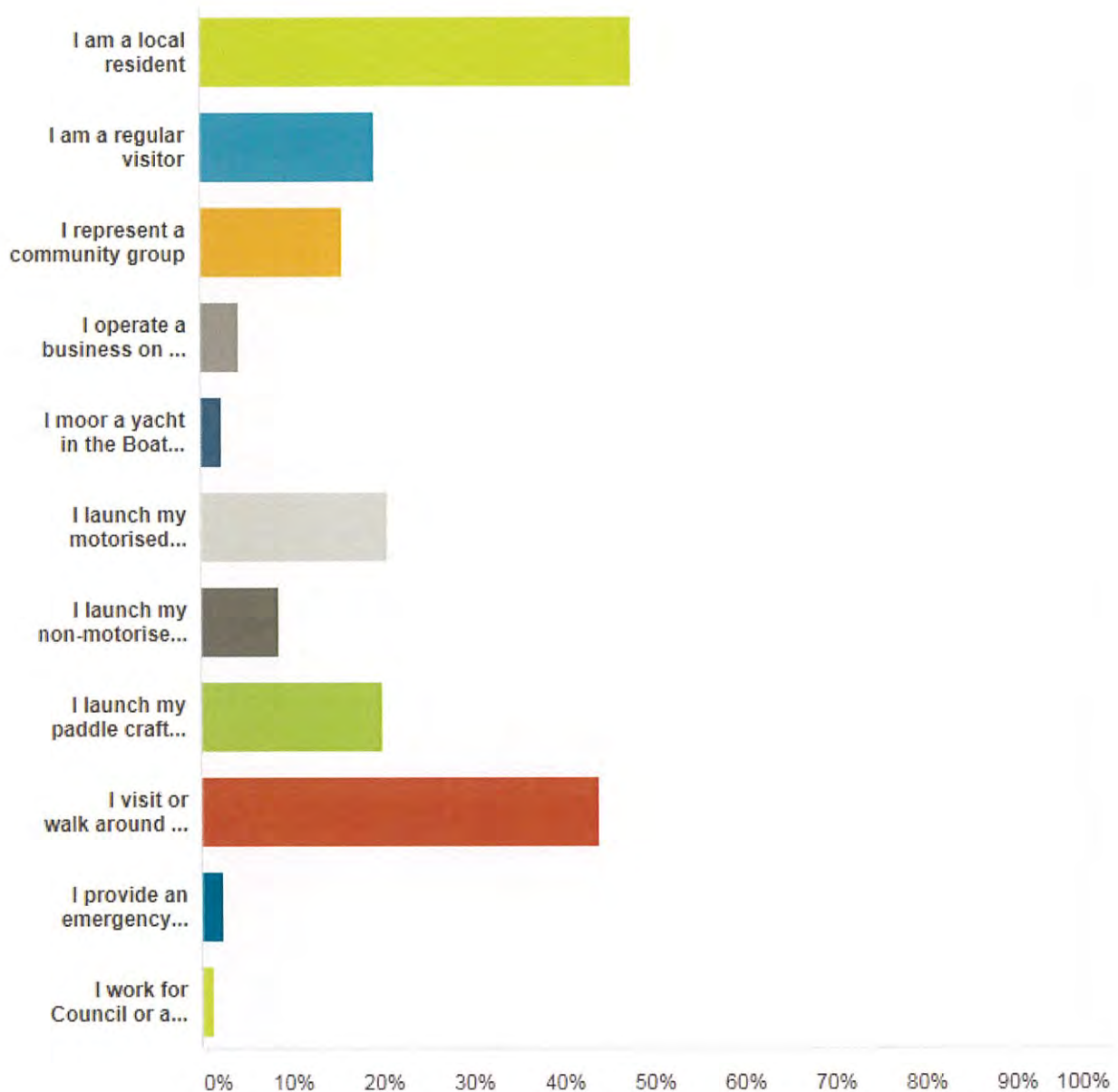
(Please provide your comments on the drawing here)

Appendix C – Community Consultation Survey Responses Summary

Q1

Which of the following best describes your interest in the Brunswick Heads Boat Harbour? Please select one or more of the following options:

Answered: 159 Skipped: 3



Source: www.SurveyMonkey.net – Brunswick Heads Boat Harbour Master Plan Project

N.B.: Graph shown only represents the results entered into SurveyMonkey prior to the closure of the Online Survey. Additional input analysed after the closure of the Survey (i.e. missing 16 respondents) are not presented but have been considered and included in the main report analysis.



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COMMUNITY CONSULTATION SURVEY RESULTS – QUESTION 1

MHL 2469

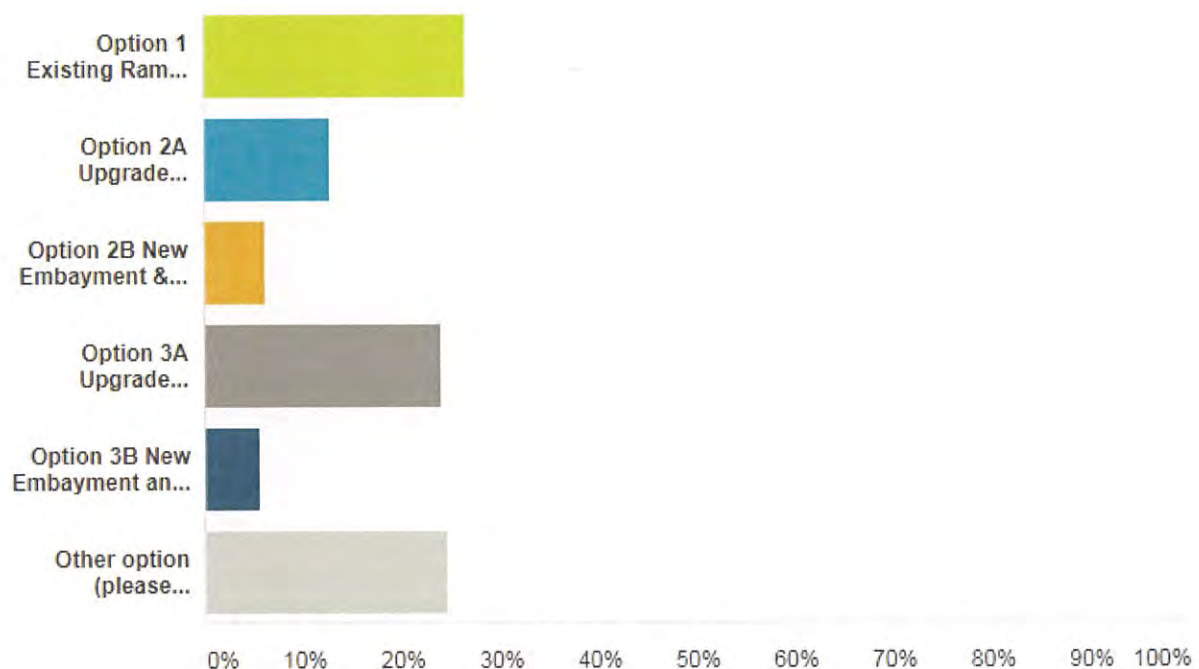
Figure
C1

AppendixC_2469.ppt

Q2

Report No. 1 Small Boat Launch and Retrieval Investigations proposes a number of different options for launch and retrieval of small boats – that is power and sail boats which can be transported by a car and trailer. Which option do you prefer?

Answered: 162 Skipped: 0



Source: www.SurveyMonkey.net – Brunswick Heads Boat Harbour Master Plan Project

N.B.: Graph shown only represents the results entered into SurveyMonkey prior to the closure of the Online Survey. Additional input analysed after the closure of the Survey (i.e. missing 16 respondents) are not presented but have been considered and included in the main report analysis.



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COMMUNITY CONSULTATION SURVEY RESULTS – QUESTION 2

MHL 2469

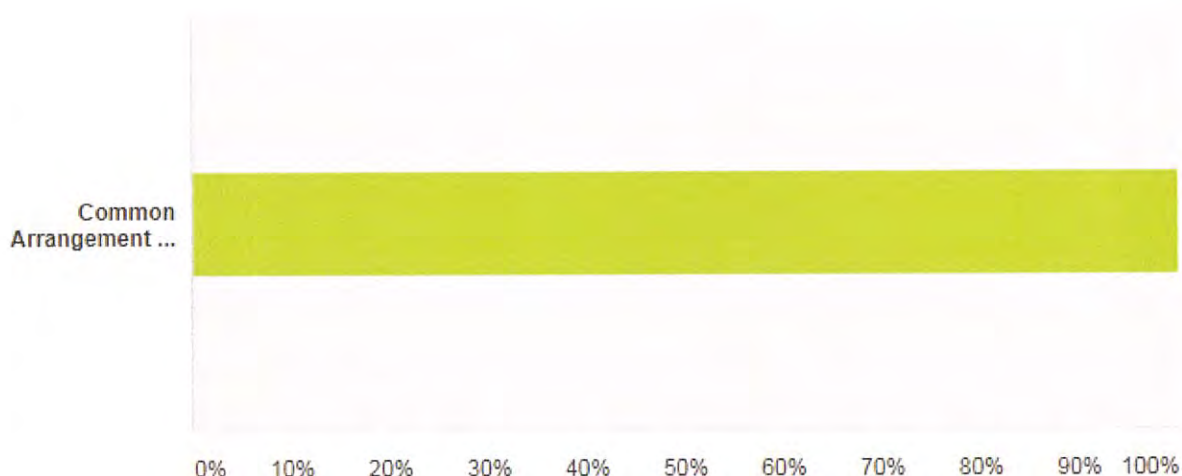
Figure
C2

AppendixC_2469.ppt

Q4

Report No. 1 Small Boat Launch and Retrieval Investigations also proposes an option for Paddle Craft – that includes
Which option do you prefer?

Answered: 63 Skipped: 99



Source: www.SurveyMonkey.net – Brunswick Heads Boat Harbour Master Plan Project

N.B.: Graph shown only represents the results entered into SurveyMonkey prior to the closure of the Online Survey. Additional input analysed after the closure of the Survey (i.e. missing 16 respondents) are not presented but have been considered and included in the main report analysis.



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**COMMUNITY CONSULTATION SURVEY
RESULTS – QUESTION 4**

MHL 2469

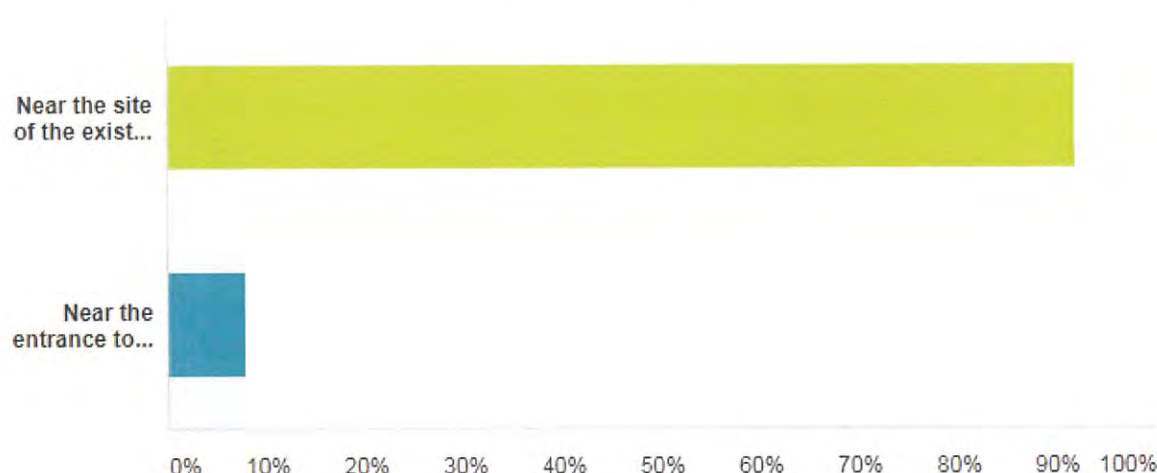
**Figure
C3**

AppendixC_2469.ppt

Q6

Report No. 2 Large Boat Launch and Retrieval Investigations proposes that an emergency crane pad is provided for lifting large boats in distress – that is for single and multi-hull boats up to 13 metres in length and up to 15 tonnes in weight that are typically moored in the boat harbour, rather than being brought in by car and trailer. This facility would be available in emergencies only and not for general repairs and maintenance. Two possible locations are proposed for the emergency crane pad, which do you prefer?

Answered: 102 Skipped: 60



Source: www.SurveyMonkey.net – Brunswick Heads Boat Harbour Master Plan Project

N.B.: Graph shown only represents the results entered into SurveyMonkey prior to the closure of the Online Survey. Additional input analysed after the closure of the Survey (i.e. missing 16 respondents) are not presented but have been considered and included in the main report analysis.



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COMMUNITY CONSULTATION SURVEY RESULTS – QUESTION 6

MHL 2469

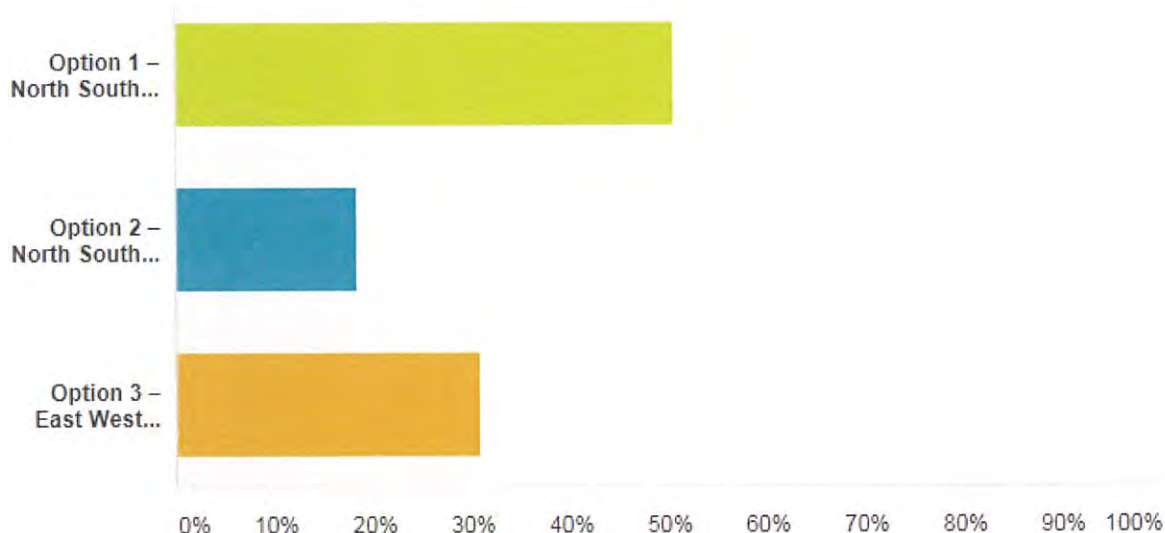
Figure
C4

AppendixC_2469.ppt

Q8

**Report No. 3 – Marina Layout Investigations
– proposes a number of options for layout
of a marina. Which option do you prefer?**

Answered: 71 Skipped: 91



Source: www.SurveyMonkey.net – Brunswick Heads Boat Harbour Master Plan Project

N.B.: Graph shown only represents the results entered into SurveyMonkey prior to the closure of the Online Survey. Additional input analysed after the closure of the Survey (i.e. missing 16 respondents) are not presented but have been considered and included in the main report analysis.



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**COMMUNITY CONSULTATION SURVEY
RESULTS – QUESTION 8**

MHL 2469

**Figure
C5**

AppendixC_2469.ppt