

**Submission  
No 8**

**INQUIRY INTO CLOSURE OF THE CRONULLA  
FISHERIES RESEARCH CENTRE OF EXCELLENCE**

**Organisation:** Sutherland Shire Council

**Date received:** 23/07/2012

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File Ref: LP/03/321185

18 July 2012

RECEIVED

23 JUL 2012

NSW Legislative Council's Select Committee on Cronulla Fisheries  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Sir or Madam

Council is appreciative of the opportunity to make a submission to the Inquiry into the closure of Cronulla Fisheries Research Centre of Excellence.

Council's submission is attached.

Yours sincerely

Councillor Carol Provan  
Mayor



**SUBMISSION TO SELECT COMMITTEE ON  
CRONULLA FISHERIES RESEARCH CENTRE OF EXCELLENCE CLOSURE  
FROM SUTHERLAND SHIRE COUNCIL  
JULY 2012**

Sutherland Shire Council appreciates the opportunity to make a submission to the Upper House Enquiry into the closure of Cronulla Fisheries Research Centre.

Since Council became aware of the announcement of the closure in September 2011 it has made numerous representations to the Premier of NSW, the Hon. Barry O'Farrell MP, the Minister for Primary Industries, the Hon. Katrina Hodgkinson MP and many members of parliament. Council also held meetings and discussions with professional organisations associated with the Cronulla Fisheries Research Centre, universities and union representatives. Whilst Council has opposed the closure, and has argued strongly against it, it has been unable to convince the Premier or the Minister that the closure should not take place. In those circumstances Council sees that it must make representations to ensure the best possible outcome for the community and the most compatible use for the site will occur.

**Closure of Cronulla Fisheries Research Centre**

Council has made a number of points in its argument against the closure. These include:

- loss of experience and scientific knowledge for NSW
- no business case or financial analysis has been undertaken to support the proposed closure
- recent financial investments in the site will be wasted
- impact on Sutherland Shire as a region to the benefit of other regions
- moving staff to Chowder Bay/Mosman is contrary to decentralisation objectives
- the uniqueness and quality of research that can be undertaken at Cronulla compared with other centres
- the close links with universities which will be lost
- the splitting of the research, commercial and recreational teams and relocating to 15 separate locations across the State will lead to poorer interaction with fishers, scientists and the like
- there is strong opposition from commercial and recreational fishers
- difference in water quality between Cronulla and the brackish water at Port Stephens



Council has also responded to the key points put forward by government on the reasons for the closure:

- *“the Cronulla site has limited access”*
- *“the Cronulla site has .....constrained modernisation and expansion capacity”*
- *“decentralisation of the centre will ensure there is greater interaction between fishers, scientists and fisheries managers”*
- *“this initiative will be undertaken in a manner which meets the needs of all fishing stakeholders while also providing associated economic benefits to those regional centres”*

The Premier, the Hon. Barry O'Farrell MP, wrote to the Sydney Coastal Councils Group on 22<sup>nd</sup> December 2011 on the issue. (See Attachment A).

This Council wrote to the Premier of NSW the Hon. Barry O'Farrell MP on 7 February 2012 with the following questions relative to the reasons for the closure, as submitted to the Sydney Coastal Councils.

*“What is meant by “the Cronulla site has limited access”?*

*The Cronulla site has a two lane (average 11.5m width) road leading into it. There is also sufficient access for a multi-tonne truck to any building on site. There is a wharf that research, police officers and shark meshing boats use regularly giving excellent access to the estuary and ocean. Council is not aware of any issues or complaints regarding traffic moving through the area to the site.*

*There is a bus stop within metres of the site and taxi, ferry and train services in Cronulla, all within 5 minutes bus travel of the site. The Sydney CBD is 60 minutes from the site by public transport and Australia's largest domestic and international airport is 30 minutes away. There is NO location within NSW Department of Primary Industries that has such access. The alternative at Port Stephens, Nowra and Coffs Harbour certainly do not.*

*What is meant by “the Cronulla site has .....constrained modernisation and expansion capacity”?*

*Based on the recommendations of a 1998 Sinclair Knight Mertz economic analysis, the Cronulla site was recently modernised to the tune of well over \$2 million dollars. It is now the most modern fisheries research science facility in NSW, has the best quality sea water at a research facility in the state and is a world-renowned, state-of-the-art facility.*

*The largest and most modern building on the site was purpose built to have a second story added at minimal cost. There are also three very large vacant building lots on the site allowing for massive expansion if required. In fact, just one week prior to the announcement of the closure, an additional six staff were moved into Cronulla.*

On what evidence is the statement “Decentralisation of the Centre will also ensure there is greater interaction between fishers, scientists and fisheries managers” made?

*Splitting up the research, commercial and recreational teams who collaboratively work together at Cronulla and relocating them to 15 separate locations all over the State will have the opposite effect and lead to much poorer interactions.*

*NSW Fisheries is already one of the public sector’s most decentralised agencies. There are now 400 full time equivalent employees in NSW Fisheries, 67.5% of whom are based outside Sydney – in fact, only 35% of the division’s scientific staff are at Cronulla.*





*Sydney is the communication centre and transport hub of NSW and Australia. Cronulla is close to the airport. Decentralisation will inhibit interaction with many fishers, scientists and fisheries managers including those from interstate and overseas. For many fishers the extra travel time involved would prevent them from participating in face to face meetings and thus eliminate their capacity to engage in effective consultation.*

*On what evidence is the statement "This initiative will be undertaken in a manner which meets the needs of all fishing stakeholders while also providing the socio-economic benefits to these regional centres" made?*

*There has been very strong opposition from commercial and recreational fishers who were not consulted and do not approve the move. For example the Advisory Council on Recreational Fishing (ACoRF) wrote to Minister Hodgkinson:*

*"From the direct involvement of ACoRF and its associated expenditure committees in providing recommendations to you on funding priorities from the Trusts, I am aware that many of the major recreational fisheries programs that are funded by the Trusts are based in Sydney, either in their entirety, or a significant component of the program. Also, over 90% of Recreational Fisheries management staff based at Cronulla are funded by the Trust to run these programs. Many of these programs are major and ongoing in nature such as the Fishcare Volunteers, Sydney offshore artificial reef, Get hooked schools education, Gamefish tagging as well as a number of research programs.*

*I am concerned that the proposed decentralisation will have a significant negative impact on delivery of these vital programs which greatly enhance recreational fishing opportunities for the benefit of recreational fishers, including the large number living in Sydney. I am also deeply concerned about the potential loss of service delivery to stakeholders, as Sydney based staff have developed strong relationships with many of the Sydney based recreational fishing stakeholder groups."*

*Also Industry members of Lobster Management Advisory Committee (LobMAC) have written to the Minister:*

*".....Firstly we are lobster Fisherman, secondly small businessman and thirdly some of us are co-investigators with NSW Fisheries on a current Fisheries Research and Development Corporation (FRDC) funded project. With limited spare time available, we still manage to make regular routine consultation meetings. Sydney being a hub for transport makes it relatively easy for North and South coast fisherman to attend a day's meeting.*

*Moving from Cronulla would change all this. For me personally attending meetings for research at Port Stephens or management at Coffs Harbour would turn into a 3 day trip, this is just not acceptable. We feel as businessman, little thought has gone into the pros and cons, and particular the ongoing cost of making this move. Being a Category 1 Share Managed Fishery, the extra cost associated with all the extra days travel will have to be payed by our lobster budget, bringing more financial burden onto the lobster fishery. We would and could not operate like this without a sound*



*business plan. As your clients/stakeholders we have received no consultation or input to these decisions, but will be expected to pay for them.*

*The lobster fishery, as I recently reported to our National Rock Lobster Industry Congress, has made great gains by having a close working partnership with Fisheries Research in recent years. Regionalisation to Port Stephens of our scientific staff has the potential to lose some of our scientific expertise. The same goes for Commercial Management going to Coffs Harbour.*

*Years ago Commercial Management was moved to Orange, away from Sydney. This didn't work then and was moved back to Sydney. What it did, was lose many staff with much expertise. Unfortunately a lot of the "dead wood" moved and stayed with the department, thus losing much expertise I mentioned, it has taken years for this lost expertise to be regained and also cost a lot of money which was a total waste. We feel the same will happen again this time, and this is why we, as Industry Members of LobMAC do not agree to this proposal.*

*How will the commitments in the following statement be achieved?*

*"The NSW Government intends to maintain the current level of services and research currently provided by the Cronulla Fisheries Research Centre. Indeed, the functions and services undertaken at the Cronulla site will be replicated at the regional locations."*

*Replicating the state-of-the-art research labs and aquaria that are at Cronulla will be impossible. It has been suggested that this will occur at the Port Stephens centre but this latter centre is in a mangrove swamp, has brackish water, not marine water, no potable freshwater to drink and must get regular deliveries of sea water trucked in every day just to maintain the few species that can live there. The site may also be underwater in the future as sea level rises – already parts of the site floods during certain high tides.*

*A staff survey indicates that well over 80% of staff cannot relocate to regional areas, due to a wide range of personal, family (eg health, caring duties, children in school) and financial reasons. This equates to the loss of hundreds of years of combined expertise and a huge cost to rebuild corporate knowledge, if even possible.*

*Loss of staff expertise in licensing and management will make it extremely difficult to manage the constant daily fisheries transactions and enquiries.*

*Loss of research expertise will have a negative impact on the ability to ensure sustainability of fish stocks that are owned by all the people of this State, including hundreds of commercial fishers, hundreds of thousands of recreational fishers.*

*Major disruption to services will occur, jeopardising a number of projects including: 77 recreational fishing projects funded through the recreational fishing trusts, 42 directly managed in Cronulla, implementation and delivery of the Government's \$16 million commercial fishing reform commitment including the systems reform program – delivery success will be greatly diminished by the loss of specialised staff.*



*Mr Premier, it is of concern that there will be very few scientific staff relocate to Port Stephens, Batemans Bay and Coffs Harbour. In fact the majority appear to be decentralised to "Wollongong and Mosman".*

*Surely decentralisation is not about taking employees to other part of the State to the disadvantage of another region, ie the Southern Sydney or Sutherland Shire region which will effectively lose 150 jobs.*

*There would appear to be a potential huge loss of expertise and talent as a result of the decision and a further potential cost to the ratepayers of this State in terms of relocation costs and redundancy payments.*

*Has a cost benefit analysis of this proposal been undertaken?"*

### **Closure to Date**

Whilst the Minister for Primary Industries has stated "the government has been steadily and carefully progressing this decentralisation" the facts, as at 11<sup>th</sup> July 2012 are:

- Of 148 people originally at Cronulla, 118 are still located at the Cronulla site.
- 18 have resigned.
- 7 have relocated to regional New South Wales and 5 to other sites in Sydney.

### **Future Use of the Site**

By Mayoral Minute 21/11-12 dated 7 May 2012 (Attachment B) Council took a decision to make a submission to Mr David Harley who has been appointed by the State Government to report on the future use of the Cronulla Fisheries Research Centre site.

Council decided to maintain its strong opposition to the closure of the centre but recognised that the State Government has taken a position to close the centre and has firmly indicated it will not change that position.

Accordingly Council has made a submission to Mr Harley on what it sees as the best use for the site. A copy of that submission is included as Attachment C.

Council believes the following general principles of use should apply to the site.

### **Land Uses**

- Predominately open space linking Salmon Haul /The Esplanade with Darook Park
- Other appropriate community uses, eg. education and occupation by government agencies
- A low key commercial facility (café/kiosk) to provide a revenue flow to assist in maintenance and management of the area



## Site Values

Preservation and management of the site's aboriginal, natural and heritage values

## Land Ownership

Preferred options:

(a) community use, open space and commercial facility

- to be transferred to Council or
- managed by a Special Trust

other land which may be utilised for research/education, government agencies, to be excised and managed by:

- government
  - management committee or
  - a Special Trust
- or

(b) Special Trust for whole site, properly resourced from handover

## Finance

- all costs associated with decommissioning/demolishing of unwanted structures to be met by the State Government
- site works necessary for enjoyment and safety of public to be met by State Government
- maintenance and improvement of facilities and surrounds used by other parties to be met by those parties
- revenue stream from low key commercial facilities to remain with Council/Special Trust to maintain, manage and improve community and open spaces
- Council not to be burdened with any establishment costs
- if other parties have role/interest they must contribute financially
- a condition assessment of all buildings should occur to determine potential benefit/use of each building

Council believes that the future use of the site, assuming the closure will proceed, should predominantly be open space as exists with the adjoining parklands of Darook Park, Salmon Haul and The Esplanade. There will be significant costs associated with creating a park worthy of the site and Council requests that these costs be met by the State Government. As Council does not have access to the site

it is unable to provide any indicative costs associated with planning and developing the site, however a preliminary inspection shows that there are significant costs associated with demolishing buildings, reconfiguring car parking and internal access arrangements and creating useable open space.

This area will become a regional facility and draw visitors from other parts of Sydney and therefore establishment costs should not be left with Sutherland Shire Council.

### **Conclusion**

Again Council is appreciative of the opportunity to make a submission to the enquiry. Whilst it does oppose the closure Council realises that the government has given no indication it will change its position and therefore it must make representations to ensure the best outcome for this community. That outcome would be in the mix of uses proposed in Council's submission ensuring protection of the cultural, heritage and environmental values of the site.



2011/84778 - CMU

22 DEC 2011

Recd 3.1.12

Councillor Wendy McMurdo  
Chairperson  
Sydney Coastal Councils Group Inc  
GPO Box 1591  
SYDNEY NSW 2001

Dear Councillor McMurdo

Thank you for your correspondence of 16 October 2011 in relation to the recent announcement by the NSW Government to decentralise services and facilities currently located at the Cronulla Fisheries Research Centre.

Over the next 12 to 18 months the NSW Government will decentralise the Cronulla Fisheries Research Centre to a number of locations along the NSW coastline - such as Port Stephens, Coffs Harbour and Nowra.

One of the many reasons why the Cronulla Fisheries Research Centre will be relocated is because the Cronulla site has limited access and constrained modernisation and expansion capacity.

Decentralisation of the Centre will also ensure there is greater interaction between fishers, scientists and fisheries managers. Excellent facilities are already in place at NSW Fisheries locations along the coast, including world-class research facilities and high-quality water at the Port Stephens centre.

As part of the NSW Government's 'Decade of Decentralisation' policy announced prior to the March election, we are determined to ensure regional NSW plays a bigger part than ever before in the future of this State. This initiative will be undertaken in a manner which meets the needs of all fishing stakeholders while also providing the socio-economic benefits to these regional centres.

The NSW Government intends to maintain the current level of services and research currently provided by the Cronulla Fisheries Research Centre. Indeed, the functions and services undertaken at the Cronulla site will be replicated at the regional locations.

Consistent with our commitment to ensure the current level of services enjoyed by fishers and the industry provided in the future, I am pleased to inform you that a number of options are available for employees who wish to relocate and entitlements are available under the *Crown Employees Transferred Employees Compensation Award 2009*. As management of the Cronulla Fisheries Research Centre work through the relocation project, regular communication will take place to keep employees informed.

The NSW Government has no plans to develop or sell the site and we encourage the local community to establish a working group to consider all options for the future use of the site, taking into account its historical and cultural significance.

Thank you again for taking the time to share your concerns with me. The NSW Government is determined to ensure that the relocation of the Cronulla Fisheries Research Centre is undertaken with the highest regard to the needs of its employees, their families and all fishing stakeholders.

Yours sincerely



**Barry O'Farrell MP**  
Premier



MAYORAL MINUTE NO. 21/11-12

7 May 2012

The Councillors of Sutherland Shire

Dear Councillors

Cronulla Fisheries Research CentreIntroduction

The purpose of the Mayoral Minute is to bring Council and the community up to date on the State Government's latest position and proposals on identifying opportunities for the future use of the Cronulla Fisheries Research Centre.

Council's latest decision

On 2 April 2012 Council resolved:

- 1. That Council maintain its strong opposition to the closure of Cronulla Fisheries Research Centre but recognises that the State Government has taken a decision to close the centre and has firmly indicated it will not change that position.*
- 2. In view of the State Government's intractable position to close the centre Council accepts the government's invitation to participate in a working party to determine the future use of the site.*
- 3. That Council's agreement to participate in the working party is contingent on the Minister giving a written undertaking that the site will stay in public ownership and for public use."*
- 4. That the Council request to be represented on the committee by a balanced delegation of at least five councillors (A Ward Councillors, Councillors Buttigieg and Towell)."*

Correspondence from Minister dated 1<sup>st</sup> May 2012

The Minister for Primary Industries and Minister for Small Business, the Hon. Katrina Hodgkinson MP, has written to Council:

*"Thank you for expressing your interest in participating in the process of identifying the opportunities for the future use of the Department of Primary Industries' site at Cronulla. After careful consideration, the Department has engaged former Chair of Sydney Water and former Chair of the Environment*

*Protection Authority (EPA), Mr David Harley AM, to facilitate this important community consultation process.*

*As indicated to Council previously, there are no plans by the NSW Government to sell the site and I encourage Council to consider all options for the future use of this important site, taking into account its cultural and historic value.*

*The Terms of Reference for the community consultation process are attached for your information and Mr Harley will contact you shortly.*

*I look forward to Council's participation in this important process."*

### **Community Consultation Terms of Reference**

The Terms of Reference for Mr Harley are:

- *"To engage with Sutherland Shire Council (Councillors and the executive) to discuss and consider their aspirations for the site in the short, medium and long term.*
- *To engage with all relevant community representatives including the Cronulla Chamber of Commerce, La Perouse Aboriginal Land Council and the Local Member to discuss their views on the future use of the site.*
- *To meet with DPI's Crown Lands' staff to gain a full understanding of the constraints and opportunities potentially available for the site.*
- *To identify any 'off site' issues which may need to be taken into consideration in the future use of the site.*
- *To identify in consultation with Council business studies which may be necessary to assist in the future viability of the site.*
- *Based on the consultation with the local community and the NSW Government, make recommendations for the future use of the site."*

A full copy of the Community Consultation brief is attached.

### **Comment on proposed Community Consultation**

Since Council's first discussions with the Minister we have been led to believe that a working party would assist in identifying and resolving issues and proposing future uses for the vacated research centre. Now it appears that after consultation one person will make the recommendation to the government. I see some difficulties with this process, this is not to be taken as a reflection on Mr Harley, but with the timing and process proposed.

### **Timing**

The brief states that consultation needs to be completed by the end of September 2012. The question arises, is this the date the report should be completed, or is this the date that consultation is to be completed? Bearing in mind that the Minister has stated that the "*vast majority of functions will be relocated by the end of 2012*" and taking account of a period for decision making by the Minister, there now appears to be limited opportunity for a smooth transition to new uses for the site.



### Costs

The brief is vague, or even silent on the issue of identifying and attaching responsibility for costs which will be incurred in decommissioning parts of the site which will not be suitable for future uses. The brief will identify business studies which may be necessary to assist in determining the future viability of the site. Completion of those studies and determining the future uses of the site would appear to be many years away.

### Consultation

The brief does not refer to general consultation with the community. It refers to "*engage with all relevant community representatives*" and it is hoped that the consultation will be an open invitation to all members of the community to have their say.

### MOTION

1. That Council continue to maintain its strong opposition to the closure of Cronulla Fisheries Research Centre but recognises that the State Government has taken a decision to close the Centre and has firmly indicated it will not change that position.
2. That Council note that Mr David Harley AM has been appointed to undertake community consultation and in view of the State Government's intractable position to close the Centre Council participate to ensure the best possible outcome for the future use of the site.
3. That a working party be established, chaired by the Mayor and comprising of "A" Ward Councillors and staff nominated by the General Manager to prepare Council's proposals for the future use of the site and to identify issues which must be addressed in moving to new uses for the Cronulla Fisheries Research Centre.



Councillor Carol Provan  
Mayor

## **FUTURE USE OF DPI'S CRONULLA SITE**

### **COMMUNITY CONSULTATION**

#### **The Decade of Decentralisation**

The 'Decade of Decentralisation' policy is one of the key election commitments made by the NSW Liberals & Nationals Government. In implementing this policy, the NSW Government has decided to relocate the Cronulla Fisheries Research Centre to regional centres.

This decentralisation project will ensure NSW Fisheries can provide services where the majority of stakeholders are located. The project will also provide significant economic and social benefits to the regional communities of Port Stephens, Coffs Harbour and Nowra.

It is currently anticipated that approximately 80 per cent of positions from the Cronulla Fisheries Research Centre will be decentralised to regional locations.

#### **Impacts on Communities and Costs**

While with any relocation project, there will be some relocation costs, the intent of the Decade of Decentralisation policy is to provide meaningful job opportunities throughout regional NSW, as well as servicing and improving the ongoing viability and relevance of our recreational and commercial fishing industries.

The relocation represents an important investment in regional NSW. The relocation of services, facilities, employees and their families from Cronulla to Port Stephens, Coffs Harbour and Nowra is expected to provide substantial socio-economic benefits to these local communities.

#### **Future use of the site**

Both the Aboriginal and post European settlement history and heritage value of the site at Cronulla is important, and the NSW Government believes the historic value should not be lost.

The decision to relocate the Centre is in no way driven by potential financial gains of property development. There are no plans by the Government to sell or develop the site.

The NSW Government is committed to re-empowering local communities by involving people in the decisions that affect them. Options for the future use of the site, taking into account its cultural significance as well as its historical value are a priority for the NSW Government. Employees from DPI with appropriate expertise, e.g. Crown Lands, are available to assist in facilitating future use options.

A timetable for relocating the functions and employees from the Cronulla site has been finalised and the time for the first group to relocate is set for May 2012. It is anticipated that the vast majority of functions will be relocated by the end of 2012. All staff have now been advised by the Director General of their new locations and are now in the process of considering their options.

### **Tasks for the Consultant**

- To engage with Sutherland Shire Council (Councillors and the executive) to discuss and consider their aspirations for the site in the short, medium and long term.
- To engage with all relevant community representatives including the Cronulla Chamber of Commerce, La Perouse Aboriginal Land Council and the Local Member to discuss their views on the future use of the site.
- To meet with DPI's Crown Lands' staff to gain a full understanding of the constraints and opportunities potentially available for the site.
- To identify any 'off site' issues which may need to be taken into consideration in the future use of the site.
- To identify in consultation with Council business studies which may be necessary to assist in the future viability of the site.
- Based on the consultation with the local community and the NSW Government, make recommendations for the future use of the site.

### **Timeframe**

The community consultation needs to be completed by the end of September 2012.





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General Manager

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File Ref: LP/03/321185

**FILE COPY**

3 July 2012

Mr David Harley  
[Dah01@aol.com](mailto:Dah01@aol.com)

Dear Mr Harley

Thank you for the opportunity to make a submission on the future use of the Cronulla Fisheries Research Centre.

I have attached Council's submission for your consideration.

Yours sincerely

J W Rayner  
General Manager

## **SUBMISSION TO DEPARTMENT OF PRIMARY INDUSTRIES CRONULLA FISHERIES RESEARCH CENTRE**

### **1. Background**

This submission from Sutherland Shire Council is in response to the invitation from the Department of Primary Industries to call for community submissions on the future use of the Cronulla Fisheries Research Centre at 202 Nicholson Parade Cronulla. The submission is forwarded to Mr David Harley who has been appointed to undertake community consultation and make representations to the Minister for Primary Industries on the future use of the site.

Whilst Council has been opposed to and maintains its strong opposition to the closure of the Cronulla Fisheries Research Centre it recognises that the State Government has taken a decision to close the centre and has firmly indicated it will not change that position. Council therefore sees that it must make representations to ensure the best possible outcome for the community and the most compatible use for the site will occur.

### **2. Summary of General Principles**

Council proposes the following general principles of use should apply to the site.

#### **Land Uses**

- Predominately open space linking Salmon Haul /The Esplanade with Darook Park
- Other appropriate community uses, eg. education and occupation by government agencies
- A low key commercial facility (café/kiosk) to provide a revenue flow to assist in maintenance and management of the area

Site Values

Preservation and management of the site's aboriginal, natural and heritage values

Land Ownership

Preferred options:

(a) community use, open space and commercial facility

- to be transferred to Council or
- managed by a Special Trust

other land which may be utilised for research/education, government agencies, to be excised and managed by:

- government
- management committee or
- a Special Trust

(b) Special Trust for whole site, properly resourced from handover

Finance

- all costs associated with decommissioning/demolishing of unwanted structures to be met by the State Government
- site works necessary for enjoyment and safety of public to be met by State Government



- maintenance and improvement of facilities and surrounds used by other parties to be met by those parties
- revenue stream from low key commercial facilities to remain with Council/Special Trust to maintain, manage and improve community and open spaces
- Council not to be burdened with any establishment costs
- if other parties have role/interest they must contribute financially
- a condition assessment of all buildings should occur to determine potential benefit/use of each building

### **3. Land Tenure & Heritage Sites**

The Department of Primary Industries (Fisheries) occupies the land and buildings at 196-202 Nicolson Parade, Cronulla. It is understood that this Crown land reserved for Pisciculture has been used for fisheries research since 1904. A more detailed history and description of heritage sites is included in the extract from the State Heritage register and Sutherland Heritage Study. (Attachment A)

### **4. Land size**

Based on aerial mapping the fisheries site is approximately 3.4 hectares, described as Lots/Portions 257, 1129 & 1187 in DP 752064 (Parish of Sutherland).

The subject parcels of land can be described as unalienated Crown Land reserved for public purposes. Crown land records indicate the land is comprised in Reserve R 35204 and that no reserve trust has been created. This is not unusual where the occupant of the land is a State agency.

## 5. Proposed Land Uses

Council manages 1360.2 ha of open space as owner or on behalf of the Crown. Uses range from playing fields to bushland and from small local parks to large regional facilities and the proposed State Park, which Council believe should incorporate the fisheries site.

Council proposes the following uses would be suitable for the site.

### Predominately Open Space

Providing a continuation of the open space from Salmon Haul /The Esplanade to Darook Park is the highest priority. The area should include a foreshore path, as far as possible, bearing in mind possible use by government agencies and protection of heritage items. The open space would form part of the proposed State Park and would be seen as a regional facility, drawing visitors from Sutherland Shire, St George region and the western suburbs, as is the case with other regional parks at Cronulla.

The nature of the open space use would be determined through a Plan of Management which would evolve through community consultation.

Council has expertise and experience in planning for, developing and maintaining open space.

### Occupation by Government Agencies

It is understood that negotiations are occurring with government agencies with water based responsibilities. This would appear to be a sensible use of the south western part of the site and subject to which buildings will be used could facilitate the management of the heritage buildings within this section of the site. Occupation of

this part of the site must result in a positive cash flow to Council/Trust after taking out costs associated with:

- re-use of buildings
- supporting infrastructure including car parking and fencing
- maintenance and management of the area
- other necessary expenditure

### **6. Low Key Commercial Facility**

There is significant cost in maintaining and improving an open space facility such as that proposed for the site. The park will be regional open space and a revenue stream from a commercial facility on the site would assist in meeting management costs.

The most suitable type of facility would be a café/kiosk (defined under Sutherland Shire LEP 2006 as a "restaurant") which would provide some financial assistance in maintaining the site. However the capital cost of establishing a café worthy of the site will be significant and returns in the early years may be small to nil as the capital debt is repaid. An option would be to offer the site on the market to construct and operate but either way the capital cost has to be funded.

Given the proximity of housing to the north of the site any commercial use must be low key and the proposed café/kiosk and the scale should be such that residents are not disturbed or inconvenienced. For example a restaurant operating hours might be from 7.00am to 9.00pm with maybe slightly later closing time during daylight saving. Hours of operation would be subject to Development Approval and it may be that closing times would differ on particular days. There needs to be opportunity to recover the investment by not imposing hours which would restrict the business or deprive the community of an enjoyable experience.



### **7. Education Facility**

Considering the site's heritage values and buildings on site the Council would support a low key and low scale education facility, an arts facility or similar compatible community use. It is understood Mr Harley is pursuing compatible possibilities.

### **8. Cottage**

A dwelling exists on the north west corner of the site, and without knowing the condition of the dwelling it may be suitable for an arts program, caretaker's residence or the like. Being unaware of the condition of the building Council is unable to comment as to its suitability. However retaining the dwelling may impose on the flow of the open space. Consideration needs to be given to the best use of this area of the site.

### **9. Carparking**

Part of the site must be used for car parking which would need to be reconfigured considering the changed uses. The amount of car parking to be provided on site would be worked through in the development of a plan of management. Car parking on site for park users, diners and for staff of government agencies located on site should be maximised but not to the detriment of the open space. Overflow onto residential streets currently occurs through the summer.

### **10 Buildings on Site**

It is suggested that a number of buildings would be used by government agencies and other buildings may be suitable for community or educational uses. At this stage a condition assessment is not available to the Council so it cannot comment on individual buildings. Bearing in mind that Council requests that the area be predominately open space there will be a number of buildings that need to be

demolished. Council does not have the reserves to fund the demolition of the buildings not required in the future.

### **11 Aboriginal, Natural and Heritage Values**

The Council wishes to see the aboriginal, natural and heritage values of the site retained and where possible incorporated into educational programs as appropriate. Such retention should not overly limit the enjoyment of the open space by the community.

### **12 Land Management**

Council manages 1360 hectares of open space under the Local Government Act Community Land regime or under Trust for care control and management of Crown Land. Council would see a smooth transition of ownership from the State to Council as its preferred management option. If part of the land is to be used by government agencies perhaps that portion should remain with the State Government.

An alternative would be a Special Trust or a Reserve Trust Board which can be established under the existing Reserve Trust purposes gazetted by the Crown Lands Act 1989. The Special Trust/Reserve Trust Board would be appointed by the Government and would comprise representatives of the parties which had interest in the site including community representatives. As the Fisheries winds down the site will evolve into new uses and these uses will need to be introduced into the Trust purposes. If the Trust is established prior to the vacation of the site by Fisheries then funds could be channelled through the Trust for the purposes of decommissioning and demolishing buildings, developing a Plan of Management and funding improvements to the site.

Council does not support being appointed Trustee and granted care control and management of the site, thereby inheriting all the costs and potentially needing to provide revenue back to the NSW Government.

### **13 Finance**

Council does not have the funds necessary to meet the costs associated with removing existing uses and establishing new uses on the site. It therefore believes the State Government, as part of the Fisheries relocation should meet:

- all costs associated with decommissioning/demolishing unwanted structures
- site works necessary for the safety and enjoyment of the public
- works associated with relocating and establishing car parking and creation of open space

Any maintenance and improvement of facilities and surrounds used by other parties should be met by these organisations. Council does not wish to be burdened with any establishment costs and if other parties have a role/interest they must contribute financially.

It may be that a Special Trust or a Reserve Trust Board would be the vehicle through which funds for these works would be channelled.

It is essential that any revenue stream from low key commercial activities remain with Council, or the Trust to assist in the maintenance, management and improvement of the site.

### **14 Zoning Controls and Considerations**

By Sutherland Shire LEP 2006 the Fisheries site is included in two distinct zones. Most of the site is within Zone 12 - Special Uses (Pisciculture). A portion in the north east adjacent to Nicholson Parade and 3 houses in Cowra Place is within Zone 13 - Public Open Space. The current controls within SSLEP2006 are more restrictive for the Special Uses zone than the Public Open Space zone. Attachment B provides more detail on development allowed on the site.

**15 Security of Site**

Council is aware that you are addressing this issue and that security may be partly covered by the Police presence, a caretaker/site manager or a private security firm.