

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Organisation: Brunswick Heads Foreshore Protection Group
Date received: 24 July 2016

Partially
Confidential

Re: Submission to the inquiry regarding Foreshore Parklands controlled by Crown Land in Brunswick Heads (July 2016)

'Brunswick Head is a natural beauty spot, unspoilt, perfect....it boasts none of the tawdry, cheap so called "improvements" of what are termed 'popular' places. So it retains its greatest charm. The great charm of Brunswick Heads is that it is different from other popular holiday resorts.'

This is a quote from *A Pearl of the Pacific, Brunswick Heads, NSW*, first published in 1922. This is still how residents and visitors feel about Brunswick Heads and none of us want to see it change!

Brunswick Heads is a traditional, nostalgic, unpretentious, small, low-key, unspoilt, family friendly seaside village with a relaxed holiday atmosphere and spectacular natural environment. The town's biggest assets are the beach, the estuary, the natural environment and our extensive simple grassy foreshore parks which hark back to simpler times which allow for traditional picnicking along the river's edge. It is important to the town to maintain our nostalgic appearance and atmosphere. It is what sets us apart. It is why we live here and why others come. The community of Brunswick Heads has worked hard over the past decades to maintain the unique character of our town.

There is significant crown land within and adjacent to our town, including three caravan parks, riverside and foreshore reserves, the Brunswick Heads Nature Reserve and the Tyagarah Nature Reserve.

If we are to maintain our low key village lifestyle it is important culturally and historically to ensure Crown Reserves are retained for public use. The residents of Brunswick Heads do not support commercial use or disposal of Crown land. We believe they should be preserved and enhanced for future generations. We support opportunities to increase Aboriginal involvement in the management of Crown land in our town.

ISSUES WITH CROWN LANDS IN BRUNSWICK HEADS

- There has been no meaningful community consultation and community input regarding major changes to our foreshore parklands, caravan parks and boat harbour.
- Other than regular mowing there has been no ongoing maintenance of any foreshore parks, their toilets or other facilities. There needs to be a major ongoing improvements in all areas of maintenance of these parks: topdressing and returfing of grassed areas; removal of graffiti; weed removal and revegetation and toilet upkeep
- Approved major plans are not in keeping with the low key 'simple pleasures, low key' vision for our town.
- Economic imperatives dominate POM with little or no environmental, cultural or historic value assessment.
- Crown putting itself above the law and the process is lacking transparency.

RECENT HISTORY OF FORESHORE PARKLANDS BRUNSWICK HEADS

- Plans by Byron Shire Council (BSC) for pathways in our open grassy foreshore parklands were defeated on 3 occasions prior to 2010.

- December 2006 BSC was dismissed by Crown Lands as the Crown Reserve Trust Manager. North Coast Accommodation Trust NCAT/ North Coast Holiday Park NCHP were given responsibility
- 2010 Plans of Management POM were not approved. This included pathways.
- 23 April, 2012 meeting with stakeholders. No resident representatives.
- 2013 Draft POM prepared by North Coast Accommodation Trust NCAT/ North Coast Holiday Park NCHP
- NSW Crown Holiday Park Trust NSWCHPT came into existence in June 2013. It replaced NCAT. NCHP was now responsible to NSWCHPT.
- NSWCHPT signed off on draft POM on 13 December 2013
- Draft Plans of Management Crown Reserves in Brunswick Heads went on public exhibition from Monday 23 December 2013 to Friday 21 February 2014. Exhibition period was extended at community request.
- NCHP held two information sessions during the exhibition period on 15 January and 1 February, 2014 at which Jim Bolger, General Manager and Russell Chaplin represented NCHP.
- Brunswick Heads Progress Association letter dropped all residents of Brunswick Heads to inform them of the draft POM and invite them to attend their March meeting to be informed and have their say.
- Progress association held a public meeting on Monday 2 March at 7pm at Memorial Hall, Fingal St, Brunswick Heads. Feedback sheets and online surveys completed by around 300 residents. Data forwarded to all government stakeholders. Data tabled later in this document.
- POM was passed on 2 June, 2014 by Minister Kevin Humphries

THE PROCESS WAS FLAWED

- Only one stakeholders meeting was organised to inform the POM. Only six people present: Alison Rogers (All Abilities Playground), Kim Rosen (Brunswick Chamber of Commerce), Joy Slater (Brunswick Valley Woodchop), Glen & Any McGregor (Mc Gregor's Family Carnival), Russell Siwicki (ARL Carnival Committee Inc). There were no resident representatives invited to this meeting. The meeting took place on 23rd April, 2012 with NCHP personnel, Nev Green and Russell Chaplin also attending.
- Only after pressure from the community were two informal information sessions organised. Request for a formal meeting to inform the community was denied.
- It was left to the Progress Association to inform the community
- Response to submissions on the Draft POM for the Brunswick Heads Foreshore Public Reserves was also flawed, as the following submissions were ignored:

A petition of **156 signatures**

4.1 Petitions

Two petitions were received.

Foreshore Protection Group.

The petition comprised 156 signatures from people who support the retention and maintenance of our grassed parklands and do not support the construction of NCHP's proposed timber deck on the riverbank in Banner Park or the proposed 2m wide all weather pathways through our public parklands. It also include 151 signatures from people who support Byron Shire Council's proposed Caravan Park Boundaries detailed in August 2012 Licence agreements and do not support the proposed boundaries in NCHP draft POMs.

These matters are addressed in the submissions assessment.

A petition of **2095 signatures** with over 700 individual comments

Mr Jim Dodd (Change.org petition)

The petition had 2095 supporters as at 25 February 2014. The petition included the following objections

We strongly object to and reject NSWCHPT and NCHP's plans because they:

- 1. Refuse to re-instate the foreshore walkway along Simpson's Creek adjoining the Terrace caravan park. Management has allowed this to be blocked/barricaded by caravans and 12 moveable dwellings that could all be relocated within the park. Instead they want to take the whole length of the foreshore into the caravan park and fence it off for the exclusive use of their clientele.*
- 2. Plan to expand caravan park activities onto the foreshore land at Ferry Reserve and restrict access to the public boat ramp.*
- 3. Refuse to get off illegally occupied land at Massy Greene caravan park, zoned for Maritime Purposes for use by the wider community. This is prime foreshore land adjoining the Brunswick Boat Harbour.*
- 4. Refuse to develop their caravan parks within the boundaries set by our local Council. Those boundaries have been set to keep the foreshores in the public interest and not for the exclusive use of caravan park clientele.*

These matters are addressed in the submissions assessment.

35 (the highest number of submissions) were for **no boardwalk and deck in Banner park**

29 (second highest number of submissions) submissions wanting **no carpark in Torakina Reserve**

21 submissions to **keep Torakina as natural as possible**

18 submissions wanting **no pathways in reserves**

18 submissions **no lighting or security cameras**

13 submissions on **maintenance and presentation of foreshore reserves**

12 submissions to **maintain public access to and along the foreshores**

7 submissions for **no upgrades of foreshore public reserves**

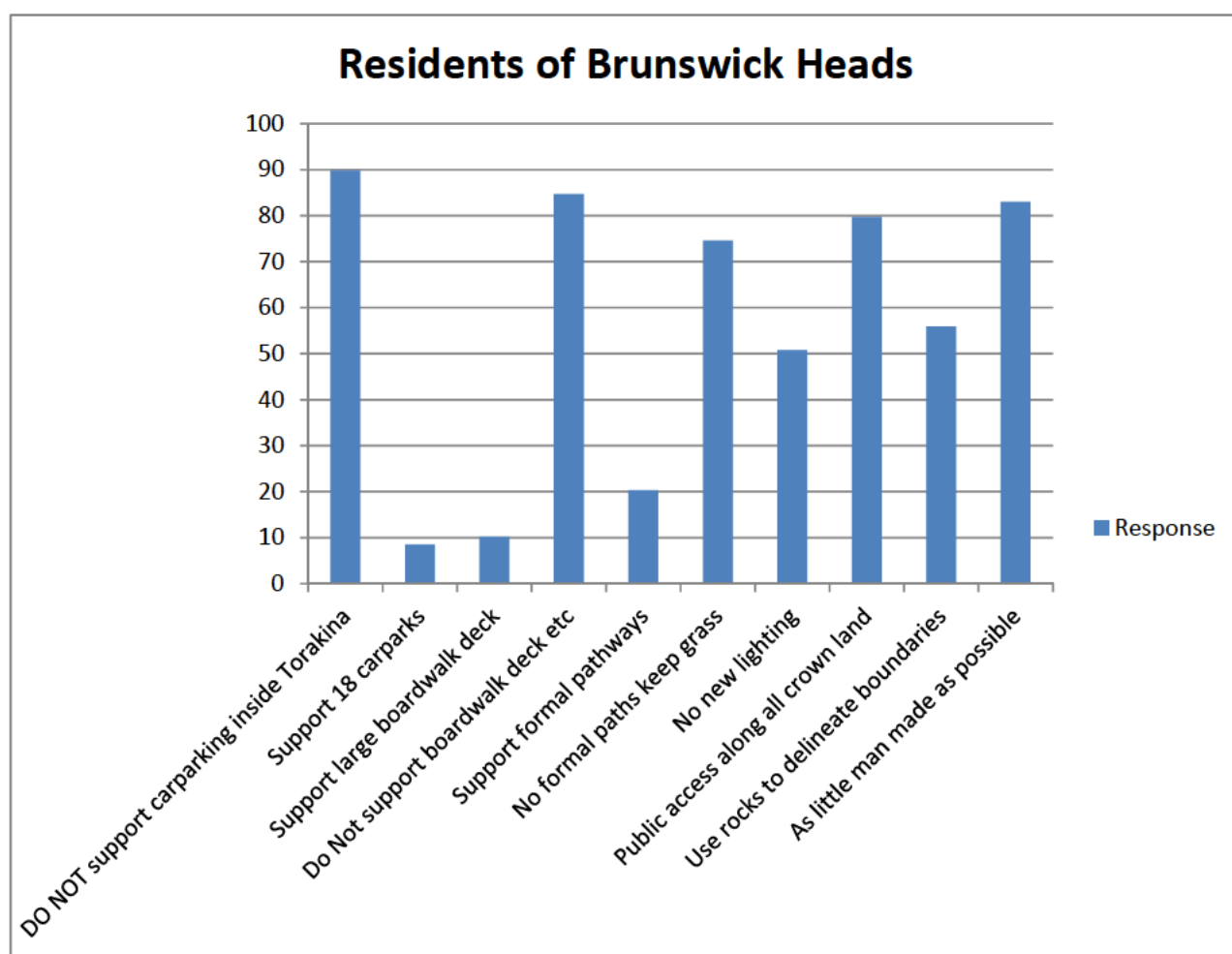
WHOLE TOWN LETTERDROP AND TOWN MEETING.

In February 2015, the Brunswick Heads Progress Association (the longest running residents group in NSW) letter dropped all residents in Brunswick Heads, with a detailed, two page flyer showing proposed State Government approved changes for our unique open, grassed foreshore parklands. A town meeting was held on the 2 March, 2015 to explain these proposed changes and to get community feedback. Over 300 people attended the meeting.

156 residents and 45 non residents completed a total of 201 MEETING FEEDBACK SHEETS at the end of the meeting. This number represents 10% of the population of Brunswick Heads and is therefore statistically significant. An ONLINE RESIDENT QUESTIONNAIRE produces similar results. The Trust and the Minister have chosen to ignore this record of community opinion.

ISSUES	Sample size 201	YES	NO	UNDECIDED
CONSULTATION WITH RESIDENTS ADEQUATE	RESIDENTS (156)	9%	85%	6%
	NON RESIDENTS (45)	0%	93%	7%
SUPPORT 18 SPACE CARPARK INSIDE TORAKINA	RESIDENTS	3%	94%	3%
	NON RESIDENTS	4%	91%	5%
SUPPORT DECK AND BOARDWALK BANNER PARK	RESIDENTS	4%	92%	4%
	NON RESIDENTS	0%	87%	13%
SUPPORT NETWORK OF PATHWAYS	RESIDENTS	13%	67%	20%
	NON RESIDENTS	15%	76%	9%
SUPPORT NEW LIGHTING	RESIDENTS	18%	67%	15%
	NON RESIDENTS	15%	67%	18%

Results of online Residents Questionnaire



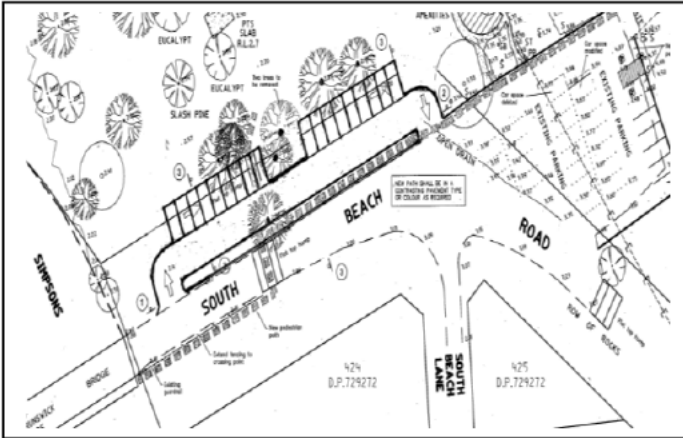
MOTIONS PASSED AT TOWN MEETING ATTENDED BY OVER 300 RESIDENTS

1. This meeting of the Brunswick Heads community considers the plans of management for the Crown foreshore reserves and holiday parks at Brunswick Heads flawed as preparation did not follow due process in its consultation with the key stakeholders, the residents of Brunswick Heads.
2. This meeting of the Brunswick Heads community calls on New South Wales Crown Holiday Park Trust to suspend all works under the Plans of Management until the residents' views have been acknowledged and reflected in the proposed works.

3. This meeting of the Brunswick Heads community calls on the Minister to suspend the Plans of Management pending a review and investigation into the process of their preparation.

APPROVED PLANS REJECTED BY THE COMMUNITY

TORAKINA RESERVE – A new access road, 18 space carpark and pedestrian pathway are planned for **INSIDE** Torakina open reserve, near current BBQs and toilet facilities.



- This carpark would take over half of the most popular picnic area in Brunswick Heads as is evident in the aerial photo above.
- Since the POM was approved the only BBQ in this park has been removed and not replaced. Also the toilet block has not been improved and is an embarrassment to the town.
- The carpark would impact the visual amenity of this most natural park in the heart of Brunswick Heads.
- The use for sculptural events and social gatherings is proven to be what the community would like to be left as open space.
- The carpark would only provide extra 5 car parks, as current parking will be lost in its construction. Better parking options are available without destroying this most precious of parks.
- The community has rejected built structures in this area in the past as it is highly valued as a natural, quiet, passive recreation space for families. Generations of families have celebrated family milestones in this park giving it great cultural and heritage significance.

See excerpt from letter sent to the Association by a

regarding this proposed car park.

My names [REDACTED], I lived in brunswick for 15 years and yes I'm only a kid but my opinion still counts and I can guarantee you that more then half the town doesn't want a parking lot there! Ever since I was a baby I've always had my birthdays there it's were I made memories with my family and the whole comunity you may think it's best but no! that's where kids in brunswick like to be it's a place to chill without having to walk the streets all the time and you guys getting rid of it is gunna make all the kids and family's just wonder the streets !we don't need that carpark there!!!! Please consider not putting one there brunswick is only a small town and I can tell you it would mean a lot to the town if we could keep that area ! Thank you

- Residents do not support additional lighting or security cameras in this park.
- Lighting would have negative impacts on nocturnal animals and endangered plant species in the area.
- The natural character in this area must be maintained. I support the refit of the existing architecturally designed toilet block at Torakina.
- Additional BBQ's are also supported

BANNER PARK (opposite the pub) – A new huge 400 sq metre raised timber deck including picnic tables and **fencing** along the river's edge. **Six existing Norfolk pines will be incorporated into the deck** with planters. Steps to the river will be replaced. A new and **larger playground** is planned and the large gum tree will be removed.





The bulk and scale of this huge structure is completely out of character for Brunswick Heads.

- The reasons given for this over development were to improve access and protect the historic Norfolk pines.?
- There is no doubt this area is one of the best used areas in Brunswick Heads because of the playground, steps into the river for swimming and picnics along the river edge and inside the old housie shed. This simple grassy foreshore park, if maintained, offers access to all to the river's edge.
- Maintenance of this area has been non-existent, except for cracker dust being spread which inhibits the growth of grass. The soft fall under the playground has never been contained and has spread over a large area contributing to park erosion.
- There needs to be major ongoing improvements in all areas of maintenance of this park: topdressing and returfing of grassed areas is urgently needed after a decade of neglect. Litter is becoming more of a problem in this park as more and more people discover our town.
- The community overwhelmingly rejected any fencing along the river bank when it was put forward by Byron Shire Council in the past.
- Considering the lack of maintenance in our parks the community have real concerns around who would maintain such a big structure.
- Other concerns include rubbish, vermin, the impact of lighting on the marine environment, after hours partying from the hotel and its impact of build on the health of historic Norfolk pines. This huge structure would have a negative impact on the visual amenity, connectivity and flow in our foreshore parklands. Rock walls in this area of the park show subsidence and need urgent attention.
- The roots of the Norfolk pines should be covered with soil regularly to protect them, and missing Norfolk's should be replaced.
- The playground should remain at its present size so as not to take over the area.
- The present large gum tree must be properly tended and maintained. If it has to be removed for safety reasons the NCHP must replace it with an advanced equivalent native tree, on the same site, and maintain it properly.
- The 10m setback from riverbank should apply to all built structures including this huge deck.
- No formal pathways or additional lighting, maintain grassed areas.
- Any existing lighting should be shielded from the river.
- Once again we ask the question. Is the State government looking at using this deck for commercial purposes in the future.

PATHWAYS LIGHTING AND PARK AESTHETICS – A new network of pathways are planned for all the foreshore parklands. There are no specifications in the plan, for the type of surface to be used in paths and/or the style and placement of any lighting.

- There is also a new network of compressed hailstone paths planned for our open grassed parks.
- These paths are not necessary and will stop traditional picnicking all along the river bank. The community has rejected pathways, in our open grassed foreshore, on a number of occasions in the past, yet they have been approved in this new POM.
- Residents want to retain our simple grassed foreshore parks that give Brunswick Heads its unique nostalgic feel. If well maintained they allow access for all. Other than mowing, maintenance of these foreshore parks has been zilch!
- The cost and maintenance of lighting and its impact on the marine ecology are of concern as well as the effect on our beautiful night sky.

TOILET AND PARK MAINTENANCE



- Since the POM was approved North Coast Holiday Parks have demolished 2 large toilet blocks in their caravan park in Brunswick Heads (Terrace and Ferry) and replaced them with brand new toilet blocks.
- Meanwhile not a cent has been spent on our public toilets even though the community has been complaining for years! This is a blatant example of commercial interest coming before public interest.

We demand:

That any future plans for Crown Lands in Brunswick Heads includes consultation with the residents of this community, including indigenous representatives during all stages of planning.

All communication with the State Government, by residents, has been ignored. The communities only hope of saving Brunswick Heads from these unwanted changes and retaining our town's unique, unspoilt, beauty is this enquiry. We hope you can help us.

Please feel free to contact me if necessary

Thank you for your time,

Samantha and Matthew Moss