

MEETING NOTES

MEETING WITH SOUTHERN AREA COMMUNITY CONSULTATIVE BODIES

Friday 1st October 2010

Training Room, Administrative Centre, Deering Street, Ulladulla.

The meeting commenced at 10.05 am.

PRESENT

Russ Pigg – Chairperson

Clr Watson

Clr Fergusson – left 12.05 pm

Rob Donaldson – Assistant General Manager

Peter Adams – Director Strategic Planning & Infrastructure

Peter Dun – Director Finance & Corporate Services – left 11.35 am

Tim Fletcher – Director Development & Environmental Services – arrived 10.15 am

Jenny Whitmarsh – Red Head Villages Association

Kaye Milsom – Tabourie Lake Ratepayers and Residents Association

Joan Lonergan - Tabourie Lake Ratepayers and Residents Association

Robin Watt – Ulladulla and Districts Community Forum

Margaret Slorach – Ulladulla and Districts Community Forum

Apologies:

Apologies were received from Clr Miller and Carmel Krogh.

1. Welcome and Introduction

Mr Russ Pigg, General Manager, welcomed all participants to the meeting and asked everyone to introduce themselves.

- # Mr Rob Donaldson, on behalf on Mr Bill Paterson, Director City Services & Operations, circulated information on the Management of Requests for Maintenance & Graffiti Reporting (copy attached) and also business cards with key contacts for reporting maintenance and graffiti. Mr Donaldson asked the community members to pass them along to their communities. (cards enclosed)

2. Assistant General Manager

a) Funding for Community Groups

Mr Donaldson tabled information on the availability of \$5.4 million in funding from the State Government for communities to save water and energy. It was explained that Council and Council's Management Committees are not eligible for the funding but encouraged community groups to explore the possibilities. Applications for the funding must be received by 5.00 pm Monday 25 October 2010. The types of projects that would be funded included:

- Installation of Water efficient toilets, fixture and fittings
- Lighting and hot water upgrades
- Insulation and other measures to improve heating and cooling efficiency
- Rainwater tanks

Mr Donaldson asked the CCBs to consider the types of projects that they or other groups could request funding for and to carefully consider whether the project will provide on-going operational savings.

Council's Senior Environmental Planner, Elizabeth Dixon, can be contacted for assistance with the proposals.

b) Community Engagement Strategy

Mr Donaldson explained that community responses had been received during the consultation stage for Council's Community Engagement Strategy, and tabled a Media Release advising of an interactive workshop to be held on 14 October 2010 to discuss and receive community feedback on the Draft Community Engagement Strategy. The Workshops will be run by an independent facilitator and this feedback will need to set the final Strategy up.

Community Comments

Representatives from the Ulladulla & Districts Community Forum advised of a clash with another meeting at the Ulladulla Civic Centre and Mr Donaldson advised he would check dates and rectify if need be.

Mr Donaldson confirmed that the Community Engagement Strategy Workshop is to be held on the same day as one of the Ulladulla Civic Centre project open consultation sessions. There will also be another session at Ulladulla on Saturday 16 October 2010 and both sessions are constructed to allow people to come and go during the two hour period.

3. STRATEGIC PLANNING & INFRASTRUCTURE

a) Draft Access Areas for Dogs Policy

Mr Peter Adams advised that following the exhibition of the Draft Access Areas for Dogs Policy, staff were compiling results and would be reporting to Council. If any community groups still wished to forward a submission, Council would accept them until Wednesday 6th October 2010 and Mr Adams encouraged the CCBs to respond. Mr Adams stated there were a number of changes made that basically simplified the issue such as restricted hours being changed to 24 hours a day. Mr Adams also explained that there were certain restrictions that Council had to comply to such as:

- No dogs within 10m of children's play areas
- No dogs within 200m of flagged beach swimming areas
- No Dogs within 200m of nesting shore birds

Changes have been made to some southern areas such as Mollymook Beach, where it was proposed that from the middle of the beach, directly adjacent to Donlan Road, to Mollymook Creek would be a 24 hour on leash area and from Mollymook Creek to the Bogey Hole, as well as from Donlan Road to the northern end of the beach would be

prohibited. Milton Showground in the south west “L” shape area would be a 24 hour unleashed area. In Lake Conjola, because of the shore bird nesting, anything north east of the boardwalk would be prohibited. Flat Rock Beach at Bendalong will be prohibited and Cormorant Beach at Bawley Point would be a 24 hour unleashed area. Staff are expecting to report the draft policy to the November Resources & Reserves Committee meeting.

Community Comments

CCBs asked how this would be policed, knowing the Rangers are already stretched to the limit and also noted the need for simple/understandable signage.

Council

Mr Adams hoped that simplifying the signage and restrictions was also an attempt to help with compliance and enforcement. Signage would need to be rolled out when the Policy is adopted.

Mr Fletcher added that the Ranger Animal Management Officers do attempt to enforce the restrictions but they also have many other priorities and respond to complaints. There is a program the officers follow that takes into consideration shore bird nesting times and other seasonal requirements but they also have to deal with issues as they come along. The Rangers do the best they can with the resources that are currently available.

Mr Fletcher advised the CCBs to contact Dave Martin, Ranger Services Manager, when there is a problem as he can change the priorities and resources of the Rangers.

b) Update of draft SLEP – Dates & Processes for Exhibition (*Ulladulla & Districts Community Forum*)

Mr Adams explained that the LEP was essentially, when adopted, the law on what we can and can't do on the land. The State Government changed the requirements that cover LEPs and this affects the entire Shoalhaven area. The document is now required to conform to a standardised form across the State. It has been challenging to conform to the template. The LEP has had to take into account changes to the law, the South Coast Regional Strategy and environmental legislation. There are now “Standard” clauses and dictionary changes ie. ‘refreshment room’ is no longer listed and falls under the term ‘food and drink premises’ which includes other uses including pubs.

The time frame for the LEP has been lengthy and the Department of Planning took 18 months to certify the draft document. When the Section 65 Certificate was received there were many conditions and also issues of concern for residents but it is hoped that most have been worked through. Four Councillor Briefings have been held and many issues have been worked through. It is hoped that the draft LEP will be reported to Council within the next two months. If Council will submit to the Department of Planning for a revised Section 65 Certificate then changes to Council's mapping system (GIS) must be worked through to ensure there are no discrepancies.

Exhibition of the LEP will take into account both holiday times and regular times and once the document is on exhibition people who have planning proposals on hold can be moved forward. It is hoped Council can exhibit earlier and longer (December to March) rather than later so that developments that have been in limbo can start moving ahead.

CCBs will receive hard copies of the document with who to contact at Council for help and an interpretive table explaining “What’s Different”.

Community Comments

The Red Head Villages Association noted there needed to be more strategic planning for Manyana and that concerns were raised regarding the 1D zone and how it is carried over for Caravan Parks in Rural Zones. Is it appropriate to facilitate these in a rural zone?

Council

CCBs were advised the Exhibition period would be the opportunity to discuss these matters.

c) Update - Growth Management Strategy

The meeting was advised that the Environmental Planning and Assessment Act dictates that Council have its own Community Strategic Plan and Delivery Plan and along with State Plans and Policies they set out what Council will do. The Growth Management Strategy falls under the Community Strategic Plan and this informs the Local Environmental Plan, Contribution Plans and Structure Plan.

The first draft of the Growth Management Strategy has just come off the press and Council hopes to have the document on exhibition soon. The Strategy explains the current context and demographics of the area and how many lots are zoned residential. Population projections are limited and Council has commissioned consultants, ID Consulting, to provide projections across the City. The information will inform Contribution Plans for future infrastructure and development and will also be available on the Internet, updated regularly.

d) Future Impact - Asset Management Plans and Contribution Plan

Council is currently spending time and energy addressing long term sustainability. Shoalhaven Council needs to look at the ten year financial plan and begin to consider maintenance of current infrastructure more than new projects. Council’s assets are numerous when you consider every pipe, pit, bollard road etc. and the on-going maintenance needs to be addressed. This will prove a challenge because of the growth in the area and the cost of running the organisation and Council services. There is a need to renew and maintain rather than build new assets. The CCBs will be consulted regularly on their ideas to do this. Council will need to exercise leadership in constantly reviewing and maintaining the current assets with the help of the community.

e) Burrill Lake – Community Feedback (*Ulladulla & Districts Community Forum*)

Community Comments

The Ulladulla & Districts Community Forum asked how it is proposed to “seek community feedback on the effectiveness of Council’s actions to date” as per Council resolution of 24 August 2010:

- a) *Council reaffirm its resolution of 14 July 2009*

- b) *Invite the relevant Minister and Shadow Minister to a forum in Burrill Lake to discuss a permanent opening of the Lakes entrance;*
- c) *The General Manager report back on the implementation of the Burrill Lake Entrance Management Plan as well as seek community feedback on the effectiveness of Councils actions, to date.*

People in the area have personal concerns such as their jetties under water or water sloshing under the house and would like to know who actually controls the decision making regarding the opening of the lake.

Council

A Community Information Session on Burrill Lake will be held around 18 October (correction 19 October) at a venue in the southern area.

Meetings with the Minister and Shadow Minister may be best held after the Flood Risk Study and Plan is drafted. Council's consultants for Burrill Lake Flood Study and Plan, BMTWBM, are taking the lead and assessing Council's actions to date on timing of openings, locations and the methods used and are also studying any other methods such as a permanent opening of the lake. Staff have details of lake levels in relation to storm and flood events and are assisting the consultants to assemble all the information. Graphs and data will be available to the community and this information will relate to decisions and actions in the future.

Note: An invitation to the Minister and Shadow Minister has been sent requesting a meeting soon.

The Interim Management Policy dictates the levels needed before Council can intervene and open the lake and these levels are lower in the pre-holiday period.

The water quality in the lake is apparently good even though it may look to the contrary. Unfortunately even though the lake is healthy, from a Tourism point of view it doesn't "look good". It is understood that Lake Tabourie is also quite healthy but does not necessarily look it because of tannins and other vegetation in the water.

It is noted that some of the dwellings in Burrill Lake are positioned lower than the entrance intervention level and careful analysis will need to be undertaken weighing up solutions, economic issues and environmental issues.

f) Update – Ulladulla Boardwalk (*Ulladulla & Districts Community Forum*)

The Boardwalk project has been long awaited for and Council has put money towards the acquisition of land as well as building Stage 1. It is hoped that Stage 1, from Cowley's to at least the Boardwalk Café, will be underway this financial year, setting the tone for quality of materials and hopefully create impetus to continue. It is hoped once the first stage is completed people will see the potential. There has been strong opposition from some land owners who would prefer a cantilever style walkway so that it does not encroach on their land but shop owners need service access to the back of their shops so the walkway needs to be strong enough to allow vehicles to use it. If the walkway is benched into the hill it will provide a more aesthetic view from the harbour itself. Council is still open minded and will take into consideration the communities views.

4. FINANCE & CORPORATE SERVICES

a) Marina Ulladulla Harbour (*Ulladulla & Districts Community Forum*)

Community Comments

The Ulladulla & Districts Community Forum wished to hear Council's views on a Marina in Ulladulla Harbour. They also asked what Council knew about the proposal for a 20 berth marina.

Council

Mr Dun advised that he had not heard of the proposal for a 20 berth marina so could not comment on that issue. He advised the Lands and Property Management Authority (LPMA previously known as Department of Lands) were the primary body involved and Council is currently in dialogue with them as they are very keen to develop a marina in Ulladulla Harbour. Council supports the idea of marinas in the north central and southern areas and Ulladulla is the prime area for the southern marina. The LPMA are working on the Expressions of Interest proposal that recently had no uptake to make it more viable for the current economic climate.

Mr Pigg advised that Council was moving ahead with the pontoon on the southern side of Ulladulla Harbour.

Community Comments

The Ulladulla Districts Community Forum stated that they had heard the pontoon would be going down the middle of the boat ramp and asked if this was true.

Council

Mr Adams explained that the pontoon would be in the middle of the boat ramp as this facilitated a more "user friendly" style of pontoon where access could be gained from three sides and provided a safer access for pedestrians, separating the two areas and allowing boat trailers easier entry and exit. It was explained that the pontoon floats with a pivoting ramp, similar to what was constructed at Greenwell Point and was proving to be immensely successful.

Mr Dun advised that Council's Executive Marina Sub Committee was looking at marinas for the Shoalhaven and a Policy decision needs to be clearly identified.

Clr Watson stated that the 20 berth marina would not be viable; it would need some sort of ancillary activity to support it.

b) Holiday Haven Tourist Park, Bendalong (*Red Head Villages Association*)

Community Comments

The Red Head Villages Association asked that Council detail the financial arrangements as they relate to Holiday Haven Parks and could they provide a list of expenditure that has directly supported the Bendalong/Manyana area over the past 12 months.

Council

Mr Dun advised the meeting that there were over 100 Crown Trust owned Reserves across the city and Holiday Haven had Tourist Parks on 12 of them. According to the Crown Lands Act revenue raised on Crown Land must be spent on the land it was generated on unless the Minister for Lands determines otherwise.

Council, in the past, has been applying to the Minister for the revenue from Holiday Haven Tourist Parks to be spent on other Crown Reserves throughout the City. The LPMA are now taking a very keen interest and are indicating they will be stricter in where the revenue is spent. The LPMA have been given clear direction from the Minister that the revenue from the Holiday Haven Tourist Parks should be put back into the parks to make more money. It is to be noted that the LPMA take 5% of profits before any revenue is spent or redirected. Council is keen to negotiate this point as the State Government has made a definite shift on what the revenue is to be spent on.

Community Comments

The Red Head Villages Association asked how much revenue was spent on the Benadalong Tourist Park last year and how much was spent on the two other Crown Reserves in Bendalong.

Council

Mr Dun explained that approximately \$300,000 was allocated to the Park and the remainder was used on Crown Reserves in Area 5. The Shoalhaven is separated into 5 areas for Crown Reserves and the revenue from Bendalong was shared across those areas that includes Bendalong and also Ulladulla, Lake Tabourie and other areas in the vicinity.

c) Community Council Meetings

Mr Dun advised the meeting of the recent resolution from Council regarding community Council meetings as follows:

- a) *Council liaise with all CCBs regarding the possibility of conducting future Council meetings in our villages, subject to a clearly identified need as expressed by the local community regarding items of public concern;*
- b) *When major Council policy initiatives are being considered by Council the General Manager consider holding the relevant Ordinary Council meeting in the affected community;*
- c) *Council hold an Extra Ordinary Council meeting before the conclusion of 2010 at a Bomaderry High School specifically on Youth related issues and that*
 - i) *It be resolved that the Code of Meeting Practice be suspended to allow for presentations from young people as well as youth and community workers involved in fostering, developing and supporting local young people*
 - ii) *The Youth Advisory Committee be consulted on specific motions and agenda items to be considered*
- d) *Report be submitted to Council on the costing involved in community Council meetings.*

Council will write to all CCBs to inform them of the resolution and Mr Dun explained that if there is an issue that is particularly important to a specific area Council will endeavour to hold their Ordinary meeting, that resolves the issue, in that town or village. Mr Dun also explained the intricacies and cost involved with holding the meetings in other areas noting that the sound equipment alone came at a cost of \$2,000.

Clr Fergusson, the seconder of the Motion, explained that it was not meant to hold meetings in every town and village but more so in the main areas such as Berry, Bay & Basin and Ulladulla.

Clr Watson reiterated that Council will hold their meeting in Ulladulla when DCP 56 was to be resolved, hopefully in November 2010.

Community Comments

The Ulladulla & Districts Community Forum requested that Council advertise the fact that if someone wishes to address the meeting they need to seek permission.

Action: F&CS advertise the need to seek permission for deputations to Council meetings

5. DEVELOPMENT & ENVIRONMENTAL SERVICES

a) Tree Policy

Mr Fletcher advised the meeting that the Tree Management Policy was currently being reviewed. Following the adoption in 2005 the policy essentially stated that, for private land, no Council approval is necessary if any part of a tree is above a line 45° from the vertical extension of the wall of any building measured at its base. Exceptions to this are trees located on foreshore areas, heritage trees and environmentally zoned areas.

For trees located on public land (road reserves or public reserves) the 45° rule applies as well, but if a resident requests a tree be removed because they consider the tree to be dangerous/hazardous, staff inspect and determine if it is dangerous, if so it is removed. If there is disagreement following inspection, then the resident may have their own arborists report prepared or have the matter considered by a staff review panel. If the review fails to determine the tree is dangerous/hazardous and it is within 45° of the residents' asset then they may apply to remove the tree at their own cost.

Mr Fletcher advised that Council adopted the Tree Management Policy, with few changes since the 2005 review, at its meeting of 21st September 2010.

b) Dual occupancy DCP 57

The meeting was advised that this document was currently being reviewed and due to Councillors declaring a pecuniary interest in the matter it was determined that DCP 57 be deferred to a newly formed DCP 57 Review Committee, consisting of five Councillors with delegated authority, to be resolved by Councillors who did not have a pecuniary interest in the matter.

CCBs were advised that Council has had a "Dual Occupancy DCP" since the 1970's but it was known as the "Granny Flat Policy". Up until 2006 there was a very low uptake rate for

dual occupancy but the Subdivision Policy changed the situation and the development of dual occupancy increased for investment gains purposes.

The Review is quite extensive as it is a topical issue with a wide divergence of views. The document addresses the demographic change in community houses, larger houses with fewer occupants.

There is now a push to increase the availability of dual occupancy and local communities are concerned this will change the character of their towns but subdivision provisions have tight constraints and will ensure developments don't change the communities character.

Changes to the document are listed below:

- Relaxation in minimum areas for dual occupancy – minimum lot size 800m² for certain areas will be reduced to 700m² and will bring together dual occupancy v's subdivision
- For larger areas a 700m² lot when divided, the lots must be 350m²
- For the next tier size, such as Milton and Vincentia the lot must be 800m² with a minimum of 400m² for individual lots
- The very small areas, subdivision does not apply
- Berry to be a separate issue for heritage/character reasons
- Floor space ratios the same in dual occupancy and subdivisions
- Areas for open space
- Car parking requirements
- Dual Occupancy in Cul-de-sacs
- Adaptable housing provisions
- Encourage dual occupancy to be initially designed for conversion for disabled and/or aged
- Kerb & guttering

Mr Fletcher advised the document was definitely easier to understand and hoped it would be adopted at the meeting of the DCP 57 Review Committee scheduled for Tuesday 19th October 2010.

Community Comments

Mr Fletcher was asked if Contributions were paid on subdivisions and if Tabourie Lake was suitable for dual occupancy.

Council

It was advised that Contributions are paid on subdivision and that there was a low chance of uptake on dual occupancy within Tabourie Lake.

c) Update – Draft DCP 118 Areas of Coastal Management (Ulladulla & Districts Community Forum)

The meeting was advised that the draft DCP had been on exhibition and lots of submissions had been received with concerns raised on development applications on foreshore blocks. Concerns have also been raised with the SMEC studies regarding how the "hazard lines" were determined and Mr Fletcher advised that there would be a peer review on the Study.

The new draft LEP includes a Standard Clause on how Councils deal with DAs on foreshore blocks and the DCP must fall into line behind that and the Interim Policy will be reported back to Council in October. Council is confident that the Interim Policy will not be negligent and adopting the Interim Policy will enable Council to deal with applications and also guides where Council is going with DCP 118.

6. GENERAL BUSINESS

a) Windstorm

Mr Pigg advised the CCBs that Council crews estimated that work will continue for approximately another four weeks to remove all the vegetation from road sides and another three weeks to clean up parks.

The CCBs were requested to place the matter of the windstorm on their CCB meeting agendas so feedback can be obtained on issues such as whether the community felt that Council dealt with the situation the best way they could or if they thought something could be improved.

The meeting was advised that the free green waste tipping had been extended but was due to finish on the long weekend. It was also advised that Council would not be cleaning up from private land and if residents still had green waste on their front lawns they could contact Council's Waste Services on 4421 5786 to arrange for pick up at the normal cost.

There being no further business, the meeting concluded, the time being 12.15 pm.

Russ Pigg
CHAIRPERSON