

## Answers to Question Without Notice

---

TRIM REFERENCE: f2004/07782 - D02052633

AUTHOR: GW

*Do not delete this line*

### Q45 - Cabbage Tree Harbour Surveillance and Security

Q45 was asked by Councillor Eaton at the Ordinary Meeting on 22 July 2009:

*“Could Council staff advise the costs to date of maintaining surveillance/security at Cabbage Tree Harbour and when this surveillance is expected to conclude?”*

*Do not delete this line*

#### Surveillance

Following the June 2007 storms and landslips at Cabbage Tree Harbour, the beach has been closed to the public for reasons of safety due to possible further landslip. In addition, surveillance of the beach has been carried out primarily by Council Lifeguards for over two years. During this period, there have been no incidences related to public safety from landslip issues although there has been considerable earth movement on the slope. In addition the lifeguards have carried out several surf related rescues, the most recent being about two months ago where a swimmer was pulled from the water and resuscitated.

The cessation of this surveillance is dependent upon completion of the work by residents at the top of the slope under Orders issued by Council. These Orders were issued under the Local Government and the EP&A Acts. The residents were required to remove structures, such as retaining walls, fill and other materials placed without Council approval and to re-grade and re-vegetate the slope to a stable grade. This work is designed to address the risk to public safety on the beach below due to further slope failure. This work is also required prior to construction of the Toe-Drainage structure to ensure the safety of contractors or day-labour staff working on the beach.

A range of work has been carried out by some of the landholders, but to date, there has not been complete compliance with the Orders. This is a process that the residents have found difficult and Council has been moving towards Court Action to gain complete compliance. However, to ensure a positive outcome for Council, should the matter proceed to Court, Council's legal advisors have recommended that Council should exhaust all avenues to negotiate an outcome if at all possible. In this regard, Council has been working closely with the residents to ensure compliance with the Orders. Recent breakthroughs have been achieved with Council issuing new Orders to replace the original Orders and, although requiring similar work to be undertaken, are less onerous and more cost effective for the residents. The residents have now generally agreed to comply with these Orders in a timeframe conducive to construction of the Toe-Drainage Structure. The current Orders require completion of the works required to be undertaken by the end of October 2009. Failure to comply will lead to immediate Court action by Council.

The cost of surveillance since July 2007 to date, a period of two years and two months, is \$539,483.00 comprising the salary costs of staff in attendance. The on-costs for the salaries component are an additional \$147,340.00.

*Do not delete this line*

#### ATTACHMENTS

Nil