



Meeting Minutes

Patonga Crown Reserves and Dark Corner Cottages Plan of Management Community Reference Panel (CRP) Meeting

Thursday, 19 September 2013
2.30 – 5.00 pm
Erina Centre

Present:

CRP Member	Initials	Representing
Stewart Veitch	SV	Crown Lands
Rob Micheli	RM	Crown Lands
Colleen Worthy-Jennings	CWJ	Gosford City Council
Kim Radford	KR	Gosford City Council
Katherine Bridekirk	KB	Gosford City Council (Minutes)
Andrew Minto	AM	Patonga Beach Progress Association
Philip Doughty	PD	Patonga Beach Progress Association
Dain Simpson	DS	Patonga Community
Mark Zwan	MZ	Patonga Community

Apologies:

Nil

1. Matters Arising from the Minutes

- SV advised there was no need to move a Motion to accept the previous Minutes, as this was done via email prior to posting the Minutes on Council's website.
- DS requested more detailed discussion be contained in the Minutes. SV advised that the Minutes are meant to be a reflection of discussion points and outcomes only, and they are not meant to be a verbatim copy of the proceedings. SV advised that individual panel members should keep more detailed notes if they desired, however; if specific wording is considered important, members should clarify this with the minute taker during the meeting.
- PD asked if the Dark Corner precinct would be separated from the overall Plan. SV advised if we move a Motion to have it separated, we would need to reflect crossovers between precincts. RM advised that the bulk of the report would be reduced by removing the Conservation Management Plan (CMP) that is currently annexed to the Plan and leaving it as a separate document, also that it would be preferable to retain linkages and minimise duplication of administrative processes by leaving the Dark Corner precinct in

the overall Plan. Crown Lands will review this position once the CRP has reviewed the remainder of the Precincts.

- a) Review undertaken of the **Community Submissions – Management Strategy Tables – Precinct A: Dark Corner**. Discussion indicated below and suggested amendments are shown in Attachment 1: Revised Management Strategy Table – Dark Corner Precinct A.

5.5.1 Appropriate Tenures

Only minor wording change to this strategy was considered necessary – see Attachment 1. PD asked if new tenures would be discussed with tenants, SV advised yes. Tenures will be licences at this stage, not leases and the terms of licences are yet to be determined and will be negotiated with occupants/tenants. Changes agreed by all.

5.5.2 Control of New Works to Cottages

RM advised one cottage has been burnt and has collapsed, and that if anyone loses a cottage through fire, flood etc, they should have an opportunity to replace the cottage. The highest priority as reflected by the CMP is for the ongoing conservation of the heritage values of the Dark Corner cottages. RM advised any maintenance or repairs would need to be in accordance with any planning requirements and the CMP. Fences may need to be redefined in the future in line with new licence conditions.

MZ commented that the submissions summarised as “support all works” does not appear to show much consideration by the person who made the summary. RM advised that the “support all works” was most likely specific to this strategy and not the overall precinct. (Note – this has since been confirmed by reviewing the nine submissions referred to).

CWJ advised that any proposals for this Precinct would have strict heritage requirements – if proposals were not consistent with heritage values they would be unlikely to receive planning approval.

SV advised that new licences would be subject to negotiations with cottage occupants.

No changes to wording required. All in agreement.

5.5.3 New Development

Crown Lands are happy to remove the reference to the museum and tourism. Discussion was held concerning whether Dark Corner was listed as a heritage precinct or the cottages were listed individually. The Gosford Planning Scheme Ordinance lists 7 houses at Dark Corner, Patonga as Heritage Items. However, the CMP would also guide future development.

AM noted that the CMP does not have any policies that relate to building on vacant lots and asked if the rebuilding of structures on vacant lots is appropriate. He also advised his objection to any new development on vacant sites, and to the wording in the strategy “enable greater public use”.

Changes to the wording from the above discussions are shown in Attachment 1. Changes agreed by all.

5.5.4 Issuing New Tenures

There was concern expressed over the wording “Crown Lands may also investigate holiday rental opportunities over vacant sites to enable wider accessibility of this public land to the general public providing they are compliant with relevant planning and/or other statutory requirements”

Changes to the wording are shown in Attachment 1. Changes agreed by all.

5.5.5 Interpretive and Directional Signage

Crown Lands are happy to remove the whole section as it relates to Dark Corner Cottages. All agreed.

5.5.6 Restricted Access and Car Parking

Submissions were generally balanced for and against the strategies relating to restricted access and car parking.

KR requested it be documented that Council is not liable for vehicle movements to cottages/parking area, including any issues to do with the unstable nature of the sand.

Revised management strategy to be reworded by Crown Lands and provide for:

- 1) Resident parking overnight – 1 vehicle
- 2) No visitor parking except for tradesmen
- 3) 4WD vehicle access only
- 4) Gate keys for residents to be managed in accordance with new tenure conditions
- 5) Liability of vehicle movement hazards to be managed by tenants – licence agreement to have conditions to protect interests of Council and Crown
- 6) Licence agreements covering these items to be further negotiated with cottage occupants

MZ asked if anything needs to be done with the gate. KR advised that no changes are required – there is currently a locking system. All matters to do with parking will be addressed as part of the Patonga Boat Ramp Precinct.

See Attachment 1 for reworded strategy – for discussion at next meeting when Dark Corner strategy and action plans are reviewed for consistency.

5.5.7 Erosion Control

DS raised the issue of the reference to an environmental levy, and SV advised he was happy to take this out as it is not Crown Lands practice to impose environmental levies on licensed holdings.

PD stated he does not see why tenants should be responsible for erosion.

Crown Lands advised that erosion protection primarily benefitted cottage occupants and that any response would require proper engineering advice as to the scope of the problem and cost of remediation options. Appropriate funding sources have not been identified and it is not currently a priority for State Government or Council. Any new retaining works or repairs must have proper planning approval and land owner's consent.

These matters are typically funded either by adjoining land owner's under approved works, or where it is considered to significantly be a threat to the community, Council can apply to the State Government Coast and Estuary Program (managed by the Office of Environment & Heritage). The hazards are usually defined in studies or in the estuary management plan and the funding needs to be matched by Council. The possibility for other Commonwealth funding sources or rent from new tenures are potential options.

AM advised that a distinction needs to be made between land in front of cottages, and the foreshore. SV advised that new licence holdings would require definition of the curtilage. Maintaining public access along the foreshore is a key requirement.

MZ asked if all existing tenures would be going over to licences, SV confirmed this was the case.

All agreed to proposed changes – refer to Attachment 1.

5.5.8 Bush Fire Control

No changes required – all agreed.

5.5.9 Great North Walk

SV advised this is promoted, supported and funded by the Government and in keeping with the reserve purpose of public recreation.

Concerns were expressed with the staging area and it was agreed to remove this component.

MZ advised he has a problem with the installation of any park furniture. He feels if seats are installed, it will attract people who have no intention of doing the Great North Walk. He also does not support installation of tables at this locality. KR advised any seating would be sympathetic to the environment, and would be low-key, and consideration would be given to anti social behaviour that occurs.

All agreed to proposed changes – refer to Attachment 1.

5.5.10 Environmental Levy (Additional)

This additional strategy was included for discussion based on public submissions. This was covered under 5.5.7 and no longer required. All agreed.

5.5.11 Overall Dark Corner (Additional)

This was deleted. All agreed.

- b) Review undertaken of the **Community Submissions – Management Strategy Tables – Precinct F: Patonga Beach Progress Hall and Volunteer Bush Fire Brigade**

Crown Lands advised that this precinct could be removed from the Plan all together. Moved by SV, seconded by MZ. Carried.

- c) AM requested that Crown Lands updates the Action Plan Table based on the agreed changes to the Management Strategy Tables prior to the CRP review. RM advised that he will give it a high priority to update and distribute as soon as possible, hopefully within the next two weeks. SV advised there is no guarantee on this timing, due to limited resources. See Attachment 2: Revised Action Table for Dark Corner – Precinct A.
- d) SV requested that due to the lateness of the hour, business to be deferred to return to the remainder of the Agenda items.

2. New Items

- a) Terms of Reference (TOR)

SV advised there had been much email exchange regarding the TOR and in particular the capacity to resource the “Have Your Say” website. The Minutes and all attachments were placed on Council’s website, within agreed timeframes. AM advised he believed the “Have Your Say” website was necessary if no consensus is reached on a particular subject, and a feedback option such as this would assist the CRP in moving forward. DS said the community has the right to have a say. SV advised that’s what the CRP was set up for and the representatives should further interact with the community as required.

The resources to allocate someone to collect, assess, collate and report any feedback received on this website are not currently available. KR confirmed the original intent was to use the feedback option on the website as a tool only when there was no consensus from the CRP – this was anticipated to only be required infrequently and not constantly over the six month duration of the CRP.

SV reiterated the preference for the CRP members to continue the current interaction with the community through the workshops and forums they have undertaken to date and continue to act in an advisory role to the CRP. SV commended the work the community and Progress Association representatives have undertaken thus far.

Motion moved by SV that the TOR cannot be supported as set up, and will be altered to reflect what can be supported. The reasons why are to be listed in the TOR. Seconded by MZ. Motion carried. SV advised the TOR would be updated, and emailed to Council to place on Council’s website.

SV requested all four community representatives email addresses be added to Council's website, so members of the community have contact details to provide feedback. This was supported.

b) Role of CRP

AM raised the question regarding the role that the CRP will have in relation to discussions/determinations regarding boundaries, encroachments and declared uses.

SV advised that "determinations" are not able to be made by the CRP, as this falls under the jurisdiction of the Minister. SV noted that Crown Lands support the option for CRP to discuss issues related to boundaries, encroachments and declared uses and comments from CRP would be considered in any decision on these matters.

PD asked that the word "determinations" be deleted so as to confirm the role. That is: The CRP role in relation to boundaries, encroachments and declared uses will be to raise and discuss issues only.

Moved by SV, seconded by KR. All agreed, Motion carried.

3. General Business

a) General questions or additional items – around the table

MZ asked SV if he has Ministerial delegation. SV confirmed that a high number of powers are delegated to his position under various legislation, although he actively kept the Minister advised.

AM asked what land the camping ground was defined as and whether the boundaries had been surveyed. SV advised that Lots 7004 and 7006 are both reserved for Public Recreation with Council appointed as Trust Manager and it was unlikely that they had ever been formally surveyed. KR confirmed that Council had not engaged a surveyor to define these boundaries and that the word survey in the Plan refers to a survey of trees and sites by GCC.

AM advised the community believed that the foreshore reserve also included Access as a public purpose. SV and RM could not confirm this and agreed to make further investigations and advise CRP as part of minutes for this meeting. Confirmation that Access has been revoked as a public purpose from Lot 7004 is shown in Attachment 3.

AM advised that the community believes the camping ground has expanded beyond Lot 7006 into the foreshore reserve covered by Lot 7004. SV advised both are public recreation areas and the use is compatible with the purpose. Further Crown Lands has never defined the exact reserve land to which the caravan park resides on.

AM said the community wants the camping ground to remain within Lot 7006. MZ asked if 7004 is defined as 30 metres from the high tide mark in the gazetted area, AM advised that the plans he had seen said it was 150 links from the high water (about 30 metres).

SV advised that the seawall was only recent and does not indicate the high water mark – a mean high water mark definition survey would be required to be undertaken by a registered surveyor and endorsed by Crown Lands. SV advised that staff surveyors were not able to schedule a definition survey at this stage, and that the Plan is about the use of Crown Land and discussions should focus on this outcome. SV acknowledged that this matter remains a concern for community and recommended that Crown Lands and Council are more than happy for these matters to be raised as part of the discussions on relevant precincts of the plan. SV stated that if the community propose the PCCA be limited to 7006 he would also support the discussion.

SV recommended that further discussion on this matter be deferred to the meeting where the relevant Precincts will be discussed and the community representatives can make recommendations on the relevant strategies and actions at that time.

b) Items for next Agenda

Precinct A – Management Action Tables. Precinct C – Management Strategy Tables.

The next meeting will be held in the Patonga Community Hall, between 2.30 – 5.00pm on Thursday, 17 October 2013.

4. Close

CWJ left the meeting at 3.55 pm. The meeting was closed at 5.30 pm.

Action Table

Meeting & action number	Item number (from Minutes)	Issue	Responsibility	Completion Target	Completion Date
1.8	4. a) v) (Meeting 15/8/13)	CRP to review Dark Corner Precinct Management Strategies and Actions from the draft plan for discussion of recommended changes at next meeting.	All CRP	19/9/13	19/9/13
1.10	4. b) (Meeting 15/8/13)	CRP to review Precinct A & F and bring their requested change of wording/suggested additions to Management Strategies and Actions the next meeting.	All CRP	19/9/13	19/9/13
2.1		Council/Crown Lands to circulate Minutes of Meeting (19/9/2013) for CRP review.	KB KR RM	5pm - 23/9/13	27/9/13
2.2		CRP to provide Minute taker with any changes.	All CRP	12pm - 25/9/13	30/9/13
2.3		Council to load Minutes onto Council website.	KR	27/9/13	1/10/13
2.4	1. a) 1. b)	Council/Crown Lands to finalise changes to Precinct A Mgt Strategy Tables (and remove Precinct F altogether) and email to CRP. See Attachment 1: Revised Management Strategy Table – Dark Corner Precinct A.	KR RM	3/10/13	27/9/13
2.5	1. c)	Council/Crown Lands to revise Precinct A Action Plan Tables based on agreed changes to the Mgt Strategy Tables and email to CRP. See Attachment 2: Revised Action Table for Dark Corner – Precinct A.	KR RM	3/10/13	27/9/13
2.6	2. a)	Crown Lands to update Terms of Reference (TOR) and email to Council to load onto Council's website	SV RM KR CWJ	10/3/13	14/10/13
2.7	2. a)	Council to place all four community member's email addresses on Council's website.	KR	10/3/13	8/10/13
2.8	3. a)	Confirmation that Access has been revoked as a public purpose from Lot 7004 – see Attachment 3:	RM	10/3/13	27/9/13

		Lot 7004 status.			
2.9	3. a)	CRP to review Precinct C – Patonga Caravan and Camping Area and bring their requested change of wording/suggested additions to Management Strategies and Actions to the next meeting.	All CRP	17/10/13	
2.10	3. b)	Circulate agenda for next meeting.	RM	10/3/13	<u>14/10/13</u>