

SAVE
OUR
BOOMERANG
PARK

BPAG–BOOMERANG PARK ACTION GROUP INCORPORATED

(Our Ref: BPAG-PSC let 29-1-2015)

Email: boomerangparkgroup@bigpond.com

Thursday, 29 January 2015

Mr Wayne Wallis
The General Manager
Port Stephens Council
PO Box 42
RAYMOND TERRACE
NSW 2324

Dear Mr Wallis

We are BPAG-BOOMERANG PARK ACTION GROUP INCORPORATED. Our group is a not-for-profit community organisation established in response to community objection to Council's plan to rezone a 4.5 hectare (11.12 acres) portion of Boomerang Park, Raymond Terrace.

We are writing to you to express our deep concerns with the Draft Master Plan for Boomerang Park, primarily the proposed residential development at Boomerang Park and the exclusion of the community in the planning process.

We believe that the general public of Raymond Terrace haven't been made aware that Council is trying to rezone a large portion of Boomerang Park from Common Land to Operational Land for residential development. There has been minimal community consultation and the planning process has been by stealth. The feeling out there is one of outrage that Council could act in such a manner showing apparent lack of concern for the best interests of the community that supports Council.

The community consultation for the Master Plan consisted of less than 1% of the Raymond Terrace community. It was documented that at the Community Workshop, held at the Senior Citizens Centre on the 18 November 2013, seventeen (17) of the people who attended were community members, representing .001% (17 out of 12725) of the Raymond Terrace population and .00025% (17 out of 67746) of the Port Stephens population. Together with the "selected stakeholders", these were the only people included in the process. This is unacceptable.

A resident who attended this workshop informed us that Council did not show any residential development on the plans or indicate that they had any intentions to develop any portion of Boomerang Park.

Consequently members of the community were misled into accepting a plan which promised them a park upgrade with no parkland sacrificed.

We have also been advised by some of our younger population, who were on the Youth Advisory Panel, that Council approached them to comment on the Draft Master Plan. The plan that they were shown on 16th January 2014 did not indicate any part of the park being rezoned for residential development. In this meeting Council presented an image of the Boomerang Park Plan which showed the planned improvements but omitted to identify any portion of land for development. The group collaborated on many ideas including a child friendly park, appropriate lighting to keep the area safe at night, to keep all the trees where they are and to use natural resources to build park benches etc. One member was irate in her defence of the land against development, knowing that it was a possibility, having seen past plans. She was personally guaranteed, by council, that there would be no development on the park. The Council representatives said they would note their ideas, highlighting again that developing any section of the park wasn't part of the plan.

The subsequent Draft Master Plan did not adopt their concerns or ideas. The group was to find out, through the media in an article published in the Port Stephens Examiner on the 13th February 2014 stating that "Almost *three acres* of Raymond Terrace's Boomerang Park could be sold off for development to help fund the playground".

This deceitful consultation process exploited these young people who generously shared their time and values only to find that the Council they had trusted had betrayed them.

To the dismay of the community the Draft Master Plan, that was to follow, included three (3) separate parcels of land for possible rezoning for future residences, totalling an area of approximately eight (8) hectares (19.768 acres). The Draft Master Plan was exhibited between 21st June 2014 - 15th July 2014.

The public submissions that followed on this Draft Master Plan proposal, appear to have been not considered or valued by Port Stephens Council. They were ignored. There were eighteen (18) submissions in total and of these, seventeen (17) primarily opposed the residential development plus other aspects of the Draft Master Plan.

Many of these submissions were very detailed with residents putting a great deal of time and thought into their comments and suggestions. Many submissions put forward intelligent alternatives to the proposed residential development and constructive ideas for the park's upgrade. With the inclusion of such a large portion of Boomerang Park earmarked for residential development, in the Draft Master Plan in prime Park positions, many of the new proposed recreational facilities have been poorly located. Council asked the community for their comments and suggestions but failed to apply this information as a tool to involve the community and achieve a park upgrade that reflects the community and its needs. This consultation essentially excluded the public in the planning process while satisfying Council's community consultation requirement.

Another submission from the Comprehensive Koala Plan of Management Steering Committee (a committee of Port Stephens Council) highlighted Boomerang Park as vital to the "survival and genetic diversity of the local koala population". Members indicated that Boomerang Park is

identified as “habitat for koalas”, supporting “remnant koala feed and usage trees” and remaining “an important linkage for the current Raymond Terrace koala population”. They stressed that “there are networks of reserves in the area that provide stepping stones and safe havens for koalas during their journeys” and Boomerang Park is one of these vital links.

Koalas are protected at a Federal level under the Environment Protection and Biodiversity Conservation Act 1999, and in NSW under the Threatened Species Conservation Act 1995, maintaining Boomerang Park as a koala habitat is essential to the health and survival of Port Stephen’s koalas.

It is concerning that works have already started on the Boomerang Park upgrade when the planning process is still in its draft stage. Picnic tables have been erected and tenders for the playground are open. Works should not commence until all aspects of the design are finalised, as the current location of the playground and other recreational facilities along Irrawang Street would be better located in the prime position in the park where the residential development is proposed.

Other developments in Boomerang Park that have also been undertaken, again with minimal community consultation, are the Men’s Shed and the playground. They have gone through the Development Application process with consultation limited to ‘stakeholders’ only. Muree Golf Course is also looking at an upgrade that has the potential to further impact on the amenity of Boomerang Park and the community; again the process is being undertaken in secret.

Our Boomerang Park is the main park in Raymond Terrace. It is Heritage Listed. It is a major landmark in the centre of town with historical, social, natural and cultural heritage significance. Combined with the Historic Pioneer Cemetery, Boomerang Park heritage references reflect and strengthen the character of the Raymond Terrace and its community. Weakening these ties weakens a community when the community of Raymond Terrace needs strengthening.

There is no argument that Boomerang Park is under-utilised, but it has been so because people are turned away by the poor state of the park due to the years of neglect by Council. Boomerang Park is an asset to the community as a green open space: a space for all members of the community to enjoy and benefit from. Money has been allocated in the past to manage, enhance and upgrade this community facility but unfortunately these funds have never been realised. Works to date have been no more than token gestures giving rise to its neglect. Council should be maintaining Boomerang Park for the benefit of all the community. This current proposal to upgrade Boomerang Park is well overdue, and very much encouraged by the community but Council should not be endorsing developments that exclude the public from large sections of the park. They should be maintaining Boomerang Park in the best interests of the community, not vested interests, and allowing untrammelled access for all. It should be free, unrestricted and open.

The whole community is happy to see a Master Plan being developed to make Boomerang Park more community-friendly and to encourage use, but Council should value this asset with a positive vision from a community’s perspective and not from a developer’s.

We believe that the Raymond Terrace community is very angry about the process and the draft outcomes of the Boomerang Park Master Plan. Boomerang Park deserves a Master Plan worthy of its enhancement, not its decline.

BPAG-BOOMERANG PARK ACTION GROUP INCORPORATED is a strong community group that has formed to be a voice for Boomerang Park. We would ask you to please rethink your position on the redevelopment of Boomerang Park and to take into account and include the people of Raymond Terrace in the process. Public support for our campaign has been overwhelming, driving us to stand up and take action. We are committed to saving *our* Boomerang Park from being rezoned and sold.

We believe that the Draft Master Plan for Boomerang Park is wrong. The process that has been undertaken is misleading. It is unfair for the community and for the park, and it is wrong for the council to endorse a plan that has failed to represent the majority of the community. We as a community have a democratic, fundamental right to voice our concerns to change this plan and get it right.

The Local Government Act 1993 Chapter 6 Part 2 Division 1 indicates that to rezone land from Common Land to Operational Land there is a requirement of a Public Hearing under section 57 of the Environmental Planning and Assessment Act 1979. We would request that the Council abides by the Act and has a Public Hearing to address this matter.

The Boomerang Park Plan of Management November 2000 clearly states that Boomerang Park is of considerable significance to the people of Raymond Terrace and that it is Council's belief that all issues should be considered holistically via this Plan of Management process so that informed and consistent decisions can be made in respect to Boomerang Park. It also states that the management plan is to provide a mechanism for the community to participate in setting the management direction for Boomerang Park. Its vision statement reads:

"To provide public open space that enables a wide range of recreational, cultural, conservational, educational and community based activities to be undertaken in a manner that adds to the scenic and social attributes of the Raymond Terrace planning district".

The Boomerang Park Plan of Management clearly sets out its Aims, Objectives and Policy statements in respect to the management of proposed developments, cultural and natural heritage, and koala management.

The Boomerang Park Plan of Management states that "as per the requirements of the Local Government Act (1993, as amended) the sale of the land or part thereof should not be considered as a management option for the future of the site" and that "Alienation of any part of the subject site from the general community use should be restricted unless a greater public need can be established and supported by the community".

The Boomerang Park Plan of Management contains "Figure 1.3 Proposed Site for Skate Park and expansion of Community Services Buildings". This figure indicates an area along Irrawang Street that is designated for community services. The proposed location of the Men's Shed, in the Draft Master Plan for Boomerang Park, is indicated outside this designated area. This, together with the proposed location of the residential housing zone, directly contravene policies put forward in the Boomerang Park Plan of Management November 2000 which Port Stephens Council adopted as a tool to guide, care and manage Boomerang Park.

BPAG-BOOMERANG PARK ACTION GROUP INCORPORATED requests that Council thoroughly engage the community of Raymond Terrace in the planning process for the Draft Master Plan for

Boomerang Park; that Council does not rezone any portion of the Boomerang Park from Common Land to Operational Land; that Council does not allow residential development on any part of Boomerang Park; that any development on Boomerang Park should be community based located in the designated area for community services; and finally, that any improvements on Boomerang Park should promote a strong sense of place and town pride, which helps foster a healthy, cohesive community.

We urge you to have the foresight of our fore-fathers, who gazetted Boomerang Park back in 1837 to the people of Raymond Terrace, to maintain Boomerang Park as Common Land for now and for future generations.

BPAG-BOOMERANG PARK ACTION GROUP INCORPORATED has a petition running to stop residential development on any section of Boomerang Park, and the general consensus out there in the community is one of shock. The comments have been "Council wouldn't do that! Council couldn't do that! It's our Park!". We have well over a thousand signatures and the groundswell is growing.

BPAG-BOOMERANG PARK ACTION GROUP INCORPORATED is eager to work with Council to discuss workable alternatives to stop the rezoning of Boomerang Park. Our course of action at this stage is to initiate dialogue so we are engaged in the planning process as a stakeholder. We request that three of our representatives meet with council to discuss our concerns, and would appreciate your emailing BPAG-BOOMERANG PARK ACTION GROUP INCORPORATED boomerangparkgroup@bigpond.com with a suitable time.

We thank you for your time and look forward to hearing from you in the near future.

Yours sincerely,

Jillian Lye (Chair)

BPAG-BOOMERANG PARK ACTION GROUP INCORPORATED

CC:

1. Lord Mayor Bruce Mackenzie
2. Councillor Sally Dover
3. Councillor John Morello
4. Councillor John Nell
5. Councillor Chris Doohan
6. Councillor Geoff Dingle
7. Councillor Steve Tucker
8. Councillor Peter Kafer
9. Councillor Ken Jordan
10. Councillor Paul Le Mottee
11. Planning Department, Port Stephens Council