



ISSUE 1

MAY/JUNE 2010

This is the first of our regular newsletters aimed to keep our community in touch with the 'hot' issues affecting us all on the Tomaree Peninsula. Not all matters will be dealt with in each newsletter but you can check the website for other issues of concern and in-depth detail of the items covered below.

In this issue, read about the Proposed Rate Increase, Salamander Centre Land Sale, Redevelopment of the Nelson Bay CBD, New Plans for Caravan Parks and the Redevelopment of Birubi Beach Surf Club.

RATE SLUG NOT ON!

Port Stephens residents already pay one of the highest rate levels in NSW, so it was with incredulity that residents learnt that Council proposes to apply for an increase in rates of 8.86% above the State Government rate pegging level of 2.6%. Given the Council's parlous financial position caused by major investment losses, huge increases in the cost of employee salaries and benefits, and the depreciation of public assets it is easy to see Council is looking for a quick fix. Over the past two years Council has increased rates by 8.8%, and if this additional increase goes ahead it will bring the total increase in rates for Port Stephens to 17.66% since the onset of the global financial crisis.

Chairman, Bob Young, said, *'There are substantial cutbacks that council can and should implement before they put further pressure on an already financially strapped community as a consequence of the economic downturn. When council can demonstrate that it has the will and the way to reduce its own overheads and financially draining business activities, that's the time they should come back to the community with any rate change proposal.'*

At the March meeting, there was a unanimous vote by 93 members to reject any further rate increase, and there was a growing concern about Council's overall financial position, and a strong feeling that the 'council was out of control'. Members requested representation be made to the Minister for Local Government for an independent enquiry into the financial and management operations of the Council, and the meeting voted unanimously on this motion.

Following the general meeting, members of the TRRA Executive Committee met with the General Manager of the Council, Mr Peter Gesling and other senior staff. to discuss TRRA's concerns about financial management issues and commercial decisions taken by Council using ratepayer dollars. TRRA told the meeting that there was extremely strong negative feeling in the community about any rate increase and reiterated that there were a number of identifiable options for tackling Council's short-fall other than imposing greater hardship on an already overtaxed community. These issues are being pursued with Council.

The April meeting was attended by 70 members and guests who again voted down any increase above the rate peg. Councillors Dover, Ward & Nell attended and were made well aware of the negative attitude.

According to Council a 'community consultation process' has been conducted however this process has been extremely narrow and to the best of our knowledge Council has received very little community support.

At the Council meeting on Tuesday 27 April, Bob Young and Peter Quirk gave a five minute presentation

(<http://www.trra.com.au/docs/Public%20Access%20Statement.pdf>) at the Public Access section of the meeting. Regardless of community opposition Council has submitted a request to the State Government to increase rates.

For further information: <http://trra.com.au/publicity.htm>

SALAMANDER CENTRE LAND SALE

The Council's development application (DA) for the subdivision of land surrounding the Salamander Centre has now been referred to the Joint Regional Planning Panel. The TRRA has made a formal objection to the inclusion of the Mayor and Deputy Mayor on the Planning Panel, on the grounds that they have stated publicly their support for this DA and have been directly involved on the subdivision plans, and have an intimate knowledge of negotiations for land sales that require a positive approval of the DA.

'If we want a fair and reasonable assessment of this DA, and an outcome that considers all planning and environmental issues raised by the community, the Mayor and Deputy Mayor should be replaced with independent representatives,' Chairman, Bob Young said.

TRRA has made a submission to the Planning Panel, through the Council, for consideration in the assessment process and has also requested an opportunity discuss these concerns with Panel members.

Our deliberations and findings will also be presented to members at our July meeting. For further information: <http://trra.com.au/submissions.htm>

NELSON BAY CBD REDEVELOPMENT

In 2008 TRRA made a submission on the Council's draft proposal challenging the statistical basis for the massive increase in projected dwellings and jobs for the CBD, failure to apply the NSW Coastal Development Guidelines, the lack of a traffic management plan, and proposals for high-rise developments towards the foreshore.

On the basis of submissions a second consultancy, Patrick Partners, was asked to prepare a further report on Design Codes and a Draft Development Control Plan which was presented in October 2009.

This latest report has ignored most of the objections raised by TRRA in 2008 and has still sought to achieve a dense urban high rise townscape for Nelson Bay town centre. No consideration is given on the impact of the proposed expansion of the Salamander Bay Shopping Precinct or the fact that there still no assessment of traffic and parking requirements. Of great concern was a proposal for 5 storey buildings across the whole Marina precinct, Apex Park and the Recreation Reserve south of Victoria Parade.

Following a call by TRRA for the report to be made public the Council posted it on the website, just prior to Christmas with some changes reflecting comments received from TRRA and a number of other community groups. The revised draft has also been reviewed by a newly formed Nelson Bay Town and Foreshore Advisory Group (NBT FAG) representing business, tourism, resident (TRRA) and environmental interests.

Council agreed to further community consultations and on 12 March gave a presentation at a Business Breakfast, and at a forum with representatives from NBTFAG. At this meeting it was revealed that all of Council's planning has been to no avail as the TRRA and other organizations were dismayed to learn that the latest report on design codes and a DCP would only apply to the existing Central Business District and not to the waterfront - ie Council would have responsibility for the redevelopment of the business centre BUT the State Government through its preferred developer, Ardent Leisure (a subsidiary of Macquarie Bank) will determine the future of the waterfront.

Although Council and the Department of Lands have maintained that planning for the CBD and the waterfront was being carried out with the closest cooperation between the Council and the Department over the last three years, participants were informed that Ardent Leisure intended to submit a concept plan directly to the Minister for Planning for approval under Part 3A of the Planning Act which provides for DA's for projects of regional significance to be submitted directly to the Director of the Department of Planning for approval.

TRRA wants to know why so much money has been spent on consultants in developing plans which have sought to integrate the foreshore and the CBD when it now seems a useless exercise. TRRA has sought clarification from Council whether the 2030 Strategy and its Development Control Plan could still include these areas, at least as a guide to the State Government about the community's preferences for the Nelson Bay town centre.

Mr Broyd, Council's chief planner has now said in an Examiner Newspaper article *“while either the Minister for Planning or the Hunter Joint Regional Panel [JRP] would have the final say on Nelson Bay foreshore developments, depending on the value of development applications, the JRP would have to take into consideration any framework and controls put into place by the council”*.

The NSW Department of Land and Property Management local officer, Mr Keith Southall has given assurances that there will be further community consultation in finalizing the Ardent Leisure concept plan for the waterfront.

The final consultant's report will be submitted to Council as a basis for a draft Local Environmental Plan and Design Codes. This would go on exhibition prior to adoption. Members and the public are encouraged to look at the Patrick Partners report on Council's website (look under Planning and Development/Planning Strategies/ Draft Nelson Bay Town Centre Guidelines) and to direct their email comments to Nigel Waters at planning@trra.com.au or by phone to Geoff Washington on 4981 3916. For further information: <http://trra.com.au/submissions.htm>

NEW PLANS FOR OUR HOLIDAY (CARAVAN) PARKS

In their original draft plans for the Management of the Halifax, Shoal Bay and Fingal Bay Holiday parks, the Port Stephens Council and the Department of Lands proposed to reduce the proportion of long term caravan sites; reduce short term camping sites (removal of all in Halifax Park); significantly increase number of cabins in all parks; and to take over the public park to the East of Halifax Park fronting Shoal Bay Beach for additional cabins.

In its submission to the Council and Dept of Lands, TRRA called for wider community consultation, and strongly opposed the take over of a public park. The submission stressed the need for further feasibility analysis, and the need for this proposal to be integration with the tourism strategy.

Revised Draft Plans have been completed, taking into account submissions and some further analysis of occupancies, financial data and markets. The latest proposals include provision for camping to be retained in all sites; tourist van sites to be increased in Fingal and Halifax Parks; a reduction in the number of cabins proposed; increased landscaping and space for individual campsites at Fingal Bay; a reduction of long-term caravan sites in all Parks to make way for the other uses but phased over a five year period and provision for moves for some to a small number of vacant sites.

And all this when as a composite group of 'investments' they lost \$2.8m in the last financial year and TRRA is questioning if there is full feasibility studies and Economic models completed that would support increased investment and whether, for example, development like Samurai Beach Resort, that will lose around \$700,000 this year should remain open at all!

Options for the use of the parkland adjoining Halifax Park on the East was still under discussion and Councillors were briefed on the latest version in February. The Halifax Action Group gave a presentation at the Council Meeting on Tuesday 27 April Council. A final report went to Council for decision and thankfully the parkland was left out of the plans. Proving that “people power” is effective!

Further Information: <http://www.trra.com.au/submissions.htm> Please allow time for the document to load as it is a large file.

BIRUBI BEACH - SURF CLUB DEVELOPMENT

The development of the Birubi Surf Club, is described, by Council in its own application, as *"additions to existing Club"* . This is quite misleading as it is a substantial development which includes a restaurant and function centre on top of the existing club building. In fact, the proposal is a major change from a community based facility to a commercial operation, where the Council hopes the commercial activity will cover the costs of the Surf Club.

The Surf Club land comprises a small defined portion of land, enclosed within a defined Aboriginal Place (AP) as defined by the National Parks and Wildlife Services (NP&WS) Legislation.

Birubi Point was zoned and recognised as an AP by NP&WS in April 2007. A process was put in place that required the involvement of both the Department of Environment and Climate Change and the Local Aboriginal Community where full consultation on any development of this land was to be carried out and agreed.

The Council has gone ahead with planning with very little consultation and presented development that is outside of the original understanding and agreement between the Worimi and the Council. Council has, at great cost, now presented a design for the development that is extremely contentious.

TRRA agrees that redevelopment of the surf club area can only be of great benefit, considering its appalling present condition. However it is both supportive of the local Worimi Aboriginal Community and their efforts in achieving input on this planning process, and showing the deserved respect for the culture and heritage values of this AP, as well as representing the views of the tourism industry. The entire development deserves reconsideration and it is hoped that the State Government will be involved in the future planning decisions.

We understand as part of the Council's strategy to trim its budget the Birubi development has been put on hold.

Further information: <http://www.trra.com.au/submissions.htm>

**Next General Meeting
Tuesday 15th June
7.30pm
Nelson Bay Bowling Club**

BackChat:

Please email any comments or questions you may have on any of these or other community issues to: media@trra.com.au and they will be included in our next issue.

For information about TRRA and meetings: info@trra.com.au
For information about membership: membership@trra.com.au

See TRRA's website for further information on all issues, meeting times and details, and members of the committee: www.trra.com.au