

SUBJECT: Adoption of Management Plan and associated Masterplan for Church 'Point'

Meeting: Planning an Integrated Built Environment Committee **Date:** 16 November 2009

STRATEGY: Recreational Management

ACTION: Adopt Plan of Management for Church Point Reserve and Masterplan for 'precinct'

PURPOSE OF REPORT

To adopt the Plan of Management and associated Masterplan for Church 'Point' and to provide an implementation strategy for the proposed improvements - see Referenced Document No 1 [tabled separately].

1.0 BACKGROUND

1.1 Historical context

- The 'Point' at Church Point has historically been an important transport hub, initially for the distribution of produce and building materials to support the needs of the growing early Sydney settlements. Subsequent residential subdivision of the Pittwater area has seen the creation of what are locally described as 'offshore' and 'onshore' communities. The subdivision of Scotland Island is one of the earliest residential subdivisions in the area dating back to the 1920s. With now an estimated 1500 residents living offshore in the southern areas of Pittwater, Church Point continues to be an important land/water transport node, in particular for carparking and dinghy tie up, along with ferry service and associated foreshore and waterway infrastructure. There continues to be goods handling through the Cargo Wharf and commercial activity associated with the General Store and Pasadena.
- The 'Point' is also very important from a recreational, social and environmental perspective. Achieving a reasonable balance with the daily commuter needs has been a long and involved challenge given the often competing demands and differing stakeholder expectations. A long term strategy for the management of the Church 'Point' tends to concentrate on Church Point Reserve as a key ingredient. Church Point Reserve has been created largely as a result of foreshore reclamation in the 1960s and subsequently mainly used as a parking area for offshore residents and visitors to the area. More recently Pittwater Council in the early 1990's created the highly acclaimed scenic foreshore walkway/linear reserve from Bayview to Church Point which provides much improved pedestrian and cyclist access to this location with the intention of extending this further to the west .

1.2 Land Management

- Church Point Reserve is a Crown Reserve over which Pittwater Council has Care Control and Management. As a Crown Reserve it has a primary role to provide recreational amenity for all residents and visitors of NSW alike.

The Department of Lands and Pittwater Council are mindful of the important long standing social need to allow carparking for daily commuting purposes to continue on this Reserve. However this carparking will now need to be on the basis that the general Pittwater resident carpark fee exemption sticker will no longer be valid at Church Point. A separate sticker system and fee will therefore apply at this reserve and the adjoining 'Point' precinct.

- Under the Local Government Act and the Crown Lands Act there is a requirement to develop and adopt a Plan of Management for reserve lands. In addition, in order to provide a management framework for the broader land management and associated infrastructure a Masterplan and management framework has been developed for the whole 'Point'. This recognises the important environmental attributes; the transport, recreational and social hub that Church 'Point' provides and in particular to extend and improve the foreshore access and recreational amenity whilst recognising the need to accommodate existing commuter needs of offshore residents and visitors to this area.
- Pittwater Council, the Department of Lands and representatives of local community groups (Church Point Design Group) have been working on the development of the Church Point Plan of Management (POM) to achieve outcomes for ongoing improvements to the area as a central transport hub, parking area for offshore residents (vehicles / dinghies) and improved open space provision and aesthetics for the precinct, local residents and the people of NSW.
- In order to achieve a broader approach towards the management of the Church Point area, Council has prepared a draft Plan of Management that responds to the challenge of meeting a 'triple bottom line' outcome, integrating economic, environmental and social values. Through the exhibition, public consultation, Independent Panel Review process and Design Group, a final Plan of Management and associated Masterplan has been compiled and is reported to Council for adoption. This forms the basis of this report – see Attachment 1 for a list of Referenced Documents that are also available on the Pittwater web site.
- To facilitate this process, the 'Point' has been compartmentalised into three interconnected precincts, as follows - a brief outline of the current deficiencies and proposed improvements is provided for each:

1.3 **Outline of Church 'Point' Plan of Management and associated Masterplan by precinct – See Referenced Document No 1 [tabled separately]**

Precinct One - McCarrs Creek Rd west of the General Store which takes in the Dinghy Commuter Wharf, the Cargo Wharf and Rostrevor Reserve. Within this precinct the following deficiencies are evident:

- the road alignment at the General Store is poor with poor pedestrian access along the road frontage and the foreshore
- the existing seawall is at best adhoc and where non existent there is a real risk of losing the edge of the road and what little footpath formation there is
- the general foreshore access is poor and can be substantially improved in keeping with the scenic foreshore qualities
- the Commuter 'dinghy' tie up pontoon wharf has multiple depth tie ups which is a safety concern and hence is in need of expansion / rationalisation
- there is inadequate set down opportunity to transfer goods and people to the Commuter wharf
- the Cargo Wharf facility is adhoc requiring improved facilities and management arrangement

- rather than adopt the current road alignment for improvements there is a latent opportunity through realignment of the seawall and specific reclamation to improve safety and provide additional carparking
- the landscaping is poor and can be embellished

To significantly improve the current situation the Masterplan proposes the following upgrades for Precinct One:

- the realignment of McCarrs Creek Rd with the construction of a new seawall and associated reclamation along with traffic calming facilities and landscaping which provides a safer road alignment and an off road carpark area between the new road alignment and the base of the existing road cutting
- the construction of a pedestrian boardwalk along the foreshore as an extension to the scenic walkway to provide safer pedestrian access
- reconfiguration and expansion of the Commuter 'Dinghy' Wharf to improve safety, amenity and capacity
- upgrades to the Cargo Wharf surrounds including provision of a goods delivery zone, secure holding area and screen planting
- upgrades to Rostrevor Reserve
- the option of a single deck of carparking to further increase carpark opportunities which in turn assists with general user pays arrangements
- traffic calming measures

Precinct Two - takes in the central 'Village Square' comprising Thomas Stevens Reserve, the public wharves, the General Store and the Pasadena. Within this precinct the following deficiencies are evident:

- the congregation of commuters and visitors can be better accommodated through expanded foreshore decking that also provides a safer pedestrian access to McCarrs Ck Road as a substitute to the current narrow road link
- it has been the intention to relocate the pontoon 'ferry' wharf further to the west which requires additional wharf decking to provide the necessary connection
- the heritage listed wharf is in poor condition and is in need of a substantial reconstruction
- provision for short duration vessel tie ups is limited
- Thomas Stevens Reserve is in need of a substantial make-over

To significantly improve the current situation, the Masterplan proposes the following upgrades for Precinct Two:

- additional timber decking to the central area to provide improved pedestrian amenity, safety and access - this will remove the current 'pinch point' on McCarrs Creek Rd by providing a foreshore linkage
- relocation of the Commuter 'ferry' wharf pontoon further to the west to be in the desired location - this is dependent upon the additional decking to facilitate the connection
- upgrades to Thomas Stevens Reserve and the foreshore connections to Church Point Reserve including lighting, seating and landscaping
- upgrades to the existing heritage wharf along with a new relocated 'Ferry Master's' building
- provision of short stay vessel tie up pontoons
- consideration of the provision of a kiosk

Precinct Three - is principally Church Point Reserve and its foreshore environs. Within this precinct the following deficiencies are evident:

- the seawall is adhoc and prone to foreshore erosion
- the carpark layout is adhoc making it difficult to optimise and regulate parking and provide for initiatives such as small car spaces.
- The former boat ramp dominates the point and can be reduced in scale to improve foreshore, recreational and landscape qualities
- The amenity of the foreshore walkway and its linear park qualities can be improved

To significantly improve the current situation, the Masterplan proposes the following upgrades for Precinct Three:

- construction of an improved rip rap seawall on an improved foreshore alignment
- improved foreshore access and landscape embellishments
- provision of non-powered watercraft tie-up / storage facility
- carpark upgrades including realignment, space definition (including small car and car share schemes) access controls, drainage, lighting and landscaping
- motor bike and bicycle parking areas
- refurbishment of existing amenities building and bus stop wait area
- construction of dedicated bus bays on Pittwater Rd including pedestrian refuge crossings
- creation of 'Bennett's Point' parkland

Achieving an adopted Plan of Management for Church 'Point' has been an outstanding matter for a considerable period of time. The Plan of Management being presented to Council for adoption via this report has been developed through a Stakeholder Reference/Design Group that has met on a number of occasions over the past 2 years to develop and test options. The recommended draft Plan of Management and Masterplan has been reported to Council and has then been the subject of extensive stakeholder and broader community consultation processes along with an Independent Panel Review. This level of community engagement and scrutiny is far more extensive than other Plans of Management and recognises the complexity and diversity of the issues involved.

2.0 ISSUES

2.1 The Need for an Adopted Plan of Management for Church 'Point'

Under the Crown Lands Act and the Local Government Act there is a need to provide a Plan of Management for Community Land. In the case of the 'Point' at Church Point this has been expanded to include other associated lands and reservations, including waterway areas along with road reserves, through the preparation of a 'Precinct(s)' Masterplan.

Beyond the statutory requirements the PoM provides an agreed direction and common management framework to work toward achieving the vision and associated outcomes sought for Church 'Point'. The preparation of the Plan of Management has regard to the State Government's written advice that the current Pittwater resident fee exemption sticker will no longer apply at Church Point and hence carparking fees will apply to all users. The PoM and associated Business Plan also provide an assessment of the project risks, financial modelling, outline of the implementation processes and delivery of outcomes.

2.2 Development of the draft PoM and associated Masterplan

As indicated in the Background to this report, the draft Plan of Management and associated Masterplan have been prepared with extensive stakeholder, community and technical input. The Design Group comprised representatives from the following who met regularly to test options and refine outcomes:

- Scotland Island Residents Association
- West Pittwater Residents Association
- Bayview Church Point Residents Association
- Church Point reserve Association
- Department of Lands
- Council staff

Through this process, two primary Masterplan options emerged. These were as follows:

- The Church Point Reserve Association (CPRA) draft Masterplan
- The offshore associations' Masterplan

The major differences between these plans and residual issues being:

- the number of core carpark spaces on Church Point Reserve
- the form of the McCarrs Creek Rd realignment and the carpark configuration for the western carpark
- the additional carpark deck option
- the funding strategy for the works, including user pays and proceeds from land sales
- specific user pays arrangements

Although the Design Group could not reach full agreement, the draft PoM and the preferred Masterplan that was generally based on the offshore associations plan were reported to Council and at its Council Meeting of 21 July 2008 resolved to publicly exhibit this documentation in accordance with the Local Government Act, 1993 and the Crown Lands Act, 1989 requirements.

The public exhibition and period for submissions ran from 26 July 2008 until 6 September 2008.

- Notification of the exhibition appeared in the following formats:
 - Manly Daily Advertisement, 26 July 2008
 - Community Noticeboard, Manly Daily, 2 August, 16 August and 30 August 2008
 - A3 sized posters were installed around the Study Area at Church Point
 - Hard copies exhibited at Mona Vale and Avalon libraries and customer service centres
 - An electronic copy of the draft plan was placed on Pittwater Council website
 - The draft plan was advertised in the Government Gazette and listed on the Lands Department website
- Notification of the draft plan was also posted to relevant community groups for dissemination of information to specific stakeholders and the wider community

2.3 Public/stakeholder submissions to the draft PoM / Masterplan – See Referenced Document No 2 [tabled separately]

A total of 99 submissions were received as part of the public exhibition of the draft Plan of Management and associated Masterplan. Each of the issues raised were logged on a spreadsheet and a Council assessment / comment provided. Key issues raised in the public submissions include:

Environmental & Recreational Concerns

- Extent of infill into Pittwater – impact upon the environment
- Impact on views
- Impact on existing vegetation, specifically loss of Spotted Gums on the cliff line
- Impact on recreational space
- Loss of community land
- Impact on heritage values of the area, especially the historic cemetery
- Pollution concerns, especially noise and lights
- Plan is contrary to the character and values of the area which favour low impact, environmentally sensitive development.

Social, Planning and Management Concerns

- Only partially addresses the local car parking and commuter dinghy berthing demand. Likely rapid take up of spaces will lead to similar problems as existing to recur
- Unreasonable changes to the local character
- Sustainable transport options (ferry, public transport, cycling, car sharing, minibus, use of non-powered watercraft) are not adequately addressed
- Insufficient gain in recreational space in Church Point Reserve (ie. removal of parking)
- Lack of equity in the proposed premium service pay car parking
- Suspended car park proposal introduces social division
- Proposed commercial outlets conflict with existing commercial interests ('Pasadena')
- Design parameters for parking and roadworks are onerous relative to traffic levels. Not of optimum value to the community
- Inadequate public consultation on some matters

Financial and Economic Concerns

- Draft POM components too costly and represent overkill in terms of nature of the area
- Level of expenditure unjustified in terms of gains made in additional car parking and dinghy facilities
- Suggested capital works reductions ie redevelopment of the toilet block
- Inequity in provision of services by Council to off-shore communities (paying same rates as all Pittwater residents)
- Argued Council has no obligation to provide residents with parking
- Car parking spaces should be charged at commercial rates
- Suggest 'Levy' on all off-shore households to pay for works instead of 'User-Pays' system
- Financing of Precinct 3 works is wholly dependent upon the sale of two blocks of Council land, a sale strongly opposed by on-shore residents

2.4 Overview of Council's Response to Public Submissions – see Referenced Document No 2 [tabled separately]

Council's response to issues and concerns raised has been documented within the 'Church Point Draft Plan of Management (July 2008) - Public Exhibition Submissions Summary, prepared by Pittwater Council (October 2008). The primary issues raised are discussed below:

- **Extent of Infill into Pittwater** – To achieve the Masterplan outcomes requires infill / land reclamation along parts of the foreshore at Church Point. Precincts 1 and 3 will need to be extended to accommodate the proposed realignment of McCarrs Creek Road, creation of the western car park, extended pedestrian walkways and foreshore recreational areas, and landscaping.

It should be noted that this area has already been subject to infill in the 1960's when the existing car park area, now known as Church Point Reserve was created. Much of the foreshore segments of Pittwater Road and McCarrs Creek Road are also the result of previous infill and as such the foreshore has been altered.

An Aquatic Ecology Survey has been undertaken for the entire length of the foreshore within the Church Point Study Area. The Survey includes mapping of the aquatic ecological communities and discusses potential impacts of the proposed works and mitigation measures. It notes that the foreshore includes intertidal rock rubble and rock seawalls, boat ramps and pontoons, mixed sandy and muddy intertidal flats with scattered patches of *Zostera* and *Posidonia* seagrass beds. There are also patches plus scattered plants of the declared aquatic weed species *Caulerpa taxifolia* located throughout the shallows.

Precinct 1 has the largest extent of reclamation works to accommodate the new curved road alignment and western carpark and this will impact on the *Zostera* and *Posidonia* seagrass beds within the reclamation footprint. Further impacts include boardwalk and floating pontoon shading and isolated pile placement damage. Mitigation measures suggest the proposed relocation (transplantation) of seagrass and the provision of seawall habitat enhancement treatments such as sub-tidal crevices, placement of rock rubble at the foot of the seawall, repositioning of sub-tidal isolated rock, with potential massing to form a small rock reef and improved habitat complexity in the locality.

Works within **Precinct 2** include extension of the central deck around the General Store, relocation of the Commuter 'ferry' Wharf and the general expansion of decking / boardwalk areas. Impacts include shading of either bare sediments or sparse deeper water *Caulerpa* growth, minor shading of the seawall rock toe habitat and isolated pile placement damage. Specifically, the proposed extension of the central deck areas does not affect any seagrass beds and is deemed to have a positive impact by shading out existing beds of *Caulerpa taxifolia* and reducing further spread. Further mitigation measures include seawall habitat enhancement methods such as rock rubble placement to foot of seawalls and retention of larger boulders off-shore from the seawall. Marine growth on piles and under pontoons also provides aquatic habitat.

Proposed works along the foreshore in **Precinct 3** do not affect primary *Posidonia* and *Zostera* beds as these are located further off-shore with impacts limited to strip patches of ephemeral *Zostera* beds currently dependent on car park stormwater seepage for survival. Proposed fill at 'Bennetts Point' to create a new parkland adjacent to Bennetts Beach has been reduced in scale to respond to concerns raised by DPI (Fisheries). The foreshore works will replace and improve upon the rubble seawall on a new alignment, provide safer beach access points and mitigate potential loss of isolated seagrass beds, currently dependent upon stormwater seepage from the car park area with best practice ground infiltration collection and dispersion methods. Further opportunities to incorporate constructed wetland elements (mangroves and saltmarsh) will also be investigated, similar to recent environmental restoration works at Rowland Reserve, Bayview.

Extension of the already reclaimed land at Church Point provides an opportunity to address many long standing local issues. The proposal offers a balanced and equitable solution to the principle issues of car parking provision and access to recreational space. Social, environmental and economic implications have been assessed and the plan to increase available land area at Church Point is supported in this overall context.

Correspondence with DPI (Fisheries) has established general in principle acceptance of the proposed Masterplan pending completion of the required Part V Assessment / EIS and obtaining relevant permit approvals.

Works will incorporate mitigation measures, including implementation of best construction works practice (Environmental Management Plan), habitat enhancement treatments and where necessary transplantation to local recipient sites.

- **Loss of community land (Lots 15 & 15a in DP10583)** – The Plan of Management identifies Community Land located on the hillside above Pittwater Road adjoining Quarter Sessions Road, for reclassification to Operational Land and ultimately rezoning to residential land and sale as two lots. This land has very low utilisation and the proposal is to sell this land and use the income to fund Masterplan upgrade works, specifically for improved open space upgrades at the Church Point Reserve (Precinct 3) Church Point Reserve has far higher utilisation and its embellishment will be more effectively used by a broad cross section of the community. This asset conversion is consistent with established asset management principles.

Development of the subject land as residential housing (2 lots) would be dependent on extensive investigations and planning considerations, including Vegetation Survey / Habitat Assessment, Town Planning / architectural proposal (building footprint and elevations to retain the canopied nature of the hillslope), preparation of a case for Public Hearing, referral to Department of Planning / DECCW and LEP change / rezoning process.

In addition, the proposed sale includes funding for upgrade of the existing pedestrian footpath (Quarter Sessions Road), improved stormwater drainage and potential upgrade of the adjoining heritage Church Point Cemetery in conjunction with its owner the Uniting Church, including improvements to fencing, access pathways, lighting, heritage interpretation and ongoing management.

The proposal transfers open space provision from an under utilised location with many public use constraints to the Church Point Reserve. Proposed works expand the partially established foreshore walkway and initiate the creation of Bennetts Point parkland adjacent to Bennetts Beach

Following due process, should the sale of the subject land not proceed then no alternative funding source for the Precinct 3 works are readily identifiable. This would indefinitely delay the proposed upgrade works and at best allow only limited or piecemeal improvements within this Precinct. The sale of the underutilised community land as a means to provide improved and expanded recreational resources for the wider community at Church Point is therefore supported and it is recommended that the process to achieve this outcome be commenced.

- **Roadwork design parameters** – the subject segments of Pittwater Road and McCarrs Creek Road up until recently were classified as State Roads (arterial roadways) and as such were the responsibility of the RTA to manage, improve and maintain and most importantly this was at RTA expense.

The State Government via the RTA recently announced the findings of its Review of State and Regional Roads. As a result, Pittwater Council has been advised that Pittwater Road to the west of its intersection with Barrenjoey Road at Mona Vale and McCarrs Creek Road through to the National Park boundary will be declassified from State Road to Regional Road status. This shifts the responsibility and in particular the significant financial burden on to Pittwater Council. Pittwater Council has again rejected this declassification. Should it be mandated that it is to proceed then there needs to be a comprehensive upgrade of these roadways by the RTA to bring them up to a reasonable standard along with an appropriate annual allocation of funds by the RTA to them keep at that significantly improved standard.

The roadway at Church Point, from Bennetts Beach to the Commuter 'dinghy' Wharf is currently designated 50kph. Discussions / various meetings between Pittwater Council and the RTA have focused on potential further speed reductions at Church Point to provide a 40km/hr 'high pedestrian activity' zone. It had been suggested that this reduced speed environment would allow alternative parking layouts (angle parking) immediately adjoining the through road. This alternate layout has not been supported for what is a new carpark arrangement. As such the Masterplan proposes a separate carpark cell with its own entry/exit to the through road. This is then factored into the road realignment to provide improved road curvature. In this regard both of the Masterplans include a separate carpark cell and hence require infill with the main difference being the Offshore Plan is a more effective layout and use of reclaimed land by utilising both sides of the access aisle for parking which in turn makes a deck option also more effective.

- **Financial strategy** – In conjunction with the development of the Masterplan the proposed funding strategy to finance the works has been developed and discussed with members of the Stakeholder Design Group. Funding and loan strategies, including the 'user-pays' requirement and the suggested levy of offshore residents have been modelled. Preliminary community feedback from off-shore residents was presented to Council with a preference for the 'user-pays' system. Preliminary costings have been developed based on this funding strategy.

The economic model for implementation of the full Masterplan details funding sourced from the following specific areas:

- Council Funding (Major Works Program / General Fund)
- Council Environmental Infrastructure (EI) Levy
- Sale of Council Land (2 allotments) – refer above
- Pasadena 'Easements' Funds
- Grant Funding (NSW Maritime, NSW Department of Transport, DECCW, Greenspace Program,)
- Funding assistance for road upgrades - RTA
- State Government Contributions (Department of Lands)
- Loan Borrowings to be repaid by user-pays system)
- Federal Stimulus funding – to be further explored

In terms of risk de-fragmentation, it is suggested that each Precinct and or stage of a Precinct be considered in isolation in terms of works, funding and associated risk before that project is endorsed by Council and work commenced. Certainty concerning user pays take-up rates, grant funding, Council funding and expenditure costs needs to be realised before a final commitment to each precinct development is given. Such certainty is required in order to ascertain whether the project is within the estimated costs parameters and can be adequately funded so that Council's financial risk is minimised.

It should be noted that without the necessary funding packages in place up front, the works reliant upon this funding will not proceed or will be staged to the limit of available funds.

In particular:

- **For Precinct One:**
If there is not a user pays income stream to fully cover loan repayments, then the western carpark and dinghy berthing upgrades will not occur or will be staged if this is practical.

- **For Precinct Two:**
If the required grant funding assistance is not provided by the State Government then the proposed upgrade works will need to be deferred, staged or removed from the works schedule.
- **For Precinct Three:**
If the sale of the two blocks of land does not occur, then the proposed upgrades to the Church Point Reserve and foreshore along with upgrades to the Historic Cemetery, pathway and stormwater drainage will not occur in the absence of an alternative funding source being available.

Loan Borrowings will be serviced by the establishment of a 'user-pays' system for vehicular parking and commuter boat berthing. The preliminary calculations of annual fee charge included in the Plan of Management are based upon an estimated number of car permits and boat tie-up licences. All monies collected via permit / licence agreements within the Church Point Study Area will be held by Council in a specific account and only expended on capital works as detailed in the Plan of Management.

- **Suspended car park proposal** – The Plan of Management identifies an opportunity to investigate a Stage 2 development to construct an upper carpark level to the western car park. The proposal would increase parking provision at Church Point and although this would require an increase in loan borrowings it would have a positive influence on the funding strategy and reduce the annual fee charge calculations for general commuter parking.

The proposal is subject to further detailed analysis and design including further community consultation. Investigations would be undertaken with aesthetic considerations paramount and following the preparation of studies such as a Visual Impact Assessment, Geotechnical Assessment, Traffic & Access Study, etc.

The inclusion of the option of a proposed Stage 2 car park deck is supported, subject to detailed investigation including a survey to establish intended users and commitment to provide this type of facility

2.5 Independent Panel Review of submissions, Report & Recommendations - see Referenced Document No 3 [tabled separately]

Given the large number of submissions and the issues raised, the draft Plan of Management along with the public submissions has been the subject of an Independent Panel (Peer) Review. The Independent Panel was engaged in November 2008 and its role was to:

- Assess the POM development and consultation process to date;
- Review the submissions against the draft POM and determine the validity of the issues raised;
- Identify any issues not considered by POM which should be addressed;
- Provide advice about any potential legal, environmental and economic risks to Council;
- Provide a report to Council with recommendations concerning the final POM to be presented to Council for adoption

As an extension to this process, further submissions were made directly to the Independent Panel by representatives of local community groups. Refer 'Church Point Draft Plan of Management (July 2008) – Report to Pittwater Council on submissions to the exhibited draft Plan', prepared by Independent Panel (January 2009), **tabled separately**.

The Independent Panel review provides detailed analysis of the environmental, planning and financial concerns raised. The report considers the key benefits proposed and the objections raised to the Plan. Analysis of benefits verses impacts is discussed and conclusions reached. The desired outcomes and potential risks are reviewed with specific comment regarding financial risk to Council and management of risk. The Panel's Report concludes with:

- A set of ten (10) principles which should form the platform for the needed ongoing actions in relation to the final adoption of a strategy for Church Point; and
- Twenty one (21) specific recommendations relating to Council's adoption of a final POM.

2.6 Council response & follow up actions arising from the Independent Panel Report - see Referenced Document No 4 [tabled separately]

Council has provided comments in reply to the Independent Panel Report findings and these were distributed to Councillors, to the key stakeholders and posted on the Pittwater internet in July 2009. Refer 'Church Point Draft Plan of Management – Independent Panel / Peer Review: Council Response', prepared by Pittwater Council (July 2009).

The Panels 'guiding' principles reinforce and have been considered in forming the final Plan of Management. The Panel's Report raised a number of issues and made a number of specific recommendations. Each of these recommendations have been analysed and comments provided as to how these are to be addressed / have been addressed. This has been summarised in a Discussion Paper. In specific terms, through the adoption of the PoM, the Independent Panel Recommendations are being addressed as follows:

1. Council is indicating its support for:
 - a) the provision of additional carparking at Church Point to the south of McCarrs Creek Rd for up to 67 car spaces at grade along with the further option of a single level carpark deck that will provide total carpark numbers at this location up to 120 spaces.
 - b) the provision of additional and safer dinghy berthing arrangements for 140 boats with a future potential of up to 190 spaces as indicated in the PoM.
 - c) each of the above elements as a component of a user-pays system and integrated with a major capital works program for the Church Point area. The construction of these works to be subject to detail design and funding.
2. Council will prepare a draft LEP that seeks to rezone and reclassify the Community Land adjoining Quarter Sessions Road reserve and move through the statutory steps, including Public Hearing, Rezoning and reclassification to Operational Land. It is considered that the PoM can be adopted and this become the trigger to commence this process given that it provides the nexus and supports the reason for the proposed reclassification and sale of the subject land.
3. Council will initiate approaches to the Uniting Church in regard to the upgrading of the Uniting Church owned Cemetery site as a partnership program and integrated with further PoM development - note the funding of these upgrades are contingent upon the sale of the adjoining Council land (see Point 2 above) and there being surplus funds after the specified Church Point Reserve upgrades are carried out.
4. Council has made representations to the Pittwater Traffic Committee and the RTA regarding the provision of a low speed environment that could promote angle parking directly onto McCarrs Creek Road. The advice received is that this is not supported for a new carpark configuration at this location and hence the need to provide a separate carpark cell that has a separate entry /exit and access aisle.

To accommodate this layout and to improve safety on McCarrs Creek Road a curved road alignment is proposed.

5. Council has met with various government agencies, including Lands Dept, DPI (Fisheries), RTA, NSW Maritime and will consider forming the recommended Multi Agency Working Party to ensure a common understanding and coordinated planning of public sector inputs into the project
6. Council has initiated outcome based involvement with DPI (Fisheries) in relation to the feasibility of Pittwater infill. In this regard an aquatic survey has been carried out and DPI has provided in principle agreement subject to specific requirements regarding seagrass beds being met.
7. In conjunction with Recommendation 4 above, Council has previously been presented with alternative carpark options that place angle parking immediately adjoining the roadway - Council has previously sought RTA and Pittwater Traffic Committee feedback as to whether this would be an acceptable layout, in particular if a low speed traffic environment could be provided - this has not been supported by the RTA or the Pittwater Traffic Committee and as such has been ruled out as an alternative.
8. Council has referenced the CPRA Masterplan in the development of the alternative plan - it should be noted that the revised CPRA plan now acknowledges the need for reclamation to provide additional carparking consistent with the need to have a separated carpark area. The main differences between the two plans then become the shape of the seawall alignment (curved versus straighter), the associated road and carpark configuration and number of car spaces achieved. The CPRA layout achieves 40 spaces within the western carpark at an average construction cost per space of \$73,000 with limited opportunity to place a deck over. The recommended layout provides scope for 67 spaces at grade at an average construction cost of \$61,000 per space and scope to place a deck over that creates a combined total of approximately 120 spaces at an average construction cost of \$48,000 per space. The extra deck with its premium user pays charge significantly helps to pay off the loan and as such substantially reduces the general user pays fee.
9. Council has obtained an aquatic survey around the whole foreshore of the subject Masterplan from a Registered Surveyor and this information has been provided to DPI (Fisheries) - See also Recommendation 6.
10. Council will carry out a species impact assessment to assess any potential impacts on spotted gums, other flora and fauna and vegetation communities. It should be noted that the proposed works are not intended to affect existing native vegetation and in fact the intention is to embellish the native and landscape qualities of the area.
11. Council is of the conclusion that the PoM and Masterplan proposals not only preserve the balance between recreational amenity and car parking but improve the environmental and social well being.
12. Council will carry out a visual impact statement in relation to the proposal for the suspended car park as part of the detail analysis.
13. Council has provided a concept landscape plan as part of the Masterplan and will provide a more specific landscape plan as part of the detail design process

14. Council is maintaining the heritage significance of the area, in particular to the wharf area and if funding permits there may be scope to embellish the historic Cemetery site in partnership with the land owner – the Uniting Church - see also Recommendation 3 above.
15. Council has explored the terms of the grant of the 2 blocks and is of the opinion that the LEP amending process and Public Hearing will provide the necessary framework to further consider the reclassification, rezoning and sale of this land.
16. Council has carefully considered the financial and economic risks associated with the financial modelling plan of the PoM. This has identified areas of risk, their level of likelihood, the timeframes within which risk reviews should be made.
17. Council has developed a Business Plan which provides information on how the PoM will be implemented
18. Council has identified priorities and these are contained within the PoM
19. Council has investigated the level to which the building of the Suspended Carpark is necessary to provide a secure financial base for the plan. The provision of the deck makes better use of the reclamation footprint and helps to significantly defray some of the cost for general commuter parking - see also comments for Recommendation 8. It is noted that a previous survey conducted by SIRA of offshore residents as to interest in guaranteed car spaces at Church Point indicated considerable support for a range of user pays guaranteed carpark scenarios. As recommended a more detailed market analysis of demand and firm commitment toward guaranteed car spaces will be carried out.
20. Council has developed a timeline and associated processes involved for the above actions
21. Council has provided continuing liaison with representative groups during the course of the process and will continue to do so as part of the investigation, planning & approvals and construction processes.

Having regard to the 'guiding' principles and Recommendations of the Independent Review Panel, the major departure relates to: When can the final PoM be adopted? The Independent Panel suggests that all of the actions associated with the recommendations be addressed/concluded before adopting the PoM. This is a more conservative approach however it continues to leave the PoM in a state of flux which, adds to the 'tensions' that already exist. It is Council's opinion that the preparation of the Plan of Management and associated Masterplan has been through significant public rigour and analysis to be able to consider its formal adoption. It is acknowledged that there are a number of outcomes to be further assessed and funding to be secured and Council is mindful of not creating unrealistic expectations. Suitable 'caveats' will be included along with 'conditions precedent' that will need to be achieved to further progress specific plan outcomes. In this way the adopted PoM provides the strategic framework and way forward. Feedback on achieving PoM & Masterplan outcomes/milestones will be provided at regular intervals.

2.7 Business Case/Risk Profile Model - see Referenced Document No 5 [tabled separately] and Attachment 2 which provides Financial Information

The Business Plan has assessed the PoM from a Triple Bottom Line basis and in particular addresses the overall risk profile. The risk categories assessed include:

- Financial
- Statutory Process
- Public Safety Concerns
- Pedestrian Safety Concerns
- Environmental Risk
- Social Risk/Amenity
- Climate Change and Sea Level Rise
- Credibility

and concludes with Priority Setting and Timeframes.

Fundamentally there are a number of risks associated with a project of this magnitude particularly when reliant on funding from a number of sources, many of which are yet to be confirmed.

Each precinct therefore has a particular funding strategy and the works will not be commenced unless the necessary funding has been confirmed – further, where reliant upon loan borrowings and user pays, it must be sustainable for the full term of the loan.

In this regard, the PoM provides a vision for Church ‘Point’ and a strategic framework to progress outcomes. This will have a tendency to increase community expectations however this must be balanced against the financial risks involved.

Having an adopted PoM provides added opportunities to pursue a range of funding initiatives as it can be more clearly articulated what is to be achieved and the nexus involved. For example, the funding for upgrades to Precinct 3 has a direct nexus to the sale of the Council land adjoining the Quarter Sessions Road reserve. If this asset for asset conversion does not take place, then the Precinct 3 works at Church Point Reserve and the Historic Cemetery will not proceed.

Given the need to test funding options, the initial 2 years of the Plan will involve further investigation, including statutory processes as required, applications for grant funding assistance and confirmation of user participation.

2.8 Fee Schedules for User Pays elements of the Plan

Based upon independent Quantity Survey advice, to achieve the Masterplan objectives to provide additional carparking and dinghy tie up facilities at Church Point is estimated to cost as follows:

Western carpark including road realignment	\$4.1m (without deck)
	\$5.74m (with deck option)
Dinghy wharf reconfiguration	\$1.1m

The cost of these works would need to be funded from loan borrowings and would only be contemplated on a full user pays recovery basis. There is also the further option of a car deck that provides the opportunity for allocated spaces at a higher premium fee which in turn helps to defray the cost of general car spaces (as a result of the carpark footprint being utilised more effectively by more and higher paying user pays car spaces). Over a 20 year loan repayment the associated user pays, with or without the deck option, are as follows:

General carparking (without Deck)	\$ 575 pa (Year 1)
General carparking (with Deck)	\$ 275 pa (Year 1)
Reserved carparking within Deck	\$4,800 pa (Year 1)
Dinghy berthing:	\$ 285 pa (Year 1)

Note: The following sections of this report explore alternative user pays options including an “upfront” two year initial payment schedule.

2.9 Stakeholder Feedback concerning the proposed fees & charges

The Association representatives for Scotland Island and Western Foreshore stakeholders have raised concern at the impact of the full user costs to repay the loan borrowings. The financial modelling indicates that a user pays combined fee of \$560 per annum (car \$275 and boat \$285) is the minimum that could be considered.

The user pays charges are based upon building a seed fund for the initial 2 year period at which time a review of fees will need to be carried out. It should be noted that the annual user pays charges will need to be increased by an annual indexation factor.

Another proposal is that the fees should be recovered, in part by a special rate levy applied to Lower Pittwater offshore property owners and in part by user pays. In this way these offshore properties are all contributing to a base fund and actual users then contribute further. There could also be an escalation in fees for an additional car or an additional boat to help regulate demand. This option, which includes a Special Rate Variation on specific offshore properties will need to be further explored with the Department of Local Government. It should be noted that this would need to be on a 50% Base Rate and 50% advalorem and as such there will be a significant difference in the special rate amounts paid by individuals dependent upon their land valuation. As such, a Special Rate variation funding mechanism is not recommended.

2.10 Staging of the proposed Masterplan improvement works

The full scope of the Masterplan improvements requires a significant injection of capital funding that is primarily reliant upon loan borrowings to be repaid by user pays; government grants (usually 50:50 arrangement); proceeds from adjoining land sales; and some general and levy based Council funds. The Business Case has highlighted the financial risks and provides a better understanding of the financial models that could apply. It is optimistic to suggest that the proposed works can be fully funded from day one and hence staging of the works where practical and able to be funded can be considered to progressively make incremental improvements.

2.11 Staged introduction of user charges and transition/staging of improvement works

Carparking at Church Point Precinct

As commented upon previously, Church Point Reserve is a Crown Reserve and as such is primarily provided for the recreational benefit of all residents and visitors of NSW. The Dept of Lands as the land owner has previously advised Pittwater Council that the Pittwater resident carpark fee exemption sticker will no longer be valid at Church Point, particularly given the extensive non recreational (commuter) carparking that occurs. Pittwater Council has negotiated with the Department of Lands to gain recognition of the historical context of commuter parking at Church Point. The alternatives for future car parking at Church Point will therefore be:

- (A) Pay Parking through Pay & Display ticketing machines - area of coverage to be expanded to include designated McCarrs Creek Rd carpark areas to be equitable.
- (B) As an alternative to (A) for longer term parking a separate Annual Carpark Sticker only applicable at this location will need to be purchased for a fee - this will provide unallocated carparking within the Church Point Reserve and the adjoining designated McCarrs Creek Road precinct.

It should be noted that a base fee will apply for a carparking sticker irrespective of whether the western carpark is constructed, however funds will be placed in a restrictive fund to be applied to improvements at Church 'Point'.

- (C) The further option associated with the decked carpark to allocate specific guaranteed spaces for a higher annual fee - this arrangement in turn helps defrays the user costs for general users of unallocated spaces under arrangement (B) above.

The recommended base start up fee for carparking at Church Point is \$275 (Year 1) per annum with annual indexation. This funding will be placed in a restricted fund to be used for agreed improvement outcomes. It should be noted that this fee is based on the decked carpark being constructed.

Grant funding opportunities will also be pursued.

Dinghy tie ups at Church Point Precinct

A waterway reservation will/has been created around the foreshore area at Church Point. Within this reservation, dinghy tie-ups will only be permissible at specified locations and for specified times. Longer stay dinghy tie up will only be permissible at the commuter wharf on the basis of a valid annual sticker for which an annual fee will apply.

The recommended initial minimum fee for dinghy tie-ups is \$285 per annum (Year 1 + indexation) per vessel tied up. The initial income could be utilised to progressively extend the current commuter wharf pontoon tie ups either in its current configuration or in the new configuration if a suitable connection from the existing facility or land can be achieved. This will progressively provide some increase to existing capacity and improved safety. Subsequent funding will be placed in a restricted fund reserve to further seed fund the desired Masterplan dinghy tie up arrangement and assist with ongoing maintenance and renewal. An initial 2 year period will provide the opportunity to review the take up rate of annual dinghy tie up stickers and assess the increase in user pays funding required to achieve cost recovery for the full Masterplan outcomes. This will gauge whether to proceed to the subsequent stages of infrastructure upgrade.

Alternatively, the full user pays income (car + dinghy) from the first 2 years of payments could initially be used to part fund, along with a loan for the balance, to bring forward the new Dinghy Wharf construction. This funding arrangement reduces subsequent loan repayments to be more compatible with the users' desired fee structure. This arrangement can be adjusted back further into the loan term.

Opportunities for grant funding assistance will also be pursued with NSW Maritime and other grant providers.

2.12 Amendments to the Plan of Management and associated Masterplan

Following consideration of the collective issues raised by way of the stakeholder, community consultation and Independent Panel Report and working through the Panel Recommendations, amendments to the draft Masterplan have been incorporated into the final version being presented to Council for adoption – See Section 5 of this report. It should be noted that the final Plan of Management and associated Masterplan have not substantially altered with the major differences being a better understanding of the processes, risks and financial aspects of the delivery of the plan outcomes. Subsequent consideration of a number of the Plan outcomes will involve statutory processes, sourcing of funds and further community consultation. As such it is not intended to readvertise the Plan for further community input again noting the extensive feedback and scrutiny to date.

2.13 Forward Path to progress/achieve Plan outcomes following adoption

The PoM provides a management framework and an outline of the statutory and other steps to progress the proposed outcomes, in particular:

Precinct One outcomes

To provide safer and improved Commuter Dinghy tie ups

- introduce an initial annual user pays charge of \$285 per annum (Year 1 + annual indexation) for each dinghy tie up with associated dinghy sticker system to better manage the commuter 'dinghy' wharf. This will provide improved regulation and a seed fund for an interim measure to progressively provide additional pontoon(s) to increase tie up capacity and to eventually migrate to the new pontoon wharf configuration
- apply to NSWMaritime for grant funding assistance to help fund the design and construction of the commuter dinghy wharf facility as per the Masterplan - note this will require in the interim an extended gantry/ land connection to link with the existing foreshore - dependent upon the success of this grant application adjust the user pays requirements.
- only commit to loan funding and associated works if a guaranteed income source is assured for the term of the loan.

Road realignment and western carpark

- conduct a detail investigation of underground services and agency requirements associated with the proposed civil works associated with the decked carpark.
- conduct a survey of offshore residents seeking feedback as to level of firm interest in taking up tenure over guaranteed spaces within a carpark deck opportunity at Church Point for the proposed fee - if a potential full subscription to the approx 60 available spaces can be achieved then factor this into the overall carpark solution.
- commission detail construction drawings and tender documentation for the civil and landscape works with the options of with or without the suspended deck.
- apply for grant funding assistance from the RTA for part funding of the construction of the new seawall from the General Store to the Cargo Wharf on the basis of the notional cost to provide a seawall on the existing road alignment (noting current poor condition / non existent status).
- apply for other grant funding assistance.
- only commit to loan funding and associated works if a guaranteed income source is assured for the term of the loan.

Precinct Two outcomes

- apply for grant funding assistance from Department of Transport, NSWMaritime, Heritage Council, Greenspace and Department of Lands.
- develop detail designs for the construction of additional wharf decking, heritage wharf upgrades and Thomas Stephens Reserve upgrades.
- only commit to construction of upgrades if funding has been secured.

Precinct Three outcomes

- introduce a separate initial user pays charge of \$275 per vehicle with associated sticker system for commuter carparking at Church 'Point' – including Precinct One and McCarrs Creek Road up to and including the former bus turning area.
- utilise the proceeds of the carpark user pays to provide a seed fund for the future provision of additional carparking within Precinct One
- commence the statutory reclassification and rezoning process for the 2 x blocks of land adjoining Quarter Sessions Road.
- commence initial discussions with the Uniting Church concerning the potential upgrade of the Historic Cemetery site.

- dependent upon the sale of the subject land, introduce the Precinct Three works for construction.
- seek grant funding assistance (usually 50:50 basis).
- only commit to Precinct Three works if the asset sale proceeds have been achieved. Note: this can also seed fund other Precinct works by providing matching funds for grants.
- review user pays charges in conjunction with Precinct One western carpark works.

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

- 3.1.1 The proposal responds to key issues relating to the equitable use of the Church 'Point' area by off-shore and local on-shore residents and peoples of NSW. The Plan integrates economic, environmental and social values while delivering increased availability of public car parking and improved recreational assets at Church Point.
- 3.1.2 The proposal seeks to address long term issues and reduce social division at Church Point, promoting a unified approach (from on-shore and off-shore residents) to resolve land use issues, provision of community facilities, enhanced recreational opportunities, and address safety concerns.
- 3.1.3 The proposed Masterplan outcomes provide for the diverse needs of all sectors of the community by upgrading facilities at Church Point. It will have a positive impact on the quality of services available to the community
- 3.1.4 The proposed foreshore walkway extending from Bennetts Beach to Rostrevor Reserve addresses 'access and equity requirements' under *Pittwater Council Management Plan 2008-2012*. Providing equitable access to foreshore areas is in accordance with *Pittwater Council Disability Discrimination Action Plan 1998*.
- 3.1.5 The safety of public area will be improved by way of better lighting, physical improvements such as resurfacing and removal of trip hazards etc., traffic safety improvements including increased sightlines, designated pedestrian crossings and refuges, restricted vehicle movements and controls, and improved dinghy tie-up facilities incorporating safer access and improved lighting.

3.2 Valuing & Caring for our Natural Environment (Environmental)

- 3.2.1 Where applicable recycled materials will be used for construction to reduce the draw on virgin materials. Environmental protection measures will be incorporated and sustainable energy and water conservation methods utilised. These measures will assist to reduce the environmental footprint and help conserve our natural environment.
- 3.2.2 Parts of this project will impact on marine habitat (*Zostera* and *Posidonia* seagrass beds) mainly due to the foreshore reclamation required. Works are subject to detailed design and will incorporate mitigation measures in accordance with DPI (Fisheries) requirements (ie relocation and habitat enhancement) along with appropriate environmental controls to protect the Pittwater foreshore and marine habitat during and post construction.

- 3.2.3 Impact on the existing natural vegetation of the land areas will be minimal. An assessment of existing vegetation will be undertaken and any impacts by the planting of appropriate species across the Study Area. This study recognises the importance of tourism and local economic growth that is also reliant upon the attributes of the natural environment.
- 3.2.4 Existing areas of cliffline bushland habitat (currently weed infested) will be restored and enhanced to retain habitat links along the foreshore connecting to Ku-ring-gai National Park.
- 3.2.5 Connecting with existing pathways along the southern shores of Pittwater estuary the proposed works will further promote walking, jogging and cycling as alternatives to driving along Pittwater Road.

3.3 Enhancing our Working & Learning (Economic)

- 3.3.1 The proposal will provide local and regional employment opportunities, particularly during the construction phase. Increased business / service opportunities will be facilitated within the 'Village Square' development servicing local residents and tourism.
- 3.3.2 Development of the Church Point precinct is subject to various financial strategies, including funding as available from Council's capital works program, user pays and potential grant funding assistance.
- 3.3.3 A Business Case has been prepared to further analyse the financial and risk management aspects of the project(s)

3.4 Leading an effective & Collaborative Council (Governance)

- 3.4.1 The development of the PoM has involved extensive consultation with the community, including numerous Design Group meetings, public forums and receipt of submissions as part of the Public Exhibition process. In total 99 community members / groups have expressed their opinion on the Plan.
- 3.4.2 In addition to the extensive stakeholder communication and engagement process, an Independent Panel Review has been carried out to help formulate and critique the PoM and provide recommended management actions.
- 3.4.3 Continued community engagement will be facilitated by a communication strategy incorporating further Design Group meetings, dissemination of project updates to community groups / stakeholders and use of Council communication systems ie website and customer service centres.
- 3.4.4 The proposal is consistent with the aims and strategies in Pittwater's 2020 Strategic Plan.
- 3.4.5 This proposal will cost (excl GST) an estimated \$9.35 million (excluding deck) or \$11million with deck and will require ongoing funding for maintenance and depreciation of assets. It is envisaged that funding will be sought through numerous sources including Council funding, sale of Council land, grant funding, State Government contributions, borrowings and user pays contribution.
- 3.4.6 The majority of the proposal will be funded by a 'user-pays' system for parking, both vehicular and dinghy. This income will be used to offset the cost of borrowings with an estimated 20 year pay back period.

3.5 Integrating our Built environment (Infrastructure)

- 3.5.1 The Plan promotes alternative transport initiatives, including public transport (bus, ferry and taxi), car share scheme, bicycle use and walking to reduce car dependency. Further negotiations with the STA to enhance transport facilities will continue in the detailed design phase to promote improved public transport infrastructure and services.
- 3.5.2 This Plan will enhance the provision and use of public space hence increasing opportunities for cultural, community and recreational activities. Improved public space amenity will be realised with a proposed diversity of settings and facilities.
- 3.5.3 The proposal will enhance the existing urban form, improving the aesthetics and functionality, in keeping with the desired character of the area.
- 3.5.4 No Aboriginal heritage items have been identified in the Masterplan study area. It is noted that the majority of the area has been subject to reclamation to create road and carpark / reserve areas.
- 3.5.5 The proposal recognises heritage buildings, structures and artefacts and identifies appropriate protection / restoration works. Listed items of relevance include the existing Heritage Wharf at Thomas Stephens Reserve, the memorial obelisk within Rostrevor Reserve and the Church Point Historic Cemetery.

4.0 EXECUTIVE SUMMARY

- 4.1 The report as presented to Council proposes to redevelop the Church Point precinct and aims to balance the needs of the broader community with the amenity of local residents, both on-shore and off-shore and in its important environmental context.
- 4.2 Key benefits proposed by the Plan of Management include:

Environmental Considerations. The PoM has considered the important environmental attributed and seeks to maintain a balance with achieving added social amenity. Changes to the foreshore are proposed and protection along with mitigation and enhancement works will be carried out to ameliorate impacts. Similar changes were necessary to establish the Church Point to Bayview walkway and by use of environmentally friendly seawall construction such as at Rowland Reserve, enhanced habitat outcomes can be achieved.

Improved pedestrian and traffic safety. Significant changes to the horizontal alignment of McCarrs Creek Road with improved sightlines and traffic calming measures with corresponding improvements to pedestrian safety and reduced accident risk, including bus access improvements;

Improved car parking availability. The proposed western carpark provides up to 67 car spaces, not including potential suspended car park option and up to 120 car spaces with suspended deck option, in close proximity to destination points/interchange nodes;

Improved dinghy storage. Safety issues addressed at Commuter 'dinghy' Wharf with provision of 140 dedicated boat tie-up berths in a safer more readily accessible arrangement with improved drop-off facilities. Provision of non-powered watercraft tie-up / storage facilities;

Improvements to the walkway along the Pittwater foreshore. Significant improvements to foreshore walkway with benefit to local amenity and tourism, with potentially significant public health benefits;

Improved physical amenities. Essential upgrade works at Thomas Stephens Reserve addressing seating, lighting and other facilities, coupled with improvements to Quarter Sessions Road (seating, lighting, drainage and pedestrian access). Upgrade of the Church Point Cemetery with better access pathways provides considerable improvement given its historical and archaeological significance;

Landscape improvements. Enhancement of the foreshore area and provision of increased public open space, including foreshore near the Pasadena, Rostrevor Reserve and Thomas Stephens Reserve, incorporating improved landscaping and water access. Creation of a waterfront boulevard and Bennetts Point parkland, provide additional recreation space while enhancing amenity of the area; and

Finance and economic considerations, including risk profile, funding base, time horizons and transparency.

- 4.2 A Plan of Management outcome for the ongoing development and management of the Church Point precinct has been some 20 years in its contemplation and formulation. Over the past 2 years, a concerted effort has been made to address the often divergent views of the on-shore and off-shore residents and the over-arching requirements of the Department of Lands, the owner of the land.
- 4.3 The POM, as presented, is an initiative by the Department of Lands, Pittwater Council and its associated communities to responsibly manage the day to day operation and long term development of the Church Point precinct consistent with the relevant legislative requirements.
- 4.4 The Master Plan and POM recognise the Church Point precinct as a distinctive transport interchange for off-shore residents, a social venue for the locality and recreational resource for the enjoyment of residents of Pittwater and NSW. Provision of increased parking and berthing spaces (vehicular and dinghy) and expansion of usable foreshore open space seek to provide sympathetic and positive solutions to the broader expectations of differing community groups and in its important environmental setting.

5.0 AMENDMENTS TO THE PLAN OF MANAGEMENT AND MASTERPLAN

In response to public submissions and recommendations presented by the Independent Review Panel a number of minor amendments or clarifications have been made to the Plan of Management and Masterplan as follows:

- Plan of Management text revised to clarify:
 - Extent of POM Study Area (includes both land area and the Church Point (Waterway) Reserve);
 - Title of reserve confirmed as 'Thomas Stephens Reserve';
 - Community consultation process re: Funding Strategy;
 - Coordination of Church Point Ferry Service with STA buses;
 - Potential parking / dinghy tie-up opportunities in vicinity of HolmePort Marina / Crown land Reserve (R78588);
 - Extent of parking spaces relinquished from Church Point Reserve as alternatives secured;
 - Master Plan refinements, incorporating Precincts 1, 2 and 3;

- Diagram A1 included (refer Figure 3.2a) and Table 2 – Church Point Current Tenures, revised as necessary to reflect all legal current tenures held by G and A M Romeo;
- Details of easements held in favour of the freehold Lot 142 included in Table 3 – Church Point Proposed Tenures;
- ‘Pasadena’ lease area and easements clearly identified (Figures 6.4, 6.8 and 6.10);
- Tie-up area and viewing deck adjacent to ‘Pasadena’ adjusted to accommodate proposed lease area;
- Figure 3.1 – Ownership Plan amended to reflect freehold land owned by G and A M Romeo;
- Proposed Licence for time limited tie-up zone to service General Store indicated on Figure 5.1 and detailed in Table 3 – Church Point Proposed Tenures;
- Bicycle / motorbike parking areas indicated in western car park (loss of 2 car park spaces) – Figures 6.4 and 6.6;
- Boardwalk connection from Commuter ‘dinghy’ Wharf deleted in response to DPI (Fisheries) request;
- Car parking area within Church Point Reserve adjusted to allow for inclusion of footpath along Pittwater Road, relocation of car park entrance (reversion to existing location);
- Non-powered watercraft mooring facility included along foreshore of Church Point Reserve;
- Extent of infill at Bennetts Point reduced;
- Extent of proposed foreshore infill to Church Point Reserve adjusted to reflect DPI (Fisheries) in principle agreement;
- Table 4 – Church Point Action Plan amended to include:
 - Preliminary investigations into Stage 2 deck option for suspended car park (proposal subject to further detailed analysis and design development);
 - Short term ‘free’ parking limits / areas;
 - Church Point Reserve existing vegetation review and development of Landscape Plan;
 - Extent of proposed Church Point Reserve car park works;
 - Provision of bicycle / motorbike parking areas;
 - Existing ramp use (kayak, dinghy and emergency use) and security controls;
 - Establishment of ‘no tie-up’ zones;
 - Non-powered watercraft tie-up facility;
 - Church Point Reserve foreshore viewing platforms;
 - Preliminary investigations re development of subject land (Quarter Sessions Reserve) for residential housing (2 allotments)
- Section 6.3 – Master Plan expanded to clarify design criteria and controls, including parking, traffic, watercraft, landscape / recreational space considerations;
- Section 6.4 – Planning and Works Strategy included. Detailing planning process and proposed works strategy;

- Section 6.4.7 Parking Management, expanded to clarify proposed parking management scheme, incorporating vehicle parking permits and boat tie-up (Temporary Licence Agreements);
- Section 6.5 – Economic Model for Implementation, reconfigured and expanded to enhance clarity. Includes 6.5.1 – Funding Strategy and revised costings reflective of changes to ‘user-pays’ quantity estimates and land valuation results. Section 6.5.6 – Costings: Suspended Car Park Proposal separated and financial impact discussed.
- Aquatic Survey of Church Point Reserve foreshore completed (refer Appendix J). Discussion of Aquatic Survey findings and impact on proposed works included;
- Appendix K included: DPI (Fisheries) Correspondence; and
- Appendix L included: Cargo Wharf Operation Regulations (Council Policy No 32).

RECOMMENDATION

1. That the tabled Plan of Management and associated Masterplan for Church 'Point' which includes Amendments described at Section 5 of this report, be adopted on the basis of providing an overarching vision, management framework and way forward to achieve the desired short and longer term improvements for Church 'Point'.
2. That the Referenced documentation be noted.
3. That the Stakeholder Design Group be thanked for their valued assistance in developing the Plan of Management and Masterplan.
4. That the Independent Review Panel be thanked for their comprehensive critique, Report and associated recommendations.
5. That the Department of Lands be thanked for their valued assistance and support and be advised that the PoM and associated Masterplan has been adopted and the Department can now conclude its part of the approval/gazettal process.
6. That the forward path contained with Section 2.13 of this report be progressed in conjunction with the adopted Plan of Management and associated Masterplan, subject to resources, funding and conditions precedent being met and further reports be provided to Council as appropriate.

Report prepared by Mark Eriksson – Principal Officer – Landscape Architect

Les Munn

MANAGER – RESERVES/RECREATION & BUILDING SERVICES

REFERENCED DOCUMENTS [TABLED SEPARATELY]

1. Church Point Plan of Management and associated Masterplan (2009), incorporating:
 - Precinct 1 – McCarrs Creek Road
 - Precinct 2 – Village Square
 - Precinct 3 – Church Point Reserve
2. Public Exhibition – Submissions Summary [prepared by Pittwater Council]
3. Independent Panel Review of Submissions, Report & Recommendations
4. Council's Response to Independent Panel Review
5. Business Case/Risk Profile Model analysis

**Church Point Precinct
Capital Works and Funding Summary
2 Year Time Frame**

**Church Point Precinct
Capital Works and Funding Summary
2 Year Time Frame**

(Including Construction and Funding of a 60 Space Suspended Carpark)

Precinct 1	\$	7,307,701
Precinct 2	\$	2,667,993
Precinct 3	\$	1,019,813
Total Expenditure	\$	10,995,507

Precinct 1	\$	7,307,701
Precinct 2	\$	2,667,993
Precinct 3	\$	1,019,813
Total Income	\$	10,995,507

Precinct 1 (including E I Levy)	\$	1,490,413
Precinct 2	\$	-
Precinct 3	\$	-
Total Council Rate Funding	\$	1,490,413

Council Rate Funding	\$	1,490,413
Grants	\$	2,217,993
Fees and Charges	\$	-
Sale of Land	\$	1,219,813
Funds from Pasadena Easement	\$	150,000
Dep. Of Lands Contribution	\$	100,000
Ticket System (2 Year Seed Funding)	\$	316,017
Borrowings	\$	5,501,272
Total Funding Sources	\$	10,995,507

(Excluding Construction and Funding of a 60 Space Suspended Carpark)

Precinct 1	\$	5,653,951
Precinct 2	\$	2,667,993
Precinct 3	\$	1,019,813
Total Expenditure	\$	9,341,757

Precinct 1	\$	5,653,951
Precinct 2	\$	2,667,993
Precinct 3	\$	1,019,813
Total Income	\$	9,341,757

Precinct 1 (including E I Levy)	\$	1,674,271
Precinct 2	\$	-
Precinct 3	\$	-
Total Council Rate Funding	\$	1,674,271

Council Rate Funding	\$	1,674,271
Grants	\$	2,217,993
Fees and Charges	\$	-
Sale of Land	\$	1,219,813
Funds from Pasadena Easement	\$	150,000
Dep. Of Lands Contribution	\$	100,000
Ticket System (2 Year Seed Funding)	\$	316,017
Borrowings	\$	3,663,663
Total Funding Sources	\$	9,341,757

Note: The Investment into ChurchPoint Master Plan is subject to:

1. Final costings being within estimations as shown in these financial documents
2. The initial two year funding from the ongoing Ticket System be applied towards Dinghy Wharf costs to minimise loan funding
3. An adequate take up rate from the ongoing Ticket System be realised to give a level of certainty regarding the user pays system and thus funding for future loan liabilities.
4. Borrowings for the Suspended Carpark costs to be funded by direct income from the sale of the Suspended Carpark spaces @ \$4,800 each per annum plus indexation (subject to final costings)
5. Loan Borrowings being available to from Lenders at a 20 year term and at an interest rate similar to the rate used in these financial documents (9%)
6. Council Funds being available within applicable future year budgets
7. Grant funding being successful
7. Proceeds from land sales being realised
8. Inflationary effects associated with rising costs of Expenditure (indexed at 5%) and Income (indexed 2.9%) being within estimations shown in these financial documents

If one or all of the above parameters change or suffer an adverse variance it may result in some or all of the ChurchPoint Master Plan being staged and or removed

The Financial Information contained within these documents have been projected out two year to allow for take up analysis of the user pays system and timing associated with the potential commencement

PRECINCT 1 - COMMUTER PRECINCT
(Including Construction and Funding of a 60 Space Suspended Carpark)

Scope of Works - Expenditure

2 Year Inflation at 5% per annum

Rostrevor Reserve (inc Cargo Wharf surrounds)	a	
Landscape Works - Hardworks / Beach Access / Softworks		\$ 423,360
Design Development (10% of Contract Works)		\$ 42,336
Sub - Total		\$ 465,696
Wester Carpark/McCarrs Creek Roadway Reserve Re-Route / Seawall Re-alignment	b	
Preliminaries / Site Prep / Seawall & boardwalk / Road Re-route, Carpark, Siteworks / Outbuildings / Landscaping @ 55%		\$ 2,042,877
Design Development (10% of Contract Works)		\$ 204,288
Sub - Total		\$ 2,247,165
Suspended Carpark	c	
Works for Seawall & boardwalk / Road Re-route, Carpark, Siteworks / Outbuildings / Landscaping @ 45%		\$ 1,671,445
Design Development (10% of Contract Works)		\$ 167,145
Suspended Carpark Works		\$ 1,653,750
Sub - Total		\$ 3,492,340
Commuter 'dinghy' Wharf	d	
Preliminaries / Site Prep / Floating Pontoons / Fixtures & Fittings		\$ 1,002,273
Design Development (10% of Contract Works)		\$ 100,227
		\$ -
Sub - Total		\$ 1,102,500
TOTAL EXPENDITURE		\$ 7,307,701

Scope of Funding - Income

Council Rate Funding - Rostrevor Reserve	funding for a	\$ 465,696
Council Rate Funding - Commuter 'dinghy' Wharf	partial funding for d	\$ 300,000
Ticket System Funding - Commuter 'dinghy' Wharf	partial funding for d	\$ 316,017
Council Rate Funding - Environmental Infrastructure levy for Seawall	partial funding for b	\$ 500,000
Council Rate Funding at 10% of Western Carpark / McCarrs Creek Road	partial funding for b	\$ 224,717
Borrowings - Precinct 1 Western Carpark / McCarrs Creek Roadway Re-Route / Seawall - 455 permits (incl. 50 buffer)	partial funding for b	\$ 1,522,449
Borrowings - Precinct 1 Suspended Carpark and Partial Costs for Roadworks etc- 60 Spaces	funding for c	\$ 3,492,340
Borrowings - Precinct 1 Commuter 'dinghy' Wharf - 140 Spaces	partial funding for d	\$ 486,483
TOTAL INCOME		\$ 7,307,701

Annual Cost Per Space For 20 Years Rising by Index of 2.9%	
\$	275
\$	4,800
\$	285

Year 2 then Escalating

Year 2 then Escalating

Year 2 then Escalating

Note: The above costs do not include ongoing Management and Maintenance of the Church Point Precinct

PRECINCT 1 - COMMUTER PRECINCT
(Excluding Construction and Funding of a 60 Space Suspended Carpark)

Scope of Works - Expenditure

2 Year Inflation at 5% per annum

Rostrevor Reserve - (inc Cargo Wharf Surrounds)	a	
Landscape Works - Hardworks / Beach Access / Softworks		\$ 423,360
Design Development (10% of Contract Works)		\$ 42,336
Sub - Total		\$ 465,696
Wester Carpark/McCarrs Creek Roadway Reserve Re-Route / Seawall Re-alignment	b	
Preliminaries / Site Prep / Seawall & boardwalk / Road Re-route, Carpark, Siteworks / Outbuildings / Landscaping @ 100%		\$ 3,714,323
Design Development (10% of Contract Works)		\$ 371,432
Sub - Total		\$ 4,085,755
Suspended Carpark	c	
Works for carpark Construction, Road Re-Route, Seawall, Outbuildings, Covered Ways		\$ -
Design Development, Contract Supervision (10% of above Contract Works)		\$ -
Suspended Carpark Works		\$ -
Sub - Total		\$ -
Dinghy Commuter Works	d	
Preliminaries / Site Prep / Floating Pontoons / Fixtures & Fittings		\$ 1,002,273
Design Development (10% of Contract Works)		\$ 100,227
Sub - Total		\$ 1,102,500
TOTAL EXPENDITURE		\$ 5,653,951

Scope of Funding - Income

Council Rate Funding - Rostrevor Reserve	funding for a	\$ 465,696
Council Rate Funding - Dinghy Commuter Wharf	partial funding for d	\$ 300,000
Ticket System Funding - Dinghy Commuter Wharf	partial funding for d	\$ 316,017
Council Rate Funding - Environmental Infrastructure levy for Seawall	partial funding for b	\$ 500,000
Council Rate Funding at 10% of Western Carpark / McCarrs Creek Road / Seawall	partial funding for b	\$ 408,575
Borrowings - Precinct 1 Western Carpark / McCarrs Creek Roadway Re-Route / Seawall - 455 permits (incl. 50 buffer)	partial funding for b	\$ 3,177,179
Borrowings - Precinct 1 Suspended Carpark and Partial Costs for Roadworks etc- 60 Spaces	Not Applicable	\$ -
Borrowings - Precinct 1 Dinghy Commuter Wharf - 140 Spaces (incl. 50 buffer)	partial funding for d	\$ 486,483
TOTAL INCOME		\$ 5,653,951

Annual Cost Per Space For 20 Years Rising by Index of 2.9%	
\$	575
\$	-
\$	285

Note: The above costs do not include ongoing Management and Maintenance of the Church Point Precinct

PRECINCT 2 - COMMERCIAL/TRANSPORT HUB

Scope of Works - Expenditure

2 Year Inflation at 5% per annum

Deck Boardwalk and Wharf Construction

Construction of deck, pontoons and boardwalk	\$	1,707,773
Wharf Buildings	\$	77,175
Design Development (10% of Contract Works)	\$	178,495
Sub - Total	\$	1,963,442

Thomas Stephens Reserve & surrounds

Preliminaries / Roadway Imps / Parking area / Hardwaorks / Landscaping	\$	640,501
Design Development (10% of Contract Works)	\$	64,050
Sub - Total	\$	704,551

TOTAL EXPENDITURE	\$	2,667,993
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Scope of Funding - Income

Funding From The Rezoning and Sale of Council Land at Church Point		\$	200,000
Pasadena Easement Funds	Subject to Confirmation	\$	150,000
Grant Funds - Various Funding Bodies	Subject to Confirmation	\$	2,217,993
Department of Lands - Contribution General Store Lease	Subject to Confirmation	\$	100,000

TOTAL INCOME	\$	2,667,993
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PRECINCT 3 - CHURCH POINT

Scope of Works - Expenditure 2 Year Inflation at 5% per annum

Church Point Reserve - Carpark / Foreshore / Bennetts Point Parkland

Carpark Sealing	\$	330,750
Seawall/Promenade	\$	330,750
Upgrade / Conversion Amenities Building	\$	220,500
Lighting	\$	137,813
Sub - Total	\$	1,019,813

TOTAL EXPENDITURE **\$ 1,019,813**

Scope of Funding - Income

Net Proceeds form Rezoning and Sale of Council Land

- Land Sale (2 Allotments at net approx value \$700,000)	\$	1,494,813
<i>less</i>		
- Design Development - Architect	-\$	15,000
- Design Development - Natural Reserves	-\$	5,000
- Design Development - DoP Submission Natural Reserves	-\$	5,000
- Design Development - Survey	-\$	5,000
- Design Development - Bushfire	-\$	5,000
- Design Development - Drainage Infrastructure	-\$	10,000
- Design Development - Rezoning Application Fees	-\$	10,000
- Design Development - Legal Costs	-\$	10,000
- Design Development - Miscellaneous	-\$	10,000
- Precinct 2 Commercial Transpost Hub Funding	-\$	100,000
- Works Proposal - Upgrade of Pedestrian Accessway from Pittwater Rd to Quarter session Rd	-\$	50,000
- Works Proposal - Heritage Assessment/upgrade of Church Point Cemetery	-\$	100,000
- Works Proposal - Upgrade Public Roadway (seal and drain) Upper McCarrs Creek Rd	-\$	150,000
Total Net Proceeds for Rezoning and Sale of Council Land	\$	1,019,813

TOTAL INCOME **\$ 1,019,813**
