

CHURCH POINT PLAN OF MANAGEMENT INDEPENDENT PANEL/PEER REVIEW

BACKGROUND

- On 21 July 2008, Council resolved to place the Church Point Plan of Management (PoM) on public exhibition as required under the Crown Lands Act.
- The PoM was on exhibition for six weeks (27 July to 6 September 2008) with 100 submissions received.
- Adoption of the PoM was preceded by a series of public meetings to gain feedback on proposed directions and works as outlined in the PoM.
- Given the long standing issues between offshore and onshore residents and the contentious and complex issues and strategies involved, an independent panel was formed to provide an overview and provide advice to Council.
- The role of the panel 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 the PoM which should be addressed
 - Provide advice about any potential legal, environmental and economic risks to Council
 - Provide a report to Council about the PoM with recommendations concerning the final PoM to be presented to Council for adoption.

- Membership of the Panel comprised:

Peter Walsh – Town Planning
Zeda Lipman – Environmental
Marice Daly – Business/Overview

All panel members have had proven experience in their respective fields.

- The panel initially carried out a review of the PoM, all submissions, interviews with staff and then interviews with each of the community groups involved in the PoM process.

PANEL REPORT

- An Executive Summary overviews the findings of the document with the body of the document considering:
 - Draft plan development process
 - Key benefits
 - Key objectives
 - Weighing benefits/impacts
 - Desired outcomes/potential risks

- Recommendations
- Key issues discussed in the report are:
 - Carparking
 - Scale of works proposed/financial surety
 - Elevated deck – need for visual impact analysis
 - Liaison with State/Federal authorities
 - Environmental impacts (such as seagrass)
 - Rezoning/sale of identified community land
- The ultimate response of the independent report has been a series of recommendations that are meant to guide further development of the plan and its ultimate form.
- Council staff have prepared a response to all strategies and have amended the PoM to cover issues raised by both the panel and through submissions received in the exhibition period.

Response to Recommendations as proposed by Assessment by Independent Panel

1. *Council indicate its support in principle for:*
 - a. *the provision of additional parking at Church Point to the south of the McCarrs Creek Road alignment numbering 40-50 spaces minimum;*
 - b. *the provision of additional and safer dinghy berthing arrangements up to the 190 spaces indicated in the draft PoM*
 - c. *each of the above elements as a component of a user-pay system and integrated with major capital works program for the Church Point area (see specific comments on financial aspects below).*

Council Response

Through the PoM and Masterplan processes, Council is indicating its support in principle for:

- a. the provision of additional car parking at Church Point to the south of the Pittwater Rd/McCarrs Creek Road intersection - this support is in recognition of the shortage of carparking at Church Point. Additional carparking is being facilitated through the provision of a carpark cell adjacent to McCarrs Creek Road that has scope for up to 120 car spaces in an at grade and suspended deck configuration.
- b. the provision of additional and safer dinghy berthing arrangements - this support is in recognition that the existing dinghy commuter arrangement does not have sufficient capacity to meet the demand noting that dinghies are currently multiple berthing. An improved berthing solution for 140-190 individual berths in a layout as preferred by the end users – the offshore residents is proposed.
- c. a user pays system - the Masterplan and PoM have been developed through extensive community and stakeholder consultation and the development of an extensive works program upgrading the entire precinct as a quality transport interchange area and recreational destination. As discussed with offshore and onshore community representatives, the specific nature of facilities provided for sole use by offshore residents will, in principle, include the introduction of a user pays system for use of the facilities provided.

2. *Council prepare draft LEP to rezone and reclassify the community land described as Quarter Sessions Road Reserve and move through steps to public hearing and a resolution on this matter.*

Council Response

- The sale of the subject land at Church Point is an essential pre-requisite for funding improvements primarily associated with Precinct One and for the potential upgrade of the adjoining historic cemetery site owned by the Uniting Church. This is on the basis of an asset for asset conversion whereby the

existing low use recreational land is converted to higher net community benefit outcomes associated with the Church Point foreshore , in particular access and recreational amenity improvements, including extending the Bayview to Church Point foreshore walkway

- The subject land at Church Point proposed for sale is currently Community Land with a Recreational zoning. In order to consider for sale, the land needs to be reclassified to Operational Land and the zoning changed to Residential. This involves an LEP amending process, including a Public Hearing and provides the opportunity for community comment through the public advertising and reporting steps.
- Preparing the land for the intended residential land use will require the existing stormwater drainage to be rectified, vehicle access to be provided and as an added community benefit the adjoining public pathway to be upgraded.
- Without the sale of this land and the funds that it provides, the recreational and amenity outcomes associated with Precinct One and potentially those associated with the historic Cemetery (see Point 3 below) will not be possible. Hence the sale of this land is an important pre-requisite to achieving the PoM outcomes.
- The processes involved to achieve a land sale have a likely timeframe of 18 months to 2 years to complete. As such the earlier this process is commenced and worked through to an outcome the more certainty that can be achieved. Council therefore agrees with the Review Panel findings that the amending LEP process should be commenced. The logical starting point would be following the adoption of the PoM and this will be a priority item.

3. *Council initiate approaches to United Church in regard to the upgrading of the Cemetery as a partnership program and integrated with the further PoM development.*

Council Response

- The land containing the 'historic' Cemetery at Church Point is privately owned by the Uniting Church. The Plan of Management does seek to integrate the Cemetery into the overall Masterplan outcomes for Church Point and includes some scope to achieve an upgrade of this Cemetery site by way of a partnership arrangement.
- The funding for this partnership arrangement is contingent upon the sale of the adjoining Council land to in part provide funding for an initial upgrade – (see Point 2 above). There may also be some scope to attract grant funding under State/Federal heritage programs to assist with this project.
- The partnership would seek to achieve public access to the Cemetery site and Council could further consider providing some assistance to ongoing maintenance of the land on a shared cost basis subject to further negotiation.
- It should be noted that the Uniting Church has approached Council in the past seeking that Council outright purchase their site. Council declined this arrangement given the purchase price involved.

- The Uniting Church will be contacted to further explore a partnership program again noting the need to obtain funding through the adjoining land sale to make this viable for further consideration.

4. *Council request the local member to initiate a meeting between the Mayor and the Minister for Roads to secure a special low speed status for the identified sections of McCarrs Creek Road and Pittwater Road and to outline the proposed sustainable transport strategy. (This to open up cost reductions and a more sustainable financial strategy – traffic counts for McCarrs Creek Road west of Church Point should be undertaken before this meeting.)*

Council Response

- Some of the earlier concept plans for increased carparking looked at angle parking immediately adjoining the road traffic lanes on McCarrs Creek Rd. The RTA and the Pittwater Traffic Committee do not support this carpark arrangement and have indicated the need for a separated stand alone carpark at this location that meets the required standards and provides improved safety for users.
- Pittwater Council has received recent advice that the RTA will be declassifying Pittwater & McCarrs Creek Roads from the intersection of Barrenjoey Road through to the start of the Ku-ring-gai National Park boundary. The declassification is from a State Road to a Regional Road status and hence passing responsibility to Pittwater Council to manage and fund.
- Pittwater Council has previously resolved (20 June 2005) that it did not support the reclassification and does not agree with this hand over given the poor existing condition of the roads in question, the significant costs to bring to a reasonable standard and the cost to keep at that standard. There are the added issues associated with potential road formation instability, poor drainage and potential inundation from sea level rise. This objection remains valid.
- Irrespective of who is the ultimate responsible road authority, the concept that a lower speed limit will achieve a lower cost solution is not a valid assumption. For new carparks in a road environment, where utilising the existing road lanes, irrespective of the speed limit that applies, you need to be able to park and exit a car space within the same half road i.e. not cross the centreline into oncoming traffic. This has the effect of requiring another lane and hence the separated carpark cells have been proposed in each of the updated concepts put forward by both the alternate Church Point Association (CPRA) Masterplan and the 'Advertised' Masterplan – all vehicle and pedestrian movements are within this separated arrangement with dedicated entry/exit points and a designated pedestrian crossing.
- The separated car park arrangement also provides the opportunity to provide appropriate screen landscaping at the interfaces.
- The main differences between these two concepts is the number of carparking spaces that can be achieved, the extent of works required, the cost of construction, the cost per car space achieved and the residual cost for end users.

- Carpark layouts that utilise both sides of a carpark aisle are the most effective and hence the 'bulge' design provides the lower cost per extra carpark space achieved in this location – i.e. it provides 67 spaces at grade compared to 40 with the CPRA concept. It also provides the opportunity to place a suspended deck over in a similar effective carpark layout. This increases the overall car spaces achieved to approx. 120 with approx 60 on each level (noting that some at grade spaces will be lost to accommodate support columns for the suspended deck option).
- The decked arrangement also provides scope for dedicated spaces at a premium rate and this helps to defray the overall costs and brings down the general user pays for carparking.
- In comparison the single car park row is a less effective use of the reclaimed land given that the amount of reclamation is similar and much of the cost is involved in the sea wall and road restoration.
- In relation to transport solutions the PoM introduces a car share scheme (currently being trialed), car spaces for smaller vehicles, major improvements to the transport commuter nodes (both public and 'private' arrangements and added amenity for public transport users. Further opportunities and funding assistance for improved transport outcomes will be discussed with the relevant State Government agencies.
- It is noted that Council has previously constructed a pontoon wharf to improve accessibility and safety and the PoM seeks to have this repositioned to its final position within Precinct Two. A pontoon wharf is not as affected by the tides and thereby provides ease of access to the ferry and other vessels and requires less ongoing maintenance.

5. *Council's General Manager and Lands Department Regional Manager meet with Regional Manager of Roads, Transport, Fisheries, Environment and Climate Change with a view to forming a working party to ensure a common understanding and co-ordinated planning of public sector inputs into the project.*

Council Response

- Council has had in place for a considerable time a Working Party that includes representatives from the four local community groups, along with staff from Dept of Lands and Council and has access to specific Government Departments on specific issues. This Working Party has played a pivotal role in working through the many issues that have arisen during the concept design phases, in particular facilitating Masterplan options and providing an important communication linkage with stakeholders in the community
- The Pittwater Traffic Committee is also consulted on traffic related matters and through its membership there is access to the Local State Member, RTA, Police, STA and Council staff and Councillor(s). In working with the Dept of Lands, that own a large proportion of the subject land, there is interdepartmental discussion at a State level on this project.
- At the State Government level:

- The Department of Lands is a member of the Working Party and has been involved with this project since the start.
 - The RTA has been consulted over traffic related matters at various junctures.
 - DPI (Fisheries) has been consulted over sea grasses and marine habitat.
- If the PoM is adopted then a project Steering Group as suggested by the Review Panel, comprising relevant State Government departments and Council staff will be established to oversee the project development and implementation with feedback links to and from the Working Party and Council. Expertise in probity, financial and risk analysis will also be involved.
 - The State and Federal governments are important funding sources for this project and financial assistance through grant funding programs will be sought.
 - It is further noted that for major projects with a value greater than \$1M Council requires specific status reporting to Council. This project will fall under this category of reporting and accountability.

6. *Council initiates outcome-based involvement with DPI (Fisheries) in relation to feasibility of Pittwater infill.*

Council Response

Council has initiated outcome-based involvement with DPI(Fisheries) in relation to the feasibility of Pittwater infill. There has been extensive consultation with DPI and approval in principle for infill has been indicated for each of the three precincts involved. The following is a summary of the issues and the DPI position on a precinct basis:

- **Precinct One**
Fisheries (DPI) have agreed in principle to the filling as proposed in Precinct One. Whilst the normal fisheries response of not approving infill works under any circumstances was an initial response, following a number of meetings with fisheries representatives, DPI now understand the need for parking resolution of Church Point and are willing to allow infilling as proposed based on a number of conditions. These will include relocation and replanting of seagrasses in other precincts around Pittwater, use of environmentally friendly seawalls and meshed boardwalks will apply in certain locations to reduce overshadowing of sea grass habitat.
- **Precinct Two**
DPI has no objections to the extension of the decked areas to improve the commuter transport interchange precinct and provide safer pedestrian access – avoiding the current road pinch point on the bend.
- **Precinct Three**
DPI object to the proposed infilling of the foreshore for recreational purposes. Their opinion is that Pittwater has abundant open space areas and there is no environmentally just cause to infill Pittwater to create more open space at Church Point. Council propose that the existing rubble wall that provides limited foreshore protection be replaced with an improved seawall. This in itself will provide additional usable recreational space, working with the existing wall

alignment. This has been agreed to by the DPI in principal. The proposed filling to the north of Church Point Reserve has been deleted and layered back such that it also now more closely aligns with the CPRA Masterplan.

- The works will be assessed in further detail as part of the approvals processes for various elements of the project.

7. *In the interests of financial sustainability while minimising user fees, an alternative works program be prepared which assumes low speed traffic environment and concomitant reduced capital costs (eg through reduced roadworks) and improved low cost parking availability (including in appropriate sections adjacent to the road carriageway). This plan to be the subject of meeting with State authorities.*

Council Response

- The initial comments in relation to issue 7 are similar to those at issue 4 above, i.e. a low speed traffic environment does not necessarily equate to reduced capital costs given the minimum width requirements to place carparking immediately adjoining a roadway. Hence the suggested alternative works program that includes a 'low cost' carparking arrangement has been ruled out as a viable option and as such is not being further pursued. The recommended meeting to further discuss this matter is therefore deemed redundant.
- As a result of the base requirement to have a separated carpark cell at this location, the advertised Masterplan and the CPRA Masterplan both include this arrangement.
- The comparison is therefore whether the advertised MP or the CPRA MP provide financial sustainability while minimizing user fees – this is further examined in Point 8 below.
- The base comparison is the do nothing scenario. This however does not provide any additional carparking and with the introduction of short duration spaces results in an overall net decrease in available 'commuter' car spaces.

8. *That provision of the CPRA Masterplan be referenced in the development of this alternative plan.*

Council Response

- The CPRA Masterplan has been referenced and analysed. Precincts Two and Precinct Three are basically the same for both of these concepts. The main differences are within Precinct One, in particular
 - The configuration of the dinghy tie up facility, and
 - the proposed car park layouts
- The CPRA Masterplan put forward for Precinct One results in a lower number of car parking spaces within a separated car park cell adjoining McCarrs Creek Rd. This only provides space for 40 car spaces at grade. The overall net result across all carparking at Church Point is therefore only a small increase in car parking numbers. The CPRA car park layout is much less effective and also

severely limits or precludes a suspended deck option. This is further analysed below.

- When the CPRA Masterplan is overlain onto the advertised draft Masterplan there is only marginal difference in the area of reclamation and associated works. Much of the work and associated cost is involved in the seawall construction and roadworks which are similar for both concepts. The advantage of the advertised Masterplan however is that it achieves a far more effective use of the infill required. The cost per car space achieved is thereby reduced with the advertised MP concept which is then beneficial to the user pays arrangement required.
- Dissecting this issue further the preliminary estimates of construction cost for the subject seawall/road/carpark components as established by an independent quantity surveyor are as follows:
 - CPRA Masterplan (CPM) (40 spaces) = \$2.5M
 - Advertised Masterplan (AM) (67 spaces) = \$2.6M
 - Difference = \$0.1M (i.e.\$100,000)
 - Cost of suspended Deck (AM) (+60 spaces) = \$1.3M

 - Cost per space CPM (at grade 40 spaces) = \$62,500 per space
 - Cost per space AM (at grade 67 spaces) = \$39,000 per space
 - Cost per space AM with deck (120 spaces) = \$32,500 per space
- This cost comparison per car park spaces achieved shows that the advertised Masterplan is far more cost effective from a construction perspective in providing car spaces all other things being similar. For an additional \$100,000 the advertised Masterplan achieves a net 27 additional car spaces compared to the CPRA. This has a flow on impact on the user pays costs for carparking under the proposed ticket parking arrangement.
- When the suspended deck is added the total number of carpark spaces increases to 120 and the average cost per space drops to \$32,500. This cost reduction is because it also utilizes the same reclaimed land footprint. It is further noted that with the suspended deck option this introduces the ability to provide 60 dedicated spaces at a higher premium charge. This further defrays the overall cost of the deck and cost of the land reclamation and thereby further assisting by reducing the general user pays arrangement.
- The PoM has provided contribution rates for a no deck scenario and with a deck scenario.

9. <i>An aquatic survey be undertaken in Precinct 3, ideally by a consultant outside the area.</i>
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Council Response

An Aquatic Survey has been undertaken in all of the precincts – see also Point 3 above regarding DPI consultation. Although the consultants involved were not from 'outside the area' they are professionals in their respective fields and have a long history of completed projects with DPI. DPI did not have an issue with the use of these consultants or the information they have supplied. DPI would be best to advise whether they require a further assessment.

This information will be used as part of the formal assessment process and further embellished if required.

10. *A species impact assessment be carried out to assess any potential impacts on spotted gums, flora and fauna and vegetation communities.*

Council Response

- The relevant environmental / species impact statement will be provided as part of the detail assessment and approval phases for this project. Without pre-empting its findings, it should be noted that the proposed works have little impact on existing terrestrial vegetation and fauna given that the works are located wholly within the road formation area of Precinct One (it does not extend into the upper cliffline/slope); or located within the already 'urbanised' area of Precinct Two; or located within the existing carpark of Precinct Three.
- Aquatic impacts are being addressed through DPI (Fisheries) as discussed in point 6.
- In relation to the proposed land to be packaged for sale there are existing trees that will need to be assessed as part of the LEP amending process and any subsequent DA for house construction.

11. *The proposals should preserve the balance between recreational amenity and car parking.*

Council Response

- The proposed works seek to achieve a balance between recreational amenity and carparking – this is a fundamental part of the 'Brief' for this project.
- Precinct One, whilst increasing carparking in the precinct, does so at the base of an existing road cutting and cliffline. As such, residents above will continue to view over the proposed works. The proposed realignment of the roadway seeks to place all carparking behind the view and through the proposed curve of the road, increasing the visual amenity of the foreshore noting that part of the recreational appeal is to drive along this stretch of roadway. The foreshore walkway will also be extended along this precinct to further increase pedestrian amenity in the area. Landscape works are proposed for the perimeter of the proposed carpark to screen the carpark or any proposed 'deck' area.
- Precinct Two – there is no extended carparking proposed. This precinct however is the major hub and significant works are proposed to improve recreational and transport services amenity. This includes a rebuild of the heritage wharf and additional foreshore decking that provides a safer alternative for pedestrian access. The pontoon wharf will also be relocated along with provision for short term tie up facilities at the fixed wharf and surrounds.
- Precinct Three (Church Point Reserve) proposes no further carparking. The introduction of XXX time restricted spaces increases the opportunity for general short term public parking but in turn reduces the 'commuter' parking spaces. Hence the need to provide an effective carpark solution within

McCarrs Creek Rd. It is proposed to reconstruct the seawall along the foreshore of Precinct Three which will improve the recreational and environmental qualities and extend the existing promenade/walkway along the foreshore adding to the recreational amenity –thereby linking to the very popular Bayview to Church Point walkway. Works as proposed will ‘clean up’ the existing carpark resulting in a higher level of amenity for the precinct.

12. *A visual impact statement be undertaken in relation to the proposal for the suspended carpark.*

Council Response

- Visual Impact Statements are somewhat subjective given the end assumption of what looks good or bad.
- The suspended deck carpark proposal is still to be investigated as part of the PoM process. Detail plans for the decked proposal will need to be developed incorporating access ramps, landscape opportunities and possible use of sensitive façade treatments. Final concept plans could then be visually appraised.
- Council has prepared preliminary montages to provide an indicative visual representation of how a suspended deck would present from the water. This montage needs to be further embellished to show how landscaping will help to screen this facility.
- A Visual Impact Statement will be prepared as part of the formal assessment and approvals process should the suspended deck component be further considered.

13. *A landscape plan should be prepared and made available for community consultation.*

Council Response

- A landscape concept plan will be prepared for each precinct as detail works/designs are finalised for such precincts. In principle, native canopy trees will be utilised where possible (ie where desired root volume is available). Landscape plans will be needed for the assessment under Part V of the EP&A Act.
- The landscape plan will be made available for community consultation and will generally comprise:
 - Precinct One: McCarrs Creek Road Carpark and foreshore – screen and amenity planting.
 - Precinct Two: Thomas Stephens Reserve – amenity planting.
 - Precinct Three: church Point Reserve – amenity planting.

14. *The heritage significance of the area should be maintained and it should be clarified how this will be enhanced by the proposals.*

Council Response

- A number of elements within the precincts have heritage listed attributes including parts of the General Store (recently refurbished), the existing timber wharf and the cemetery (owned by the Uniting Church) located on the 'hill'.
- Heritage issues related to the General Store have been dealt with through the Development Construction/Occupations Certificate system.
- The design/heritage analysis of the existing wharf as carried out by Design 5 (Heritage Consultants commissioned by Council), will be incorporated into the final design of the extended foreshore deck as proposed in Precinct Two. Generally it is proposed to rebuild the wharf as it currently exists. This, however, is an expensive exercise and will be contingent upon grant funding assistance from the State Government to supplement Council's funds.
- In relation to the historic cemetery site, Council will liaise with the Uniting Church to prepare a heritage strategy/restoration plan. Implementation of this plan could only be considered if the adjacent Council land is sold in that this provides the necessary funding – see Comments at Point 3 above.

15. *The terms of the original grant of the 2 blocks of community land should be explored.*

Council Response

Warringah Shire Council was transferred ownership of the subject two parcels of land in 1941 and as such Pittwater Council now owns the land in fee simple. The land was part of a subdivision from a larger estate and it is assumed it was provided for recreational open space. It is classified as Community Land and zoned for Recreation use. Its use however for general open space is limited. As mentioned in Point ... the sale of this land will provide funding for higher net community benefit recreational outcomes at Church Point Reserve which is a far higher recreational demand area. In addition, if a partnership can be achieved with the Uniting Church and that site improved by way of the land sale proceeds it would still provide a higher vantage point to overview Church Point and the Pittwater waterway with improved access and amenity in an historic setting – at present the cemetery site is degraded and poorly maintained.

16. *The Council should carefully consider the financial and economic risks associated with the financial modelling plan of the PoM, identifying the possible areas of risk, their level of likelihood,. The time-frames within which risk reviews should be made, the information bases on which financial risk can be recognised and measured, the responsibilities of Councillors and staff in relation to risk, and the ways in which risk can be managed. Council must develop a risk management strategy. (The body of the report outlines the Panel's view on risk associated with the draft PoM.)*

Council Response

Issue of Risk

The predominant financial and economic risks associated with the financial modelling of the PoM are associated with:

- A. Funding for works items, in particular:
 - (i) the sale of the proposed open space needs to occur to fund the proposed improvements to Precinct One and the historic Cemetery site
 - (ii) loans borrowings are required to finance up front capital works associated with carparking and commuter dinghy tie-ups and these loans need to be repaid by the user pays arrangement
 - (iii) grant funding by other agencies need to be secured to defray the cost of the works

- B. User pays income to offset specific capital expenditure items and repay associated loan borrowings
 - (i) User pays needs to fully cover the cost of providing the improved dinghy commuter tie up facility i.e. to meet the loan repayments and associated depreciation expenses
 - (ii) User pays needs to fully meet the cost for general car park use, in particular to fully meet the costs associated with the additional carpark cell adjacent to McCarrs Creek Rd.
 - (iii) User pays for dedicated spaces within suspended carpark arrangement needs to be applied at a commercial rate to cover the cost of this facility and the significant added amenity that this provides. This also helps to defray the overall costs of the user pays in (ii) above

This is discussed in more detail below:

Sale of Land - Rezoning/Reclassification

The risk associated with this process is that the Department of Planning may not allow Council to proceed with the commencement of the rezoning process if it does not consider the benefit to the precinct as a whole as worth pursuing. Council needs to make a case in relation to the subject land not being suitable or useable for recreational land and that it would better serve the community as residential land. In this regard the PoM and this covering critique put forward the argument that the proceeds from the sale of this land provides far greater recreational improvements for this locality than retention of this land.

Should the LEP amending process and associated Public Hearing to consider reclassification of the land proceed, the community at large may not support the reclassification and rezoning.

Finally, determination of the rezoning/development application associated with development of the land needs to be determined by Council and this is through a statutory process.

The only effective way to address the risks associated with the proposed sale of the subject land is to work through the statutory steps involved and seek to achieve the milestones required. Should the reclassification and rezoning not proceed, works as outlined in the Church Point Reserve and Cemetery site will either not proceed or need to be funded from other sources yet to be determined in full or as a much scaled back version. This would significantly affect the desired plan outcomes as an

upgrade to the Church Point Reserve land is an integral component of the Masterplan.

Repayment of loans for capital works.

Council will need to fund a significant part of the proposed works up-front through loan borrowings and repay such loans over an extended period of time through user pay fees. An extended period (20 years) has been proposed to reduce the annual user pays amount however it is noted that there needs to be an escalation factor to keep pace with the required repayment schedules. There is also some potential volatility in relation to interest rate increases during this repayment term and the flow on impact on user pays cost recovery.

Inherent risks include decisions by intended users to not use the proposed facilities and hence not pay or a 'change of heart' by users within the twenty year repayment period affecting the ability of Council to pay back the loan. It is however noted that the Department of Lands has decreed that there will be a general user pays scheme whereby everyone pays, even with a do nothing option and the Department has temporarily held off introducing this arrangement to allow further consideration of the PoM – this delay in introduction of user fees is however not open ended.

Measures to reduce the risk could include:-

- Do nothing – this does not achieve the increased car parking and overall improvements that has been the subject of lengthy and detailed consultation over many years.
- Reduced capital works – not proceed with those elements of the Masterplan that are not fully funded
- Seek EOI for the private construction and ongoing operation of the proposed carpark and possibly dinghy commuter tie-up in Precinct 1. This obviates the need for Council to provide the upfront capital. This would also place the establishment of fees with the private sector to administer
- Introduce a ticket system levying users of the proposed facility for a period of years prior to works being undertaken. This would allow an initial build-up of funds and provide better surety of who will utilise the user pays system.

The user pays system relies on as many car parking spaces being available (long and short term) to maximise people utilising the scheme and keeping the end cost lower - Less users means higher cost to the individual. The issue with reducing the parking scale of capital works and ultimately car parking numbers is the end cost becomes much higher.

- The predominant 'risk' of the plan lies with the process of Council borrowing money to fund works upfront. Such borrowings would need to be repaid through 'user payments' given the entire scheme is predicated on a user pays basis.
- Whilst Council has no legal responsibility to provide carparking for offshore residents, there is a social responsibility for Council to plan and facilitate such amenities.
- Council would normally fund large capital works, as proposed in the plan, through its capital works program. This is where facilities built benefit or could be used by the Pittwater community as a whole. In the case of Church Point, facilities as proposed will be used solely by offshore residents (although a number of spaces in Church Point Reserve will be 4 hour turnaround carparking). In fairness and equity to other ratepayers across Pittwater, Council will only fund works that present a public use component.

- Prior to discussion of financial models, it needs to be remembered that the PoM is a planning advisory document only and to date has not generally included the preparation and operation of financial models. All PoMs previously put to Council whilst containing extensive works programs, remain in the whole unfunded. Identification of works and associated costings allow Council to strategically manage its assets, apply for grant funding and planning approvals as required.
- A financial model has been prepared based on cost of work assessments prepared by a quantity surveyor for all precincts generally divided by possible users, ie carparking/dinghy berths.
- 416 car spaces have been identified as part of the overall precinct (this included the bulge carpark but not the deck). Approximately 380 spaces currently exist throughout the area.
- 40 'nominal additional permits' could be allowed over the actual amount of car spaces given that not everybody parks there every day. Total spaces allowed for in financial model is therefore 455 spaces.
- 140 boat spaces have been identified in the PoM. This could be increased to 180 nominal tie-ups. Currently 140 boats tie to the commuter wharf in a peak period (triple tied).
- Whilst offshore residents realise a user pays cost approach needs to be accepted, the annual cost for car and dinghy needs to be reasonable and socially equitable.
- The introduction of a 'sticker to park' (local resident) user pays system will responsibly manage the parking at the Church Point Precinct dependent on no increased use of cars or dinghies.
- Over 600 residents live offshore in southern Pittwater.
- A suggested action is to introduce a framework for a ticket system to offshore residents and Council as a stand alone project. Introduction of the system over an initial 12 month period would establish equity and feasibility issues as well as allow an initial level of kick-off funding.

17. *The Council should develop a business plan which will provide a sense of how the PoM will be implemented, the levels of financial, technological, design, probity, professional and legal support and other needs that are necessary for the advancement of the Plan.*

Council Response

Council has developed the basis of a preliminary Business Plan within the current PoM. These preliminary financial models are based on possible funding scenarios that include infill parking as well as the option of a suspended deck.

Both a Business Plan and Capital Works Planning Implementation Plan will need to be consecutively developed as part of the ongoing actions following the adoption of the PoM.

18. *The Council should identify priorities within the PoM, the expected time-frames for the various parts of the redevelopment program and the management needs to ensure that the PoM proceeds in line with community expectations.*

Council Response

Priorities within the PoM are based upon a risk profile and the sourcing of funds to carry out the improvements.

Carparking and provision of improved facilities are the two key drivers at this stage. Given Council's limited ability to provide large scale funding through its capital works program, the proposed land sale along with access to large state and federal grants will need to be sought to achieve many of the works as outlined.

19. *The Council should investigate the level to which the building of the Suspended Carpark is necessary to provide a secure financial base for the plan. In relation to this it should do a market analysis of demand for guaranteed car spaces, the competitive nature of its proposed fees, and generally prove the commercial basis of the proposal*

Council Response

- Initial concepts for additional carparking at Church Point involved a decked carpark on Church Point Reserve that included a basement or semi-basement component. A previous survey of offshore residents indicated strong support from a number of offshore residents for a reserved space at Church Point and a willingness to pay a higher premium for that use.
- An updated survey and a more formal expression of interest would need to be conducted to update this level of interest.
- The suspended carpark provides financial and amenity advantages to the eventual user groups. A significant part of the costs associated with Precinct One is associated with the seawall and infill to create the footprint for the carparking arrangement. As discussed previously if the decision to utilise Precinct One for additional carparking is agreed then the optimum use of the reclamation for this purpose should be achieved along with scope for further carpark capacity.
- Council has investigated the option of the suspended deck at McCarrs Creek Rd based on a submission by the BCPRA and found the option to hold merit in relation to the provision of extra carparking and the financial viability of the project. The location of the cliffline along McCarrs Creek Road provides a backdrop of scale to possibly absorb a more urban form whilst not directly affecting local residents.
- Given that a number of offshore residents currently pay \$3,000-\$5,000 per annum for a car/dinghy space at other more remote facilities, the availability of a dedicated car spot for the relative same amount should be attractive

20. *A timetable be initiated for the above actions with a view to reconsidering a final Plan of Management in accordance with achievable work programming given other Council commitments.*

Council Response

It is agreed that a timetable needs to be established for the initiatives covered by the PoM.

A timetable for the following Planning and Works Strategy will be detail developed prior to the PoM being submitted to Council for adoption.

Planning and Works Strategy

1.0 Commencing Rezoning of Nominated Sites

- Submissions to Department of Planning based on criteria as set out in Planning Circular PH09-003. Submission to include:
 - Justification
 - Any document to be placed on public exhibition, ie aerial map of existing
 - Analysis of issues
 - Proposed indicative masterplan that complies with Council Codes
 - Explanation of Church Point PoM process document to date.
- Need to engage project team to develop submission:
 - Planner
 - Architect
 - Engineer
 - Landscape Architect
 - Recreation Planner
- Must be fully developed to provide transparency in public exhibition process.
- Design development to final submission – 12-16 weeks.
- Submission to Department of Planning (Section 54 EP&A Act)
- Draft LEP to Department of Planning
- Pending Issue Section 65 certificate proposal to be placed on public exhibition (28 days).
- Council to arrange public meeting chaired by Independent. Meeting must be publicised for a minimum of 21 days prior.
- Report from Public hearing to Department of Planning.
- Submission of all process to the Minister for approval.

Land Rezoned

- Council to either then sell blocks 'as is' or possibly develop initial accessways/driveways, repair/redesign drainage easement/channel, redesign/repair accessways.

- Lodgement of Development Application for above works seeking Construction Certificate.
- Complete works.
- Sale of land.
- Proceeds to fund upgrade Church Point Reserve.

2.0 Cemetery

- Formal request to Uniting Church to nominate representative for Church Point Design Group to advise on Cemetery.
- Need to commission heritage strategy/works plan (only when funded by land sale).
- Program/tender for Cemetery upgrade works.
- Possible ongoing maintenance by Council as heritage asset.

3.0 Introduction of User Pays Ticket System

- Need to initially notify all car/boat owners in Precinct of introduction of car/boat permit schemes in accordance with PoM.
- Pittwater resident stickers will not allow free parking in the reserve. A further pass will need to be purchased from Council for a set fee or a ticket purchased from machines for nominated period of parking.
- Need for creation of almost full time administrative assistant inhouse to manage Church Point ticket scheme.
- Need to provide high quality ticket machines and develop signage strategy implementation for reserve.
- Need to strengthen reserve edges/install numbered carparking spaces.
- Public notification of process/scheme/funding with SIRA/offshore/local residents.
- Creation of Section 94 type accounting system to monitor funding – payment for annual stickers vs funding and quarterly reporting mechanism.
- 8-16 week introduction period for initial issue of annual parking permits during which time warning notices issued by rangers but no fines.
- Ticket user pays system to commence/fines issued for non-compliance.

4.0 Precinct One Carpark Area

- Undertake detail traffic survey/commence detail design of carpark (onground) looking at sight distances/layout.

- Commence detail design of suspended carpark as part of detail traffic survey to provide brief to engineer for construction details.
- Landscape Architect/architect commissioned as part of works.
- Prepare EOI document for consultants.
- Conduct EOI for engagement of engineering professional services for documentation of tender package for infill carpark.
- Exhibit preliminary detail scheme for suspended carpark.
- Review of EOI.
- Engage consultants for preparation of civil contract.
- Engage consultants for preparation of Part V/EIS and approval application under SEPP Infrastructure.
- Commence legal process for transfer of RTA/Council reserve for identified area of Crown Reserve. Notification to Department of Lands/RTA/Council.
- Exhibition of preliminary tender documents for local residents' sign off/understanding, including onground/suspended carpark.
- Possible commission of visual impact study of carpark.
- EOI development for contractors to carry out works.
- Review EOI – nominate contractor.
- Report to Council nominating contractor.
- Engagement of contractor.
- Approval of Part V/EIS/DPI signoff.
- Commence works as per documentation.

Dinghy Commuter Area

- Stickers of all boats to notify residents Council is undertaking re-evaluation of tie-up system.
- In liaison with SIRA, undertake EOI of offshore residents for use of new commuter wharf.
- Allocate spaces on interim basis.
- EOI for provision of pontoons/works for scheme as proposed.
- Tender for provision of pontoons/boardwalks.
- Undertake Part V/EIS for approval under SEPP Infrastructure.
- Report to Council nominating contractor – adoption of contractor.

- Planning for interim tie-up area whilst works undertaken.
- Construction pontoon/allocate spaces/scheme operational.

5.0 Precinct Two – Ferry Wharf/Thomas Stephens Reserve/Pasadena Frontage

- EOI for design/documentation/construction of suspended deck area, associated pontoons, refurbishment of heritage wharf.
- Consultation with SIRA/Romeos/Ferry Services in relation to design requirements.
- Selection of consultant/contractor.
- Undertake Part V/EIS for intended works (ie DPI/Fisheries sign off)
- Report to Council nominating contractor.
- Develop plan for operation of wharf whilst works under construction.
- Nominate contractor and commence works.

Thomas Stephens Reserve

- Meeting with SIRA/local residents in relation to design parameters for upgrade.
- Possible local competition for desired outcome.
- Engage consultant to document preliminary scheme for exhibition.
- Advertise/seek comment/adopt/report to Council.
- EOI/preparation tender documents.
- Report to Council – appoint contractor.
- Preparation Part V/EIS.
- Appoint contractor.

6.0 Precinct Three – Church Point Reserve

- Appoint consultant for design documentation for Pasadena/Church Point Reserve foreshore works.
- Preliminary concept plans advertised to local residents to seek agreement/design parameters.
- Preparation of Part V/EIS/DPI approval.
- Commission tender documents.
- EOI/Tender for works.

- Report to Council to nominate contractor.

Carpark/Amenities Building

- Nominate scope of works (resealing/lighting/signage/fencing, etc).
- Refurbishment of amenities building.
- Prepare concept/preliminary drawings.
- Advertise for comment/adoption by Council.
- Commence detail documentation.
- EOI/Tender for works.
- Report to Council.
- Nomination of contractor.
- Commence works.

The forward development of the PoM will be directed by Council's Senior Management Team in relation to available staff resources and funding.

<p>21. <i>Continuing liaison with representative groups to be undertaken during the course of the process.</i></p>
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Council Response

Continuing liaison with representative groups and key stakeholders has been undertaken during the formation of the PoM and its analysis and this will continue into the future during the ensuing processes to help facilitate the desired outcomes