

Attachment Two - Copy of Submissions



6th November, 2015

RE: POP DENISON PARK – Master Plan

To follow up on our conversation of last week in relation to consultation with Council staff, Jackie Amos and Police. This discussion was positive and provided the framework for the development of Pop Denison Park into a regional park facility with consideration given to Crime Prevention Through Environmental Design (CPTED).

The key features as discussed were:

- Specialised junior and senior children's playground areas
- Extension of the internal road network and additional carparking within the reserve and off Fenwick Drive
- Walking and cycling pathways including a children's cycle path
- Pathway connection along the eastern foreshore of Shaws Bay
- A Boardwalk along the north eastern edge of Shaws Bay
- New amenities, shelters, barbeques and seating.
- Signage
- Exercise stations

With the proposal of the works being undertaken in three stages between 2015 and 2028, Police recommend consultative inclusion at each stage of the proposed works. This will allow definitive comment on the proposed works in order to minimise crime risk as required under Crime Prevention Guidelines under section 79c of the NSW Environment Planning & Assessment Act.

Helen Crawford
Senior Constable
Crime Prevention Officer

Crime Management Unit

Insert Address NSW 2xxx
T 02 66260571 F 02 66260511 W www.police.nsw.gov.au
TTY 02 9211 3776 for the hearing and speech impaired ABN 43 408 613 180

TRIPLE ZERO (000) Emergency only	POLICE ASSISTANCE LINE (131 444) For non emergencies	CRIME STOPPERS (1800 333 000) Report crime anonymously
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Department of
Primary Industries

OUR REF: OUT15/33616

30 November 2015

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Attention: Mr Klaus Kerzinger

Dear Mr Kerzinger

Re: Draft Pop Denison Park Master Plan – Pop Denison Park (R88004)

Thank you for your letter dated 28 October 2015 inviting DPI Fisheries to review the Draft Pop Denison Master Plan (DPDMP) and provide formal comments to Council by 2 December 2015.

DPI Fisheries, a division of NSW Department of Primary Industries (DPI) is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994 (FM Act)* and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*. In addition, DPI Fisheries is responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture and marine protected areas within NSW.

The potential impact of the proposal upon fish and key fish habitat in Shaws Bay is of particular interest to the Department in relation to this proposal. DPI Fisheries has had a long history of involvement with issues affecting Shaws Bay and I am pleased that the department has been given the opportunity to contribute to the development of the Draft Pop Denison Park Master Plan.

The delivery and adoption of the Coastal Zone Management Plan – Shaws bay (CZMP) and the assessment of other proposals throughout Ballina LGA are to ensure that fish stocks are conserved and that there is "no net loss" of key fish habitats upon which they depend. In respect to the DPDMP, DPI Fisheries highlights that direct impacts on seagrass resulting from dredging and reclamation activities would need to be assessed and potentially offset consistent with the Department's policy and guidelines for fish habitat conservation and management (updated 2013).

DPI Fisheries notes the DPDMP recognises the presence of estuarine habitats of seagrass (*Zostera* and *Halophila*), saltmarsh (Saltwater couch, Sea Rush, Samphire and Seablite) and mangroves (Grey and River). The estuarine habitat is important in reducing shoreline erosion and filtering sediment and nutrients from stormwater runoff. DPI Fisheries has reviewed the DPMP and makes the following comments;

DPMP Priorities:

DPI Fisheries in supporting the CZMP is pleased the DPMP incorporates strategies to design layout and facilities that reflect the designation of the northern end of Shaws Bay as an Ecological Protection Zone (EPZ). Facilitating this priority, DPI Fisheries appreciates the inclusion of signage in DPMP that encourages an understanding of the EPZ and the significance of the mangrove habitat and protection of saltmarsh area which is sensitively located.

DPMP Strategies:

Management of mangroves is to be as per CZMP recommendations. Mangroves are to be maintained by Council according to their permit from DPI Fisheries to maintain mangroves at certain access points and stormwater outlets.

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Department of
Primary Industries

Saltmarsh:

DPI supports the importance and recognition of the area of saltmarsh on the point is to be protected with dune style fencing. This will redirect pedestrian access around the beach rather than across the saltmarsh.

Ecological Protection Zone:

Stage 3 2023-28 works outlines the accommodation of the gradual western encroachment of mangroves. The proposal for a boardwalk – 80m long x 1.5m wide be located within this location, a waterway mapped as a key fish habitat. As such, any dredging and reclamation works associated with the proposal undertaken within the high bank of Shaw's Bay will trigger the need to obtain an approval for dredging and reclamation and harm to marine vegetation works under section 200 and 205 Part 7 of the FM Act respectively, **prior to the commencement of works**. Further, DPI Fisheries suggest the 120m² footprint of the boardwalk would be required to be constructed with mesh decking. The mesh decking would reduce the direct impact on aquatic vegetation and incorporate interpretive signage describing the significance of the EPZ and importance of the mangroves for estuarine health and as key fish habitat for breeding.

DPI Fisheries policy and guidelines for fish habitat conservation and management as detailed on the Department's website at:

www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation

As a general principle, DPI Fisheries aims for no net loss of key fish habitats. Tidal waters are considered key fish habitats and seagrass bed >5m² are identified as *highly sensitive*, TYPE 1 key fish habitats. As a first priority, DPI Fisheries aims to **avoid** impacts upon key fish habitats (which include tidal waters such as Shaws Bay), rather these areas should be maintained or improved. Where avoidance of impacts on key fish habitats is impossible or impractical, proponents should then aim to **minimise** impacts. Any remaining impacts should then be **offset** with compensatory works. I have provided as an attachment to this letter the relevant sections from DPI Fisheries policy and guidelines for rehabilitation and compensatory measures. The policy makes specific reference to a compensatory ratio of 2:1 (outside of SEPP14 Wetland areas) and a \$102/m² monetary payment (subject to CPI inflation) for impacts on marine vegetation including mangrove, seagrass and saltmarsh.

The Department looks forward to working with Council's DPDMP to achieve the best outcomes for the ongoing management of Shaws Bay.

Sincerely

A handwritten signature in black ink, appearing to read 'Troy Northey'.

Troy Northey
Regional Assessment Officer (North)

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3.3.3 Rehabilitation and compensation measures

There are two types of activity which can be used to mitigate damage to fish habitat: **habitat rehabilitation** involves repairing damage caused by past activities, and **environmental compensation**, which is the creation or enhancement of fish habitats or fisheries resources in order to compensate for anticipated adverse or actual environmental effects of proposed developments.

Habitat rehabilitation can be either passive or active. After the removal of the damaging or inhibiting factor or structure, some habitats can be left to passive natural processes to rehabilitate the area. The main advantage of passive rehabilitation is its low cost. However, the success is dependent upon the extent of the degradation of the area, the ability of the surrounding environment to supply propagative material, and the prevalence of suitable site conditions that are able to encourage and sustain vegetative growth. The main disadvantage of passive rehabilitation is the amount of time that is required to restore the habitat to its former value, which may be many decades, or never in some instances.

Active rehabilitation can use remedial engineering works (e.g. fishways, gross pollutant traps, removal of barriers), construction of artificial habitats (e.g. artificial reefs), habitat enhancement, restocking, re snagging, removal of exotic species, fencing of stock and revegetation.

Environmental compensation must consider the representativeness and value of different types of habitats. In most cases this will involve judgements based on increased productivity or biodiversity of fish and may involve proposed replacement of one habitat type with another (e.g. replacement of mangroves with saltmarsh). Environmental compensation may include: (i) structures which represent an integral part of the development (e.g. groynes, pylons, artificial waterways), (ii) works which are undertaken as compensation for disturbance of ecologically important habitats (e.g. transplanting vegetation, fishways, environmental flows, removal of barriers to fish passage, removal of polluted areas), or (iii) money to pay for the value of the habitat lost.

A key outcome sought with rehabilitation and compensation measures is to ensure their longevity and ongoing management post initial construction or implementation. NSW DPI may therefore require the negotiation of conservation agreements, rezoning of land or similar to ensure that such outcomes are achieved.

3.3.3.1 Legislation

Under the EP&A Act, the FM Act and the Water Management Act 2000 (WM Act) there are provisions for the ordering of rehabilitation and compensation works. **Section 220** of the FM Act allows for conditions to be included in permits issued under the Act. The costs are considered to be part of the cost of the development and are to be met by the proponent.

The controlled activities and aquifer interference provisions under Division 6 of the WM Act have provisions for restoring or rehabilitating a water source or its dependent ecosystems.

3.3.3.2 Policy and guidelines for habitat rehabilitation and environmental compensation

In addition to the general policies stated in Chapter 3, the following policies apply to rehabilitation and compensation:

- 1) As noted in general policy 7 in section 3.1, NSW DPI enforces a 'no net loss' habitat policy as a permit condition or condition of consent. This may require proponents to conduct habitat rehabilitation and/or provide environmental compensation. A monetary bond or payment may be required to be lodged with NSW DPI to ensure the works are completed in accordance with the permit conditions (see section 3.3.4 below for further information on bonds).
- 2) NSW DPI calculates habitat compensation on a minimum 2:1 basis for all key fish habitat (TYPE 1 - 3 in Table 1) to help redress other indirect impacts of development. A greater compensation ratio may be considered if opportunities for compensation are not available in the vicinity of, or of the type of, habitat that has been lost. Please note that compensation for disturbances to SEPP 14 coastal wetlands (which may include TYPE 1 and 2 habitats) requires approval from the Department of Planning and Infrastructure and a ratio of 10:1

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generally applies. This is calculated¹ at the rate of \$51/m² for marine and freshwater vegetation which equates to \$102/m² to meet the 2:1 habitat offset requirement.

- 3) NSW DPI does not support seagrass transplanting as an impact compensation measure as the viability of transplanting methods is yet to be scientifically proven for all species (see Ganassin and Gibbs 2008). Transplanting may be allowed in future for those species where viability is scientifically proven. In circumstances where seagrass is likely to be negatively impacted and cannot be avoided or mitigated, environmental compensation will be required and calculated in line with the rate outlined in point 2 above.
- 4) In the case of mangroves and saltmarsh, transplanting the vegetation from the impact site to the compensation site may be required.
- 5) NSW DPI requires a management plan be developed for any compensatory area of habitat that ensures:
 - replanting, transplanting and monitoring methods are documented in accordance with the permit conditions;
 - the site is suitable for habitat creation (e.g. is of suitable substrate and depth, not exposed to excessive pollution);
 - in the case of revegetation, species used must be endemic to the area and suitable for the site;
 - performance indicators are set to adequately measure success of the project over time and to identify where responses are not being achieved.

Guidelines for implementing the above policies include:

- a) Opportunities to enhance and/or protect existing key fish habitat, and to avoid direct or indirect impacts on such habitats is preferred and should always be explored as a first option.
- b) NSW DPI supports strategic resource investment such that rehabilitation efforts should primarily be invested in areas where there is likelihood of rehabilitation success (key fish habitats with high recovery potential).
- c) Subject to point b above, habitat rehabilitation and compensation should take place as close as possible to the site of the impact to achieve 'no net loss' of habitat within the area affected and the catchment as a whole.
- d) Pre-development habitat compensation (i.e. prior to disturbance) is recommended over post-development compensation (i.e. after the habitat is lost).
- e) Repair of degraded habitat is recommended over habitat creation and should be conducted as close to the site of proposed 'habitat loss' as possible.
- f) Transplanting of aquatic vegetation should only be undertaken if an appropriate donor site is available or where re-establishment is likely to be successful (e.g. plants with vegetative growth and fairly shallow roots – e.g. sedges and rushes). NSW DPI recommends that donor sites are selected in consultation with the local Aquatic Habitat Protection Unit staff (see Appendix 5 for contact details). Mangrove rehabilitation projects/activities should be undertaken in accordance with the NSW DPI 'Mangroves' Primefact (Primefact No. 746) available on the NSW DPI website at www.dpi.nsw.gov.au.
- g) Where affected habitat is less sensitive, secondary compensation may be more appropriate than implementing a 'like for like' habitat replacement policy. For example, in catchments and/or estuaries where the habitat being replaced is not sensitive or under threat, alternative environmental measures may achieve greater environmental gain (e.g. removal of 1 ha of river mangrove might require the transplanting of 2 ha of endangered saltmarsh).
- h) Habitat rehabilitation efforts should be directed at achieving the maximum benefits for fish habitat and fisheries. Local councils, government departments, community groups or individuals who wish to rehabilitate degraded marine, estuarine or freshwater aquatic habitats should discuss their proposals with NSW DPI. This will ensure that efforts are directed at key fish habitat areas as a priority, methods used are appropriate and relevant approvals are obtained prior to the commencement of works.

¹ This rate is consistent with rates calculated by Costanza et al (1997), subject to annual inflation. This rate will continue to be subject to an annual increase in line with the Consumer Price Index per financial year.

3.3.4 Environmental bonds

The lodgement of an environmental bond may be a permit requirement for developments that i) present a risk of causing significant impact on key fish habitats or fisheries resources and/or ii) require substantial performance in terms of environmental protection/outcomes. The purpose of the bond is to ensure predicted outcomes/proposed mitigation measures are indeed implemented and achieved. Some examples of the types of activities that generally require an environmental bond include developments which may impact on protected areas, protected or threatened species and TYPE 1 and 2 key fish habitats (see Table 1).

On satisfactory completion of the works in accordance with all of the permit conditions and where predicted outcomes/mitigation measures are achieved, the bond or bank guarantee will be returned to the applicant. Failure to comply with permit conditions or to meet performance targets may result in forfeiture of all or part of the bond.

The bond can be in the form of a bank guarantee, bank or personal cheque made payable to NSW DPI. The funds are deposited into the NSW DPI Fish Conservation Trust Fund, established under the FM Act. Cash or cash cheques will not be accepted. NSW DPI will calculate the value of the bond on the basis of the total cost of compensation or rehabilitation of the habitat taking into account the department's "no net loss" and habitat compensation requirements as outlined in section 3.3.3. The department will also factor in any potential contingency costs and inflation rates over the life of the compensation plan.

A monitoring program may also be required as a condition of consent to measure the success of any compensation or rehabilitation requirements (see section 3.3.5). The bond may only be redeemable on the completion of the monitoring program and providing the rehabilitation or compensation measures were successful based on specified performance criteria.

3.3.4.1 Legislation

Section 220 of the FM Act allows for conditions to be included in permits including conditions requiring the permit holder to enter into a bond or guarantee or other financial arrangement for the due performance of the holder's obligations under the FM Act. The Fish Conservation Trust Fund, established under the FM Act, is used for the receipt and refund of environmental bonds.

3.3.4.2 Policy and guidelines for environmental bonds

- 1) NSW DPI will use the following three general categories to estimate the value of the environmental bonds required:
 - Small-scale development or minor environmental impact - \$100's - \$10,000's. Examples include construction of jetties, stormwater drains, the removal of less than two square metres of seagrass or 10 mangroves, or the development is within a degraded key fish habitat.
 - Medium-scale development or moderate to major environmental impact - \$100,000's. Examples include marinas, sewage outfalls, weirs across a waterway, dredging, construction of a groyne, destruction of TYPE 1 or 2 key fish habitats (see Table 1) including those greater in area or size than outlined above.
 - Large-scale development or significant environmental impact - \$1,000,000's or more. Examples include reclamation of water land for commercial gain (e.g. tourist facility, port or airport facility, residential subdivision), disturbance of contaminated material, dam across a waterway, major water diversion.
- 2) The requirement or category of an environmental bond and the magnitude of the bond will be at the discretion of the Minister for Primary Industries (or delegate). In special circumstances the monetary value of the environmental bond may be negotiated between NSW DPI and the proponent using the above policy as a guide.
- 3) NSW DPI will refund the environmental bond to the proponent when it has been demonstrated that the conditions of the permit or approval have been satisfied. This will generally require the submission of an environmental monitoring program report by an independent consultant and/or site inspection(s) by staff of NSW DPI. A review will generally occur on an annual basis and the refund will occur after completion of the project and submission of the final monitoring report.

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- 4) If the conditions of a permit or approval are not satisfactorily met, NSW DPI may retain all or part of the environmental bond. If all or part of the bond is retained the proponent may choose to appeal the decision by writing to the Executive Director, Fisheries NSW of NSW DPI. A dispute resolution committee may evaluate the appeal and make recommendations concerning the confiscated bond to the Executive Director, Fisheries NSW to assist with the assessment of the merits of the appeal.
- 5) NSW DPI may use any retained bond to rehabilitate or enhance key fish habitats (see Table 1), carry out research, or contribute to management or compliance activities that are undertaken by the department, other organisations or individuals. NSW DPI will aim to use any confiscated bond in the water catchment where the damage of fish habitat occurred or fish species were affected, but this may not always be possible.

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To whom it may concern,

Autism Spectrum Australia (Aspect) Northern NSW has prepared this submission on behalf of people in our community with an Autism Spectrum Disorder and other disabilities.

This submission is in relation to the Pop Denison Park draft masterplan currently on display.

Aspect requests that proposed improvements to the Pop Denison Park make Community Inclusion a priority, in keeping with the Australian Government Disability Discrimination Act cited on the Ballina Shire Council Website.

Our neighbours in the Tweed Shire Council recently undertook a needs analysis that revealed:

An accessible and inclusive community means creating possibilities. It enables people to live their lives according to their individual interests, needs and aspirations, no matter who they are or their circumstances. It means being able to physically move around the community and feel included as a member of the community. It involves access to buildings, festivals, events and open space such as streetscapes and parks, and inclusion in arts and culture, leisure, sports, education, employment and social life.

Tweed Shire Council

We propose the following inclusion measures be incorporated into all plans for improvement of the recreational infrastructure at the Lake Ainsworth site:

- The proposed junior playground be a fenced, inclusive play space that caters for vision, hearing and mobility impairments as well as spectrum disorders. In particular, creating a fenced playground, or one surrounded by a clear, wide perimeter path can ensure safety for children with on the autism spectrum who may wander from a safe, supervised area.
- The proposed junior playground contain play equipment that caters to sensory needs such as sight, touch and sound, for example, nature, sand, water or musical play.



Autism Spectrum Australia (Aspect) ABN 12 000 637 267
23 Commercial Road, Alstonville NSW 2477 | PO Box 937 Alstonville NSW 2477 | T 0266283690W www.autismspectrum.org.au



- Consider including a wheelchair swing (such as the Australian-made Liberty Swing) in the playground for inclusive play.
- Consider including a ramp into the water in Shaws Bay to allow inclusive swimming access.

Autism Spectrum Australia is available to provide further recommendations or consultation on Community Inclusion in Ballina Shire.

On behalf of the Ballina Shire community, thank you for considering our submission.

Kind Regards,

Jodi Rodgers Manager – Northern NSW
23 Commercial Road
Alstonville NSW 2477
T (02) 6628 3660 M 0400 987 608
www.autismspectrum.org.au

Taya Prescott Community Inclusion – Northern NSW
23 Commercial Road
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GENERAL RESPONSE INFORMATION - Mick Howland, Managing Director, Hydrosphere Consulting

SURVEY RESPONSES

1. Name of exhibited document you want to make comment on.

Pop Denison Park Masterplan

2. Your name (anonymous submissions may be disregarded by Council) Mick Howland, Managing Director, Hydrosphere Consulting

3. Phone number (optional)

0401 984 282

4. Email (confirmation of your email address is required to provide feedback from Council)

mick.howland@hydrosphere.com.au

5. Having read the document, is it easy to read and understand?

Yes - well presented and very readable.

6. Please provide any suggestions for improvement.

See comment 8.

7. Do you support the overall objectives and content of the document?

Yes

8. Please provide further comments if you wish.

1. Extension of the roadway through the park is supported. It may be advantageous to extend this further such that it connects with Fenwick Drive, thereby allowing access to either end and allow additional parking options. The potential for through-traffic is considered to be low and this option may actually reduce the amount of cars travelling the full length of the roadway.

2. Although we considered the use of a pontoon at the south-western end of Shaws Bay adjacent to the steps (to facilitate additional access to the water) in the CZMP, the inclusion of an island like pontoon near Pop Denison Park isn't supported. It is likely to detract from the visual amenity of this section of the Bay. The location identified also appears to be in shallow water which may present a diving safety hazard.

3. The concept of clearing some understorey scrub in favour of opening up views is supported. This should be planned carefully to ensure some segregation of recreation areas, maintenance of wind breaks, protection of trees, etc. We feel that there are opportunities to provide more use of the understorey area through inclusion of seats and possibly picnic tables in this area as well as providing better pathways to encourage access the westward facing beach.

4. We also support the new pavement/path concept - however, care should be taken to ensure that the path does not bisect key areas or disrupt the feeling of space. The water side areas of Pop Denison Park are relatively constrained and achieving the right balance of pathway and open space near the water is important.

5. The structure to 'celebrate' the arrival from the central pedestrian access at the foreshore is unnecessary and has significant potential to detract from the area.

6. The board walk concept is excellent and is in a good location.

7. Some fencing of the saltmarsh areas is likely to be necessary, but care should be taken to ensure that fencing remains unobtrusive and that access around the sandy beach area is not unduly hindered

GENERAL RESPONSE INFORMATION ON LINE SURVEY – Chris Mills

1. Name of exhibited document you want to make comment on.
Pop Denison Park Master Plan East Ballina

2. Your name (anonymous submissions may be disregarded by Council)
Mr Chris Mills

3. Phone number (optional)

4. Email (confirmation of your email address is required to provide feedback from Council)
cmi09014@bigpond.net.au

5. Having read the document, is it easy to read and understand?
Yes

6. Please provide any suggestions for improvement.
* Parking.. I think for major events it will be inadequate
* Traffic flow.. I think there will be flow problems, cars entering will need to back track if all sections are full, the use of one way traffic with a "ring road" may work better? Move the senior playground further south and put the road between the playgrounds with extra parking.

7. Do you support the overall objectives and content of the document?
Overall it is good to see some "tidy up of the area"



Submission to the Draft Master Plan for Pop Denison Park

Thank you for the opportunity to comment on the Draft Master Plan for Pop Denison Park. We were pleased to be able to explain our Club's requirements to Ms Amos and also to send her a document detailing our discussion. This document can be found on page 46 of the Draft Master Plan.

The Draft Master Plan describes a number of exciting options for Pop Denison Park over the next 13 years. In general, we support these developments with the following provisos and comments.

1. Preferred option – Option 2

The Boules artiste Pétanque Club's preferred option is option 2 for three main reasons:

- Options 1, 3 and 4 locate the new parking area in a position where people would need to walk across the pétanque piste to get to the junior play area. With a large number of people doing this the surface of the piste is disturbed and, over time could lead to tracking and unnecessary wear and tear on the surface.
- Options 1 and 3 place the junior play area very close to the piste. This can encourage inappropriate use of the piste for bike riding and other play activities. With a large number of people doing this the surface of the piste is disturbed and, over time could lead to tracking and unnecessary wear and tear on the surface.
- Option 2 locates the proposed new piste next to the existing piste, which makes managing the games played on the two pistes much more convenient. The placement of the pistes in option 5 is completely unacceptable as it would be impossible to organise games with a road between the two playing areas.

2. Shade structure for pétanque piste

We welcome the addition of the new shade structure to the existing pétanque pistes, particularly in Stage 1- (2015/2018) as this shelter will give us some respite from the hot sun and also enable us to shelter from rain. We would request some additional plantings on all sides of the piste to supplement the shade structure and to give us more shelter while playing.

3. Storage area

We also welcome the construction of the toilet block in stage 1 – (2015-2018) as this is a priority in terms of safety for users. We also encourage Council to include a small storage area in this building for us to store our equipment.

While pétanque does not require much equipment, the equipment we use is bulky and very heavy. Everybody uses three boules (balls) and each ball weighs about 700g. We have a number of spare boules for new players, visitors and special events. We also have tables, chairs, umbrellas and some other equipment which we currently have to bring with us each time. Not only is this inconvenient and heavy, but it also means that if the person who has the equipment cannot attend one day it is sometimes impossible to have the equipment delivered to the piste.

4. Bubblers

We support the addition of bubblers, which we would find very useful. We encourage consideration of positioning bubblers in a place where non-players are not encouraged to walk cross the piste to reach the bubbler.

5. Lighting

We support the lighting of the area but only in the early evening for BBQs, as later lighting may encourage anti-social behaviour. Solar LED is our preference. Once a month and on other special occasions we hold post-game social activities and could even have twilight games if lighting was available.

6. Timing of new pétanque piste

We were disappointed to see that the construction of a new pétanque piste was not scheduled for construction until Stage 3 – (2023-2028) – more than 10 years away! As a Club we are growing - we now have more than 36 members and the area we have is not really large enough now. The current piste can cater for 4 teams playing at any time (one team's area needs to be 4 metres x 15 metres. Playing doubles this means 16 people can play at a time or, playing triples 24 could play at one time. For special events we are already forced to play on the hard clay and grass areas of the park next to the piste, but this is not at all suitable. With the pace of current growth and with many more people visiting Pop Denison Park when the new fitness, playground and other facilities are constructed, growth will be much higher and an extra piste will be required within 2-5 years at a maximum. (We get a lot of new members from people visiting the park – those who become aware through our signage or be watching us play of the possibility of playing pétanque.) We would happy to have a new piste built in say 2017/18 with shelter and seating added at a later date.

The price quoted in the Draft Master Plan for the piste, shelter and shading is \$20,000. Given the price for shelter and shading is quoted at \$6,000 this implies that the cost of construction of a piste is \$14,000. We strongly question the pricing as we understand the current piste cost less than \$5,000. We would respectfully ask that the construction of a new piste be moved to stage one or early stage two.

7. The retention of the existing shelters

Whilst we understand that the existing shelters were generously provided by the Lions Club many years ago we believe that their design no longer meets the needs of users. The position of the supporting posts limit the number of people who can be seated; its is very difficult to get into the seat (impossible for older citizens); and, the dividing walls and general layout makes it difficult to share food and conversation. Perhaps the attribution to the Lions Club and appropriate pictures of the current shelters could be retained as a sign of the community's appreciation of the generous work of the Lions Club.

8. Parking

With the increase in usage of Pop Denison Park expected when the area is developed the amount of proposed parking appears to be inadequate.

9. Fitness facilities, play areas, boardwalk, signage

We strongly support the addition of these facilities.

We thank you for the opportunity to comment. Please contact me if you would like any further information.

Many thanks and kind regards,



Victoria O'Connor
On behalf of Boules Artistes Pétanque Club, Ballina
Phone: 0418 654 552
voconnor@mbasolutions.com.au

9.2 Pop Denison Park, East Ballina - Draft Master Plan.DOC

From: Bruce Casselden [<mailto:meribru@bigpond.net.au>]
Sent: Sunday, 22 November 2015 3:37 PM
To: Ballina Shire Council
Subject: Submission --- Pop Denison Park. Attention Klaus Kerzinger

I wish to make a submission in respect to the proposals for Pop Denison Park.

My concerns relate to the foreshore of the lake adjoining the area of Pop Denison Park and other areas.

The Pop Denison Park proposal mentions addressing issues related to the CZMP, as part of the program.

It appears that, very little work has been done in respect to the CZMP that was introduced in the early 2000's. The latest review does not appear to have commenced.

The use of Pop Denison park is related in many ways with the ability to utilise the water areas that adjoin the park. Families and other users use the park area in conjunction with the water areas.

Sadly at present mud, mangroves and various water vegetations, are overtaking and reducing the actual beach type area that people can utilise.

I understand that Council did have [or does have] a Permit to remove and control some mangrove areas. It would appear that Council has not utilised that Permit to enhance the various areas adjoining the lake. Many of the sand areas are now also covered with mud, reducing the enjoyment by users.

It appears to me that enhancing the park area would in many instances be a waste of capital if the users do not have a clean and open lake foreshore to enjoy.

Council should in my opinion, commence to undertake the recommendations of the CZMP before actually improving the land base of the Park.

With the current concerns and even fright of Sharks in the ocean and river and the attacks from them, the Lake is the only 'safe' area.

For the sake of safety and providing a safe area for locals and tourists I would think that Council would wish to improve a safe area, rather than letting it deteriorate.

I hope that urgent consideration to improving the waterway and foreshores is priority number 1.

Regards.

Bruce Casselden.

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GENERAL RESPONSE INFORMATION ON LINE SURVEY – Tracy Nobbs

Response Start Time: 11/30/2015 11:29:12 AM Response End Time: 11/30/2015 12:13:24 PM IP

Address: 121.218.84.245 Completed Survey: Yes

Respondent: Anonymous

SURVEY RESPONSES

1. Name of exhibited document you want to make comment on.

Pop Denison Park

2. Your name (anonymous submissions may be disregarded by Council) Tracey Nobbs

3. Phone number (optional)

4. Email (confirmation of your email address is required to provide feedback from Council)

tnobbs@bigpond.net.au

5. Having read the document, is it easy to read and understand?

Had a look over document at Ballina Council & online

6. Please provide any suggestions for improvement.

Provided suggestions on first gathering at park

7. Do you support the overall objectives and content of the document?

My main issue to plan is the car parking along Fenwick Drive. Especially in front of our home.

* It will attract people arriving for fitness activities very early(in the dark)in the mornings, dogs barking, car doors slamming, noise etc.

* It would be a nightmare with road congestion- caravans arriving & departing from Holiday Park on Fenwick Dr

8. Please provide further comments if you wish.

Extra car parking could be along the left hand side of existing road on entering Pop Denison from Compton Dr & some more a little closer to water & picnic areas

GENERAL RESPONSE INFORMATION – June Beresford

Response Start Time: 12/1/2015 9:33:54 PM Response End Time: 12/1/2015 9:57:23 PM IP Address: 124.149.70.235 Completed Survey: Yes
Respondent: Anonymous

SURVEY RESPONSES

1. Name of exhibited document you want to make comment on.
Pop Denison Park Master Plan

2. Your name (anonymous submissions may be disregarded by Council) June Beresford

3. Phone number (optional)

4. Email (confirmation of your email address is required to provide feedback from Council)
junebero@inet.net.au

5. Having read the document, is it easy to read and understand?
No

6. Please provide any suggestions for improvement.
I was not sure if the public are to select one of the plans or if they were required to comment on the selection of the playground equipment.

7. Do you support the overall objectives and content of the document?
Yes but the Coastal Zone Management Plan - Shaws Bay is doing little to improve the condition of the bay, which may have a detrimental effect on the Pop Denison Park improvements.

8. Please provide further comments if you wish.
I have read the Draft Master Plan and wish to make the following comments for your consideration:

I believe it is an excellent idea to enhance Pop Denison Park and hopefully encourage more locals and attract tourists to enjoy it but if something is not done to improve Shaws Bay for community and tourist use the whole exercise could be futile. A murky bay adjacent to the Pop Denison Park will not encourage use of it.

Listed under existing issues (page 13) it notes limited car parking spaces. The preferred plan does not appear to be increasing the car parking spaces as it is taking the current car park near main access to the bay out. The Pop Denison Master Plan quotes "A number of parallel car parks are provided close to the foreshore area to allow for the unloading of canoes and kayaks". Page 27, this parking appears to be about 200mtrs from waters edge, a long way to carry watercraft. If the car parking is moved away from the beach access points it makes it difficult to carry the supplies for picnics, and watercraft such as kayaks, paddle boards etc. The car parking plans seem to focus more towards the new park area and away from the bay, should not the use of the bay as well as the park be encouraged. Car parking in Fenwick Drive is a good idea but would not service the users of the bay. Can I suggest Council include more car parking spaces as well as retain the current ones.

The "Ecological Protection Zone (as per CZMP) as planned is in front of 2 small shelters that are used by people for picnics and entry to the bay etc, and it appears that the water access in front of these

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shelters will no longer be available other than for the mangroves and weeds to increase in this area. This end of the bay is often polluted and smelly especially after rain, with the Protection Zone area being as far up the bay as the beach access (currently the main access point) it will possibly mean that if the mangroves and weed are not controlled the pollution from this area will gradually encroach more and more of the Bay.

The Junior playground is right next to the toilet block, would it not be safer to have the Junior playground away from the toilet block to minimise the possibility of unsavoury characters (that are currently known to sometimes loiter at the toilets) gaining access to them.

The area marked for dredging appears to be only a small part of the bay, dredging should be done right to the wall to gain back the deep waters that Shaws Bay once enjoyed.

Exercise stations may be more utilised if stationed along the informal running track as it is usually the runners that use these stations, not the walkers.

The suggestion from a number of the students as part of the School Consultation and Input to include a pontoon was a great idea, has this idea been discarded as it was not included in any of the stages of developing the Pop Denison park.

GENERAL RESPONSE INFORMATION – Karen Morgan

1. Name of exhibited document you want to make comment on.
Pop Denison Park Master Plan Preparation

2. Your name (anonymous submissions may be disregarded by Council):
Karen Morgan

3. Phone number (optional):

4. Email (confirmation of your email address is required to provide feedback from Council):
krmorgan55@yahoo.com.au

5. Having read the document, is it easy to read and understand?
Yes

6. Please provide any suggestions for improvement.
I have noticed there is only one toilet block on the western side of the Park. I feel there could be an extra toilet block on the eastern side as well. The one on the western side will be good to service people who are swimming and BBQing but for those utilising the running track and adult playground I feel an extra one would be of benefit to these people. I am wondering if there are any shower facilities available either within the toilet block or on the outside. I feel showers are a necessity for this new development, mainly for swimmers but would also be handy after a training run.

7. Do you support the overall objectives and content of the document?
Yes



Department of
Primary Industries
Lands

Our Ref: 15/08674
TRIM Ref: DOC15/233459

7 December 2015

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Attention: Klaus Kerzinger

Dear Mr Kerzinger

Re: Draft Pop Denison Park Master Plan October 2015

I refer to the draft Master Plan prepared by Ballina Shire Council for Pop Denison Park at Shaws Bay, East Ballina.

Land Description & Status

Pop Denison Park is on Crown land described as Lot 7016 DP 1068899 and is part Reserve 88004 for Public Recreation notified 13 November 1970.

Shaws Bay below MHWM is part Reserve 1011268 for Future Public Requirements notified 3 February 2006.

Both areas form part of Reserve 1012188 for Access and Public Requirements, Rural Services, Tourism Purposes and Environmental & Heritage Conservation notified 18 August 2006 (the Ballina Coast Regional Crown Reserve).

Land Management

Ballina Shire Council is the appointed manager of the *Ballina Shaws Bay Reserve Trust* that is charged with care, control and management of Reserve 88004.

The Ballina Coast Regional Crown Reserve is administered direct by Department of Primary Industries – Lands.

Reserve 88004 is subject to the adopted *Ballina Coastal Reserve Plan of Management* however Pop Denison Park was excluded from the PoM at the time in lieu of separate planning which included consideration of strategic options for Shaws Bay Caravan Park.

The draft master plan for Pop Denison Park is consistent with the objectives of the Ballina Coastal Reserve PoM.

GRAFTON OFFICE
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Please address all correspondence to:
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PO Box 2185
DANGAR NSW 2309
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It should be noted that a new Plan of Management for Shaws Bay Holiday Park prepared by NSW Crown Holiday Parks Trust was adopted by the Minister on 15 January 2015.

Comments

Council is to be commended on the draft Master Plan which provides a level of review and planning commensurate with the significant recreational values of the reserve.

The master plan is a key element for managing the Shaws Bay foreshore reserve system and implementation of the Shaws Bay Coastal Zone Management Plan.

It is suggested that the preamble and background would benefit from more context in regards to the planning to date (as noted above) and thereby demonstrate that the Master Plan completes a holistic suite of management plans for the Shaws Bay precinct.

It would be appropriate to ensure the statutory framework includes a reference to the *Crown Lands Act 1989* and acknowledges the "Principles of Crown Land Management".

If you require any further assistance with this matter please contact Mr Peter Baumann by telephone: (02) 66429201 or by email peter.baumann@crowmland.nsw.gov.au

Yours sincerely



Kevin Cameron
Manager Far North Coast
Department of Primary Industries Lands