

# **Notice of Reserve Trust Manager Meeting**

a Reserve Trust Manager Meeting will be held in the Ballina Shire Council Chambers, 40 Cherry Street, Ballina on **Wednesday 5 February 2014 commencing at 4.00 pm.** 

### **Business**

- 1. Apologies
- 2. Declarations of Interest
- Deputations
- 4. Committee Reports

Paul Hickey

**General Manager** 

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- 1. **Apologies**
- 2. **Declarations of Interest**
- 3. **Deputations**

### 4. Committee Reports

### 4.1 Captain Cook Memorial Park Master Plan

**Delivery Program** Strategic Planning

**Objective** To report on the submissions received in response to

the public exhibition of the draft Captain Cook Memorial Park Master Plan and seek direction with

respect to the adoption of the plan.

### Background

Captain Cook Memorial Park in Ballina (Figure 1) is managed under the Richmond River Foreshores Reserve Trust. Ballina Shire Council was appointed as Reserve Trust Manager in July 2012.

Captain Cook Memorial Park is the eastern portion of Crown Reserve 71612. Captain Cook Memorial Park occupies approximately 5,000m<sup>2</sup> of Crown land on the northern shoreline of the Richmond River adjacent to the Ballina town centre.

The western portion of the reserve is known as the RSL Memorial Park. The Reserve does not include the land that contains the Country Women's Association (CWA) Hall, and as such, Council is not the Trust Manager of the CWA Hall.



Figure 1- Location of Captain Cook Park

Council engaged landscape architecture consultant Red Belly Landscape Design to prepare a landscape master plan for the eastern portion of the reserve, being Captain Cook Memorial Park. Council, as Reserve Trust Manager, considered a draft master plan at the Reserve Trust Meeting held on 10 October 2013. The Trust resolved as follows (RT101013/1):

That Council, acting as the Richmond River Reserve Trust, endorses the draft Captain Cook Memorial Park Landscape Master Plan for public exhibition, subject to the following change:

The removal of items 23 and 24 (ie page 32) being for the reinstatement of mangrove vegetation and the boardwalk in this location.

In accordance with the Trust's resolution, the required amendments were made to the master plan and the draft plan was placed on public exhibition between 23 October and 22 November 2013.

The purpose of this report is to provide an overview of the submissions received in response to the public exhibition of the draft master plan and seek direction from the Trust with respect to the adoption of the master plan.

### **Key Issues**

- · Community land use
- Outcomes of public exhibition
- Establishment of master planning framework for future works within Captain Cook memorial Park.

### Information

As outlined above, the *Captain Cook Memorial Park Draft Landscape Master Plan* (Attachment 1) was publicly exhibited during October and November 2013. Six submissions were received in response to the public exhibition. The following provides an outline of the consultation process and the public and Government agency submissions received.

The exhibition process for the draft master plan included a number of communication strategies, including:

- Formal advertising during the four week exhibition process.
- Hardcopy availability of draft plan at Council's Community Access Points as well as website access.
- Letter-box drop to businesses operating adjacent to the park.
- Direct mail-out to stakeholders previously engaged through the first round of community consultation.
- Notification to relevant State agencies of the plan's public exhibition.

In response to the exhibition, submissions were received from the following Government agencies and stakeholders:

- NSW Department of Primary Industries Office of Water.
- NSW Department of Primary Industries Office of Water (Water Regulation – North/North Coast).
- NSW Department of Primary Industries Fisheries Conservation Management (North).
- NSW Roads and Maritime Services.
- Ballina RSL Club.
- Country Women's Association Ballina Brach (CWA).

Attachment 2, Captain Cook Memorial Park Draft Master Plan Submissions Report, provides a summary of the above submissions. Attachment 3 Captain Cook Memorial Park Draft Master Plan Submissions contains a copy of each of the submissions received.

Information was also received earlier in the master planning process from NSW Trade and Investment – Crown Lands. Key elements of this feedback have also been addressed in the Submissions Report.

Many of the issues raised in the submissions relate to design details and implementation. The master plan is intended as an overarching plan that provides strategic direction in relation to the use of the land. As such, it is appropriate that a number of the items raised in the submissions are considered further during the detailed design phase of the project prior to the implementation of works (as outlined in the Submission Report). Matters for further consideration during the detailed design and implementation phases include amendment and obtainment of licences as relevant, pedestrian movement and traffic circulation, construction materials, lighting elements and landscaping layout.

### Legal / Resource / Financial Implications

As previously indicated to the Trust, resourcing and financial implications will need to be considered before initial components of the master plan can be implemented. Initially, funds will need to be allocated for the acquisition of the proposed public road and the associated survey work required.

The draft master plan has been prepared so plan elements can be staged over time as funds become available. In due course, the Reserve Trust may wish to consider the priority elements of the plan and the staging of implementation for these components over time, based on the availability of resources and community need.

It is suggested that the implementation of the master plan should commence with the fomalisation of the proposed public road and address of associated land management matters. Once these matters have been addressed, detailed design work for the built elements of the plan could be undertaken for the road reserve and its construction, landscape plantings and pathways. The implementation of the plan could then move to the design and construction of other built elements of the master plan as funds become available.

#### Consultation

The first round of stakeholder engagement occurred during the early phase of the project in April 2013. Letters were sent to nearby property owners and community groups including the CWA and the Ballina Chamber of Commerce and Industry. Additional letters were also hand delivered to businesses operating adjacent to the park. The letter invited stakeholders to provide feedback via face-to-face or telephone appointments with the consultant. Seven interviews were held with stakeholders including the Ballina CWA, Ballina RSL Club and the Ballina Chamber of Commerce and Industry.

The Ballina Shire Youth Council and Council staff (including the Open Spaces and Reserves Manager, Design Engineer, Infrastructure Planning Manager, Roads Engineer, Events Officer and Road Safety Officer) also provided input into this phase of the process.

A summary of findings from the initial phase of the draft master plan was outlined to the Trust at a briefing (held on 19 September 2013). The Trust also had the opportunity to discuss the draft master plan with the project consultant at the briefing.

Stakeholders engaged through the initial phase of the master planning process were also advised of the public exhibition period (4 weeks) and invited to make a formal submission. Relevant State Government agencies and surrounding commercial businesses were also notified of the draft plan's public exhibition. The broader community was also invited to comment through general advertising of the public submission period.

It is anticipated that further consultation with Crown Lands, the RSL Club and the Ballina CWA will occur prior to implementation of landscaping works.

### **Options**

1. That the Trust does not adopt the *Captain Cook Memorial Park Landscape Master Plan* and cease further action on the project.

Due to the extensive consultation undertaken in the preparation of the plan to date and the rationale underpinning the key elements of the proposed use of the reserve, this option is not recommended.

2. That the Trust defer the adoption of the draft plan.

This option could involve further consideration of the draft plan by way of a Trust briefing or additional community engagement. Given that the Trust has already considered the draft plan and the outcomes of the community engagement undertaken to date, this option is not recommended.

3. That the Trust adopt the plan as exhibited or with changes.

The Trust can adopt the draft plan as is or with minor changes. This option is recommended on the basis of the rationale underpinning the plan (Captain Cook Master Plan Landscape Master Plan Report 1 – previously provided to the Trust's October 1013 meeting) and that the consultation to date has been extensive.

A number of submissions on the draft plan will require consideration prior to the implementation of works. However, it is suggested that none of matters raised warrant changes to the draft plan in its current form. If the Trust elects to adopt the plan, it is recommended that the plan be adopted as exhibited. Under this approach, staff will proceed to finalise the plan including any final formatting and typographic adjustments.

### **RECOMMENDATION**

That Council, acting as the Richmond River Reserve Trust, adopts the Captain Cook Memorial Park Landscape Master Plan, as attached to this report.

### Attachment(s)

- 1. Captain Cook Memorial Park Draft Landscape Master Plan
- 2. Captain Cook Memorial Park Draft Master Plan Submissions Report
- 3. Captain Cook Memorial Park Draft Master Plan Submissions



# Captain Cook Memorial Park, Ballina DRAFT LANDSCAPE MASTER PLAN

PUBLIC EXHIBITION





INTRODUCTION

This report illustrates and describes the mester plan that has been developed for Captain Cook Mamorial Park. The plan is based on considerable background is search, site analysis and community consultation which is documented in Captain Cook Memorial Park Landscape Master Plan Report No.1. Accordingly, this mester plan should be read in conjunction with the earlier report to fully understand the basis on which master planning decisions have been made.



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### STREET IMPROVEMENT CONSIDERATIONS

#### OPTION 1

EXISTING TWO-WAY TRAFFIC MOVEMENT

#### Advantages

- Retains existing familiar traffic system;
- Moon Street is maintained as the central access point into Captain Cook and Fawcett parks; and
- Relatively cost effective to upgrade.

#### Disadvantages

- Inefficient wide road required to accommodate two passing lanes and a parking lane which will take up an unnecessarily large area of the adjoining parkland;
- Expansive turning head required for large vehicles such as garbage trucks which may need to be located near front of CWA Hall
- Lack of through vehicle access minimises passive surveillance and maintains sense of remoteness at dead end; and
- Potential traffic conflict during periods of high demand and when car park is full.

#### OPTION 2

NEW ONE-WAY EASTBOUND FROM RIVER STREET

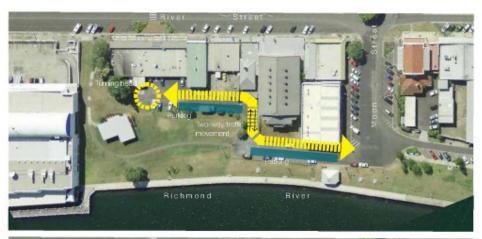
#### Advantages

- Narrow single lane is space efficient and enables more space for parkland without compromising car parking availability;
- One-way movement creates easier access arrangement and minimises potential conflicts during peak activity periods:
- Replicates traffic and parking arrangements in Fawcett Street east of Moon Street;
- No turning head required;
- Through access from River Street removes dead end and greatly enhances connectivity and passive surveillance;
- Vehicle access off River Street will increase park recognition from main thoroughfare especially to passing visitors; and
- Loss of parkland area at River Street entry is offset by gains created by narrower street corridor and lack of turning head.

#### Disadvantages

- Occupies parkland space near River Street entry;
- Crosses River Street footpath and creates potential new pedestrian conflict point; and
- Potential greater cost of implementation.







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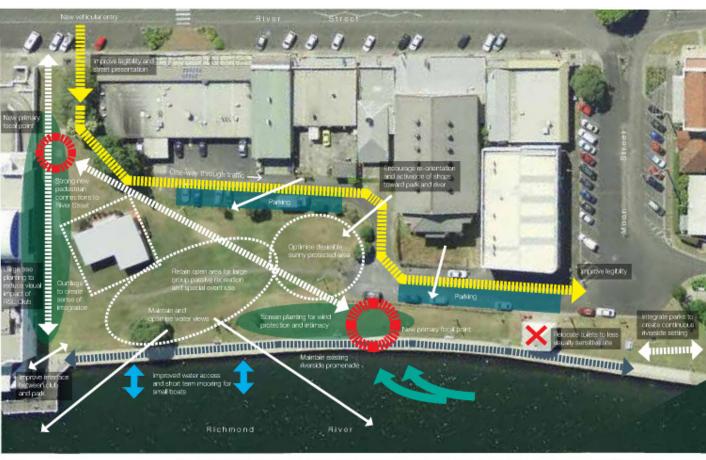
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# **GUIDING DESIGN PRINCIPLES**

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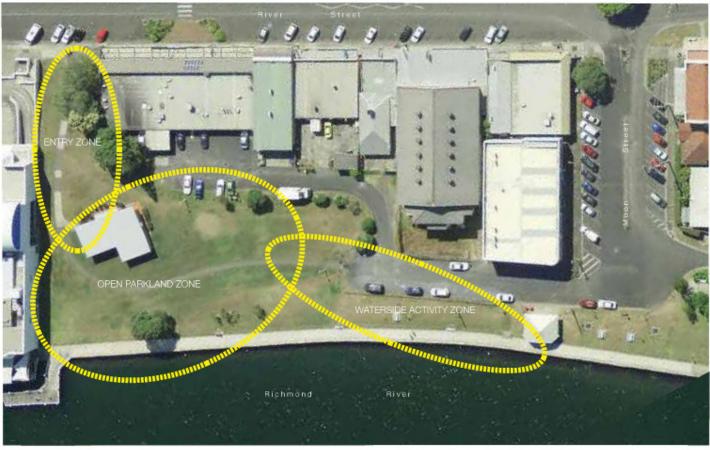




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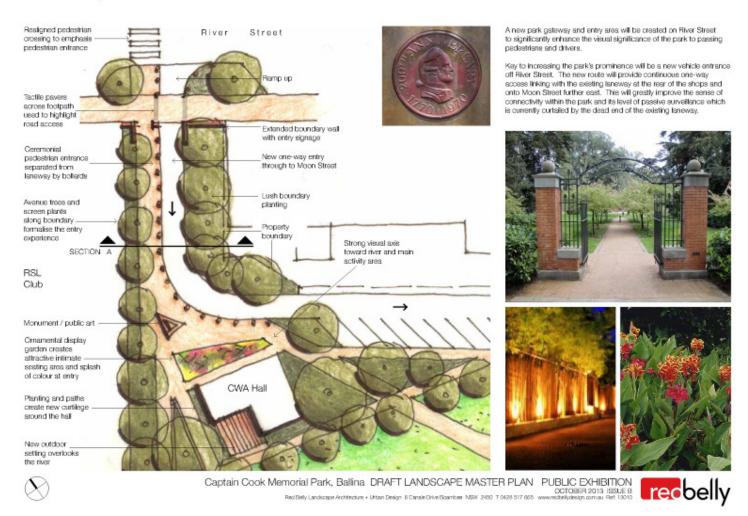
# **KEY DESIGN ZONES**





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ENTRY ZONE





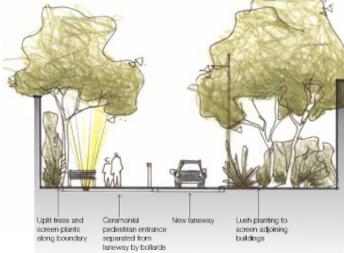
A new pedestrian entry will also be established adjacent to the vehicle route. This will be emphasised by the realignment of the River Street pedestrian crossing to be moved from its existing location further east. The entry will be celebrated with a gateway structure incorporating materials and plaques salvaged from the existing entry wall.

From here, pedestrians will pass through a plaza area flanked by seating nodes and an avenue of shade trees that will form a ceremonial axis toward a new monument. The monument will be a central visual feature and key point of orientation within the park.









SECTION A

Trees within the entry area will be complemented by tall boundary plants to conceal surrounding buildings and to create an intimate, green setting. Perennial plants such as canna lillies will also be used in a display garden fronting the CWA Hall to enhance the formality of the space surrounding the monument and to create further seating opportunities.

Lighting will be used as an important device to bring life to the park entrance at night. Uplighting will highlight tree canopies and edge planting while spot lights will illuminate the new monument.



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### **OPEN PARKLAND ZONE**



#### OPEN SPACE

An open expanse of grassland will form the centrepiece of the park. The grassland will extend across the full width of the reserve to optimise the available depth of space for larger group activities, passive recreation and community events. This broad open area will contrast with the smaller scaled spaces found elsewhere in the park.

The space will be oriented in a south-westerly direction to optimise an attractive vista across a long river reach toward a distant range of hills. The view will be framed by tall, dense canopied trees which will disguise the visual dominance of the RSL Club and CWA Hall.

Numerous seats will be located around the periphery of the parkland catering to high visitor demand and providing options to overlook the park and to seek protection from excessive sun and wind.

Service hubs providing 3-phase power will be incorporated at the base of light poles along the northern edge of the parkland to facilitate it's use for community markets or other special events.

#### PEDESTRIAN ACCESS

The park will comprise a new network of paths to enhance circulation and to establish legible connections between key facilities and

The main path will be a 3-metre wide corridor that will pass diagonally across the park to create a strong visual axis and pedestrian connection between the riverside promenade and the main River Street entry. The monument and a new pedestrian jetty with wind sculpture will form two prominent visual cues at either end of the axis further enhancing orientation and legibility.

Another key path will follow and emphasise the view corridor. extending from River Street to the river foreshore. Low, strap leaf plants in the carden bed between the path and the RSL Club will ensure access is maintained from the emergency doorways along the eastern wall of the building.

A separate path will fork away from this route to form a secondary axis and pedestrian gesture extending out toward the river, further enhancing the sense of integration between park and river.

A series of other smaller paths across the park will further enhance connections between destinations and provide additional opportunity for seating around the central open space.

#### PUBLIC WHARF

A new public wharf is proposed at the termination of the secondary pedestrian axis through the park. The jetty will provide short term mooring for small water craft and enable easy exchange of passengers. This will greatly enhance the park as a destination for the boating community and increase the visual interest of the park generally. It will also enable greater access to the river edge for recreational fishing, and provide a convenient facility for special fishing. events organised by the nearby RSL Club.

The riverside path between the jetty and the RSL Club will be widened and include seating to complement these activities and create a more formal forecourt and interface between the club and the park.

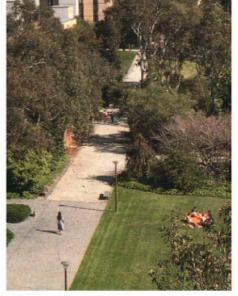












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#### CWA HALL

The masterplan proposes to help integrate the existing CWA Hall into the park by aligning paths and providing infill planting to create a welldefined building curtilegs. It is also recommended that the building be modified to better utilise the existing river views and access to the park. This could be achieved with new doors along the southern wall of the building that open out onto a new protected outdoor courtyard. This would greatly increase the appeal of the hall for functions and allow larger activities to spill out onto the adjoining open space. Large trees within mass planting bads will create privacy from the nearby

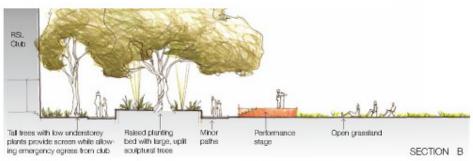
The protected northerly entrance area of the hall will also feature a small display garden with seating to optimise this desirable setting for quiet contemplation. The garden will complement the design theme of the nearby monument and provide a splash of colour at the River Street entry of the park.

#### LANEWAY DESIGN

A new one-way through route will replace the existing two-way, deadend laneway. This new corridor will creatly enhance traffic flow by avoiding bottlenecks during peak park use when the car park is full. It will also enable an easier and safer route for large vehicles such as garbage trucks which would otherwise require a significant additional turn-ground area. A one-way system will require a much narrower traffic aisle enabling more space for the park without compromising. the availability of car parking. The laneway and car parking will adopt the same design and construction materials as Favoett Street further east for visual continuity and legibility.







#### SAFETY BY DESIGN

Safer by design is an important principle that has guided the preparation of the master plan. Key features of the park that demonstrate this

- replacement of a dead end laneway with a through route to enhance traffic flow, enable safer truck movement and increase passive surveillance of the park;
- creation of legible pedestrian paths with clear, direct sightlines that allow continuous access to exit points at the park
- the provision of planting beds and bollards along the edge of the laneway to prevent vehicle access onto the park;
- low planting beneath canopy trees to maintain clear lines of
- provision of a safety fence adjacent to the playground to contain children and prevent access onto the laneway;
- location of the play area away from the river edge;
- discrete provision of primary lighting along the laneway and main pedestrian paths to minimise dispersed movement at night; and
- feature lighting of park elements such as tree canopies, public art and walls to minimise areas of complete darkness.

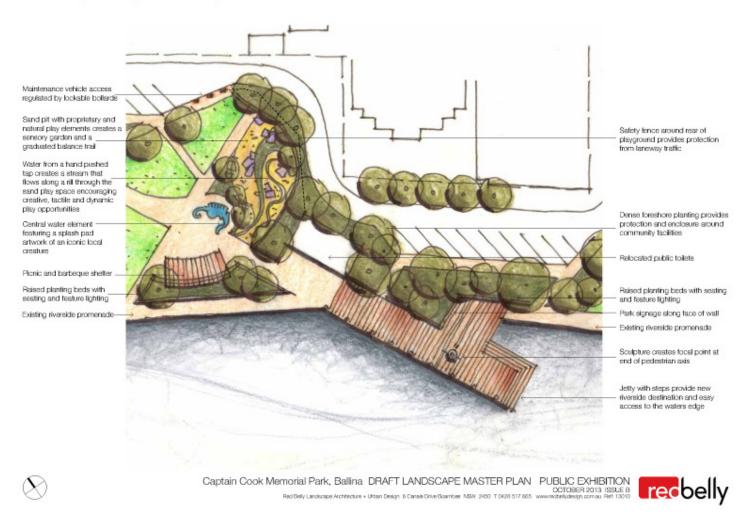


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## WATERSIDE ACTIVITY ZONE



A range of new public facilities will be concentrated at the southern end of the main path axis to establish a primary destination of community activity. The location is convenient to car parking and is central and easily accessible to the existing established parkland further east.

#### PLAYGROUND

An open, nature based playground is proposed in the park to complement the existing enclosed facility containing conventional equipment in Fawcett Park.

The new playground is a key feature of the park and has been carefully positioned for optimum benefit of its users. The proposed location avoids the impacts of overshadowing and visual intrusion from surrounding buildings, particularly the RSL Club. It will also be protected from undestrable winds generated across the river and will be discretely remote from the river edge to minimise safety concerns. The playground here will also benefit from its close proximity and essay access to the adjoining grass area, and to other key park facilities such as pionic tables, betheques and toilets.

The playground will be designed as a series of informal play spaces featuring natural materials and themes. It will be a place where children will be encouraged to interact, explore and develop skills through spontaneous play in a sale and attinutating environment.

Ideas for the play spaces include:

- water and sand play featuring a hand-operated tap to deliver water into a meandering rill within a setting of sand and natural forms to encourage creativity, teamwork and social interaction;
- a graduated balancing circuit of rock, trea trunks, stumps and other natural and constructed forms that increase in difficulty to challenge and encourage achievement;
- sensory waikwey and nature play featuring a range of loose natural elements and a variety of native plants with different textures and fragrances to stimulate sensory play;
- a splesh pad with zero water depth featuring an iconic local water creature creating a safe, inclusive and accessible facility and establishes a central creative feature in the park

Numerous shaded seating opportunities will be provided around the playground for children supervision. Playground structures such as walls, tree trunks and soulptural elements may also offer informal seating opportunity.







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#### RIVERSIDE JETTY

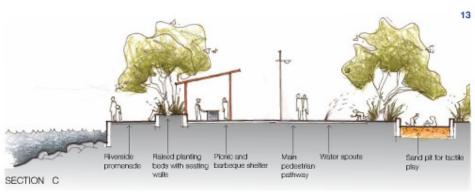
A new riverside jetty is proposed at the southern end of the main axis path as a primary focal point of the park. The structure will extend out across the river edge, interupting the westward flow of pedestrians along the riverside promenade and redirecting them toward the new monument and onto River Street. This new diversion will aim to change the main pedestrian flow into and through the park with greater emphasis on the River Street connection.

The jetty will include steps down to water level to provide new water. edge experience for park visitors. Piers will also enable a secondary location for temporary mooring of small water craft. Seating, wider decking and a public art installation positioned centrally along the main path axis will further highlight the significance and visual focus of the jetty facility. A park identification sign will be located along the side of the raised planting bed of the riverside path to announce the park entry for pedestrian approaching from the east.

#### PUBLIC AMENITIES

New public facilities will be installed in close and convenient proximity to the new jetty and playground area. These will include new male and female toilets, a separate baby change and an accessible toilet to replace the existing highly prominent facilities near the end of Moon Street. A new covered picnic facility will also be installed featuring barbeques, pionic tables and seats to cater to large groups.













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# **FURNITURE AND HARD SURFACE FINISHES**

### CONCEPT

The proposed range of materials and furnishings for Captain Cook Park will generally adopt the same suite used in adjoining Fawcett Park and within the upgraded sections of River Street. This existing range will accommodate the broad scope of applications and high standard of finish required within the new park setting. It will also ensure that the upgraded park will seamlessly integrate into the wider public domain with products and details that will be familiar to Council's maintenance team.



#### SURFACE TREATMENTS

#### Pedestrian Paths

Main paths and key pedestrian nodes will incorporate pre-cast concrete pavers which will be laid in a similar pattern to newly paved areas along footpaths within River Street.

Secondary paths will generally consist of expanses of lightly washed. insitu concrete with edge pavers to create a continuous border. All paved areas will include tactile ground surface indicators to enhance accessibility and highlight hazards and road crossings.

#### Parking Bays

Segmental pavers with flush concrete edges will distinguish car parking areas from the adjoining bitumen traffic aisle.

#### Jetties

New wharves, boardwalks and jetties will incorporate hardwood timber piles, timber or composite decking, and timber ballustrades and



Key park elements such as light flutures, bollards and shade structures will be finished in white to continue the existing theme along the foreshore and throughout the town centre.









#### PARK FURNITURE

New furniture will include benches, tables, bins and barbeque units that are finished or highlighted with natural anodised aluminium finish.

A new seating style will be introduced along the riverside promenade. Seats here will be fixed onto the walls of raised planting beds and will incorporate timber battens to complement the decking of new nearby jetties and boardwalks.





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PLANTING PALETTE

The proposed planting palette will have a predominance of native spedies to generate a strong natural theme and visual character. This will include a range of robust locally indigenous species to resist the site's harsh microclimate and to create an attractive setting that will offer much needed wind protection and shade for visitor comfort. Native plants will also enhance the site's natural values and raise visitor. awareness and appreciation of the original riparian plant community. Tall evergreen trees will enclose and screen the park from surrounding built form while avenue trees will be used to generate a sense of formality between the River Street entry and the new monument. A mix of ornamental plants including some exotic species will create a visually rich formal display on the northern side of the CVVA Hall to complement the protected sunny aspect of the site.

Botanic Name	Common Name	Height (m)
Trees		
Banksia integrifoda	Coset Banksis	15
Brachychiton acerifotus	Flame Tree	18
Calistemon salignus	Weeping Battle Brush	9
Cupaniopsis anacardioides	Tuckeroo	12
Ficus macrophylia	Moreton Bay Fig	30
Laphosteman confertus	Brush Box	50
Melaleuca quinquenervia	Broad-leaved Paperbark	18
Xanthostemon chrysinthus	Golden Penda	10
Shrubs		
Acmena 'Allyn Magic'	Lily Pily	0.5
Alpinia caerulea	Native Ginger	2
Austrumyntus dulcis	Midgen Berry	0.5
Benksie robur	Swamp banksia	2
Codiseum variegatum	Variegated Croton	1
Cordyline stricta congesta:	Narrow Palm Lily	2
Eupomatia laurina	Bolwana	3
Hymenosporum tavum Dwarf	Dwarf Native Frangipani	1
Syzygium Pinnacia	Pinnacle Lilly Pilly	6
Westringia fruticase	Coast Rosemany	2
Groundcovers and Under	rstorey Plants	
Canna sp	Canna Lily	1.0
Dianella caerulea	Flax Lily	0.4
Hardenbergin violacea	False Sarsaparilla	0.4
Lomendra 'Yanika'	Mat-rush	0.6
Ahoea spatheose	Mases in the Gradie	0.2



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### Captain Cook Memorial Park – Draft Master Plan SUBMISSIONS REPORT

Submission 1: NSW Trade and Investment - Crown Lands (Grafton and Ballina Offices)

Summary of Submission	Staff Response
The draft concept plan satisfies many of the criteria documented in the Ballina Foreshore Master Plan for this precinct	Noted.
The establishment of the vehicular access circuit is clearly a key element and could be considered a significant compromise. However, the challenge of balancing the functionality of the precinct with the potential loss of public open space and other vested interests is appreciated.	Noted. The one-way road from River Street (option 2) is the preferred option to provide improved access through this site. If this area becomes more usable and popular, the flow through road network reduces the congestion that can occur at a dead end road. This option also provides the surveillance from passing vehicles and improved access for service & waste management vehicles.
Crown Lands has previously highlighted the need for Council to acquire the necessary Crown Land to address the issues associated with Fawcett Lane. We still hold the view that acquisition is required.	The creation of a public road within the reserve will require further discussion with Crown Lands. The creation of the road and such discussions are not considered necessary prior to adoption of the master plan.
However contrary to previous advice we consider a statutory Plan of Management under the Crown land Act is not required.	Noted.
Nonetheless a similar level of public exhibition/consultation is warranted and feedback incorporated into the final design as appropriate. Emphasise the importance of community consultation to address the significant public interest involved.	Addressed in public exhibition phase of master plan process.
With respect to the concept plan it would benefit from illustration of linkages with Councils adjoining public space plans to ensure a more homogenous approach.	Linkages have been considered in the literature review of the other plans, strategies etc. relevant to the master planning process for Captain Cook Park. This information is contained in Captain Cook Memorial Park Landscape Master Plan Report 1.
The following reserve and tenure administration points are also submitted for consideration by Council in its local government role and as Reserve	

#### Trust manager:

Council will be required to acquire sites 1 and 10 for Public road (confirm requirements / fees with this office) together with any severed parts and easements in gross with respect to Council infrastructure within the Crown reserve area. This will involve sub-division of Lots 5A Section 8 DP 758047 and Lot 488 DP 729289.

The above will affect the Crown Licence 500693 to CWA. This licence will need to be altered to remove part sites 1, 3 and 6 and add the outdoor seating area, site 7. It may also require the survey of a new Lot for the CWA structure. This will require consent from CWA and the Crown.

Please also note the existing Licence held by the RSL Club may conflict with the proposed landscaping along the boundary with the Club

Addition of structures, sites 13, 21, 22 and 24, below the MHWM to Crown Licence 316737. Council will be required to apply for the alteration of Licence 316737, which attracts an application fee of \$151.00.

Addition of that part of Moon Street (Council public road), not to be utilised as public road, to the reserve. This will rationalise the land status and management of the park area. This will require survey to produce a Lot for the addition and the usual Trust Report and Resolution.

Council and Council as Trust manager should co-ordinate the above survey requirements into one survey. This will require survey instruction from the Crown (confirm requirements with this office).

Item 1- The road corridor must have suitable vehicle "site lines" as defined | There will be separation from pedestrians and vehicles throughout

See above with respect to the creation of a public road.

The CWA has not raised an objection to the proposal, however the group has provided a submission raising a number of concerns they would like noted (see submission 6). Licence matters can be addressed as part of the implementation of the master plan.

Conditions of RSL Licence appear to be consistent with proposed

Site 24 (boardwalk) has been removed from the plan, an application to amend Licence 316737 to be progressed following the detailed design of structures 13, 21 and 22.

The existing road is a 'road related area' within the reserve and is not a dedicated road. This acquisition can be a financial transaction or could be in the form of a land swap. In this case, the Richmond River end of Moon Street is road that could be closed and added to the reserve in exchange for the section of land for access from River Street.

The survey requirements to cover acquisitions, closures and consolidations can be determined in consultation with Lands. All licences & leases etc. with the CWA and the RSL Club can be accommodated post adoption of the master plan.

by the Australian Standards. This design appears to be dominated by tall trees and avenues of shade trees which creates blind spots i.e. the left hand turn adjacent Item 3 and the right hand bend adjacent Item 15. I would doubt the design recognises that not all drivers will drive at the appropriate speed limit [as evident in the other sections of this foreshore]. This situation may be compounded by the vehicles reversing from the car parking areas into through traffic.

Item 13 — the short term boat mooring and passenger exchange jetty conceptually looks tight from a navigation perspective particularly when accessing the inner berths. The thalweg or deepest part of the river is very close to this shoreline and accordingly is the area of highest tidal currents. The manoeuvring of a vessel in such conditions is always problematical and some skill is necessary in both berthing and departure operations. An alternate layout of a shore parallel configuration similar to the existing Fawcet Street Wharf concept may be more prudent however this will be left for the designer who I hope has some seamanship knowledge to foster an appropriate design. Although the existing boardwalk offers some protection the jetty protrudes out into the Richmond River and hence would be exposed to the considerable amount of debris which is transported during higher tide and flood events. The design must consider this loading and or optionally develop a contingency to remove the outer part of the jetty during times of flood events.

There are no details of the luminaries to be provided but will be an issue during evening and night time activities where poor lighting can create hazards.

Item 21 – Similar to the last dot point above, the edge treatment of the structure or the marking of the edge during periods of failing light is always of concern particularly for the very young and the elderly. I am assuming that these structures will be accessible by the "motorised"

the site and the appropriate shared zone or high pedestrian activity signage would be required. Traffic management will be further considered as part of detailed design and implementation.

Noted. To be addressed through detailed design.

Noted. To be addressed through detailed design.

Noted. To be addressed through detailed design.

scooters and carts which are so ever prevalent in Ballina which further highlights the need for considered and well thought designs.

Luminaries pose one of the greatest navigation hazards within ports and harbours where they provide a very confusing background for vessel navigation at night. The luminaries must be designed to provide the necessary degree of coverage while limiting any impact on navigation lighting for vessel masters. This has proved one of the key considerations when installing lights on our river training walls and breakwaters.

The composition of the steps are assumed to be timber from the shading however stand corrected on this matter. Should it be so then the design must incorporate some form of tread treatment to ensure that the treads maintain their correct frictional surface for safe access to the "waters edge".

Item 23 – Mass plantings tend to attract the criminal element which no doubt will be considered by the community at the time of exhibition. The Mangroves will propagate further and quite rapidly into the river trapping and in time creating shoals. The future management of controlling this expansion should be considered as the removal or pruning of Mangroves are a sensitive community issue.

Noted. To be addressed through detailed design.

Noted. To be addressed through detailed design.

Noted. Mangrove plantings have been removed from the plan. Appropriate species selection will be determined during the detailed landscaping design phase. Appropriate species selection and the skirting of shade trees can limit the possibility of antisocial behaviour by allowing greater visibility and access.

# **Submission 2:** Department of Primary Industries – Office of Water (Tamworth and Water Regulation – North/North Coast)

Summary of Submission	Staff Response
The NSW Office of Water has reviewed the document associated with the above proposal. The proponent is a public authority and under clause 38 of the Water Management (General) Regulation 2011 is exempt from section 91 E (1) of the Water Management Act 2000 (WM Act), and no controlled activity approval is required for any of the works proposed. This exemption is subject to any applicable requirements set by the Minister for the protection of waterfront land or any river, lake or estuary to which that land has frontage. Any relevant requirements will be published on the Office of Water's website.	Noted.
Council should also ensure all works undertaken out, in, on or under waterfront land are carried out in accordance with the NSW Office of Water's Guidelines for Controlled Activities.	Noted.
Council should also consult with other Government agencies to consider any other issues which may be relevant or to determine if any other approvals are required.	Noted.
Council however should consult with the NSW Trade and Investment – Crown Lands as owner of the land to obtain permission to undertake the works on land owned by the Crown, if necessary.	Noted.

### Submission 3: Department of Primary Industries – Fisheries Conservation Management (North)

Summary of Submission	Staff Response
The Richmond River at Ballina is a Recreational Fishing Haven. In these locations, the commercial fishing effort has been 'bought out' using funds from the recreational Fishing Fee. With this in mind, Fisheries NSW supports the effort of Council to improve recreational fishing opportunities and access to the waterway at Captain Cook park.	Noted.
The proposed jetty works, gangway and pontoon will trigger the need to obtain approvals under the Fisheries Management Act 1994.	Noted. To be addressed through detailed design phase of the jetty, gangway and pontoon.

### Submission 4: NSW Transport - Roads and Maritime Services

Summary of Submission	Staff
	Response
RMS have no traffic safety or efficiency concerns with the proposal.	Noted.
All regulatory devices associated with road changes will require endorsement by the Local Traffic Advisory committee and the	Noted.
approval by Council prior to installation.	
The installation of wharves in the Richmond River will require consultation with Maritime Services through Boating Operations	Noted.
Newcastle.	

### Submission 5: Ballina RSL Club

Summary of Submission	Staff Response
The RSL Club has a current Licence with the Crown lands over an area in Captain Cook Park totalling 936 sq. metres (LI 396806) for the	Noted. The emergency egress for the RSL club is protected by way of licence between the RSL club and the Crown. The master plan does not
purpose of fire egress.	seek to alter the existing licence.
The Club has a bank guarantee with Ballina Shire Council to the value of \$60 000 as payment in lieu of landscaping works in the park area adjacent to the club.	Noted. The funds may support implementation of part of the master plan. This will require further liaison with the RSL Club.
Traffic Movement- concerns with option two: Potential pedestrian conflict especially as the proposed pedestrian crossing is adjacent to the club car park entry.	The existing pedestrian crossing is located mid-block in River Street between Moon & Grant Streets and east of the option 2 proposed access and the RSL car park entry. If it remains as is, then the proposed access road could accommodate both westbound left turn in and eastbound right turn in vehicle movements. Should the pedestrian crossing be moved and located between the proposed road and RSL entry, a central median along River Street is likely to be installed. This would then restrict access to the proposed road as a left turn in only. The proposed one-way access road provides for a balance between access, traffic management and reserve use.
Proposed one way road gives hoons access to do circuits late at night when no surveillance is available	One way laneway is the preferred approach to reserve access. The proposed access provides for greater parking space, minimises impact

Attachment 1: Captain Cook Park – Draft Master Plan – Submissions Report

	on open space, and increases passive and active surveillance.
Large tree planting adjacent to the club: Should be subject to a surveyors report to determine impact on club wall fittings, impact on existing drainage lines and utility services near club boundaries.	Underground utilities considered in preparation of the master plan.  Detailed site planning to be undertaken prior to landscaping works.
Proximity of large trees will present some maintenance issues in approved external smoking area, exit alcoves and car park due to leaves, berries etc. May screen the proposed artwork that the club is installing on the upper eastern façade as a way of reducing the visual impact of this wall. This work has the support of Council. Smaller trees or shrubs may be an advantage to reduce impact	Noted. Appropriate species selected to reduce maintenance issues. Regular maintenance of Reserve will assist in reducing leaf litter. Further consultation with the RSL Club could be untertaken prior to landscaping works to ensure appropriate species selected that minimise impact to wall logo.
Planting palette: Estimate that wall artwork on the eastern façade is approximately 6.5  - 7.0 metres above the ground and large trees will grow higher than this.	Further consultation with the RSL Club prior to landscaping works to ensure appropriate species selected that minimise impact to logo.
Species identified in the planting palette (flame trees, fig trees and Tuckeroos have intrusive root systems and are not recommended to be planted adjacent to buildings. The root systems of all trees listed will impact on utility services. I.e. sewer, stormwater, electricity, water supply and telephone. Club will need to be advised as to the distance large trees will be planted from the club wall and receive a guarantee from Council that they will not impact on the clubs building footings or utility services.	Site planning to ensure appropriate species are suitably located to limit impacts to buildings and utility services. Root barriers or distance buffers could be used for species that may have intrusive root systems.
Consider relocation of CWA Hall due to its appearance	In May 2012 Council resolved (240512/5) that it supports the continued tenure of the CWA. The Master plan incorporates retention of the CWA building in current location.
Generally supportive of the parks redesign	Noted.

### Submission 6: Country Women's Association of NSW- Ballina Branch

Summary of Submission	Staff Response
Parking: CWA currently have six parking spaces allocated by council would this still be allocated under the new plan. One way street option would limit number of parking spaces.	Provision of parking for the CWA would be considered during the design of the road.
New outdoor setting: Does this mean the CWA rooms would be available to the public to use?	Whilst the CWA is licensee of the building it will determine the availability of the hall to the public and the frequency of its use.
Additions may encourage use by adolescents and adults, drinkers and homeless.	This may occur occasionally but could be limited through building design elements.
Vandalism concerns.	Noted. Again could be addressed through building design elements.
Cost and maintenance of new additions.	Whilst Captain Cook Memorial Park does not include the land parcel occupied by the CWA, opportunities associated with the CWA Hall's presence on the land and its relationship with the park area have been examined through the master planning process. Additions to the CWA hall have been identified in the master plan to integrate the facility into the park and highlight potential opportunities. Any additions to the building would be at the discretion of the licensee of building and Crown Lands. The maintenance of landscaping elements encroaching into the licensed area would be addressed as part of the detailed design and implementation of the master plan elements.
Please be aware of concerns raised.	Noted.



Contact Christie Jackson

Prione 02 6701 9652

Fax 02 6701 9682

Email christie.jackson@water.nsw.gov.au

Our ref ER22669

Your ref Captain Cook Park Master Plan

(13/060498)

Ballina Shire Council PO Box 450 BALLINA NSW 2478

Attention: Skye McNamara

Dear Ms McNamara,

### Public Exhibition of the Captain Cook Memorial Park, Ballina - Draft Landscape Plan

I refer to your letter dated the 21 October 2013 seeking the NSW Office of Water's (Office of Water) comments on the Draft Landscape Plan for the Captain Cook Memorial Park at Ballina.

It is understood from the information provided that Ballina Shire will be undertaking the works however the owner of the land is NSW Trade and Investment – Crown Lands.

Under the *Water Management Act 2000* an approval is required to undertake controlled activities on waterfront land, unless that activity is otherwise exempt. A public authority does not need to obtain a controlled activity approval for any controlled activities that it carries out in, on or under waterfront land.

Council however should consult with the NSW Trade and Investment – Crown Lands as owner of the land to obtain permission to undertake the works on land owned by the Crown, if necessary.

Council should also ensure all works undertaken out in, on or under waterfront land are carried out in accordance with the NSW Office of Water's Guidelines for Controlled Activities. Please refer to the link <a href="http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx">http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx</a>

Council should also consult with other Government agencies to consider any other issues which may be relevant or to determine if any other approvals are required.

If you require clarification on any of the above please contact Christie Jackson on (02) 6701 9652 at the Tamworth office.

Yours sincerely,

Mitchell Isaacs

Manager, Strategic Stakeholder Liaison

27 November 2013

Level 3, 155-157 Marius Street. Tamworth | PO Box 550 Tamworth NSW 2340 t (02) 6701 9800 | f (02) 6701 9882 | www.water.nsw.gov.au



RECOR**DS** SCANNED

2 1 NOV 2013

The General Manager Ballina Shire Council PO Box 450

Ballina NSW 2478

Attention: Skye McNamara

Contact: Vanessa Sullmann Phone: 02 6676 7382

02 6676 7388

Email: Vangssa Sultmann@water.naw.gov.au

Our ref: 30 ERM2013/0890

File No. 9057359

Your Ref:

7 November 2013

Dear Sir/Madam

Captain Cook Memorial Park - Draft Landscape Master Plan Re: River Street, Ballina

The NSW Office of Water has reviewed the document associated with the above proposal. The proponent is a public authority and under clause 38 of the Water Management (General) Regulation 2011 (copy attached) is exempt from section 91E (1) of the Water Management Act 2000 (WM Act), and no controlled activity approval is required for any of the works proposed.

This exemption is subject to any applicable requirements set by the Minister for the protection of waterfront land or any river, take or estuary to which that land has frontage. Any relevant requirements will be published on the Office of Water's website. Other information on controlled activity approvals is also located here.

www.water.nsw.gov.au

Water ficensing a Approvals a Controlled activities

The Minister may also issue a direction in relation to a controlled activity that is having, has had, or is likely to have, an adverse effect on a water source or waterfront land and works which degrade the watercourse or waterfront land may be subject to compliance action.

Please direct any questions or correspondence to Vanessa Sultmann; Vanessa.Sultmann@water.nsw.gov.au.

atrick Pahlow

Yours sincer

Senior Water Regulation Officer

Office of Water

Water Regulation, North/North Coast

www.water.new.gov.au Room 2, 135 Main Street MURWILLUMBAH 2484 : PO Box 796 MURWILLUMBAH NSW 2484 Ct + 61 2 66767380 | 1 + 61 2 66767388 | e information@water.nsw.gov.au | ABN 72 189 919 072

### Water Management (General) Regulation 2011

### Definition of Public Authority under ...

Part 3-Division 2-Subdivision 1

#### Clause 30 - Definition

In this Division: public authority does not include Landcom or the Superannuation Administration Corporation or any of their subsidiaries.

### Details of exemption for Public Authority under:

Part 3»Division 2»Subdivision 4

### Clause 38 Controlled activities—public authorities

A public authority is exempt from section 91E (1) of the Act in relation to all controlled activities that it carries out in, on or under waterfront land.



Our Ref: TRIM13/530

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

13 November 2013

Attention: Ms Skye McNamara

Dear Ms McNamara

Re: Public exhibition of the Captain Cook Memorial Park, Ballina Draft Landscape
Master Plan

Thank you for your letter of 21 October 2013 requesting that Fisheries NSW, a division within the Department of Primary Industries consider and provide comment on the draft master plan.

Fisheries NSW is responsible for ensuring that fish stocks are conserved and that there is 'no not loss' of key fish habitats upon which they depend. To achieve this, the Aquatic Habitat Protection Unit assesses activities under Part 5 of the *Environmental Planning and Assessment Act* 1979 in accordance with the objectives of the *Fisheries Management Act* 1994, the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, and the *Policy and Guidelines for Fish Habitat Conservation and Management (2013 Updale).* In addition Fisheries NSW is responsible for ensuring the sustainable management of commercial, quality recreational fishing and viable aquaculture within NSW.

The Richmond River at Ballina is a Recreational Fishing Haven. In these locations the commercial fishing effort has been 'bought out' using funds from the Recreational Fishing Fee. With this in mind Fisheries NSW supports the effort of Council to improve recreational fishing opportunities and access to the waterway at Captain Cook Park.

The proposed jetty works, gangway and pontoon will trigger the need to obtain approvals under the Fisheries Management Act 1994.

If you have any further enquiries please contact me on (02) 6626 1397.

Yours sincerely

Patrick Dwyer

Fisheries Conservation Manager (North)

Division of Primary Industries, Fisheries NSW 1243 Bruxner-HWY WOLLONGBAR INSW 2477 Tel: 07 5625 1397 Fax: 02 6826 1377 IABN 72 189 919 072 www.dpi.new.gov.au





File No NTH13/00104. CR2013/007694 Your reference: Captain Cook Master Plan (13/0063721).

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

Attention: Skye McNamara

Public Exhibition of the Captain Cook Memorial Park, Ballina Draft Landscape Master Plan.

I refer to your letter of 21 October 2013 and applicates for the delay with this response. Roads and Maritime Services have no traffic safety or efficiency concerns with the Captain Cook Memorial Park proposal. All regulatory devices associated with road changes will require endorsement by the Local Traffic Advisory Committee and approval by Council prior to installation.

The installation of wharves in the Richmond River will require consultation with Maritime Services. In this instance, for any specific requirements Maritime may have with the installation of wharves, it is suggested, a direct approach be made to:

Principal Manager North **Boating Operations** PO Box 653 Newcastle NSW 2300

If Council has any further enquiries please contact Michael Baldwin on 6640 1362 or email development.northem@rms.nsw.gov.au

Yours sincerely

24 December 2013

John Alexander

Regional Manager, Northern Region

Roads & Maritime Services

31 Victoria Street, Grafton NSW 2460 | PO Box 576 Grafton NSW 2460 T 02 6640 1300 | F 02 6640 1304 | € development.northem@rms.nsw.gov.au

www.rms.nsw.gov.au [ 13 17 82

7 November 2013

The General Manager Ballina Shire Council 40 Cherry Street Ballina NSW 2478

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Attention:

Skye McNamara

Sustainability Planner

Strategic Services and Community Facilities Group

Dear Skye

#### Re: Captain Cook Memorial Park - Draft Landscape Master Plan

Further to our meeting of today I provide you with a summary of our feedback on the the Draft Landscape Master Plan as follows:

- 1. The Club has a current Licence with the Dept of Lands over an area in Captain Cook Park totalling 936 sq. metres (LI 396806) for the express purpose of fire egress pathway. In addition the Club has a Bank Guarantee with Ballina Shire Council to the value \$60,000 as payment in figu of landscaping works in the Memorial Park area adjacent to the club.
- Traffic Movement (Page 2 OF Masterplan) concerns relating to Option 2:
  - Potential pedestrian conflict plus need to take into account elderly persons on scooters going to Club as the proposed road crossover is adjacent to the club car park entry,
  - The proposed one way road, with the majority of the adjoining businesses being closed, gives ready access for hoons to do circuits late at night when no ready surveillance available whereas Option 1 curtails this.
- Large tree planting adjacent to club wall (page 3) concerns:
  - Subject to a surveyors report an uplift of club wall footings & impact on existing drainage lines & utility services near Club boundary,
  - Closeness of large trees to Club eastern wall will present maintenance issues in approved external smokers area, exit alcoves & car park due to leaves, berries, etc
  - Screening of new artwork Club is installing on upper wall as a contribution to the park to ameliorate visual impact of RSL Club wall,
- 4. Planting Palette (Påge 15) concerns:

240 River Street (PO Box 449) Ballina NSW 2478 p 02 6686 2544 f 02 6686 7843 • admin@bailinarsl.com.au • www.bailinarsl.com.au Page 1 of 2 winner, gold medal 2007 clubsnswichels table awards • winner, gold medal 2006 oktorew chefs table awards • winner, gold medal 2008 often winner, gold medal 2008 often winner, gold medal 2008 often winner, gold medal 2008 of tables awards • winner, gold awards + winner, best service club 2007 balling shire business excellenge awards + winner, best service alub 2005 balling shire business excellence awards + winner, tood & beverage 5+ employees 2003 bolling shife business excellence awards + winner, squiffing 8+ employees 2005 bolling shife business excellence awards ABM 42 (81) (49 839

4.1

- Our estimate is that the Artwork we are installing on the eastern side of the building is approximately 6.5 - 7.0 metres above ground level. All large trees proposed will grow higher than this.
- To our knowledge Flame Trees, Tuckeroos & Morton Bay Figs all have invasive roots systems which are not recommended to be planted adjacent to buildings
- Any of the trees listed root systems will impact on utility services.

#### Summary

Importantly the Club generally supports the redesign of the Park as outlined as being an extremely positive community improvement but has the following concerns:

- 1. Further Community Consultation should be considered which we understand is currently invited by way of a public exhibition period up until the 22nd November 2013.
- 2. There are pedestrian/scooter & car access security concerns with the new road cross over - Option 2, not considered.
- 3. You will need to identify if there are any utility services outside the Clubs eastern boundary where the large tree plantings are proposed; i.e. sewer, stormwater, electrical, water supply & phone lines. Council should have records of all drainage & water supply utilities.
- 4. The Club will need to be advised on the distance large trees will be planted from the Club wall & receive a guarantee from Council they will not impact on the RSL Club buildings footings & utility services.
- 5. Council needs to be aware that the Club has committed to installing artwork on the Eastern façade (works are nearing completion) to soften the impact of this facade on the park. Images were submitted to Council to this effect & have had Council support. The Club is doing this at some expense. All large trees proposed will eventually screen this artwork from the park. Smaller trees or shrubs proposed for this area maybe of advantage for concerns for existing footings, services & not screening artwork proposed.
- 6. Planting & landscaping looks like it will soften the impact of the CWA building -Consideration to re-locating this facility. The Club is spending money to soften the impact of the eastern wall on the Park & we have had concerns with the CWA buildings appearance.
- 7. The Club may consider proposing to work with the landscaping consultant, Redbelly consultants, to address all the above points.

We look forward to further discussing the proposed landscaping works as set out.

Yours faithfully

General Manager

Page 2 of 2



St

Dear Skye,

# Country Women's Association of NSW

Incorporated in 1931 by an Act of NSW Parliament

All Communication to be addressed to the Secretary	a BALLINA	Aranch/Group
4.S.W.	P.	0. Box 654
/s Skye McNamara	RECORDS SCANNED	Ballina 18.11.2013
stainability Planner	2 2 nov zm3	18.11.0013
rategic Services and Community Facilities Group		
llina Shire Council.	Doc Not commonwealth	

Re: Captain Cook Memorial Park; Ballina – Draft Landscape

At The monthly meeting of the Ballina C.W.A. group our members were able to look at the proposed draft plan of Captain Cook Memorial Park. There are two concerns relating to this draft plan.

- I. At the present time C.W.A. Ballina Branch have been allotted six parking spots in front of the rooms by Council., would these still be allocated in your plans for a garden & park (Page 8). If you go ahead with the one way traffic plan from River Street, this certainly would limit parking spaces.
- 2. Page 5, C.W.A. hall contained within garden and offering new outdoor setting with river views. Does this mean our C.W.A. rooms will be available to the Public to use?, For any function we do not accommodate more than fifty to sixty people.

Page 6. New outdoor setting overlooks River. We have homeless people who sleep on our front porch and behind trees. Will this be an added extra encouragement for adolescents/adults and drinker, plus the homeless, to SET UP for their use?. Our front verandah has been used by skateboarders skating over the balustrade now. Our verandah roof has recently been damaged by person/s unknown!

Years ago, the Gazebo on the eastern side of our rooms was demolished by Council for this very reason.

Page 10. C.W.A. Hall. What happens if we don't want to have glass doors opening onto an open patio that's added to our rooms? Years ago we also had to add security grills to all of our windows because of vandalism to our rooms ,grills will have to be added to the glass doors because of security reasons, if this plan goes ahead. Who will pay for all of this security reasons, if this plan goes ahead.

We would advise you that windows parallel to River Street leak into the rooms with heavy rain, how will it go with LARGE DOORS? As you are probably aware we have had new vinyl laid two months ago, this was partially due to the lifting of the vinyl due to water damage. Would you please be aware of our concerns before the final draft goes ahead

July

Pride in our Past - Faith in our Future

Balling C.V

4.1	Captain Cook Memorial Park Master Plan