

17 March 2021

To Transport for NSW

Submission Kiama Harbour Revitalisation Strategic Framework

Thank you for this opportunity to make a submission on the Kiama Harbour Revitalisation Strategic Framework. At the Council meeting on 16 March 2021 the Councillors unanimously agreed on the following:

1. Council recognises the challenges faced by the project team in regards to their community engagement program being impacted by COVID-19 restrictions meaning the majority of feedback was gained through on-line processes, noting that this may have impacted on their ability to effectively engage with all precinct users and stakeholders.
2. Council is particularly supportive of the intent to support and enhance continuation of all existing uses of the precinct and to balance the commercial, recreational and tourism industries and uses around the harbour.
3. Council strongly supports actions within the framework that are intended to improve the safety, public amenity and accessibility to and within the precinct and those that improve the aesthetic and beauty of the public spaces. Examples of these initiatives include –
 - a. Upgrading the public wharf and pontoon (in its current location (Item 1.1)
 - b. Upgrading and improving the slipway (Item 1.2), considered an essential action to support maintenance of our maritime industry in the harbour
 - c. Repair and upgrade of the seawall and CRIB retaining wall by Transport for NSW (Item 1.3)
 - d. Landscaping and wayfinding signage (Item 1.5)
4. Council has concerns about the viability and permissibility of a number of recommended actions, even noting the intent to undertake more detailed investigation and assessment. These items are –

- a. Council is nearing the completion of a major project to prepare draft Plans of Management for Council managed crown land, for which the community will be asked to provide comment on in the next two to three-months. This is a statutory requirement of the state government through the Crown Land Management Act 2016. The Harbour Revitalisation Strategic Framework must take into account the outcomes of the submissions made by the public and Council's final determination of the Plans of Management. The Plan of Management process of Council needs to be completed and the Council given the opportunity to make a recommendation on the Plans of Management prior to fully endorsing a number of the more significant harbour minimised concepts; for example, the proposals for construction of new buildings and the like on the Council managed crown land (School Flat/Black Beach area) and absorbing the potentially relocated scout hall facilities from the opposite side of the harbour (Items 3.6, 3.8 and 3.9). Consideration of the permissibility of these actions under the current LEP also need to be considered.
- b. Noting the identified need for a more details traffic and access study, the various proposals to limit access to the proposed maritime hub will impact access to the rock pool area and is of major concern to Council (Items 2.0 and 3.1). The tidal rock pool is an important established and historic asset for general public access use and Council strongly opposes any plans to restrict access to this area. In this context, we fully support the reviews and investigations proposed (Items 1.0 and 2.0) for Transport for NSW (with Council support) to assess traffic and movement improvements to ensure resulting changes cater for all precinct users.
- c. The proposed relocation of the boat ramp (Item 3.3) has generated considerable community concern and further consideration is required taking into account the marine conditions and the needs and views of all existing key user groups. Council is not supportive of the relocation on the basis that the existing location and supporting infrastructure is considered appropriate and adequate for the location. In addition, the proposed relocation of the boat ramp appears to contradict the guidelines and safety considerations for boat ramps as stated in Transport for NSW's Maritime Boat Ramp Facility Guidelines, specifically in regards to proximity to trailer parking, open space and public swimming areas.
- d. While Council is supportive of prioritising pedestrian movement within the precinct and significantly increasing public waterfront space, we are not convinced that actions 3.1 (restricting vehicular traffic to prioritise maritime and emergency services access) and 3.4 (establish a dedicated public waterfront space) are appropriately targeted or viable in context of existing uses of the precinct. Specifically, we do not believe that these actions need to be contingent on exclusion of all public vehicular traffic or on relocation of the boat ramp. More balanced alternatives should be explored to enhance and improve public spaces and pedestrian access without so drastically impacting on specific users.

- e. Council is supportive of but is not the lead agency responsible for the repair and upgrade of the damaged seawalls (Item 1.3) as this is a State Government (TfNSW) responsibility. Council also seeks clarity on the proposed location and extent of the identified repairs under this item, as we believe that the full length of seawall around the harbour is need of review, repair and embellishment.
 - f. Council is not supportive of the potential long term action of providing new break-wall, moorings and additional harbour area (Item 4.5) to create a Marina-style facility (refer Figure 30 in the draft Strategic Framework). We do not believe that this is commensurate with the aesthetics, values and aspirations of the precinct nor likely to receive support from the local community.
 - g. Council is supportive of further investigations into smaller scale breakwater extensions or groyne installation at the entrance of the harbour to improve and protect existing harbour infrastructure, similar to Figure 29 in the draft Strategic Framework.
5. Council acknowledges that the progression and implementation of the actions recommended in the draft framework will require and rely on a long term commitment to collaboration and partnership between Council and the State Government. Council seeks more detail on the proposed governance model to be established to ensure progression of the plan. Council also acknowledges that delivery of actions identified in the draft framework will require significant ongoing allocation of funds and resources. To this end, the implementation tables contained in the draft framework need:
- a. further review and explanation in order to clearly identify the specific role and responsibility of Kiama Council in the delivery of each item;
 - b. to identify delivery timeframes and funding sources for all works;
 - c. identify the relevant legislation and planning controls required for the works and activities making up each item;
 - d. identify how these actions relate or supersede actions within the existing 2014 Masterplan for the Kiama Harbour/Blowhole Point precinct.
6. The matter of responsibility for the seawall highlights the lack of consideration in the framework to land tenure issues within the precinct. Although it is well understood that Land ownership and responsibility within the study area is generally shared between Council managed crown lands and Crown managed crown lands the boundary lines between these two is often unclear and at best inconsistent. Council would welcome the opportunity to work with Transport for NSW and Department of Industry (Crown Lands) to review and adjust boundaries to consolidate where possible land management responsibilities. Figure 3 below shows in red those Crown owned lands that until November 2019 were not Council's responsibility and have now been added to Council's licence under the Crown Land Management Act 2016. This 2019 licence excludes maintenance of the Kiama Harbour Seawall and the CRIB retaining wall from Council's responsibilities and reinforces Council's belief that Transport for NSW (Maritime Infrastructure) is best placed from a resourcing and

skills basis to retain responsibility for all maritime assets and coastal protection works within the precinct such as seawalls, jetties and wharves.



Figure 3 – Crown Lands added to Council licence in Nov 2019

Yours faithfully

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

Jessica Rippon
General Manager (Acting)