

TO: Council

FROM: Coordinator Open Space Planning Policy and Assets

DATE: 10 September 2018

6.90 COMMUNITY LAND MANAGEMENT PLAN - COASTAL RESERVE – WEST BEACH (B503)

Brief

To provide Council with information in relation to the Community Land Management Plan – Coastal Reserve – West Beach, including the submissions received as a result of the second round of community consultation and to present the revised Community Land Management Plan. The revised Plan is presented for endorsement.

Recommendation

1. That Council notes the submissions received for the Community Land Management Plan – Coastal Reserve – West Beach as part of the second round of community consultation as outlined in Appendix A, B and C.
2. That Council endorse the revised draft Community Land Management Plan – Coastal Reserve – West Beach as presented in Appendix E.
3. That the Community Land Management Plan be further reviewed in light of the DHI Group Sand Management Study and Dr Dyson’s Groyne Field Design once published and available.

[Note: This recommendation was updated to include a third recommendation on Friday 7 September 2018 at 4.45pm.]

Status

This report relates to or impacts upon the following Community Plan Objectives 2016-2027.

Our Community - A strong and connected community

- Provide accessible social infrastructure and services that engage our diverse community.
- Capitalise on partnerships, build community resilience and sense of belonging.

Our Liveability - A liveable City of great places

- An urban environment that is adaptive to a changing and growing City.

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- City assets and infrastructure are developed and well maintained on a strategic and equitable basis.
- Create valued urban places that bring people together and reflect local character and identity.
- Enhance the quality and diversity of open and public spaces.

Our Environment - An environmentally responsible & sustainable City

- Continue to implement climate change mitigation and adaptation solutions
- Enhance the state of the City's environment and biodiversity
- Lead and educate to reduce the City's impact on the environment and build resilience.

Our Leadership - A leading & transformational Local Government organisation

- Be bold and innovative in our practices, leadership and decision making.
- Adaptive and sustainable management of the City's finances.
- A collaborative, agile and high performing work place.
- Practise transparent and accountable governance.

Relevant Council policies are:

- Public Consultation Policy
- Environmental Sustainability Policy

Relevant statutory provisions are:

- Local Government Act 1999
- Crown Land Management Act 2009
- Coast Protection Act 1972

Relevant Council plans and strategies are:

- Living Green to 2020
- Biodiversity Action Plan 2017-30
- Open Space Strategy 2025
- City of Charles Sturt Transport Plan 2016-31

Executive Summary

At its meeting held on 23 July 2018 (CL 23/07/18, Item 6.74), Council considered a report associated with the draft Community Land Management Plan – Coastal Reserve – West Beach (CLMP). At this meeting Council considered a number of submissions received from the round one consultation in addition to hearing a number of deputations regarding the matter. As a result of this information, Council made a series of amendments to the draft CLMP for the purposes of round two consultation.

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Round two public consultation was undertaken in accordance with the endorsed Community Engagement Approach document, between Wednesday 1 August 2018 and Wednesday 22 August 2018. A number of submissions were received; these submissions have been considered and summarised and are also attached to this report (**Appendix A, B & C**). A number of the submissions raised also refer to comments made during round one consultation. The round one consultation responses are contained within **Appendix C** and are included for reference.

Based on the submissions received during this second round of consultation, further refinements and amendments have been made to the draft CLMP. A copy of the draft CLMP which was subject to the March 2018 consultation is included for reference and to highlight the changes made to the documents (**Appendix D**). A subsequent version of the CLMP has been prepared and is now presented to Council for consideration and endorsement in **Appendix E**.

Background

All Local Government land (except roads) that is owned by a Council or under a Council's care, control and management is classified as Community Land unless it has been excluded from Community Land classification or has had its community land classification revoked pursuant to the Local Government Act 1999.

The Local Government Act 1999 requires Council to prepare and adopt Management Plans for its Community Land that is occupied under lease or licence or where the land has been, or is to be specifically modified or adapted for the benefit or enjoyment of the community.

The subject land is owned by the Crown with Council being the custodian and hence having care, control and management of the land. Council is required to prepare a Management Plan for the land for the reasons discussed in this report.

A recent determination by the Supreme Court identified a number of issues in respect of the Management Plan - Coastal, previously adopted by the Council. As such, the Management Plan - Coastal was considered not to comply with all the requirements in the Local Government Act 1999 relating to the content of community land management plans.

At the meeting held on 13 March 2018 (CL 13/8/18, Item 6.23) Council considered a report pertaining to the development of a Community Land Management Plan – Coastal Reserve – West Beach. The report presented a draft Community Land Management Plan (Refer **Appendix D** for the CLMP subject of round 2 consultation), a Community Engagement Approach for consultation and other matters relating to plans to undertake construction work associated with the replacement of the existing seawall and upgrading of the coast path south of the surf lifesaving clubrooms.

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Council moved the following motion:

1. *That Council undertake public consultation in respect of the draft Community Land Management Plan (refer Appendix A), in accordance with the requirements of the Local Government Act 1999.*
2. *That, following public consultation, a further report be prepared for Council consideration.*
3. *That Council note that the appropriate level of community engagement for this project is 'consult' (in accordance with Council's Public Consultation Policy) as set out in Appendix B.*

At its meeting held 23 July 2018 (CL 23/07/18, Item 6.74) Council considered a further report associated with the Community Land Management Plan – Coastal Reserve – West Beach. At this meeting Council endorsed the draft CLMP and the community engagement approach for the purposes of a second round of public consultation in accordance with the Local Government Act 1999 and Council's Public Consultation Policy.

Council moved the following motion:

1. *That Council notes the submissions received as part of the initial community consultation as outlined in Appendix A and B.*
2. *That Council endorse the revised draft Community Land Management Plan – Coastal Reserve – West Beach (Appendix C), for the purposes of further consultation.*
3. *That Council note that the appropriate level of community engagement for this project is 'consult' (in accordance with Council's Public Consultation Policy) and as outlined in the Community Engagement Approach in Appendix D.*
4. *That following public consultation, a further report be prepared for Council consideration.*

The scope of engagement required that following community consultation a further report be presented to Council which:

- summarises the community engagement process and outcomes;
- presents information in the broader context of the matter; and
- makes recommendations for Council to consider when deciding on the matter.

The right of a member of the community to address Council by way of deputation in support of any written submission may be granted at the discretion of the Mayor. All people who made a written submission have been advised that the report is being considered by Council at this meeting held 10 September 2018.

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Report**Management Plan**

Section 196(1)(c) of the Local Government Act 1999 provides that a Council must prepare and adopt a management plan or management plans for its community land if, amongst other things, “the land has been, or is to be, specifically modified or adapted for the benefit or enjoyment of the community”. Council is planning to undertake construction work on the land (replacement of the existing rock wall and upgrading of the coast path south of the surf lifesaving clubrooms). Council is therefore required to adopt a Management Plan for the land to enable these works to be undertaken. But even without the proposed rock wall reconstruction, it is necessary to have a CLMP because the land has been modified and adapted for the benefit and enjoyment of the community.

The CLMP is intended to act as a strategic planning tool to identify the land to which the Plan applies, the purpose, objectives, policies (if any) and proposals for the management of the land; and identify performance targets and how the Council proposes to measure its performance against its objectives and targets.

The Local Government Act 1999 requires Council to undertake public consultation in accordance with its Public Consultation Policy. Consultation was undertaken following Council endorsement at its meeting held 13 March 2018 (CL 13/8/18, Item 6.23) of the initial Management Plan; a second round of consultation undertaken following a subsequent decision of Council on 23 July 2018 (CL 23/07/18, Item 6.74). A number of submissions have been received during these consultations.

The comments received during the consultations have been reviewed and the draft Management Plan amended (where relevant). The amended draft CLMP is contained within **Appendix E**. It is considered that all submissions (where relevant) have been included in this revised document and that it meets the requirements for a Management Plan in accordance with section 196 of the Local Government Act 1999.

Effect of Management Plan

Council must manage Community Land in accordance with any Management Plan for the relevant area.

Land Ownership

The subject land is owned by the Crown with the City of Charles Sturt as custodian. The land is dedicated for *recreation and parking purposes* under the Crown Land Management Act 2009.

Council is required to consult with the owner of the land (Crown) at an appropriate stage during the preparation of the Plan. The second draft of the CLMP was sent for comment to the Crown and comment on 1 August 2018. There has been no additional response received to that received during round 1 consultation.

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Land Use

The existing assets and land use components on this section of coastal/beach land are:

- West Beach Surf Life Saving Clubrooms;
- Rock wall;
- North / south coastal path;
- East / west coastal accessway/s;
- Access ramp (DDA compliant) providing pedestrian access to the beach;
- Sealed public car park (35 spaces);
- Pipework (underground) for pumping sand to beaches to the south (in association with the Adelaide Living Beaches Project);
- Public toilet block;
- Coastal dune; and
- Space for recreation.

It is not intended to introduce any new land uses into the area associated with the Management Plan, rather to allow for the continuation of all existing land uses currently occurring.

Sand Management Study

Separate to the West Beach rock wall reconstruction, and in partnership with the Coast Protection Board, the City of Charles Sturt and the West Beach Trust; DEW has commissioned a study to review current and future sand management options for Cell 3 (West Beach). The study is titled West Beach Coastal Processes Modelling, with the aim being to examine options to ensure that West Beach sand is better retained in a balanced or sustainable basis.

The project scope includes:

- Establish a coastal sediment transport model for the area of interest at West Beach, including longshore and cross-shore sediment transport.
- Area of interest: the coastline from Henley Beach South (Henley Beach Road) to the Adelaide Shores (West Beach) boat harbour. The extent of the model is to be sufficient to accurately reflect coastal processes within this area of interest.
- Following establishment, calibration and verification of the model under current physical conditions, a number of alternative coastal management scenarios, as agreed with DEW, are to be examined using the model. The scenarios to be modelled will be determined based on advice from the consultant, key stakeholders and DEW. For example, scenarios may include construction of an offshore breakwater or breakwaters, a groyne or groyne fields and alternative beach replenishment strategies.
- Possible design modifications to the configuration of the Adelaide Shores (West Beach) boat harbour breakwaters are to be proposed and modelled with the goal of minimising sand and seagrass wrack ingress to the harbour and minimisation of wave energy penetration (which is causing floating pontoon damage).
- A final report is to be prepared summarising the project methodology, modelling results and recommendations.

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In addition Council resolved as follows at its meeting of 27 August 2018, Item 6.83 West Beach Sand Management:

Motion

1. That the report be received and noted.
2. That Council formally approach Dr Ian Dyson and request a quoted proposal to undertake a design for a suitable geotextile groyne field that would address the lack of sand at West Beach, in particular in the vicinity of the West Beach Surf Life Saving Club (WBSLSC).
3. That the proposal includes an outline of the expected sand capture forecasts at various intervals of time, being 4 years, 8 years and 12 years.
4. That the proposal provides an initial estimated range of expected construction costs, and timelines.
5. That the proposal be presented to Council for information and that community stakeholders including the WBSLSC be informed.
6. That the proposal (as referred to above), together with details of the Noosa Sand Pumping system including details of the systems design and the operating company, as contained in this report, be provided to the Minister for consideration to address the lack of sand at West Beach, north of the boardwalk.

Moved Councillor Wood, Seconded Councillor Alexandrides **Carried Unanimously**

At 8.08pm Councillor Wood left the meeting.

At 8.09pm Councillor Wood resumed her seat.

While the sand management study may be completed towards the end of 2018, the relevant outcomes of the study remain uncertain. In particular, it is likely that the various stakeholders will require a significant amount of time to analyse recommendations, consider relevant implications and to make decisions about implementation. It is also uncertain what will eventuate from the proposal being sought as a result of the Council decision in regard to Item 6.83 of the meeting of 27 August 2018.

The fact that additional studies are being undertaken to better understand the complex coastal environment does not mean that the Council must, or should, not proceed with the CLMP. It is appropriate that the Council continues to make decisions based on the best information currently available.

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Further, the absence of a CLMP pertaining to land which has already been modified for the enjoyment of the community is an oversight which must be addressed sooner rather than later to ensure compliance with the Local Government Act 1999.

In the case of the rock wall, the Council has received advice that the rock wall constructed in the 1970s needs to be reconstructed following damage sustained during storms from 2014-2016 in order to protect adjoining coastal assets. This is a pressing issue as discussed in further detail below. The wall is to be constructed to protect landward assets from future storm activity as well as sea level rise. The design and construction of the replacement rock wall has been undertaken adopting an effective project management approach, including risk, environmental, social and economic factors to deliver the greatest outcome for the community.

Financial and Resource Implications

Costs associated with advertising for public consultation and public notice following the endorsement of the draft Management Plan and Community Engagement Approach for round 2 consultation were approximately \$2,000. The following table presents a breakdown of the approximate costs of round 2:

Resource Requirement	Budget Estimate
Internal administration costs associated with drafting the CLMP and preparation of associated key messages and documents	Covered by recurrent operational budget
Notice in the Westside Weekly, Portside and The City Messengers (3 newspapers)	\$1,500
Use of City of Charles Sturt website, Charles Sturt YourSay site, and City of Charles Sturt's social media platforms	Covered by recurrent operational budget
Printing of CLMP and fact sheet and display at the Civic Centre Internal Street and Henley Library.	\$500
Letters to landowners and occupiers within the locality, and key stakeholders	Covered by recurrent operational budget
Total	\$2,000

Customer Service and Community Implications

Adjoining residents have expressed concern to Council regarding the condition of the rock wall and the timeframe for its reconstruction which is planned to be staged with the Central Section to be replaced commencing spring 2018.

Residents within the area (bounded by Chetwynd Street/ Seaview Road/Renwick Street) have been consulted in regard to the rock wall project and are supportive of the project as it will provide protection to nearby assets and enable the reinstatement of the Coast Park in this location.

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The rock wall has been granted Planning Consent under Section 49 of the Development Act 1993 for a staged reconstruction of the wall, including the removal of the existing boardwalk, construction of new pedestrian footpath, new beach access stairs and concrete crown wall and associated civil works and landscaping. Development Approval for stage 1 of these works (the Central Section) has been granted under Section 49 of the Development Act 1993 which includes all works, other than the beach accessway stairs.

The development of the Community Land Management Plan will enable all existing activities and land uses (including the reconstruction of the rock wall) currently undertaken within the areas associated with the Management Plan to continue and assets therein to be maintained.

Environmental Implications

There are a number of key documents which are specifically relevant to the management of the land as it relates to the environment (and other matters). The 'Purpose for Which the Land is Held' section of the CLMP identifies a requirement relating to the promotion and protection of the coast. In addition the 'Objectives for the Management of Land' and 'Proposals for the Management of Land' sections reference environmental and conservation factors as being of importance.

A range of policies, plans and strategies are identified within the 'Policies for the Management of the Land' section that have direct correlation with the environment and conservation and relate to the land defined by the CLMP. These are listed below and are additional to the Corporate and Community Plan.

Environmental Sustainability Policy

A policy that sets out Council's guiding principles for moving towards environmental sustainability and in particular establishes the organisation's environmental management plan 'Living Green to 2020'.

Living Green to 2020

A strategic plan that describes how Council will approach environmental issues for the coming years, in partnership with our community. The plan presents strategies and actions under three key themes: our built environment, our natural environment and our people and communities.

Biodiversity Action Plan 2017-2030

The Biodiversity Action Plan 2017-2030 represents the first biodiversity focussed plan for the City of Charles Sturt and is intended to have linkages with existing Council plans and strategies in contributing to creating a more liveable City for people and biodiversity.

Adapt West – Western Adelaide Region Climate Change Adaptation Plan 2016

This document outlines a range of climate change adaptation options and activities to effectively manage the risks and effects, and ensure the resilience and sustainability of the Council region into the future.

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The document has been developed taking into consideration regional needs of three councils, and includes a collaborative approach including the City of Port Adelaide Enfield and the City of West Torrens.

Rock Wall

Council is planning to undertake construction work on the land (replacement of the existing seawall and upgrading of the coast path south of the surf lifesaving clubrooms).

The existing rock wall will be dismantled and rebuilt incorporating (where possible) existing components. The proposed seawall will essentially occupy the footprint of the existing seawall but provide a more robust and sustainable structure with a life expectancy of 50 years and designed to accommodate projected sea level rise.

There is an imperative to replace the existing wall as it is failing and cannot provide adequate protection to the land-ward assets in this location (environs and the surf lifesaving building). Recession due to sea level rise could extend landward by 7.5m by 2050 and 25m by 2100 respectively if the existing sea wall fails or affords no protection, this would be in addition to storm surge recession. Further, the projected sea rise levels in this location are 0.3m by 2050 and 1.0m by 2100, further highlighting the imperative for the sea wall to be rebuilt to protect land-ward assets.

The impact on the land (beach) adjacent to the wall during the construction phase caused by the operation of plant and equipment will be minimal and readily restored to its original condition at the conclusion of the construction works.

The construction contractor engaged by Council will be obligated to fully comply with the Environment Protection Authority in respect of policy and licencing requirements.

Coast Path

The portion of the existing coast path in this location, (south of the clubrooms), is to be upgraded to a 3m wide concrete path that will be at the height of the new seawall, the adjoining roadway and the abutting northern concrete section.

The land between the roadway and the new pathway will be planted with appropriate species to control sandy areas and provide visual amenity.

Council's Project Manager in conjunction with consultants KBR who are managing the design and construction of the sea wall and the coastal path, have had regard to Council Policy-Environmental Sustainability and are of the view that as far as practicable, the principles of that Policy have been addressed in respect of design, construction and site rehabilitation.

Development Approval has been granted under the Development Act 1993 as a separate assessment and approval process to that being considered as part of the CLMP.

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Current Research

There has been some discussion within the submissions received through the consultation processes regarding the staging and completion of various documents relative to this area (including the rock wall development approval documentation, the West Beach Coastal Processes Modelling, and the Coast Protection Board review of the Adelaide Living Beaches Strategy).

The West Beach Coastal Processes Modelling findings are likely to be finalised and released once reviewed by the Minister in the second half of 2018.

The West Beach Coastal Processes Modelling study is largely concerned with re-establishing the sand at West Beach.

To date the following two independent consultants have undertaken investigations in relation to the rock wall:

- Civil & Environmental Solutions – West Beach Coastal Sea Wall Assessment – 2016 in which it was identified that the seawall upgrade was required even if the available beach width was increased.
- KBR – West Beach Rock Wall Restoration Project - Concept Designs Report - February 2017
- KBR – West Beach Rock Wall Restoration Project – Design Basis Report – August 2017

During the course of investigation and design relating to the rock wall, the report prepared by Civil & Environmental Solutions – West Beach Coastal Sea Wall Assessment – 2016, advises as follows:

10. There is a risk of increased localised erosion of paved and unpaved areas immediately behind the top of the existing sea wall in a 1% AEP storm surge event from wave overtopping based on current sea levels where the wall affords protection, which could extend to 17m-27m if the seawall fails or does not continue to afford recession protection or the external hardstand areas afford no dune protection during a storm event. (pg 30 of the assessment)

12. Recession due to sea level rise could extend landward by 7.5m by 2050 and 25m by 2100 respectively if the existing sea wall fails or affords no protection to the dune which would be in addition to storm surge recession (pg 30 of the assessment);

20. The establishment of a parallel offshore reef in the offshore zone may provide amenity benefits through increasing the available beach width but its effectiveness in reducing wave heights would need to be tested through extensive laboratory testing and modelling. Notwithstanding a seawall would still be required' (pg 32 of the assessment)'.

As such, the advice received is that there is a need for the seawall to be re-built notwithstanding other strategies that might be deployed in the future to re-establish the beach at this location.

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It is also important to bear in mind that the West Beach Coastal Processes Modelling study is likely to be the start of an iterative process to determine what (if any) other strategies could be implemented to manage the coastal environment. That process is likely to involve a number of stakeholders (including the Council, State Government, the West Beach Trust, the West Beach SLSC and the local community). It is also likely to involve a range of issues and interests including, but not limited to, coastal protection. In the meantime, given the information and reports available, and given the risk of further storm damage to the coast, on balance, it would appear imprudent for the Council to defer the CLMP indefinitely pending the outcome of ongoing research.

The intent of the CLMP is to facilitate ongoing and appropriate uses within the area defined as the subject land. Depending on the results of ongoing research, further amendments to the CLMP may be contemplated in the future, if necessary and this may occur by way of Council resolution. For the time being, however, there is a need for the Council to adopt a CLMP for the land to ensure compliance with the Act.

All works within areas defined by a CLMP will be undertaken in consideration of research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.

This will incorporate alignment with Council strategic planning framework including its Policies.

Section 196 (5) of the Local Government Act 1999 requires that

A management plan—

- (a) *should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land; and*

Example—

The management plan should be consistent with strategic plans affecting development of land in the relevant area and with statutory or other official policies for protecting the State heritage, or for encouraging recreational or sporting activities, or for fostering tourism.

- (b) *must contain any special provisions required under the regulations.*

Example—

The regulations may for example contain special provisions relating to the management of the Adelaide Park Lands for inclusion in the relevant management plans.

- (6) *In the event of an inconsistency between the provisions of an official plan or policy under another Act and the provisions of a management plan under this Act, the provisions of the official plan or policy prevail to the extent of the inconsistency.*

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Based on the information currently available to us including the relevant official plans and policies – it is considered the CLMP takes into consideration all relevant policies.

Community Engagement/Consultation

(including with community, Council members and staff)

The purpose of the second round of community consultation was to articulate the process and measures that will be undertaken to ensure our community, stakeholders and Elected Members are appropriately informed and engaged in relation to the intent to this Management Plan proposal, and to adopt a Management Plan for this land.

Under the Local Government Act 1999 Division 4 – Management Plans, Section 196(1):

“A council must prepare and adopt a management plan or management plans for its community land if—

- (a) the land falls within the ambit of section 194(1)(b) or (c); or*
- (b) the land is, or is to be, occupied under a lease or licence; or*
- (c) the land has been, or is to be, specifically modified or adapted for the benefit or enjoyment of the community.”*

Section 198 of the Local Government Act 1999 sets out actions a council must take in relation to the amendment or revocation of a management plan.

- “(1) A management plan may be amended or revoked by the adoption of a proposal for its amendment or revocation.*
- (2) A council may only adopt a proposal for amendment to, or revocation of, a management plan after the council has carried out the public consultation that would be required if the proposal were for a new management plan.*
- (3) However, public consultation is not required if the amendment has no impact or no significant impact on the interests of the community.*
- (4) A council must give public notice of its adoption of a proposal for the amendment or revocation of a management plan.”*

Round two consultations was undertaken for a period of 21 days during 1 August – 22 August 2018.

Nine submissions were received and the matters raised (where relevant) have been included in a revised CLMP.

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Risk Management/Legislative Implications

The Local Government Act 1999 requires Council to adopt Management Plans for its Community Land (as set out in Section 196 of the Local Government Act 1999).

Section 196 (3) states

A management plan must—

- (a) identify the land to which it applies; and*
- (b) state the purpose for which the land is held by the council; and*
- (c) state the council's objectives, policies (if any) and proposals for the management of the land*

Through the consultation process and associated amendments to the draft Management Plan, a number of issues have been contemplated and the opportunity for inclusion within the document identified. These additional matters provided opportunity for refinement, resulting in a Management Plan reflective of existing uses and the identifiable continuation of improvements to community land and assets in the future.

Conclusion

The Local Government Act 1999 requires Council to adopt Management Plans for its Community Land.

The revised CLMP takes matters relating to the management of the land – as they relate to existing and intended land use – into consideration. The CLMP also references relevant documents and policies, and considers matters pertaining to the conservation, development and use of the land.

The Plan will provide greater clarity and direction in respect of how the land should be developed and managed to facilitate ongoing community and emergency service use and the adoption of Community Land Management Plans for Council land (and Crown land under Council control) provides the framework and direction in respect of how those land parcels should be developed and managed.

Additional consultation and refinement of the draft plan in accordance with the requirements of the Local Government Act 1999 has been beneficial in finalising the final draft Management Plan for Council's consideration.

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Appendices

Appendix	Title of Document	No. of Pages	TRIM Ref
A	Copy of submissions received – August 2018 consultation	30	18/266225
B	Summary and response to submissions received – August 2018 consultation	29	18/266221
C	Copy of submissions received – March 2018 consultation	71	18/149512
D	Draft Community Land Management Plan – Coastal Reserve – West Beach – August Consultation	9	18/212945
E	Draft Community Land Management Plan – Coastal Reserve – West Beach	8	18/266222

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APPENDIX A

Appendix A consists of 30 pages.

Feedback Results – Community Land Management Plan – Coastal Reserve – West Beach

Responses – 9 total

2 – Your Say Feedback

7 – Written Submissions

Response Number	Name	Comment
1.	Anonymous – Your Say	I appreciate this has been a long time in the making, but I am really surprised that the West Beach Surf Club looks like it is staying in the current location. Even someone like myself with no real knowledge of coastal erosion can see that this section of beach in particular hits the currents coming up the gulf and will never have reasonable sand cover, and will continue to get belted by storms. Isn't it a no-brainer that the club be relocated to the WB Sailing club, which is also in need of upgrading, to make this into an excellent facility, and then reclaim the land where the club is to better storm proof the area? It is time we worked with not against our natural environment.
2.	Beachnanna – Your Say	<p>And a focus is on ecologically sustainable development that:</p> <ul style="list-style-type: none"> • protects and enhances sensitive coastal environments, habitats and natural processes • strategically manages risks from coastal hazards • maintains and enhances public access to scenic areas, beaches and foreshores • supports the objectives for our marine environments under the Marine Estate Management Act 2014 • protects and enhances the unique character, cultural and built heritage of our coastal areas, including Aboriginal cultural heritage <p>Any of this would be better than the development at any cost approach, that has failed at West Beach and will fail again</p>
3.	Paul Laris (WACRA)	Refer Attachment A
4.	David Hamilton	Refer Attachment B
5.	Geoffrey Reed (WEDGE)	Refer Attachment C
6.	Lorimer Judy Packer	Refer Attachment D
7.	Chris Naylor	Refer Attachment E
8.	Alan Simpson	Refer Attachment F
9.	Tom Crompton – Botten Levinson Lawyer	Refer Attachment G



WACRA Submission: Community Land Management Plan

Coastal Reserve West Beach, August 21, 2018

This is our second submission to the West Beach Community Land Management Plan

While we still hold to all the points made in our submission of April 20 this year and ask that they be carefully considered, we wish to take this opportunity to emphasise one key point.

Following the two workshops with representatives from State, Local Government, coastal experts, resident organisations and surf life saving clubs funding up to \$70,000 from the Coastal Protection Board, Charles Sturt Council and Adelaide Shores was allocated to conduct a scientific study by modeling to gain a full understanding of why there has been such a huge loss of sand and suggested structural and engineering options to improve the import and retention of sand on these beaches. Consultants DHI were engaged to conduct that study. DHI were expected to report by late September 2017. However, some of the initial data provided for the modelling were incorrect and the process was delayed.

Council have advised that the Coastal Protection Board now have the report and have sent it back to DHI for "refinement".

Given that Council have invested significant funding in this study and the findings are likely to be available very shortly it is difficult to understand why a Community Land Management Plan for West Beach should be proposed now *without* the benefit what can be expected to be crucial data to inform effective management. The DHI brief was to model sand movement and to provide options for robust and sustainable management. To proceed without considering the findings of the report is to place Council and ratepayers at a significant risk. Making a major investment in rockwalls and other engineering must be done with due diligence. Proceeding without specifically commissioned intelligence is not due diligence. It may be, for example, that the findings suggest that

the Coastal Pathway may need to be placed in a entirely different location.

WACRA urges Council to defer any planning or works on West beach until the DHI report is in their hands and available for public scrutiny. The final consultation on the Community Land Management Plan should also be deferred so it can then take place in the context of a fully informed community discussion.

For further information or clarification of these issues, please contact Jim Douglas (phone [REDACTED]). Mr Douglas attended the two Council workshops and the Adapt West review, provided submissions to the Public Works Committee of Parliament as President Western Adelaide Coastal Residents. Founding member, past president/editor and Life Member of Friends of Gulf St Vincent.



Paul Laris
President WACRA

Attachment B – David Hamilton

From: [REDACTED]
To: [Paul Sutton](#); [REDACTED] [City of Charles Sturt](#)
Subject: Public consultation, CLMP Coastal Reserve West Beach
Date: Tuesday, 21 August 2018 10:08:06 PM

Dear Paul, Re CLMP West Beach

Thank you for providing me with the opportunity to make a further submission. I do not think that Council should adopt this CLMP in its present form until further involvement with the community is undertaken.

I understand that the idea of a CLMP is to encourage the community to have a say in the future planning and management of the land in question and to attract greater participation in coastal management. I cannot see that this currently revised plan does this.

It is well known that building hard structures (paths and walls) on the sea front eventually leads to further erosion of the remaining beach and many would consider that these structures should not be constructed if there are any alternative measures that could be adopted. Consideration of the environment seems to be sadly lacking in this plan .

Yours sincerely,
David Hamilton.

Attachment C – Geoffrey Reed (WEDGE)

From: Geoffrey Reed [REDACTED]
Sent: Wednesday, 22 August 2018 10:08 AM
To: Paul Sutton <psutton@charlessturt.sa.gov.au>
Subject: WEDGE SUBMISSION - WEST BEACH CLMP



Dear Paul,

On behalf of the WEDGE Families of Semaphore Park, I have pleasure in making a second submission regarding West Beach CLMP.

1. ON THE PRECIPICE.

It is not so long ago that I was on location at West Beach being interviewed by Channel 7 news about the unnatural disaster unraveling there after a major storm event. The SLSC hanging precariously over the edge of a rocky cliff. The bike path totally undermined, collapsing and closed following the storm surges.

It was a vision splendid of poor planning by CCS, and the media coverage of the day was centred on a childish, public squabble between State and Council over whose fault it was and who should pay!

For us at WEDGE, allied Coastal Care groups and all the other people who love and care for our metro coast, WEST BEACH is a dying example of what actually happens when successive administrations make poor decisions and get things totally wrong. And guess what? There is no going back to what nature intended.

Michelle Lensink was also interviewed that day together with a coastal engineering expert who explained in simple terms exactly why we have this massive erosion problem.

2. VAGUE LANGUAGE.

As a business professional, it is disturbing to read the relevant CCS CLMP documents. These are filled with vague Policies for mngmt, and the Performance targets & measures read like an uninformed, but enthusiastic, high school project. Furthermore, one has to wade through dozens of other related documents to try and find a synopsis of the CCS position.

3. ELEPHANT IN THE ROOM SHOOTING ITSELF IN THE FOOT.

Charles Sturt Council and Adelaide Shores were allocated funds to conduct a scientific study by Consultants DHI who were expected to report by late September 2017. However, some of the initial data provided for the modelling were incorrect and the process has now been delayed.

We understand that Council have advised that the Coastal Protection Board now have the report and have sent it back to DHI for "refinement ".

Given that Council have invested significant funding in this study and the findings are imminent, it beggars belief that a Community Land Management Plan for West Beach should be considered, let alone proposed, without the benefit of such crucial data to inform effective management.

To proceed without considering the findings of the report is more than incompetent. It is bordering on madness! Are we to sit by once again and watch Council make rash, uniformed decisions that destroy our coastline and put ratepayers at a significant risk.

Paul, you're good CEO, responsive and professional in my experiences working with you. You are also a smart businessman. I put it to you that unless you want another PR disaster on your hands, you have no choice but to defer any planning or works on West beach until the DHI report is published and available for public scrutiny.

It is therefore a 'No-Brainer' that final consultation on the Community Land Management Plan should also be deferred so it can then take place in the context of a fully informed community discussion.

WEDGE are happy to wok with CCS to help get it done properly. There are no second chances, so let's get it done right first time, no matter what it takes.

Kind regards,
Geoffrey Reed
Chairman

WEDGE (Wild Endangered Dunes Group)

E 

W: www.wedgesa.net.au

WEDGE & SANDPIPER Dune Care groups represent concerned citizens of Semaphore Park & West Lakes Shore. We are fighting for the protection of local endangered dunes and our existing natural COAST PARK which forms a northern corridor of biodiversity to Tennyson Dunes. This amenity will be destroyed if the continuous concrete horror is forced upon us.

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Attachment D – Lorimer Judy Packer

From: Lorimer Packer

Sent: Wednesday, 22 August 2018 9:10 AM

To: City of Charles Sturt ; Paul Sutton

Cc: Cr Jassmine Wood ; Cr Kelly Thomas ; Cr Edgar Agius ; Cr Mick Harley ; Cr George Turelli ; Cr Barbara Wasylenko ; Cr Rachele Tullio ; Cr Tom Scheffler ; Cr Robert Randall ; Cr Oanh Nguyen ; Cr Tolley Wasylenko ; Cr Paul Sykes ; Cr Stuart Ghent ; Cr Paul Alexandrides ; Amy Evans

Subject: Second public consultation response - Community Land Management Plan - Coastal Reserve - West Beach

Dear Mr Sutton, Mayor Evans and Others,

On reviewing the V2 of the West Beach CLMP, my comments are of a general nature, as I believe others more capable have dealt with the specifics.

1 I find the document as presented very difficult to read. I do not attribute this to age or infirmity. The document is repetitive and difficult to follow. I still read and comprehend academic documents but this draft baffles me.

2 With all the attachments, it means that reading the thing in its entirety, is an impossibility. I would be amazed if all Councillors had the time and tenacity to read and digest this. If elected members do not read it how can they vote on it with an informed opinion?

3 There seems to be only passing references to environmental matters and failure to wait for the imminent release of important and relevant reports is perplexing. Why not?

4 The existing wall has failed at least once. The loss of sand that has occurred in that specific place is unimaginable to some, but I remember regular Weetbix breakfasts there in the 1940s. The sand was squeaky, white and boundless. I still remember that carrying the family meal from our electric car to beach was very difficult but worthwhile when we got there. The barbed wire was less of an obstacle than the endless sand.

5 Climate change is happening and building anything bigger on that footprint is nonsensical especially as CPB has a very limited supply of sand with which to replace losses.

I must suggest that at least deferral and rewriting, using models that are readily available from other like bodies, would be prudent. Proceeding apace at this juncture appears to me to be an irresponsible use of ratepayers funds. L

J Parker


SAust 5022

18 April 2018-04-18

The Chief Executive
PO BOX 1
WOODVILLE SA 5011

By email: psutton@charlessturt.sa.gov.au

Dear Mr. Sutton,

Feedback: Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach.

Firstly, when reading this CLMP,, I noticed there is an impressive list of reference documents. However on closer inspection these are mostly in my opinion, wallpapering.

The area of land is very small and the existing rockwall, that supports the coastal path is severely eroded, undermined and subsided.

The CLMP refers to many aspects of land magagement that do not impact on this area at all. The Plan appears to be very generalized and not site specific.

This is surprising as the site is severely damaged and needs great care specific to its own needs to remediate the damage and prevent recurrence.

There is no mention, for instance of sea level rise and increased storm intensity,, which in this instance should surely be acknowledged and accommodated.

The document talks of enhancing, managing and protecting the dune system. The truly magnificent dunes that were there in the 1940s are well gone. So to what does this refer and if nothing, why is it there.

There are several other mysterious references to nothing.

- To provide and maintain controlled east-west public access to the coast (including across the dunes) in various locations.
There is a set of destroyed steps that crossed rocks and the two other accesses are related to the SLC. Dunes? What dunes?.
- To enhance, protect and manage the coast and dune system. This should read to protect the coast and manage future damage and erosion.
Rock walls by their very nature damage beaches, as does the installation of groyne like structures such as West Beach Boat Harbour.

The LGA states that a measurable, quantifiable assessment must be included in respect of the Target and Measurements of Performance. So success or failure needs to be established for these and other such projects.

A requirement of the Local Government Act 1999 is to provide a framework for the management of different types and hierarchy of open space. Again this seems to be omitted.

Among the documents referenced in the preparation of this CLMP are

1) Vegetation Management Plan was originally prepared in 2005 and is well out of date. Very significant changes have occurred since then and although suitable species recommended then may remain appropriate many other environmental aspects have changed.

(1) This Vegetation Management Plan was designed to be a flexible and dynamic document that should be adapted according to changes in the dune environment over time and as further information becomes available. Updating has been neglected by Council and the series of Plans from 2005 may have been updated at some stage but there is no evidence that they are current.

2) Adelaide Living Beaches Strategy is focussed on sand replenishment and sourcing this material.

3) The Coast Protection Board document 2016 refers to sand management. There is very little sand in this area. Being in the lee of the West Beach Boat Harbour means that sand depletes only and I would be surprised if any was available for redistribution from the beach in this area.

4) Coastal Management Plan 2002-2007, I am unable to locate online.

5) Open Space Strategy 2025

(a) "The City of Charles Sturt does not have a large amount of 'natural area' and ideally biodiversity within the existing natural areas and other locations would be strengthened, including along the coastline and the River Torrens Linear Park as well as through other biodiversity corridors and in smaller reserves."

b) "Infrastructure in natural areas should be limited to natural surface pathways, low key seating and shelters and interpretation."

c) Activities and development should have minimal disturbance on the character and environmental value of the natural area.

d) The area is already completely disrupted so how this applies I fail to see and how it fits in with bitumen and concrete I do not understand.

6) Development Plan City of Charles Sturt Impossible for anyone outside to have any idea of the effect of this on anything relevant to this project

7) Use of Public reserves for Commercial Fitness Activities There is zero scope for Commercial Fitness Activities, unless within the confines of the SLC.

8) City of Charles Sturt Tansport Plan 2016-31

(a) Seaview Rd becomes a dead end essentially at Chetwynd St, so unless recreational bike riders are classed as part of the transport system, the inclusion of the reference is somewhat excessive.

9) Vegetation Management Plan (again)

10) Biodiversity Action Plan Given the very minute unsealed area encompassed by this plan it is difficult to understand the impact of the Biodiversity Action Plan

11) Living Green to 2020 (Environmental Plan 2014-2020)

It is difficult to identify where this document impacts on this proposal

Additionally, there seems to be no mention either of any EIS to assess the longevity of this construction or indeed even the environmental impact. As you would be aware, the Environment is a major tenet that must be considered under the LGA, and specifically at Chapter 1(3)(g), Chapter 2(7)(e), Chapter 8(d) & 8(f), and Part 2, Division 3, Principles, 26(vi).

It would seem that this document must have been hastily drafted using some inappropriate proforma. I can only recommend that the Community is presented with V2 when it has been redrafted.

Yours sincerely

L J Packer

Attachment E – Christopher Naylor

From: Christopher Naylor [REDACTED]
Sent: Wednesday, August 22, 2018 9:45 AM
To: Georgina House
Subject: West Beach CLMP.

For the reasons stated in order and below, Council should defer its decision.

5) Objectives for the Management of the land

Some of these statements are duplicated and redundant.

6) Policies for the Management of the Land

This contains a total of 11 documents and hundreds of pages which covers everything from a general Community Plan to a Corporate Plan, Living Green, Asset Management, Adelaide's Living Beaches, Adapt West, and everything else in between. Surely there is a way to reference specific documents without having to list every plan that the Council has on its server!

8) Performance Targets and Measures

Generally the "Performance Measures" defined in the document are not performance measures that would be accepted for the purposes of evaluating corporate performance or individual performance. They are weak and non-specific.

Some example are (for 3 out of the 7 listed Objectives under Performance Targets and Measures) however the comments apply for all.

Objective 1 – Performance Measure

"Inspections of the path during construction and at final completion" is not a measurable target.

How many inspections? What will be inspected? What will it be compared against? What will be the definition of success or failure to perform against the target?

Objective 2 – Performance Measures

"Beach access ways inspected on a seasonal basis:

Summer – daily inspections of beach accessways

Winter – two weekly inspections of beach accessways."

For this objective as with others the question needs to be asked. What will be inspected? What will it be compared against? What will be the definition of success or failure to perform against the target?

Objective 3 – Performance Measures

“Inspections undertaken on a seasonal basis:
Summer – daily inspections of the foreshore”

“Winter – two weekly inspections of the foreshore”

“(Variation may occur depending on the extent of the season, storm and or tidal events and other events which may require inspections to be undertaken). “

“Annual assessment of the vegetation cover within the dune area”

At the bottom of the section in Notes it states "The target is the goal or standard to be aimed for; whereas the measure is how the Council proposes to determine whether the target/objective has been reached.”

Its impossible to tell from the measure listed in this document whether a performance can be evaluated against it or not.

General

Over riding any of the above concerns there is one major concern. The Council seems to be progressing without reference to reports which could impact the policies and plans for the West Beach Seawall and should surely be included in this CLMP.

A pending study is the “West Beach Coastal Processes Study” this has to be completed and presented.

Additionally the Adelaide's Living Beaches document may be under review.

Both of these documents will impact this CLMP.

—

Attachment F – Alan Simpson

21st August 2018

The Chief Executive
PO BOX 1
WOODVILLE SA 5011

By email: psutton@charlessturt.sa.gov.au

Dear Mr. Sutton,

Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach.

Thank you for the opportunity to comment on the Draft CLMP as part of the second round of community consultation.

General Comments

Many of my comments which I made in my letter to you on 20 April 2018 related to the Draft Community Land Management Plan Coastal Reserve, West Beach still hold and I would like to bring your attention to that fact.

I understand from contacts with other Community Groups that a scientific study, modelling that particular section of the coast is currently in progress. The goal of the report is to identify engineering options to improve the retention of sand on the beach directly in front of the reserve.

It would seem to be very remiss of the Council to move forward on finalising this CLMP without the benefit of the recommendations and any risk analysis which could impact the objectives, targets and performance measures contained in this CLMP.

Specific Comments

My comments below follow the structure and numbering convention of your document.

5) Objectives for the Management of the land

In my opinion some of these statements are duplicated and redundant and are not relevant.

Objective 5.1 as it is now written appears to focus on maintaining and renewing assets. Is this consistent with an objective for the land? Management of the land is better covered by item 5.7

Objective 5.4 seems to be a duplication of 5.1 and again focuses on assets and not on the land.

6) Policies for the Management of the Land

This section now contains a total of 11 documents representing hundreds of pages which are referenced as policies related to the Land. This seems to be a very wasteful and inefficient way to lay out policies which relate to the management of this particular section of land.

I believe that these documents should be reviewed and only documents which directly relate to the management of this land should be referenced.

8) **Performance Targets and Measures**

I would like to reference once again comments I made in my submission to the first draft of the CLMP.

Generally, the "Performance Measures" defined in the draft document are not performance measures that would be accepted for the purposes of evaluating corporate performance or individual performance of employees in a corporation.

The Macquarie Dictionary definition of the noun "target" includes the definition "a goal to be reached". It also defines the verb "measure" to mean "to ascertain the extent, dimensions, quantity, capacity, etc., of, especially by comparison with a standard." And "to estimate the relative amount, value, etc., of, by comparison with some standard."

I would also reference the Chartered Management Institute when it comes to setting objectives (or targets) and measuring performance.

Please refer to this URL:

<https://www.managers.org.uk/~media/Files/Campus%20CMI/Checklists%20PDP/Setting%20SMART%20objectives.ashx>

Some excerpts which are relevant are:

“Objectives should be SMART i.e. specific, measurable, achievable, realistic and timely

Specific – outline in a clear statement precisely what is required.

Measurable – include a measure to enable you to monitor progress and to know when the objective has been achieved.

Achievable – objectives can be designed to be challenging, but it is important that failure is not built into objectives. Employees and managers should agree to the objectives to ensure commitment to them.

Realistic - focus on outcomes rather than the means of achieving them

Timely - (or time-bound) – agree the date by which the outcome must be achieved.”

“To be specific an objective should have a description of a precise or specific behaviour, achievement or outcome which is or can be related to a percentage, frequency, rate or number.”

“Measurement is hugely important and will enable you to know that the objective has been achieved because evidence is available derived from a system, method or procedure which has tracked and recorded the behaviour or action upon which the objective is focused. “

“Can these measurements be obtained? (It is worth noting that if it can’t be measured now, the chances are that it won’t be possible to measure in the future either).”

One further point which is stressed is that Managers should avoid:

“Having no system, method or procedure in place to track and record the behaviour or action upon which the objective is focused.”

Looking specifically at the Performance Targets and Measures in this document.

Objective 1 – Performance Target

“A fenced 3m wide (minimum) path is constructed and maintained to safely cater for shared use.”

This would appear at first blush to be simply an extension and repeat of the Objective and would appear to be redundant.

“Construction of the path in line with Austroads Design Guidelines and relevant Australian Standards for Shared Use Paths”

The above on the other hand is a specific target.

Objective 1 – Performance Measure

“Inspections of the path during construction and at final completion” is non-specific and not a measurable target.

How many inspections? What will be inspected? What will it be compared against? What is the measure of success or failure against the target?

The statement does not define any pass or fail criteria and is certainly not an objective measure that can be related to a percentage, frequency, rate or number.

Objective 2 – Performance Measures

*“Beach access ways inspected on a seasonal basis:
Summer – daily inspections of beach accessways
Winter – two weekly inspections of beach accessways”*

This is non-specific and not a measurable target. The statement does not define any objective measure that can be related to a percentage, frequency, rate or number.

For this objective as with others the question needs to be asked. What will be inspected? What will it be compared against? What will be the definition of success or failure against the target?

Objective 3 – Performance Target

For Objective 3 the targets appear to be reasonable and specific.

Objective 3 – Performance Measures

*“Inspections undertaken on a seasonal basis:
Summer – daily inspections of the foreshore”*

“Winter – two weekly inspections of the foreshore”

“(Variation may occur depending on the extent of the season, storm and or tidal events and other events which may require inspections to be undertaken). “

“Annual assessment of the vegetation cover within the dune area”

All of these are sufficiently non-specific to fail the test of a performance measure. What will be inspected? What will it be compared against? What will be the definition of success or failure against the target?

In the case of the *“Annual assessment of the vegetation cover...”* what is the pass or fail criteria?

These statements do not define any objective measure that can be related to a percentage, frequency, rate or number.

Objective 4 Part 1 – Performance Target

The statement:

“Reconstruct the rock wall (subject to receiving necessary approvals, availability of funding and appropriate environmental assessment) running parallel and longitudinally to the coast to provide increased protection to landward assets and to provide greater public amenity. The rock wall design life to be 50 years consistent with guidance in AS 4997-2005 and to provide for projected sea level rise over the life of the asset”

Would seem to be a mix of both “Objective” and “Performance Target”

More properly it would seem the “Objective” should be:

“Reconstruct the rock wall (subject to receiving necessary approvals, availability of funding and appropriate environmental assessment) running parallel and longitudinally to the coast to provide increased protection to landward assets and to provide greater public amenity”

The “Performance Target” could then be:

“The rock wall design life to be 50 years consistent with guidance in AS 4997-2005 and to provide for projected sea level rise over the life of the asset”

Objective 4 Part 1 – Performance Measures

“Inspections of the rock wall during construction and at practical and final completion” is non-specific and not a measurable target.

How many inspections? What will be inspected? What will it be compared against? What will be the definition of success or failure against the target?

The statement does not define any objective measure that can be related to a percentage, frequency, rate or number.

Objective 4 Part 2 – Performance Measures

*“Inspections undertaken on a seasonal basis:
Summer – daily inspections of beach accessways and rock wall*

Winter – two weekly inspections of beach accessways and rock wall.

(Variation may occur depending on the extent of the season, storm and or tidal events and other events which may require inspections to be undertaken). “

The same comments are relevant to this as other Performance Measures. What will be inspected? What will it be compared against? What will be the definition of success or failure against the target?

These statements do not define any objective measure that can be related to a percentage, frequency, rate or number.

How do you measure increased protection to landward assets? How do you measure greater amenity to the public.

If the Performance Targets are stated then the Performance Measures should relate to these Performance Targets.

These clearly do not.

Objective 5 – Performance Measures

The statement *“Monitor Work Orders against programmed activities”* is not a performance measure. It is a simple statement that work orders will be monitored.

This statement does not define any pass or fail criteria and is certainly not an objective measure that can be related to a percentage, frequency, rate or number.

Comments Specific to “Notes”

The second last paragraph of the document defines “targets” and “measures”.

“The target is the goal or standard to be aimed for; whereas the measure is how the Council proposes to determine whether the target/objective has been reached.”

While this is a worthwhile statement it's important to note that throughout the document the "measures" are not defined nor do they state a "percentage, frequency, rate or number" and hence most reasonable people would not consider them to be measures.

Yours Faithfully

ALAN SIMPSON

Attachment G – Tom Crompton – Botten Levinson Lawyer

Our ref: TLC/216237

22 August 2018

Mr Paul Sutton
Chief Executive Officer
City of Charles Sturt
PO Box 1
WOODVILLE SA 5011

By email: council@charlessturt.sa.gov.au;
psutton@charlessturt.sa.gov.au
kmader@charlessturt.sa.gov.au

Dear Mr Sutton

Second public consultation response - Community Land Management Plan - Coastal Reserve - West Beach

Our firm continues to act for the Coastal Ecology Protection Group Incorporated.

Our client made written submissions by letter from our firm dated 20 April 2018 about the initial draft of the "Community Land Management Plan - Coastal Reserve - West Beach" ("**West Beach CLMP**").

Our firm appeared by way of deputation at the full Council's meeting on Monday, 23 July 2018 and made submissions about the initial draft West Beach CLMP.

My client since received notice inviting further submissions about an amended version of the West Beach CLMP. This letter constitutes my client's further submissions in response to that invitation.

My client's position

The reasons that follow, my client continues to oppose the adoption of the West Beach CLMP in its amended form.

It considers that it is fundamentally inappropriate for the Council to proceed further with the West Beach CLMP before important environmental information and modelling is known to it and before the design and siting of replacement seawall and path works are known.

Even if the Council decides to proceed with a decision on the West Beach CLMP now, my client strongly submits that further amendments are required to the West Beach CLMP before it can be validly adopted by the Council. My client relies on its original submissions of 20 April 2018 and the specific further submissions that follow below.

1. Threshold issue – design and assessment of sea wall

Clearly, the West Beach CLMP is intended to facilitate the “replacement” or upgrade of an existing seawall and a coastal path south of the surf lifesaving club rooms on certain community land at West Beach¹ (“**the Affected Land**”).

The staff report considered at the Council’s meeting on 23 July 2018 stated as follows about the nature of the proposed works for the new seawall:

The existing rock wall will be dismantled and rebuilt incorporating (where possible) existing components. The proposed seawall will essentially occupy the footprint of the existing sea wall but to provide a more robust and sustainable structure with a life expectancy of 50 years and designed to accommodate projected sea level rise.

...

There is an imperative to replace the existing wall as it is failing and cannot provide adequate protection to the land-ward assets in this location (environs and the surf lifesaving building) as the projected sea rise levels [sic] in this location are 0.3 m by 2050 and 1.0 m by 2100.

The Principal (Council) will consult with the EPA in respect of any issues identified at the Development Application stage.

My client is concerned at the Council’s apparent intention to adopt a community land management plan prior to a proper environmental assessment of the proposed new seawall being undertaken and the necessary statutory approvals for such a wall being obtained.

Indeed, it seems likely that the new seawall will most likely need to be a materially different structure in terms of its external appearance compared to the existing structure, to achieve its evident purpose of protecting against projected sea level rise, even if it occupies the same site as the existing wall.

Rather, it seems likely given the terms of the Council’s current Development Plan (consolidated 30 January 2018) that a future development application for the replacement seawall will need to be publicly notified as a **Category 3 development** under the *Development Act 1993*.

If that occurs, the public will be entitled to make written representations about the proposal and will have appeal rights if the proposal is approved in a manner unsatisfactory to them.

We note that the Council’s own Development Plan contemplates, for example, that a development including coast protection works should “not create or aggravate coastal erosion”². The outcomes of DHI’s incomplete sand management study will be relevant to that issue and therefore, the management of the Affected Land and the West Beach CLMP, as detailed further below.

Clearly, the application processes under the *Development Act* could drastically affect the design and function of the seawall, and therefore how the Council manages the Community Land as relevant to the CLMP.

¹ Comprised in Crown Record Volume 5753/885 and Crown Record Volume 6126 Folio 767.

² City of Charles Sturt Development Plan consolidated 30 January 2018, CW Coastal Areas Principle of Development Control 4.

With this in mind, we submit that the Council ought to defer its consideration of the West Beach CLMP at least until the necessary development application for a replacement seawall and associated works has been prepared, assessed and approved by either the relevant planning authority or a Court.

2. Defer until the Sand Management Study outcomes are known

The Council will be aware that it was criticised in the *CEPG Case* for failing to take into account relevant considerations, including environmental considerations when it purportedly adopted a “Coastal Reserve” CLMP for the land between Grange and Semaphore Park.

My client urges the Council not to make the same mistake again in relation to its decision-making on the West Beach CLMP. We make the following specific submissions on this issue.

The staff report in agenda item 6.74 for the full Council meeting on 23 July 2018 stated as follows:

DEW has commissioned a study to review current and future sand management options for Cell 3 (West Beach). The study is titled West Beach Coastal Processes Modelling, with the aim being to examine options to ensure that West Beach sand is better retained in a balanced or sustainable basis [sic].³

My client understands that coastal engineers, DHI Group were engaged to complete the West Beach Coastal Processes Modelling Report (“**the Sand Management Study**”), albeit the report remains incomplete.

The Council’s staff seek to distance the proposed seawall and path upgrade envisaged in the West Beach CLMP from the ongoing Sand Management Study and assert that the “imperative” to replace the wall outweighs the need to consider all relevant environmental information, including the Sand Management Study.

My client strongly disagrees with that approach.

We repeat the submissions made during our deputation at the Council’s meeting on 23 July 2018 to the effect that it is **critical** that the Council properly considers the findings and recommendations of the Sand Management Study **prior to finalising and adopting the West Beach CLMP**.

Clearly, the Sand Management Study will contain modelling and other information that will be critical to the design and siting of any replacement seawall and coastal path.

More importantly, the Sand Management Study will also affect how the Council should manage the Affected Land and therefore, the appropriate terms of the West Beach CLMP (being a plan for the management of community land).

We repeat, until the outcomes and recommendations in the Sand Management Study and the seawall infrastructure are known, assessed and approved, the Council will not have important environmental considerations before it and **cannot make a valid decision to adopt the West Beach CLMP**.

We remind the Council again of His Honour Justice Blue’s findings on this issue

³ See agenda report for CCS meeting 23 July 2018, item 6.74, page 44.
tlc:p216237_466.docx

in the *CEPG Case*:

547. *Section 8 identifies principles that must be observed by a council. Subsection 8(f) provides:*

8—Principles to be observed by a council

A council must act to uphold and promote observance of the following principles in the performance of its roles and functions—

(f) seek to facilitate sustainable development and the protection of the environment and to ensure a proper balance within its community between economic, social, environmental and cultural considerations; ..

548 *Section 8 is expressed in mandatory terms. It evinces a clear legislative intention that, in performing its functions under sections 6 and 7, a council must have regard to the impact of its actions on the environment. When adopting a management plan for community land, especially coastal land, there will always be environmental considerations and section 8 requires a council to have regard to them.*⁴

With His Honour's finding above in mind, with respect we say it is insufficient for the Council to simply rely on the bare assertions in a staff report from its "Co-ordinator Open Space Planning Policy and Assets" which contends, without any proper evidentiary basis, that:

...there will be no adverse environmental impacts associated with the construction (replacement) of the rock wall.

My client does not accept that there will be no environmental impacts of seawall and path works in this dynamic and stressed coastal environment. Indeed, the precise design of coastal management works (such as the seawall) may drastically affect the environment, in particular in terms of aggravating coastal erosion and impacts on long-shore sand drift.

These kinds of environmental considerations will clearly affect the design and function of the seawall and impact on the appropriate terms of the West Beach CLMP, noting that the Council is obliged to manage its community land "in accordance with" the relevant CLMP.⁵

For these reasons, my client urges the Council to **defer** making a decision on the West Beach CLMP at least until the Sand Management Study has been finalised and properly considered.

3. Specific submissions on the Amended West Beach CLMP

In the event that notwithstanding my client's submissions above, the Council proceeds to make a decision now, prior to receiving the Sand Management Study or knowing what coast protection works will be constructed on the Affected Land, my client makes the following specific submissions on the amended West Beach CLMP.

3.1 Insufficient recognition of environmental considerations

My client repeats its original submissions in paragraph 3.1 of our letter dated 20 April 2018 on the original West Beach CLMP.

⁴ See *Coastal Ecology Protection Group Incorporated v City of Charles Sturt and Anor* [2017] SASC 136 per Blue J at [548].

⁵ See Local Government Act 1999, section 199.

In particular, our client is disappointed that despite those submissions, the West Beach CLMP still:

- contains no express provision for expert advice and input into its decision making under the CLMP;
- contains no express provision for environmental or biodiversity action planning (such as the provision of an Environmental Impact Statement (**EIS**) or similar) when making decisions under the CLMP. We submit that vague references to “environmental assessment” is insufficient;
- contains no express provision for consideration of various possible alternative rock or revetment wall designs that might provide superior or preferable protection from sea level rise, coastal erosion and preferable outcomes for sand management;
- fails to recognise that sand loss modelling may be appropriate to inform an optimum design for such a revetment wall;

We repeat our previous submission that the West Beach CLMP ought to expressly recognise that decisions about the management of the Affected Land ought to be carefully guided and informed by expert ecological, environmental, botanic and coastal process/engineering advice in appropriate cases. The West Beach CLMP ought to make provision for the circumstances and decision-types where the commissioning of expert advice or a EIS or similar will be appropriate.

3.2 Some performance targets and measures still deficient

My client repeats its previous submissions in paragraph 3.2 of its original submissions dated 20 April 2018 and again reminds the Council of its obligations with respect to proper and valid performance targets and measures under the *Local Government Act 1999 (LG Act)* and in light of the *CEPG Case*.

In particular, we repeat our previous submission that the Council should in appropriate instances specify that its performance targets are to be “measured” by reference to the opinion(s) of an appropriate expert.

Whilst substantial improvements appear to have been made, my client remains concerned that some of the “performance measures” in the amended West Beach CLMP remain too generic where they are expressed by reference to various “monitoring” and “inspections”. My client submits that the performance measures ought to be mechanisms enabling the performance targets to be “judged or appraised by comparison with something else”, consistent with the approach endorsed by His Honour Justice Blue in the *CEPG Case*.⁶

My client is concerned that many of the performance measures do not achieve this and consequently are invalid.

In particular, performance target and performance measure 3 appear inadequate and possibly invalid insofar as they refer merely and in broad terms to “annual assessment” of vegetation cover. This phrase

⁶ *CEPG Case*, per Blue J at [476] and see Macquarie Dictionary, 7th ed (2017) p 932.
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does not provide for vegetation cover to be assessed by comparison with some identifiable qualitative or quantitative standard, which renders the purported “performance measure” (and the associated purported “performance target” concerning vegetation cover) largely meaningless.

I make similar comments in relation to amended performance measures 1 (“inspections of the path” and “review of reported incidents”), 2 and 3 (“inspections on a seasonal basis”) 4 (“inspections undertaken on a seasonal basis”) and 5 (“monitor work orders against programmed activities”) and 7 (“pre and post inspections”). It is very difficult to see how these kinds of references could be valid “performance measures” absent any benchmark for the performance targets to be “judged or appraised” against.

My client also notes that there are multiple references to “sand drift fencing” and “dune areas” in performance target 3, albeit my client understands that there are no dunes in the Affected Land that warrant dune fencing and the like. They respectfully suggest that this performance target could be revisited.

4. Summary

My client strongly submits that the Council ought to **defer any decision to adopt the West Beach CLMP** at least until such time as:

- (i) the Sand Management Study is finalised and considered by the Council; and
- (ii) following consideration of the Sand Management Study, the coast protection works (seawall) and any related sand management works on the Affected Land are assessed and finalised; and
- (iii) in any event, all relevant environmental information relevant to the Council’s decision to adopt the West Beach CLMP is available and considered by the Council.

My client emphasises that the Council exposes itself to making a legally-invalid decision should it proceed without considering important environmental information relevant to its proper management of the Affected Land.

In any event, my client remains concerned with some aspects of the West Beach CLMP and seeks that further amendments be made in accordance with its original submissions dated 20 April 2018 and these further submissions.

My client (and/or its representative) may seek to address the Council by way of a deputation in support of this submission. Please advise me of the time and date of any relevant Council meeting in due course.

Yours faithfully



Tom Crompton
Senior Associate
BOTTEN LEVINSON
Email: [REDACTED]

COMMUNITY LAND MANAGEMENT PLAN - COASTAL RESERVE – WEST BEACH Item 6.90

APPENDIX B

Appendix B consists of 29 pages.

**Community Land Management Plan – Coastal Reserve – West Beach
Summary and Response to Public Submissions (Round 2)**

Responses 1 – 2 – CCS Your Say
Responses 3 – 9 – Direct Email

Report on each public submission received in relation to the Draft Community Land Management Plan (CLMP) – Coastal Reserve – West Beach. The table includes a summary, comments and action taken in response

Response Number	Received via	Name	Submission Summary	Comment	Council Response
1.	CCS Your Say	Anonymous	<ol style="list-style-type: none"> Concerns regarding the future location of the West Beach Surf Life Saving Club Concerns regarding long term coastal erosion in this location 	<ol style="list-style-type: none"> Ongoing consultation occurring with West Beach Surf Lifesaving Club on the most appropriate location for the reconstruction of new clubrooms. The CLMP is intended to act as a strategic planning tool to identify the land to which the Plan applies, the purpose, objectives, policies (if any) and proposals for the management of the land; and identify performance targets and -how the Council will measure its performance against the targets . <p>All works within areas defined by the CLMP will be undertaken in consideration of research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p>	<ol style="list-style-type: none"> No Change No Change

				This will incorporate alignment with Council strategic planning framework including its Policies.	
2.	CCS Your Say	Beachnanna	<p>1. Concerns regarding the proposed reconstruction of the rock wall which has previously failed.</p> <p>2. Emphasis should be placed on ecologically sustainable development that:</p> <ul style="list-style-type: none"> protects and enhances sensitive coastal environments, habitats and natural processes strategically manages risks from 	<p>1. The CLMP is intended to act as a strategic planning tool to identify the land to which the Plan applies, the purpose, objectives, policies (if any) and proposals for the management of the land; and identify performance targets and how the Council will measure its performance against the targets</p> <p>The design of the sea wall provides for sea level rise over the life of the new asset and construction of the rock wall will be undertaken including thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p> <p>2. The 'Purpose for Which the Land is Held' section of the CLMP identifies the implementation and facilitation of measures to promote the protection of the coast. In addition the 'Objectives for the Management of Land' and 'Proposals for the Management of Land' sections</p>	<p>1. No change</p> <p>2. No change</p>

			<p>coastal hazards</p> <ul style="list-style-type: none"> • maintains and enhances public access to scenic areas, beaches and foreshores • supports the objectives for our marine environments under the Marine Estate Management Act 2014 • protects and enhances the unique character, cultural and built heritage of our coastal areas, including Aboriginal cultural heritage 	<p>reference environmental factors in numerous instances. A range of policies, plans and strategies are identified within the 'Policies for the Management of the Land' section that have direct correlation with the environment.</p>	
3.	Email	Paul Laris (WACRA)	<ol style="list-style-type: none"> 1. All points raised in original submission continue to be relevant (these include reference to the incomplete West Beach Coastal Processes Modelling report, Climate Change, access points and no dunes in locality) 2. Council should not proceed with the CLMP without considering the findings of the West Beach Coastal Processes Modelling report 	<ol style="list-style-type: none"> 1. All initial submissions were considered by Council at its meeting of 23 July 2018 (item 6.74) and amendments made to the draft CLMP. 2 & 3. The West Beach Coastal Processes Modelling findings are likely to be finalised and released once reviewed by the Minister in the second half of 2018. <p>The West Beach Coastal Processes</p>	<ol style="list-style-type: none"> 1. No change 2 & 3. No change

			<p>3. Significant financial investment in the reconstruction of the rock wall should not continue until the report is complete to ensure due diligence</p>	<p>Modelling study is largely concerned with re-establishing the sand at West Beach. It is recognised that there may be some relationship between the rock wall and the effect that a significant sand buffer could make to the protection of the coast and its assets (as well as amenity), however during the course of investigation and design relating to the rock wall advice has been that the rock wall is required to afford protection to the public and private assets to the east of the wall.</p> <p>The intent of the CLMP is to facilitate ongoing and appropriate uses within the area defined as the subject land and it is not necessary that the finalisation of the CLMP be delayed pending the outcomes of current research.</p> <p>All works within the area defined by the CLMP will be undertaken appropriately, incorporating research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p> <p>This will incorporate alignment with Council strategic planning framework</p>	
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			<p>4. The final consultation on the Community Land Management Plan should also be deferred so it can then take place in the context of a fully informed community discussion</p>	<p>including its Policies.</p> <p>Should there be need in the future to amend the CLMP from time to time to take into consideration changes to information, strategies or the like – this can occur by way of resolution by Council.</p> <p>4. The design, consultation and construction of the rock wall are to be considered separately to the CLMP. The intent of the CLMP is to facilitate ongoing and appropriate uses within the area defined as the subject land and it is not intended that the finalisation of the CLMP be delayed pending the outcomes of current research.</p>	<p>4. No change.</p>
4.	Email	David Hamilton	<p>1. Further consultation should be undertaken with the community to ensure greater participation in coastal management, prior to the adoption of the final CLMP</p>	<p>1. This is the second round of public consultation. The consultation approach implemented is considered consistent with the current Public Consultation Policy and Implementation Procedure. The approach chosen for the CLMP was 'consult' being a single issue natured item; moderate degree of impact on the community and localised community of interest; clear process forward. In the case of these parcels of Community Land the land is</p>	<p>1. No Change</p>

			<p>2. Alternative measures for coastal protection should be considered other than the rock wall which has failed in the past</p> <p>3. Consideration of environmental factors should be included</p>	<p>already established and the CLMP is intended to reflect existing conditions and not introduce new land uses.</p> <p>2. The CLMP is intended to act as a strategic planning tool to identify the land to which the Plan applies, the purpose, objectives, policies (if any) and proposals for the management of the land; and identify performance targets and how the Council will measure its performance against the targets</p> <p>The design of the sea wall provides for sea level rise over the life of the new asset and construction of the rock wall will be undertaken including thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p> <p>3. The 'Purpose for Which the Land is Held' section of the CLMP identifies the implementation and facilitation of measures to promote the protection of the coast. In addition the 'Objectives for the Management of Land' and 'Proposals for the Management of Land' sections reference environmental factors in</p>	<p>2. No Change</p> <p>3. No Change</p>
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				<p>numerous instances. A range of policies, plans and strategies are identified within the Policies for the Management of the Land section that have direct correlation with the environment.</p>	
5.	Email	Geoffrey Reed (WEDGE)	<p>1. Concerns erosion at West Beach has inadequately been managed in the past and that it will continue in the future</p> <p>2. Policies contained with the CLMP are vague, performance targets and measured are uninformed</p>	<p>1. Noted. The CLMP is intended to act as a strategic planning tool to identify the land to which the Plan applies, the purpose, objectives, policies (if any) and proposals for the management of the land; and identify performance targets and how the Council will measure its performance against the targets</p> <p>West Beach is a highly managed section of the metropolitan coast line and Council will continue to work collaboratively with other government agencies into the future to ensure we continue to consider all relevant and new reports as they relate to coastal management and coastal processes. This is consistent with Section 5, Objective 3 & 4 in the draft CLMP</p> <p>2. Noted. It is considered the purpose, objectives, proposals and performance targets and measures are appropriate to guide the Council regarding the</p>	<p>1. No change.</p> <p>2. No change</p>

			<p>3. Council should not proceed with the CLMP without considering the findings of the West Beach Coastal Processes Modelling report</p>	<p>management of the land and for the community to have a clear understanding of its intent.</p> <p>3. The West Beach Coastal Processes Modelling findings are likely to be finalised and released once reviewed by the Minister in the second half of 2018.</p> <p>The West Beach Coastal Processes Modelling study is largely concerned with re-establishing the sand at West Beach. It is recognised that there may be some relationship between the rock wall and the effect that a significant sand buffer could make to the protection of the coast and its assets (as well as amenity), however during the course of investigation and design relating to the rock wall advice has been that the rock wall is required to afford protection to the public and private assets to the east of the wall.</p> <p>The intent of the CLMP is to facilitate ongoing and appropriate uses within the area defined as the subject land and it is not necessary that the finalisation of the CLMP be delayed pending the outcomes of current research. .</p>	<p>3. No change.</p>
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				<p>All works within areas defined by the CLMP will be undertaken in consideration of thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p> <p>This will incorporate alignment with Council strategic planning framework including its Policies.</p> <p>Should there be need in the future to amend the CLMP from time to time to take into consideration changes to information, strategies or the like – this can occur by way of amendment.</p>	
6.	Email	Lorimer Judy Packer	<ol style="list-style-type: none"> 1. The document as presented is very difficult to read. The document is repetitive and difficult to follow. 2. With all the attachments, it means that reading the thing in its entirety, is an impossibility. 	<ol style="list-style-type: none"> 1. Noted. The final document will not include track changes for ease of reading. 2. The plans, policies and strategies (as varied from time to time) form part of Councils suite of corporate documents and exist as a result of the Charles Sturt Community and Corporate Plan objectives. The documents listed within Section 6 of the draft CLMP are considered most relevant 	<ol style="list-style-type: none"> 1. No change 2. No change

			<p>3. There seems to be only passing references to environmental matters and failure to wait for the imminent release of important and relevant reports is perplexing.</p>	<p>to the management of the Land for the reasons outlined within Section 6. The documents listed relate directly to Sections 4 – the Purpose for which the Land is held and Section 5 – Objectives for the Management of the Land and will assist in achieving these Objectives.</p> <p>3. The West Beach Coastal Processes Modelling findings are likely to be finalised and released once reviewed by the Minister in the second half of 2018.</p> <p>The West Beach Coastal Processes Modelling study is largely concerned with re-establishing the sand at West Beach. It is recognised that there may be some relationship between the rock wall and the effect that a significant sand buffer could make to the protection of the coast and its assets (as well as amenity), however during the course of investigation and design relating to the rock wall advice has been that the rock wall is required to afford protection to the public and private assets to the east of the wall.</p> <p>The intent of the CLMP is to facilitate ongoing and appropriate uses within the</p>	<p>3. No Change</p>
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			<p>4. The existing wall has failed at least once. The loss of sand that has occurred in that specific place is unimaginable to some, but I remember regular Weetbix breakfasts there in the 1940s. The sand was squeaky,</p>	<p>area defined as the subject land and it is not necessary that the finalisation of the CLMP be delayed pending the outcomes of current research.</p> <p>All works within areas defined by the CLMP will be undertaken in consideration of thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p> <p>This will incorporate alignment with Council strategic planning framework including its Policies.</p> <p>Should there be need in the future to amend the CLMP from time to time to take into consideration changes to information, strategies or the like – this can occur by way of Council resolution.</p> <p>4. The CLMP is intended to act as a strategic planning tool to identify the land to which the Plan applies, the purpose, objectives, policies (if any) and proposals for the management of the land; and identify performance targets and how the Council will measure its performance against the</p>	<p>4. No change</p>
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			<p>white and boundless. I still remember that carrying the family meal from our electric car to beach was very difficult but worthwhile when we got there. The barbed wire was less of an obstacle than the endless sand.</p> <p>5. Climate change is happening and building anything bigger on that footprint is nonsensical especially as CPB has a very limited supply of sand with which to replace losses.</p>	<p>targets</p> <p>The design of the sea wall provides for sea level rise over the life of the new asset and construction of the rock wall will be undertaken including thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community. Two consultant studies have been undertaken to date to inform decisions relating to the rock wall.</p> <p>5. Noted, although the CLMP is not considered the appropriate location to reference global warming & sea rise. The detailed design of the sea wall provides for sea level rise over the life of the new asset. In addition any future development will take into account sea level rise and climate adaptation principles.</p>	<p>5. No change</p>
6.	Email	Chris Naylor	<p>1. Section 5 – Objectives for the Management of the Land – some statements are duplicated and should be removed</p> <p>2. Section 6 - Policies for the Management of the Land</p>	<p>1. Noted. These Objectives seek to achieve the intent of Section 4 – Purpose for which the Land is held</p> <p>2. The plans, policies and strategies (as varied from time to time) form part of</p>	<p>1. No change</p> <p>2. No change</p>

			<p>contains too many documents. Documents listed should be refined.</p> <p>3. Section 8 - Performance Targets and Measures. The "Performance Measures" defined in the document are not performance measures that would be accepted for the purposes of evaluating corporate performance or individual performance. They are weak and non-specific</p> <p>4. The CLMP should not be finalised until the West Beach Coastal Processes Study is complete or the Adelaide Living Beaches Strategy has</p>	<p>Councils suite of corporate documents and exist as a result of the Charles Sturt Community and Corporate Plan objectives. The documents listed within Section 6 of the draft CLMP are considered most relevant to the management of the Land for the reasons outlined within Section 6. The documents listed relate directly to Sections 4 'The Purpose for which the Land is held' and Section 5 'Objectives for the Management of the Land' and will assist in achieving these Objectives.</p> <p>3. Comments noted. Amendments made to the Performance Targets and Measures section, the redrafted performance measures and targets are more clearly articulated, and propose tangible ways in which the community can see if the targets and objectives have been met.</p> <p>4. The West Beach Coastal Processes Modelling findings are likely to be finalised and released once reviewed by the Minister in the second half of 2018. The West Beach Coastal Processes</p>	<p>3. Amendments made to Performance Measures 1-4.</p> <p>4. No change</p>
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			<p>been reviewed.</p>	<p>Modelling study is largely concerned with re-establishing the sand at West Beach. It is recognised that there may be some relationship between the rock wall and the effect that a significant sand buffer could make to the protection of the coast and its assets (as well as amenity), however during the course of investigation and design relating to the rock wall advice has been that the rock wall is required to afford protection to the public and private assets to the east of the wall.</p> <p>The intent of the CLMP is to facilitate ongoing and appropriate uses within the area defined as the subject land and it is not necessary that the finalisation of the CLMP be delayed pending the outcomes of current research.</p> <p>All works within areas defined by the CLMP will be undertaken in consideration of thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p> <p>This will incorporate alignment with Council strategic planning framework</p>	
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				<p>including its Policies.</p> <p>Should there be need in the future to amend the CLMP from time to time to take into consideration changes to information, strategies or the like – this can occur by way of Council resolution.</p>	
				<p>This section deliberately blank</p>	

7.	Email	Alan Simpson	<p>1. Concerns raised in original submission remain relevant (irrelevant objectives, proposals , performance targets and measures, rehabilitation of beach, sea level rise & global warming, inconsistency with Council policies)</p> <p>2. The CLMP should not be finalised until the West Beach Coastal Processes Study is complete or the Adelaide Living Beaches Strategy has been reviewed.</p>	<p>1. All initial submissions were considered by Council at its meeting of 23 July 2018 (item 6.74) and amendments made to the draft CLMP.</p> <p>2. The West Beach Coastal Processes Modelling findings are likely to be finalised and released once reviewed by the Minister in the second half of 2018.</p> <p>The West Beach Coastal Processes Modelling study is largely concerned with re-establishing the sand at West Beach. It is recognised that there may be some relationship between the rock wall and the effect that a significant sand buffer could make to the protection of the coast and its assets (as well as amenity), however during the course of investigation and design relating to the rock wall advice has been that the rock wall is required to afford protection to the public and private assets to the east of the wall.</p> <p>The intent of the CLMP is to facilitate</p>	<p>1. No change</p> <p>2. No change</p>
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			<p>3. Section 5 - Objectives for the Management of the land, statements are duplicated and redundant and are not relevant.</p>	<p>ongoing and appropriate uses within the area defined as the subject land and it is not necessary that the finalisation of the CLMP be delayed pending the outcomes of current research. .</p> <p>All works within the areas defined by the CLMP will be undertaken in consideration of thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p> <p>This will incorporate alignment with Council strategic planning framework including its Policies.</p> <p>Should there be need in the future to amend the CLMP from time to time to take into consideration changes to information, strategies or the like – this can occur by way of Council resolution.</p> <p>3. Comments noted. Amendments made to the Performance Targets and Measures section, the redrafted performance measures and targets are much better in that the targets are more clearly articulated, and the measures propose tangible ways in which the</p>	<p>3. Amendments made to Performance Measures 1-4.</p>
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			<p>4. Section 6 - Policies for the Management of the Land contains too many documents. Documents listed should be refined.</p> <p>5. Section 8 – Performance targets and Measures would be accepted for the purposes of evaluating corporate performance or individual performance of employees in a corporation. Reference should be made to the Chartered Management Institute when it comes to setting objectives (or targets)</p>	<p>community can see if the targets and objectives have been met</p> <p>4. The plans, policies and strategies (as varied from time to time) form part of Councils suite of corporate documents and exist as a result of the Charles Sturt Community and Corporate Plan objectives. The documents listed within Section 6 of the draft CLMP are considered most relevant to the management of the Land for the reasons outlined within Section 6. The documents listed relate directly to Sections 4 'The Purpose for which the Land is held' and Section 5 'Objectives for the Management of the Land' and will assist in achieving these Objectives.</p> <p>5. Comments noted. Amendments made to the Performance Targets and Measures section, the redrafted performance measures and targets are much better in that the targets are more clearly articulated, and the measures propose tangible ways in which the community can see if the targets and objectives have been met</p>	<p>4. No change</p> <p>5. Amendments made to Performance Measures 1-4.</p>
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			and measuring performance and should be 'SMART.		
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8.	Email	Ton Crompton – Botten Levinson Lawyer	<ol style="list-style-type: none"> 1. Original submission made as part of round 1 consultation remains valid 2. It is fundamentally inappropriate for the Council to proceed further with the West Beach CLMP before important environmental information and modelling is known to it and before the design and siting of replacement seawall and path works are known. 	<ol style="list-style-type: none"> 1. All initial submissions were considered by Council at its meeting of 23 July 2018 (item 6.74) and amendments made to the draft CLMP. 2. The West Beach Coastal Processes Modelling findings are likely to be finalised and released once reviewed by the Minister in the second half of 2018. <p>The West Beach Coastal Processes Modelling study is largely concerned with re-establishing the sand at West Beach. It is recognised that there may be some relationship between the rock wall and the effect that a significant sand buffer could make to the protection of the coast and its assets (as well as amenity), however during the course of investigation and design relating to the rock wall advice has been that the rock wall is required to afford protection to the public and private assets to the east of the wall.</p> <p>The intent of the CLMP is to facilitate ongoing and appropriate uses within the area defined as the subject land and it is not necessary that the finalisation of the CLMP be delayed pending the outcomes</p>	<ol style="list-style-type: none"> 1. No change 2. No change
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				<p>of current research.</p> <p>To date two independent consultants have undertaken investigations in relation to the rock wall:</p> <ul style="list-style-type: none"> • Civil & Environmental Solutions – West Beach Coastal Sea Wall Assessment – 2016 in which it was identified that the seawall upgrade was required even if the available beach width was increased. • KBR – West Beach Rock Wall Restoration Project - Concept Designs Report February 2017 <p>and</p> <ul style="list-style-type: none"> • KBR – West Beach Rock Wall Restoration Project – Design Basis Report – August 2017 <p>All works within the area defined by the CLMP will be undertaken in consideration of thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p> <p>This will incorporate alignment with Council strategic planning framework including its Policies.</p>	
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			<p>3. The application processes under the <i>Development Act</i> could drastically affect the design and function of the seawall, and therefore how the Council manages the Community Land as relevant to the CLMP and the decision relative to the CLMP should be deferred pending Development Approval being granted.</p> <p>4. The Council's staffs seek to distance the proposed seawall and path upgrade envisaged in the West Beach CLMP from the ongoing Sand Management Study and asserts that the "imperative" to replace the wall outweighs the need to consider all relevant environmental information,</p>	<p>Should there be need in the future to amend the CLMP from time to time to take into consideration changes to information, strategies or the like – this can occur by way of Council resolution.</p> <p>3. The intent of the CLMP is to facilitate ongoing and appropriate uses within the area defined as the subject land and it is not necessary that the finalisation of the CLMP be delayed pending the outcomes of current research.</p> <p>The rock wall has been granted Development Approval under section 49 of the Development Act</p> <p>4. The design for the rock wall takes into account sea level rise with the aim of protecting nearby private and public assets through re-construction of the rock sea wall. The construction of a new rock wall will be undertaken including thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community.</p>	<p>3. No change</p> <p>4. No change</p>
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			<p>including the Sand Management Study.</p> <p>5. The Sand Management Study will also affect how the Council should manage the Affected Land and therefore, the appropriate terms of the West Beach CLMP Council cannot surmise that there will be no environmental impact associated with the construction of the rock wall until such time as the West Beach Coastal Modelling report has been finalised</p> <p>6. The West Beach CLMP still:</p> <ul style="list-style-type: none"> contains no express provision for environmental or biodiversity action planning (such as the provision of an Environmental Impact Statement (EIS) or similar) when making decisions under the CLMP. We submit that vague references to 	<p>This will incorporate alignment with Council strategic planning framework including its Policies.</p> <p>5. Refer to (4) above The West Beach Coastal Processes Modelling study is largely concerned with re-establishing the sand at West Beach. It is recognised that there may be some relationship between the rock wall and the effect that a significant sand buffer could make to the protection of the coast and its assets (as well as amenity), however during the course of investigation and design relating to the rock wall advice has been that the rock wall is required to afford protection to the public and private assets to the east of the wall.</p> <p>6. Noted. The CLMP is intended to act as a strategic planning tool to identify the land to which the Plan applies, the purpose, objectives, policies (if any) and proposals for the management of the land; and identify performance targets and how the Council will measure its performance against the targets. All works within the areas defined by the CLMP will be undertaken in consideration of thorough</p>	<p>5. No change</p> <p>6. No change</p>
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			<p>“environmental assessment” is insufficient;</p> <ul style="list-style-type: none"> contains no express provision for consideration of various possible alternative rock or revetment wall designs that might provide superior or preferable protection from sea level rise, coastal erosion and preferable outcomes for sand management; Decisions about the management of the Affected Land ought to be carefully guided and informed by expert ecological, environmental, botanic and coastal process/engineering advice in appropriate cases. The West Beach CLMP ought to make provision for the circumstances and decision-types where the commissioning of expert advice or a EIS or similar will be appropriate. <p>7. The performance measures ought to be mechanisms enabling the performance</p>	<p>research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community. This will incorporate alignment with Council strategic planning framework including its Policies</p> <p>7. Comments noted. Amendments made to the Performance Targets and Measures section, the redrafted performance measures</p>	<p>7. Amendments made to Performance Measures 1-4.</p>
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			<p>targets to be “judged or appraised by comparison with something else”, consistent with the approach endorsed by His Honour Justice Blue in the <i>CEPG Case</i>.⁶</p> <p>8. There are no dunes within the subject land and reference to such should be removed.</p>	<p>and targets are more clearly articulated, and propose tangible ways in which the community can see if the targets and objectives have been met</p> <p>8. The Coastal Management Branch (Department for Environment and Water DEW) has confirmed that dunes do exist within the land to which the CLMP applies. In particular the dune system consists of the exposed sandy part of the foreshore north of the surf club and that the landward extent of the dune ends next to the coast park path.</p>	<p>8 No change</p>
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				This section deliberately left blank	
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9.	Round 1 submission (excluded from previous report to Council)	Lorimer Judy Packer	<p>1. Reference documents contained within Section 6 – Policies for the Management of the Land, are not relevant to the CLMP</p> <p>2. The CLMP contains statements not relevant to the management of the area. Specifically east-west access is not through the dunes and to enhance, protect and manage the coast and dune system.</p> <p>3. No mention of sea level rise and increased storm intensity</p>	<p>1. The plans, policies and strategies (as varied from time to time) form part of Councils suite of corporate documents and exist as a result of the Charles Sturt Community and Corporate Plan objectives. The documents listed within Section 6 of the draft CLMP are considered most relevant to the management of the Land for the reasons outlined within Section 6. The documents listed relate directly to Sections 4 'The Purpose for which the Land is held' and Section 5 'Objectives for the Management of the Land' and will assist in achieving these Objectives.</p> <p>2. These references were amended following the round 1 consultation. Specifically Objectives 2 and 3 have been amended to state</p> <ul style="list-style-type: none"> • To provide and maintain convenient and controlled east west access to the beach and environs. • To enhance, protect and manage the coastal environment in collaboration with government agencies. <p>3. Noted, although the CLMP is not considered the appropriate location to reference global warming & sea rise. The detailed design of the sea wall provides for</p>	<p>1. No change</p> <p>2. No change. Amendments made following round 1 consultation</p> <p>3. No change</p>
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			<p>4. Reference is made to dunes – but there are no dunes in this section</p> <p>5. Targets and measures should relate to the success or failure</p> <p>6. A requirement of the Local Government Act 1999 is to provide a framework for the management of different types and hierarchy of open space.</p>	<p>sea level rise over the life of the new asset. In addition any future development will take into account sea level rise and climate adaptation principles.</p> <p>4. The Coastal Management Branch (Department for Environment and Water DEW) has confirmed that dunes do exist within the land to which the CLMP applies. In particular the dune system consists of the exposed sandy part of the foreshore north of the surf club and that the landward extent of the dune ends next to the coast park path.</p> <p>5. Comments noted. Amendments made to the Performance Targets and Measures section, the redrafted performance measures and targets are much better in that the targets are more clearly articulated, and the measures propose tangible ways in which the community can see if the targets and objectives have been met</p> <p>6 This is done through Councils Open Space Strategy 2025. This document is also referenced in Section 6 'Policies for the Management of the Land' and is relevant to the management of the Land.</p>	<p>4. No change</p> <p>5. Amendments made to Performance Measures 1-4.</p> <p>6. No change</p>
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			<p>Again this seems to be omitted.</p> <p>7. Environmental Impact Statement should be included to ensure the environment is considered</p>	<p>7 Noted. The CLMP is intended to act as a strategic planning tool to identify the land to which the Plan applies, the purpose, objectives, policies (if any) and proposals for the management of the land; and identify performance targets and how the Council will measure its performance against the targets. All works within the areas defined by the CLMP will be undertaken in consideration of thorough research and implementation of best practice considering environmental, social and economic factors to deliver the greatest outcome for the community. This will incorporate alignment with Council strategic planning framework including its Policies</p>	<p>7. No change</p>
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COMMUNITY LAND MANAGEMENT PLAN - COASTAL RESERVE – WEST BEACH Item 6.90

APPENDIX C

Appendix C consists of 71 pages.

Feedback Results – CLMP – Coastal Reserve – West Beach

Responses 1 – 9 – CCS Your Say

Responses 10 – 22 – Direct email

1.	The Community Land Management Plan - Coastal Reserve - West Beach - Seaview Road, Cottesloe Street to Chetwynd Street - this looks like a good well balanced plan for the area.
2.	Not enough detail on the sea defences to provide comment. Also need to see timeframe and budget
3.	The area could be far better optimised by creating a couple of tenancies in conjunction with the lifesaving club remodel. This will ensure the trading hours and range of options are varied and in line with the needs of the surrounding community. It's a long distance between Glenelg and Henley Square - this will fill an obvious void. This will also obviously generate additional income for the council.
4.	Great news. Will the rock wall repairs interfere with the operations of the Surf Club. Where will the rocks be placed while the rock wall is being repaired.
5.	We strongly support the re build of the Coastal Wall from Cottesloe St to Chetwynd St that will allow for the rebuild/ renovation of the WBSLC on its present site. There has been constant suggestion (in the Press) that relocating the Surf Club to the Harold and Cynthia Anderson Reserve is being considered. This option has many negative aspects from a community view point which among other things would result in lack of beach access and parking spaces. It would also be detrimental to the SLSC from a commercial view point. Chris and Rob Waltham 84 Seaview Rd; West Beach
6.	I wish to see where the access to the beach is between Chetwynd street and Graydale? As this access has been gone for several years will this be replaced
7.	Many local residents would like to see a grander plan for the future involving the entire Surf Club precinct, rather than another fix-up job. This would be a good time to involve the State Government and even Adelaide Shores to improve the entire area which is used by locals and also by thousands of tourists. A Henley Square type development could involve reconfiguring some of the roads eg more one way streets and put in extra parking on West Beach Road adjacent to the median strip for the sake of local businesses, actively supporting the Surf Club to be rebuilt in its current location, if necessary move it inland and reconfigure the route of the path, (the path at Henley skirts around the Surf Club). In any case do not rebuild the path on top of the sea wall, keep it inside the old stone wall, less likely to be damaged in future. Maybe a decking platform over the rock wall south of the Surf Club with seats and shade, anything would be better than the perpetual barriers and signs. Can you please use some foresight and use the opportunity to bring West Beach up to the standard of all other metropolitan beaches?
8.	Clearly the plan wont work as it has failed so many times in the past, hence why the reconstruction needs to now occur. Maybe look to actually fixing the issue permanently, look at what other councils and beaches have successfully done to improve their coast eg. the seacliff to brighton stretch
9.	Please spend the time and money and fix the problem correctly
10.	See Attachment A – Monique Webber

11.	See Attachment B – David Hamilton
12.	See Attachment C – Christopher Nylor
13.	See Attachment D – Coastal Ecology Protection Group Inc (Botten/Levinson)
14.	See Attachment E – Sarah McGrath
15.	See Attachment F – Don Howie
16.	See Attachment G – WACRA
17.	See Attachment H – Alan Simpson
18.	See Attachment I - WEDGE
19.	See Attachment J – Furnell Plumbing
20.	See Attachment K – Donald Willson
21.	See Attachment L – Bruce Abernethy
22.	See Attachment M – Louise Newlands

Attachment A – Monique Webber

Feedback from Monique Webber

From: Paul Sutton
Sent: Wednesday, April 18, 2018 9:28 AM
To: 'Monique Webber'
Cc: Paul Sutton
Subject: RE: Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach

Dear Monique,
many thanks for your detailed comments.

I will pass these onto the staff managing the review of the plan.

Kind regards
Paul

Paul Sutton
Chief Executive Officer
City of Charles Sturt

72 Woodville Rd, Woodville 5011
T: (08) 8408 1100 F: (08) 8408 1122
E: psutton@charlessturt.sa.gov.au
W: www.charlessturt.sa.gov.au

From: Monique Webber [REDACTED]
Sent: Tuesday, April 17, 2018 8:37 PM
To: Paul Sutton
Subject: Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach

Dear Mr. Sutton,

Re: Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach.

Name and address of property

Seaview Road, West Beach (Cottesloe Street to Chetwynd Street)

Objectives for the management of the land

These are currently stated as:

- “1. To provide a convenient and controlled north-south shared-use path of a minimum 3 metres in width for bicycles, wheelchairs and pedestrians along and through the land as part of the State Government Coast Park Initiative.*
- 2. To provide convenient and controlled east west access to the beach and environs.*
- 3. To enhance, protect and manage the coast and dune system.*
- 4. To provide passive recreation spaces, public facilities and car parking.*
- 5. To enable the provision of surf lifesaving operations, including, (but not necessarily limited to): storage; commercial activities; community activities; dining/liquor licencing; training and beach patrol.”*

Some of these statements are redundant.

- Currently there is no or very little beach in this section to which to provide access to
- There is no mention of re-instating the beach or contributing to the accumulation of sand and creation of a beach
- There is no dune system to protect and manage in this section
- There is no mention of preparing this section of Coast for the impact of global warming and sea level rise
- There is no reference to strengthening biodiversity as per the Open Space Strategy

Policies for the management of the land

The applicable policies are

- *Vegetation Management Plan – Henley South and West Beach Dune Reserve*
- The Vegetation Management Plan – Henley South and West Beach Dune Reserve was created in 2008 and the implementation schedule is now out of date.

- *Environmental Sustainability Policy*

The above policy states under “Reduce Councils Risk” that “we will develop and implement a robust risk management framework to identify, avoid and reduce environmental risks caused by our operations”.

Constructing the rip rap wall and the Coast Park Path has created or exacerbated beach erosion. In line with the above policy what is the Council going to do to avoid that risk happening again. Perhaps that should be the focus of an objective and performance target?

“In addition the following Policies and Strategies (as updated from time to time) will be considered in the management of the land:

- *Coast Park Concept Plan 2001*
- The Coast Park Concept Plan 2001 clearly states that it is not “a coastal management plan for the protection of the metropolitan coastline and the management of sand” and on that basis it should be excluded.
- The Coast Park Concept Plan is also not a policy – it is a concept study and should not be included.
- *Adelaide Living Beaches Strategy – A Strategy for 2005 to 2025*
- *Coast Protection Board Policy Document 2016*
- *Coastal Management Plan*
- *Open Space Strategy 2025*
- *Development Plan – Charles Sturt Council*
- *Use of Public Reserves for Commercial Fitness Activities*
- *City of Charles Sturt Transport Plan 2016-31*
- *Vegetation Management Plan*
- The Vegetation Management Plan – Henley South and West Beach Dune Reserve is already included.
- *Biodiversity Action Plan 2017-2030*
- *Living Green to 2020 (Environmental Plan 2014-2020)*

Proposals for the management of the land

“The following proposals relate to the land to which this Management Plan applies:

- *To establish and maintain facilities on the land to achieve the State Government’s Coast Park Initiative including a shared use two-way path and related facilities for walkers, cyclists, wheelchairs and other suitable users running north-south parallel to the coast*

- *To support the Coast Protection Board Programs for management of the coast*
- *To maintain facilities associated with surf lifesaving activities and the operation of a surf lifesaving club under a lease or licence*
- *To maintain rock wall protection and associated infrastructure*
- *To provide and maintain controlled east-west public access to the coast (including across the dunes) in various locations.*
- There are no dunes across which to provide east-west public access defined in the "Name and Address of Property" as being "Seaview Road, West Beach (Cottesloe Street to Chetwynd Street)" – therefore this phrase is redundant and should be removed.
- *To provide and maintain facilities that contribute to the convenience and enjoyment of the public.*
- *To support programs that encourage community involvement in dune care and revegetation.*
- There are no dunes which the community can be encouraged to support and maintain in this section of coast defined in the "Name and Address of Property" as being "Seaview Road, West Beach (Cottesloe Street to Chetwynd Street)"
- *Infrastructure may be installed by the State Government to facilitate pumping of sand to replenish stocks in other locations along the coast.*
- *Council may issue a permit to allow an activity (including a business activity) of a 'short term' nature (up to 4 consecutive days).*

Within the proposals for the management of the land there are no proposals to:

- Perform an Environmental Impact Statement to model the impact of the proposed structure on further degradation of the remaining beach and which will guide policies related to the work.
- Perform modelling on the impact of the new structure on loss of sand from the beach to the North of the construction area and which will guide policies related to the work.
- There are no statements in the Proposals for the management of the land that talk to the Environment.

Performance Targets and Measures

Looking at each of these in turn and bearing in mind some definitions.

The Macquarie Dictionary definition of the noun "target" includes the definition:

4.a goal to be reached.

The Macquarie Dictionary defines the verb "measure" to mean:

1.to ascertain the extent, dimensions, quantity, capacity, etc., of, especially by comparison with a standard.

2.to estimate the relative amount, value, etc., of, by comparison with some standard.

Error! Filename not specified.

- 1) The Objective in this case of providing suitable access for emergency service and Council maintenance vehicles seems to be wholly at odds with the width of a path which conforms to the Precautionary Principle as outlined in the Environmental Sustainability Policy which is a policy for the management of the land as described above.
- 2) The Performance Measures cannot be described as performance measures as defined by the Macquarie Dictionary. These are policies which may contain measures but they are not measures in themselves.

Error! Filename not specified.

- 1) Given that the Performance Target is that "Beach access-ways to be accessible at all times other than as required for repairs and maintenance" the Performance Measure is not relevant. An example of a Performance Measure for this Target may be such things as e.g. The beach access ways to be open 98% of the time during the year (365 days) as measured from 1st Jan to 31st Dec.
- 2) The Performance Target of "Close Beach access ways following storms within 24 hours (where required) is actually a Target and a Performance Measure. The Target is closing beach access ways following storms – the Performance Measure is within 24 hours.

Error! Filename not specified.

- 1) The Objective is not consistent with the description of the property address in that there is no dune system in the area to enhance and protect.
- 2) Construction of a seawall will in fact further damage the coast and not enhance the Coast as it is a well known and understood fact that hard structures when emplaced serve to increase reflected wave energy and hence further erode the sand from the beach.
- 3) Based on sea level rise it is very unlikely that even with the improved seawall that the Coast Park Path will be protected – therefore the

Performance Target outlined above may not be relevant.

- 4) The Performance Measure to “Design and construct a replacement seawall (subject to....funding). Is not a Performance Measure – it is in fact a Performance Target. A Performance measure may be for example to construct the seawall for X dollars in X months...or some other measure.
- 5) The Performance Measure “Inspections undertaken in line with the CCS Foreshore Maintenance Service Levels” is not in itself a measure of the performance against a Performance Target. It is a Performance Target – the relevant Performance Measure is missing.

Error! Filename not specified.

- 1) The Performance Target is not relevant to the area described. There is drift net fencing further north, but outside of the plan boundary. There is no room for a drift net fence within the boundary, and certainly no sand would accumulate.
- 2) The Performance Measure “Inspections undertaken in line with CCS Foreshore Maintenance Service Levels” is not a Performance Measure but a Performance Target and there is no relevant Performance Measure for this Target.

Error! Filename not specified.

- 1) No dunes exist in the defined area so this Performance Target is redundant.
- 2) The Vegetation Management Plan for this area is obsolete
- 3) The Performance Measure “Quarterly Program Reporting” provides no Performance Measure within the Reporting Program which can be used to measure or to ascertain the extent, dimensions, quantity, capacity or similar of the success or lack of success in achieving the target.

Error! Filename not specified.

- 1) The Objective may be not relevant for the defined section of land since it may not contain associated public facilities.
- 2) The Performance Target “Assets are renewed in accordance with the Asset Management Plan” is a statement but is not in itself a Performance

Target.

- 3) The Performance Measure “Inspection of playgrounds undertaken....Australian Standards” is stranded as there is no mention of playgrounds in either the Objective or the Performance Target. However in any event the Performance Measure is not in itself a Performance Measure for the same reasons as listed earlier.
- 4) The Performance Measure “Landscaped areas maintained in accordance with CCS.....Australian Standards” is not a Performance Measure.
- 5) The Performance Measure “Quarterly Program Reporting” is an unrelated Statement – reporting what quarterly? Which program relates and will the reporting indicate whether the Performance Target has been attained or not?

Error! Filename not specified.

- 1) The Performance Measure “5 Yearly Asset Condition Assessment” is not a Performance Measure but a Performance Target. A Performance Measure in this case would lay out specific standard to which the Asset Condition should be compared.

Regards,

Monique

Attachment B – David Hamilton

From: [Paul Sutton](#)
To: [Sue Tripodi](#)
Subject: TRIM: Fwd: CLMP West Beach (Cottesloe to Chetwynd Streets)
Date: Wednesday, 18 April 2018 8:37:18 PM

Hi Sue, another response that has come direct to me.

If you could please note this one so that we are sure to include him on future correspondence etc.

I'll respond to him direct acknowledging his note.

Paul

Paul Sutton
Chief Executive Officer
City of Charles Sturt
ph: 08 8408 1100
e: psutton@charlessturt.sa.gov.au
w: www.charlessturt.sa.gov.au

Begin forwarded message:

From: David Hamilton <[REDACTED]>
Date: 18 April 2018 at 6:49:13 pm ACST
To: <psutton@charlessturt.sa.gov.au>, [REDACTED]>
Subject: CLMP West Beach (Cottesloe to Chetwynd Streets)

Dear Mr Sutton,

I have read the document regarding this plan and am forced to conclude that the writer or writers have not viewed the area. From my observation there is no remaining `dune system` and very little remaining beach in this area. This is the result of building roads, rock walls and concrete paths on the sand dunes close to the high water line with resulting severe erosion of the beach and remaining sand dunes.

Yours

sincerely,

David Hamilton.

Attachment C – Christopher Nylor

The Chief Executive
PO BOX 1
WOODVILLE SA 5011

By email: psutton@charlessturt.sa.gov.au

Dear Mr. Sutton,

Feedback: Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach.

Thank you for the opportunity to review the Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach.

I have several comments related to the plan and I will organize in the same form as your plan and using the same numbering system.

Name and address of property

Seaview Road, West Beach (Cottesloe Street to Chetwynd Street)

Objectives for the management of the land

These are currently stated as:

1. *To provide a convenient and controlled north-south shared-use path of a minimum 3 metres in width for bicycles, wheelchairs and pedestrians along and through the land as part of the State Government Coast Park Initiative.*
2. *To provide convenient and controlled east west access to the beach and environs.*
3. *To enhance, protect and manage the coast and dune system.*
4. *To provide passive recreation spaces, public facilities and car parking.*
5. *To enable the provision of surf lifesaving operations, including, (but not necessarily limited to): storage; commercial activities; community activities; dining/licuor licencing; training and beach patrol."*

Some of these statements are redundant.

- Currently there is no or very little beach in this section to which to provide access to

- There is no mention of re-instating the beach or contributing to the accumulation of sand and creation of a beach
- There is no dune system to protect and manage in this section
- There is no mention of preparing this section of Coast for the impact of global warming and sea level rise
- There is no reference to strengthening biodiversity as per the Open Space Strategy

Policies for the management of the land

The applicable policies are

• *Vegetation Management Plan – Henley South and West Beach Dune Reserve*

- The Vegetation Management Plan – Henley South and West Beach Dune Reserve was created in 2008 and the implementation schedule is now out of date.

• *Environmental Sustainability Policy*

The above policy states under “Reduce Councils Risk” that “we will develop and implement a robust risk management framework to identify, avoid and reduce environmental risks caused by our operations”.

Constructing the rip rap wall and the Coast Park Path has created or exacerbated beach erosion. In line with the above policy what is the Council going to do to avoid that risk happening again. Perhaps that should be the focus of an objective and performance target?

“In addition the following Policies and Strategies (as updated from time to time) will be considered in the management of the land:

• *Coast Park Concept Plan 2001*

- The Coast Park Concept Plan 2001 clearly states that it is not “a coastal management plan for the protection of the metropolitan coastline and the management of sand” and on that basis it should be excluded.
- The Coast Park Concept Plan is also not a policy – it is a concept study and should not be included.

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- *Coast Protection Board Policy Document 2016*
- *Coastal Management Plan*
- *Open Space Strategy 2025*
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- *Use of Public Reserves for Commercial Fitness Activities*
- *City of Charles Sturt Transport Plan 2016-31*

- *Vegetation Management Plan*

- The Vegetation Management Plan – Henley South and West Beach Dune Reserve is already included.

- *Biodiversity Action Plan 2017-2030*

- *Living Green to 2020 (Environmental Plan 2014-2020)*

Proposals for the management of the land

“The following proposals relate to the land to which this Management Plan applies:

- *To establish and maintain facilities on the land to achieve the State Government’s Coast Park Initiative including a shared use two-way path and related facilities for walkers, cyclists, wheelchairs and other suitable users running north-south parallel to the coast*

- *To support the Coast Protection Board Programs for management of the coast*

- *To maintain facilities associated with surf lifesaving activities and the operation of a surf lifesaving club under a lease or licence*

- *To maintain rock wall protection and associated infrastructure*

- *To provide and maintain controlled east-west public access to the coast (including across the dunes) in various locations.*

- There are no dunes across which to provide east-west public access defined in the “Name and Address of Property” as being “Seaview Road, West Beach (Cottesloe Street to Chetwynd Street)” – therefore this phrase is redundant and should be removed.

- *To provide and maintain facilities that contribute to the convenience and enjoyment of the public.*

- *To support programs that encourage community involvement in dune care and revegetation.*

- There are no dunes which the community can be encouraged to support and maintain in this section of coast defined in the “Name and Address of Property” as being “Seaview Road, West Beach (Cottesloe Street to Chetwynd Street)”

- *Infrastructure may be installed by the State Government to facilitate pumping of sand to replenish stocks in other locations along the coast.*

- *Council may issue a permit to allow an activity (including a business activity) of a ‘short term’ nature (up to 4 consecutive days).*

Within the proposals for the management of the land there are no proposals to:

- Perform an Environmental Impact Statement to model the impact of the proposed structure on further degradation of the remaining beach and which will guide policies related to the work.
- Perform modelling on the impact of the new structure on loss of sand from the beach to the North of the construction area and which will guide policies related to the work.
- There are no statements in the Proposals for the management of the land that talk to the Environment.

Performance Targets and Measures

Looking at each of these in turn and bearing in mind some definitions.

The Macquarie Dictionary definition of the noun "target" includes the definition:

4.a goal to be reached.

The Macquarie Dictionary defines the verb "measure" to mean:

- 1.to ascertain the extent, dimensions, quantity, capacity, etc., of, especially by comparison with a standard.
- 2.to estimate the relative amount, value, etc., of, by comparison with some standard.

Objective	Performance Target	Performance Measure
1. Controlled north-south Shared Use Access Path for Cyclists; Pedestrians, Wheelchairs and suitable for emergency service and Council maintenance vehicles.	Fenced 3m wide (minimum) Shared Use Path constructed and maintained in line with Aust Road Standards and DDA requirements	5 Yearly Asset Condition Assessments Quarterly Program Reporting Maintained in line CCS with Sweeping Service Levels for Coast Park Path

- 1) The Objective in this case of providing suitable access for emergency service and Council maintenance vehicles seems to be wholly at odds with the width of a path which conforms to the Precautionary Principle as outlined in the Environmental Sustainability Policy which is a policy for the management of the land as described above.
- 2) The Performance Measures cannot be described as performance measures as defined by the Macquarie Dictionary. These are policies which may contain measures but they are not measures in themselves.

Objective	Performance Target	Performance Measure
2. Convenient and controlled access to beach and environs	Beach access-ways to be accessible at all times other than as required for repairs and maintenance Close Beach access ways following storms within 24 hours (where required)	Inspections undertaken in line with CCS Foreshore Maintenance Service Levels

- 1) Given that the Performance Target is that “Beach access-ways to be accessible at all times other than as required for repairs and maintenance” the Performance Measure is not relevant. An example of a Performance Measure for this Target may be such things as e.g. The beach access ways to be open 98% of the time during the year (365 days) as measured from 1st Jan to 31st Dec.
- 2) The Performance Target of “Close Beach access ways following storms within 24 hours (where required) is actually a Target and a Performance Measure. The Target is closing beach access ways following storms – the Performance Measure is within 24 hours.

Objective	Performance Target	Performance Measure
3.1 To enhance, protect and manage the coast and dune system	Provide a seawall running parallel and longitudinally to the coast to provide increased protection to landward assets and to provide greater amenity to the public. (designed in accordance with relevant standards and guidelines).	Design and construct a replacement seawall (subject to receiving other necessary approvals and availability of funding) Inspections undertaken in line with CCS Foreshore Maintenance Service Levels

- 1) The Objective is not consistent with the description of the property address in that there is no dune system in the area to enhance and protect.
- 2) Construction of a seawall will in fact further damage the coast and not enhance the Coast as it is a well known and understood fact that hard structures when emplaced serve to increase reflected wave energy and hence further erode the sand from the beach.
- 3) Based on sea level rise it is very unlikely that even with the improved seawall that the Coast Park Path will be protected – therefore the Performance Target outlined above may not be relevant.
- 4) The Performance Measure to “Design and construct a replacement seawall (subject to....funding). Is not a Performance Measure – it is in fact a Performance Target. A Performance measure may be for example to construct the seawall for X dollars in X months...or some other measure.
- 5) The Performance Measure “Inspections undertaken in line with the CCS Foreshore Maintenance Service Levels” is not in itself a measure of the performance against a Performance Target. It is a Performance Target – the relevant Performance Measure is missing.

Objective	Performance Target	Performance Measure
3.2 To enhance, protect and manage the coast and dune system	Install and maintain dune fencing to stabilise sand drift, reduce sand erosion and to promote sand build up and retention.	Inspections undertaken in line with CCS Foreshore Maintenance Service Levels

- 1) The Performance Target is not relevant to the area described. There is drift net fencing further north, but outside of the plan boundary. There is no room for a drift net fence within the boundary, and certainly no sand would accumulate.
- 2) The Performance Measure “Inspections undertaken in line with CCS Foreshore Maintenance Service Levels” is not a Performance Measure but a Performance Target and there is no relevant Performance Measure for this Target.

Objective	Performance Target	Performance Measure
3.3 To enhance, protect and manage the coast and dune system	Where dunes exist, remove weeds and revegetate the dunes with suitable indigenous provenance plants in line with the Vegetation Management Plan. Controlled access is in place (as per Objective 1 & 2)	Quarterly Program Reporting

- 1) No dunes exist in the defined area so this Performance Target is redundant.
- 2) The Vegetation Management Plan for this area is obsolete
- 3) The Performance Measure “Quarterly Program Reporting” provides no Performance Measure within the Reporting Program which can be used to measure or to ascertain the extent, dimensions, quantity, capacity or similar of the success or lack of success in achieving the target.

Objective	Performance Target	Performance Measure
4. Provide recreation spaces and associated public facilities (including car parking, public toilets and park/street furniture).	Recreation spaces and associated public facilities developed and maintained in accordance with Council's Open Space Strategy. Asset are renewed in accordance with the Asset Management Plan	Inspection of playgrounds undertaken as per Australian Standards. Landscaped areas maintained in accordance with CCS Parks and Arboriculture Maintenance Standards and Australian Standards Quarterly Program Reporting

- 1) The Objective may be not relevant for the defined section of land since it may not contain associated public facilities.
- 2) The Performance Target "Assets are renewed in accordance with the Asset Management Plan" is a statement but is not in itself a Performance Target.
- 3) The Performance Measure "Inspection of playgrounds undertaken....Australian Standards" is stranded as there is no mention of playgrounds in either the Objective or the Performance Target. However in any event the Performance Measure is not in itself a Performance Measure for the same reasons as listed earlier.
- 4) The Performance Measure "Landscaped areas maintained in accordance with CCS.....Australian Standards" is not a Performance Measure.
- 5) The Performance Measure "Quarterly Program Reporting" is an unrelated Statement – reporting what quarterly? Which program relates and will the reporting indicate whether the Performance Target has been attained or not?

Objective	Performance Target	Performance Measure
5.To enable the provision of Surf Life Saving operations including (but not necessarily limited to): - storage - commercial activities - community activities - dining/liquor licence - training and beach patrols	Provide and maintain facilities and buildings suitable for the operations (including commercial dining facilities) of the surf life-saving operation, subject to the terms of any relevant lease or licence.	Ensure terms of leases/licences are adhered to through conducting yearly inspections and/or assessments. 5 Yearly Asset Condition Assessment

- 1) The Performance Measure "5 Yearly Asset Condition Assessment" is not a Performance Measure but a Performance Target. A Performance Measure in this case would lay out specific standard to which the Asset Condition should be compared.

Yours Faithfully

Attachment D - Coastal Ecology Protection Group Inc (Botten/Levinson)

Our ref: TLC/216237

20 April 2018

Mr Paul Sutton
Chief Executive Officer
City of Charles Sturt
PO Box 1
WOODVILLE SA 5011

By email: council@charlessturt.sa.gov.au;
psutton@charlessturt.sa.gov.au

Dear Mr Sutton

Public consultation response - Community Land Management Plan - Coastal Reserve - West Beach

Our firm acts for the Coastal Ecology Protection Group Incorporated, c/- PO Box 8038, Grange South Australia.

This letter constitutes a response on behalf of my client to the Council's public consultation on the Council's proposed "*Community Land Management Plan - Coastal Reserve - West Beach*" (**the West Beach CLMP**).

For the reasons that follow my client opposes the adoption of the West Beach CLMP in its present form and considers that appropriate amendments ought to be made prior to the Council considering its adoption.

1. Background

1.1 The West Beach CLMP

The West Beach CLMP purports to be a community land management plan for the purposes of section 196 of the *Local Government Act 1999* (**LG Act**).

The Council proposes to adopt the West Beach CLMP in relation to two allotments comprising dedicated Crown Land under the care, control and management of the Council¹, or land owned by the Council (**Affected Land**).

¹ See *Crown Lands Management Act 2009* (**CLM Act**), section 20.

Presumably all of the Affected Land comprises “community land”² for the purposes of the LG Act, and have not been excluded from that classification.

1.2 The background to the CLMP

The Council will be acutely aware that my client successfully challenged the Council’s previous “Coastal Reserve” CLMP, which the Council purported to adopt in April 2016 (**2016 Coastal Reserve CLMP**), following judicial review proceedings instituted by them in the Supreme Court of South Australia³ (**the CEPG Case**).

His Honour Justice Blue of the Supreme Court in the CEPG Case relevantly held that:

The plaintiffs have established that the Management Plan is invalid because it does not state any performance targets or how the Council proposes to measure its performance against its objectives and performance targets and unlawful because the Council breached sections 50 and 197 by failing to comply with its Consultation Policy in respect of the draft Management Plan, giving rise to an entitlement to the grant of an injunction...⁴

The Supreme Court made orders that the 2016 Coastal Reserve CMLP was invalid and a legal nullity.

It is clear enough that the Council now seeks, by the West Beach CLMP, to adopt a CLMP under the LG Act that has at least some regard to the Supreme Court’s criticism of the 2016 Coastal Reserve CLMP.

Whilst noting that the West Beach CLMP has particular local objectives that are unique to the Affected Land, it also has some strikingly similar aspects and evident objectives to the 2016 Coastal Reserve CLMP.

My client sees the public consultation on the West Beach CLMP to be a good opportunity for the Council to develop a meaningful and valid Coastal Reserve CLMP for the Affected Land, which may be used as a platform for any future CLMPs for other sections of coastal community land in its area.

2. Public consultation on the West Beach CLMP

My client notes that the Council must, pursuant to section 197(1)(a) of the LG Act, before it adopts a management plan for community land -

- (a) *make copies of the proposed plan available for inspection or purchase at the council’s principal office; and*
- (b) *follow the relevant steps set out in its public consultation policy.*

² See LG Act section 193.

³ *Coastal Ecology Protection Group Incorporated v City of Charles Sturt and Anor* [2017] SASC 136.

⁴ CEPG Case at para [779].

The Council's current public consultation policy (**PCP**) remains the version of the PCP that was "last reviewed" in May 2015.

The Council's PCP contains reasonably prescriptive (and in its view, appropriate) criteria about what level of public consultation should occur in cases such as this, where the LG Act **requires** the Council to follow the steps in its PCP before making a decision.

However, the only evident "consultation" on the West Beach CLMP is the Council's publication of a Messenger advertisement inviting submissions about the CLMP and an invitation for submissions in the form of a "mail out" to an unknown number of local residents at West Beach and publication of the consultation documents on the "Your Say" website.

My client queries whether the Council has followed the steps set out in its public consultation policy in relation to the West Beach CLMP, bearing in mind the provisions of its own PCP and the related Public Consultation Implementation Procedure which also remains in force.

3. My client's position

My client has reviewed the West Beach CLMP. My client recognises, of course, that there will always be local physical and environmental factors relevant to the various sections of coastal community land that will inform the precise terms of an appropriate and valid CLMP.

My client understands that the Council seeks to reconstruct an existing rock revetment wall within the Affected Land as part of a broader coastal management strategy. Presumably this is to be facilitated by the West Beach CLMP.

Having said this, it may well be that a CLMP in substantially similar terms as that which might be adopted for the Affected Land may also be adopted elsewhere along the coast within the Council's area in due course.

My client is acutely aware that the Council has not yet sought to re-consult or revisit the 2016 Coastal Reserve CLMP that was invalidated by the Supreme Court following the *CEPG Case*.

In any case, my client believes that there are deficiencies in the West Beach CLMP which the Council ought to carefully consider and review. My client sees the Council's consultation on the West Beach CLMP as an important opportunity to develop an appropriately-detailed community land management plan for the Affected Land, to ensure the protection of the coast, coastal vegetation and local coastal environment at the Affected Land and other coastal land.

Plainly, no one section of the Adelaide metropolitan coast (and its management) can be properly considered in isolation of others.

My client strongly believes that the Council ought to bear in mind the lessons learned from the Supreme Court's criticism of the 2016 Coastal Reserve CLMP and carefully consider the submissions and views of affected persons and otherwise when deciding upon the West Beach CLMP.

My client's particular concerns about the West Beach CLMP in its present form follow below.

3.1 Insufficient recognition for environmental objectives and management

The Council itself acknowledges via its website that the West Beach area is one of the most exposed and deteriorated parts of the coast in its area. This has resulted in the construction of a significant rock revetment wall as a coast protection measure in this area:

The West Beach Rock Wall was originally damaged during significant storms in May 2015, and deteriorated further during the May 2016 storms and tidal event. The City of Charles Sturt is taking responsibility for managing the rebuild of the wall, considering local residents, the West Beach SLSC, users of the path along the coast and the environmental and climate change impacts of the rebuild. Works are budgeted for and planned to begin in the 2018/19 financial year

My client acknowledges and appreciates that the Council has recognised by Objective 3 that the Council intends to “enhance, protect and manage the coast” within the Affected Land.⁵

However, given the Council's stated position and evident objective for the West Beach CLMP, my client is surprised that there is no further detailed recognition for environmental matters elsewhere in the West Beach CLMP.

In particular, my client notes that despite Objective 3 of the West Beach CLMP, the West Beach CLMP nonetheless:

- contains no express provision for expert advice and input into its decision making under the CLMP in terms of enhancement, protection and management of the Affected Land;
- contains no express provision for environmental or biodiversity action planning (such as the provision of an Environmental Impact Statement (**EIS**) or similar) when making decisions under the CLMP that affect the enhancement, protection and management of the Affected Land;
- contains no express provision for consideration of various possible alternative rock or revetment wall designs that might provide superior or preferable protection from sea level rise, costal erosion and preferable outcomes for sand management;
- fails to recognise that sand loss modelling may be appropriate to inform an optimum design for such a revetment wall;
- Contains objectives to “provide convenient and controlled” north-south shared-use paths and east-west access to the “beach and

⁵ CLMP Objective 3.
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environs” and yet no detail about what environmental and/or biodiversity matters ought to be considered, what expert advice ought to be sought about precise locations and positions of such paths, nor any performance targets or measures about the “provision” of such paths (if the intention is actually to “provide” such paths, rather than maintain existing paths).

Fundamentally, my client believes that the West Beach CLMP ought to expressly recognise that decisions about the Council’s management of the Affected Land ought to be carefully guided and informed by expert ecological, environmental, botanic and coastal process/engineering advice in appropriate cases.

Further, the West Beach CLMP ought to recognise that there will be decisions under the West Beach CLMP about which it will be entirely appropriate for the Council to commission an EIS or similar report, to properly inform the Council about the ecological or environmental consequences of those decisions, having regard to the Council’s own Environmental Sustainability Policy.

The West Beach CLMP ought to make provision for the circumstances and decision-types that the commissioning of expert advice or a EIS will be appropriate.

3.2 Policies, performance targets and measures are deficient

Section 196(3) of the LG Act contains the legal requirements for a community land management plan, which relevantly include:

(3) *A management plan must—*

- ...
- (b) *state the purpose for which the land is held by the council; and state the council’s objectives, policies (if any) and proposals for the management of the land; and*
- (c) *state performance targets and how the council proposes to measure its performance against its objectives and performance targets.*

I will deal with the purported “policies” for the management of the land first, before dealing with the performance targets and measures.

3.2.1 Policies for the management of the land

The Council has chosen to simply recite various other policies that “relate to the land” to which the West Beach CLMP applies. Presumably this is a response to the requirements of section 196(3) of the Act.

My client says that the Council ought to go further than simply listing its other policies that may have some application to the Affected Land. My client submits that that is a rather barren response to a statement of “policies (if any) for the management of the land” envisaged by section 196(3)(b).

Whilst my client acknowledges that other Council-made policies will clearly be relevant and ought to be referenced here, my client submits that some meaningful policy statement to guide the Council about how the Council actually manage the particular land in question would also be helpful and assist in providing the transparent accountability that is intended by section 196(3).

3.2.2 Performance targets and measures

The concepts of performance targets and measures were helpfully analysed by the Supreme Court in the CEPG Case. His Honour Justice Blue said:

*The reference to “performance” is a reference to the council’s function of managing the community land the subject of the plan and includes the council’s achievement of the objectives set out in the plan. Section 196(3)(d) requires a council to set for itself “performance targets” being goals to be achieved in the performance of its management of the community land. This provision is one of the provisions in the Act requiring a council to be transparently accountable. This provision requires a council to be accountable for its management of community land by requiring it to fix in its management plan goals to be achieved in its management of the community land.*⁶

His Honour went on to consider the meaning of “measures” in the context of the Council’s requirements under section 196(3)(c) of the LG Act:

The reference to the council stating in the plan how it proposes to measure its performance against its performance targets necessitates an identification by the council of the methodology by which its performance against its targets is to be measured.

*...Similarly, the reference to the council stating in the plan how it proposes to measure its performance against its objectives necessitates an identification by the council of the methodology by which the council will assess whether it is achieving its objectives set out in the plan.*⁷

My client acknowledges that it will be largely a matter for the Council as to what performance target(s) it wishes to set for itself in the West Beach CLMP, provided that those performance targets are reasonably meaningful, precise and detailed to ensure transparent accountability.

The West Beach CLMP set out various performance targets and measures in a table with a corresponding title, referenced to the “Objectives for the Management of the Land” that are set out at page 1 of that CLMP.

The performance targets themselves are expressed in very basic terms and by generic reference to the Council’s various “policies for the management of the land” at pp 1 - 2 of the CLMP.

⁶ CEPG Case at para [475].

⁷ CEPG Case at pars [477 - 478].

My client agrees that it will often be appropriate for objective engineering or environmental standards (such as Australian Standards) to be referenced in the performance targets. However, mere references to such standards will rarely be sufficient. My client repeats its submission that it may be appropriate in some cases for the targets to be “measured” as being “in the opinion of” an appropriate expert for some decision-making and in the performance targets.

The “performance measures” in column 3 of the table are purportedly “measures for “how the council proposes to measure its performance against its objectives and performance targets” under section 196(3)(c) of the LG Act.

My client is concerned that the “performance measures” are too generic and in some cases, ambiguous and incapable of being properly understood.

The measures variously refer in a generic and highly simplified way, to various “condition assessments”, “program reporting”, “inspections” (either generically or only by reference to other Council-made policies).

My client refers to Objectives 3.1 - 3.3 of the table, which relate to the Council’s Objective 3 to “enhance, protect and manage the coast and dune system”.

My client makes the points about the following purported “performance measures”:

- **“performance measure” 3.1**

The mere reference to “design and construct a replacement seawall...” is not a “measure” in the relevant sense described in the *CEPG Case*.

Further, “inspections...in line with CCS Foreshore Maintenance Service Levels” is ambiguous and not a meaningful measure of whether it is achieving or is to achieve performance target 3.1.

- **“performance measure” 3.2**

The mere reference to “inspections...in line with CCS Foreshore Maintenance Service Levels” is ambiguous and not a meaningful measure of whether it is achieving or is to achieve performance target 3.1.

- **“performance measure” 3.3**

The term “Quarterly Program Reporting” is vague, ambiguous and incapable of being properly understood. Precisely what is the reporting about? Who performs the report, and who to? Further detail is required about the reporting and if “reporting” is a measure, how it will be a meaningful measure of whether the Council is achieving performance target 3.2.

Those measures and performance targets, including the above purported measures and performance targets are unclear and in my submission, are very difficult to properly understand or enforce.

In my submission, the performance targets and performance measures are deficient and do not satisfy the intent of the criteria in section 196 of the LG Act. Far greater detailed consideration ought to be afforded to the performance targets and measures bearing in mind the Supreme Court's instructive comments in the CEPG Case, before the West Beach CLMP is finalised.

In my submission, the deficiencies in the purported "performance targets" and "performance measures" may also mean that the West Beach CLMP is invalid in its present form.

3.3 Inconsistency with the Council's official plans or policies

My client is concerned that the West Beach CLMP appears to be inconsistent with a number of the Council's official plans and policies. It submits that the Council ought to do more to ensure consistency with those plans and policies "as far as practicable".

Section 196(5) of the LG Act relevantly provides as follows:

*(5) A management plan—
(a) should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land*

The Supreme Court in the CEPG Case considered the above provision in the context of the 2016 Coastal Reserve CLMP and found that although s 196(5) is not expressed in mandatory terms and that official plans and policies prevail to the extent of inconsistencies, councils are obliged to afford **careful attention** to whether a CLMP is consistent "as far as practicable" with such "official plans and policies":

It is true, as the Council points out, that subsection (6) enacts a rule that, if it transpires that there is inconsistency between a management plan and an official plan or policy under another statute, the latter prevails. However, this is plainly a rule of last resort rather than countenancing a council simply ignoring other relevant official plans and policies when adopting a management plan.⁸

Applying the Supreme Court's comments in the CEPG Case, my client submits that the West Beach CLMP may well be substantially inconsistent with a number of relevant official plans and policies of the Council and say that careful attention must be afforded to remedying those inconsistencies to ensure that the West Beach CLMP is not invalidated for that reason.

I will describe some of the relevant inconsistencies between the West Beach CLMP and some of the other official plans and policies of the Council below.

⁸ CEPG Case at para [513].

3.3.1 Vegetation Management Plan

The “Vegetation Management Plan - Henley South and West Beach Dune Reserve” is referred to in the West Beach CLMP. It is a formal plan of the Council that apply specifically to coastal land and in part, the Affected Land.

The Vegetation Management Plan is clearly a relevant official policy within the meaning of section 196(5)(a).

My client reminds the Council that the West Beach CLMP should, as it refers to the Coast Park Project, be consistent as far as practicable with the provisions of the Vegetation Management Plan.

Indeed, the Vegetation Management Plan contains numerous statements about the importance of the preservation and protection of the coastal vegetation and environment including the Affected Land⁹, including the following statement about the conservation value of the area (which includes the Affected Land) that is subject to the Vegetation Management Plan¹⁰:

The area is of importance as:

...

- *It is part of a significant corridor for indigenous fauna along the coastal strip between the Port Adelaide Enfield and West Beach dunes and potentially further along the coast.*
- *It contains some indigenous plants species of local and regional significance*
- *It has potential to reinstate pre-European plant and animal communities.*

3.3.2 City of Charles Sturt Transport Plan 2016-2031

The City of Charles Sturt Transport Plan 2016-2031 (**Transport Plan**) is in my submission, an official plan about the conservation and use of land pursuant to section 196(5)(a) of the LG Act. Its objective includes “reducing the environmental impact of the transport system”.¹¹

My client notes the references to the Coast Park Project in the Transport Plan and remind the Council about the Transport Plan’s above environmental objective. They also wish to draw Theme Area 1 of the Transport Plan to the Council’s attention, which they say is an important provision:

1.1 Integrate environmentally sensitive design elements into infrastructure and open space planning.

...

⁹ See for example at page 33.

¹⁰ See page 21.

¹¹ See page 9.

1.8 Review construction techniques and use environmentally sound materials, manufacturing and technology methods for cycling paths.

My client emphasises the particular importance of the above provisions of the Transport Plan to the CLMP and when considering the future management of the Coast Park on the Affected Land.

3.3.3 Environmental Sustainability Policy

The Supreme Court found in the CEPG Case that the Council's Environmental Sustainability Policy (**ESP**) was a relevant official policy pursuant to section 196(5)(a) of the LG Act.¹²

Indeed, the ESP is fundamentally concerned with the conservation, development and use of the land and applies to all Council land including the Council coastal land.

My client refers to and repeats its submission above concerning the need for proper expert input, advice, and where necessary, impact statements or modelling to inform the Council's decision making about the management of the land pursuant to the West Beach CLMP.

Given the lack of any detail or reference to those notions appears inconsistent with the following important policies set out in the ESD:

[We] will endeavour to undertake all activities in accordance with the principles of ecologically sustainable development (ESD), which include...[t]rue valuation of environmental resources: Ensuring full integration of environmental and economic considerations into our policies and decision making processes

...we will develop and implement a robust risk management framework to identify, avoid and reduce environmental risks caused by our operations.

My client suggests that the West Beach CLMP be amended to incorporate more detailed environmental considerations and expert input and that it contain more specific environmental management objectives, consistent with the Council's ESP.

3.3.4 Open Space Strategy 2025

The Council's Open Space Strategy 2025 is referred to in the CLMP and in my submission is an official plan or policy of the Council for the purposes of section 196(5)(a) of the LG Act.

The Open Space Strategy seeks to provide a framework for the development and management of open space in the Council's area, including coastal reserves.

My client is concerned that the West Beach CLMP may be inconsistent with important environmental policies in the Open Space Strategy.

¹² CEPG Case at para [517].

My client particularly draws the following policies set out in the Open Space Strategy to the Council's attention:

*...across the City of Charles Sturt, including along the coastline, River Torrens Linear Park, other biodiversity corridor opportunities and 'standalone' reserves. This will require a coordinated and planned approach to protecting, managing and enhancing natural areas.*¹³

*[The Council will] consider the opportunities to reinforce the corridor approach to biodiversity and reserves (including parts of reserves) giving particular consideration to...Coast Park and other linear open spaces*¹⁴...

My client seeks that the Council review its management objectives and policies concerning the Affected Land with the above important provisions of the Open Space Strategy in mind.

3.3.5 Living Green Environmental Plan 2014-2020

The Living Green Environmental Plan 2014-2020 is referred to in the CLMP and in my submission is an official policy of the Council for the purposes of section 196(5)(a) of the LG Act (**Environmental Plan**).

The Council itself states that its Environmental Plan is “*a strategic plan of the Council...It describes how Council will approach environmental issues for coming years, in partnership with our community*”.¹⁵

My client refers to the references to the Coast Park in the West Beach CLMP and remind the Council about the following important policy statement in the Environmental Plan that is relevant to the future of the Coast Park on the Affected Land (my underlining):

*1.4.11 Investigate options for Council to promote environmentally sensitive developments that exceed standard legislative compliance, and pursue innovative best practice policies to allow implementation of sustainability principles.*¹⁶

The West Beach CLMP ought to be consistent as far as practicable with the above policy and the Environmental Plan generally. My client refers to and repeats its earlier submission about proper expert advice, monitoring and measurement of environmental objectives in the West Beach CLMP.

Express consideration of those matters in the West Beach CLMP will ensure that sustainability principles are implemented and environmentally sensitive developments are constructed on the Affected Land as contemplated in the Environmental Plan.

¹³ Page 56, theme 5.

¹⁴ Page 58.

¹⁵ See page 3.

¹⁶ Page 11.

3.3.6 Biodiversity Action Plan 2017-2030

The Council's Biodiversity Action Plan 2017-2030 is a formal plan of the Council that is referred to in the CLMP and in my submission is an official policy of the Council for the purposes of section 196(5)(a) of the LG Act.

The Biodiversity Action Plan states that "a key priority is identifying the current status quo of biodiversity within the Council area and generating more informed biodiversity goals, targets and actions."¹⁷

My client notes the references to the Coast Park Project in the West Beach CLMP. It says that future decisions about the Coast Park on the Affected Land under the CLMP ought to be consistent as far as practicable with the above policy and the Biodiversity Action Plan generally. It repeats its earlier submission about proper expert advice on biodiversity issues, to ensure it achieves the objective in the Biodiversity Action Plan for "more informed" biodiversity actions.

3.3.7 Coast Park Concept Plan

The Adelaide Metropolitan Coast Park Concept Plan is referred to in the CLMP and in my submission is an official plan of the Council about the conservation and development of land for the purposes of section 196(5)(a) of the LG Act.

The Coast Park Concept Plan aims to "*recognise, value and reinforce the diversity of the coastline, ensuring that development takes place in appropriate locations and that social, economic and environmental values are achieved*".¹⁸

The Coast Park Concept Plan identifies pressures on the West Beach Coastal Reserve, including the Affected Land as being, amongst other things, erosion, introduction of pest flora and fauna and subsequent pressure on remnant vegetation.¹⁹

My client again notes the references to the Coast Park in the West Beach CLMP and says that future decisions about the Coast Park on the affected land ought to be consistent as far as practicable with the Concept Plan, particularly regarding remnant vegetation and erosion risk.

3.4 Absurdities and inconsistencies

Lastly, it appears to my client that the West Beach CLMP ought to be revisited and re-drafted to consider and correct some apparent absurdities and inconsistencies, bearing in mind the physical condition and features of the Affected Land in this case.

¹⁷ See page 1.

¹⁸ Page 4.

¹⁹ See also Vegetation Management Plan page 4.

My client makes the following points:

- There appear not to be any relevant “dunes” on the Affected Land and references to “coastal dunes” and “dune system” and “dune care” appears nonsensical;
- Objective 1 and “Proposal for the Management of the Land” 1 contemplates that the Council aims to “provide” and “establish”, amongst other things, “a convenient and controlled north-south shared-use path of a minimum of 3 metres”, whereas one already exists on the Affected Land. My client suggests the word “maintain” or similar.
- References in Performance Target 3.2 to installing “dune fencing to stabilise sand erosion...” may be redundant on the basis that no relevant dunes appear to physically exist on the Affected Land.
- Objective 4 and the related Performance Target and Measure may be redundant or nonsensical for the Affected Land if they do not contain relevant “public facilities”, including playgrounds as mentioned in the Measure.

4. Summary

For at least the above reasons, my client is opposed to the adoption of the West Beach CLMP in its present form. It is concerned as to whether the Council has discharged its obligations under its own public consultation policy in relation to the West Beach CLMP.

My client strongly submits that the Council ought to carefully consider its concerns and the issues raised in this submission and consider appropriate further amendments to the West Beach CLMP, prior to convening a meeting of the full Council to consider its adoption.

My client (and/or its representative) seeks to address the Council by way of a deputation in support of his submission. Please advise me of the time and date of the relevant Council meeting in due course.

Yours faithfully



Tom Crompton
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BOTTEN LEVINSON
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Attachment E - Sarah McGrath

The Chief Executive
PO BOX 1
WOODVILLE SA 5011

By email: psutton@charlessturt.sa.gov.au

Dear Mr. Sutton,

Re: Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach.

Thank you for allowing public submissions on the proposed new CLMP for West Beach. I believe this is a very important document to get right, given the outcomes of the Supreme Court Case, and no doubt will become a template for other CLMPs that Council proposes.

There are a number of issues that I would like to raise in regards to the draft CLMP.

1. Objectives for the Management of the Land.

- a. There is already a *north-south shared use path* at this location (which we use often after school with the children), so should it not read to “maintain, upkeep, preserve, repair, protect” or similar?
- b. The same argument applies to *east-west access to the beach*. There are in existence a number of man-made structures (stairs, walkways) allowing access to the beach, that require repair and reconstruction.
- c. *To enhance, protect and manage the coastal dune system*. In this location, there is no “dune system”. The dunes are entirely built upon by man-made structures, so they do not in effect “exist” in the way that this is phrased. I can provide photos for proof if requested.
- d. As an example, you would be familiar with the narrow dune corridors at Tennyson and Semaphore Park and the Tennyson Dune Reserve. These are “dune systems”. South of Marlborough St at Henley Beach to the River Torrens outlet, there is no “dune system” to speak of. It is all entirely built up with rock walls and footpaths. This point is completely redundant, unless the intent is to somehow “manage the beach”.

2. Policies for the Management of the Land

- a. The *Vegetation Plan* referred to was produced in 2008, 10 years ago. Some if it may still be relevant, but it requires a qualified botanist (or similar) to update it to be accurate at this point in time.
- b. The Environmental Sustainability Policy asserts that there should be a risk management component, to reduce the environmental risks caused by Council’s activities. Given that the rip-rap wall (built in the 1970s) has exacerbated the situation, with increased beach erosion due to natural coastal processes, (including storm activity), and the obvious degradation of Council infrastructure attached to this, should the CLMP look at ways in

which this problem can be mitigated? Either through looking at alternative ways (construction and type) to rebuild the beach, replenish the dunes and propagate them so that nature's own solution to an eroding beach is established? Along with this goes the obvious knowledge of experts in coastal processes (particularly in respect to the Adelaide coastline) and what features will either increase erosion and damage or decrease it. An expert opinion (or several) will need to be engaged and a variety of solutions could be tendered. None of this is mentioned in the CLMP.

3. Proposals for the management of the land

- a. Other than those issues mentioned above, (maintain rock wall and infrastructure, east-west beach access) which are repeated here, the statement "To support programs that encourage community involvement in dune care and revegetation" is illogical, unless one of the goals of the CLMP is to re-establish the dunes (and beach obviously) at this location. As this does not seem to be a part of the CLMP (and it should be), then this is a senseless addition.

It is indeed interesting to note that in the Objectives, Policies and Proposals of this CLMP there is not one specific mention of the environment, or environmental considerations.

Given that Justice Blue in his findings in the Supreme Court Case stated that at Subsection 196(5) "A management plan – (a) should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land;" it is quite disturbing to see that there is nothing in the CLMP about the environment.

The LGA 1999 Chapter 1, 3 – Objects, Part (g) states "to encourage local government to manage the natural and built environment in an ecologically sustainable manner; and at Chapter 2, 7 – Functions of a council (e) states: to manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity; and again is mentioned at Chapter 2, 8 (d) and (f); in Chapter 3 Part 2, Division 3, 26 – Principles 1 (vi); Chapter 8, Part 1 – 122 – Strategic Management Plans 1 (a) (ii); yet the environment is all but ignored in the CLMP, despite it being a major tenet of the LGA 1999.

4. Performance Targets and Measures

- a. Section 196(3)(d) of the Local Government Act requires that a management plan must contain performance targets and performance measures. Justice Blue made this quite clear in his findings in the Supreme Court Case.
- b. The word "Performance" according to the Oxford English Dictionary is stated as: "The action or process of performing a task or function"; A task or operation seen in terms of how successfully it is performed".
- c. The word "Target" is stated as "an objective or result towards which efforts are directed".

- d. A Performance Target is the action of performing a task towards an objective or result.
- e. "Measure" according to the Oxford English Dictionary states "ascertain the size, amount or degree of (something) by using an instrument or device in standard units"; "take an exact quantity of something"; and "reach the required or expected standard".
- f. A Performance Measure then is the action of performing a task that is measurable to a specific standard. It then follows that assessing that action would entail that the Performance Measure was reached (successful) or not reached (unsuccessful). This is a purely objective calculation.
- g. Justice Blue in his findings in the Supreme Court Case stated that "*The reference to the council stating in the plan how it proposes to measure its performance against its performance targets necessitates an identification by the council of the methodology by which its performance against its targets is to be measured....Similarly, the reference to the council stating in the plan how it proposes to measure its performance against its objectives necessitates an identification by the council of the methodology by which the council will assess whether it is achieving its objectives set out in the plan.*"
- h. The Performance Measures and Targets listed in the draft CLMP seem to miss the point entirely.
- i. An example at Objective 3.3, "To enhance, protect and manage the coast and dune system" – There are no dunes present at this location, making the Performance Target of "Where dunes exist, remove weeds and revegetate the dunes with suitable indigenous provenance plants in line with the Vegetation Management Plan" completely redundant.
- j. If the Council were to rebuild the dunal system, then this would be stated in the Objective of the CLMP, and would then flow through Policies, Proposals to the Performance Targets and Measures.
- k. The Performance Measure of "Quarterly Reporting Program" has no meaning in the context of something that can be measured, and subsequently the action can then be determined as either successful or unsuccessful. This would then allow for review and continuous improvement.

Section 197 of the LGA 1991 – Public Consultation on Proposed Management Plan

There are various provisions of the Act which require a council to follow the relevant steps set out in its public consultation policy before making certain decisions or taking certain action. One of those provisions is subsection 197(1), which provides:

- i. Before a council adopts a management plan for community land it must –

1. (a) make copies of the proposed plan available for inspection or purchase at the council's principal office; and
2. (b) follow the relevant steps set out in its public consultation policy.

The Current Consultation Policy is underpinned by the Principles of Inclusiveness, Mutual Respect, Representation, Reaching Out, Shared Responsibility and Continuous Improvement, with the Five Levels of Engagement being Inform, Consult, Involve, Collaborate and Empower.

It is also stated that the level of engagement is determined during the project planning phase of a project and will vary dependent on individual project context with consideration given to: project complexity, levels of community interest, level of impact (economic, environmental, social and cultural), political sensitivity, timelines and resource availability.

One would think that the proposed West Beach CLMP is indeed a very important project not only for West Beach residents, but for the entire community of Adelaide, given the Torrens River Linear Park exits at this point, the issues the WBSLC have been dealing with for years and the many other community groups who have been lobbying for years to have the wall fixed.

The project itself is very complicated due to the nature of restoring the wall, whether or not that is indeed the best way forward; and if so, how it will be maintained in the future; the costs associated with ongoing maintenance and how the environment will be protected. This is very pertinent given the continual erosion of sand at this location (no beach) and that the erosion process will continue due to the natural coastal processes of the coastline. Given that hard infrastructure and sea walls actually increase coastal erosion, particularly during storms, there is no mention of how the environment will be re-established and maintained.

I believe the West Beach CLMP ticks all the boxes of being a complex project, involving a vast community that extends beyond the Charles Sturt Council area, that there is a massive community interest in resolving the problem, the project itself is extremely costly, so the economic impact on ratepayers both to fund the project and maintain it indefinitely is of great significance, and it has become a political issue due to the community not being listened to, engaged or consulted over the last 4 years, and that nothing has been done to resolve the problem.

How then has Council Staff and Council determined the level of engagement to ensure that this Proposed West Beach CLMP follows the steps set out in the Council's current PCP?

My understanding is that submissions were invited via the YourSay website, an advertisement was placed in the Messenger and that a number (unknown) of West Beach residents were sent a letter.

Given that the only form of Community Engagement in this instance is the ability to send in a submission, it would appear that the level of engagement is "Inform". I don't think this is appropriate given that this CLMP will become a kind of template for other CLMPs that the Council will need to update or re-write so they are legally binding.

Given that the man-made structures have caused the havoc wreaked on the environment at West Beach, where in the 1940s there was an extensive dune system; given that this section of the coast is so badly eroded and is continually eroding due to the effects of waves amplifying the wave energy when hitting solid rock walls and intensifying the erosion, it would seem illogical not to address this in the CLMP, and that just "repairing and maintaining" the rock wall is only going to worsen the problem continually into the future.

This is what happens when you build solid infrastructure on dunes. The dunes disappear, the beach erodes, the infrastructure is damaged and it becomes a vicious cycle. With the knowledge that we have now about the dynamic nature of the coastline, coastal processes, the nature of man-made structures built on sand and/or dunes, it appears that expert knowledge needs to be engaged to provide a number of solutions from which the best choice can be ascertained. This is the FIRST STEP towards resolving the issues of West Beach, from which a CLMP relevant to those outcomes can be drafted.

In conclusion, there are many areas of the proposed West Beach CLMP which require further research, and rewording, for it to be legally binding in my view. If it is also found that the PCP has not been followed as per the LGA requirement, then this could render the CLMP invalid and/or unlawful, as was found in the Supreme Court Case.

I encourage the Council and staff to carefully consider in depth the correctness of the CLMP and whether any breach of the PCP has been made given the sheer enormity of the project.

Yours sincerely,

S. McGrath.

Attachment F - Don Howie

From: [Paul Sutton](#)
To: [Sue Tripodi](#)
Cc: [Sam Higgins](#)
Subject: TRIM: FW: Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach
Date: Friday, 20 April 2018 4:03:30 PM

Hi Sue, please add these comments to the feedback and note Mr Howie as someone to be followed up with at the appropriate time.

Regards

Paul

Paul Sutton

Chief Executive Officer

City of Charles Sturt

72 Woodville Rd, Woodville 5011

T: (08) 8408 1100 F: (08) 8408 1122

E: psutton@charlessturt.sa.gov.au

W: www.charlessturt.sa.gov.au

From: Don Howie [REDACTED]
Sent: Friday, April 20, 2018 2:42 PM
To: Paul Sutton
Subject: Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach

Attn the Chief Executive
Charles Sturt Council

Dear Mr. Sutton,

I write to express concerns regarding this Plan
In regard to objectives, there are a number of irrelevancies, including reference to features that do not currently exist, such as dunes, or reference to those that already exist, including access to the beach and a north south path
These irrelevancies detract from the Plan and also distract attention for the deficiencies of the Plan.
Deficiencies of the Plan include inadequate attention to rehabilitation of the beach, prevention of further erosion, global warming and the well documented increase in sea levels predicted for this region, a potentially inadequate vegetation plan, sand management, and others.
Further, the documents cited require a far more extensive approach to environmental issues and implications for future environmental damage by hard structures on the foreshore.
Finally, I suggest that the Plan lacks robust performance targets and adequate methods to monitor these.
Yours faithfully
Don Howie

Attachment G - WACRA



WACRA Submission: Community Land Management Plan

Coastal Reserve West Beach, April 20, 2018

Thank you for this opportunity to respond to the Community Land Management Plan. I have viewed all documentation relating to this review and make the following submission.

The overhead diagram relating to dune management is a unknown and unachievable objective under present conditions. There is no dune system south or north of the West Beach Surf Life Saving Club due to inappropriate coastal management.

Numerous discussions have been held between resident organisations and Council management seeking a scientific study of Glenelg North, West Beach and Henley Beach South being all part of cell 3 to identify the cause of on going sand depletion and damage to the dune immediately fronting the holiday village and traveling north to Henley Beach south to the Torrens river outlet.

Council co ordinated two workshops consisting of representatives from State, Local Government, coastal experts, resident organisations and surf life saving clubs where it was clearly identified that urgent action needed to take place if this section of beach was to be stabilised and retained.

The eventual outcome was to find the funding up to \$70,000 from the Coastal Protection Board, Charles Sturt Council and Adelaide Shores to conduct a scientific study by modeling to gain a full understanding of why there has been such a huge loss of sand and suggested structural and engineering options to improve the import and retention of sand on these beaches.

Included in this study was a review of the effectiveness of the Adelaide Living Beaches sand pumping and bypassing operations.

It was promised that the study results would be available by end of September 2017 and

then extended to October due to incorrect data being provided initially. It is now April 2018 and the review report is still not available to the parties involved in the workshop initiative.

The Community Land Management Plan Coastal Reserve Review is asking for constructive comment on how this section of land [that very much includes the greater section of Cell 3] without having any scientific data on how this section of the coastline is going to be managed. This is not good management practice.

It makes it impossible to comment on how to enhance, protect and manage the coast and dune system without the necessary scientific data. Similarly, without robust scientific evidence it is impossible to make informed comment for improved access or facilities.

The Coastal Pathway may in fact need to be placed in a entirely different location as being proposed due to changes that may be necessary in constructing the existing severely damaged rock wall.

The Plan fails to address climate change and the effect on coastal erosion. The recent Adapt West workshops supported by the state and three coastal councils identified the need for long term adaptation for this section of the coastline and also identified the need for a scientific study of the whole of coast to protect properties from flooding and erosion such as presently is happening along the eastern coastline of Australia.

Evidence provided by the Coastal Protection Branch to the Public Works committee by Mr Rob Tucker in 1997 at the time of the planning of the Hold fast Shores and West Beach boat launching facility warned of the impediment to the natural northern sand littoral drift and estimated the volume prior to the rock groynes installed at the mouth of the Patawolonga and West Beach to be 50,000 cubic metres per year. Mr Tucker further reported that this volume will be significantly reduced and the beaches staved of sand unless sand is continuously bypassed from the south side of these groynes back into the system. In fact Mr Tucker advised the committee when asked if the sand bypassing wasn't able to maintain the beaches what would be the answer to replenishment. His answer was to remove the groynes.

Council is asking the community for comment on the Community Land Management Plan on a section of coast line that is fractured and vulnerable without providing any scientific reports or land management actions to protect this environment. This is not responsible management practice.

It is environmental knowledge that sea walls change wave direction and wave power and can result in erosion of the adjacent coastline. The Coastal Protection Board [CPB] reported back in 1998 that immediately after the installation of the West Beach Boat Launching Facility was completed almost half the width of the West beach dunes were wiped out. A rock wall was installed south of the West Beach Surf Life Saving Club much to the concern of the CPB. It is partly this installation that has caused so much coastal damage and threatened the existence of the WBSLSC. And the majority section of this land Management Coastal Reserve.

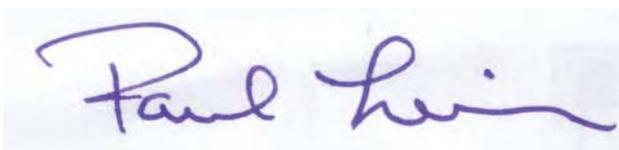
The fact is that this whole section of Coastal land has been neglected and it will take more than a review of this Reserve to save it from total destruction.

It is hardly worth making mention of the proposed east west access points other than they will be needed in future for emergency vehicle access and the occasional visitor to this sadly degraded location.

It seems unlikely that the WBSLSC will be able to remain in its present location due to the erosion and the lack of training access on wet beaches.

A relocation of the Club is presently under discussion as I understand and this being the probability then surely it would be responsible to deal with this issue prior to placing band aids on this Community Reserve until an Environmental Impact Study is conducted to address all those aspects previously mentioned in this response.

Statements made in relation to information provided by Mr Tucker and references to the Adapt West Report can be provided on request. For further information or clarification of these issues, please contact Jim Douglas (phone 0417875232). Mr Douglas attended the two Council workshops and the Adapt West review, provided submissions to the Public Works Committee of Parliament as President Western Adelaide Coastal Residents. Founding member, past president/editor and Life Member of Friends of Gulf St Vincent.



Paul Laris
President WACRA

Attachment H – Alan Simpson

The Chief Executive
PO BOX 1
WOODVILLE SA 5011

By email: psutton@charlessturt.sa.gov.au

Dear Mr. Sutton,

Draft Community Land Management Plan (CLMP) Coastal Reserve, West Beach.

I have several comments related to the above plan which I have appended below, following the same format as your draft CLMP.

1) Objectives for the management of the land

In my opinion some of these statements are not relevant.

- A) A north-south shared-use path already exists in the area specified in the draft CLMP therefore the statement should relate to maintaining or repairing and not “providing”.
- B) Access to the beach already exists (although degraded and damaged) therefore it would be more appropriate to state repair and reinstate existing access to the beach.
- C) There is no dune system to protect and manage in this section.
- D) In the draft CLMP there is no mention of a goal as rehabilitating the beach.
- E) There is no mention of preparing this section of Coast for the impact of global warming and sea level rise which I would expect should be a primary goal.

2) Policies for the management of the land

In general, it appears upon review, that the aforementioned draft CLMP is not consistent with a number of the Councils policies and plans which are included in the document and are referenced as being applicable to the management of the land.

- A) The Vegetation Management Plan – Henley South and West Beach Dune Reserve was created in 2008 and the implementation schedule is now out of date.
- B) The Environmental Sustainability Policy states that the Council “will develop and implement a robust risk management framework to identify, avoid and reduce environmental risks caused by our operations”.

Constructing the rip rap wall and the Coast Park Path has created or exacerbated beach erosion.

In line with the above policy what is the Council going to do to avoid that risk happening again. Perhaps that should be the focus of an objective and performance target?

- C) The Coast Park Concept Plan 2001 clearly states that it is not “a coastal management plan for the protection of the metropolitan coastline and the management of sand” and on that basis it should be excluded, however if it is included as a relevant plan then notice should be paid to statements concerning the environment which are excluded from this draft CLMP.

3) **Proposals for the management of the land**

Before commenting on what your list includes I want to mention what it appears to exclude.

- A) The draft CLMP does not mention anywhere in the document the need to model the impact of the proposed structure on further degradation of the remaining beach and that model will inform the final design.
- B) The draft CLMP does not consider the impact of the new structure on loss of sand from the beach to the North of the construction area and therefore guiding the design of the work.
- C) There are no statements in the draft CLMP for the management of the land that talk to the environment or the various environmental considerations detailed in the applicable policies.

In the draft CLMP there are several inconsistencies:

- D) The list states that “*To provide and maintain controlled east-west public access to the coast (including across the dunes) in various locations*” however given that there are no dunes across which to provide east-west public access in the defined area this phrase is not relevant.
- E) While your list states “*To support programs that encourage community involvement in dune care and revegetation*” you should realise that there are no dunes which the community can be encouraged to support and maintain in this section of coast.

4) **Performance Targets and Measures**

The Macquarie Dictionary definition of the noun "target" includes the definition “a goal to be reached”. It also defines the verb "measure" to mean “to ascertain the extent, dimensions, quantity, capacity, etc., of, especially by comparison with a standard.” And “to estimate the relative amount, value, etc., of, by comparison with some standard.”

With these definitions in mind and upon review the Performance Targets and Measures listed in the draft CLMP seem to be very non-specific, wholly ambiguous and cannot be used as true performance measures.

In addition, there seems to be confusion between what is a relevant Performance Target and an appropriate and relevant Performance Measure for that target.

Objective 1

- A) The Objective in this case of providing suitable access for emergency service and Council maintenance vehicles seems to inconsistent with the width of a path which takes into account the goals under the Environmental Sustainability Policy which is an applicable policy for the land.
- B) The Performance Measures defined are too generic not meaningful and targeted. It is impossible to say, without having access to more detail, whether they are transparent and will provide a true measure of performance.

Objective 2

- A) With the Objective in this case being "*Beach access-ways to be accessible at all times other than as required for repairs and maintenance*" the stated Performance Measure is not relevant. A more relevant Performance Measure for this Target may be related to defining the number of days closed from a full month or full year.
- B) The Performance Target of "*Close Beach access ways following storms within 24 hours (where required)*" is actually a Performance Target as well as a Performance Measure. The Performance Target is closing beach access ways following storms – the Performance Measure is within 24 hours.

Objective 3.1

- A) The Performance Measure to "*Design and construct a replacement seawall (subject to....funding)*". Is not a Performance Measure it may be better described as a Performance Target.
- B) The Performance Measure "*Inspections undertaken in line with the CCS Foreshore Maintenance Service Levels*" is not a meaningful and relevant measure of the performance against the stated Performance Target

Objective 3.2

- A) The Performance Target is not relevant to the area described by the draft CLMP. There is no room for a drift net fence within the boundary of the land, and certainly no sand would accumulate.
- B) The Performance Measure "Inspections undertaken in line with CCS Foreshore Maintenance Service Levels" is not a Performance Measure but a

Performance Target and there is no relevant Performance Measure for this Target.

Objective 3.3

- A) Since no dunes are present in the area defined in the draft CLMP this Performance Target is not relevant.
- B) The Performance Measure "*Quarterly Program Reporting*" is not precise and cannot be used as a true measure to determine the success or lack of success in achieving the Performance Target.

Objective 4

- A) The Objective is not relevant for the particular land defined in the draft CLMP since it does not contain some associated public facilities.
- B) The Performance Target "*Assets are renewed in accordance with the Asset Management Plan*" may be a policy statement but cannot be considered a Performance Target.
- C) There is no statement on playgrounds in either the Objective or the Performance Target yet there is Performance Measure related to playground inspections. There are no playgrounds in the defined area. There is a playground at Harold and Cynthia Reserve, but that is outside the area defined by the draft CLMP.
- D) In addition, the Performance Measure "*Inspection of playgrounds undertaken....Australian Standards*" is not a relevant Performance Measure without more detail being provided. (See above note)
- E) The Performance Measure "*Landscaped areas maintained in accordance with CCS.....Australian Standards*" is not a Performance Measure without more detail being provided on the measure.
- F) The Performance Measure "*Quarterly Program Reporting*" is very vague and ambiguous.

Objective 5

- A) The Performance Measure "*5 Yearly Asset Condition Assessment*" cannot be considered a Performance Measure but is properly a Performance Target. A relevant Performance Measure in this case would lay out specific standards to which the Asset Condition should be compared.

Yours Faithfully

ALAN SIMPSON

Attachment I - WEDGE

From: [Geoffrey Reed](#)
To: [Paul Sutton](#)
Subject: Community Land Management Plan West Beach
Date: Friday, 20 April 2018 6:12:27 PM



WEDGE Submission
regarding Community Land Management Plan
Coastal Reserve West Beach, April 20, 2018

Thank you for this opportunity to respond to the Community Land Management Plan
WEDGE have viewed the documentation and make the following comments.

- Talking about protecting a dune system that isn't actually there makes a mockery of the process.
- There is no dune system south or north of the West Beach Surf Life Saving Club due to inappropriate coastal management.
- Commenting on how to nurture, protect and manage the coastal dune system without the necessary scientific data is impossible.
- Coastal Pathway placed in this location is ridiculous until the bigger picture is apparent and the severely damaged rock wall is remediated. Recent newspapers articles demonstrated CCS and former Labor government still bickering over who is responsible and who should pay for the wall repair works.
- The Plan fails to address climate change, freak storms and the effects of king tides on coastal erosion.
- Serious warnings and hard evidence provided by the Coastal Protection Board over the last 20 years to the Public Works committee have been ignored.
- Despite the urging of the CPB, Council ignored repeated warnings and proceeded with the environmentally disastrous mistakes caused by the West Beach Boat Ramp which wiped out half of the West Beach dune system.
- Adding insult to injury, the rock wall later installed to fix this problem now threatens the existence of the WBSLSC.
- This whole section of Coastal land has been neglected and is now so endangered it needs dramatic intervention to save it from total destruction. CCS has clearly demonstrated that it does not have the expertise or skill set to manage this coastline effectively. A review board is not the answer.

Kind regards,
Geoffrey Reed
Chairman

WEDGE (Wild Endangered Dunes Group)

E: [REDACTED]
W: www.wedgesa.net.au

WEDGE & SANDPIPER Dune Care groups represent concerned citizens of Semaphore Park & West Lakes Shore. We are fighting for the protection of local endangered dunes and our existing natural COAST PARK which forms a northern corridor of biodiversity to Tennyson Dunes. This amenity will be destroyed if the continuous concrete horror is forced upon us.

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Attachment J – Furnell Plumbing

From: [Tony Clisby](mailto:Tony.Clisby@bigpond.com)
To: furnellplumbing@bigpond.com
Subject: FW: WEST BEACH COSTAL MANAGEMENT RESPONSE
Date: Wednesday, 2 May 2018 10:41:38 AM
Attachments: [image001.png](#)
[CCE01052018_0001.pdf](#)

Dear Furnell,

We have received your submission and will advise you further when the matter will be considered by Council.

Regards

Tony Clisby

Property Services

66 East Avenue, Beverley SA 5009
T(08) 8408 1175
tclisby@charlessturt.sa.gov.au

From: Rashel Furnell [<mailto:furnellplumbing@bigpond.com>]
Sent: Tuesday, May 01, 2018 7:30 PM
To: Tony Clisby
Subject: WEST BEACH COSTAL MANAGEMENT RESPONSE

Hi Tony

Please find attach notes in reference to the costal management of Wet Beach Rock Wall apologies for lateness.

The stretch from the West Beach Adelaide Shores Caravan Park (being the largest caravan park in Australia) and the West Beach Surf Club services a large tourist population.

I have recently move to West Beach and have been disappointed to hear from the local residents the lack of maintenance that has occurred along the beach front over the last number of years. They talk about the introduction of the boat ramp and how it has changed the coast line, where there used to be a well-used beach out the front my house it has now deteriorated and the sand depleted.

As per attached are recommendations from talking to locals and my observations it would be beneficial to include:

1. Extension of the rock wall to aide retention of sand so the walk way down to the beach does not get washed away
2. Reinstate the stairs down to the beach which were damaged in the storm
3. Reinstate the plants /salt bush where it has died along the stretch

Thank you for your time and I hope that the work can be organised and undertaken without any further delays.

Rashel Furnell

Secretary Director
0427 282 770

furnellplumbing@bigpond.com



Furnell Plumbing



We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations, we recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; We pay our respects to their ancestors and to their Elders.

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① Slight extension of rock wall
stop walk way to beach being washed away



② Reinstate stairs down to the beach

③ Reinstate plants/salt bush that has died not been maintained during storms



COAST PATH TO BE RECONSTRUCTED

ROCK SEA WALL TO BE RECONSTRUCTED

SCALE: 1:2324

DATE: 16/03/2018

AUTHOR: Brad Hartwell



Comments:

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72 Woodville Road, Woodville
South Australia 5011
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charlessturt.sa.gov.au



24 March 2018

Mr D A Furnell & Mrs R L Furnell



Dear Mr Furnell & Mrs Furnell,

RE: COMMUNITY LAND MANAGEMENT PLAN – COASTAL RESERVE - WEST BEACH

Further to our correspondence dated 23 March, 2018 please find enclosed the extent of plan and reconstruction map for the West Beach Rock Wall which are to be read in conjunction with the Community Land Management Plan (CLMP) for your feedback.

Please see the details below relating to feedback details for the CLMP, as per our previous correspondence.

Council has now prepared a draft Community Land Management Plan (attached) which is available for public consultation. Feedback can be provided via the Council website <https://www.yoursaycharlessturt.com.au/> or in writing to the Chief Executive Officer, PO Box 1, WOODVILLE SA 5011. The consultation will commence Wednesday 28 March 2018 and conclude 5.00pm Friday 20 April, 2018.

Following the adoption of the draft CLMP, Council will be in a position to proceed with the construction of the West Beach rock wall and the upgrading of the section of the Coast Path, south of the surf life saving clubrooms.

The reconstruction of the sea wall is planned to be staged with the central section to be replaced commencing in late spring/early summer 2018, to reduce project risks associated with undertaking the works in winter when the project would be subject to storm damage and high tide.

If you have any enquiries please contact Tony Clisby either by phone on 8408 1175 or via email tclisby@charlessturt.sa.gov.au

Yours sincerely,

Sam Higgins

A handwritten signature in black ink, appearing to read "S Higgins".

Manager, Open Space, Recreation and Property

Encl.



3.2 To enhance, protect and manage the coast and dune system	Install and maintain dune fencing to stabilise sand drift, reduce sand erosion and to promote sand build up and retention.	Inspections undertaken in line with CCS Foreshore Maintenance Service Levels
3.3 To enhance, protect and manage the coast and dune system	Where dunes exist, remove weeds and revegetate the dunes with suitable indigenous provenance plants in line with the Vegetation Management Plan.	Quarterly Program Reporting
	Controlled access is in place (as per Objective 1 & 2)	
4. Provide recreation spaces and associated public facilities (including car parking, public toilets and park/street furniture).	Recreation spaces and associated public facilities developed and maintained in accordance with Council's Open Space Strategy. Asset are renewed in accordance with the Asset Management Plan	Inspection of playgrounds undertaken as per Australian Standards. Landscaped areas maintained in accordance with CCS Parks and Arboriculture Maintenance Standards and Australian Standards Quarterly Program Reporting
5. To enable the provision of Surf Life Saving operations including (but not necessarily limited to): - storage - commercial activities - community activities - dining/liquor licence - training and beach patrols	Provide and maintain facilities and buildings suitable for the operations (including commercial dining facilities) of the surf life-saving operation, subject to the terms of any relevant lease or licence.	Ensure terms of leases/licences are adhered to through conducting yearly inspections and/or assessments. 5 Yearly Asset Condition Assessment

The target is the goal or standard to be aimed for or reached; whereas the measure is how the Council proposes to determine whether the target/objective has been reached.

Note: Other than where indicated above the sequence of objectives; proposals; policies within this plan does not infer a hierarchy or order of priority.

Attachment K – Donald Willson

4 MAY 2018

RECEIVED



EXTENT OF PLAN

SCALE: 1:2324

DATE: 16/03/2018

AUTHOR: Brad Hartwell

- ① EXTEND ROCK WALL
 - ② N BEACH ACCESS REINSTATEMENT
 - ③ REINSTATE VEGETATION
- Comments:



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APPOLOGISE FOR LATE SUBMISSION

Scanned + IMS 070318

AMC SA 520



Chief Executive Officer,
PO Box 1
Woodville,
SA 5011



Scanned - IMS - 070518

Donald Willson

[REDACTED]

Attachment L – Bruce Abernethy

Sue Tripodi

From: Bruce Abernethy <bruce@directprojectservices.com.au>
Sent: Wednesday, 11 April 2018 3:06 PM
To: Peter Kinnersly
Cc: Jan Cornish; Sam Higgins; Tony Clisby; Sue Hutchings; James.Guy@sa.gov.au
Subject: RE: coastal reserve west beach

Thanks Peter for your positive reply. I have some further minor comments below in red to add if that is ok.

Bruce Abernethy

Direct Project Services Pty Ltd

E: bruce@directprojectservices.com.au

From: Peter Kinnersly <pkinnersly@charlessturt.sa.gov.au>
Sent: Tuesday, 10 April 2018 9:13 PM
To: Bruce Abernethy <bruce@directprojectservices.com.au>
Cc: Jan Cornish <jcornish@charlessturt.sa.gov.au>; Sam Higgins <shiggins@charlessturt.sa.gov.au>; Tony Clisby <tclisby@charlessturt.sa.gov.au>; Sue Hutchings <shutchings@charlessturt.sa.gov.au>; James.Guy@sa.gov.au
Subject: RE: coastal reserve west beach

Hello Bruce, apologies for the delay in responding to you queries highlighted in Bold on the email (below) that you sent to Tony Clisby on 28 March 2018.

In regard to your query in relation to the staircase that was damaged and removed last year, I can inform that there will definitely be another staircase built in a similar location with the rebuild of the central section of the rock wall (South of the West Beach SLSC to the boardwalk at Adelaide Shores Caravan Park). This section of rock wall is being tendered again in late May with reconstruction works expected to commence prior to Christmas. **That is good news given the limited beach access people have had for 2 summers now.**

In regard to your question in relating to sand replenishment in the West Beach cell, I can confirm that this remains a priority for the Coastal Protection Board (DEWNR). I can also inform that DEWNR engaged a Coastal consultant last year to undertake a study of the West Beach sand movements and coastal processes. I believe that Council will in the very near future be updated with the findings including any potential solutions that may assist with increasing sand and beach area in this location.

I would greatly appreciate hearing the consultants thoughts. I am certainly no expert , as they are, but I've lived through 33 years of sand, and would love to hear their thoughts on the reasons, the seagrass, the sand flow, the effect the rockwalls and boat ramp have, the effect the Patawalonga Outfall has had etc etc.

I would hope this is a big picture, long term effort, not a bandaid, and as such, it will be expensive, but so is the annual sand carting contract year after year.

Should you have any further questions in regard to the West Beach rock wall rebuild or any other West Beach queries, please email or call me to discuss further.

Regards,

Peter Kinnersly
Manager Field Services

72 Woodville Rd, Woodville 5011
T: (08) 8408 1518 F: (08) 8408 1122
pkinnersly@charlessturt.sa.gov.au

From: Bruce Abernethy [mailto:bruce@directprojectservices.com.au]
Sent: Wednesday, March 28, 2018 11:49 AM
To: Tony Clisby
Cc: Jan Cornish; Peter Kinnersly; Sam Higgins
Subject: coastal reserve west beach

Tony, All,

I have just received the reconstruction plan. To the others emailed in, they are well aware I have been chasing something to be done since the storm damage was caused in May 2016. That's just 22 months ago. So excuse my tone of anger, disappointment and frustration.

I won't bore you with the total lack of progress so far, despite the fact **all** the walkways at Henley Beach were fixed within 6 months of the storm. Clearly our representatives from this part of the council have absolutely no ability to deliver. Feel free to pass this email onto them.

It is nice to finally see at least a plan with a committed date attached. Yet, there is still no 'big picture' resolution as to holding the sand in the area after the building of the boat ramp approximately a kilometre south years ago.

I'd like to add my Feedback regarding this proposal.

Firstly, I had a walkway across the road from my house for all but the last 22 months. I live at 10 Seaview Road. I have lived there for 33 years. I notice there is no walkway shown. I was promised a walkway to access the beach would be included by my councillors and Peter and Jan before the old walkway was removed. It is not shown or noted on the plans.

Secondly, unless a 'big picture' sand retention plan is implemented, then you can put as many rocks as you like there, but without sand, you will not have a beach. Rocks are really hard to have a day at the beach on. There is no mention in this plan about the long term future or plan for sand retention.

I apologise for my cynical tone, and this is your first correspondence from me, but I have lived there for 33 years, and this section of the councils most valuable asset has been ignored time and time again while other areas get millions of dollars spent on 'facilities'.

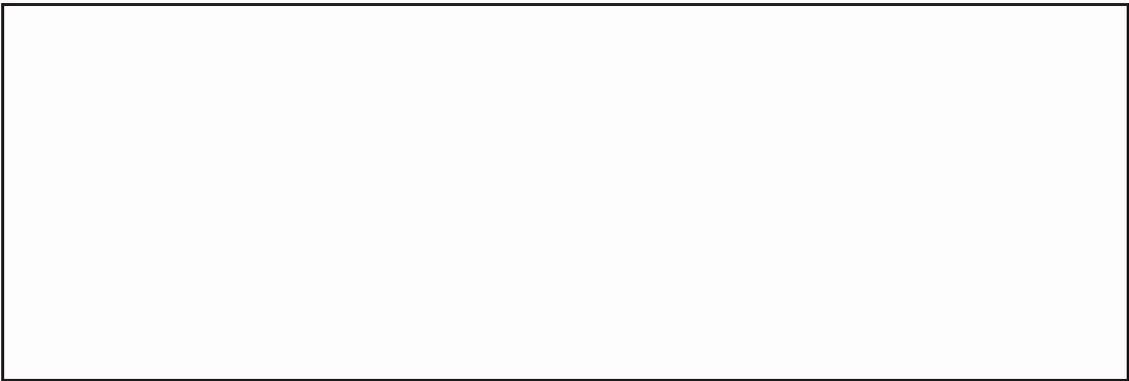
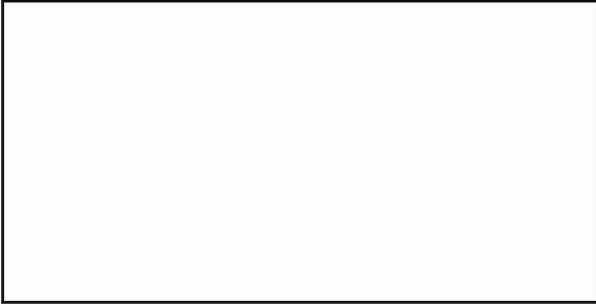
We have a new MP, who's platform for election was in part, saving this beach. Hopefully he has the ability to actually make something happen rather than procrastinate which has so far been the case.

regards

Bruce Abernethy

Direct Project Services Pty Ltd

E: bruce@directprojectservices.com.au



Go Green - Think before you print.

This initiative forms part of our environmental plan - Towards One Planet Living: Greening the Western Suburbs.

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Attachment M – Louise Newlands

From: [Tony Clisby](#)
To: [Tony Clisby](#)
Subject: Draft CLMP - West Beach- Coastal
Date: Tuesday, 10 April 2018 12:05:13 PM

DRAFT C L M Plan - West Beach - Coastal

SUBMISSION (phone)- 10/04/2018

From:

Louise Newlands 11 Military Road

Long term problem with feral cats in the rocks forming the existing sea wall.

Objective 3 in the Management Plan

3.To enhance, protect and manage the coastal dune system

“Feral cats destroy birds, lizards etc that frequent the dunes.

Birds spread seeds that results in new plant growth, enhancing the dunes and contributing to sand stabilisation.

Feral cats are not part of a ‘natural’ ecosystem.”

Regards

Tony Clisby 🍀

Property Services

66 East Avenue, Beverley SA 5009

T(08) 8408 1175

tclisby@charlessturt.sa.gov.au

COMMUNITY LAND MANAGEMENT PLAN - COASTAL RESERVE – WEST BEACH Item 6.90

APPENDIX D

Appendix D consists of 9 pages.



Community Land Management Plan

Coastal Reserve – West Beach

Reference Number:	1.1
Type:	Council
Responsible Officer(s):	Manager Open Space Recreation & Property
First Issued/Approved:	
Minutes Reference:	
Last Reviewed:	July 2018
Next Review Due:	July 2023
Applicable Legislation:	Local Government Act 1999

1. Name and address of property

Seaview Road, West Beach (Cottesloe Street to Chetwynd Street). [Refer to Appendix A for a map of the area to which this Management Plan applies \(the Land\).](#)

2. Ownership

The Crown

CR Vol.5753 Folio 885

CR Vol 6126 Folio 767 (Part – northern boundary of Plan is defined by the westerly projection of the northern boundary of Cottesloe Street).

3. Trust, Dedication or Restriction

The Land is dedicated for “Recreation and Parking Purposes” under the *Crown Land Management Act 2009*

4. Purpose for which the Land is held

~~The purpose for which the Land is held is (other than any part of the Land, where relevant, subject to licence/lease granted by the Council) to function as a ‘regional’ open space (as designated in the (according to the open space hierarchy established under the~~ Open Space Strategy 2025) ~~to which~~ attracts and benefits people from across and beyond the City of Charles Sturt. ~~In particular the Land to which this Management Plan applies is intended to and more particularly:~~

- provides access to and along the coast;
- ~~meets the provide~~ recreational ~~opportunities needs for of the public and~~ community;
- ~~provides implement and facilitate measures to promote the~~ protection of the coastal environment, ~~to the coast and associated public assets and infrastructure and private~~

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property adjoining the portion of Seaview Road along the length of the Land; and adjacent suburban development

- facilitate occupation of part of the Land by a surf lifesaving club for such permitted uses including ancillary uses as set out in a licence/lease granted by the Council
- facilitate occupation of part of the land by way of permit or the like to individuals, groups or businesses for recreational and business activities.

5. Objectives for the Mmanagement of the Land

1. To maintain and renew assets provide a convenient and including a controlled north-south shared-use path of a minimum 3 metres in width which is suitable for bicycles, wheelchairs, pedestrians and recreational use and pedestrians along and through the land as part of the State Government Coast Park Initiative in line with asset management service levels.
2. To provide and maintain convenient and controlled east west access to the beach and environs.
3. To enhance, protect and manage the coastal environment in collaboration with government agencies and dune system.
- ~~3.4.~~ To provide, protect and maintain assets and infrastructure located on the Land in collaboration with government agencies as appropriate or required.
- ~~4.5.~~ To provide passive recreation spaces, public facilities and car parking as appropriate.
6. To enable facilitate the provision of surf life saving operations, including, (but not necessarily limited to): storage; commercial activities; community activities; dining/liquor licencing; training and beach patrol.
- ~~5.7.~~ To facilitate the use of the Land in accordance with permission granted by the Council under the Local Government Act 1999.

6. Policies for the Mmanagement of the Land

The following policies, plans and strategies (as updated from time to time), relate to the Land to which this Management Plan applies:

City of Charles Sturt Community Plan and Corporate Plan

- The Community Plan 2016-2027 – Charles Sturt – A Leading, Liveable City, is the lead document in Council’s strategic planning framework. Five theme areas, developed through extensive community consultation, reflect the community’s aspirations and set down the broad direction and emphasis that Council will pursue over the next 20 years.
- The Corporate Plan is a four year strategy that details Council’s goals, objectives, strategies and performance indicators to deliver on Council’s Community Plan 2016-2017.

Environmental Sustainability Policy

- A policy that sets out Council’s guiding principles for moving towards environmental sustainability and in particular establishes the organisation’s environmental management plan ‘Living Green to 2020’.

Living Green to 2020

- A strategic plan that describes how Council will approach environmental issues for the coming years, in partnership with the community. The plan presents

strategies and actions under three key themes: our built environment, our natural environment and our people and communities.

Biodiversity Action Plan 2017-2030

- The City of Charles Sturt Biodiversity Action Plan 2017-2030 represents Council's first plan focussed on biodiversity. It has linkages with existing Council plans and strategies contributing to the City's biodiversity.

Open Space Strategy 2025

- The Open Space Strategy has been developed to assist the Council to strategically provide, develop and manage open space over the next 7 years.

City of Charles Sturt Transport Plan 2016-31

- This strategy is the overarching document for all of Council's transport strategies and is intended to reflect the community's vision for a safe, high capacity, easy to use and responsive transport system.

City of Charles Sturt Asset Management Plans

- A series of Asset Management Plans (AM Plans) have been established pursuant to Section 122 of the Local Government Act 1999 that relate to the management and development of infrastructure and major assets by the Council for a period of at least 10 years. A range of AM Plans are established by the City of Charles Sturt, relating to the assets situated on the land that this community land management plan applies (appendix A) .

Adapt West – Western Adelaide Region Climate Change Adaptation Plan 2016

- This document outlines a range of climate change adaptation options and activities to effectively manage the risks and effects, and ensure the resilience and sustainability of the Council region into the future.
- The document has been developed taking into consideration regional needs of three councils, and includes a collaborative approach including the City of Port Adelaide Enfield and the City of West Torrens ,

Adelaide Living Beaches – A Strategy for 2005 to 2025

- A State Government strategy for future beach management that maintains the principle of sand recycling, retaining sand on Adelaide's beaches and reducing the amount of sand carting required.

Coast Protection Board Policy Document 2016

- A State Government Policy that establishes four key objectives for coastal, estuarine and marine areas of South Australia relating to fair, orderly and ecological sustainable development, conservation of all life forms and ecosystems are maintained, promotion of shared responsibility and resource management and the promotion of knowledge and expertise for coastal resource management and planning.

—Vegetation Management Plan — Henley South and West Beach Dune Reserve (as updated from time to time)

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—Environmental Sustainability Policy

In addition the following Policies and Strategies (as updated from time to time) will be considered in the management of the land:

- Coast Park Concept Plan 2001
- Adelaide Living Beaches Strategy— A Strategy for 2005 to 2025
- Coast Protection Board Policy Document 2016
- Coastal Management Plan
- Open Space Strategy 2025
- Development Plan— Charles Sturt Council
- Use of Public Reserves for Commercial Fitness Activities
- City of Charles Sturt Transport Plan 2016-31
- Vegetation Management Plan
- Biodiversity Action Plan 2017-2030
- Living Green to 2020 (Environmental Plan 2014-2020)

7. Proposals for the Management of the Land

The following proposals relate to the land to which this Management Plan applies:
The Council's Proposals for Management of the Land encompass:

7.1 Provision, maintenance, renewal and upgrade of assets including (but not limited to):

- rock wall and coastal management infrastructure
 - shared use paths
 - lighting
 - car parking
 - drainage
 - buildings and structures
 - street and park furniture
 - signage
- ~~To establish and maintain facilities on the land to achieve the State Government's Coast Park Initiative including a shared use two-way path and related facilities for walkers, cyclists, wheelchairs and other suitable users running north-south parallel to the coast~~
 - ~~To support the Coast Protection Board Programs for management of the coast~~
 - ~~To maintain facilities associated with surf life saving activities and the operation of a surf life saving club under a lease or licence~~
 - ~~To maintain rock wall protection and associated infrastructure~~
 - ~~To provide and maintain controlled east-west public access to the coast (including across the dunes) in various locations.~~

7.2 Facilitation of programs and activities associated with:

- coastal management including sand management (including movement of sand);
- vegetation management and biodiversity improvement;
- surf lifesaving and the operation of a surf lifesaving club under a lease or licence granted by the Council; and

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- the use of the Land in accordance with permission granted by the Council under the *Local Government Act 1999*.
- ~~To provide and maintain facilities that contribute to the convenience and enjoyment of the public.~~
- ~~To support programs that encourage community involvement in dune care and revegetation.~~
- ~~Infrastructure may be installed by the State Government to facilitate pumping of sand to replenish stocks in other locations along the coast.~~
- ~~Council may issue a permit to allow an activity (including a business activity) of a 'short term' nature (up to 4 consecutive days).~~

8. Performance Targets and Measures

Objective	Performance Target	Performance Measure
<p><u>1. To maintain and renew assets including a controlled north-south shared-use path of a minimum 3 metres in width which is suitable for bicycles, wheelchairs, pedestrians and recreational use along and through the Land as part of the State Government Coast Park Initiative in line with asset management service levels</u></p> <p>1. Controlled north-south Shared Use Access Path for Cyclists; Pedestrians, Wheelchairs and suitable for emergency service and Council maintenance vehicles.</p>	<p>A fenced 3m wide (minimum) Shared-Use path is constructed and maintained to safely cater for shared use and maintained in line with Aust Road Standards and DDA requirements</p> <p><u>Construction of the path in line with Austroads Design Guidelines and relevant Australian Standards for Shared Use Paths</u></p>	<p><u>Inspections of the path during construction and at final completion.</u></p> <p><u>Review of reported incidents occurring along the path</u></p> <p><u>5-Yearly Asset Condition Assessments</u></p> <p><u>Quarterly Program Reporting</u></p> <p><u>Maintained in line CCS with Sweeping Service Levels for Coast Park Path</u></p>
<p><u>2. To provide and maintain convenient and controlled east west access to the beach and environs.</u></p> <p>2. Convenient and controlled access to beach and environs</p>	<p>Beach access-ways to be accessible at all times other than as required for repairs and maintenance</p> <p>Close Beach access-ways following storms within 24 hours (where required)</p>	<p><u>Beach access ways inspected on a seasonal basis:</u></p> <p><u>Summer – daily inspections of beach accessways</u></p> <p><u>Winter – two weekly inspections of beach accessways.</u></p> <p><u>(Variation may occur depending on the extent of the season, storm and or tidal events and other events which may require inspections to be</u></p>

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		<p><u>undertaken).</u></p> <p><u>Inspections undertaken in line with CCS Foreshore Maintenance Service Levels</u></p>
<p>3.1 <u>To enhance, protect and manage the coast and dune system</u></p>	<p><u>Provide a seawall running parallel and longitudinally to the coast to provide increased protection to landward assets and to provide greater amenity to the public. (designed in accordance with relevant standards and guidelines).</u></p>	<p><u>Design and construct a replacement seawall (subject to receiving other necessary approvals and availability of funding)</u></p> <p><u>Inspections undertaken in line with CCS Foreshore Maintenance Service Levels</u></p>
<p>3. <u>To enhance, protect and manage the coastal environment in collaboration with government agencies.</u></p> <p>3.2 <u>To enhance, protect and manage the coast and dune system</u></p>	<p><u>Install and maintain dune fencing to stabilise sand drift, reduce sand erosion and to promote sand build up and retention.</u></p> <p><u>Sand drift fencing installed in agreement with the Coastal Protection Branch of DEW</u></p> <p><u>Reduction in the proportion of weeds and an increase in the proportion of indigenous plants within the dune area.</u></p> <p><u>Dunes monitored in accordance with the Biodiversity Action Plan 2017-30.</u></p>	<p><u>Inspections undertaken on a seasonal basis:</u> <u>Summer – daily inspections of the foreshore</u> <u>Winter – two weekly inspections of the foreshore</u></p> <p><u>(Variation may occur depending on the extent of the season, storm and or tidal events and other events which may require inspections to be undertaken).</u></p> <p><u>Annual assessment of the vegetation cover within the dune area</u></p> <p><u>Inspections undertaken in line with CCS Foreshore Maintenance Service Levels</u></p>
<p>3.3 <u>To enhance, protect and manage the coast and dune system</u></p>	<p><u>Where dunes exist, remove weeds and revegetate the dunes with suitable indigenous provenance plants in line with the Vegetation Management Plan.</u></p> <p><u>Controlled access is in place (as per Objective 1 & 2)</u></p>	<p><u>Quarterly Program Reporting</u></p>
<p>4. <u>To provide, protect and maintain assets and infrastructure located on the Land in collaboration</u></p>	<p><u>Reconstruct the rock wall (subject to receiving necessary approvals, availability of funding and appropriate</u></p>	<p><u>Inspections of the rock wall during construction and at practical and final completion</u></p>

<p><u>with government agencies as appropriate or required.</u></p>	<p><u>environmental assessment) running parallel and longitudinally to the coast to provide increased protection to landward assets and to provide greater public amenity. The rock wall design life to be 50 years consistent with guidance in AS 4997-2005 and to provide for projected sea level rise over the life of the asset</u></p> <p><u>Maintain the rock wall running parallel and longitudinally to the coast to provide increased protection to landward assets and to provide greater amenity to the public</u></p>	<p><u>Inspections undertaken on a seasonal basis:</u> <u>Summer – daily inspections of beach accessways and rock wall</u> <u>Winter – two weekly inspections of beach accessways and rock wall.</u></p> <p><u>(Variation may occur depending on the extent of the season, storm and or tidal events and other events which may require inspections to be undertaken).</u></p>
<p><u>5. To provide recreation spaces, public facilities and car parking as appropriate</u></p> <p>4. Provide recreation spaces and associated public facilities (including car parking, public toilets and park/street furniture).</p>	<p>Recreation spaces and associated public facilities developed and maintained in accordance with Council’s Open Space Strategy.</p> <p>Asset are renewed <u>and maintained</u> in accordance with the Asset Management Plan</p> <p><u>Landscaped areas maintained in accordance with CCS Parks and Arboriculture Maintenance Schedule</u></p>	<p><u>Monitor Work Orders against programmed activities</u></p> <p>Inspection of playgrounds undertaken as per Australian Standards.</p> <p>Landscaped areas maintained in accordance with CCS Parks and Arboriculture Maintenance Standards and Australian Standards</p> <p><u>Quarterly Program Reporting</u></p>
<p>65. <u>To enable-facilitate</u> the provision of Surf Life Saving operations including (but not necessarily limited to):</p> <ul style="list-style-type: none"> - storage - commercial activities 	<p>Provide and maintain facilities and buildings suitable for the operations (including commercial dining facilitiesactivities) of the surf life-saving operation, subject</p>	<p>Ensure terms of leases/licences are adhered to through conducting <u>yearly annual</u> inspections and/or assessments.</p>

<ul style="list-style-type: none"> - community activities - dining/liquor licence - training and beach patrols 	<p>to the terms of any relevant lease or licence.</p>	<p>5 Yearly Asset Condition Assessment<u>Assessment in accordance with terms of lease / licence to ensure property is maintained to a quality standard.</u></p>
<p><u>7. To facilitate the use of the Land in accordance with permission granted by the Council under the Local Government Act 1999</u></p>	<p><u>Activities undertaken in accordance with permission granted by the Council under the Local Government Act 1999.</u></p>	<p><u>Undertake pre and post inspections for activities where permission is granted by the Council under the Local Government Act 1999</u></p>

The target is the goal or standard to be aimed for or reached; whereas the measure is how the Council proposes to determine whether the target/objective has been reached.

Notes:

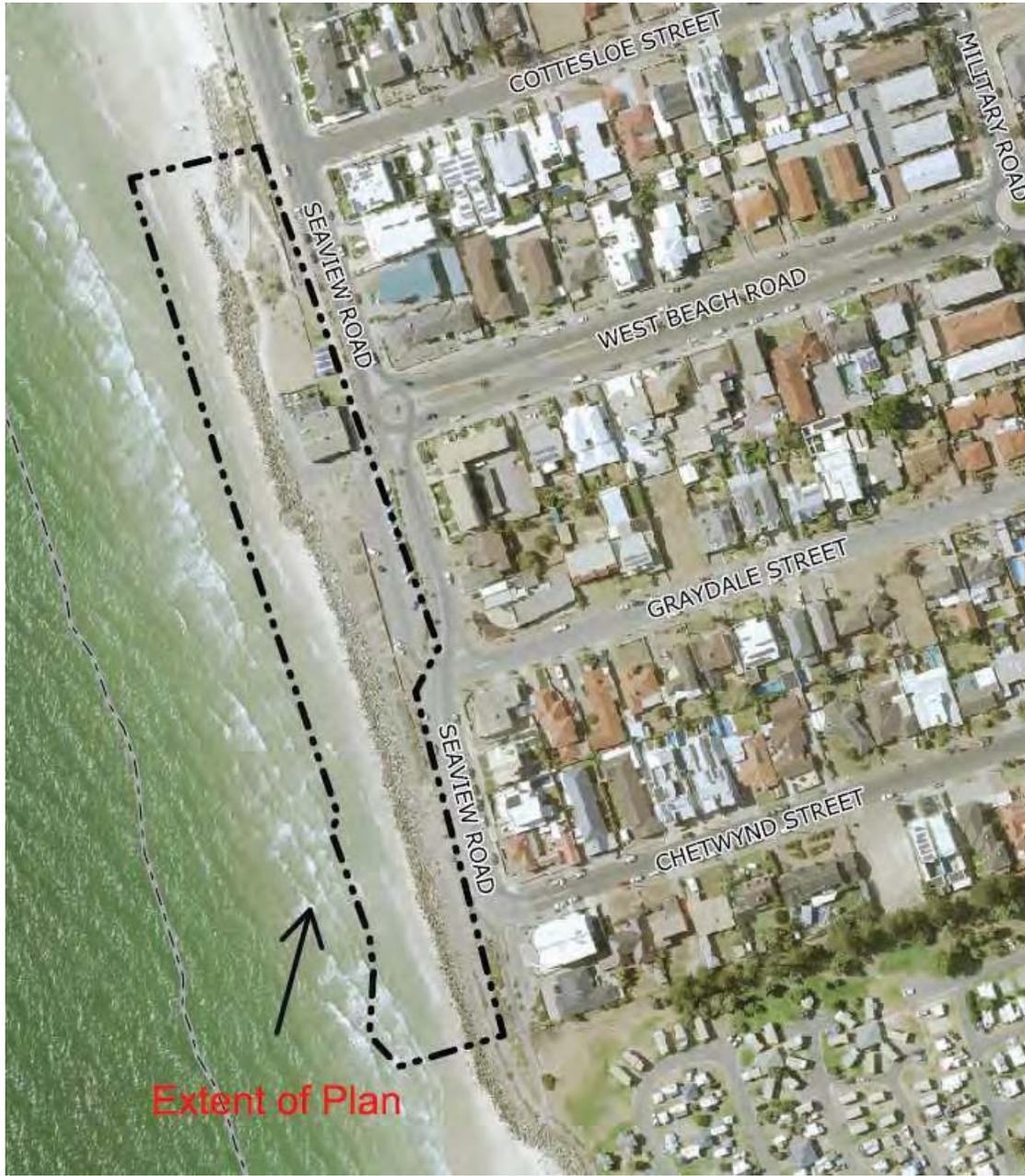
The target is the goal or standard to be aimed for; whereas the measure is how the Council proposes to determine whether the target/objective has been reached.

The sequence of dot points and numbering of purposes, objectives, policies, proposals and performance targets and measures listed within this plan do not infer a hierarchy or order of priority.

~~Other than where indicated above the sequence of objectives; proposals; policies within this plan does not infer a hierarchy or order of priority.~~

~~5/04/2018 TC~~

APPENDIX A – Land to which this Community Land Management Plan applies



COMMUNITY LAND MANAGEMENT PLAN - COASTAL RESERVE – WEST BEACH Item 6.90

APPENDIX E

Appendix E consists of 8 pages.



Community Land Management Plan

Coastal Reserve – West Beach

Reference Number:	1.1
Type:	Council
Responsible Officer(s):	Manager Open Space Recreation & Property
First Issued/Approved:	July 2018
Minutes Reference:	CL 10/09/18, Item xxx
Last Reviewed:	July 2018
Next Review Due:	July 2023
Applicable Legislation:	Local Government Act 1999

1. Name and Address of Property

Seaview Road, West Beach (Cottesloe Street to Chetwynd Street). Refer to Appendix A for a map of the area to which this Management Plan applies (the Land).

2. Ownership

The Crown
CR Vol.5753 Folio 885
CR Vol 6126 Folio 767 (Part – northern boundary of Plan is defined by the westerly projection of the northern boundary of Cottesloe Street).

3. Trust, Dedication or Restriction

The Land is dedicated for “Recreation and Parking Purposes” under the *Crown Land Management Act 2009*.

4. Purpose for which the Land is held

The purpose for which the Land is held is (other than any part of the Land, where relevant, subject to licence/lease granted by the Council) to function as a ‘regional’ open space (as designated in the Open Space Strategy 2025) to attract and benefit people from across and beyond the City of Charles Sturt. In particular the Land to which this Management Plan applies is intended to

- provide access to and along the coast;
- provide recreational opportunities for the community;
- implement and facilitate measures to promote the protection of the coastal environment, associated public assets and infrastructure and private property adjoining the portion of Seaview Road along the length of the Land;
- facilitate occupation of part of the Land by a surf lifesaving club for such permitted uses including ancillary uses as set out in a licence/lease granted by the Council; and

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- facilitate occupation of part of the land by way of permit or the like to individuals, groups or businesses for recreational and business activities.

5. Objectives for the Management of the Land

1. To maintain and renew assets including a controlled north-south shared-use path of a minimum 3 metres in width which is suitable for bicycles, wheelchairs, pedestrians and recreational use along and through the land as part of the State Government's Coast Park Initiative in line with asset management service levels.
2. To provide and maintain convenient and controlled east west access to the beach and environs.
3. To enhance, protect and manage the coastal environment in collaboration with government agencies.
4. To provide, protect and maintain assets and infrastructure located on the Land in collaboration with government agencies as appropriate or required.
5. To provide recreation spaces, public facilities and car parking as appropriate.
6. To facilitate the provision of surf life saving operations, including, (but not necessarily limited to): storage; commercial activities; community activities; dining/liquor licencing; training and beach patrol.
7. To facilitate the use of the Land in accordance with permission granted by the Council under the *Local Government Act 1999*.

6. Policies for the Management of the Land

The following policies, plans and strategies (as updated from time to time), relate to the Land to which this Management Plan applies:

City of Charles Sturt Community Plan and Corporate Plan

- The Community Plan 2016-2027 – Charles Sturt – A Leading, Liveable City, is the lead document in Council's strategic planning framework. Five theme areas, developed through extensive community consultation, reflect the community's aspirations and set down the broad direction and emphasis that Council will pursue over the next 20 years.
- The Corporate Plan is a four year strategy that details Council's goals, objectives, strategies and performance indicators to deliver on Council's Community Plan 2016-2017.

Environmental Sustainability Policy

- A policy that sets out Council's guiding principles for moving towards environmental sustainability and in particular establishes the organisation's environmental management plan 'Living Green to 2020'.

Living Green to 2020

- A strategic plan that describes how Council will approach environmental issues for the coming years, in partnership with the community. The plan presents strategies and actions under three key themes: our built environment, our natural environment and our people and communities.

Biodiversity Action Plan 2017-2030

- The City of Charles Sturt Biodiversity Action Plan 2017-2030 represents Council's first plan focussed on biodiversity. It has linkages with existing Council plans and strategies contributing to the City's biodiversity.

Open Space Strategy 2025

- The Open Space Strategy has been developed to assist the Council to strategically provide, develop and manage open space over the next 7 years.

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City of Charles Sturt Transport Plan 2016-31

- This strategy is the overarching document for all of Council's transport strategies and is intended to reflect the community's vision for a safe, high capacity, easy to use and responsive transport system.

City of Charles Sturt Asset Management Plans

- A series of Asset Management Plans (AM Plans) have been established pursuant to Section 122 of the Local Government Act 1999 that relate to the management and development of infrastructure and major assets by the Council for a period of at least 10 years. A range of AM Plans are established by the City of Charles Sturt, relating to the assets situated on the land that this community land management plan applies (Appendix A).

Adapt West – Western Adelaide Region Climate Change Adaptation Plan 2016

- This document outlines a range of climate change adaptation options and activities to effectively manage the risks and effects, and ensure the resilience and sustainability of the Council region into the future.
- The document has been developed taking into consideration regional needs of three councils, and includes a collaborative approach including the City of Port Adelaide Enfield and the City of West Torrens .,

Adelaide Living Beaches – A Strategy for 2005 to 2025

- A State Government strategy for future beach management that maintains the principle of sand recycling, retaining sand on Adelaide's beaches and reducing the amount of sand carting required.

Coast Protection Board Policy Document 2016

- A State Government Policy that establishes four key objectives for coastal, estuarine and marine areas of South Australia relating to fair, orderly and ecological sustainable development, conservation of all life forms and ecosystems are maintained, promotion of shared responsibility and resource management and the promotion of knowledge and expertise for coastal resource management and planning.

7. Proposals for the Management of the Land

The Council’s Proposals for Management of the Land encompass:

7.1 Provision, maintenance, renewal and upgrade of assets including (but not limited to):

- rock wall and coastal management infrastructure;
- shared use paths;
- lighting;
- car parking;
- drainage;
- buildings and structures;
- street and park furniture; and
- signage.

7.2 Facilitation of programs and activities associated with:

- coastal management including sand management (including movement of sand);
- vegetation management and biodiversity improvement;
- surf lifesaving and the operation of a surf lifesaving club under a lease or licence granted by the Council; and
- the use of the Land in accordance with permission granted by the Council under the *Local Government Act 1999*.

8. Performance Targets and Measures

Objective	Performance Target	Performance Measure
1. To maintain and renew assets including a controlled north-south shared-use path of a minimum 3 metres in width which is suitable for bicycles, wheelchairs, pedestrians and recreational use along and through the Land as part of the State Government Coast Park Initiative in line with asset management service levels.	A fenced 3m wide (minimum) path is constructed and maintained to safely cater for shared use. Construction of the path in line with Austroads Design Guidelines and relevant Australian Standards for Shared Use Path.	Inspections of the path during construction and at final completion <u>to ensure compliance with Austroads Design Guidelines; relevant Australian Standards for Shared Use Paths and Approved Detailed Designs.</u> Review of reported incidents occurring along the path.
2. To provide and maintain convenient and controlled east west access to the beach and environs.	Beach access-ways to be accessible at all times other than as required for repairs and maintenance	Beach access ways inspected <u>for damage, repairs and maintenance</u> on a seasonal basis: Summer – daily inspections of beach accessways. Winter – two weekly inspections of beach accessways. <u>Repairs and maintenance undertaken as required to maintain east west access.</u>

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		(Variation may occur depending on the extent of the season, storm and or tidal events and other events which may require inspections to be undertaken).
3. To enhance, protect and manage the coastal environment in collaboration with government agencies.	<p>Install dune fencing to stabilise sand drift, reduce sand erosion and to promote sand build up and retention.</p> <p>Sand drift fencing installed in agreement with the Coastal Protection Branch of DEW.</p> <p>Reduction in the proportion of weeds and an increase in the proportion of indigenous plants within the dune area.</p> <p>Dunes monitored in accordance with the Biodiversity Action Plan 2017-30.</p>	<p>Inspections undertaken for damage, repairs or debris on a seasonal basis: Summer – daily inspections of the foreshore. Winter – two weekly inspections of the foreshore.</p> <p>(Variation may occur depending on the extent of the season, storm and or tidal events and other events which may require inspections to be undertaken).</p> <p>Reports provided to Coast Protection Branch advising where damage has occurred as required.</p> <p>Annual assessment and comparisons of the vegetation cover within the dune area to monitor improvements and identify opportunities for biodiversity enhancement.</p>
4. To provide, protect and maintain assets and infrastructure located on the Land in collaboration with government agencies as appropriate or required.	<p>Reconstruct the rock wall (in accordance with subject to receiving necessary approvals, availability of funding and appropriate in consideration of AS4997-2005 environmental assessment/s) running parallel and longitudinally to the coast to provide increased protection to landward assets and to provide greater public amenity. The rock wall design life to be 50 years consistent with guidance in AS 4997-2005 and to provide for projected sea level rise over the life of the asset.</p>	<p>Inspections of the rock wall during construction and at practical and final completion to ensure compliance with AS 4997-2005 and relevant approvals.</p>

	Maintain the rock wall running parallel and longitudinally to the coast to provide increased protection to landward assets and to provide greater amenity to the public.	<p>Inspections undertaken on a seasonal basis for damage, repairs and maintenance :</p> <p>Summer – daily inspections of beach accessways and rock wall</p> <p>Winter – two weekly inspections of beach accessways and rock wall.</p> <p>(Variation may occur depending on the extent of the season, storm and or tidal events and other events which may require inspections to be undertaken).</p> <p>Repairs or maintenance undertaken as required or in line with Asset Management Plans.</p>
5. To provide recreation spaces, public facilities and car parking as appropriate	<p>Recreation spaces and associated public facilities developed in accordance with Council's Open Space Strategy.</p> <p>Assets are renewed and maintained in accordance with the Asset Management Plan.</p> <p>Landscaped areas maintained in accordance with CCS Parks and Arboriculture Maintenance Schedule.</p>	Monitor Work Orders against programmed activities.
6. To facilitate the provision of Surf Life Saving operations including (but not necessarily limited to) <ul style="list-style-type: none"> - storage - commercial activities - community activities - dining/liquor licence - training and beach patrols 	Provide and maintain facilities and buildings suitable for the operations (including commercial dining activities) of the surf life-saving operation, subject to the terms of any relevant lease or licence.	<p>Ensure terms of leases/licences are adhered to through conducting annual inspections and/or assessments.</p> <p>5 Yearly Asset Condition Assessment in accordance with terms of lease / licence to ensure property is maintained to a quality standard.</p>
7. To facilitate the use of the Land in accordance with permission granted by the Council under the <i>Local Government Act 1999</i>	Activities undertaken in accordance with permission granted by the Council under the <i>Local Government Act 1999</i> .	Undertake pre and post inspections for activities where permission is granted by the Council under the <i>Local Government Act 1999</i> .

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Notes:

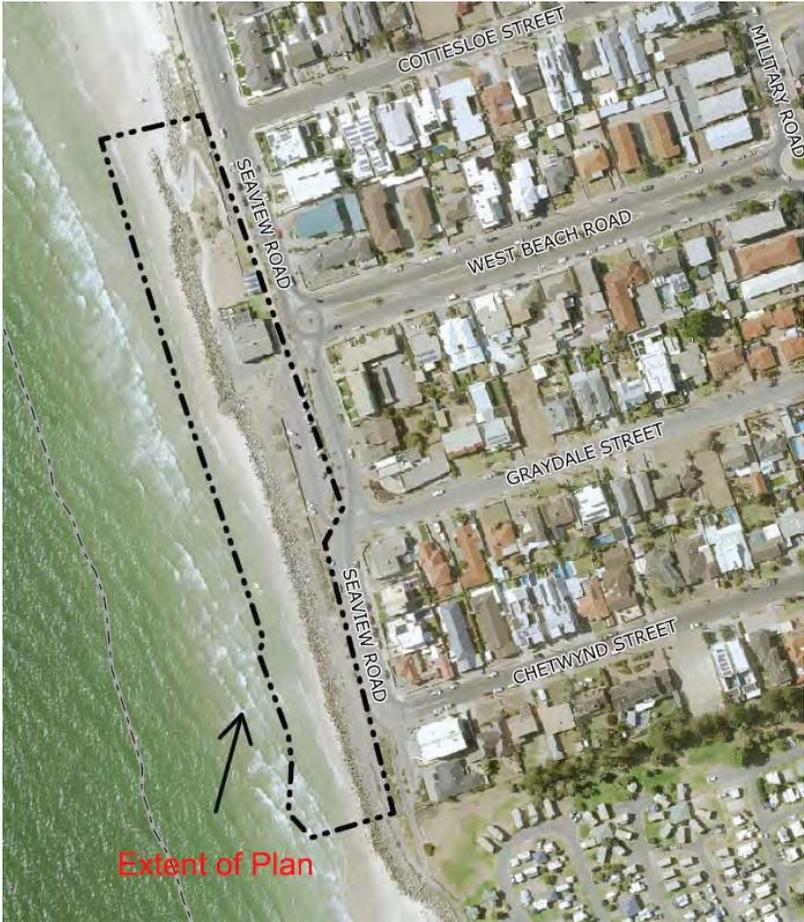
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The target is the goal or standard to be aimed for; whereas the measure is how the Council proposes to determine whether the target/objective has been reached.

The sequence of dot points and numbering of purposes, objectives, policies, proposals and performance targets and measures listed within this plan do not infer a hierarchy or order of priority.

APPENDIX A – Land to which this Community Land Management Plan applies



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