

CRESCENT HEAD FORESHORE COMMUNITY ADVISORY GROUP

**TERMS OF
REFERENCE
AND EOI**

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1. Summary

The Crescent Head foreshore is an iconic space and the social backbone of the Crescent Head village. The foreshore has cultural heritage significance for the Thunggutti/Dunghutti Nation as well as high ecological values.

The foreshore is a major draw card for locals and visitors alike. The foreshore is an active community space that acts as a promenade for Crescent Head similar to the role that main streets typically provide in towns and villages. Crescent Head is recognised as one of Australia’s best surf breaks, having achieved National Surfing Reserve status.

As identified in the Public Domain Plan [PDP], adopted in October 2020, the “challenge facing Crescent Head is keeping the place and its future familiar in ways that we like and ways that are sustainable. The place needs to be safeguarded for the future in ways that maintain nostalgia and cultural legacy”.

The foreshore design upgrades developed in the PDP were met with differing views amongst the community. As outlined in the Crescent Head Public Domain Plan [Foreshore] Review of Scope Project (Dec 2021) some segments of the community would value increased green space and public facilities to enjoy the foreshore area while other segments of the community value the availability of car spaces facing the ocean for parking, viewing the ocean and gathering purposes.

Due to the divided feedback, final decisions relating to this area were deferred to allow for further community engagement and design work, focusing on a narrow geographical footprint to ensure the community can provide more input into a design solution that best meets the needs for all locals and visitors to the area, now and into the future”.



Figure 1 Crescent Head foreshore & surrounds



2. Purpose

2.1. Overview

In 2017 Kempsey Shire Council [Council] prepared a Masterplan for Crescent Head. Through a series of community workshops the plan set out the framework for future planning across the village which included the creation of eleven *Community Priorities* and a list of priority projects.

One of those priority projects was the Crescent Head Public Domain Plan [PDP]. During 2019 and 2020 the PDP was developed and included concept designs for the foreshore, as well as a range of other spaces across Crescent Head village. Following public exhibition of the PDP it was endorsed by Council at the October 2020 Council meeting. This included the in principal adoption of foreshore carparking option A as the preferred option. Option A is shown below.

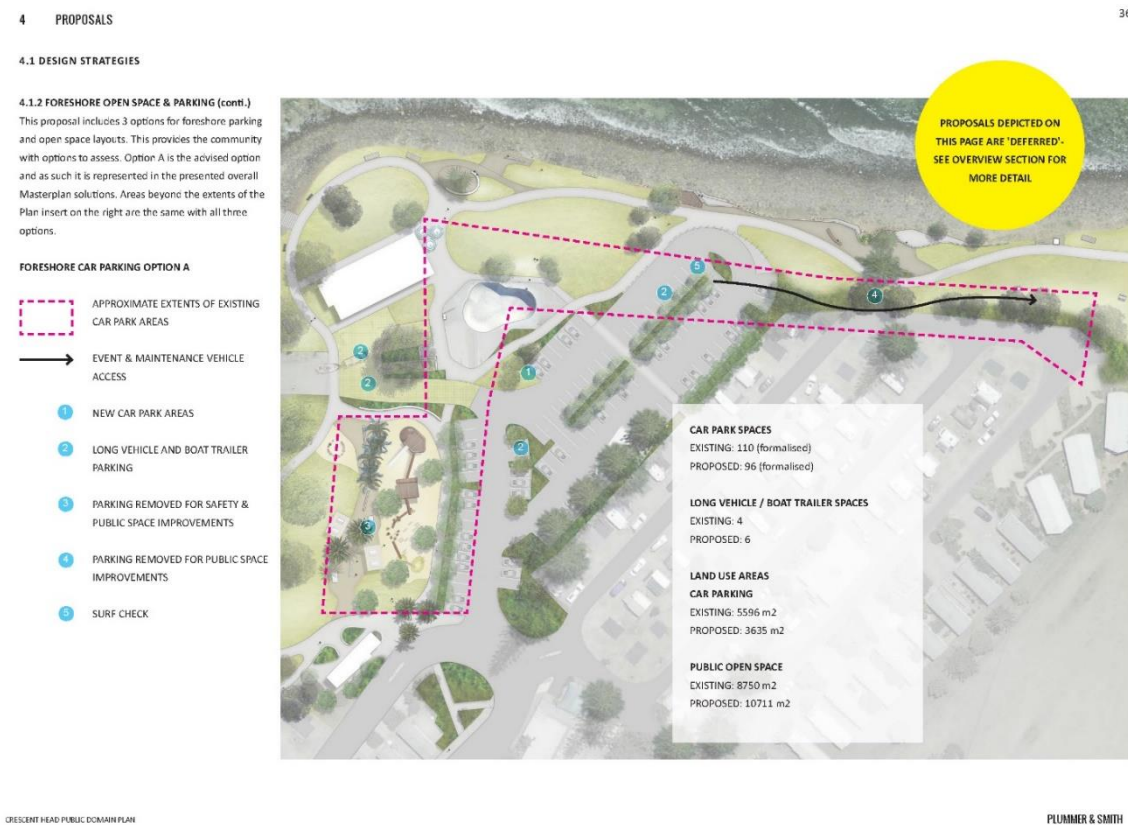


Figure 2 Crescent Head foreshore – Public Domain Plan 2020

However, following exhibition of the future development plans for the Crescent Head Holiday Park in April 2021, members of the community raised the prospect of revisiting the foreshore carparking designs adopted in the PDP 6 months prior.

At the May 2021 Council Meeting a petition from “Save the Crescent Head Point Carpark” containing 8,243 signatures, including 7,020 online signatures, was noted by Council and followed by a Notice of Motion from Cr Mark Baxter requesting further community engagement to occur in relation to the design



of the foreshore open space and parking components. Council resolved (2021.77) that Council staff should seek to further refine the concept plans and report to a future Council meeting.

At the July 2021 Council meeting the Foreshore Car parking area was again discussed, with Council resolving to:

1. acknowledge the significant community consultation to date.
2. report back to August 2021 ordinary Council meeting to present the engagement scope and how it will be delivered, how will the work be funded and impacts to the Operational Plan 2021/2022.
3. bring a further report back to Council in approximately 24 months with more options balancing the need for car parks on the foreshore and the need for green space, the playground design, a skate park design and location in an overall concept design that recognises the various cultures of Crescent Head, developed through a community advisory group including members of the most relevant groups (Dunghutti, ratepayers, surfing community, community groups, business owners, tourism and others) and continue to keep the community engaged throughout this process.

As per resolution 2 from July 2021, a further report was presented to Council in August 2021, outlining the engagement process on the Public Domain Plan.

A further review was completed titled "Crescent Head Foreshore Review of Project Scope Report". A subsequent report was presented to Council in March 2022, which further outlined the geographical footprint of the Crescent Head Public Domain Plan due to confusion around boundaries. This has been an ongoing discussion item over the years.

Subsequently, in September 2023 a report was presented to Council that looked at the timing of all items interacting within the Crescent Head reserve area. These included, but are not limited to, the draft "Council Managed Crown Land Plan of Management", Crescent Head Country Clubs request for a new lease, the Crescent Head Foreshore Revitalisation project, the proposed Community Advisory Group, and the existing projects underway for remediation of the reserve adjacent to the Surf Club and the grant funded Lloyd Park project.

Council subsequently resolved (2023.169) at the September 2023 Ordinary meeting:

That Council:

1. notes that the draft Council Managed Crown Land Plan of Management is awaiting ministers consent;
2. notes that when the draft Council Managed Crown Land Plan of Management has ministers consent, it will be placed on public exhibition;
3. exhibits the draft Council Managed Crown Land Plan of Management for a period of 42 days to give the community suitable time for review and submission;
4. undertakes community engagement expeditiously regarding leases proposed for renewal within the draft Council Managed Crown land Plan of Management for Crescent Head Crown Land (as per section 47 Local Government Act 1993) when required;
5. notes the Crescent Head foreshore revitalisation project will be placed on hold until the draft Council Managed Crown Land Plan of Management is finalised and adopted inclusive of leases proposed for renewal in Crescent Head (noting previous Council Resolution 2021.122 part 3);
6. notes that revisions to, and implementation of, the Crescent Head Holiday Park Concept Plan will proceed independently of the matters considered in this report as resolved by August and September 2023 Council meetings; and
7. acknowledges that the proposed Community Advisory Group previously endorsed for the Crescent Head foreshore revitalisation project, have expanded terms of reference and scope to include areas proposed for leases on Crown reserve in Crescent Head.



It was pertinent to defer finalising the foreshore revitalisation project until community engagement occurred on the reserve.

Community engagement has since occurred on the Crown reserve 63725 regarding the Crescent Head Country Club lease request which included over 1300 submissions. Of the 1300 submissions over 1200 included support for the maintained usage of the Golf Course, Tennis Court and Clubhouse indicating there is general community consensus regarding existing land use.

The creation of the Community Advisory Group is seen as a vital part of developing a solution for the future of the foreshore that addresses the disparate views held within the Crescent Head community. Finding a position of compromise on all sides, that sees the development of a concept design that recognises the various cultures of Crescent Head is the final goal of the Community Advisory Group.

2.2. Role and Function

The role of the Advisory Group is to:

- Provide representatives of the community with a forum to discuss the future of the foreshore with Council.
- Provide the community with a forum to discuss, workshop and develop options for the future use of the foreshore that can be provided to Council that represents the views of the broader Kempsey Shire community.
- Create a process for collaborative design with local people and those from the broader Local Government area to provide local knowledge and information to inform the decisions made about Crescent Head foreshore.
- Create better visibility of the project within the local community and throughout the Local Government area and provide feedback to Council and the community more broadly.
- Ensure the broader community has up-to-date and accurate information about the progress of the project.
- Identify risks and concerns regarding the project and seek to provide clarity and resolve them where possible.

The role of the Advisory Group is not to:

- Discuss other matters within Crescent Head not pertaining to the Foreshore Project Study Area.



3. Structure

3.1. Schedule & Structure

Tenure:

Membership of the Community Advisory Group will be for a minimum six-month period with any extensions to be negotiated prior to conclusion.

Meeting Frequency:

A minimum of three meetings (approximately 2-3 hours in length) are proposed.

Agenda:

Agenda items will be agreed by the group as part of the first meeting.

Governance:

- Meeting Agenda and any relevant documents will be distributed to Advisory Group members prior to each meeting to allow adequate preparation time.
- Members can request additional agenda items be added to the agenda prior to or at the beginning of each meeting, if the Chairperson agrees they fit within the boundaries of the ToR and the project.
- Meeting actions and minutes will be circulated to Advisory Group members via email within 14 days of each meeting for review and then reported to Council. Minutes will also be published on Council's website. Individual Advisory Group members are responsible for reporting progress and minutes to their respective organisations and networks (if applicable)

Chairperson: Kempsey Shire Council Director Operations & Planning or their delegate, which may include an independent facilitator.

Additional Information

- Light refreshments will be provided.
- Additional meetings may be scheduled when required.
- Meeting actions to be circulated to members via email within 14 days of each Advisory Group meeting for review.

3.2. Proposed Discussion Objectives and Agenda Items

As a guide the following meeting schedule has been established but may evolve through the project life.

Meeting 1 – Introductions and Expectations

1. Introductions, clarification on role of Advisory Group and project background.
2. Review and consider community position by breaking the site into 'building blocks' such as:
 - Parking numbers



- Parking locations
- Skate Park location/type
- Key connections - pedestrian/cycle
- Pedestrian safety/priority
- Green space
- Playground and other activities
- Boundary Interface

Meeting 2 – Appetite for change?

1. Engaged design consultant to prepare and present four to six options to test 'block' planning of the site based on Meeting 1 discussion.
2. Workshop the pros and cons of each option.

Meeting 3 – Preferred Options?

1. Engaged design consultant to prepare and present preferred options for whole of site design, based on agreements reached in Meeting 2.
2. Workshop and agree on presenting a preferred option(s) on public exhibition, summarising pros and cons.
3. Outline next steps for the project including exhibition and adoption of a site design and possible future opportunities for Advisory Group involvement.
4. Review Advisory Group process and member feedback.

3.3. Representatives

Advisory Group includes a **maximum to 15 people** and membership is on a voluntary basis and may include representatives from the following groups:

- Local Land Council representatives
- Residents from Crescent Head and the broader Local Government Area.
- Community Group representatives
- Key interest groups
- Local businesses
- Director of Operations and Planning or Delegate
- Project/Design team.

Note: The Chairperson of the Community Advisory Group will be the Director Operations & Planning (or their delegate).



The final decision on the project lies with the elected Council. This is to ensure that the work of the Advisory Group is independent from the decision-making body and mitigate the risk of Conflict of Interest.

3.4. Participation Guidelines

All participants will:

- Prepare for meetings as required, including reviewing any information provided prior to the meeting. All information will be issued minimum five [5] days prior to each meeting.
- Attend and contribute respectfully to all Advisory Group meetings and participate with a spirit of collaboration and partnership, acknowledging the contribution of others.
- Not bring any unauthorised persons to any meeting without the prior written consent of the Chairperson
- Be fair and actively participate with a genuine interest in the initiatives and outcomes of the group.
- Represent the respective organisation, committee, association, group or business they represent.
- Provide a conduit for information exchange between the Advisory Group and the organisation, committee, association, group or business they represent.
- If a member is going to be absent, arrange a suitable substitute with the written agreement of the Chairperson in advance.
- Declare any potential for conflict of interest and stand aside when a conflict of interest exists or is perceived to exist.
- Act as a member of the Advisory Group in line with the values of Respect, Collaboration, Integrity, and Open Communication.

3.5. Discussion Guidelines

All participants will:

- Listen with respect to all views so everyone has the opportunity to be heard.
- Share discussion time to allow everyone the chance to contribute.
- Endeavour to reflect and act as a conduit for wider community views and local knowledge.

3.6. Eligibility Criteria

Advisory Group members must meet at least one of the following criteria:

- Be a resident or own a property within Kempsey Local Government Area.
- Own or work at a business located within Crescent Head/Kempsey Local Government Area.



- Participate or volunteer with a community group that has a specific interest in Crescent Head.

Participation in the Advisory Group is voluntary. Members will not be remunerated for their time, or any travel expenses incurred to attend meetings.

Members will be chosen via an Expression of Interest in accordance with 3.6 Selection Criteria and Evaluation.

3.7. Selection Criteria and Evaluation

To promote principles of fairness and ensure equal opportunities, members will undergo evaluation and selection. The 250-word submission which forms part of the Expression of Interest (EoI) will be used to assess based upon the following criteria.

- Relevant Experience:
 - How well the submission demonstrates experience in the foreshore and solving similar matters of the same nature.
- Representation (demographic, community group or network):
 - How well the submission demonstrates that they represent a broader demographic or community group with aligned views and will act as a representative.
- Commitment to Participation:
 - How well the submission demonstrates that they have a commitment to participating and coming to a collective best compromising outcome.
- Community and Council values:
 - How well the submission demonstrates their commitment to the community values endorsed by Council of Respect, Collaboration, Integrity, and Communication.

The responses will be evaluated and presented to Council for endorsement noting requirements regarding 3.5 Eligibility Criteria.



4. Operation

4.1. Key Information

- Membership is for a 6-month period, upon which the operation of the group will be reviewed.
- Council is responsible for organising the meeting schedule, agendas, and other support activities.
- Council will record meeting minutes.
- Meeting minutes will be distributed by Council within 14 days after the meeting has occurred.
- Issues that arise during Advisory Group meetings that fall outside the Terms of Reference will be referred to the Council Project PCG to be referred to the appropriate area responsible within Council.
- A Code of Conduct will be signed by all representatives and any proxies that attend Advisory Group meetings.

4.2. Media Enquiries

Advisory Group Representatives are not authorised to speak with the media on behalf of the Advisory Group in relation to the project.

The membership of representatives who speak to the media without written approval will be immediately reviewed.

It is noted however that members of the Community Advisory Group, may represent community groups within the area. The role of individuals on the Community Advisory Group does not restrict members rights to speak to the media on behalf of their specific community or interest group.

4.3. Membership Revocation

Following consultation between Council and the Chairperson, Council may at their discretion and at any time – revoke the membership of a representative if it is deemed, they are:

- Failing to act in a manner that fulfils the Advisory Group 's Terms of Reference
- Not supporting the Advisory Group 's purpose, goals or operational requirements
- Failing to disclose a conflict of interest.

Formal notification from Council will be provided if this occurs to the member affected, with the Council considering a suitable replacement based on the prior Expression of Interest process.



5. EOI Application Form

Organisation representing (if applicable)	
Title	
Given name	
Surname	
Address	
Contact number	
Email	
Outline in 250 words or less why you are interested in joining this Advisory group including any experience you feel may be relevant	

- Tick this box to indicate you are aware of the time and frequency of meetings for the Advisory Group.
- Tick this box to indicate you agree to abide by the Terms of Reference for the Advisory Group.

Applicant's signature.....Date:

