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30 October 2022

Hornsby Shire Council  
PO Box 37  
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By email: [pruddock@hornsby.nsw.gov.au](mailto:pruddock@hornsby.nsw.gov.au)

Dear Mayor and Councillors,

**Re: draft Brooklyn Car Parking Management Plan**

I refer you to the previous two submissions on the above matter made by the Brooklyn Mooring Cooperative Ltd (BMC), and attached for your convenience. I also commend to you the submission put by the Dangar Island League and other river communities in response to the draft Brooklyn Car Parking Management Plan. The BMC has participated in the formulation of that response and in the genuinely collaborative community effort over the eight week consultation period to prepare it. The BMC is **supportive of all the elements of the combined submission.**

As outlined previously, the BMC is a member funded and managed cooperative facility that provides mooring facilities for commuter boats and has done now for 40 years. Members must be owners or occupiers of **river access only** properties on the Hawkesbury River. The BMC provides **affordable 24 hour access** to 135 people and families in living in river settlements. Most of our members are from Dangar Island and Little Wobby Beach, although the BMC also services the smaller communities of Cogra Bay, Bar Point and Milsons Passage. Without the BMC, members would be reliant on the public ferry, which operates during the daytime only and services only Dangar and Wobby, or would need to lease a berth at a commercial marina, paying some ten times the annual fees charged by the BMC. Apart from the Hawkesbury River Marina in Brooklyn town centre, all other marinas are in 'the gut', west of the railway line and about 20 minutes from central Brooklyn, Dangar island and Little Wobby beach by boat.

Unlike other marinas, members can only leave their boats at the BMC for up to 3 days at a time. There are no dedicated berths. Our 135 members randomly access 78 berths. This 'hot berthing' approach was introduced about 25 years ago and was strongly encouraged by Council at the time to maximise the community benefit of the facility. It recognises, and indeed depends on, the fact that not all members come to Brooklyn every day. Many

are retirees, professionals working from home at least part time, and others are full time carers of children or the elderly. And all of us like to spend our weekends and holidays at home on this beautiful river of ours. Ironically, if all our members had to come to Brooklyn daily to comply with the timed parking proposed in the draft plan, the very system of hot berthing at the BMC so encouraged by Council would simply fail.

I'd also like to bring to Councillors' attention the issue of our **development consent**. The BMC's first 'temporary' development consent was granted back in 1982. We continued to renew our DA from then until February 2008 when we were finally granted continuing development consent for the facility as it current is. This final consent was dependent on 'final determination of the planning for McKell Park' after Council resolved in 2005 'that no further action would be taken in respect of the reclamation proposal for Brooklyn and that DA 1447/2004 be withdrawn'.

The *Environmental Planning and Assessment Regulation* in force at the time of consent (and indeed for many years prior) specified as 'designated development' *marinas or other related land or water shoreline facilities that moor, park or store vessels (excluding rowing boats, dinghies or other small craft) at fixed or floating berths, at freestanding moorings, alongside jetties or pontoons, within dry storage stacks or on cradles on hardstand areas:...*

- b. *that have an intended capacity of 30 or more vessels of any length and ... (iii) the ratio of car park spaces to vessels is less than 0.5:1, or ...*

The BMC has a capacity of up to 78 vessels. At no time during any of the development application processes did Council require the BMC, as the proponents, to provide 39 parking space for its capacity of 78 moorings (a ratio of 0.5:1). As the facility has more than 30 berths it can only be assumed that Council was of the view that car park spaces adjacent to the BMC in Lower McKell Park satisfied the Regulation's requirements. For Council to now seek to undermine the assumptions embedded in the consent in our view undermines the security of the continuing development consent that the EP&A Act and its regulation is intended to provide.

I'd also like to remind Councillors of the BMC's **diverse membership**. Again, when granting its various consents over the years, Council understood that the primary activity of BMC is *the provision of mooring facilities for permanent and occasional residents of locations on the Hawkesbury River which are accessible only by boat, to provide access to and from Brooklyn* (Article 18 of the BMC Constitution). As Council is aware, our members are not confined to residents of Hornsby Shire Council. Analysis of our 135 members shows that about 65% are from Hornsby Shire (Dangar Island and Milsons Passage), with the remainder being residents of Central Coast Council – specifically from Little Wobby Beach, Cogra Bay and Bar Point. The BMC is very keen to ensure that any parking solution for Brooklyn recognise this fact and does not discriminate against non-HSC residents for whom the Council approved BMC provides.

I implore Councillors to please read our previous submissions that focus on the implications for our members of the draft car parking management plan. In short, our key concern is that of safety and accessibility. Despite what may have been said at the August Council meeting, the raw fact is that under the draft plan there will be at least 150 fewer untimed car parking spaces in east Brooklyn. The few remaining untimed spaces will be hotly contested by river

communities, tourists and the Brooklyn locals. Beyond that, it is a very long walk to the nearest untimed spaces. This is simply untenable and unsafe.

The BMC provides a significant community service to the Lower Hawkesbury, including many Hornsby Shire Council residents. And all at no cost to Council. Time and again we have asked to be heard and consulted directly as the major stakeholder we are in discussions around parking and other Brooklyn planning matters. Despite assurances, at no time have I been contacted by Council staff or our ward Councillors to discuss our issues in detail. This is a very disappointing failure of due process and Council's lack of understanding of the realities of river life are reflected in the draft car parking management plan.

We ask all Councillors to take seriously their duties as our elected representatives, guided by the principles in the Local Government Act 1993 and its own Hornsby Shire Council Community Strategic Plan. As said so succinctly in the response prepared by the Dangar Island League and other river communities 'Councillors cannot, consistent with the Council's commitment to act fairly, reasonably, and be mindful of the interests of all stakeholders, ... endorse a plan that unabashedly disadvantages one group of residents.'

As I have said in previous submissions, we river folk are a resilient lot. Despite this setback we are committed to working with community, Councillors and Council staff to pursue affordable, safe, accessible and realistic parking options that will meet the objectives of multiple stakeholders in the short, medium and long term.

Your sincerely,



for

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## **Attachments: Previous BMC submissions**

- 26 July 2022
- 9 May 2022



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26 July 2022

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Dear Councillors,

**Re: Brooklyn car parking proposal**

We sent the attached letter to the Mayor and A Ward Councillors back in May this year in the hope that sanity would prevail on the issue of car parking in Brooklyn. Given the proposal that will be put to Council at its meeting of 10 August this seems not to have been the case. We implore you to **read the attached letter** and **reject the proposal** at the meeting. It is incumbent upon you as Councillors to consider the facts before you when making a decision, and to consider these facts in the context of both your own Council policies and those of State and Federal Governments. I refer you in particular to your brand new Hornsby Shire Community Strategic Plan 2022-2032. The proposal falls foul of most of the Guiding Principles at the very front of this document, including for access and inclusion, equity, participation, rights, public health and safety, and civic leadership.

The proposal presented is completely untenable for Dangar Island and Milson's passage residents, and for other river community members of the Brooklyn Mooring Cooperative (BMC), a development permanently approved by Council many years ago and upon which some 135 river families depend. In a nutshell, under the proposal, unless cars are moved daily (at a cost of about one hour and \$18 return by ferry, or in variable and sometimes dangerous weather and river conditions if by boat) the proposal will mean that cars have to be parked 1.7km away from the town centre, the train station, ferry wharf, marina and BMC. In short:

- It is not safe for anyone to be walking 1.7km through quiet streets alone at night to get to the ferry or their boat, and worse if they are carrying groceries or other of life's necessities
- It is not safe for parents with children to be trundling along the same 1.7km to leave or return home at any time, or worse still to leave their children and goods unattended in the town centre for 30 minutes plus while they park the car
- It is not safe for elderly people or those with long term illnesses to walk such a distance at any time to shop, visit friends and family or access services outside of Brooklyn
- It is not safe for cars to be left in an unformed car park at the fire station in a quiet part of Brooklyn. This will become a focal point for vandalism and other criminal behavior, something that the new community strategic plan is actively seeking to reduce

In the medium term (timeframe unspecified), the proposal flags a ‘potential’ resident parking area in Upper McKell Park in spaces that will be negotiated, developed, leased from Crown Lands and maintained by residents with an initial figure of 10,000 per off shore rateable property being suggested. Again:

- It is not reasonable to expect ratepayers will be able to afford such an outlay. This will establish ‘a haves and have nots’ division in the community based on socio-economic circumstances
- It is not reasonable to expect the community to develop, maintain and run a carpark. Given that it would in effect alienate Crown Land, it is highly questionable whether such a development would even gain owners consent from the State government.
- It is not safe for anyone to be scaling a cliff through a poorly lit and isolated bush path at night
- It is not safe for the elderly or those with long term illnesses to climb up and down that steep hill

Disappointingly, the proposal is based on flawed and incomplete analysis. It reveals a complete lack of understanding and consultation with those of us who live on the river and a disregard for our rights to safely access our homes. We have had no substantive response to the attached letter which outlines our major concerns - chief of which is safety, as summarised above. Time and again we have sought meaningful consultation with Council on this matter, and to date this has not happened. From a pure public policy perspective, the process has been completely flawed. The decision will have significant social, economic and safety implications for offshore residents, and as yet **no impact assessment** has been undertaken. It is inconceivable that you, as Councillors, could make a decision given this fact alone. And no **alternative options** - short or longer term - appear to have been considered. There are many other local government areas in Sydney that suffer the same parking congestion issues. All have them have in place reasonable solutions (such as timed or metered parking with residents permits) that prioritise residents and ensure their safety.

Councillors, this is not just an amenity issue for offshore residents, it will force many from their homes, particularly the older generation, and those with young children. And a quick look at the 2021 census data shows that these two groups dominate the Dangar Island community. In addition, far from being the ‘Palm Beach’ of the Lower Hawkesbury that some seem to perceive, Dangar Island and other river communities such as Bar Point and Little Wobby Beach have average annual incomes that are around the state average and less than the Hornsby Shire average. Some quick statistics:

	Dangar Island	Hornsby SC	NSW
Median household income (\$)	1,857	2,417	1,829
Median age	56	41	39
Long term health conditions (% pop)	42	30	30
Cars per dwelling (no.)	0.76	1.64	1.6
Voluntary community work (% pop)	45	17.5	13

We don’t expect to drive into a garage or have fabulous curbs and gutters, we haul our groceries and kids and white goods across the river, and we rise to the challenges of floods, storms, fires and the like. And we look after our community and older people, as evidenced by the voluntary community work statistic above. It is a choice we’ve made, and are happy to have done so to live in such a beautiful and supportive place. But we cannot have our safety compromised and our community torn asunder by what we honestly think is an ill-conceived and naïve proposal that is unfair and of questionable legality, and that will create significant hardship if adopted.

Members of the Brooklyn Mooring Cooperative Board will attend the Council meeting on the 10<sup>th</sup> and will be strongly advocating on behalf of its membership. We are also seeking legal advice on any avenues there might be to contest what would be a manifestly unreasonable, unfair and unsafe administrative decision.

But in the meantime, we are asking you, as our local government representatives, to seriously consider the facts presented here and in the attached letter, and to take them into account when making your decision .

I am happy to chat further on this matter if you think that would help.

Thank you in anticipation,

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9 May 2022

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**Re: Brooklyn Mooring Cooperative submission on Parking considerations at Brooklyn**

**Background**

The Brooklyn Mooring Cooperative (BMC) is constituted under the NSW Co-operatives (Adoption of National Law) Act 2012, and operates in accordance with the Rules of Brooklyn Mooring Co-operative Ltd 2011, approved by NSW Fair Trading.

The Cooperative provides, maintains and operates facilities off McKell Park in Brooklyn for mooring members' boats. The facility provides an affordable and critical gateway to work and life for the water access only river communities of the Lower Hawkesbury river. It services the communities of Dangar Island, Little Wobby Beach, Milsons Passage, Cogra Bay and Bar Point.

The Cooperative's facility is authorised under a 2008 consent from Hornsby Shire Council (HSC) for the continued use of the Brooklyn Commuter Mooring Facility in McKell Park (DA 1896/2007). To be eligible, Cooperative members must own or occupy a water access only property on the Hawkesbury River. The Cooperative is not a marina, but rather enables mooring for small commuter boats for up to 72 hours at a time.

There are 135 members 'hot berthing' in 73 mooring spots. The facility provides an essential service for up to 135 river households - allowing them to access their river homes and workplaces, schools and other essential services on the mainland. The BMC is highly used. It is entirely owned, operated and maintained by the Cooperative members.

Critically for consideration in any Brooklyn parking discussions and any eventual Place Plan, there are now more than 150 individuals and families on the BMC waiting list. At a turnover rate of about 5 memberships per year, this is indeed a very long wait. The pent up demand for commuter mooring at Brooklyn is significant, and can't be met by the BMC. This demand reflects a change in river demographics and work practices, as well as more efficient rail services to the city and other places of work resulting in more permanent residents moving to river properties. Any changes to the management of parking in Brooklyn should as a minimum acknowledge this demand and the current and future pressure this will put on the Brooklyn area.



## **Consultation to date**

In October 2019 the BMC made a submission to Council on the Hornsby Shire Council Car Parking Management Study. We expressed our concern at the lack of robustness of the methods used, and the absence of any consultation during its development. We were assured in a reply from Steven Head that further technical investigations would be undertaken prior to community engagement on possible changes. We were further assured that 'no changes would be made to parking without [this] community consultation', and that the Strategy and Place Unit would contact us to commence an informed discussion. Despite these assurances no consultation has been undertaken.

In May 2021 we made a further submission, this time on the discussion paper 'Brooklyn Place Planning'. Again, we raised our issues for Brooklyn, including the vexed issue of parking. And again, despite assurances, no contact has been made with the BMC on these matters.

## **Specific parking issues and concerns**

First and foremost, we believe that safety should be a key principle of any decisions relating to parking in Brooklyn. Consider the logistics of returning from the mainland to a river community. Children, groceries etc must be transferred safely from car to parked boat, the car parked nearby, the boat driven to the community jetty where all is transferred then the boat parked and children, groceries etc taken home. River residents, like all resident, can come home late at night. Some of our BMC members are shift workers, and some of these women, who rely on our facility to get home, and get home safely, be it from the train or by their car parked at Brooklyn. Any parking solution that sets up a suggestion of remote parking of cars in Brooklyn severely hampers this access and creates potentially dangerous situations. Blanket timed parking in the Brooklyn CBD will also create potentially dangerous situations.

River communities, just like all other communities, have guests that come for the day or overnight. Again, the suggestion of remote parking for these guests and tourists will hamper normal social interactions and support networks and undermine Council's vision for the river as a tourist destination, and for Brooklyn as a gateway to this.

There appears to have been no explicit recognition in the parking study or the place plan of the river communities and their use of the Brooklyn town centre not only as a transport interchange, but also in respect of their significant contribution to the Brooklyn economy and community. River communities shop and recreate in Brooklyn, their children attend the local school, and they drive the demand for Brooklyn based businesses such as the barges, water taxis, marina services, local cafes, the pub and medical services to name a few. A parking strategy (or future Place Plan) cannot fail to take account of this.

To compound this omission previous demographic and parking studies have been restricted to the populations of Hornsby Shire river communities. The Gosford Shire river access only communities of Wobby beach, Cogra Bay and Wondabyne have significant populations who rely on Brooklyn town centre as their transport interchange as well as contributing to its economy and community as described above. HSC granted development consent to the BMC in the full knowledge that all lower Hawkesbury river communities - not just the HSC communities of Dangar Island and Milson's passage - would be eligible for membership.

Timed parking, which we understand is one option being considered, will create significant issues for our members. Even if combined with a resident parking sticker system, the issues outlined above will

bite. Many of our members, as said, are from non-HSC communities. And many of our Dangar Island and Milson's Passage members are part time residents, who may not qualify for 'resident' status. And... we have friends and family that visit, just as you do.

### **Concluding remarks**

Our member rely on the Brooklyn town centre area for ferry access and for both runabout/commuter boat and vehicle parking. The BMC facility is one of the most significant commuter boat parking facilities in Brooklyn. And given its not for profit, cooperative structure, it is the most affordable. Logistics, accessibility, diversity and inclusion should be a principle for assessing parking options, and we believe the BMC currently provides for this.

Obviously, the BMC supports Council's efforts to resolve an approach to village centre parking. But this must be done with the key considerations of safety, convenience and pragmatism. Further studies should consider the various transport logistics for river communities - boat/rail, boat/car, ferry/rail and ferry/car. All transport options must be safe, convenient and accessible, and take into account the increasing demands for both affordable commuter mooring and associated parking.

We urge you to:

- Undertake robust studies that were previously promised
- Consult with key stakeholders - including the BMC - as previously promised
- Refrain from making rash, knee jerk decisions just to make the problem go away. We all know this is a thorn, and one that has been in all our sides for many years now
- Fully consider the 'reasonableness' and implications of any options from a range of perspectives, and
- Above all, consider the safety and amenity of not only your ratepayers, but the river access only communities of the lower Hawkesbury

We look forward to further discussions on this matter.

Yours sincerely

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