

20160713 Item 16.1.1 Report Parkland Acquisition Russell Island

Objective Reference:	A1751957 Reports and Attachments (Archives)
Attachment:	Attachment 1 – aerial map The Boulevard, Russell Island Attachment 2 – aerial map – 52 The Boulevard, Russell Island
Authorising Officer:	Gary Soutar General Manager Infrastructure & Operations
Responsible Officer:	Lex Smith Group Manager City Spaces
Report Author:	Angela Wright Principal Advisor City Spaces

PURPOSE

The purpose of the report is to gain approval for Council to undertake negotiations with the owners of 52 The Boulevard, Russell Island to purchase this property for the park purposes and, should those negotiations be unsuccessful, to commence action to compulsorily acquire the lot under the *Acquisition of Land Act 1967*.

BACKGROUND

The approved Southern Moreton Bay Islands Open Space Plan 2006 recommended acquisition of 52 The Boulevard, Russell Island for an extension to the adjoining Lions Park. In total three lots were required to extend the park south along the full length of the waterfront at this point on the island. Two of the three lots have been acquired giving improved access to the water for small water craft particularly those that like to launch from sand.

The owners of 52 The Boulevard have retained their lot for purposes that are unknown. It is the only remaining privately owned lot in this area of the waterfront.

The Sandy Beach Sailing and Kayak Club (SBSKC) is a recently incorporated club with 150 members who range from children to adults and families. It has been established at Sandy Beach on Russell Island to provide sailing, kayak and associated aquatic and safety activities for the benefit of the entire Southern Moreton Bay Island (SMBI) community. The club organises and runs fortnightly race days, special events and regattas involving clubs from other areas, in addition to broader community and charity events on the foreshore at Sandy Beach. The club uses Lions Boulevard Park and the public open space land adjoining Lot 82 The Boulevard to host these events which draw large numbers of participants and spectators to the area.

Redland City Council (RCC) has now granted tenure to the SBSKC to establish a secure compound and future facility directly opposite Sandy Beach. This is in keeping with the SMBI Sport & Recreation Strategy:

- 6. Needs Assessment – Stakeholder Consultation Feedback - of there being a strong desire for island-based clubs to have their own ‘home base’ and reduce reliance on mainland and school facilities.

ISSUES

The land is zoned Conservation. All adjoining lots are zoned Open Space and the area functions as recreation parkland. The lot is 706m², has no structures and is mostly sand. The lot is the closest to Lions Park and the easiest for access to the water for small water craft.

Facilities and activities in the adjoining park include a dog off leash area, two camp sites, a playground, barbeques, community events, kick about space. The park has a public toilet.

Due to a complaint from the private landowner of 52 The Boulevard, the SBSKC has been asked to refrain from accessing the bay via this lot. The club has complied with this request although other visitors to the area treat it as land for public use and use it for parking and access to the bay. The block in question is the only privately owned block on the waterfront amongst public open space land and has the best small craft launching access to the bay.

The growing demand for launching points for small craft, paddle sports and island crossings, identified in the SMBI Sport & Recreation Strategy makes this an ideal spot to help meet this demand.

STRATEGIC IMPLICATIONS

Legislative Requirements

Under s.5(1) of the *Acquisition of Land Act 1967*, land may be taken under and subject to this Act:

- (b) where the constructing authority is a local government:
 - (i) for any purpose set out in schedule 1 which the local government may lawfully carry out; or
 - (ii) for any purpose, including any function of local government, which the local government is authorised or required by a provision of an Act other than this Act to carry out.

Part 6 of Schedule 1 indicates the purposes relating to recreation – including beaches and parks.

Compensation will be offered to the property owner.

Risk Management

The risk of ongoing trespass will be reduced.

The risk to the environment will be able to be managed as the park will be consolidated and a plan to reduce environmental damage (e.g. erosion) can be developed and implemented (over time).

Financial

A budget review to provide some compensation to the property owner will need to be undertaken in the first review in the 2016/2017 financial year. The acquisition

of the property will be sourced from general revenue. The property is not on a priority environmental acquisition. The purchase price should be nominal because it will take into consideration the drainage and flood constraints of the site.

Environmental

The foreshore and the park will be able to be consolidated into one larger recreation area and properly managed and over time, with the help of the community, some of the environmental values of the foreshore may be able to be restored.

Social

The acquisition of this one lot will enable improved access to the foreshore for recreational purposes particularly without the concern of trespass.

The SBSKC and all community members will be able to freely use the foreshore for activities such as events, recreational boating and fishing. It will help create a greater sense of cohesion of the land and the activities. A master plan may be able to be realistically developed and supported by the community. It should be noted that the park was, and is to this day, supported by the Lions Club.

Alignment with Council's Policy and Plans

There is alignment with Council's plans and policies including the SMBI Open Space Plan 2006

CONSULTATION

- The SMBI Open Space Plan 2006 is an adopted Council strategy.
- The request to finally acquire 52 The Boulevard is from officers from the City Sport & Venues Unit and the Sandy Beach Sailing and Kayak Club
- Officers from the Finance Group and Property Services have reviewed the report.

OPTIONS

Option 1

1. That Council grant approval for negotiations to be undertaken with the owner of 52 The Boulevard, Russell Island for its purchase for open space (park purposes);
2. If negotiations for the amicable purchase of the subject lot are not successful, Council authorise that action be taken for the compulsory acquisition of the land under the provisions of the *Acquisition of Land Act 1967* for open space (park purposes); and
3. That the Chief Executive Officer be delegated authority (under s.257(1)(b) of the *Local Government Act 2009*) to execute all documentation to give effect to this resolution.

Option 2

That Council continue to wait until the property comes on the market or a building application is submitted for construction on the lot and then acquire.

OFFICER'S RECOMMENDATION

That Council resolves as follows:

1. To grant approval for negotiations to be undertaken with the owner of 52 The Boulevard, Russell Island for its purchase for open space (park purposes);
2. If negotiations for the amicable purchase of the subject lot are not successful, to authorise that action be taken for the compulsory acquisition of the land under the provisions of the *Acquisition of Land Act 1967* for open space (park purposes); and
3. That the Chief Executive Officer be delegated authority (under s.257(1)(b) of the *Local Government Act 2009*) to execute all documentation to give effect to this resolution.
4. That this report and its content remain confidential.

Park

30-50

Lot for acquisition
Clearly the lot has an
excellent sandy entrance
to the water for boats

52

RUSSELL ISLAND

Park

54-60

54-60

The Boulevard





Lions Boulevard Park

The Boulevard

Shoal Avenue

Kingfisher Court

RUSSELL ISLAND

NORTH STRADBROOK

Private land
52 The Boulevard Russell Island
Lot 82 RP122082