

Shoalhaven Motor Sports Working Group

Meeting Date: Monday, 06 February, 2023
Location: Jervis Bay Room, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

Please note: Council's Code of Meeting Practice permits the electronic recording and broadcast of the proceedings of meetings of the Council which are open to the public. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

Agenda

1. **Apologies**
2. **Confirmation of Minutes**
 - Shoalhaven Motor Sports Working Group - 6 April 2022..... 1
3. **Declarations of Interest**
4. **Presentations**
 - MS23.1 Side-by-Side Presentation - AORVA
Darrell Knight from the Australasian Off Road Vehicle Association (AORVA) to present on opportunities for Side-by-Side Adventure experiences in the Shoalhaven.
5. **Reports**
 - MS23.2 Notification of Council Resolution..... 6
 - MS23.3 Update on Actions - February 2023..... 8
 - MS23.4 Side-by-Side Vehicle Adventure Request in Shoalhaven 11
6. **General Business**

Membership

Clr Matthew Norris – Chairperson
All Councillors
CEO or Nominee
Director – City Futures or Nominee
Mr Norman Mogg
Mr Paul Dean
Mr Roger Walker
Mr Robert Bridge

Quorum – Half +1

Role and Purpose:

- Help guide and facilitate the development a Motor Sports Complex (MSC) in Shoalhaven
- Investigate suitable potential locations and sites for the establishment of a MSC in the City, including a review of land badly affected by bush fires in recent years to establish the extent of the proliferation of endangered species due to the opening of these areas through the loss of tree coverage
- Actively seek funding for the establishment phase of this project from Federal and State Governments as part of their programs for rural and regional economic development.

MINUTES OF THE MOTOR SPORTS COMPLEX WORKING PARTY

Meeting Date: Wednesday, 6 April 2022
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr Matthew Norris - Chairperson
Clr Serena Copley
Clr Paul Ell
Clr Patricia White (Remotely)
Clr John Wells (Remotely)
Clr Greg Watson (Remotely)
Clr Mark Kitchener
Mr Norman Mogg
Mr Roger Walker
Mr Paul Dean
Mr Robert Bridge

Others present:

Mr Gordon Clark – Manager – Strategic Planning
Ms Coralie Bell – Tourism Manager & Acting Economic Development Manager
Mr Greg Pullen – Economic Advisor
Ms Sara McMahon – Manager – Business Assurance & Risk
Ms Brooke Aldous – Senior Governance Officer

Apologies / Leave of Absence

An apology was received from Clr Butler and Clr Kotlash.

Confirmation of the Minutes

Note: No Previous Minutes as this is the first meeting of the Working Group.

Declarations of Interest

Nil

The Chairperson welcomed all members and staff to the meeting and gave an introduction.

PRESENTATIONS

MS22.1 Background - Motor Sports Complex

HPERM Ref:
D22/117160

Greg Pullen – Economic Advisor provided a brief presentation on the background to this matter and relevant work that has been undertaken previously.

A copy of the Presentation will be sent to the members via email.

MS22.6 Presentation - Code of Conduct

Brooke Aldous – Senior Governance Officer provided a brief presentation in relation to the Code of Conduct.

REPORTS

MS22.2 Notification of Council Resolution and Terms of Reference

HPERM Ref:
D22/117173

Recommendation (Item to be determined under delegated authority)

That the Motor Sports Working Group receive the update from Council for information.

RESOLVED (By consent)

That the Motor Sports Working Group receive the update from Council for information.

CARRIED

GENERAL BUSINESS

MS22.3 Future Meetings - Frequency

HPERM Ref:
D22/117430

The Members and staff present discussed the frequency of meetings. Currently meeting on a Quarterly basis and other meetings as required.

MS22.4 Working Party - Actions Update

HPERM Ref:
D22/118060

Action	Who	Status / Update
Write a report for first council meeting back create Motorsports Working Party with SCMSC	Gordon Clark	Complete
Nominate members for the working party	Norm and Roger	Complete
Find report of the original scoping of lands suitable for motor complex undertaken a few years ago (Contractor from Wollongong) so it's	Coralie Bell	This report is no longer available as it was a subscription to mapping system, however, past sites will be covered in the background

ready for the working party		presentation for group discussion. This action is now complete.
Introduce Norm and Roger to Brendan from State Forest re discussion about certain properties and other options	Kristy Mayhew, Tourism	Complete
Terms or Reference reported to Council	Coralie Bell	Complete - report update attached.

RESOLVED (By consent)

That the report on the Actions Update be received for information.

CARRIED

MS22.5 General Discussion - Actions and Next Steps

**HPERM Ref:
D22/118084**

The Members and staff discussed the possible next steps, the following key points were raised:

- Members identified two (2) possible sites worthy of further consideration,
 - **Option 1** being a site north of Forest Road (Lots 12, 13, 49, 50, and 52) Comberton, which has a combined area of approximately 80 hectares.
 - There are some identified issues with this site, being it is within the Lake Wollumboola Catchment area, logging of trees
 - Privately owned and is for sale
 - Suggested at first sight (without conducting a proper study) the land appears to be suitable
 - Doesn't have legal access at the moment, there may be possibility of access through land owned by State Forests.

Gordon Clark – Strategic Planning Manager addressed the meeting and provided mapping information in relation to this site.

- **Option 2** being the existing Motorcycle Complex at Yerriyong
 - Currently has an existing permissive occupancy
 - Has access to approximately 400+ hectares
 - Do not want to collapse the Motorcycle Complex
 - Potential to enhance the use of that land
 - Possible to hold discussions with the Motorcycle Complex

Clr Watson raised the following points:

- Questioned why is the floodplain ruled out, as he is aware that Manildra owns a substantial area of land that they have acquired over time, and the occasional flood we receive is not a major issue with Motor Sport?
- Suggested the need to focus on land that is cleared
- There is also some land out at Sassafra, not in the village but on the southern side, it is privately owned and might not be for sale.
- If we want to make the Motor Sport Complex happen we may have to acquire some land.

Staff addressed the meeting and advised that the presentation from Greg Pullen was a snapshot of what has taken place in the past and that Council has set up this Working Party to have a fresh look at where the Motor Sport Complex could be placed, therefore everything could be back on the

table including flood liable land. In relation to the Forest Road sites, the Lots are all approximately between 12-19ha.

In relation to the Permissible Occupancy (PO) issue, the PO is not a Development Approval, the PO is the right to use a piece of Crown Land but you still have to go through the DA process. The advice received is that there is no longer such thing as PO, it is now a lease or licence with the NSW Crown Lands. Amending a PO is understood to be an administrative type of process with a range of fees attached and can take anywhere between 6-12 months.

Clr Watson addressed the meeting and suggested that if the Working Party wants to find a piece of land that is privately owned which is cleared and sufficiently far enough away from residents. There is a site near Sassafras, another site off the Old Berrara Road on the way to Sussex Inlet about 100ha and may have to compulsory acquire land.

Staff suggested – that first task/action is to come back to the next meeting with a more formal position report, including but not limited to the 2 sites that have been mentioned with some more detail, potentially a separate report on potential areas of privately owned land and the areas that Clr Watson has mentioned. Time to look beyond the scope of the previous piece of work which discounted private property and also flood prone land.

RESOLVED (Norman Mogg / Robert Bridge)

That That the Working Party receive a:

1. Report on the following two (2) sites that Norman Mogg has identified during the meeting;
 - a. Lots 12, 13, 49, 50, and 52 Forest Road Comberton
 - b. Existing Yerriyong site
2. Separate report on potential areas of privately owned cleared or partially cleared land.
3. The reports include floodplain in a general sense.

CARRIED

MS22.7 Additional Item - Racing Circuit Owners

Clr Norris and members discussed the opportunity to reach out to other Circuit Owners and potentially Circuit Operators to discuss hurdles and achievements in establishing the Racing Circuit. Members undertook to talk to various circuit owners.

MS22.8 Additional Item - Receive a Report - Funding Options

RESOLVED (By consent)

That the Working Group receives a report at the appropriate point on potential funding options including from Council and/or other available Government sources..

CARRIED

Note: Clr Kitchener left the meeting at 6.29pm

MS22.9 Additional item - Invitation - Regional Development Australia (RDA) - Fiona Hatcher

RESOLVED (By consent)

That the Working Group extend an invitation to a future meeting to Fiona Hatcher – RDA (South Coast) to discuss any opportunities for funding or other assistance that can be considered by the Working Group..

CARRIED

There being no further business, the meeting concluded, the time being 6.32pm.

Clr Matthew Norris
CHAIRPERSON

MS23.2 Notification of Council Resolution

HPERM Ref: D23/28644

Department: Business Assurance & Risk
Approver: Carey McIntyre, Director - City Futures

Reason for Report

To advise the Working Group of the Council's resolution in relation to the re-establishment of the Shoalhaven Motor Sports Working Group and the appointment of Councillor Matthew Norris as Chairperson of the Working Group until September 2023.

Recommendation (Item to be determined under delegated authority)

That the Working Group receive the report regarding the Council resolution for re-establishment for information.

Options

1. As recommended

Implications: The membership structure as specified in the Council resolution is adopted for the period to September 2023.

2. The Working Group request that Council consider changes to membership, purpose, delegation, quorum, or the number of meetings required for the Working Group.

Implications: Such changes would need to be considered as a change to the Terms of Reference of the Working Group and endorsed by the Council.

Background

Each year in September, Council reaffirms all its committees for the next 12 months. At that meeting Council has the option to reaffirm its committees; make any change to membership, purpose, delegation, quorum and the number of meetings required for those committees; or disband committees.

This report is provided to inform the Working Group members of the resolution of the Council in that regard. At the Ordinary meeting on 26 September 2022 Council directly appointed Councillor Matthew Norris as the Chairperson of the Working Group and adopted (see MIN22.693) the following in relation to the Shoalhaven Motor Sports Working Group for the period to September 2023:

CL22.495 Shoalhaven Motor Sports Working Group

RESOLVED (Clr Eil / Clr White)

MIN22.693

That Council continue the operation of Shoalhaven Motor Sports Working Group for the period to September 2023 as outlined below.

Meetings per year – Quarterly Commencement time – 5.00pm	Quorum – Half + 1 Terms of Reference: POL22/158
<p>Role and Purpose:</p> <ul style="list-style-type: none"> • Help guide and facilitate the development a Motor Sports Complex (MSC) in Shoalhaven • Investigate suitable potential locations and sites for the establishment of a MSC in the City, including a review of land badly affected by bush fires in recent years to establish the extent of the proliferation of endangered species due to the opening of these areas through the loss of tree coverage • Actively seek funding for the establishment phase of this project from Federal and State Governments as part of their programs for rural and regional economic development. 	
Delegation: Nil	
Chairperson – Appointed by Council	
<p>2022-2023 Councillor / Staff Membership</p> <p>Clr Norris - Chairperson All Councillors CEO or Nominee Director – City Futures or Nominee</p>	
<p>Community / Organisational Representatives</p> <p>4 Community members</p>	

MS23.2

FOR: Clr Findley, Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson and Clr Kitchener

AGAINST: Nil

CARRIED

MS23.3 Update on Actions - February 2023

HPERM Ref: D23/13562

Department: Economic Development

Approver: Carey McIntyre, Director - City Futures

Attachments: 1. Action Table - February 2023 [↓](#)

Reason for Report

The purpose of this report is to provide the Shoalhaven Motor Sports Working Group with an update on outstanding actions.

Recommendation (Item to be determined under delegated authority)

That the Shoalhaven Motor Sports Working Group receive the attached Action Table for information.

Options

1. Adopt the recommendation as written.

Implications: The Shoalhaven Motor Sports Working Group is updated on progress pertaining to recommendations made at previous meetings.

2. That the working group propose an alternate recommendation.

Implications: Pending nature of recommendations.

Background

This report is to update the Shoalhaven Motor Sports Working Group (the Group) on outstanding actions from previous meetings.

As this is the second meeting of the Group, the actions from the previous meeting remain in progress.

Attachment 1 provides information regarding the status of actions and resolutions made at the previous meeting, including items which are still underway. Should group members require further information on the status of the actions in the table attached, Council staff will provide details as requested.

The Economic Development Department will present a progress update on *Item No: MS22.5* at the meeting.

Community Engagement

It is important that the members of the Group are kept informed on progress towards the completion of actions and projects. This report provides a structured approach to facilitate this information exchange.

Shoalhaven Motor Sports Working Group Uncompleted as at 10 January 2023			Action Sheets Report
Meeting Date: 06/04/2022	Item No: MS22.5	Officer: Schulter, Ryan	Completed:
Title: General Discussion - Actions & Next Steps - Identified sites - Possible Private Land - Report request			
<p>RESOLVED (Norman Mogg / Robert Bridge)</p> <p>That That the Working Party receive a:</p> <ol style="list-style-type: none"> 1. Report on the following two (2) sites that Norman Mogg has identified during the meeting; <ol style="list-style-type: none"> a. Lots 12, 13, 49, 50, and 52 Forest Road Comberton b. Existing Yerriyong site 2. Separate report on potential areas of privately owned cleared or partially cleared land. 3. The reports include floodplain in a general sense. <p>CARRIED</p>		<p>Notes:</p> <p>13 Jan 2023 2:30pm Fischer, Ben - Reallocation Action reassigned to Schulter, Ryan by Fischer, Ben - Re-assigned for investigation and action in Coralie's absence.</p> <p>13 Jan 2023 2:47pm Schulter, Ryan Economic Development Department to verbally present on points 1, 2 and 3 at the Shoalhaven Motorsports Working Group meeting on 6 February 2023. An update on all listed sites will be provided and allocated time for discussion/questions.</p>	
Meeting Date: 06/04/2022	Item No: MS22.8	Officer: Schulter, Ryan	Completed:
Title: Additional Item - Funding Options - Report request			
<p>RESOLVED (By consent)</p> <p>That the Working Group receives a report at the appropriate point on potential funding options including from Council and/or other available Government sources..</p> <p>CARRIED</p>		<p>Notes:</p> <p>13 Jan 2023 2:32pm Fischer, Ben - Reallocation Action reassigned to Schulter, Ryan by Fischer, Ben - Re-assigned for investigation and action in Coralie's absence.</p> <p>13 Jan 2023 2:43pm Schulter, Ryan An update around funding options will be presented to the working party upon the progression of the proposal, including identification of suitable land, approvals, and designs.</p>	

Shoalhaven Motor Sports Working Group Uncompleted as at 10 January 2023	Action Sheets Report
---	-----------------------------

Meeting Date: 06/04/2022	Item No: MS22.9	Officer: Fischer, Ben	Completed:
Title: Additional item - Meeting Invitation - Regional Development Australia (RDA) - Fiona Hatcher			
<p>RESOLVED (By consent)</p> <p>That the Working Group extend an invitation to a future meeting to Fiona Hatcher – RDA (South Coast) to discuss any opportunities for funding or other assistance that can be considered by the Working Group..</p> <p>CARRIED</p>	<p>Notes:</p> <p>20 Jan 2023 11:16am Fischer, Ben</p> <p>An invitation has been sent out to Fiona Hatcher to present/discuss any opportunities for funding or other assistance that can be considered by the Working Group. Fiona is not back in office until 01 February 2023, and as such has not responded and may not have enough time to prepare for the meeting. This being the case, I will organise for Fiona to attend the following Shoalhaven Motor Sports Working Group Meeting, scheduled for 01 May 2023.</p>		

MS23.4 Side-by-Side Vehicle Adventure Request in Shoalhaven

HPERM Ref: D23/7016

Department: Tourism

Approver: Carey McIntyre, Director - City Futures

Attachments: 1. Report - Side-by-Side Vehicle Adventure Request in Shoalhaven - Ordinary Meeting 22 August 2022 [↓](#)

Reason for Report:

The purpose of this report is to update the Shoalhaven Motorsports Working Group on Side-by-Side opportunities in the Shoalhaven.

Recommendation (Item to be determined under delegated authority)

That the Shoalhaven Motorsports Working Group consider the attached report from the Australian Off-Road Vehicle Association (AORVA) concurrently with its broader consideration of Motorsport locations and facilities in the City.

MS23.4

Options

1. The Working Group accept this report for information.

Implications: The Motorsports Working Group are more informed and updated on Motorsport opportunities in the area.

2. The Working Group propose an alternate recommendation.

Implications: Pending nature of recommendations.

Background

Attachment 1 was put forward to Council at the Ordinary Meeting on 22 August 2022. The report provides an overview of Side-by-Side vehicles and associated opportunities. Darrell Knight from AORVA will present an overview on Side-by-Side Vehicles on February 6, and be available to answer questions pertaining to this report.

Recommendation to Ordinary Meeting 22 August 2022

That Council seek a report on any site options for a side-by-side vehicle event.

Resolution from Ordinary Meeting 22 August 2022

RESOLVED (Clr Norris / Clr White) MIN22.549

That Council refers this matter and this report to the Motor Sports Complex Working Party, seeking that it considers the request by The Australian Off-Road Vehicle Association, concurrently with its broader consideration of motor sport locations and facilities in the City.

FOR: Clr Findley, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson and Clr Gray

AGAINST: Clr Kitchener

CARRIED

Note: It was suggested that in the Agenda the word "event" be changed to "location".

CL22.365 Side-by-Side Vehicle Adventure Request in Shoalhaven

HPERM Ref: D22/119192

Department: Tourism
Approver: Stephen Dunshea, Chief Executive Officer

Reason for Report

The purpose of this report is to update Council on representation made to staff for a Side-by-Side Vehicle Adventure opportunity in Shoalhaven and seek Council's in-principle support as well as direction to prepare a further report on site options.

Recommendation

That Council seek a report on any site options for a side-by-side vehicle event.

Options

1. As written above

Implications:

- The Australian Off-Road Vehicle Association and Council staff will work together to find any available options.
- Staff have raised concerns about the ability to find a site that is both appropriate for the use and one where the use is also permissible. It is highly possible that investigations may not find a suitable site and a future report will not be positive.
- Whilst there is likely community support for this project, there is also likely community resistance for this type of use in natural areas, future site consideration may need to consider community consultation as part of decision making.
- Council have had difficulty in the past finding sites suitable to motor sports. Concerns have been raised in internal discussions about the availability of land in the region.

2. Do not support the use of 'side-by-side' vehicles on council owned or managed land, thank the Australian Off-Road Vehicle Association for their enquiry and encourage the group to talk to the NSW State land managers about opportunities in the Shoalhaven.

Implications:

- Staff would notify the association that there is no land available for this recreational use on Council owned or managed land.
- The group have advised they would prefer to work with Council, if they choose to not pursue opportunity with the State, Shoalhaven may lose this opportunity to another region.

Background

In March 2022, Council staff were approached by Darrell Knight, Australasian Off-Road Vehicle Association (AORVA) General Manager, about an opportunity to be a host destination for 'side-by-side' vehicles.

The Australian Off-Road Vehicle Association (AORVA)

The Australasian Off-Road Vehicle Association (AORVA) is a not-for-profit consolidated body formed in 2014 to represent the public off-road vehicle user, working towards a healthy future for our chosen recreation.

AORVA works to improve community accessibility to legitimate riding locations throughout Australia. This is achieved through open engagement with Off-Road Vehicle (ORV) users, Clubs, Tourism services, Manufacturers, Landowners, Council's, and all levels of Government.

AORVA is supported by global industry leading manufacturers, Polaris and BRP (Bombardier Recreational Products) with its Can-Am brand of Side-by-Side Vehicles, to pursue new places to allow family recreational riding activities as sought by consumers (our AORVA Members).

Comparable North American off-road vehicle recreation is a \$5.9billion per annum business and AORVA have advised that manufacturer partners are focused on sustainable recreation growth that includes the highest possible standards in terms of innovation and safety in Australia. Ever increasing market demand feeds our collective appetite to find win-win Council recreational space partnerships.

What is an off-road Side by Side Vehicle?

A 'Side by Side Vehicle' (SxS) is a multi-seat vehicle with a steering wheel, roll cage and car style seat belts. Industry sales figures reveal that SxS are the fastest growing recreational vehicle product in Australia today, at a rate exceeding 25% year on year. A SxS average purchase cost generally falls between \$20,000 and \$40,000. SxS owners are typically affluent families, seeking to maximise their adventure time in natural settings with family and friends.





The Request of Council – A Shoalhaven Recreational Vehicle Area (RVA)

The Concept

“Service NSW” refers to ‘Side-by-Side’s’ as ‘ATV’s’. The concept of permitting registration solutions for recreational use in NSW natural settings is not new and has existed for decades at Stockton Beach for Quad Bikes and Trikes.

Conditions of Registration for Side-by-Sides (ATV)	Code
Daylight / floodlit worksite use only	
Note: Not required if vehicle has headlights, tail and number plate lights	TD1
Excluded from built up areas	LO2
Speed limited	
The lesser of manufacturer’s speed limit or 50 km/h	SP50
Vehicle to be floated from site to site (except that it can operate in areas designated in GO93 or LO3)	LO99
Use only for farming purposes OR	GO93
Restricted to designated areas / routes	LO3

<https://www.nsw.gov.au/topics/vehicle-registration/conditional-and-seasonal/vehicle-sheets/quad-bike-and-all-terrain>

The proposal from AOVRA does not seek to extend Quad Bike access but does seek to open discussions with Council around investigating suitably sized land parcels within the Shoalhaven LGA that, with Council endorsement, would be presented to the State Government Department ‘Service NSW’ as supported for Side-by-Side Recreational activities use. A successful area or areas would then be listed by name in participants registration applications, In effect, listed under Condition LO3 as a Designated Area (the process would be the same principles and regulations that are applied to Quad Bikes for Stockton Beach).

Why approach Council? Local Government RVA endorsement

AORVA have approached staff requesting to co-ordinate Conditionally Registerable ‘Side-by-Side Vehicle’ Off-Road recreation locations on public land under the City of Shoalhaven care and control.

AOVRA have advised they believe the benefits of healthy outdoor vehicle recreation are spread broadly throughout local communities and include social and personal benefits unique to families and individuals. They believe councils have a great appetite for investment in concepts that directly benefit local people and local businesses. Staff have suggested opportunities with Forestry land, however, AOVRA have advised they believe recreational

access to other State Government controlled land is more difficult to achieve because State Departments do not directly benefit from the vast array of broader community benefits as they claim councils do. It is their opinion that State Government Departments lack the drive and enthusiasm for investment in these areas.

AVORA have provided the following information on the benefits of 2x2 activities.

- ***Social Benefit** - a new reality of Covid has taught us a lot. Families increasingly value family recreation opportunities, and they are more needed. SxS sales have dramatically increased and far outstripped supply. Families have money to spend and are seeking local and intra-state adventure and recreation close to their hometowns.*

There are a great number of personal benefits such as Work/Life balance improvement, Stress relief, Father/Son relationship building, getting kids off screens, and the list goes on. All these positives are found in healthy outdoor off-road vehicle recreation.

- ***Economic Benefit** - benefits to the region are significant per user and proportional to RVA size. SxS recreators are typically more affluent families that purchase consumables locally, engage in other local attractions, eat local, hire business offerings, hotels and entertainment. SxS participants also tend to seek quality local accommodation and are ideal user groups to attract to the region. In 2018/19 a survey of SxS Recreation participants in the Queensland Government endorsed State Forest Trial revealed a significantly higher visitor spend.*
 - *Key facts:*
 - *\$486 spend per trip by SxS Recreation Trial participants compared to \$305 typical spend per trip by other visitors to local township*
 - *1.6 nights average stay in the area (above spend) compared to 3 nights average stay in local town*
 - *80% average increase in spend, compared to other domestic visitors to local regional town*

AOVRA requirement and request of Council

1. Size of land requirement (200+ acres)

For best family day out SxS recreation, participants prefer a minimum half day, to full day out activity, through to two days or more with local accommodation. Long weekends are popular times to head out. Driving ranges per day depend on average speeds that get drawn out by rougher terrain (commonly desired) or nature breaks and sight-seeing stops.

Land areas with an abundance of compact tracks might work as small as a few hundred acres for a day adventure sight-seeing or range up to thousands of acres for more open expanses with longer trails.

2. Recognition of an LO3 area by Service NSW (State Gov)

Council to communicate their land area as an approved Recreational Vehicle Area (RVA) and seek appropriate land use approvals. Once complete, this can be noted in the Service NSW system, public participants could conditionally register their vehicles for use on the designated piece of land. This is exactly the same principle and process as for Stockton Beach. Current registration form No. 1246 has a field "9. Where the vehicle will be operated?" where the applicant would detail "Approved RVA – Shoalhaven SxS".

Projections and Volumes of Vehicles

Staff raised questions about how many SxS vehicles would be expected to use a designated area, AOVRAs have provided the following advice.

Off road vehicle activity presently exists (often illegally) in the areas to be investigated for legitimising as an approved RVA. Present unwarranted participation is by both uncontrolled registered 4wheel drives and some unregistered (more illegal) other vehicles including some SxS vehicles.

If Council supports legitimising and cleaning up such activities, AORVA suggests that activity volume and frequency may immediately double. Positive growth will quickly move into the light and will build over time. E.g.: if 10 vehicles are frequenting an area today (which goes un-noticed by most), these 10 may immediately double to 20 legitimate vehicles, which might still remain unnoticed to most. In a short 6-month term this number could double again, but medium to long term growth is expected to continue at a manageable rate. i.e.: If 10 then 20 to 40 vehicles, or if 20 then 40 to 80 vehicles. The above estimation is difficult to quote due to the current underground nature of activities. But what is known is that all activities will become more accountable, measurable and safer with Council endorsement and legitimate provision.

As participants come out of hiding, they no longer risk being exposed and can openly participate in other community conduct and spending. The new access to SxS recreation will be seen as a privilege, adopted by participants with pride and a predominant culture of valuing and protecting this form of recreation grows. A positive new culture is born and the basic level of participant self-policing results.

For example, if standing near the back of a conditionally registered SxS with an identifying number plate, the operator is aware that they could be reported and identified by anyone for thoughtless acts like dropping a plastic wrapper or not wearing a helmet. To generalise, inherent compliance improvements within this community are very substantial.

The “trailer to site” necessity of this type of recreation makes participants more identifiable and easier compliance management than any other fully registered drive to site and drive away vehicle.

Next Steps

Should Council agree to in principle support investigations into suitable land for an endorsed Shoalhaven SxS Recreational Vehicle Area (RVA).

- Staff would undertake site investigations in partnership with AORVA and Council would receive a future report including outcomes of site investigations and any additional approvals needed. Council and AORVA would need to work together on approvals. It should be noted that initial investigations with staff have raised concerns about the availability of a site.
- Should a site be found and required approvals put in place, AORVA have agreed to contribute to related signage costs or minor improvement site works deemed necessary for RVA operation.
- Members of the public who have a SxS and a car license would be able to conditionally register and insure their SxS Vehicles with Service NSW. People would need to be trailer their SxS to site with full road registered car, enter area, unload in a safe location, follow signed rules and advice, enjoy SxS Recreation, respect

Shoalhaven RVA area privilege, take all rubbish home, report any faults, non-compliance or suggested improvements as directed (AORVA).

- Council would remain the asset owner and land manager, so ongoing maintenance would remain with Council.

Policy Applications - what approvals would this type of activity need?

Should a site be able to be identified, a DA would be required for use of any site as a recreation vehicle area, this would need to be submitted by AORVA as the applicant and Council as the approver. It is also worth mentioning that a separate approval for designation as a recreation vehicle area would be required from the EPA (refer to the Recreation Vehicles Act 1983).

Staff have raised concerns about the ability to find a site that is both appropriate for the use and one where the use is also permissible.

Staff from Strategic Planning have also advised that there is also a specific Ministerial Direction relating to recreation vehicle areas should Council consider rezoning a site to enable the use (see below). This means that a Planning Proposal to rezone land in a Conservation Zone (or in an identified coastal location), to enable a recreation vehicle area, is unlikely to be able to proceed.

Strategic Alignment

Shoalhaven Destination Management Plan identifies the need to drive off season visitation and winter activities, which 2x2 recreation does provide. However, it should also be noted that AOVRA have advised this a popular long weekend activity when the region is already quite busy.

The Destination Management Plan also talks about the huge opportunities for development of adventure and outdoor activities. The region is known as being an 'unspoilt' and 'wellbeing' destination.

Financial Implications

Considerable staff time will need to be allocated to this project to try and identify a site. Should one be found, the AOVRA would need to apply for a DA and cover associated costs, although other approval costs are not known at this time.

Should a Council request staff work on this project, a further report back to Council outlining the outcomes of the site investigation and any associated permissions and costs will be provided.

Consideration would also be given to ongoing asset management and maintenance costs.

Risk Implications

Insurance and Compliance

AOVRA have advised that a successful outcome SxS Recreational Vehicle Areas will only include Conditionally Registered SxS, driven by road car licensed drivers, and could also include fully registered 4x4 vehicles. The same total extent of Compulsory Third Party insurance applies to both vehicle types. CTP insurance applies to any registered road going vehicle that would drive down one of Councils urban streets, or a family 4x4 that might be driven on a Forest dirt road today.

AOVRA believe the risk to Council is broadly no different, and other State agencies such as Police are in place to address compliance responsibilities.

AOVRA have also noted that councils commonly endure historic and present liability exposure and management concerns with unwarranted activities on the types of land areas that AORVA are seeking to legitimise for recreational access. They are proposing an opportunity to structure access for improved compliance and to capture the ancillary community benefits from legitimate site activation.

Once operational, the policing and compliance of SxS recreation vehicles becomes consistent with other vehicle types by number plate recognition, with another significant inherent assurance that SxS are always 'Trailer to Site'. This feature necessitates and achieves heightened participant responsibility as well as other safety benefits.

Environmental

AOVRA have advised that SxS recreation intends to only to use existing tracks and trails. They have completed analysis* of both legal and illegal tracks throughout Australia and have found approximately 0.5% of a designated land area is actually used, and the used areas, are historically existing paths and tracks.

AOVRA have advised they believe environmental risks are negligible.

(*Calculation based on all dirt roads in all State Forests and National Parks total area does not exceed 0.5% in any State of Australia)

Internally, staff have raised concerns about ongoing costs of maintenance of tracks with increased usage and the impact of SxS vehicles on existing paths and roads, this is unknown at this stage.