

Draft



PLAN OF MANAGEMENT

Community Land Lot 901 DP1066477 and Lot 173  
DP1075495 Bells Boulevarde, Kingscliff

**June 2010**

Version 1.0

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- 1.0 Description of the land ..... 1**
  - 1.1 Description of the land..... 1
  - 1.2 Tenure, zoning, classification and category of land..... 2
  - 1.3 Condition of the site and existing use..... 3
  - 1.4 Adjoining land use ..... 3
- 2.0 Management Issues ..... 5**
  - 2.1 Current management issues ..... 5
  - 2.2 Future use and development of the site ..... 5
- 3.0 Other Matters ..... 5**
  - 3.1 Leases, licenses or other estates ..... 5
  - 3.2 Community Land easement requirements..... 5
- 4.0 Management Objectives ..... 6**
- 5.0 Management Strategies and Performance Measures ..... 7**
- 6.0 Permitted Development..... 8**
  - 6.1 Activities, works and uses permitted ..... 8





## 1.0 Description of the land

### 1.1 Description of the land

The land subject to this Plan of Management comprises 2 unnamed parcels of Community Land east of residential land known as Salt at Kingscliff, NSW. The property description is Lot 901 DP1066477 and Lot 173 DP1075495. The combined area of these 2 parcels is 2.16 ha. This plan does not include the adjoining crown land to the east (Lot 500 DP1095235) or Salt Central Park (Lot 174 DP1075495) to the west.

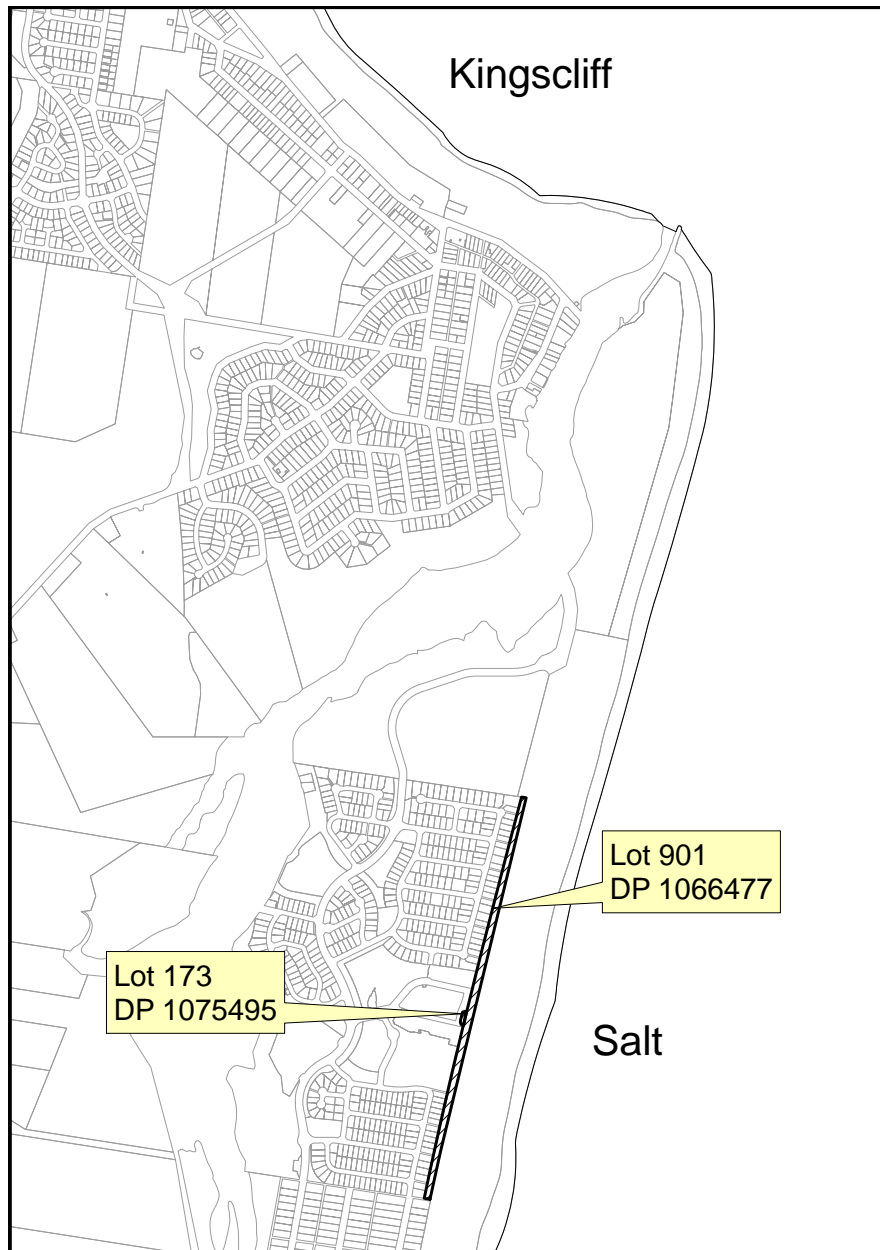


Figure 1: Locality plan – Lot 901 DP1066477 and Lot 173 DP1075495, Kingscliff



**Figure 2:** Location of Lot 901 DP1066477 and Lot 173 DP1075495, Kingscliff

## 1.2 Tenure, zoning, classification and category of land

Tweed Shire Council (TSC) owns both land parcels, gazetted in 2004, in fee simple. The land is zoned, pursuant to the provisions of the:

- Tweed Local Environmental Plan (LEP) 2000:  
Lot 901 is 7(f), Lot 173 is 2(f) tourism
- Tweed Local Environmental Plan (LEP) 2010 (draft):  
L901 is E2 Environmental Conservation, L173 is SP3 Tourism

The land is classified 'Community Land' and categorised 'General Community Use' pursuant to the provisions of the Local Government Act, 1993, and the Local Government (General) Regulation, 2005.

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### 1.3 Condition of the site and existing use

The subject land consists of:

- Lot 901 is around 1200m long and 20m wide, and extends from Crown Land (Lot 490) in the north to the Seaside residential area to the south. It includes most of the linear parkland buffer between the urban development of Salt and the natural vegetation of the coastal dunes (Lot 500). The majority of the area is mown turf with some amenity garden plantings and several stormwater infiltration basins.

A cycleway runs the length of the land and forms part of the Tweed Coast Cycleway, extending north to Kingscliff, and following completion of the final stage, south to Pottsville. There are several east west concrete paths and timber pedestrian bridges allowing access from residential and tourist areas to South Kingscliff Beach. The main access path to the flagged beach area crosses this land east of Salt Central Park.

The landscaping (paths, gardens and turf) is not restricted only to Lot 901. The 'park embellishment' has been designed to extend around 10m into the adjoining Lot 500.

- Lot 173 is a small area of around 430m<sup>2</sup> east of Salt Central Park and contiguous with Lot 901 to the east. A surf life saving storage and first aid facility and public toilets have been constructed on this Lot. The public toilets service Salt Central Park, the foreshore area and the beach.

### 1.4 Adjoining land use

Lot 901 is bordered to the east by coastal dunes extending around 60m to South Kingscliff Beach. These dunes have been intensively regenerated since 2003 and are managed under the 'Lot 500 & 7(f) Zone Management Plan, Salt (July 2003).

Recreation and tourist use of South Kingscliff Beach has increased significantly since 2003 when development of the area commenced. This use is expected to increase further with completion of neighbouring tourist and residential facilities.

Residential land lies along much of the western border of Lot 901. Tourist resorts, commercial facilities, Salt Central Park and a road are west of the subject land in the central business area.

Lot 173 is contiguous with Lot 910 to the east, and is bounded by road reserve on all other sides. The central business and tourist areas, car parking and Salt Central Park are adjacent to this area. The majority of tourist activity, access to the beach and surf life saving services occur in this area.





**Figure 3:** Detail showing Lot 173 and the central part of Lot 901 adjacent to the resorts and Salt Central Park



## 2.0 Management Issues

### 2.1 Current management issues

No significant management issues have been identified in the area. The area operates well as a buffer between urban development and the coastal dunes, providing a linear pedestrian and cycling corridor, and offering easy access to the beach.

The inability of surf life saving services to operate from the existing facility on Lot 173 has been raised as an issue, and it is considered appropriate this community service be supported in their request for a dedicated surf life saving facility.

Some vegetation clearing issues have been raised in the past, however this has occurred in the adjoining coastal dunes of Lot 500, not on the area subject to this plan.

### 2.2 Future use and development of the site

It is envisaged that to achieve the objectives of this plan, the existing uses (or similar) will remain, with one exception:

- That provision be made for expansion of the existing surf life saving facility into Lot 901. This is to allow surf life saving services to be effectively provided for the adjoining South Kingscliff Beach.

## 3.0 Other Matters

### 3.1 Leases, licenses or other estates

Leases, licenses or other estates will be permitted over the Reserve for the purposes of achieving the objectives identified in this Plan. This may include construction and operation of facilities that support these objectives.

Such leases, licenses or other estates must be consistent with the management objectives identified in this plan, and the requirements of the Local Government Act, 1993 (Section 46). They must also be consistent with the requirements of Council's Local Environment Plan relating to permissible uses.

Any lease, licence or other estate must not exceed 21 years (including any option for renewing the lease, licence or other estate).

It is an express provision of this Plan that Council may enter into legal agreements for, and charge for, the use of the area and may license operators of business undertakings which it determines will assist in achieving the objectives of this plan.

### 3.2 Community Land easement requirements

Council may permit the granting of easements from properties adjoining the Reserve for connection to Council facilities and/or other public utilities, or for crossing the Reserve, subject to the following conditions:

- Easements will be granted for the purposes described above, subject to a fee being paid by the applicant based on a valuation of the land. This valuation will consider the enhancement to the dominant tenement and impact upon the servient tenement;
- Council approval of the proposed location, design and engineering requirements;
- Cost of works and future maintenance be borne by the applicant;
- Compliance with relevant statutory requirements.

## 4.0 Management Objectives

The management objectives for the Lot 901 DP 1066477 and Lot 173 DP1075495 include:

### **Objective 1**

Promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the community in relation to:

- public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public.
- purposes for which a lease, licence or estate may be granted in respect of the land (other than provision of public utilities and works associated with or ancillary to public works).

### **Objective 2**

Provide a buffer between the natural coastal dunal vegetation in the contiguous Lot 500, and the intense urban tourist and residential development of the Salt development.

## 5.0 Management Strategies and Performance Measures

Strategies proposed to achieve the stated management objectives for Lot 901 DP1066477 and Lot 173 DP1075495 include:

Management Strategies	Performance Measures
1. Encourage use of the reserve consistent with established management objectives, category and classification of land.	<ul style="list-style-type: none"> <li>• Park infrastructure and landscape gardens consistent with the reserve use provided.</li> <li>• Public access to the reserve is available.</li> </ul>
2. Ensure all existing and future uses are sustainable, and that facilities and activities are managed with regard to any adverse impact on nearby residences, the environment or community needs.	<ul style="list-style-type: none"> <li>• Facilities developed and managed in accordance with this plan, development consent and other statutory requirements.</li> </ul>
3. Develop infrastructure as required to provide for the desired use of the Reserve. Such use to comply with this plan, any lease or sublease agreements or other requirements.	<ul style="list-style-type: none"> <li>• Public use is encouraged consistent with this plan's objectives.</li> <li>• Compliance with development consent.</li> <li>• Compliance with this plan and the LEP.</li> </ul>
4. Maintain structures consistent with relevant lease and sub-lease or other appropriate agreements.	<ul style="list-style-type: none"> <li>• System in place to monitor all structures and works implemented.</li> <li>• Repairs and general maintenance completed in a timely manner.</li> </ul>

## 6.0 Permitted Development

### 6.1 Activities, works and uses permitted

Development Permissible Without Development Consent	Development Permissible with Development Consent
<ul style="list-style-type: none"> <li>• Environmental Facilities (as defined in Tweed LEP 2010).</li> <li>• Recreation Areas (as defined in Tweed LEP 2010)</li> <li>• Landscape works, including construction of barbecue or picnic areas, park furniture such as seating, shade structures and minor shelters, playground facilities, footpaths, boardwalks, minor bridges and the like.</li> <li>• Minor earthworks, mounding, filling, levelling and the like.</li> <li>• Maintenance actions.</li> <li>• Drainage and storm water works (minor).</li> <li>• Fire hazard reduction activities.</li> <li>• Signage – compliance, directional, interpretive or identification. (must be compliant with Tweed DCP, SEPP 64 or temporary in nature i.e. no greater than seven days in duration).</li> <li>• Advertising (if associated with a use permitted on the site with or without consent) – must be temporary only, non structural and no more than seven (7) continuous days.</li> <li>• Filming &amp; still photography (in accordance with Tweed Shire’s established filming protocol).</li> <li>• Fireworks displays - subject to WorkCover NSW permit and must be in association with a licensed Community Event.</li> <li>• Community Events e.g. fundraising events, announcements, awareness campaigns, health campaigns, and temporary activities, developments or events that comply with Councils ‘Community Events on Council Administered Land’ guidelines.</li> <li>• Concerts, playing of musical instruments or singing for fee or reward in association with an approved Community Event during the hours of 8am to 10pm.</li> <li>• School or community related activities.</li> <li>• Sporting events such as fun runs and the like.</li> <li>• All other uses / works that do not require development consent within the RE1 (Public Recreation) Zone (Tweed LEP 2010).</li> </ul>	<ul style="list-style-type: none"> <li>• Amenities buildings / Toilets / Change Rooms / Surf Life Saving Facilities &amp; like structures.</li> <li>• Additions and alterations to existing buildings (subject to exempt and complying provisions in Tweed DCP).</li> <li>• Drainage and storm water works (major, such as detention basin).</li> <li>• Filling or cutting greater than 500mm in depth with the exception of ancillary mounding and landscaping works associated with the recreational use of the land.</li> <li>• Concerts, playing of musical instruments or singing for fee or reward if not in association with an approved Community Event.</li> <li>• Markets.</li> <li>• One off events / gatherings, where the number of participants and /or spectators on any one day of an event exceeds 1,500 people.</li> <li>• Activities or temporary facilities occurring over a total of more than 14 days in a calendar year.</li> <li>• Trade Shows / Exhibitions / Circuses / Fetes &amp; Sporting Carnivals if longer than 7 days (consecutive) in duration.</li> <li>• All other uses / works requiring development consent within the RE1 (Public Recreation) Zone (Tweed LEP 2010).</li> </ul>







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