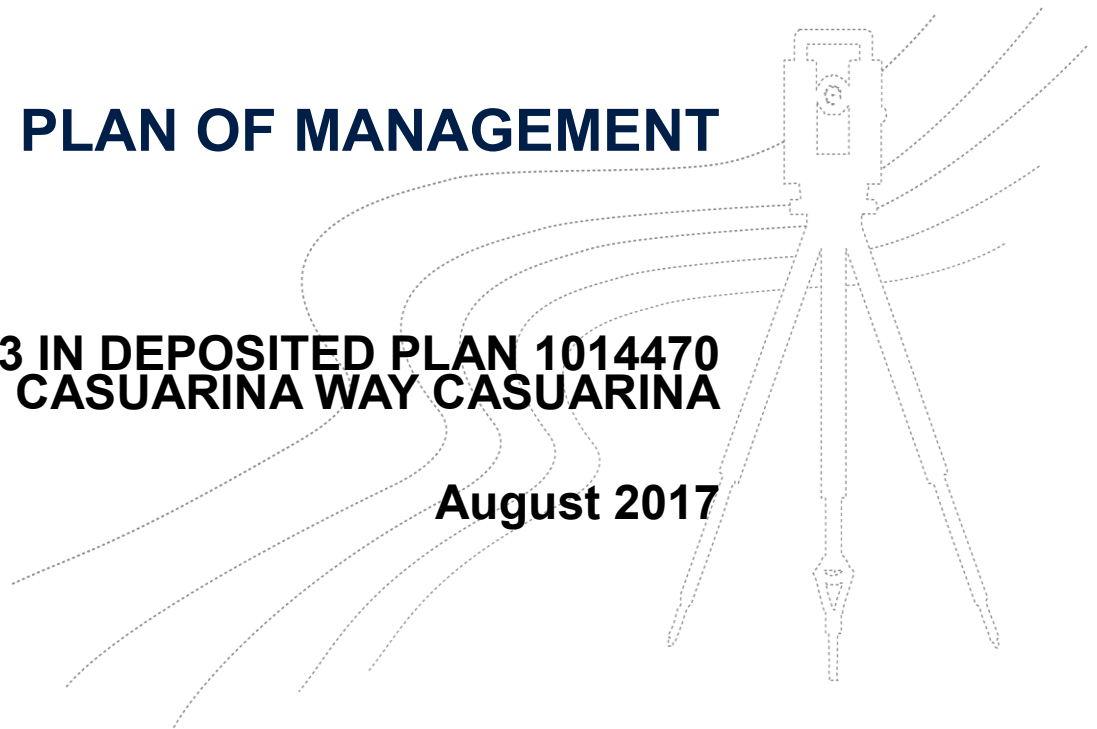


PLAN OF MANAGEMENT

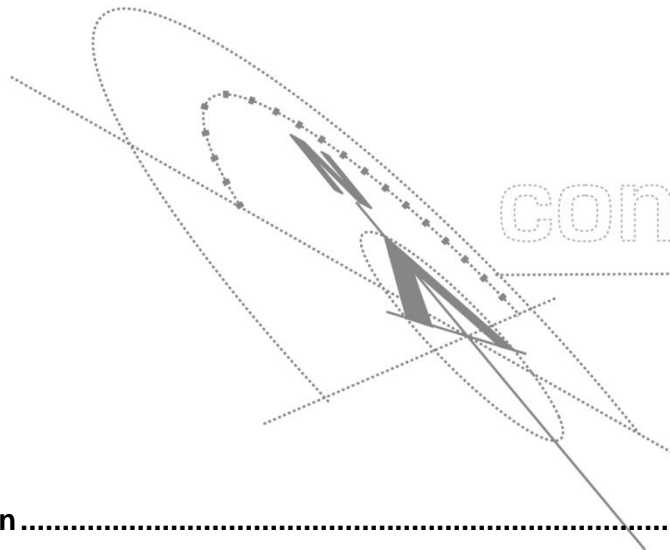
**LOT 13 IN DEPOSITED PLAN 1014470
CASUARINA WAY CASUARINA**

August 2017



NDC
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SURVEYORS PLANNERS ENGINEERS

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1.Introduction

1.1 Background

The provisions of the Local Government Act 1993 ('the Act') require that public land vested in or under the control of a local council must have a plan of management prepared for it.

To address this requirement Tweed Shire Council has prepared a Plan of Management to provide guidance for the management and development of Lot 13 DP 1014470 at Casuarina. Lot 13 is public land classified as Community land and categorised as Park.

By identifying management objectives and outcomes for the land it will also assist Council and the community in sourcing and allocating funding for on-going maintenance, improvement or development of these lands.

Public land is any land vested in or under the management of a council and its delegated authorities, and includes land managed under the Crown Lands Act 1989 (e.g. Crown lands managed by Council) or the Local Government Act 1993 (Council owned and managed land).

1.2 Plans of Management

1.2.1 What is a Plan of Management for Public Land?

The purpose of a Plan of Management is to provide a framework for the management and use (including development) of public land. Public Land can include Crown land, Community land or Operational land.

- Community land is owned by a council for the benefit of local residents and visitors.
- Operational land ordinarily comprises land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its

functions or land which may not be open to the general public, such as a works depot or a council garage.

- Crown land is owned by the State or Commonwealth for the benefit of all persons and is managed under the provisions of the Crown Lands Act 1989.

Community and Operational land is managed under the provisions of the NSW Local Government Act 1993 ('the Act1). The Act stipulates that all public land owned by a council needs to be classified as Community land or Operational land and that there must be a Plan of Management for all Community land to guide the effective operation and development of such lands.

This Plan of Management (the Plan) covers Lot 13 DP 1014470 which is identified as Community land under the administration of Tweed Shire Council. Given the inherent limitations in developing a generic plan of management, a site specific plan has been prepared.

This Plan for Lot 13 DP 1014470:

- is prepared by Council in consultation with the community and stakeholders with the Casuarina Town Centre;
- clarify how Council will manage the land; and in particular
- indicate how the land may be used or developed, e.g. leasing. Infrastructure services etc.

1.2.2 Community Consultation

In order to ensure that a Plan of Management meets the needs of the community and has their support, it is recognised that it is essential to obtain their input through effective community consultation.

To facilitate additional community input and in compliance with the Act, the draft Plan of Management for Lot 13 DP 1014470 as Community Land Categorised as Park will be placed on public exhibition for a period of 28 days.

2. Description of the Land

2.1 Description of the Land

The land subject to this Plan of Management comprises of a single unnamed parcel of Community Land is located east of residential land known as the Casuarina Town Centre, in Casuarina NSW. The property description is Lot 13 DP1014470. The total land area is 5.25 ha. This plan does not include the adjoining crown land to the east (Lot 500 DP1095235).

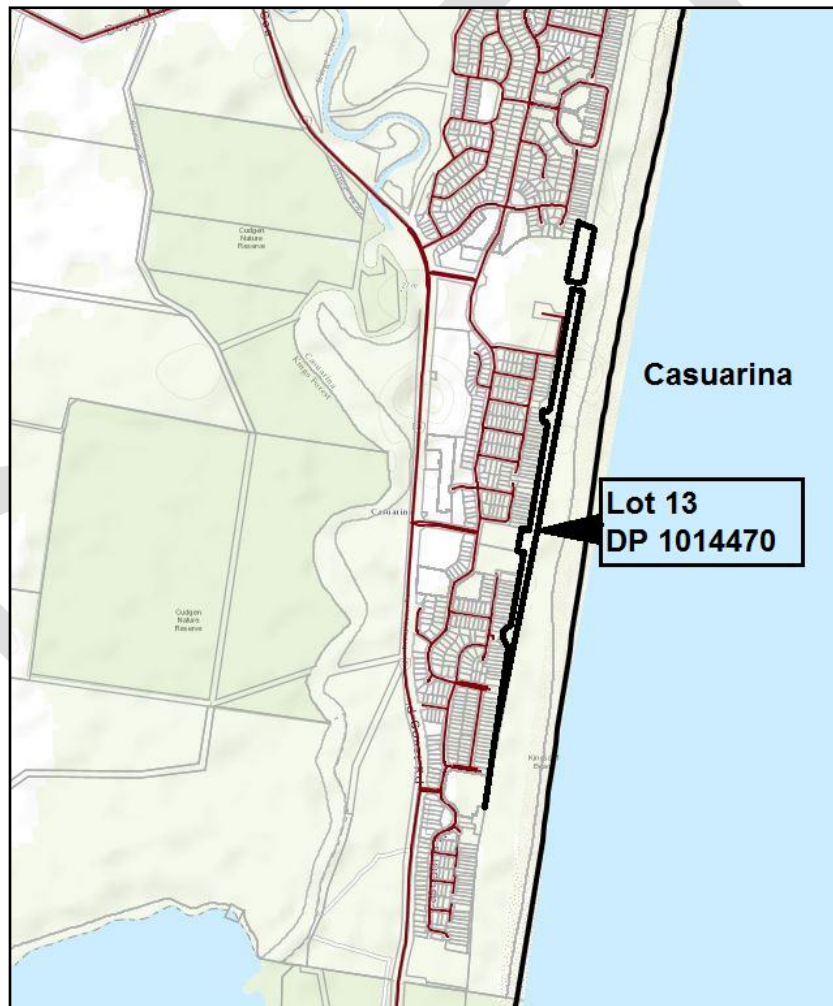


Figure 1: Locality Plan – Lot 13 DP 1014470, Casuarina



Figure 2 – Location of Lot 13 DP 1014470

2.2 Tenure, Zoning, Classification and Category of Land

Tweed Shire Council (TSC) owns the land parcel, gazetted in 2000, in fee simple. The land is zoned, pursuant to the provisions of the Tweed Local Environmental Plan (LEP) 2014 as Deferred Matter (DM) and RE1 – Public Recreation. The Deferred Matter zone under the Tweed Local Environmental Plan (LEP) 2000 is 7(f) Environmental Protection (Coastal Lands)

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

2.3 Conditions of the Site and Existing Use

The subject land consists of a single land portion severed by a piece of closed road within the Casuarina Town Centres (Lot 15 DP 1198266).

Lot 13 is around 1900m long and of variable width, and extends from Public Land (Lot 83 DP 1031933) in the north to Public Land (Lot 12 DP 1014470) to the south. It includes most of the linear parkland buffer between the urban development of Casuarina and the coastal dunes (Lot 500).

The area comprises of mown turf with some landscape / native vegetation plantings and several stormwater infiltration basins. A shared pedestrian/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 Casuarina Beach.

Several pocket parks are also found within Lot 13 and accessed from both the shared pedestrian/cycleway and east-west connecting pathways

2.4 Adjoining land use

Lot 13 is bordered to the east by coastal dunes extending around 60m to Casuarina Beach. These dunes have been regenerated since 2003 and are managed under the 'Lot 500 & 7(f) Zone Management Plan, Salt (July 2003).

Residential land lies along much of the western border of Lot 13 and is complimented by either existing or planned Tourist accommodation or commercial facilities. The planned Casuarina Town Centre is located adjoining the northern portion of Lot 13.

The Town Centre enjoys the benefit of a Concept Plan & Project Application approval (MP06_0258) issued by The Department of Planning & Environment. The plan provides for the development of a variety of residential dwellings (single & multi-dwellings) mixed use and shop-top housing, Coles supermarket and associated commercial/retail uses with public car parking. Currently the northern portion of the Casuarina Town Centre (Lot 15 DP 1198266) is vacant. Figure 3 illustrates the relationship of the Town Centre (Lot 15) site to Lot 13.



Figure 3 – Detail showing Lot 15 DP 1198266
(Undeveloped Portion of Casuarina Town Centre)

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3. Management Considerations

3.1 Current Management Considerations

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 access to the beach.

The management of the land must also take into account the following matters:-

- **Approvals:** The Concept Plan approved for the Casuarina Town Centre identifies the completion of civil infrastructure works associated with stormwater infiltration, sewage services and the construction of a beach access pathway.
- **Natural Areas and Risk Management:** It is unlikely that Council will install signage at all natural areas to remind users of the risks that may be inherent with recreating in these areas. There is an expectation that adults visiting a natural area, particularly when in charge of children or others, would provide or ensure that all parties have appropriate resources in line with the proposed activity and location, (e.g. sturdy footwear, long sleeved clothing, hats, sun protection, insect repellent, snake bandages, water, suitable food resources, etc.). Council will carry out regular inspections of natural areas to address risk management and maintenance concerns regarding the condition of any bushland, tracks, habitat or significant features, safety of built structures and access arrangements.
- **Environmental Impacts:** Council adheres to the principles of Ecologically Sustainable Development. Natural area management requires that we avoid the potentially adverse

impacts of inappropriate management practices. Passive recreation will often be preferable to active recreation as a result.

- **Maintenance:** Maintenance is an essential aspect of the management of Lot 13. In particular, the public enjoyment and function of Lot 13 are more likely to be impacted by external threats such as weed infestation, damage from storms and human activity. Council obligation with standards developed for the maintenance of all natural areas to ensure that the condition of the vegetation in these areas is maintained or enhanced. Costings to achieve a 'maintenance' state have been developed by Council for natural areas. They take into consideration variable environmental indicators including vegetation structure and composition, landscape connectivity, habitat features, weed presence and other threats to site integrity. Maintenance will be dependent on ongoing funding to keep Lot 13 as a usable and functional Park.

3.2 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 infrastructure services inclusive of such items as stormwater infiltration, sewage services and public access pathways/cycleways to be developed in association with approvals for development previously granted over the land adjacent to Lot 13, together with any subsequent iterations of such approvals granted by the relevant consent authority, and if such consent authority is not Council, then any applications for subsequent approvals must be reviewed and approved by Council, acting in the role of landowner.

4. Statutory Context

4.1 Leases, Licences or Other Estates

Leases, licenses or other estates will be permitted over Lot 13 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 for the land adjacent to Lot 13.

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.

4.2 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.

5. Management Objectives

This Plan will outline the values of Lot 13 DP 1014470 and ways that the land is best used, managed and developed in line with the objectives for its management and how priorities will be determined for the best use of available resources and funding.

The management objectives for Lot 13 DP 1014470 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).
- the construction and supply of infrastructure works which service the existing and planned community adjacent to Lot 13.

Objective 2

Provide a buffer between the natural coastal dunal vegetation in the contiguous Lot 500, and the commercial and residential development of the land adjacent to Lot 13.

Objective 3

Maintain and enhance Tweed's waterways and its catchments

- Manage water resources sustainably and minimise impact on the environment by achieving more integration of water supply, wastewater and stormwater services.
- Improve urban stormwater discharge through water sensitive urban design,
- Improve rural stormwater discharge quality and ecosystem health through best practice land management.

6. Management Strategies and Performance Measures

Strategies proposed to achieve the stated management objectives for Lot 13 DP1014470 include

Management Strategies	Performance Measures
<p>1. Encourage use of the reserve consistent with established management objectives, category and classification of land</p>	<ul style="list-style-type: none"> • Park infrastructure and landscape planting consistent with the reserve use provided. • Public access to the reserve and connection through to Lot 500 and the beach is available.
<p>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.</p>	<ul style="list-style-type: none"> • Facilities developed and managed in accordance with this plan, development consent and other statutory approval/license requirements.
<p>3. Develop infrastructure as required to provide for the desired use of land adjoining the reserve. Such use to comply with this plan, any lease or sublease agreements or other requirements.</p>	<ul style="list-style-type: none"> • Provide for the delivery of approved development which requires works in the reserve. • Compliance with Concept Plan, Project Approval of development consent. • Compliance with this plan.
<p>4. Maintain structures consistent with relevant lease and sub-lease or other appropriate agreements.</p>	<ul style="list-style-type: none"> • System in place to monitor all structures and works implemented. • Repairs and general maintenance completed in a timely manner.

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7. Permitted Development

7.1 Activities, Works & Uses Permitted

Development Permissible Without Development Consent	Development Permissible with Development Consent
<ul style="list-style-type: none"> • Environmental Facilities (as defined in Tweed LEP 2014). • Recreation Areas (as defined in Tweed LEP 2014). • 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. • Minor earthworks, mounding, filling, levelling and the like. • Maintenance actions. • Drainage and storm water works (minor). • Fire hazard reduction activities. • Signage – compliance, directional, interpretive or identification (must be compliant with Tweed DCP, SEPP64 or temporary in nature i.e. no greater than seven days in duration). • 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 continuous days. • Filming and still photography (in accordance with Tweed Shire’s established filming protocol). • Community Events e.g. fundraising events, 	<ul style="list-style-type: none"> • Drainage and stormwater works (major, such as infiltration basins). • 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. • Pedestrian & Cycleway access paths lining to the coastal footpath and beach access paths. • All other uses / works requiring development consent within the RE1 (Public Recreation) zone (Tweed LEP 2014). • All other uses / works requiring development consent within the 7(f) Environmental Protection (Coastal Lands) zone (Tweed LEP 2010). • All other uses/works approved under development approvals granted over land adjacent to Lot 13. • Infrastructure works inclusive of drainage, sewerage and pedestrian / cycleway access.

<p>announcements, awareness campaigns, health campaigns, and temporary activities, developments or events that comply with Council's 'Community Events on Council Administered Land' guidelines.</p> <ul style="list-style-type: none">• School or community related activities.• Sporting events such as fun runs and the like.• All other uses / works that do not require development consent within the RE1 (Public Recreation) Zone (Tweed LEP 2014) & 7(f) Environmental Protection (Coastal Lands) zone (Tweed LEP 2010).	
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