



Charlotte Street Park Bangalow PLAN OF MANAGEMENT



DRAFT

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Prepared by

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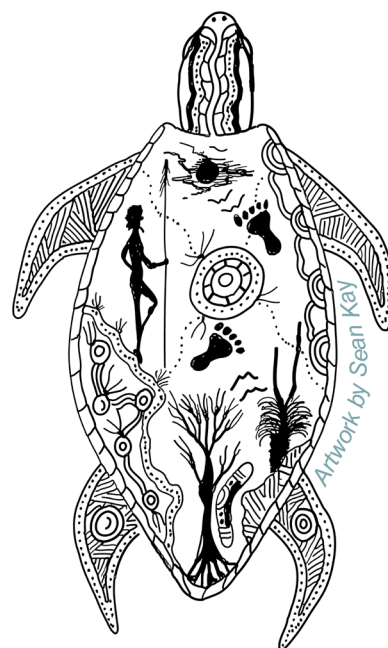
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Acknowledgment of Country

The Byron Shire Council acknowledges that the Bundjalung of Byron Bay - Arakwal people are the traditional custodians of the land in Byron Shire and form part of the wider Aboriginal nation known as the Bundjalung.

The Byron Shire Council and the traditional custodians acknowledge the Tweed Byron Local Aboriginal Land Council and the Jali Local Aboriginal Land Council under the NSW *Aboriginal Land Rights Act 1983*.

Council also acknowledges all Aboriginal and Torres Strait Islander people who now reside in the Shire and their continuing connection to this country.



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1.0 INTRODUCTION

Charlotte Street Park is community land owned and managed by Byron Shire Council for public use. The land is a valuable recreation park for the local community. The Park is adjacent to residential properties and agricultural land on its southern boundaries and Byron Creek flanks the park on its eastern side.

A Plan of Management (POM) is required to ensure the values of the land are protected, that the use of the land meets a range of community needs and that appropriate management actions are identified and implemented.

This POM has been prepared in accordance with requirements of the *Local Government Act 1993* (NSW) (the Act). The Act requires that all community land be subject to a POM and that management objectives specified for community land are included in the POM.

KEY INFORMATION

Plan of Management for:	Charlotte Street Park
Local government authority:	Byron Shire Council
Land:	Lot 43 DP 1228135
Address:	33 Charlotte Street, Bangalow
Size of reserve:	2,541sqm



Figure 1: Aerial image of Bangalow village and inset showing the location of Charlotte Street Park

1.1 Land category for Charlotte Street Park

The community land at Charlotte Street Park, Bangalow is categorised as Park, which under the Act, is an area primarily used for passive recreation.

1.2 Specific Plans of Management

Council's Community Land Generic Plan of Management states that significant parcels of community land may also be subject to specific plans of management or be recommended that these be developed. Charlotte Street Park is a new local recreation park with embellishments including a children's playground, car parking and picnic facilities. Residents in the immediate neighbourhood have sought approval and support from Council to develop a community garden in the park.

This POM for Charlotte Street Park is a specific POM to plan appropriately for proposed use of the land by the community, including a community garden.

1.3 Council documents

Relevant Council strategic planning and policy documents were reviewed to inform development of this POM and are summarised in Appendix A.

1.4 Change and review of this Plan of Management

Plans of Management require periodic review in order to align with community values and changing community needs and to reflect changes in Council priorities. This POM will be reviewed as required, on an as needs basis, however as a minimum every 10 years. Triggers for review may include but not limited to:

- change in legislation as it relates to the administration of plans of management under the LG Act
- any proposed change or considered embellishments.

Council reserves the right to remove elements of the park such as garden beds, compost heaps or fruit trees if they become neglected or impact upon the amenity of the locale.



BYRON SHIRE COUNCIL

1 Land category map - Charlotte Street Park, Bangalow



Figure 2: Aerial image of Charlotte Street Park, Bangalow

LEGEND

 Reserve boundary

RESERVE CATEGORY

 Park

NOT TO SCALE 

2.0 THE CONTEXT

2.1 The residents of Bangalow

Approximately 2,000 people lived in the village of Bangalow at the last Census collected in 2016. The median age was 43 years, one year younger than the median of 44 years for the Byron Shire Local Government Area and 5 years older than the NSW median of 38 years. In 2019, the estimated population was 2,204 people indicating a steady growth in the village. Resident numbers in each service group is provided in Table 1.

There is one school in the village of Bangalow. Bangalow Public School had 282 children enrolled in 2019.

At the time of last Census in 2016, there were 152 couples with young children, 157 couples without children and 95 one parent families, living in Bangalow. Interestingly, the proportion of two person households (232) was about half of all other types (449) combined.

Table 1. Bangalow age service groups

BANGALOW POPULATION AND AGE STRUCTURE 2016	Babies and pre-schoolers (0 to 4)	135
	Primary schoolers (5 to 11)	233
	Secondary schoolers (12 to 17)	144
	Tertiary education/independence (18 to 24)	87
	Young workforce (25 to 34)	160
	Parents and home builders (35 to 49)	517
	Older workers and pre-retirees (50 to 59)	272
	Empty nesters and retirees (60 to 69)	244
	Seniors (70 to 84)	147
	Frail aged (85 and over)	67
	Total	2,011

2.2 Parks and reserves in Bangalow

There are a range of parks and reserves in Bangalow that offer recreation opportunities for residents. In addition to Charlotte Street Park, these include:

- Bangalow Reserve
- Rankin Drive park
- Parrot Tree Place Park
- Bangalow Sports Fields.

2.3 Parks near Charlotte Street Park

Bangalow Reserve is the main recreation park in the village and key features include Bangalow Weir and Byron Creek. The creek's meandering form creates a green corridor connecting Charlotte Street Park to Bangalow Reserve, and a shared path is planned in the future to follow the creek line from Deacon Street (Station Street access).

2.4 Description of Charlotte Street Park

Location and context of Charlotte Street Park

Charlotte Street Park is located on the southern side of Bangalow and shares a boundary with residential property immediately to the south and rural land currently used for cattle grazing to the south and south-west. Byron Creek flanks the eastern boundary of the park. Charlotte Street Park provides a local recreation park function for the nearby residents.

Key features and landscape character

A key feature of Charlotte Street Park is the outlook across Byron Creek and the agricultural land to the south, south-west and east of the park.

Leases/licences

There are currently no leases or licences over any part of the Charlotte Street Park.

Land use and current improvements

Charlotte Street Park has been developed as a recreation park with embellishments including a children's playground, shade sails over the play equipment and two picnic shelters with table and chair settings and an electric barbeque.

Infrastructure and embellishments

Water, Sewer and Power

Town water and sewer is connected to the site at Charlotte Street. Power is connected to the site and extends into the park to service facilities including the barbeque and shelters.

Fencing

Fencing type and condition varies across the site according to the intended purpose. Steel post and panel fencing has been installed for all property boundaries of the park, excepting the street frontage. An access gate is located adjacent the playground for maintenance vehicles.

Landscaping

Soft and hard landscaping is currently focused in about a quarter of the park's area located near the street frontage and around the playground and picnic facilities. Concrete paths and slabs provide access to the picnic shelters and playground. Sandstone blocks create a retaining wall for garden beds that are planted with endemic native species.

Access, circulation and parking

Vehicle access to the park is directly off Charlotte Street with six sealed and line marked nose in car parks provided directly in front of the playground and picnic area. The vehicle speed limit in the area is 50 km per hour and this slower speed should contribute to safer access for pedestrians and cyclists accessing the park. A maintenance vehicle gate has been positioned on the south-eastern side of the playground to allow mowing of the grassed parkland at the rear of the playground.

Internal concrete pathways provide immediate access from the car parking to the playground (that has rubber softfall) and the picnic shelters. It appears that the developed portion of the park is accessible.

Car parking

Six sealed and line marked car parks are provided directly off Charlotte Street in front of the park.

Signage and safety

There is currently no signage announcing the name or other details of the park.

Lighting

Lighting is provided in the picnic shelters at the park.



Figure 3: This photo shows the existing picnic shelters adjacent to the play space.



Figure 4: This photo shows the grassed open park land behind the play space and picnic facilities.

Play equipment

A young children's playground with climbing frames and ropes and a spinning toy with rubber softfall has been installed at the park. The play elements appear to be new and are in very good condition. Two shade sails cover the play equipment.

Park furniture

Park furniture consists of two shelters, picnic tables and chairs and an electric barbeque. The picnic facilities are located on the north-western side of the park adjacent to the playground and near the car parking.

Stormwater and drainage

The park slopes from the high point near Charlotte Street (and the playground and picnic facilities) downward toward the rear of the park and Byron Creek. Swale drains have been constructed along the southern edge of Charlotte Street, and this street extends to become Thomas Street.

2.5 Key stakeholders

Key stakeholders

The park is used for unstructured recreation and includes a playground and picnic facilities currently. Key stakeholders identified for the park are primarily local residents living in the surrounding neighbourhood.

Development of a community garden at the Park has been proposed by nearby residents.

Consultation summary

Council recognises the value of the park to people living in the immediate neighbourhood as well as those living in the village of Bangalow. The park provides unstructured recreation opportunities for children, opportunities for informal social contact for youth and adults of any age, and a relaxed and appealing setting.

In 2019, Council reached out to the local community to consult with them regarding future use and development of Charlotte Street Park. Nineteen submissions were received by Council from twenty-four residents. The results of community consultation has been incorporated into this POM. Key outcomes of consultation include:

- Twenty (or 83%) of the respondents support development of a community garden at the park
- Three (or 12%) of the respondents registered opposition to the community garden proposal
- One resident supported establishment of a community garden if only part of the open space was occupied by it.

The main reasons cited by residents who opposed the community garden included:

- loss of grassed open parkland and 'runabout' space
- loss of privacy by neighbouring residential property owners
- lack of maintenance of other established community gardens in Bangalow
- perceptions of reduced safety for children attending the park independently (without parents/carers) while (unknown) adults attend the community garden.

While these are legitimate concerns, careful design and management of the proposed community gardens can be implemented to mitigate them. Furthermore, Council's adopted Community Gardens Policy and Guidelines provide clear direction regarding these and other relevant manage these matters.

3.0 THE PLAN OF MANAGEMENT

3.1 Aims of the Plan of Management

The Plan of Management for Charlotte Street Park aims to:

- fulfill Council's statutory obligations in respect to public land management under the requirements of the Local Government Act 1993
- provide a framework and maximise opportunities for sustainable, long-term management of community land
- be consistent with Council's strategic plans and provide a basis for prioritising capital and operational works programming and budgets
- maximise utilisation of the land for community use within Council's capacity
- respond to current needs and opportunities as well as provide guidance for future development
- reflect the values and expectations of key stakeholders, the local community for future use and enjoyment of Charlotte Street Park
- be a resource for both Council staff and the public regarding the use of the land including leasing and licensing.

3.2 Core objectives of this Plan of Management

The Local Government Act sets out core objectives for the management of community land. The core objectives for the category of park are:

- a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- b) to provide for passive recreational activities or pastimes and for the casual playing of games, and
- c) to improve the land in such as way as to promote and facilitate its use to achieve the other core objectives for its management.

3.3 Use and Development of Community Land at Charlotte Street Park

3.3.1 Zoning

The community land covered by this plan is partially zoned R2 Low Density Residential and partially zoned Deferred Matter.

Table 2. Existing land title, tenure and zoning

Legal descriptor	Approx. area	Owner	Control and management	LEP 2014 & 1988 zoning	Current category
Lot 43 DP1228135	2,541 square metres (0.2541 hectares)	Byron Shire Council	Byron Shire Council	R2 Low Density Residential 1(a) General Rural	Park

3.3.2 Development allowed in the R2 Low Density Residential and 1(a) General Rural Zone

The objectives of the R2 zone are:

- (a) *to provide for the housing needs of the community within a low density residential environment.*
- (b) *to enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The objectives of the 1(a) zone are:

- (a) *to encourage and permit a range of uses creating a pattern of settlement, at a scale and character that maintains or enhances the natural, economic, cultural, social and scenic amenity of the rural environment of the Shire of Byron.*
- (b) *to encourage and permit a pattern of settlement which does not adversely affect the quality of life of residents and visitors and maintains the rural character.*
- (c) *to ensure development only occurs on land which is suitable for and economically capable of that development and so as not to create conflicting uses.*
- (d) *to allow the use of land within the zone for agricultural purposes and for a range of other appropriate purposes whilst avoiding conflict between other uses and intensive agriculture.*
- (e) *to identify lands which in the opinion of the council possess a limited capability for more intensive uses or development.*
- (f) *to restrict the establishment of inappropriate traffic generating uses along main road frontages other than in road side service areas.*
- (g) *to ensure sound management of land which has an extractive or mining industry potential and to ensure that development does not adversely affect the potential of any existing or future extractive industry.*
- (h) *to enable the provision of rural tourist accommodation and facilities only where such facilities are compatible with the form and density of the nature of the locality.*
- (i) *to permit the development of limited light industries which do not pose any adverse environmental impact, (e.g. software manufacture and film processing).*
- (j) *to ensure that the development and use of land shown cross-hatched on the map adjacent to areas of significant vegetation and wildlife habitat do not result in any degradation of that significant vegetation and wildlife habitat, and that any development conserves and protects and enhances the value of the fauna and flora.*

Activities, uses and development proposed for these reserves must be consistent with the above zoning objectives.

3.3.4 Leases, licences and other estates

Leases, licences and other estates over community land must be expressly authorised in plans of management and comply with the conditions in the *Local Government Act*. They must be in the best interests of the community as a whole and enable, wherever possible, shared use of community land. The term 'other estates' includes other interests, charges, rights or titles in relation to the land (for example, easements).

The main difference between a lease and a licence is that a licence does not permit the sole, or exclusive, use of the area. Licences may be granted to formally recognise and endorse shared uses.

Maximum term and public notice

The maximum term of a lease, licence or other estate is 30 years. The consent of the Minister for Local Government is required if the lease or licence exceeds 21 years. This consent is also required if the term of the lease or licence will be greater than five years and objections have been lodged against the proposal. Council must give public notice of the proposal and exhibit notice of it on the land to which the proposal relates. Council must consider all submissions made in response.

Granting a lease or licence

The grant of a lease or licence is an important step in using community land, but there may be other requirements relevant to any proposed use. For example, development consent may be required under the Environmental Planning and Assessment Act 1979. Any interested person should check carefully to ensure they are aware of all relevant requirements.

A lease, licence or other estate must not be granted if it involves:

- an activity that is not in accordance with a permitted purpose
- an activity that is not consistent with the objectives of the Plan of Management
- any activity prohibited by the land zoning stated in Council's current Local Environmental Plan (LEP).

Leases, licences and other estates allowed in Charlotte Street Park

In accordance with the requirements of the *Local Government Act 1993*, this Plan of Management expressly authorises Council to grant a licence, other estate or short term casual permit at Charlotte Street Park where the activity is consistent with this POM and the core objectives for the category of land, and is considered appropriate and for a purpose listed in Table 3.

Table 3. Purposes for which leases, licences and other estates may be authorised by Council at Charlotte Street Park

Type of arrangement	Authorisation appropriate?	Purpose
Lease	Not appropriate	<ul style="list-style-type: none"> • licenced community recreation club and associated facilities • classes and workshops for activities such as yoga, dance, art and craft • community based interest groups for a range of social, cultural, or recreational purposes • commercial operations to activate the site and provide community recreation • cafe (including outdoor dining area) • health or medical practitioners associated with a relevant facility (e.g. nutrition, physiotherapy) • children's services • car parks
Licence	Appropriate	<ul style="list-style-type: none"> • community based interest groups for a range of social, cultural, or recreational purposes • classes and workshops for activities such as yoga, dance, art and craft • small scale community uses, such as mobile cafe, hire of sports and recreation equipment, personal trainers • small scale community garden
Other estate	Appropriate	This POM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the <i>Local Government Act 1993</i> . Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the Council or other public utility provider that is situated on community land
Short term casual permit	Appropriate	<ul style="list-style-type: none"> • small scale functions, displays, exhibitions, concerts • public speeches, meetings, seminars and presentations • community events, auctions, markets and similar activities • classes and workshops for activities such as yoga, dance, art and craft • small scale community uses, such as mobile cafe, hire of sports and recreation equipment, personal trainers

3.4 Management objectives and actions for Charlotte Street Park

The following management objectives support environmental protection, active and passive recreation, social connection, appropriate commercial recreation and visual amenity.

3.5 Objectives and performance targets

Objectives and performance targets have been developed to guide management and development of the land in accordance with this POM.

Table 4. Objectives and performance targets for Charlotte Street Park

Management objectives	Performance targets	How to achieve objectives and performance targets	Assessment of performance regarding objectives and performance targets
Provide and maintain passive recreation space for the Charlotte Street Park community	Provision of land and facilities for passive recreational opportunities	Prepare a landscape concept plan for the park identifying the location and scale of the community gardens and including connecting, accessible pathways	Landscape concept plan developed and adopted and implemented
		Ensure the landscape concept plan includes design for community gardens that are inclusive and an appropriate scale for the park	
Provide recreational facilities and space that is safe and secure for use by all members of the community	Provision of measures to enhance safety and security for site users	Provide recreation facilities compliant with adopted Council strategies, policy and guidelines and industry standards	Recreation facilities are established in accordance with relevant strategies and standards
		Provide adequate lighting, signage and access infrastructure	Provision of lighting, signage and access
		Implement a site design that provides for casual surveillance of the site	Sight lines into and across the site are maintained
		Undertake regular safety audits of facilities	Audits conducted regularly and safety improvements are acted upon

Management objectives	Performance targets	How to achieve objectives and performance targets	Assessment of performance regarding objectives and performance targets
Ensure that the recreational areas are kept in a condition suitable for the healthy, safe and enjoyable use by the community and maintained in an aesthetically pleasing manner	Provide a comprehensive and regular maintenance regime	Ensure that grass areas are kept mown, access ways are kept clear of vegetation and rubbish removal occurs in accordance with Council's maintenance schedule	Community feedback indicates facilities are well maintained and clean
Provide full access to recreational areas for all members of the community	Provision of a safe and convenient pedestrian access way to the land	Provide pedestrian access to built facilities including the proposed community garden to be included in the landscape concept plan Design a connection point for the proposed future shared path along the Byron Creek corridor	Access provided to the site in accordance with Council's adopted strategies and policies
	Provision of adequate parking	Maintain the formal car parking containing six spaces at the road frontage for the park Install bike parking at an appropriate location in the park	Car parking provided in accordance with relevant Council standards Bike parking accommodated at park
Provide appropriate signage to encourage and control the use of the community garden	Provision of signage advising users of requirements	Once the community garden is built, Community Garden Committee members are to liaise with Council to seek approval prior to erecting information signage	Signage installed
Minimise adverse amenity impacts from recreational uses for adjacent dwellings	Protect dwellings adjoining the land from adverse noise, light and visual impacts from recreation use	Maintain the landscaped buffer between the park facilities and adjoining residential dwellings	Landscaping to create privacy along property boundaries shared with residential properties
		Locate facilities within the park at least one metre from adjoining residential property boundaries and to preserve sight lines beyond the park	Facilities located 1m from adjoining residential property boundaries

Management objectives	Performance targets	How to achieve objectives and performance targets	Assessment of performance regarding objectives and performance targets
To ensure that weeds or undesirable species are not cultivated in the community gardens e.g. Curry Plant (<i>Murraya koenigii</i>)	Stewards of the garden familiarise themselves with local bushland weeds (or potential weeds) prior to any planting	Consult Councils undesirable species list in DCP and the app Weeds of South East QLD and Northern NSW. Assistance during planning by Bangalow Landcare and relevant Council staff	No undesirable plants under cultivation
Tree planting will not block current views or impede on private property. Trees spaced to allow mowing of grass, if retained	Trees provide public amenity in positions that allow for long-term establishment. Avoid conflicts that may occur with bats feeding on fruit in near vicinity to children's equipment	Research growth potential of trees prior to planting. Place tree or marker in desired position and then look at it from all angles while considering impacts on neighbours	Trees suited to location with minimal insect control required. Does not litter park with over-ripe fruit
Manage compost if generated	Compost is well contained and not malodorous. Healthy compost generated and used in the gardens	Research composting techniques and consider amenity amongst suburban neighbours	Compost generated and valued by the community

APPENDIX

APPENDIX A: COUNCIL DOCUMENTS

Our Byron Our Future - Community Strategic Plan

The Community Strategic Plan (CSP) sets out the vision for the decade and highlights the opportunities available in the Byron local government area (LGA). The CSP is underpinned by the social justice principles of equity, access, participation and rights and Council is committed to accessibility and inclusion promoting equal rights for all members of the community.

The CSP recognises the unique rural community of Bangalow and the contribution of its agricultural and heritage values to the lifestyle on offer in the village. Five community objectives act as themes to capture community desires, the relevant strategic context and supporting strategies. The most relevant that apply to this Plan of Management are:

Community Objective 2: We cultivate and celebrate our diverse cultures, lifestyles and sense of community.

Community Objective 3: We protect and enhance our natural environment.

Community Objective 5: We have community led decision making which is open and inclusive.

A set of wellbeing indicators are included in the CSP to assist measure and monitor progress towards achieving the outcomes and strategies.

Open Space and Recreation Needs Assessment Plan

Council developed and adopted the Open Space and Recreation Needs Assessment 2017-2036 to provide a clear planning framework that considers the community's current and future recreation and sporting demands, existing options for meeting those demands, the nature of spaces required for particular activities, and the types of services support particular activities.

In relation to Charlotte Street Park, the Plan recommends removal and relocation of the barbeque to another suitable park in the Shire. If a community garden is established at Charlotte Street Park, the consideration could be given by Council to retaining the barbeque at the park in anticipation of community gatherings, slightly larger than typical at a local recreation park.

Bike Plan

Council has prepared a 10 year Byron Shire Bike Plan to achieve improvements in the Shire including:

- construction of new off and on-road cycle ways, shared paths and road crossings
- upgrade existing cycling infrastructure
- amendment of road design to support safe cycling
- encourage cycling as a fun and healthy transport alternative.

With regard to Charlotte Street Park, the Plan recommends construction of 360m of new shared path along Byron Creek between Deacon Street (Station Street access) and existing path from Charlotte Street. The project has been nominated as a priority category C, meaning that a significant number of projects will take precedence to construction of the Charlotte Street shared path connection. Consideration of the shared path should be a factor of any plans and designs for Charlotte Street Park.

Pedestrian and Mobility Plan

In 2019, Council prepared the Byron Shire Pedestrian and Mobility Plan (PAMP) as a strategic and holistic approach to footpath provision and maintenance across the Shire. The plan:

- identifies priorities for pedestrians
- improves footpaths and footpath networks
- assists in prioritising works
- enables community groups to prepare strategically-aligned grant applications in the future.

The PAMP mirrors the recommendation of the Bike Plan to construct a shared path connecting Deacon Street to Charlotte Street.

2020 Byron Shire Community Gardens Policy

The policy and accompanying guidelines aim to support a strong network of community gardens across the Shire. The policy establishes the scope, roles and responsibilities as well as the relevant legislative and strategic context for community gardens.

- improves footpaths and footpath networks
- assists in prioritising works
- enables community groups to prepare strategically-aligned grant applications in the future.

2020 Byron Shire Community Gardens Guidelines

The Byron Shire Community Gardens Guidelines 2020-2025 is a guide to develop, implement and maintain a successful community garden in Byron Shire. The guide is comprehensive and provides community members with a clear step-by-step process to follow to successfully establish a community garden.