

# Plan of Management Community Land Water Lily Park Ocean Shores

Adopted by Council 18 December 2008 (Res 08/858)

Prepared for: Byron Shire Council

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**Byron Shire Council**

**#895475 Adopted Plan of Management - Community Land  
Water Lily Park Ocean Shores**

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## 1. INTRODUCTION

A Plan of Management provides Council with an appropriate framework for the future management of public land in accordance with all relevant legislation. The Plan is community driven and provides for the community's vision for the land, including permitted uses and establishes strategies and an action plan for the implementation of the desired outcomes.

The purpose of this Plan of Management is to provide a guide for the future use, development and management of an area of land identified as Lot 175 DP 238456, which is located in Ocean Shores, west of the township and bordered by Orana Road and Tindara Avenue, with road entrance from Yamble Drive.

The land is known locally as Water Lily Park.

### 1.1. Structure of this Plan of Management

This Plan of Management is in five main sections:

1. The Introduction – provides the purpose of the Plan and the details of the land for which the Plan is being developed and its general condition.
2. How Legislation Applies to the Plan – Outlines the legislative framework, the categorisation and core objectives for the land, and the current zoning of the land.
3. The Strategies and Actions for implementation – provides specific objectives, strategies and performance targets for each of the core and other objectives identified for the land.
4. Future Use and Development of the land – provides the authorised (proposed and potential) developments on the land.
5. Estimated Costs of Works.

### 1.2. Land covered by this Plan

This Plan of Management applies to land identified as Lot 175 DP 238456. The land area is approximately 5.2 hectares and is zoned 6(a) Public Open Space. (Refer locality map p.3)

The land is Community Land, owned and managed by Byron Shire Council.

The land is located to the west of the township of Ocean Shores, and is bounded by both Orana Road and Tindara Avenue, and connects to Yamble Drive. The land is dominated by a large constructed lake which dissects the land from south to north. The land is also surrounded on all sides by households which back onto the identified lot.

### LOCALITY MAP

**Location Lot 175 DP 238456**

**Waterlily Park - Ocean Shores**



Disclaimer : While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.  
Note : The information shown on this map is a copyright of the Byron Shire Council and the NSW Department of Lands.

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Metres 100 200 300

( Scale correct at A4 size )



19/02/2008

### 1.3. Condition of the Land

At the date of adoption of this plan, the land is dominated by a constructed water course (lake), with the remaining land covered with a variety of scattered native and non native trees, many of which were planted during development of the park. The land has been primarily used for passive recreation and sporting activities, however the major portion is occupied by natural areas, in particular the constructed lake which has over time acquired significant natural environmental values.

The land is generally flat, with large portions cleared of vegetation. The majority of the land is well grassed and in good condition, however it is subject to flooding during major storm events

### 1.4. Existing Uses and Facilities

Water Lily Park is currently used by the community of Ocean Shores for both passive and active recreational pursuits. The land provides the community with an area of open space for activities such as walking, sporting activities (tennis), children's activities (playground) and the enjoyment of the natural amenity provided by the lake and surrounding landscape.

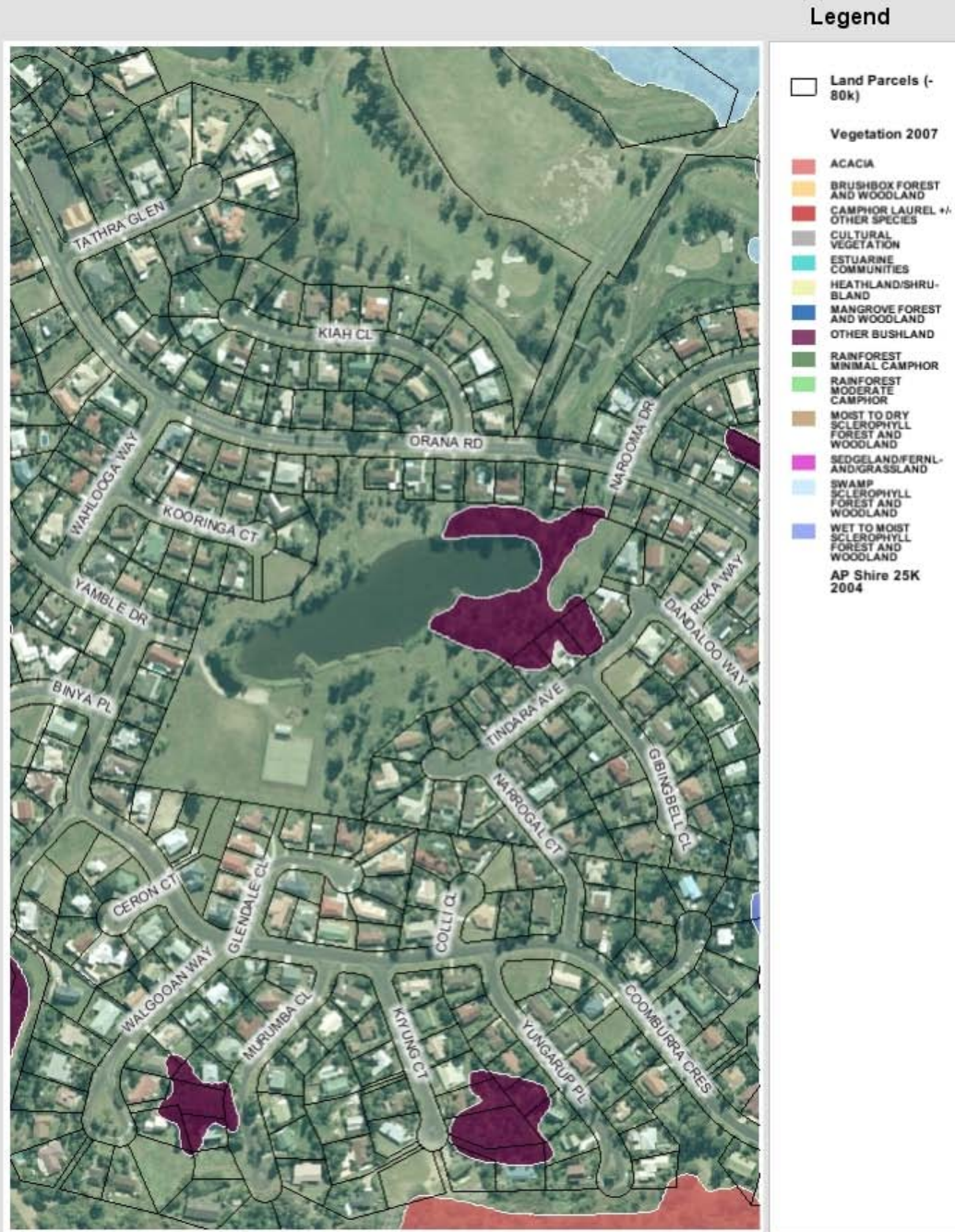
A table of existing uses and their condition is provided below:

Description	Purpose/Use	Current Facilities	Condition
Tennis Courts	Sporting and recreation	2 Tennis courts Fencing Lights	Poor Poor Poor
Amenities Block	Ancillary to sporting and recreation	Amenities Block with toilets, meeting area and canteen	Good
Children's Playground	Recreation purposes	Set of swings Climbing apparatus and slippery dip	Poor Good
Seating	Recreational purposes	2 benches	Poor
Car parking	Ancillary to sporting and recreation	Car park Picket fencing	Poor Good
Signage	Ancillary to sporting and recreation	Park signs	Poor



VEGETATION MAP

Mapped Vegetation (2007) "Water Lily Park" Lot 175 DP 238456



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5/03/2008



## 2. HOW LEGISLATION APPLIES TO THIS PLAN

Under the legislative requirements of the Local Government Act 1993, Council is required to prepare and adopt Plans of Management for all community land.

The minimum requirements under the Act state that a plan of management must:

- Categorise the land in accordance with s.36(4) and (5)
- Contain objectives for the management of the land
- Contain performance targets
- Specify the means of achieving the objectives and performance targets
- Specify how achievement of the objectives and performance targets is to be assessed (s.36 (3)).

It is important to note that plans of management cannot override legislation. Council must comply with all relevant laws that apply to the use of the community land, in addition to the plan of management. This includes other parts of the Local Government Act 1993, the Environmental Planning and Assessment Act and planning instruments such as Local Environmental Plans (LEP).

In relation to the Byron Local Environmental Plan (LEP) 1988, the plan of management must be consistent with the permissible uses for the land detailed in the LEP.

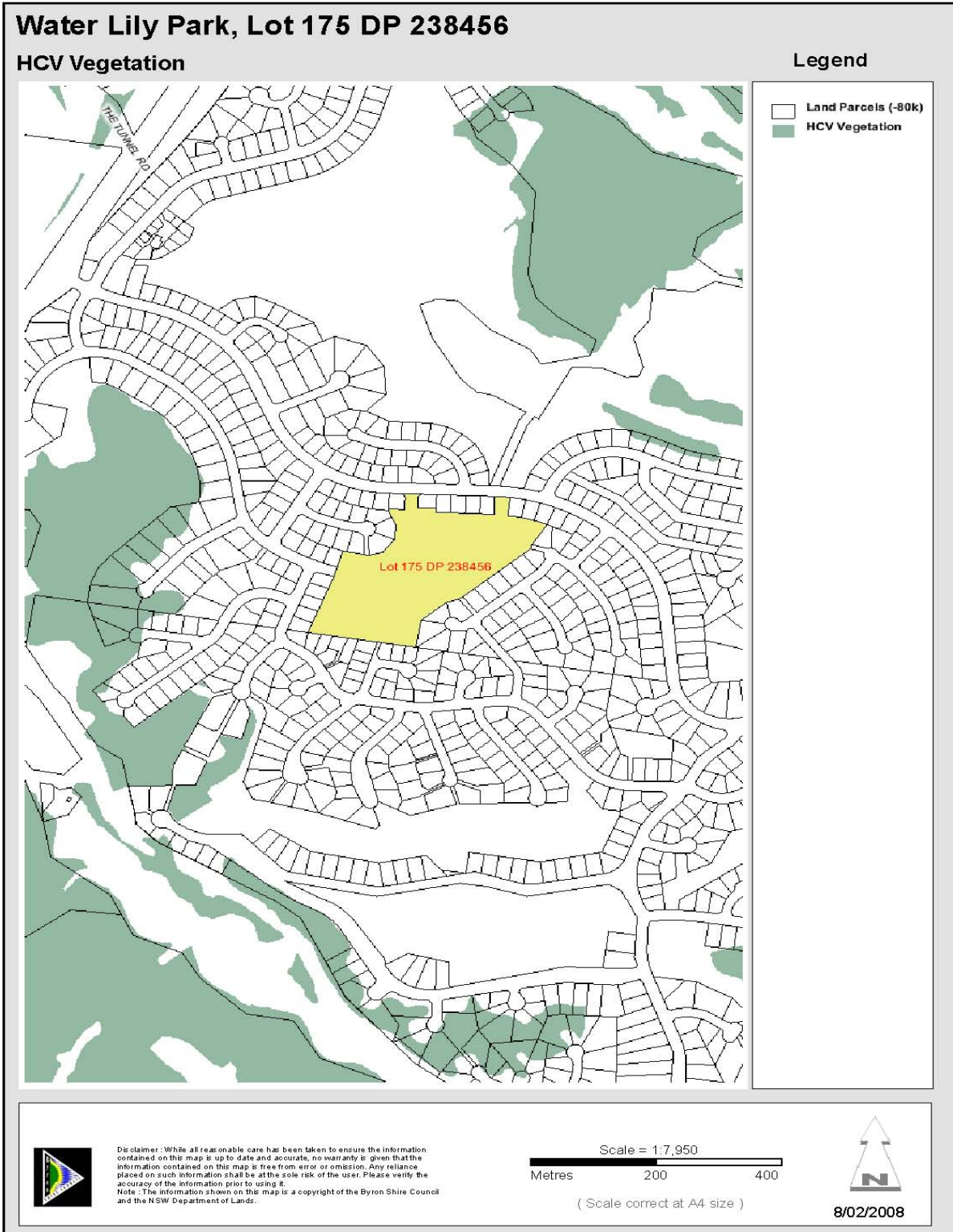
### 2.1. Community land affected by threatened species

The Local Government Act was amended in 1999 to integrate the management of community land with threatened species laws. Council therefore must comply with the full range of threatened species laws.

Reference to the Byron Biodiversity Conservation Strategy for Lot 175 DP 238456 does not indicate any vegetation with significant floristic value and does not represent a threatened community or contain threatened plant species, as listed under the schedules of the Threatened Species Conservation (TSC) Act 1995. (See map p.6)

Further to the above, the land parcel is also not considered to contain any community land which could be categorised as having “significant natural features”, or “area of cultural significance”, as specified under sections 36 (c) and (d) of the Local Government Act 1993.

### HIGH CONSERVATION VALUE VEGETATION AND HABITATS



## 2.2. Flora and Fauna

The following are comments on the flora and fauna habitat values of Water Lily Park, Ocean Shores (Lot 175 DP 238456) based on a brief field assessment. No quantitative data was collected though flora and fauna species were noted and available data was referred to.

A portion of the vegetation in Water Lily Park has been currently mapped as “Other Bushland” (see appendix 1) however it would be best mapped as “Cultural Vegetation”. The vegetation in Water Lily Park is a mixture of remnant native specimens and clumps, and planted ornamental species (native and exotic species) and native or weed colonising species.

### Native vegetation & Species

For convenience the native vegetation assemblage can be broadly divided into the following groups:

1. Remnant Forested Wetland
2. Rainforest
3. Aquatic macrophytes

#### Forested Wetlands

The remnant Forested Wetland (sensu Keith, 2004) native species are those that would have formed part of Endangered Ecological Community listed as *Swamp sclerophyll forest on coastal floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions* (NSW Scientific Committee, 2005).

Characteristic tree species from Swamp Sclerophyll Forest include Swamp Mahogany (*Eucalyptus robusta*) and Broad-leaved Paperbark (*Melaleuca quinquenervia*) and occur as clumps or isolated specimens around the Pond edge or across the parkland. The mid-storey trees present include Blackwood (*Acacia melanoxylon*), Maidens Wattle (*Acacia maidenii*), Willow Bottlebrush (*Callistemon salignus*) and several rainforest species (see below). Native shrubs present include Swamp Hibiscus (*Hibiscus diversifolius*) and Native Elderberry (*Sambucus australasica*)

Native groundcover species persisting include the herbaceous Native Flax-lily (*Dianella caerulea* var. *producta*), Scurvy Weed (*Commelina cyanea*) and Swamp Pennywort (*Centella asiatica*) and the ferns Harsh Ground Fern (*Hypolepis muelleri*) Swamp Water Fern (*Blechnum indicum*). Native twiners present include Climbing Guinea Flower (*Hibbertia scandens*), Snake Vine (*Stephania japonica* var. *discolor*).

## Rainforest

Among the treed areas in Water Lily Park there are rainforest species including those that may occur in Swamp Sclerophyll Forest remnants elsewhere such as Cheese Tree (*Glochidion ferdinandii*), Bangalow Palm (*Archontophoenix cunninghamiana*) and Sandpaper Fig (*Ficus coronata*) (see NSW Scientific Committee, 2005). However there are a suite of rainforest species that are common to coastal and lowland rainforests such as *Macaranga* (*Macaranga tanarius*), Tuckeroo (*Cupaniopsis anacardioides*), *Guioa* (*Guioa semiglauca*), Red Ash (*Alphitonia excelsa*), Three-veined Cryptocarya (*Cryptocarya triplinervis* var. *triplinervis*) and Beach Acronychia (*Acronychia imperforata*) and Port Jackson Fig (*Ficus rubiginosa*).

It is expected that many of the aforementioned and other rainforest species (see plant list) have colonised the site after their seeds are dispersed there by Flying-foxes (*Pteropus* spp.) and birds. Additionally many of these species will get considerably larger on maturation and small thickets of rainforest may develop.

## Aquatic Macrophytes

The Water Lily Park waterbody has a suite of native aquatic flora that have persisted from previous wetlands in the local area or colonised the pond. Around the edge in the damp sediments or shallow wetland edges there are the emergent Common Reed (*Phragmites australis*) and various sedges (*Bolboschoenus* spp., *Cyperus odoratus*). Other emergent or sprawling aquatic macrophytes in the water shallows and pond margins include Water Primrose (*Ludwigia octovalvis*), Hairy Knotweed (*Persicaria attenuata*) and Prickly Knotweed (*Persicaria strigosa*). Floating plants include the free-floating fern (*Azolla* spp.) and the rooted native waterlily, Water Snowflake (*Nymphoides indica*).

## **Exotic flora**

The exotic flora includes plantings of natives and non-Australian ornamental species as well as weed species that have colonised the site. The native species that have been planted include species native to Byron Shire (e.g. Water Gum, *Tristaniopsis laurina*; Plum Pine *Podocarpus elatus*; Coastal Cypress *Callitris columularis*; Blackbutt, *Eucalyptus pilularis*) as well as exotic natives from the NSW North Coast (e.g. Silky Oak, *Grevillea robusta*), North Queensland Cadaghi, (*Cormybia torelliana*) and Western Australia Willow Myrtle, (*Agonis flexulosa*)<sup>1</sup>. Exotic non-Australian ornamental species planted in the park include Jacaranda (*Jacaranda mimosifolia*), New Zealand Christmas Bush (*Meterosideros excelsa*), Sleeping Hibiscus (*Malvaviscus arboreus*) and Weeping Fig (*Ficus mircocarpa*)<sup>2</sup>.

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<sup>1</sup> Other local and non-local native species are planted; see plant list

<sup>2</sup> Other exotic non-Australian ornamental species; see plant list

There are a plethora of weed tree species including those that are exotic native weeds Umbrella Tree, (*Schefflera actinophylla*), from north Queensland to exotic ornamental plants such as Broad-leaved Peppertree (*Schinus terebinthifolia*) and Cocos Palm (*Syagrus romanzoffianum*) whose seeds are readily dispersed by flying-foxes and birds. Additionally there are shrubs and ground layer species whose seeds are bird attracting and have readily colonised the site including Mickey Mouse Plant (*Ochna serrulata*), Wild Tobacco (*Solanum mauritianum*), Indian Hawthorn (*Raphiolepis indica*) and Canna Lilly (*Canna indica*). Weed vines includes those dispersed by birds e.g. Climbing Nightshade, (*Solanum seaforthianum*) that has escaped from cultivation, to serious environmental weeds such as Madeira Vine (*Anredra cordifolia*) dispersed by rubbish dumping or by water.

Other groundcover weed species present include those that are persistent from past agricultural practice [*Setaria*, (*Setaria sphacelata*)] or those that are garden escapees and/or are dumped but are able to spread once established e.g. Fishbone Fern, (*Nephrolepis cordifolia*) and Wedelia, (*Wedelia trilobata*).

The predominant aquatic macrophyte that characterises the pond in Water Lily Park is the exotic Cape Waterlily (*Nymphaea caerulea* subsp. *zanzibarenis*).

The lawn of the park includes exotic species; however they are part of the amenity and recreational value of Water Lily Park and are maintained as such, however many such grasses may spread into and compete with native specimens and patches.

## **Fauna & their habitat**

No fauna survey has been undertaken at Water Lily Park and though the vegetated landscape is predominately mown open parkland there are specimens, clumps and thickets of native and exotic flora species scattered across the park that provide either food resources and/or structural habitat resources.

The Swamp Mahogany and Broad-leaved Paperbark specimens are important floral resources that provide relatively consistent nectar during autumn and winter when that resource is limited (Law *et al*, 2000). The nectar resources provided by these tree species are recognised as important resources for the threatened Grey-headed Flying Fox (*Pteropus poliocephalus*), Common Blossom Bat (*Syconycteris australis*), Regent Honeyeater (*Xanthomyza phrygia*) and Swift Parrot (*Lathamus discolor*) and many other non-threatened parrot and honeyeater species (Eby, 1991; Eby *et al*, 1999; Higgins, 1999; Higgins *et al*, 2001; Law, 1993; Oliver, 2000; Saunders & Heinsohn, 2008).

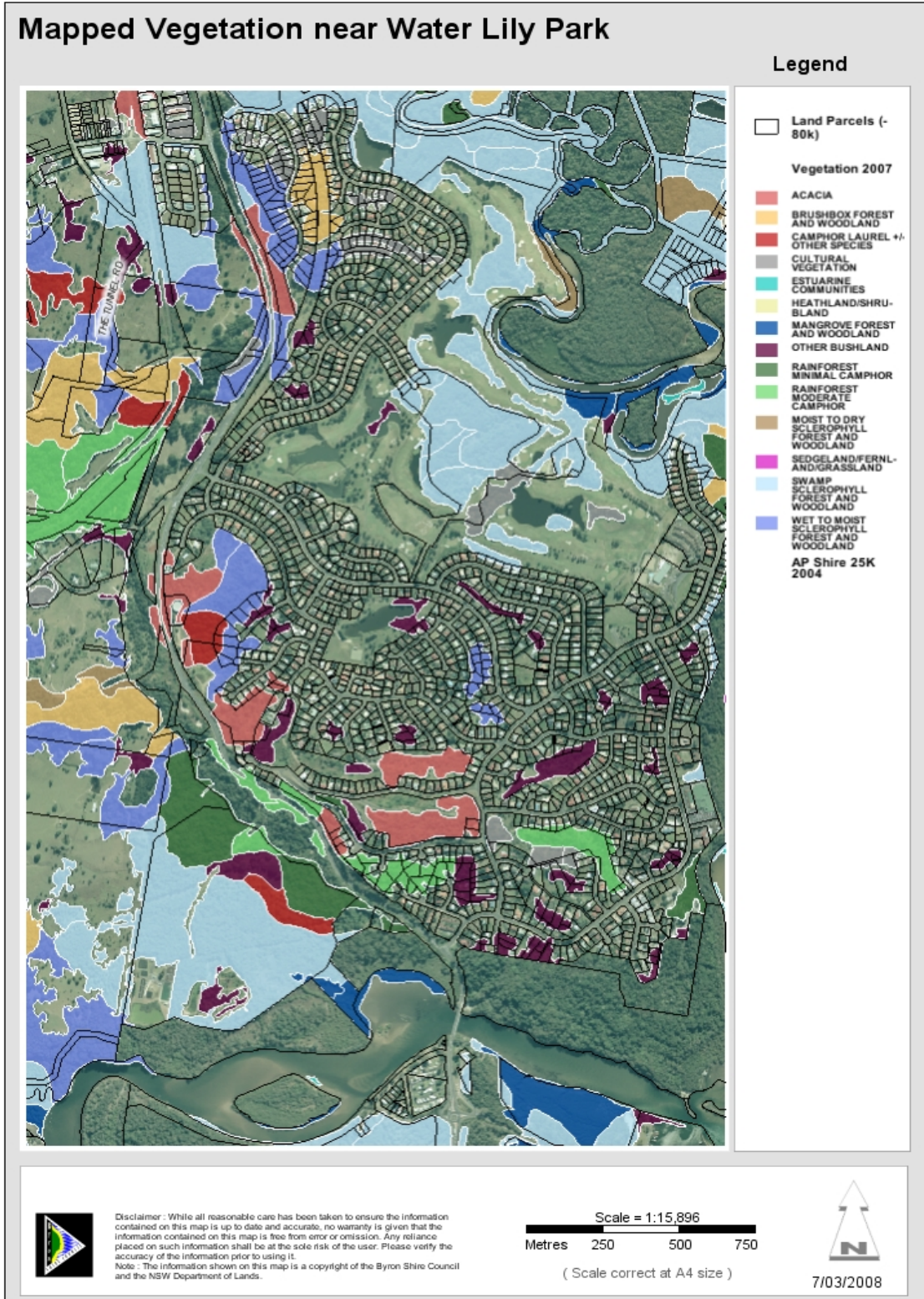
The existing rainforest species either currently, or on maturation, will provide foraging resources (i.e. fruit) for Grey-headed Flying Foxes and rainforest pigeons including threatened species and roosting habitat for the Common Blossom Bat (Eby, 1991, 1995; Higgins & Davioes, 1996; Law, 1993; Recher *et al*, 1995). Additionally isolated rainforest

specimens and thickets may act as stepping-stones for rainforest pigeons dispersing across fragmented and disturbed landscapes (Date *et al*, 1991).

The periphery vegetation on the landward edge at the pond includes areas of tall exotic grasses (c.f. trees and shrubs) such as *Setaria* and a localised area of low grassed verges to the water edge. Both are habitat for waterbirds while the latter allows access for people to the water edge. The rank, narrow, unmown tall exotic grass are currently very important habitat for some of the more secretive waterbirds that may use the site but also important retreat cover for the more ubiquitous and less secretive species. The aquatic macrophytes also provide habitat useful for aquatic invertebrates and vertebrates (Boulton & Brock, 1999).

In order to protect the habitat values of the lake foreshore, Council has resolved (08-858) that a 10 metre buffer be created around the lake for the purpose of being a “dog-free” zone until a comprehensive fauna study of the park has been undertaken.

### MAPPED VEGETATION



## Preliminary Vascular Plant Species List: Water Lily Park

Class (Subclass)	Common Name	Botanical Name (* = exotic)	Planted/ Park	Rainforest	Swamp Sclerophyll Forest (SSF)	Aquatic
Family						
<b>Coniferopsida</b>	<b>Conifers</b>					
Araucariaceae						
	Hoop Pine	<i>Araucaria cunninghamii</i>	Planted			
Podocarpaceae						
	Plum Pine	<i>Podocarpus elatus</i>	Planted			
Cupressaceae						
	Coastal Cypress	<i>Callitris columellaris</i>	Planted			
	Chinese Juniper	<i>Juniperinus chinensis*?</i>	Planted			
<b>Filicopsida</b>	<b>Ferns</b>					
Azollaceae						
	a Azolla	<i>Azolla sp.</i>				Aquatic
Blechnaceae						
	Swamp Water Fern	<i>Blechnum indicum</i>			SSF	
Davalliaceae						
	Fishbone Fern	<i>Nephrolepis cordifolia*</i>		Rainforest	SSF	
Dennstaediaceae						
	Harsh Ground Fern	<i>Hypolepis muelleri</i>			SSF	
Dennstaedtiaceae						
	Common Bracken	<i>Pteridium esculentum</i>			SSF	
<b>Magnoliopsida</b>	<b>Flowering Plants</b>					
<b>(Liliidae)</b>	<b>Monocots</b>					
Araceae						
	Monstereo	<i>Monstera deliciosa*</i>	Planted			
Areaceae						
	Cocos Palm	<i>Syagrus romanzoffianum*</i>		Rainforest		
Asparagaceae						
	Asparagus Fern	<i>Asparagus aethiopicus*</i>		Rainforest		
Cannaceae						
	Indian Shot; Tous-les-mois Arrowroot	<i>Canna indica*</i>			SSF	
Commelinaceae						
	Scurvy Weed	<i>Commelina cyanea</i>		Rainforest	SSF	
Cyperaceae						
	a Club Rush	<i>Bolboschoenus sp.</i>				Aquatic
	Fragrant Flatsedge	<i>Cyperus odoratus</i>				Aquatic
Phormiaceae						
	Native Flax-lily	<i>Dianella caerulea producta</i>			SSF	
Poaceae						
	Narrow-leaved Carpet Grass	<i>Axonopus fissifolius*</i>	Park			
	Native Couch	<i>Cynodon dactylon</i>	Park			
	A panic	<i>Panicum sp</i>			SSF	
	Sour Grass; Yellow	<i>Paspalum conjugatum*</i>	Park			



Class (Subclass)	Common Name	Botanical Name (* = exotic)	Planted/ Park	Rainforest	Swamp Sclerophyll Forest (SSF)	Aquatic
	Grass					
	Broad-leaved Paspalum	<i>Paspalum wettsteinii</i> *			SSF	
	Common Reed	<i>Phragmites australis</i>				Aquatic
	Setaria; South African Pigeon Grass	<i>Setaria sphacelata</i> *			SSF	
<b>(Magnoliidae)</b>	<b>Dicots</b>					
Anacardiaceae						
	Broad-leaved Pepper Tree	<i>Schinus terebinthifolia</i> *		Rainforest		
Apiaceae						
	Swamp Pennywort	<i>Centella asiatica</i>			SSF	
Araliaceae						
	Umbrella Tree	<i>Schefflera actinophylla</i> *		Rainforest		
Asteraceae						
	Goat weed	<i>Ageratum houstonianum</i>		Rainforest	SSF	
	Cobblers Pegs	<i>Bidens pilosa</i> *	Park			
	Fleabane	<i>Conyza sp.</i> *	Park			
	White Eclipta	<i>Eclipta prostrata</i>			SSF	
	Mexican Sunflower	<i>Tithonia diversifolia</i> *	Park			
	Singapore Daisy	<i>Wedelia trilobata</i> *			SSF	
Basellaceae						
	Madeira Vine	<i>Anredera cordifolia</i> *		Rainforest	SSF	
Bignoniaceae						
	Jacaranda	<i>Jacaranda mimosifolia</i> *	Planted			
	African Tulip Tree	<i>Spathodea campanulata</i> *	Planted			
Caesalpinioideae						
	Leopard Tree	<i>Caesalpinia ferrea</i>	Planted			
	Winter Senna	<i>Senna pendula glabrata</i> *		Rainforest	SSF	
Caprifoliaceae						
	Native Elderberry	<i>Sambucus australasica</i>		Rainforest		
Casuarinaceae						
	Swamp Oak	<i>Casuarina glauca</i>	Planted			
Crassulaceae						
	Resurrection Plant; Live Plant	<i>Bryophyllum pinnatum</i> *				
Dilleniaceae						
	Climbing Guinea Flower	<i>Hibbertia scandens</i>		Rainforest		
Euphorbiaceae						
	Cheese Tree	<i>Glochidion ferdinandi</i>		Rainforest		
	Macaranga	<i>Macaranga tanarius</i>		Rainforest		
		<i>Phyllanthus sp.</i>		Rainforest		
Faboideae						
	Velcro Weed; Silver- leaved Desmodium	<i>Desmodium uncinatum</i> *			SSF	
		<i>Erythrina crista-galli</i> *			SSF	

Class (Subclass)	Common Name	Botanical Name (* = exotic)	Planted/ Park	Rainforest	Swamp Sclerophyll Forest (SSF)	Aquatic
	Coral Tree	<i>Erythrina X sykesii</i> *			SSF	
	Sirato	<i>Macroptilium atropurpureum</i> "			SSF	
Haloragaceae						
	Parrots Feathers	<i>Myriophyllum aquaticum</i> *				Aquatic
Lamiaceae						
	A Plectranthus	<i>Plectranthus verticillatus</i> *			SSF	
Lauraceae						
	Camphor Laurel	<i>Cinnamomum camphora</i> *		Rainforest		
	Three-veined Cryptocarya	<i>Cryptocarya triplinervis triplinervis</i>		Rainforest		
Malaceae						
	Indian Hawthorn	<i>Rhaphiolepis indica</i> *		Rainforest		
Malvaceae						
	Swamp Hibiscus	<i>Hibiscus diversifolius</i>			SSF	
	Sleeping Hibiscus	<i>Malvaviscus arboreus</i> *	Planted			
	Paddy's Lucerne	<i>Sida rhombifolia</i> *	Park			
Meliaceae						
	Hairy Rosewood	<i>Dysoxylum rufum</i>	?	Rainforest		
	White Cedar	<i>Melia azedarach</i>	?	Rainforest		
Menispermaceae						
	Snake Vine	<i>Stephania japonica discolor</i>		Rainforest		
Mimosoideae						
	Maiden's Wattle	<i>Acacia maidenii</i>		Rainforest		
	Blackwood	<i>Acacia melanoxylon</i>		Rainforest		
Moraceae						
	Sandpaper Fig	<i>Ficus coronata</i>		Rainforest		
	Weeping Fig	<i>Ficus microcarpa</i> *	Planted			
	Port Jackson Fig	<i>Ficus rubiginosa</i>		Rainforest		
	Cockspur Thorn	<i>Maclura cochinchinensis</i>		Rainforest		
Myrsinaceae						
	Coral Berry	<i>Ardisia crenata</i> *		Rainforest		
Myrtaceae						
	Willow Myrtle	<i>Agonis flexulosa</i>	Planted			
	Willow Bottlebrush	<i>Callistemon salignus</i>				
	a Bottlebrush	<i>Callistemon (viminalis?)</i>	Planted			
	Cadaghi	<i>Cormybia torelliana</i> *	Planted			
	Flooded Gum	<i>Eucalyptus grandis</i>	?			
	Blackbutt	<i>Eucalyptus pilularis</i>	Planted			
	Swamp Mahogany	<i>Eucalyptus robusta</i>			SSF	
	Brush Box	<i>Lophostemon confertus</i>	Planted			
	Swamp Turpentine	<i>Lophostemon suaveolens</i>			SSF	
	Broad-leaved Paperbark	<i>Melaleuca quinquenervia</i>			SSF	

Class (Subclass)	Common Name	Botanical Name (* = exotic)	Planted/ Park	Rainforest	Swamp Sclerophyll Forest (SSF)	Aquatic
	New Zealand Christmas Bush	<i>Metrosideros excelsa</i> *	Planted			
	Water Gum	<i>Tristaniopsis laurina</i>	Planted			
Nymphaeaceae						
	Cape Waterlily	<i>Nymphaea caerulea</i> *				Aquatic
Ochnaceae						
	Micky Mouse Plant	<i>Ochna serrulata</i> *		Rainforest		
Onagraceae						
	Willow Primrose	<i>Ludwigia octovalvis</i>				Aquatic
	Water Primrose	<i>Ludwigia peploides montevidensis</i>				Aquatic
Passifloraceae						
	Small Passionfruit; Corky Passionfruit	<i>Passiflora suberosa</i> *		Rainforest		
	White Passionflower	<i>Passiflora subpeltata</i> *		Rainforest		
Pittosporaceae						
	Native Daphne	<i>Pittosporum undulatum</i>		Rainforest		
Polygonaceae						
	a Knotweed	<i>Persicaria attenuata</i>				Aquatic
	Prickly Smartweed	<i>Persicaria strigosa</i>				Aquatic
Proteaceae						
	Silky Oak	<i>Grevillea robusta</i> *	Planted			
	Rough-shelled Bush Nut	<i>Macadamia tetraphylla</i>	Planted			
Rhamnaceae						
	Red Ash	<i>Alphitonia excelsa</i>		Rainforest		
Rutaceae						
	Beach Acronychia	<i>Acronychia imperforata</i>	?	Rainforest		
Sapindaceae						
	Tuckeroo	<i>Cupaniopsis anacardioides</i>		Rainforest		
	Guioa	<i>Guioa semiglauca</i>		Rainforest		
Solanaceae						
	Wild Tobacco	<i>Solanum mauritianum</i> *		Rainforest		
	Brazilian Nightshade	<i>Solanum seafortianum</i> *		Rainforest		
Verbenaceae						
	Lantana	<i>Lantana camara</i> *	Park	Rainforest	SSF	

### 2.3. Objectives

This section of the plan of management addresses the following objectives:

- To identify community land categories;
- To establish core objectives for each of the community land categories;
- To develop a list of practical steps that will be taken to achieve the objectives;
- To develop a list of practical measures of assessment to measure the success of the strategies

### 2.4. The Categorisation of Community land

Section 36 of the Local Government Act 1993, states that Council must categorise community land as one or more of the following:

- *Natural area, further categorised as (bushland, wetland, escarpment, watercourse, foreshore, a category prescribed by the regulations)*
- *Sportsground,*
- *Park*
- *Area of cultural significance*
- *General community use*

This plan of management categorises the community land parcel into the following:

(Refer map p.20)

- Natural area - wetland
- Park
- Sportsground

### 2.5. Guidelines for Categorisation

The Local Government (General) Regulation 1999 (updated 23 August 2002) provides guidelines for each of the above categories.

Guidelines from this Regulation for categorising community land are set out below:

### **Natural Area**

*Land should be categorised as a **natural area** under section 36 (4) of the Act if the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36 (5) of the Act.*

**Note.** Section 36A of the Act provides that community land that has been declared a critical habitat under the [Threatened Species Conservation Act 1995](#) or the [Fisheries Management Act 1994](#) must be categorised as a natural area.

Section 36B of the Act provides that community land all or part of which is directly affected by a recovery plan or threat abatement plan under the [Threatened Species Conservation Act 1995](#) or the [Fisheries Management Act 1994](#) must be categorised as a natural area.

Section 36C of the Act provides that community land that is the site of a known natural, geological, geomorphological, scenic or other feature that is considered by the council to warrant protection or special management considerations, or that is the site of a wildlife corridor, must be categorised as a natural area.

(Section 102, Local Government (General) Regulation 2005}

### **Natural Area Sub – categorisation**

All community land that is categorised as a Natural Area should then be further categorised under one of the sub-categories as provided in section 36 of the Act. Guidelines for the sub – category relevant to Lot 175 DP 238456 is shown below:

#### **Guidelines for categorisation of a natural area as wetland**

Land that is categorised as a natural area should be further categorised as wetland under section 36 (5) of the Act if the land includes marshes, mangroves, backwaters, billabongs, swamps, sedgeland, wet meadows or wet heathlands that form a waterbody that is inundated cyclically, intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationary.

**Approximately 1.2 ha is to be categorised as natural area-wetland.**

### **Park**

*Land should be categorised as a **park** under section 36 (4) of the Act if the land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for the use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.*

(Section 104, Local Government (General) Regulation 2005}

**Approximately 3 ha is to be categorised as park in accordance with proposed passive recreational uses.**

### ***Sportsground***

*Land should be categorised as a **sportsground** under section 36 (4) of the Act if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.*

(Section 103, Local Government (General) Regulation 2005)

**Approximately 1 ha is to be categorised as sportsground in accordance with proposed active recreational uses.**

### **Core Objectives for Community Land**

The core objectives for community land categories outlined in the Local Government Act 1993 assist in determining the way that the land may be used and managed.

Section 36K of the Act states that the core objectives for management of community land categorised as a natural area and further categorised as a wetland are:

- (a) to protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and*
- (b) to restore and regenerate degraded wetlands, and*
- (c) to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.*

Section 36G of the Act states that the core objectives for community land categorised as a 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 a way as to promote and facilitate its use to achieve the other core objectives for its management.*

Section 36F of the Act states that the core objectives for management of community land categorised as a sportsground are:

- (a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and*
- (b) to ensure that activities are managed having regard to any adverse impact on nearby residences.*

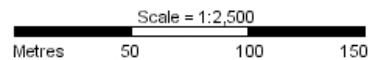
### LAND CATEGORIES

#### Land Categories Lot 175 DP 238456

#### Waterlily Park - Ocean Shores



Disclaimer - While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.  
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( Scale correct at A4 size )

19/02/2008

## 2.6. Existing Zoning of the land

The land is currently zoned 6(a) (Open Space). (Refer map p. 21).

The relevant LEP objectives for the 6(a) (Open Space) zone are:

- To ensure that there is adequate provision of both active and passive open space to serve the present and future recreational needs of residents and visitors;
- To identify land where existing recreation facilities for the general use of the community are provided;
- To provide opportunities to enhance the total environmental quality of the Shire of Byron.

Works on this portion of land which would be permissible without development consent include:

- Landscaping, general park maintenance, bushfire hazard reduction, bush regeneration/ restoration.

The following land uses, activities and development on this portion of land would be permissible, subject to development consent:

- Agriculture (other than animal establishments), childcare centres, cycleways, drainage, environmental facilities, markets, primitive camping grounds, recreation areas, restaurants, roads, recreation vehicle areas, showgrounds, carparking, festival areas and utility installations.
- To enable the careful control of noxious plants and weeds by means not likely to be significantly detrimental to the native ecosystem.





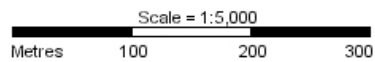
### LEP ZONES

#### LEP Zones Lot 175 DP 238456

#### Waterlily Park - Ocean Shores



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( Scale correct at A4 size )

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## 2.7. Granting a lease or licence on Community Land

A lease, licence or other estate may be granted, in accordance with an express authorisation by this plan of management, providing the lease, licence or other estate is for a purpose prescribed in s. 46 of the Local Government Act 1993. The purpose must be consistent with core objectives for the category of the community land.

The Local Government Act 1993 allows Council to grant leases or licences over all or part of community land. The use of land under a lease or licence must be compatible with the Local Environmental Plan or Council requirements and provide benefits and services or facilities for the users of the land. Terms and conditions of a lease should reflect the interests of Council and the public and ensure proper management and maintenance.

The following conditions must be met when granting a lease or licence over community land:

- The lease, licence or other estate must not be granted for a period (including any period for which the lease could be renewed by the exercise of an option) exceeding 21 years;
- A lease, licence or other estate may be granted only by tender in accordance with s.46A of the Local Government Act 1993 (as amended) and cannot exceed a term of 5 years (including any period for which the lease could be renewed by the exercise of an option), unless it satisfies the requirements as scheduled in s.47, or is otherwise granted to a non – profit organisation.
- The Plan of Management must expressly authorise a lease or licence.

Council must:

- Give public notice of the proposal;
- Exhibit notice of the proposal on the land to which the proposal relates;
- Give notice of the proposal to such persons who appear to own or occupy land adjoining community land; and
- Give notice of the proposal to any other person (owner or occupier of land in the vicinity of the community land), if in the opinion of the Council the subject to the proposal is likely to form the primary focus of the person's enjoyment of community land.



### 3. STRATEGIES AND ACTION PLAN

#### 3.1. Actions Table

The Actions Table provided within this section outlines the direction for the management and development of the parcel of land identified in this draft plan of management and has the following aims:

- To formulate objectives;
- To ensure consistency with the core objectives of the Sportsground and General Community Use categories of the land;
- To develop performance targets that will define the way that Council will achieve it's objectives;
- To provide actions (or means of achievement), which is the way that Council will achieve it's targets;
- To provide performance measures for each action; and

Within this action plan, each has been given a priority, which can be linked to the following time frame:

**High** – commenced within the next 2 years

**Medium** – commenced in 2 – 5 years

**Low** – commenced after 5 years

Any developments included in this Action Table require authorisation within this Plan of Management.



## ACTION TABLE

	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
1.	<b>Natural area – wetland</b> To protect natural areas within the shire	The existing natural area – wetland portion of Water Lily Park Ocean Shores, identified in the plan to be retained and improved.	Ensure that the natural area – wetland identified in the plan for Water Lily Park Ocean Shores is retained, and ensure that all sections of Council are aware of the categorisation and its subsequent legislative requirements.	High	No reduction in natural area – wetland portion of Water Lily Park Ocean Shores.  All sections of Council briefed.
2.	<b>Pollution</b> -To reduce the incidence of storm water pollution and sedimentation erosion in Water Lily Park Ocean Shores	Reduction in the incidence of storm water pollution and sedimentation erosion impacts on Water Lily Park Ocean Shores	Investigate incidence and sites where this occurs and take measures to alleviate.  Develop and implement appropriate community awareness program.	High	Decreased or removal of pollution and erosion sources.  Greater community awareness.
3.	<b>Weed infestation –</b> To reduce the level of weed infestation in the natural area – wetland Water Lily Park Ocean Shores.	Level of weed infestation in Water Lily Park natural area reduced.	Schedule of inspection of natural areas to determine appropriate eradication strategy.  Undertake actions to reduce weed infestation.	High	Schedule established and inspections carried out.  Reduction in weed infestation.
4.	<b>Bushfire Management</b> To provide effective bushfire risk management at Water Lily Park Ocean Shores.	To manage the risk of bushfires at Water Lily Park Ocean Shores	Develop bushfire mitigation strategies in liaison with the local Bush Fire Management Committee where appropriate.	High	Bushfire mitigation strategies developed and maintained where appropriate.

	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
5.	<p><b>Development of the Sports ground and facilities</b></p> <p>To encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games.</p>	To create an appropriate local sportsground that caters for a number of different sporting opportunities reflective of identified needs.	<p>Develop 2 hard surface and one grass netball and basketball courts in conjunction with the Brunswick Valley Sports Association, Brunswick Byron Netball Association, Ocean Shores Tennis Club and wider local community.</p> <p>Investigate development of a suitable sports field adjacent to netball courts</p>	High	Water Lily Park Netball, Basketball and sports ground developed and in use.
6.	<p><b>Quality of the park area</b> –adequately provide for the recreational needs of the community.</p>	<p>Develop park area in Water Lily Park that caters for a number of different recreational opportunities reflective of identified needs.</p> <p>To upgrade and improve facilities, landscaping and equipment at Water Lily Park.</p> <p>To provide appropriate facilities for passive recreation for a variety of recreational pursuits.</p> <p>To prevent anti-social behaviour.</p>	<p>Embellish the identified park area in Water Lily Park to improve recreational value and use to the community.</p> <p>Upgrades and improvements carried out at Water Lily Park.</p> <p>Prepare a landscape management plan for Water Lily Park, where appropriate.</p> <p>Provide facilities in Water Lily Park when requested by community.</p> <p>Provide on leash dog exercise area.</p> <p>Control the taking in or consumption of any alcoholic beverages in the Park.</p>	<p>Med</p> <p>Med</p> <p>Med</p> <p>Med</p> <p>Med</p>	<p>Embellishment complete</p> <p>Works complete</p> <p>Landscape plan complete and implemented.</p> <p>Facilities provided.</p> <p>Notice to be erected under S632, LG Act.</p> <p>Notice to be erected under S632, LG Act.</p>

	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
7.	<b>Encroachment of Gardens and garden plants</b> –To reduce the incidence of encroachment of gardens and garden plants into the natural area – wetland in Water Lily Park Ocean Shores.	Reduction in the encroachment of Gardens and garden plants in to the natural area wetland Water Lily Park Ocean Shores, and to increase community awareness of garden encroachment issues.	Develop and implement community awareness program.	Med	Decrease in the incident of garden encroachment.
8.	<b>Leases/Licences</b> Promote appropriate use and management of the land.	Negotiate appropriate leases and licences in accordance with the Local Government Act 1993 and Regulations.	Leases and licences to be approved by Council and in accordance with the core objectives of the land.  Terms of the lease are to be in accordance with Council's Template lease. Fees to be in accordance with Council's adopted fess and charges.	Med	Lease or licence signed.
9.	<b>Use of Sports Fields</b> Encourage the use of Water Lily Park sports field and facilities by all members of the community, and improve access and use of them for those members who are restricted due to age, limited mobility and other physical or social barriers.	Aim to achieve the objectives of the Disability Discrimination Act 1992, and Council's Disability Access and Inclusion Plan when constructing new facilities.	All new facilities to be accessible to all members of the community.	Med	Improved access by all members of the community.

	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
10.	<b>Community Needs</b> To provide sports fields and facilities which are adaptable to change, and can be used for multiple sports and is able to be used on a year round basis.	To provide a sports field in Water Lily Park Ocean Shores for a number of sporting pursuits which have different peak seasons and which allow for occasional community events and other activities.	Provide a sports field for identified community needs and occasional community events, together with areas catering for informal leisure opportunities such as BBQ/picnic areas, open areas for informal ball games so as to alleviate the pressure on formal sporting areas, play equipment, seating, etc.	Med	Adaptable and multi-use areas developed and provided.
11.	<b>Environmental Management – Landscaping</b> To ensure that activities are managed having regard to any adverse impact on nearby residences.	To protect adjacent dwellings from undue noise, lighting and visual impact from sportsgrounds uses.	Where appropriate, provide landscaping, reasonable use curfews and ensure all lighting complies with the relevant Australian Standard.	Med	Actions taken to minimise impacts.
12.	<b>Parking</b> To provide adequate parking for users of the sports fields.	Provide adequate parking for the users of the sports fields, including disabled parking and bicycle parking, in accordance with RTA and Council guidelines.	Construct or identify parking bays and parking areas at the sports fields.	Med	Adequate parking areas provided for users.
13.	<b>Community Safety</b> To provide sports fields which are safe and secure and for the use of all members of the community.	To provide measures to enhance the safety and security of users and visitors.	Provide adequate security lighting, signage, access and surveillance / public sight line measures.	Med	Safety measures implemented.

	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
14.	<b>Environmental Management</b> To minimise adverse environmental effects of the Water Lily Park sports field on adjacent land uses, water bodies and areas of significant habitat.	To manage the development and use of sports fields so as to minimise the impact on adjacent land uses, water bodies and areas of significant habitat.	Develop appropriate management practices and plans considering adjacent land uses, water bodies and areas of significant habitat.	Med	Management practices and plans developed.
15.	<b>Flood and Drainage Management</b> To provide effective flood and drainage management for the Water Lily Park sports field.	To manage the development and use of sports fields so as to minimise the impact of flooding or adversely affect flood flow.	Protect or improve existing drainage channels and avoid placement of structures or earthworks that may adversely affect flood flow.	Med	Flood and drainage compatible development takes place.
16.	<b>Maintenance</b> To maintain all aspects of the sports field to ensure they are clean, safe and appropriate for their use.	Develop comprehensive maintenance schedules.	Maintenance schedules to include: - Rubbish Removal, - Weed removal; - Vegetation management; - Removal of graffiti;	Med	Maintenance completed according to schedule
		Regular safety audits undertaken at the fields.	Strategies developed to address safety risks identified in audit.	Med	Audits conducted regularly, safety improved.
		Maintain a range of recreational facilities at the Water Lily Park sports field.	Establish a system of reporting, monitoring and recording the condition of facilities, structures and equipment.	Med	All facilities in good condition and well maintained.
17.	<b>Loss of Wildlife</b> – to protect native wildlife	Improved level of protection for wildlife  Habitat values of lake protected	Implement other sections of plan to improve wildlife habitat.  10 metre wide “dog-free” buffer to be created around lake until detailed fauna survey undertaken.	High	Wildlife habitat improved – other sections of plan complete  Dog-free buffer created  Detailed fauna survey completed



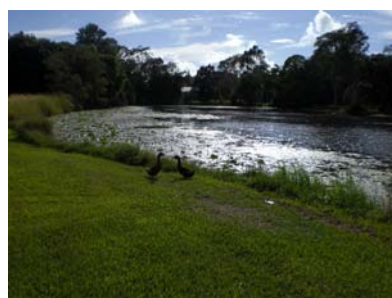
#### 4. FUTURE USE AND DEVELOPMENT OF THE LAND

In accordance with the s.36 (3A) (b) of the Local Government Act 1993 a plan of management must expressly authorise any proposed or potential developments on community land. The following authorisation is provided in general terms only, and any specific works will require some level of further detail and investigation.

The following table details the developments that this draft plan of management expressly authorises for Water Lily Park, Ocean Shores.

Building or location	Purpose / Use	Authorised scale of development
Water Lily Park Natural area	Community use as outlined in the Act.	Development authorised for embellishments on the land, including, but not limited to: <ul style="list-style-type: none"> <li>• Native vegetation planting and regeneration</li> <li>• Drainage and irrigation</li> <li>• Picnic facilities</li> <li>• Lighting</li> <li>• Walkways/ cycleways</li> <li>• Minor earthworks</li> <li>• Landscaping</li> <li>• Fencing/ signage/ seating</li> </ul>
Water Lily Park Sportsground	Sporting, Community & Recreation purposes.	Development authorised for embellishments on sportsground, including, but not limited to: <ul style="list-style-type: none"> <li>• Sports fields ( football – all codes, athletics, netball and basketball, hockey, tennis)</li> <li>• Drainage &amp; irrigation</li> <li>• Picnic Facilities</li> <li>• Playground Equipment</li> <li>• Lighting</li> <li>• Walkway / cycleways</li> <li>• Minor earthworks</li> <li>• Landscaping</li> <li>• Fencing</li> <li>• Signage</li> <li>• Sporting goalposts; and</li> <li>• Spectator seating.</li> </ul>
Existing and proposed amenities blocks/pavilions/ community buildings	Sporting, Community & Recreation purposes.	Development authorised for improvements to, and the construction of new amenities/pavilions/ community buildings where required.

Building or location	Purpose / Use	Authorised scale of development
Whole of Water Lily Park area.	Sporting, Community & Recreation purposes.	Easements are authorised over the land for the purpose of providing pipes, conduit or other connections under the surface of the ground. This is limited to easements that connect premises on the Fields to an existing water, sewer, drainage or electricity facility of Council or other public utility provided that it is situated on the land.
Water Lily Park - land categorised as Park	Community and recreation purposes	Development authorised for embellishments on land categorised as Park, including, but not limited to: <ul style="list-style-type: none"> <li>• Drainage and irrigation</li> <li>• Picnic facilities</li> <li>• Playground equipment</li> <li>• Lighting</li> <li>• Walkway / cycleway / on leash dog exercise area</li> <li>• Minor earthworks</li> <li>• Landscaping</li> <li>• Fencing/ signage/ seating.</li> </ul>
Natural area, Sportsground and Park	Community use as outlined in the Act	Lease and licences over the land are authorized for purposes as outlined in the Act.



## 5. ESTIMATED COSTS OF WORKS

There are no estimates of costs for the authorised developments as they are not specific works, but rather an overview of the type and range of works authorised for the type of community land covered by this Plan of Management.

