

KEEL STREET
RESERVE

PLAN OF
MANAGEMENT

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KEEL STREET RESERVE PLAN OF MANAGEMENT

Executive Summary

The intention of this Plan of Management is to provide Council with a framework that enables decisions in regards to the site to be made on a consistent and equitable basis. The Plan meets all of the requirements of the Local Government Act 1993 and has taken into account other strategic plans that have been produced by Port Stephens Council.

The land is catergorised as a park as per the Local Government Act 1993. Evaluation and assessment of the document and the stated action plan is to be carried out on a bi-annual basis by Council staff. This process will involve an assessment of completed tasks against the objectives and performance measures for the land that are outlined in the document.

1. INTRODUCTION

1.1 Background:

The subject site was dedicated for Open Space purposes as a requirement under Section 94 of the Environmental Planning and Assessment Act 1979.

The 1993 Local Government Act has placed a requirement on Councils to classify all public land vested in or under control of council (*excluding a road "Roads Act 1993," land to which the Crown Land Act 1989 applies, A Common "Commons Management Act 1989" or land subject to the Trustees of Schools of Arts Enabling Act 1902*) as either Operational or Community land. The same Act also requires Councils to prepare a Plan of Management for any areas of land that was subsequently classified as Community Land. As the study area has only recently been dedicated as a public reserve, Port Stephens Council has not previously had the opportunity to meet the requirements of this act. The adoption of this document will do such and provide Council with a framework for future decision making in regards to the site.

A Development Application has been lodged by the Department of Education and Training for the construction of a footpath through the reserve. It is intended that this path will provide alternative pedestrian access to the Tomaree Education Centre. The assessment of both the plan of management and development application should occur concurrently so that all known issues in respect to the subject land can be considered in a holistic manner

1.2 Site description:

The study area is Lot 52, DP 877647 No 3 Keel Street, Salamander Bay (Figure 1). It adjoins the recently completed Tomaree Education Centre to the East and residential properties to the North and South. The only existing access to the site is provided by Keel Street on the sites western boundary. The parcel of land is 4274 square metres in size (.42 hectare) and is owned by Port Stephens Council.

There are no current formal users of the site but it is anticipated that future use will be restricted to include local residents participating in informal recreation pursuits and the possibility of the site being used to provide access to the Education Centre. Utilising the categories provided by the Local Government Act 1993, the study area is catergorised as a park.

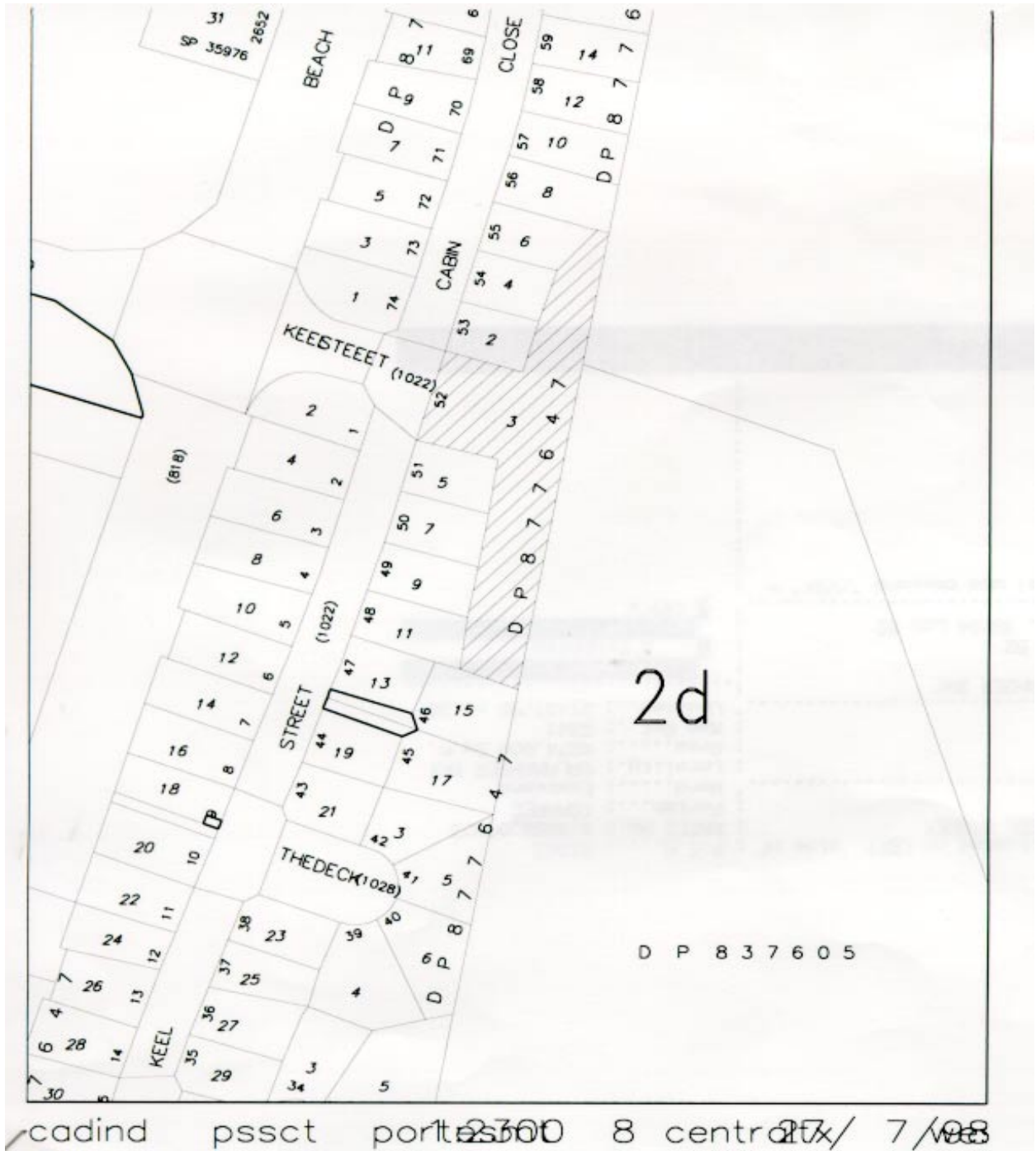


Figure 1 – Keel Street Reserve Site Map

1.3 Rationale for plan of management:

The preparation of this Plan of Management is required for a number of reasons which are outlined below:

- Council has an obligation via the Local Government Act 1993 to prepare a Plan of Management for all public land that is classified as Community Land under this act.
- Port Stephens’s Council has had a request for development approval for the construction of a footpath through the reserve to provide access to the Tomaree Education Centre. The Plan Of Management planning process needs to consider the effect that the construction of such a facility will

have on both the future use of the reserve as well as the impacts that subsequent usage may have on adjoining property owners.

- Port Stephens Council as owners of the land require a strategic framework that will provide guidance and direction for both the current and future management of the site.

1.4 Methodology:

The process that is required for the completion of a plan of management varies according to the issues that may be associated with the study area and the degree of community impact that may result from any decisions that are made in the planning process. The Local Government Act 1993 provides the minimum requirements for public consultation for the preparation of plans of management but Councils approach may exceed this pending the circumstance specific to each site as outlined above.

The following process have been or will be undertaken during the preparation of this document :

Completed Tasks

- Preparation of draft Plan of Management
- Consultation with Port Stephens Council internal stakeholder
- Public exhibition period of forty two (42) days which included actual display period of twenty eight (28) days
- Collation of comments provided through the exhibition period and amendments where necessary made to the draft Plan of Management
- Report to Port Stephens Council for adoption of the Plan Of Management and any amendments

1.5 Structure of document:

To assist in making this document as user friendly and practical as possible, the following components have been provided for

- **Executive Summary** - short concise summary of the document and outcomes
- **Introduction** - background information that provides basis for understanding the study area
- **Aims and Objectives** - Provide targets for and desired outcomes for the site
- **Management Issues, Policies and Strategies** - detailed listing of the issues that relate to the study area and means for managing these
- **Implementation plan** - Identification of actions to be completed together with responsibilities, timeframes and costings (where applicable)
- **References** - list of references used in the production of the plan

2. AIMS AND OBJECTIVES

2.1 Long Term

- To assist in meeting the local recreation needs of the residents of the Tomaree Peninsula.
- To provide quality local parkland that supports the overall open space system in satisfying the recreation needs of both residents and visitors to the local area.
- To assist in the improvement of pedestrian movement within the local area and in particular that which is related to the Tomaree Education Centre.

2.2 Specific and measurable

- To provide safe and interesting recreation opportunities to local residents in a cost effective manner and that is in line with standards for the provision of local parklands.

3. MANAGEMENT ISSUES, POLICY AND RELEVANT STRATEGIES

3.1 Proposed Developments and the Related Impacts on Neighbours and the Environment–

A Development Application has been lodged by the Department of Education and Training for the construction of a footpath through the reserve. It is intended that this path will provide alternative access to the Tomaree Education Centre especially for those persons who reside on the Northwestern side of this Centre. **This path would be provided directly off Keel Street in the centre of the Reserve with equal distance between each of the adjoining properties.** The provision of footpaths within reserves that are seen to be serving local needs is common practice throughout the local government area.

It is envisaged that this path is for the purposes of pedestrian access to and from the Tomaree Education Centre. The location and design of the paths that adjoin or connect to this reserve are suited for this purpose and to encourage cycle use of this proposed path may create problems for users of the adjoining or connecting paths.

There is concern within the community that these proposed works will greatly increase the use of the reserve and have a negative impact on the adjoining properties. The planning of any facilities within the site needs to consider the impacts its use will have on the reserves neighbours.

Further, the impact that any development may have on the natural environment of a given area must also be considered. Though the provision of any recreational facilities in this reserve will subsequently increase its usage, the proposed access path will direct the flow of pedestrians in a orderly fashion through the reserve therefore limiting impact on surrounding vegetation cover and fauna habitat.

As with any public reserve, activities that are undertaken within its confines can have the ability to impact on neighbouring properties. The management of these impacts is critical to ensure quality of life for occupants of neighbouring properties.

The site is provided primarily to serve the needs of the local community and therefore development should be restricted to serve this catchment. However, as with any public asset, the needs of the greater community should be considered when defining future use and management and these issues may well change over time.

The provision of playground and general park facilities should consider any relevant standards for such that may exist. These include both Australian Standards for construction/maintenance and the Port Stephens Council draft

standards for provision of playground facilities. The Reserve is not suitable for advertising signs and therefore this should not be permitted on this reserve.

3.1.1 Policy Statements -

- Prior to approving any new development within the site, the impacts of such on neighbouring properties should be considered.
- Any development that is considered to cause negative impact on neighbouring properties should be submitted for Development Approval prior to implementation
- The design of any new works within the site shall take into account the positioning of existing facilities and adjoining properties. Landscaping works should be provided to reduce the effect that any development may have on neighbouring properties
- The site will primarily serve the recreation needs of the local population and provision of facilities should aim to be in accordance with this
- Consider any relevant industry and Council standards that may exist for facility provision
- **The reserve, through the construction of a path, shall be used to assist in improving pedestrian access to the Tomaree Education Centre. The use of this path by cyclists shall be discouraged**
- **Development that will create substantial negative impact on surrounding vegetation cover or fauna habitat should not be deemed appropriate**
- **No advertising signs shall be permitted on this reserve**

3.1.2 Strategies -

- Ensure any design work that is completed for the site takes into account existing facilities both within and adjoining the site and includes landscaping works that reduce the impacts on such properties
- Assess the impacts any new development will have on neighbouring properties prior to approval for such to be undertaken
- Only provide facilities that are to cater for the needs of the local community.
- Assess current supply of park facilities prior to the provision of any new infrastructure such as playgrounds
- **Provide an access path directly off Keel Street at an equal distance between the boundaries of the two (2) adjoining properties to cater for pedestrian traffic**
- **Do not permit development that impacts substantially on surrounding vegetation cover or fauna habitat**
- **Encourage liaison between Port Stephens Council and the Tomaree Education Centre to investigate and promote the use of Bagnalls Beach Road as a “drop off” point.**

3.2 Future Management of the Site-

The site will be managed in accordance with any Council policy or relevant legislation that is applicable from time to time. The major legislation or planning instruments that effect the site are:

- Local Government Act 1993
- Local Environment Plan 1987
- Any State Environmental Planning Policies

The site is classified as community land which provides Council with a framework for future management of the site in respect to leasing/licensing, disposal and usage. Council has the ability to enter into short term agreements without conflicting with the requirements of the Local Government Act 1993, and it is these that would be the preferred option, if any, for any future management agreements for this site. There is a strict process that Council needs to follow if it desired to pursue agreements for periods longer than five (5) years. As mentioned previously, the intention for this reserve is to provide local recreation space for the community and this factor would override the desire for long term leasing or licensing of this site.

The site will be maintained by Port Stephens Council within its current resource allocation and in line with predetermined service levels. Community groups that wish to be involved in management/maintenance of the site will need to be coordinated by Council officers and in line with any Council policy or other relevant legislation.

3.2.1 Policy Statements

- The site will be managed in accordance with all relevant legislation and Council policy
- Short term leasing/licensing shall be considered as the most appropriate form of partnership management if required
- Maintenance to the site shall be in accordance with Council determined service levels and may vary from time to time
- Any community involvement in maintenance and or management activities on the site shall be coordinated by the Port Stephens Council staff
- **Permanent vehicle access across or within the reserve shall not be permitted**

3.2.2 Strategies

- Only allow activities or development within the site that is in line with this plan or other relevant legislation or policy
- Restrict any leasing/licensing of the site to periods less than five (5) years
- Include the site in Councils existing service levels program and monitor community satisfaction as a means of performance appraisal
- Coordinate any community involvement in the site via Councils Sport and Recreation Section
- **Do not provide permanent vehicle access across the reserve**

4. IMPLEMENTATION PLAN

4.1 Monitoring and Evaluation

The monitoring and evaluation of any plan is as important as any other step in the process. To ensure that the policies and strategies outlined in the plan are being carried out and are achieving the expected results a routine formal evaluation process is required.

Port Stephens Council will undertake an evaluation of the Plan of Management on a bi-annual basis prior to the formation of the next corporate budget. A suggested deadline for such is prior to 31 December each year. This evaluation process is to be based on the action plan and feedback from the local community. On going monitoring of the plan is a responsibility of Port Stephens Council.

4.2 Action Plan

ACTION	PRIORITY (high, med, low)	TIME FRAME	Performance Measure	RESPONSIBILITY	COST
Finalise recreation standards project	High	Dec. 98	Project adopted by council	Corporate Strategic Planner	
Assess current supply or local recreation facilities	Med	March 99	Existing facilities identified	Sport and Recreation Development Officer	
Compare standards information with local needs and demographic data	Med	Sep 99	Evaluation of information completed and documented	Sport and Recreation Development Officer	
Identify facilities that are required to be provided at this site	Med	Sep 99	requirement of the site identified and planned	Sport and Recreation Development Officer	
Consider the proposal for the construction of a footpath via the development Approvals process	High	Jan 99	Development approval and subsequent processes completed	Sus. Development	
Incorporate this reserve in Councils open space service levels program	High	Aug 98	reserve maintained on routine basis	Tomaree Parks Coordinator	
Identify Councils contact person/s for volunteer worker purposes	High	Dec 98	Officer available for required duties	Vol. Workers Steering Committee	
Encourage use of Bagnalls Beach Road for drop off purposes	High	Feb 99	Vehicle access into Keel St sub-division not effected by access path	Traffic Engineer	

5. REFERENCES

The Law Book Company. (1993) Local Government Law and Practice NSW: Local Government Act 1993.