



## PLAN OF MANAGEMENT 2023

Community Land – 13 Manning Avenue, Coffs Harbour

## **Acknowledgement of Country**

City of Coffs Harbour acknowledges traditional custodians of the land, the Gumbaynggirr people, who have cared for this land since time immemorial. We pay our respects to their elders, past, present, and emerging, and commit ourselves to a future with reconciliation and renewal at its heart.

## **Disclaimer**

Whilst every reasonable effort has been made to ensure that this document is correct at the time of printing, City of Coffs Harbour disclaim any and all liability to any person in respect of anything done or omitted to be done in reliance or upon the whole or any part of this document.

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# 1 BACKGROUND

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## 1.1 Introduction

This Plan of Management has been prepared in accordance with the relevant provisions of the Local Government Act 1993 and Local Government (General) Regulations 2021 to provide a framework for the future management, use and development of the reserve located at 13 Manning Avenue, Coffs Harbour (or legally described as Lot 1 in DP119056) – Figure 1.

This reserve comprises of open space and provides community facilities and recreation opportunities for the enjoyment of the community.



*Figure 1-1 Reserve*

Source: Coffs Harbour Interactive Mapping

## 1.2 Purpose of this Plan of Management

The purpose of this Plan of Management is to establish a management framework over the subject land that promotes, encourages, and provides for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public.

## 1.3 Basis for Management

The management of the reserve is to be in accordance with the objects and principles of Local Government Act 1993 Part 2, Division 2 Clause 36G and 37I. The land will therefore be used and managed in accordance with the following:

- The plan of Management applying to the land
- Environmental Planning and Assessment Act 1979 and any planning instrument permitting the use of the land for specified purpose or otherwise regulating the use of the land
- Local Government Act 1993, Local Government (General) Regulations 2021
- Other Applicable Controls

## 2 DESCRIPTION OF THE RESERVE

### 2.1 Location and Context

The site is located at 13 Manning Avenue, Coffs Harbour (legally described as Lot 1 in DP119056). A copy of the existing sub-division certificate and 88b instrument has been provided below. The site has a land size of 2.987ha, split across both portions of the allotment.



Figure 2-1 Community Reserve

Source: Coffs Harbour Interactive Mapping

The site is split by a portion of Wongala Drive (see fig.2-1). This area being a public road for which City of Coffs Harbour is the roads authority pursuant to the provisions of the Roads Act 1993. The site currently benefits from existing public road frontage to Manning Avenue.

The property has an underlining land zoning of RE1 – Public Recreation pursuant of the Coffs Harbour Local Environmental Plan 2013 (Figure 2-3). The site is also identified as being a City Controlled Property and is identified to be Community Land under the Local Government Act 1993 (Figure 2-4).

There is stormwater infrastructure within the reserve, which is a natural low point, consisting of a stormwater pit and a drainage pipe.

The site is a natural low point in the area, and therefore, operates as a natural stormwater detention basin (Figure 2-5 and Image 1).

Image 1 to 6 illustrate the existing improvements in the reserve. Noting that a large portion of the site is currently managed by the City. The site also has several water utilities within the boundaries, including a surface inlet pit, which sits adjacent to Arthur Street and several stormwater outlet pits that ultimately service the surrounding residential precinct.

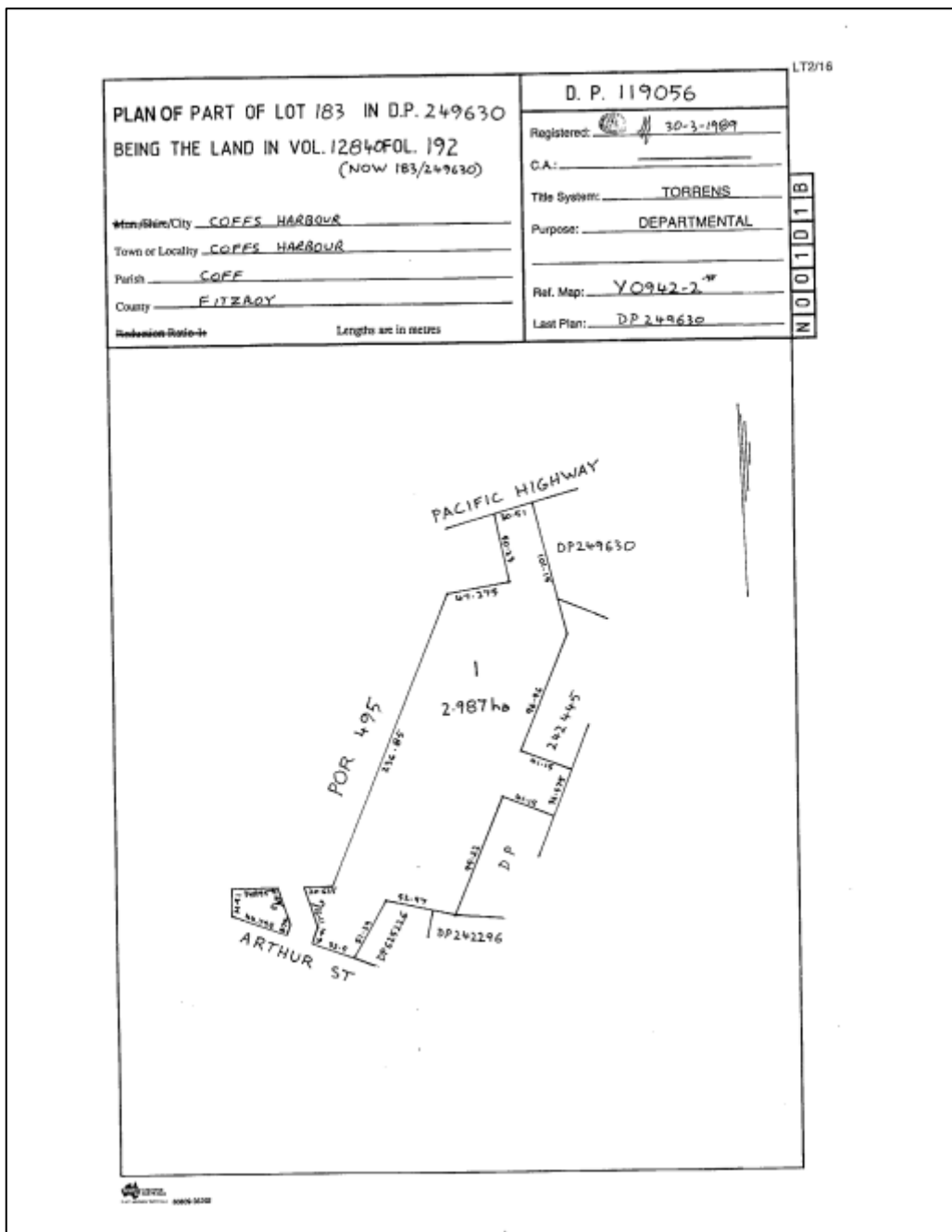


Figure 2-2 Deposited Plan

Source: New South Wales Land and Registry Services

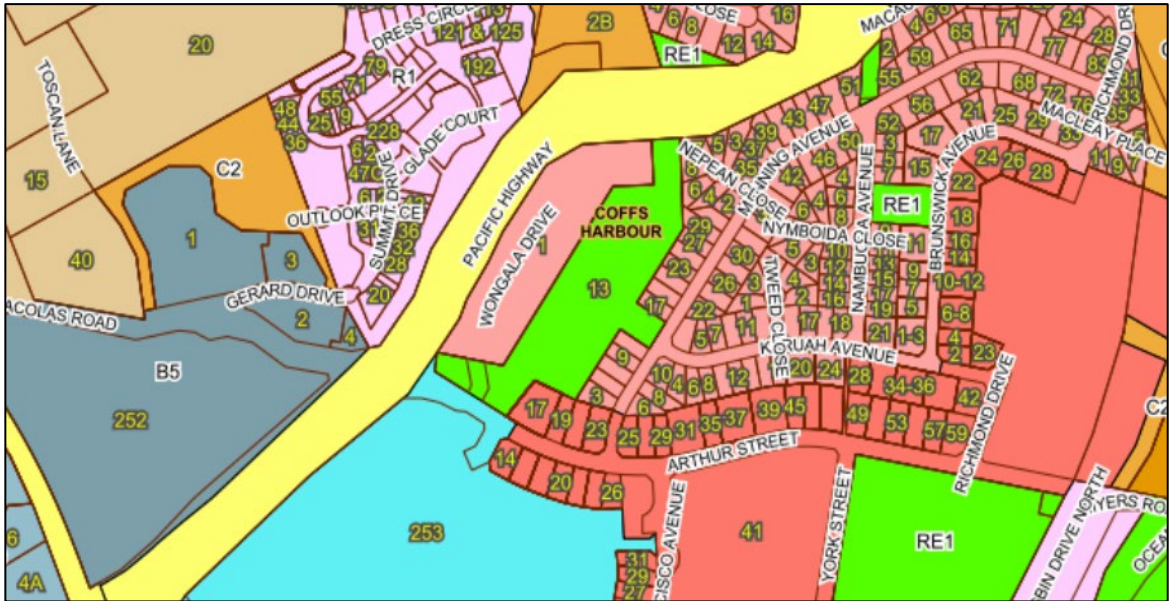


Figure 2-3 Site Land Zoning (illustrated in green)

Source: Coffs Harbour Interactive Mapping



Figure 2-4 City Controlled Property

Source: Coffs Harbour Interactive Mapping

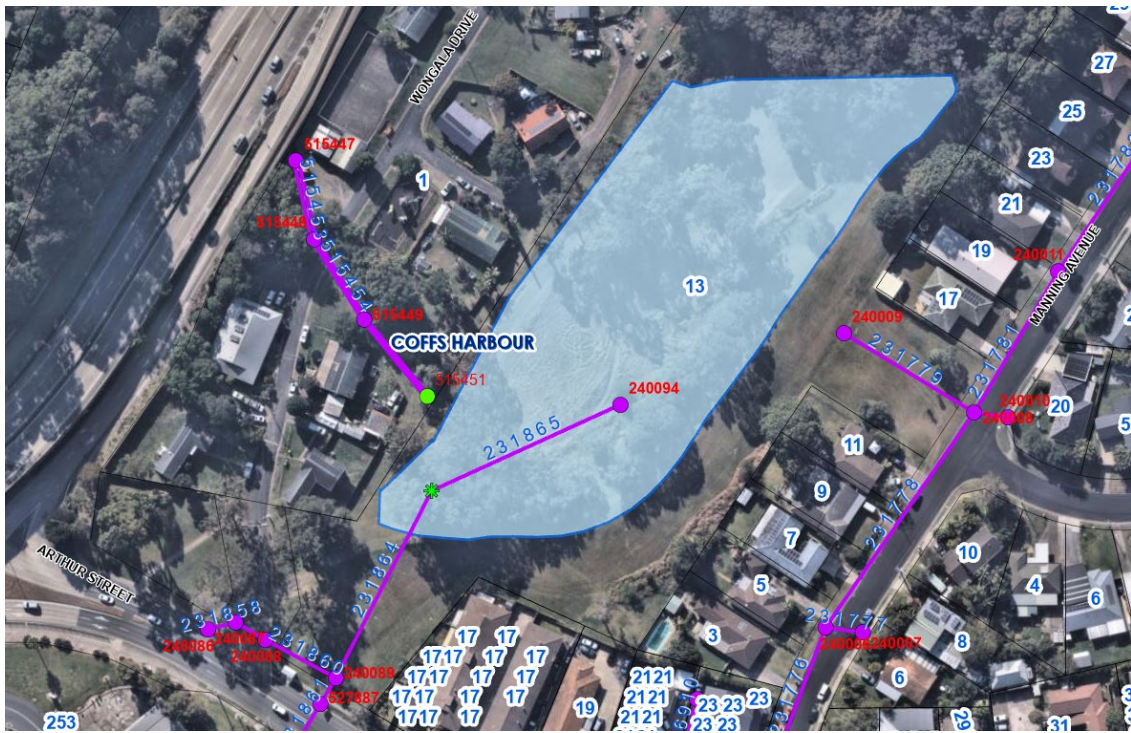


Figure 2-5 Detention basin infrastructure

Source: City asset register



**Image 1:**  
**Existing Stormwater Basin**  
 This photo has been taken looking west from the centre of the community land towards the Wongala Estate. The photo depicts the natural topography and the location of the mapped stormwater basin as illustrated in Figure 2-5 of this Plan of Management.



**Image 2:**  
**Existing Clear Open Space**  
 This photo has been taken looking west at the entrance of the community land from Manning Street. This area is currently used by the community as open space/grassland.





**Image 3:**  
**Southern portion of the reserve**

This photo has been taken looking southeast towards the Park Beach Plaza. At this location is the existing surface inlet pit, which sits adjacent to Arthur Street.



**Image 4:**  
**Southern portion of the reserve.**

This photo has been taken looking southwest toward the Park Beach Plaza. An existing pathway has been provided from Arthur Street to the southern portion of the reserve.



**Image 5:**  
**Western portion of the reserve.**

This photo has been taken looking northeast over the community lands from the western boundary towards Manning Street established residential neighbourhood. A drainage channel runs north to south through the reserve. In this location several outlet pits are present.



**Image 7:  
Existing Water  
Infrastructure**

This photo demonstrates the location of the existing surface inlet pit that is located within the southern portion of the site, adjacent to Arthur Street.

## 3 STATUTORY FRAMEWORK

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### 3.1 Local Government Act 1993

It is a requirement of the Local Government Act that community land be used and managed in accordance with:

- The plan of management applying to the land.
- Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land.

*Part 2 Division 2 of the Local Government Act 1993.*

City must have an adopted Plan of Management for all community land, which identifies, at a minimum, the following:

- the category of the land,
- the objectives and performance targets of the plan with respect to the land,
- how the City proposes to achieve the plan's objectives and performance targets,
- the way the City proposes to assess its performance with respect to the plan's objectives and performance targets and may require the prior approval of the City to the carrying out of any specified activity on the land.

A plan of management that applies to just one area of community land must include a description of:

- the condition of the land, and of any buildings or other improvements on the land, as at the date of adoption of the plan of management, and
- the use of the land and any such buildings or improvements as at that date,
- specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
- specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
- describe the scale and intensity of any such permitted use or development.

## 3.2 Community Land Categories

The *Local Government Act 1993* requires that community land is categorised based on its predominant use; as one (or more) of the following:

- Natural area, being further categorised as: - bushland - wetland - escarpment – watercourse - foreshore
- Sportsground
- Park
- Area of Cultural Significance
- General Community Use.

These categories determine the appropriate use and development of the land, with core objectives given to each category. Once the City has applied a category(s) to an area of Community Land, it must manage the land in accordance with the relevant core objectives.

13 Manning Avenue, Coffs Harbour (or legally described as Lot 1 in DP119056) is categorised as “Park” and “Community Use”. The objectives of each of these are discussed in Section 4 of this Plan of Management.

## 3.3 Leasing and Licensing of Community Land

City may enter a lease, licence or other estate for whole or part of the land to which this plan of management applies provided that:

- The granting of the lease, licence or other estate is consistent with Division 2 of *the Local Government Act 1993*.
- City considers the proposed use of land to be in the public interest.
- Management of the land is accordance with this plan of management and relevant City policies and guidelines (including the *Public Realm Strategy 2023*).

## 3.4 Development Consent Requirement

The use of community land is subject to the regulatory provisions of the *Environmental Planning and Assessment Act 1979* and any relevant environmental planning instruments and planning policies that may apply to the land. Any land use or development on community land must be permissible on the land as development permitted with or without consent, complying development or exempt development.

## 3.5 Other Statutory Provisions

City has developed and, in many cases, formally adopted, a wide range of strategies, plans, policies and procedures. Some of these have clear timeframes over which period they are in operation while others (particularly older documents) have no clear start or end date. The documents discussed in this section (Section 3) have been included as relevant to the use and or management of Community land.

### 3.5.1 My Coffs Community Strategic Plan

The *MyCoffs Community Strategic Plan* (CSP) is a whole-of-community Plan that sets out the long-term aspirations of the Coffs Harbour LGA community. It reflects where the community wants to be in ten years and is the key reference point for decision-making impacting Coffs Harbour during

this period. The management of community land plays an integral role in implementing the CSP and, the theme of 'A Place for Community' with intended outcomes such as:

- Our public places and spaces are activated through good planning and design.
- Land use planning and development protects the value and benefits provided by our natural environment; and
- Local heritage is protected and the stories behind it shared.

The CSP is the over-arching document for the City's Integrated Planning and Reporting (IP&R) framework. This framework, as required by the *LG Act (Chapter 13, Part 2. s.402-406)*, comprises various documents that articulate the actions City intends to take and when, resource allocation, fees and charges and it also tracks the performance of City in achieving its stated goals and objectives. The framework is composed of the following documents:

- *Delivery Program* - City's four-year plan to address the *MyCoffs Community Strategic Plan* (including four year budgets).
- *Operational Plan* - What City will undertake in the current financial year in implementing the *Delivery Program* (includes detailed budgets as well as fees and charges schedules.)
- Annual and 6-Monthly Reports - How City performed against the *Delivery Program* and *Operational Plan*.
- End of Term Reports - Prepared every four years to track progress in achieving the CSP.
- *Resourcing Strategy* - Council's Long Term Financial Plan, Asset Management Strategy and Workforce Management Plan.

An additional step in the strategic planning process now includes all councils in NSW preparing a *Local Strategic Planning Statement (LSPS)*. The City of Coffs Harbour LSPS provides a 20-year land use planning vision for the Coffs Harbour LGA. It identifies 16 Planning Priorities to be delivered in four themes to 2040.

### 3.5.2 The Community Participation and Engagement Plan

The *City of Coffs Harbour Community Participation and Engagement Plan* reinforces the idea that the best planning outcomes are reached when communities are engaged in the planning process at the earliest opportunity. It is about the people of the Coffs Harbour LGA contributing to the City's decision-making through community-led recommendations. The PoM process encapsulates all the relevant principles of consultation outlined in the *Community Participation and Engagement Plan*, including working closely with the traditional custodians of the land, the Gumbaynggirr people.

### 3.5.3 Coffs Harbour Local Growth Management Strategy 2020

This strategy sets out the strategic direction and framework for land use and development in the Coffs Harbour LGA considering State, regional and local planning objectives, with a particular focus on the actions contained in the *North Coast Regional Plan 2036*.

### 3.5.4 Public Realm Strategy 2023

The City manages over 250 public reserves ranging from developed sites for sporting and play, to undeveloped natural setting such as bushlands, foreshores, beaches and wetlands. Included are extensive areas of Crown reserves managed by City, City owned lands and the Coffs Coast Regional Park, managed in partnership with the NSW National Parks and Wildlife Services. The *Public Realm Strategy 2023* was prepared to guide the planning, development and management of public spaces.

### 3.5.5 Disability Access Inclusion Plan

The *Disability Inclusion Action Plan 2017 – 2021* (DIAP) sets out what the City will do to enable people with a disability to have greater access to City information, services and facilities.

The DIAP is a statement of City's ongoing commitment to improving access and inclusion for people with a disability. It is City's intention to take a leadership role within the Coffs Harbour area, to facilitate improvement across the four focus areas which have been nominated at a national level by people with a disability as being of primary importance in creating an inclusive community. These four areas are:

- Developing positive community attitudes and behaviours.
- Creating liveable communities.
- Supporting access to meaningful employment.
- Improving access to services through better systems and processes.

### 3.5.6 Coffs Harbour Biodiversity Action Strategy 2012-2030

This strategy was prepared with contributions from multiple authors and provides the framework for the approach to managing impacts on biodiversity, through the establishment of visions and principles through to specific management actions for individual species.

### 3.5.7 Leasing and Licencing Policy for Community Organisations

Crown reserves are routinely used for a range of sporting and community purposes. Many of these activities require a licence from Council and in some cases - particularly buildings, a lease. This policy provides the framework, including matters such as pricing, under which these licences and leases are granted and managed.

### 3.5.8 Existing Plans of Management, Policies, Plans and Strategies

In the past, City has relied on generic plans of management for areas such as parks and sportsgrounds, specific plans of management as well as formal management instruments such as Estuary Management Plans, Masterplans etc.

Some relevant documents are:

- Coffs Harbour Development Control Plan 2013.
- Coffs Harbour Local Environmental Plan 2013
- Sustainability Policy 2017
- Coffs Coast Tourism Strategic Plan 2020
- Coffs Harbour Events Strategy 2020
- Coffs Harbour Heritage Strategy 2017-2020
- Coffs Harbour City Koala Plan of Management 1999
- Floodplain Development and Management Policy 2017
- Coastal Hazard Zone Policy 2017
- Contaminated Land Policy 2017
- Vegetation Vandalism Policy 2017
- Significant Tree Policy 2017

## 4 GENERAL PROVISIONS

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### 4.1 Application of Plan of Management

This Plan of Management applies to land legally described as Lot 1 in DP119056.

### 4.2 Core Objectives

The core objectives as specified in the *LG Act* for the management of community land are as follows:

#### 4.2.1 Land that is categorised as Park

The core objectives for management of community land categorised as 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 to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

#### 4.2.2 Land that is categorised as Community Use

The core objectives for management of community land categorised as General Community Use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public—

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

## 5 SPECIAL PROVISIONS

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This section of the Plan of Management contains provisions that apply to Lot 1 in DP119056. These special provisions are supplementary to the general provisions mentioned in Section 4 of the Plan of Management.

The special provisions recognise unique features of specified community land and may authorise specific land uses and/or authorise the granting of a lease, licence or other estate over the land or buildings contained on the land, without the need for a resolution from Council. Where any use of community land is not specified but is not expressly prohibited in this Plan of Management, it may be authorised, at the discretion of City, on a case by case basis via formal application to City.

Land Description	Authorised Improvements	Authorised Uses	Authorised Occupation
<b>Lot 1 in DP119056</b>	Public operation infrastructure – including drains, pump stations, bored, basins, public roads.	Use of land for operational infrastructure.  Construction and dedication of new public roads (as indicated on the plan in Appendix A) to facilitate more direct public road access to the western side of the reserve.	City of Coffs Harbour

## 5.1 Dedication of Community Land as public road

To dedicate Community Land as public road it has to satisfy the following clauses in the Local Government Act, 1993:

### 47F DEDICATION OF COMMUNITY LAND AS PUBLIC ROAD

- 1) Community land may not be dedicated as a public road under *section 10 of the Roads Act 1993* unless:
  - a) the road is necessary to facilitate enjoyment of the area of community land on which the road is to be constructed or of any facility on that land, and
  - b) the council has considered means of access other than public road access to facilitate that enjoyment, and
  - c) there is a plan of management applying only to the land concerned and provision of the public road is expressly authorised in the plan of management.

The Community land would be designated as a Local Park (see definitions in the *Public Realm Strategy*) in accordance with the NSW Greener Places Framework. One of the requirements for a Local Park is that 50% of the site has road frontage for access and visual surveillance. The proposed road plan (Appendix 1) would provide road frontage, access and visual surveillance which complements the existing road frontage in Manning Avenue.

There is pedestrian access to the site, but the definition of a Local Park specifically requires access by road.

This Plan of Management would satisfy clause c.

## 6 MANAGEMENT STRATEGY

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### 6.1 Performance Targets

The principal performance targets for the Plan of Management are:

- The implementation of maintenance and enhancement works through City's Open Space Asset Management Plan, performance standards.
- The development of guidelines for parkland maintenance and enhancement.
- The identification of priorities for parkland enhancement.
- The provision of assistance and guidance to residents and community groups involved in parkland maintenance and enhancement.
- The implementation of a community education and information programme to assist in parkland management.
- A reduction in undesirable activities as indicated by the number of verbal enquiries received, regulatory measures taken, and maintenance required to repair damages.

### 6.2 Implementation and Review

This Plan of Management is to be implemented through City programs or by the community as appropriate. City works programs and performance standards for administration, maintenance and upgrading works are revised each year. Annual revisions are made to meet allocated budget and works priorities determined in City's *Open Space Asset Management Plan* and implemented through the Delivery Program and Operational Plans.

### 6.3 Performance Matrix

The following performance matrix sets out actions and priorities to achieve the management objectives and performance targets:

## LEGEND

### PRIORITY RATING

<b>St</b>	Short Term	Action completed within 2 years	O	Ongoing	Action is carried out on a regular basis for the life of the POM
<b>MT</b>	Medium Term	Action completed within 2-4 years	C	Commenced	Action has commenced
<b>LT</b>	Long Term	Action completed after 4 years	CP	Completed	Action have been carried out

*\*Note: As defined by the document, long term projects are those which are scheduled for commencement but not completion with the life of the plan*

### PERFORMANCE MEASURES

<b>A</b>	Action Programmed and works carried out to time frame indicated and current performance standards	U	User satisfaction as indicated by the reduced level of Verbal Enquiries (complaints) received and other community consultation sans liaisons
		V	Reduction in vandalism and undesirable activities as indicated by VE's received and repairs and maintenance required

Item	Objectives	Action	Responsibility	Priority	Performance Measures
<b>Maintenance</b>	To maintain parkland desired standards and to meet the needs of the public within budget	Schedule and carry out mowing, edging and garden maintenance	Open Space Services	O	A
		Revise mowing contracts and schedules for existing mowed areas.			
		Coordinate or replace with City programmes.	Open Space Services	ST	A
		Schedule and carry out regular inspections of grassed areas within budget and remove or rectify risks as required or as notified	Open Space Services	O	A U
<b>Maintenance (cont)</b>		Remove trees or limbs which are hazardous or create obstructions as notified. Expand to outline programmes when resources allow	Open Space Services	O	A U



		Schedule and carry out regular risk management inspections of accessways, facilities and furnishings. Carry out maintenance and repairs as required or as otherwise notified.	Open Space Services	O	A U
		Trial new maintenance techniques. Monitor and assess effectiveness, e.g. herbicide wiping for tall grasses.	Open Space Services	O	A Greater efficiency achieved
		Identify, program, and carry out noxious and other weed eradication programmes	Open Space Services	O	A U Long term reduction of weeds
		Record, monitor and assess effective methods of weed and pest control techniques and revise method as required.	Open Space Services	O	A U Improved effectiveness of control methods
		Identify / prioritise required or requested improvements. e.g. <ul style="list-style-type: none"> <li>- Tree planting</li> <li>- Gardens</li> <li>- Drainage and ground shaping</li> <li>- Access</li> <li>- Furniture</li> </ul>	Open Space Services	ST	A U

		<ul style="list-style-type: none"> <li>- Lighting</li> <li>- Signs</li> <li>- Picnic Areas</li> <li>- Playgrounds</li> </ul>			
<b>Enhancement</b>	To progressively enhance park; and as resources allow to meet community needs and to achieve desired standards	Develop guidelines for enhancement methods and standards where required	Open Space Services	C	A
		Implement enhancements as resources allow and to approved standards through maintenance or other programmes	Open Space Services	O	A U
		Identify/prioritise areas difficult to maintain and suited to conversion to wetland/bushland vegetation or mulched planting area	Open Space Services	MT	A
		Implement conversion of grassed areas to vegetation	Open Space Services	LT	A Mowing programmes facilitated
		Keep on record all community requests for parkland enhancement for future consideration	Open Space Services	O	A
		Respond to verbal enquiries as they are received and to specified time period	Rangers Open Space Services	O	A U V
<b>Usage</b>	To reduce the incidence of undesirable activities in parkland areas	Design and carry out public education programmes where required <ul style="list-style-type: none"> <li>- Rubbish dumping</li> <li>- Plants and weeds</li> <li>- Encroachments</li> </ul>	Open Space Services	MT	A U V

		Reward for reporting of vandalism			
		Select and install vandal resistant materials and structures when developing facilities	Open Space Services	O	A V Maintenance levels reduced
		Involve residents in enhancement of parkland as appropriate to increase 'ownership', e.g. direct contact at planning stage, development by community, schools and training institutions.	Open Space Services	O	A U V

# 7 APPENDIX

## 7.1 APPENDIX 1 – Proposed Road Plan

Potential subdivision (option 2) for Wongala Estate which illustrates the road to be partially on Wongala Estate and City’s Community Land.

