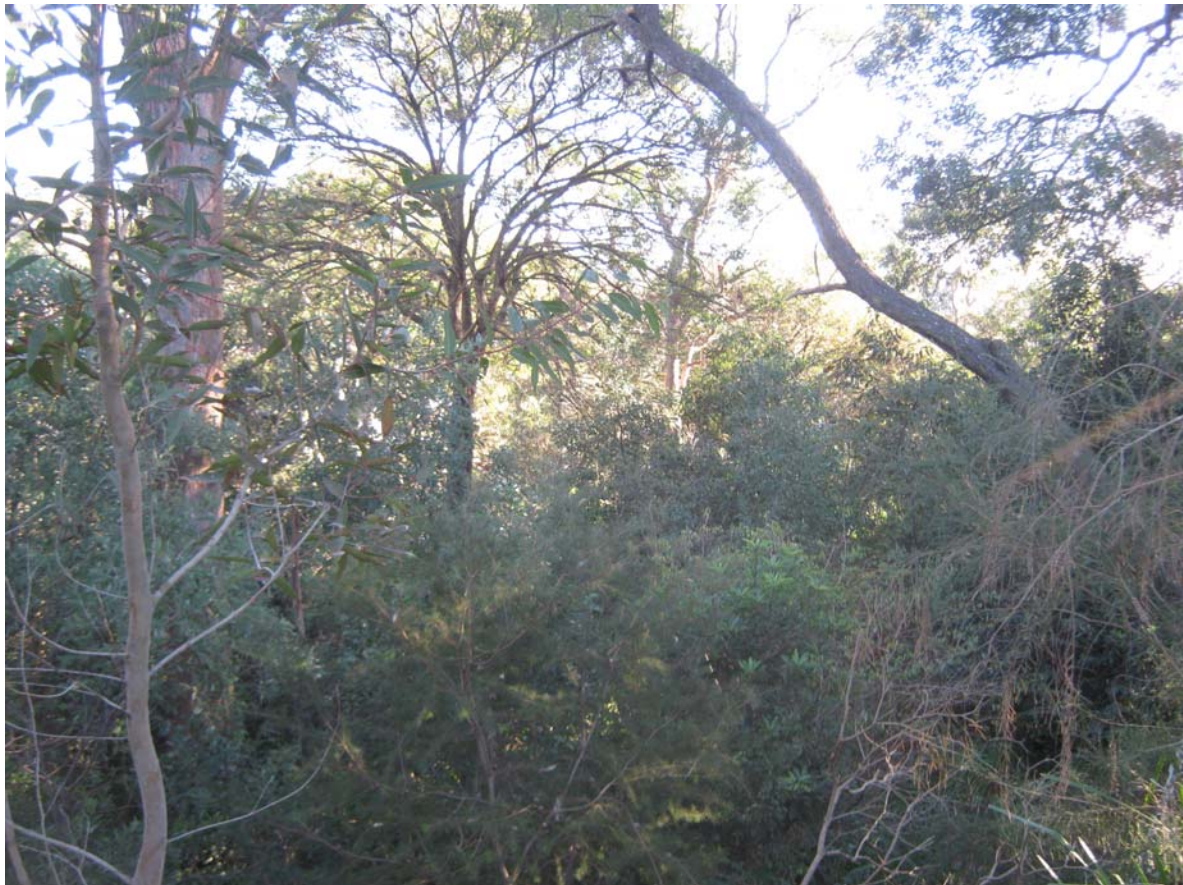


Plan of Management: Natural Areas (Bushland)



Quakers Hat North

December 2012

MOSMAN PLAN OF MANAGEMENT FOR NATURAL AREAS (BUSHLAND)

Purpose of This Plan

The purpose of this plan of management is to satisfy the statutory requirements of the Local Government Act related to community land management within Mosman. The Act (s.36) requires that all community land must have a plan of management in accordance with which the land is required to be used and managed. It was adopted by Council on 4 December 2012 and a notice was placed in Mosman Daily on 13 December 2012.

Background

Requirements for the management of public land were introduced with the Local Government Act 1993 (the Act). The Act defines “public land” to mean any land (including a public reserve) vested in or under the control of the Council. However, public land does not include roads or land to which the Crown Lands Act applies. Much of the land enjoyed by the residents of Mosman for public open space purposes such as Balmoral Park, Rawson Park, Sirius Park, Reid Park, Spit Reserve, Mosman Park, land within National Parks and land owned by the Australian Government is not “public land” and therefore not affected by the public land management requirements of the Local Government Act, nor this plan of management.

All public land must be classified as community land or operational land. The Act imposes restrictions on community land which prevent its sale or the grant of a lease, licence or other estate over it for a period exceeding 30 years. In 1994, Council classified all of the public land within the Municipality.

In 2001 Council adopted a plan of management for ‘Natural Areas (Bushland)’ and a plan of management for ‘Parks’, in accordance with the Act and Regulations. The plans of management have been reviewed and updated following the making of the Mosman Local Environmental Plan 2012.

Pending the adoption of a plan of management, the nature and use of community land must not be changed. Council is also unable to grant a lease, licence or other estate over community land until a plan of management has been adopted.

The Plan of Management Framework and Relationship to Other Plans and Approval Processes

A plan of management is a document which provides a framework for the management of community land including development and granting of leases, licences or other estates over community land.

The community land management regime of the Local Government Act is complemented by various other Acts and planning policies. The Crown Lands Act embodies a plan of management framework for land which falls under that Act. This Act applies to much of the larger areas of open space within Mosman. The National Parks and Wildlife Act contains similar plan of management provisions for land under the control of the Service. The Sydney Harbour Federation Trust Act applied to Trust land in Mosman and elsewhere.

Council must comply with all relevant legislation which applies to the use and management of community land. This includes the planning and assessment processes under the

Environmental Planning and Assessment Act, Threatened Species Conservation Act, Fisheries Management Act, and other parts of the Local Government Act and Regulations. A plan of management therefore needs to be consistent with this other legislation and planning documents.

For instance, land to which this plan of management applies is zoned E2 Environmental Conservation in the Mosman Local Environmental Plan 2012 (Mosman LEP 2012). That plan is the umbrella planning instrument for Mosman and indicates the permissibility of development, requirements for development consent and development standards applicable in each zone.

The objectives of the E2 Environmental Conservation zone under the MLEP2012 are:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To conserve native plant and animal species through the maintenance of suitable habitats.
- To contribute to the scenic quality of Mosman and Sydney Harbour.

The following table indicates the permissibility and consent requirements for the development of land within the E2 Environmental Conservation zone under Mosman LEP 2012.

2 Permitted without consent	Nil
3 Permitted with consent	Environmental facilities; Environmental protection works
4 Prohibited	Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3.

State Environmental Planning Policy (Infrastructure) 2007 outlines various other types of development which are complying, exempt or permissible with consent on land zoned E2.

The Local Government Act also creates an approval regime for certain activities on community land (Section 68) which require the approval of the Council. These activities are:

1. Engage in a trade or business.
2. Direct or procure a theatrical, musical or other entertainment for the public.
3. Construct a temporary enclosure for the purpose of entertainment.
4. For fee or reward, play a musical instrument or sing.
5. Set up, operate or use a loudspeaker or sound amplifying device.
6. Deliver a public address or hold a religious service or public meeting.

Previous Plans and Studies

In addition to site specific plans of management and landscape designs for various key open space areas in Mosman such as Balmoral Beach, Rawson Park, Clifton Gardens, Rosherville Reserve/Chinaman's Beach and The Spit Reserves, Council has undertaken a number of major open space/recreation studies:

- Mosman Open Space Strategy, 1994
- Mosman Recreation Needs Assessment Study, 2000 and action plans
- Flora and Fauna Study, 2001
- Flora and Fauna Study, 2006-2007
- Percentage Native Vegetation Mapping (contracted bushland sites), 2011

The Recreation Needs Assessment study reviewed and validated the findings of the earlier study. It recommended short (0-5 yrs), medium (6-10 yrs) and longer term (11-20 yrs) actions. In July 2001 Council adopted a series of action plans, to achieve seven short term priorities identified in the Needs Assessment Study. The action plans still relevant to this plan of management are:

- Informal Recreation Areas
- Disability Access

Short and medium term actions from the Needs Assessment Study have been achieved, and the long term priority actions, which are ongoing in nature, are incorporated into this plan of management.

The Flora and Fauna studies identify the extent and values of bushland areas and define bushland area boundaries.

Land to Which This Plan Applies

This plan of management applies to the following land and is shown on plan annexed.

- 1 Land adjacent to 6 Bay Street (Lot 2 DP 233425).
- 2 Part Quakers Hat North, land between Nos. 14&16 Bay Street and along foreshore to rear of 28 Bay Street (Part Lot 11 DP 130193).
- 3 Land at rear of 52-56 Bay Street (Lots A, B & C DP 357066).
- 4 Part Bay Street Park (part of Lot 1 DP 552230, Lot 1 DP 525736).
- 5 Rosherville Lighthouse bushland, 53 Parriwi Road (Lot 2 DP 800420).
- 6 Part Reid Park corner Avenue Road and Millet Road (Lot 1 DP 172712).
- 7 Land between 74 & 76 Bay Street (Lot 112 DP 10912).
- 8 Spit Road/Pearl Bay Avenue (Lot 2 DP 115767).
- 9 24B Burran Avenue (Lot 1 DP 852626)

Bay Street Park (Lot 1 DP 552230) and Quakers Hat North (Lot 11 DP 130193) have a split zoning of E2 Environmental Conservation and RE1 Public Recreation. This Plan of Management applies to the parts zoned E2. 24B Burran Avenue is zoned RE1 Public Recreation

All land to which this plan applies is categorised as Natural Area (Bushland) for the purposes of Section 36 of the Local Government Act.

Ownership of Land

All the land to which this plan applies is in the ownership of the Council.

Objectives, Performance Targets, Means of Achievement and Performance Monitoring of the Management of Bushland

OBJECTIVES	PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	PERFORMANCE MONITOR
<p>To conserve biodiversity and maintain ecosystem functions in respect of the land, or the feature or habitat in respect of which the land is categorised natural area;</p> <p>and</p> <p>To ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro organisms) of the land and other ecological values of the land.</p>	<p>Increase all areas to next percentage level (from 2011 level) of native indigenous vegetation cover by July 2022.</p> <p>Reduction in weed cover and increase in diversity of indigenous plant species.</p> <p>Use fire as a useful ecological tool to regenerate and sustain ecological values of the land.</p> <p>Review zoning of Quakers Hat North which is part zoned RE1 and E2</p>	<p>Let a contract on a catchment basis for all larger bushland areas.</p> <p>Utilise Bushcare volunteers with Council contractor support for regeneration of smaller areas zoned E2 or RE1.</p> <p>Prepare burn proposals and implement through the Manly, Mosman and North Sydney Bush Fire Management Committee.</p> <p>Planning Proposal to rezone Quakers Hat North.</p>	<p>Contract audits.</p> <p>Results of Flora and Fauna survey 2016.</p> <p>Number of burns carried out on lands covered by Plan.</p> <p>Amending LEP</p>
<p>To maintain the land, or that feature or habitat, in its natural state and setting;</p> <p>and</p> <p>to protect the aesthetic, heritage, recreational, educational and scientific values of the land;</p> <p>and</p> <p>To protect existing landforms such as natural drainage lines, watercourses and foreshores;</p> <p>and</p> <p>To protect bushland as a natural stabiliser of the soil surface.</p>	<p>Undertake structured and comprehensive bushland management on a catchment basis.</p> <p>Encourage natural regeneration where there is resilience and revegetate with indigenous locally sourced native tube stock in non resilient natural areas.</p> <p>Actively recruit Bushcare volunteers.</p> <p>Continue to provide for creek rehabilitation, stormwater quality improvement devices and seawall restoration as appropriate or required.</p> <p>Take steps to control feral animals where detected.</p> <p>Progressively reduce and remove incursion by weeds in Bushland.</p>	<p>Prepare specifications and let contract for bushland management by suitably qualified persons. Works to include regeneration, revegetation and restoration work.</p> <p>Provide staff and financial and physical support for volunteer Bushcare groups and contractor support.</p> <p>Continue to prepare designs and let contracts for creek rehabilitation, stormwater quality improvement devices and seawalls. Most major works completed by 2012 – minor works up to 2022.</p> <p>Engage contractors and adjacent land managers to eradicate identified feral pests as required.</p> <p>Be an active part of the Sydney North Urban Feral Animal Action Group and Sydney Northern Regional Weeds Committee.</p>	<p>Contract audits and reports on performance.</p> <p>Number and location of active volunteers.</p> <p>Percentage reduction of bushland affected by stormwater through stormwater AMP – annual report to Council.</p> <p>Number of feral animal control programs on land.</p> <p>Number of meetings attended.</p>

Plan of Management Natural Areas (Bushland) –December 2012

OBJECTIVES	PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	PERFORMANCE MONITOR
<p>To provide for the restoration and regeneration of the land;</p> <p>and</p> <p>To restore degraded bushland</p>	<p>Discourage encroachments on private land.</p>	<p>Liaise with residents whose gardens and property encroach on site to remove encroachments.</p>	<p>Encroachments removed.</p>
<p>To provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion;</p> <p>and</p> <p>To promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion.</p>	<p>Formalise watercraft storage, taking into account access, views, site users and vegetation.</p> <p>Maintain existing bushland pathways to make safe and accessible at all times and create a new one at Quakers Hat North.</p> <p>Manage and interpret bushland in a manner that protects, conserves and enhances natural landforms.</p> <p>Install naming signage for all major bushland areas.</p> <p>Inform the community of bushland issues by preparing brochures and holding meetings.</p>	<p>Installation of a dingy storage rack at Quakers Hat North.</p> <p>Put out tenders to engage suitably qualified bushland contractors to install new path and upgrade paths where required.</p> <p>Community consultation in regards to location of new bushland path at Quakers Hat North.</p> <p>Replace existing bushland signs with more informative signage relating to the benefits of preserving bushland.</p> <p>Put out to tenders for sign supply and installation.</p> <p>Provide staff to publish a quarterly bushland newsletter and hold meetings for persons involved or interested in bushland issues.</p>	<p>Dingy rack installed.</p> <p>Installation of walking track at Quakers Hat North.</p> <p>Number, type and location of new walking track installation and repairs reported to Council.</p> <p>Number of new signs installed. Positive feedback from user groups.</p> <p>Preparation and distribution of four copies of the Bushland Newsletter each year.</p>
<p>To assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.</p>	<p>Comply with any such plan within the specified period.</p>	<p>Provide staff and/or contractors to undertake any necessary work on an as required basis.</p>	<p>Recovery plans that have been forwarded to Council are implemented.</p>
<p>To retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term.</p>	<p>Retain, maintain and where possible expand bushland area to improve viability of native plant and animal communities.</p>	<p>Let contracts and support Bushcare groups to maintain existing Bushland areas and to integrate with areas not subject of this plan. Provide where possible wildlife corridors.</p>	<p>Number of areas restored outside of plan.</p>
<p>To adequately protect the interface between bushland</p>	<p>Minimise harm to bushland</p>	<p>Grass adjacent to bushland cut regularly</p>	<p>Interface monitored as part of the Bushland</p>

Plan of Management Natural Areas (Bushland) –December 2012

OBJECTIVES	PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	PERFORMANCE MONITOR
and parks where they are immediately adjacent		and often Mulch bushland side – 1 metre Spray interface zone	Restoration Contract.
To properly manage rubbish in bushland	Timely removal of rubbish – both litter and dumped rubbish	Monitor areas for litter and rubbish and ensure its timely removal.	Litter removed within a month. Dumped rubbish removed within a week.

Leases, Licences and Other Estates

This plan authorises the lease, licence or grant of other estates in relation to land to which this plan applies for the following purposes:

1. the provision of goods, services and facilities, and the carrying out of activities, appropriate to the current and future needs within the local community and of the wider public in relation to public recreation and the physical, cultural, social and intellectual welfare or development of people; (Note: Under Section 46(5) of the Act such purposes include, but are not limited to, maternity welfare centres, infant welfare centres, kindergartens, nurseries, child care centres, family day care centres, surf life saving clubs, restaurants or refreshment kiosks.);
2. the provision of public roads;
3. purposes which are consistent with the objectives listed in the table of this plan detailing objective, performance targets and means of achieving them;
4. purposes prescribed by the Regulation to the Act;
5. for a short-term, casual purpose prescribed by the Regulations to the Act which do not involve the erection of a building or structure of a permanent nature;
6. the provision of pipes, conduits or other connections under the surface of the ground for the connection of premises located on adjoining land to a facility of the Council or other public utility provider that is located on the community land.

NOTE: Although the Act provides for leases as are authorised above they may not be permitted under the current zoning under Mosman Local Environmental Plan 2012.

Tendering for Leases, Licences and Other Estates

Council may only grant a lease, licence or other estate in relation to land to which this plan applies for a period exceeding five years, but not exceeding 30 years, in accordance with the tender process in Division 1 of Part 3 of Chapter 6 of the Act and the public notice provisions of section 47 of the Local Government Act. Council need not observe the tender process if the lease, licence or other estate is proposed to be granted to a non-profit organisation.

Council may grant a lease, licence or other estate in relation to land to which this plan applies, for a period exceeding five years, for all purposes which this plan allows leases, licences or other estates to be granted.

The procedures to be followed for granting leases, licences and estates for a period of 5 years or less are contained in section 47A of the Act and clause 117 of the General Regulation.

Subleasing of Land to Which This Plan Applies

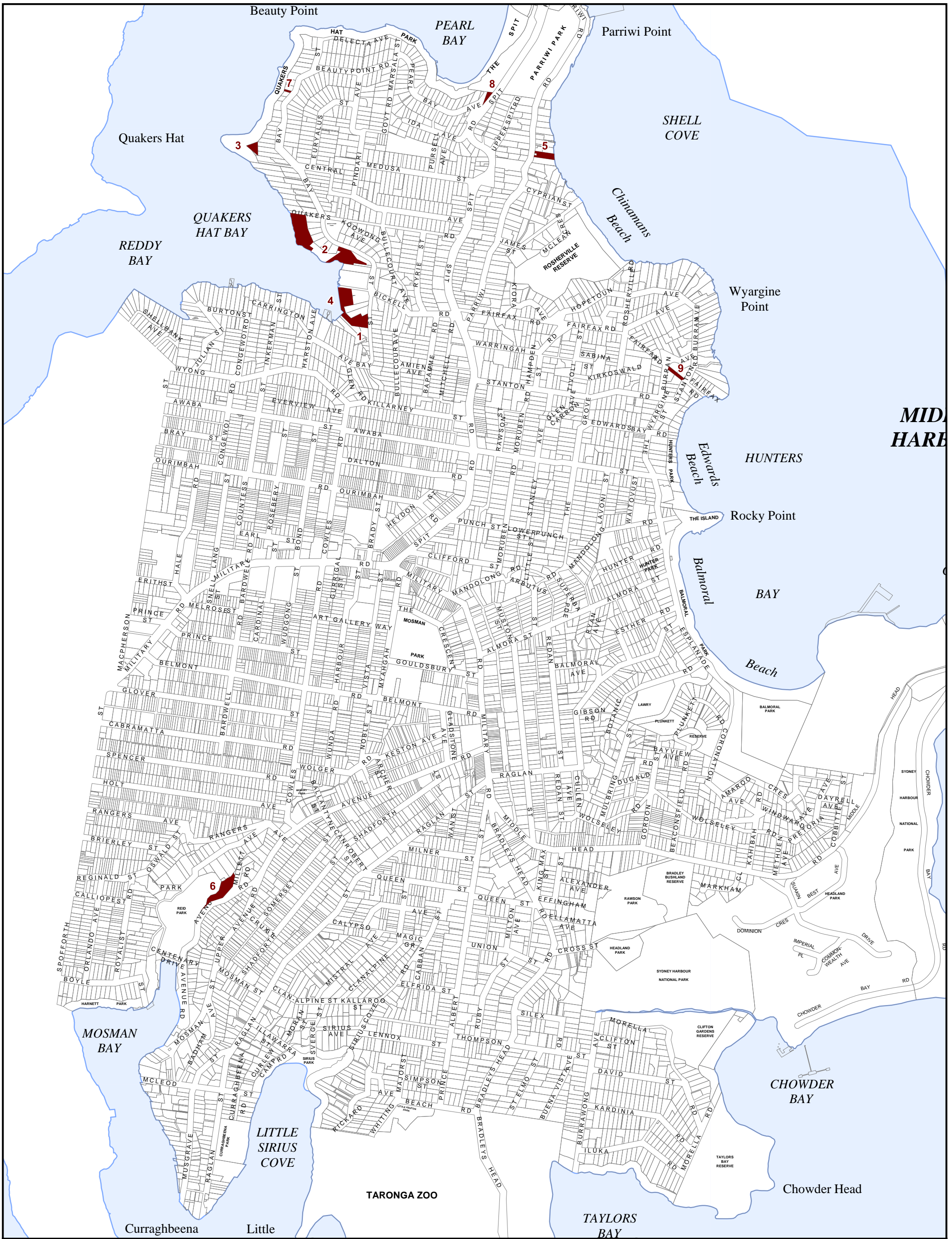
Provisions restricting the subleasing of community land are contained in section 47C of the Act and clause 119 of the General Regulation.

Dedication of Community Land as Public Road

This plan authorises the dedication of land to which this plan applies as a public road for the purpose of widening an existing public road and other roadworks of a minor character relating to existing roads.

Review of Plan

This Plan will be reviewed after seven years of operation to ensure that the ratepayers and residents of Mosman are getting value for money, increased amenity and at the same time protection of the environment.



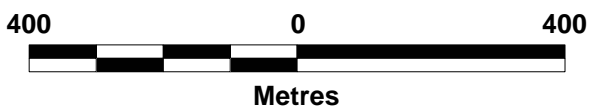
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Drawn by: JL April 2012

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**Plan of Management -
Natural Areas (Bushland)**