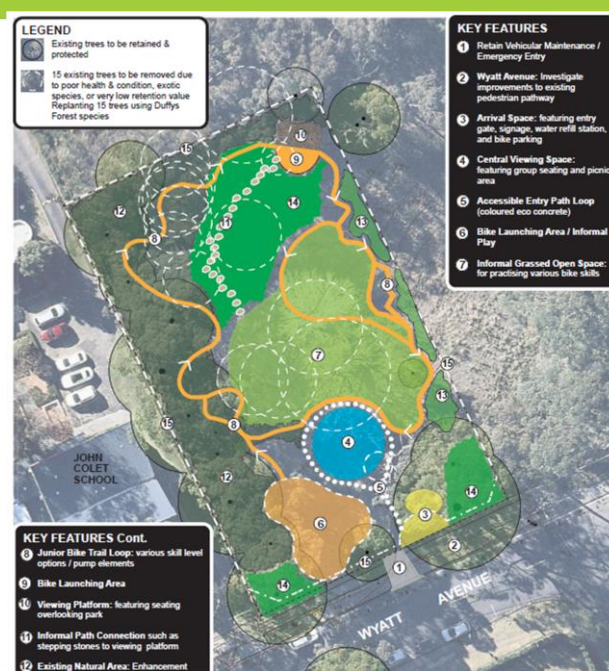


WYATT AVENUE BIKE PARK

PLAN OF MANAGEMENT

ADOPTED

26TH APRIL 2022



NORTHERN BEACHES COUNCIL

WYATT AVENUE BIKE PARK

PLAN OF MANAGEMENT

ADOPTED

26TH APRIL 2022

Prepared with assistance from:



ABN: 33 114 513 647
PO Box 41 FRESHWATER NSW 2096
tel: (02) 9452 6377
mob: 0411 191 866
sandy@parklandplanners.com.au
www.parklandplanners.com.au



northern
beaches
council

CONTENTS

1	INTRODUCTION	1
1.1	What is a Plan of Management?	1
1.2	Structure of this Plan of Management	1
1.3	Background	1
1.4	Land to which this Plan of Management applies	2
1.5	Objectives of this Plan of Management	4
1.6	Process of preparing this Plan of Management	4
2	DESCRIPTION OF WYATT AVENUE BIKE PARK	5
3	BASIS FOR MANAGEMENT	10
3.1	Introduction	10
3.2	Planning context	10
3.3	Direction for Wyatt Avenue Bike Park	14
3.4	Future uses and developments	15
3.5	Use agreements	19
4	ACTION PLAN	21
4.1	Concept Plan	21
4.2	Action Plan	21
5	IMPLEMENTATION	26
5.1	Governance	26
5.2	Monitoring	26
5.3	Funding	26
5.4	Reporting	26
5.5	Review of this Plan of Management	26
	REFERENCES	27

Figures

Figure 1	Wyatt Avenue Bike Park location	2
Figure 2	Proposed Wyatt Avenue Bike Park	3
Figure 3	Process of preparing this Plan of Management.....	4
Figure 4	Property details of Wyatt Avenue Bike Park.....	5
Figure 5	Site images.....	8
Figure 6	Vegetation communities on Wyatt Avenue Bike Park site	9
Figure 7	Categorisation of Wyatt Avenue Bike Park.....	12
Figure 8	Wildlife corridor	13
Figure 9	Bush Fire Prone Land.....	13

Tables

Table 1	Structure of this Plan of Management	1
Table 2	Description of Wyatt Avenue Bike Park	5
Table 3	Planning context of Wyatt Avenue Bike Park.....	10
Table 4	Values of Wyatt Avenue Bike Park	14
Table 5	Open space actions.....	22
Table 6	Recreation actions	22
Table 7	Environmental actions	23
Table 8	Management actions	24

1 INTRODUCTION

1.1 What is a Plan of Management?

A Plan of Management provides the framework for managing public land. It sets out how public land is intended to be used, managed, maintained and enhanced in the future.

A Plan of Management is required to be prepared for public land which is classified as community land under the *Local Government Act 1993*.

This Plan of Management is accompanied by a concept plan to illustrate the proposed Wyatt Avenue Bike Park at Lot 102 DP1244381 and Lot 2620 DP752038 Wyatt Avenue in Belrose.

1.2 Structure of this Plan of Management

This Plan of Management is divided into the following sections, as outlined in Table 1.

Table 1 Structure of this Plan of Management

Section	What does it include?
1 Introduction	Background to the Plan of Management, objectives and process
2 Description of Wyatt Avenue Bike Park	History, ownership and management, physical description, condition, proposed facilities and uses, maintenance
3 Basis for Management	State planning legislation, regional and local planning context; values of the community and users, vision, roles, management objectives, permitted future uses and developments, scale and intensity of use, use agreements
4 Action Plan	Concept plan, strategies and actions to resolve issues consistent with values, performance measures to implement actions.
5 Implementation and review	Management, funding, reporting, review

1.3 Background

The NSW Government sold several parcels of land on Wyatt Avenue, Belrose (previously owned by NSW TAFE) to Northern Beaches Council in March 2019 on the conditions that it be classified as community land under the *Local Government Act 1993* (LG Act), and that Council develop an open space, public recreation facility on the site. These parcels of land (Lot 2 DP536909, Lot 102 DP1244381 and Lot 2620 DP752038 on Wyatt Avenue, Belrose) were classified as community land upon the transfer to Council. Two of those lots (Lot 102 DP1244381 and Lot 2620 DP752038) comprise the Wyatt Avenue Bike Park.

Council wants to ensure that Lot 102 DP1244381 and Lot 2620 DP752038 are used and enjoyed by the local community. With the growth of cycling on the Northern Beaches, Council is seeking to provide opportunities for young local riders to develop their skills and confidence. A junior bike facility in Belrose will provide a local skills development area that allows riders to progress to the nearby intermediate/advanced level Bare Creek Bike Park.

In 2020 Council developed a concept plan for a junior bike skills park on Lot 102 DP1244381 and Lot 2620 DP752038, directly adjacent to John Colet School. The concept plan includes a junior bike trail loop, an informal grassed open space for practicing bike skills (e.g. bunny hop), a seating/picnic area, an accessible entry path loop and other landscape elements. Community engagement about the concept plan undertaken between 9 October and 9 November 2020 showed community support for the proposed junior bike skills park.

At its meeting on 15 December 2020 Council resolved to:

1. place on public exhibition for a period of 56 days a proposed amendment to the *Generic Parks Plan of Management – former Warringah* to incorporate Lot 2 DP536909, Lot 102 DP1244381 and Lot 2620 DP752038, known as 4-6 Wyatt Avenue, Belrose.
2. hold a public hearing in respect of the proposed amendment to the *Generic Parks Plan of Management – former Warringah*.

The outcome of the public hearing held on 18 February 2021 and the public hearing report dated 16 June 2021 was to recommend the Wyatt Avenue Bike Park be categorised as Park, consistent with the guidelines for categorisation as Park in Clause 104 of the *Local Government (General) Regulation 2005* and the core objectives for the Park category in Section 36G of the LG Act.

Council concurrently placed the proposed amendments to add Lot 102 DP 1244381 and Lot 2620 DP 752038 to the *Generic Parks Plan of Management – former Warringah* on public exhibition from Friday 22 January to Sunday 21 March 2021. However Council subsequently decided to prepare a site specific Plan of Management for the Wyatt Avenue Bike Park to provide a more detailed plan which can better address community concerns and needs with respect to the development of a junior bike park on the site.

1.4 Land to which this Plan of Management applies

This Plan of Management applies to the site of the proposed Wyatt Avenue Bike Park in Wyatt Avenue, Belrose as shown in Figure 1. The proposed development of the site for a junior bike park and associated facilities, subject to detailed design and construction, is shown in Figure 2.

Figure 1 Wyatt Avenue Bike Park location

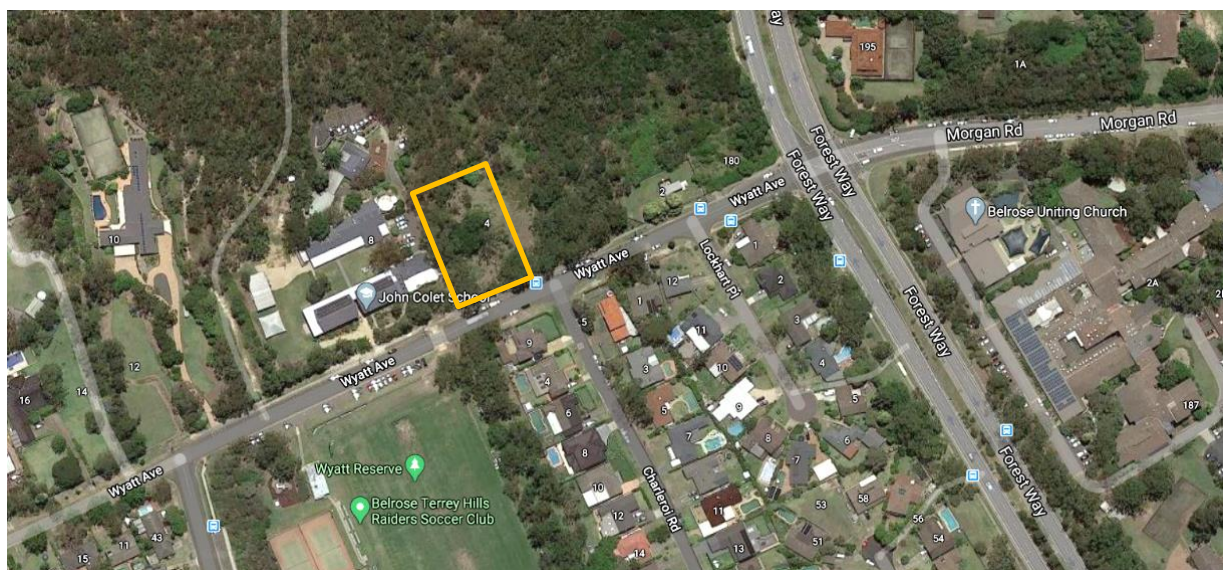
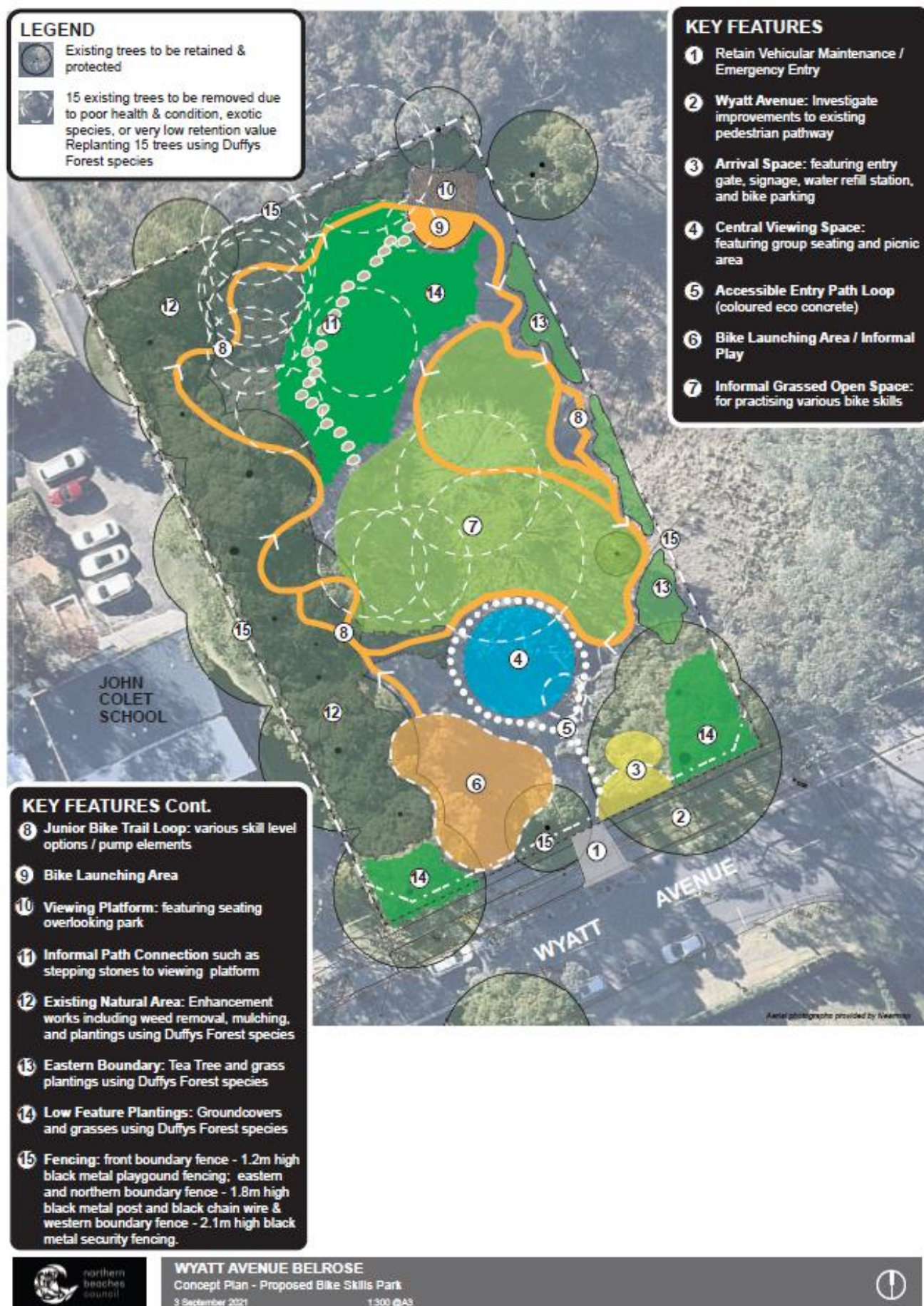


Figure 2 Proposed Wyatt Avenue Bike Park



1.5 Objectives of this Plan of Management

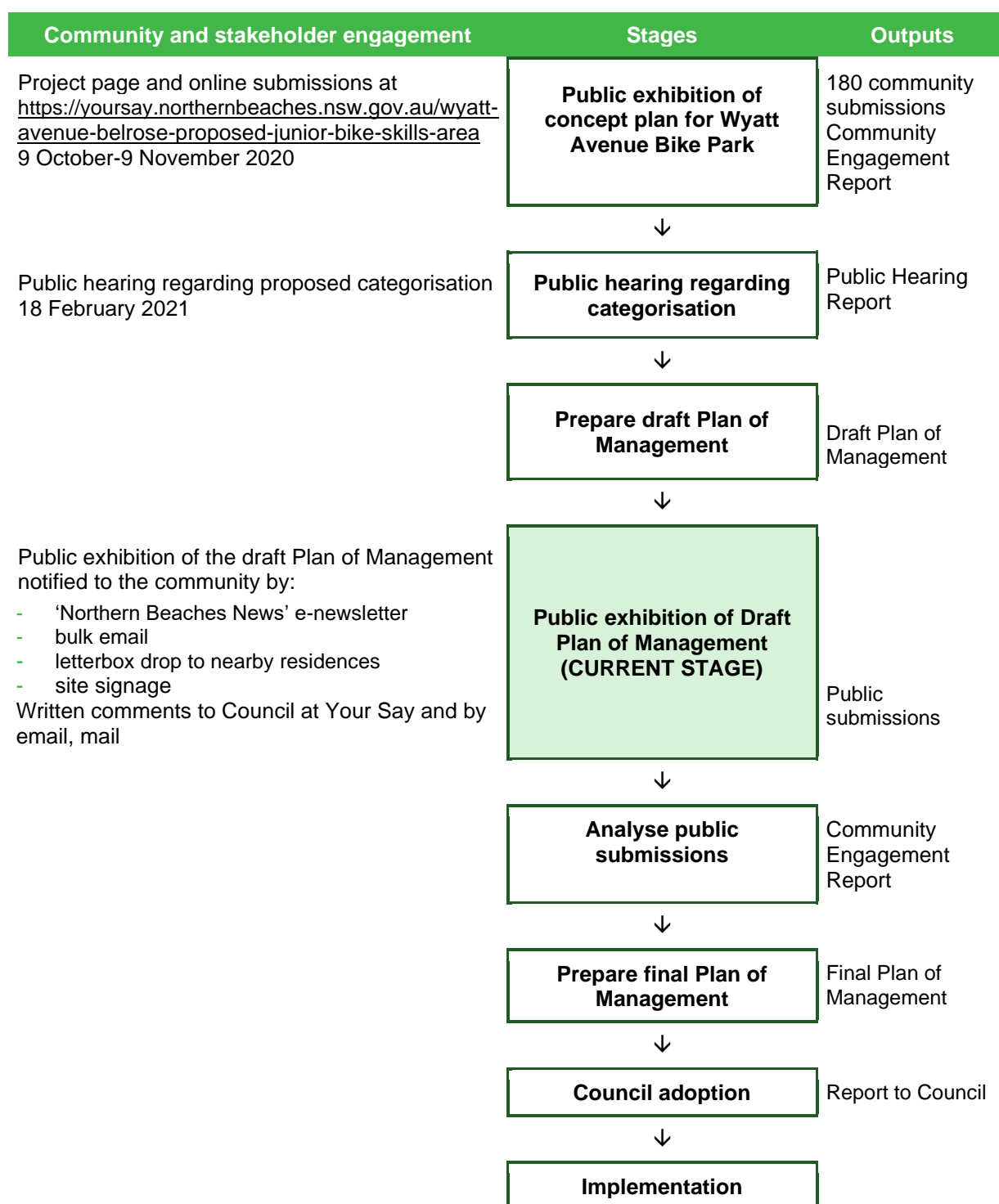
This Plan of Management has been prepared to:

- ☐ meet all relevant legislative requirements, particularly the *Local Government Act 1993*.
- ☐ set out how the Wyatt Avenue Bike Park will be established, used, improved, maintained and managed into the future
- ☐ balance community recreational use of the park with environmental considerations.

1.6 Process of preparing this Plan of Management

The process of preparing this Plan of Management involved the following tasks:

Figure 3 Process of preparing this Plan of Management



2 DESCRIPTION OF WYATT AVENUE BIKE PARK

This section describes the Wyatt Avenue Bike Park site. A detailed description can be found at Table 2. A map with associated property details at Figure 4, site images at Figure 5 and vegetation communities map at Figure 6.

Figure 4 Property details of Wyatt Avenue Bike Park



Table 2 Description of Wyatt Avenue Bike Park

Details	
Location	Wyatt Avenue, Belrose
Land parcels	Lot 102 DP1244381 and Lot 2620 DP 752038 (Figure 4)
Adjacent land uses	John Colet School (west) Wyatt Reserve (south-west) – sportsgrounds, tennis courts, parking Bushland (north, east) owned by Roads and Maritime Services Low density residential (south)
Area (ha)	0.257 hectares
Owner	Northern Beaches Council
Manager	Northern Beaches Council

Details	
Classification	Community land
Categorisation	Park
Zoning	Warringah Local Environmental Plan 2000 Deferred Matter
Physical characteristics	<p>The site is located within the Somersby soil landscape, which is characterised by gently undulating to rolling rises in deeply weathered Hawkesbury Sandstone plateau. Typically, the geology of the Somersby soil landscape consists of Hawkesbury Sandstone comprising medium to coarse-grained quartz sandstone with minor shale and laminite lenses (Eco Logical Australia, 2020).</p> <p>The site is located in an environment where 'no known occurrence of acid sulphate soils' occurs (Eco Logical Australia, 2020)</p> <p>Given the site is located a relatively long distance from developments, it is unlikely that gross contamination exists or that any existing contamination would pose a risk to human health or the environment. However, illegal dumping may have occurred within the area (Eco Logical Australia, 2020)</p> <p>The site is relatively flat, with a 6 metre decrease in elevation from the rear north-east corner (194 metres) to Wyatt Avenue (188 metres)</p> <p>The site is not drained by any watercourses.</p>
Flora and fauna	<p>Source: Eco Logical Australia (2020)</p> <p>Vegetation mapping identified the Duffys Forest Ecological Community (DPIE 2016) and Urban Exotic/Native plantings on the site (refer to Figure 6).</p> <p>Duffys Forest Ecological Community is listed as an endangered ecological community under the <i>Biodiversity Conservation Act 2016</i> (BioNet Vegetation Classification - accessed 13 November 2020). This community is not listed under the Commonwealth <i>Environmental Protection and Biodiversity Conservation Act 1999</i>.</p> <p>The vegetation mapped on the site is part of a much larger patch of Duffys Forest Ecological Community approximately 2.6 hectares in size extending beyond the northern boundary of the site into a large tract of intact native vegetation directly north of the site.</p> <p>Field surveys conducted in 2017 identified one native Plant Community Type (PCT) within the site as PCT 1786: Sydney Ironstone Bloodwood-Silvertop Ash Forest, and Exotic/ Cleared Lands/ Quarry.</p> <p>PCT 1786: Sydney Ironstone Bloodwood-Silvertop Ash Forest has a highly restricted geographic distribution and is strongly associated with shale lenses and lateritic soils overlaying Hawkesbury Sandstone (NSW Scientific Committee 2019). This vegetation community was identified along the northern and north-western boundary of the site. The vegetation was in a modified form of PCT 1786: Sydney Ironstone Bloodwood-Silvertop Ash Forest due to the presence of weeds and historical disturbance within the site.</p> <p>This vegetation community is typically characterised by a dominant canopy of <i>Corymbia gummifera</i> (Red Bloodwood), <i>Eucalyptus sieberi</i> (Silvertop Ash), <i>Eucalyptus haematoma</i> (Scribbly Gum) and <i>Eucalyptus punctata</i> (Grey Gum) in lesser frequencies. However, the vegetation within the site contains a modified version of this community. One canopy species, <i>Eucalyptus sieberi</i>, was recorded within this PCT. The vegetation within the study area lacks a diverse midstorey of <i>Myrtaceae</i> species. The groundcover has been disturbed and contains exotic species namely <i>Stenotaphrum secundatum</i> (Buffalo).</p> <p>Cleared and disturbed lands were also mapped within the site. These areas do not correspond with a known PCT or vegetation community. These areas contain a highly disturbed soil profile and have been colonised by opportunistic weeds and occasional native species. Landscaping of planted native canopy trees has also occurred along the south-western, southern and south-eastern boundaries.</p> <p>A large open area in the centre of the site contains exotic grasses and shrubs; <i>Stenotaphrum secundatum</i>, <i>Andropogon virginicus</i> (Whisky Grass), <i>Nephrolepis cordifolia</i> (Fishbone Fern), <i>Senna pendula</i> (Senna) and <i>Monstera deliciosa</i> (Monstera).</p>

Details

The road frontage along Wyatt Avenue and south-western boundary contains planted native canopy of *Eucalyptus microcorys* (Tallowwood), *Eucalyptus grandis* (Flooded Gum) and *Eucalyptus botryoides* (Bangalay). These native species are not considered locally indigenous to the PCTs mapped on the site. Exotic trees, *Liquidambar styraciflua* (Liquidambar), *Erythrina x sykesii* (Coral Tree) are interspersed with planted native species. The midstorey contains opportunistic native coloniser; *Pittosporum undulatum* (Sweet Pittosporum) and exotic weed *Lantana camara* (Lantana). Although *Pittosporum undulatum* is a native species, it is not considered locally indigenous to PCT 1786. The ground layer contained exotic grasses such as *Stenotaphrum secundatum*, *Hydrocotyle bonariensis* (Largeleaf Pennywort), *Cortaderia selloana* (Pampas Grass) and *Agapanthus* spp. Proposed plantings include landscaped barrier to Wyatt Avenue, tea tree, groundcovers and grass plantings using Duffys Forest species. Habitat for native mammals (wallabies, bandicoots, echidnas, Brush-tailed Possum, Pygmy Possum), birds (Black Cockatoo, Australian Brush-turkey, Magpie), and exotic fauna. The vegetation does not contain significant habitat for threatened flora or fauna species. Located in mapped Wildlife Corridor (Warringah DCP 2011) Vegetation Category 2 on Northern Beaches Bushfire Prone Land Map 2020

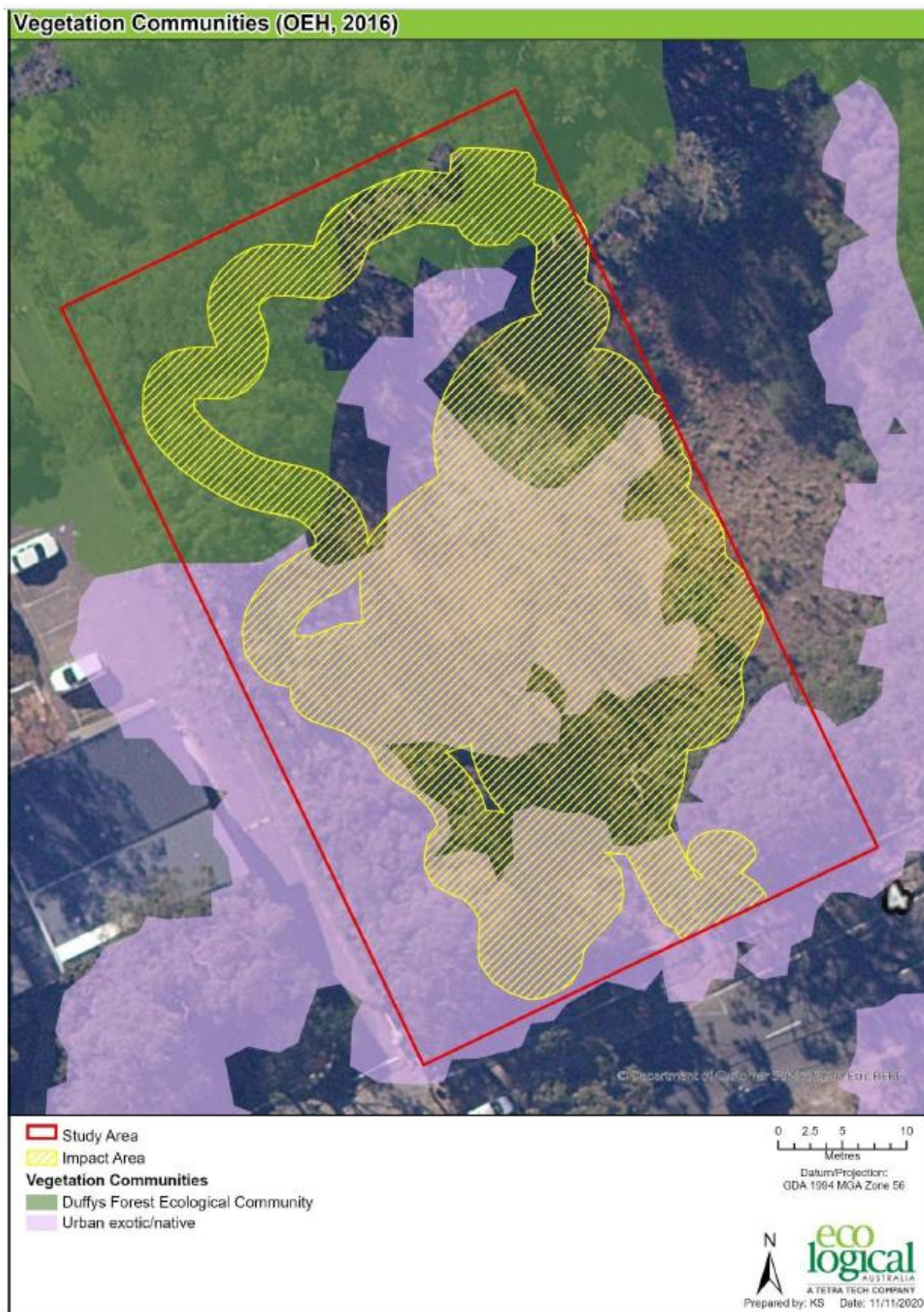
Access, circulation	40 metre frontage to Wyatt Avenue Maintenance/emergency vehicle and pedestrian access from Wyatt Avenue 200 metres from frequent service bus stop on Forest Way Local bus stop at the site on Wyatt Avenue
History	Single residential dwelling with landscaped garden on the two lots. The dwelling was demolished in 2011. Land transferred to Council in early 2020.
Land, assets and condition	Duffys Forest Ecological Community in poor condition was mapped within the site (Eco Logical Australia, 2020). This patch of vegetation has been subject to landscaping within the site and lacks native species diversity. No built assets as at the date of adoption of the Plan of Management. Proposed new junior bike park and associated infrastructure: <ul style="list-style-type: none"> - arrival space with entry gate, signage, water refill station, bike parking - central viewing space with group seating and picnic area - accessible entry path loop - bike launching / informal play areas - informal grassed open space for practising various bike skills - junior bike trail loop for various skill level options and pump elements - viewing platform featuring seating overlooking the park - informal path connection to the viewing platform - fencing on front boundary (black metal playground fencing, 1.2 metres) and eastern, northern and western boundaries (black metal post and black chain wire, 1.8 metres) <p>Excellent condition when the bike park is constructed. Condition to be monitored regularly once constructed.</p>
Infrastructure	Water and sewer connections
Uses and activities	No current use. Proposed uses – junior bike park, active recreation, passive recreation
User groups / stakeholders	Potential users: local residents, general community, children and carers, young people, school students and teachers
Use agreements	No current use agreements. Future use agreements to be considered on a case by case basis and in line with park values and relevant policies, e.g. Commercial Use of Open Space Policy (in progress)

Details	
Bookings and other use to be managed by Northern Beaches Council	
Maintenance	<p>Northern Beaches Council</p> <p>Maintenance tasks:</p> <ul style="list-style-type: none"> - maintenance of surfaces - tree maintenance - weed management - rubbish removal
Income and expenditure	<p>Income: fees from use agreements (licences, bookings)</p> <p>Expenditure: bike park development, maintenance, renovation, capital improvements</p>

Figure 5 Site images



Figure 6 Vegetation communities on Wyatt Avenue Bike Park site



Source: Eco Logical Australia (2020)

3 BASIS FOR MANAGEMENT

3.1 Introduction

This section describes the wider legislative and policy framework which applies to the Wyatt Avenue Bike Park.

Full versions of the legislation referred to below are on-line at www.legislation.nsw.gov.au and www.austlii.edu.au. Northern Beaches Council website: www.northernbeaches.nsw.gov.au.

3.2 Planning context

3.2.1 Introduction

Table 3 outlines the state, regional and local planning context which influences the use, development and management of the Wyatt Avenue Bike Park.

Table 3 Planning context of Wyatt Avenue Bike Park

	Land use planning and management	Public open space, recreation	Natural environment
NSW	<i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2005</i> <i>Environmental Planning and Assessment Act 1979</i>	Draft NSW Public Spaces Charter Greener Places Policy Draft Greener Places Design Guide Everyone Can Play Guidelines <i>Companion Animals Act 1998</i> and Regulation 2008	<i>Biodiversity Conservation Act 2016</i> <i>Rural Fires Act 1997</i> <i>Biosecurity Act 2015</i>
Sydney	A Metropolis of Three Cities: Greater Sydney Region Plan	Draft 50-Year Vision for Greater Sydney's Open Space and Parklands Greater Sydney Green Grid Greater Sydney Local Land Services	Greater Sydney Regional Strategic Weed Management Plan 2017-2022
Regional/ District	North District Plan	Sydney Green Grid – North District	
Northern Beaches LGA / Former Warringah LGA	Towards 2040: Local Strategic Planning Statement SHAPE 28 Northern Beaches Community Strategic Plan 2018-2018 Delivery Program Operational Plan	A Spirit of Play: Warringah Open Space and Recreation Strategy Draft Open Space and Recreation Strategy 2021 (in progress) Northern Beaches Bike Plan 2020 Northern Beaches Public Space Vision and Design Guidelines – Guide for Planning and Design of Open Space	Northern Beaches Environment and Climate Change Strategy 2040 Warringah Council Local Habitat Strategy – Existing and Potential Vegetation Corridors in Warringah Draft Northern Beaches Urban Tree Canopy Plan 2019

Warringah Local Environmental Plan 2000 and any future Local Environment Plans	Northern Beaches Social Infrastructure Study (draft in progress)	Northern Beaches Bush Fire Prone Land Map 2020
Warringah Filming on Council Managed Land Policy	Northern Beaches Asset Management Policy 2018	Northern Beaches Bush Fire Management Policy
Current and future Council policies and plans as relevant	Northern Beaches Asset Management Strategy 2018-2028	Northern Beaches Bushland and Biodiversity Policy
	Infrastructure Asset Management Plans	Warringah Urban Forest Policy
	Northern Beaches Smoke Free Zones Policy	Warringah Tree Preservation Order

3.2.2 Local Government Act 1993

Classification

Wyatt Avenue Bike Park is owned by Northern Beaches Council and is classified as community land under the *Local Government Act 1993*. Council owned land which is classified as 'community' land must be managed and kept for the purposes of the community. Community land must be managed according to the provisions of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

Council has no power to sell, exchange or otherwise dispose of community land, except for the purpose of enabling that land to become, or be added to, a Crown Reserve or land reserved or dedicated under the *National Parks and Wildlife Act 1974*.

Categorisation

Community land must be categorised in accordance with the *Local Government Act 1993* as either Park, Sportsground, Area of Cultural Significance, Natural Area, or General Community Use. A category assigned to community land, using the guidelines for categorisation in the *Local Government (General) Regulation 2005*, reflects Council's intentions for future management and use of the land.

Wyatt Avenue Bike Park is categorised as Park (see Figure 7) consistent with the guidelines for categorisation in the *Local Government (General Regulation) 2005*:

Land that is, or is proposed to be, improved by landscaping, gardens or the provision of non- sporting equipment and facilities, for 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.

Figure 7 Categorisation of Wyatt Avenue Bike Park



Use agreements

Under the *Local Government Act 1993* a lease, licence, other estate or easement (use agreement) may be granted over all or part of community land.

Leases and licences are a way of formalising the use of community land. Leases and licences may be held by groups such as sporting clubs and schools, or by private/commercial organisations or people providing facilities and/or services for public use.

A lease will be typically required where exclusive use or control of all or part of Wyatt Avenue Bike Park may be desirable for effective management. A lease may also be required due to the scale of investment in facilities, the necessity for security measures, or where the relationship between a major user and facilities on community land justifies such security of tenure.

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of the Wyatt Avenue Bike Park is proposed. A number of licences for different users can apply to the same area at the same time, provided there is no conflict of interest.

In accordance with Section 46A of the *Local Government Act 1993* a Plan of Management for community land is to specify and authorise any purpose for which a lease, licence or other estate may be granted over community land during the life of a Plan of Management. Under Section 46 of the Act, Council may lease or licence community land for purposes consistent with the categorisation and zoning of the land.

The maximum period for leases and licences on community land allowable under the *Local Government Act 1993* is 30 years (with the consent of the Minister for a period over 21 years) for purposes consistent with the categorisation and core objectives of the particular area of community land.

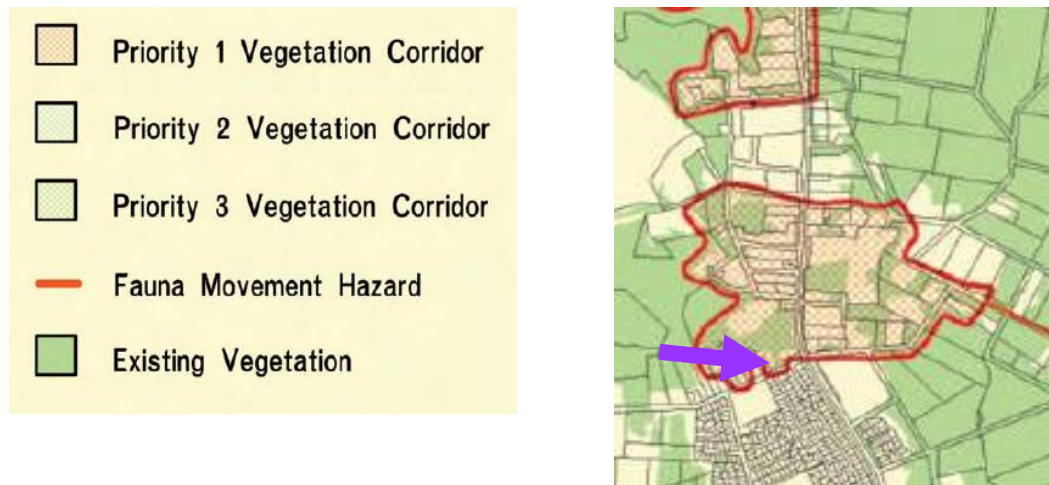
Community land may only be leased or licensed for period of more than 5 years if public notice is given according to the requirements of Sections 47 and 47A of the *Local Government Act 1993*.

3.2.3 Warringah Council plans

Vegetation corridor

The Wyatt Avenue Bike Park is located in a Priority 1 Vegetation Corridor / wildlife corridor.

Figure 8 Wildlife corridor



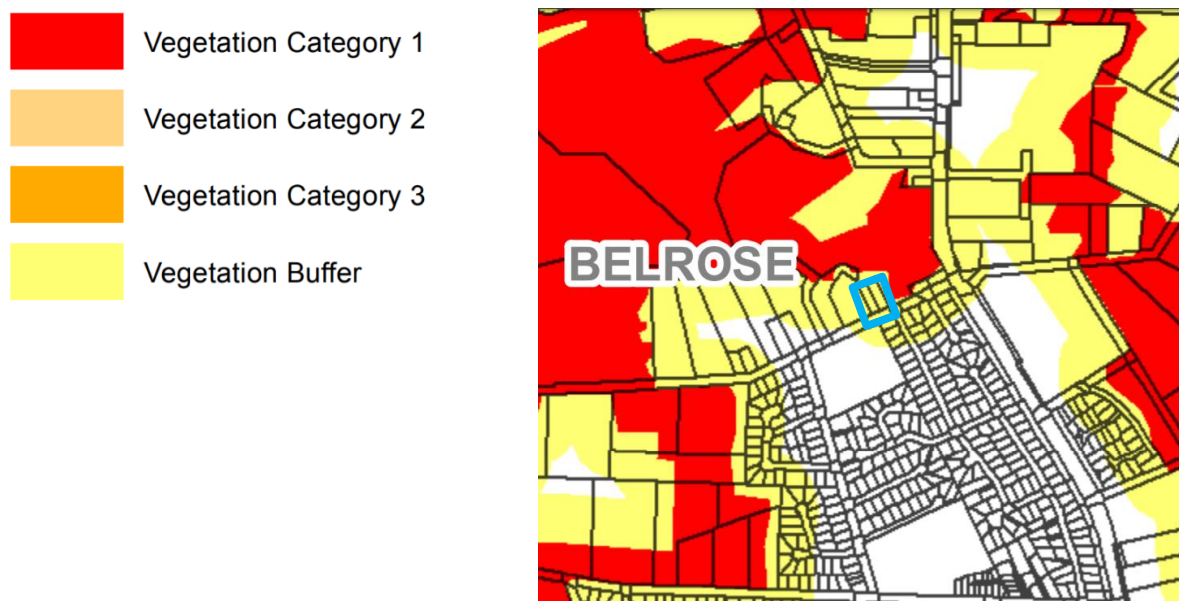
Source: Warringah Council (2005) Warringah Natural Area Survey: Vegetation History and Wildlife Corridors, prepared by P&J Smith Ecological Consultants.

The adjoining bushland contains Duffys Forest Endangered Ecological Community and the species Caley's Grevillea (*Grevillea caleyi*) which is critically endangered under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) and the *NSW Biodiversity Conservation Act 2016*.

Bush fire

The Wyatt Avenue Bike Park site forms part of a 100 metre Vegetation Buffer to adjoining Vegetation Category 1, with Category 1 being the highest risk for bushfire given its high combustibility and likelihood of forming fully developed fires. Vegetation under the trees adjacent the school should be managed as an Asset Protection Zone to minimise fuel loads and subsequent risk.

Figure 9 Bush Fire Prone Land



Source: Northern Beaches Bush Fire Prone Land Map (2020)

3.3 Direction for Wyatt Avenue Bike Park

3.3.1 Community engagement

Council undertook community engagement about the proposed junior bike skills park in Wyatt Avenue in late 2020, with 180 written submissions being received.

Overall, the majority of comments expressed a positive sentiment toward the proposed junior bike skills area at Wyatt Avenue. Many people commended the plan, emphasising the need for local recreational spaces for younger riders to learn and enjoy bike riding. Future investment in cycling infrastructure in and around the site was also encouraged.

Requests included for the park to be accessible for a range of age groups, and for the availability of public amenities on site.

A few comments expressed a negative sentiment toward the proposed junior bike skills area, highlighting concerns about additional noise, potential increase to traffic and congestion, parking issues on local streets, pedestrian safety, impacts on local biodiversity, and the operating hours of the proposed bike skills area, noting that use of the site could lead to anti-social behaviour after hours. These matters will be considered further during the detailed design stage.

3.3.2 Values and roles of Wyatt Avenue Bike Park

Northern Beaches Council takes a values-based approach to the planning, use and management of the Wyatt Avenue Bike Park. Values may be described as what is important or special about a place. This Plan of Management aims to protect and enhance the values of the Wyatt Avenue Bike Park.

Table 4 Values of Wyatt Avenue Bike Park

Values	Explanation	Significance	Roles
Open space	0.25 hectares of public parkland in Belrose owned by Council and accessible to the whole community Public open space for future generations	Local	Public park Visual relief to surrounding development for school and residences
Recreation	Recreation area catering for children and their families and carers for bike riding and informal recreation for the general community	Local	Junior/beginner bike training/skills area which complements the intermediate/advanced Bare Creek Bike Park
Environmental	Includes and adjoins Duffys Forest Endangered Ecological Community and a wildlife corridor	Local	Vegetation Buffer to adjoining Vegetation Category 1 bushland Wildlife habitat

3.3.3 Vision for Wyatt Avenue Bike Park

Consistent with the values and desired roles of the Wyatt Avenue Bike Park, the vision for it is:

Wyatt Avenue Bike Park will be a local scale entry-level junior bike skills park which can be used by the whole community for bike riding and complementary recreation and social activities in a natural and attractive landscaped setting.

The vision for Wyatt Avenue Bike Park is reflected in the Action Plan in Section 4.

3.3.4 Objectives for Wyatt Avenue Bike Park

Wyatt Avenue Bike Park will be managed according to the objectives set out below.

Core objectives for community land

The core objectives for community land categorised as Park under the *Local Government Act 1993* are to:

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

Council policies and objectives

Wyatt Avenue Bike Park will be managed consistent with the Council plans, strategies and policies listed in Section 3.2.

3.4 Future uses and developments

3.4.1 Introduction

It is not possible to forecast every activity, development or structure that may occur at Wyatt Avenue Bike Park in the future. New activities, developments and structures may be proposed in response to an application for use of the site, or because funding or another opportunity becomes available, or to address a need or management issue that may not be evident when preparing this Plan of Management.

Section 36 of the *Local Government Act 1993* states that a Plan of Management must expressly authorise any proposed or potential developments on community land. The following authorisation is provided generally. Any specific works will require further investigation, and development approval if required.

3.4.2 Legislative requirements

Permissible uses and developments at Wyatt Avenue Bike Park must be in accordance with relevant legislation, particularly:

- ❑ Warringah Local Environmental Plan 2000 and any future Local Environmental Plan which may apply to the site
- ❑ guidelines for and core objectives of the relevant categories of community land under the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*
- ❑ uses for which leases, licences and other estates may be granted on community land under the *Local Government Act 1993*.

Warringah Local Environmental Plan 2000

As the Wyatt Avenue Bike Park is in the Deferred Matter area of the former Warringah local government area, Clause 17 of the Warringah LEP 2000 applies, and states that:

- ❑ 17(2): Public open space can be developed for any purpose that is consistent with a plan of management applying to that public open space
- ❑ 17(3): In the absence of a plan of management, only exempt development and development for the purpose of recreation facilities can be carried out on public open space
- ❑ 17(4): Development on public open space, other than exempt development, is to be regarded as Category Two development.
- ❑ 17(5): If public open space contains bushland, any development which will disturb that bushland should be carried out only if a plan of management has been prepared which specifically assesses the need to preserve and protect that bushland, having regard to the matters set out in Schedule 6 (Preservation of bushland), and the consent authority is satisfied that the disturbance of the bushland is essential for a purpose in the public interest and no reasonable alternative is available to the disturbance of that bushland.

Any development of public open space must also be consistent with a Plan of Management for that land prepared in accordance with the *Local Government Act 1993* in the case of public open space that is owned by the Council.

The Desired Future Character of Locality C8 Belrose North states that the natural landscape including landforms and vegetation will be protected and, where possible, enhanced.

3.4.3 Preferred future uses

Wyatt Avenue Bike Park is generally intended to be used for junior bike activities, informal recreation, and compatible activities. Developments and structures are limited to those which support the desired activities, consistent with the concept plan (Figure 2).

Any use or development that would further encroach on the open space of the site should be minimised, unless it can be shown that the proposed use or development is a more efficient use of the space, has a community benefit, and is consistent with the objectives of this Plan of Management.

Permitted uses and developments must support and enhance the other values of the site ie. open space, recreation, and the natural environment.

3.4.4 Physical constraints

Future use and development of the site must take the presence of the Duffys Forest Ecological Community and the bush fire risk into account.

3.4.5 Impacts on adjoining land uses

Uses and activities permitted at Wyatt Avenue Bike Park must consider the impacts on local residents, John Colet School, and adjoining land uses in terms of noise, traffic and parking.

Bushfire advice has been received, and as a consequence understory planting on the boundary with John Colet School will be limited.

3.4.6 Other considerations

Criteria for assessing proposals for new activities and/or developments at Wyatt Avenue Bike Park should also address:

- ☐ the objectives of this Plan of Management (Section 1)
- ☐ Council plans and policies (Section 3)
- ☐ the future roles of the site (Section 3)
- ☐ objectives for the site (Section 3)
- ☐ vision and values for the site (Section 3).

3.4.7 Prohibited activities

Northern Beaches Council may prohibit certain activities from time to time, for example, through relevant policies and legislative responsibilities.

3.4.8 Buildings and structures

Express authorisation

This Plan of Management expressly authorises development of new buildings and structures, and redevelopment/refurbishment buildings and structures, which support the desired uses of Wyatt Avenue Bike Park.

Such buildings and structures will be consistent with:

- ☐ the Concept Plan (Figure 2) and any subsequent detailed plans.
- ☐ constraints of the Duffys Forest Ecological Community, bushfire and wildlife corridors.

Design considerations

Landscaping

Landscaping will be undertaken consistent with the Northern Beaches Public Space Vision and Design Guidelines 2021.

Access

Access to new facilities on the site and any refurbishment of those structures will be provided according to Australian Standard 1428 (Parts 1 – 4) Design for Access and Mobility.

Access and seating for people with disabilities should comply with the Disability Discrimination Act and the Building Code of Australia.

Sustainable development

All facilities and infrastructure (new and renewed), and maintenance of the site will integrate sustainability in terms of energy use, life cycle costs, source material impacts, and Water Sensitive Urban Design (WSUD).

3.4.9 Scale and intensity of use and development

Introduction

In accordance with the *Local Government Act 1993* a Plan of Management must expressly authorise any proposed developments on community land. It must detail the scale and intensity of this development and the purpose for which it will be used.

The scale and intensity of future uses and developments at Wyatt Avenue Bike Park is constrained by:

- ☐ the small size of the park
- ☐ existing mature trees and other vegetation
- ☐ its location in a wildlife corridor
- ☐ bush fire risk
- ☐ impact on adjoining residents and land uses
- ☐ wet weather.

It is expected that park users will self-regulate the numbers of users on site at any time, ie. users will decide for themselves if the park is too crowded, and if so to go elsewhere.

Any proposal to use structures and spaces at Wyatt Avenue Bike Park will be considered on merit and balanced against physical constraints and the amenity of adjoining residents, schools, and land uses.

Any further intensification or variation to development to that shown on the Concept Plan in Figure 2 may be subject to relevant approvals.

Activities

Activities at Wyatt Avenue Bike Park which may attract high numbers of people include school use, use on weekends and in fine weather, and bike riding lessons.

Applications and bookings for permissible activities will be assessed on a case-by-case basis.

The scale and intensity of such activities will be managed by Council's plans, policies and booking process and by conditions of use.

Traffic and parking

The impact of traffic and parking associated with use of the bike park on local residents and businesses will be minor in nature as the scale and level of the bike park will only attract people from immediate area. Any bookings that have the potential to generate extra vehicle movements will be required to provide a traffic management plan.

Planting

Species selected for planting at Wyatt Avenue Bike Park will be endemic to Duffys Forest Plant Community and considered appropriate species for the highly modified and used recreation area located within a wildlife corridor. The proposed planting is shown on the concept plan in Figure 2. Planting will be undertaken on a site-specific basis as required.

3.4.10 Assessment and approval of permissible uses and developments

The approval pathway for the project will be via Part 5 of the *Environmental Planning and Assessment Act 1979* and Council will undertake all the necessary investigations to satisfy the Act.

Northern Beaches Council must expressly authorise proposed developments on community land under the *Local Government Act 1993*. This authorisation in a Plan of Management gives 'in principle' support for certain activities and developments to proceed to development assessment under the *Environmental Planning and Assessment Act 1979*. However, this Plan does not in itself imply or grant consent for these activities or developments. Any proposed uses and developments which are consistent with this Plan are still subject to development consent processes which would be advertised widely for information and to invite comment. This Plan of Management would be an important supporting document for the required applications for the proposed works.

3.5 Use agreements

3.5.1 Authorisation of current use agreements

No use agreements (leases, licences or other estates) currently apply to Wyatt Avenue Bike Park.

3.5.2 Authorisation of future leases, licences and other estates

Granting of leases, licences, other estates and easements for the use or occupation of Wyatt Avenue Bike Park are permissible for uses consistent with:

- ☐ the uses listed in Sections 46 and 47 of the *Local Government Act 1993*.
- ☐ the guidelines and core objectives for the Park category of community land.
- ☐ Desired Future Character under the Warringah Local Environmental Plan, and development consent if required.
- ☐ Zoning under any future Local Environment Plan.
- ☐ this Plan of Management.

Other estates

This Plan of Management authorises Council to grant "an estate" over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the *Local Government Act 1993*.

Easements

This Plan of Management expressly authorises the granting of easements over land at Wyatt Avenue Bike Park to provide pipes, conduits or other connections under the ground surface. This is limited to easements which connect premises adjoining community land to an existing water, sewer, drainage or electricity facility of Council or another public utility provider that is situated on the land. Such easements must minimise impacts on the condition and use of the Wyatt Avenue Bike Park.

Granting of easements above or on the surface of community land is not within the authority of this Plan of Management. These easements include, but are not limited to, piping to a natural watercourse, piping from a facility on community land to a facility on private land, and private vehicular or pedestrian access.

Short-term casual use and occupation

Licenses for short-term casual use or occupation of Wyatt Avenue Bike Park for a range of uses may be granted in accordance with Clause 116 of the *Local Government (General) Regulation 2005*.

Such short term/temporary uses in the *Local Government Act 1993* and the *Local Government (General) Regulation 2005* include:

- ☐ playing of a musical instrument or singing for fee or reward
- ☐ engaging in a trade or business
- ☐ playing of a lawful game or sport
- ☐ delivery of a public address
- ☐ commercial photographic sessions
- ☐ picnics and private celebrations e.g. weddings, family gatherings
- ☐ filming sessions
- ☐ other special events/ promotions provided they are on a scale appropriate to the use of a junior bike skills park and to the benefit and enjoyment of the local community
- ☐ emergency purposes, including training, when the need arises.

Authorisation is granted for short-term casual use or occupation of Wyatt Avenue Bike Park for uses such as bike riding lessons, provided the use or occupation does not involve the erection of any permanent building or structure.

All short-term casual uses and occupation would be subject to Council's standard conditions for hire, approval processes, and booking fees. A temporary licence would be issued by Council as part of the approval process prior to the site being used for these activities. Organisers of the activity are subject to conditions of hire.

Fees for short term, casual bookings will be in accordance with the fees and charges as published annually by Northern Beaches Council.

Subleases

Where a lease arrangement has been entered into with Council for community land, subleasing of the land must be in accordance with the requirements of Section 47C of the *Local Government Act 1993*.

4 ACTION PLAN

4.1 Concept Plan

The Concept Plan for Wyatt Avenue Bike Park is shown earlier at Figure 2. The Concept Plan illustrates the proposed location of the spatial works and actions in the following Action Plan which are proposed to be implemented to achieve the objectives for Wyatt Avenue Bike Park.

4.2 Action Plan

4.2.1 Introduction

This section outlines the actions required to implement the management direction and concept plan for Wyatt Avenue Bike Park. The actions are displayed below in table form, and have been structured using the values of Wyatt Avenue Bike Park that the actions would enhance and protect. The table headings are explained as follows:

Need / issue	A need or an issue to be addressed	
Background	Explanation of the need/issue	
Performance target	Targets/strategies to achieve vision and objectives for the Wyatt Avenue Bike Park, consistent with defined roles	
Action	Tasks that will be undertaken to address needs/issues, and to achieve performance targets and objectives	
Priority	Assigned according to the specific action's relative importance, urgency or complexity in terms of likely timeframes for delivery:	
	Short term	Achieved within 2 years
	Medium term	Achieved within 2 to 5 years
	Long term	Achieved after 5 years
	Ongoing	Continuous or as required
Means of assessing achievement	Methods of measuring and assessing the achievement of the action.	

Any developments included in this Action Table require authorisation within this Plan of Management. Section 3 includes authorisation for future developments for Wyatt Avenue Bike Park.

4.2.2 Open Space actions

Table 5 Open space actions

Need/ issue	Background	Performance target	Action	Priority	Means of assessing achievement
Emergency and maintenance vehicle access	Driveway access to the site from Wyatt Avenue is available	Facilitate authorised vehicle access to the bike park	Retain the vehicular maintenance and emergency entry point off Wyatt Avenue	Ongoing	Vehicle access for maintenance and in emergencies
Landscaped street frontage	Council has set out landscape design requirements for open space in the Northern Beaches Public Space Vision and Design Guidelines – Guide for Planning and Design of Open Space	Visually integrate the site with surrounding natural vegetation. Minimise the visual impact of the site from Wyatt Avenue while retaining passive surveillance	Landscape the Wyatt Avenue street frontage with suitable species	Short term	Landscaping meets requirements of public space vision and design guidelines
Fencing	Fencing is required to separate the bike park use from the adjoining school , natural bushland and wildlife corridor, neighboring properties and for site security	Protect the adjoining bushland and wildlife corridor from human disturbance	Erect fences as appropriate	Short term	Works completed
Shared path adjacent to park (outside of PoM boundary)	Accessible shared path is identified in the Northern Beaches Council Bike Plan	Easy access for pedestrians, people with disability, and cyclists	Widen the footpath on the site frontage to Wyatt Avenue	Short term	Shared path widened

4.2.2 Recreation actions

Table 6 Recreation actions

Need/issue	Background	Performance target	Action	Priority	Means of assessing achievement
Junior bike skills opportunities	The community has expressed support for a junior bike skills	Provide junior bike skills facilities and spaces for	Construct a junior bike as per the concept plan	Short term	Bike park construction completed

Need/issue	Background	Performance target	Action	Priority	Means of assessing achievement
	park at Wyatt Avenue	various skill levels			
Spectator and informal recreation facilities	Spectator and informal recreation facilities such as seating, picnic tables, water refill station and bike parking will support use of the site	Provide drinking water and bike repair and parking for park users	Install water refill station, bike repair station and bike parking as part of the Arrival Space	Short term	Water station, bike repair and parking facilities installed
		Provide support facilities for carers and spectators	Construct a viewing space, picnic area, seating and pathways as per the concept plan	Short term	Works completed

4.2.3 Environmental actions

Table 7 Environmental actions

Need/issue	Background	Performance target	Action	Priority	Means of assessing achievement
Tree management	Some non-endemic trees will need to be removed for construction of the bike park. Council has committed to replacing all removed trees and planting Duffys Forest plant community species	Retain significant trees on the site	Remove 15 existing trees identified on the Concept Plan	Short term	Replacement of removed trees with Duffys Forest species
		Remove trees which are in poor health and condition, exotic species, or which have very low retention value – as per arborist report (Mara Consulting 2020)	Replant 15 trees using Duffys Forest species	Short term	
			Plant Duffys Forest grass and groundcover species consistent with the Concept Plan	Short term	
Duffys Forest Threatened Ecological Community	Part of the site includes Duffys Forest Threatened Ecological Community	Prevent weed establishment Encourage native regeneration Improve condition of Duffys Forest vegetation on site	Actively manage the remaining portion of the Duffys Forest Threatened Ecological Community	Ongoing	Vegetation surveys
Wildlife corridor	The site is part of a mapped wildlife corridor	Retain and enhance the wildlife corridor to maintain the connection of flora and fauna habitats.	Plant native and exotic species to landscape the site.	Short term	Increase in number of trees and shrubs on site
		Retain an adequate buffer to	Maintain remnant and planted vegetation on the site boundaries.	Ongoing	Monitor health of planting

Need/issue	Background	Performance target	Action	Priority	Means of assessing achievement
		the wildlife corridor			
Asset Protection Zone (APZ)	An Asset Protection Zone around the site is required to minimise bushfire risk	Retain an adequate asset protection zone	Maintain the Asset Protection Zone	Ongoing	Inspections
Runoff and drainage	Potential for runoff of stormwater, pathogens and weeds into adjoining bushland	Minimise drainage and runoff of stormwater	Implement an appropriate sediment and erosion control plan and hygiene protocols through WSUD principles and vegetation management	Ongoing	Monitoring of weeds in bushland adjoining the bike park

4.3.4 Management actions

Table 8 Management actions

Need/issue	Background	Performance target	Action	Priority	Means of assessing achievement
Zoning	The site is unzoned as it is a 'Deferred Matter' under the Warringah Local Environmental Plan 2000	Zone the site RE1 Public Recreation consistent with the Park categorisation	Zone the site as RE1 Public Recreation in the preparation of the Northern Beaches Local Environmental Plan	Medium term	Zoning of the site included in Northern Beaches LEP
Use management	Multi-purpose use of the Wyatt Avenue Bike Park is encouraged	Maximise use of the site for desirable activities	Enter into use agreements as desirable	Ongoing	Bookings
		Minimal conflict between users of the site	Manage use of the site	Ongoing	Minimal complaints to Council
Security	Local residents expressed concern about anti-social behaviour in the park at night	Minimise the opportunity for anti-social behaviour in the bike park	Liaise with Police to include the bike park in its patrols if necessary	Ongoing	Minimal complaints about anti-social behaviour to Police or Council
Facility condition	Facilities should be fit for purpose, safe and in good condition	Bike park elements and associated facilities are in good condition	Carry out maintenance and capital works as required	Ongoing	Condition assessment

5 IMPLEMENTATION

5.1 Governance

Wyatt Avenue Bike Park will be managed by Northern Beaches Council in terms of facility management, use and maintenance. Council will also have oversight of any use agreements for activities on the site.

5.2 Monitoring

Implementation of actions in this Plan of Management according to their assigned priorities will be monitored through the preparation of annual performance reports, budgets, and capital works programs.

It should be recognised however that commencement and completion of the recommended actions in this Plan of Management depends on available Council resources, funding, and Council's priorities in its annual works program. The priority of each action should be reassessed annually to determine if the stated priority is still relevant.

5.3 Funding

Council has limited funds, and as such may rely on developer contributions, external grants and other sources of funding to develop and manage the Wyatt Avenue Bike Park.

Funding for future management of and improvements to the site will be sought from a range of government, Council, corporate, user and community sources on an ongoing basis as required.

5.4 Reporting

Achievement of actions listed in this Plan of Management will be reported using Council's Integrated Planning and Reporting Framework.

5.5 Review of this Plan of Management

Review of this Plan of Management should take into account the outcomes of periodic reviews of Council's strategic and operational plans and identified community need as required.

The Action Plan tables should be reviewed and revised when required in accordance with Council's budgets, Capital Works Program and evolving priorities.

REFERENCES

Department of Planning and Environment (2019) *Everyone Can Play: A Guideline to Create Inclusive Playspaces*.

Department of Planning and Environment (2019) *Greater Sydney Outdoors Study*.

Department of Planning, Industry and Environment (2020) *BioNet Vegetation Classification*. Accessed 13 November 2020.

Department of Planning, Industry and Environment (2020) *Draft Public Spaces Charter*.

Department of Planning, Industry and Environment (2020) *A 50-Year Vision for Greater Sydney's Open Space and Parklands: A Discussion Paper*.

Eco Logical Australia (2017) *Belrose TAFE, 188 Forest Way Belrose Flora and Fauna Statement*. Prepared for Government Property NSW.

Eco Logical Australia (2020) *4-6 Wyatt Avenue, Belrose Proposed Bike Skills Park - Review of Environmental Factors*. Prepared for Northern Beaches Council.

Government Architect NSW (2017) *Greener Places: establishing an urban green infrastructure policy for New South Wales*.

Government Architect NSW (2020) *Draft Greener Places Design Guide*.

Greater Sydney Commission (2017) *Our Greater Sydney 2056: A Metropolis of Three Cities – connecting people*.

Greater Sydney Commission (2017) *North District Plan*.

Mara Consulting (2020) *Arborist Report – Wyatt Avenue Belrose*. Prepared for Northern Beaches Council.

NSW Scientific Committee (2019) *Duffys Forest ecological community in the Sydney Basin Bioregion – endangered ecological community listing – final determination*. Available: <https://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/nsw-threatened-species-scientific-committee/determinations/final-determinations/2000-2003/duffys-forest-sydney-basin-bioregion-endangered-ecological-community-listing> (Accessed 13 November 2020).

Northern Beaches Council (2017) *Disability Inclusion Action Plan 2017-2021*.

Northern Beaches Council (2018) *SHAPE 28 Community Strategic Plan*.

Northern Beaches Council (2018) *Asset Management Policy 2018*.

Northern Beaches Council (2018) *Asset Management Strategy 2018-2028*.

Northern Beaches Council (2019) *Northern Beaches Environment and Climate Change Strategy 2040*.

Northern Beaches Council (2020) *Northern Beaches Bike Plan*.

Northern Beaches Council (2020) *Towards 2040: Local Strategic Planning Statement*.

Prensa (2016) *Preliminary Site Investigation – 188 Forest Way, Belrose NSW*. Prepared for Government Property NSW.

TyrrellStudio and Office of the Government Architect (2017) *Sydney Green Grid: Spatial Framework and Project Opportunities*.

Warringah Council (2005) *Warringah Natural Area Survey: Vegetation History and Wildlife Corridors*, prepared by P&J Smith Ecological Consultants.

Warringah Council (2007) *Local Habitat Strategy – Existing and Potential Vegetation Corridors in Warringah*.

Warringah Council (2015) *A Spirit of Play: Warringah's Open Space Strategy*.