



Woorak Road Reserve, Iluka Park & Sandy Point Lane, **Palm Beach** Plan of Management

Prepared under the Crown Lands Act, 1989 &
the Local Government Act, 1993
Prepared by Pittwater Council

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EXECUTIVE SUMMARY

The study area represents a treasured small pocket of open space within a suburban locale that is renowned within the regional context for its landscape beauty and is characterised by the strong presence of the natural environment.

The laneway between 40 and 42 Iluka Road, known as Sandy Point Lane, provides a highly sought after access point to Pittwater for recreational and boating pursuits.

This plan of management (POM) has been brought about through the necessity to resolve the conflict between the needs of recreational boating and the explicit desire to maintain the residential amenity of the local area.

The process of this Plan of Management included a process of community consultation in order to understand the main issues and values concerning the two main stake holder groups; namely the local residents, and the boat owners.

ISSUES IDENTIFIED THROUGH THE PLAN OF MANAGEMENT

The following issues have been identified during the development of the POM:

- Fluctuating demand for parking.
- The prime purpose of the reserve is open space amenity and this resource is highly regarded.
- The open space amenity is compromised by Woorak Road as it splits the reserve into two disjointed sections.
- Visual impact on the streetscape of trailer parking.
- Random uncontrolled parking in the reserve.
- Long stay parking by holiday makers.
- Shared access via the lane for small craft and pedestrians.
- Inappropriate use of the ramp and lane by large craft and vehicles.
- Historical use of the ramp by catamarans, and small boats (sailing and fishing).
- Some boat owners are not using the Rowland reserve facility as they favour the Sandy Point Lane facility.
- Lengthening the ramp will encourage use by larger vessels.
- Increased usage of the ramp facility is partly due to the closure of other local facilities.
- Launching times are restricted by the tides and length of the ramp.
- Residential parking demands in Iluka Road.
- Beach erosion caused by changes in patterns of long shore drift due to boat ramp construction.

- Waste removal, noise and disturbance to residents, negotiation of narrow lane way, and the erosion caused in the reserve by waste collection activities.
- Safety at the ramp.

COMMUNITY VALUES

The values outlined below are primarily based on those identified through community and stakeholder consultations.

VALUE	EXPLANATION
Environmental	Preservation and enhancement of the local open space network, restoration of the parkland. Management to embrace Ecologically Sustainable Development (ESD) principles
Residential landscape character	The existing informal character is desirable. Existing residential amenity to be retained.
Visual amenity/Visual pollution	Implementation of design solutions that reduce the visual intrusion of parked trailers and cars. Increase screen planting to parking areas.
Development	Minimise development and infrastructure that imposes on the natural environment. Cater for a reasonable number of parking spaces, in balance with the capacity of the open space.
Access to the beach	Sandy Point Lane provides a rare access point to the Pittwater resource, and should be retained as a local facility for both pedestrians and boats.

KEY MANAGEMENT AND DESIGN ISSUES ADDRESSED IN THE PLAN OF MANAGEMENT.

The following elements have been identified as key management issues:

- The process of the preparation of the Plan of Management has been directed by the need to find a solution that provides a reasonable resolution in line with both the requirements of residents to maintain and enhance the existing residential amenity and boat owners requirements for launching and parking facilities, and that reflects responsible management of the land for the future.
- Historical use of Sandy Point Lane as access for pedestrians and beach launching of small craft - The historical use of the access way and boat ramp is to be recognised and maintained, with particular reference to use by community clubs.
- Local context of a boat launching facility within a residential neighbourhood - The boat launching facility is an accepted small local facility within a residential precinct, and should remain as such. It is not intended, nor is it appropriate, to provide facilities on a regional scale.
- Increasing demand for parking and boat ramp usage- Pressure for parking facilities is continually increasing. This demand should not dictate the use of open green space, nor be to the detriment of it. Numbers of parking spaces within the reserve are to be restricted and vehicular access controlled.

- Use of the ramp by larger water craft and commercial contractors- The ramp historically provides access for small craft. The facility and location is not suitable for use by larger vessels and contractors.
- Trailers parked permanently or parked for long periods of time, in the reserve - There are a number of trailers that are parked for long periods that are chained to significant canopy trees, and are causing damage to the trunks. These trailers take up spaces permanently, and are unsightly.
- The local importance of the amenity of the park as an open green space - There is general community consensus that the amenity of the open space should be improved and not dedicated to permanent parking.

ELEMENTS OF THE MASTER PLAN

The key elements of the masterplan include:

- Upgrade the reserves, parking; and in the longer term, the boat ramp have been designed to fit into the local context.
- Reconciliation of shared pedestrian and trailer boat access to Sandy Point Lane is addressed.
- The proposed Woorak Road closure and amalgamation of the two separate sections of reserve to create one consistent open space reserve is resolved.
- Parking will be provided for 54 cars (along the Iluka Road and Woorak Road frontages). Parking will be restricted to 48 hours maximum. Parking will be subject to pay and display however local residents with Pittwater parking stickers attached to their vehicles will be exempt.
- 37 spaces are provided for car and trailer parking within the reserve as indicated on the attached masterplan. Parking will be restricted to 48 hours maximum. Parking will be subject to pay and display however Pittwater residents will be exempt upon purchase of an annual pass from Council specific to Woorak Reserve. The cost of the annual pass will be in-keeping with current costs charged at Rowland Reserve.
- Registered community groups clubs; with a history of using the boat ramp, may apply to the General Manager for concessional parking stickers.
- Sandy Point Lane and the boat ramp will be limited to vehicles weighing under three tonnes, and single axle trailers only – catamarans and light sailing craft exempt.
- Launching of personal water craft (PWCs) at the ramp is allowed.
- The ongoing management of PWCs will be liaised between Council and NSW Maritime. Residents will be able to contact Council should an issue arise regarding usage of PWCs and Council will liaise directly with NSW Maritime in relation to the responsible ongoing management of these watercraft in the area.
- Rationalise signage in the reserves, local streets and lane. Signpost the access and ramp for use as a light vehicle and vessel boat launching facility only and prohibit the cleaning and scaling of fish.

- The use of infrastructure elements is minimal and low key, low impact approach is adopted.
- The existing parkland planting is enhanced with an emphasis on screening the trailer parking areas and defining the character of the park.
- A shared access zone will provide a hard paved crushed sandstone surface to the section of the parking areas most subjected to wear, while allowing a continuous path to wander through the park for pedestrian and cycle access, connecting entrance nodes.
- Entrance nodes are defined and spaces created that provide informal gathering places, while directing movement through the park, and limiting vehicular access.
- Provision of large open areas of grass in keeping with the existing character of the park, that can be allocated for special event overflow parking use, or dedicated to pedestrian/recreation only activity.
- Installation of bollards as a sculptural form.

MANAGEMENT STRATEGIES

The key management strategies include:

- The process for the implementation of the closure of Woorak Road is to be completed.
- The use of the ramp by commercial vessels, contractors and large boats and trailers is to be prohibited.
- The size of boats and trailers using the ramp is to be regulated, with maximum fines allowed under adopted Acts being sought for illegal use.
- Pay and display parking for all parking facilities within the reserve.
- Limit of a maximum 48 hours parking for trailers and cars within the reserve is to be introduced. Residents' parking permits as issued by Council will be valid for carparking along the Iluka Road and Woorak Road frontages. Residents only will be able to purchase an annual pass for Woorak Reserve at a cost in-keeping with current charges at Rowland Reserve.
- Prohibit trailer parking along Iluka Road.
- Allow special permits and parking arrangements to be granted to registered community clubs and for events, historically using the ramp.
- Parking fees at Woorak Reserve and Iluka Park must be in line with charges imposed at Rowland Reserve, Bayview.
- Introduce an annual pass for ramp use and trailer parking, inline with the charges at Rowland Reserve.
- Implement a code of conduct for the use of the ramp.

- Regulate availability and length of stay for trailer and car parking within the reserve (24 hour limit to be applied).

RECOMMENDATIONS FOR FURTHER REPORTS AND STUDIES

The following reports and studies are recommended:

- Prepare an environmental assessment on the effects of enlarging or extending the boat ramp, with particular regard to erosion of the beach, long shore drift and sand movements, and the effect on the marine environment.
- Investigate the feasibility of an elevated boat ramp.
- Prepare a Local Area Traffic Management Scheme for Illuka Road, Palm Beach.
- Investigate the feasibility of providing additional boat launching facilities in Pittwater in coordination with the Pittwater Boat Owners' Association.
- Investigate the feasibility of bundling the electricity wires or locating cables underground within the study area.

This Plan of Management addresses the key issues of retaining the existing residential amenity while managing boating access and associated requirements, within a residential area.

1 GENERAL

1.1 PURPOSE

This Plan of Management has been prepared to guide Pittwater Council, as owner of Community Land and Trust Manager of Crown Land, in the future management of the Study Area. See Figure 1.

The purpose of preparing a plan of management is to identify the issues, constraints and opportunities of the study area and to formulate a masterplan and management strategies that both comply with the intent and guidelines of the relevant legislations and policies. The POM will provide a framework for acceptable and appropriate development and design for the ongoing, long term management and use by the public.



Aerial photography - Jan 2007 (licensed from Sinclair Knight Merz).
This plan is not survey accurate.

Figure 1. Study Area (outlined in red)

1.2 LEGISLATION

This Plan of Management describes acceptable development and use of the subject land, and adheres to the relevant legislations and policies. A list of legislations and policies can be found in Appendix A of this document.

Plans of management are required to be prepared under the guidelines set out in the *Local Government Act, 1993* for Community land, and under the *Crown Lands Act, 1989* for Crown land. According to these guidelines, particular issues and core objectives must be met. A detailed summary of the relevant parts of the *Local Government Act, 1993* can be found in Appendix B of this document Appendix C itemises the relevant sections of the *Crown Lands Act, 1989*.

This Plan of Management details the management strategies and design principles for the subject land and satisfies the requirements for content and process for the preparation of a Plan of Management. It supersedes all previous Plans of Management to which the study area is subject.

1.3 PROCESS

After due research, community consultation and preparation of the Draft Plan of Management, Council approves the Draft Plan of Management for public exhibition and community comment. After submissions have been received, and amendments made, the document is re-exhibited as necessary, the POM is then recommended for adoption by Council. Once adopted by Council, only the uses, activities or developments consistent with the adopted Plan of Management may be undertaken.

1.4 OBJECTIVES

The objectives of the POM include:

- To retain the existing residential amenity while managing boating access and requirements within a residential area.
- To define the study area's role as a local recreational and open space resource.
- Identify and assess key management issues affecting the study area.
- Establish effective management strategies and address resource implications.
- Prepare a Landscape masterplan that addresses the long term vision and sustainable future for the study area.
- Address permitted and prohibited uses within the study area.
- Meet legislative requirements for the preparation of Plans of Management under the *Local Government Act, 1993*, and the *Crown Lands Act, 1989*.

1.5 BRIEF HISTORY AND RELEVANCE OF THE STUDY AREA

Prior to European settlement the subject land was occupied by the local Guringai people.

From 1788 until about 1900 the area was barely accessible except by water and there was minimal European activity or development. In 1816 a 400 acre land grant was made to James Napper by Governor Macquarie, and 45 acres were cleared and cultivated. By 1900 the subject land had passed from the original grantee into the estate of Darcy Wentworth, and then to Charles John Forssberg.

In 1912 a ferry service was established from Newport to various destinations in Pittwater, and the area soon began to develop as a holiday destination. Forssberg died in 1921 and by 1927 the land had been subdivided and sold.

While many of the early subdivisions rarely dedicated land for public access to the foreshores of Pittwater, the Forssberg estate dedicated parcels of land to Warringah Shire Council for the purpose of public recreation and access. The area that is the subject of this Plan of Management includes the land dedicated by the Forssberg Estate.

As development grew and the population expanded with more and more holiday makers, day trippers and residents, the pressures on the existing public reserves and access ways increased dramatically, along with increased demand for parking.

Originally the lane at Sandy Point was intended to provide the public with a simple access way between the private lots of land to the beach reserve for foot traffic and the occasional small water craft. As recreational demand has grown over the years, and with the limited designated public access points available to the expansive shores of Pittwater the use of the lane way has seen significant changes in the number and range of vessels and vehicles attempting to utilise the narrow access way, and the reserves have been taken over for ad hoc parking and trailer storage.

1.6 KEY ISSUES IDENTIFIED

The following key issues have been identified:

- Historically Sandy Point Lane has been a facility for pedestrian access and beach launching of small craft.
- The boat ramp is a local launching facility within a residential neighbourhood context, not a regional facility.
- Boat ramp usage and demand for parking is increasing.
- The ramp is now regularly being used by larger water craft and commercial contractors.
- Trailers are being parked permanently or for long periods of time, in the reserve.
- The amenity of the Park as an open green space is highly regarded.
- Lengthening the ramp will encourage use by larger vessels.
- The existing residential streetscape amenity is highly regarded.

2 INTRODUCTION

2.1 WHAT IS A PLAN OF MANAGEMENT?

A Plan of Management is a document that provides the framework for managing a land resource that is under the jurisdiction of Council, and outlines how that land is intended to be used, improved, maintained and managed in the future.

2.2 WHY PREPARE A PLAN OF MANAGEMENT FOR THE STUDY AREA?

The study area represents a small but significant open space reserve within Pittwater shire council, adjacent to the foreshores of Pittwater.

Due to increased demand for car and trailer parking, the reserve has gradually been taken over and used for ad hoc and unrestricted parking of vehicles, boats and trailers. Currently there is no clear strategy in place for the management or future direction of this land. Without the implementation of thoughtful and appropriate management strategies, this land cannot exhibit its potential contribution as part of the local open space network.

The preparation of a Plan of Management provides the medium to assess the opportunities and constraints and develop a frame work through which council will be guided to manage and develop the land in the best interests of the local residents the people of NSW in general, and for the future.

2.3 LAND TO WHICH THIS PLAN OF MANAGEMENT APPLIES

The Plan of Management applies to the area; as set out in Figures 1, 45, 46 and 47, and incorporates the following:

2.3.1 WOORAK ROAD RESERVE

Council Asset Number A12095, Reserve Number 449 is a series of 5 lots known as Woorak Road Reserve, comprising Lots 68, 69, 70, 71 and 72 in DP 14682.

Woorak Reserve is a small park, 0.3297 hectares in area, located opposite Iluka Park Palm Beach, bounded by Iluka Road to the south west, and Woorak Road to the north east. It consists of open lawn areas with scattered specimens of mature native tree species.

Pittwater Council exchanged Stuart St, Newport (closed road) for the Department of Education's five land parcels constituting Woorak Reserve, Palm Beach. This land is subject to Positive Covenant Number 5973417, which states that the land "... will not be used other than as a park open to the public and that the owner of the said lands and any occupier... will not erect any building or structure on the said lands not being reasonably incidental to their use as a park open to the public."

Woorak Reserve is zoned 6A existing recreation under the Pittwater Local Environmental Plan, 1993 (LEP). It is proposed to categorise the reserves as Park and General Community Use under the Local Government Act 1993.

Pittwater Council owns the land fee simple. The land is classified as community land.

2.3.2 ILUKA PARK

Council Asset Number A12067, Reserve Number 14 is a small developed park, 0.4232 hectares in area, located adjacent to the Palm Beach kindergarten in Barrenjoey Road, Palm Beach. It is bounded by Barrenjoey Road to the east, Iluka Road to the south west, and Woorak Road to the west.

Iluka Park was transferred to council from the estate of the late C J E Forssberg in October 1927 for the purpose of public recreation. It contains some items of play equipment in a lawn setting, with some excellent mature native specimens including Eucalypts, Angophoras, Banksias and Melaleucas.

A section of the park, 173.7m² in area, to the south western corner, was acquired by Sydney Water for the purposes of a pumping station.

Iluka Park is zoned 6A existing recreation under the Pittwater LEP 199, and is classified as community land under the Local Government Act, 1993. Pittwater Council owns the land fee simple.

2.3.3 WOORAK ROAD

This section of Woorak Road has been zoned 6A recreation under the Pittwater LEP 1993 in order to connect two disjointed parcels of land and create one cohesive open space precinct. To date no measures have been taken to implement the closure of the road.

2.3.4 SANDY POINT LANE

Sandy Point Lane runs off Iluka Road, Palm Beach down to Sandy Beach reserve, between numbers 40 and 42 Iluka Road.

2.3.5 SANDY BEACH

This POM includes the section of Sandy Beach Reserve that is occupied by the boat ramp access and extends from Sandy Point Lane, westwards through the council reserve (40A Iluka Road), and into the Crown reserve.

The section of reserve above high water mark is part of the parcel of land that was transferred to Warringah Council from the Forssberg estate in October 1927, and is zoned 6A Public Recreation. The remainder of Sandy Beach Reserve is Crown land, also zoned 6A Public Recreation. Pittwater Council was made Trust Manager for the portion of Sandy Beach Reserve owned by the Crown, in August 2009. (See Appendix C for gazettal notice).

2.4 PURPOSE OF PREPARING THIS PLAN OF MANAGEMENT

This Plan of Management has been prepared to:

- Address the conflict between the requirements for retaining and maintaining a boating facility within a residential precinct, while preserving the residential and open space amenity.
- Update any previous Plans of Management for the Iluka Park and Woorak Reserve study area.
- Identify and assess community values and local significance of the Study Area.
- Define the appropriate role of the study area as a recreational and natural resource

- Formulate a sound and balanced approach to the management, development and design guidelines in support of the defined role, including:
 - current and future permitted uses
 - future leases/licences
 - integration of sustainable principles.
- Comply with the Local Government Act 1993 in regard to the preparation of plans of management for community land, and meet all relevant legislative requirements.
- Reflect the values and expectations of the local Pittwater and wider community reserve users.
- Present a Masterplan that addresses the issues identified.
- Formulate management strategies that support and compliment the vision and principles for the use of the land.

2.5 PROCESS OF PREPARING THE PLAN OF MANAGEMENT

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

- Review of background documents information and history.
- Meeting with key stakeholders and the public.
- Assessment of site opportunities and constraints.
- Investigation, research and review of issues affecting the study area.
- Formulation of master plan and draft POM including management strategies.
- Reference of the draft plan to the Department of Lands for comment.
- Review of submissions, amending the draft plan if required, and re-exhibition if the amendments are significant.
- The Minister, Department of Lands, adopts the Crown land component of the plan.
- Council adopts the Community land component of the plan of management.

This plan of management has been prepared and funded entirely by Pittwater Council.

3 HISTORY AND CONTEXT

3.1 EARLY HISTORY

Prior to European settlement, the Guringai tribe inhabited the foreshores and headlands of the Pittwater Local Government area and beyond. They lived in family groups, and moved around the area, with the coastal environment providing an abundant food supply.

Initially the indigenous people were hospitable towards the European explorers, but misunderstandings and hostility developed.

European settlement brought with it diseases unknown to the Guringai people, and with out any immunity, outbreaks of small pox and measles soon decimated the population. Most of those who survived the outbreaks of disease moved away from the coast as the Europeans occupied their territory and competed for food and land.

The peninsula of land separating Pittwater from the Pacific Ocean was first explored in 1788 by a party of marines under the direction of Governor Arthur Phillip who set out in search of suitable land for the cultivation of food for the new colony.

They sailed into Broken Bay and as they passed Palm Beach, were met by three canoes of aborigines containing five women and one man. It was on this first expedition that Phillip recorded that he named the inland waterway, "Pittwater".

The name "Palm Beach", derived from the cabbage tree palms prolific in the area, was first used in the early 1800s.

From 1788 until about 1900 the area was hardly accessible except by water. There was little development and European activity was minimal. The land was inhabited by the few remaining aborigines, occasional fishermen, timber cutters, vegetable gardeners and the staff and families of the light house and customs post.

In March 1816, the surgeon James Napper received a grant of 400 acres from Governor Macquarie, incorporating the land from "Little Beach" to "Barrenjoey", including "Cabbage Tree Boat Harbour" on the ocean side and part of "Careel Bay" on the Pittwater side, areas now known as Palm Beach, Barrenjoey Headland, Whale Beach and Careel Bay.

The land was assigned to Napper and his heirs forever provided he cleared and cultivated approximately 45 acres within five years, after which he was required to pay a quit rent of eight shillings per annum. He called his grant "Larkfield".

Apart from the sand peninsula leading to Barrenjoey Headland that was acquired by the Government in 1881, the grant remained virtually intact until 1900, when a group of businessmen purchased the majority of the land now known as Palm Beach for £500, in the name of the Barrenjoey Land Company Ltd.

The estate was divided into eighteen large blocks and put up for auction in June 1900.

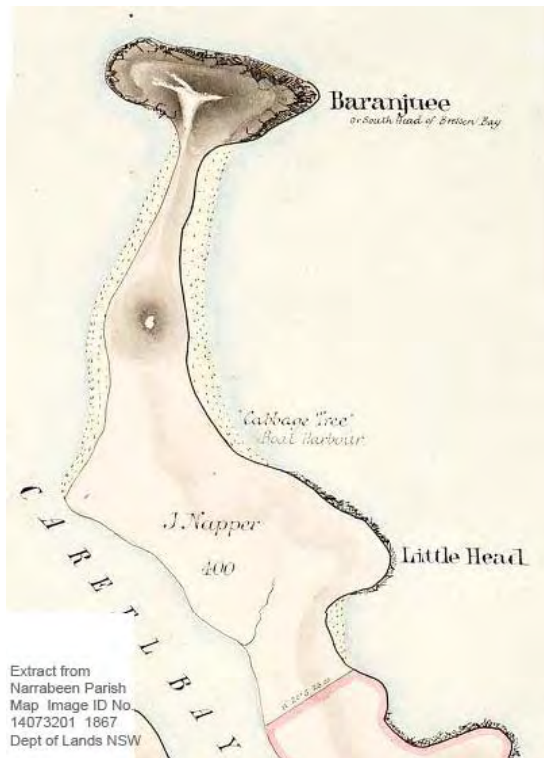


Figure 2. Narrabeen parish Map 1867
Source: Land and Property Management Authority Parish Maps

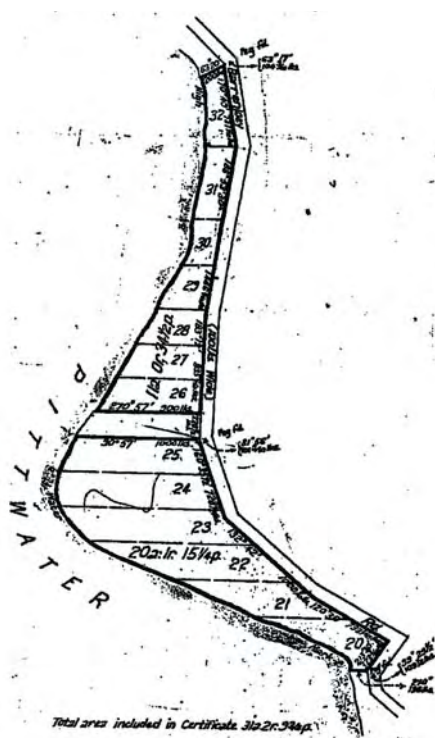


Figure 3. Plan showing the original subdivision of the 31 acres purchased by Forssberg in 1900.
Source: Land Titles Office vol 3429, folio 234



Figure 4. Parish map 1005
Source: Land and Property Management Authority, Parish Maps

The area around Sand Point; however, was never purchased by the Barrenjoey Land Company, but was passed from the original grantee into the ownership and later estate of Darcy Wentworth. It remained in the Wentworth Estate until 23 August 1900 when Charles Forssberg purchased over 30 acres of the original Napper grant fronting Pittwater.

The land that is the subject of this Plan of Management was part of the Forssberg land, and remained in the Forssberg family until it was subdivided and sold in 1927. The smaller lots to the northern end of the subdivision were sold during the 1920s while the larger lots to the south were re subdivided in 1927.

At the time of the subdivision in August 1927, lands were dedicated to Warringah Shire Council for public recreation purposes and access the laneway between number 40 and 42 Iluka Road was dedicated as a public laneway to provide access to the beach reserve.

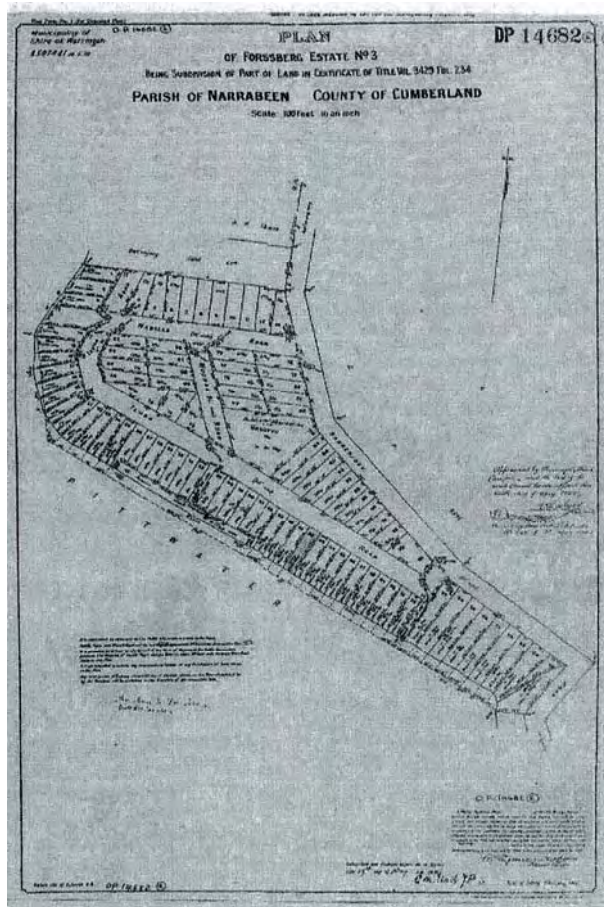


Figure 5. Plan of the Forssberg Estate, dated February 1927 Forssberg Estate (DP 14682)

Extract from Plan. "It is intended to dedicate to the public the roads marked Iluka Road, Nailla Road and Woorak Road and the two lanes 24 feet wide shown on the plan. It is intended to dedicate to the Council of the Shire of Warringah for Public Recreation purposes the Reserve of 1ac.0r.71/4per (Iluka Park) and the Reserve of about 30 feet wide along the waterfront shown on this plan...." Source: Land Titles Office No 3.



Figure 6. Woman with umbrella looking towards the ocean. Palm Beach 1910.



Figure 7. Chrissie Seaman seated inside her Morris car at Palm Beach, 1920.



Figure 8. Driving along Barrenjoey Road, Snapperman Beach is in the background, circa 1909



Figure 9. Two men and a woman on the road to Palm Beach, 1920.

Prior to 1910 transport to the peninsula was difficult. A day's journey commenced with a horse drawn street car ride that went as far as Narrabeen. A ferry then crossed Narrabeen Lagoon. The journey continued to Church Point via sulky, where a row boat ferry then transported travellers to Palm Beach or Pittwater. In 1912 a ferry service was established from Newport to various destinations in Pittwater, and by the late 1920s Palm Beach and Pittwater were established as a fashionable summer resort.

Until the 1920s the road through the northern beaches area ceased at Newport and all building materials had to be brought to Palm Beach via boat. When the road from Newport to Palm Beach was completed the 3 hour trip from Sydney was reduced considerably, opening the northern beaches up to day trippers. Within a few short years the whole

subdivision was dotted with fashionably rustic holiday houses suitable for weekend excursions and summer holidays.



Figure 10. The Bridge over Narrabeen Lagoon, 1910



Figure 11. Snapperman Beach, 1920s

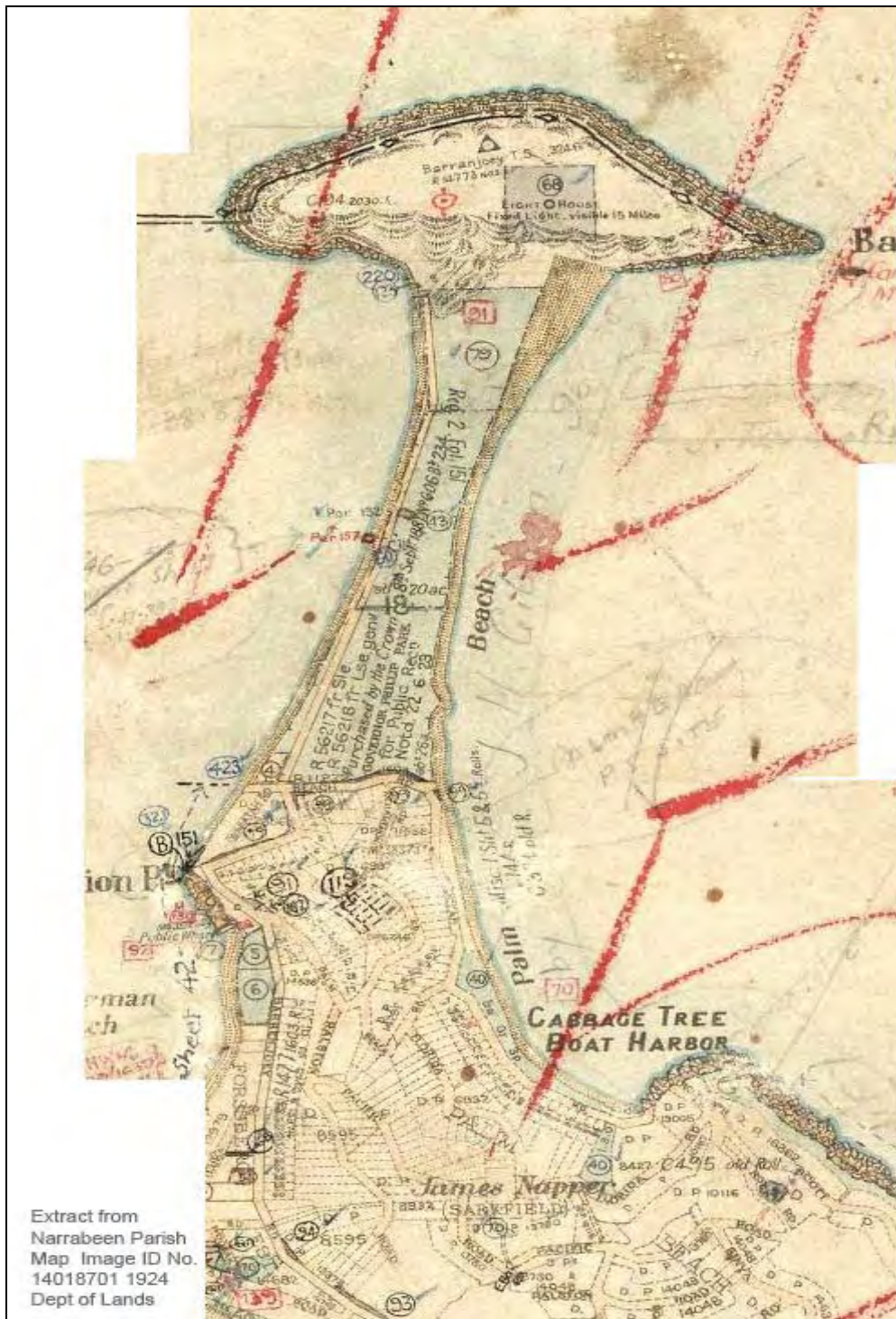


Figure 12. Parish Map Narrabeen, 1924.
Source: Land and Property Management Authority, Parish Maps



Figure 13. Five ladies in a rowing boat off Station Beach, 1920.
Kind permission of Mrs. L Coe.



Figure 14. Sailing on Pittwater Estuary, 1930



Figure 15. Ocean Beach 1930s.



Figure 16. Laurie and Bruce Seaman with fishing nets. Pittwater 1936.
Source: Laurie Seaman.



Figure 17. Boating on Pittwater, circa 1930
Source: Eileen Vaughn.



Figure 18. Woman in rowboat on Pittwater 1930s.



Figure 19. Narrabeen Parish Map
Source: Department of Land and Property Management

3.2 DEVELOPMENT AND CONTEXT TODAY

As development grew and the population expanded with more and more holiday makers, day trippers and residents, so did the demand on facilities and resources. Originally the lane at Sandy Point was intended to provide the public with a simple access way, between the private lots of land to the beach reserve, for foot traffic and the occasional small water craft.

By the 1950s, the boat ramp at Sandy Point had become a low key local facility, the use by local fishermen and small sailing craft being regarded by the local community as acceptable and appropriate. Over the years, the pressures on the existing public reserves and access ways have increased dramatically. Today, the existing scale and extent of the facility is still in keeping with the context of the local residential neighbourhood. As recreational demand has grown, and potential land for local boating facilities has been lost to lucrative housing developments, pressure on the remaining designated public access points available to the shores of Pittwater has increased significantly.

The use of the lane way has seen significant changes with the number and range of vessels and vehicles attempting to utilise the narrow access way, and the reserves have been taken over for ad hoc parking and trailer storage. The laneway between 40 and 42 Iluka road offers a highly sought after and valuable access point to the Pittwater foreshore, for both small boat launching opportunities and pedestrians. Easy access down the lane way to the flat grassy reserve and the the sandy beach make this a natural playground for children and parents as well as others wishing to access and egress the waterway.

4. PUBLIC CONSULTATION

4.0 GENERAL

Various user groups, interested organisations and individuals were consulted during the preparation of this Plan of Management.

A series of discussions and presentations were held in order to provide interested parties and stakeholders the opportunity of expressing their particular thoughts, visions and needs for consideration in the process of the formulation of the Draft POM and masterplan. The formulation of the POM and the masterplan design for the precinct has been directed by both the community input and feedback gleaned through this process, and by the development controls, management strategies and design parameters considered appropriate by council for implementation in the study area.

4.1 MEETINGS AND DISCUSSIONS HELD

The following meetings and discussions were held during the development of the POM:

1. Local experts and experienced representatives from interested relevant user groups were consulted in order to gain a better understanding of the issues.
2. Two separate meetings were held; one for local residents and one for boat owners and ramp users, to inform the public of Council's intention to prepare a draft POM, to identify the relevant issues and to instigate the public consultation process.
3. Various meetings were held on site at the request of local residents to discuss the direction and progress of the developing masterplan.
4. Conceptual ideas were presented to the stakeholders and residents for feedback and discussion, at separate stakeholder meetings.
5. A final draft masterplan, incorporating the response to the comments and feedback, was presented to all stake holders for comment, prior to finalisation for inclusion in the draft POM.

Meetings

12 March 2009	Stakeholders, boat owners and ramp users.
19 March 2009	Stakeholders, residents.
May 2009	On site discussions with local residents.
29 June 2009	Presentation of the initial concept plan (Residents Meeting).
30 June 2009	Presentation of the initial concept plan (Boat owners Meeting).
29 July 2009	On site discussions with local residents and trailer parking trials.
7 September 2009	Presentation of final concept plan to all stake holders.

Discussions

23 February 2009	Paul Anink, seagrass expert consulted to gain an insight as to the potential for boat launching facilities in the Pittwater area and to understand some of the environmental limitations.
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February 2009	Careel Bay Trailer Boat Club, Kim Nelson, regarding launching requirements and boating facilities.
16 February 2009	Boat Owners' Association, David Lyall, regarding the appropriate use of the boat ramp at Sandy Point Lane.
April 2009	MSB Waterways, Broken Bay, Steve Black.
7 October 2009	Palm Beach Sailing Club regarding club requirements, and viability.

4.2 ISSUES AND VIEWS RAISED BY STAKEHOLDERS DURING THE PUBLIC CONSULTATION PROCESS

- The use of the boat ramp at Sandy Point Lane has increased, due to the increase in demand for boat access in general, the closing of other local access points to Pittwater, and the introduction of fees and charges at Rowland Reserve. A reduction in fees at Rowland Reserve would make the use of that facility far more attractive, and possibly alleviate pressure on Sandy Point Lane. Currently, boat ramp users are by passing the Rowland Reserve facility, and opting to use the free facility at Sandy Point Lane. As result, a far greater number of users and larger boats are placing additional and unacceptable pressure on a ramp that has not been designed nor intended for this intensity or type of use.
- There are restricted speed zones in Pittwater that need to be negotiated when launching at Rowland Reserve. It is a long way from Rowland Reserve to Barrenjoey Headland, and the mouth of the Hawkesbury, where most of the boating traffic heads for fishing and recreation. As it is a much longer journey, and therefore more expensive and time consuming, Sandy Point is a preferred launching facility, even for some ramp users travelling from outside the area.
- Sandy Point Lane is not a designated boat ramp, but has historically been used as a boat launching area for small craft. Over time, larger boats and trailers have been increasingly using the facility. It has never been intended, designed nor approved for larger boats and commercial use.
- Consideration for the prohibition of commercial use of the ramp facility should be given. Rowland reserve has the capacity and facility to accommodate commercial and larger vessels, and should be used, not Sandy Point Lane.
- There is concern that any improvements to the ramp will attract more people to the facility, which will then place greater pressure on access and parking. Lengthening of the ramp will encourage use by larger vessels, not deter them. Currently larger vessels are generally the ones that get bogged.
- Launching times relate directly to the tides, and the length of the ramp. A longer ramp will allow more launching to take place during daylight hours, and possibly reduce very early morning use, as launching will be possible during a greater range of the tide.
- While it is recognised that the closure of the George Street, Careel Bay launching facility has increased the usage of the Sandy Point Lane ramp, the solution for improving access for boats to Pittwater is a broader issue.
- Consideration should be given to increasing the fines for illegal use of the ramp. Management strategies and policing need to be implemented to ensure appropriate use of the ramp.

- Environmental aspects of the effects of any possible extension to the ramp need to be thoroughly investigated. In particular, erosion, seagrasses, longshore drift and the movement of beach sand are to be considered.
- Bollards that have been placed in the water pose a problem, as boats need to be able to move from the launch area to the beach.
- Extra length is required on the boat ramp to prevent dredging action on the end of the ramp. Long shore drift and natural sand movements may be affected, and the beach shape altered as a result of extending the ramp. Environmental effects need to be investigated.
- Single axle trailers only should be allowed access to the ramp facility.
- The issue is not the double axle trailers, but the weight and size of the boat. A double axle spreads the weight of the load. The size of the boats needs to be restricted.
- Parking should not be reduced as there is heavy demand already.
- Swimming should be prohibited at the boat ramp.
- Sandy Point Lane is a shared zone, serving as access to the beach and boat ramp for boats, trailers, and pedestrians.
- Safe pedestrian access and movement is a concern. There is particular need to mitigate any potential conflict between pedestrian and vehicular movement. In particular, the conflict between children running down Sandy Point Lane, and the movements of cars and trailers within the laneway, poses a potential safety hazard.
- Jet skis (personal water craft) are seen to be a hazard to swimmers and the restriction of the launching of jet skis in the area needs to be investigated.
- Limiting car parking and restoration of the park is favoured.
- The introduction of fees and charges for parking, and limiting the length of stay is generally supported. The existing resident's exemption system should be maintained.
- Recently introduced parallel parking needs to be changed back to angle parking along Iluka Road to allow for more parking spaces. Currently some residents are forced to park their vehicles in the park, as there is no room to park outside their homes.
- A management strategy is needed to address the issue of trailers that have been left in the park for extended periods of time. Trailer parking should attract a fee, and time limits enforced.
- Safety at the ramp needs to be readdressed, with use being restricted to small boats only.
- The ways in which Woorak Reserve is utilised as a park, need to be addressed.
- Historically, catamarans and small fishing boats have used the ramp for launching, not larger boats on large trailers. This should remain the case.

- Commercial use of the boat ramp should be banned. Until other options are available, commercial operators and trades people should utilise Rowland Reserve.
- Access to the car park, on the eastern side of Woorak Road, needs to be readdressed. The access road surface needs attention as it is in very poor condition.
- The merit of the landscaping to the car park was questioned.
- The area needs to stop being "beautified", as it only attracts more and more people.
- The rubbish bins on the beach need to be relocated so garbage trucks do not have to negotiate the narrow lane way.
- Consideration should be given to closing the ramp at night to reduce night time disturbance to adjoining residents.
- Smaller barges that are picking up and dropping off groups of people is regarded as an unobtrusive activity at the ramp.
- If the development at Currawong goes ahead, the frequency of contractors attempting to use the ramp will increase significantly.
- Iluka Road and Woorak Reserve are being used for unrestricted overflow parking for people using the Palm Beach ferry service. As there are no limits placed on the length of stay and the parking is free, it attracts a lot of long stay parking, particularly in the holiday periods.

5 SITE ANALYSIS

5.1 GENERAL

The study area consists of a series of parcels of land that were dedicated to Warringah Council as public open space in 1927. The parkland has never need developed, and consists of areas of open grass and a number of mature remnant canopy trees. Over the years, the open grassed areas have provided convenient car and trailer parking, particularly in the summer and holiday periods. The use of the park for uncontrolled parking is not appropriate, as it dominates both the use and visual amenity of the open space, and is destructive to the natural environment.

The narrow lane way at Sandy Point Lane, provides access to the beach and boat ramp from Iluka Road. It is a bounded on either side by residential properties.

5.2 LOCATION

The study area is located in the northern beaches suburb of Palm Beach, Sydney, and lies between Barrenjoey Road, to the east, and Pittwater Estuary to the west.

5.3 SOILS AND TOPOGRAPHY

The soil landscape grouping for the study area is described by the Soil Conservation Service of NSW as Woy Woy, Marine.

The topography is level to gently undulating non tidal beach ridges on marine sands, extending through progressive beach ridges and sheltered bays. Local relief is less than 3metres, slopes less than 5%, with extensively cleared closed scrub and low woodland.

The water table is at a depth of less than 2 metres.

Soils are deep, being greater than two metres. Siliceous sands and occasional podzols are found on the sandy rises, humus podzols in poorly drained areas, and calcareous sands near the beaches.

Limitations include permanently high water tables, localised flooding, periodic water logging, very low to low soil fertility, and localised areas of high soil erosion hazard.

Source: Soil conservation service of NSW Soil Landscape Sheet 9130.

The study area is located within the area described as level non tidal beach ridges on marine sands, and the soils are deep siliceous sands.

5.4 VEGETATION

The original vegetation of the study area can be described as low woodland, dominated by *Eucalyptus botryoides* and *Angophora floribunda*, with a diverse understorey of sclerophyllous shrubs including, *Banksia integrifolia*, *Banksia serrata*, *Monotoca elliptica*, *Macrozamia communis*, *Acacia ulicifolia*, *Platysace lanceolata*, *Acaia suaveolens* and *Allocasuarina littoralis*.

Remnants of this original vegetation remain, with significant examples of *Angophora floribunda*, and *Banksia integrifolia* forming a significant vegetative character of the park. See Figure 20.



Figure 20. Significant stand of *Angophora floribunda*.

5.5 HYDROLOGY AND DRAINAGE

Due to the composition and structure of the sandy soils, and the level nature of the topography, storm water quickly soaks back into the soil without creating erosion issues. This is an ideal site to encourage natural drainage and water table replenishment through infiltration, rather than collection, concentration and re direction of storm water.

5.6 EXISTING USES

5.6.1 Car and Trailer Boat Parking

Currently Woorak Reserve and Iluka Park is used for unrestricted parking for boat trailers and cars, and provides a convenient parking facility associated with access to the beach and boat ramp via Sandy Point Lane. Over the years, the parkland has been gradually overtaken as a free parking space as no regulations are in force, or fees payable. An area of Iluka Park has been defined as an informal parking area with log barriers and a boom gate that is opened during peak periods, and closed during the winter months. See Figures 21 to 24.



Figure 21. Unrestricted use of area and subsequent compaction of tree roots.



Figure 22. Trailers chained to trees in the reserve



Figure 23. Entrance to car park showing worn surface.



Figure 24. Western entrance to carpark showing boom gate, screen planting and eroded entry.

5.6.2 Ancillary Facility

The reserve is extensively used as an ancillary facility for boat launching activities and events. The Palm Beach Sailing Club and Catamaran Club utilise the open space for trailer and temporary boat storage, and preparation for regattas.

5.6.3 Playground and Picnics

The section of the reserve known as Iluka Park, to the east of the carpark, contains children's play equipment and park benches. It is a popular play area for children attending the adjacent Palm Beach Kindergarten. See Figures 25 and 26.



Figure 25. Playground looking north.



Figure 26. Playground looking west.

5.6.4 Outdoor Venue

The area of parkland adjacent to the Palm Beach Kindergarten is utilised for events associated with the Kindergarten.

5.7 EXISTING FACILITIES AND INFRASTRUCTURE

5.7.1 Roads and Parking

The roads within the study area, and generally within the Iluka Road precinct are low key informal, narrow roads, with no kerb and guttering. Parking is located adjacent to the road, on the grass verge, and, in the parkland as described in 5.5.1. See Figures 27 and 28.



Figure 27. Grass verge utilised for parking.



Figure 28. Informal road edges and narrow road.



Figure 29. Unrestricted parking.



Figure 30. Informal road character.

5.7.2 Services

The study area accommodates a number of service utilities, the locations of which are noted on the masterplan. Research to date indicates that there are no plans proposed for the upgrading or replacement of existing services and utilities. Power lines cross the site, and pose a threat to the well being and visual amenity of the existing remnant canopy trees. See Figures 31 to 34.



Figure 31. Electrical substation.



Figure 32. Electricity wires compromise the tree canopies.



Figure 33. Existing amenities building.



Figure 34. Exposed service lines within the reserve.

5.7.3 Drainage

There are no kerbs and gutters to collect run off from the road surface. Soils are very sandy and permeable, and water naturally permeates back into the ground. No erosion is evident from storm water flow, as the site does not exhibit steep slopes, or areas where water concentrates. There are a number of grated sumps in low sections of the road that collect storm water and redirect it to the beach.

5.7.5 Boat Ramp

The boat ramp at the end of Sandy Point Lane consists of a section of raised bitumen paving, retained by rough rock walling that extends to below the highwater mark. The edges of the ramp are eroding. The ramp adequately accommodates the launching of two small boats concurrently. A series of bollards immediately adjacent to the ramp prevents vehicular access to the beach.



Figure 35. Boat ramp in use at high tide.



Figure 36. Detail to edge of ramp.



Figure 37. Erosion to edge of ramp.



Figure 38. Ramp looking west.

5.8 VEHICULAR AND BOAT ACCESS

Vehicles, boats and trailers currently have unrestricted access to the portion of the park known as Woorak Reserve, causing damage to the grass and compaction to the root zones. A section of Iluka Park has been defined for casual parking; however the access zone is badly constructed and often boggy and eroded.

The access lane to the ramp and beach is narrow with a three metre wide road providing shared access for pedestrians and vehicles. Timber bollards currently offer a loose option for pedestrian/vehicular separation. The 3m width is adequate for trailers; however a separate clearly defined access for pedestrians would improve safety. See Figures 35 to 38.



Figure 39. Laneway showing car and pedestrian access.



Figure 40. Boom gate to parking area. Grass worn in area of concentrated traffic.



Figure 41. Ad hoc parking in Woorak Reserve.



Figure 42. Sandy soils churned by trucks and cars.

5.9 PEDESTRIAN ACCESS

There are no existing formal pedestrian pathways through the parkland, or along Iluka Road. Existing pedestrian access through the park from Iluka Road to the Palm Beach Kindergarten needs to be retained. Parents dropping children off at the kindergarten utilise the parking in Iluka Road and Iluka Park and walk through to the Kindergarten entrance in Barrenjoey Road.

Pedestrian access to the beach and boat ramp via Sandy Lane is along the shared roadway. A section of grassed verge is delineated by timber bollards, and provides an alternative pedestrian only zone. There are no formal crossing zones in Iluka Road.



Figure 43. View of Sandy Point Lane access looking east to Iluka Road.



Figure 44. Bollards to separate pedestrian's access.

5.10 EASEMENTS

Easements are to be allocated over existing services within the portion of Woorak Road that is to be closed and amalgamated into the park.

No existing easements are noted.

5.11 SERVICE ACCESS REQUIREMENTS

Garbage is currently collected from bins at the end of the ramp and within Woorak Reserve. The activity of garbage trucks accessing these bins creates problems of noise and safety in Sandy Lane, and erosion in Woorak Reserve, where the grass is compacted and soil churned. Emergency service access is maintained to the beach via Sandy Point Lane.

5.12 FUTURE USES

The study area is zoned 6A existing recreation, and it is the intention of this Plan of Management that the open space be managed as an integral part of the local open space network. Given the demand for parking requirements associated with the adjacent beach and boat ramp, this Plan of Management recommends that the reserve be managed to provide a solution that addresses the provision of a sustainable level of car and trailer boat parking that respects the integrity of the reserve as parkland. No other future uses have been proposed.

5.13 LAND OWNERSHIP CATEGORISATION AND ZONING

The study area comprises of Community land, a small area of Crown land and road reserves. It is proposed to categorise the Community land component as Park and General Community Use. The study area is zoned 6a Existing Recreation, including an area of Woorak Road which will eventually be closed and incorporated into the reserve. For more information refer to Section 2.3 'Land to which this POM applies'.



Figure 45. Land ownership.



Figure 46. Proposed categorisation of Community land. (Road reserves are not categorised).



Figure 47. Zoning. The study area comprises of land zoned 6a Existing Recreation (coloured green) and road reserves.

6 MANAGEMENT

6.1 INTRODUCTION

This section defines the specific objectives for management of the study area, based on community values and management direction of Pittwater Council. The needs and requirements of Pittwater Council (as manager and land owner), residents (as neighbours and users), and current and future visitors, are reflected in the management strategies recommended in this Plan of Management.

6.2 COMMUNITY VALUES

The Pittwater Community and visitors value various aspect of the study area for differing reasons. There are two distinct groups of users whose values and issues vary considerably. By understanding the reasons behind the community values and issues, appropriate management strategies and desired outcomes can be recommended.

Community values are reflected in various Council strategic plans including the 2020 Strategic Plan (Our Sustainable Future). The community of Pittwater places a high value on recreation and foreshore parks. The values outlined below are primarily based on those identified from consultations. (Refer Section 4 Public Consultation).

VALUE	EXPLANATION
Environmental	Preservation and enhancement of the local open space network, restoration of the parkland. Management to embrace environmentally sustainable development (ESD) principles
Residential Landscape character	The existing informal character is desirable.
Visual amenity/Visual pollution	Implementation of design solution that reduces the visual intrusion of parked trailers and cars.
Development	Minimise development and infrastructure that imposes on the natural environment.
Access to the beach	Sandy Point Lane provides a rare access point to the Pittwater resource
Existing residential amenity	Retain the existing casual character of the residential precinct, incorporating any infrastructure in a sympathetic, appropriate manner
Existing boat access	Recognise the historical use of the ramp and access lane, and retain Do not allow use of the ramp by large vessels or contractors. Limit excess noise

6.3 MANAGEMENT GOALS

The goal for Woorak Reserve, Iluka Park and Sandy Point Lane is to create cohesive parkland that maintains and improves its integrity as part of the local open green space network, adhering to ESD principles, while providing reasonable facilities for local boating, while maintaining the existing amenity of the residential area and community open space.

6.4. MANAGEMENT OBJECTIVES

The management objectives include:

- incorporate a reasonable number of car and trailer parking spaces into the reserve in a manner that least intrudes upon the visual amenity and nature of the existing parkland;
- enhance the facilities for parking and access to the boat ramp and beach in a manner that is sympathetic to the existing residential amenity, and appropriate in scale and function for a local residential precinct;
- minimise the use of the precinct for long stay trailer and car parking;
- encourage the use of Rowland Reserve, and discourage the use of Sandy Point Lane, for boat owners who are currently by passing Rowland Reserve in favour of launching at Sandy Point Lane;
- make a reasonable number of extra car parking spaces available for residents in Iluka Road, and Woorak Road; and
- maintain and enhance the open space amenity.

6.5 KEY MANAGEMENT ISSUES ADDRESSED IN THE MASTERPLAN

6.5.1 Seasonally fluctuating demand for car and trailer parking

Parking demand varies greatly throughout the year. During peak holiday periods, the reserves are at maximum capacity. Many cars park for extended periods, as there is no time limitation or charge imposed, and the area is used as a general overflow parking area.

6.5.2 The prime purpose of the open space for recreational use

There are few small parks within the local community, and they play an important role in helping set the character and providing open green space. Maintaining and developing the integrity of these green spaces is a primary responsibility of Council.

6.5.3 Random parking of cars and trailers within the reserve and the detrimental effect on trees

Currently no restrictions are placed on the parking or access of trailers, cars or other vehicles within the reserve and park. Trailers are being chained to mature trees causing damage to the trunks. Cars parking at random and unrestricted vehicular movements are eroding soil and compacting the root zones of the trees.

6.5.4 Access via the lane is for small water craft and pedestrians

Historically the Sandy Point Lane was provided to allow public access between the private water front lots to the beach front. The ramp was installed to facilitate launching of small dinghies and sailing craft. It has been used by pedestrians and for the launching of small craft for many years.

6.5.5 Inappropriate use of the ramp by large craft

Larger recreational craft using the ramp launching facility, which is intended for small craft only, get bogged in the sand, as the ramp is not long enough nor intended for these vehicles.

Contractors working on the western foreshores use the ramp for loading and off loading materials and equipment, including concrete trucks and other machinery, and refuse.

This facility is not designed for heavy craft or commercial operations. It is a small local facility within a quiet neighbourhood precinct, not a regional commercial facility. The appropriate launching facility for these vessels is located at Rowland Reserve, Bayview, and they should be discouraged from using Sandy Point Lane.

Launching of personal water craft (PWCs) at the ramp is allowed. The ongoing management of PWCs will be liaised between Council and NSW Maritime. Residents will be able to contact Council should an issue arise regarding usage of PWCs and Council will liaise directly with NSW Maritime in relation to the responsible ongoing management of these watercraft in the area.

6.5.5 Historical use of the boat ramp

The boat ramp has been used continuously since the early 1960s, and possibly even earlier, by the Palm Beach Sailing Club. As a club that promotes community activities, and contributes to community safety by maintaining an operational boat rescue service, consideration needs to be given to the potential impact that any changes in management strategy or planning and design control, will have on the viability of the clubs activities.

6.5.6 Capacity for residents parking in Iluka Road

Visitors to the area utilise the reserve and Iluka Road for parking for extended periods, and as a result, the availability for residents and guests parking is severely limited.

6.5 MANAGEMENT STRATEGIES

In response to the issues identified, the following strategies have been developed:

- Implementation of the closure of Woorak Road.
- Prohibit the use of the ramp by commercial vessels, contractors and large boats and trailers.
- Regulate the size of boats and trailers using the ramp, with fines being imposed for illegal use.
- Introduce pay and display parking for all parking facilities within the reserve.
- Limit parking to a maximum of 24 hours for trailers and cars within the reserve.
- Prohibit trailer parking along Iluka Road.
- Allow special permits and parking arrangements to be granted to registered community clubs and events, historically using the ramp.
- Introduce an annual pass for ramp use and trailer parking, inline with the charges at Rowland reserve.
- Implement a code of conduct for the use of the ramp.
- Develop a car and trailer parking strategy for the reserve that allows flexibility in the location and number of parking spaces being made available, dependent on season and demand.
- Develop a strategy for the reserves that facilitates the compatible incorporation of parking for car and trailers into the green space.
- Develop a maintenance strategy that embraces and supports the design directive of low key infrastructure.

ISSUE IDENTIFIED	DESIGN RESOLUTION/MANAGEMENT ACTION
Fluctuating demand for parking	Zones available for parking are managed to provide flexibility according to seasonal demand

The prime purpose of the reserve is open space amenity, and this resource is highly regarded.	Limitations to be placed on the maximum number of vehicles, and extent of parking areas available, appropriate to maintaining the integrity of the reserve
The open space amenity is compromised by Woorak Road as it splits the reserve into two disjointed sections.	Complete the process for the implementation of the closure of Woorak Road, and conversion to green space.
Visual impact on the streetscape of trailer parking.	Parking areas are to be incorporated into the reserve, and designed and managed for minimal visual impact.
Random uncontrolled parking in the reserve. Long stay parking by holiday makers.	Physical barriers to be installed and parking regulations put in place and monitored. Introduction of pay and display fees for parking in the reserve, residents stickers invalid. Impose maximum 24 hour stay. Revenue raised helps maintain reserve, and informal parking surfaces.
Shared access via the lane for small craft and pedestrians.	Provide definition for pedestrian access. Define the entrance and design to discourage large vehicles.
Inappropriate use of the ramp by large craft	Prohibition of use of lane and ramp by large vehicles and craft. Imposition of appropriate fines for illegal use. Appropriate signage
Historical use of the ramp by catamarans, and small boats (sailing and fishing)	Any redevelopment or upgrading of the ramp should accommodate small craft. Allow for application of parking permits for particular events and registered clubs, subject to set criteria, that have historically used the facility
Residents Parking in Iluka Road	Improve parking availability to Iluka Road, provide 90 deg parking adjacent to the parkland. Limit length of stay to 24hour max to encourage turnaround, and prevent long stay parking. Prohibit trailer parking along Iluka Road. Residents parking stickers valid.
Boat owners by passing the Rowland reserve facility, or travelling further as they favour the Sandy Point Lane facility	Introduce parking fees and charges in line with those charged at Rowland reserve to reduce the incentive for preferential use of Sandy Point Lane.
Lengthening the ramp will encourage use by larger vessels.	The future upgrade of the ramp is to be in keeping with use by smaller craft and vehicles up to three tonnes.
The usage of the ramp facility has increased as a result of the closure of other local facilities	Investigate the potential to increase the number of access points for boats to Pittwater.
Launching times are restricted by the tides and length of the ramp	Historically launching times have been determined by the tide. This is a low key local facility, and it is appropriate the status quo remains.
Beach erosion caused by changes in patterns of long shore drift due to boat ramp construction. There is concern changes will create more erosion to the beach.	Undertake a study to ascertain the effects of various boat ramp constructions on sand movement and erosion
Waste removal and disturbance to residents, negotiation of narrow lane way, and the erosion caused in the reserve by collection activities.	Waste receptacles placed in locations that are easily accessible for waste contractors.
Safety at the ramp	Restriction of ramp use to small boats only. Restrict the use of jet skis. Restrict swimming at the ramp

7 MASTERPLAN

The aim of the Masterplan is to provide a clear directive for the successful implementation of the built works component of the strategies and resolutions outlined in the Plan of Management.

The process of the Masterplan preparation included the assessment of the issues raised through public consultation, site assessment, and interpretation of the key management issues. Consideration of all components combine to form an integrated solution that manifests in the Masterplan proposal and Management Strategy.

7.1 BACKGROUND

The boat ramp at Sandy Point Lane is not officially designated as a boat launching facility. Historically it has been a beach launching location for small craft, especially sailing boats associated with local clubs. The Palm Beach Sailing Club and the Pittwater Catamaran club have a long history associated with launching their craft from this location.

A short boat ramp was unofficially installed to facilitate the launching of small fishing and sailing boats. This ramp has long been accepted by the general community and council as an appropriate minor facility for launching of small craft.

Boat ramp usage has intensified at Sandy Point Lane due to both an increase generally in the demand for public boating facilities, and the closure of other nearby boat access facilities.

The ramp is now regularly being used by larger water craft and commercial contractors. Specific issues identified include the:

- proximity to a residential area,
- reliance on a designated reserve for parking facilities,
- restriction on the available space to access the water,
- environmental implications and effects on the beach and marine ecosystems,
- historical perspective, and
- availability of an alternative local facility.

Trailers and cars parking in the reserve are unrestricted and are causing damage to the mature stands of trees. There is an issue with trailers being parked permanently or for long periods of time, in the reserve. Parking generally in the area is at a premium during the peak summer and holiday periods.

There is a need to accommodate an appropriate number of vehicles, in keeping with the acceptable use of the reserve, for the requirements of both the peak and off peak demand, without compromising the green space.

The amenity of the Park as an open green space is highly regarded, and the existing trees are an important environmental and visual asset. Overhead electricity wires are necessitating extensive pruning of the mature canopy trees, causing the amenity of the trees to be compromised.

With particular reference to Iluka and Woorak roads, the character of many parts of Palm Beach exhibit low key road development, without installation of kerbs and gutters. This character is seen to be desirable, and should be retained.

Given the proximity to a residential area, the reliance on a designated reserve for parking facilities, the restriction on the available space to access the water, environmental implications, the historical perspective and the availability of an alternative local facility, the use of Sandy Point Lane for launching larger vessels or for commercial use is not regarded as appropriate.

7.2 MASTERPLAN ELEMENTS

The ramp upgrading, parking and park have been designed to fit into the local context

Improvements to the ramp in regard to it being widened or lengthened, shall be subject to the results of a further study into the effects of ramp structures on natural beach dynamics, and the possible effects on sand accretion and deposition.

The surface and edges of the ramp should undergo restoration to create a smooth and stable surface for boat launching.

Car parking facilities have been designed to blend in with the existing character of the precinct. Car parking is to be allowed in a controlled manner within the reserve. There are two sections for parking that will be opened according to maintenance schedules and seasonal demand. Car and boat trailer parking areas will be reinforced grass surfaces, delineated by line markings.

A compacted stabilised crushed stone pathway will be utilised in the heavy wear areas, and will be a shared access way/pedestrian path. Parking access will be controlled with a series of sculptural rock bollards and timber barriers. Special access will be allowed for registered events and permit holders.

Reconciliation of shared pedestrian and trailer boat access to Sandy Point Lane is addressed

The access at Sandy Point Lane is modified to provide delineated access for pedestrians and car with trailer boats. Kerbs will be installed to act as a guide for the reversing trailers, and to prevent them from straying into the pedestrian and planting areas. Stone bollards and trees defining the pedestrian zone will act as a visual and physical barrier. The entrance to the lane way will be defined with low stone walling and signage installed to guide usage.

Implementation of the proposed Woorak Road closure, and amalgamation of the two separate sections of reserve, to create one consistent open space reserve

The two sections of the parkland divided by Woorak Road are amalgamated to create one cohesive parkland by the closure of the southern section of Woorak Road. This section of the park provides a pedestrian and vehicular access node.

Integration of trailer parking into the grassed reserve, with flexibility to allow expansion of the parking area during peak periods

Parking is integrated into the character of the reserve by utilising low key surface materials for the parking areas, such as reinforced turf. Areas accessible for parking are managed to cater for peak and holiday seasons, with additional areas being opened as dictated by demand and management/maintenance requirements.

- Parking will be provided for 54 cars (along the Iluka Road and Woorak Road frontages). Parking will be restricted to 48 hours maximum. Parking will be subject

to pay and display however local residents with Pittwater parking stickers attached to their vehicles will be exempt.

- 37 spaces are provided for car and trailer parking within the reserve as indicated on the attached masterplan. Parking will be restricted to 48 hours maximum. Parking will be subject to pay and display however Pittwater residents will be exempt upon purchase of an annual pass from Council specific to Woorak Reserve. The cost of the annual pass will be in-keeping with current costs charged at Rowland Reserve.
- Registered community groups clubs; with a history of using the boat ramp, may apply to the General Manager for concessional parking stickers.

An area of turf in the north western corner of the park has been allocated as an area that will be available for use by registered community clubs, (such as the Palm Beach Sailing Club) who apply to Council and are granted a permit to use the area for specific events.

Provision of parking areas for cars only, with consideration for residential requirements

Ninety degree parking has been introduced along the eastern side of Iluka Road adjacent to Woorak Reserve, and along the western side of Woorak Road to the north of the road closure. Existing parking arrangements for the remainder of the precinct will remain as they are, until Local Traffic Management Scheme is undertaken, and recommends otherwise.

Trailers will be prohibited from parking in Iluka Road and Woorak Road.

Minimal use of infrastructure elements and the adoption of a low key, low impact approach

The design of the parkland incorporates natural elements such as:

- stone or timber bollards to control vehicular access;
- stabilised crushed sandstone pathways and vehicular access ways;
- incorporation of vehicular and pedestrian circulation into a shared system to minimise the construction of paved surfaces;
- use of reinforced turf areas for parking for trailers and cars; and
- incorporate on going maintenance of the turf areas as part of the design philosophy in order to allow the objective of minimal infrastructure.

Generally there are no elements proposed that do not serve a specific purpose, or do not support the design objectives. The design is a straightforward sympathetic response to community issues and values, offering a reasonable solution enhancing the existing natural character of the open space and improving recreational boating and parking facilities.

Enhancement of the existing parkland planting with an emphasis on screening the trailer parking areas and defining the character of the park

Proposed plantings are to be predominantly native species, and will compliment the remnant woodland, with some exotics being used for colour and definition of entrances and nodes.

Screen planting will filter the view of trailer and car parking from the road, and from within the park.

Massed areas of native grasses will be planted to the perimeter garden beds.

Provision of a shared pedestrian/vehicular circulation.

This zone provides a hard paved crushed sandstone surface to the section of the parking areas most subjected to wear, while allowing a continuous path to wander through the park for pedestrian and cycle access, connecting entrance nodes.

Entrance nodes

Nodes are defined and spaces created that provide informal gathering places, while directing and controlling movement through the park, and limiting vehicular access through the placement of sculptural stone bollards and low stone seating walls.

Provision of large open areas of grass

In keeping with the existing character of the park, large open expanses of grass are retained and maintained. These areas can be allocated for special event overflow parking use, or dedicated to pedestrian/recreation only activity.

Installation of bollards as a sculptural form

The need to install elements to control vehicular access has been interpreted in a manner that provides a unique quality to the park. By installing free form natural stone sculptures, that perform a necessary function, and are aesthetically interesting and sympathetic to the natural form of the park, a functional element that is usually associated with urban infrastructure, is perceived as a natural and artistic contribution to the park.

Rationalisation of signage

Rationalise signage in the reserves, local streets and lane. Signpost the access and ramp for use as a light vehicle and vessel boat launching facility only and prohibit the cleaning and scaling of fish.



Figure 48 Illustrative Masterplan

8 PLANNING CONTEXT

8.1 LEGISLATIVE REQUIREMENTS

Plans of Management must be prepared under the Crown Lands Act, 1989, for Crown Lands, and prepared under the Local Government Act, 1993 for Community Lands.

Relevant sections of the Local Government Act, 1993 and Crown Lands Act, 1989 can be found in the appendices of this document. This section describes the legislative and policy framework applying to the study area. The full version of the legislation referred to can be found on line at www.legislation.nsw.gov.au and www.austlii.edu.au. Pittwater Council's website is www.pittwater.nsw.gov.au.

A small section of the study area is below high water mark, and is Crown Land. Pittwater Council is Trust Manager of this portion of land, and management of this land is guided by the Crown Lands Act.

8.2 LOCAL GOVERNMENT ACT 1993

The Local Government Act 1993 (s. 25) requires that councils classify public land as Operational or Community and that plans of management must be prepared for Community land.

The majority of the study area is owned by Pittwater Council, Fee simple, and must be managed according to the provisions of the Local Government Act, 1993 and the Local Government Regulation 2005. The Council owned land is classified as 'Community Land' under the Act. Community land is defined as land that must be kept for the use of the general community, and cannot be sold, exchanged or otherwise disposed of by the council except in the instance of enabling the land to be added to Crown reserve or a protected area under the National Parks and Wildlife Act, 1974. The use and management of Community land must also be consistent with its designated categories and core objectives. The nature and use of Community land may not change without an adopted plan of management

Requirements of the Local Government Act, 1993 for the contents of a Plan of Management for Community Land, and where they can be found in this Plan, are listed in the Table below.

Requirement of the Local Government Act	How this plan satisfies the Act
The Plan must describe the use of the land and any buildings or other Improvements as at the date of adoption of the Plan	Chapter 5 Site Analysis
The Plan must describe 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.	Chapter 5 Site Analysis
All community land must be categorised	The land is categorised as Park and General Community Use . Ref 8.2.1
The Plan must contain core objectives for management of the land	Ref 8.2.2 and 1.4
The Plan must specify the purposes for which the land and any buildings or improvements will be permitted to be used.	Chapter 9 Permissible Uses

The Plan must specify the purpose for which any further development of the land will be permitted, whether under licence, lease or otherwise.	Chapter 9
The Plan must describe the scale and intensity of any such permitted use or development.	Chapter 9
The Plan must outline the authorisation of leases, licences or other estates over community land. Council may only grant a lease a licence or other estate over community land if it is expressly authorised in the Plan of Management.	Chapter 9
The Plan must include performance targets.	Chapter 9 Action Table
The Plan must include a means of assessing the achievement of objectives and performance targets.	Chapter 9 Action Table
Council must exhibit the draft Plan for 28 days and give at least 42 days for the making of submissions.	
Any amendments to a draft Plan must be publicly exhibited in the same way until the Council can adopt the draft Plan without further amendment.	
A council may only grant a lease, licence or other estate over community land if it is expressly authorised in the Plan of Management.	

8.2.1 LAND CATEGORISATION

Under Section 36 of the Local Government Act 1993, community land is required to be categorised as one or more of the following:

- Natural Area
- Sportsground
- Park
- Area of Cultural significance
- General Community Use

Consistent with the guidelines for categorising community land in the Local Government (General) Regulation) 2005, and Section 36(4) of the Local Government Act, 1993, the Council Owned land in the study area is proposed to be categorised as 'Park' and 'General Community Use', as the land is or is proposed to be improved with vehicle parking and landscaping, gardens or the provision of non sporting equipment or 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.

8.2.2 CORE OBJECTIVES

The Local Government Act 1993 also establishes core objectives for all categories of community land. Council must manage the community land according to these objectives.

The core objectives for management of land categorised as 'park' under the *Local Government Act 1993* (s. 36) are to:

- encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities;
- 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.

Any additional Council objectives must comply with the core objectives established within the Act.

Crown land is not required to be categorised under the Local Government Act as it is not owned by Pittwater Council. The section of Sandy Beach that is Crown land, within the study area, is managed by Pittwater council as Trust Manager

The small parcel of land within Iluka Park that is owned by Sydney Water is not required to be categorised under the Local Government Act.

8.3 PITTWATER LOCAL ENVIRONMENTAL PLAN (AS AMENDED) 1993

Pittwater Local Environmental Plan 1993 (PLEP) is the statutory planning instrument that establishes what forms of development and land use are permissible and/or prohibited on all land within the Pittwater Local Government Area.

In accordance with the Pittwater Local Environmental Plan 1993, the study area has been zoned 6 (a) Existing Recreation.

Under the current PLEP, the objectives for zone No. 6(a) Existing Recreation includes:

- (a) to provide a range of open space and recreational land; and
- (b) to ensure that development on such land:
 - (i) is for a purpose that promotes or is related to the use and enjoyment of open space;
 - (ii) is consistent with the purposes for which the land was reserved or otherwise set aside for public use;
 - (iii) does not substantially diminish public use of or access to, open space; and
 - (iv) does not adversely affect the natural environment, the heritage significance of any heritage items or heritage conservation areas or the existing amenity of the area.

9 PERMISSIBLE DEVELOPMENT AND USES

9.1 PERMITTED AND PROHIBITED DEVELOPMENT AND USE

If there is an inconsistency between SEPP Infrastructure and any other environmental planning instrument, SEPP Infrastructure prevails to the extent of the inconsistency.

9.1.1 PERMITTED FUTURE DEVELOPMENT AND USES FOR ZONE (6A) OF THE STUDY AREA

The following developments do not require a Development Application. Certain development can occur without consent or as exempt development under the *State Environmental Planning Policy (infrastructure) 2007*. Works associated with the Masterplan may be undertaken under the *Infrastructure SEPP* and subject to Part V of the *Environmental Planning and Assessment Act, 1979*.

Activities that are temporary or developments requiring a casual booking or permit under the relevant Council policies or tenure under the CLA 89.

Activities that are temporary or developments requiring a lease, licence or other estate under the LGA 93 or the CLA 89.

Access to boat ramp from Sandy Point Lane – 24 hour access daily for cars weighing under three tonnes and single axle trailers – catamarans and light sailing craft exempt.

Advertising – temporary.

Amenity facilities.

Buildings ancillary to the park including toilets, change rooms, storage and the like.

Community / cultural events such as market days, fundraisers, awareness campaigns of one day or less (subject to Council Permit and Booking).

Construction, maintenance and repair of:

- walking tracks, boardwalks and raised walking paths, ramps, minor pedestrian bridges, stairways, gates, seats, barbecues, shelters and shade structures;
- timber and stone bollards, boat ramp and signage;
- shared vehicular/pedestrian pathways, and walls; and
- Play equipment where adequate safety provisions (including soft landing surfaces) are provided, but only if any structure is at least 1200mm away from any fence.

Routine maintenance (including earthworks associated with playing fields and large grassed areas or landscaping and maintenance of existing access roads).

Drainage and stormwater works.

Earthworks as necessary to construct elements identified on the Masterplan including filling, levelling, grading and topdressing.

Environmental management works including bio swales and seawall and revetment structures and foreshore protection works.

Evacuation area for large animals under Local Emergency Plan.

Fencing including security, childproof, protective and temporary fencing.

Feral animal control and eradication as required.

Filming and still photography in accordance with Council Policy No 96.

Fire hazard reduction activities.

Garbage storage enclosures / structures (external & communal).

Information facilities such as information boards and signage.

Landscaping including irrigation schemes (whether they use recycled water or other water).

Lighting –provided light spill and artificial sky glow is minimised in accordance with AS/NZS1158:2007, Lighting for Roads and Public Spaces.

Maintenance and general repairs to facilities, grounds, parking areas, as required.

Outdoor furniture i.e. seating, bins, shade structures, outdoor showers and shelters.

Parking area in accordance with the masterplan & works program.

Parking with valid resident's sticker to 90 degree street parking zones for a maximum of 48 hours.

Parking of cars and boat trailers with valid annual pass specific to Woorak Reserve for maximum of 48 hours within the designated parking areas of the reserve.

Overflow vehicle parking on a temporary basis, subject to Council Permit, for special events and community activities.

Paths - multi-use pedestrian and cycle tracks, including footpaths, cycle tracks.

Picnic / barbecues and associated facilities.

Playground facilities / structures for children.

Recreational facilities other than buildings.

School activities.

Scouting organisations events and the like.

Signage – compliance, directional, interpretive, identification and safety in accordance with Council Policy No 129.

Temporary activities, developments or events that meet the legislative criteria outlined in this plan and require a casual booking or permit from Council, or a lease or licence under the *Crown Lands Act, 1989* that do not exceed one of the following criteria:

- the number of participants and / or spectators on any one day of an event does not exceed 1500;
- activities that occur outside the period between 8.00 am and 12.00 midnight; and

- activities or temporary facilities that occur over a total of more than 1 day.

Wedding ceremonies / receptions.

9.1.2 PROHIBITED FUTURE DEVELOPMENT AND USES INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:

'Prohibited Uses' – any purpose other than a purpose for which development may be carried out without development consent, or only with development consent. Includes prohibited activities in accordance with Council policies

Advertising – permanent.

Agriculture.

Agistment of stock.

Dogs – unleashed.

Domestic Drainage outlets.

Extractive industries.

Gaming.

Fish scaling and cleaning.

Private alienation of or encroachment into the reserve.

Recreational motor vehicles, including four-wheel driving, motor bike or trail bike riding or similar, other than use for filming on a short term basis.

Residential.

Showground.

Parking of motor vehicles or trailers for a period in excess of 24 hours.

Unauthorised parking with out a special permit in areas other than those areas designated.

Scaling and cleaning of fish.

Trailer parking other than in designated trailer parking zones.

Trailers are prohibited from parking in Iluka Road and Woorak Road.

Single cars/vehicles are prohibited from parking in Woorak Reserve designated trailer parking area.

Unauthorised dumping of refuse including building materials, soil, fill, garden wastes and the like (other than importing or fill for permitted works).

Vegetation removal not in accordance with Council's Tree Preservation and Management order or this plan of management. Or any other Act as notified by Council.

Where applicable, the land use terms and definitions described above have the same meaning as those contained in the interpretation dictionary of the *Pittwater Local Environmental Plan, 1993 (as amended)*.

10. IMPLEMENTATION

10.1 THE ACTION TABLE

The action table addresses key management issues as required under the Local Government Act 1993. These include:

- identifying the desired outcomes or objectives with regard to each issue;
- developing actions for the achievement of these objectives; and
- developing mechanisms for the measurement of success.

OBJECTIVES	ACTION	PERFORMANCE MEASURE
ENVIRONMENT		
Facilitate natural soakage of storm water back into the water table.	Do not install kerb and gutters. Do not collect and concentrate storm water, allow storm water to soak into the ground. Install soakage devices as necessary.	Natural water soakage system implemented , no concentration of storm water
Maintain and preserve the predominantly indigenous character of existing canopy trees within the parkland	Maintain the health and vitality of existing predominant trees. Prevent compaction to the root zones. Minimize lopping activities. Investigate options for reducing impact of overhead wires on tree growth.	The reserve exhibits a predominantly indigenous tree canopy
Minimize local noise intrusion and erosion created by waste removal contractors.	Place waste receptacles in locations that are easily accessible for waste contractors.	No erosion created by waste contractor's vehicles, noise intrusion minimized.
LANDSCAPE CHARACTER		
Create a unified landscape character of the open green space	Unification of the two separate portions of reserve Implementation of the closure of Woorak Road	Road closure gazetted Landscape design elements implemented
Maintain the reserves as a significant area of local open space, while facilitating the need for recreational parking in a manner sympathetic to the main purpose or the reserve as open green space.	Provide controlled parking areas to reinforced grassed zones within the reserve. Manage availability and access to parking areas according to seasonal demand. Introduce pay and display parking	Areas of parking are managed and maintained to provide reasonable grass cover, and made accessible in line with reasonable public demand.
STREETSCAPE CHARACTER		
Retain the existing undeveloped low key character of the streetscape	New works are not to include kerbs and gutters, foot paths or road widening. Do not install speed humps. Limit signage	Existing essential low key streetscape character retained

	to a minimum. Allow 90 degree parking to defined grass verges.	
ACCESS AND PARKING		
Address uncontrolled parking in the reserves, and along Iluka Road, and requirement for trailer parking.	Provide shared way for pedestrians and car access to the reserve. Delineate trailer and car parking spaces in the reinforced grass areas. Install bollards to manage traffic access.	Shared access ways, bollards and reinforced grass installed. Parking areas operational.
Highlight entrance nodes	Create definition at entrance points to the reserve and laneway. Include stone work features and signage where appropriate	Low stone walls, planting, signage and crushed sandstone areas installed, and operational.
Address shared access zone and safety issues to Sandy Point Lane	Define pedestrian access along laneway. Provide separation between vehicles and pedestrian access. Delineate entrance and install appropriate signage	Clearly defined pedestrian access and ancillary elements installed. Signage installed.
MAINTENANCE		
Provide for the appropriate maintenance of the parkland in order to achieve the objectives of the design proposals.	Maintain wear surfaces to an acceptable standard, and garden beds and other plantings to promote lush growth and good habit	Park is maintained to an acceptable standard.

10.2 MAJOR WORKS PROGRAM

Construction Estimate Woorak Reserve

Car parking to Iluka Road	816 m2 @ \$100.00 per sq m	\$81,600.00
Turning Area	144 m2 @ \$100.00 per sq m	\$14,400.00
Flush concrete kerb to car parking	260m @ \$40.00 per m	\$10,360.00
Sand Stone Walls	600mm high x 132m @ \$450.00 per m	\$59,400.00
Stone Bollards	1m x 600mm high x 30 @ \$220.00 each	\$ 6,600.00
Stabilized decomposed granite pathway	790m2 @ \$65.00 per sq m	\$51,350.00
Steel edging to pathway	300m @ \$20.00 per.m	\$ 6,000.00
Hardwood barriers	x 95 @ \$400.00 each	\$38,000.00
Removable bollards	x 4 @ \$450.00 each	\$ 1,800.00
Turf	350 m2 @ \$20.00 per sq m	\$67,000.00
Tree planting	35 x 400litre .@ \$900.000 each	\$31,500.00
Tree planting	25 x 75litre @ \$250.00 each	\$ 6,250.00
Mass planted garden beds	1200m2 @ \$30.00 per sq m	\$36,000.00
Removal of bitumen road	300m2 excavator x 2 days	\$ 2,000.00
Tip fees	lump sum	\$ 6,500.00
New parking to Woorak Road	210 m2 @ \$100.00 per sq m	\$21,000.00
Widening of Woorak to parking	85m2@ \$100.00 per sq.m	\$8,500.00
Removal of Vegetation	excavator x 2 days	\$ 2,000.00
Tip fees	23 tonnes@ \$85.00 per tonne	\$ 2,000.00
Tree Pruning	lump sum	\$ 6,000.00
Concrete work to ramp	lump sum	\$20,000.00
Lane way kerbing	90m @ \$40.00per m	\$ 3,600.00
Laneway stone bollards	x 15 @ \$220.00 each	\$ 3,300.00
Laneway planting	7 x 400litre trees @\$900.00 each	\$ 6,300.00
Parking Signs	8 @ \$250.00 each	\$ 2,000.00
Pay and Display machines	2 @ \$12,000.00 each	\$24,000.00
<u>SUB TOTAL</u>		<u>\$517,360.00</u>
GST		\$ 51,336.00
<u>TOTAL</u>		<u>\$568,696.00</u>

Works proposed in the plan of management are representative of long term strategies to improve the park, and will be implemented according to priorities and budget allocations assigned for each action by Council as a part of the process of annual review for the *Pittwater Management Plan*. Funding is dependent on available Council resources and funding and must be assessed against the other priorities of Council.

The plan of management is intended to be reviewed on a ten yearly basis.

APPENDIX A RELEVANT LEGISLATION AND POLICIES

This Plan of Management adheres to, but is not restricted to the following Acts and Policies:

STATE GOVERNMENT

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 – SECTION 5

The *Environmental Planning and Assessment Act 1979* forms the basis of statutory planning in New South Wales. Local Environmental Plans (LEP) and the State Environmental Planning Policy legislations are made under the Environmental Planning and Assessment Act 1979.

Objects

The objects of this Act are:

(a) to encourage:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.,
- (ii) the promotion and co-ordination of the orderly and economic use and development of land
- (iii) the protection, provision and co-ordination of communication and utility services,
- (iv) the provision of land for public purposes,
- (v) the provision and co-ordination of community services and facilities, and
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations, and ecological communities, and their habitats, and
- (vii) ecologically sustainable development, and
- (viii) the provision and maintenance of affordable housing, and

(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and

(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The aim of the *State Environmental Planning Policy (Infrastructure) 2007* is to facilitate the effective delivery of infrastructure and service facilities relating to:

This policy applies to the state, except as otherwise provided by the policy.

- National parks, regional parks, marine parks and other reserves;
- port, wharf and other boating infrastructure facilities; and
- waterway or foreshore management activities.

The Policy includes a list of minor works that can be undertaken by public authorities as exempt development.

Proposals would be prepared with consideration to the objectives and criteria of applicable zoning under the *Pittwater Local Environmental Plan 1993*.

CIVIL LIABILITY ACT, 2002

This is the first piece of Legislation to implement reforms to personal injury claims. Together with the *Civil Liability Amendment (Personal Responsibility) Act 2002* the legislation is designed to reinstate the responsibility of individuals for their actions, reduce the culture of blame and attendant litigation. The Act strikes a balance that does not disadvantage people with legitimate negligence claims but arrests the recent trend of ever increasing public liability payouts.

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

The Protection of the Environment Operations Act 1997 (PEOE Act) is the key piece of environment protection legislation administered by the Department of the Environment and Climate Change. The legislation addresses environmental offences, air quality, water quality, pollution control, and noise control.

Protection of the Environment Operations (Noise Control) Regulation 2000 provides the legal framework and basis for managing unacceptable noise.

The POEO Act:

- identifies responsibility for regulating noise;
- defines 'offensive noise';
- provides a range of tools to manage noise; and
- makes it an offence to do various things that cause the emission of noise and to breach the conditions of a notice or order.

Offensive noise is defined in the POEO Act as:

(a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:

(b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

PITTWATER COUNCIL'S LAND MANAGEMENT POLICIES & PLANS

PITTWATER COUNCIL MANAGEMENT PLAN 2008-2012

A strategic framework has been developed to provide future direction for Pittwater, enabling Council to respond to changes, challenges and opportunities over the coming years in a series of key directions.

PITTWATER DEVELOPMENT CONTROL PLAN NO. 22 EXEMPT AND COMPLYING DEVELOPMENT (DCP 22)

Pittwater Development Control Plan No 22 defines the types of development that are 'permissible without consent' known as 'exempt' development, and developments that are considered to be 'complying' development. DCP 22 aims to:

- clearly state the development standards, requirements and conditions that apply to exempt and complying development;
- facilitate the processing of small scale, safe and low impact development applications within the Council area to the benefit of the community; and
- meet the statutory requirements of the *Environmental Planning and Assessment Act 1979* and Regulation 1994.

OPEN SPACE, BUSHLAND AND RECREATION STRATEGY, 2000

The *Open Space, Bushland and Recreation Strategy 2000* for Pittwater local government area sets out priorities for future provision of open space, bushland and recreation facilities and opportunities. The *Section 94 Contributions Plan for Open Space, Bushland and Recreation (2000)* draws on these identified priorities and outlines how they can be funded by developer contributions.

PITTWATER COUNCIL DISABILITY DISCRIMINATION ACTION PLAN 1998 (PCDDAP)

In NSW more than one million people (17% of the population) have a disability and this percentage is likely to increase in the future. The PCDDAP assists Council in meeting responsibilities under the *Commonwealth Disability Discrimination Act 1992*. The objectives of plan include providing "equitable access to new buildings, infrastructure, faculties and other areas to which the public has access".

PITTWATER LOCAL ENVIRONMENTAL PLAN 1993

Pittwater Local Environmental Plan 1993 (also referred to as PLEP 1993) is the statutory planning instrument that establishes what forms of development and land use are permissible and/or prohibited on all land within the Pittwater Local Government Area. PLEP Zone 6(a) Existing Recreation 'A'. The objectives of this zone are:

- (a) to provide a range of open space and recreational land; and
- (b) to ensure that development on such land:
 - (i) is for the purpose that promotes or is related to the use and enjoyment of open space; and
 - (ii) is consistent with the purposes for which the land was reserved or otherwise set aside for public use and;
 - (iii) does not substantially diminish public use of, or access to, open space, and;

- (iv) Does not adversely affect the natural environment, the heritage significance of any heritage items or heritage conservation Areas or the existing amenity of the area.

The aim of the PLEP is to define what purpose land may be used for and how permission (consent) can be obtained for the use. The PLEP is the main means of development control in Pittwater with zoning maps and a written instrument categorising developments as either permissible or prohibited. This Plan of Management does not override provisions in the Plan. Clause/s that allow development without consent where authorised in an 'adopted' plan of management are not supported by the Department of Lands. It is the public purpose, for reserved Crown land, that determines what is acceptable on a Crown reserve.

In 2006, the NSW Government gazetted a new template for preparing local environmental plans which is required to be implemented by 2010. The template aims to standardise planning and zoning across NSW. Plans of Management that are currently being prepared for Pittwater are based on the existing *Pittwater Local Environmental Plan 1993*. Therefore, categories and zoning will be amended following completion and adoption of the new planning tool.

Council Policies relevant to this Plan of Management

Policy 18	Parking issue of annual permits.
Policy 30	Dog Control.
Policy 53	Road reserves- private use of.
Policy 63	Street lighting committee.
Policy 69	Urban Stormwater – Integrated.
Policy 77	Angle parking on public roads.
Policy 86	Prohibited activities on council and public reserves.
Policy 91	Landscape Management.
Policy 93	Reserves, beaches, headlands booking.
Policy 96	Council Film Permit Policy and Conditions – Amended September 2005
Policy 103	Car parking Areas – Free.
Policy 108	Submission of draft reports.
Policy 136	Pittwater foreshore and oceanfront access(Social, sporting, community and commercial events i.e. weddings, charity events, fireworks / Lease Agreements).
Policy 129	Signs – Council's Facilities.
Policy 164	Sustainability.

APPENDIX B LOCAL GOVERNMENT ACT, 1993

The Local Government Act 1993) requires that:

- councils classify public land as Operational or Community (s 25)
- plans of management must be prepared for Community land (s. 36).
- plans of management must address particular issues and meet core objectives. (s.36)

RELEVANT SECTIONS OF THE LOCAL GOVERNMENT ACT 1993

Sections of the Local Government Act that relate to community land, Plans of Management, categorisation of community land and public Hearings are provided below.

For more information on the Local Government Act and other NSW government legislation, refer to www.legislation.nsw.gov.au www.austlii.edu.au/legis/nsw

LOCAL GOVERNMENT ACT, 1993

PART TWO - PUBLIC LAND

This Part requires all land vested in a council (except a road or land to which the Crown Lands Act 1989 applies) to be classified as either “community” or “operational”.

The classification will generally be achieved by a local environmental plan but may, in some circumstances, be achieved by resolution of the council (see sections 31, 32 and 33).

The purpose of classification is to identify clearly that land which should be kept for use by the general public (community) and that land which need not (operational). The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means.

Community land must not be sold (except in the limited circumstances referred to in section 45 (4)). Community land must not be leased or licensed for more than 21 years and may only be leased or licensed for more than 5 years if public notice of the proposed lease or licence is given and, in the event that an objection is made to the proposed lease or licence, the Minister's consent is obtained. No such restrictions apply to operational land.

Classification or reclassification of land does not affect any estate or interest a council has in the land.

Community land would ordinarily comprise land such as a public park. Operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage.

The use and management of community land is to be regulated by a plan of management. Until a plan of management is adopted, the nature and use of the land must not change.

Division 1 - Classification and reclassification of public land

- 25 All public land must be classified
- 26 What are the classifications?
- 27 How are the classifications made?
- 28 Preparation of draft local environmental plans
- 29 Public hearing into reclassification
- 30 Reclassification of community land as operational
- 31 Classification of land acquired after 1 July 1993
- 32 Reclassification of land dedicated under sec 94 of the Environmental and Assessment Act 1979
- 33 Reclassification of operational land as community land
- 34 Public notice to be given of classification or reclassification by council resolution

Division 2 - Use and management of community land

- 35 What governs the use and management of community land?
 - 36 Preparation of draft plans of management for community land
- (1) A council must prepare a draft plan of management for community land.
- (2) A draft plan of management may apply to one or more areas of community land except as provided by this Division.
- (3) A plan of management for community land must identify the following:
- (a) the category of the land,
 - (b) the objectives and performance targets of the plan with respect to the land,
 - (c) the means by which the council proposes to achieve the plan's objectives and performance targets,
 - (d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and may require the prior approval of the council to the carrying out of any specified activity on the land.
- (3A) A plan of management that applies to just one area of community land:
- (a) must include a description of:
 - (i) 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
 - (ii) the use of the land and any such buildings or improvements as at that date, and
 - (b) must:
 - (i) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
 - (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
 - (iii) describe the scale and intensity of any such permitted use or development.
- (4) For the purposes of this section, land is to be categorised as one or more of the following:

- (a) natural area,
- (b) sportsground,
- (c) park,
- (d) area of cultural significance,
- (e) general community use.

(6) The regulations may make provision for or with respect to the categorisation of community land under this section, including:

- (a) defining any expression used in subsection (4) or (5), and
- (b) prescribing guidelines for the categorisation of community land and the effect of any guidelines so prescribed.

36A	Community land comprising the habitat of endangered species
36B	Community land comprising the habitat of threatened species
36C	Community land containing significant natural features
36D	Community land comprising area of cultural significance
36DA	Location of places and items of Aboriginal significance may be kept confidential
36G	Core objectives for management of community land categorised as a park
36I	Core objectives for management of community land categorised as general community use
36N	Core objectives for management of community land categorised as foreshore
37	Requirements of plans of management for community land that is not owned by the council
38	Public notice of draft plans of management
39	Notice to owner of draft plan of management
40	Adoption of plans of management
40A	Public hearing in relation to proposed plans of management
41	Amendment of plans of management
42	Revocation and cessation of plans of management
43	Public availability of plans of management
44	Use of community land pending adoption of plan of management
45	What dealings can a council have in community land?
46	Leases, licences and other estates in respect of community land-generally
46A	Means of granting leases, licences and other estates
47	Leases, licences and other estates in respect of community land-terms greater than 5 years
47A	Leases, licences and other estates in respect of community land-terms of 5 years or less
47AA	Special provisions for leases, licences and other estates granted for filming projects
47B	Lease or licence in respect of natural area
47C	Sublease of community land
47D	Occupation of community land otherwise than by lease or licence
47E	Development of community land
47F	Dedication of community land as public road

Division 3 – Miscellaneous

47G	Public hearings
48	Responsibility for certain public reserves

49I	Public reserves and drainage reserves dedicated on subdivision, transfer or conveyance
50	Public garden and recreation space and drainage reserves provided for in subdivisions approved before 15.6.1964
51	Use of land held for drainage purposes
52	Effect of sec 28 of the Environmental Planning and Assessment Act 1979
53	The council's land register
54	Certificate as to classification of land
54A	Community land to be described in common terms
54B	Transfer of private trust land under Trustees of Schools of Arts Enabling Act 1902

The classification or reclassification of public land may be made by a local environmental plan or a resolution of the council under sections 22, 31 or 32 of the Act. The ways in which Community land can be used and managed are strictly governed in accordance with an adopted plan of management and any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land.

LOCAL GOVERNMENT (GENERAL) REGULATION 2005

Division 1 Guidelines for the categorisation of community land

101 Application of this Division

- (1) This Division sets out guidelines for the categorisation of community land.
- (2) A council that is preparing a draft plan of management under section 36 of the Act must have regard to the guidelines set out in this Division.

104 Guidelines for categorisation of land as a park

Land should be categorised as a park under section 36 (4) of the Act if the land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for 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.

106 Guidelines for categorisation of land as general community use

Land should be categorised as general community use under section 36 (4) of the Act if the land:

- (a) may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and
- (b) is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 102–105 for categorisation as a natural area, a sportsground, a park or an area of cultural significance.

114 Adoption of draft plan of management in relation to which certain submissions have been made

- (1) This clause applies if:
 - (a) a council prepares a draft plan of management, and
 - (b) the council receives any submission, made in accordance with the Act, concerning that draft plan that makes any objection to a categorisation of land under the draft plan, and

- (c) the council adopts the plan of management without amending the categorisation that gave rise to the objection.
- (2) If this clause applies, the resolution by which the council adopts the plan of management must state the council's reasons for categorising the relevant land in the manner that gave rise to the objection.

116 Leases, licences and other estates in respect of community land

- (1) For the purposes of section 46 (1) (b) (iii) of the Act, the use or occupation of community land for the following events is prescribed as a purpose in respect of which a council may grant a licence in respect of community land on a short-term, casual basis:
 - (a) the playing of a musical instrument, or singing, for fee or reward,
 - (b) engaging in a trade or business,
 - (c) the playing of a lawful game or sport,
 - (d) the delivery of a public address,
 - (e) commercial photographic sessions,
 - (f) picnics and private celebrations such as weddings and family gatherings,
 - (g) filming sessions,
 - (h) the agistment of stock.
- (2) However, the use or occupation of community land for events listed in subclause (1) is prescribed only if the use or occupation does not involve the erection of any building or structure of a permanent nature.
- (3) For the purposes of section 46 (1) (b) (iii) of the Act, the use of any existing road or fire trail on community land:
 - (a) to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on land adjoining the community land, or
 - (b) to remove waste that is consequential on such work,
 is prescribed as a short-term, casual purpose.
- (4) For the purposes of section 46 (1) (b) (iii) of the Act, the use of any community land that does not have an existing road or fire trail:
 - (a) to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on land adjoining the community land, or
 - (b) to remove waste that is consequential on such work,
 is prescribed as a short-term, casual purpose if such work is for a purpose referred to in section 46 (4) (a) (ii) of the Act.
- (5) In this clause, **existing road or fire trail** means a road or a fire trail that was in existence on 1 January 2001 (the date on which the *Local Government (General) Amendment (Community Land) Regulation 2000* commenced).

117 Exemptions from section 47A of the Act (Leases, licences and other estates in respect of community land—terms of 5 years or less)

- (1) Leases, licenses and other estates granted for the following purposes are exempt from the provisions of section 47A of the Act:
 - (b) the provision of pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on the community land,
 - (c) use and occupation of the community land for events such as:
 - (i) a public performance (that is, a theatrical, musical or other entertainment for the amusement of the public),
 - (ii) the playing of a musical instrument, or singing, for fee or reward,

- (iii) engaging in a trade or business,
- (iv) playing of any lawful game or sport,
- (v) delivering a public address,
- (vi) conducting a commercial photographic session,
- (vii) picnics and private celebrations such as weddings and family gatherings,
- (viii) filming,
- (d) a purpose referred to in clause 116 (3) or (4).

(2) However, the use or occupation of community land for events listed in subclause (1) (c) is exempt only if:

- (a) the use or occupation does not involve the erection of any building or structure of a permanent nature, and
- (b) in the case of any use or occupation that occurs only once, it does not continue for more than 3 consecutive days, and
- (c) in the case of any use or occupation that occurs more than once, each occurrence