

Plan of Management

Flinders Park

November 2021

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Adopted

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EXECUTIVE SUMMARY

Flinders Park is Crown land managed by Council as Crown land manager of Reserve 85724.

Flinders Park is to be managed as if it was 'community land' under the *Local Government Act 1993*.

Under the *Local Government Act 1993*, the use and management of community land is to be in accordance with —

- the plan of management applying to the land, and
- any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land.

Consequently, this plan of management (PoM) establishes the objectives, strategies and actions and the means that will be employed in the use and management of the reserve to meet the needs and expectations of the local and wider community. It also provides for the maintenance and use of heritage items on the reserve in accordance with their heritage significance.

The management activities prescribed in this PoM reflect the overall reserve composition being the mown grassed open space areas that contain various recreational public infrastructure, remnant bushland, the escarpment and the Yamba Main Beach and ocean pool area.

1. INTRODUCTION

1.1 Overview

This Plan of Management (PoM) has been prepared in consultation with the community to provide a framework and clear direction for ongoing development and management of the Flinders Park reserve to provide active and passive recreation opportunities for the health and well-being of the community.

It is a statutory document that aims to satisfy the requirements of the *Crown Land Management Act 2016* and *Local Government Act 1993*.

1.2 Need for this Plan of Management

The management of Crown reserves changed with the enactment of the remaining provisions of the *Crown Land Management Act 2016* (CLM Act) on the 1 July 2018. Under the CLM Act, Council as a Crown land manager of dedicated or reserved Crown land now:

- a). must manage the land as if it were community land under the *Local Government Act 1993*, and
- b). has for that purpose all the functions that a local council has under that Act in relation to community land (including in relation to the leasing and licensing of community land).

The *Local Government Act 1993* (LG Act) requires all land classified as community land to be managed and used in accordance with an adopted PoM for the land.

Consequently, the purpose of this PoM is to:

- Ensure compliance with the *Crown Land Management Act 2016*, *Local Government Act 1993* and other relevant legislation and planning instruments such as the *Environmental Planning and Assessment Act 1979* and *Clarence Valley Council LEP 2011*;
- Provide direction in the development, use and management of land and facilities on the reserve; and
- Contribute to the Council's broader strategic goals and vision as set out in the community strategic plan - *The Clarence 2027*.

1.2.1 Previous Plan of Management

The existing Flinders Park Yamba (Reserve Number 85724) Plan of Management was prepared by the former Maclean Shire Council's Strategic Planning Department and adopted by the Minister of Land & Water Conservation on 18th December 2002 under s.114 of the *Crown Lands Act 1989 (repealed)*.

This PoM builds on the intent and management framework of the existing plan and has been developed in consultation with the current user groups to provide a framework and clear direction for the ongoing development and management of the reserve to provide active and passive recreation opportunities for the health and well-being of the community.

This PoM will supersede the *Flinders Park Yamba (Reserve Number 85724) Plan of Management* prepared under the provisions of the repealed *Crown Lands Act 1989* on its adoption by Council.

1.3 Land Description

Flinders Park is Crown land set aside as Reserve 85724 for the public purposes of Public Recreation and Public Hall on the 1st April 1966 (NSW Govt Gaz, #34, p1435).

The reserve is bounded by the Pacific Ocean to the east, Queen Street to the south, Clarence Street to the west and the Clarence River and Turners Beach to the north and encompasses an area of approximately 8.88 hectares (Figure 1.1).



Figure 1.1: Flinders Park Reserve

The reserve is situated on multiple land parcels as a result of reservations and additions over time: Lot 7031 DP 1128361, Lot 7323 DP 119051, Lots 7307-7308 DP 1147276, Lots 1 and 1A Section 1 DP 759130, with Lots 125 and 139 DP 751395 and Lot 180 DP 41513 comprising the Yamba Surf Life Saving Club.

For the purpose of providing appropriate and integrated management of recreational activities on adjoining areas and Council assets the following areas are included under this PoM:

- That part of the Queen Street road reserve located on the southern-eastern boundary of the reserve that contains part of the tennis court, general park area and car parking infrastructure (Figure 1.2).
- That part of the ocean pool located on Crown land adjoining Flinders Park.

- That part of the Marine Parade beach area (below MWHW) as it is contiguous with the Main Beach area.



Figure 1.2: Adjoining road and Crown land areas included under this PoM

In addition Lot 1 DP 604873, enclosed within Lot 7308 DP1147276 is owned by Council in fee simple, is classified as operational land and contains a sewage pump station. Management of this land parcel is governed by this PoM in so far as the use of the land for recreational purposes consistent with the surrounding community Crown land categorised as 'Park'.

It is also noted that the part of the reserve located north of Pilot Hill (Lot 7307 DP 1147276) was named Wooli Park in November 1912 (Figure 1.3). This name was registered under the *Geographical Names Act 1966* on 25 July 1988. Wooli Park remains part of Crown reserve 85724 managed under this PoM.

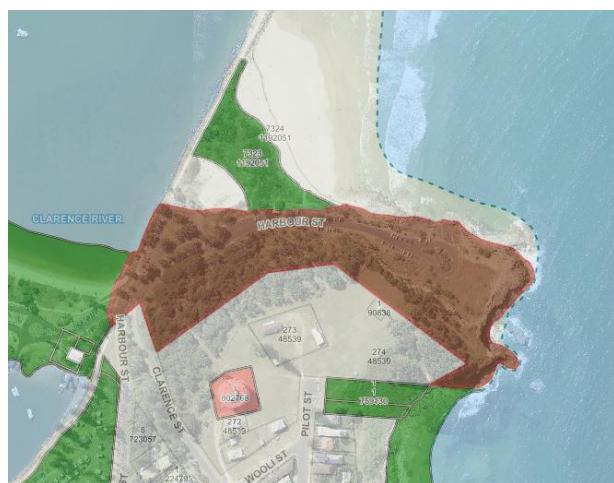


Figure 1.3: Area of Flinders Park that has been named Wooli Park

(Source: <https://proposals.gnb.nsw.gov.au/public/geonames/cdf104a4-e7ea-4622-9edc-76509f5a83fe>)

1.3.1 Land History

The current reserve was gazetted in 1966; however the area bounded by Harbour, Pilot, Clarence and Queen Streets was established from 1881 as an area of Crown land set aside for public recreation.

Table 1.1 provides an abbreviated history of the status of the land to meet the requirements of State and Local Government agencies and the community for areas of open space.

Table 1.1: History of Land Status for Flinders Park

Date	Status and Reference	Approx Location/Area
7 March 1881	Reserve 740 for public purposes and public recreation, consisting of approximately 18 acres between Clarence Street, Wooli St and Pilot Street east to the pacific ocean and north to the Clarence River (NSWGG 1881, no.87, p.1294) (revoked on 4 May 1889)	Pilot Hill and the Wooli Park/Turners Beach area
4 May 1889	Revocation of Reserve 740 to create Reserve 8,920 from sale for Pilot Station and Reserve 8,921 from sale for Quarry (NSWGG 1889, no.239, p.3308)	Pilot Station – Pilot Hill Quarry – Wooli Park/Turners Beach area
8 November 1890	Reserve 12,884 from sale for Public Recreation - Section 18 consisting of approximately 3 acres (GG 1890, no.631, p.8713) (revoked 16 October 1912) Reserve 12,875 from sale for Access – 3 roods, 35 perches within boundaries of allotments 1 & 1A of Section 1 (NSWGG 1890, no.631, p.8711) (revoked 9 April 1913)	Area bounded by Beach (closed), Clarence and Queen Streets Pilot Hill
23 June 1909	Reserve 44,026 for Public Recreation – consisting of approximately 9 ½ acres bounded by Clarence Street to the west, the Pilot station (reserve 8,920) on the south, and the ocean to the east – (revoked 9 April 1913) Reserve 44,027 for Public Recreation and Access – consisting of approximately 5 acres (revoked 9 April 1913) (NSWGG 1909, no.81, p.3484)	Wooli Park/Turners Beach area Main Beach and area bounded by Pacific Hotel, Clarence and Beach (closed) Streets
16 October 1912	Reserve 48,221 from sale for Public Recreation containing an area of about 3 acres (NSWGG 1912, no.144, p.6284) (revoked 9 April 1913)	Area bounded by Beach (closed), Clarence and Queen Streets
5 March 1913	Notification of unnecessary road closure – Beach Street, lying north-eastern side of Clarence Street, Yamba (NSWGG 1913, no.32, p.1424)	
9 April 1913	Reserve 48,719 from sale (and Reserve 48,720 from lease generally) for Public Recreation containing an area of about 19 acres (NSWGG 1913, no.53, p.2126) (revoked – 6 Nov 1956)	Flinders Park area including Wooli Park area
11 September 1930	The name 'Flinders Park' was adopted by Harwood Shire Council for Reserve 48,719 (and 48,720) which was chosen during a naming competition for the park. The name was submitted to the Lands Department for approval (Daily Examiner 1930, p.7)	
3 June 1948	The Council of the Shire of Harwood appointed trustee of Reserve 48,719 under the <i>Public Trusts Act 1897</i> (NSWGG 1948, no.61, p1350)	Flinders Park area including Wooli Park area
18 November 1949	Granting of special lease 1948-58 over portion 125, consisting of approximately 14½ perches to the trustees of the Yamba Surf Life Saving Club for erection of buildings (surf club premises and recreation) - 3 November 1949 to 31 December 1963 (NSWGG 1949, no.214, p.3450)	Yamba Surf Life Saving Club
6 November 1959	Reserve 82,128 from sale for Public Recreation containing about 18 acres 2 roods (NSWGG 1959, no.129, p.3413) (revoked 1 April 1966)	Flinders Park area including Wooli Park area (excludes Yamba Surf Life Saving Club)

Date	Status and Reference	Approx Location/Area
19 February 1960	The Council of the Shire of Maclean appointed trustee of Reserve 82,128 (NSWGG 1960, no.28.p.471)	
15 October 1965	Extension of special lease 1948-58 over portion 125 into perpetuity, commencing 1 October 1965 (NSWGG 1965, no.134, p.3397)	Yamba Surf Life Saving Club
1 April 1966	Reserve 85,724 from sale for public recreation and public hall consisting of about 18 acres 2 roods (being R.82,128 – revoked Pks 65-2,179) (NSW GG 1966, no.34, p.1435)	Flinders Park area including Wooli Park area (excludes Yamba Surf Life Saving Club)
18 November 1966	The Council of the Shire of Maclean appointed trustee over Reserve 85,724 (NSWGG 1966, no.126, p.4722)	
22 November 1975	Withdrawal from special lease 1948-59 over portion 125 and special lease 1953-36 over portion 139 held by the Yamba Surf Life-saving Club (NSWGG 1975, no.151, p.4888)	Yamba Surf Life Saving Club
9 January 1976	Notification of special lease 1975-2 over portion 125 and 139, consisting of 461.7m ² , for erection of buildings (surf life-saving club premises and surf boat shed and recreation) – 22 November 1975 to 21 November 2014 (NSWGG 1976, no.5, p.159)	Yamba Surf Life Saving Club
18 July 1980	Reserve 93153 from sale for Future Public Requirements being portions 125 and 139 containing about 461.7m ² (NSWGG 1980, no.97, p.3738)	Yamba Surf Life Saving Club
28 November 1980	Addition to Reserve 93153 from sale for Future Public Requirements being Lot 180 DP 41513 containing about 461.7m ² (NSWGG 1980, no.180, p.6202)	Yamba Surf Life Saving Club
23 January 1981	Addition to Holding - Lot 180 DP 41513, consisting of 138.7m ² added to Special Lease 1975-2, commencing 28 November 1980 (NSWGG 1981, no.19, p.495)	Yamba Surf Life Saving Club
25 July 1986	Wooli Park name assigned to the reserve north of Pilot Hill under the <i>Geographical Names Act 1966</i> (NSWGG 1986, no.123, p.3650)	
20 September 2013	Addition to Reserve 85724 of Lot 7323 DP 751395 (now 7323 DP 1192051) consisting of an area of about 2908m ² (NSWGG 2013, no.113, p.4152)	Wooli Park/Turners Beach area
19 December 2014	Addition to Reserve 85724 of Lots 125 and 139 DP 751395 & Lot 180 DP 751395 containing an area of about 600.4m ² (NSW GG 2014, no.126, p.4631)	Yamba Surf Life Saving Club
1 July 2018	Council as Crown land manager of Reserve 85724 under <i>Crown Land Management Act 2016</i>	All of Flinders Park (inc. Wooli Park and Yamba Surf Life Saving Club)

1.4 Owner of the Land

Flinders Park is Crown land owned by the State of New South Wales and managed by Council as Crown Land manager for the benefit of the people of New South Wales and visitors. It was set aside as Reserve 85724 for the public purpose of Public Recreation and Public Hall on 1st April 1966 (NSW GG 1966, p.1435).

Land Owner Conditions

The land is a reserve within the meaning of Part 2 of the CLM Act. Under the Act there are restrictions on transfer and other dealings on the land that may require consent of the Minister.

The reserve is to be managed in accordance with its notified purpose of public recreation and the provisions of Part 3 of the CLM Act and Part 2 of the LG Act.

Under the Act the Minister may also make rules (Crown land management rules) for or with respect to the use and management of dedicated or reserved Crown land by Crown land managers. If an inconsistency arises between these rules and this PoM, the Crown land management rules prevail to the extent of the inconsistency.

In addition, the Department of Planning, Industry and Environment's Crown Lands Division (Crown Lands) on behalf of the State has provisions under the CLM Act that allows them to directly lease or licence the use of the land either with or without Council's concurrence. Where Crown Lands have directly issued a tenure to a third party for the use of land included in this PoM, this PoM is void to the extent where that use is inconsistent or would not be permitted under this PoM.

Native title

Flinders Park is within the Yaegl People #2 and #2 Part B Native Title Determination Areas. The Yaegl People #2 Determination Area includes land above the Mean High Water Mark (MHWM) occupied by Flinders Park while the Yaegl People #2 Part B Determination Area includes intertidal waters from the MHWM to 200m east of low tide (eg. Main Beach) (Figure 1.4).

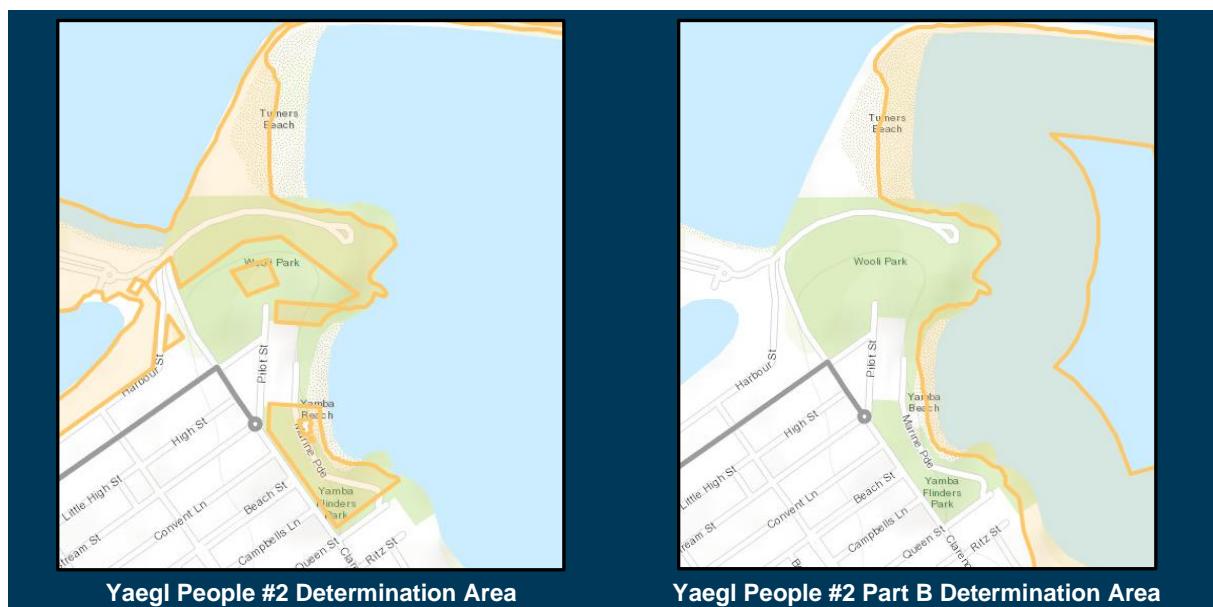


Figure 1.4: Yaegl People Determination Areas of Flinders Park (highlighted orange)

(Source: Commonwealth of Australia 2017a & b)

The Federal Court has held that native title continues to exist on Lot 7031 DP 1128361, Lot 7323 DP 119051, Lots 7307-7308 DP 1147276, Lots 1 and 1A Section 1 DP 759130. However, native title has been extinguished on the three lots that comprise the Yamba Surf Life Saving Club (Lots 125 and 139 DP 751395 and Lot 180 DP 41513) and the parcel of land owned by Council in fee simple (Lot 1 DP 604873).

In addition, the Federal Court acknowledges that native title may have been extinguished in:

- (a) any land or waters within the Determination Area on which there is or has been constructed or established valid or validated public works (including any adjacent land or waters as described in s 251D of the Native Title Act) which were constructed or established prior to 23 December 1996 or were commenced to be constructed or established on or before that date (*Yaegl People #2 v Attorney-General of New South Wales [NSD168/2011], Schedule Five Extinguished Areas*).

This may include areas within Flinders Park covered by revetment works, roading and carparks, footpaths, public amenities and picnic/barbecue facilities¹.

Council acknowledges that the land and waters of Flinders Park and surrounds hold significant cultural value to the Yaegl people and that their native title rights and interests over the land and adjoining waters are recognised. Council will continue to consult and work with the Yaegl Traditional Owners Aboriginal Corporation RNTBC (Yaegl TOAC) prior to any future development of the reserve to ensure their rights and interests are taken into account.

In areas where native title continues to exist, Council acknowledges that the Yaegl People as traditional owners have the right to hunt, fish and gather traditional resources, to access and camp, conduct ceremonies and protect significant sites among other rights and interests within the area. Typically these rights and interests are ‘non-exclusive’ meaning that traditional owner’s native title rights and interests must co-exist with all other interests in the land.

The Yaegl People have also expressed a desire to incorporate Yaegl traditional place names into signage at Flinders Park. The inclusion of Indigenous signage provides an opportunity to present Aboriginal social and cultural heritage meanings to the wider community, to create a sense of place, respect and opportunity for the Aboriginal community and to improve cross-cultural understanding. This PoM supports dual naming and the use of Yaegl language where appropriate.

¹ Status searches to determine whether an existing public work (or previous exclusive possession act) is valid or validated under the *Native Title Act 1993* (Cth) is ongoing and will be completed on a case-by-case basis to ensure compliance with the Future Act provisions under the Act and the Yaegl People native title determinations.

2. BASIS FOR MANAGEMENT

2.1 Management of the Reserve

Under the LG Act, councils are required to develop and implement plans of management for all public land owned by them and classified as 'community'. Each plan needs to identify:

- the category of land
- the objectives and performance targets of the plan
- the means by which Council proposes to achieve the plan's objectives and targets; and
- the manner in which Council proposes to assess its performance.

In addition, the CLM Act authorises local councils appointed to manage dedicated or reserved Crown land (council managers) to manage that land as if it were public land under the LG Act. Generally, council managers will manage Crown land under their control as if it were community land under Part 2 of the LG Act.

2.1.1 *Local Government Act 1993 restrictions regarding community land*

Under the LG Act, community land:

- cannot be sold;
- cannot be leased, licensed or have any other estate granted over the land for more than 30 years (ministerial consent required for periods over 21 years);
- alienated for private purposes; and
- must have a plan of management prepared for it.

In addition, Council may only grant a lease, licence or other estate over community land if:

- the plan of management expressly authorises the lease, etc;
- the purpose of the lease etc is consistent with the core objectives for the category assigned to the land [s.46(2)]; and
- the lease etc is for a purpose listed in section 46(1)(b)² of the Act.

² A plan of management is void to the extent that it purports to authorise the grant of a lease, licence or other estate in contravention of this section.

2.1.2 **Crown Land Management Act 2016 restrictions regarding ‘community’ Crown land**

Under the CLM Act, a council manager of community Crown land cannot:

- (a) sell or dispose of the land in any other way unless the Minister gives written consent for it, or
- (b) classify the land as operational land under the LG Act unless the Minister gives written consent for it, or
- (c) do any other thing under the LG Act that would involve a contravention of a provision of this Act that applies to council managers, or
- (d) do anything that contravenes:
 - (i) any limitations or other restrictions specified by the provisions of the manager’s appointment instrument, or
 - (ii) the regulations, or
 - (iii) any applicable Crown land management rules, or
 - (iv) any applicable plan of management under Division 3.6 (if there is no requirement for a plan of management under the LG Act).

2.2 Categorisation under the *Local Government Act 1993*

In general, it is the purpose of the PoM to categorise the land to which the plan applies. The category(s) assigned then set the core management objectives for the land. Council may apply more specific management objectives to community land, but these must be compatible with the core objectives for the land.

In the case of the first plan of management for community Crown land under the LG Act, the Minister responsible for Crown Lands assigns the category(s) by which the reserve has to be managed under the Act. Consequently, the Minister (via his delegate) has assigned the following categories under the LG Act to Flinders Park:

- **General Community Use** – the land comprising the Surf Life Saving Club building
- **Park** – the remainder of the reserve.

This plan of management however, proposes to amend the **Park** category and add the category **General Community Use** to the kiosk attached to the Yamba Surf Life Saving Club; and **Natural Area** to the foreshore/intertidal area, the areas of bushland and the area containing significant geomorphological/geological features. The natural areas require specific management objectives and actions to ensure their protection and enhancement, while facilitating the sustainable use of the land.

Land categorised as **Natural Area** is required to be further categorised under s.36(5) of the LG Act. The categories proposed include:

- **Bushland** – the area of remnant native vegetation and area mapped as *Landslide Risk Zone* in the *Yamba Coastline Management Plan*

- **Escarpment** – the escarpment area adjacent to Pilot Hill spanning the north eastern boundary of the reserve, and the former quarry site facing Turners Beach
- **Foreshore** – the boundary of Flinders Park extends to low-water mark on Yamba Main Beach and the rocky shore environment extending from the southern boundary of the reserve north to the end of Turners Beach carpark and including the foreshore vegetation of Turners Beach along the southern breakwall.

The category of **Park** will subsequently only apply to the open space areas containing recreational facilities and infrastructure.

A map outlining the proposed categories for Flinders Park is provided at Appendix 1.

The core objectives for management of Flinders Park as general community use, park, natural area – bushland, foreshore and escarpment, are detailed at Section 8 of this PoM.

2.3 Community Consultation

Community consultation and community input is important to ensure that a PoM meets the needs of the community, the ability of Council to undertake implementation and the support of the community in managing the reserve.

In developing this PoM, Council held on-site and telephone consultation with representatives from the Yamba Surf Life Saving Club, Yamba Farmers Market Stallholders, Clarence Head Long-boarders, Yamba RSL sub-Branche and the Disabled Surfers Association of Australia Inc. The key issues raised during consultation with these community groups include:

- The identification of the need to provide suitable facilities and infrastructure to meet the needs of key user groups including:
 - The need for suitable shade structures near the Surf Life Saving Club kiosk
 - The need for additional toilets/change rooms on Main Beach to meet user needs during peak seasons, nippers and other carnivals and events
 - The need for suitable storage at Main Beach for Surf Life Saving equipment to meet demands during peak holiday periods
 - A need for a lifesaving tower and storage facility at Turners Beach for Surf Life Saving vessels and equipment
 - The need for additional disabled toilets at Turners Beach to meet the needs of disabled visitors and the Disabled Surfers Association of Australia Inc
 - The need for appropriate bicycle parking facilities at beach access locations within the reserve (Figure 2.1).



Figure 2.1: A lack of bicycle parking infrastructure is causing people to park their bicycles against park infrastructure and trees

- The identification of the need to upgrade formalised pedestrian access paths throughout the park to meet the needs of park users and permit safe disability access including:
 - The requirement to increase the Turners Beach pathway width between parking/amenities/beach access as the path currently does not permit access for all wheelchair types or allow passing
 - The requirement to replace the zig zag foot path and railing as it has deteriorated to a point of being potentially unsafe for users.
- The identification of the need to repair internal roads/parking and beach access to meet user needs, including
 - The need to repair potholes in the Queen Street carpark
 - The need to repair the section of Marine Parade impacted by recent landslip
 - The concern that the disability access ramp to Turners beach does not meet current Australian Standards
 - The concern that the width of Clarence Street carpark is not wide enough and poses a safety hazard to park users
- The requirement to upgrade retaining walls and vehicle barriers and provide a higher level of maintenance, including:
 - The requirement to replace missing/broken timber bollards along Marine Parade
 - The need to extend the retaining wall along landslide risk zone on the internal road off Queen Street
 - The need to repair/upgrade the revetment wall along Main Beach to reduce further erosion and allow enhanced use of the area.

Other concerns raised by the groups consulted include:

- A concern over the Norfolk pine tree in the landslide risk zone above the Surf Life-saving Club falling on the club building

- The stormwater pipe discharge below the Pacific Hotel causing beach scouring and exposure of rocks on Main Beach after rain, realignment is required to redirect water to the rock platform area at the northern end of the beach
- Seaweed entering the ocean pool at Main Beach being an issue during the summer months requiring an increase in maintenance levels
- The use of the Queen Street carpark by residences in adjacent development which limits places for park users
- The need for designated parking for Surf Life Saving Club use
- The need to review regulatory signage to mitigate unauthorised behaviour such as alcohol consumption and dogs on the reserve.

2.3.1 Public exhibition of the draft PoM

The draft PoM was notified and publicly exhibited in accordance with s38 of the LG Act from the 6th August until 20th September 2021 – 46 days total.

One submission was received: from NTSCorp on behalf of the Yaegl Traditional Owners Aboriginal Corporation RNTBC (Yaegl RNTBC). In particular, NTSCorp sought a response in regards to three specific matters:

- the renaming of Flinders Park Reserve and dual naming of traditional places within the reserve;
- ways to facilitate co-management with Yaegl RNTBC of the reserve, and
- contracting and commercial opportunities for Yaegl RNTBC.

This PoM has been drafted to facilitate the potential realisation of these matters. However, as the realisation of these matters are matters that need to be negotiated in good faith, Council will discuss these matters directly with the Yaegl RNTBC to determine how their requests maybe progressed to the overall benefit of the Yaegl People and users of the reserve in general.

3. LEGISLATIVE FRAMEWORK

This section describes the principal legislative and policy framework applying to the land covered under this PoM.

3.1 Local Government Act 1993

The LG Act requires all Council-owned land to be classified as either 'community' or 'operational'. Community land is defined as land that must be kept for the use of the general community, and must not be sold. In contrast, 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.

Importantly, community land must be managed in accordance with the provisions of the LG Act and the *Local Government (General) Regulation 2021* (Table 3.1).

Table 3.1 Requirements of the *Local Government Act 1993* for land classified as community

Requirement of the <i>Local Government Act 1993</i>	Relevant Section(s)
Community land must be used and managed in accordance with: <ul style="list-style-type: none"> ▪ The PoM applying to the land ▪ Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land ▪ The provisions of Division 2, Part 2 of Chapter 6 of the Act 	s35
The PoM must: <ul style="list-style-type: none"> ▪ Identify the category(s) to be applied to the land in consideration to the guidelines for categorising the land ▪ Specify the core objectives and performance targets for management of the land; the means by which Council proposes to achieve the plan's objectives and performance targets; and the manner in which its achieved the plan's objectives and performance targets is measured. ▪ Include a description of the condition of the land, and of any buildings or other improvements on the land; and the use of the land and any such buildings or improvements as at the date of adoption of the Plan. ▪ Specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used and for which any further development of the land will be permitted, whether under lease or licence or otherwise, and describe the scale and intensity of any such permitted use or development. 	s s36[3][a]; s36[4] & s36[5] & cl.102-111 LG(G) Regs s36[3][b], [c] & [d] s36[3A][a] s36[3A][b]; s46; s46A; s47; s47A & s68
Where the land is not owned by the council, the PoM must also identify the owner of the land, and must state whether the land is subject to any trust, estate, interest, dedication, condition, restriction or covenant, and whether the use or management of the land is subject to any condition or restriction imposed by the owner	s37
Council must give public notice and exhibit the draft PoM for 28 days and allow at least 42 days for the making of submissions.	s38

Any amendments to a draft PoM must be publicly exhibited in the same way, until the Council can adopt the draft PoM without further amendment.	s40
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3.2 Crown Land Management Act 2016

The *Crown Land Management Act 2016* (CLM Act) authorises local councils appointed to manage dedicated or reserved Crown land (council managers) to manage that land as if it were public land under the *Local Government Act 1993* (LG Act). Section 3.23(6) of the Act requires council managers to adopt a PoM for any Crown reserve that is classified as 'community' land under the LG Act. These POMs must be prepared and adopted in accordance with the provisions of Division 2 of Part 2 of Chapter 6 of the LG Act.

In addition, the CLM Act requires council managers to take into account the objects and principles of the Act when preparing a PoM for a Crown reserve. The objects of the Act are:

- (a) to provide for the ownership, use and management of the Crown land of New South Wales, and
- (b) to provide clarity concerning the law applicable to Crown land, and
- (c) to require environmental, social, cultural heritage and economic considerations to be taken into account in decision-making about Crown land, and
- (d) to provide for the consistent, efficient, fair and transparent management of Crown land for the benefit of the people of New South Wales, and
- (e) to facilitate the use of Crown land by the Aboriginal people of New South Wales because of the spiritual, social, cultural and economic importance of land to Aboriginal people and, where appropriate, to enable the co-management of dedicated or reserved Crown land, and
- (f) to provide for the management of Crown land having regard to the principles of Crown land management (s1.3 CLM Act).

The principles of Crown land management are:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land, and
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- (c) that public use and enjoyment of appropriate Crown land be encouraged, and
- (d) that, where appropriate, multiple use of Crown land be encouraged, and
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles (s1.4 CLM Act).

The CLM Act also makes it a legal requirement for councils to employ or engage at least one native title manager to ensure its dealings with the land comply with any applicable provisions of the native title legislation. A council cannot do any of the following in regards to Crown land under its control

unless it has first obtained the written advice of at least one of its native title managers that it complies with any applicable provisions of the native title legislation:

- (a) grant leases, licences, permits, forestry rights, easements or rights of way over the land,
- (b) mortgage the land or allow it to be mortgaged,
- (c) impose, require or agree to covenants, conditions or other restrictions on use (or remove or release, or agree to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land,
- (d) approve (or submit for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in paragraph (a), (b) or (c) (s8.7 CLM Act).

3.3 Zoning and Planning Controls

3.3.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the principle legislation regulating land use in NSW. Part 4 of the EP&A Act outlines the factors that must be considered when a development application is assessed.

The EP&A Act includes other provisions including that a public authority may become the determining authority for development (activity) that is permissible without consent under Part 5 of the Act.

The purpose of Part 5 of the Act is to ensure public authorities fully consider environmental issues before they undertake or approve activities that do not require development consent. As such, it has commonly been used to assess activities such as roads, railways, dredging and construction of facilities on public land, which do not require consent. If these activities are judged by the relevant public authority to significantly affect the environment, then an environmental impact statement will need to be prepared and considered by this authority.

3.3.2 State Environmental Planning Policies (SEPPs)

State Environmental Planning Policies address issues of State significance across the state.

Infrastructure SEPP 2007

Under the Infrastructure SEPP 2007 certain types of development do not require consent under Part 4 of the EP&A Act. It includes provisions for exempt development and for development without consent on parks and other public reserves.

Under Division 12, Clause 65(2)(d) of the SEPP, development can be carried out without consent by a Crown land manager of the land if the development is for purposes of implementing a plan of management adopted for the land under the LG Act. However, a review of environmental factors (REF) under Part 5 of the EP&A Act is still required.

Clause 66 provides and sets out exemptions for certain works within parks and other public reserves undertaken by a public authority.

Coastal Management SEPP 2018

The Coastal Management SEPP 2018 gives effect to the objectives of the *Coastal Management Act 2016* from a land use planning perspective, by specifying how development proposals are to be assessed if they fall within the coastal zone.

An integrated and coordinated approach to land use planning is promoted by the SEPP. It defines the four coastal management areas in the Act through detailed mapping and specifies assessment criteria that are tailored for each coastal management area. Councils and other consent authorities must apply these criteria when assessing proposals for development that fall within one or more of the mapped areas.

Flinders Park is mapped as *Coastal Environment Area* and *Coastal Use Area*, under the *Coastal Management SEPP 2018*.

Clarence Valley Council Local Environmental Plan 2011

The *Clarence Valley Local Environmental Plan 2011* (CVLEP) is a statutory document prepared under the EP&A Act. It controls development at a local level and sets out through land use zoning, how land is to be used. Each zone has objectives and specifies if developments are permitted with consent, without consent or prohibited. All land, whether privately owned, leased, or publicly owned is subject to the controls set out in the CVLEP.

CVLEP Land Zoning

Flinders Park includes land zoned under the CVLEP as:

- **RE1 Public Recreation** - Lots 7307-7308 DP 1147276, Lots 125 & 139 DP 751395 & Lot 180 DP 41513.

The objectives of the RE1 Zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

- **E2 Environmental Conservation** - Lots 7031 DP 1128361, Lots 1 & 1A Section 1 DP 759130 & part Lot 7323 DP 1192051.

The objectives of the E2 Zone are:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect of those values.
- To protect coastal wetlands and littoral rainforests.
- To protect land affected by coastal processes and environmentally sensitive coastal land.
- To prevent development that would adversely affect, or be adversely affected by, coastal processes.

and

- **IN4 Working Waterfront** - part Lot 7323 DP 1192051 (Figure 3.2)

The objectives of the IN4 Zone are:

- To retain and encourage waterfront industrial and maritime activities.
- To identify sites for maritime purposes and for activities that require direct waterfront access.
- To ensure that development does not have an adverse impact on the environmental and visual qualities of the foreshore.
- To encourage employment opportunities.
- To minimise any adverse effect of development on land uses in other zones.
- To enable light industries where they are related to the waterfront industrial and maritime activities permitted in the zone.
- To ensure that development does not detract from the maritime character of small commercial fishing and port facilities on the Clarence River.

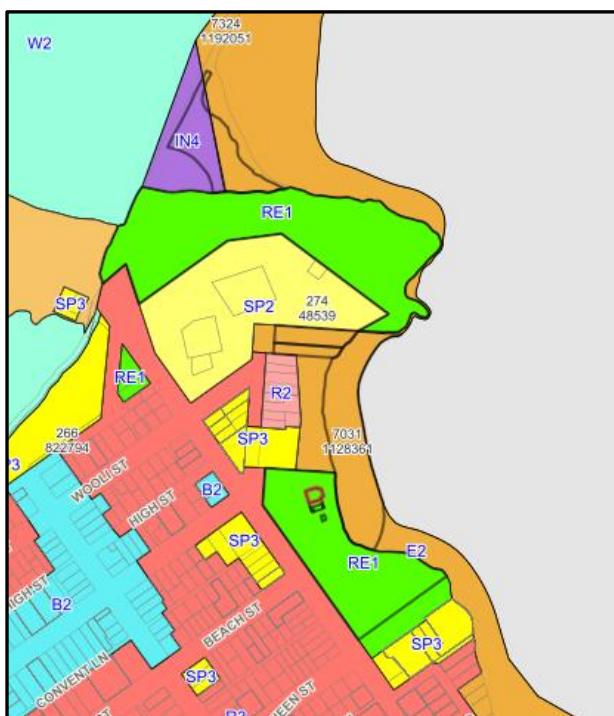


Figure 3.2: Flinders Park CVLEP Zoning

With the addition of Lot 7323 DP 1192051 to Flinders Park on the 20 September 2013 the part zoning of IN4 Working Waterfront is an anomaly that does not allow the land to be used as per the notified purpose(s) of the reserve – public recreation and public hall.

For consistency this PoM proposes that Council as Crown land manager of the reserve, with the concurrence of the Crown, rezone Lot 7323 as either RE1 Public Recreation or E2 Environmental Conservation. This will require the preparation of a planning proposal under Section 3.33 of the EP&A Act for a 'housekeeping' amendment to the CVLEP.

CVLEP Heritage Items

Flinders Park reserve 85724 (including Lot 1 and 1A, Section 1, DP 759130, Local Lot 7031 DP 1128361; Lots 7307 – 7308 DP 1147276) and the surf lifesaving club are listed as heritage item I406 and item I413 respectively in Schedule 5 of the CVLEP. The ocean pool located on the rock platform at the southern end of Main Beach is located partly on Flinders Park and on the adjacent Crown Reserve is listed as heritage item I414. A war memorial is located within the Queens Street road reserve and is listed as item I419.

Any works that have the potential to impact on any building, work, relic or tree within the reserve and specifically listed and mapped heritage items in the CVLEP must abide by clause 5.10 of the CVLEP and relevant legislation.

CVLEP Acid Sulfate Soils

Flinders Park is identified as being underlain with Class 5 acid sulfate soils. Any future work and or development that have the potential to affect these soil conditions must undertake procedures outlined in clause 7.1 of the CVLEP.

3.3.4. Development in Environmental Protection, Recreation and Special Use Zones Development Control Plan

The Environmental Protection, Recreation and Special Use Zones Development Control Plan (DCP) applies to Flinders Park.

The DCP needs to be considered when a development application is being prepared or assessed. The DCP contains a range of provisions that would apply to development on the subject land.

3.4 Other Relevant Legislation and Policies

In addition to the requirements of the CLM Act, LG Act, and EP&A Act there are other legislation and Government policies that are relevant to the ongoing development and management of the Flinders Park. Legislation and policies with direct relevance to the Flinders Park area include:

Commonwealth Legislation

- *Disability Discrimination Act 1992*
- *Native Title Act 1993*
- *Telecommunications Act 1997*³.

State Government Legislation and Policies

³ Note: The Commonwealth *Telecommunications Act 1997* provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

- *Anti-Discrimination Act 1977*
- *Biodiversity Conservation Act 2016*
- *Biosecurity Act 2015*
- *Coastal Management Act 2018*
- *Companion Animals Act 1998*
- *Fisheries Management Act 1994*
- *Heritage Act 1977*
- *NSW Coastal Policy 1997*
- *NSW Government Flood Prone Land Policy*
- *Protection of the Environment Operations Act 1997*
- *Retail Leases Act 1994*
- *State Environmental Planning Policies (SEPPs)*
- *Waste Avoidance and Resource Recovery Act 2001.*

Clarence Valley Council Policies and Plans

Council policies etc that apply to the management and use of Flinders Park include, but not limited⁴ to:

- Asset Management Policy (Minute #14.132/15)
- Green Building Policy (for Council buildings) policy (Minute #14.049/14)
- Mobile food vehicles, temporary food stalls & hawking policy (Minute #15.091/16)
- Mobile signs, articles, merchandise and entertainment on public land policy (Minute #14.194/15)
- Safety Signage in Recreational Areas policy (Minute # 15.203/18)
- Smoke free public areas policy (Minutes #13.072/15)
- Tree Management policy (Minute #15.203//18)
- Footpath and cycleway maintenance policy (Minute #15.124/18)
- Clarence Valley Biodiversity Management Strategy
- Clarence Valley Open Spaces Strategic Plan
- The Clarence 2027 – Community Strategic Plan
- The Yamba Coastline Management Plan 2004
- The Yamba Coastline Management Plan and Implementation Strategy 2004
- The Yamba Coastline Management Plan Stormwater Audit of Pilot Hill Area 2011
- Technical Report 3, Risk assessment and Stabilisation for Pilot Hill Yamba, NSW 2017.

⁴ Council's website lists all current policies and plans adopted by Council. The extent that any particular policy or plan applies to the use and management of the Flinders Park reserve will depend on the particular matter at hand.

4. CONDITION OF THE LAND AND IMPROVEMENTS

This section provides a general overview of/and condition of the land, facilities and infrastructure on Flinders Park at the date of exhibition of the draft PoM.

4.1 The Land

The geology within Flinders Park is formed mainly of bedrock outcrops with two small pocket beaches. Indurated dune remnants occur behind the beaches and onlap bedrock at the heads of the small bays (Dept. Mineral Resources 1983).

Soils are Rudosols (Siliceous and/or Calcareous Sands) on the beaches and hind dunes. Yamba Main Beach is a mainland beach that is underlain and surrounded by sandstone (DLWC 2002).

The reserve is mostly cleared open space with mown grassed and landscaped areas managed by Council. Norfolk Pine trees were planted in the 1930s and have become a traditional element valued by many Yamba residents. The remaining native remnant vegetation is mostly comprised of *Banksia integrifolia* (Coast Banksia) and *Cupaniopsis anacardioides* (Tuckeroo) dominated woodland that occupies the face of the slopes and cliffs of the reserve which is in moderate overall condition due to vegetation thinning in recent years. Pandanus also occurs naturally on the reserve.

Grass cover in open space areas is in fair to good condition although there is compaction and poor coverage around areas of frequent use, such as picnic areas, viewing areas, informal tracks and trails, under the Norfolk Pine trees and desire lines between concrete pathways/carparks and informal tracks (Figure 4.1). The creation of informal tracks and trails contribute to compaction and may impact on public safety on the reserve.



Grassed open space areas between Clarence Street, Queens Street and Main Beach



Turners Beach viewing area

Access track east of Pilot Hill

Picnic areas along Clarence Street



Informal tracks and trails between Pilot Hill and Turners Beach

Desire lines in Wooli Park area of reserve linking carparks/footpaths/amenities

Figure 4.1: Flinders Park open space areas

Bushland on the north-eastern escarpment of Pilot Hill is in moderate to good condition with weed incursion occurring in areas lacking adequate native vegetation cover (Figure 4.2).



Figure 4.2: Banksia dominated coastal vegetation north of the reserve

The foreshore environment includes rocky shore and sandy beach zones which act as the interface between the terrestrial and marine environments. This area, the beaches in particular, attract a high level of human visitation that peaks during holiday periods. The foreshore is generally in good overall condition however has some erosion caused from coastal processes and visitor's using unformed tracks (Figure 4.3).



Main Beach

Turners Beach

Figure 4.3: Sandy beach & rocky shore environments

The former quarry/escarpment adjacent to Turners Beach carpark area is in an unstable condition due to the cliff face being prone to rock fall, presenting a potential risk to the public. Acknowledging this risk a vegetative buffer has been established and retained along the bottom edge of the cliff face. A swampy soak has also established below the cliff face in the site of the former quarried rock pool. This wetland area provides habitat for native frogs therefore should be maintained in its current state (Figure 4.4). The public should be discouraged from venturing near the old quarry cliff face and the wetland area.

**Figure 4.4: Former quarry site facing Turners Beach**

The bushland to the south of Pilot Hill above Yamba Main Beach is within the Yamba Hill Landslide Risk Zone and E2 Environmental Protection Zone (CVCLEP). Native vegetation particularly *Banksia integrifolia* (Coast Banksia) in this area has been reduced in recent years alleged through illegal poisoning and subsequent clearing of dead and dangerous trees/limbs by Council to reduce risks to park users. This has left the associated bushland in poor condition, has enabled establishment of environmental weeds and poses a serious threat to stability of the slope and an elevated risk of erosion (Figure 4.5). Management issues of the landslide risk zone are discussed further in section 7.



Figure 4.5: Bushland above Main Beach

4.2 Public Facilities and Infrastructure

Numerous public facilities and infrastructure have been constructed across the reserve to facilitate a range of recreational activities for multiple user groups (Figure 4.6).



Figure 4.6: Existing Facilities and Infrastructure on Flinders Park

The following is a general overview of the existing facilities and infrastructure on Flinders Park and their condition at the time of the writing of the draft PoM. Council's Asset Register provides a database record of the condition score and expected renewal of facilities and infrastructure owned and managed by Council. Council's Asset Register Condition Report (2019) can be found at Appendix 2.

Park furniture such as picnic tables and shelters of various styles and ranging from heritage timber structures to modern aluminum finishes are located across the reserve (Figure 4.7). The condition of

the various park furniture ranges from 'fair' to 'good', and will be renewed as required to meet user demands and asset serviceability.



Picnic shelters at Turners Beach



Heritage shelters Clarence St



Picnic tables and seats adjacent to Clarence Street



Park benches: Wooli Park/Turners Beach



Overlooking Main Beach



Older style picnic tables and chairs adjacent to Clarence Street



Figure 4.7: Park Furniture

Gas BBQs are located within the Wooli Park area of the reserve, and near the tennis courts on the south-western section of the reserve. They are in fair condition and will be renewed as required (Figure 4.8).



Whiting/Turners beach BBQ BBQ near tennis court

Figure 4.8: BBQ facilities

Beach showers are located on Main Beach and within the Wooli Park section of the reserve. They range from moderate to very good condition, and will be renewed as required (Figure 4.9).



Main Beach

Wooli Park/Turners Beach

Figure 4.9: Beach Showers

Three amenity blocks are located on the reserve and are currently in varying condition. The Turners Beach amenity block is constructed of brick and has been recently refurbished. It is in good condition. The Main Beach amenity block is a timber structure, and is in moderate condition. The amenity block located on the south-western area of the reserve near the tennis court is a modern colourbond structure, which is in good condition (Figure 4.10). There are no immediate requirements for renovation or replacement of the three amenity blocks. These assets will be renewed as required.



Turners Beach

Main Beach

Near tennis courts

Figure 4.10: Public amenity facilities

A tennis court is located on the south-western corner of the reserve with approximately 50% of it located on the Queen Street road reserve (Figure 4.11). It is in a fair condition, while the associated lighting system is in a poor condition. A proposal to upgrade the tennis court to a multi-use hardcourt with open access to the general public is currently being assessed. The court surface will be renewed once a decision on its future use is made.



Figure 4.11: Tennis Court

The ocean pool, located partly on Flinders Park (about 20%) and on adjoining Crown land (about 80%), is maintained by Council (Figure 4.12). It was constructed by Maclean Shire Council between 1969 and 1973 by drilling into and excavating the rock platform at the southern end of Main Beach. The ocean pool is cement rendered with tiled steps.

Refurbishment was undertaken in 2019 to repair holes and cracks in the slab floor causing water level to drain, and sand to penetrate the base. It is currently in good overall condition; however the seawall on the eastern side of the pool is too low allowing seaweed and other flotsam to enter the pool during storm events.



Figure 4.12: Yamba Ocean Pool located partially on Flinders Park and adjacent Crown land

The internal sealed roads of Harbour Street and Marine Parade provide vehicle access within the reserve. Geotechnical hazards within the landslip zone threaten ongoing vehicle access to Marine Parade and Main Beach due to slippage. Slope movement is regularly monitored by Council to assess landslip potential and risks to assets and visitors.

Sealed carparks are also located at:

- Wooli Park providing approximately 55 standard and 2 disabled vehicles
- Turners Beach providing approximately 75 standard and 2 disabled vehicles
- Queen Street providing approximately 50 standard and 1 disabled vehicle spaces
- Main Beach providing for approximately 9 standard and 2 disabled vehicles.

The internal roads and carparks are in moderate overall condition and require immediate repair to damaged sections and ongoing maintenance.

Vehicle barriers are primarily treated pine post and rail fences throughout the reserve, with new sandstone block barriers at Turners Beach parking areas and along Harbour Street to restrict vehicles access to open space and natural areas. The treated pine post and rail vehicle barriers are in various conditions, as sections fail within the Turners Beach car parking areas they will be replaced with sandstone blocks. The existing sandstone barriers are in very good condition with no requirements for repair or replacement (Figure 4.13).



Figure 4.13: Internal access roads, carparks and vehicle barriers

Pedestrian access throughout the reserve consists of footpaths, stairs and ramps constructed from a variety of materials such as concrete and timber (Figure 4.14).

The zig zag pathway leading down to Main Beach is mapped LRZ1c and LRZ3 in the *Yamba Coastline Management Plan 2004* within the landslip zone. It is currently in very poor condition and is programmed to be replaced in accordance with geotechnical reports and Council's geotechnical engineers JK Geotechnics. (Refer Appendix 3(a) for proposed zig zag pathway design (b) final zig zag pathway civil and structural drawings).

The concrete path from Queen Street parking area to Main Beach is in good condition and will be renewed as required.

The timber stairs and boardwalks joining the various concrete pathways between parking areas and Main Beach are in moderate condition with some rot in the timber which will be replaced as required.

The Yamba Rotary Walking track constructed of timber and paved stairs is located between Pilot Hill and Wooli Park/Turners Beach. They are in poor condition that requires immediate repair or replacement.

The concrete footpaths connecting the carparks of Wooli Park and Turners Beach are in good condition however are not wide enough to permit safe disability access between disable parking areas, amenities and Turners Beach access.

Concrete access ramps are located at Turners Beach and Main Beach. They are not built to the standard required for disabled beach access but are in good condition and provide access onto the beaches limited to emergency and maintenance vehicles.

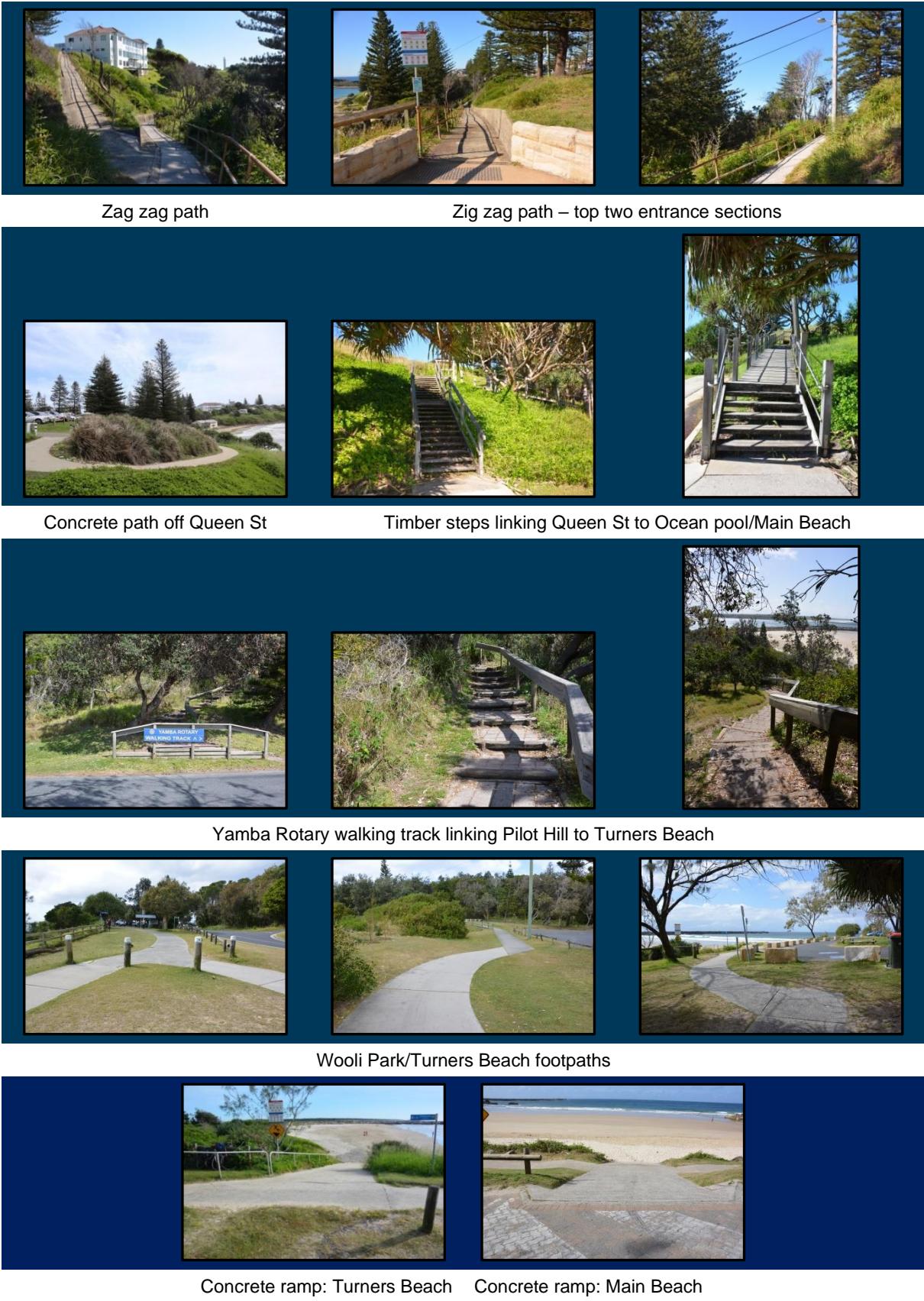


Figure 4.14: Pedestrian and disabled access paths and ramps

A revetment wall constructed from a mix of sandstone blocks and concreted rock is located within the intertidal zone at Yamba Main Beach to control coastal erosion (Figure 4.15). The wall is in a poor condition and does not provide adequate protection for the Yamba Surf Life Saving Club from coastal impacts including inundation during severe storm events and times of flood.



Figure 4.15: Revetment wall and rock protection on Main Beach

A retaining wall constructed from a mix of concrete block and concrete sleepers is located along the western side of Marine Parade above the SLSC to reduce runoff from erosion onto the road from the landslide risk zone above. The older concrete block is in moderate condition and requires maintenance or replacement, the concrete sleeper section is in good condition however requires extending south to meet the original concrete block section and further north to prevent further erosion and run off. It will be maintained and replaced as required (Figure 4.16).



Figure 4.16: Retaining wall behind Yamba Surf Life Saving Clubhouse

Risk management, statutory, directional and interpretive signage is scattered throughout the reserve and requires rationalisation and consolidation to facilitate compliance with Council Policy and for cultural and heritage awareness.

An interpretive sign describing the local places of interest and the construction of the break wall, an initiative of the Yamba District Chamber of Commerce, is located within the Wooli Park section of the reserve (Figure 4.17a & b). The sign is in good condition, and will be maintained and renewed as required.

A Yaegl dreamtime interpretive sign on the Giant Eel and the creation of the Clarence River from the Lower Clarence Aboriginal Tourist Site Drive is located on the reserve adjacent to Pilot Hill overlooking

Turners Beach and the Clarence River mouth. It is in good condition, having been recently renewed (Figure 4.17c).



(a) Directional and (b) Interpretive Signage Wooli Park

(c) The Giant Eel Interpretive Signage

Figure 4.17: Signage

Lighting infrastructure varies in quality, age and illumination level throughout the reserve. The main switch board (MSB) and electrical supply within the Wooli Park carpark section of the reserve, where the Yamba Farmers Markets are held does not meet the demands of the market stall holders, the method used to convey the power from the MSB to the user poses a safety hazard to both stall holders and market goers. It is in need of improvement to mitigate potential risks (Figure 4.18). Lighting will be upgraded together with park renewal or at time of replacement of old asset.

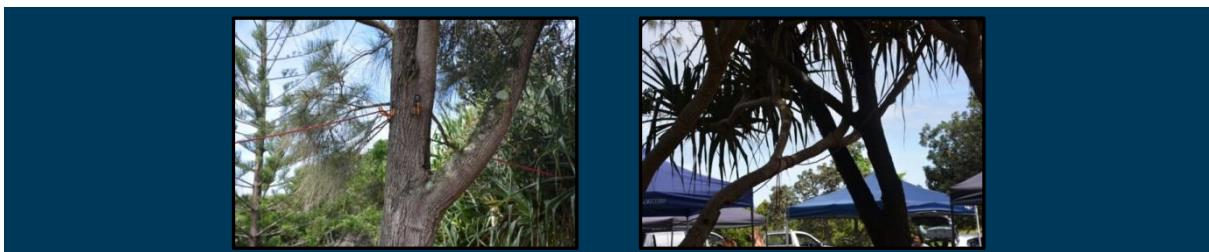


Figure 4.18: Power cord in trees – Yamba Farmers Market

Various fencing infrastructure is located across the reserve to restrict pedestrian access to sensitive natural areas and areas of high risk to park users (Figure 4.19).

Post and wire fencing is located above the escarpment on the north-eastern portion of the reserve to manage unauthorised access to the high-risk area. It is in poor overall condition due to constant damage by visitors obtaining unauthorised access to the escarpment area.

A combination of treated pine / aluminum post and timber rail fencing is located along the top embankment of Turners Beach to restrict access to the foreshore vegetation. It is in moderate condition, having rails missing/broken in sections. This section of fencing will be maintained and replaced as required.

Fencing above Main Beach and the landslide risk zone/sensitive bushland area, consists of a combination of treated pine posts and rail and treated pine posts and wire to restrict pedestrian access. The fencing is in good overall condition, however is located very close to the edge of the embankment has spaces between the various fences/barriers that allows access to the edge of the landslide risk area that may potentially exacerbate erosion/landslide hazard.



Fencing above escarpment between Main and Turners Beach adjacent to Pilot Hill



Fencing Wooli Park/Turners Beach



Fencing above Main Beach

Figure 4.19: Fencing

Other infrastructure around the reserve includes a drinking fountain located within the Wooli Park section of the reserve near Turners Beach that is in fair condition; and general waste bins strategically located around the reserve that are in fair condition (Figure 4.20).

A bronze sculpture made up of four wishbones ‘Furcula’ was sculpted by local artist Cass Samms in 2011 and is located on the north-eastern section of the reserve adjacent to Turners Beach. The sculpture is in good condition.



Bins in Wooli Park

Drinking fountain

Furcula' sculpture by Cass Samms

Figure 4.20: Other Infrastructure

The Yamba Surf Life Saving Club (and kiosk) is also located on the reserve (Figure 4.21). This building is owned by the SLSC and is under the management of the Club. The management and use of this structure is not governed by this PoM; therefore an asset condition report is not required. If the lease/license of the lands (Lots 125 and 139 DP 751395, Lot 180 DP 41513 and part Lot 7308 DP 1147276) on which this structure resides is terminated, it will then become a Crown land owned asset that will be managed by Council as Crown land manager under this PoM.

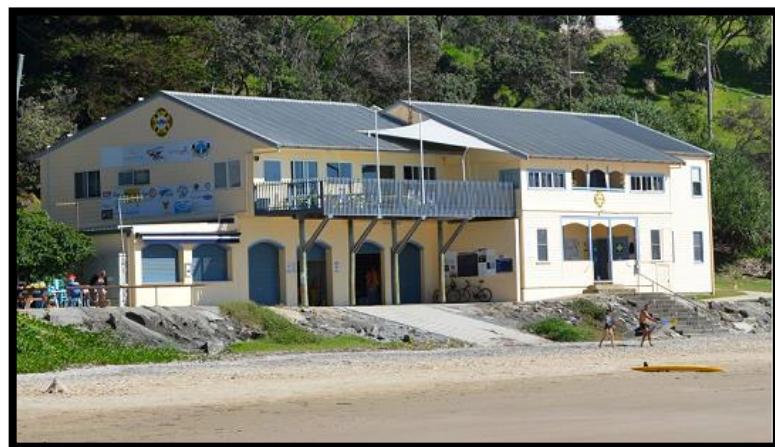


Figure 4.21: Yamba Surf Life Saving Club

5. DEVELOPMENT AND USE

This section provides an overview of land and facility use at Flinders Park, and the current and permitted future use and development of the land.

5.1 Land Use

This section provides an overview on the land use history and the current use of Flinders Park.

5.1.1 Land Use History

Traditional owners

Flinders Park is within the traditional lands of the Yaegl people and is an important cultural heritage site. In addition, Flinders Park overlooks the Yaegl people's sacred site, the Dirrangun - a well-known creation story, where Dirrangun came to rest at the entrance of the Clarence River.

Prior to the arrival of the first Europeans generations of Yaegl custodians would have camped, fished, held ceremonies and traversed the country that is now the Flinders Park reserve.

The earliest known Aboriginal settlement at Yamba was reported by Captain Matthew Flinders describing a number of large circular huts on the southern headland of the Clarence River in July 1799 when he called in for fresh water and repair of HMS Norfolk (Howland K, Lee S 2005). These huts indicated that the Aboriginal population on the Lower Clarence occupied a core area, perhaps travelling to other campsites in the local area rather than having a large ranging nomadic lifestyle.

The surrounding ocean and Clarence River had plentiful resources that could support a larger population that were also less nomadic, moving less frequently between a few main camps. .

Contemporary Aboriginal cultural values of Flinders Park include conservation of natural attributes including vegetation, soil and the beach, harvesting bush tucker, conservation of cultural heritage, surfing and swimming.

The Federal Court decision in the Yaegl People Native Title Determinations (Yaegl People #1 & #2 – 25 June 2015, and Yaegl People #2 Part B – 31 August 2017) confirmed the historical and continuing connection and importance of the Flinders Park area and surrounding sea to the Yaegl People.

Archaeological research carried out in the local area indicates a known occupation period of more than 6,000 years.

European Heritage

Flinders Park was originally referred to as 'Yamba Park' or simply 'The Park' to locals. From about 1902 onwards it was cleared, fenced and improvements such as seating and other basic facilities constructed to enable camping on the land (Figure 5.1).

Flinders Park received its name in 1930 after a naming competition held by the then Harwood Shire Council.



Figure 5.1: Camping ground at Yamba Park (Flinders Park) circa 1915

(Source: Port of Yamba Historical Society)

Prior to being named Flinders Park, the reserve was made up of multiple reserves. Reserve 44,026 was named Wooli Park - set apart for agistment of horses with no camping permitted; reserve 44,027 was named Clarence Park with only bathing and access to the beach permitted (no camping or stock access); reserve 40,228 (*sic, should have read reserve 48,221*) was named Wooloweyah Park, set apart for camping, with part of Beach Street (East of Clarence Street) to be closed and added to the park (Grafton Argus and Clarence River General Advertiser, 13 November 1912, p2). The *Town of Yamba Parish Map* (1910) shows the park names adopted during this meeting written in red pen (Figure 5.2)

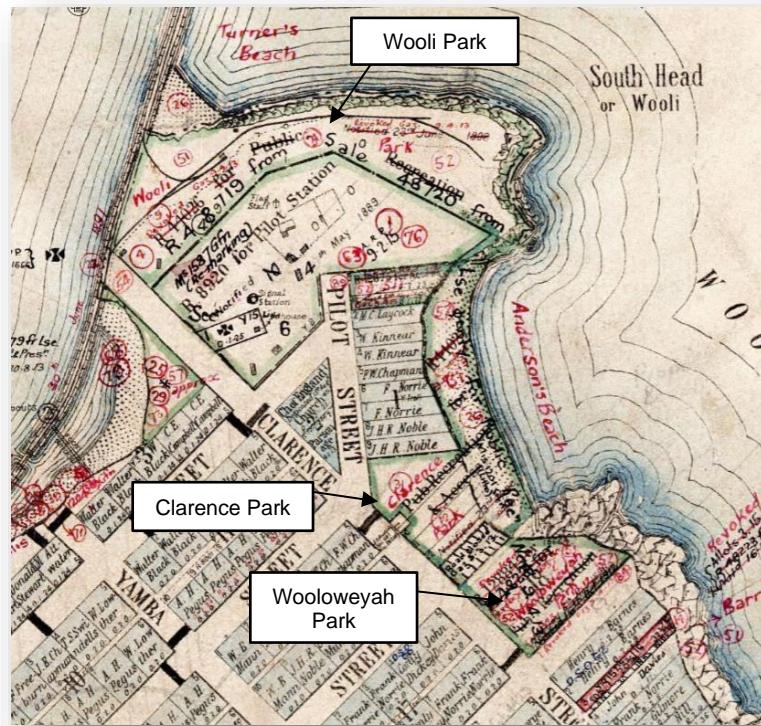


Figure 5.2: Parish Map of the Town of Yamba 1910 – Wooli, Clarence and Wooloweyah Park reserves

Camping continued at Flinders Park until 1960 when Council introduced a policy to reduce camping on the reserve. This was due to demand by day visitors for picnic sites. Canvas tents were pitched wherever there was space with preference for sites under the shade of a tree. Camping was subsequently transferred to Ford Park when Blacks Bay was filled to become the current Calypso Yamba Holiday Park.

Norfolk Pines in the southern end of the reserve were planted by Harwood Shire Council in the 1930s and had wooden fences built around them to prevent cattle, that grazed on the reserve at that time, from damaging the young trees.

The picnic shelters located at the southern end of the reserve were constructed by the Yamba Chamber of Commerce in the 1940s.

There was a picnic pavilion above the swimming pool area in the 1940s. The current swimming pool, located adjacent to Flinders Park on Crown land was built in 1969 after the Yamba rock pool, located in the former quarry area adjacent to Turners Beach, was closed due to health concerns.

The Yamba Surf Life Saving Club was established at Main Beach Yamba on 9 September 1908 making it one of the longest established surf clubs in the world and is significant at a State level for its historical associations with the Surf Life Saving movement in New South Wales. The original club building was constructed in 1913, with a women's dressing shed situated to the north of the surf club and a men's dressing shed to the south. The current surf club building was completed in 1931 (Figure 5.3) (NSW Office of Environment and Heritage 2005). The kiosk was added to the building in 1957, and rebuilt in 1996.



Original surf lifesaving clubhouse (circa 1928)



Surf lifesaving clubhouse constructed 1931 (circa 1931-1934)

Figure 5.3: Yamba Main Beach and SLSC clubhouse buildings

(Source: Yamba Surf Life Saving Club 2014)

There were also a number of popular social activities held on the reserve, including open air dances and roller skating in the 1940s using a wooden dance floor adjacent to the tennis court. Yamba Surf Life Saving Club also held open air Housie games and carnivals in the same area.

The quarry adjacent to Turners Beach was one of many quarries throughout the Shire where sandstone rock, used to construct the river training walls, was excavated until the Angourie quarry was opened in 1893. It is now an area of rock fall and should be avoided.

As part of the war effort, mineral sand (rutile) was taken from Main Beach, Yamba in 1943 before an appeal by a delegation from the surf club to the Minister for Mines had the mining stopped.

Flinders Park reserve 85724 (including Lot 1 and 1A, Section 1, DP 759130, Local Lot 7031 DP 1128361; Lots 7307 – 7308 DP 1147276) is listed as item I406 under Schedule 5 Environmental Heritage in the CVLEP. The Office of Environment and Heritage State Heritage Inventory has the park listed as an item of local significance (I406), which includes the whole park and Norfolk Pine trees and furniture, Includes Reserve 85724 (Heritage NSW).

5.1.2 Current Use

Flinders Park continues to be used as a recreation reserve for day use offering picnicking, walking, general exercise options, surfing, swimming, surf life saving club activities, tennis, and enjoyment of the ocean and views. The location also makes it a popular for wedding ceremonies. Competitors from around the country also attend surf life saving, surfing, triathlons and associated surf-based events, carnivals and competitions throughout the year at the reserve.

This reserve has high visitation by local, national and international visitors due the spectacular views of the estuary, northern training wall, beaches and ocean and its popularity is enhanced by its

proximity to the Yamba town centre. The high visitation numbers (expected to increase), has the potential to exacerbate the erosion risk and loss of vegetation which will require careful ongoing management.

The RSL hold services for ANZAC day in April, Vietnam veterans in August and Remembrance Day in November at the cenotaph located on the Queen Street road reserve adjacent to the southern boundary of the reserve. The park area located near the Cenotaph is used during these services.

Yamba Farmers Market is a popular local market held weekly at the Wooli Park carpark area of the reserve, between Whiting Beach and Turners Beach. The market operates under a Council issued license and attracts local stall holders and market goers.

5.2 Permitted and Future Use

Flinders Park will continue to be an iconic destination for local, interstate, national and international visitors for passive and active recreation activities, cultural and social purposes, general relaxation and contemplation and surf-based competitions and events.

Consequently, this PoM permits the continued use of the reserve for the purpose of passive and active recreational activities, associated events and markets consistent with the notified purposes of Public Recreation and Public Hall and within the areas categorised as 'Park' and 'General Community Use' under this plan.

The areas categorised as 'Natural Area' (bushland and escarpment) will remain a restricted area with access limited to formalised walkways and viewing areas to reduce impacts to the native vegetation, landslide risk zone and the safety of reserve users. The 'Natural Area (Foreshore)' area will remain an open access area with specific management actions to ensure minimal human disturbance.

The commercial collection of marine vegetation within the foreshore areas of Main Beach will be permissible under the "Safety and Public Health" management principle, subject to Council approval/terms and consent obtained from Yaegl TOAC during times of high accumulation, particularly after major storm events to ensure public safety.

During adverse weather events and potential risks to users, closures may be used to ensure public safety and to limit damage to facilities and open space areas, including during orange and red alert levels defined in the *Yamba Coastline Interim Emergency Management Strategy 2015*. Park infrastructure and access roads in identified landslide risk zones will be restricted to essential services and delivery vehicles during these alert levels.

Open access areas may also at times be temporarily closed for operational works, site rehabilitation and hazard reduction.

The scale and the intensity of use of the reserve by groups will be managed by Council's on-line "Book It" system and tenures. The general use of the reserve will be managed in accordance with current council policy(s), consideration of native title and the rights and interests of the traditional owners of the land, notices and regulatory signage.

A person who fails to comply with the terms of a notice or sign may be guilty of an offence under the LG Act.

5.2.1 Permitted Development of the Land

Flinders Park may be developed to enable the land to be used for public open space and public recreation purposes; to provide a range of recreational settings and activities and compatible land uses; and to protect and enhance the natural environment for recreation purposes and maintain ecological process.

Consequently, this PoM authorises, within the requirements of relevant legislation, Council's LEP, Development Control Plans and policy(s) for the purpose of effecting:

- Alterations, additions and improvements to the existing land, buildings and infrastructure to provide improved facilities for the uses permitted by this PoM including alterations, additions or improvements to enhance recreational uses such as passive and active recreation; educational, cultural, leisure, health; and social activities, and public safety;
- Alterations, additions and improvements to internal roads and car park layouts to improve access and parking associated with future use and development.
- Alterations, additions and improvements to sewer, water and stormwater infrastructure for effective water cycle management
- Adaption of existing facilities to improve effectiveness and utilisation for multiple user groups; and
- Commercial opportunities; or
- Any approved new development consistent with the notified purpose of the reserve or ancillary to the notified purpose.

This PoM also authorises future development to safeguard against the effects of climate change, coastal erosion and landslip risk including:

- Extension(s), renovations and improvements to the existing buildings and infrastructure pursuant to relevant legislation, Council's LEP, Development Control Plans and policy(s);
- Implementing the recommendations of the *Yamba Coastline Management Plan (2004)*, *Yamba Coastline Management Plan Implementation Strategy (2004)*, *Yamba Coastline Management Plan Stormwater Audit of Pilot Hill Area (2011)* or the most current version of these plans/strategies;
- Implementing actions identified as part of the Coastal Management Program; and
- Mitigation works to reduce erosion and landslide risks.

This PoM also permits the adaption and/or rationalisation of buildings and facilities under lease and or licence agreements as long as all proposed works obtain written and/or development approval from Council prior to work being undertaken.

Where it is proposed to construct or establish a 'public work'⁵ on the reserve and where native title is not extinguished by a previous public work, prior to approval Council is to notify and provide the Yaegl TOAC the opportunity to comment on the proposal as required under the *Native Title Act 1993*.

⁵ A 'public work' under the *Native Title Act 1993* (Cth) includes a building, or other structure that is a fixture.

5.3 Easements

Division 5.9 of the CLM Act requires councils to apply for an easement on council managed Crown reserves where a local council has an ongoing need to enter Crown land and carry out work referred to in section 191A of the LG Act. The granting of easements over Crown land is also subject to the provisions of the *Native Title Act 1993* (Cth).

Council, as Crown land manager of Flinders Park, already has the authority to enter the reserve and undertake maintenance activities. In addition, Council's requirement to enter the reserve for the purposes of section 5.50 of the CLM Act is considered occasional rather than ongoing and routine. The need to undertake acquisition of easements is not considered to be necessary at this point but could be acquired progressively if the need arises.

Undertaking the process of acquiring easements over Crown reserves poses a financial restraint on Council. This requirement has the potential to limit Council's capacity to undertake works and improvements on the Crown reserves it manages. It also gives rise to a compensation liability under the *Native Title Act 1993* (Cth).

Easements will be acquired progressively if the need arises and as funding and resources become available.

6. TENURES AND APPROVALS

6.1 Authorisation of Leases, Licenses and Other Estates

The LG Act requires that any lease or license of community land must be authorised by a PoM. In addition, the lease or licence must be for purposes consistent with the categorisation and zoning of the land.

The maximum period for leases or licences on community land permitted under the LG Act is 30 years⁶. Section 46A[3] states a lease or licence for a term exceeding 5 years may be granted only by tender in accordance with Division 1 of Part 3, unless it is granted to a non-profit organisation.

If a lease or licence is anticipated, then public notice should be given in accordance with the requirements of the Act. Where a lease arrangement has been entered into with council for community land, subleasing the land is required to be in accordance with the requirements of Section 47C of the LG Act and Clause 119 of the LG (G) Regs.

This PoM authorises Council to grant new leases, licenses or any other estates for the use of the land or facilities on the land for the purposes identified or are consistent with those listed in Table 6.1.

Table 6.1: Purposes for which long-term leasing, licensing and other estates may be granted

Type of Arrangement Authorised	Facilities covered	Purposes for which long-term leasing, licensing and other estates will be granted
Lease	Community buildings, facilities and land	<p>Any lease proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the area to support the activity. Sympathetic, compatible uses may include:</p> <ul style="list-style-type: none"> - child care or vacation care - surf lifesaving club - educational purposes including education classes, workshops - recreational purposes, including fitness classes; dance classes and games - sporting uses developed/operated by a private operator - café/kiosk areas - vehicle access

⁶ Requires Ministerial consent. The maximum term for which a council may grant a lease or licence of community land, including any options for renewal is 21 years.

Type of Arrangement Authorised	Facilities covered	Purposes for which long-term leasing, licensing and other estates will be granted
Licence	Community buildings, facilities and land	<p>Any licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the area to support the activity. Sympathetic, compatible uses including:</p> <ul style="list-style-type: none"> - social purposes (including child care, vacation care, wellness activities) - educational purposes, including libraries, education classes, workshops - kiosk/café and/or licenced establishment (alcohol) - recreational purposes, including fitness classes, dance classes, surfing school, low-key recreation activities - cultural purposes, including concerts, dramatic productions, temporary artistic installations, community events and art exhibitions - markets - vehicle access
Other Estates	Community buildings, facilities and land	<p>This PoM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the <i>Local Government Act 1993</i>.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of the premises adjoining the community land to a facility of the Council or other public utility provider that is situated on community land.</p>

Note: The grant of a lease or licence is an important step in using community land, but there may be other requirements relevant to any proposed use. For example, the refurbishment of a kiosk may also require development consent under the *Environmental Planning and Assessment Act 1979*. Any interested person should check carefully to make sure they are aware of all relevant requirements.

In addition, arrangements for which a short-term casual licence agreement may be granted under this PoM include:

- Public speeches, meetings, seminars and presentations, including educational programs.
- Functions and Events (including corporate functions, launches, sporting, community gatherings, weddings and similar activities.)
- Displays, exhibitions, fairs, fashion parades and shows
- Concerts and other performances, including both live performances and film (cinema and TV)
- Broadcasts associated with any event, concert or public speech
- Engaging in an appropriate trade or business delivering a public address, community events such as auctions, markets and similar activities

- Vehicle access and parking in association with events and markets
- Scoping works including for the purposes of inspections, surveys, obtaining certificates or reports, and carrying out other due diligence by a third party proposing to construct community infrastructure on the site.

Fees for short-term casual bookings will be charged in accordance with Council's adopted Fees and Charges at the time.

Consumption of Alcohol

The granting of liquor licences are subject to other approvals and are not at the sole discretion of Council, however this PoM allows for Council to give permission as Crown land manager for liquor licence applications on community Crown land subject to other necessary approvals. Applications for liquor licences will be considered on individual merits and will only be considered when other relevant criteria are met.

Council can also designate areas of public land where, and/or times when, the consumption of alcohol is limited or prohibited. Such Alcohol prohibited Areas are designated under the LG Act.

6.2 Existing Lease and Licence Agreements

The Yamba Surf Life Saving Club currently hold a lease over Lots 125 and 139 DP 751395 and Lot 180 DP 41513 that contain the Surf Lifesaving Club and kiosk. The current lease is over the land only, the Club own the buildings. The club also have tenure over part Lot 7308 DP 114276 for seating in association with the kiosk. The terms and conditions are outlined within the tenure agreements.

The Yamba Surf Life Saving Club also currently hold a liquor licence over the Surf Club Bar within the Clubhouse. Licences may be issued, modified or revoked from time to time with written consent from the public authority responsible for issue of such licences. Flinders Park is currently a designated Alcohol Prohibited Area between 9pm and 9am, and hence alcohol consumption is permitted on the Reserve during the day. The Alcohol Prohibited Area details may also be modified by Council under a resolution or by the NSW Police Commissioner.

This PoM authorises existing Yamba Surf Life Saving Club leases and licence agreements until the end of their current term. The leased and/or licensed areas may be renewed or changed in future. The leased and licensed areas may also be reconfigured in the future to reflect changes in the use of the land and/or facilities and the needs of the community.

Crown Lands have issued a licence over part Lot 7308 DP 114276 to the Pacific Hotel (Figure 6.1). The management of the land under direct licence is excluded from this PoM. If the licence is revoked or expires and not renewed over this portion of land, it will be managed in accordance with this PoM and the management category(s) assigned.

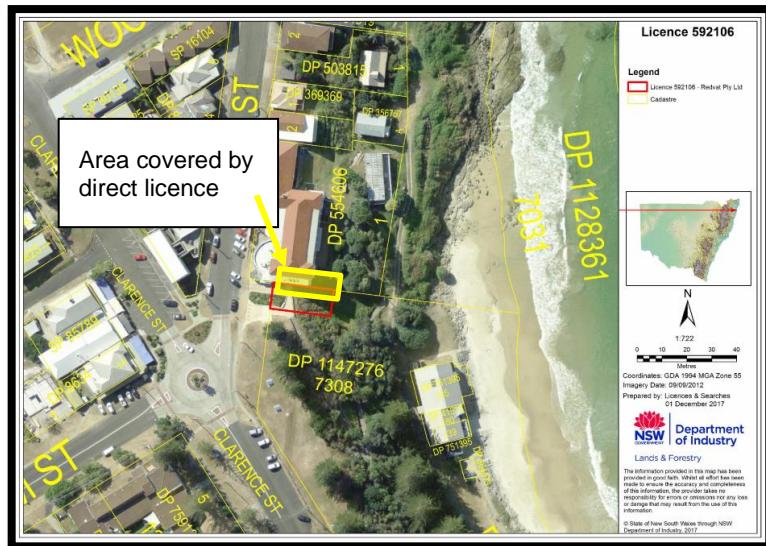


Figure 6.1: Crown land direct licence over part Lot 7308 DP1147276

6.3 Approvals for Activities on the Land

Section 68 of the Local Government Act 1993 specifies a range of activities where approvals are required to be obtained from Council. These are often in addition, or ancillary to, standard development application (DA) requirements and are known as ‘section 68 approvals’.

Section 68 approvals required for activities on ‘community land’ include:

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

A person who fails to obtain an approval or who carries out an activity otherwise than in accordance with an approval within the precinct area is guilty of an offence under the LG Act. Penalties apply for the offence.

6.4 Management Agreements

Land and/or facility management agreements generally relate to the management of Council land and facility assets by individuals and businesses on behalf of Council. They are a legally binding commitment between Council and the third party.

Land management agreements may include:

- co-management agreements with local Landcare/Coastcare/Bush Regeneration organisations and/or traditional owner groups
- land management (native vegetation) focused incentive funding (eg. Crown Reserves Improvement Fund; Local Land Services; NSW Environmental Trust etc)
- the biodiversity offset initiatives;
- covenants in support of carbon credits under various state and national schemes.

Facility management agreements may include:

- co-management agreements with sports clubs and/or community groups
- contractual arrangements to manage specific facilities (sports centres; holiday parks; etc)
- “fee for service” agreements to maintain facilities and/or public amenities.

This plan of management authorises Council as Crown land manager of Flinders Park to enter into a land and/or facility management agreement with a third party subject to:

- Consistency with the principles of Crown land management under the objects of the CLM Act
- Consistency with the reserve purpose and the public's use and enjoyment of the reserve
- Consideration of native title and the rights and interests of the traditional owners of the land
- Consideration of the impact of the agreement on future land use options for the reserve
- Funding required for ongoing maintenance responsibilities under the agreement.

Where a Crown reserve, or part of a reserve, is subject to a land or facility management agreement, the agreement and/or the term of the agreement may require Ministers consent prior to its authorisation by Council.

6.5 Short-term Licences under the *Crown Land Management Act 2016*

Council as the Crown land manager of Flinders Park can also issue a short-term licence under s2.20 of the *Crown Land Management Act 2016* over this reserve. Purposes for which Council can issue a short-term licence include:

- (a) access through a reserve,

- (b) advertising,
- (c) camping using a tent, caravan or otherwise,
- (d) catering,
- (e) community, training or education,
- (f) emergency occupation,
- (g) entertainment,
- (h) environmental protection, conservation or restoration or environmental studies,
- (i) equestrian events,
- (j) exhibitions,
- (k) filming (as defined in the *Local Government Act 1993*),
- (l) functions,
- (m) grazing,
- (n) hiring of equipment,
- (o) holiday accommodation,
- (p) markets,
- (q) meetings,
- (r) military exercises,
- (s) mooring of boats to wharves or other structures,
- (t) sales,
- (u) shows,
- (v) site investigations,
- (w) sporting and organised recreational activities,
- (x) stabling of horses,
- (y) storage.

A short-term licence may be granted subject to conditions specified by Council for a period up to a maximum of 12 months. The licence ceases to have effect when the term after it is granted expires, or is revoked sooner by Council. A short-term licence is also subject to the conditions prescribed by the *Crown Land Management Act 2016* including any penalty that may be prescribed for failure to comply with the conditions of the short-term licence.

Council may grant a short-term licence even if the purpose for which it is granted is inconsistent with the purposes for which the Crown land is reserved.

6.6 Native Title considerations

A tenure or use agreement on Crown land may impact native title rights and interests.

Any tenure or use agreement issued on Crown land must be issued in accordance with the future act provisions of the *Native Title Act 1993* and in accordance with Part 8 of the *Crown Land Management Act 2016* unless native title is extinguished.

For Crown land which is not excluded land this will require written advice from one of Council's native title managers that it complies with any applicable provisions of the native title legislation.

7. MANAGEMENT ISSUES

This section details the current management issues faced by Council as Crown land manager of Flinders Park. Management actions have been formulated to assist Council to manage the identified issues in accordance with the core objectives of the assigned categories of the reserve outlined in the Management Action Tables at Section 8.

7.1 Public health and safety

The topography and inherent character of Flinders Park poses a number of risks to visitors. Visitors have a responsibility to look after their own wellbeing and safety while visiting the reserve, however Council will take all reasonable and practical steps to manage the potential for injuries and misadventure to visitors, in a manner that does not render the environment sterile or unnecessarily diminish visitor use and enjoyment of the reserve and surrounding environs. Development and construction of pedestrian paths, or similar, into and through the reserve at suitable locations will be considered.

Surf Life Saving NSW developed Project Blueprint – a state-wide drowning prevention project in 2014. A core component of the project was the assessment of every accessible coastal beach and rock platform in NSW to produce drowning prevention treatment options. The *Coastal Public Safety Risk Assessment: Clarence Valley Council Local Government Area (LGA) (2014)* outlines the coastal public safety risk assessment and treatment plans specific to water safety related issues identified at every beach/rock platform located on the coast of the Clarence Valley LGA, which includes Turners Beach, Clarence Head and Main Beach areas of Flinders Park.

Consequently, Council as Crown land manager of Flinders Park will prepare and implement a risk management strategy that identifies and assesses the potential risks and hazards and implement control measures, including emergency management and evacuation procedures to effectively manage and/or mitigate risks to users.

Flinders Park is to be maintained to a regional service level to provide quality open space and passive park opportunities for the region's residents and visitors, with regular servicing and maintenance to ensure safe and appropriate use.

Signage will be used to ensure hazards are clearly identified and to regulate activities on the reserve in accordance with relevant legislation, and Council policy(s).

7.2 Coastal Processes and Weather Impacts

The coastal zone in NSW is a dynamic and constantly changing environment responding to a variety of influences including wind, waves, ocean currents, river flows, sediment transport, sea level, storm events and climate change (OEH 2018 p.4).

Council adopted a sea level rise benchmark for 2050 of 40cm, and for 2100 of 90cm (increase above 1990 mean sea levels) in March 2013 to reflect current Intergovernmental Panel on Climate Change projections (Council resolution 12.039/13).

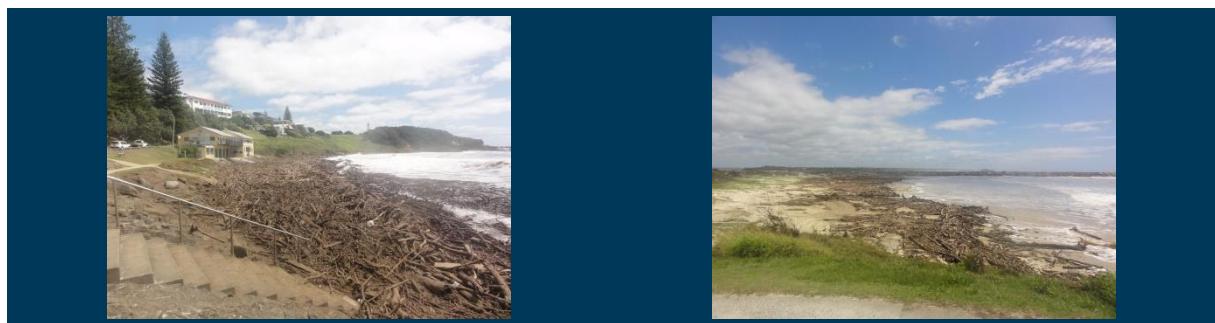
Studies undertaken by NSW Department of Public Works and Services (DPWS) and Manly Hydraulic Laboratory (MHL) (2002) suggests that sea level rise will equate to a linear recession setback at Yamba Beach (Main Beach) of 7.6m at 50 year and 18.1m at 100 year; and Turners Beach of 7.9m at 50 year and 18.8m at 100 year planning periods based on MHL recommendations in accordance with IPCC estimates.

The wave inundation levels outlined by DPWS & MHL (2002) studies during severe storm events are projected at 5.9m AHD for Yamba Beach and 5.4m AHD for Turners Beach. The Yamba Surf Life Saving Club has a history of inundation and damage during severe storms which have the potential to become more frequent and intense with climate change. There are no structures directly threatened by inundation at Turners Beach, however overtop of the southern breakwater along the back of the beach during a severe storm is probable (DPWS & MHL 2002).

In addition Climate change is likely to alter the frequency and intensity of extreme storm events, larger and more damaging storm surge; the possible extension of cyclones further south along the east coast and beaches could recede hundreds of meters over this century (Department of Climate Change 2009).

Flooding of the Clarence River has also historically caused damage to property and infrastructure on the Lower Clarence, particularly the population centres of Grafton, South Grafton and Maclean. Impacts at Yamba, at the mouth of the Clarence River are dominated by ocean anomalies (a combination of elevated ocean levels (tides), storm surge) and wave run up (Webb, McKeown & Associates 2008).

This is evident with the 1996 flood recording lower levels upstream than the 2001 flood, however causing greater impacts to Yamba due to the higher ocean levels (Webb, McKeown & Associates 2008). 2009, 2011 and 2013 floods have also impacted areas of the reserve through inundation, sea foam, beach erosion, black sand, landslip and flood debris on Main and nearby Turners Beach (Figure 7.1).



Flood debris on Main Beach

Flood debris on Turners Beach

Figure 7.1: 2013 Flood debris

Council is currently assessing and consolidating the actions and information gaps of the *Coastline Management Plans*, including the review of the *Yamba Coastline Interim Emergency Management Strategy 2015* through the Coastal Management Program (CMP). The CMP will set the long term strategy for coordinated management of the coastal zone with a focus on achieving objects of the CM Act which assist to identify, prioritise and implement identified actions. As part of the CMP a cost/benefit analysis will be undertaken on the more expensive actions to ensure suitable climate change adaption measures are undertaken to reduce risk and minimise ongoing maintenance costs.

Future reserve development and implementing actions of the plans and CMP requires consideration of CM Act, Emergency Management Strategy, *NSW Coastal Management Manual* and *SEPP (Coastal Management) 2018* and Planning system circular PS19-006 in consultation with the Clarence Valley Coast and Estuary Management Committee.

7.3 Revetment Wall and Ocean Pool

The Main Beach revetment wall was constructed in 1975 following storm damage to Yamba Surf Life Saving Club (SLSC) assets in 1974, with repairs undertaken in subsequent years after flood/storm damage. It consists of rock and concrete and extends from the ocean pool to just north of the SLSC at a length of approximately 160m. The crest of the seawall is RL 4.2, which is 1.7m below the design storm wave run-up level of RL 5.9 (Royal Haskoning DHV 2012). The ground floor of the SLSC is only 0.5 to 1.0m above the crest. During storm events the beach has undergone severe erosion, exposing the SLSC foundations with water washing through the building, destroying several boat sheds over the past 70 years (Royal Haskoning DHV 2012).

A modified action of the *Yamba Coastline Management Plan 2004* is to investigate and design a replacement seawall for the existing rock revetment. In July 2012 Royal Haskoning DHV was engaged to undertake a review of the existing revetment wall and develop a concept design for replacement.

The Royal Haskoning DHV report considered four replacement design options, including rock armoured revetment, unreinforced mass gravity block seawall, blockwork blanket gravity seawall, and a suspended stepped concrete seawall. The report favoured the rock armour revetment due to ready access to suitable rock, and the relatively simple toe detail that is achieved with a flexible structure. To provide for seating and sunbaking (a preference of the SLSC members to have stepped structures), the design proposes to incorporate discrete banks of suspended concrete bleachers into the face of the revetment. The Yamba Beach Seawall Concept Design is provided at Appendix 4.

The ocean pool, built by Maclean Shire Council between 1969-1973, is located in the rock platform at the southern end of Main Beach. It is partly within the reserve and partly on adjoining Crown land. The pool walls are made of concrete slabs and the structure rendered. The low height of the wall allows sand, aquatic vegetation, and marine animals to be washed into the pool during exceptionally high tides and wave events which is an expensive operational and maintenance issue for Council.

The replacement revetment wall design also accommodates the raising of the ocean pool by approximately 1.5m (Royal Haskoning DHV 2012, p.22).

Due to the period of time that has elapsed since the completion of the report, prior to any further design development or advancement of the project further community consultation is required.

7.4 Landslide Risk Zones

The *Yamba Coastline Plan 2004* identified the landslide risk on Yamba Hill (which includes an area of the reserve above Main Beach), and developed recommended management options including geotechnical and coastal management strategies to manage potential landslide risks. The *Yamba Coastline Management Plan Implementation Strategy 2004* describes in more detail how the plan is to be implemented through specific actions.

The *Yamba Coastline Interim Emergency Management Strategy 2015* was prepared in consultation with the State Emergency Services to guide emergency response procedures within the landslide risk zone during high rainfall events and associated elevated landslide risks which may impact reserve assets and public access during various alert levels.

In 2016 JK Geotechnics was engaged to review the geotechnical hazard on Pilot Hill. As part of their *Technical Report 3 - Risk Assessment and Stabilisation for Pilot Hill Yamba, NSW*, they reviewed groundwater and inclinometer monitoring data obtained between 2005 and 2016, modelling based on groundwater data, rainfall records and historic records on past landslide events to provide treatment and stabilisation options (groundwater control, re-profiling surface slopes, and slope reinforcement) to minimise risks within the landslide risk zones (Speechley 2017).

The latest version of these documents and a geotechnical assessment is required prior to undertaking works within the identified Landslide Risk Zone. It is also suggested that prior to any revegetation works a geotechnical assessment is undertaken to ensure suitable species are used that will not further impact on landslide potential.

See Appendix 5 Yamba Landslide Risk Zone for a detailed map of the identified landslide risk zones within the reserve.

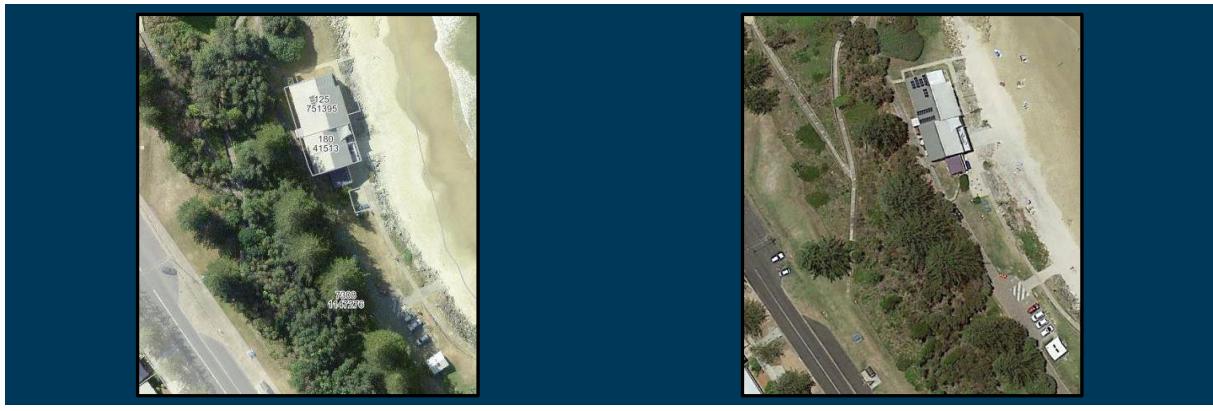
7.5 Stormwater

On 15 May 2018 Council resolved (14.051/18) to fund an audit on the surface drainage across properties facing Pilot Street to identify measures to intercept run off and establish suitable outlet(s) and maintenance and reshape of existing stormwater drains on the northern end of Pilot Street to direct runoff to areas that are less vulnerable to instability. All proposed stormwater works will be undertaken within the road reserve above Main Beach. Drainage outlets will be directed onto the rock platform area of Main Beach to reduce scour potential of the hillside and the immediate outlet area.

7.6 Vegetation Loss

The reserve was initially selectively cleared of the original vegetation to allow for camping and views of the ocean in the early 1900's. Since the 1990's the area has undergone regeneration, with revegetation undertaken adjacent to the internal access road has to increase biodiversity and habitat and assist in stabilisation of the landslide risk zone.

Aerial photos taken in 2012 and 2017 show the contrast in vegetation loss (Figure 7.2), allegedly attributed to poisoning by adjacent residences to maintain unrestricted ocean views, and subsequent clearing of dead and dangerous trees/limbs by Council to reduce risks to park users. Further vegetation removal may increase the landslide and erosion hazard potential in this area of the reserve.



(© CVC 2012 map)

(© Google Earth 2017)

Figure 7.2: Aerial photos showing extent of vegetation loss

Council resolved (15.057/17) in 2017 to revegetate these areas of Finders Park through a combination of natural and formalised plantings, in a manner to preserve the view by planting/maintaining vegetation between the view corridors with species that do not exceed the view corridor height (Appendix 6).

Clause 13 of the *Crown Land Management Regulation 2018* lists damaging, picking, or removing any tree, shrub, plant, vine, flower or other vegetation (whether dead or alive) as an activity that can be prohibited on Crown land by direction of notice under section 9.5(2) of the CLM Act, with Section 9.5(3)(b) outlining penalty units. Council as Crown land manager will display a notice above the landslide risk zone on the reserve to prohibit further damage to existing vegetation.

7.7 Reserve Boundary Anomalies

Flinders Park is an amalgamation of a number of different reserves over time. The external boundary of the current reserve (R85724), excluding Lot 7323 DP 1192051, is based on the notification of the previous reserve which detailed that the reserve was the land shown by the green edging on plan Ms. 1,201 Gfn (Figure 7.3). It is noted that Plan Ms. 1,201 Gfn, being the Town of Yamba Parish Map, was compiled, drawn and printed at the Department of Lands, Sydney on the 18 January 1910.

Current reserve # and notified purpose was gazetted on the 1 April 1966

FOR PUBLIC RECREATION AND PUBLIC HALL

LAND DISTRICT—GRAFTON; SHIRE—MACLEAN

No. 85,724. Parish and town Yamba, county Clarence, about 18 acres 2 roods, being R. 82,128 for Public Recreation, notified 6th November, 1959, hereby revoked. Pks 65-2,179.

Govt Gaz Fri 1 Apr 1966 [Issue No.34], p1435

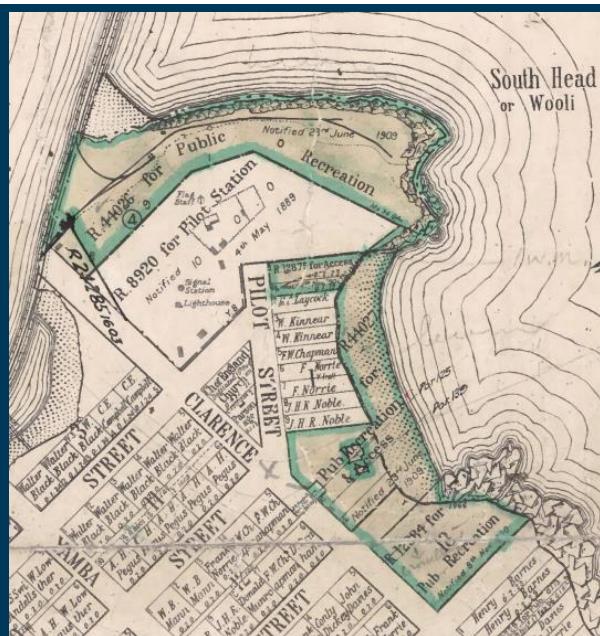
It replaced Reserve 82128 for Public Recreation notified 6 November 1959 which established the external boundary of Flinders Park

FOR PUBLIC RECREATION

LAND DISTRICT—GRAFTON; SHIRE—MACLEAN

No. 82,128 from sale. Parish and town Yamba, county Clarence, about 18 acres 2 roods, being the land shown by green edging on plan Ms. 1,201 Gfn. C. 792-1,984. P. 59-4,745.

Govt Gaz, Fri 6 Nov 1959 [Issue No.129], p3413



Boundary of Flinders Park as shown on plan

Ms. 1201 Gfn

Figure 7.3: Flinders Park boundary

Coastal processes, the drawing of the reserve boundary in 1959 on a cadastre plan created in 1910, and the passage of time has created a number of boundary anomalies around the reserve that requires the reserve boundary to be confirmed and/or re-established. Specific issues include:

The location of the ocean pool

The ocean pool is located on the rock platform to the east of what was originally Section 18 of the Town of Yamba (Figure 7.4). When the town was notified in the Government Gazette on the 20 March 1885 the eastern boundary along the coast was described as being “the shores of the Pacific Ocean” meaning that the eastern boundary of Section 18 was the HWM (High Water Mark).

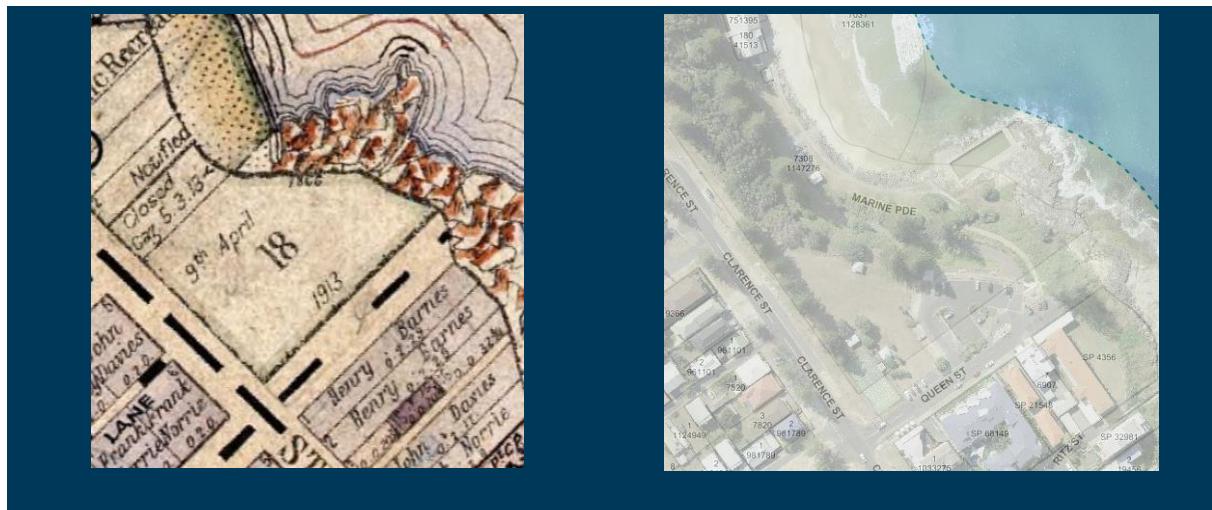


Figure 7.4: Location of the ocean pool in regards to the former Section 18 land area

Current cadastre overlay of aerial photo suggests that only about 1/5th (20%) of the ocean pool is within the Flinders Park reserve. The aerial photograph also suggests that the HWM has advanced westwards since the drawing of the cadastre boundary in 1910. The exception being the rock platform which is generally only inundated during times of a heavy swell.

A boundary survey is also required to define the reserve boundary in terms of current surveying practice in accordance with the *Surveyor General's Directions No. 6 - Water as a Boundary Procedures* and the *Surveying and Spatial Information Regulation 2017* for determining the MHWM⁷. If the ocean pool is deemed to be below the MHWM (either part or fully) the pool area should also be surveyed and an application made to the Minister to include this land as part of Reserve 85724.

Lot 7031 DP 1128361

Lot 7031 DP 1128361 was originally set aside as part of Reserve 44027 for Public Recreation and Access, notified 23 June 1909 (Govt Gaz, Issue No.81, p3484) (Figure 7.5 [A]). The boundary of which was defined in the Government Gazette as being the low-water mark on the eastern (seaward) boundary and the high-water mark on the western (landward) boundary.

⁷

The boundary of Section 18 when notified in 1885 was the High Water Mark meaning "the ordinary high water mark at spring tides". In contrast, the current practice is to identify the MHWM which is the "line of mean high tide between the ordinary high-water spring and ordinary high-water neap tides" (s5, *Surveying and Spatial Information Regulation 2017*)

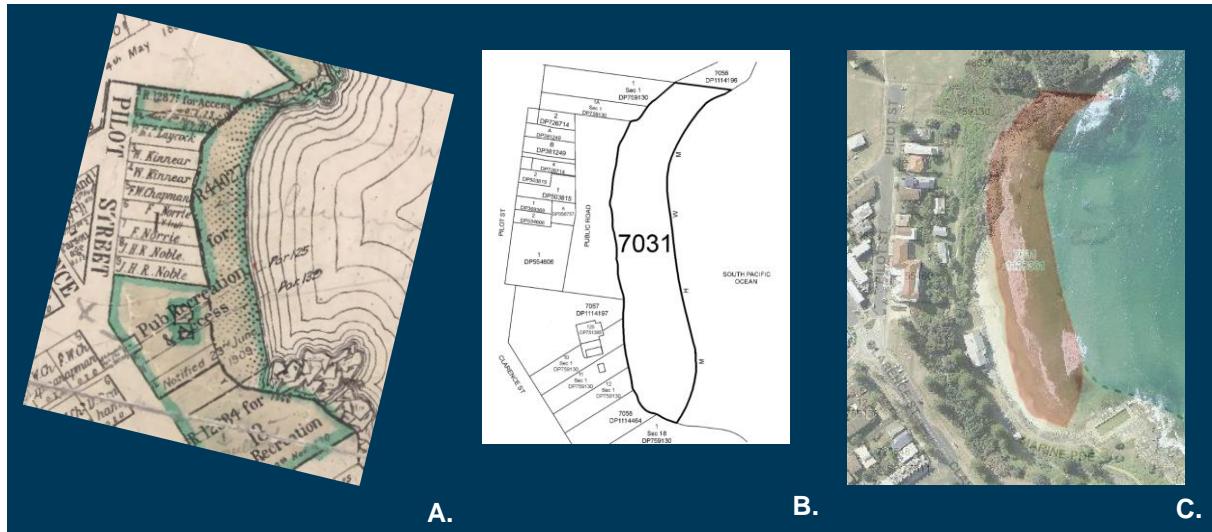


Figure 7.5: Lot 7031 DP 1128361

The Departmental plan that was created and registered on the 17 June 2008 incorrectly records the eastern (seaward) boundary as being the MHWM (Figure 7.5 [B]) when it should have been identified as being the LWM. However, as the aerial photo shows (Figure 7.5 [C]) the majority of this land parcel is now covered by the sea.

As a minimum the Departmental plan needs to be corrected to show the eastern boundary as being the LWM. However, it is preferable that Lot 7031 is accurately surveyed to establish the location of both the current MHWM and MLWM.

Wooli Park carpark

The northern corner of the Wooli Park carpark currently encroaches on Lot 7324 DP 1192051 (Figure 7.6). Lot 7324 (and Lot 7323) was created from the subdivision of Lot 7055 DP 1114196. DP 1192051 and previous plans of this area were prepared solely to identify Crown land. The property boundaries of which are based on the relative position of the HWM drawn on the 1910 Parish map which was used to show the extent of subsequent reservations of the land. The property boundary(s) have not been accurately surveyed.



Figure 7.6: Encroachment of Wooli Park carpark on Lot 7324 DP 1192051

Consequently, an accurate boundary survey is required to define the reserve boundary and to ensure all park assets are included within the reserve.

Queen Street

Part of the tennis court, and carpark at the southern end of the reserve is within the Queen Street Road reserve. Consideration should also be given to including these assets within the reserve. A cenotaph is also located within the Queen Street road reserve. However, this monument is maintained by the Yamba RSL sub-Branch and its management is not governed by this PoM.

7.8 Adjoining land owners / managers

A cultural heritage site has been identified during consultation with traditional owners on the top section of the Yamba Rotary Walking Track linking Pilot Hill and Turners Beach. Yaegl TOAC propose the realignment of the top section of the pathway to protect a culturally significant site. The walking track however traverses both Council managed Crown land on the Turners beach section and Crown land managed by Reflections Holiday Parks on the Pilot Hill section where the cultural heritage site is located (Figure 7.7).

This PoM proposes a collaborative approach, in consultation with Reflections Holiday Parks Crown land managers, Yamba Rotary and Yaegl TOAC, to ensure the significance of the cultural heritage site is protected while providing access from Pilot Hill down to Turners Beach. This may include the realignment of part of the walking track to avoid the cultural heritage site.



Figure 7.7: Yamba Rotary walking track location

This PoM also proposes a collaborative approach with adjoining land owners where matters requiring management action or intervention traverse landholdings. This may include the management of visitors, rubbish and weeds.

8. MANAGEMENT OBJECTIVES AND ACTIONS

This section details the core management objectives of the categories assigned to Flinders Park. It also details the management actions to guide the administration, development and maintenance of the reserve under this PoM.

8.1 Core management objectives for Flinders Park

The following tables detail the core objectives of each category assigned to Flinders Park under the LG Act. The reference codes assigned to each core objective provides a guide to how each of the Management Actions in Tables 8.1 - 8.6 relate back to the Core Objectives.

Refer to *Appendix 1: Flinders Park Management Category Map* to distinguish the boundaries of each management category proposed for Flinders Park.

Table 8.1: General Community Use

(1) Core objectives	(2) Reference codes
To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:	
(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and	GCU1
(b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).	GCU2

(1) s36I, LG Act (2) Management Action Table reference

Table 8.2: Park

(1) Core objectives	(2) Reference code
(a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and	P1
(b) to provide for passive recreational activities or pastimes and for the casual playing of games, and	P2
(c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management	P3

(1) s36G, LG Act (2) Management Action Table reference

Table 8.3: Natural Area

(1) Core objectives	(2) Reference code
(a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and	NA1
(b) to maintain the land, or that feature or habitat, in its natural state and setting, and	NA2
(c) to provide for the restoration and regeneration of the land, and	NA3
(d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and	NA4
(e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Biodiversity Conservation Act 2016 or the Fisheries Management Act 1994	NA5
(1) s36E, <i>LG Act</i> (2) Management Action Table reference	

Table 8.4: Bushland

(1) Core objectives	(2) Reference Code
(a) ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and	B1
(b) protect the aesthetic, heritage, recreational, educational and scientific values of the land; and	B2
(c) promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbances caused by human intrusion; and	B3
(d) restore degraded bushland, and	B4
(e) protect existing landforms such as natural drainage lines, watercourses and foreshores, and	B5
(f) retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and	B6
(g) protect bushland as a natural stabiliser of the soil surface	B7
(1) s36J, <i>LG Act</i> (2) Management Action Table reference	

Table 8.5: Escarpment

(1) Core objectives	(2) Reference code
(a) to protect any important geological, geomorphological or scenic features of the escarpment, and	E1
(b) to facilitate safe community use and enjoyment of the escarpment	E2
(1) s36L, <i>LG Act</i> (2) Management Action Table reference	

Table 8.6: Foreshore

(1) Core objectives	(2) Reference code
(a) to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and	F1
(b) to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.	F2

(1) s36N, LG Act (2) Management Action Table reference

8.2 Management of the Land

The following tables outline the management objectives, the strategies/actions required to achieve the objectives and the method for evaluating the achievement of the management actions to ensure the effective management of Flinders Park.

Table 8.7: Environment

Management Objective 1: To protect, conserve and enhance the natural environment and ecosystem functions while providing for sustainable human interactions within the reserve.

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes ⁸
1.1 The biodiversity, ecosystem function, coastal process and scenic features of the reserve are protected, conserved and enhanced	1.1.1 Develop and implement vegetation management plan (including weed control and monitoring programs to ensure effective rehabilitation of native vegetation through planting and regeneration) for maintenance and enhancement of the scenic features of the reserve	<ul style="list-style-type: none">Vegetation management plan developed and implementedConsultation undertaken with Yaegl TOACMonitoring program (including photo-points) established and undertakenWeed infestations mapped, and reducedRevegetation and regeneration area(s) established and maintainedThreatened species and endangered ecological communities identified, mapped, and protectedScenic features maintained	NA1, NA2, NA3, B1, B3, B4, B5, F1 & E1

⁸ These core objective reference codes refer to the LG Act category core objectives listed in Tables 8.1 – 8.6.

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes ⁸
	<p>1.1.2 Manage biodiversity in accordance with current legislation, Council's <i>Biodiversity Management Strategy 2020</i> and vegetation management plan, to control weeds, conserve and manage threatened species and maintain habitat, natural assets and scenic features</p>	<ul style="list-style-type: none"> • A vegetation management plan for Flinders Park is developed and implemented • Biodiversity managed in accordance with the <i>Biodiversity Conservation Act 2016</i>, and Council's <i>Biodiversity Management Strategy 2020</i> • Weeds controlled in accordance with the <i>Biosecurity Act 2015</i> and the <i>North Coast Regional Strategic Weed Management Plan</i> • Plant communities, biodiversity, habitat, natural assets and scenic features maintained and in good condition 	NA1, NA2, NA3, B1, B4, B5, B6, F1 & E1
	<p>1.1.3 Undertake revegetation and landscaping using endemic local plant species where appropriate in accordance with best management practice and Council's <i>Biodiversity Management Strategy 2020</i>.</p>	<ul style="list-style-type: none"> • Best practice management and the actions of the <i>Clarence Valley Biodiversity Management Strategy 2020</i> are implemented • Consultation undertaken with Yaegl TOAC • Compliance with Council resolution 15.057/17(tree vandalism) • Endemic local provenance plant species used in revegetation and landscaping and appropriate species for the identified Landslide Risk Zone • Biodiversity and ecosystem function is conserved and maintained • Cleared areas of vegetation above Main Beach and below northern/north-eastern section Pilot Hill revegetated 	P2, NA3, B4, B6, B7, F1 & E1

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes ⁸
	1.1.4 Retain existing vegetation and extend patch size and corridors where appropriate to maintain biodiversity, ecosystem function and linkages to assist in fauna movement within the reserve and throughout the landscape.	<ul style="list-style-type: none"> • Current bushland parcels are retained and maintained • Existing bushland areas and corridors are extended where appropriate • Biodiversity, ecological function and habitat are maintained • Mowing restricted to open space/park areas and access paths – no/minimal mowing impact on bushland areas • Area requiring ongoing mowing reduced 	NA1, NA2, NA3, B1, B3, B4 & B6
	1.1.5 Restrict unauthorised vehicle and pedestrian access to sensitive natural areas, including eroded, revegetation and rehabilitation locations, swampy/groundwater seepage, and degraded foreshore areas through appropriate vehicle and pedestrian barriers to reduce impacts to biodiversity, habitat values, flora and fauna, erosion and landslide potential including:	<ul style="list-style-type: none"> • Vehicle/pedestrian barriers installed and maintained at sensitive locations, such as: <ul style="list-style-type: none"> - Top of escarpment/quarry site adjacent to Pilot Hill - Vegetative buffer below escarpment/quarry site adjacent to Turners Beach - Turners Beach foreshore dune area - Above landslide risk zone/bushland adjacent to Clarence Street using constructed materials or vegetative barriers where appropriate • Vehicles and pedestrian access restricted to designated areas • Human disturbance on biodiversity, habitat values, and ecosystem function reduced and mitigated 	NA1, NA2, NA3, B1, B2, B3, B5, B7, F2 & E1

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes ⁸
1.2 All new development and redesign of facilities incorporate ecological sustainable development principles to ensure maintenance of biodiversity, ecosystem function and amenity.	1.2.1 Accepted principles of crime prevention and environmental sustainable design (CPTED) and relevant legislation and Council policy are considered and incorporated into construction/refurbishment of all reserve facilities and infrastructure where appropriate	<ul style="list-style-type: none"> • Facilities and infrastructure are built to relevant Australian Standards and meet legislative requirements • Energy and water sensitive urban design features are incorporated into design and construction • CPTED principles are incorporated into design and construction • Water efficiency improved through the use of water efficient devices installed in amenities and outdoor taps and showers • All refurbished and new facilities comply with <i>Coastal Management Act 2016</i>; Coastal Management SEPP 2018; Council DCP and policy 	GCU1, P2, P3, NA4, B3 & F2
	1.2.2 Low-key design and siting of all new facilities in identified areas to be utilised to maintain the natural ambience of the reserve and to avoid impact to sensitive vegetation .	<ul style="list-style-type: none"> • The <i>Yamba Coastline Management Plan 2004</i>, <i>Yamba Coastline Management Plan Implementation Strategy 2004</i>, draft <i>Yamba Coastline Interim Emergency Management Strategy 2015</i> and geotechnical authority consulted prior to design and construction of new facilities • Natural ambience of the reserve maintained in areas where new facilities are built • Adverse impacts on views and sensitive vegetation avoided where practical 	GCU1, P2, NA2, NA4, B2, B3 & F2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes ⁸
	1.2.3 Ecological sustainable options to increase green space and amenity of the Queens Street carpark are considered in its redesign and construction.	<ul style="list-style-type: none"> • Redesign and construction of carpark completed • Parking capacity meets demand • Community consultation considered • Works comply with <i>Yamba Coastline Management Plan 2004</i> and <i>Yamba Coastline Management Plan Implementation Strategy 2004</i> recommendations, current legislation, Council DCP and policy 	P1 & P2
	1.2.4 Incorporate ecological sustainable management practices in the development and implementation of an operational works program for the reserve	<ul style="list-style-type: none"> • Ecological sustainable practices incorporated into operational works program • Operational works program developed and implemented. 	P2, B3, F1 & E1
1.3 The regeneration of native vegetation on the reserve is enhanced through the mitigation of human disturbance.	1.3.1 Develop and implement an education campaign/program and provide information to NGO and community groups to promote reserve values and create awareness of: <ul style="list-style-type: none"> - importance of retaining native vegetation for biodiversity, habitat and reduction in erosion and risk of land slip - importance of the transition zone and functions of the foreshore - importance of using designated tracks - ecological impacts and legal aspects of unauthorised tree clearing and vandalism - environmental and legal aspects of dumping of garden waste and the potential weed impacts within Crown reserves 	<ul style="list-style-type: none"> • Education campaign developed and implemented in collaboration with NGO and community groups • Positive values are instilled in reserve users • Instances of tree poisoning/vandalism reduced • Native vegetation rehabilitated and established • Erosion and land slip potential reduced • Occurrences of garden waste dumping reduced • Weed incursion reduced • Transition zone/foreshore functions maintained and enhanced 	P1, NA3, B1, B2, B4, B5 & F2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes ⁸
	1.3.2 Encourage collaboration with and provide support to community groups involved in dune and bush regeneration works and ensure weed removal is based on <i>Coastal Dune Management Manual</i> (DLWC 2001), project plans and the vegetation management plan	<ul style="list-style-type: none"> • Community dune care/bush rehabilitation groups are encouraged and supported • Bush rehabilitation project plans developed and implemented • Vegetation management plan prepared in consultation with local Dunecare/Landcare groups • Weed control and revegetation undertaken in accordance with the <i>Coastal Dune Management Manual</i> (DLWC 2001), Council's <i>Biodiversity Management Strategy 2020</i> and vegetation management plan • Natural areas of the reserve are restored and regenerated 	P1, NA1, NA3, B3, B4, F1 & E1
	1.3.3 Support Community dune care/bush rehabilitation groups to implement management actions of <i>Help save Themeda grassland on seacliffs and coastal headlands in the NSW North Coast, Sydney Basin and South East Corner Bioregions Strategy</i> and the Vegetation Management Plan	<ul style="list-style-type: none"> • Community dune care/bush rehabilitation groups are encouraged and supported • The management actions of <i>Help save Themeda grassland on seacliffs and coastal headlands in the NSW North Coast, Sydney Basin and South East Corner Bioregions Strategy</i> implemented • Themeda grassland protected, monitored and populations increased 	NA5
1.4 Facilitate the ecologically sustainable use of the foreshore area while maintaining the transition zone between the aquatic and terrestrial environment	1.4.1 Implement the actions outlined in the <i>Yamba Coastline Management Plan 2004</i> and associated Implementation Strategy or most recent version of the documents to maintain and protect the functions of the foreshore	<ul style="list-style-type: none"> • <i>Yamba Coastline Management Plan 2004</i> and <i>Yamba Coastline Management Plan Implementation Strategy 2004</i> actions undertaken • Transition zone/foreshore functions maintained 	F1 & F2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes ⁸
	1.4.2 Permit the removal of marine and other vegetation washed onto beaches to protect public health and safety, as required	<ul style="list-style-type: none"> • Accumulation of marine and other vegetation onto beaches maintained at an acceptable level • Compliance with Council beach access and vehicle on beaches policy • Compliance with Council marine vegetation collection terms • Yaegl TOAC and relevant stakeholders consent obtained 	F2

Table 8.8: Social

Management Objective 2: To support a diverse range of recreational and social, cultural and educational activities and provide suitable recreational facilities and infrastructure

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes
2.1 Recreational, social, cultural and educational pastimes and activities are encouraged, facilitated and supported	2.1.1 Continue to encourage and support activities of Yamba Surf Life Saving Club, and other relevant groups	<ul style="list-style-type: none"> Club activities and events encouraged and supported Activities and events are held successfully 	GCU1, P1 & F2
	2.1.2 Provide and maintain open space for appropriate social, recreational, cultural and educational activities, such as community markets; public art and outdoor artistic installations, exhibitions, and displays; events and performances; workshops and the like, where appropriate	<ul style="list-style-type: none"> Open space provided Appropriate recreational, social, cultural and educational activities are held Open space maintenance undertaken to established service levels 	GCU1, P1 & F2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes
2.2 The instances and impact of anti-social behavior on visitors and neighbours is mitigated	<p>2.2.1 Develop, install and maintain appropriate directional, regulatory and interpretive signage at strategic locations within the reserve to:</p> <ul style="list-style-type: none"> - encourage compliance with Council policy, regulations, legislation and safe use of the reserve (eg. alcohol consumption, dogs on reserve, tree vandalism, littering, unauthorised access to safety hazards and sensitive areas) - provide education and awareness on the values of natural areas of the reserve, including ecological processes, threatening processes, biodiversity, rubbish impacts on aquatic systems and marine life - reduce occurrences of tree poisoning and disturbance to sensitive natural areas; - provide directional signs to areas of interest within the reserve and to the Coastal Walk and other local points of interest. 	<ul style="list-style-type: none"> • Signage is rationalised and consolidated as required • Signage is developed, installed and maintained in compliance with relevant legislation and Council policy • Placement of signage has considered impacts on amenity and views where practical • Persons using the reserve comply with Council policy, regulations and legislation • Reduction in complaints received by Council • Public safety improved 	P1 & NA4
	<p>2.2.2 Implement a park maintenance program using accepted principles of crime prevention and environmental sustainable design (CPTED)</p>	<ul style="list-style-type: none"> • Park maintenance program using CPTED principles implemented • Occurrences of property damage and vandalism reduced • Compliance with Council policy, legislation and regulations • Reduction in complaints received by Council 	GCU1 & P1
	<p>2.2.3 Encourage community members and park users to take ownership of park and park assets and report incidences of property damage and vandalism to the authorities</p>	<ul style="list-style-type: none"> • Community consultation is undertaken and support for surveillance initiatives achieved • Actual occurrence of property damage and vandalism is reduced 	P2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes
2.3 Recreational facilities, infrastructure and open space meet the needs of a diverse demographic now and in the future	2.3.1 Undertake stakeholder consultation and consider relevant population and demographic data prior to facility design and construction	<ul style="list-style-type: none"> • Current population and demographic data considered • Community consultation undertaken 	GCU1, P2, NA4 & F2
	2.3.2 Provide/renew/replace facilities and infrastructure including picnic facilities, hard courts, amenities and recreational infrastructure to provide for the current and changing recreational use of the park,	<ul style="list-style-type: none"> • Recreational facilities including picnic facilities are provided to meet current and anticipated user needs, as required • Tennis courts/hard courts are redeveloped to provide for multi-use of facility 	P2, P3 NA4, B3 & E2
	2.3.3 Provide and maintain facilities to meet the needs of all ability park users and a designated <i>MLAK</i> key made available to disable surfers association at Turners Beach	<ul style="list-style-type: none"> • Facilities have been provided and maintained to meet the needs of all ability park users • <i>MLAK</i> key assigned to representative of the Disabled Surfers Association of Australia Inc to enable access to disabled amenities outside serviced hours 	P2
	2.3.4 Investigate the feasibility of establishing a new day use area adjacent to the former quarry/swimming pool at the end of Harbour Street in consultation with Yaegl TOAC, and establish if feasible	<ul style="list-style-type: none"> • Establishment of additional day use areas is assessed • Yaegl TOAC and other relevant stakeholders consulted • Day use area established where feasible in consideration of environmental conditions as well as practicality to develop and maintain 	P2 & P3

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes
	2.3.5 Investigate the potential for a Surf Lifesaving observation tower/storage facility at Turners Beach and construct, as required	<ul style="list-style-type: none"> • The viability and development of a storage facility/lifesaving observation tower at Turners Beach foreshore is assessed • Observation tower/storage facility constructed as required – in compliance with relevant legislation and Council DCP and Policy, and <i>Yamba Coastline Management Plan 2004</i> and <i>Yamba Coastline Management Plan Implementation Strategy 2004</i> • Safety of Turners Beach users improved 	P2 & F2
2.4 Pedestrian and vehicle access, linkages and parking are provided and maintained at appropriate locations throughout the reserve for people with a diverse range of abilities	2.4.1 Investigate upgrade to Marine Parade to alleviate current land slippage - undertake renewal works were appropriate; and continue to maintain Marine Parade and Harbour Street internal roads to agreed service levels	<ul style="list-style-type: none"> • The <i>Yamba Coastline Management Plan 2004</i> and <i>Yamba Coastline Management Plan Implementation Strategy 2004</i>, <i>Yamba Coastline Interim Emergency Management Strategy 2015</i>, and geotechnical authority have been consulted prior to design and operational works • <i>Technical Report 3 - Risk Assessment and Stabilisation for Pilot Hill Yamba, NSW 2017</i> considered • Land slippage to Marine Parade is assessed and rectified • Risks to park users and potential for further land slip has been rectified • Public safety increased • Internal roads maintained to established service levels 	P2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes
	<p>2.4.2 Provide and maintain car parking suitable for people with a diverse range of abilities throughout the reserve, including:</p> <ul style="list-style-type: none"> - Investigation of redesign of car park off Queen Street including the provision of disability parking spaces in accordance with best practice – (see 1.2.3). - Investigate options to improve safety at Clarence Street parking area, considering line marking / extend parking length - temporary parking on restricted areas in association with events such as SLSC carnivals, nippers and markets permitted under licence - Investigate restricting access to all vehicles to Main Beach with physical barrier during peak demand periods (holidays/long weekends) to improve public safety; and implement where appropriate 	<ul style="list-style-type: none"> • Suitable disability parking provided at beach access points, amenities and facilities • Carpark re-designed and reconstructed off Queens Street completed • Clarence Street parking area improved • Investigations on parking restrictions undertaken and implemented where appropriate • Pedestrian safety increased • Temporary parking available during SLSC and community events subject to Council approval and licensing • Parking audited at established service levels 	P2 & P3
	<p>2.4.3 Provide and maintain suitable all-ability access and linkages between disabled parking, amenities and facilities, including:</p> <ul style="list-style-type: none"> - increased path width and linkage between Turners Beach disabled carparks and amenities block - improved disability access to Main Beach and the ocean pool - investigate disability access ramp upgrade to Turners Beach in compliance with Australian Standards and implement where appropriate 	<ul style="list-style-type: none"> • Suitable all-ability access pathways and ramps are provided between parking areas, facilities and beaches • Disabled access is audited in consultation with the access committee and maintained at established service levels • Constraints are rectified within reasonable timeframes • Compliance with relevant legislation and council policy • Pedestrian safety increased 	P2, P3 & F2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objective reference codes
	<p>2.4.4 Provide sustainable pedestrian access throughout the reserve and linkages to external walkways using stairs, ramps, pathways and tracks where appropriate to minimise and mitigate human disturbance to sensitive areas, including:</p> <ul style="list-style-type: none"> - design and construct the headland walk as per concept plan (refer appendix 3(a)) - repair the zig zag pathway in accordance with civil and structural drawings and geotechnical authority (appendix 3(b)) - design and construction Yamba Angourie Coastal Walk P1 concept plan between Pilot Hill along the escarpment to Turners Beach (refer appendix 7) - renewal of Rotary path/stairway between Turners Beach carpark and Pilot Hill in consultation with Yaegl TOAC and Reflections Holiday Parks as manager of Pilot Hill Reserve - renewal of paths and stair linkages where required - use boardwalks or alternate access around natural drainage and groundwater seepage areas to ensure ongoing protection. 	<ul style="list-style-type: none"> • The <i>Yamba Coastline Management Plan 2004</i> and <i>Yamba Coastline Management Plan Implementation Strategy 2001</i>, and the <i>Yamba Coastline Interim Emergency Management Strategy 2015</i> consulted • <i>Technical Report 3 - Risk Assessment and Stabilisation for Pilot Hill Yamba, NSW 2017</i> considered and Geotechnical authority consulted where required • Pedestrian access throughout the reserve provided including headland walk concept plan implemented and zig zag pathway renewed • The Yamba Angourie Coastal Walk P1 concept plan implemented in design and construct • Turners Beach carpark to Pilot hill (Rotary) path/stairs renewed in consultation with Yaegl TOAC and Reflections Holiday Parks • Existing pathways and stairs maintained to established service levels and renewed when required • Sensitive areas maintained • Public safety improved 	GCU1, P2, P3, NA4, B3, B5, F2 & E2

Table 8.9: Economic and administration

Management Objective 3: To ensure the ongoing management and use of the reserve is economically sustainable and equitable

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Reference codes
3.1 Tenures for the use of the land, facilities and infrastructure are granted in accordance with this PoM, relevant legislation and Council policy.	3.1.1 Assess all applications for the use of the land, facilities and infrastructure against the community benefit of the proposal, and use restrictions that maybe imposed from time-to-time (eg. Conflict with other events; coastal hazards; and scheduled maintenance activities etc)	<ul style="list-style-type: none"> • Community benefit assessed • Tenures granted in accordance with this PoM, relevant legislation and council policies • Appropriate recreational, cultural, social and educational pastimes and activities facilitated 	P1 & GCU2
	3.1.2 Ensure seasonal, short-term and casual licence agreements are granted for appropriate recreational, cultural, social and educational pastimes and activities subject to Council approval	<ul style="list-style-type: none"> • Licences are approved for appropriate activities with conditions • Appropriate recreational, cultural, social and educational pastimes and activities are facilitated 	P1 & GCU2
	3.1.3 Encourage the use of the Council BookIT system for short-term and casual bookings, where appropriate	<ul style="list-style-type: none"> • Council's BookIT system used and maintained for short term and casual bookings • Appropriate recreational, cultural, social and educational pastimes and activities are facilitated 	P1 & GCU2
	3.1.4 Tenures are based on market value with appropriate discounting granted to voluntary organisations	<ul style="list-style-type: none"> • Tenures granted in accordance with this PoM, relevant legislation and council policies • Lease/Licence review undertaken regularly to ensure market value • Discounts granted to volunteer organisations based on criteria set by Council 	

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Reference codes
3.2 Administration, maintenance and development of the reserve is undertaken to agreed service levels and within budget	3.2.1 Ensure costs to develop, redevelop and maintain assets are sustainable within resources available to the Council and the community	<ul style="list-style-type: none"> • Full life cycle costs are considered and budgeted for • Maintenance and operational costs are reduced 	P2
	3.2.2 Funding allocations and fees and charges are considered in the preparation of Council's Annual Operational Plan and administered to users in accordance with Council's Fees and Charges	<ul style="list-style-type: none"> • Facilities operated and maintained at minimal cost to Council • Costs are passed on to users where reasonable 	
	3.2.3 Develop and maintain a cyclical and/or preventative building and ground maintenance program within operational budget that reflects the usage needs.	<ul style="list-style-type: none"> • Maintenance plans are developed and implemented in accordance with Council's Asset Management Plan noting that some responsibility may be passed onto tenants • Maintenance of the reserve and facilities is undertaken in a cost effective and competitive manner to relevant service levels 	GCU1, P2 & P3
3.3 Renewal of assets is undertaken prior to end of useful life and at minimal cost to Council	3.3.1 Develop and implement an asset management plan to reflect value and depreciation of assets within the reserve and seek grant funding to renew assets prior to end of useful life	<ul style="list-style-type: none"> • Asset management plan developed and implemented • Grant funding successful • Cost to renew assets for council reduced • Assets renewed prior to end of life 	

Table 8.10: Risk Management/Environmental Constraints

Management Objective 4: To ensure the sustainable safe use of the natural and built environment of the reserve.

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objectives reference codes
4.1 The reserve is a safe environment for appropriate social, recreational and cultural pastimes and activities	<p>4.1.1 Formulate and implement risk management plans for the reserve in consultation with stakeholders and the <i>Coastal Public Safety Risk Assessment: Clarence Valley LGA (2014)</i></p>	<ul style="list-style-type: none"> • Risk management plans are developed and implemented • Stakeholders and <i>Coastal Public Safety Risk Assessment: Clarence Valley LGA (2014)</i> consulted • Inspections and audits are undertaken at established service levels • Risk management issues are prioritised and rectified within reasonable timeframes 	GCU1, P2, F2 & E2,
	<p>4.1.2 Provide and maintain emergency vehicle access points at strategic locations within the reserve and provide access plans to relevant emergency service organisations</p>	<ul style="list-style-type: none"> • Emergency vehicle access points maintained and regulated • Emergency services are provided updated access point plans • General vehicle access restricted except under Council approval/license during events 	GCU1 & P2
	<p>4.1.3 Undertake compliance to ensure reserve users are acting in accordance with the requirements of relevant licences, approvals, and legislation</p>	<ul style="list-style-type: none"> • Compliance undertaken by Council Rangers • Reserve users complying with relevant authorities, and/or regulatory signage • Instances of vandalism investigated and dealt with • Reduction in complaints of anti-social behavior and vandalism received by Council 	

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objectives reference codes
4.1 Environmental constraints and impacts to the reserve are mitigated	4.1.4 General waste bins are provided at strategic locations around the park to reduce impacts on amenity and the terrestrial and marine environments	<ul style="list-style-type: none"> General waste bins are provided and maintained at regular service levels Rubbish within the park/bushland and entering the ocean is minimised 	P2
	4.1.5 Install and maintain suitable pedestrian barriers in hazardous areas of the reserve including the escarpment area above the former quarry to reduce public access and potential injury or death	<ul style="list-style-type: none"> Barrier installed and maintained Unauthorised access reduced Public safety improved 	E2
	4.1.6 Access to beaches and internal roads are closed during hazardous conditions such as, but not limited to land slippage and dangerous surf/beach conditions	<ul style="list-style-type: none"> Regulatory signage is installed to notify of closure Compliance with regulations are achieved Risks to park users are reduced 	GCU1, P2 & F2
4.2 Environmental constraints and impacts to the reserve are mitigated	4.2.1 Actions and recommendations of relevant plans are implemented, as required, to reduce landslide and potential coastal risks, including: <ul style="list-style-type: none"> - maintaining ground water monitoring program - installation of slope reinforcement, where required - geotechnical review of all development within the zone 	<ul style="list-style-type: none"> Actions of the <i>Yamba Coastline Management Plan 2004</i>, <i>Yamba Coastline Management Plan Implementation Strategy 2004</i> and <i>Yamba Coastline Management Plan Stormwater Audit of Pilot Hill 2011 Area</i> implemented, as required Stabilisation options of the <i>Technical Report 3 - Risk Assessment and Stabilisation for Pilot Hill Yamba, NSW 2017</i> implemented, as required Actions identified through the <i>Coastal Management Program</i> implemented, as required The <i>Yamba Coastline Interim Emergency Management Strategy 2015</i> is referenced where appropriate 	P2, NA2 & F2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objectives reference codes
	4.2.2 Prepare and implement an erosion and sediment control plan for the reserve and retain ground cover, leaf litter and fallen logs in bushland parcels to improve soil biodiversity, structure, reduce erosion and provide habitat	<ul style="list-style-type: none"> • Erosion and sediment control plan prepared and implemented • <i>Yamba Coastline Management Plan 2004</i> and <i>Yamba Coastline Management Plan Implementation Strategy 2004</i>, and geotechnical authority consulted • <i>Technical Report 3 - Risk Assessment and Stabilisation for Pilot Hill Yamba, NSW 2017</i> considered • Landslide risk, erosion and run-off potential reduced • Leaf litter, groundcover and fallen logs retained, soil health improved and habitat maintained 	NA1, NA2, B1, B5 & B7
	4.2.3 Ensure future development and operational works do not impact on potential acid sulfate soils	<ul style="list-style-type: none"> ▪ All works that have the potential to impact acid sulfate soils comply with the CVLEP clause 7.1 ▪ Soil tests and analysis are undertaken prior to development in accordance with the CVLEP, as required ▪ An acid sulfate soils management plan is developed in accordance with the CVLEP, as required 	NA2 & B7
	4.2.4 Investigate the modification of the ocean pool to reduce the volume of seaweed entering the pool to improve water quality, and implement where appropriate.	<ul style="list-style-type: none"> • Investigations undertaken • Modification complete where appropriate • Water circulation is improved, and/or seaweed and sand volume in pool reduced • A safe and sustainable swimming environment is provided 	F2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objectives reference codes
	4.2.5 Undertake coastal protection works including the upgrade of the revetment wall on Main Beach to reduce coastal hazards, assist in the protection of property and reduce erosion potential	<ul style="list-style-type: none"> • Coastal protection works comply with <i>Protection of the Environment Operations Act 1997, Coastal Management Act 2016, Coastal Management SEPP and Council DCP and policy</i> • The <i>Yamba Coastline Management Plan 2004</i> and <i>Yamba Coastline Management Plan Implementation Strategy 2004</i> has been consulted • <i>Yamba Main Beach Revetment – Data status, condition and project report 2012</i> design options consulted • Coastal hazard to property and foreshore reduced • Sustainable use of the foreshore maintained 	NA5 & F2
	4.2.6 Future works and development consider potential climate change impacts, including sea level rise, increased storm intensity / frequency and associated storm surge, to reduce potential risks to constructed and natural assets and park users	<ul style="list-style-type: none"> • Location and structure design considers potential climate change impacts • Natural and constructed asset risk minimised • Public safety improved • Compliance with relevant legislation, SEPP and Council policy 	F1 & F2

Table 8.11: Heritage

Management Objective 5: To ensure the protection of heritage items and Aboriginal objects and facilitate awareness of the Aboriginal cultural heritage and European heritage values of the reserve...

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objectives reference codes
5.1 The heritage and cultural values of the reserve are showcased and promoted	5.1.1 Provide opportunities for promotion of Aboriginal and European cultural heritage information, activities and education	<ul style="list-style-type: none"> Aboriginal and European cultural heritage information, activities and education provided and promoted 	GCU1 & P1
	5.1.2 Develop and install heritage interpretive signage at strategic locations within the park, including both Aboriginal and European cultural heritage values of the reserve	<ul style="list-style-type: none"> Yaegl TOAC have been consulted when developing first nation cultural heritage interpretation material Reliable historic records and the Port of Yamba Historic Society consulted when developing post settlement interpretation material 'Interpreting Heritage Places and items Guidelines' has been used to assist in developing interpretation material Signage is developed, installed and maintained in compliance with relevant legislation and Council policy Signage is consolidated and impacts on amenity and views are considered where practical 	GCU1 & P1
	5.1.3. Liaise with Yaegl TOAC to incorporate Indigenous place names into Flinders Park signage to acknowledge the traditional, social and cultural significance of places and reserve attributes	<ul style="list-style-type: none"> Yaegl TOAC have been consulted Signage is developed, installed and maintained in compliance with relevant legislation and Council policy Signage is consolidated and impacts on amenity and views are considered where practical 	GCU1 & B2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objectives reference codes
5.2 The Aboriginal and European heritage of the reserve are protected	5.2.1 Undertake a heritage assessment prior to any works or development affecting any heritage listed items or Aboriginal object on the reserve	<ul style="list-style-type: none"> • The State Heritage Register, CVLEP Schedule 5 and Council's Development Assessment staff have been consulted • All development and operational work complies with CVLEP clause 5.10 – <i>Heritage Conservation</i> and Council's Heritage Strategy • Heritage Impact Statement completed and implemented if applicable 	P2 & B2
	5.2.2 Undertake all reasonable steps to ensure the effect of any works or development on any Aboriginal object known or reasonably likely to be located at the place is avoided	<ul style="list-style-type: none"> • Compliance with Section 86 of the <i>National Parks and Wildlife Act 1974</i> and the <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW</i> (2010) • All development and work on site complies with CVLEP clause 5.10 – <i>Heritage Conservation</i> • Heritage Impact Statement completed and implemented if applicable • All work is stopped and the relevant traditional owners and authorities have been notified if an Aboriginal object is uncovered during works and that object as not subject to appropriate pre-work approval or consideration 	P2 & B2

Performance Targets	Strategies/Actions for achieving objectives and targets	Performance Measures	Core objectives reference codes
	<p>5.2.3 Liaise with Yaegl TOAC, Reflections Holiday Parks Crown land managers and Yamba Rotary to facilitate the realignment of the top section of the Yamba Rotary walking track to protect a cultural heritage site and ensure a coordinated approach to land management in the area is achieved</p>	<ul style="list-style-type: none"> • Yaegl TOAC, Reflections Holiday Parks and Yamba Rotary are consulted • Realignment of the top section of the Yamba Rotary walking track is undertaken successfully • Cultural heritage item protected • Land management bounding Flinders Park and Pilot Hill is undertaken collaboratively with adjoining Crown land managers and traditional owners 	B2

9. PLAN REVIEW AND CHANGE

This Plan of Management will require regular review in order to align with community values and changing community needs, and to reflect changes in Council priorities.

The performance of this PoM will also be reviewed on a regular basis to ensure the land and buildings are well maintained and provide a safe environment for the public.

Strategic reviews of this Plan of Management will occur at 5 and 10 year intervals.

The community will have an opportunity to participate in reviews of this Plan of Management as part of the planning process as required by legislation.

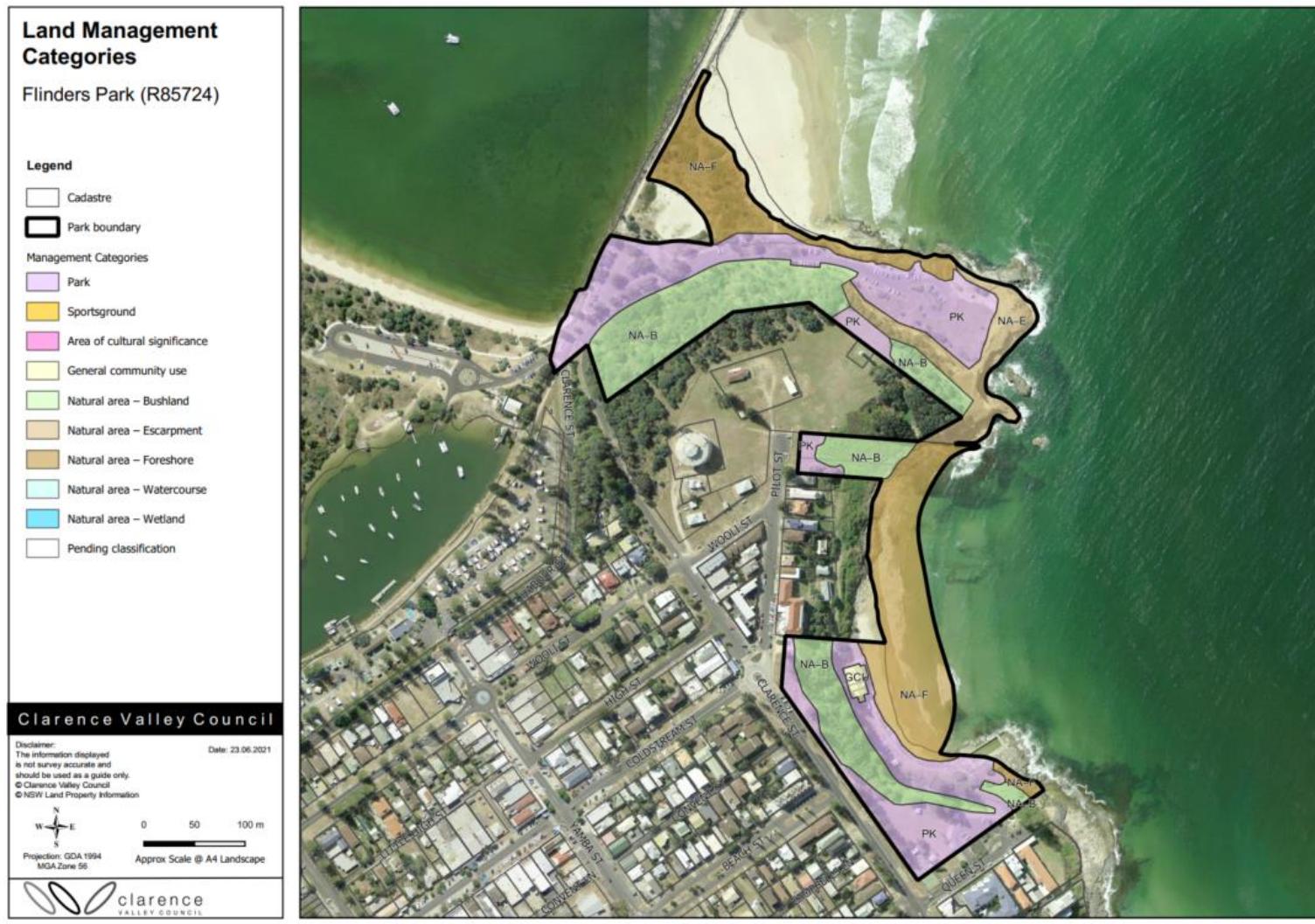
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APPENDICES

Appendix 1: Flinders Park Category Map



Appendix 2: Flinders Park Asset Register Report (October 2020)

Open Spaces Assets

Asset Name	Component	Component Type	Condition	Renewal Year
Kiosk	Sub-Structure	Concrete	2	2052
Kiosk	Structure	Brick	2	2051
Kiosk	Roof	Metal Decking	2	2050
Kiosk	Serv - Elect	Electrical	2	2041
Kiosk	Serv - Hydr	Hydraulic System	2	2041
Toilets	Sub-Structure	Concrete	2	2052
Toilets	Structure	Timber	2	2044
Toilets	Roof	Metal Decking	2	2041
Toilets	Service - Elect	Electrical	2	2041
Toilets	Service - Hydr	Hydraulic System	2	2041
Amenities	Sub-Structure	Concrete	2	2052
Amenities	Structure	Brick	2	2051
Amenities	Floor Coverings	Ceramic Tiles	2	2032
Amenities	Roof	Metal Decking	3	2033
Amenities	Serv - Elect	Electrical	3	2033
Amenities	Serv - Hydr	Hydraulic System	3	2033
Toilets	Sub-Structure	Concrete	0	2135
Toilets	Structure	Metal Cladding	1	2083
Toilets	Roof	Metal Decking	1	2083
Toilets	Serv - Elect	Electrical	1	2083
Toilets	Serv - Hydr	Hydraulic System	1	2083
Yamba Surf Club	Sub-Structure	Concrete	3	2039
Yamba Surf Club	Structure	Brick	3	2039
Yamba Surf Club	Floor Coverings	Carpet	3	2024
Yamba Surf Club	Fit-Out	Plaster Board/Gyproc	3	2029
Yamba Surf Club	Roof	Metal Decking	3	2033
Yamba Surf Club	Service - Elect	Electrical	3	2033

Asset Name	Component	Component Type	Condition	Renewal Year
Yamba Surf Club	Service - Hydr	Hydraulic System	3	2033
Yamba Surf Club	Service - Mechanical	Air Con (Split)	2	2028
Tennis court fences - chainwire	Post and Chain Link	Standard	0.0	2055
Rock pools	Freeform Swimming Pool	Standard	2.0	2044
Swimming pool lighting	Sports Fields	Standard	2.0	2035
Tennis court lighting	Sports Fields	Standard	2.0	2035
Sandstone viewing platforms	Bridge	Standard	0.0	2065
Tennis courts	Tennis Court	Standard	1.0	2047
Water tanks	Water Tanks	Standard	3.0	2026
Tennis court shelters	Shelter	Standard	2.0	2052
Concrete footpaths	Pathways - Concrete	Standard	1.0	2068
Wooden ramps	Bridge	Standard	1.0	2051
Concrete stairs	Access Stairs - Concrete	Standard	2.0	2036
Wooden staircases	Bridge	Standard	1.0	2051
Internal fences - steel post & 2 rail	Steel Post and Rail	Standard	3.0	2041
Perimeter fences - wooden post & rail	Timber Paling	Standard	2.0	2035
Double BBQs	BBQ	Standard	0.0	2038
Concrete beach access roads	Internal Road - Concrete	Standard	2.0	2065
Paved roads & carparks	Internal Road - Pavers	Standard	1.0	2049
Sealed roads & carparks	Internal Road - Bitumen	Standard	2.0	2041
Block retaining walls	Concrete Block	Standard	1.0	2080
Coastal revetment rock walls	Revetment Wall-Rock	Standard	2.0	2099
Concrete retaining walls	Concrete	Standard	2.0	2079
Sandstone retaining walls	Revetment Wall-Rock	Standard	2.0	2099
Park lighting	Parks and Security	Standard	2.0	2037

Asset Name	Component	Component Type	Condition	Renewal Year
Internal street and carpark lighting	Car Parks	Standard	2.0	2037
Lookout rails	Steel Post and Rail	Standard	0.0	2089
Park shelters	Shelter	Standard	0.0	2071
Park shelters x 2	Shelter	Standard	1.0	2060
Solar surveillance systems	Parks and Security	Standard	1.0	2042
Concrete footpaths	Pathways - Concrete	Standard	1.0	2079
Concrete stairs	Access Stairs - Concrete	Standard	1.0	2043
Pool hardened surfaces	Hardstand - Concrete	Standard	2.0	2084
Concrete footpaths	Pathways - Concrete	Standard	1.0	2079
Gravel footpaths	Pathways - Gravel	Standard	0.0	2049
Paved stairs	Pathways - Concrete	Standard	1.0	2068
Sandstone stairs	Access Stairs - Concrete	Standard	1.0	2043
BBQs	BBQ	Standard	0.0	2038
Drinking stations	Bubbler	Standard	0.0	2040
Concrete beach access roads	Internal Road - Concrete	Standard	0.0	2097
Sealed roads & carparks	Internal Road - Bitumen	Standard	3.0	2032
Internal street and carpark lighting	Car Parks	Standard	2.0	2037
Picnic shelters x 7	Shelter	Standard	2.0	2048
Concrete retaining walls	Concrete	Standard	2.0	2079
Concrete kerb & gutters	Hardstand - Concrete	Standard	3.0	2055
Bollards	Bollards	Standard	2.0	2048
Log Fencing - Post and Rail	Timber Post and Rail	Basic	2.0	2031
Retaining Wall - Concrete Blocks	Concrete Block	Basic	2.0	2063
Turners Beach Outdoor Shower	Beach Shower	Standard	0.0	2040
Retaining Wall - Concrete	Concrete	Standard	0.0	2124

Asset Name	Component	Component Type	Condition	Renewal Year
Handrails - Stainless Steel - Yamba Rock Pool	Steel Post and Rail	Basic	0.0	2093
Outdoor Shower - Yamba Rock Pool	Beach Shower	Standard	0.0	2040
Yamba Rock Pool refurbishment	Freeform Swimming Pool	Standard	0.0	2070
Yamba Rock Pool access way	Pathways - Concrete	Standard	0.0	2080
Bench Seat x 2 – Turners Beach	Park Assets	Bench Seat	1	2054
Rock Boulders	Fences	Bollards	1	2083

Transport assets

Asset Name	Asset Type	Component	Component Type	Condition	Renewal Year
HARBOUR ST-1.8m kerb inlet pit	Stormwater Pit	Pit	1.8m kerb inlet pit	2	2075
HARBOUR ST-Headwall 225	Stormwater Pit	Pit	Headwall 225	2	2075
HARBOUR ST-Headwall 300	Stormwater Pit	Pit	Headwall 300	2	2075
HARBOUR ST-Headwall 300	Stormwater Pit	Pit	Headwall 300	2	2075
HARBOUR ST-Headwall 375	Stormwater Pit	Pit	Headwall 375	2	2075
HARBOUR ST-Headwall 375	Stormwater Pit	Pit	Headwall 375	2	2075
HARBOUR ST-Headwall 375	Stormwater Pit	Pit	Headwall 375	2	2075
HARBOUR ST-Junction Pit 300	Stormwater Pit	Pit	Junction Pit 300	2	2075
HARBOUR ST-Junction Pit 375	Stormwater Pit	Pit	Junction Pit 375	2	2075

Asset Name	Asset Type	Component	Component Type	Condition	Renewal Year
HARBOUR ST-Pipe End 225	Stormwater Pit	Pit	Pipe End 225	2	2075
HARBOUR ST-Surface Inlet Pit - Flush Grated	Stormwater Pit	Pit	Surface Inlet Pit - Flush Grated	2	2075
HARBOUR ST-Surface Inlet Pit - Flush Grated	Stormwater Pit	Pit	Surface Inlet Pit - Flush Grated	2	2075
CLARENCE ST-3.0m Kerb inlet pit with grate	Stormwater Pit	Pit	3.0m Kerb inlet pit with grate	2	2075
CLARENCE ST-Headwall 375	Stormwater Pit	Pit	Headwall 375	2	2075
CLARENCE ST	Stormwater Pipe	Standard	RCP375	2	2075
CLARENCE ST	Stormwater Pipe	Standard	RCP375	2	2075
HARBOUR ST	Stormwater Pipe	Standard	RCP375	2	2075
HARBOUR ST	Stormwater Pipe	Standard	RCP375	2	2075
HARBOUR ST	Stormwater Pipe	Standard	RCP375	2	2075
HARBOUR ST	Stormwater Pipe	Standard	RCP375	2	2075
HARBOUR ST	Stormwater Pipe	Standard	RCP375	2	2075
HARBOUR ST	Stormwater Pipe	Standard	RCP375	2	2075
HARBOUR ST	Drain	Standard	Open Unlined	1	2121
HARBOUR ST	Kerb	Standard	Barrier Kerb & Gutter	2	2095
HARBOUR ST	Drain	Standard	Open Unlined	2	2095
HARBOUR ST	Drain	Standard	Open Unlined	1	2121
HARBOUR ST	Drain	Standard	Grass Swale	3	2075
HARBOUR ST	Drain	Standard	Open Unlined	3	2075
HARBOUR ST	Drain	Standard	Grass Swale	3	2075

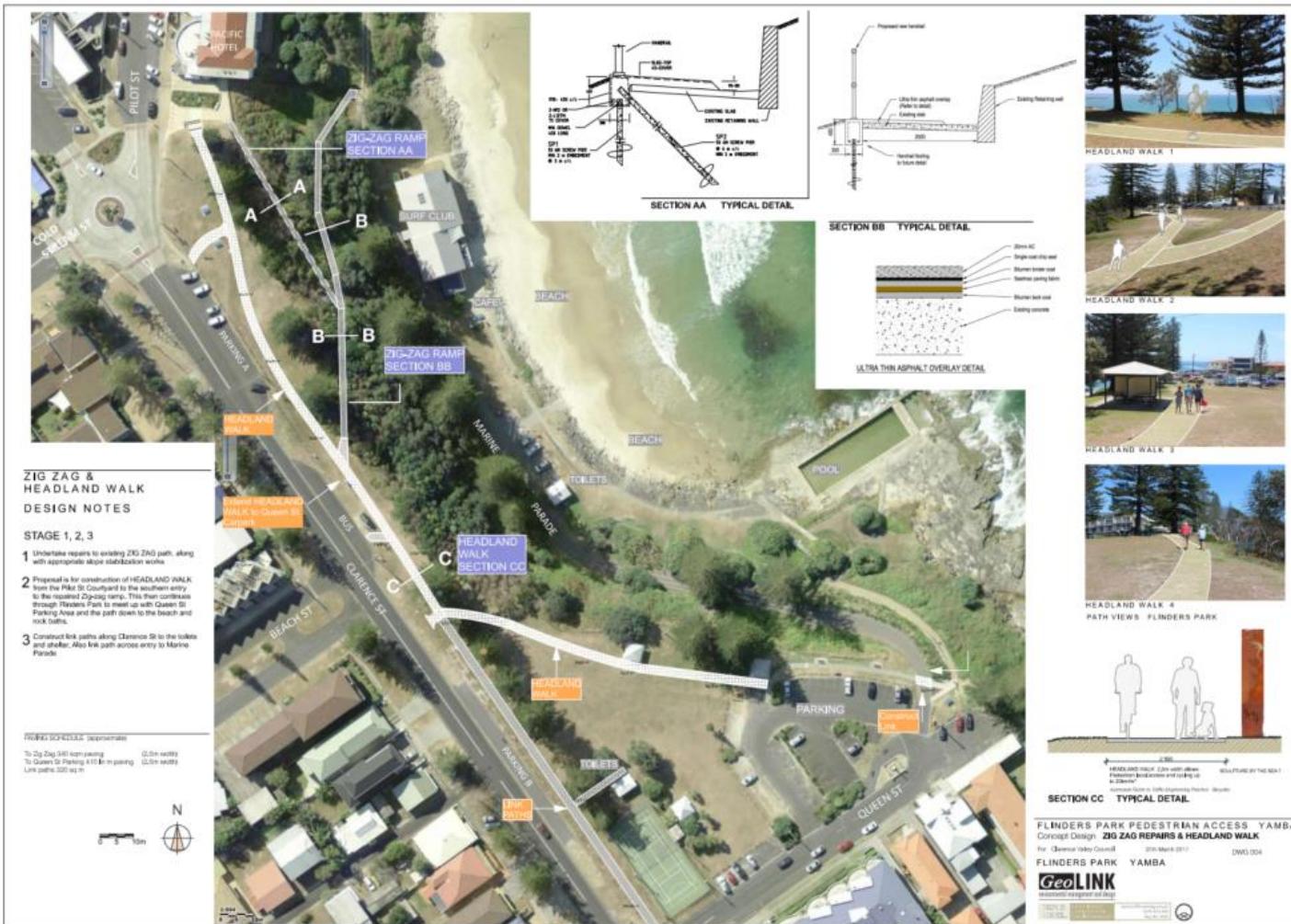
Asset Name	Asset Type	Component	Component Type	Condition	Renewal Year
HARBOUR ST	Drain	Standard	Open Unlined	3	2075
HARBOUR ST	Kerb	Standard	Mountable Kerb & Gutter	2	2096
HARBOUR ST	Drain	Standard	Open Lined	3	2075
HARBOUR ST	Kerb	Standard	Mountable Kerb & Gutter	2	2096
HARBOUR ST	Drain	Standard	Open Unlined	2	2095
CLARENCE ST - No parking	Sign Panel	Sign	R5-40	3	2026
CLARENCE ST - No parking	Sign Panel	Sign	R5-40	2	2032
CLARENCE ST - No parking	Sign Panel	Sign	R5-40	2	2032
CLARENCE ST - No standing	Sign Panel	Sign	R5-401	2	2032
CLARENCE ST - No stopping left, no standing right	Sign Panel	Sign	R5-1	2	2032
CLARENCE ST Segment 10	Sign Structure	Structure	1 Post Round	2	2032
CLARENCE ST Segment 17	Sign Structure	Structure	1 Post Round	2	2032
CLARENCE ST Segment 18	Sign Structure	Structure	1 Post Round	2	2032
CLARENCE ST Segment 7	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST - warnings	Sign Panel	Sign	Non Standard	3	2026
HARBOUR ST - Clarence St	Sign Panel	Sign	G5-1	2	2032
HARBOUR ST - Illegible	Sign Panel	Sign	G5-1	2	2032

Asset Name	Asset Type	Component	Component Type	Condition	Renewal Year
HARBOUR ST - Illegible	Sign Panel	Sign	Non Standard	3	2026
HARBOUR ST - Illegible	Sign Panel	Sign	Non Standard	3	2026
HARBOUR ST - Illegible	Sign Panel	Sign	UNKNOWN	3	2026
HARBOUR ST - No parking	Sign Panel	Sign	R4-50	2	2032
HARBOUR ST - No parking	Sign Panel	Sign	R5-40	2	2032
HARBOUR ST - No parking	Sign Panel	Sign	R5-40	2	2032
HARBOUR ST - No parking	Sign Panel	Sign	R5-40	2	2032
HARBOUR ST - No parking	Sign Panel	Sign	R5-40	2	2032
HARBOUR ST - No parking left	Sign Panel	Sign	R5-40	2	2032
HARBOUR ST - No parking right	Sign Panel	Sign	R5-40	2	2032
HARBOUR ST - No stopping	Sign Panel	Sign	R5-35	2	2032
HARBOUR ST - No stopping	Sign Panel	Sign	R5-35	2	2032
HARBOUR ST - No stopping	Sign Panel	Sign	R5-35	3	2026
HARBOUR ST - No stopping	Sign Panel	Sign	R5-35	2	2032
HARBOUR ST Segment 1	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 1	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 11	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 12	Sign Structure	Structure	2 Post Round	3	2026

Asset Name	Asset Type	Component	Component Type	Condition	Renewal Year
HARBOUR ST Segment 13	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 14	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 15	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 16	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 2	Sign Structure	Structure	2 Post Square	3	2026
HARBOUR ST Segment 3	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 3	Sign Structure	Structure	2 Post Round	2	2032
HARBOUR ST Segment 4	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 5	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 6	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 8	Sign Structure	Structure	1 Post Round	2	2032
HARBOUR ST Segment 9	Sign Structure	Structure	1 Post Round	2	2032

Grade	Condition	Description
1	Very Good	Asset is new or near new. All components are in excellent condition, no damage to any major or minor components. Only planned maintenance required.
2	Good	All components are in good condition, no major damage to major components, and minor damage to minor components. Only minor maintenance required, plus planned maintenance.
3	Fair or Moderate	All components are still in good working condition but showing signs of wear and tear. No major damage to major components, minor damage to minor components. Significant maintenance required.
4	Poor	Major components require repair work, minor components may need replacing. Minor damage to major components and significant damage to minor components. Significant renewal/rehabilitation required.
5	Very Poor	Asset is unserviceable. Significant damage to major components. Physically unsound and/or beyond rehabilitation.

Appendix 3 (a): Zig Zag and Headland Walk Concept Design

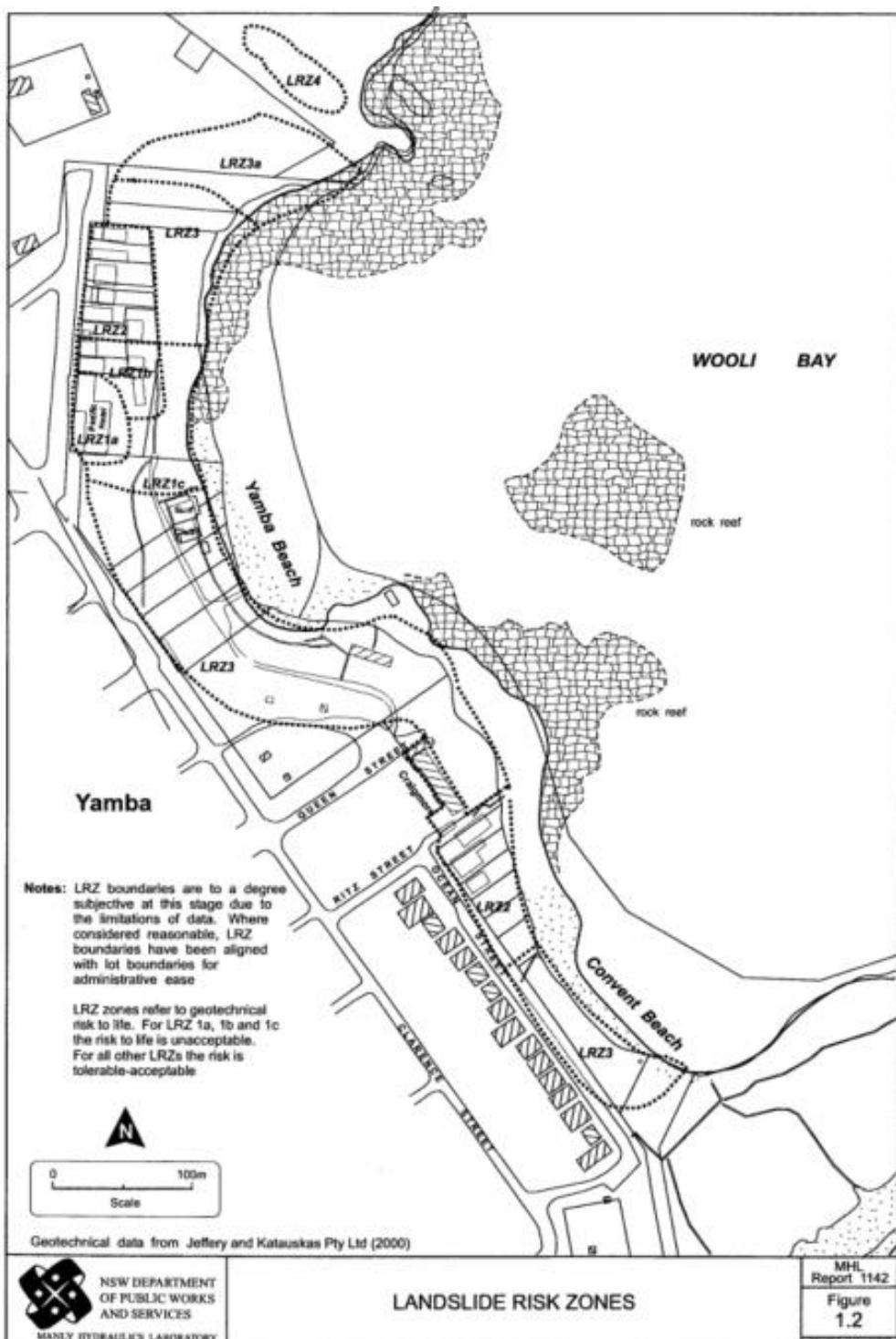




Appendix 3 (b): Zig Zag Pathway Civil and Structural Drawings

Appendix 4: Yamba Main Beach Seawall Concept Design

Appendix 5: Yamba Landslide Risk-zone Map



Appendix 6: Revegetation Plan

(See *Council Resolution 15.057.17*, 18 April 2017)

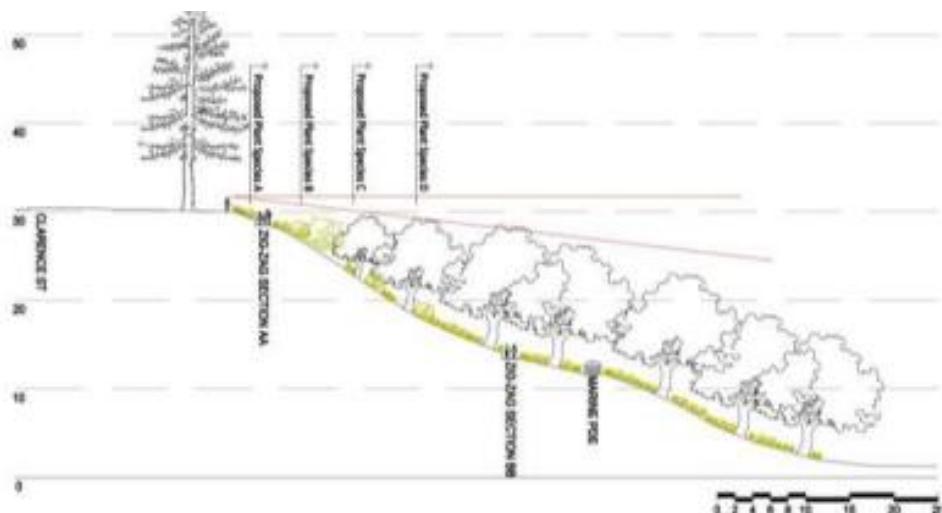


Figure 3.0 – Typical section of manicured horticulture placement slope treatment

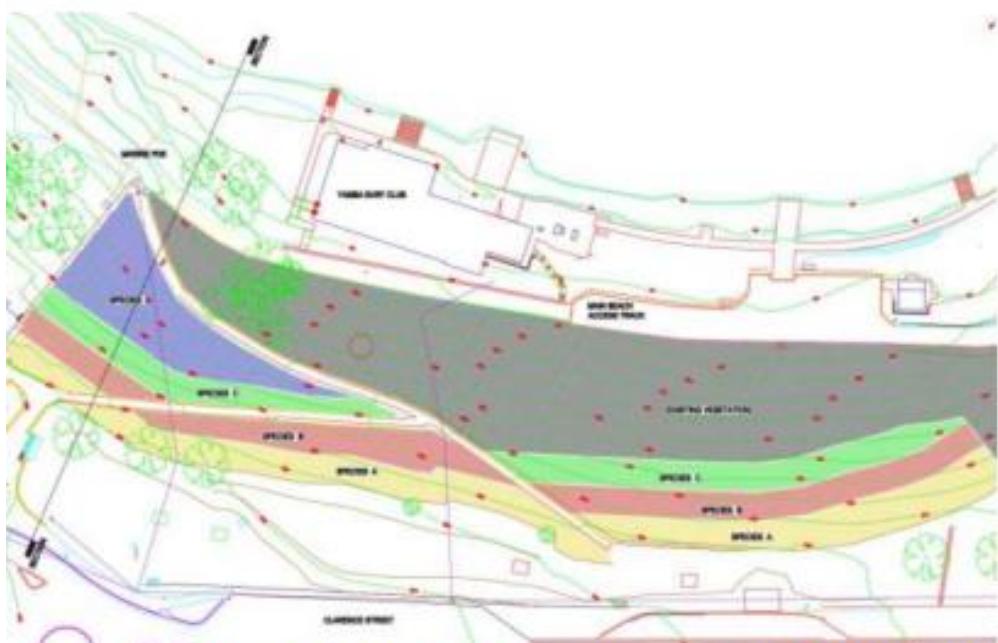


Figure 3.1 – Proposed landscape plan - manicured horticulture placement slope treatment – Flinders Park

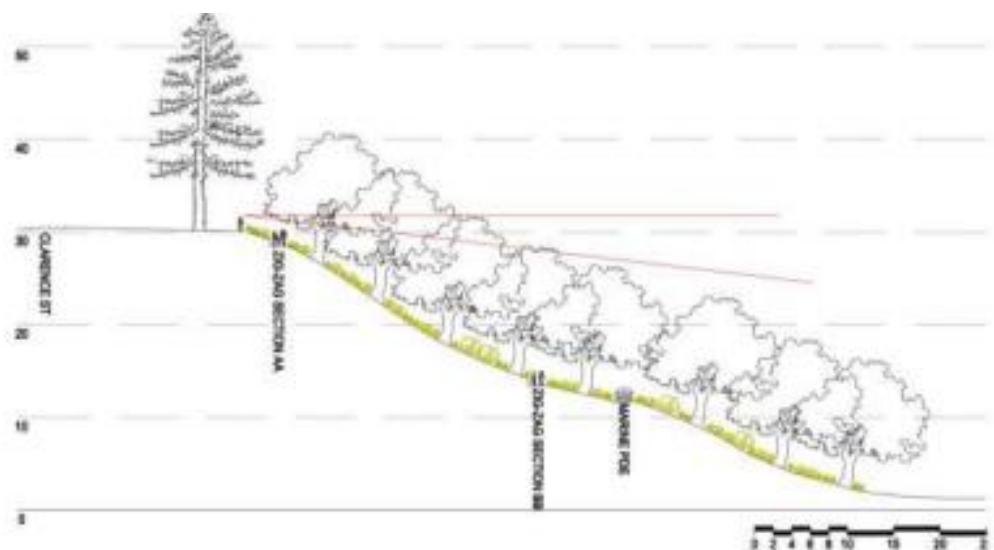


Figure 4.0 – Typical section of natural revegetation placement slope treatment



Figure 4.1 – Proposed landscape plan - natural revegetation placement slope treatment – Flinders Park