



Great Lakes
COUNCIL

MANAGEMENT PLAN

Forster Keys

Drainage Reserves



MANAGEMENT PLAN

Forster Keys – Drainage Reserves

Amendment No	Adopted
	Originally Adopted 24 September 2013 (Min No. 16 Resolution No. 86)

Table of Contents

SECTION 1 - GENERAL	1
Introduction – Why Does the Plan Exist?	1
Land to which the Plan applies	1
Strategic Planning objectives	1
Planning Controls Applying	1
Management Plan Objectives.....	2
Management Issues	2
SECTION 2 – MANAGEMENT GUIDELINES	3
Acceptable Activities and uses	3
Management Policies and Guidelines	3
1. <u>Recreation Activities</u>	3
2. <u>Buildings and Amenities</u>	3
3. <u>Infrastructure</u>	6
4. <u>Access and Occupation</u>	6
5. <u>Development Activities</u>	7
6. <u>Pollution Control</u>	7
7. <u>Special Events</u>	8
8. <u>Trees and Vegetation and Landscape</u>	8
9. <u>Information, Monitoring and Research</u>	8
10. <u>Administration</u>	8
11. <u>General Issues</u>	9
12. <u>Environmental Sustainability</u>	10
SECTION 3 – IMPLEMENTATION	11
How to apply the Management Policies and Guidelines	11
Schedule 1: Land cover by the Management Plan.....	12

SECTION 1 - GENERAL

Introduction – Why Does the Plan Exist?

This management plan has been prepared to outline the ways that the land will be used and the objectives for management. The management plan provides guidelines for the utilisation of Council land for private use, and the arrangements to be put in place for the use and management of the drainage reserves.

Land to which the Plan applies

This management plan applies to specified drainage reserves in Forster Keys which are identified in Schedule 1.

Strategic Planning objectives

Great Lakes Council owns many parcels of land and seeks to ensure that land is managed in a cost effective way to maximise the community benefits of its use.

The Council's strategic planning objectives for the land to which the plan applies are as follows:

- To maintain drainage functions within the reserves so that upstream drainage systems continue to effectively function and drain urban catchments.
- To provide for the maintenance of dynamic interfaces between public and private land in a manner which allows owners to maintain an effective edge to their properties and protect private assets on their land.
- To maintain a suitable level of amenity within the reserves.
- To allow navigation and boat access to private properties which adjoin the reserves as conditions allow.
- To allow the erection and retention of suitable water access structures within the drainage reserve and to provide for the effective licensing of these structures.
- To maintain the safety of the public utilising the drainage reserve.
- To protect environmental values present within the drainage reserve for future generations.

Planning Controls Applying

The land to which this management plan applies is subject to the provisions of Great Lakes Local Environmental Plan 1996. Development consent under the Environmental Planning and Assessment Act 1979 is required for development or activities within the reserve(s). For development under the provisions of Great Lakes Local Environmental Plan 1996, the authorisation of Council must be obtained.

Development Control Plans and Council policies for development also apply to the land.

Where unauthorised structures are present within the drainage reserve, they will be required to obtain development consent for their use/retention or be removed.

Management Plan Objectives

The general objectives of the management plan are:-

- To inform Council staff and the community of the manner in which the land will be managed.
- To implement the specific policies, guidelines and works identified in the management plan.
- To minimise the long term cost of maintenance to Council.
- To identify and recognise existing structures and uses of the land.
- Ensure the long term sustainability of the natural environment.
- To set in place an administrative structure to ensure the achievement of land management objectives.
- To identify the major management issues applying to the land.
- To standardise the land management process.

In relation to the drainage reserves, the following specific objectives have also been identified:

- To maintain the drainage function of the reserves for conveyance of urban stormwater flows within the locality.
- To provide for the construction of private structures within the drainage reserve to physically maintain the land water interface of the drainage reserve.
- To allow private structures within the drainage reserves to provide water based access to private property.
- To allow vessel navigation of the drainage reserves as permitted by available funding.
- To maintain suitable fish habitat areas within the drainage reserves.

Management Issues

The management of the land must also take into account the following matters:-

Recreation Activities	Buildings and Amenities
Infrastructure	Access and Occupation
Development Activities	Pollution Control
Special Events	Trees, Vegetation and Landscape
Information, Monitoring and Research	Administration
General Issues	Environmental Sustainability

SECTION 2 – MANAGEMENT GUIDELINES

Acceptable Activities and uses

This management plan authorises activities that are consistent with the drainage function of the reserve and the management objectives identified for the land.

Uses and activities not specifically authorised under this plan may be carried out where development consent has been obtained for the use or activity under the Environmental Planning and Assessment Act 1979 and where the use or activity is consistent with the management objectives identified in this plan.

Management Policies and Guidelines

The management policies and guidelines applying to the land are outlined in this section of the management plan.

1. Recreation Activities

There are limited recreational opportunities within the drainage reserves. Boating within the drainage reserve is permitted subject to certain controls as are other activities such as swimming and fishing.

i. Boating

Boating activities in the drainage reserves is limited skiing, aquaplaning and other towing is strictly prohibited in the drainage reserves. Other small watercraft may be used within the reserves (e.g. kayaks, paddle boards etc.). The speed limit within the drainage reserves is no greater than 4 knots and boats must avoid generating wash which could affect moored boats and soft shores.

ii. Swimming

While swimming is permitted in the drainage reserve, no safety measures are provided and Council will not provide lifeguards or other patrols. Any swimmers who choose to use the drainage reserve do so at their own risk and discretion.

iii. Fishing

The drainage reserve provides habitat for fish and fishing is permitted. All fishing activities must be carried out strictly in accordance with the requirements of the NSW Department of Industry and Investment (Fisheries).

iv. Adjoining Recreation Reserves

Where other Council reserves adjoin the drainage reserves, Council will provide public boating facilities where appropriate and operate these facilities to allow the general public access to the drainage reserves and the adjoining lake systems.

2. Buildings and Amenities

A key objective of this Management Plan is to allow for the erection of structures within the drainage reserve that complement adjoining residential development.

Revetment Walls

The drainage reserve edges at Forster Keys are generally defined by a sheet pile wall (asbestos sheeting) with a concrete capping beam to mark the property boundary and provide limited support to the beach profile. This capping and sheeting was established when the land was originally dredged and filled to create the allotments. In many cases, this sheeting and capping is deteriorating due to age and additional structural loadings.

Replacement of the existing sheet and capping is not easily achieved due to existing structures and the need to physically remove the existing structure (resulting in significant land disturbance and management of the existing asbestos sheeting). The removal of any asbestos containing material must be undertaken in accordance with NSW WorkCover requirements, the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2011.

To enable private owners to construct new walls to support their property and assets, Council will allow new revetment walls to be constructed within the drainage reserves.

In November 2011 Council obtained reclassification of the drainage reserve from community land to operational land. The reclassification now enables Council to approve the erection and maintenance of private structures within the drainage reserve. Approval of all proposed structures within the drainage reserve is subject to development assessment.

Proposed revetment walls will only be permitted in the drainage reserve in the following circumstances:

1. Development consent from Council is obtained;
2. A formal licence agreement is entered into with Council;
3. The applicant is replacing an existing wall which has structurally failed;
4. The proposed new wall/s are limited to a height which is generally no greater than the original sheet and concrete capped wall;
5. The proposed new revetment wall is a sheet piling profile suitable to Council;
6. The proposed new wall structure extends the minimum amount possible into the drainage reserve (typically of 500mm) beyond the private property boundary;
7. The design from a suitably qualified engineer to certify that the proposed wall will not damage adjoining revetment walls and structures due to changes to the drainage reserve profile;
8. The design is certified by a suitably qualified structural engineer to certify that it is structurally adequate and capable of retaining any additional structural loading from within the property;
9. Materials used for the wall are shown to be highly durable and certified as suitable for a marine environment;
10. Council will permit landowners to protect existing walls with beach nourishment. Any proposal to nourish the beach must only be undertaken with the prior development consent of Council;
11. New revetments walls are designed and constructed to generally suit the typical layout shown on Councils Typical Drawing shown in Appendix A; and
12. Only one (1) approval for a replacement revetment wall that encroaches onto the drainage reserve shall be permitted. Any subsequent maintenance or replacement must not encroach further into the drainage reserve.

Jetties Pontoons and Moorings

Jetties and pontoons will be permitted in the drainage reserves to provide water-based access to private properties.

Jetties and Pontoons will only be permitted where a property has direct frontage to a drainage reserve and the jetty or pontoon is located on that water frontage.

Jetties and other similar structures will not be permitted where there is public land (including land within the subject drainage reserves) between the property boundary and the Mean High Water Mark and public land based access is available to that land.

Any proposed jetty provided shall meet the following requirements:

- Development consent is obtained from Council;
- A formal Licence Agreement is entered into with Council;
- Any development application shall be lodged as integrated development seeking an integrated approval under Section 201 of the *Fisheries Management Act 1994*;
- The length of the jetty shall be no greater than 3.0 metres and shall not exceed a width of more than 1/3 of the property frontage to the drainage reserve;
- Mooring piles shall be finished 1.8m above mean high water mark and shall be painted white; and
- Solid fill jetties, sea walls and groynes will not be permitted in the drainage reserves.

Note: For non-standard geometry lots with limited width frontages, jetty dimensioning can be modified and will be treated on case by case basis dependant on the site.

Boats may be moored at private jetties, but only where the mooring location complies with the relevant council policy for that drainage reserve.

Swing moorings are not permitted in the Forster Keys drainage reserves.

Boat Ramps

Boat ramps will be permitted from private properties that adjoin the drainage reserves in the following circumstances:

- Development consent is obtained from Council;
- The boundary of the property and the drainage reserve are formed by the Mean High Water Mark. Boat ramps will not be permitted to cross areas of the drainage reserve above the mean high water mark and allow land based public access;
- Boat ramps must match the bed profile of the drainage reserve as closely as possible;
- Boat ramp design will require input from a suitably qualified engineer to certify that the proposed ramp will not damage structures at the site or adjoining land due to changes to the drainage reserve profile;
- The boat ramp is certified by a suitably qualified structural engineer to certify that it is structurally adequate and maintains the stability of the revetment wall structures through which it passes; and
- No equipment such as rollers, slips or skids shall be permitted within the drainage reserve.

Existing Structures

There are many existing structures within the drainage reserves, including jetties, pontoons, boat ramps and revetment walls. Council has approved many of these structures in the past, while other structures may have been constructed without the approval of Council.

Existing Structures – Approved by Council

For those structures that have been approved by Council in the past, it is necessary that a licence agreement and current public liability insurance is held by the property owner (Council is to be noted on the policy). Council will be undertaking checks (as resources permit) to ensure appropriate insurances are in place.

Existing structure – Not authorised by Council approval

It is likely that some structures within the drainage reserves have not been approved by Council. While these would ordinarily be subject to an order to remove the structures, Council may allow retention of these structures where:

- A licence agreement is entered into with Council;
- The structure complies with the management plan requirements; and
- The structure is certified by a practicing engineer as being suitably designed and structurally adequate.

Where existing structures do not meet these requirements, the structures will be required to be removed and the disturbed area be re-established to Councils requirements.

Public Buildings and Structures

Council may provide further public structures within the drainage reserves which provide, for example, public access to and use of the drainage reserves. Such structures may include boat ramps and public jetties/pontoons for use by the general public.

3. Infrastructure

The reserves primary function is drainage reserve which receives stormwater from urban drainage systems located in the surrounding urban areas.

Maintenance

Maintenance of the drainage reserves and connecting infrastructure will be undertaken as required by Council.

At locations where pipes discharge into the reserve, sand build up will be removed as required to ensure drainage function. Any other dredging in the drainage reserve will only be undertaken where deemed necessary by Council and where appropriate funding is available.

All dredging will only be permitted following suitable environmental assessment and the obtaining of necessary approvals.

Navigational Signs

Navigation and advisory signs are provided within the reserves by NSW Maritime.

Signs

Signs may be erected within the drainage reserves in accordance with Councils adopted sign policy or manual.

4. Access and Occupation

The management plan seeks to facilitate access to the land for activities which are not in conflict with the objectives of the plan.

Access

Boats are provided access to the drainage reserve. Boat sizes able to access the drainage reserves will be governed by the drainage reserve water body depth. Dredging of the drainage reserves for maintaining navigable access will only be undertaken where deemed necessary by Council and where suitable funding is available.

Boats will be required to observe posted navigational controls and meet the requirements of NSW Maritime.

Commercial Activities (e.g. selling food and drinks)

Commercial activities may be carried out within the drainage reserves, provided that the prior consent of Council is obtained. Transport facilities such as water taxis may operate within the drainage reserves.

Emergencies

This management plan authorises any necessary activities to be carried out during declared emergencies as may be decided by the General Manager. Following the carrying out of any activities, periodic monitoring will be undertaken and rehabilitation works undertaken if necessary.

5. Development Activities

Construction Works

Any construction work undertaken on land identified in this plan is to comply with the necessary provisions of the Environmental Planning and Assessment Act 1979.

Protection of Environmental Values

While the drainage reserves are man-made waterways and not natural systems, they do connect with the lake systems and contain marine and terrestrial vegetation which may have environmental values and function similarly to natural systems. Any works within the reserve will be undertaken in a manner to protect and maintain existing important marine habitat such as sea grasses, mangroves and marine species. In the event that it is determined by Council that seagrass removal is essential replanting will be required and all necessary permits from NSW Department of Industry and Investment (Fisheries).

The soils that make up the residential land next to the drainage reserves are generally low-lying dredged soils and may contain soils which are actual or potential Acid Sulphate Soils. Any works which expose soils to air shall only be undertaken after a soil test has been carried out by geotechnical engineers and appropriate management recommendations/procedures put in place.

6. Pollution Control

Erosion and Sedimentation

All development, construction and maintenance activities will have erosion and sediment controls in place to prevent the entrainment of sediment from disturbed areas.

Where disturbance of the bed of the reserves is required the appropriate control measures specified by the engineer shall be implemented to prevent the movement of sediments away from the work site.

Environment Protection (noise control, dust, chemicals, etc.)

Measures shall be taken during any construction or maintenance works on the land to ensure that normal environmental protection, pollution control and health guidelines are complied with.

7. Special Events

Temporary Uses/Special Events

The Council may allow temporary use of the drainage reserve for a continuous period of one (1) week in any calendar year, provided it is satisfied that the use does not significantly adversely affect the permanent uses of the land and conforms to the objectives of the plan. In allowing such a temporary use, the Council will have regard to the environmental impact of the use, as provided for in the Environmental Planning and Assessment Act 1979, and requirements under Local Government Act 1993. Council may determine that a Development Application is required.

8. Trees and Vegetation and Landscape

While there are few trees or other terrestrial vegetation located within the drainage reserves, those trees that are located within the reserves are generally highly valued for amenity, bank stability and environmental values.

Tree Planting and Removal

Where possible, the natural tree line is to be preserved to maintain the environmental benefits of the vegetation. Where tree removal has occurred or works are necessary for environmental management, new plantings will be undertaken. Care will be given to reduce visual impact on adjoining property owners. Protection of new plantings will take whatever form necessary to ensure established growth.

Herbicides

The use of herbicides shall not be undertaken for vegetation control on the drainage reserves due to the potential for water pollution. Any vegetation control required in the drainage reserves is to be undertaken by manual methods.

9. Information, Monitoring and Research

Monitoring and collection of information relating to the land to which the management plan applies are important to enable good management.

Education and Research

Where a demonstrated need has been identified, an educational program shall be developed to encourage appropriate use of all or part of the land to which the management plan applies.

Monitoring

Management arrangements shall be implemented to monitor the management and use of the land, conditions and facilities.

Existing structures within the reserves shall be identified by inspection by Council staff and recorded for licensing or any other action deemed necessary.

10. Administration

Administrative issues have an important influence on the way in which the land is managed.

Staff Resources

The Council shall seek to provide adequate staff resources for the management of the land and administration of licenses in accordance with this management plan. Staff shall have appropriate qualifications and/or experience.

Environmental Impact Assessment of Activities

The environmental impact of activities carried out on the land will be assessed having regard to the requirements under Parts 4 and 5 of the Environmental Planning and Assessment Act 1979.

Role of Other authorities

Other government authorities may have responsibilities or involvement in the management of the land or of immediately adjacent land. This will be taken into account and, where appropriate, consultation will take place with relevant authorities.

Activities which involve reclamation or dredging will require the approval of NSW Department of Industry and Investment (Fisheries). Activities which may affect sea grass will also require an approval from the NSW Department of Industry and Investment (Fisheries). Consultation may also take place with NSW Maritime in relation to impact of structures on navigation.

Activities carried out by other Authorities

Where activities are carried out on the land covered by this management plan by other authorities, the Council will make such authorities aware of the provisions of this management plan and, as far as possible, shall seek to ensure that any activities are compatible with the objectives and guidelines of this management plan.

Community involvement in Management

Where appropriate, the Council may undertake community consultation subsequent to the making of this management plan and may give community groups a role in management of the land.

Contract and volunteer labour

In managing the land covered by this plan, the Council may use contract and/or volunteer labour. The Council shall ensure that supervisors have appropriate qualifications and/or experience and are made aware of the requirements of this plan and other appropriate regulations.

Delegation of Management responsibilities

Where the Council delegates management responsibilities, a requirement of the delegation shall be that the provisions of this management plan are complied with.

Easements

The Council may grant easements for the provision of services over, or on land to which this management plan applies.

11. General Issues

Maintenance

Existing public assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. The Council may make arrangements for community groups to undertake maintenance for specific areas on the Council's behalf.

Private assets (structures) will be required to be maintained in a structurally stable (as certified by the engineer) and aesthetically acceptable condition.

Neighbours

The Council shall endeavour to be a good neighbour and, as far as possible, shall consult with adjoining owners in respect of management activities which may affect them.

Public Liability

The Council will maintain public liability insurance for the land to which the management plan applies. All private structures within the drainage reserves shall be covered by public liability insurance held by the relevant licence holder. The public liability insurance shall cover both the licence holder and Council as an interested party.

Public Safety

Reasonable measures will be taken by the Council to ensure and maintain the public safety of persons using the land.

User Charges

Subject to any provisions of the Local Government Act 1993, user charges for the use of facilities may be imposed by the Council.

12. Environmental Sustainability

Council will seek to manage the drainage reserves in the most environmentally sustainable manner possible. Suitable pollution controls will be utilised for activities within the reserves and environmental assessment will identify any significant features before large scale activities are carried out.

The drainage reserve provides a connection for urban infrastructure (drainage) with the lake systems. Future investigation may determine that there are opportunities to improve lake water quality through works within the drainage reserves. Where such opportunities are identified they will be pursued and implemented in a manner to improve environmental qualities of the area.

SECTION 3 – IMPLEMENTATION

How to apply the Management Policies and Guidelines

The management policies and guidelines outlined in this management plan must be taken into consideration in making decisions on management of the subject land.

Schedule 1: Land cover by the Management Plan

Site Type	Suburb	Site Name	Lot Number	Deposited Plan No	Ownership
Drainage Reserve	Forster Keys	Kenrose Street	50	609496	Council
Drainage Reserve	Forster Keys	Forster Keys	104 248 160-162 230	245073 593704 255648 261608	Council

