

Basic Trust Land Management Plan

Land Management Plan applies to:

A specific parcel of trust land detailed in 3 below

or

A class of trust land

or

Trust land within a specific locality or regional area

Land Management Plan Duration: From the date of approval until revoked by the Minister.

1. Compliance with legislation, planning schemes, etc

This land management plan proposes the Minister approve the trustee to establish a trustee lease area within the trust land which will accommodate a community facility, pursuant to Section 61 of the Land Act 1994.

2. Trustee details

Trustee's name Sunshine Coast Council
Trustee's address Locked Bag 72, Sunshine Coast Mail Centre QLD 4560

3. Existing tenure of the subject land

Trust Land description: Reserve for Recreation
Lot: 740
Plan: CG4050
Parish: Mooloolah
County: Canning
Local Government: Sunshine Coast Council
Area of land (in hectares): 0.76 ha (7600sqm)
Conditions of tenure: Standard trustee conditions

4. Existing description of the subject land

Site Description:

(Insert details of current site condition and special features, including history of the land if readily available and applicable i.e. areas of cultural and heritage significance)

In 1978, the subject land was gazetted as State Reserve for Recreation with Sunshine Coast Council as Trustee. The current zoning of the subject land is 'Open Space' and its surrounds is 'Medium Impact Industry' with the Kunda Park precinct accommodating a wide range of manufacturing, industrial, storage, distribution and related activities.

Local area description

(Insert description of the local area as per the local town plan and planning intentions/trends for the area and details of land use in the locality e.g.: uses of nearby land which are likely to affect the trust land, for example, the use of lights on tennis courts at night may interfere with an adjacent residential use.)

The subject land is located in Kunda Park, Sunshine Coast. Kunda Park precinct is located either side of the Maroochydore Road, west of the Maroochydore urban area or almost half way between the coast and Nambour. Part of this precinct is situated beside East Eudlo Creek.

The Sunshine Coast Planning Scheme 2014 Local Plan Code (7.2.11) and the Purpose and overall outcomes for Forest Glen/Kunda Park/Tanawha are attached as **Attachment 5**. Relevant comments in the local plan code are: -

“The Forest Glen/Kunda Park/Tanawha local plan area is maintained predominantly as a rural and bushland rural residential area with important industry areas, major community facilities and other forms of urban development limited to nodes on the northern and western margins of the local plan area”.

In the Sunshine Coast Planning Scheme 2014 the subject land has an Open Space Zone Code (6.2.14). The purpose and overall outcomes of the Open Space Zone Code is attached as **Attachment 6**. Relevant comments for this zone are: -

“The purpose of the Open Space Zone Code is to provide open space and park functions and those uses which are associated with the safe and comfortable public use of those areas. The zone may also accommodate open space required for drainage or amenity purposes. Where required to meet community needs, development may include shelters, amenity facilities, picnic tables, and playgrounds and infrastructure to support safe access and essential management”.

Existing uses of the land

(Insert details of existing uses, both Primary and Secondary of the subject land, including multiple uses as well as details as to whether the existing primary use caters adequately for the multiple uses of the existing infrastructure on the land.)

The topography of the subject land is mainly flat. The subject land is currently vacant and predominantly cleared of vegetation. Sunshine Coast Council's Parks and Gardens currently utilise the subject land for the stockpiling of mulch and topsoil. This land is currently being accessed weekly for this purpose.

Existing interests

(Insert details, including conditions, of any existing interests over the subject land e.g.: leases, licences, easements, etc and details of their associated uses e.g.: daily usage, liquor licences, gaming machine, Land Management Planning for Reserves or Deeds of Grant in Trust – Information Kit 16 etc.)

There are no easements, existing leases or licences over the subject land.

Existing Infrastructure

(Insert details of existing infrastructure on, above and below ground level and which use they support e.g.: buildings, car parks, playing fields, underground pipelines, etc.)

The existing infrastructure on this land is minor and consists of:

- boundary fencing with two (2) access gates at the entrance of the subject land
- driveway access
- kerb, gutter and a storm drain exist at the road frontage of the subject land
- underground services - sewer infrastructure bisects the subject land.

Exclusivity and restrictions of existing interests

(Insert details of exclusivity and restrictions of existing interests eg: access, security, club membership, schools right to use, etc.)

The subject land is currently vacant and there are no existing leases or licences. The land is secured by fencing and it is only accessible to Sunshine Coast Council's Parks and Gardens branch and Civil Works Services for the purposes of stockpiling mulch and topsoil. It is the intention of Sunshine Coast Council to develop a local recreation park on the land. Development of the local park area will be incremental and dependent on funding available in Council's future Capital Works Program.

Native Title Status

(Insert details of Native Title considerations made. NOTE: an application cannot proceed if Native Title is an issue and it cannot be resolved).

The Native Title for the subject land is awaiting determination. The subject land is within the Kabi Kabi First Nation Peoples' registered native title claimant area. Council has had preliminary discussions with the Communications Officer of the Kabi Kabi First Nation People. The Kabi Kabi First Nation People have recommended that a Cultural Heritage Assessment is undertaken prior to any development work proceeding on the land. The Cultural Heritage Assessment will identify any culturally significant/archaeological sites on the land, the implications of future proposed development, mitigation options and management recommendations.

5. Proposed use/s of the subject land**Proposed use/s of land**

(Insert details of the proposed uses of the subject land).

The Concept Plan for the Park is attached as **Attachment No.1**

Primary use of subject land

The subject land is Reserve for Recreation and as such the primary use will be to provide a local recreational park on the subject land. As outlined in the Sunshine Coast Open Space Strategy 2011, approximately 5,000 square metres of the land is required for a local recreation park in order to meet with the desired standards of service for a local recreation park (industrial).

Given the predominance of industrial and commercial land uses in the Kunda Park precinct, there are benefits in developing a portion of the subject land for a local recreational park. The park will provide recreation opportunities for workers and day users of this precinct and residents in surrounding areas. This use is consistent with both the current gazetted purpose, Sunshine Coast Council's Planning Scheme 2014 and Council's Open Space Strategy 2011 Desired Standards of Service.

Secondary use of subject land

The proposed secondary use is the inclusion of a community facility on the subject land with a trustee lease established.

Council has been approached by a number of community organisations and clubs seeking land to build a community facility so they can effectively deliver their community services. Building a community facility on the subject land will be dependent on a community organisation being able to finance the construction of the facility, equip and run the facility without assistance from Council.

The subject land has been identified as suitable land for establishing a community facility as there is potential for the proposed secondary use to enhance the primary use of the land. Establishing a community facility may increase public usage and activate the local recreational park with an aim of preventing crime and supporting recreation.

The Concept Plan for the subject land is consistent with Crime Prevention through Environmental Design (CPTED) Guidelines with the specific goals of:

- surveillance
- legibility
- territoriality
- ownership; and
- management

The secondary use of the subject land is not consistent with the purpose of the trust; however it is the opinion of the trustee that the proposed secondary use will not diminish the purpose of the trust land, and will not have an adverse effect on any business in the area. The secondary use is in accordance with the Sunshine Coast Planning Scheme 2014.

Is the proposed secondary use consistent with the primary use of the land:

Yes

No

Development intended

(Insert details of the development intended (eg: facilities, car parking, access, etc.) to be carried out and does the trustee intend to carry out further development on the trust land. If so, what is the longer-term development proposal and is there a master plan (including proposals, funding and staging of development in accordance with the local government planning schemes and the State's interest). What planning has been undertaken to ensure that the most efficient and effective layout of the development is being adopted).

The Concept Plan sets out the future intended development of the subject land. Development of the local recreational park will be staged over future years dependent on funding available in Council's future Capital Works Program. Therefore, the local recreational park area is shown on the Concept Plan as green space with no embellishments. The Concept Plan layout addresses future park provision through preservation of suitable land area with frontage to Page Street.

The development of the community facility is dependent on the capacity of a community organisation to finance the costs associated with building, equipping and running the facility; however it is proposed that the development will consist of:

- a community facility (700sqm)
- a Productive Community Garden for programs and activities
- a storage shed for the Productive Community Garden; and
- car parking facilities in accordance with the Sunshine Coast Planning Scheme 2014.

Intended development of the subject land will be subject to:

- The Trustee granting consent to lodge an application for the type of the structures permitted for the community facility and storage facilities and whether/when building certification is required
- capacity of applicants to meet all Development Application provisions
- consideration of Cultural Heritage obligations
- consideration of Council policies with regard to the use of public land
- approval of any associated Development Applications; and
- compliance with the Sunshine Coast Planning Scheme 2014.

Exclusivity and restrictions of existing associated with the development

(Insert details of the possible exclusivity and restrictions posed by the proposed use and associated development, for example details of:

- *placing and height of fences;*
- *locking of gates and timings;*
- *if a club, the goals of the club and membership rules and the ease of use of facilities by non-affiliated and non-resident clubs; and*
- *the composition of trustees.)*

The local recreational park will be publicly accessible open space supporting a range of social and recreational activities for the general community.

The community facility will be in a leased area. It is anticipated that the community facility will be accessed by community members Monday to Friday 7am-6pm, however this will be dependent on the operations of the tenure holder. To prevent exclusion from the open space areas, it is intended that the leased area will not have security fencing and the tenure holder will invest in appropriate security measures to secure the community facility during the times the facility is closed to reduce the potential for vandalism and criminal activity.

It is also recommended that a publicly accessible community garden is developed on site. This will be negotiated with the tenure holder.

There is existing boundary fencing at the site which is two (2) metres in height. Until the local recreation park is developed the fencing will remain in place to secure the site.

Commerciality

(Insert details of any relevant commerciality issues, for example, details of:

- *beneficiaries of the reserves income generated;*
- *activities held regularly with commercial operators;*
- *proportion of income used for ongoing maintenance;*
- *expected income generated;*
- *proportion of the land used for commercial activity;*
- *relationship of the financier to the proposal / trust; and*
- *amount of rent paid to trustees.)*

Defining commerciality on community purpose trust land is made difficult as the Trustee Lessee will be a not-for-profit organisation which does not generate a revenue stream through commercial activities. This is because all nett proceeds of the organisation are to be expended on the provision of facilities and services that benefit the organisation's members and the local community. Therefore, no individual or group is able to derive personal profit from the operations of a not-for-profit organisation, except under normal commercial arrangements for the provision of goods and services.

6. Community consultation

(Insert details of the consultation that has taken place to sound out the views of the community in relation to the proposed use of the trust land – what issues were identified, how they influenced the 'Land Management Plan' and what actions have been taken as a result).

To develop the Concept Plan and Land Management Plan, internal consultation was undertaken across all relevant departments of the Sunshine Coast Council to ensure environmental management and planning matters can be managed effectively by the Trustee and the best outcome can be achieved for the community.

Council has consulted with a number of local community service organisations and sporting clubs who are seeking land to build a community facility. The facility requirement for these organisations and clubs has informed the community facility specifications in the Concept Plan.

Community consultation in relation to the proposed tenure arrangements and development on the subject land will be undertaken in line with Council's community engagement framework and the Local Government Act 2009.

7. Objectives and Proposed Actions

(Insert details of the objectives of the Land Management Plan and any proposed actions to achieve those objectives.)

Objectives

The goal of the Land Management Plan is to identify an appropriate use for the trust land. The Land Management Plan will ensure the amenity and prevailing value of the subject land is not diminished in any way and that the community benefits to be derived from the use of any part of the site, for its dedicated purpose are maximised, managed effectively by the trustee, and in line with the objectives of the Land Act 1994.

Proposed Actions

Actions	Relevant Financial Year	Budget Allocated \$
Seek approval of the Concept Plan and Land Management Plan.	2014/2015	Nil
Undertake Cultural Heritage Assessment	2015/2016	TBC
Establish a lease area within the trust land which will accommodate a community facility, pursuant to the requirements of the Land Act 1994.	2015/2016	Nil
Commence planned development of the local park area and associated maintenance arrangements.	To be determined	Ongoing capital works funding to be allocated for staged development of the local park area.

8. Monitoring and Revision

Intended monitoring and revision timetable

(Insert the timeframes appropriate and what will be monitored and revised in the 'Land Management Plan' when eg: Annually at the AGM – this can be used to evaluate the trustees' compliance with the 'Land Management Plan'). NOTE: At least annual inspections of the Trust land should be performed.

Monitoring and revision of the Land Management Plan will be an ongoing process undertaken by Sunshine Coast Council in consultation with users of the subject land and the general public.

Revisions to this Land Management Plan may be necessary once capital expenditure is available to develop the local recreational park. The staged implementation of the local park area will be considered annually as part of Council's Capital Works Program.

A major review of the Land Management Plan will be undertaken by the Sunshine Coast Council in consultation with relevant users/lessee at least once every five (5) years, or as required, with three (3) months notice of the requirement for such review being given.

The following methods will be used to monitor and review the Land Management Plan:

- Surveys of the secondary user groups will be carried out every 5 years for identification of any management or infrastructure issues
- Assessment of any legitimate complaints will be used to determine any short-term maintenance or minor capital works to the local recreational park
- Implementation of Council's Asset Management System which documents asset lives, deterioration models, service levels and condition assessment criteria; and

As part of a five (5) year Land Management Plan review, feedback will be sought via communication with the wider community, capturing comments, issues and suggestions on the management and use of the trust land.

9. Summary and Recommendations

(Insert a summary of the 'Land Management Plan' and relevant recommendations)

This Land Management Plan contains the following recommendations:

- The Minister approves a trustee lease for the subject land for the establishment of a community facility as a way of activating the planned local recreational park, enhancing the use of the planned local park and undertaking community projects and activities suitable to the zoning of the Kunda Park precinct.

The following conditions will be adhered to as part of the trustee lease approval:

- The management of the trust land is undertaken by the Sunshine Coast Council as trustee

- Decision making in relation to the proposed development of the subject land rests, in the first instance, with the Sunshine Coast Council
- The Sunshine Coast Council will be responsible for ensuring that all Local, State and Federal Government legislative requirements affecting the trust land are met
- The Sunshine Coast Council, with assistance from the Department of Natural Resources and Mines, will exercise its role as trustee effectively and in line with the requirements of the Land Act 1994; and
- Interests and use of the trust land by a community organisation may only be provided in the form of either a trustee lease or licence recognised under the provisions of the Land Act 1994.

10. Appendices

Attachment 1

Concept Plan at a scale of 1:500 (A3)

Attachment 2

Registered Plan (CG4050)

Attachment 3

Aerial view of 8 Page Street, Kunda Park

Attachment 4

Street view of 8 Page Street, Kunda Park

Attachment 5

The Sunshine Coast Planning Scheme 2014 Local Plan Code (7.2.11) for Forest Glen/Kunda Park/Tanawha.

Attachment 6

The Sunshine Coast Planning Scheme 2014 Open Space Zone Code (6.2.14).

