

Plan of Management

Byron Bay Railway Park

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Appendix A: RAILWAY SQUARE LANDSCAPE CONCEPT PLAN

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1 Introduction

1.1 Background

Under the *Local Government Act 1993* (LGA), a Plan of Management provides a framework for the management and development of public land owned by a local Council.

The LGA requires that all public land owned by Council be classified as either **community land** or **operational land**. Council must have a plan of management for all **community land**. This is to ensure that an endorsed framework guides the operation and development of these community resources.

Railway Park is classified as **community land**. The objective of this Plan of Management (Plan) is to guide future management, development and use of Railway Park, to deliver:

- positive social, environmental, economic and governance outcomes; and
- positive contributions to the health and wellbeing of the Byron Bay community; and
- positive contributions to the financial sustainability of the Council.

Railway Park has been identified within the Byron Bay Town Centre Masterplan as part of a key community precinct, with potential to become a vital town square, serving the needs of the community.

Railway Park was originally included in Council's generic *Plan of Management – Parks and Gardens*, adopted by Council in June 1996, which dealt with all Council-owned parks in the Shire.

That Plan of Management was subsequently updated, with the adoption of *Generic Plan of Management for Community Land Categorised as a Park*, in February 2005.

Railway Park was not included in that updated plan.

This Plan of Management has been prepared to ensure that management and use of the Park is undertaken in accordance with the requirements of the LGA. It has been prepared to be flexible and enabling, to allow the Park to meet current and future community needs.

1.2 Land description

This Plan of Management covers the land known as Railway Park, Byron Bay, detailed and shown below in **Figure 1**.

Land Title: Lot 2 DP 827049

Address: The Park is bounded by Johnson Street to the east, and abuts the Railway Square precinct to the south-west. Land immediately to the west is part of the rail corridor, while a privately owned commercial lot adjoins to the north.

Owner: Byron Shire Council

Zoning: RE1 Public Recreation

Figure 1: Railway Park - Locality



1.3 Category and classification of Byron Bay Railway Park

The Byron Bay Railway Park is classified as **community land** under the LGA. It is currently not categorised under that Act.

This Plan of Management proposes that the Park be categorised as **general community use**.

Pursuant to Section 36I of the LGA, the core objectives for land categorised as general community use are:

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*
- (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).*

This Plan of Management outlines how Council proposes to achieve these core objectives in relation to Railway Park.

1.4 Zoning

Railway Park is zoned RE1 Public Recreation under the Byron Local Environment Plan 2014 (see **Figure 2**)

Current as at the date of adoption of this Plan, the objectives of and permissible uses in the RE 1 Public Recreation zone in Byron Shire are:

1. Objectives of zone

- *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.*

2. Permitted without consent

Environmental protection works

3. Permitted with consent

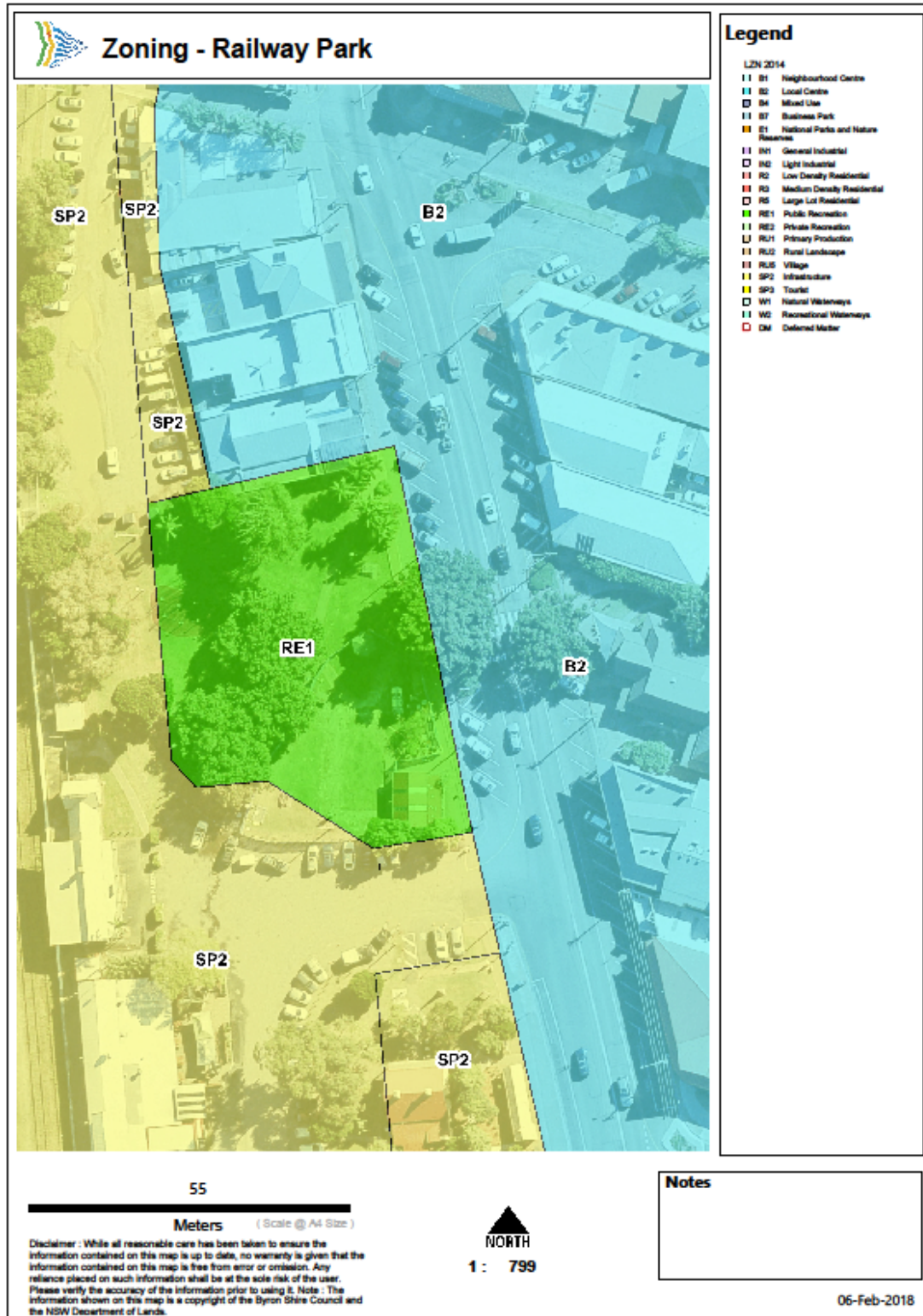
Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Child care centres; Community facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Flood mitigation works; Function centres; Horticulture; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage

4. Prohibited

Any development not specified in item 2 or 3.

The Local Environment Plan is changed from time to time and it should be referred to directly for up to date information on zoning and permissible uses.

Figure 2: Railway Park - Zoning



1.5 Heritage

Railway Park is located within a larger Local heritage Conservation Area, which takes in the adjacent Station Building, part of the rail corridor, and buildings on the eastern side of Jonson Street.

The Railway Buildings, associated car park area and rail corridor north to Lawson Street are part of a State heritage listed area.

The local and State listing reflects the importance of the Park and adjacent area to the Town Centre and celebrates the history of the place.

The local heritage values are protected by way of the provisions of clause 5.10 of *Byron Local Environmental Plan 2014*. Future uses of the Park will need to be considered in accordance with these provisions, the objectives of which are:

- (a) *to conserve the environmental heritage of Byron,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

Heritage values within the adjacent rail corridor area have the additional protection of the *Heritage Act 1977*, requiring an additional, State Government administered approval process.

2 Community Values and Outcomes

Railway Park has social, cultural, historical, recreational, natural and future generational values, which are all significant at a local level.

The primary value of the land is its intrinsic worth as a central public open space in the heart of town, which has acted as a traditional meeting place.

The Byron Bay Town Centre Masterplan (2016) promotes Railway Park, as part of the wider Railway Square precinct, becoming the key town square for Byron Bay and “*an arrival point that supports the diverse needs of both the local and tourist community*”.

As part of the implementation of that Plan, Council has worked with the Byron Bay Town Centre Guidance Group to prepare the *Railway Square Landscape Concept* (Plummer & Smith) – see **Appendix A**.

That Concept provides a design for the upgrade of Railway Park, within the vision of:

A central public space in the town where the community can connect with each other and their town – a meeting place

The Landscape Concept was endorsed by Council at its meeting of 14 December 2017 and the vision is adopted for the purposes of this Plan of Management.

In addition to achieving this vision, upgrading of the Park in accordance with the Landscape Concept can assist in achieving the core objectives of the Plan of Management, and providing positive community outcomes, including:

Social Outcomes:

Railway Park has significant value as a central meeting place, which can enhance social interaction within our community. The land also provides passive recreation opportunities for all ages, which can contribute to positive health outcomes.

The Railway Square Landscape Concept Plan includes provisions that aim to encourage:

- child play;
- informal community gathering;
- performances; and
- markets.

The site has been identified as a key public space with potential for integrating public artwork that is both ambitious and culturally significant. The Landscape Concept Plan includes opportunity for public Bundjalung artwork that could occupy a hardstand area and speak of country, local culture and embedding the park with history.

Environmental Outcomes:

Together with the Railway Park Landscape Concept Plan, this Plan of Management puts the preservation and protection of the natural elements of the park at the forefront.

The Landscape Concept is designed around the existing Cottonwoods (*Hibiscus tiliaceus*), promoting this group of trees as the key focal point.

The Park upgrade will also provide a public space in the middle of town where users of all ages can engage directly with nature.

Economic Outcomes:

Railway Park provides indirect economic value to the town.

The park is easily accessible; provides visual amenity to surrounding commercial and retail premises; provides shade and rest enabling longer stays in the centre; and enhances the liveability of the town, resulting in economic benefits to community.

Railway Park provides economic value in the form of capacity for small-scale commercial use, consistent with the core objectives and this Plan, community/artisan markets being an example. Such use can generate economic benefits for the town and provide an important opportunity for Council to offset operational costs.

Civic Leadership Outcomes:

The primary governance outcome for Council is the management of Railway Park over the short, medium and long terms, in a financially sustainable way.

Demands on local government and community needs are constantly evolving. This Plan has been deliberately prepared to be as flexible as possible, so that it can continue to deliver governance outcomes over the short, medium and long terms.

Implementing the Byron Bay Town Centre Masterplan and Byron Shire Community Strategic Plan actions are also important governance outcomes for Council and the community.

It is never possible to action every idea or meet all needs on particular site and a quadruple bottom line outcomes (social, environmental, economic, civic leadership) approach will be taken to achieve balanced management of Railway Park in the best overall community and Council interest.

Some individual actions can have positive outcomes against one sustainability criteria but negative against others or vice versa. To address this, a holistic, strategic approach will be taken by Council and where required, actions that have greater overall positive sustainability outcomes will be preferred.

3 Current Status

3.1 Existing Leases, Licenses and other Agreements

There is currently a Licence Agreement for Occupation of Community Land for Artisans Market applicable to the land. The agreement is between Byron Shire Council and Byron Bay Community Association Incorporated and allows for artisan markets to be held on the land.

The licence runs from 1 November 2016 to 31 October 2021.

Under the terms of the licence, an artisan market is *a market that primarily features artisans, contemporary art, handicraft and designers, along with wellbeing practitioners and food producers.*

3.2 Current Uses

The known uses of the Byron Bay Railway Park existing as at the date of adoption of this Plan of Management are set out in the table below.

Uses of the Byron Bay Railway Park have evolved over time and will continue to change into the future. For details on uses at any given time, please contact Council.

Use	Description
Amenities building	Public toilets
Passive recreation	<ul style="list-style-type: none"> • General community use for a variety of passive uses and passive recreation pursuits • Children's playground and shade structure • General access and movement across site
Cultural/ artistic space	<ul style="list-style-type: none"> • Space for cultural and/or artistic performances i.e. busking, dance performance etc.
Rotunda	Used by Byron Environment Centre (BEC) for community information, education and as a community access point for various environmental programs, activities and

	<p>protests.</p> <p><i>[Note: use of this rotunda by the BEC does not appear to have been authorised under any previous Plan of Management or other approval process]</i></p>
Memorial Pole	This memorial pole was erected on the western edge of the Park to celebrate the life of a local Arakwal man.
General	Various ancillary infrastructure and uses, examples only lighting, bins, paths, public telephones, seating, bicycle parking.
Social/economic space	Space for artisan markets



3.3 Current Maintenance and Management

As at the date of adoption of this Plan of Management, Council manages and maintains the Byron Bay Railway Park as landowners.

4 Core Objectives for Management of General Community Use Land

At the date of adoption of this Plan, the LGA specifies that the core objectives for management of community land categorised as general community use are 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*

(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)."

The legislated core objectives may change from time to time and this Plan will be deemed to incorporate relevant statutory changes.

Set out below are strategies, methods and performance targets that will be implemented to meet the core objectives of this Plan.

This is not an exhaustive list and this Plan expressly authorises other strategies or actions that are consistent with the objectives of this Plan and the core objectives of the General Community Use Land category and legislative requirements that apply at the time.

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ITEM	STRATEGIES	PERFORMANCE TARGET	MEANS OF ACHIEVEMENT / ACTIONS	PRIORITY	METHOD OF MEASUREMENT
Passive Recreation	Implement the upgrade proposals outlined in <i>Railway Square Landscape Concept</i> (see Appendix A)	Upgrades complete by December 2019	Staged implementation including: <ul style="list-style-type: none"> • allocation of funding • detailed design • tenders for construction • construction works 	High	Upgrade completed on Schedule.
	Maintain and enhance use of the land for a variety of passive recreation uses.	Appropriate facilities provided and managed for passive recreation.	Leverage grant, co-funding and impact investment opportunities to fund maintenance or future upgrading of passive recreation facilities and infrastructure.	High	Increased passive recreation use of the space. Levels of satisfaction. Operational costs and revenue trends

ITEM	STRATEGIES	PERFORMANCE TARGET	MEANS OF ACHIEVEMENT / ACTIONS	PRIORITY	METHOD OF MEASUREMENT
Community / commercial use of buildings and land	The land can be authorised for use for a variety of community and/or commercial purposes.	<p>Use of the land for community or commercial purposes that:</p> <ul style="list-style-type: none"> • are consistent with this Plan and the core objectives; and • deliver enhanced social, environmental, economic & civic leadership outcomes. 	<p>Maintain existing licence for regular Artisan Markets</p> <p>Undertake an Expression of Interest process for the use of the rotunda by community groups.</p> <p>Negotiate licence/ lease arrangement with the preferred Community Group (Byron Environment Centre or similar) for continued occupation and use of the rotunda, including:</p> <ul style="list-style-type: none"> • establishing the structural adequacy of the existing facility; • working with the preferred Community Group to determine an appropriate location within the Park; • coordinating relocation (if required) and structural improvements (if required) to ensure the rotunda remains useable for the future. <p>For other short term and temporary uses, enter into licences or agreements as appropriate.</p>	High	<p>QBL outcomes achieved.</p> <p>Continuation of regular artisans markets</p> <p>Continued presence of rotunda (or similar structure) and its use by Byron Environment Centre (or similar local environmental organisation).</p>

ITEM	STRATEGIES	PERFORMANCE TARGET	MEANS OF ACHIEVEMENT / ACTIONS	PRIORITY	METHOD OF MEASUREMENT
Public Toilets	Provide suitable and inclusive toilets and amenities	Public toilets are maintained at an appropriate standard	Provision of new public toilet block, as per the Railway Square Landscape Concept Plan Leverage grant opportunities to improve public toilets as required	High	Levels of satisfaction.
Ancillary infrastructure	Provide inclusive ancillary infrastructure to meet the needs of all age groups; for example playground facilities, exercise opportunities, seating.	Ancillary infrastructure is inclusive and meets the community demand at the time.	Install drinking bubblers and water bottle refill stations. Implement: <ul style="list-style-type: none"> • children's play aspects • seating • waste bins • lighting and • artwork as per the Railway Square Landscape Concept Plan	High	Drinking water facilities installed. Completed implementation of the Railway Square Landscape Concept Plan
Memorial Pole	Maintain and protect the pole as a celebration of the life of a local Arakwal man.	Protection of the pole.	Design park upgrades to reinforce the importance of the pole.	High	Pole retained in prominent position in upgraded park.

ITEM	STRATEGIES	PERFORMANCE TARGET	MEANS OF ACHIEVEMENT / ACTIONS	PRIORIT Y	METHOD OF MEASUREMENT
Emissions & Energy Use Reduction	Transition use, maintenance and development of the Park infrastructure and facilities towards net zero emissions	The square is used, maintained and developed in a manner that is consistent with Council's emissions targets.	<p>Introduce emissions and waste minimisation/ elimination actions into User Agreements.</p> <p>Support users to identify ways they can:</p> <ul style="list-style-type: none"> • transition towards net zero emissions and • develop and implement waste minimisation / elimination plans. <p>In implementing the Railway Square Landscape Concept Plan:</p> <ul style="list-style-type: none"> • use LED lighting; • where possible, incorporate edible plantings into gardens; • choose materials with low embodied energy; • investigate use of solar (or other renewable source) for electricity needs of toilet / amenities and infrastructure such as pumps for water play; • maximise recycling of water in water play area; and • incorporate bicycle racks at key entry points. 	Medium	Emissions (measured as CO ² in tonnes) from electricity use.

ITEM	STRATEGIES	PERFORMANCE TARGET	MEANS OF ACHIEVEMENT / ACTIONS	PRIORITY	METHOD OF MEASUREMENT
Maintenance and Management	Ensure the Park is clean and appropriate for a wide variety of uses.	Park maintained to agreed levels of service.	Develop a comprehensive maintenance program, including levels of service and details of partnerships that will deliver park maintenance services, for example: <ul style="list-style-type: none"> • inspections; • waste and recycling management; • grass cutting; • delineation/management of boundaries; • vegetation management; • graffiti removal; etc. 	High	Levels of service delivered.
		Have clear communication between Council and user groups.	Nominate a Council representative to work with users.	High	User satisfaction with communication with Council.

ITEM	STRATEGIES	PERFORMANCE TARGET	MEANS OF ACHIEVEMENT / ACTIONS	PRIORIT Y	METHOD OF MEASUREMENT
Safety and Risk Management	Discourage and minimise antisocial behaviour. Undertake regular inspections of the Park	Park is a safe public space.	Apply Crime Prevention through Environmental Design (CPTED) Principles to the land and infrastructure. Comprehensive maintenance program includes partnerships and processes to remove and repair damage caused by graffiti or vandalism as soon as possible. Activate the park and create family friendly spaces to promote inter-generational activity, as per designed for in the Railway Square Landscape Concept Plan.	High	Levels of satisfaction. Health and Wellbeing indicators.
Access and movement	Provide linkages with other areas of Byron Bay to, through and around the Park	Adequate pathways and access to, through and around the Park are provided	Implement Railway Square Landscape Concept	High	Railway Square Landscape Concept is implemented.
Parking	Ensure bicycle parking is adequate to meet needs of users of the Park	Adequate bicycle parking infrastructure is constructed.	Provision of adequate bicycle parking facilities.	Medium	Levels of satisfaction

5 Leases, licences and other estate

Subject to the *Local Government Act 1993*, this Plan of Management expressly authorises the granting of an interest in any part of the Park for any of the following purposes (as well as any purpose ancillary to these purposes):

- community or non-profit;
- commercial; or
- any purpose that is consistent with the objectives of this Plan, the core objectives of the Park's categorisation and legislative requirements applicable at the time.

6 Future use and development of the land

The LGA requires that a Plan of Management must expressly authorise any proposed developments on community land. It must detail the scale and intensity of this development and the purpose for which it will be used.

The following table details the development that this Plan of Management expressly authorises within Railway Park.

Description	Purpose/use	Authorised scale of development
Buildings and land	<ul style="list-style-type: none"> • passive recreation; • community use; • commercial use (e.g. markets, filming, events, outdoor entertainment, etc.); • works (for example but not limited to demolition, building, earthworks, drainage, roadworks etc.); • infrastructure (for example but not limited to lighting, seating, roads, paths, parking, bins, etc.); • any building development and/or work ancillary to the purposes listed above. 	<ul style="list-style-type: none"> • anywhere on the Byron Bay Railway Park; • 24/7; • under or above ground; and/or • of a size, scale and intensity that is permitted by planning instruments or other laws applying at the time <p>provided it is consistent with the objectives of this Plan and the Core Objectives and legislative requirements applying to the Byron Bay Railway Park at the time.</p>

7 Estimated cost of works

Preliminary estimates have been undertaken for the Railway Square Landscape Concept, with a cost in the order of \$2M for all of the works.

These costs will be refined as individual stages of the upgrade works are progressed.

No estimates are available in relation to works that may be required for the maintenance and/ or relocation of the existing rotunda. Costs will depend on an assessment of the structural adequacy of the existing facility and the decision whether it will be relocated.

APPENDIX A RAILWAY SQUARE LANDSCAPE CONCEPT PLAN