

- 11.3 Prior to the commencement of any of the works referred to in the preceding clause the Owner shall submit for the approval of the Council a landscape plan and plans and specification of the public access track and boardwalk.
- 11.4 Such works shall be completed to the satisfaction of the Council and the Department of Natural Resources and Environment.
- 11.5 The covenants imposed upon the Owner in this clause shall not apply to the excluded land.

Golden Beach (Torquay Sands) Environmental Management Trust

- 12.1 The Owner forthwith upon the execution of this agreement shall, to the satisfaction of the Council, establish a legal entity to be known as the Golden Beach (Torquay Sands) Environmental Management Trust (the Trust).
- 12.2 The initial membership of the Trust shall comprise -
- (a) a representative of the Council;
  - (b) a representative of the Trust for Nature and
  - (c) a representative of the Owner.

- 12.3 The responsibilities of the Trust will include:-



- 12.3.1 to become the registered proprietor of that part of the land shown as saltmarsh on the Schedule 4 Plan;
- 12.3.2 preparation and implementation of a management plan for the saltmarsh;
- 12.3.3 monitoring and enforcing compliance with this agreement, the EMP and ongoing obligations and responsibilities in the EMP such as the preparation of management plans, monitoring of outcomes keeping and records and implementation of follow up actions;