



LEETON
SHIRE COUNCIL

**CHILDREN'S SERVICES LANDS
PLAN OF MANAGEMENT**

Reserve 89629

Reserve 97727

DOCUMENT CONTROL

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REVIEW OF THIS POLICY

This Policy will be reviewed every 4 years or as required in the event of legislative changes. The Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of this Policy. Any amendment to the Policy must be by way of a Council Resolution or the approval of the General Manager.

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1.0 Key Information

The Childrens Services Lands Management Plan has been prepared by Council and provides direction as to the asset management of the Leeton Pre-School Kindergarten situated on Crown Reserve 89629 and the Leeton Early Learning Centre situated on Crown Reserve 97727. The Management Plan is required in accordance with Section 3.23 of the Crown Land Management Act 2016 and Section 36 of the Local Government Act 1993.

The Management Plan outlines the way the facilities will be used and provides the framework for Council to follow in relation to the Leasing, Licensing and Permit processes for the land. The plan may be used to determine the allocation of resources and funds.

2.0 Introduction



Leeton Shire is one of the most innovative, inclusive and progressive places in regional Australia.

Located in the Riverina 584km from Sydney, 470km from Melbourne and 371km from Canberra, Leeton is the second largest regional centre in the Western Riverina region.

Leeton Shire Council is responsible for the care and control of many parcels of community land and with the introduction of the Crown Land Management Act 2016 on 1 July 2018, Crown reserves, which Council as the Crown Land Manager will generally manage under the provisions of the Local Government Act 1993.

2.1 Corporate Objectives

Leeton Shire has a bright future. As a community we know that achieving this takes a clear vision, strong leadership and dedicated commitment to see our aspirations delivered in full.



The Leeton Community Strategic Plan '**Leeton On The Go**' is made up of six themes. The six key themes are:

- 1 **A Healthy and Caring Community** - a community that:
focuses on being healthy, embraces lifelong learning,
is friendly and inclusive,
is safe to live in and move about,
enjoys good housing.
- 2 **A Healthy Natural Environment** - a community that:
respects the natural environment,
enjoys our natural environment.
- 3 **An Active and Enriched Community** - a community that:
participates in sports and active leisure,
enjoys arts and culture,
values its heritage.
- 4 **A Thriving Economy with Good Jobs** - a community that:
thrives with irrigated agriculture,
is strong in business and employment,
has great attractions and events,
enjoys a vibrant town centre.
- 5 **A Quality Built Environment** - a community that:
has reliable water and sewerage services in towns,
has good road, rail and air transport,
enjoys attractive towns and parks.
- 6 **Strong Leadership** - a community that:
has politicians who act and listen,
speaks up and gets involved,
is always on the front foot.

2.2 Land to which this plan applies

The land to which this plan applies is:

Crown Reserve 97727 contained in Part Lot 4 Deposited Plan 729578.

The Reserve is known as the Leeton Early Learning Centre.

Crown Reserve 89629 contained in Lot 3 Deposited Plan 729578 and Lot 2 Section 98 Deposited Plan 758606.

The Reserve is known as Leeton Pre-school Kindergarten.

The Reserves are situated side by side and are located on Valencia Street Leeton adjoining Waipakarau Park.



2.3 Local Context

The children's services provided on Community Land have an important local context in providing quality and affordable care for children and associated services for the residents of Leeton Shire.

Children's services are a valuable function in society through the provision of care, education, protection and development of children. Children's services foster the intellectual, physical, emotional and social development of children.

Children's Services assist parents balance work family commitments, provide respite care and linkages to other services. The provision of quality children's services in Leeton Shire recognizes the specific needs and wellbeing of children as a distinct and valued group in society.

Leeton Shire Council supports non-profit children's services in various ways to assist with the provision of services. Community based, non-profit children's services provide affordable services to the community, redirects profits raised back into the service and are run by Council and the parents and citizens of the community.

High demands for children's services in Leeton Shire have produced waiting lists, as local services are unable to meet community needs.

At the time that his Plan was written, there was significant demand for children's services in Leeton Shire.

2.3.1 LEETON PRESCHOOL KINDERGARTEN- RESERVE 89629

The Leeton Preschool Kindergarten situated on Reserve 89629 is a not-for-profit organization managed by a Management Committee of parents.



2.3.2 LEETON EARLY LEARNING CENTRE – RESERVE 97727

The Leeton Early Learning Centre situated on Reserve 97727 is operated by Leeton Shire Council and was established in 1986. The Leeton Early Learning Centre offers a quality age appropriate early childhood education and care currently for 60 children per day ranging in age from 0-6 years. The centre operates 5 days a week, for 50 weeks of the year the opening hours are from 7.45am to 5.45pm.



2.4 Values and Issues

The following values and issues have been identified for children's services lands covered by this Plan.

VALUES
A safe, secure and healthy environment for all users, visitors and staff
The provision of accessible and affordable quality children's services
The ability to cater for changes in demand for services and capacity
Well maintained services and centres
Appropriate consultation

ISSUES
Safety and security
Children's services regulations and standards
Capacity and demand
Asset management and maintenance
Access
Parking and Traffic
Hazardous materials management
Landscape character
Resource use
Site constraints
Communication

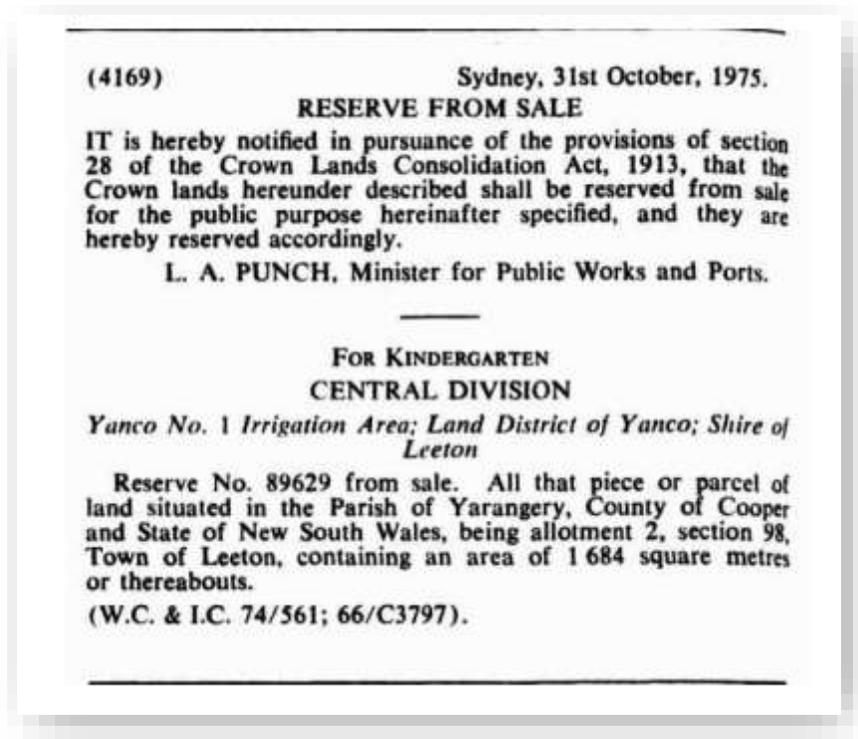
2.5 Owner of the land

RESERVE 89629

Reserve 89629 is owned by the Crown and is managed by Leeton Shire Council as Crown Land Manager under the Crown Land Management Act 2016.

Reserve 89629 was reserved from sale for the public purpose of Kindergarten published in the Government Gazette on 31 October 1975.

The management and use of the land is subject to the provisions contained in the Crown Land Management Act 2016 and is not subject to any condition, restriction or covenant imposed by the owner.

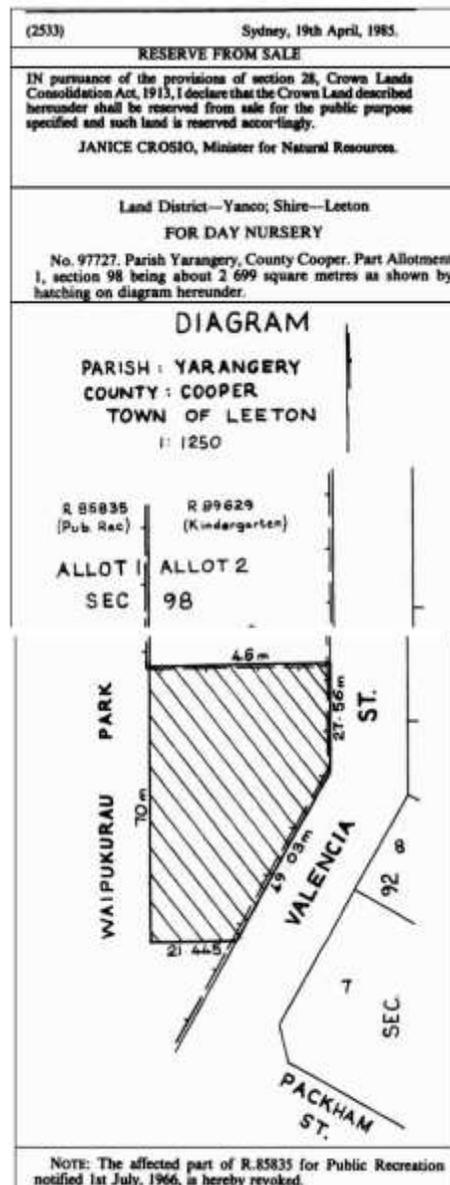


RESERVE 97727

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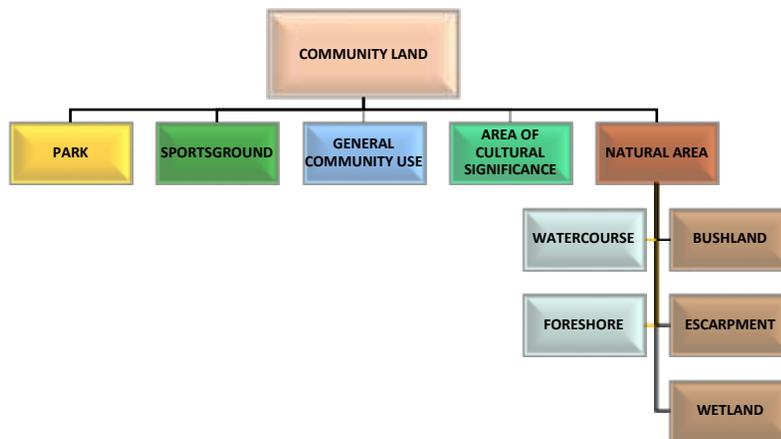
Reserve 97727 was reserved from sale for the public purposes of Day Nursery published in the Government Gazette on 19 April 1985.

The management and use of the land is subject to the provisions contained in the Crown Land Management Act 2016 and is not subject to any condition, restriction or covenant imposed by the owner.



2.6 Categorisation of the reserve

Under section 3.23(2) of the Crown Land Management Act 2016 Council Crown Land Managers must assign to all Crown Land under their management one or more initial categories of community land referred to in section 36 of the Local Government Act 1993.



Council managers must assign a category that they consider to be most closely related to the purpose(s) for which the land is dedicated or reserved. Multiple categories are assigned to Crown land where the Crown land is subject to multiple reservations and or dedications.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land as Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with the land.

Both the Aboriginal Land Rights Act and The Native Title Act recognises the intent of the original reserve purpose of the land so that complying activity can be considered lawful or validated, particularly under Section J of the Native Title Act 1993.

Council had requested that the initial categories of: **General Community Use** is applied to both reserves, this is the closest category to the reserve purpose(s) of **Day Nursery and Kindergarten**.

The category of General Community Use has been approved by the Minister administering the Crown Land Management Act 2016 in relation to the reserves.

Council does not propose to alter the initial category assigned by the Minister by this Plan of Management as the assigned categories most closely align with the reserve purpose of the land and its core usage.

Activities on the land will need to reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation including assessment of the activity under the Native Title Act 1996 and registered claims under the Aboriginal Land Rights Act 1983.

Use of the land for any activity is subject to application and approval. Assessment will consider compliance with the objectives and relationship to and impact upon the public purpose for the land. Other uses that do not comply with the plan of management or zoning of the land under Council's LEP would not be considered.

3.0 Relevant Legislation, Policies and Procedures

3.1 Local Government Act 1993 Local Government (General) Regulation 2005

Under section 36(1) of the Local Government Act 1993, Plans of Management must be prepared for all community land. Community land is land which is kept for use of the general public.

Clause 101(2) of the Local Government General Regulation 2005 requires Council to have regard to the guidelines for categorisation of community land set out in Clauses 102 to 111 of that regulation.

This Plan of Management has been prepared in accordance with the Local Government Act using the land categories approved by the Minister administering the Crown Land Management Act 2016.

The minimum requirements for a Plan of Management are set out under section 36(3) of the Local Government Act 1993.

A Plan of Management must identify the category of the land, the objective and performance targets of the plan with respect to the land, the means by which Council proposes to assess its performance with respect to the plans objectives and performance targets and, may require the approval of the Council for the carrying out of any specified activity on the land.

Section 36 (3A) specifies that for Plans of Management that are specific to one area of land, must also describe the condition of the land as at the adoption of the plan, describe the buildings on the land as at adoption, describe the use of the buildings and the land as at adoption and state the purposes for which the land will be allowed to be used, and the scale and intensity of that use.

Sections 36E – 36N of the Local Government Act 1993 specifies the core objectives for the management of each category of community land.

3.2 Crown Land Management Act 2016

Division 3.6 of the Crown Lands Management Act 2016 deals the requirements that Council must meet in relation to Plans of Management and other Plans.

Section 3.23(6) of the Crown Land Management Act 2016 requires Council Crown Land Managers to adopt a Plan of Management for any Crown reserve for which it is appointed Crown Land Manager, and that is classified as community land under the Local Government Act 1993.

3.3 Other relevant legislation and statutory controls

3.3.1 Native Title Act 1993 (Federal)

All activities on the land must address the issue of native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation of the future act procedures in accordance with Division 3 of the Native Title Act by Council's Native Title Manager.

3.3.2 Aboriginal Land Rights Act 1983

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Council's to claim 'claimable' Crown Land.

Generally, the Aboriginal Land Rights Act is directed at allowing Land Council's to claim Crown Land that is no longer of use or occupied or is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land Council.

Council should be mindful that any activity on Crown Land is lawful in relation to the reserve purpose of the land. Council should ensure that Crown Land under its control is at all times lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or licence or any public works, Council should request a search to determine whether an Aboriginal Land Rights claim has been made in relation to the land. If a claim is registered Council should seek advice from Crown Lands – Aboriginal Land Claims Investigations Unit and the activity must be postponed until the advice is received.

Strategies which allow Council to validly carry out a project or activity under the Native Title Act may not deal with project risks arising in relation to the Aboriginal Land Rights Act.

3.3.3 Threatened Species Conservation Act 1995

Council has legislative responsibility under this Act to appropriately manage threatened species populations and vulnerable or endangered ecological communities and their habitats wherever they occur despite the categorisation of the land.

Where identified Council is bound by the Act to take any appropriate action necessary to implement measures and must not make decisions that are inconsistent with the provisions of any Threat Abatement or Recovery Plan.

3.3.4 Environmental Planning and Assessment Act 1979

The land is zoned SP2 Infrastructure under the Leeton Local Environmental Plan 2014.

The objectives of the zone are:

- to provide for infrastructure and related uses.
- to prevent development that is not compatible with or that may detract from the provision of infrastructure..

3.3.5 Council Plans, Strategies, Policies and Procedures

This Plan of Management is to be used in conjunction with the appropriate Council plans, policies and procedures that govern the use and management of community land and any facilities located on the land.

Additional Council policies, plans and strategies adopted after the date of this plan that have relevance to the planning, use and management of community land will apply as though they were in force at the date of adoption of the Plan of Management.

3.3.6 Legislation and Statutory Controls

The Planning and regulation of children's services is a complex policy area. In NSW the provision of children's services is a shared responsibility between the three levels of government, with multiple stakeholders and government agencies involved including:

Department of Education and Training (*Federal*)
Early Childhood Education and Care Directorate (*through the Department of Education NSW*)
Office of the Children's Guardian (*NSW*)
Office of the Advocate for Children and Young People (*NSW*)
Australian Children's Education and Care Quality Authority
(*Independent National Authority accountable to the COAG Education Council*)

This Plan of Management does not over-rule existing legislation that also applies to the management of community land. Other legislation and policies to be considered in the management process include but are not limited to :

Public Works Act 1912 (as amended)
Local Land Services Act 2016
Biodiversity Conservation Act 2016
Water Management Act 2000
Clean Waters Act 1970
Companion Animals Act 1998
Rural Fires Act 1997
Rural Fires Regulation 2002
Noxious Weeds Act 1993
Pesticides Act 1999
The Protection of the Environment Operations Act 1997
The Protection of the Environment Operations (Noise Control) Regulation 2008
State Environmental Planning Policies
Leeton Local Environmental Plan 2014
Leeton Development Control Plans as amended (under development)
Guidelines supporting development control plans (under development)
Council plans, strategies, policies, procedures and guidelines, generally, as amended.

3.4 Reclassification

From time to time certain parcels of Community land may be identified as surplus to the existing and future needs of the community.

Section 3.21 of the Crown Land Management Act 2016 outlines provisions of management of dedicated or reserved Crown land within meaning of the Local Government Act 1993.

Section 3.21 (2) advises that a Council manager is authorised to manage its dedicated or reserved Crown land as if it were community land or operational land but only as permitted or required by Division 3.4 of the Crown Land Management Act 2016.

3.5 Review of this Plan

The use and management of the Reserves 89629 and 97727 is regulated by this Plan of Management.

Whilst the guidelines and principles outlined in the plan may be suitable at present, the Plan should be reviewed from time to time, to confirm its relevance.

The review should take place within 5 years of adoption of this plan.

3.6 Community Consultation

Consultation with the community is an important part of the preparation of this Plan of Management. Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the land to which this Plan of Management applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.

All stakeholders are given the opportunity to express their opinions and provide relevant information in relation to the planned management of the land, however, as the land is Crown land, final approval for the Plan of Management rests with the Minister administering the Crown Lands Act 2016 as owner of the land.

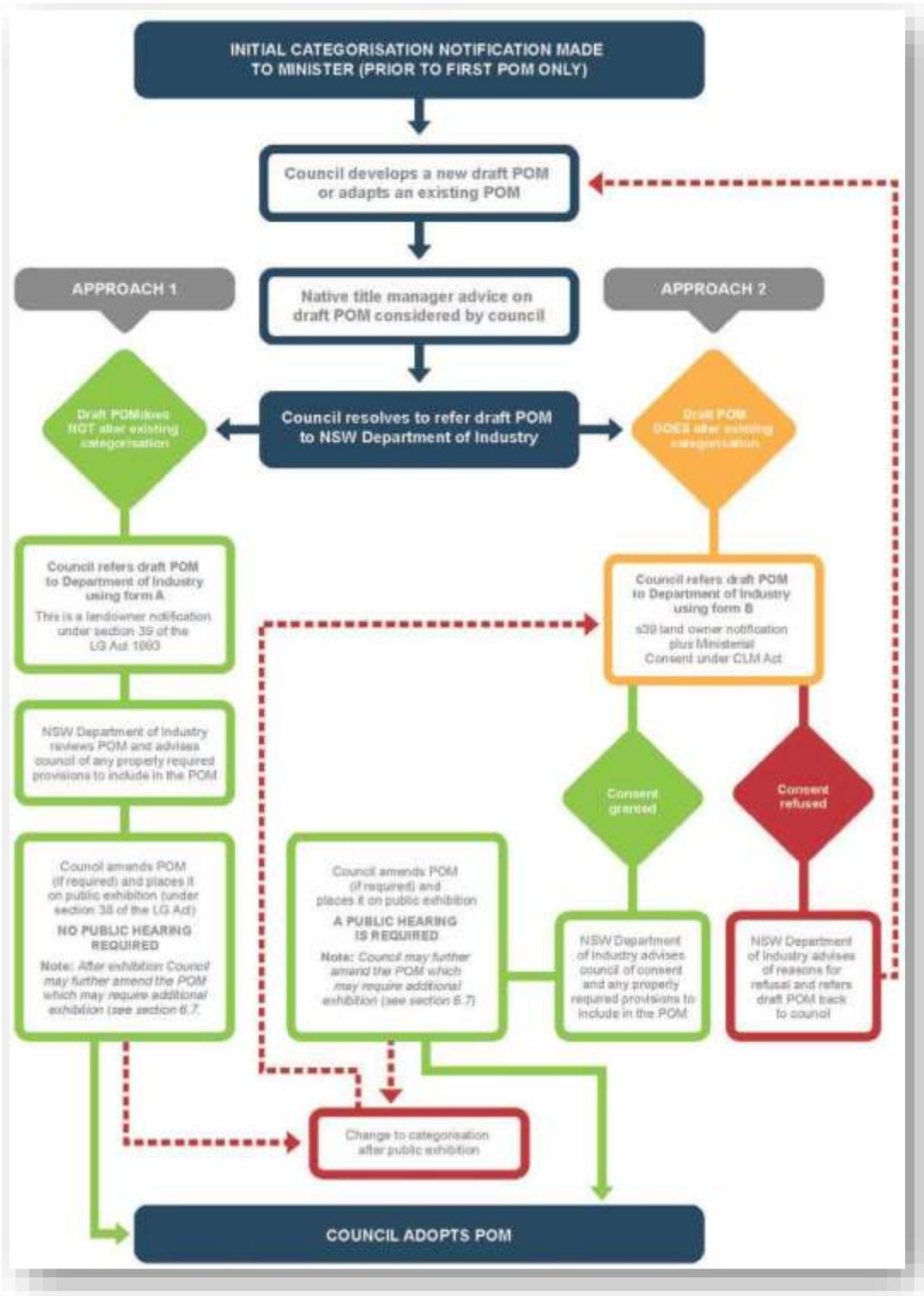
Council is required to submit the draft Plan of Management to NSW Department of Industry-Crown Lands as representative of the owner of the land under section 39 of the Local Government Act as shown on the **Flowchart for Consultation and Approval of an Initial Plan of Management**. This process occurs prior to public exhibition and community consultation of the Plan of Management.

Section 3.23(7)(d) of the Crown Land Management Act 2016 states that, if the draft first Plan of Management alters the initial categories assigned, the council must obtain the Minister's consent if the re- categorisation would require an addition to the purposes for which the land is dedicated or reserved.

The Minister cannot give consent under section 3.23(7)(d) if it is considered that the alteration is likely to materially harm the use of the land for its reserve purpose.

If after public consultation there is no change to categorisation and no additional purpose needs to be added to the reserve, no additional ministerial consent is required and Council can proceed to adopt the Plan of Management as per the process outlined under Approach 1 of the **Flowchart for Consultation and Approval of an Initial Plan of Management**.

If there is a proposed change to the categorisation of the land following public consultation the Plan of Management must again be referred to the Minister Administering the Crown Lands Act 2016 and the process outlined in Approach 2 of the **Flowchart for Consultation and Approval of an Initial Plan of Management** is followed. A change of Categorisation will require a public hearing under Section 40A of the Local Government Act 1993.



Flowchart for Consultation and Approval of an Initial Plan of Management

4.0 Culturally significant land

4.1 Indigenous Significance

Leeton is located in the country of the Wiradjuri nation and many members of the community are Wiradjuri people.

The Wiradjuri are the largest aboriginal group in New South Wales and once occupied a vast area in central New South Wales known as the land of the three rivers: the Wambool (Macquarie), the Kalare (Lachlan) and the Murrumbidgee.

The Leeton Local Environmental Plan describes places of Aboriginal Heritage significance as:

An area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the Heritage Map, that is:

- (a) *the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or*
- (b) *a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.*

Reserves 97727 and 89629 are not identified as having Aboriginal significance and are not declared under section 84 of the National Park and Wildlife Act 1974, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

4.2 Non-indigenous Significance

The town of Leeton was named in honour of the Hon C.A. Lee, Minister for Public Works, who set in motion the scheme to establish the Murrumbidgee Irrigation Area. The town was planned by Sir Walter Burley Griffin

This original plan for the town has, with a few minor exceptions, been closely followed.



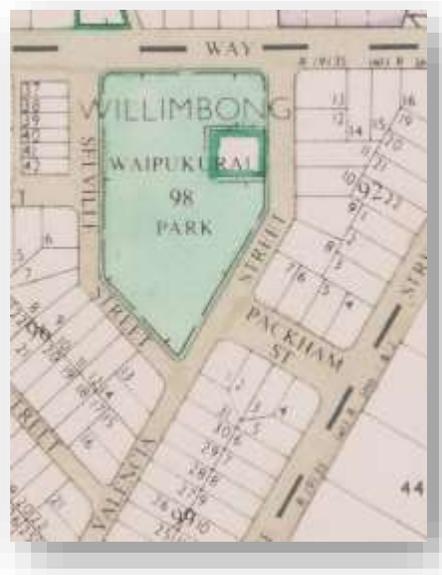
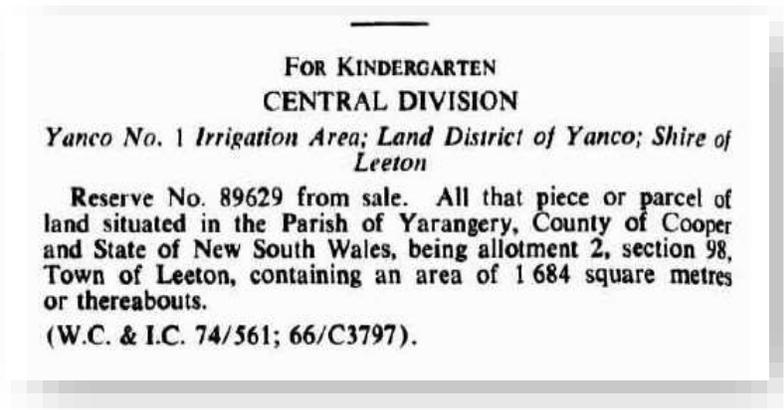
TOWN PLAN OF LEETON NSW SEPTEMBER 1914 WALTER BURLEY GRIFFIN

CHILD CARE SERVICES IN LEETON

In 1973 the Apex Club of Leeton proposed to fund a building project comprising a Baby Health Clinic, Preschool Kindergarten and Day Minding Centre/Nursery.

RESERVE 89629

Leeton Shire Council undertook to provide suitable land for the project and with Crown Lands approval an area of land was excised from Waipukurau Park and **Crown Reserve 89629** for the purpose of a kindergarten was created.



A composite committee representative of the community was formed consisting of 2 representatives from Apex, the Preschool Management Committee, Leeton Old Peoples Welfare Committee and Leeton Shire Council. A Commonwealth grant of \$100,000 was applied for and granted.

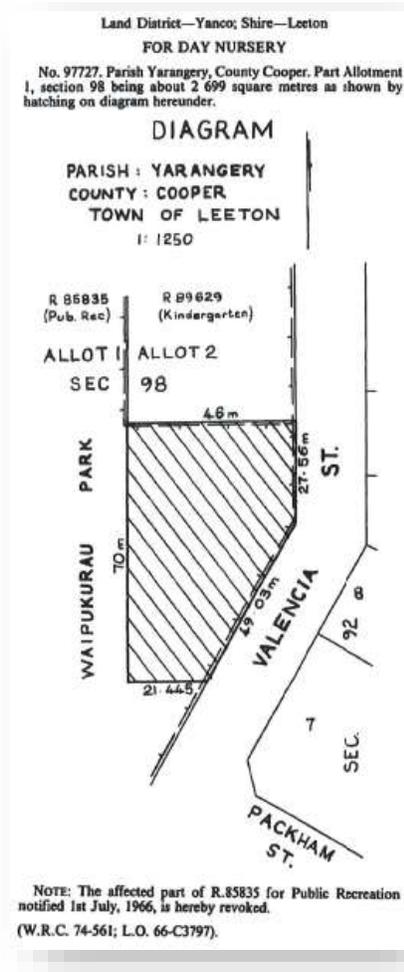
The preschool building works commenced with the \$100,000 grant from the Commonwealth and a further \$10,500 raised by an Apex Art Union raffle. The money necessary to equip the Preschool was raised by donations from Leeton Service Clubs, the Preschool Mothers Club and the Management Committee.

Leeton Preschool commenced in October 1976 with an official hand over of the preschool building to Leeton Shire Council.

A further 460m² of the Waipukurau Park reserve was added to Reserve 89629 in 1991 to allow an expansion of the preschool.

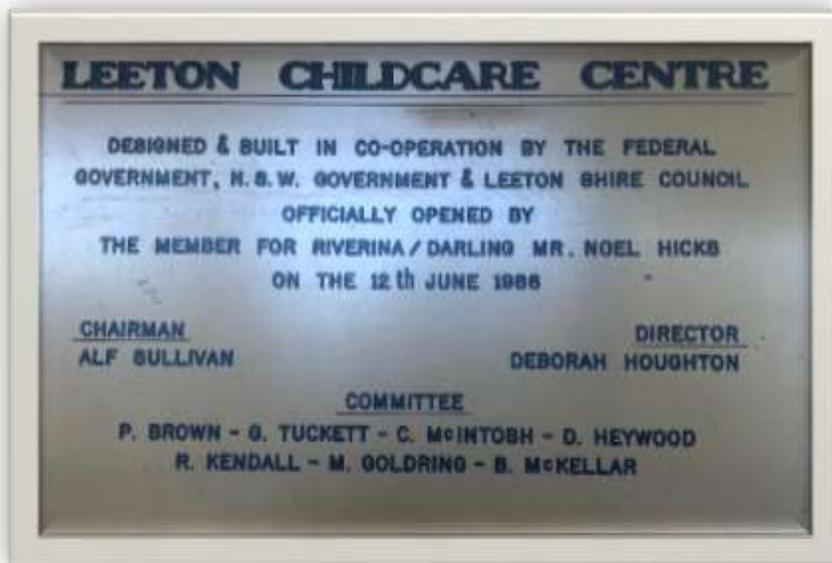
RESERVE 97727

In keeping with the original vision to create a child care precinct and to develop a child care nursery further land was excised from Waipukurau Park, the affected part of Reserve 85835 was revoked and Reserve 97727 for a Day Nursery was created.



NEW SOUTH WALES GOVERNMENT GAZETTE No. 71 [19 April 1975]

Leeton Early Learning Centre (originally named Leeton Childcare Centre) opened in 1986. The childcare building was designed and built in co-operation of the Federal and State Government and Leeton Shire Council.



5. Development and use

5.1 Overview

Councils in NSW promote, provide and plan for the needs of children and young people through direct services and infrastructure.

One of the primary responsibilities of Local Government is to provide an acceptable level of service for public assets to its community within budgetary constraints. Many factors, including location and community need, can influence the minimum number of child care places a service must offer to be viable.

Council's ongoing commitment to the development and maintenance of these areas depends on financial resources and forward planning. The implementation of actions identified in this Plan of Management are consistent with Leeton Shire Council's corporate objectives as outlined in:

Leeton Shire Council's Community Strategic Plan towards 2030 "Leeton On The Go".
<http://www.leeton.nsw.gov.au/f.ashx/files/basic-html/For-Hard-Copy-Printing-Leeton-On-The-Go-Our-Community-Strategic-Plan-Towards-2030.pdf>

Leeton Shire Council's 2017-2021 Delivery Program & 2019-2020 Operational Plan
http://www.leeton.nsw.gov.au/f.ashx/DeliveryProgramRevenuePolicyandResourcingStrategy/2017-2021-Delivery-Program-with-2019_2020-Operational-Plan-and-Budget-Summary-FINAL-VERSION.pdf

Leeton Shire Council Resourcing Strategy 2018-2027 & Asset Management Plan 2017-2021 <http://www.leeton.nsw.gov.au/f.ashx/Council-Plans/Combined-Resourcing-Strategy-28-June-2017.pdf>

5.2 Condition of the land and structures on adoption of the Plan of Management

In June 2018 Council commissioned a comprehensive assessment of Council's buildings, parks and recreation facilities and plant and equipment assets. The condition of the buildings on Reserves 89629 and 97727 at that time and upon recent inspection are as follows:

BUILDING DESCRIPTION	YEAR BUILT	CONDITION RATING	CATEGORY
Leeton Preschool Kindergarten – main building	1976	2	General Community Use
Leeton Early Learning Centre – main building	1986	1	General Community Use

CONDITION RATING KEY	DESCRIPTION
1	New or as New
2	Good Condition
3	Average Condition
4	Poor Condition
5	Very Poor/End of Life

Reserve 89629 is approximately 2140.49m² in area. The Leeton Preschool Kindergarten building is of brick construction with steel roofing. The condition of the building is good. The land surrounding the Preschool and Kindergarten building is safe and well tended.



Reserve 97727 is approximately 2962.04m² in area. The Early Learning Centre building is of brick construction with steel roofing. The condition of the building is new or as new. The land surround the Early Learning Centre building is safe and well tended.



5.3 Use of the land and structures at the date of adoption of the Plan of Management

The Children's Services lands contained within Reserves 89629 and 97727 realise the vision of the Leeton Shire community.

Both the Preschool Kindergarten and the Early Learning Centre are not-for-profit community managed facilities which have expanded and will continue to expand since their inception to meet the needs of the community to provide education and care for children of families in Leeton and surrounding districts.

5.4 Permitted use and future use

This Plan provides for and authorizes the following current and permitted uses for the Reserves relating to:

- Child Care
- Children's recreational and leisure activities
- Landscaping within the children's services context
- Children's educational development
- After hours children's activities
- Vacation care
- Occasional care
- Long day care
- Extended hours pre-schools
- Pre-schools/kindergartens
- Playgroups
- Before and after school care
- Car parking and drop off zones related to children's services

Council may approve any other additional purpose for the land provided that the purpose meets the core objectives set out in the Local Government Act 1992 for land categorized as General Community use and the reserve purposes of the land being Kindergarten and Day Care Nursery.

Council is willing to work with existing and potential users to expand the usage of the Reserves and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

5.4.1 Permitted use Aims of Plan

Crown land can be reserved or dedicated for various public purposes.

The notified purpose for Reserve 89629 is Kindergarten.

The notified purpose for Reserve 97727 is Day Nursery.

The assigned category for both reserves is General Community Use.

These purposes and the category align with the reserve's past and current use and the values identified in this plan.

Council's general aims for the land to which this plan applies are as follows:

1.	To provide that the plan recognises the effective asset management, maintenance and improvements for the facilities situated on Children's Services Land which comprises the Preschool Kindergarten and Early Learning Centre sites.
2.	To meet Council's obligations under Section 36 of the Local Government Act 1993 in respect to management of the land.
4.	To include the core objectives set out in the Local Government Act 1993 for land categorised as general community use.
	To enable Council to negotiate and or enter into contracts, leases, licences, hire agreements and documents that relate to the development, maintenance or use of the land in accordance with relevant legislation and the reserve purpose of the land.

5.4.2 Further development

Whilst maintenance of existing infrastructure on these reserves are a priority there is scope to improve and develop facilities on the reserves provided that the proposed facilities are in line with the purposes for the reserves and relevant legislation such as The Local Government Act 1993, The Crown Land Management Act 2016, The Aboriginal Land Rights Act 1983 and the Native Title Act 1993.

A comprehensive site development plan and a landscape management plan is recommended for larger projects to ensure a strategic approach to development.

5.4.3 Scale and Intensity of Permitted Use

Opening hours of the centres will vary in accordance with Council plans and policy.

5.5 Leases, Licences and other Estates

Leases, Licences and other estates formalise the use of community land by groups such as community and non-profit organisations, or by commercial organisations and individuals providing facilities and services for public use.

Activities should be compatible with the zoning and reserve purpose of the land and provide benefits and services for facilities to the users of the land.

Occupation of the land other than by lease or licence or other estate or for a permitted purpose listed in the Local Government Regulations 2005 is prohibited.

The terms of the authorisation for a lease, licence or other estate should include Native Title assessment and validation under the Native Title Act 1993 and should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or that advice relating to the proposal has been received from Crown Lands – Aboriginal Land Claims Investigation Unit.

The authorization should ensure the proper management and maintenance of the land and the interests of Council and the public are protected. A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short term licence or hire agreement will be issued.

This Plan of Management **expressly authorises** the issue of Leases, Licences and other Estates over Reserves , provided that:

- the purpose is consistent with the reserve purpose of the land.
- the purpose is consistent with the core objectives for the category of the land.
- the lease, licence or other estate is for a permitted purpose listed in the Local Government Act 1993 or the Local Government Regulations 2005.
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the Native Title Act 1993.
- the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or the land is subject to a claim under the Aboriginal Land Rights Act 1983 and advice has been sought from Crown Lands – Aboriginal Land Claims Investigation Unit.
- the lease, licence or other estate is granted and notified in accordance with the provisions of the Local Government Act 1993 or the Local Government Regulations 2005.
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

5.6 Native Title Assessment

The Crown Land Management Act 2016 provides a new regime for the management of Crown Land and Council is now responsible for compliance with Native Title legislation for the Crown Land that it manages.

Council is required to undertake steps via their Native Title Manager to identify if the activity that they do on Crown Land will have an affect on Native Title, what provisions of the Native Title Act will validate the activity and what procedures should be taken in relation to a particular activity prior to its commencement.

Council must receive written advice from its Native Title Manager in relation to certain activities and acts carried out on Crown land.

6.0 Plan of Management Administration and Management

6.1 Plan of Management Objectives

The general objectives of this Plan of Management are:

PLAN OF MANAGEMENT OBJECTIVES	
1.	To ensure that relevant legislation is complied with in relation to the land.
2.	To inform Council staff and the community of the way the land will be managed.
3.	To implement specific policies, guidelines and works identified in the plan of management.
4.	To progressively improve the values of the land and to minimize the long-term cost of maintenance to the Council
5.	To make provisions for appropriate leases, licences and agreements in respect to the land.
6.	To identify and recognise existing uses and improvements on the land.
7.	To set in place an administrative structure to ensure the achievement of land management objectives.
8.	To ensure that the management of the land is not likely to materially harm the use of the land for any of the purposes for which it is dedicated or reserved.

6.1.1 Management Authority

For the purposes of this plan, the management authority is Leeton Shire Council, in accordance with the provisions of the Crown Land Management Act 2016 and the Local Government Act 1993.

Where Council's responsibilities have been delegated, the provisions of this management plan continue to apply.

6.1.2 Management Issues

The management of the land must take into account the reserve purpose(s) of the land and the purpose for which the land is classified and categorized.

6.2 Action Plan

The Plan of Management specifies performance targets and priorities for actions to be taken in relation to the land to which the plan applies.

Assessment of achievement of the objectives of the plan is to be undertaken. A summary of indicators and targets for major objectives is outlined in the following table:

OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND	MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS	MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS
To ensure that relevant legislation is complied with in relation to preparation of Plans of Management.	The Plan is prepared in accordance with the Act. Native Title Manager advice is sought during the preparation of the Plan. Department of Industry – Crown Lands approval is given.	The Plan is reviewed by Council's Native Title Manager and Department of Industry Crown Lands then exhibited and adopted by Council if there are no changes to the approved plan. If changes are made following exhibition the plan must again be approved by Department of Industry Crown Lands.
To inform Council staff and the community of the way the land will be managed.	The Plan is exhibited in accordance with the Local Government Act.	The Plan is exhibited and adopted by Council.
To implement the specific policies, guidelines and works identified in the plan of management.	Ensure that the Plan is referenced to identify specific policies, guidelines and works.	All works are carried out in accordance with the Plan.
To progressively improve the values of the land to minimise the long-term cost of maintenance to the Council.	Carry out all works identified in Council's long-term plan.	All works are completed and minimal maintenance of the improvements are required.
To make provision for leases, licences and agreements in respect of the land.	The Plan of Management expressly authorises the provision of leases, licences and agreements where appropriate.	Any leases are prepared, exhibited and adopted in accordance with the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016. Native Title Manager advice and a check for a claim under the Aboriginal Land Rights Act is received for all proposed leases and licences.
To identify and recognise existing uses and improvements on the land.	Physical inspection.	The Plan is exhibited and adopted by Council.
To provide a reference and data bank in relation to information relevant to present and future management of the land.	Physical inspection and file research.	The Plan is exhibited and adopted by Council.
To set in place an administrative structure to ensure the achievement of land management objectives.	Ensure that all sections of Council are aware of the contents of the Plan.	All future works are carried out in accordance with the Plan.
To identify the major management issues applying to the land.	Consultation and staff discussions.	The Plan is exhibited and adopted by Council.
To simplify the process of management as far as possible.	Preparation of the Plan in accordance with the Act.	The Plan is exhibited and adopted by Council.

6.3 Administration

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

6.3.1 Staff Resources

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

6.3.2 Environmental Assessment of Activities

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

6.3.3 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.

6.3.4 Activities Carried Out by 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.

6.3.5 Principles for the development on adjoining land

Council's development control practices recognise and endeavor to minimize the impacts upon adjoining land parcels. Council will consider the impacts of activities carried out on the reserve on adjoining land.

6.3.6 Community Involvement in Management

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

6.3.7 Contract and Volunteer Labour

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

6.3.8 Delegation of Management Responsibilities

Where management responsibilities are delegated by the Council a requirement of the delegation shall be that the provisions of this Plan of Management are complied with.

6.3.9 Easements

The Council may grant easements for the provision of services over or on the land provided that a Native Title assessment has been carried out by Council's Native Title Manager, the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or the land is subject to a claim under the Aboriginal Land Rights Act 1983 and advice has been sought from Crown Lands – Aboriginal Land Claims Investigation Unit and the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016 have been complied with.

6.3.10 Existing Assets

Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. Council may make arrangement for community groups and users to undertake maintenance for specific facilities on Council's behalf. Lessee's/ Licensee's of the reserve should be responsible for all maintenance.

6.3.11 Public Liability

Council will maintain public liability insurance for the land. All users of the land will be required to take out public liability insurance for a sum of not less than \$20m.

6.3.12 Commercial Activities

Commercial activities may be carried out on the land, provided that the activity is ancillary to the purpose of the land or for a purpose authorised under this Plan of Management. Any commercial activity is subject to prior Council consent.

6.3.13 Emergencies

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

6.3.14 Land Proposed for Future Development

Land proposed in any of Council's plans for future development for a specific purpose may be utilized for other purposes on an interim basis until required for that purpose.

6.3.15 Undeveloped Land

Land to which this Plan of Management applies that is undeveloped and unused for the purpose of the land may, upon assessment, be used for any activity that does not prevent or inhibit future use for the purpose of the land, including tree planting and mowing, provided that the use will not materially harm the land for the purpose for which it was dedicated or reserved

6.3.16 Information Monitoring and Research

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

Where a demonstrated need has been identified, an educational programme shall be developed to encourage use appropriate to the purpose to all or part of the land to which this Plan of Management applies.

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

Surveys of visitation and/or satisfaction with the facilities may be undertaken to facilitate the management and use of the land.

6.4 Management Guidelines

Based on legislative and corporate goals, community needs and expectations the following Management Guidelines have been identified. The Guidelines apply to all areas and categories of the Reserves 89629 and 97727 unless otherwise identified:

6.4.1 Alcohol

The occasional sale of alcohol by a community group requires the approval of the NSW Office of Liquor Gaming and Racing through the issue of a Limited Licence. The Licence should be provided to Council in each instance. Council's policies and procedures in relation to Child Care Land must be adhered to in relation to the sale or consumption of alcohol on these reserves.

6.4.2 Companion Animals

Dogs are not permitted within any area that is:

- set aside for the playing of organised games, or
- within 10 metres of a children's playing apparatus or
- within 10 metres of cooking or eating facilities.

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas.

6.4.3 Parking

Child Services Land attracts numerous users for drop off and pick up, users are to adhere to Council's signage and directions.

Some car parking is required to be provided within the reserve. Car parking areas should not occupy valuable land but be positioned to minimise the impact on the reserve.

Car parking is not to be situated near children's play areas. Existing car parking areas will be maintained to safety standards.

Where off street parking occurs within the reserve, consideration will be given to the provision of parking spaces for people with a disability (in accordance with regulations). Internal roads and parking areas may be constructed or reconstructed to a safe and all weather standard.

6.4.4 Buildings and Amenities

Buildings and amenities may be provided where consistent with the need to facilitate the purpose of the land, provided that a Native Title assessment has been carried out by Council's Native Title Manager, the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or the land is subject to a claim under the Aboriginal Land Rights Act 1983 and advice has been sought from Crown Lands – Aboriginal Land Claims Investigation Unit and the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016 have been complied with.

Buildings and amenities are to be maintained by the users to the highest possible standard.

6.4.5 Infrastructure

Any necessary infrastructure to service the purpose of the land may be constructed provided that a Native Title assessment has been carried out by Council's Native Title Manager, the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or the land is subject to a claim under the Aboriginal Land Rights Act 1983 and advice has been sought from Crown Lands – Aboriginal Land Claims Investigation Unit and the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016 have been complied with.

6.4.6 General Maintenance

General maintenance will match the level and type of use and wherever possible users will be encouraged to help. Areas held under lease, licence or regular occupancy shall be maintained by the user where appropriate.

Existing 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 facilities on Council's behalf.

6.4.7 Access

This Plan of Management seeks to facilitate access to the land to enable its use for the purposes of General Community Use.

Access	
To maximise access to and within children's services lands	
Pedestrian	Safe and appropriate provision of walkways. Walkways should also be sufficient to accommodate wheelchairs and prams.
Vehicular	Safety is important in car parking and drop off areas, especially in regard to vehicles reversing.
	Distance between parking/drop off zones, parking facilities and drop off zones should be as convenient as practicable.
	Off street parking may become an issue for residents of adjoining properties with regard to road safety, amenity and access to their properties. Parking should be adequate, convenient and safe for residents, visitors and staff
Visual	Children's services staff should be able to adequately view children from various locations within the boundaries of the land. This may involve ensuring that the outdoor landscaping or building design does not impede staff.
Social and Financial	Access to quality children's services are accessible to culturally and linguistically diverse families and families who are less able to afford children's services.
Disabled Access	Ensure that facilities on children's services lands are systematically audited so that access meets legislative requirements.

6.4.8 Development Activities

Development activities shall be undertaken in a way that minimizes the area, degree and duration of disturbance, and areas are to be restored to the greatest extent practicable.

6.4.9 Pollution Control

Management should seek to ensure that no pollution is generated on the land, and that adequate measures are taken to prevent adverse impacts from adjoining land.

6.4.10 Safety and Security

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

Safety and security are significant issues for children's services lands. Relevant regulations should be followed in relation to safety and security for children's services.

SAFETY AND SECURITY	ISSUES
To provide a safe environment for users, visitors and staff	Appropriate and safe lighting for users and staff.
	Visual access for supervision of children.
To protect the assets of children's services lands.	Appropriate fencing and gate design to contain children and dissuade intruders in accordance with relevant regulations.
	Security for assets on the land

6.4.11 Neighbours

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

6.4.12 Landscape Character and Management

Proper management of landscaping measures, trees and vegetation is important to provide a high degree of amenity on the land. Children's services land usually require a unique landscape character that includes education and play features as well as common landscape considerations.

It is important that the landscape character for children's services land is appropriate to its users. The landscape character should provide a challenging educational environment, which incorporates diverse surfaces, vegetation and play terrains.

Plant species that are inappropriate for children's play areas such as those with harmful berries, thorns, falling limbs, and sharp leaves are to be avoided.

Trees management should include routine maintenance checks in line with Council's Tree Management Policy, trees on and around the land covered by this Plan may present a potential safety issue due to falling limbs.

Landscape Design	The Landscape design should consider the following issues:
To provide a safe and sustainable landscape character that is appropriate to its users	Safety, including visual access, accident hazards and physical safety.
To maximise the landscape potential of the land used for children's services	Appropriate open space ratios per child.
	Educational play
	Disabled access
	Trees and shade
	Security; lighting, fencing and visual access
	Site constraints and surrounding landscape character

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DETAILED INFORMATION
RESERVE 89629
RESERVE 97727



CATEGORY
GENERAL COMMUNITY USE

7.0 DETAILED INFORMATION GENERAL COMMUNITY USE

7.1 Introduction

The Reserves 89629 and 97727 are categorised as General Community Use. Council has applied this category in accordance to the areas shown on the map below, with the General Community Use areas represented in red edge.



This Plan of Management applies to the areas used for General Community Use as well as the structures associated with them.

7.2 Core Objectives

The core objectives of the Local Government Act 1993 in relation to land categorised as General Community Use are as follows:

- 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 public utilities).

7.2.1 Core Objectives and Performance Targets

OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND	MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS	MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS
<p>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:</p> <ol style="list-style-type: none"> a) In relation to public recreation and the physical, cultural, social and intellectual 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). 	<p>Development of the reserve in accordance with this plan.</p>	<p>All works are completed and minimal negative feedback is received.</p>

7.3 Development and Use

Based on legislative and corporate goals, community needs and expectations, and the values and assets of the general community use areas themselves, the following broad primary objectives have been identified:

- To ensure management of general community use areas takes into consideration the principles of Crown Land management.
- To provide for public safety.
- To efficiently and effectively manage public assets.
- To provide the wider community with sufficient appropriate access to general community use areas.
- To encourage community involvement in the management of general community use areas.
- To maintain the scenic, educational, aesthetic, cultural and heritage values of general community use areas.

7.3.1 Access

This Plan of Management seeks to facilitate access to the land to enable its use for the purposes of General Community Use and the reserve purpose(s) of Kindergarten and Day Nursery.

Access	
To maximise access to and within children's services lands	
Pedestrian	Safe and appropriate provision of walkways. Walkways should also be sufficient to accommodate wheelchairs and prams.
Vehicular	Safety is important in car parking and drop off areas, especially in regard to vehicles reversing.
	Distance between parking/drop off zones, parking facilities and drop off zones should be as convenient as practicable.
	Off street parking may become an issue for residents of adjoining properties with regard to road safety, amenity and access to their properties. Parking should be adequate, convenient and safe for residents, visitors and staff
Visual	Children's services staff should be able to adequately view children from various locations within the boundaries of the land. This may involve ensuring that the outdoor landscaping or building design does not impede staff.
Social and Financial	Access to quality children's services are accessible to culturally and linguistically diverse families and families who are less able to afford children's services.
Disabled Access	Ensure that facilities on children's services lands are systematically audited so that access meets legislative requirements.

7.4 Future Infrastructure and Facilities

Subject to budget availability, Council may construct or approve construction by others of a variety of facilities on the land, provided that the provisions of the Local Government Act 1993 the Crown Land Management Act 2016 and the Native Title Act 1993 have been complied with.

The purpose of the facilities shall be to support activities and uses that are consistent with the core objectives of the land category and the reserve purpose and shall not materially harm the land for the purpose for which it was dedicated or reserved.

All construction and alteration must have Council's Native Title Manager's written advice in relation to Native Title and Aboriginal Land Claims and must be approved by Council in writing where necessary.

7.5 Administration

Administration	
Staff Resources	Council shall seek to provide adequate staff resources for the management of the land in accordance with this Plan of Management. Staff shall have appropriate qualifications and/or experience.
Environmental Assessment of Activities	The environmental impact of activities carried out on the land will be assessed having regard to the requirements under the Environmental Planning and Assessment Act.
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 Carried Out by Other Authorities	Where activities are carried out on the land by other authorities, Council will make the authorities aware of the provisions of this Plan of Management and will seek to ensure that any activities are compatible with the objectives and guidelines of this Plan of Management.
Community Involvement in Management	Where appropriate Council may undertake community consultation subsequent to the making of this Plan of Management and may give community groups a role in management.
Contract and Volunteer Labour	In managing the land Council may use contract and volunteer labour but shall ensure that supervisors have appropriate qualifications and/or experience, and are made aware of the requirements of this plan.
Delegation of Management Responsibilities	Where management responsibilities are delegated by the Council a requirement of the delegation shall be that the provisions of this Plan of Management are complied with.

Easements	The Council may grant easements for the provision of services over, or on the land provided that the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or the land is subject to a claim under the Aboriginal Land Rights Act 1983 and advice has been sought from Crown Lands – Aboriginal Land Claims Investigation Unit, a Native Title assessment has been carried out by Council's Native Title Manager and the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016 have been complied with.
Existing Assets	Existing assets on the land shall be identified and measure taken to maintain them in a satisfactory manner. Council may make arrangement for community groups and users to undertake maintenance for specific facilities on Council's behalf.
Public Liability	Council will maintain public liability insurance for the land. All users of the land will be required to take out public liability insurance for a sum of not less than \$20m.
Risk Management and Safety	Reasonable measures will be taken by Council to ensure and maintain a safe environment for users and visitors to the facilities at Reserves 89629 and 97727.
Commercial Activities	Commercial activities may be carried out on the land, provided that such is ancillary of the land for a purpose authorised under this Plan of Management and is subject to prior Council consent.
Emergencies	This Plan of Management authorises any necessary activities to be carried out during declared emergencies as may be decided by the General Manager or delegate. Following carrying out of any activities, periodic monitoring will be undertaken, and rehabilitation works undertaken if necessary.
Occupation by Adjoining Land Owners	Where Council is aware of occupation or encroachment by private landowners onto the land, measure will be taken to prevent this occurring.
Land Proposed for Future Development	Land proposed in any of Council's plans for future development for a specific purpose may be utilized for other purposes on an interim basis until required for that purpose.
Undeveloped Areas	Land to which this Plan of Management applies that is undeveloped and unused for the purpose of the land may upon assessment be used for any activity that does not prevent or inhibit future use for the purpose of the land, including tree planting and mowing.
Information Monitoring and Research	Monitoring and collection of information relating to the land to which the Plan of Management applies are important to enable good management.
Education and Research	Where a demonstrated need has been identified, an educational programme shall be developed to encourage use appropriate to the purpose to all or part of the land to which this Plan of Management applies.
Monitoring	Management arrangements shall be implemented to regularly monitor the use of the land, environmental conditions and facilities.
Surveys	Surveys of visitation and/or satisfaction with the facilities may be undertaken to facilitate the management and use of the land.

7.6 Management Policies and Guidelines

The management policies and guidelines applying to Reserves 89629 and 97727 categorised as General Community Use are outlined in this section of the Plan of Management. Some matters are subject to additional adopted policies and procedures and these are to apply where appropriate.

7.6.1 Management Authority

For the purposes of this Plan, the management authority is Leeton Shire Council, in accordance with the provisions of the Crown Land Management Act 2016 and the Local Government Act 1993.

Where Council's responsibilities have been delegated, the provisions of this Management Plan continue to apply.

7.6.2 Management Issues

The management of the land must take into account the reserve purpose(s) of the land and the purpose for which the land is classified and categorised.

7.6.3 Specific Guidelines

Use Activities	Ensure that Reserves 89629 and 97727 provide for appropriate community use and facilities are provided for these activities.
Access	This Plan of Management seeks to facilitate access to the land to enable its use for the purposes of General Community Use and the reserve purpose(s) of Kindergarten and Day Nursery.
Security	Safety and security are significant issues for children's services lands. Relevant regulations should be followed in relation to safety and security for children's services. Adequate security fencing and lighting will be provided for the facility.
Hours of Operation	Council may restrict the hours of operation of any area of the General Community Use areas at its discretion.
Alcohol	The occasional sale of alcohol by a community group requires the approval of the NSW Office of Liquor Gaming and Racing through the issue of a Limited Licence. The Licence should be provided to Council in each instance. Council's policies and procedures in relation to Children's Services Land must be adhered to in relation to the sale or consumption of alcohol on these reserves.
Companion/Accredited Assistance Animals	Dogs except for accredited assistance animals are not permitted within the Reserves 89629 and 97727 facility and any area that is: <ul style="list-style-type: none">• set aside for the playing of organised games, or• within 10 metres of a children's playing apparatus or• within 10 metres of cooking or eating facilities.

	Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas.
Parking	<p>Car parking areas should not occupy valuable land but be positioned to minimize the impact on the reserve.</p> <p>Car parking is not to be situated near children's play areas. Existing car parking areas will be maintained to safety standards.</p> <p>Internal roads and parking areas may be constructed or reconstructed to a safe and all weather standard.</p>
Neighbours	Council shall endeavour to be a good neighbor and, as far as possible, shall consult with adjoining owners in respect of management activities which may affect them.

7.6.4 Buildings and Amenities

Native Title Assessment	The terms of the authorisation for the commencement of any building or development activity on the areas of Reserves 89629 and 97727 categorised as General Community Use, should include a Native Title assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager.
Aboriginal Land Claim	The terms of the authorization for the commencement of any building or development activity on the areas of Reserves 89629 and 97727 categorized as General Community Use should include advice that either the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or the land is subject to a claim under the Aboriginal Land Rights Act 1983 and advice has been sought from Crown Lands – Aboriginal Land Claims Investigation Unit.
Buildings and Amenities	Buildings and amenities are to be provided where consistent with the need to facilitate the use of the land, provided that the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016 have been complied with. Buildings and amenities are to be maintained to the highest possible standard.
Toilets and Amenities	Adequate toilet facilities are to be provided to the building. Accessible toilets are available.
Private buildings	Private buildings may be constructed only where there is a lease or licence from Council and that lease or licence specifically makes provision for the use or erection of a private building. Buildings and the lease areas are to be fully maintained by the user.
Public Buildings	Public buildings may be constructed for any purpose ancillary to the purpose of the land, provided that Council's approvals process and the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016 have been complied with. Buildings and the lease areas are to be fully maintained by the user.

Removal of Buildings or Utilities	Buildings or utilities that are no longer required may be removed by the Council subject to development approval. The land is to be rehabilitated following removal.
Maintenance	General maintenance strategies have been developed to identify defects by inspection on an annual basis.
Cleaning	Buildings and amenities will be regularly cleaned and maintained in a tidy condition in accordance with any adopted Council procedure manual.

7.6.5 Infrastructure

Native Title Assessment	The terms of the authorisation for the commencement of any infrastructure construction activity on Reserves 89629 and 97727 categorised as General Community Use, should include a Native Title assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager.
Aboriginal Land Claim	The terms of the authorization for the commencement of any infrastructure construction activity on Reserves 89629 and 97727 categorized as General Community Use should include advice that either the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or the land is subject to a claim under the Aboriginal Land Rights Act 1983 and advice has been sought from Crown Lands – Aboriginal Land Claims Investigation Unit..
Infrastructure	Any necessary infrastructure to service the purpose of the land may be constructed.
Services and Utilities	Services and utilities such as water supply, sewerage, electricity supply, gas and telecommunications may be constructed, maintained or repaired on the land.
General Maintenance	General maintenance will match the level and type of use. Areas held under lease, licence or regular occupancy shall be maintained by the user. Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner.
Energy Efficiency	Measures shall be taken to improve the energy efficiency of all buildings and activities carried out on the land. Measures shall include use of energy efficient lighting, periodic auditing of energy use, and appropriate orientation of any new buildings to incorporate passive solar design principles.
Lighting	Where appropriate, adequate lighting shall be provided to ensure public safety and security for buildings and amenities as far as possible.
Floodlighting	Floodlights shall be designed and operated to minimize glare and spillage of light to adjoining properties. Where possible floodlights should comply with AS2560.
Fences	Fences may be constructed and shall be in accordance with any standards or guidelines adopted by Council.
Signs	Signs may be erected on the land in accordance with State Environmental Policy and any adopted Development Control Code and Policy.

7.6.6 Access

Access and Occupation	The Plan of Management seeks to facilitate access to the land to enable its use for its reserved purposes.
Access	Access to the land may be limited by Council at times where this may interfere with works or may have an adverse effect on the land.
Public Access	Public access to land to which this Plan of Management applies can be denied only to assist rehabilitation or protection of special items of significance or where a lease has been granted, but shall not otherwise be denied.
Footpaths	Adequate footpaths in the immediate vicinity of the Reserves 89629 and 97727 are maintained
Physical Access	Provide adequate physical access to all facilities at the reserve(s). The sites are to be accessible to people with a disability. Directional and informational signage should be readable and easily understood
Occupation by Adjoining Land Owners	Where Council is aware of occupation or encroachment by private landowners onto the land, measures will be taken to prevent this occurring.
Roads and Parking	Roads and parking areas may be constructed or reconstructed to a safe all weather standard. New roads and parking areas may be constructed. In cases where significant new roadworks are proposed, a master plan should be prepared and the works constructed in accordance with the plan. Suitable disability parking is provided close to access points for the facility. Directional signage is readable and easily understood. Car parking is not to be situated near children's play areas. Existing car parking areas will be maintained to safety standards.

7.6.7 Development Activities

Native Title Assessment	The terms of the authorisation for the commencement of any development or construction activity on the areas of the Reserves 89629 and 97727 categorised as General Community Use, should include a Native Title assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager.
Aboriginal Land Claim	The terms of the authorization for the commencement of any development or construction activity on the areas of the Reserves 89629 and 97727 categorized as General Community Use should include advice that either the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or the land is subject to a claim under the Aboriginal Land Rights Act 1983 and advice has been sought from Crown Lands – Aboriginal Land Claims Investigation Unit.
Development Activities	Development activities shall be undertaken in a way that minimises the area, degree and duration of disturbance, and area are to be restored to the greatest extent practicable.

Construction Works	Progressive site stabilisation and restoration shall be undertaken during the construction process.
Stockpiling of Materials	Works are to be completed in stages (clearing, topsoil stripping, relocation of topsoil, mulching, planting etc) and shall follow the principle of isolating stockpiles of different materials to prevent contamination. Materials and soil may be stockpiled but only on a temporary basis and provided that measures are taken to prevent adverse affects such as soil erosion, introduction of weed species, soil compaction, and the like. Stockpiles are to be more than 5 meters from trees.
Nutrients Leached from Building Materials	Materials (including concrete, gravel, topsoil, etc) shall be stockpiled in such a way as to prevent nutrients from leaching into watercourses or into ground water systems.
Protection of Trees	Trees to be protected shall be identified prior to any construction and marked appropriately. Measures are to be taken to prevent damage and disturbance to tree roots by cutting of roots, loss of water, soil compaction or build up of soil. Clearing works are to be in accordance with any additional procedures manuals or adopted policies. Tree removal shall be subject to the provisions of Council's Tree Management Policy.
New Development Works	New development works such as construction or roads, parking areas, cycleways etc may be undertaken where the works are consistent with the objectives of this plan of management and where any necessary approvals and assessments have been obtained.
Fill	As far as possible, no fill should be deposited on the land unless it comes from the same area of parkland and adequate measures are taken to stabilise the fill. Works are to be in accordance with any additional procedures, manuals or adopted policies.
Soil Compaction	Measures shall be undertaken to avoid soil compaction arising from construction works and earthworks. Any compaction will be relieved by appropriate methods which may include the use of soil aeration equipment.

7.6.8 Pollution Control

Pollution Control	Management should seek to ensure that no pollution is generated on the land, and that adequate measures are taken to prevent adverse impacts from adjoining land.
Soil Erosion and Sedimentation	All activities are to ensure adequate controls to prevent soil erosion and sedimentation and are to be inspected periodically.
Nutrients	Measures shall be taken to minimise and to control nutrients entering watercourses, water bodies or groundwater.
Environmental 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 met.
Litter	Litter shall be regularly collected and removed. Provision shall be made for the provision of litter bins at various locations. It is the

	responsibility of all users to ensure that the area and surrounds are left in a tidy manner after use.
Rubbish Dumping	Rubbish dumping is not permitted.
Irrigation	Irrigation is to be minimised on any grassed or mown areas to avoid runoff and a raised water table.
Noise	Noise from events shall be required to comply with noise pollution control requirements.
Drainage	Drainage works are allowed on the land to which this Plan of Management applies. Any works are to comply with any environmental management guidelines adopted by Council to minimise the flow of nutrients and pollutants into watercourses.
Fertilisers and Pesticides	The use of fertilisers and pesticides may be permitted on land to which this Plan of Management applies, but only where no suitable alternatives exist and no adverse environmental impact is likely to occur. New landscape designs are to minimise the need for these. Notification of use must be given in accordance with Councils adopted Pesticide Use Notification Plan.
Removal of Silt	Silt shall be removed from drains and silt traps as necessary.

7.6.10 Information, Monitoring and Research

Information monitoring and Research	Monitoring and collection of information relating to the land to which the Plan of Management applies are important to enable good management.
Education and Research	Where a demonstrated need has been identified, an educational programme shall be developed to encourage use appropriate to the purpose to all or part of the land to which this Plan of Management applies.
Monitoring	Management arrangements shall be implemented to regularly monitor the use of the land, environmental conditions and facilities.
Surveys	Surveys of visitation and/or satisfaction with the facilities may be undertaken to facilitate the management and use of the land.

7.7 Leases, Licences and Other Estates

This Plan of Management **expressly authorises** the issue of Leases, Licences and other Estates over the areas of the Reserves 89629 and 97727 categorized as General Community Use, provided that:

- the purpose is consistent with the reserve purpose and the core objectives for the category of the land.
- the lease, licence or other estate is for a permitted purpose listed in the Local Government Act 1993 or the Local Government Regulations 2005.
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the Native Title Act 1993.

- the land is not subject to a claim under the Aboriginal Land Rights Act 1983 or the land is subject to a claim under the Aboriginal Lands Rights Act 1983 and advice has been sought from Crown Lands – Aboriginal Land Claims Investigations Unit.
- the lease, licence or other estate is granted and notified in accordance with the provisions of the Local Government Act 1993 or the Local Government Regulations 2005.
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Occupation of the land other than by lease or licence or other estate or for a permitted purposed listed in the Local Government Regulations 2005 is prohibited.

The terms of the authorisation for the lease licence of other estate should include Native Title assessment and validation under the Native Title Act 1993, a search to conclude that the land is not affected by a claim under the Aboriginal Land Rights Act 1983 or if a claim has been lodged that advice has been sought from Crown Lands – Aboriginal Land Claims Investigation Unit and should ensure the proper management and maintenance of the land and that the interests of Council and the public are protected.