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# **ATTACHMENTS**

## **ENCLOSURES**

### **Ordinary Council Meeting**

**15 March 2022**



# Table of Contents

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15.5 Draft Victoria Park Plan of Management

Attachment 1 Draft Victoria Park Plan of Management..... 4

# DRAFT PLAN OF MANAGEMENT VICTORIA PARK, GOULBURN AUGUST 2021



Prepared by



CGM PLANNING

## REVISIONS

Date	Minutes	Purpose
1 July 2021		Preliminary Draft Issued to Council
3 August 2021		Final Draft Issued to Council

## ACRONYMS

PoM	Plan of Management
LG Act	<i>Local Government Act</i>
CLM Act	<i>Crown Land Management Act</i>
CBD	Central Business District
CSP	Community Strategic Plan
CLM	Crown Land Manager
LG (General) Reg	Local Government Regulations 2005
NT Act	<i>Commonwealth Native Title Act 1993</i>
ALR Act	<i>Aboriginal Land Rights Act 1983</i>

## FIGURES

Figure 1	Victoria Park	PAGE 6
Figure 2	Process for preparing a Plan of Management for council managed Crown Reserves	PAGE 13
Figure 3	Locality Map, Victoria Park, Goulburn NSW	PAGE 15
Figure 4	GIS Area Map, Victoria Park, Goulburn NSW	PAGE 16
Figure 5	Categories Assigned to Victoria Park, Goulburn NSW	PAGE 19

## TABLES

Table 1	Information about Victoria Park as covered by this PoM	PAGE 16
Table 2	Values as shown from the four pillars of the Regional Community Strategy	PAGE 17
Table 3	Park, Sportsground and General Community use as defined by LG Reg 103	PAGE 20
Table 4	Leases in Victoria Park	PAGE 22

Table 5	Casual and Seasonal Bookings and Uses	PAGE 23
Table 6	Permissible Uses and Developments across category areas: subject to Council assessment, approvals and booking/hire systems.	PAGE 24
Table 7	Specific Category Authorised Leases, licences and other estates	PAGE 30
Table 8	Action Plan	PAGE 35

## APPENDICES

Appendix A	Plan of Management Legislative Framework	PAGE 57
Appendix B	Gazette Notice and Appointment as Crown Land Manager	PAGE 64
Appendix C	Category Map for the land	PAGE 65
Appendix D	Condition Description of land, structures and buildings	PAGE 66

## TABLE OF CONTENTS

1. KEY INFORMATION.....	7
2. INTRODUCTION .....	8
3. CORPORATE OBJECTIVES .....	10
4. PURPOSE OF THE PLAN OF MANAGEMENT .....	14
4.1 PROCESS OF PREPARING THE PLAN OF MANAGEMENT .....	15
4.2 CHANGE AND REVIEW OF PLAN OF MANAGEMENT .....	16
4.3 COMMUNITY CONSULTATION .....	16
5. LAND DESCRIPTION .....	17
6. BASIS OF MANAGEMENT .....	19
7. CATEGORISATION OF THE LAND.....	21
7.1 INTRODUCTION .....	21
7.2 GUIDELINES AND CORE OBJECTIVES .....	22
8. DEVELOPMENT AND USE .....	24
8.1 CURRENT USE OF THE LAND AND STRUCTURES .....	24
8.2 CONDITION OF THE LAND AND STRUCTURES .....	24
8.3 PERMISSIBLE USES/FUTURE USES .....	25
9. EXPRESS AUTHORISATIONS OF LEASES AND LICENSES AND OTHER ESTATES .	29
9.1 LEASES AND LICENCES AUTHORISED BY THE PLAN OF MANAGEMENT ....	29
9.2 LEASES.....	30
9.3 LICENCES.....	30
9.4 SHORT TERM LICENCES .....	30
9.5 EASEMENTS.....	31
9.6 CURRENT LEASES AND LICENCES .....	31
9.7 AUTHORISATION OF LEASES, LICENCES AND OTHER ESTATES .....	31
10. NATIVE TITLE AND ABORIGINAL LAND RIGHTS CONSIDERATIONS IN RELATION TO LEASES, LICENSES AND OTHER ESTATES .....	34
11. FUTURE ACTS .....	35
12. MANAGEMENT OF LAND BY CATEGORY .....	36
12.1 INTRODUCTION .....	36
12.2 KEY MANAGEMENT, DEVELOPMENT AND USE ISSUES .....	36
13. ACTION PLAN .....	37
14. APPENDICES .....	56
14.1 Appendix A – Plan of Management Legislative Framework.....	56
14.1.1 Local Government Act 1993.....	56
14.1.2 Crown Land Management Act 2016.....	57

14.1.3	Native Title Act 1993.....	59
14.1.4	Other state and Commonwealth legislation .....	59
14.2	Appendix B – Gazette Notice and Appointment as Crown Land Manager.....	63
14.3	Appendix C – Category Map Victoria Park, Goulburn – Reserve d530042.....	64
14.4	Appendix D – Condition Description of land, structures and buildings.....	65



## ACKNOWLEDGEMENT OF COUNTRY

We Acknowledge and pay our respects to the Aboriginal Elders both past and present, as well as emerging leaders.

We acknowledge the Mulwaree People of the Ngunnawal and Gandangara as the original custodians of the land, and respect Aboriginal peoples as the First Peoples and custodians of the land of the Goulburn Mulwaree Local Government Area.



Australind. Photo credit: Margie Fitzpatrick



## 1. KEY INFORMATION

This site specific plan of management (PoM) has been prepared for Goulburn Mulwaree Council (Council) and provides direction as to the use and management of Victoria Park, Crown reserve (D530042) classified as 'community land' in the Local Government Area (LGA).

The PoM has been written in accordance with Section 3.23 of the *Crown Land Management Act 2016* (CLM Act) and Section 36 of the *Local Government Act 1993* (LG Act). This PoM foreshadows the full future intent of all uses and developments, and identifies further required due diligence, approval processes and gateway stages.

This PoM specifically addresses the management of Victoria Park, Goulburn NSW. The PoM outlines the way the land will be used and provides the framework for Council to follow in relation to the express authorisation of leases and licence on the land.

This PoM has been adopted by Council on [insert date] following public exhibition and consideration of submissions received.



## 2. INTRODUCTION

Goulburn Mulwaree is home to an estimated 31,132 residents, almost two thirds of residents live in the township of Goulburn, however there are also a series of towns, villages and rural localities that service local rural communities including Marulan, Middle Arm, Tarago, Tallong, Bungonia, Lake Bathurst, Towrang, Windellama and Parkesbourne.

Open space land, sporting grounds and facilities are available at Regional, District and Local levels across Goulburn City and the LGA villages.

Victoria Park, located in the heart of Goulburn City, was dedicated for public recreation by gazette on 1 July 1873. Goulburn Mulwaree Council was appointed trustee of the dedicated area on 20 January 1961. The area is a Crown reserve as defined by the *Crown Land Management Act 2016* (CLM Act) and classified as Community Land under section 3.21 of the CLM Act.

The park comprises 18.61 hectares, located on elevated land, less than a kilometre west of Goulburn CBD and is bordered primarily by residential areas along Faithful, Deccan and Verner Streets. Goulburn Base Hospital is located along Clifford Street and Goulburn High School is located immediately north of the Park with Wollondilly Public School one block further north. To the west are Goulburn TAFE and Trinity Catholic College. The Park is serviced by a bus stop at the corner of Deccan street and Verner Street. Goulburn CBD and regional train station are within walking distance, approximately 900 metres east along Montague Street.



Figure 1: Victoria Park, Goulburn



The park accommodates a range of sporting and recreation facilities which are used by a broad cross section of the community for cricket (junior and senior), cycling, tennis, swimming, aquathon, triathlon, skateboarding and passive exercise. Components of the park, and its opportunities and facilities include:

- Goulburn Aquatic and Leisure Centre;
- Skate park, small multi sports court;
- regional adventure playground with a liberty swing for individuals with disabilities;
- covered picnic tables, BBQ and public toilets (including wheelchair accessible);
- Seiffert Oval (cricket, cycling and formerly rugby union);
- Prell Oval (predominantly used for cricket, and school sports during the year by the High School);
- Rose garden;
- Japanese Garden and Pond;
- Mindfulness garden
- tennis courts;
- basketball (half court);
- walking & cycle paths, including a pre-schooler bicycle park;
- memorial plaques;
- guide hall;
- outdoor gym;
- stage area;
- dog off-leash area;
- security CCTV network; and
- grassed open space.



### 3. CORPORATE OBJECTIVES

Goulburn Mulwaree Council in conjunction with Upper Lachlan Shire Council and Yass Valley Council prepared *The Tablelands Regional Community Strategic Plan 2016-2036 (CSP)*.

#### Community Strategic Plan - Vision

*To build and maintain sustainable communities while retaining the region's natural beauty.*

The CSP identifies the aspirations of the community through a clear set of strategic priorities that aim to achieve the region's vision for the future.

#### Strategic Pillars

Environment	We appreciate our range of rural landscapes and habitats, and act as custodians of the natural environment for future generations.
Economy	We have a strong regional economy experiencing sustainable growth, which provides for a diverse range of employment opportunities.
Community	We are a network of vibrant, inclusive and diverse communities that value our cooperative spirit, self-sufficiency, and rural lifestyle.
Infrastructure	Our community is well serviced and connected to built, social and communications infrastructure.
Civic Leadership	Our leaders operate ethically and implement good governance. We empower our residents with the tools to participate actively in the development of our communities.

It is these desired community goals which set the overarching strategic framework for this plan of management which can also contribute to implementing specific strategies (see Section 6 for more detail).

Since the CSP was prepared a range of State and local strategic documents have been produced. These are:

- South East Tablelands Regional Plan 2036;
- Tablelands Regional Economic Development Strategy 2018-2022;
- Crown land 2031: State Strategic Plan for Crown land June 2021;
- Goulburn Mulwaree Local Strategic Planning Statement 2020;
- Climate Change Assessment and Adaptation Report 2020; and
- Social Sustainability Strategy and Action Plan 2019-2029.

Each of these documents have a bearing on environmental, economic, social or cultural outcomes for the Region and the LGA in particular and are explored in more detail below.

#### Climate change and adaptation

Local government is responsible for delivering a broad range of services to the community, and for managing and maintaining a substantial number of assets and infrastructure.

By their very nature local government is on the frontline in dealing with and being affected by the impacts of climate change and as such, can play a critical role in ensuring that local conditions and needs are adequately considered in the overall adaptation response.<sup>1</sup>

<sup>1</sup> Climate Change Assessment and Adaptation Report 2020

Council's *Climate Change Assessment and Adaptation Report, March 2020* identifies a range of adaptation actions in response to potential climate change impacts associated with temperature, hot days, rain fall and fire weather.

A number of the actions, identified to manage climate risks, are being actively implemented through the master plan for Victoria Park. These initiatives include the upgrade of the pool/aquatic centre and new facilities to respond to an increase in demand for swimming facilities, extended opening hours, extra parking needs and shade, use of solar panels, investigating/using alternative renewable energy supplies, using passive building design, planting more trees for shade, improving lighting and security in facilities suitable for night use, implementing a water re-use scheme for sporting field and park irrigation and ensuring buildings are able to cope with high temperatures (insulation/ventilation etc.).

The review of plans of management is also a key action in considering the impact of climate change risk and therefore the actions in this plan will reflect adaptation measures.

#### Social sustainability

Council's *Social Sustainability Strategy and Action Plan 2019 - 2029* seeks to build a socially just and resilient community:

*Being a socially sustainable Goulburn can provide a framework through which the community and place can thrive, taking into account the unique social, cultural, economic and environmental spheres that influence quality of life.*<sup>2</sup>

Planning for social sustainability outcomes at the local government level is about identifying and leveraging the local social and community assets and resources, strengthening the management of those assets and resources, and integrating them with the rest of Council's planning activity.<sup>3</sup>

Council intends to build social sustainability alongside service providers, community groups and members of the wider community.

It has three strategies supported by clear objectives and actions for implementation.

1. We will continue to build the skills and capacity of our community,
2. We will strengthen bonds between community members and community groups.
3. We will improve health and wellbeing for all in our community.

Feeling connected to, and a part of the community is key to achieving social sustainability. Victoria Park has the capacity to hold community get togethers, workshops, BBQs and events to promote inclusion, learning and a sense of belonging. The park's active sports areas and play equipment also provide for the needs of a healthy active community.

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<sup>2</sup> Social Sustainability Strategy and Action Plan 2019 - 2029

<sup>3</sup> Ibid

### Local Strategic Planning Statement

Council adopted its *Local Strategic Planning Statement 2020* (LSPS) in August 2020. This document sets out the 20-year vision for land-use in the local area with visions, objectives and planning priorities providing the rationale for how land-use decisions will be made to achieve the community's broader goals.

Clear planning principals and actions are identified to achieve specific visions.

Of these Victoria Park fits most suitably within the Community Facilities, Open Space and Recreation 2040 vision: *Physical, social and cultural activity is supported by a range of facilities and shared spaces.*

Given the size, location and opportunities that Victoria Park offers, it is in essence a regional facility undergoing significant upgrades consistent with the following LSPS Planning Principles:

- Advocate for funding from government, sporting groups and NGO's to upgrade sporting and recreational facilities to meet community demand;
- Plan and secure funding for facilities and spaces that foster healthy, creative, culturally rich and socially connected communities, which are of a standard that reflects Goulburn's status as a regional centre;
- Identify, plan and embellish multi-purpose regional parks and sporting facilities within Goulburn.

Specific actions relevant to Victoria Park are:

- Continue to develop the Performing Arts Centre, Community Centre and Aquatic Centre re-development.
- Continue to undertake community cultural events.
- Review and update plans of management.

### Victoria Park Master Plan

The Master Plan for Victoria Park was developed for Goulburn Mulwaree Council in 2016/17 through detailed landscape and leisure planning analysis, Council staff review and community consultation.

The master plan was a framework that proposed a sequence of changes to the park environment, with specific emphasis on preserving and enhancing the park's much-loved character and ensuring access to the park for all is improved and maintained into the future.<sup>4</sup>

The proposals and recommendations of the master plan were formed into a series of specific projects that could be designed and implemented over a ten year period.

In 2018, an additional plan was produced which provided detailed plans and project order for funding purposes as well as a materials, style and design guide.

Implementation of the master plan projects are substantial underway, and Victoria Park is undergoing an evolution in its facilities and use. In the 2019/20 financial year, the Council spent \$20 million upgrading the Goulburn Aquatic Centre in Victoria Park. Council has also invested in a new regional adventure playground, new pavilion building, repairs to Seiffert Oval grandstand, enhancing the skate park, establishing a Japanese garden, CCTV camera's and new solar powered lights.

On a State level, Crown land 2031: State Strategic Plan for Crown land was released in June 2021. This 10 year plan proposes to activate Crown land to grow tourism, support community groups, boost regional economies, advance Aboriginal interests, and provide more green open space.

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<sup>4</sup> Victoria Park Draft Plan of Management June 2018



Crown land is public land and the plan sets the direction for the estate to support activities to create social, economic, cultural and environment benefits.

The vision embodied in this plan is for:

***Crown land to support resilient, sustainable and prosperous communities across NSW.***

The priorities for Crown land over the next 10 years are to:

- Strengthen community connections with Crown land
- Accelerate economic progress in regional and rural NSW
- Accelerate the realisation of Aboriginal land rights and native title in partnership with Aboriginal people
- Protect cultural heritage on Crown land
- Protect environmental assets, improve and expand on green space and build climate change resilience





## 1. PURPOSE OF THE PLAN OF MANAGEMENT

The CLM Act and the LG Act require a PoM to be prepared for all public land that is classified as 'community land' under that Act.

The CLM Act authorises local councils (council managers) appointed to manage dedicated or reserved Crown land to manage that land as if it were public land under the LG Act. Therefore, all Crown land reserves managed by council are also required to have a PoM under the LG Act.

The purpose of this PoM is to:

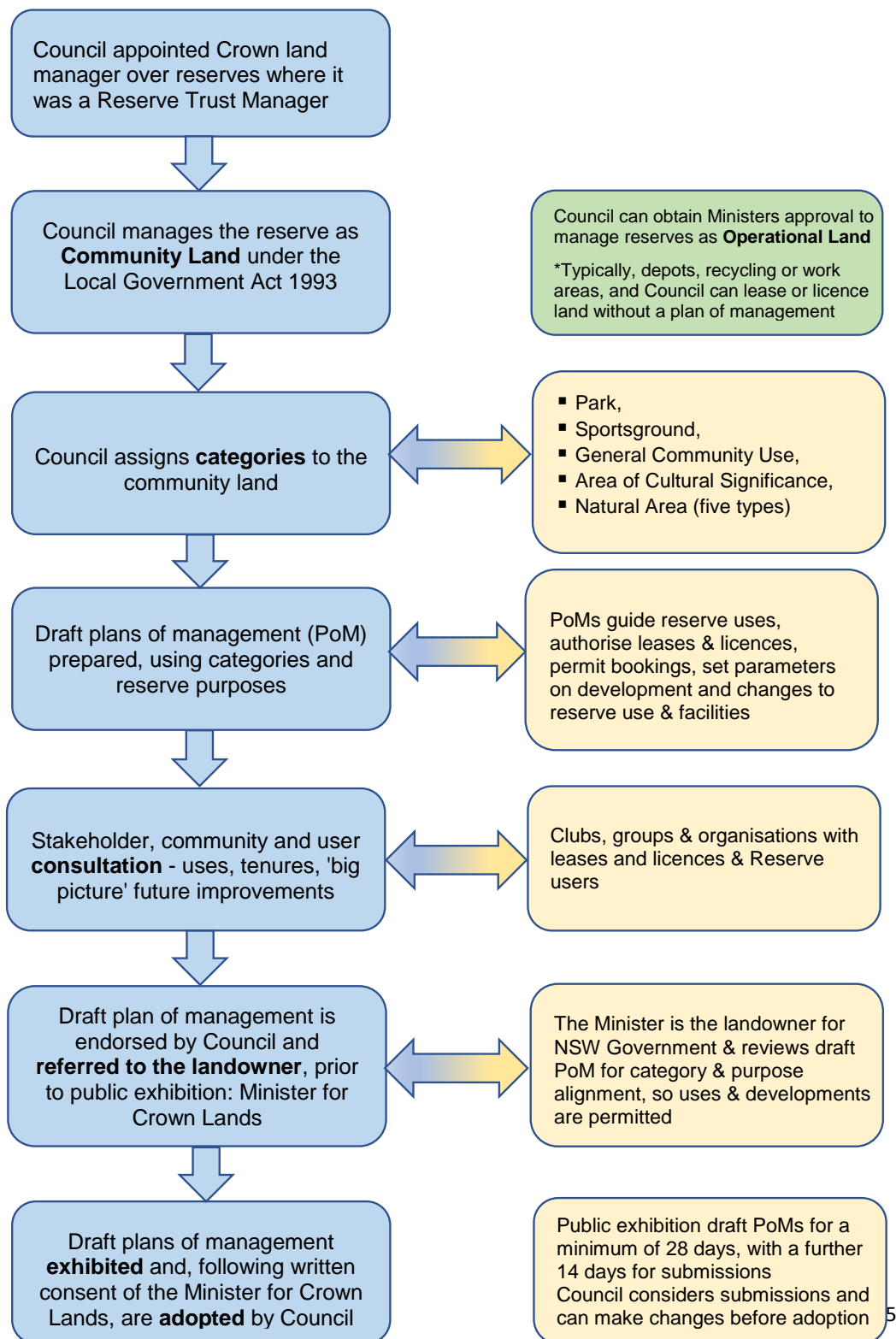
- contribute to the council's broader strategic goals and vision as set out in *The Tablelands Regional Community Strategic Plan 2016-2036 (CSP)*;
- ensure compliance with the LG Act and the CLM Act;
- provide clarity in the future development, use and management of the community land; and
- ensure consistent management that supports a unified approach to meeting the varied needs of the community.

Further information about the legislative context of Crown Reserve PoMs can be found in **Appendix A** of this document.



## 1.1 PROCESS OF PREPARING THE PLAN OF MANAGEMENT

Figure 2 below illustrates the process of preparing this PoM.



## 1.2 CHANGE AND REVIEW OF PLAN OF MANAGEMENT

This PoM will require regular review in order to align with community values and changing community needs, and to reflect changes in council priorities. Council has determined that it will review the PoM within 10 years of its adoption. However, the performance of this PoM will be reviewed annually to ensure that the Reserve is being managed in accordance with the PoM, is well maintained and provides a safe environment for public enjoyment.

Council may continue to acquire or divest land for the benefit of the community. Land may also come into council's ownership by dedication of land for open space. The appendices to this PoM may be updated from time to time, reflecting significant changes to the condition of the community land, or to reflect new acquisitions or dedications of land.

The community will have an opportunity to participate in reviews of this PoM.

## 1.3 COMMUNITY CONSULTATION

Community consultation and input is important to ensure a PoM meets the needs of the local community. The mandatory consultation through public exhibition of the draft PoM takes place after input from the Minister as landowner for the Crown, encouraging a local community appreciation of the Council's aims for management of public land.

On 28 April 2021 early consultation with key lessees and user groups of the park was undertaken. Attendees included Junior Cricket, Senior Cricket, Cycle Club, Waratah Tennis Club, Goulburn Mulwaree staff from Marketing and Events and, Community Facilities, 2 Councillors – Deputy Mayor Peter Walker and Cr Carol James. Apologies were received for Councillor M O'Neill.

The workshop provided identification of the values, issues, use and management of the park and how it may be improved. The matters raised in the workshop have been integrated into this PoM.

Before a PoM can be adopted by Council, it must be placed on public exhibition for at least 28 days. The period in which written submissions can be received must be at least 42 days from the first day of public exhibition.

In accordance with section 39 of the LG Act, prior to being placed on public exhibition, the draft PoM was referred to the land owner (the Department of Planning, Industry and Environment – Crown Lands as representative of the Minister). Council has included in the plan any provisions that have been required by the Department of Planning, Industry and Environment – Crown Lands.

This PoM was placed on public exhibition from [insert exhibition dates], in accordance with the requirements of section 38 of the LG Act. A total of [x] submissions were received. Council considered these submissions before referring the draft PoM to the Minister for written consent to adopt the PoM.

The Minister's consent was received on [insert date] with Council adoption of the PoM on [insert date].



## 2. LAND DESCRIPTION

Victoria Park, comprising 18.61 hectares is located less than a kilometre west of Goulburn CBD, NSW, and is bordered primarily by residential housing along Faithful, Deccan and Verner Streets with the Goulburn Base Hospital located opposite along Clifford Street.

The land is owned by the Crown (the State of NSW) and is managed by Council as Crown land manager under the CLM Act.

Victoria Park is dedicated for the purposes of recreation, created and notified by NSW Gazette dated July 1, 1873. Goulburn Mulwaree Council was appointed trustee of the dedicated area on 20 January 1961. See **Appendix B** for Gazettal Notice.

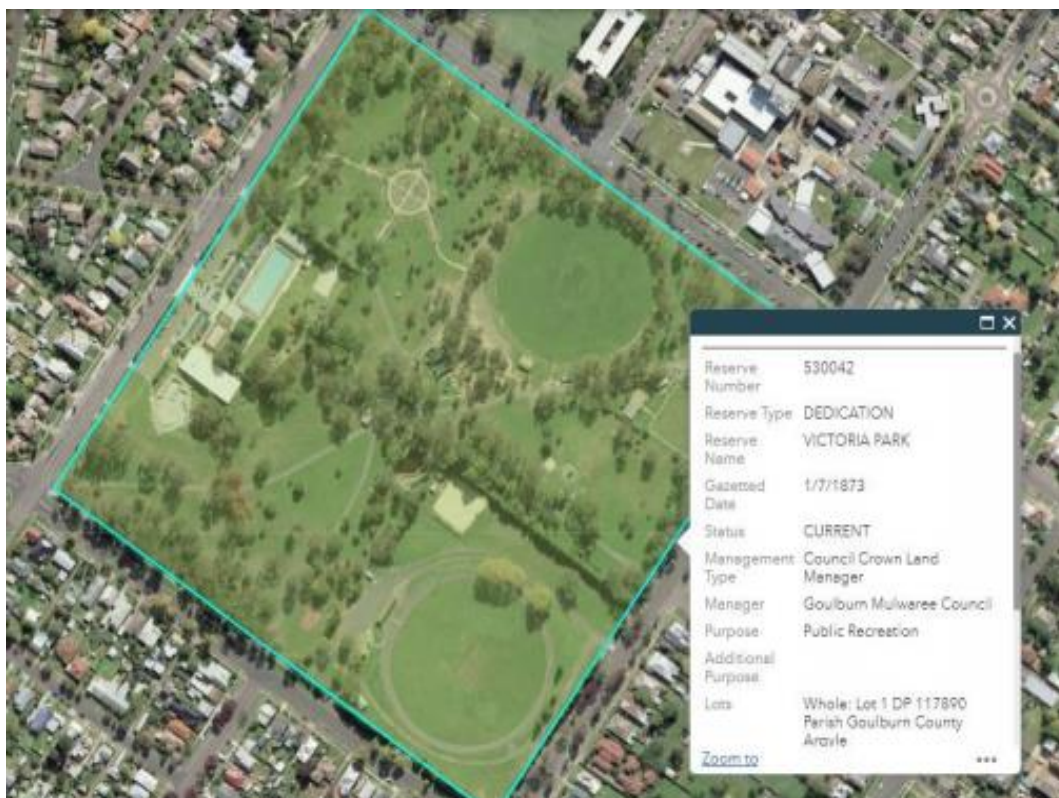


Figure 3: Locality Map, Victoria Park, Goulburn NSW.

<b>Reserve Number</b>	D530042
<b>Reserve purpose</b>	Public Recreation
<b>Land parcel/s</b>	Whole: Lot 1 DP 117890 Parish Goulburn County Argyle
<b>Area (Ha)</b>	18.61
<b>LEP zoning</b>	RE1 Public Recreation
<b>Heritage Item (local)</b>	War Memorial Swimming Pool Complex (1964) Item 162 Deccan Street (Part Lot 1, DP 117890)
<b>Initially Assigned category/categories</b>	Park
<b>PoM Categorisation</b>	Park, Sportsground and General Community Use

**Table 1: Information about Victoria Park as covered by this PoM.**

This PoM is specific to the land mentioned in **Table 1**. Contact Council or refer to Council's website for information about other public land not listed above.



**Figure 4: GIS Map of Victoria Park, Goulburn NSW**

### 3. BASIS OF MANAGEMENT

Goulburn Mulwaree Council intends to manage its community land to meet:

- assigned categorisation of community land;
- the LG Act guidelines and core objectives for community land;
- restrictions on management of Crown land community land;
- the council's strategic objectives and priorities; and
- development and use of the land outlined in Section 6 of the LG Act.

This basis for management is underpinned by Council's Regional Community Strategic Plan (CSP). The CSP provides a framework for managing Victoria Park within a broad community context contributing to building and maintaining sustainable communities. The five strategic pillars of the CSP and relevant strategies that can be applied to the reserve are in **Table 2**.

STRATEGIC PILLAR	STRATEGIES RELEVANT TO VICTORIA PARK
<b>Environment</b> - We appreciate our range of rural landscapes and habitats, and act as custodians of the natural environment for future generations.	EN2 Adopt environmental sustainability practices EN5 Investigate and implement approaches to reduce our carbon footprint
<b>Economy</b> - We have a strong regional economy experiencing sustainable growth, which provides for a diverse range of employment opportunities.	EC2 Jointly develop appropriate tourism opportunities and promote the region as a destination.
<b>Community</b> - We are a network of vibrant, inclusive and diverse communities that value our cooperative spirit, self-sufficiency, and rural lifestyle.	C02 Encourage and facilitate active and creative participation in community life C03 Foster and encourage positive social behaviours to maintain our safe, healthy and connected community C04 Recognise and celebrate our diverse cultural identities, and protect and maintain our community's natural and built cultural heritage
<b>Infrastructure</b> - Our community is well serviced and connected to built, social and communications infrastructure.	IN4 Maintain and update existing community facilities and support the development of new community infrastructure as needed.
<b>Civic Leadership</b> - Our leaders operate ethically and implement good governance. We empower our residents with the tools to participate actively in the development of our communities.	CL4 Actively investigate and communicate funding sources and collaboration opportunities that can strengthen the region.

**Table 2: Regional Community Strategic Plan implementation**



Early consultation in April 2021 with user groups helped to identify the values of Victoria Park for the community.

Victoria Park is valued:

- for the multipurpose capacity of the park for multi-use and events;
- as a local park for locals within the heart of Goulburn and off the main street;
- for the quality and investment in new and upgraded dedicated-use facilities and supporting infrastructure for sports such as cricket, cycling, tennis and for cultural events, community, family gatherings and private or formal functions;
- as a resource providing economic and social benefit arising from events in the park;
- for the long-term nature of existing uses on the site and the historical/cultural values that brings;
- for its size, location, and ease of access from surrounding streets, Hospital and schools;
- for its evolving capacity to attract a younger population of users e.g new pool, skate park and regional adventure playground with flying fox;
- for its connectivity and community benefit in providing social, health and learning benefits from sporting activities on the grounds, social activities, cycling, walking and learning, such as, through girl guides;
- for picnicking, tourism and multiple/repeat visits;
- for the potential to build on synergies between the different uses in the park;
- for its available open space/areas to hold events or engage in unstructured play; and
- for its facilities which are of high quality and support multiple uses.

The attendees represented the following group/s or organisation:

Junior Cricket, Senior Cricket, Cycle Club, Waratah Tennis Club, Goulburn Mulwaree Council staff (Marketing & Events and Community Facilities), Councillors – Deputy Mayor Peter Walker and Cr Carol James and apology for Councillor Margaret O’Neill.



## 4. CATEGORISATION OF THE LAND

### 4.1 INTRODUCTION

All community land is required to be categorised under the LG Act as one or more of the following community land categories.

- Park – for areas primarily used for passive recreation.
- Sportsground – for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- General community use – for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.
- Cultural significance – for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- Natural area – for all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories.

Where the land is owned by the Crown, the category assigned should align with the purpose for which the land is dedicated or reserved.

Victoria Park is dedicated as Public Recreation, and the categories which align with this are Park, Sportsground, and General Community Use.

**Figure 5** and **Appendix C** show where the community land categories of Park, Sportsground and General Community Use have been assigned.



**Figure 5: Categories Assigned to Victoria Park, Goulburn NSW**



#### 4.2 GUIDELINES AND CORE OBJECTIVES

The management of community land is governed by the categorisation of the land, its reserve or dedicated purpose(s), and the core objectives of the relevant category of community land.

The guidelines for categorisation of community land are set out in the Local Government (General) Regulation 2005 (LG Reg). The core objectives for each category are set out in the LG Act.

The guidelines and core objectives for this Victoria Park (Park, Sportsground and General Community Use) are set out in **Table 3** below.

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to Goulburn.

The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

Goulburn Mulwaree Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate. Within buildings, swimming pools, and recreational and sporting facilities in particular, Council intends to permit and encourage a broad range of appropriate activities.

Council is the Crown land manager of the Crown reserves described in this plan of management in accordance with the legislation and conditions imposed by the Minister administering the *Crown Land Management Act 2016*. The use of the land described in this plan of management must:

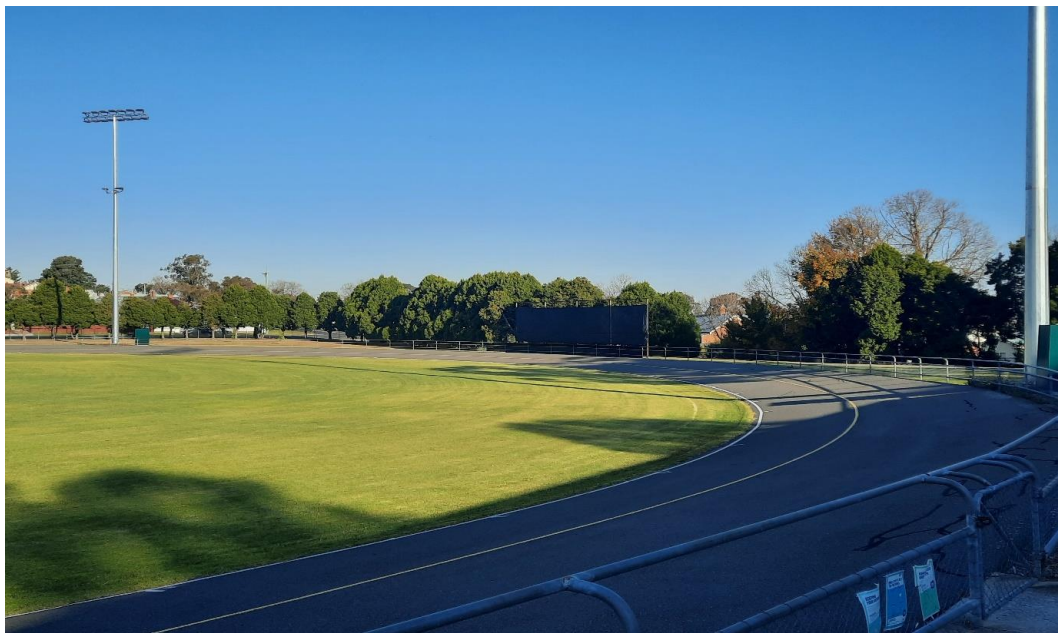
- be consistent with the purpose for which the land was dedicated or reserved;
- consider native title rights and interests and be consistent with the provisions of the Commonwealth Native Title Act 1993;
- consider the inchoate interests of Aboriginal people where an undetermined Aboriginal Land Claim exists;
- consider and not be in conflict with any interests and rights granted under the Crown Land Management Act 2016; and
- consider any interests held on title.

This PoM is to also be consistent with the objectives of the CLM Act, and compliant with any CLM Act terms of appointment as CLM, or CLM land management rules (see **Appendix A**)

CATEGORY	CORE OBJECTIVES
<b>PARK</b>	
<u>LG Regulation Clause 102</u> Land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others.	<u>LG Act Section 36G</u> Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities Provide for passive recreational activities or pastimes and for the casual playing of games Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

CATEGORY	CORE OBJECTIVES
<b>SPORTSGROUND</b>	
<u>LG Regulation Clause 103</u> Land used primarily for active recreation involving organised sports or playing outdoor games.	<u>LG Act Section 36F</u> Encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games  Ensure that such activities are managed having regard to any adverse impact on nearby residences.
<b>GENERAL COMMUNITY USE</b>	
<u>LG Regulation Clause 106</u> Land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.	<u>LG Act Section 36I</u> Promote, encourage and provide for the use of the land  Provide facilities on the land, to meet the current and future needs of the local community and of the wider public: <ul style="list-style-type: none"> <li>• in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and</li> <li>• 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).</li> </ul>

**Table 3: Park, Sportsground and General Community Use objectives and definition**



## 5. DEVELOPMENT AND USE

### 5.1 CURRENT USE OF THE LAND AND STRUCTURES

A single-area PoM must describe the existing condition of the land and structures, and the use of the land and structures as at time of adoption of the PoM.

### 5.2 CONDITION OF THE LAND AND STRUCTURES

The land, facilities and structures in Victoria Park are in good or new condition with the exception of some pathways, unformed Park roads or access drives, and the old bowling club and fencing, now used as a Guides Hall.

**Appendix D** documents the condition description of the land, facilities and structures.

The current use of the land is demonstrated by the existing leases and licences and the table of casual or seasonal booking for the Park and its facilities as set out in **Table 4** and **Table 5**.

LESSEE	CROWN LAND	START DATE	END DATE	USE
Australian Girl Guides Association Inc.	Victoria Park Hall Faithfull Street	25.11.2011	24.11.2021	Meeting hall
Goulburn Amateur Swimming Club	Goulburn Aquatic Centre Deccan Street Goulburn	1.07.2015	30.06.2020	Club meeting and store rooms The licence renewal was put on hold in 2020 due to major redevelopment of the aquatic centre. A new licence has been prepared for commencement on 1 September 2021.
Waratah Tennis Club, Inc.	Seiffert Oval Faithfull Street Goulburn	1.07.2017	30.06.2022	Club house and tennis courts

**Table 4: Leases in Victoria Park**

The Park receives considerable use by the community and a range of sporting and community groups. **Table 5** details the types and conditions of use granted by Council through its seasonal and casual booking system, including events.

BOOKING NAME	LOCATION	FREQUENCY
Cricket	Seiffert Oval Ken Robson Pavilion	Normally from September to March each year
Cycling	Seiffert Oval Ken Robson Pavilion	September to March, with training all year. One annual large regional event in January called Trackpower.
Hockey Training Men & Women Capital League	Seiffert Oval	Fitness training but will not be ongoing due to relocation to Workers arena
Yoga	Ken Robson Pavilion	Weekly booking for a set period, but is currently postponed
Primary and Public School Athletics Training	Seiffert Oval	Seasonal
NSW Country Cricket Championships	Seiffert Oval and Prell Oval Ken Robson Pavilion	This was an annual event that is no longer proceeding
TAFE Graduation - Mission Australia	Ken Robson Pavilion	One off event
Prayer Group	Ken Robson Pavilion	Weekly meeting, but is currently postponed
Australia Day Celebrations	Victoria Park Seiffert Oval Ken Robson Pavilion	Annual event, pending on size can take up further parts of the park
Clean Up Australia Day	Victoria Park	Acts as the starting point for this event each year
Playgroup	Seiffert Oval Ken Robson Pavilion	Weekly booking, potentially twice
Fitness Classes	Seiffert Oval	Being used weekly by the aquatic fitness team but is currently postponed due to the pool not operating during construction
Various Community Gatherings Birthdays Baby Showers Training	Ken Robson Pavilion Seiffert Oval	One off events, that can occur at anytime

Table 5: Casual and Seasonal Bookings and Uses

### 5.3 PERMISSIBLE USES/FUTURE USES

Section 36(3A) (b) requires that a site-specific PoM must:

- specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used
- specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise
- describe the scale and intensity of any such permitted use or development.

Section 68, Part D, of the LG Act requires council to issue approvals for certain activities on community land. Authorised permissible uses and permitted developments are required to be consistent with the Crown reserve purposes and the core objectives of the categories assigned to the land.

The use and development of community land therefore should be compatible with the legislated purpose of the land and the wider community context.

Council encourages a wide range of uses of community land and intends to facilitate uses and encourage a broad range of activities that increase the access and improvement of opportunities on the land.

The use of community land is often supported by appropriate ancillary development such as playground equipment, amenity blocks or food kiosks. The general types of uses that may occur on community land and the forms of development generally associated with those uses, are set out in **Table 6** below. The facilities on community land may change over time, reflecting the needs of the community.

The anticipated uses and associated development identified in the table are intended to provide a general guide. The terminology used is not intended to impose an exact meaning. For example, a reference to 'football' includes any variation of that game.

It is anticipated that demand for activities and uses may develop, and others increase or decrease in popularity. If this occurs, then some community land may be modified to facilitate the changing forms of 'active recreation', sports or community uses enjoyed by the community.

**Table 6** specifies the authorised permissible uses and activities, as well as developments for which the land, and any such buildings or improvements, that may be undertaken in the Park, Sportsground and General Community Use category areas, by Council, or lessees or licensees consistent with their user agreements, following Council assessment, approvals and any booking or hire arrangements established by, or with the agreement of Council.

The scale and intensity of these permissible uses and developments will be determined in context with this plan of management, Council assessment and development approvals, leasing and licensing that are consistent with the reserve purposes, category core objectives and any identified carrying capacity of the proposed site or locations.

GENERAL – FOR ALL THREE CATEGORY AREAS, PARK, SPORTSGROUND AND GENERAL COMMUNITY USE	
USES AND ACTIVITIES	DEVELOPMENTS
<ul style="list-style-type: none"> <li>▪ Organised and unstructured recreation and sporting activities</li> <li>▪ Community events and gatherings</li> <li>▪ Group recreational use, such as picnics and private celebrations</li> <li>▪ Festivals, parades, markets, fairs, exhibitions and similar events and gatherings</li> <li>▪ Filming and photographic projects</li> <li>▪ Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes.</li> <li>▪ Casual or informal recreation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development of outdoor and indoor facilities to facilitate the permissible uses and activities.</li> <li>▪ Development for the purposes of improving access, amenity and the visual character of the land, for example paths, public art, pergolas</li> <li>▪ Change room/locker areas</li> <li>▪ Shower/toilet facilities</li> <li>▪ Car parking and loading areas</li> <li>▪ Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas)</li> <li>▪ Café or refreshment areas (kiosks/restaurants) including external seating</li> <li>▪ Shade structures</li> </ul>

GENERAL – FOR ALL THREE CATEGORY AREAS, PARK, SPORTSGROUND AND GENERAL COMMUNITY USE	
USES AND ACTIVITIES	DEVELOPMENTS
<ul style="list-style-type: none"> <li>Meetings (including for social, recreational, educational or cultural purposes)</li> <li>Concerts, including all musical genres</li> <li>Performances (including film and stage)</li> <li>Leisure or training classes</li> <li>Entertainment facilities</li> </ul>	<ul style="list-style-type: none"> <li>Storage ancillary to sporting and recreational uses, community events or gatherings, and public meetings</li> <li>Provision of amenities to facilitate use and enjoyment of the community land including seating, change rooms, toilets, storage, first aid areas</li> <li>Heritage and cultural interpretation, e.g. signs</li> <li>Equipment sales/hire areas</li> <li>Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, BBQs, sheltered seating areas</li> <li>Lighting, paved areas, hard and soft landscaped areas</li> <li>Advertising structures and signage (such as A-frames and banners) that:               <ul style="list-style-type: none"> <li>relate to approved uses/activities</li> <li>are discreet and temporary</li> <li>are approved by the council</li> </ul> </li> <li>Water-saving initiatives such as stormwater harvesting, rain gardens and swales</li> <li>Energy-saving initiatives such as solar lights and solar panels</li> <li>Locational, directional and regulatory signage</li> </ul>

ADDITIONAL <u>SPECIFIC</u> CATEGORY PERMISSIBLE PURPOSES, USES AND DEVELOPMENTS - SPORTSGROUND	
PURPOSE/USE	DEVELOPMENT TO FACILITATE USES
<ul style="list-style-type: none"> <li>Active and passive recreational and sporting activities compatible with the nature of the land and any relevant facilities</li> <li>Commercial uses associated with sports facilities</li> </ul>	<ul style="list-style-type: none"> <li>Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example:               <ul style="list-style-type: none"> <li>Sports field (cricket, football, track and field athletics, baseball, softball)</li> <li>Marked court (basketball, volleyball, badminton, tennis, hockey, netball etc.)</li> <li>Cycle tracks and velodrome</li> <li>Swimming pool/aquatic centre and associated parking</li> </ul> </li> <li>Professional rooms associated with the reserve purposes for hire</li> <li>Facilities for sports training</li> <li>Compatible, small scale commercial uses, e.g. sports tuition and health, sports physiotherapy</li> <li>Gymnasiums, exercise classes and activities</li> </ul>

ADDITIONAL <u>SPECIFIC</u> CATEGORY PERMISSIBLE PURPOSES, USES AND DEVELOPMENTS - PARK	
PURPOSE/USE	DEVELOPMENT TO FACILITATE USES
<ul style="list-style-type: none"> <li>▪ Active and passive recreation including children's play and cycling</li> <li>▪ Eating and drinking in a relaxed setting</li> <li>▪ Publicly accessible ancillary areas, such as toilets</li> <li>▪ Dog leash-free areas</li> <li>▪ Low-intensity commercial activities (for example recreational equipment hire)</li> <li>▪ Busking</li> <li>▪ Public address (speeches)</li> <li>▪ Community gardening</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts, bocce courts, multi-purpose courts</li> <li>▪ Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment</li> <li>▪ Definition or delineation of areas for use, e.g: fencing.</li> </ul>

ADDITIONAL <u>SPECIFIC</u> CATEGORY PERMISSIBLE PURPOSES, USES AND DEVELOPMENTS - GENERAL COMMUNITY USE	
PURPOSE/USE	DEVELOPMENT TO FACILITATE USES
<ul style="list-style-type: none"> <li>▪ Providing multi-purpose buildings for a range of mixed use options including indoor sports and community use venues.</li> <li>▪ Commercial uses associated with reserve purposes, or community use.</li> <li>▪ Specialised community uses such as: <ul style="list-style-type: none"> <li>○ functions</li> <li>○ workshops</li> <li>○ childcare (for example, before and after school care, vacation care)</li> <li>○ designated group use (e.g. scout and girl guide use)</li> </ul> </li> <li>▪ Educational centres, including information and resource centres.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development for the purposes of social, community, cultural and recreational activities, such as mixed use indoor sports and community use venues, community use facilities, men's sheds.</li> <li>▪ Small scale commercial uses compatible with reserve purposes, community uses.</li> <li>▪ Development includes: <ul style="list-style-type: none"> <li>○ provision of buildings or other amenity areas to facilitate use and enjoyment by the community</li> <li>○ development (particularly within buildings) for the purposes of addressing the needs of a particular group (for example, a stage)</li> </ul> </li> </ul>

**Table 6 - Permissible Uses and Developments across category areas: subject to Council assessment, approvals and booking/hire systems.**

## 6. EXPRESS AUTHORISATION OF LEASES AND LICENCES AND OTHER ESTATES

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a PoM. The term 'other estates' includes other interests, charges, rights or titles in relation to the land (an example is easements). The CLM Act does require Councils, when seeking ongoing power of entry for construction and maintenance of water supply, sewerage and stormwater drainage works to ask the Minister responsible for the CLM Act to create an easement for access. The Minister must grant the easement if satisfied that it is appropriate to do so.

As a general rule, express authorisation of leases, licences or other estates should include:

- the type of arrangement authorised – where council may authorise leases and/or licences and/or other estates;
- the land or facilities to be covered – where council may allow leases and/or licences and/or other estates on all or some of the land and facilities; and
- the purpose for which leasing or licensing will be granted – council may choose to allow leasing for community purposes, business purposes, or more limited purposes such as sports or childcare facilities.

Under section 46(1)(b) of the LG Act, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the community land itself and the local area to support the activity. 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.

Leases and licences also vary widely in scope and duration. For example, a sporting club may have a licence over a clubhouse for a season (a few months), while a lease over a showground may be for a duration of 21 years. However, under section 47(5) of the LG Act, a council may make an application for consent from the Minister for Local Government for a lease up to a maximum period of 30 years.

### 6.1 LEASES AND LICENCES AUTHORISED BY THE PLAN OF MANAGEMENT

This PoM expressly authorises the issue of leases, licences and other estates over the land covered by the PoM, provided that:

- the purpose is consistent with the purpose for which it was dedicated or reserved;
- the purpose is consistent with the core objectives for the category of the land;
- the lease, licence or other estate is consistent with the objectives of Crown land management and compliant with any appointment conditions or land management rules;
- the lease, licence or other estate is for a permitted purpose if prescribed in the LG Act or the Local Government (General) Regulation 2005 (LG (General) Reg);
- 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 NT Act;
- where the land is subject to a claim under the Aboriginal Land Rights Act 1983 (ALR Act) the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted;



- the lease, licence or other estate is granted and notified in accordance with the provisions of the LG Act or the LG (General) Reg; and
- 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.

Section 9.7 of this PoM authorises the granting of leases, licences and other estates and the purposes for the tenures and categories.

## 6.2 LEASES

A lease is a contract between a landowner, and another entity, granting that entity a right to occupy an area for a specified period of time. For example, a childcare operator may need exclusive occupation and control of a childcare centre.

Subleases are only allowable for the same purpose as the original lease, except for a small number of exceptions listed in cl.26, LG (General) Reg.

## 6.3 LICENCES

A licence provides a clear way of identifying a permitted activity on community land.

Licences may be granted to formally recognise and endorse shared use—for example, an outdoor seating area adjoining a café may be used by the café at some periods, but not all the time. Licences are commonly used for sports facilities such as club houses.

## 6.4 SHORT TERM LICENCES

There are specific limitations on short-term licensing under Clause 116 of the Local Government (General) Regulation 2005.

Short-term licences and bookings may be used to allow the council to program different uses of community land at different times, allowing the best overall use.

Short-term licences are authorised for the purpose of:

- the playing of a musical instrument, or singing, for fee or reward
- engaging in a trade or business
- the playing of a lawful game or sport
- the delivery of a public address
- commercial photographic sessions
- picnics and private celebrations such as weddings and family gatherings
- filming sessions
- the agistment of stock.

Fees for short-term casual bookings will be charged in accordance with the council's adopted fees and charges at the time.

Section 2.20 and Section 3.17 of the CLM Act also permits Crown land managers to grant a short-term licence over dedicated or reserved Crown land for any prescribed purpose, as set out in Clause 31 of the Crown Land Management Regulation 2018.

Short-term licences are authorised under Section 2.20 and Section 3.17 of the CLM Act for the following purposes:

- |                            |                         |
|----------------------------|-------------------------|
| ▪ access through a reserve | ▪ hiring of equipment   |
| ▪ advertising              | ▪ holiday accommodation |
|                            | ▪ markets               |

- camping using a tent, caravan or otherwise
- catering
- community, training or education
- emergency occupation
- entertainment
- environmental protection, conservation or restoration or environmental studies
- equestrian events
- exhibitions
- filming (as defined in the LG Act)
- functions
- grazing
- meetings
- military exercises
- mooring of boats to wharves or other structures
- sales
- shows
- site investigations
- sporting and organised recreational activities
- stabling of horses
- storage

In addition to any other condition to which a short-term licence granted under section 2.20 of the CLM Act is subject, the condition that the relationship of landlord and tenant is not created between the parties.

The period of one year is prescribed as the maximum term for which a short-term licence may be granted under section 2.20 of the CLM Act (including any further term available under an option or holding over provision).

## 6.5 EASEMENTS

This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.

Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.

## 6.6 CURRENT LEASES AND LICENCES

Victoria Park is subject to leases, licences and a range of short-term and casual bookings and hirings. See Section Condition of the land and structures and **Tables 4 and 5** for a list of current tenures and bookings.

## 6.7 AUTHORISATION OF LEASES, LICENCES AND OTHER ESTATES

The current licences and user agreements, when renewal is required shall be considered by Council pending authorisation in the PoM and subject to *Local Government Act 1993* provisions for the granting of leases, licences and other estates, including time periods for agreements, tendering and not for profit groups and organisations.

Occupation of the land other than by lease, licence or other estate or for a permitted purposed listed in the *Local Government Regulation 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*.

The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected.

Areas held under lease, licence or regular occupancy shall be maintained by the user.

The following **Table 7** sets out the types of tenure and tenures purposes that specifically apply to each of the categories on the land.

SPORTSGROUND	
TYPE OF TENURE	PURPOSE FOR WHICH TENURE MAY BE GRANTED
LEASE	<ul style="list-style-type: none"> <li>▪ kiosk, café, restaurant and refreshment purposes including seating and tables</li> <li>▪ management of tracks and training areas, court or field and other facilities associated with the reserve purposes</li> <li>▪ sporting uses developed/operated by a private operator</li> <li>▪ commercial retail uses associated with the facility (e.g. sale or hire of sports goods)</li> <li>▪ hire or sale of recreational equipment</li> </ul>
LICENCE	<ul style="list-style-type: none"> <li>▪ Indoor and outdoor kiosk, café, restaurant and refreshment purposes including seating and tables</li> <li>▪ management of tracks and training areas, court or field and other facilities associated with the reserve purposes</li> <li>▪ hire or sale of recreational equipment</li> </ul>
SHORT-TERM LICENCE	<ul style="list-style-type: none"> <li>▪ sporting fixtures and events</li> <li>▪ sports and fitness training and classes</li> <li>▪ broadcasting or filming of sporting fixtures</li> <li>▪ ancillary ceremonies (for example, rehearsal of opening and closing ceremonies, cheer squads, etc.)</li> <li>▪ uses reasonably associated with the promotion or enhancement of sporting groups, fixtures and events (for example, “guest” events for juniors; gala days; club meetings)</li> <li>▪ Shows and exhibitions</li> <li>▪ Community events</li> </ul>
OTHER ESTATES	<p>This PoM allows the council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>

PARK	
TYPE OF TENURE	PURPOSE FOR WHICH TENURE MAY BE GRANTED
LEASE	<ul style="list-style-type: none"> <li>▪ café/kiosk areas, including seating and tables</li> <li>▪ hire or sale of recreational equipment</li> </ul>
LICENCE	<ul style="list-style-type: none"> <li>▪ outdoor café/kiosk seating and tables</li> <li>▪ hire or sale of recreational equipment</li> </ul>
SHORT-TERM LICENCE	<ul style="list-style-type: none"> <li>▪ community events and festivals</li> <li>▪ playing a musical instrument, or singing for fee or reward</li> <li>▪ picnics and private celebrations such as weddings and family gatherings</li> <li>▪ filming, including for cinema/television</li> <li>▪ conducting a commercial photography session</li> <li>▪ public performances</li> <li>▪ engaging in an appropriate trade or business</li> <li>▪ delivering a public address</li> <li>▪ community events</li> <li>▪ fairs, markets, auctions and similar activities</li> </ul>
OTHER ESTATES	<p>This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>
GENERAL COMMUNITY USE	
TYPE OF TENURE	PURPOSE FOR WHICH TENURE MAY BE GRANTED
LEASE	<ul style="list-style-type: none"> <li>▪ childcare or vacation care</li> <li>▪ health or medical practitioners associated with the relevant facility (for example, nutrition, physiotherapy)</li> <li>▪ educational purposes, including education classes, workshops</li> <li>▪ cultural purposes, including concerts, dramatic productions and galleries</li> <li>▪ recreational purposes, including fitness classes, dance classes and games</li> <li>▪ sporting uses developed/operated by a private operator</li> <li>▪ kiosk, café, restaurant and refreshment purposes including seating and tables</li> <li>▪ commercial retail uses associated with the facility</li> <li>▪ caravan parks and camping grounds</li> </ul>
LICENCE	<ul style="list-style-type: none"> <li>▪ social purposes (including childcare, vacation care)</li> <li>▪ educational purposes, including education classes, workshops</li> <li>▪ recreational purposes, including fitness classes, dance classes</li> <li>▪ café/kiosk areas and refreshment purposes including seating and tables</li> <li>▪ sale of goods or services that are ancillary to community land use and reserve purpose</li> </ul>

	<ul style="list-style-type: none"> <li>animal welfare and health</li> </ul>
<b>GENERAL COMMUNITY USE</b>	
<b>TYPE OF TENURE</b>	<b>PURPOSE FOR WHICH TENURE MAY BE GRANTED</b>
SHORT-TERM LICENCE	<ul style="list-style-type: none"> <li>public speeches, meetings, seminars and presentations, including educational programs</li> <li>functions (including commemorative functions, book launches, film releases, balls, and similar activities)</li> <li>displays, exhibitions, fairs, fashion parades and shows</li> <li>events (including weddings, corporate functions, and community gatherings)</li> <li>concerts and other performances, including both live performances and film (cinema and TV)</li> <li>broadcasts associated with any event, concert, or public speech</li> <li>engaging in an appropriate trade or business delivering a public address, community events; auctions, markets and similar activities</li> </ul>
OTHER ESTATES	<p>This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>

**Table 7: Specific Category Authorised Leases, licences and other estates**

## 7. NATIVE TITLE AND ABORIGINAL LAND RIGHTS CONSIDERATIONS IN RELATION TO LEASES, LICENCES AND OTHER ESTATES

When planning to grant a lease or licence, the council must comply with the requirements of the Commonwealth *Native Title Act 1993* (NT Act) and have regard for any existing claims made on the land under the NSW *Aboriginal Land Rights Act 1983*.

It is the role of the council's engaged or employed native title manager to provide written advice in certain circumstances to advise if the proposed activities and dealings are valid under the NT Act (see Appendix B for more information).

The CLM Act requires native title managers to provide written advice to the Council Crown land manager when the Council Manager intends to perform one of the following functions in relation to the Crown land it manages or owns:

- grant leases, licences, permits, forestry rights, easements or rights of way;
- mortgage the land or allow it to be mortgaged;
- impose, require or agree to (or remove or release, or agree to remove or release) covenants, conditions or other restrictions on use in connection with dealings involving the land, or
- approve (or submit for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to above.

Native Title rights must be assumed to remain in existence if the relevant land is not 'excluded land' under the *Crown Land Management Act 2016*, because native title rights have not been:

- extinguished by Native Title Tribunal Determination under the NT Act; or
- surrendered through an Indigenous Land Use Agreement (ILUA); or
- protected under section 24FA of the NT Act; or
- compulsorily acquired; and
- a native title certificate has not been issued under the CLM Act.

## 8. FUTURE ACTS

Dealings in land or water that affect (impair or extinguish) native title are referred to as ‘future acts’ and these acts must be done in compliance with the NT Act. Granting a lease or licence over Crown land may be a future act.

Certain types of future acts can be validated under the NT Act. Where future acts are undertaken, native title claimants and holders are entitled to specific procedural and substantive rights. As such, the written advice of a native title manager is required. The advice must state that the act complies with the NT Act, and any necessary procedural requirements must be fulfilled prior to the act taking place.



## 9. MANAGEMENT OF LAND BY CATEGORY

### 9.1 INTRODUCTION

The management of Victoria Park as Park, Sportsground and General Community Use is important to be undertaken in an integrated manner because of the distribution of the category areas and the interrelationships between use and development, as well as tenure agreements. This reliance on an integrated management framework directs the management framework to recognise the core objectives, permissible uses and development, and to ensure that the performance targets, means of achievement and method of assessment cover all three category areas.

### 9.2 KEY MANAGEMENT, DEVELOPMENT AND USE ISSUES

This section approaches management of Victoria Park through three primary areas of focus: planning and design, management framework, and development and use.

- a) Planning and Design
  - Implementation of Victoria Park Master Plan
  - Landscape Character
  - Public access and multiple use
  - Relationship to surrounding land uses
  - Culture and heritage
- b) Management Framework
  - Environmental management and sustainability
  - Safe maintenance and upgrade of land, structures and facilities
  - Booking systems, fees and charges/conditions of hire
  - Amenity Provision
  - Fencing and lighting
  - Sports ground maintenance
  - Safety and risk management
- c) Development and Use
  - Future development and use
  - Buildings, facilities and infrastructure
  - Dogs in public places
  - Personal trainers, and small event bookings
  - Event or casual bookings
  - Signage and advertising
  - Traffic, vehicular access and parking;
  - Permitted and prohibited e.g: alcohol free areas

The general types of uses which may occur on community land categorised as Park, Sportsground and General Community Use and the forms of development generally associated with those uses, are set out in detail in **Table 6** while **Table 8** addresses the management, development and issues as an Action Plan for Victoria Park.



## 10. ACTION PLAN

Section 36 of the LG Act requires that a PoM for community land details:

- objectives and performance targets for the land;
- the means by which the council proposes to achieve these objectives and performance targets; and
- the manner in which the council proposes to assess its performance in achieving the objectives and performance targets.

**Table 8** below sets out the management actions with accountable means and assessment for Victoria Park.

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
1	PLANNING AND DESIGN			
1.1	IMPLEMENTATION OF VICTORIA PARK MASTER PLAN	<ul style="list-style-type: none"> <li>▪ Review the master plan to accommodate identified changes (Japanese Garden, retention of tennis courts etc)</li> <li>▪ Review access points, entrances and pathways for improved or new features and path alignments</li> <li>▪ Maintain master plan style and materials guide</li> <li>▪ Review interface between aquatic centre and park to ensure maximum integration and ease of movement between centre and park</li> </ul>	<ul style="list-style-type: none"> <li>▪ Conduct review of extent of implementation and identification of changes required</li> <li>▪ Review use levels, pedestrian and vehicle access and identify required changes</li> <li>▪ Continue to use the style and materials guide where it remains appropriate after master plan review</li> <li>▪ Review and identify where the access between facilities and integrated uses and view lines between aquatic centre, skate facility and park areas can best be facilitated or further developed</li> </ul>	<ul style="list-style-type: none"> <li>▪ Review conducted and master plan amended</li> <li>▪ Review conducted and master plan amended</li> <li>▪ Demonstrated compliance with guide</li> <li>▪ Review conducted and master plan amended</li> </ul>
1.2	LANDSCAPE CHARACTER	<ul style="list-style-type: none"> <li>▪ Maintain master plan landscape</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implement all landscape activity</li> </ul>	<ul style="list-style-type: none"> <li>▪ Landscape activity is demonstrated as</li> </ul>



NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		<p>amenity and aesthetics</p> <ul style="list-style-type: none"> <li>Provide landscape amenity and environmental benefits at sports fields, park areas and community facilities</li> <li>Trees and shrubs health maintained, and public risk managed</li> </ul> <p>Grass, turf and field maintained to user requirements and standards</p> <p>Shade provided at all facilities including playgrounds</p> <p>Outdoor fixtures – seats, tables, bins, provided at all sites where outdoors</p>	<p>consistent with the master plan</p> <ul style="list-style-type: none"> <li>Retain and maintain existing trees and vegetation in park areas and around sports fields where consistent with master plan</li> <li>Implement a vegetation management plan for environmental benefits such as wind reduction, water conservation and increased habitat and biodiversity, community health benefits such as shade and aesthetic landscape benefits</li> <li>Regular program of tree and shrub maintenance to ensure healthy and safe vegetation</li> <li>Agreed user and community standards for grass, turf and field maintenance</li> <li>Review of outdoor spaces associated with facilities and building to evaluate shade needs and provision</li> <li>Review of outdoor spaces associated with facility buildings and structures to evaluate and</li> </ul>	<p>being consistent as part of project planning</p> <ul style="list-style-type: none"> <li>Demonstrated consistency with master plan for Council project planning</li> <li>Council consider report on a vegetation management plan, retention and improvement of existing vegetation</li> <li>Relevant Council Director approves maintenance program and is accountable for reporting on outcomes</li> <li>User and tenure holders consulted in standards for field, grass and turf standards</li> <li>Installation of shade structures or increased use of shade trees to meet shade and sun protection needs</li> <li>Installation of park and outdoor fixtures, including play, leisure and health equipment</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		space is associated with facilities	implement outdoor fixture provision	is subject to amended masterplan, or provided consistent with any specific Council policies
1.3	<b>PUBLIC ACCESS AND MULTIPLE USE</b>	<ul style="list-style-type: none"> <li>Limit exclusive uses</li> <li>Change rooms and amenities are suitable for female users and different age groups</li> <li>Compliance of access pathways and ingress/egress points, toilets, change rooms and associated amenities infrastructure for disabled and equitable access</li> <li>Ensure public accessibility and multiple uses of land in any user occupancy agreements</li> <li>Provide for disabled and equitable access at all reserves</li> <li>Delineate on-street parking for more efficient use of the</li> </ul>	<ul style="list-style-type: none"> <li>Lease and licence provisions include terms for continued public access and limits on exclusive uses are for management and maintenance</li> <li>Review all amenities facilities and change rooms to ensure equity in provision for female users and a range of age groups</li> <li>Annual audit of all public use, visitor and sporting facilities to evaluate equitable access and maintenance or upgrade needs for compliance with State requirements</li> <li>Include conditions in user agreements and licences that provide for multiple uses and public accessibility where safe to permit</li> <li>Identify disability parking spots at each field, park and facility</li> <li>Clearly mark on-street parking limits and times to</li> </ul>	<ul style="list-style-type: none"> <li>Inclusion of terms in tenure and use agreements</li> <li>Review conducted and amendments to provision implemented</li> <li>Annual amenities equitable access audit and report and response actions reported to Council or relevant Council Director</li> <li>Publication and use of licence agreements that meet objectives</li> <li>Installation of disability parking spots at reserves where most needed</li> <li>On-street car parking times, places and</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		<p>street, enable parking close to the facilities</p> <ul style="list-style-type: none"> <li>Ensure high quality facilities that service needs and satisfy community expectations</li> </ul>	<p>accommodate high use sports fields and facilities</p> <ul style="list-style-type: none"> <li>Undertake annual user satisfaction surveys</li> </ul>	<p>conditions sign-posted and/or marked at high use facilities</p> <ul style="list-style-type: none"> <li>User satisfaction surveys conducted annually</li> </ul>
1.4	RELATIONSHIP TO SURROUNDING LAND USES	<ul style="list-style-type: none"> <li>Improvements to access for use by hospital residents and visitors, and schools</li> <li>Possible traffic impacts to Deccan Street and Faithful Street at peak use times (weekends)</li> <li>Establish key entry points and entry associated information and guidance</li> <li>Potential for better connections to local walking and cycling links</li> <li>Manage event and activity noise, traffic, waste management and visitor number issues for local and nearby residents</li> </ul>	<ul style="list-style-type: none"> <li>Consult hospital and nearby schools to identify access and use improvements</li> <li>Identify peak user times and review traffic management, carpark provision and street parking regulation</li> <li>Identify key access points within Park and master plan and prepare amendments to master plan to provide Park gateways, signage and user information</li> <li>Integrate the master plan with Goulburn local and pop-up cycle paths and tourist cycleways and routes</li> <li>Prepare and implement user agreements (licences or permit) system</li> <li>User agreements include conditions to limit impacts from noise, rubbish, traffic</li> </ul>	<ul style="list-style-type: none"> <li>Consultations held and improvements implemented where suitable and consistent with master plan</li> <li>Traffic impacts identified and management actions taken</li> <li>Key access points identified and master plan amendments made</li> <li>Demonstrated integration of cycle paths and ways with Victoria Park</li> <li>Licences published and used with conditions to limit or reduce impacts from noise, rubbish, traffic.</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
1.5	CULTURE AND HERITAGE	<ul style="list-style-type: none"> <li>Recognise, maintain and interpret Goulburn historical and cultural heritage memorials throughout park, including memorial for the orphans and other plaques and memorials</li> <li>Strong community associations in development of park</li> <li>Potential to better connect to Aboriginal cultural heritage of area</li> </ul>	<ul style="list-style-type: none"> <li>Audit of memorials</li> <li>Plan for grouping of memorials or memorial tour documentation if remaining in situ</li> <li>Prepare local Park history summary and integrate into amended master plan for heritage interpretation and information</li> <li>Consult with local Aboriginal communities and Land Council to identify opportunities to recognise, incorporate and interpret Aboriginal cultural heritage</li> </ul>	<ul style="list-style-type: none"> <li>Audit and actions undertaken</li> <li>History prepared</li> <li>Consultations held</li> <li>Outcomes implemented</li> </ul>
2	MANAGEMENT FRAMEWORK			
2.1	ENVIRONMENTAL MANAGEMENT AND SUSTAINABILITY	<ul style="list-style-type: none"> <li>Council investigation of environmental sustainability options and infrastructure</li> <li>Reduction in operational costs for energy and water use through a range of environmental and sustainable means to reduce costs and wastage</li> <li>Surface water run-off loss reduction and collection practices to optimise</li> </ul>	<ul style="list-style-type: none"> <li>Investigate implementation of alternate energy sources such as solar electricity and heating systems at facilities</li> <li>Energy and water use efficiency practices and systems, including timing systems or regulated watering practices:</li> <li>Council investigation of investment into water efficiency actions</li> </ul>	<ul style="list-style-type: none"> <li>Council investigation of environmental sustainability options and infrastructure undertaken</li> <li>Reduction in operational costs for energy and water use through a range of environmental and sustainable means to reduce costs and wastage</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		<p>water use and reduce stormwater loss to minimise use of town or reticulated water supplies during periods of limited availability</p> <ul style="list-style-type: none"> <li>Limit dispersal of sustainable fertiliser and pesticide into less robust environmental systems via stormwater or ground run off, and limit human contact from aerial or surface exposure</li> <li>Reduce costs to Council, users and hirers/tenants at sports grounds, parks and community facilities</li> <li>Use of chemicals and fertilisers is limited and sustainable</li> <li>Conditions of use and development clearly outlined in occupancy agreements</li> </ul>	<ul style="list-style-type: none"> <li>Safe re-use of effluent and grey waters</li> <li>Water harvesting from storm and ground water through collection for use at sports grounds</li> <li>Aquatic centre re-use of water where feasible</li> <li>Council and user organisations with occupancy and use agreements for sustainable fertiliser and pesticide application and management plans and practices</li> <li>Review of water and energy use at existing facilities and document design improvements for buildings and facilities</li> <li>User/occupants to provide annual report on chemical and fertiliser use</li> <li>Occupancy agreements detail environmentally sustainable conditions</li> </ul>	<ul style="list-style-type: none"> <li>Surface water run-off loss reduction and collection practices implemented where feasible</li> <li>Fertiliser and pesticide use monitored and reported on annual basis to relevant Director</li> <li>Review and investigations conducted, and response actions reported to Council</li> <li>Report on feasibility and value of further solar lighting in the Park</li> <li>Annual reports provided to relevant Council Director</li> <li>Occupancy agreements contained required conditions</li> </ul>
2.2	SAFE MAINTENANCE AND UPGRADE OF LAND, STRUCTURES AND FACILITIES	<ul style="list-style-type: none"> <li>Maintain buildings, field and grounds, park areas and community facilities to required</li> </ul>	<ul style="list-style-type: none"> <li>Implement asset maintenance plans for sports fields, park area and community facilities buildings</li> </ul>	<ul style="list-style-type: none"> <li>Asset management plans in place and implemented with annual reports to Council</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		<p>standards for users and public safety</p> <ul style="list-style-type: none"> <li>▪ Building and structures compliance with Australian Standards and NSW Building Codes</li> <li>▪ Regular repairs, painting &amp; maintenance</li> <li>▪ Safe electrical systems</li> <li>▪ Safe gas supply</li> <li>▪ Sustainable water supply</li> <li>▪ Fire systems compliance with NSW Standards</li> <li>▪ Safe and operational kitchens</li> <li>▪ Safe chemical storage and use</li> </ul>	<p>structures and landscape assets</p> <ul style="list-style-type: none"> <li>▪ Annual audit and review of buildings and structures to comply with Australian and NSW Building Codes standards</li> <li>▪ System to receive reports/requests for maintenance needs is clearly published and acted upon</li> <li>▪ Annual program of (Test &amp; Tag) electrical equipment inspection and testing by a competent person to identify and repair/replace damaged, worn and faulty electrical equipment</li> <li>▪ Annual electrical, gas and water supply systems check and review for maintenance and upgrade needs</li> <li>▪ Bi-annual fire safety systems check for maintenance or upgrade to meet standards and codes by local Fire brigade or registered authority</li> <li>▪ Biannual inspection of all kitchens by health and safety officers to ensure clean, healthy and safe kitchens for users and visitors</li> <li>▪ All chemical storage, use and handling to</li> </ul>	<ul style="list-style-type: none"> <li>▪ Relevant Council Director responsible for program to review/audit sports ground, park areas and community facilities compliance with codes and standards</li> <li>▪ Audit and review conducted and reported to Council</li> <li>▪ Relevant Council Director approves maintenance system and is accountable for reporting</li> <li>▪ Annual Test &amp; Tag inspection results and response actions reported to Council</li> <li>▪ Annual electrical, gas and water supply systems check and review for maintenance and upgrading needs</li> <li>▪ Bi-annual fire safety systems check and response actions reported to Council</li> <li>▪ Biannual inspection of all kitchens by health and safety officers to and response actions reported to Council</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		<ul style="list-style-type: none"> <li>Minimise public safety and user risk at night</li> </ul>	<ul style="list-style-type: none"> <li>be certified by current NSW authority, e.g: WorkSafe NSW</li> <li>Improved lighting for security along central pedestrian walkway/lanes.</li> </ul>	<ul style="list-style-type: none"> <li>Chemical storage, use and handling certification and response actions reported to Council.</li> <li>Installation of additional lighting, subject to resources and funding, to increase safety along main pedestrian pathways and thoroughfares.</li> <li>Council maintenance team reporting system implemented.</li> </ul>
2.3	BOOKING SYSTEMS, FEES AND CHARGES, CONDITIONS OF HIRE	<ul style="list-style-type: none"> <li>Council review and formalisation of integrated booking systems for casual and seasonal use agreements</li> <li>Public awareness notices or policies of booking and hiring systems are clearly available</li> <li>Clear and accountable fees and charges for sports ground use and hire</li> <li>Conditions of use and hire are clearly published and supplied with booking and hire details</li> <li>Standard user agreement documents, e.g:</li> </ul>	<ul style="list-style-type: none"> <li>Council development and implementation of policies on use and facility allocation, accompanied by formal advertising of expressions of interest and clear allocation guidelines and criteria</li> <li>Formal EOI and user agreement allocations to be conducted at annual or seasonal, as well as event -based periods</li> <li>All bookings or hiring receive e-copy or paper copy of confirmation including any conditions of use and hire with contact details to assist hirer or user</li> </ul>	<ul style="list-style-type: none"> <li>Council adoption and publication of grounds and facility allocation policy and procedures</li> <li>Seasonal and annual EOI processes conducted to inform allocation procedures and hire or use agreements</li> <li>Council website publication</li> <li>Production and use of conditions of use and hire with contact details to assist hirer or user with all bookings or hiring</li> <li>Standardised user agreements in use</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		leases, licences and short term use permits	<ul style="list-style-type: none"> <li>Publication of booking and hiring notices and policies, fees and charges on Council website, local media as required and at sites where warranted</li> <li>Council develop lease, licence and casual hiring, short-term and temporary licence agreements based on Crown Lands templates</li> <li>Clear and published conditions of hire and use, including permissible uses, times and user or hirer responsibilities</li> </ul>	<ul style="list-style-type: none"> <li>Council publication of conditions of hire and use, including permissible uses, times and user or hirer responsibilities on use agreements, and casual hire permits</li> </ul>
2.4	AMENITY PROVISION	<ul style="list-style-type: none"> <li>Amenity blocks are available at sites of high or frequent use or site where no other amenities are nearby</li> <li>Amenities provided are kept clean and accessible to users and visitors during daylight hours and at high or frequent visitation sites during facility or site opening hours</li> <li>Amenities are maintained for safety, usability and modern standard</li> </ul>	<ul style="list-style-type: none"> <li>Identify high user and visitor facilities and sites to evaluate amenities provision and supply to meet needs of community and visitor experience</li> <li>Regular inspection and maintenance regime that is clearly published and provides contact details for community and visitor maintenance requests</li> </ul>	<ul style="list-style-type: none"> <li>Analysis of user and visitor satisfaction surveys</li> <li>Relevant Council Director approves maintenance program and is accountable for reporting on outcomes and monitoring of contact queries and complaints</li> </ul>
2.5	FENCING AND LIGHTING	<ul style="list-style-type: none"> <li>Improved personal security in the park at night</li> </ul>	<ul style="list-style-type: none"> <li>Identify key movement and access through Park routes and times and review lighting provision for amendment to</li> </ul>	<ul style="list-style-type: none"> <li>Review conducted with amendment to master plan and implementation</li> </ul>



NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		<ul style="list-style-type: none"> <li>Reduce Prell Oval conflict with cricket users and other park users nearby from ball injury</li> <li>Provide a more open and accessible surrounds to Seiffert Oval while ensuring no risk to the surface of the cycle and cricket pitch areas</li> <li>Increase cycling and cricket use at night</li> <li>Remove fencing around the cycle track</li> <li>Lighting is provided for visitor and user safety at all buildings and on structures where night/dark use is present</li> <li>Lighting is supplied at car park areas where night/dark use is present</li> <li>Reduce the impact of night lighting on adjacent residential</li> </ul>	<p>master plan and implementation</p> <ul style="list-style-type: none"> <li>Undertake landscape actions, e.g: fencing or vegetation planting to reduce likelihood of injury</li> <li>Review Seiffert Oval fencing needs in consultation with clubs and users and determine fencing provisions and/or retention</li> <li>Consult with sporting groups and clubs to identify need and demand</li> <li>Identify lighting needs and access management</li> <li>Review cycle track fencing needs in consultation with clubs and users and determine fencing provisions and/or retention</li> <li>Review of facilities and structures to evaluate lighting needs and gaps for safety and to meet users and visitor needs</li> <li>Review provision of safe lighting at night/dark use carparks and user or visitor throughfares and install lighting to meet needs or gaps in provision</li> </ul>	<ul style="list-style-type: none"> <li>Landscape actions completed</li> <li>Consultations held and any agreed fencing actions taken</li> <li>Consultations held and any agreed night-time uses with limits on impact on adjacent residential areas</li> <li>Consultations held and any agreed fencing actions taken</li> <li>Lighting needs review and implementation program prepared and adopted by Council</li> <li>Night/dark safe lighting needs review conducted, incorporating CEPTED principles and provision priorities reported to Council</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		<p>properties due to glare or light spill.</p> <ul style="list-style-type: none"> <li>Review sports ground, park areas and community facility lighting to ensure light spill impacts are limited</li> </ul>	<ul style="list-style-type: none"> <li>Lighting for evening and night grounds uses conform to Australian and industry/sports standards</li> <li>Include lighting in development approval conditions and event or user agreements</li> </ul>	<ul style="list-style-type: none"> <li>Relevant Council Director to manage review and report to Council on any response outcomes</li> <li>Council Planning directorate to integrate public lighting into development application approval conditions</li> </ul>
2.6	SPORTS GROUND MAINTENANCE	<ul style="list-style-type: none"> <li>Maintain a high level of sports field and playing surface and associated equipment</li> </ul>	<p><u>Mowing</u></p> <ul style="list-style-type: none"> <li>Playing fields and ovals will be mowed in accordance with approvals, manuals or schedules as required.</li> </ul> <p><u>Line Marking</u></p> <ul style="list-style-type: none"> <li>Line marking may be undertaken but will normally be the responsibility of users.</li> </ul> <p><u>Erection of Posts</u></p> <ul style="list-style-type: none"> <li>The erection of posts on playing fields is allowed by this plan and is the responsibility of Council. Users, in certain circumstances, may erect posts.</li> </ul> <p><u>Watering</u></p> <ul style="list-style-type: none"> <li>Watering of playing fields and ovals shall be undertaken as required and according to specific water restrictions that may be in place.</li> <li>Sustainable water supply and management options</li> </ul>	<ul style="list-style-type: none"> <li>Annual or seasonal (as appropriate) user and sports ground hirer or tenure holder's satisfaction surveys for: <ul style="list-style-type: none"> <li>quality of field surfaces or pitches</li> <li>mowing</li> <li>line marking</li> <li>erection of posts</li> <li>watering</li> <li>wet weather use and availability</li> <li>hours of operation</li> </ul> </li> <li>Progressive reduction in water supply and/or management costs as sustainable innovative solutions introduced,</li> </ul>

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			<p>investigated to minimise long term costs</p> <p><u>Wet Weather Use</u></p> <ul style="list-style-type: none"> <li>During periods of wet weather, the Council may restrict use of playing fields and ovals to prevent damaged to grass surfaces.</li> </ul> <p><u>Hours of Operation</u></p> <ul style="list-style-type: none"> <li>Council may restrict the hours of operation of any playing field at its discretion.</li> </ul>	
2.7	SAFETY AND RISK MANAGEMENT	<ul style="list-style-type: none"> <li>Minimise public safety and user risk in Park</li> <li>Provide increased shade in summer for events</li> <li>Upgrade pathway network surface for equitable access and</li> </ul>	<ul style="list-style-type: none"> <li>Risk management and harm minimisation strategy prepared for sports fields, park areas, and community facilities</li> <li>Improved lighting for security along main pedestrian walkway/lanes.</li> <li>Implement master plan landscaping and tree planting to provide increased shade for events</li> <li>Use of temporary shade structures</li> <li>Audit of all paths and access ways for trip hazards and to ensure</li> </ul>	<ul style="list-style-type: none"> <li>Preparation of risk minimisation strategy.</li> <li>Installation of additional lighting, subject to resources and funding, to increase safety along main pedestrian pathways and thoroughfares.</li> <li>Council maintenance team reporting system implemented.</li> <li>Tree planting where consistent with master plan</li> <li>Temporary structures used for shade at events</li> <li>Audit completed</li> <li>Paths and access ways upgraded</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		removal of potential trip and fall hazards	equitable and stable uses	<ul style="list-style-type: none"> <li>Council maintenance team reporting system implemented.</li> </ul>
3	DEVELOPMENT AND USE			
3.1	FUTURE DEVELOPMENT AND USE	<ul style="list-style-type: none"> <li>Future development and uses is consistent with master plan and adopted PoM</li> </ul>	<ul style="list-style-type: none"> <li>Review of all proposed future developments and uses for consistency with master plan and adopted PoM</li> </ul>	<ul style="list-style-type: none"> <li>Proposed future developments and uses are reviewed</li> </ul>
3.2	BUILDINGS, FACILITIES AND INFRASTRUCTURE	<ul style="list-style-type: none"> <li>Retention of the tennis club and court facilities at current location</li> <li>Reconfigure the location of the Japanese garden and ponds</li> <li>Upgrade the Prell Oval cricket pitch</li> <li>Upgrade and/or install new toilet facilities</li> <li>Review amphitheatre (near pond) for size and amenity</li> <li>Review power needs for sports fields, amphitheatre, events management and amenities provisions and implement upgrades</li> <li>Review liberty swing location to better</li> </ul>	<ul style="list-style-type: none"> <li>Review and amend the master plan</li> <li>Review and amend the master plan</li> <li>Identify required standard of pitch and upgrade</li> <li>Audit existing facilities and upgrade to meet BCA standards</li> <li>Identify new locations for toilets and associated amenities buildings</li> <li>Conduct review and consider amendments to the master plan</li> <li>Power needs evaluation and project planning for required upgrades</li> <li>Consult with existing users and/or disability</li> </ul>	<ul style="list-style-type: none"> <li>Master plan amended</li> <li>Master plan amended</li> <li>Upgrade completed</li> <li>Upgrades and new facilities completed</li> <li>Review completed and amendments considered by Council</li> <li>Evaluation completed and required upgrades planned and implemented</li> <li>Consultations held</li> </ul>

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		<p>integrate with other uses in the Park</p> <ul style="list-style-type: none"> <li>Improve access for Girl Guides but retain restricted access (by others) so that it can operate safely and no dog walking within it.</li> <li>Improve building condition of old bowling club (guide hall)</li> </ul>	<p>services groups to evaluate benefits of relocation</p> <ul style="list-style-type: none"> <li>Consultation with Guide hall users for optimal access including vehicle loading areas</li> <li>Upgrade fencing to provide security balanced with Park amenity and aesthetics</li> <li>Audit of compliance with BCA standards</li> <li>Implementation of any required improvements or upgrades</li> <li>Consultations with users to focus in priority facility upgrades</li> </ul>	<ul style="list-style-type: none"> <li>Consultations held and upgrades completed</li> <li>Audit of compliance undertaken</li> <li>Consultations held</li> <li>Required upgrades completed</li> </ul>
3.3	DOGS IN PUBLIC PLACES	<ul style="list-style-type: none"> <li>Review location of dog leash-free park to allow improved key entry point</li> <li>Manage dog walking and play on and around playgrounds, food preparation areas, footpaths, park areas and reserves.</li> </ul>	<ul style="list-style-type: none"> <li>Review best location for dog leash-free area in the Park, balanced with entry point considerations and Park user needs</li> <li>Install signage including restricted areas, particularly on playing fields, but with an emphasis on no dogs within 10 metres of: <ul style="list-style-type: none"> <li>a children's playground or</li> <li>a food preparation area.</li> </ul> </li> <li>Install dog faeces litter bins.</li> <li>Publish animal and dog handling</li> </ul>	<ul style="list-style-type: none"> <li>Review conducted and any changes to master plan agreed by Council</li> <li>Signage installed.</li> <li>Dog faeces bins provided at high use park areas and any identified or promoted walking tracks and trails.</li> <li>Council website publication of companion animal and dog handling rules and regulations.</li> </ul>

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3.4	PERSONAL TRAINERS, AND SMALL EVENT BOOKINGS	<ul style="list-style-type: none"> <li>Personal trainers, fitness groups and small event bookings are safely conducted with minimal impacts on other reserve users and adjacent residences.</li> </ul>	<p>guidelines on Council website.</p> <ul style="list-style-type: none"> <li>Personal trainers, fitness groups and small event bookings are accommodated in park areas under licence or hiring arrangements, subject to time and area limited with use conditions to enable use to limit conflicts of use with the general public.</li> </ul>	<ul style="list-style-type: none"> <li>Licence system and documents prepared and used for personal trainers, fitness groups and small event bookings.</li> </ul>
3.5	EVENT OR CASUAL BOOKINGS	<ul style="list-style-type: none"> <li>Review master plan to identify the optimal location for large events</li> <li>Ensure any events have event management licenses or permits through bookings or hiring.</li> <li>Include event management plans, traffic management plans, waste and public safety plans in licence conditions.</li> <li>Maintain clear and published booking and hire system for events.</li> </ul>	<ul style="list-style-type: none"> <li>Conduct review with issues considered of smaller layout of some park areas restricting events, the current distribution of equipment and facilities, and the available larger areas are not restricted by the slope of the land being difficult for larger events</li> <li>Prepare and use event licences or permits with inclusion of event management plans, traffic management plans, waste and public safety plans.</li> <li>Publish booking and hire system arrangements on Council website with clear dates, times and contact details for users and community groups.</li> </ul>	<ul style="list-style-type: none"> <li>Consultation with Council and public event organisers</li> <li>Review conducted</li> <li>Optimal sites and carrying capacities identified</li> <li>Event licences and permits to include conditions for event and traffic, user and organisation vehicle management plans prepared in liaison with Local Area police.</li> <li>Publication and use of licences with conditions that address objectives.</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
				<ul style="list-style-type: none"> <li>▪ Council website publication of booking and hire systems including seasonal dates and conditions of application.</li> <li>▪ All hire or booking agreements have Council officer contact details to facilitate user benefits.</li> </ul>
3.6	SIGNAGE AND ADVERTISING	<ul style="list-style-type: none"> <li>• Upgrade town signage and wayfinding for general visitors and district or regional users, as well as playing an important role in providing tourists with information about the availability and location of facilities</li> <li>▪ Encourage access to the regional playground via signposting and park entry off Verner Street</li> <li>▪ Advertising signage at Crown reserves should be ancillary or supportive of the reserve purposes and activities and is not generally</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare and implement a strategic Town and LGA wayfinder signage program including:                             <ul style="list-style-type: none"> <li>○ Town information maps and signs</li> <li>○ Sports fields, park areas and community facilities information, use, permissible activity and regulation signage</li> </ul> </li> <li>▪ Installation of signage and any required traffic mechanisms to support use of Verner Street as the access point and street parking for the regional playground</li> <li>▪ Evaluate any signage proposals for Crown reserves to ensure advertising is ancillary to reserve use and management.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation of signage and wayfinding strategy</li> <li>▪ Signage and suitable traffic and parking arrangement installed</li> <li>▪ Signage requirements incorporated into Park planning or relevant Council DCP(s) for signage</li> </ul>



NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
3.7	TRAFFIC, VEHICULAR ACCESS AND PARKING	<p>acceptable for solely external advertising purposes.</p> <ul style="list-style-type: none"> <li>Reduce soil compaction and traffic parking impacts on park grasses and vegetation, and vehicle impacts during wet weather.</li> <li>Manage limited car parking on surrounding streets with increased competition from hospital workers, patients and visitors and expected aquatic centre increasing use</li> <li>Safe vehicle speeds for internal park access roads, e.g: to Seiffert Oval and shared road used by many age groups</li> </ul>	<ul style="list-style-type: none"> <li>Review the master plan to provide clear direction for parking and vehicle access off Faithful Street, with a focus on safe traffic movements, designated parking areas and times and removal of all non-designated car parking and vehicle traffic</li> <li>Dedicated parking and thoroughfares or internal access routes to minimise use conflict or site landscape or asset degradation</li> <li>Parking areas, speed and vehicle limits clearly signed and marked</li> <li>Implement limited time parking arrangements with provisions for use of residents and local visitors to Park</li> <li>10km signposting of vehicular road</li> <li>Install traffic slowing mechanisms on shared roads</li> <li>Placement of speed limit signs at prominent locations</li> </ul>	<ul style="list-style-type: none"> <li>Review conducted and traffic and car parking management implemented</li> <li>Parking restrictions implemented</li> <li>Signposting and traffic slowing measures installed</li> <li>Speed limits signage installed at sites and facilities where required after review</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		<ul style="list-style-type: none"> <li>Reduce illegal parking on the reserve to access facilities and to picnic.</li> <li>Improved lighting to street access and carparking for night training and use of facilities</li> <li>Increase Verner Street car parking to reduce user access into park</li> <li>Upgrade Prell Oval car park to serves as general community and sports field parking</li> <li>Maintain the use of Prell Oval as a helicopter landing area</li> <li>Provide a safe, effective and efficient vehicle and pedestrian environment for sports ground, park areas and</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle type and use restrictions, and parking times clearly signposted where required</li> <li>Designated car parking sites identified and developed with traffic barriers to restrict unauthorised or illegal vehicle movements and parking</li> <li>Review night time and dark period uses at sports fields and implement any additional lighting required for safety reasons</li> <li>Reconfigure Verner Street to rear to curb to gain 40% more carparking spaces</li> <li>Constriction of all-weather and designated car parking in vicinity of Prell Oval</li> <li>Maintenance of required helicopter landing surface in optimal location to provide service and limit impact of oval use</li> <li>Review of vehicle and traffic infrastructure for entry, internal movement, car parking and vehicle-pedestrian conflict minimisation</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle use and parking time signage installed</li> <li>Construction and installation of designated vehicle roads, car parking and traffic barriers</li> <li>Review undertaken and lighting installed</li> <li>Reconfigure of street park undertaken</li> <li>Construction completed</li> <li>Annual confirmation of surface and area required from hospital</li> <li>Vehicle and traffic infrastructure review conducted</li> <li>Designated traffic, parking and pedestrian lanes marked for areas where events are</li> </ul>

NO.	MANAGEMENT CONSIDERATIONS	OBJECTIVES AND PERFORMANCE TARGETS	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT OF PERFORMANCE
		<p>community facility users and visitors</p> <ul style="list-style-type: none"> <li>Events using sports fields, park areas and community facilities have safe traffic management and reduce the potential for user / vehicle conflict.</li> </ul>	<ul style="list-style-type: none"> <li>Clear marking of designated access routes and parking arrangements for user and organiser vehicles</li> <li>Lessees and licensees have event and traffic management plans incorporated into user agreement conditions as part of agreement</li> <li>Special events have traffic, user and organisation vehicle management plans prepared in liaison with Local Area police</li> <li>Regulation of user parking and vehicle access on sports fields and at events</li> </ul>	<p>held and at high attendance facilities</p> <ul style="list-style-type: none"> <li>Event licences and permits to include conditions for event and traffic, user and organisation vehicle management plans prepared in liaison with Local Area police</li> <li>Council resource regulatory officers for traffic and vehicle management at high attendance special events</li> <li>Dedicated access routes and parking arrangements for organiser vehicles provided in event agreements</li> </ul>
3.8	PERMITTED AND PROHIBITED E.G: ALCOHOL FREE AREAS	<ul style="list-style-type: none"> <li>Provide clear guidance to park and community facility users on reserves conditions of use, including alcohol free zones, permissible and non-permissible activities, dog leash or leash-free zones, times of specific uses, and internal site or facility directions</li> </ul>	<ul style="list-style-type: none"> <li>Site-based facility, structure, field and open space regulatory signage to address activity, including: <ul style="list-style-type: none"> <li>alcohol free zones,</li> <li>permissible and non-permissible activities,</li> <li>dog leash or leash-free zones,</li> <li>times of specific uses</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Installation of regulatory signage at high use or visitation park areas and community facilities.</li> </ul>

**Table 8: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Park, Sportsground and GCU**

## 11. APPENDICES

### 11.1 APPENDIX A – PLAN OF MANAGEMENT LEGISLATIVE FRAMEWORK

The primary legislation that impacts on how community land is managed or used is briefly described below. You can find further information regarding these acts at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

#### 11.1.1 LOCAL GOVERNMENT ACT 1993

Section 35 of the *Local Government Act 1993* (LG Act) provides that community land can only be **used** in accordance with:

- the plan of management applying to that area of community land, and
- any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and
- the provisions of Division 2 of Chapter 6 of the Act.

Section 36 of the Act provides that a plan of management for community land must identify the following:

- a) the category of the land,
- b) the objectives and performance **targets** of the plan with respect to the land,
- c) the means by which the council proposes to **achieve** the plan's objectives and performance targets,
- d) the manner in which the council proposes **to assess its performance** with respect to the plan's objectives and performance targets,

and may require the prior approval of the council to the carrying out of any specified activity on the land.

A plan of management that applies to just one area of community land:

- a) must include a description of:
  - (i) the condition of the land, and of any buildings or other improvements on the land, as at the date of adoption of the plan of management, and
  - (ii) the use of the land and any such buildings or improvements as at that date, and
- b) must:
  - (i) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
  - (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
  - (iii) describe the scale and intensity of any such permitted use or development.

Land is to be categorised as one or more of the following:

- a) a natural area
- b) a sportsground
- c) a park
- d) an area of cultural significance
- e) general community use.

Land that is categorised as a natural area is to be further categorised as one or more of the following:

- a) bushland
- b) wetland
- c) escarpment
- d) watercourse

- e) foreshore
- f) a category prescribed by the regulations.

Additionally, under section 36 of the LG Act, a site-specific PoM must be made for land declared:

- as critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws (sections 36A(2) and 36B(3))
- by council to contain significant natural features (section 36C(2))
- by council to be of cultural significance (section 36D(2)).

### ***Classification of public land***

The LG Act requires classification of public land into either 'community' or 'operational' land (Section 26). The classification is generally made for council-owned public land by the council's Local Environmental Plan (LEP) or in some circumstances by a resolution of the council (Section 27).

Crown reserves managed by council as Crown land manager have been classified as community land upon commencement of the *Crown Land Management Act 2016* (CLM Act). Councils may manage these Crown reserves as operational land if written consent is obtained from the Minister administering the CLM Act.

Classification of land has a direct effect on the council's ability to dispose of or alienate land by sale, leasing, licensing or some other means. Under the LG Act, community land must not be sold (except for scheduled purposes), exchanged or otherwise disposed of by the council, and the land must be used and managed in accordance with an adopted PoM. In addition, community land is subject to strict controls relating to leases and licences (sections 45 and 46) of the LG Act.

By comparison, no such restrictions apply to operational land that is owned by councils. For example, operational land can be sold, disposed, exchanged or leased including exclusive use over the land, unencumbered by the requirements which control the use and management of community land. Crown reserves managed by council as operational land may generally be dealt with as other operational land but may not be sold or otherwise disposed of without the written consent of the Minister administering the CLM Act.

Operational land would usually include land held as a temporary asset or an investment, land which facilitates the council carrying out its functions or land which may not be open to the general public (for example, a works depot).

The classification or reclassification of council-owned public land will generally be achieved by a Local Environmental Plan (LEP) or by a resolution of council in accordance with sections 31, 32 and 33 of the LG Act. If land is not classified by resolution within a three-month period from acquisition it automatically becomes community land, regardless of whether it satisfies the objectives for community land as outlined in the LG Act.

For Crown land, Council cannot reclassify community land as operational land without consent of the Minister administering the CLM Act.

### **11.1.2 CROWN LAND MANAGEMENT ACT 2016**

Crown reserves are land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the CLM Act, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.



Under the CLM Act, as Council Crown land managers, councils manage Crown land as if it were public land under the LG Act. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of ‘environmental protection’ cannot be used in a way that compromises its environmental integrity.

Councils must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the CLM Act. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses.

#### **Principles of Crown land management**

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.
- Public use and enjoyment of appropriate Crown land are to be encouraged.
- Where appropriate, multiple uses of Crown land should be encouraged.
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.
- Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

#### **Crown land management compliance**

Management of Crown reserves shall be in alignment with the reserve purposes, and generally there are additional elements that may influence how Council shall manage Crown reserve. Examples of this include conditional attachments to appointment instruments, or compliance requirements with specific or general rules published in NSW Government Gazette. Councils must also comply with any Crown land regulations that are made.

There are no conditions attached to any Crown land manager appointment notice for Council, and only one Crown land management rule applies to GMC LGA.

This gazetted rule has been made under s.3.15 of the CLM Act and can be viewed in full at: [Granting leases and licences for communication infrastructure-related purposes on Crown land](#)

The rule.

Crown land managers cannot, under any act (including the Local Government Act 1993), grant any lease or licence authorising:

- the installation or construction of communication infrastructure on Crown land
- the placement of communication infrastructure on Crown land
- the use of communication infrastructure that is located on Crown land
- access to communication infrastructure that is located on Crown land.

However, the rule does not prevent the holder of a holding granted by the Minister administering the Crown Land Management Act 2016 subletting of communication infrastructure located on Crown land in accordance with the conditions of a holding granted by the minister.

### 11.1.3 NATIVE TITLE ACT 1993

Native title describes the rights and interests that Aboriginal and Torres Strait Islander people have in land and waters according to their traditional law and customs. Native title is governed by the Commonwealth Native Title Act 1993 (NT Act).

The NT Act recognises and protects native title rights and interests. The objects of the NT Act are to:

- provide for the recognition and protection of native title
- establish ways in which future dealings affecting native title may proceed and to set standards for those dealings
- establish a mechanism for determining claims to native title
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure.

Specifically, the CLM Act makes it mandatory for council to engage or employ a native title manager. This role provides advice to council as to how the council's dealings and activities on Crown land can be valid or not valid in accordance with the NT Act.

Council must obtain the written advice from an accredited native title manager that Council complies with any applicable provisions of the native title legislation when:

- a) granting leases, licences, permits, forestry rights, easements or rights of way over the land
- b) mortgaging the land or allowing it to be mortgaged
- c) imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land
- d) approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

### 11.1.4 OTHER STATE AND COMMONWEALTH LEGISLATION

#### **NSW state legislation**

##### ***Environmental Planning and Assessment Act 1979***

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments which provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies which may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs) as well as Development Control Plans (DCPs).

##### ***Aboriginal Land Rights Act 1983***

The *Aboriginal Land Rights Act 1983* (ALR Act) seeks to compensate Aboriginal peoples for past dispossession, dislocation and removal of land in NSW (who may or may not also be native title holders).

Aboriginal land claims may be placed on any Crown land in NSW. The Department of Planning, Industry and Environment is responsible for investigating claims as defined in the ALR Act. If a claim is established, the land is transferred to the Aboriginal Land Council as freehold land.

At the time of preparing this plan of management, there was no undetermined Aboriginal land claim over the reserve. Victoria Park (Reserve D 530042) is crown land managed by Council as a Crown land manager.

#### ***National Parks and Wildlife Act 1974***

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance. This Act may affect community land categorised as cultural significance, natural area or park.

#### ***Biodiversity Conservation Act 2016***

**Note:** This Act repealed several pieces of legislation including the *Native Vegetation Act 2003*, *Threatened Species Conservation Act 1995*, the *Nature Conservation Trust Act 2001*, and the animal and plant provisions of the *National Parks and Wildlife Act 1974*.

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

The *Threatened Species Conservation Act 1995* has been repealed and superseded by the *Biodiversity Conservation Act 2016*. However, references to the former legislation remain in the LG Act and are therefore retained in this guideline.

DPIE's Energy, Environment and Science division advises that recovery plans and threat abatement plans made under the *Threatened Species Conservation Act 1995* were repealed on the commencement of the *Biodiversity Conservation Act* in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under section 36B of the LG Act are now redundant. Councils will be advised if future amendments are made to the LG Act to enable these mechanisms.

Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned, and these control categories identify the course of action which needs to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

#### ***Fisheries Management Act 1994***

The *Fisheries Management Act 1994* (FM Act) includes provisions for the management of state fisheries, including the conservation of fish habitats, threatened species, populations and ecological communities of fish and marine vegetation and management of the riparian zone, waterways and threatened marine/freshwater aquatic species. This relates to community land categorised as natural area (foreshore, watercourse or wetland).

Where an area of community land is declared to be critical habitat, or if that area is affected by a recovery plan or threat abatement plan under Part 7A of the FM Act, a site-specific plan of management will need to be undertaken.

#### ***Rural Fires Act 1997***

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone lands.

***Water Management Act 2000***

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- the fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries has to be protected
- the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land
- to be properly effective, water management must be a shared responsibility between the government and the community
- water management decisions must involve consideration of environmental, social, economic, cultural and heritage aspects
- social and economic benefits to the state will result from the sustainable and efficient use of water.

***Heritage Act 1977***

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

**Commonwealth legislation*****Native Title Act 1993***

Native title describes the rights and interests that Aboriginal and Torres Strait Islander people have in land and waters according to their traditional law and customs. Native title is governed by the Commonwealth Native Title Act 1993 (NT Act).

Native title does not transfer the land to the native title holder, but recognises the right to land and water, by providing access to the land and if applicable, compensation for any loss, diminution, impairment or other effect of the act on their native title rights and interests.

All Crown land in NSW can be subject to a native title claim under the NT Act. A native title claim does not generally affect Crown land where native title has been extinguished or it is considered excluded land.

When preparing a PoM, Council is required to employ or engage a qualified native title manager to provide advice and validate acts (developments and tenures) over the reserve, in line with the NT Act. The most effective way to validate acts under the NT Act is to ensure all activities align with the reserve purpose.

If native title rights are found to exist on Crown land, council Crown land managers may be liable to pay compensation for acts that impact on native title rights and interests. This compensation liability arises for local councils whether or not the act was validated under the NT Act.

For further information about native title and the future acts framework see the Crown lands website.

***Environmental Protection and Biodiversity Conservation Act 1999***

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

***Telecommunications Act 1997***

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

**State Environmental Planning Policies****State Environmental Planning Policy (Infrastructure) 2007**

This planning policy lists development allowed with consent or without consent on community land.

**State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011**

This aims to protect quality of surface water and the ecosystems that depend on it and requires that any development would have a neutral or beneficial effect on water quality.

**State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

This policy deals with clearing of native vegetation in urban areas and land zoned for public recreation (among other zones).

**Other relevant legislation, policies and plans**

*Biosecurity Act 2015*

*Companion Animals Act 1998*

*Disability Discrimination Act 1992*

*Local Land Services Act 2013*

*Pesticides Act 1999*

*Protection of the Environment Operations Act 1997*

*Retail Leases Act 1994*

*Rural Fires Act 1997*

*Soil Conservation Act 1938*

*Water Management Act 2000*

NSW Invasive Species Plan 2008-2015

National Local Government Biodiversity Strategy

NSW Biodiversity Strategy

Australian Natural Heritage Charter






## 11.2 APPENDIX B – GAZETTE NOTICE AND APPOINTMENT AS CROWN LAND MANAGER

13 January 1995	OFFICIAL NOTICES	267
<p align="center"><b>GOULBURN OFFICE</b>  <b>Department of Conservation and Land Management</b>  <b>159 Auburn Street (P.O. Box 748), Goulburn, N.S.W. 2580</b>  <b>Phone: (048) 23 0665; Fax: (048) 23 0675</b></p>		
<p><b>ESTABLISHMENT OF A RESERVE TRUST AND APPOINTMENT OF TRUST MANAGER</b></p> <p>(1) PURSUANT to section 92 (3), Crown Lands Act 1989, the reserve trust which is the trustee of a reserve specified in Part 1 of the Schedules at the date hereof is dissolved.</p> <p>(2) PURSUANT to section 92 (1), Crown Lands Act 1989, the reserve trust specified in Part 2 of the Schedules is established under the name stated in that part and is appointed as trustee of the reserves specified in Part 1 of the Schedules.</p> <p>(3) PURSUANT to section 95, Crown Lands Act 1989, the corporation specified in Part 3 of the Schedules is appointed to manage the affairs of the reserve trust specified on Part 2.</p> <p align="right"><b>GEORGE SOURIS, M.P.,</b>  Minister for Land and Water Conservation.</p>	<p align="center"><b>SCHEDULE 2</b></p> <p><b>PART 1</b></p> <p>Reserve 54441 at Boorowa, notified for public recreation on 18 February 1921.</p> <p>Reserve 69645 at Boorowa, notified for public recreation and resting place on 1 November 1940.</p> <p>Reserve 84907 at Boorowa, notified for public recreation on 5 June 1964.</p> <p>Reserve 85991 at Reids Flat, notified for rubbish depot on 7 October 1966.</p> <p><b>PART 2</b></p> <p>Boorowa Shire Council Crown Reserves Reserve Trust.</p> <p><b>PART 3</b></p>	
13 January 1995	OFFICIAL NOTICES	269
<p>Reserve 76389 at Goulburn, notified for public recreation on 13 November 1953.</p> <p>Reserve 88771 at Goulburn, notified for local government purposes on 17 November 1972.</p> <p>Reserve 92991 at Pejar, notified for public recreation on 11 July 1980.</p> <p>Reserve 93799 at Goulburn, notified for public recreation on 17 October 1980.</p> <p>Reserve 130032 at Goulburn, notified for public recreation on 16 September 1988.</p> <p>Land at Goulburn, dedicated for public recreation (D 530042) on 1 July 1873.</p> <p>Land at Goulburn, dedicated for botanical gardens (D 530048) on 13 September 1899.</p> <p><b>PART 2</b></p> <p>Goulburn City Council Crown Reserves Reserve Trust.</p> <p><b>PART 3</b></p> <p>Goulburn City Council.</p>	<p align="center"><b>SCHEDULE 8</b></p> <p><b>PART 1</b></p> <p>Reserve 73435 at Galong, notified for children's playground and public recreation on 3 February 1950.</p> <p>Reserve 78028 at Galong, notified for public recreation on 21 October 1955.</p> <p>Reserve 79099 at Cunnigar, notified for children's playground on 23 November 1956.</p> <p>Reserve 85737 at Harden, notified for aviation and racecourse on 7 April 1966.</p> <p>Reserve 85875 at Kingsdale, notified for public recreation on 1 July 1966.</p> <p>Land at Wombat, dedicated for public recreation (D 530034) on 22 August 1900.</p> <p><b>PART 2</b></p> <p>Harden Shire Council Crown Reserves Reserve Trust.</p> <p><b>PART 3</b></p>	

### 11.3 APPENDIX C – CATEGORY MAP VICTORIA PARK, GOULBURN – RESERVE D530042











#### 11.4 APPENDIX D – CONDITION DESCRIPTION OF LAND, STRUCTURES AND BUILDINGS

Description	Use	Condition	Photo
<b>Ken Robson Pavilion (Seiffert Oval Pavilion)</b>			
The Ken Robson Pavilion is a multipurpose pavilion completed in 2020. The facility includes a kitchen, change rooms, umpires room, storage and an open function room.	It is used primarily by cricket and cycling (the dominant users of the site) throughout the year. Other uses include casual hire to various groups including exercise classes and parties.	Exceptionally good condition.	
<b>Cycle Club Shed (Seiffert Oval)</b>			
A storage shed constructed of brick and metal roofing.	Used as a storage shed and semi clubhouse by the Goulburn Cycling Club.	Good condition, recently built and maintained by the cycling community.	
<b>Seiffert Oval</b>			
A traditional round sporting field consisting of a grassed outfield and turf wicket. There is a fence surrounding the field along with sight screens.	For cricket primarily. Note the surrounding cycle track is covered separately.	Sight screens are due for replacement in 2021. The remainder of the facility is in good condition.	







Description	Use	Condition	Photo
<b>Public Amenities Block (Seiffert Oval)</b>			
A brick building with male, female and disabled facilities. The facility is identified for replacement is hindered by the fence between Seiffert Oval and Victoria Park which can close of the facility for public use in the park during events.	Public amenities	Poor, needs updating to service the current needs of the community.	
<b>Waratah Tennis Club House (Seiffert Oval)</b>			
A small brick building with meeting area, storage and small area for tea/coffee. The building was built approx. twenty years ago but still in good condition.	It is used exclusively by the Waratah Tennis Club as a clubhouse and storage facility. It is enclosed in the tennis court area of the Seiffert Oval.	Good condition.	
<b>Waratah Tennis Court</b>			
A clay surface tennis court containing two tennis courts.	Tennis/sport	Good condition. This is one of only a few clay surfaces left in the state and is considered a very good surface.  The fencing is adequate.	





Description	Use	Condition	Photo
<b>Max Hadlow Grandstand (Seiffert Oval)</b>			
The grandstand has been recently renovated (2021) with all new timber seating, handrails, cladding and painting.	The facility is used for seating for any event that is held on the Seiffert Oval Cricket Facility.	Exceptionally good condition	
<b>Seiffert Oval Practice Nets (Cricket)</b>			
Traditional cricket practice net set up, with a concrete base with a synthetic grass covering. Chain link mesh surrounds with a rubber inlay behind wicket to minimise damage.	Used primarily as a cricket training facility.	Good condition.	
<b>Seiffert Oval Cycle Track</b>			
A bitumen surface round cycle track. Measures 400m in length.	<p>The track is primarily used by the cycle club for competition and training but also serves the broader community for casual cycling and general exercise.</p> <p>The track hosts an annual Trackpower event that attracts riders from all around the state.</p>	Fair to poor condition as the surface is starting to break up. The surface has been continually overlayed with a new bitumen surface which is starting to get to a height that requires a full rebuild.	
<b>Seiffert Oval Lighting</b>			
Consists of four new light towers, containing LED lights that light the cycle track and playing surface to 300lux and the cricket wicket to 500lux.	The lighting is used for cycling events and cricket, but can cater for other sports.	Exceptional condition, recently installed.	




Description	Use	Condition	Photo
<b>Half Basketball Court</b>			
Consists of a concrete surface and a basketball hoop with backboard.	Used as an informal exercise area where users can drop in for a planned or unplanned game of basketball or just general exercise.	Good condition. Showing signs of age, just general maintenance required.	
<b>Rage Cage</b>			
Consists of a concrete surface with a steel fence and various equipment such as basketball and soccer goals. This is fairly new being built around 2019.	A facility that has multiple uses around traditional sports such as soccer, hockey, netball and basketball as well as other activities that users can think up.	Good condition with just general maintenance required.	
<b>Adventure Playground</b>			
Consists of numerous playground items, paths and family facilities (bubblers, BBQ's shelters) that service a wide variety of age groups and ability levels. The facility is a regional playground that attracts members of the community as well as out of town users.	A playground facility at a regional level.	Exceptional condition recently constructed.	
<b>Japanese Garden</b>			
Stage one of the garden was completed in 2020, with other stages to be completed in future years. The garden is a link to our sister city of Shibetsu where there is	A garden landscaped area in a Japanese Garden style. The area is a place to relax and enjoy the Japanese Culture and links to the Adventure Playground.	Exceptional Condition, noting future areas of expansion are yet to be constructed.	



Description	Use	Condition	Photo
various plaques and informative signs outlining this rich history.			
<b>Skate Park</b>			
Consists of a concrete surface and various shelters, bins and water fountains. Specifically designed as a skate park facility. The facility consists of the new section to the west and south that was constructed around 2019 and the original section that was built in the early 2000's.	The facility caters for the skate park community including BMX bikes, scooters, inline blades and skate boards.	Good condition across both facilities.	
<b>Wellness Garden</b>			
The facility consists of a shelter, various furniture and ornamental garden. It was an initiative of the GMC Youth Council to create a space for the youth of the town.	The area is used as primarily as a landscaped space for youth or any other age group to enjoy.	Under construction at time of writing, finished late June early July.	

Description	Use	Condition	Photo
<b>Rose Garden</b>			
A rose garden consisting of several thousand roses. The original garden was the Quota rose garden that forms the inner circle and originally comprised of roses sourced by the Quota Club. The outer rings were installed around 1994, and were donated by Swane's Nursery through the work of the Goulburn Rose Committee. The inner ring of roses in this section area predominately Goulburn Roses.	A landscaped area.	Good condition, regular maintenance is undertaken in this area.	
<b>Prell Oval</b>			
The oval is a traditional oval sporting field, consisting of grass playing surface and turf cricket wicket. There is a fence surround and sight screens located at each end of the ground.	Use primarily for cricket, but it is noted that surrounding schools use the space or other casual users of the park.	The fence is in poor condition, needing replacement. The field requires irrigation to be considered for higher level competition.	

Description	Use	Condition	Photo
<b>Prell Oval Clubhouse</b>			
A brick building consisting of two rooms for cricket teams. Not considered to change room standard.	Used primarily for storage and a space for cricket teams to use.	Poor condition, not suitable for its allocated use.	
<b>Children's Cycle Track</b>			
A rubber surface playground setup for young people to learn to ride. There is shade sail and various items replicating road conditions.  The playground was constructed around 2000.	A playground	Fair condition	
<b>Peden Amenities</b>			
Public amenities servicing the north end of the Park, consisting of male and female amenities along with disabled cubicle.	Public amenities	Fair to poor condition, old facility with some access issues.	
<b>Girl Guides Hall</b>			
An old hall used by the Girl Guides. There is various facilities within, with the floor coverings being a timber finish.	Leased hall, used exclusively by the Girl Guides.	Fair to condition. Nearing the end of its useful life.	

Description	Use	Condition	Photo
<b>Off Leash Dog Park</b>			
<p>A fenced off area dedicated for use by dogs to run off leash. This was the first dog obedience park constructed in Goulburn around 2010.</p> <p>There is various facilities within including bubblers for humans and canines along with bins and other activities.</p>	Dog Off Leash Park	Good condition. Grass surface is an issue with the amount of use and no irrigation.	
<b>Playground</b>			
Original playground in Victoria Park, last update around the 1990's. It is a small playground, which has been superseded by the Adventure Playground.	Playground area	Fair condition, requiring regular maintenance interventions.	
<b>Exercise Playground</b>			
A playground that only contains exercise equipment. It was constructed around 2000 and was a joint project with Council and the local Rotary Organisation.	Exercise Playground Area.	Good Condition, requires regular maintenance.	
<b>Internal Paths</b>			
<p>Bitumen surfaced paths in and around Victoria Park, servicing foot traffic as well as some small vehicular movements.</p> <p>Some areas have been used for special events such as billy cart races for</p>	Pathways allowing pedestrian and some vehicle access throughout the park.	Poor condition, requiring upgrade works.	Numerous

Description	Use	Condition	Photo
Australia Day, but since stopped due to the condition of the surface.			
<b>Liberty Swing</b>			
An all-inclusive playground item that was installed for children and adults in wheelchairs the opportunity to enjoy using a swing.	Playground equipment, specifically for wheelchairs.	Good Condition	