

# **COMMUNITY LAND PLAN OF MANAGEMENT**

## **Mid-Western Regional Local Government Area**



July 2020

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**Version Control**

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***Council is proud to acknowledge and respect the Wiradjuri people  
as the Traditional Custodians of the Mudgee Area  
and to pay respect to the elders past, present and emerging.***

Plan of Management Report prepared by  
Lands Advisory Services Pty Ltd  
PO Box 2317  
Dangar NSW 2309



**Email:** [enquiries@landsas.com.au](mailto:enquiries@landsas.com.au)

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## Summary

This Community Land Plan of Management (CLPoM) applies to the majority of land that is owned by Mid-Western Regional Council (Council) and Crown land that Council manages on behalf of the State of New South Wales. The land is classified as community land.

A Plan of Management (PoM) is required to be prepared for public land which is owned and/or managed by a Council and classified as community land under the *Local Government Act 1993* (LGA). A PoM on community land is a document that provides for and directs the use and management of that land. It describes the current purposes and uses of the community lands and their values, assigns them to one or more categories and sets out objectives and performance targets for active land management and use.

This CLPoM is a generic plan which covers land parcels across the Mid-Western Regional Local Government Area in the Central Tablelands of NSW. These lands are categorised as Park, Sportsground, General Community Use and Natural Area - Bushland. The land covered by this plan was included in this plan because the generic management objectives and actions outlined in this plan are applicable to that land.

This CLPoM gives express authorisation for Council to grant leases, licences, hire arrangements or other estates as required for use of the land and/or facilities/buildings on the land, for purposes consistent with the core objectives for the category of that land. It also specifies the provisions whereby Council can carry out certain types of developments, and building works on community land, being either exempt development, or developments not requiring consent.

The vision for this CLPoM for community land is:

***“great open space, sporting, social and leisure facilities for a prosperous and progressive community”.***

# 1 Introduction

This CLPoM applies to parcels of land that are owned by Mid-Western Regional Council (Council) and classified as community land. These land parcels are further categorised as Park, Sportsground, General Community Use and Natural Area - Bushland under the LGA.

This CLPoM also applies to Crown land that Council manages for the use of the general public. Crown land is owned by the State of New South Wales for the benefit of all persons. Local Government Authorities manage Crown land on behalf of the State, as Crown Land Managers, under Division 3.4 of the *Crown Land Management Act 2016* (CLMA). Council therefore now manages all community land, Crown or Council-owned, under one portfolio.

The LGA provides the legislative framework for Council's day to day operations and it identifies Council's responsibility to actively manage land and to involve the community in developing a strategy for management.

This CLPoM has been prepared in order to achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that it addresses the needs of the local neighbourhood, the broader community, and the environment. It has been prepared to meet the requirements of the LGA.

Specifically, the aims of the CLPoM are to:

- update any previous plans of management for the community lands now covered in this Plan.
- meet Council's obligations regarding public land management under the requirements of the LGA and the CLMA.
- provide a basis for guiding Council's ongoing management of and developments on the community land covered by the CLPoM in accordance with relevant legislative requirements.
- contribute to the objectives of Council's Regional Community Plan,<sup>1</sup> its Regional Economic Development Strategy,<sup>2</sup> and the Vision for community land development and management as highlighted in this CLPoM (see 1.1).
- reflect the values and expectations of the Mid-Western Region community in the use and development of community land.
- utilise community contributions collected by Council in the development of the CLPoM to provide informed planning advice to Council.
- facilitate desirable use of these land parcels by the community, through granting of appropriate leases, licences, permits and other estates.

<sup>1</sup> Towards 2040 – Mid Western Region Community Plan. *Mid-Western Regional Plan*.

<sup>2</sup> *Regional Economic Development Strategy 2018-2022*. Mid-Western Regional Council.



## 1.1 A Vision for Community Land

In the Regional Community Plan (RCP)<sup>3</sup> Council endorses regional goals for the next 20 years. These are directly relevant to the role and services provided to the regional community in the management of community lands. The four goals of the RCP are to provide and/or create:

- a sustainable and resilient place.
- people, housing and communities.
- prosperity, productivity and innovation.
- location specific responses.

In the Regional Economic Development Strategy 2018-2022 and Regional Economic Development Strategy – 2023 Update, Council presents its Vision for the region as:

***"a prosperous and diversified economy delivering lifestyle benefits to the community through employment, income, and sustainable economic growth."***

The various statements presented reflect Council's broad strategic intent to create and maintain a sense of community fulfilment and enrichment. They also demonstrate a strong support for the role of community land as an important tool in the provision of these values across the regional community and beyond. Community land significantly provides for the health, social enrichment, and sporting opportunities of the Mid-Western community and region.

Based on these broad statements the vision for the community land covered by this CLPoM is:

***"great open space, sporting, social and leisure facilities for a prosperous and progressive community".***

## 1.2 The Mid-Western Region

The Mid-Western Region is located in the Central Tablelands of NSW, just over three hours from Sydney. The Region has a dynamic and friendly community along with a strong and diverse economic base, providing opportunities for future business development and growth. The Region also attracts over 573,000 visitors each year to experience the local wine, food, sporting and cultural events. The Mid-Western Regional Local Government Area covers 8,752 square kilometers and consists of the major towns, Mudgee, Gulgong, Kandos, and Rylstone and embraces a large and diverse rural hinterland.

The region has a strong and diverse economic base, with agriculture, mining and retail and draws strongly from tourism made popular in recent decades by the notable wine industry, its history, and its environmental values.

Across the region, there exists a network of parks, sporting fields and general community areas, all

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<sup>3</sup> Towards 2040 – Mid Western Region Community Plan. *Mid-Western Regional Plan*.

contributing a range of essential services to the community. This CLPoM covers a network of community land consisting of Crown Land and Council owned parcels. Although not a complete description of purpose, these community land parcels deliver the following services and functional uses:

- memorial parks
- service club parks
- sport fields and courts
- resting places
- historically significant sites
- playgrounds and BBQ sites
- parks and gardens
- walkways
- car parks
- caravan parks
- Rural Fire Service reserves
- community Halls
- observational and nature areas.

Because of the decentralised nature of community lands considered in this CLPoM it is relevant to consider the whole of the regional community in discussions of demography and trends. Although not all encompassing, the Mid-Western Regional Local Government Area is therefore considered in this CLPoM to provide a reasonable basis to provide some insight into predicted use trends by the community.

Table 1 refers to the four most recent Australian Bureau of Statistics Census data for Mid-Western Regional Local Government Area, being: 2006, 2011, 2016 and 2021, for a range of age class distributions.<sup>4</sup>

**Table 1 – Population Statistics for Mid-Western Regional Local Government Area 2006-2016**

Age (years)	0-4	5-14	15-24	25-54	55-64	65+	Total
<b>Census 2006</b>	1284	3142	2265	7944	2983	3468	<b>21086</b>
<b>Census 2011</b>	1476	3051	2510	8270	2955	4053	<b>22318</b>
<b>Census 2016</b>	1686	3213	2430	8849	3161	4731	<b>24076</b>
<b>Census 2021</b>	1559	3662	2557	9338	3497	5091	<b>25704</b>

The figures show:

- an increase in population across the decade (approx. 22%, averaged at 1.5% per annum), with the projection of continued increase.
- an increase in the new-born to toddlers age group (0-4 years old) consistent with the general population increase of 21% noting a decrease across the past 5 years.
- a general increase in the younger age groups under 15 years of age at about 18%.
- moderate increase in the working age population, 15-64 years at about 17%.
- a significant increase in older residents 65 years and older. This increase is **47%** (3.1% per annum) and representing 20% of the total population by 2021. This appears to be generated from a migration of retirees into the Mid-Western Regional Local Government Area for reasons of lifestyle, possibly coupled by more attractive living costs.

<sup>4</sup> [www.quickstats.censusdata.abs.gov.au/census\\_services/](http://www.quickstats.censusdata.abs.gov.au/census_services/)



From this analysis, issues for future management of community lands will be provision of facilities requiring a continued matching with new and emerging social and recreational needs of a growing younger population, including those within the working age group. However, most importantly, the uses of an ageing population will be an important consideration for the future functions and management of community land within the Local Government Area, as well as the needs of travelers from other areas. A healthy increase in the younger age groupings within the region is optimistic and may provide the basis for the voluntary support required for the sustenance of many of these community lands into the future.

## 1.3 Legislative and Policy Context

### 1.3.1 Local Government Act 1993

Land owned by Council is managed under the LGA.

Part 2 Chapter 6 of the LGA provides that public land must be classified as either “community” or “operational” land. The purpose of the land classification is to clearly delineate which land should be kept for use by the general public (community land) and which land need not be kept for that purpose (operational land). The major consequence of the classification is that it determines the ease or difficulty by which the land may be alienated by sale, lease or other means. Community land would ordinarily comprise land such as a Sportsground, Hall, Public Park etc.,<sup>5</sup> and Operational land would consist of land which facilitates carrying out of a public service, such as works depots, or land held as a temporary asset or investment.

Community land:

- cannot be sold.
- cannot be leased, licensed or any other estate granted over the land for more than 21 years.
- must have a PoM prepared for it.

The LGA provides that community land must be categorised and specifies the core objectives for the management of each category.

All land covered by this CLPoM is community land.

The LGA also provides for regulations which provide controls on the use and operation of land. Regulations which may impact the management of community land in the Mid-Western Region are the *Local Government (General) Regulation 2021* and *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.

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<sup>5</sup> See the note to Chapter 6, Part 2 of the LGA.

### 1.3.2 Crown Land Management Act 2016

In New South Wales Crown land is managed under the CLMA. However, Division 3.4 of the CLMA provides that a council manager<sup>6</sup> is authorised to classify and manage its dedicated or reserved Crown land as if it were public land within the meaning of the LGA.<sup>7</sup>

Crown land covered by this CLPoM (see Appendices 4, 5, 6 and 7) is owned by the State of New South Wales for the benefit of all persons.

The CLMA requires councils to prepare PoMs for Crown reserves as if it were community land under the LGA and the CLMA.

Section 48 of the LGA provides that Council has the control of certain Crown reserves for which it has not been appointed council manager. This land is not subject to the Division 3.4 of the CLMA.

### 1.3.3 Native Title Act 1993

Native title describes the communal, group or individual bundle of rights and interests held by Aboriginal or Torres Strait Islander peoples. Matters relating to native title fall within the Commonwealth jurisdiction of the Commonwealth *Native Title Act 1993* (NTA).

The NTA sets out how Native title rights are to be recognised and protected, making provisions for Aboriginal and Torres Strait Islanders establishing the existence of native title, lodging native title claims, determining and validating the extinguishment of native title, and dealing with land and waters where native title may not have been extinguished.

On Crown land Native title rights and interests must be considered unless native title has been extinguished, surrendered, or determined by a court to no longer exist.

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 NTA. The NTA specifies procedures that must be followed before future acts can be done legally.

Some examples of acts which may affect native title on Crown land or Crown reserves managed by Council include:

- the construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbecues.
- the construction of extensions to existing buildings.
- the construction of new roads or tracks.
- installation of infrastructure such as powerlines, sewerage pipes, etc.
- the creation of an easement.
- the issue of a lease or licence.
- the undertaking of major earthworks.

<sup>6</sup> A council manager is a local council which has been appointed Crown land manager of a reserve under Section 3.3 of the CLMA.

<sup>7</sup> Section 3.22 of the CLMA provides for certain restrictions on the management of Crown land relating to sale, classification and contravention of the CLMA.

On Crown land, a future act undertaken by Council, which is not covered by one of the Future Act subdivisions of the NTA will be invalid.

### 1.3.4 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&AA) and the *Environmental Planning and Assessment Regulation 2021* provide the overarching control of planning and development in NSW. The EP&AA creates three levels of Environmental Planning Instruments being:

- State Environmental Planning Policies
- Local Environmental Plans, and
- Development Control Plans.

In the Mid-Western Region, the Environmental Planning Instruments with significant impact on the management of community land are the *State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)*, the *Mid-Western Regional Local Environmental Plan 2012* and the *Mid-Western Regional Development Control Plan 2013*.

The EP&AA is the enabling legislation for many of the roles and responsibilities of local governments in NSW. Under Division 3.4 Cl. 3.31 (1) councils are authorised to make Local Environment Plans (LEPs). Division 4.2 ensures a council has the power of a consent authority for nominated developments within the local area over which the council has jurisdiction. Both these authorisations permit councils to implement and manage any PoM on community land as required by the LGA.

#### 1.3.4.1 State Environmental Planning Policies

Community land is subject to the State Environmental Planning Policies.

Section 2.74 of the T&I SEPP provides that development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted for the land in accordance with the LG Act.<sup>8</sup>

Other State Environmental Planning Policies that are considered more relevant to the future of the community land covered by this CLPoM are briefly described in **Appendix 2** being:

- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy (Primary Production and Rural Development) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*

<sup>8</sup> **Appendix 2** has a brief description of the T&I SEPP.

- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Resources & Energy) 2021*

#### 1.3.4.2 Mid-Western Regional Local Environmental Plan

##### Land Zones

The Mid-Western Regional Local Environmental Plan 2012 (LEP) provides Land Zones for all land within the LGA. Although at the date of adoption of this CLPoM the most common Land Zones allocated to the community land lots is **RE1** (Public Recreation) and **RU5** (Village), it is noted that the following zonings also apply to remaining lots:

- C3 – Environmental Management.
- E1 – Local Centre
- E4 – General Industrial
- R1 – General Residential
- R2 – Low Density Residential
- R3 – Medium Density Residential
- R5 – Large Lot Residential
- RU1 – Primary Production
- RU4 – Primary Production Small lots

It is envisaged that the zoning of these areas will be reviewed as part of preparing a new LEP for Mid-Western Regional Council in the future, to best reflect the most common and appropriate purposes of community land.

A full list of the described zonings applicable to the lands of the CLPoM, and their respective permitted and prohibited activities in accordance with corresponding Land Use Tables within Part 2, in the LEP can be found at <https://www.legislation.nsw.gov.au/#/view/EPI/2012/374/part2/cl2.3>.<sup>9</sup>

Objectives, permitted and prohibited activities for RE1 and RU5, can be found in **Appendix 1** of this CLPoM.

##### Further LEP Considerations

The LEP zonings also requires important planning considerations and requirements, triggering additional state legislative responsibilities. These appear in the LEP as listings of local and miscellaneous provisions and schedules, and relevant map indices. The following are examples where these requirements will have likely implications to some of the land parcels considered within this CLPoM:

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<sup>9</sup> The CLPoM refers to permitted uses within the LEP as being permitted uses on community lands, however, the T&I SEPP provides that development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a PoM adopted for the land in accordance with the LGA.

## Native Vegetation

Land parcels zoned RE1, RU5, R1, R2, R3, R5, C3, E1 and E4 are covered by the State Government's native vegetation laws aimed at protecting the biodiversity values of trees and other vegetation in non-rural areas of NSW and are included within the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*<sup>10</sup> and also considered within the *Biodiversity Conservation Act 2016*. Any clearing of native vegetation requires consideration and possible authorisation under these policies.

Where clearing of native vegetation on land zoned RU1 and RU4 is required, the Council may apply in accordance with the provisions of the *Local Land Services Act 2013*,<sup>11</sup> to Local Lands Services (LLS) for either development consent or approval of a Property Vegetation Plan (PVP). A PVP is a voluntary but binding agreement with LLS that nominates and approves clearing and also incorporates positive land management requirements. Council will consult the Central Tablelands LLS to determine which process is best suited to the reserved land, and the process to obtain approval.

## Biodiversity

Under the LGA, Council has obligations for conservation issues as determined by the *Biodiversity Conservation Act 2016* and the *Fisheries Management Act 1994*. Some activities on community land parcels covered by this CLPoM may trigger the controls and requirements of that Act (see S. 6.5 of LEP).

## Bushfire Management

Community land reserves covered by this CLPoM may be impacted by bushfire prone land as shown on the Mid-Western Regional Local Government Area Bushfire Prone Land Map (see S. 5.11 LEP) and requirements for Bushfire Hazard reduction works. Reference is made to the NSW Rural Fire Service Guide for Bushfire Prone Land.<sup>12</sup>

In such cases, any development application for new works will require assessment in accordance with S 4.14 and 4.15 of the EP&AA or referral to the NSW Rural Fire Service in accordance with Section 4.46 of the EP&AA as a Special Fire Protection Purpose. All development is required to comply with the provisions of "Planning for Bushfire Protection", prepared by the NSW Rural Fire Service.<sup>13</sup>

## Flood Planning

Community land reserves covered by this CLPoM may be impacted by Flood Risk Precincts identified within the Mudgee Floodplain Management Study described within the LEP (see S. 6.2). The provisions of the Floodplain Management Plan may also apply to land that is affected by localised flooding.

<sup>10</sup> Section 2.3(1)(b) of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

<sup>11</sup> See Part 5A *Local Land Services Act 2013*.

<sup>12</sup> Guide for Bushfire Prone Land Mapping; Version 5b (*NSW Rural Fire Service 2015*).

<sup>13</sup> [www.rfs.nsw.gov.au/plan-and-prepare/](http://www.rfs.nsw.gov.au/plan-and-prepare/)

### Groundwater Vulnerability

Community land reserves covered by this CLPoM may be impacted by Groundwater Vulnerability mapping, described within the LEP (S. 6.4). The objectives of this clause are as follows:

- to maintain the hydrological functions of key groundwater systems.
- to protect vulnerable groundwater resources from depletion and contamination as a result of development.

Where triggered, there is a requirement that the relevant consent authority is required to access groundwater, to ensure impacts such as contamination or others, are not caused by such development.

### Heritage Significance

Some community land reserves covered by this CLPoM may be relevant from the perspective of heritage significance and value, according to the LEP (see S 5.10). In such cases, any developments will be required to consider the directions of the LEP.

Any development must comply with the scheme contained in the *National Parks and Wildlife Act 1974* for the protection of Aboriginal cultural heritage.

#### 1.3.5 Other Legislation and Statutory Controls

A PoM does not over-rule additional legislation and statutory controls that also apply to the management of community land.

#### 1.3.6 Additional Council Plans and Policies

In addition to the above state policies and the directions of the LEP, Council has developed a number of plans, general policies and papers which have either direct or broad relevance to planning, management and maintenance of community land. The following lists those of particular relevance for the future management and service delivery of the land parcels covered by this CLPoM:

- ***Towards 2040*** – Endorsing Council’s vision of “A prosperous and progressive community we call home”, the strategy presents goals, values, aspirations and a sustainable community. It is structured around a number of themes including: Looking After Our Community; Protecting Our Natural Environment; and Building A Strong Local Economy.
- ***Open Space and Recreational Asset Management Plan – Towards 2030 (May 2017)*** (OSRAMP) – By making available open space and recreational infrastructure for residents and visitors, Council projects budgets and expenditure to operate, maintain and upgrade facilities ensuring good functionality over a ten-year period.
- ***Recreational Strategy (2013)*** – Provides direction to Council and the community about the priorities for planning and development of recreational opportunities and facilities over the following 10-15 years. The Strategy concentrates on town-based sporting facilities.



- **Community Grants Program Policy (2022)** – This document establishes criteria by which financial assistance requests from non-for-profit groups will be determined with equity.
- **Events Assistance Policy (2019)** – To assist with one-off community initiatives on community lands.
- **Long Term Financial Plan 2022 – 32** – Provides a framework to assist future decision making that will secure economic sustainability and ensure funding is adequate to achieve outcomes the community requires. The Plan is an integral component of the achievement of Council's *Mid-Western Regional Community Plan Towards 2040*.
- **Parks Usage Policy (2019) (PUP)** – This policy applies to all Council managed parks and sports fields and ensures parks are appropriately booked and used to avoid unnecessary excessive and costly damage due to misuse. It applies to a person or persons wishing to organise a passive or active activity within a park or sports field, erect any form of infrastructure (eg. marquee, temporary lighting, sun shelters etc) or organise an activity for commercial or promotional purposes.
- **Leases and Licences of Council Owned and Managed Land and Real Property Policy (2020) (LLCPP)**– Enables Council to consider applications for the leasing and licencing of Council controlled land assets, including Crown Land whilst ensuring Council is consistent and transparent, and complying with appropriate legislative requirements when determining each application.
- **Asset Management Policy (2022)** – Council is committed to a systematic asset management methodology to ensure appropriate asset management practices are applied across infrastructure managed by Council. The Policy ensures assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priority of service delivery at the lowest life cycle cost.
- **Information and Directional Signage Policy (2012)** – Provides a standard for consistent, professional and durable signage throughout the region to promote the region, enhancing visitors' ability to navigate the region using consistent directional signage to genuine tourist destinations.

In particular, this CLPoM is to be read in conjunction with the relevant plans and policies of Council presented in Council's:

- *Recreation Strategy (2013)*<sup>14</sup>
- *OSRAMP - Towards 2030 (2017)*<sup>15</sup>
- *PUP (2019)*.<sup>16</sup>

<sup>14</sup> *Recreation Strategy (2013): Mid-Western Regional Council.*

<sup>15</sup> *Open Space and Recreational Asset Management Plan - Towards 2030 (2017): Mid-Western Regional Council.*

<sup>16</sup> *Parks Usage Policy (2019): Mid-Western Regional Council.*

Full details of Council's relevant policies and plans as listed above can be found at Council's website at [www.midwestern.nsw.gov.au/council/council-documents/](http://www.midwestern.nsw.gov.au/council/council-documents/)

## **1.4 Plans of Management**

### **1.4.1 What is a Plan of Management?**

The LGA requires that Council prepare a PoM in conjunction with the community to identify the important features of the land, clarify how Council will manage the land and how the land may be used or developed. Until a PoM for community land is adopted, the nature and use of the land cannot be changed. To change the nature and use of the land, the PoM must be revised.

Council will undertake the required process as per Section 36 of the LGA and Section 3.23 of the CLMA for this CLPoM. Specifically, S. 36 (3) (a)-(d) of the LGA requires that a PoM must identify:

- category of the land (see 1.4.4).
- objectives and performance targets of the Plan with respect to the land (see 1.4.4).
- means by which the Council proposes to achieve the PoM's objectives and performance targets.
- the manner in which Council proposes to assess its performance with respect to the Plan's objectives and performance targets

A PoM may give authorisation for Council to grant leases, licences, hire arrangements or other estates as required for use of the land and/or facilities/buildings on the land in compliance with S. 46 of the LGA for purposes consistent with the core objectives for the category of land.

### **1.4.2 Types of Plans**

The LGA allows a PoM to cover one or multiple parcels of land.

Where multiple parcels of land are covered in one plan (Generic Plans), like this plan, the LGA specifically states what needs to be included. Where a PoM covers one parcel of land (Specific Plans), there is greater detail on what has to be prescribed in the Plan. A Generic Plan sets the framework of how the land is to be managed. A Specific Plan clearly outlines very precise management proposals.

PoM's for community land are periodically reviewed to enable changing social, economic and ecological conditions to be taken into account and consequent amendments to the Plan may occur.

For the majority of lands considered here, this CLPoM is the first to be developed.

Specific works to be carried out in individual Parks, Sportsgrounds and General Community Use land will be shown on masterplans and various schedules to which this CLPoM refers, which will be prepared in the future as required, and which will include engagement with the community.

### 1.4.3 Relationship with Other Plans

This CLPoM provides an overarching strategy and consistent management approach for community land parcels within the Mid-Western Regional Local Government Area, with the exception of those lands for which specific plans of management have been developed or are to be developed and for which this Generic plan has no jurisdiction. It is currently proposed by Council that specific plans of management will be developed for the following community land:

- Cudgegong Waters Park
- Mudgee Common
- Mudgee Showground
- Old Gulgong Fire Station and Gulgong Police Stables and Car Park
- Red Hill Reserve and Tom Saunders Memorial

### 1.4.4 Categorisation and Objectives

Under Section 36(4) of the LGA, all community land must be further categorised as one of the following categories:

- Natural Area – further categorised as either Bushland, Wetland, Escarpment, Foreshore, Watercourse
- Sportsground
- Park
- Area of Cultural Significance; or
- General Community Use.

The Core Objectives for all community land categories vary according to the categorisation of the land. All objectives for all categories are defined in Section 36 (1) of the LGA and also appear in **Appendix 3** of this PoM.



## 2 Community Land Plan of Management

### 2.1 Land to Which this Plan Applies

The lands which are subject to this CLPoM are distributed across the Mid-Western Regional Council Local Government Area. There is a natural concentration of land parcels within and around the major centres of Mudgee, Gulgong, Rylstone and Kandos, however they also exist in smaller villages and rural communities.

The parcels included were generated from Council's Land Register of all public land areas listed in **Appendices 4, 5, 6 and 7**.

### 2.2 Process for Preparing the Plan

The process for the development of this CLPoM involved the following steps:

- inception meeting with Council staff.
- supply of relevant community land title information from Council.
- preliminary categorisation of Crown land sent to the Minister for approval.
- CLPoM drafted and discussed with Council.
- draft sent to Department of Planning and Environment – Crown lands (DPE-CL) for Minister's approval regarding provision for Crown lands prior to being placed on public exhibition.
- draft CLPoM on exhibition on Council's website, at libraries and customer service areas.
- written submissions received online to Council.
- public hearing into proposed categorisation and recategorisation of Council owned community land, as required.
- review and advice from Council's Native Title Manager and notification to Native Title claimants and /or NTSCORP (if required).
- resolution by Council.
- approval by the Minister administering the CLMA.

Community consultation is an important process providing information necessary for an effective PoM for community land and is a requirement under Section 38 of the LGA. As such, Council is committed to the principles and activities within the participating community which guide Council's decision-making processes. Such participation creates the opportunity for interested parties to become actively involved in the development of a plan which reflects the needs, opinions and priorities of people using such community lands.

Many discussions were conducted between the authors of this CLPoM and Council officers during its compilation. Council will undertake further consultation as necessary, in accordance with its communication policy.

## 2.3 Ownership and Management

The community land to which this CLPoM applies, is owned by:

- Mid-Western Regional Council
- the State of New South Wales<sup>17</sup> being Crown land.

**Appendices 4, 5, 6 and 7** show ownership details of the land subject to the CLPoM.

### Native Title

Much of the Crown land is subject to native title claim under the NTA by Warrabinga-Wiradjuri People<sup>18</sup> and the Gomeroi People.<sup>19</sup> On Crown land Native title rights and interests must be considered unless:

- Native title has been extinguished; or
- Native title has been surrendered; or
- determined by a court to no longer exist.

### Aboriginal Land Rights

The *Aboriginal Land Rights Act 1983* (ALRA) seeks to compensate Aboriginal peoples for past dispossession, dislocation and loss of land in NSW. The lodgment of an aboriginal land claim (ALC) under section 36 of the ALRA, over Crown land creates an inchoate interest in the land for the claimant pending determination of the claim. The DPE-CL advises that, if the land is subject to an undetermined ALC, any works, development or tenures authorised by the PoM should not go ahead if:

- the proposed activity could prevent the land being transferred to an ALC claimant in the event that an undetermined claim is granted
- the proposed activity could impact or change the physical/environmental condition of the land, unless:
  - the council manager has obtained written consent from the claimant Aboriginal Land Council to carry out the proposed work or activity, and/or

<sup>17</sup> Council is Crown land manager for Crown land subject to this CLPoM.

<sup>18</sup> Details for the Warrabinga-Wiradjuri People claim being NC2018/002 can be found on the National Native Title Tribunal website.

<sup>19</sup> Details for the Gomeroi People claim being NC2011/006 can be found on the National Native Title Tribunal website.

- the council manager has obtained a written statement from the Aboriginal Land Council confirming that the subject land is withdrawn (in whole or partial) from the land claim
- the proposed activity is a lease to be registered on title unless the council manager has obtained written consent from the claimant Aboriginal Land Council

Some of the Crown land is subject to Aboriginal Land Claim under the ALRA by the New South Wales Aboriginal Land Council, Bathurst Local Aboriginal Land Council, Wanaruah Local Aboriginal Land Council and Mudgee Local Aboriginal Land Council. These claims await determination by the Minister for Lands and Property. Any land granted under ALRA will no longer be subject to this CLPoM.

Most community land subject to this CLPoM will be managed directly by Council. However, where appropriate, Council may establish committees under Section 355 of the LGA to advise and assist with the management of specific facilities.

## 2.4 Land Categories

In accordance with the guidelines set out in the *Local Government (General) Regulation 2021* and Practice Note 1: Public Land Management (Department of Local Government Amended 2000), and consistent with respective core objectives, all community lands covered by this CLPoM are categorised either as:

- Park - **Appendix 4** lists the land parcels categorised as Park.
  - Sportsground - **Appendix 5** lists the land parcels categorised as Sportsground.
  - General Community Use - **Appendix 6** lists the land parcels categorised as General Community Use.
- or
- Natural Area - Bushland - **Appendix 7** lists the land parcels categorised as Natural Area - Bushland.

For Crown land these categories have been assigned as required under Section 3.23 of the CLMA.



### 3 Management and Tenures

For this section please see the Explanation of Terms<sup>20</sup> set out below.

Council may allow use of community land by a casual user for any permissible use (see sections 6 – 10) according to the land category. However, Council may require a form of authorisation for a permissible use to be undertaken.

The LGA provides that tenures (leases, licences, or any other estates) or easements may be granted over all or part of community land in accordance with Section 46.

Tenures may be held by:

- community organisations and sporting clubs, or
- by private/commercial organisations or
- individuals providing facilities and/or services for public use.

The maximum period for leases and licences on community land allowable under the LGA is 30 years (with the consent of the Minister for a period over 21 years) for purposes consistent with the categorisation and core objectives of the particular area of community land.

Community land may only be leased or licensed for periods of more than 5 years if public notice is given according to the requirements of Sections 47 and 47A of the LGA.

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#### <sup>20</sup> Explanation of Terms

<b>Tenure</b>	A lease, licence or other estate issued by Council in accordance with Section 46 of the LGA or Section 2.20 of the CLMA.
<b>Hire Agreement</b>	An estate issued by Council generally for the single use of a facility.
<b>Holder</b>	The company, organisation, individual or group of individuals who have been issued with a Tenure.
<b>Hirer</b>	The company, organisation, individual or group of individuals who have been issued with a Hire Agreement.
<b>Regular Hirer</b>	A Hirer who regularly uses a facility through a Hire Agreement or has an ongoing Hire Agreement.
<b>Singular Hirer</b>	A Hirer who has a Hire Agreement as a once off or irregularly.
<b>Casual User</b>	A person or group of people using community land for passive recreation, non-commercial purposes without a Tenure or Permit.
<b>User</b>	The collective term for a Holder, Hirer and Casual User.
<b>Permit</b>	A permit is an authority to undertake a use which may or may not attract a fee.

### **3.1 Types of Tenures**

#### **3.1.1 Leases**

A lease will be generally required where exclusive use or control of all or part of community land is desirable for effective management. A lease may also be required when the scale of investment in facilities, the necessity for security measures, or where the relationship between a holder and facilities on community land justifies such security of tenure.

Leases issued by Council will require:

- That subleases or any other supplementary tenures can only be issued by the Holders with the approval of Council, and consistent with Section 47C of the LGA.
- Maintenance of the facility will be the responsibility of the Lessees.

#### **3.1.2 Licences**

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of the community land is proposed. A number of licences for different holders can apply to the same area at the same time, provided there is no conflict of interest.

#### **3.1.3 Hire Agreements**

An agreement for use of community land (Hire Agreement) may be issued by Council for any purpose listed in Sections 6 – 10, or by a Management Committee subject to the approval of Council. A hire agreement may be issued to a regular hirer or a singular hirer for formal use. Any legal requirements as determined by Council will include the requirement for adequate public liability insurance cover. Hire agreements may be issued for the use of a hall or a tennis court.

#### **3.1.4 Permits**

A permit may be issued by Council to undertake a particular activity on community land. Such a permit may or may not attract a fee.

#### **3.1.5 Easements**

Council reserves the right to grant easements as required for utilities and access, bearing in mind the impact of such easements on the site.

The granting of easements over Crown land will be subject to the provisions of the NTA and Section 8.7 of the CLMA.

### 3.2 Purposes for which Tenures may be issued

In accordance with Section 46A of the LGA, a PoM for community land is to specify and authorise any purpose for which a lease, licence or other estate may be granted over community land during the life of a PoM.

This CLPoM authorises a Tenure to be issued:

- for any permissible use in Sections 6 – 10 .
- for purposes consistent with the designated:
  - categorisation, and
  - zoning (see Section 4.1) under Section 46 of the LGA, and
  - on Crown land, the reserve purpose of the particular reserve (see appendices 4, 5, 6 and 7) as required under the CLMA.
- On Crown land, the CLMA allows that Council may also issue short term licences (for a period of less than one year) consistent with Section 2.20 of the CLMA. This section provides that licences may be issued, inconsistent with the reservation purpose, for prescribed purposes currently being:<sup>21</sup>

(a) access through a reserve	(m) grazing
(b) advertising	(n) hiring of equipment
(c) camping using a tent, caravan or otherwise	(o) holiday accommodation
(d) catering	(p) markets
(e) community, training or education	(q) meetings
(f) emergency occupation	(r) military exercises
(g) entertainment	(s) mooring of boats to wharves or other structures
(h) environmental protection conservation or restoration or environmental studies	(t) sales
(i) equestrian events	(u) shows
(j) exhibitions	(v) site investigations
(k) filming (as defined in LGA)	(w) sporting and organised recreational activities
(l) functions	(x) stabling of horses
	(y) storage.

### 3.3 Tenures on Crown land and Native Title

A tenure or hire agreement on Crown land may impact Native title rights and interests. Any use agreement issued on Crown land must be issued in accordance with the future act provisions of the NTA and in accordance with Part 8 of the CLMA unless Native title is extinguished. For Crown land which is not *excluded land* this will require written advice from one of Council's Native title managers that it complies with any applicable provisions of the Native title legislation.

<sup>21</sup> Crown Land Management Regulation 2018 Section 31.

### 3.4 Other Approvals

An approval to occupy land or facilities for a specific purpose does not remove the need to obtain approval under other legislation. These approvals may include:

- a liquor licence
- engage in a trade or business
- direct or procure a theatrical, musical or other entertainment for the public
- construct a temporary enclosure for the purpose of entertainment
- play a musical instrument or sing for fee or reward
- set up, operate or use a loudspeaker or sound amplifying device
- deliver a public address or hold a religious service or public meeting use of a loudspeaker
- install or operate amusement devices
- operate a caravan park or camping ground
- use a standing vehicle or any article for the purpose of selling any article in a public place.

### 3.5 Allocation, Fees and Direction of Funds

Community land will continue to be used by a variety of user groups and individuals for purposes previously noted. Council will endeavor to generate greater utilisation of the land for community purpose and other activities.

Council may apply fees for the use of Council reserves.

The fees associated with the hiring of Council reserves for major events, concerts, functions etc., are detailed in Council's *Operational Plan – Fees and Charges* on Council's website. Council's fee structure is reviewed on an annual basis.

Where the Reserve is to be hired for a purpose not within Council's *Operational Plan – Fees and Charges*, the fee will be set by Council.

Income produced from the Sportsgrounds, Parks, General Community Use and Natural Area categories will be distributed in a fashion directed by Council.

### 3.6 Signage

Council uses signs to regulate the activities carried out on community land and to provide educational information so as to provide a safe and enjoyable place for passive and active recreational pursuits.

Whilst signs are a crucial source of information, they have a significant impact on community land. All signs must:

- meet a design standard and be approved by Council
- be sympathetic to their environment in their design, construction and location
- be placed in accordance with *State Environmental Planning Policy (Industry and Employment) 2021* or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- be consistent with the *Mid-Western Regional Development Control Plan 2013*.

Note that for issues of safety signage, Council uses the *Statewide Mutual Best Practice Manual – Signs as Remote Supervision*.

Where a sign requires development consent<sup>22</sup>, Council must approve as owner the lodging of a Development Application prior to assessment by Council in accordance with Schedule 5 Assessment Criteria of *State Environmental Planning Policy (Industry and Employment) 2021*.

Where a sign does not require development consent, Council must approve the sign before erection.

All Council signs erected under Section 632 of the LGA, plus reserve name signs and traffic and safety signs, are permissible.

### 3.7 Encroachments

Council will address encroachments, in accordance with available resources, into Crown Reserves by:

- requiring the encroachments to be removed, or
- initiating surveys and granting tenures with appropriate conditions.<sup>23</sup>

Where formed roads encroach into community land Council will, in accordance with available resources:

- dedicate the land as road in compliance with Section 47F of the LGA, or
- or acquire the land under the *Roads Act 1993*, or
- remove the formed road.

<sup>22</sup> Development consent is not required if the sign is to be erected for the purposes of implementing this CLPoM.

<sup>23</sup> Any authorisation of existing encroachment into Crown Reserves will be in accordance with the requirements of the *Crown Land Management Act 2016* and the *Native Title Act 1993*.



## 4 Development

### 4.1 Development of New and Improvement of Existing Facilities

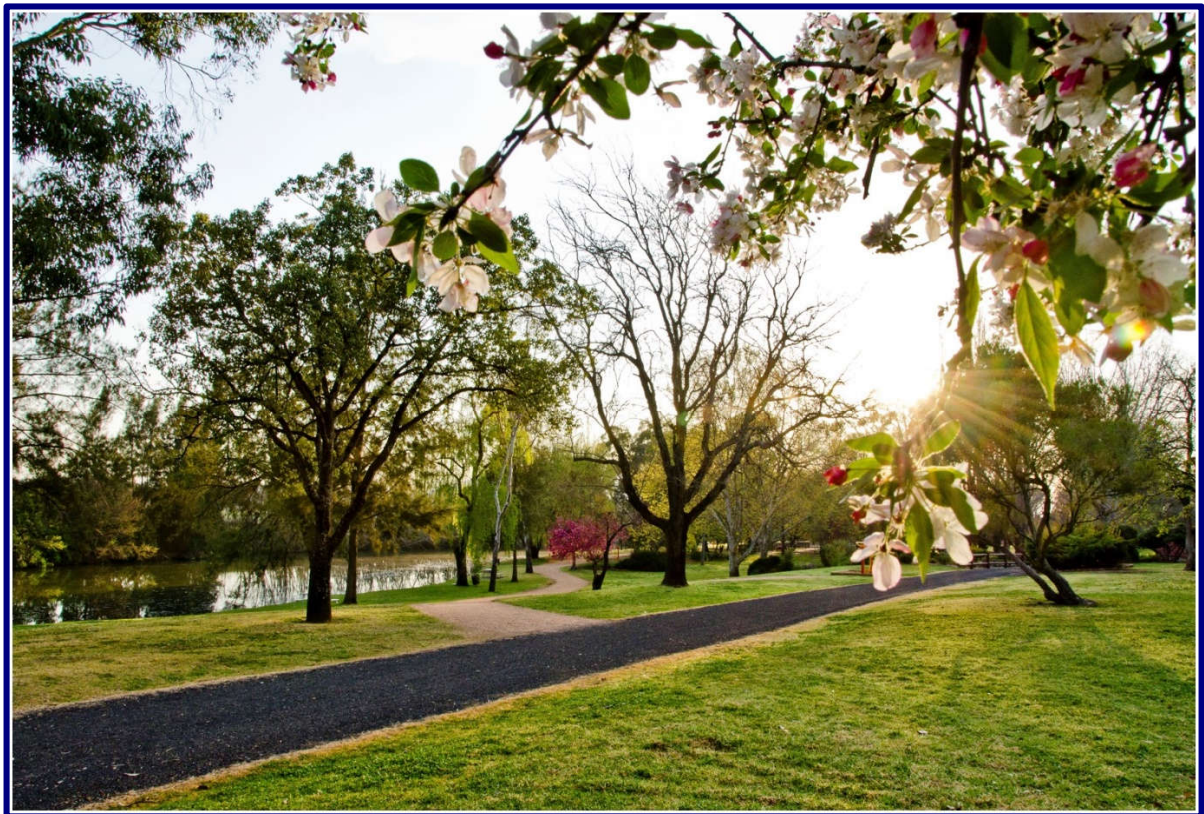
All major developments and improvements made to community Land to be funded (solely or partially) by Council, will be subject to Council approval.

Council can carry out certain types of proposed developments and building works that are developments permitted without consent or exempt development under the T&I SEPP or are permitted without development consent under the LEP.

Council can also undertake certain activities under Part 5 of the EP&AA. The purpose of the Part 5 assessment system is to fully ensure public authorities fully consider environmental issues before they undertake or approve activities that do not require development consent from a council or the Minister. If an activity is judged by the relevant public authority to significantly affect the environment, then an environmental impact statement will need to be prepared and considered by the public authority.

All other proposed development and building works consistent with the values, desired outcomes and performance targets set out in this CLPoM would be subject to the normal development applications in accordance with the EP&AA, and the LEP.

Council will encourage community assistance in the development of new facilities as well as maintenance of existing facilities through the co-operation and assistance of the local community.





## 4.2 Community Engagement

Prior to development of new or enhancing existing facilities Council will undertake a community consultation process. This may include the development of masterplans or other plans which will be placed on exhibition or be subject to stakeholder notification.

On the Crown land parcels covered by this CLPoM, Native title rights and interests must be considered unless:

- Native title has been extinguished; or
- Native title has been surrendered; or
- determined by a court to no longer exist.

Where it is proposed to construct or establish a public work<sup>24</sup> on reserved or dedicated Crown land, where Native title is not extinguished, prior to approval Council will notify and give an opportunity for comment from any representative Aboriginal/Torres Strait Islander bodies, registered Native title bodies corporate and registered Native title claimants in relation to the land or waters covered by the reservation or lease as required under the NTA.

Where a proposed update of an existing masterplan, capital works program, facilities asset management plan or any other plan is the approving documentation for a public work on Crown land, that approval will not be given unless the requirements of the NTA have been addressed including the notification and opportunity to comment noted above.

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<sup>24</sup> A public work is defined as:

- (a) *any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:*
- (i) *a building, or other structure (including a memorial), that is a fixture; or*
  - (ii) *a road, railway or bridge; or*
  - (iia) *where the expression is used in or for the purposes of Division 2 or 2A of Part 2--a stock-route; or*
  - (iii) *a well, or bore, for obtaining water; or*
  - (iv) *any major earthworks; or*
- (b) *a building that is constructed with the authority of the Crown, other than on a lease.*

Major earthworks are defined as:

*earthworks (other than in the course of mining) whose construction causes major disturbance to the land, or to the bed or subsoil under waters.*

## 5 Communication

Communication between Council, sports bodies, hall committees, service clubs, RSL Sub-branches and other community land user groups and individuals is important to the success of this CLPoM. Council will use and maintain existing clear lines of communication and establish new lines and methods as necessary. Several key communication actions and strategies are described in respective Performance Targets including:

- keeping the community well informed about recreational facilities and settings, and other community facilities and settings through a variety of methods including signage, social media and Council's website.
- involving the community in collating information on community priorities and analysing existing facilities and settings.
- seeking community feedback in relation to the level of satisfaction regarding community, and facilities and settings.
- maintaining community involvement consistent with Council's Community Engagement protocols.
- continuing to support Sports Councils (Mudgee, Gulgong, Rylstone/Kandos), Hall Committees and Tenure Holders in the use of reserves.
- consulting regularly with Sports Councils and other sporting bodies and collating information on ongoing priorities for Sportsgrounds.
- engaging with the community prior to implementation of actions proposing major upgrade to facilities.

Most community land subject to this CLPoM will be managed directly by Council. However, where appropriate, Council may establish committees under Section 355 of the LGA to advise and assist with the management of specific facilities.

## 6 Park

### 6.1 Park Category Definition

Land should be categorised as a Park under Section 36(4) of the LGA if the land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.<sup>25</sup>

Parks generally contain improvements such as landscaping and gardens, playgrounds and non-sporting equipment and facilities, walking tracks, pedestrian and bicycle paths, and open space.

Land parcels categorised as Park occurring across the Mid-Western Regional Local Government Area represent a wide range of sizes, configurations and uses.

Council's Recreation Strategy 2013 presents a useful hierarchy in describing the Parks of the Local Government Area:

- **Regional Parks** – A reserve that residents and visitors are willing to travel to, from the community that they live in.
- **Neighbourhood Parks** – A developed urban reserve designed for ease of pedestrian access.
- **Local/Pocket Parks** – A local reserve within the urban community that may be partly developed for amenity purposes.
- **Reserves** – Includes Crown land for which Council is the Crown Land Manager and other undeveloped reserves.

The quality and quantity of facilities in parks vary in line with the park hierarchy, with larger regional parks generally having more and better facilities to cater for greater demand than local parks. Parks are used for a wide range of informal and unstructured recreation activities, such as sitting for rest and relaxation, walking, cycling, children's play, casual games, dog exercise area, outdoor fitness, and ceremonies. Many parks provide specialised facilities to support these activities such as landscaped areas, playgrounds, fitness equipment, seating, picnic and BBQ facilities, amenities, walking areas, a swimming pool, environmental management areas, a town common, and memorials.

### 6.2 Core Objectives - Park

The core objectives for management of community land categorised as a **Park** are:

- to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- to provide for passive recreational activities or pastimes and for the casual playing of games,

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<sup>25</sup> Local Government (General) Regulation 2021 – NSW legislation.

and

- to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

### 6.3 Land included in the Park Category

The land parcels categorised as Park covered by this CLPoM range in size from “pocket parks” of less than 100m<sup>2</sup>, to the substantially large parks, eg: Flirtation Hill (10 Ha) in Mudgee.

Refer to **Appendix 4** for description of all Parks.

### 6.4 Park Category Values

Values may be described as what is important or special about a place. These values which generally embrace social, environmental, economic and financial considerations, provide a strong foundation for the maintenance, protection and where required, enhancement of these values across the Parks of the region.

Parks provide valuable space for unstructured recreation and space for nature, with important social and environmental benefits contributing to the liveability and character of the area. They enhance social sustainability and the community’s health and well-being. Parks create community opportunities, through formed and unformed areas, including passive recreation, celebrating, mixing in groups socially, remembering, and informal playing of games.

#### **Recreation opportunities:**

- provide spaces for unstructured outdoor recreational opportunities – playgrounds, fitness areas.
- provide places for active recreation – kick a ball, run about areas, practice walls and hoops.
- provide local open spaces for the community to enjoy activities – picnic areas and barbecues, dog exercise.
- provide places for people to walk, enjoy nature and observe wildlife.

#### **Social benefits:**

- provide spaces for social gatherings, cultural activities and other events.
- provide places to meet others, to relax, which are safe, secure, family friendly, places for picnics, play and other activities.
- acknowledge natural and cultural heritage places.
- strengthen social bonds at the local community level through involvement of volunteers in

recreation, and by local residents meeting each other in recreational settings.

- generate aesthetic qualities producing a sense of openness and space, tranquility and restfulness, the sounds, sights and smells of nature.
- increase social inclusion and connectedness through participation and volunteering.
- contribute to social sustainability and the community's health and well-being.
- provide intangible psychological benefits.
- provide important historical, educational and cultural sites for ceremonial community gatherings.

**Environmental benefits:**

- offer protected natural settings for physical activity and visual pleasure.
- contribute to environmental protection, water absorption, clean air, reduce urban heat effect, help absorb greenhouse gas emissions.
- provide visual and landscape character of the local area, contributing to its liveability and appeal.
- provide natural areas, which create habitat and links between areas, spaces for trees, birds and other wildlife.

**Economic benefits:**

- attract tourists and visitors for events or social gatherings held in parks and enhance local economies.
- provide economic benefits from the development of recreational facilities, production and sale of related goods and services, and employment of people in the recreation and sport industry.
- create significant savings in national health costs due to generated peace of mind, exercise, and improved health, allowing such funds to be redirected into other areas of health services.
- add to the visual amenity of streetscapes which has a positive effect on land and property values.

## **6.5 Key Management Issues for Parks**

The key management issues for Parks are:

- ensuring the provision of a wide range of parks and related facilities meet the present and future needs of the community.

- provision of the appropriate range of accessible facilities and settings.
- planning for future recreational needs and opportunities.
- maintaining recreational amenity, quality, maintenance, rubbish disposal and cleanliness.
- maintaining the condition of key facilities especially toilet blocks.
- provision of adequate car parking.
- notification of permissible activities, conflicting uses and compliance.
- maintaining good neighbourhood relationships.
- establishing effective communications regarding park upgrades and other improvements.
- managing construction activities and impacts.
- avoiding unnecessary encroachment on and alienation of park, by other requirements.
- managing vegetation issues eg. replacement trees, planted areas, grass cutting.
- managing other legislative responsibilities eg. vegetation, biodiversity, bushfires.
- managing vandalism to grounds, built assets, and memorials.
- ensuring effective signage.

## **6.6 Desired Outcomes for Parks**

The desired outcomes for Parks are:

- appropriate recreational, cultural, social and educational pastimes and activities are available, and which are well utilised.
- landscape character is consistent with the local landform, residential character and natural and cultural heritage.
- well maintained open areas as community gathering places for passive recreation.
- where it exists, well maintained infrastructure including amenities, playgrounds, picnic areas and other recreation areas in a variety of settings.
- no conflicting uses.
- good neighbourhood relationships.
- rolling program of park upgrades and improvements.



- effective access and well managed safety issues.
- where present, effective environmental sustainability.
- leases and licences as appropriate are managed effectively.

## 6.7 Permissible Uses and Development on Park lands

Park lands covered by this CLPoM may, subject to Council assessment, approvals and booking/hire systems, be used for the following:<sup>26</sup>

- |                                                                                   |                                                                  |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------|
| • access roads                                                                    | • natural areas                                                  |
| • alternate energy technology                                                     | • organised playing of games                                     |
| • amenities                                                                       | • outdoor film screening                                         |
| • art and cultural classes and events                                             | • passive recreation                                             |
| • biodiversity enhancement                                                        | • paths                                                          |
| • canteens and kiosks                                                             | • personal training                                              |
| • car parking                                                                     | • playing of a musical instrument, or singing, for fee or reward |
| • casual playing of games or informal sporting activities                         | • private events (i.e. weddings, birthdays)                      |
| • children's programs and events                                                  | • public performance, book launch or education                   |
| • community events (fundraising/charity events, special events)                   | • public utility infrastructure                                  |
| • community notice signs                                                          | • recycling (return & earn stations)                             |
| • dog training and exercise                                                       | • remediation works                                              |
| • drainage and irrigation                                                         | • school recreation                                              |
| • emergency use                                                                   | • school vacation activities                                     |
| • fairs, markets and auctions                                                     | • shade structures                                               |
| • filming and photography of events, speeches, concerts etc (commercial, amateur) | • sponsorship signage (temporary)                                |
| • fitness and wellbeing programs                                                  | • sporting events                                                |
| • gala days and club meetings                                                     | • storage and stockpiling of materials and equipment             |
| • landscaping                                                                     | • storage facilities                                             |
| • low intensity cafes, restaurants and kiosks.                                    | • temporary compound                                             |
| • maintenance activities                                                          | • temporary structures (i.e. marquees, tents, stages)            |
| • maintenance buildings and infrastructure                                        | • visitor amenities                                              |
| • mobile food vendors                                                             | • water tanks                                                    |
|                                                                                   | • youth programs and events                                      |

<sup>26</sup> Restaurants are not permitted on Crown land in this category.

## 6.8 Tenures on Park lands

Council may consider granting lease, licence, permit or other estate on community land categorised as Park, consistent with the requirements of Section 3 of this CLPoM and the Objectives and Permissible Uses listed in Sections 6.2 and 6.7.

This CLPoM expressly authorises on lands categorised as Park:

- the issuing of permits for:
  - art and cultural classes and events.
  - children's programs and events.
  - community events. (fundraising/charity events, special events, park runs).
  - community notice signs.
  - dog training and exercise.
  - fairs, markets and auctions.
  - filming and photography of events, speeches, concerts etc (commercial, amateur).
  - fitness and wellbeing programs. launch or education.
  - mobile food vendors.
  - organised playing of games.
  - outdoor film screening.
  - personal training.
  - playing of a musical instrument, or singing, for fee or reward.
  - private events (i.e. weddings, birthdays).
  - public performance, book school vacation activities.
  - sponsorship signage (temporary).
  - temporary structures (i.e. marquees, tents, stages).
  - youth and volunteer programs and events.
- the issuing of licences or hire agreements for:<sup>27</sup>
  - alternate energy technology.
  - art and cultural classes and events.
  - fairs, markets and auctions.
  - filming and photography of events, speeches, concerts etc (commercial, amateur).
  - fitness and wellbeing programs.
  - gala days and club meetings.
  - mobile food vendors.
  - occupation and use of canteens and kiosks.
  - occupation and commercial use of low intensity cafes, restaurants and kiosks.
  - occupation and use of Park facilities and amenities.
  - organised playing of games.
  - outdoor film screening.
  - personal training.
  - playing of a musical instrument, or singing, for fee or reward.
  - private events (i.e. weddings, birthdays).
  - public performance, book launch or education.
  - school vacation activities.
  - sponsorship signage (temporary).
  - storage facilities.
  - temporary structures (i.e. marquees, tents, stages)
  - youth and volunteer programs and events.
- the issuing of easements as required for utilities and access.

<sup>27</sup> Restaurants are not permitted on Crown land in this category.

This CLPoM specifically authorises:

- a residential tenure of the house at 1 Saville Row over part Lot 258 DP 755789, Kandos Pool Rotary Park (part R.85088), ongoing until notice is given.<sup>28</sup>
- a licence with Mudgee Preschool Kindergarten Cooperative Ltd of Part Lot 4 DP 727197, Robertson Park (part R.520037), ongoing until notice is given.

Development approval may be required for certain events and activities on community lands.

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<sup>28</sup> Council will endeavour to establish a future lease arrangement with the resident which includes caretaker responsibilities in the lease, to assist Council in its care, control and management of the reserve.

## 6.9 Performance Targets – Parks

Park Objective	Performance Targets <sup>29</sup>	Strategies	Performance Indicator
To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities.	<b>Encourage and promote Parks</b> as community gathering places for passive recreation, casual playing of games, and for various arts and cultural activities.	<p>Keep the community well informed about Park spaces and facilities through a variety of methods including signage, social media and Council's website.</p> <p>Manage open spaces to promote use for cultural events and community programs.</p> <p>As required, update and review policy and procedures regarding use of Parks for events.</p> <p>Where possible, support communities to run events which promote a sense of community.</p>	<p>Shared use of recreational spaces and settings.</p> <p>Support provided by Council for the running/staging of events, consistent with category objectives and Council's <i>Events Assistance Policy</i>.</p>
	<b>Facilitate the use</b> of any built venues and open areas for recreational, cultural, social and educational pastimes and activities through the granting of leases/licences.	<p>Review and as required, update Council's LLCPP<sup>30</sup>, and PUP consistent with this CLPoM for any leases/licences to reflect objectives for the management of Parks, for long- and short-term use, and casual use activities (see Section 6.7).</p> <p>Maintain register of leases for built infrastructure.</p>	<p>Leases/licences issued in accordance with the requirements of the LGA, Council's LLCPP, and PUP for purposes consistent with the core objectives for Parks.</p> <p>Effective records management system for tenures issued or major infrastructure.</p>
To provide for passive recreational activities or pastimes and for the casual playing of games.	<b>Consider</b> existing facilities and settings to ensure they are targeted, diverse and appropriate and can support a range of recreational, cultural, social and educational activities.	Involving the community, analyse existing facilities and settings; investigate options to address gaps; amend Council's existing plans (eg. Council's <i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan 2015</i> ) accordingly.	Community feedback indicates high level of satisfaction regarding the range of Park facilities and settings.

<sup>29</sup> Performance Targets – to Achieve Core Objectives / Desired Outcomes

<sup>30</sup> *Leases and Licences of Council Owned and Managed Land and Real Property Policy (2021)*: Mid-Western Regional Council.

Park Objective	Performance Targets <sup>29</sup>	Strategies	Performance Indicator
	<b>Maintain</b> the amenity, and quality of the existing Park settings and facilities.	<p>In accordance with Council's <i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan 2015</i>, develop maintenance plans, for grounds and settings, including (where they exist) play equipment, fitness equipment, picnic settings, barbecues etc.</p> <p>Review and update the maintenance plans in Parks to ensure they are of the right quality to meet community needs.</p>	<p>Community feedback indicates high level of satisfaction about Park maintenance.</p> <p>Parks are well used by a range of user groups, including schools.</p> <p>Condition of infrastructure and grounds meet maintenance schedules.</p>
To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.	<b>Upgrade and improve</b> the existing Park infrastructure, including buildings, play equipment, exercise equipment, practice and run around areas, walking paths, picnic and barbecue settings and associated amenities.	<p>Develop associated masterplans/capital works plans/maintenance plans outlining proposed works to replace and/or improve Park settings and facilities.</p> <p>Implement a rolling upgrade and improvements program for Park facilities and develop/amend appropriate operational plans.</p> <p>Undertake the relevant approvals process for any proposed development to upgrade Parks.</p> <p>Consult regularly with the community to collate information on community priorities for Parks.</p>	<p>Community is informed about proposed improvements prior to works undertaken.</p> <p>Master plans and landscape concept plans prepared for any new Park infrastructure proposed.</p> <p>Community involvement in proposal consistent with Council's Community Engagement protocols.</p> <p>Community feedback indicates high level of satisfaction about Park improvements.</p> <p>Works undertaken consistent with T&amp;I SEPP.</p> <p>Procedural rights in relation to Native title are provided.</p>

Park Objective	Performance Targets <sup>29</sup>	Strategies	Performance Indicator
	<p><b>Conserve the existing landscape character</b> of the Parks, including the existing vegetation, recreational settings and other historical and cultural values and natural heritage values.</p>	<p>Ensure Council's <i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan 2015</i> acknowledges landscape character, natural and cultural heritage attributes.</p> <p>Landscape, and as required, upgrade Parks in accordance with Council's <i>Open Space Recreational Strategy</i> and its <i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan</i> in such a way to reflect the region's natural and cultural heritage.</p> <p>Protect and promote the cultural heritage and update and maintain relevant Aboriginal Heritage where present.</p> <p>Council must take due care not to unearth or disturb the remains of any person who is buried in, or the ashes of any person which have been placed in or on, converted cemeteries or gravesites.</p>	<p>All development on community land is undertaken in accordance with cultural heritage legislation.</p> <p>Master plans and/or landscape concept plans prepared incorporating identified landscape and heritage values.</p> <p>Community involvement in relevant proposals consistent with Council's Community Engagement protocol.</p> <p>Parks are managed in accordance with stipulated environmental legislative requirements.</p> <p>Works undertaken consistent with T&amp;I SEPP.</p>
	<p><b>Ensure park management maintains and improves</b> safe and enjoyable access and use by people.</p>	<p>Ensure all Park signage is effective and compliant.</p> <p>Manage Bushfire Hazard in accordance with local Bushfire Management Plan.</p> <p>Ensure plans and strategies (<i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan 2015</i>) consider and address the issues of human safety during access and use of Parks by people (buildings, tracks, roads, fences etc).</p>	<p>Natural areas managed for bushfire hazard as required.</p> <p>Relevant safety audit complete and effectively implemented.</p> <p>Signage appropriate and accords with Schedule 1 SEPP 64 requirements with the appropriate Council signage policy.</p> <p>Parks and infrastructure compliant.</p> <p>No reports of human injury due to Park condition.</p>



## 7 Sportsground

### 7.1 Sportsground Category Definition

Land should be categorised as a Sportsground under Section 36(4) of the LGA if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.<sup>31</sup>

The opportunity to experience sportsgrounds and to participate in sport and other active recreation activities at sportsgrounds and multiple-use-sportsgrounds, is a benefit to individuals and to the community for many reasons. It is widely recognised that participation in sport, recreation and leisure pursuits is critical to the health and wellbeing of individuals, and that physical inactivity is an independent risk factor for a number of health conditions.<sup>32</sup>

It is therefore important to preserve sportsgrounds and to plan their future improvement and maintenance.

The main sports played at Sportsgrounds and multiple-use-sportsgrounds covered within this CLPoM include:

- athletics.
- basketball
- cricket
- football
- hockey
- netball
- Oztag
- rugby union and rugby league
- softball
- swimming
- tennis

### 7.2 Sportsground Core Objectives

Relevant Core Objectives for the management of community land categorised as **Sportsground** are:

- to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- to ensure that such activities are managed having regard to any adverse impact on nearby residences.

### 7.3 Land included in the Sportsground Category

The land parcels categorised as Sportsground covered by this CLPoM include sports facilities being:

- Billy Dunn Park – Gulgong.
- Dr Darton Memorial Park – Kandos.
- Goolma Sports Ground.
- Gulgong Tennis Club.
- Rylstone Recreation Reserve.
- Rylstone Showground.

<sup>31</sup> *Local Government (General) Regulation 2021.*

<sup>32</sup> National Physical Activity Recommendations for Older Australians: Discussion Document, Australian Government Department of Health.

- Simpkins Park – Kandos.
- Victoria Park – Gulgong.
- Victoria Park – Mudgee.
- Walker's Oval – Mudgee.

It is noted that from a community consultation process presented within Council's *Recreation Strategy* of 2013<sup>33</sup> (casting a 10-15-year planning horizon from that time), the region is generally well provided for with sportsgrounds and facilities.

All lands categorised Sportsground covered by this CLPoM, are listed in **Appendix 5**.



## 7.4 Sportsground Values

Values may be described as what is important or special about a place, in this case, a sportsground. These values which generally embrace social, environmental, economic and financial considerations, provide a strong foundation for the maintenance, protection and where required, enhancement of these values across the sportsgrounds of the region.

The region's Sportsgrounds directly contribute to community value by providing:

- structured and unstructured outdoor recreational opportunities, facilities and settings.
- places specifically built and set up to play organised sports that can be utilised for other active recreational pursuits when not used for organised sports.

<sup>33</sup> Mid-Western Regional Council Recreation Strategy 2013.

- venues for a range of associated activities surrounding the active sports playing areas, including play equipment, picnic areas, exercise equipment and practice areas.
- spaces for social gatherings, cultural activities and other events.
- contributions to social sustainability and the community's health and well-being.
- aesthetic contribution to the sense of openness, space and relief from the urban fabric.
- positive influences on the liveability and appeal of the local area.
- contributions to the visual and landscape character of the local area.
- opportunities to plan for future sporting and other active recreational needs.
- minimum negative impacts on neighbours and other community members.

## 7.5 Key Management Issues for Sportsgrounds

The key management issues for Sportsgrounds are:

- quality and maintenance standards of the playing surfaces.
- standard and functionality of the associated amenities.
- accessibility of the amenities.
- use of playing areas for exclusive use during designated times for organised games and/or training.
- community access to sport – open for general community use at certain times out of designated times.
- managing conflicting uses – shared uses, dogs on playing fields.
- impacts of sporting uses on neighbours – including noise, parking, light spill, balls out of field, hours of operation.
- permissible activities in club houses including alcohol use.
- safe pedestrian access to sportsgrounds.
- planning for upgrades of playing surfaces and/or associated amenities.
- managing construction activities during upgrades to playing surfaces and/or associated amenities.
- costs of maintenance, management and upgrades.

- continuing decrease in participation in traditional organised sports both on and off the field, leading to under utilisation and increasing responsibility on Council in terms of management, maintenance and coordination.
- costs to traditional voluntary organisations of equipping, insuring and managing activities.
- complexity of management and increasing demands placed on voluntary organisations.

## 7.6 Desired Outcomes for Sportsgrounds

The desired outcomes for Sportsgrounds are:

- good quality sportsgrounds as community gathering places for active recreation.
- well-maintained sportsground playing surfaces.
- well-maintained surrounds around playing areas.
- change rooms and amenities in good condition suitable for sporting users and others.
- rolling program of sportsground upgrades and improvements.
- sportsgrounds and associated neighbours/neighbourhoods in harmony.

## 7.7 Permissible Uses and Development on Sportsgrounds

Sportsgrounds covered by this CLPoM may, subject to Council assessment, approvals and booking/hire systems, be used for the following: <sup>34</sup>

- |                                                                 |                                                                                   |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------|
| • access roads                                                  | • dog training and exercise                                                       |
| • alternate energy technology                                   | • drainage and irrigation                                                         |
| • amenities                                                     | • emergency use                                                                   |
| • approved commercial or trade business                         | • equestrian activities and events                                                |
| • art and cultural classes and events                           | • fairs, markets and auctions                                                     |
| • biodiversity enhancement                                      | • filming and photography of events, speeches, concerts etc (commercial, amateur) |
| • canteens and kiosks                                           | • fitness and wellbeing programs                                                  |
| • car parking                                                   | • gala days and club meetings                                                     |
| • casual playing of games or informal sporting activities       | • landscaping                                                                     |
| • children's programs and events                                | • licensed bar, bistro and café                                                   |
| • clubhouse amenities                                           | • low intensity cafes, restaurants and kiosks                                     |
| • community events (fundraising/charity events, special events) | • maintenance activities                                                          |
| • community notice signs                                        | • maintenance buildings and infrastructure                                        |
| • court sports                                                  |                                                                                   |

<sup>34</sup> Restaurants are not permitted on Crown land in this category.

- mobile food vendors
- music festivals/concerts
- natural areas
- organised playing of games
- organised sports competitions
- organised sports training
- outdoor film screening
- passive recreation
- paths
- personal training
- playing of a musical instrument, or singing, for fee or reward
- private events (i.e. weddings, birthdays)
- public performance, book launch or education
- public utility infrastructure
- recycling (return & earn stations)
- remediation works
- school hiring for recreational and educational purposes
- school recreation
- school sports/carnivals and recreation
- school vacation activities
- shade structures
- sponsorship signage (temporary)
- sports facilities
- storage and stockpiling of materials and equipment
- storage facilities
- temporary compounds
- temporary structures (i.e. marquees, tents, stages)
- visitor amenities
- water tanks
- youth programs and events.

## 7.8 Tenures on Sportsgrounds

Council may consider granting lease, licence, permit or other estate on community land categorised as Sportsground, consistent with the requirements of Section 3 of this CLPoM and the Objectives and Permissible Uses listed in Sections 7.2 and 7.7.

This CLPoM expressly authorises on lands categorised as Sportsgrounds:

- the issuing of permits for:
  - art and cultural classes and events
  - children's programs and events
  - community events (fundraising/charity events, special events)
  - community notice signs
  - dog training and exercise
  - fairs, markets and auctions
  - filming and photography of events, speeches, concerts etc (commercial, amateur)
  - fitness and wellbeing programs
  - mobile food vendors
  - organised playing of games
  - outdoor film screening
  - personal training
  - playing of a musical instrument, or singing, for fee or reward
  - private events (i.e. weddings, birthdays)
  - public performance, book launch or education
  - school vacation activities
  - sponsorship signage (temporary)
  - temporary structures (i.e. marquees, tents, stages)
  - youth and volunteer programs and events.
- the issuing of licences or hire agreements for:<sup>35</sup>
  - alternate energy technology
  - art and cultural classes and

<sup>35</sup> Restaurants are not permitted on Crown land in this category.

- events
  - fairs, markets and auctions
  - filming and photography of events, speeches, concerts etc (commercial, amateur)
  - fitness and wellbeing programs
  - gala days and club meetings
  - mobile food vendors
  - occupation and commercial use of licenced bars bistros and cafés
  - occupation and commercial use of low intensity cafes, restaurants and kiosk
  - occupation and use of canteens and kiosks
  - occupation and use of sportsground facilities and amenities for sporting competitions or school sporting activities
  - organised playing of games
  - organised sports competitions
  - organised sports training
  - outdoor film screening
  - personal training
  - playing of a musical instrument, or singing, for fee or reward
  - private events (i.e. weddings, birthdays)
  - public performance, book launch or education
  - school vacation activities
  - sponsorship signage (temporary)
  - storage facilities
  - temporary structures (i.e. marquees, tents, stages)
  - visitor amenities
  - youth and volunteer programs and events.
- the issuing of easements as required for utilities and access.
- issuing of a lease or licence for all or part of a sporting area to a club, organisation or individual for the purpose of operating and managing the facility.<sup>36</sup>
- the issuing seasonal and casual permits/licences/agreements to sporting organisations for the use of the grounds, sporting fields and amenities.

This CLPoM specifically authorises:

- a short-term licence with Rylstone Kandos Street Machine Club Inc for the purpose of sporting & organised recreational facilities, entertainment, meetings and camping over Lot 7005 DP1023895 (R61218) expiring 16 January 2024.
- a short-term licence with Rylstone Kandos Street Machine Club Inc for the purpose of sporting & organised recreational facilities, entertainment, meetings and camping over Lot 7006 DP1023895 (R58899) expiring 16 January 2024.
- a licence with Gulgong and District Tennis Association for the purpose of tennis activities and tennis club house (R61206) expiring 30 June 2031.
- a licence with Mudgee District Tennis Club Inc for the purpose of tennis activities and tennis club house (Part R40891) expiring 30 June 2031.

<sup>36</sup> Any lease may require the party entering into a Service Agreement with Council to document and guarantee terms of community access and to outline the maintenance works to be undertaken by the lessee and Council. For example, a tennis facility may be leased to a club or professional coach via a service agreement. The agreement would state that the general public is to have access to the facility, provided that the required fee is paid, and that the facility is used appropriately. Users may not necessarily be members of a tennis club managing at the facility.



- a short-term licence with Rylstone Club Ltd for the purpose of sporting & recreational activities (Golf Club) over part lots 145 DP 755789 and Lot 2 DP 565936 (part R84185) expiring 2024.
- a licence with Rylstone Tennis Club Incorporated for the purpose of tennis activities & tennis club house over part lot 145 DP 755789 (part R84185) expiring 30 June 2031.

Development approval may be required for certain events and activities on community lands.

## 7.9 Performance Targets – Sportsground

Objective	Performance Targets <sup>37</sup>	Strategies	Performance Indicator
To encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games.	<b>Promote and facilitate</b> an active community engaged in sport, with Sportsgrounds as community gathering places for organised games and/or training and other active recreational pursuits.	Consult the community to ensure Sportsgrounds' services and costs meet community needs.  Continue to support Sports Councils (Mudgee, Gulgong, Rylstone/Kandos).  Investigate opportunities for the promotion of the region's sporting facilities for sport related tourism.	Community involvement in proposal consistent with Council's community engagement strategies.  Player statistics from Sportsground bookings, active club member activities indicate high level of participation in active recreation.  Income achieved through use of Sportsgrounds is improved.
	<b>Develop and upgrade</b> built assets and playing surfaces where required, in accordance with the informal and organised needs of the region's sporting community.	Review the needs of Sportsgrounds covered by this CLPoM both in terms of infrastructure and grounds and amend Council's <i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan</i> , accordingly.  Develop associated masterplans/capital works plans outlining proposed works to replace and/or improve Sportsground settings, built structures, playing surfaces and other facilities.  Undertake the relevant approvals process for any proposed development to upgrade Sportsgrounds.  Implement a rolling program of upgrade and improvements for relevant Sportsground facilities in accordance with approvals.  Continue to consult regularly with Sports Councils and other sporting bodies and collate information on ongoing priorities for Sportsgrounds.  Protect and promote the cultural heritage where present.	Master plans and/or landscape concept plans prepared.  Works undertaken consistent with T&I SEPP requirements and industry standards.  Feedback from Sportsground users, including Sports Councils, clubs and associations, indicate grounds in playable condition to support level of use.  Works completed on budget to standards set by various plans.  Procedural rights in relation to native title are complied with.  All development on community land is undertaken in accordance with cultural heritage legislation.

<sup>37</sup> Performance Targets – to Achieve Core Objectives / Desired Outcomes

Objective	Performance Targets <sup>37</sup>	Strategies	Performance Indicator
	<b>Maintain</b> existing settings, infrastructure, and playing surfaces to suitable and acceptable standards to support the current level of use.	In accordance with Council's <i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan</i> , develop maintenance schedules/plans to manage existing structures and grounds at Sportsgrounds consistent with specified maintenance standards for Council staff, contractors and industry standards.	Maintenance of capital works and playing surfaces at Sportsgrounds is adequate and accords with standards.  Feedback from Sportsground users, including Sports Councils, clubs and associations, indicate grounds in playable condition to support level of use.  Relevant safety audit complete and effectively implemented.  No reports of human injury due to condition of facilities.
	<b>Facilitate</b> use of the sporting clubhouses etc and grounds at Sportsgrounds for long-term and short-term casual purposes through the granting of short-term leases and/or licences.	Review and as required, update Council's LLCPP <sup>38</sup> , and PUP in line with this CLPoM for any leases/licences to reflect objectives for the management of Sportsgrounds, for all permissible activities (see Section 7.7).  Maintain register of tenures for use of Sportsground facilities including playing surfaces and clubhouse facilities.  Review Sportsground hire fees annually, based on a percentage of costs to maintain and improve playing areas.	Leases/licences issued in accordance with the requirements of the <i>LG Act 1993</i> for purposes consistent with the core objectives for Sportsgrounds.  Register of leases/licences issued for seasonal hire of sportsgrounds.  Income achieved through use of Sportsgrounds is improved.
	<b>Facilitate community access, comfort, enjoyment</b> to/of Sportsgrounds and their surrounding settings for sport viewing and other passive recreational activities.	Review accessibility, pedestrian access and circulation, seating and landscape amenity and aesthetics and include these aspects in any master plan/landscape concept plan (discussed above) for any proposed upgrade or improvement works.	Appropriate master plans prepared.  Feedback from Sportsground users, including Sports Councils, clubs and associations, and the general public indicate grounds are well accessed and comfortable.

<sup>38</sup> *Leases and Licences of Council Owned and Managed Land and Real Property Policy (2021)*: Mid-Western Regional Council

Objective	Performance Targets <sup>37</sup>	Strategies	Performance Indicator
To ensure that such activities are managed having regard to any adverse impact on nearby residences.	<b>Manage activities associated with any major works</b> to substantially upgrade or rebuild Sportsgrounds to avoid adverse impacts on nearby residences and other community lands adjacent.	Engage with the community prior to implementation of actions proposing major upgrade to Sportsgrounds.  Undertake the relevant approvals process for any proposed development to substantially upgrade or rebuild sportsgrounds.  Manage any construction activities to minimise negative impact on neighbours and adjacent community lands, especially regarding noise and visual impact, environmental considerations and other construction management issues.	Community involvement in proposal consistent with Council's Community Engagement Policy.  Minimum negative impacts on neighbours and other community members.
	<b>Manage day to day activities</b> on Sportsgrounds regarding any adverse impacts on nearby residences and other community lands adjacent through the maintenance regimes, conditions of hire, on ground signs and other regulatory processes.	Prepare standard conditions of hire of Sportsgrounds which set out hours of use, acceptable behaviour, night training lights, advertising, use of alcohol, etc.  Review signage around Sportsgrounds, including any parking signs, to ensure that they provide clear information regarding use.	Minimum negative impacts on neighbours and other community members.

## 8 General Community Use

### 8.1 General Community Use Category Definition

Land should be categorised as General Community Use (GCU) under Section 36(4) of the LGA if the land:

- may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and
- is not required to be categorised as a natural area under Section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 102–105 for categorisation as a Natural Area, a Sportsground, a Park or an area of Cultural Significance.<sup>39</sup>

### 8.2 Core Objectives – General Community Use

Relevant Core Objectives for management of community land categorised as **General Community Use** are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- 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).

### 8.3 Land included in the GCU Category

The GCU land parcels covered by this CLPoM are generally larger in size than the Parks of the area, ranging in size from the small walkways in Mudgee, to the 3 Poles – a 19-hectare quarry site also near Mudgee. Their functions are wide ranging, from rest areas and community halls to old school grounds and car parks.

Being spatially larger, and generally more decentralised than the Parks of the Local Government Area which are more often located at or near towns and villages, GCU reserves may complement passive uses by the community between the towns and villages, for instance where they are more suitable for use by travelers, (eg. as resting spots, and activities such as walking, birdwatching etc.).

Similar to Parks, these reserves are frequently named after historical personalities of the locality such as Hargraves and Lawson, or, locality names including Weemaran Reserve, Goolma Hall, Gladstone Street Reserve etc.

These lands may represent an opportunity for development for community purposes as the community grows and needs change.

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<sup>39</sup> *Local Government (General) Regulation 2021* – NSW legislation

Refer to **Appendix 6** for description of all GCU reserves covered by this CLPoM.

## 8.4 Values – General Community Use

The values of GCU reserves are similar to those previously described for Parks, providing an opportunity for resting and unstructured recreation as well as space for nature, with important social and environmental benefits contributing to the liveability and character of the area. They enhance social sustainability and the health and well-being of the immediate community, as well as those travelers who pass by and through the region. GCU reserves provide opportunity for rest, visual amenity, walking. Although generally being more decentralised, unformed and larger in area, where they are located in or near villages, they may provide opportunities for future development and community use.

## 8.5 Key Management Issues for GCU Land

There are issues specific to each site, but the following generic list may be relevant:

- the generally decentralised and isolated nature of these reserves, predisposes them to a range of unique issues which impact on the ease and effectiveness of their care, maintenance, public health, safety and security.
- traffic and pedestrian access, parking, safety and security, particularly off major roads.
- conservation of landscape character and natural and cultural heritage.
- appropriateness of current use of the site – the range of issues associated with existing facilities and settings.
- impact on neighbours, including hours of operation, particularly where public gatherings may occur such as for the community halls included in this category.
- impact on adjoining land uses, particularly rural and natural settings.
- bushfire management in terms of public safety and asset protection both on and off reserve.
- administration of the facilities where they exist– leasing, financial returns.
- future use of the site regarding matching of service provision with community needs.

## 8.6 Desired Outcomes for GCU Land

These include:

- facilities meet the needs of the community now and into the future.
- facilities and grounds are well managed.
- uses are compatible with adjoining land uses.
- local communities value and appreciate their reserves, and demonstrate “ownership”, participating voluntarily with care, maintenance and security of the reserves through fund-raising and on-ground action.
- good environment management using environmental values, where present, and in accordance with legislative requirements.
- issues of public safety are addressed through sound management.

## 8.7 Permissible Uses and Development on Land for General Community Use

GCU lands which are generally unvegetated or have structures currently built on them covered by this CLPoM may, subject to Council assessment, approvals and booking/hire systems, be used for the following:

- |                                                                 |                                                                                    |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------|
| • access roads                                                  | • filming and photography of events, speeches, concerts etc. (commercial, amateur) |
| • alternate energy technology                                   | • fitness and wellbeing programs                                                   |
| • amenities                                                     | • gala days and club meetings                                                      |
| • approved commercial or trade business                         | • grazing                                                                          |
| • art and cultural classes and events                           | • indoor and outdoor film screening                                                |
| • biodiversity enhancement                                      | • landscaping                                                                      |
| • book launches                                                 | • licensed bar, bistro and café                                                    |
| • camping and caravanning                                       | • maintenance activities                                                           |
| • canteens and kiosks                                           | • maintenance buildings and infrastructure                                         |
| • car parking                                                   | • mobile food vendors                                                              |
| • casual playing of games or informal sporting activities       | • natural areas                                                                    |
| • child-care centre                                             | • organised playing of games and sports                                            |
| • children’s programs and events                                | • passive recreation                                                               |
| • community events (fundraising/charity events, special events) | • paths                                                                            |
| • community notice signs                                        | • personal training                                                                |
| • court Sports                                                  | • playing of a musical instrument, or singing, for fee or reward                   |
| • dog training and exercise                                     | • private events (i.e. weddings, birthdays)                                        |
| • drainage and irrigation                                       | • public performance or education                                                  |
| • emergency use                                                 |                                                                                    |
| • equestrian activities and events                              |                                                                                    |
| • fairs, Markets and auctions                                   |                                                                                    |



- public utilities and/or works associated with relevant legislation (bushfire, telecommunications etc.)
- public utility infrastructure
- recycling (return & earn stations)
- remediation works
- rest areas
- school hiring for recreational and educational purposes
- school vacation activities
- shade structures
- sponsorship signage (temporary)
- sports facilities
- storage and stockpiling of materials and equipment
- storage facilities
- temporary compounds
- temporary structures (i.e. marquees, tents, stages)
- visitor amenities
- water tanks
- youth programs and events.

## 8.8 Tenures on General Community Use Lands

Council may consider granting lease, licence, permit or other estate on community land categorised as GCU consistent with the requirements of Section 3 of this CLPoM and the Objectives and Permissible Uses listed in Sections 8.2 and 8.7.

This CLPoM expressly authorises on lands categorised as GCU:

- the issuing of permits for:
  - art and cultural classes and events
  - children's programs and events
  - community events (fundraising/charity events, special events)
  - dog training and exercise
  - filming and photography of events, speeches, concerts etc. (commercial, amateur)
  - fitness and wellbeing programs
  - fairs, markets and auctions
  - mobile food vendors
  - organised playing of games
  - indoor and outdoor film screening
  - personal training
  - playing of a musical instrument, or singing, for fee or reward
  - private events (i.e. weddings, birthdays)
  - public performance, book launch or education
  - sponsorship signage (temporary)
  - temporary structures (i.e. marquees, tents, stages)
  - youth and volunteer programs and events
  - school vacation activities.
- the issuing of licences or hire agreements for:
  - access
  - alternate energy technology
  - art and cultural classes and events
  - community notice signs
  - fairs, markets and auctions
  - filming and photography of events, speeches, concerts etc (commercial, amateur)
  - fitness and wellbeing programs
  - gala days and club meetings
  - grazing
  - indoor and outdoor film screening
  - mobile food vendors
  - occupation and commercial use of licenced bars, bistros and cafés
  - occupation and commercial use of low intensity cafes, restaurants and kiosks

- 
- occupation and use of canteens and kiosks
    - occupation and use of facilities and amenities
    - organised playing of games
    - personal training
    - playing of a musical instrument, or singing, for fee or reward
    - private events (i.e. weddings, birthdays)
  - public performance, book launch or education
    - school vacation activities
    - school vacation activities
    - sponsorship signage (temporary)
    - storage facilities
    - temporary structures (i.e. marquees, tents, stages)
    - youth and volunteer programs and events.
  - the issuing of easements as required for utilities and access.

This CLPoM specifically authorises:

- a licence with D.F Rogers & M.A Rogers for holiday accommodation, camping using a tent, caravan or otherwise over part Lot 145 DP 755789 (part R84185) currently on holdover.
- a memorandum of understanding with the Twin Town Players for rehearsals and auditions over Rylstone Memorial Hall (part R590070) ongoing until notice is given.

Development approval may be required for certain events and activities on community lands.

## 8.9 Performance Targets – General Community Use

Objective	Performance Targets <sup>40</sup>	Strategies	Performance Indicator
To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:			
In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public	Promote, encourage and provide for the use of the land for public recreation and for the physical, cultural, social and intellectual welfare of individuals to meet the current needs of the local community and of the wider public.	<p>Keep community well informed about recreational facilities and settings, and other community facilities and settings used for the physical, cultural, social and intellectual welfare of individuals, on general community land through a variety of methods including signage, social media and Council's website.</p> <p>Analyse and scope GCU reserves and investigate options to address gaps (where they exist) in the provision of appropriate facilities and settings, prioritise required actions and amend existing plans (eg. <i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan</i>) accordingly.</p> <p>Develop master plan/landscape concept plan and associated project plan outlining any proposed works to improve or upgrade specific recreation and other community facilities, engaging with the community in the early stages.</p> <p>Ensure future public recreation facilities and other community facilities are managed in such a way that they increase their long-term viability.</p> <p>Encourage and enlist community participation in care and maintenance of key GCU reserves by conducting community discussions.</p> <p>Manage the land, assets, environmental outcomes, and bushfire hazards, in accordance with legislative requirements and existing plans.</p> <p>Protect and promote the cultural heritage and update and maintain relevant Aboriginal Heritage where present.</p>	<p>Community feedback indicates high level of satisfaction regarding recreational and other community activities, facilities and settings on GCU land.</p> <p>Local community participate in joint programs of protection, care and maintenance of key assets/ reserves (eg. community halls).</p> <p>Relevant natural resource outcomes are achieved, and bushfire hazards managed in accordance with local bushfire management plans.</p> <p>All development on community land is undertaken in accordance with cultural heritage legislation.</p> <p>Master plans and/or landscape concept plans (if required) prepared incorporating identified landscape and heritage values.</p>

<sup>40</sup> Performance Targets – to Achieve Core Objectives / Desired Outcomes

Objective	Performance Targets <sup>40</sup>	Strategies	Performance Indicator
	Provide public recreation facilities and other community facilities on GCU reserves to meet the future needs of the local community and of the wider public.	Undertake the relevant approvals process for any proposed development to improve or upgrade recreation facilities and other community facilities.  Implement actions as required.	Flexible facilities that support a range of community needs and diverse range of user groups.  Master plans and/or landscape concept plans prepared.  Works undertaken consistent with the T&I SEPP or EP&AA as required.  Community involvement in proposal consistent with Council's Community Engagement Policy.
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).	Manage the use of the land, and any facilities on that land, in relation to purposes for which a lease, licence or other estate may be granted in respect of the land.	Review and as required, update Council's LLCPP <sup>41</sup> , and PUP in line with this CLPoM for any leases/licences to reflect objectives for the management of GCU reserves, for long- and short-term use, and casual use activities.  Issue tenures accordingly, ensuring that proposed uses are appropriate to the nature, characteristics and sustainable capacity of the land.  Maintain register of leases/licences for community land for GCU.	Leases/licences issued in accordance with the requirements of the LGA and Council's LLCPP, and PUP for purposes consistent with the core objectives for GCU.  Effective records management system for tenures issued or major infrastructure.  Register of leases/licences for GCU.

<sup>41</sup> *Leasing and Licencing of Council Property Policy (2015):* Mid-Western Regional Council.

## 9 Natural Area

### 9.1 Natural Area Category Definition

Land should be categorised under Section 36(4) as Natural Area under the Act, if the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative living system or other natural feature or attribute that would be sufficient to further categorisation into one or more of the following:<sup>42</sup>

- bushland
- escarpment
- foreshore
- watercourse
- wetland.

Land must be categorised as a natural area<sup>43</sup> which:

- has been declared a critical habitat, and/or which is directly affected by a recovery plan or threat abatement plan under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*,
- is the site of a known natural, geological, geomorphological, scenic or other feature that is considered by the Council to warrant protection or special management considerations, or
- is the site of a wildlife corridor.

### 9.2 Core Objectives – Natural Area

The core objectives for management of community land categorised as a Natural Area<sup>44</sup> are to:

- conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
- maintain the land, or that feature or habitat, in its natural state and setting, and
- provide for the restoration and regeneration of the land, and
- provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and

<sup>42</sup> S 102 *Local Government (General) Regulation 2021*.

<sup>43</sup> Land which is (1) directly affected by a recovery plan or threat abatement plan under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*, or (2) the site of a known natural, geological, geomorphological, scenic or other feature that is considered by the Council to warrant protection or special management considerations, or (3) is the site of a wildlife corridor, cannot be included under a generic PoM such as this CLPoM (see S. 36 A, B and C of the LGA, and Public Land Management Practice Note No. 1 (revised) May 2000: *NSW Department of Local Government*). Generic plans that applied to the land cease to apply once land is affected by threatened species laws noted above. In this circumstance, a new, specific PoM must be prepared that complies with the requirements. No change in the use of the land and no new lease or licence can be granted until the required specific PoM is made.

<sup>44</sup> S 36E of the LGA – NSW Legislation.

- assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the relevant state legislation.

### 9.3 Values – Natural Area

Natural Areas across the Mid-Western Regional Council Local Government Area have a common grouping of values, all of which contribute intrinsically to environmental outcomes specific to the category. These values also define more broadly, the quality of the interaction of the various elements of Natural Areas, by people who live and/or visit the Mid-Western Regional Council Local Government Area.

#### Aesthetic Values and Landscape Amenity

Although highly subjective as it applies to natural environments, aesthetic value is defined as a judgment of value based on the appearance of an object and the emotional responses it evokes. It essentially defines a response (by humans) to a position in the landscape initiated by a preliminary appreciation of visual characteristic, but extends to include sensory, experiential and emotional responses to a place.<sup>45</sup> The aesthetic values and landscape amenity frames the viewing, softens the aspect, defines the character and helps create the identity of a natural area.

#### Habitat, Heritage, and Scientific Opportunity

The Natural Areas within the Mid-Western Regional Council Local Government Area provide habitat for a number of important threatened species, endangered ecological communities and significant diversity of native flora and fauna.<sup>46</sup> Natural Areas provide corridors for the movement and survival of key native species from marine, estuarine and land-based geographies. Natural Areas provide a record of past ecosystems and their physiographical environment, most important for the monitoring of change and condition through scientific endeavour.

#### Environmental Protection

Natural Areas provide buffers:

- reducing impacts of the activities of adjoining areas on all ecosystem elements (terrestrial, aquatic, marine, flora, fauna),
- protecting and stabilising landscape components (eg. soils, vegetation),
- absorbing rainfall and reducing the amount of runoff from storms,
- filtering pollutants from both air and water, and

<sup>45</sup> Defining the Aesthetic Values of the Great Barrier Reef. February 2013: *Report to Commonwealth Department of Sustainability, Environment, Water, Population and Communities*.

<sup>46</sup> Note that Councils are required to be consulted by the relevant agency (National Parks and Wildlife Service or NSW Fisheries) when a draft recovery plan or threat abatement plan is made, or a declaration of critical habitat is proposed that will affect public land (Public Land Management Practice Note No. 1 (revised) May 2000: *NSW Department of Local Government*.).

- absorbing carbon dioxide and assisting in mitigating climate change.

### Cultural Heritage

Natural Areas may also capture a rich array of both tangible and intangible elements of cultural heritage. Folklore, traditions, language, and knowledge are time-generated and have important dependencies on landscape components such as mountain, geological formation, forest, creek, river, foreshore, and flora. Aboriginal occupation sites, quarries and scarred trees provide evidence of Aboriginal use of the landscape element and their cultural life. Similarly, non-Aboriginal history is evident in old paths, walking tracks and steps, abandoned mine sites, wells, and other structures, including industrial remnants now consumed by nature.<sup>47</sup>

### Recreational

Natural Areas are an accessible community resource, providing recreational opportunities for bushwalking, exercising, camping, viewing, birdwatching, swimming, paddling, cycling, art, and relaxation. All are critical components of community health. Appropriate planning should also identify when and where prescribed recreational uses are not appropriate, due to excessive and inappropriate pressures on identified key natural values.

### Educational

Natural Areas also provide a valuable community resource for both formal and informal education, through an opportunity to experience nature and develop awareness and interest in the environment. The involvement of the community in the management of the future of these areas is becoming increasingly important especially since some decisions about future management are not easily resolved by scientific or economic grounds alone. The creation of awareness through experience therefore provides a valuable lifeline for ongoing support in the management of Natural Areas, to which the community may contribute.

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<sup>47</sup> Land that is the subject of a resolution by the Council that declares that where items of Aboriginal, historical or cultural significance are present, the land is an **area of cultural significance**. In these cases, the land cannot be dealt with under a generic plan and must have its own specific PoM.



## 10 Natural Area Bushland

### 10.1 Bushland Category Definition

Community land is categorised as Natural Area - Bushland (Bushland) under Sections 36(4) and 36(5) of the LG Act if the land contains primarily native vegetation which is:<sup>48</sup>

- in its natural state or a remainder of the natural vegetation, or
- although not the natural vegetation, is still representative of the structure or floristics, of the natural vegetation in the locality.

### 10.2 Core Objectives – Bushland

The core objectives for management of community land categorised as Bushland<sup>49</sup> are to:

- ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land.
- protect the aesthetic, heritage, recreational, educational and scientific values of the land.
- promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion.
- restore degraded bushland.
- protect existing landforms such as natural drainage lines, watercourses and foreshores.
- retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term.
- protect bushland as a natural stabiliser of the soil surface.

### 10.3 Land included in the Bushland Category

Bushland ranges from non, moderately, or highly disturbed native vegetation featuring regeneration, regrowth, various structures including native shrubs, grassland and includes weeds, logs and leaf litter, all of which contain a range of habitats for native fauna.

Within this CLPoM, Bushland category lands occur across a significant range of geographies as small pocket-sized residual areas often providing significant habitat and connectivity to other areas assisting the mobility of fauna and flora. In addition to the natural values they provide, the colourful

<sup>48</sup> S 107 Local Government (General) Regulation 2021.

<sup>49</sup> S 36J of the LGA – NSW Legislation.

naming of many of these Bushland areas reflects a range of additional characteristics they exhibit. For example, Henry Lawson Reserve and Maitland Gold Fields, reflects and acknowledges the history of the area; Location and physiography is reflected in the naming of Wyaldra Creek Reserve, Sandy Banks Reserve, and Running Stream Reserve; The functionality (secondary uses) of some reserves is also well reflected in their naming, such as the Wollar Recreation Reserve, Rylstone Recreation Reserve, Palermo Recreation Reserve, Cherry Tree Hill Resting Place, and Mudgee Quarry.

In the LEP, Bushland zoning generally reflects characteristics of community land with limited development, dominantly being RU1 (Primary Production). However, Bushland category land is also zoned RE1 (Public Recreation), RU5 (Village), RU4 (Primary Production Small Lots), R5 (Large Lot Residential) and E3 (Environmental Management).

All Bushland lands are listed in **Appendix 7**.

#### 10.4 Key Management Issues of Bushland lands

- fragmentation by clearing for developments
- edge effects from urban development
- weed invasion
- predation of native fauna by domestic animals
- bushfire hazard reduction
- plantings in Bushland Lands
- changing climate, especially fire hazard impact and management
- Illegal rubbish dumping
- ensuring effective signage
- unsustainable levels of recreation use which compromise Bushland values
- lack of appreciation, awareness and education regarding Bushland values
- encouraging and facilitating volunteers
- managing ongoing legislative responsibilities eg. vegetation, biodiversity, bushfires management.

#### 10.5 Desired Outcomes for Bushland lands

The desired outcomes for Bushland lands are:

- the components of Bushland lands ecosystems are protected, and natural ecological processes reinstated to appropriate levels, as required.
- no-net-loss of bushland areas and maintenance of existing bushland qualities for biodiversity, shade, and aesthetic value.
- safe and appropriate public access and enjoyment are facilitated without compromising other objectives.
- community education and involvement in Bushland land management, are enhanced.
- where they exist, cultural heritage values, including aboriginal, historic, aesthetic, scientific and social, are protected.
- where it exists, infrastructure including amenities, picnic areas and other recreation areas in a variety of settings are well considered and maintained.

- all land management including works occurs appropriately and in accordance with required legislation.

## 10.6 Permissible Uses and Development on Bushland lands

Bushland areas covered by this CLPoM may, subject to Council assessment, approvals and booking/hire systems and reserve purpose, be used for the following:

- |                                                                                    |                                                                                                          |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| • access roads                                                                     | • natural areas                                                                                          |
| • alternate energy technology                                                      | • passive recreation                                                                                     |
| • biodiversity enhancement                                                         | • paths                                                                                                  |
| • dog training and exercise                                                        | • personal training                                                                                      |
| • drainage                                                                         | • public utilities and/or works associated with relevant legislation (bushfire, telecommunications etc.) |
| • emergency use                                                                    | • public utility infrastructure                                                                          |
| • filming and photography of events, speeches, concerts etc. (commercial, amateur) | • recycling (return & earn stations)                                                                     |
| • fitness and wellbeing programs                                                   | • remediation works                                                                                      |
| • grazing                                                                          | • rest areas                                                                                             |
| • maintenance activities                                                           | • temporary compounds                                                                                    |

## 10.7 Tenures on Bushland land

Council may consider granting lease, licence, permit or other estate on community land categorised as Bushland consistent with the requirements of Section 3 of this CLPoM and the Objectives and Permissible Uses listed in Sections 10.2 and 10.6.

This CLPoM expressly authorises on undeveloped lands categorised as Bushland:

- the issuing of permits for:
 

○ dog training and exercise	(commercial, amateur)
○ filming and photography of events, speeches, concerts etc.	○ fitness and wellbeing programs
	○ personal training.
- The issuing of licences or hire agreements for:
 

○ access	○ grazing
○ biodiversity enhancement	○ personal training
○ filming and photography of events, speeches, concerts etc. (commercial, amateur)	○ playing of a musical instrument, or singing, for fee or reward.
○ fitness and wellbeing programs	
- the issuing of easements as required for utilities and access.

This CLPoM specifically authorises:

- a temporary licence to Mudgee District Environment Group Incorporated for the purposes of conservation & land care activities over Adams Lead reserve (R95817), ongoing until notice is given.
- a short-term licence to Bowdens Silver for access through a reserve and site investigations over Ropes Reserve (R120049), expiring 25 July 2024.
- a licence from the Minister to D & K Jones for the purposes of pump site and pipeline over part of Gardiners Road Reserve (R95606), ongoing until notice is given.
- a permissive occupancy from the Minister to Kurtz for the purposes of pump site and pipeline over part of Cullenbone Reserve (R75518), ongoing until notice is given.

Development approval may be required for certain events and activities on community lands.

## 10.8 Performance Targets – Natural Area Bushland

Objectives	Performance Targets <sup>50</sup>	Strategies	Performance Indicator
To ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land.	<p>Ensure the components of Bushland ecosystems are protected, and natural ecological processes reinstated to appropriate levels as required.</p> <p>Protect and maintain the habitat of any Threatened Species or Endangered Ecological Community.</p> <p>Ensure Bushland areas which require priority action, are identified.</p>	<p>Assess key environmental pressures which threaten Bushland values, develop preventative and restorative plans for priority areas, add budgets accordingly and implement priority measures.</p> <p>Adequately consider any proposed development on or near the Bushland area, ensuring the objectives of management of this area are not compromised.</p> <p>As required, responsibly undertake a targeted control of priority weeds which threaten the native shrub lands and trees.</p> <p>Identify and manage Threatened Species, their habitat or Endangered Ecological Communities consistent with the requirements of state legislation.</p> <p>With local Bushfire Management authority, implement the relevant components of the respective Local Bushfire Management Plan.</p> <p>Identify priority reserves which support elements of more significant native vegetation and habitat requiring protection; in need of increased shade levels (for cooling purposes); or offer good corridor opportunities for wildlife corridor establishment/ improvement and target vegetation actions accordingly.</p> <p>Ensure rubbish is routinely removed and illegal rubbish dumping activities are minimised by effective signage and compliance.</p> <p>Regular inspection by Council officers.</p>	<p>Plans effectively implemented and current/ongoing threats to ecological viability minimised.</p> <p>Biodiversity values and natural habitat maintained and/or showing positive responses to on-ground actions.</p> <p>Bushfire hazard reduction requirements and works effectively implemented without significant bushfire damage to Bushland values.</p> <p>The right trees are established (or managed) in the right places.</p>

<sup>50</sup> Performance Targets – to Achieve Core Objectives / Desired Outcomes

Objectives	Performance Targets <sup>50</sup>	Strategies	Performance Indicator
To protect the aesthetic, heritage, recreational, educational and scientific values of the land.	Cultural heritage values, including aboriginal, historic, aesthetic, scientific and social, are protected and are appropriately managed.	<p>Master plans and/or landscape concept plans prepared incorporating identified landscape and heritage values on Bushland areas as required.</p> <p>Engage the community during early stages of developing masterplans.</p> <p>Implement plans accordingly.</p>	<p>Significant cultural, historical, social, recreational and scientific items of significance located in Bushland areas are retained and appropriately managed into the future.</p> <p>The community is involved in decisions and implementation.</p>
To promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion.	<p>Advise and direct the community in its use and enjoyment of Bushland areas to protect their ecological value.</p> <p>Ensure new and existing infrastructure meets the needs of the community in its use of Bushland areas.</p> <p>Enhance community education and involvement in Bushland Land management.</p> <p>Ensure strong involvement of the community in Bushland management.</p>	<p>Install effective signage which not only safely directs, but also effectively informs and educates the community on Bushland values.</p> <p>Consistent with the identification of priority areas (see action above), conduct appropriate plantings/establishment of native vegetation as required.</p> <p>Develop plans to create safe and appropriate public access and associated amenities (including walking paths, picnic and barbecue settings) without compromising other objectives.</p> <p>Involve the community in decision making to ensure strategies and plans which protect Bushland values are effective, for example through the creation of local Bush Care groups where interest exists.</p> <p>Undertake required works consistent with T&amp;I SEPP.</p>	<p>Visitations to Bushland areas and involvement of the community in Bushland management, shows improvement.</p> <p>The community's use of Bushland areas does not impact on the values, quality and natural habitat of the land.</p> <p>Community action in targeted revegetation in critical areas, is enhanced.</p>

Objectives	Performance Targets <sup>50</sup>	Strategies	Performance Indicator
To restore degraded Bushland.	<p>Restore priority Bushland areas as required.</p> <p>Ensure Bushland values are not compromised by invasive plant species, bushfire and other pressures.</p>	<p>Identify key Bushland areas which are under significant threat and develop restorative plans, allocate budget and implement priority works.</p> <p>Consistent with the identification of priority areas (see action above), conduct appropriate plantings/establishment of native vegetation as required.</p> <p>Replant critical Bushland areas to native species where it has been cleared/destroyed below reasonable thresholds.</p> <p>As required, undertake a targeted control of priority weeds which threaten the native shrub lands and trees.</p> <p>With local Bush Fire Management Authority, implement the relevant components of the Local Bushfire Management Plan.</p> <p>Where possible, enlist community support in bushland rehabilitation such as plantings and regrowth management.</p> <p>Regular inspection by Council officers.</p>	<p>Plans to restore degraded Bushland are continuously and effectively implemented.</p> <p>Weed control, re-establishment of bushland maintained and/or showing positive responses to on-ground action.</p> <p>Bushfire fuel levels are adequately managed and implementation of required bushfire management works effective.</p> <p>Community involvement in decision making for Bushland management is increased.</p>
To protect existing landforms such as natural drainage lines, watercourses and foreshores.	<p>Retain and enhance all native vegetation within the Bushland area.</p>	<p>Identify and protect important landforms such as riparian areas, creeks, gullies and steep landforms and appropriately manage native vegetation for their stabilisation.</p> <p>Adequately consider any proposed development on or near the reserve, ensuring any of the objectives for management of areas categorised Bushlands are not compromised.</p> <p>As required, adopt appropriate weed control strategies.</p> <p>Regular inspection by Council officers.</p>	<p>Developments do not impinge on Bushland values on key landforms.</p> <p>Required works and measures implemented effectively.</p> <p>Weed control, re-establishment of bushland on existing key maintained and/or showing positive responses to on-ground action.</p>



Objectives	Performance Targets <sup>50</sup>	Strategies	Performance Indicator
To retain Bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term.	Ensure Bushland integrity and connectivity is maintained to satisfactory thresholds, below which significant declines in Bushland values would otherwise occur.	<p>Adequately consider any proposed development on or near the reserve, ensuring any of the objectives for management of areas categorised Bushlands are not compromised.</p> <p>Undertake required works consistent with T&amp;I SEPP.</p> <p>As required, adopt appropriate weed control strategies.</p> <p>Regular inspection by Council officers.</p>	<p>No declines in Bushland values occur due to ongoing uses and developments.</p> <p>Required works and measures implemented effectively.</p> <p>Weed control, re-establishment of bushland on existing key maintained and/or showing positive responses to on-ground action.</p>
To protect bushland as a natural stabiliser of the soil surface.	Retain and enhance all native vegetation within the Bushland area in order to address any existing or potential soil erosion issues.	<p>Identify causes of inappropriate soil erosion due to authorised or unauthorised use (eg. Trail and mountain bikes, 4WD vehicles etc.).</p> <p>Install effective signage that effectively informs, educates and directs the community on Bushland values, especially soil erosion and degradation.</p> <p>Identify and treat areas showing excessive soil erosion due to use, development or inappropriate use by the community.</p> <p>Regular inspection by Council officers.</p>	<p>No significant sheet, rill or gully erosion occurs during rainfall events.</p> <p>Positive responses to on-ground actions.</p> <p>No inappropriate use of Bushland areas by the community, especially on tracks, steep slopes etc.</p>

## 11 References

*Crown Land Management Act 2016*: [www.industry.nsw.gov.au/lands/what-we-do/legislation-policies/the-crown-land-management-act-2016](http://www.industry.nsw.gov.au/lands/what-we-do/legislation-policies/the-crown-land-management-act-2016).

*Crown Land Management Regulation 2018 S.31*:  
<https://www.legislation.nsw.gov.au/#/view/regulation/2018/88>

Department of Local Government (2000): *Practice Note No.1, Public Land Management, Amended May 2000*. <https://www.olg.nsw.gov.au/wp-content/uploads/2020/03/Public-Land-Management-Practice-Note.pdf>

Regional Economic Development Strategy 2019-2022: *Mid-Western Regional Council*.

Local Environmental Plan 2012: *Mid-Western Regional Council*.

*Local Government (General) Regulation 2021* – NSW legislation.

*Local Government Act, 1993: Amended by the Local Government (Community Land Amendment) Act 1998*. NSW Government: <http://www.legislation.nsw.gov.au/>

Towards 2040 – Mid Western Region Community Plan. *Mid-Western Regional Plan*.

## 12 Appendices

1. Local Environment Plan objectives and permitted activities of RE1 and RU5 zoned lands described within this CLPoM.
2. State Environmental Planning Policies more relevant to the community land, Mid-Western Regional Council area.
3. Core objectives for categories of Community Land.
4. Names and Descriptions of Park lands described within this CLPoM.
5. Names and Descriptions of Sportsground lands described within this CLPoM.
6. Names and Descriptions of General Community Use lands described within this CLPoM.
7. Names and Descriptions of Natural Area - Bushland lands described within this CLPoM.
8. Category Plans for Sites with more than a single category.

## Appendix 1

### LOCAL ENVIRONMENT PLAN OBJECTIVES AND PERMITTED ACTIVITIES ON RE1 AND RU5 ZONED LAND

#### Land Zoned RE1

**The objectives of the RE1 – Public Recreation zone are:**

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

**On land zoned RE1, the following activities are permitted without consent:**

- environmental protection works
- roads
- water reticulation systems.

**On land zoned RE1, the following activities are permitted with consent:**

- aquaculture
- boat launching ramps
- boat sheds
- camping grounds
- charter and tourism boating facilities
- community facilities
- environmental facilities
- flood mitigation works
- helipads
- information and education facilities
- kiosks
- markets
- recreation areas
- recreation facilities (indoor)
- recreation facilities (major)
- recreation facilities (outdoor)
- research stations
- restaurants or cafes
- sewerage systems
- signage
- water recreation structures.

**On land zoned RE1 all other development is prohibited, subject to State and Regional Environmental Planning Policies that apply to this land.**

#### Land Zoned RU5

**The objectives of the RU5 – Village zone are:**

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development that is sustainable in terms of the capacity of infrastructure within villages.

**On land zoned RU5, the following activities are permitted without consent:**

- environmental protection works
- home-based child care
- home businesses
- home occupations
- roads
- water reticulation systems.

**On land zoned RU5, the following activities are permitted with consent:**

- bee keeping
- centre-based child care facilities
- community facilities
- dwelling houses
- neighbourhood shops
- oyster aquaculture
- places of public worship
- recreation areas
- recreation facilities (indoor)
- recreation facilities (outdoor)
- respite day care centres
- schools
- tank-based aquaculture
- any other development not permitted without consent or prohibited, subject to State and Regional Environmental Planning Policies that apply to this land

**On land zoned RU5, the following activities are prohibited:**

- advertising structures
- agriculture
- air transport facilities
- airstrips
- animal boarding or training establishments
- biosolids treatment facilities
- boat building and repair facilities
- cellar door premises
- correctional centres
- crematoria
- extractive industries
- farm buildings
- farm stay accommodation
- forestry
- hazardous storage establishments
- heavy industries
- jetties
- livestock processing industries
- local distribution premises
- offensive storage establishments
- open cut mining
- rural workers' dwellings
- sawmill or log processing works
- sex services premises
- stock and sale yards
- waste disposal facilities
- waste or resource transfer stations
- water recreation structures

## Appendix 2

### RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

#### State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

*State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (SEPP Exempt) provides that certain types of works do not require development consent under Part 4 of the EP&A Act. The General Exempt Development Code is set out in Division 1 of the SEPP Exempt, providing the limitations and conditions of the exemptions. They include:

- Access Ramps
- Advertising and signage
- Aerials, antennae and communication dishes
- Air-conditioning units
- Animal shelters
- Aviaries
- Awnings, blinds and canopies
- Balconies, decks, patios, rotundas, terraces and verandahs
- Barbecues and other outdoor cooking structures
- Bollards
- Charity bins and recycling bins
- Earthworks, retaining walls and structural support
- Fences
- Flagpoles
- Footpaths, pathways and paving
- Fowl and poultry houses
- Garbage bin storage enclosure
- Hot water systems
- Landscaping structures
- Minor building alterations
- Mobile food and drink outlets
- Playground equipment
- Screen enclosures
- Sculptures and artworks
- Temporary uses and structures
- Waste storage containers

Section 1-16 of Division 2 of the SEPP Exempt provides the General Requirements for exempt development.

#### State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* (R&H SEPP) commenced in New South Wales on 1 March 2022 consolidating three earlier SEPPs focused on employment and advertising. The R&H SEPP focuses on:

- Coastal management for land use planning within the coastal zone consistent with the *Coastal Management Act 2016* and defines the coastal zone and establishes state-level planning priorities and development controls to guide decision-making for development within the coastal zone.

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*, including the management objectives for each coastal management area, by—

- a. managing development in the coastal zone and protecting the environmental assets of the coast, and

- b. establishing a framework for land use planning to guide decision-making in the coastal zone, and
  - c. mapping the four coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the *Coastal Management Act 2016*.
- the management of Hazardous and offensive development.
  - the provision of a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

### State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP) commenced in New South Wales on 1 March 2022 consolidating 4 earlier SEPPs focused on employment and advertising. The T&I SEPP focuses on:

- Planning rules and controls for infrastructure in NSW, such as for hospitals, roads, railways, emergency services, water supply and electricity delivery.

The T&I SEPP provides that certain types of works do not require development consent under Part 4 of the *Environmental Planning and Assessment Act 1979*.

Section 2.20 of the T&I SEPP provides that a range of works are “exempt development” when carried out for or on behalf of a public authority. These works are itemised in Schedule 1 of the SEPP and include paths and ramps for disabled access, fencing, firefighting emergency equipment, small decks, prefabricated sheds of up to 30m<sup>2</sup> in area, retaining walls up to 2m in height, landscaping including paving and access tracks, minor external and internal alterations to buildings, open car parks (size is not specified) and demolition of buildings covering an area of up to 100m<sup>2</sup>.

Section 2.73 of the T&I SEPP further provides that Development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted for the land in accordance with the LG Act. Further, any of the following development may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

- a. development for any of the following purposes:
  - i. roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges
  - ii. recreation areas and recreation facilities (outdoor), but not including grandstands
  - iii. visitor information centres, information boards and other information facilities
  - iv. lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard
  - v. landscaping, including landscape structures or features (such as artwork) and irrigation systems
  - vi. amenities for people using Wellington Park, including toilets and change rooms
  - vii. food preparation and related facilities for people using Wellington Park
  - viii. maintenance depot,
  - ix. portable lifeguard towers.



- b. environmental management works
- c. demolition of buildings (other than any building that is, or is part of, a State or local heritage item or is within a heritage conservation area).
- Educational establishments and childcare facilities containing planning for child-care centres, schools, TAFEs and Universities.
- Major infrastructure corridors containing planning controls and reserves land for the protection of the 3 North South Rail Lines, South West Rail Link extension and Western Sydney Freight Line corridors.
- Three ports containing the land-use planning and assessment framework for Port Botany, Port Kembla and the Port of Newcastle.

### **State Environmental Planning Policy (Industry and Employment) 2021**

The *State Environmental Planning Policy (Industry and Employment) 2021* (I&E SEPP) commenced in New South Wales on 1 March 2022 consolidating 2 earlier SEPPs focused on employment and advertising. The I&E SEPP focuses on:

- Western Sydney employment area' contains planning rules and controls for the employment land within the Western Sydney
- Advertising and signage ensuring that signage (including advertising):
  - (i) is compatible with the desired amenity and visual character of an area, and
  - (ii) provides effective communication in suitable locations, and
  - (iii) is of high-quality design and finish.
- to regulate signage (but not content) under Part 4 of the Act, and
- to provide time-limited consents for the display of certain advertisements, and
- to regulate the display of advertisements in transport corridors, and
- to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.

## State Environmental Planning Policy (Biodiversity and Conservation) 2021

The *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (B&C SEPP) commenced in New South Wales on 1 March 2022 consolidating 11 earlier SEPPs focused on biodiversity and conservation. The B&C SEPP focuses on:

- Vegetation in non-rural areas containing planning rules and controls relating to the clearing of native vegetation in NSW on land zoned for urban and environmental purposes.
- Koala habitat protection:
  - across NSW core rural zones of RU1, RU2 and RU3 except within the Greater Sydney and Central Coast areas, and
  - within Metropolitan Sydney and the Central Coast and applies to all zones except RU1, RU2 and RU3.
- Environmental planning and assessment along the Murray River.
- Bushland in urban areas containing provisions to protect and preserve bushland within public open space zones and reservations.
- Prohibition of canal estate development.
- Water quality objectives in the Sydney drinking water catchment.
- Protect the environment of the Hawkesbury–Nepean River system.
- Management and improvement of environmental outcomes for Sydney Harbour and its tributaries.
- Management and promotion of integrated catchment management policies along the Georges River and its tributaries.
- Protection, conservation and management of the Willandra Lakes Region World Heritage Property.

## State Environmental Planning Policy (Housing) 2021

The *State Environmental Planning Policy (Housing) 2021* (HSEPP) commenced in New South Wales on 1 March 2022 consolidating 5 earlier SEPPs focused on affordable housing. The HSEPP focuses on:

- development for affordable housing, and
- diverse housing including:
  - secondary dwellings
  - group homes

- co-living housing
- build to rent housing
- housing for seniors and for people with a disability
- short term accommodation the aim of which is to:
  - support short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,
  - provide for the safety of users of short-term rental accommodation who may be less familiar with the dwelling,
  - clarify the types of housing that may be used for the purposes of short-term rental accommodation.
- conversion of certain serviced apartments
- manufactured home estate
- caravan parks the aim of which is to encourage
  - the orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such as tourists) or for long-term residents, or catering for both, and
  - the proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and
  - the provision of community facilities for land so used.
  - the protection of the environment of, and in the vicinity of, land so used.
- temporary emergency accommodation
- residential accommodation for flood recovery.

## Appendix 3

### CORE OBJECTIVES FOR CATEGORIES OF COMMUNITY LAND (*Local Government Act 1993*):

#### 36E Core objectives for management of community land categorised as a natural area

The core objectives for management of community land categorised as a natural area are:

- (a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
- (b) to maintain the land, or that feature or habitat, in its natural state and setting, and
- (c) to provide for the restoration and regeneration of the land, and
- (d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and
- (e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*.

#### 36F Core objectives for management of community land categorised as a sportsground

The core objectives for management of community land categorised as a sportsground are:

- (a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- (b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.

#### 36G Core objectives for management of community land categorised as a park

The core objectives for management of community land categorised as a park are:

- (a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- (b) to provide for passive recreational activities or pastimes and for the casual playing of games, and
- (c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

#### 36H Core objectives for management of community land categorised as an area of cultural significance

- (1) The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research of social significance) for past, present or future generations by the active use of conservation methods.
- (2) Those conservation methods may include any or all of the following methods:
  - (a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance.

- (b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- (c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state.
- (d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact).
- (e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.

(3) A reference in subsection (2) to land includes a reference to any buildings erected on the land.

### **36I Core objectives for management of community land categorised as general community use**

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

### **36J Core objectives for management of community land categorised as bushland**

The core objectives for management of community land categorised as bushland are:

- (a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and
- (b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and
- (c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and
- (d) to restore degraded bushland, and
- (e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and
- (f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and
- (g) to protect bushland as a natural stabiliser of the soil surface.

### **36K Core objectives for management of community land categorised as wetland**

The core objectives for management of community land categorised as wetland are:

- (a) to protect the biodiversity and ecological values of wetlands, with particular reference to their

hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and

- (b) to restore and regenerate degraded wetlands, and
- (c) to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.

### **36L Core objectives for management of community land categorised as an escarpment**

The core objectives for management of community land categorised as an escarpment are:

- (a) to protect any important geological, geomorphological or scenic features of the escarpment, and
- (b) to facilitate safe community use and enjoyment of the escarpment.

### **36M Core objectives for management of community land categorised as a watercourse**

The core objectives for management of community land categorised as a watercourse are:

- (a) to manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and
- (b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and
- (c) to restore degraded watercourses, and
- (d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

### **36N Core objectives for management of community land categorised as foreshore**

The core objectives for management of community land categorised as foreshore are:

- (a) to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and
- (b) to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.

## Appendix 4

### PARKS DESCRIBED WITHIN THIS PLAN OF MANAGEMENT

Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
George Campbell Park	Bombira	6,751	18		747912	R2	Park	Council		
Hone Creek Reserve	Caerleon	835	157		1219918	R1	Park	Council		
Clandulla Sportsground	Clandulla	32,898	170		755765	RU5	Park	Crown	R55623	Public Recreation (1/9/1922)
Anzac Park	Gulgong	5,387	12	28	758482	RE1	Park	Crown	R62055	Public Recreation (22/8/1930)
			13	28	758482	RE1	Park	Crown		
			7	28	758482	RE1	Park	Crown		
			15	28	758482	RE1	Park	Crown		
			9	28	758482	RE1	Park	Crown		
			10	28	758482	RE1	Park	Crown		
			11	28	758482	RE1	Park	Crown		
			14	28	758482	RE1	Park	Crown		
			7011		1026305	RE1	Park	Crown		
Apex Park	Gulgong	506	8	6	758482	RE1	Park	Council		
		127	6c	6	758482	E1	Park	Council		
		1,012	7	6	758482	RE1	Park	Council		
Coronation Park	Gulgong	721	5	2	758482	RE1	Park	Council		
Flirtation Hill	Gulgong	6,294	7302		1146508	RE1	Park	Crown	R86031	Public Recreation (28/10/1966)
Frank Halloran Park	Gulgong	5,528	7302		1138895	RE1	Park	Crown	R84963	Preservation of Graves (31/7/1964)
Gorrie Park	Gulgong	1,182	42		262671	RE1	Park	Council		
J H Stahl Park	Gulgong	930	487		721775	RE1	Park	Crown	R120018	Public Recreation (24/12/1986)
Pearls Park	Gulgong	3,256	39		260746	RE1	Park	Council		
The Peoples Park	Gulgong	77,510	139		755434	RE1	Park	Crown	R520036	Public Recreation (24/10/1882)
Louisa Park	Hargraves	2,194	175		756885	RU5	Park	Crown	R87511	Public Recreation (21/11/1969)
			7012		1115350	RU5	Park	Crown		
Darton Park	Kandos	2,783	7008		1124393	RU5	Park	Crown	R87121	Public Recreation (28/3/1969)
Ilford Road Reserve	Kandos	1,886	285		45384	RU5	Park	Crown	R96671	Public Recreation (25/3/1983)
Kandos Pool Rotary Park	Kandos	20,195	258		755789	RU5	Park	Crown	R85088	Public Baths (6/11/1964)
White Crescent Park	Kandos	1,550	22	4	8161	RU5	Park	Council		
		2,109	24	8	8161	RU5	Park	Council		

Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Williamson Park	Kandos	1,191	17	7	8161	RU5	Park	Council		
		1,002	18	7	8161	RU5	Park	Council		
Garner Street Reserve	Lue	21,270	25		1140863	RU5	Park	Council		
Swanston Street Park	Lue	2,261	7004		1055577	RU1	Park	Crown	R83290	Children's Playground (28/7/1961)
Apex Park	Mudgee	607	1		230349	RE1	Park	Council		
		620	2		230349	RE1	Park	Council		
Blackman Park	Mudgee	11,911	394		756894	RE1	Park	Crown	R700000	Public Park (8/3/1963)
			395		756894	RE1	Park	Crown		
		803	12		225919	RE1	Park	Council		
		493	13		225919	RE1	Park	Council		
		2,150	14		225919	RE1	Park	Council		
Carmichael Park	Mudgee	2,242	14		828370	RE1	Park	Council		
Chapman Park	Mudgee	1,077	8		248938	RE1	Park	Council		
Collyer Park	Mudgee	3,267	19		802144	RE1	Park	Council		
		2,005	19		788035	RE1	Park	Council		
Dewhurst Reserve	Mudgee	366	24		789072	RE1	Park	Council		
		8,343	706		808598	RE1	Park	Council		
		396	14		793691	RE1	Park	Council		
		1,139	30		813888	RE1	Park	Council		
		7,941	15		793691	RE1	Park	Council		
		3,266	19		261385	RE1	Park	Council		
		4,460	113		264562	RE1	Park	Council		
		107	20		737423	RE1	Park	Council		
		2,079	312		739789	RE1	Park	Council		
		5,436	2		702948	RE1	Park	Council		
		13,070	510		787908	RE1	Park	Council		
Donnelly Park	Mudgee	3,559	17		810434	RE1	Park	Council		
Flirtation Hill	Mudgee	104,347	7300		1129228	RE1	Park	Crown	R520082	Public Recreation (7/5/1886)
Gilbey Park	Mudgee	2,106	345		1106854	RE1	Park	Council		
Interact Park	Mudgee	1,024	8		230260	RE1	Park	Council		
Lahy Court Reserve	Mudgee	63	92		836490	RE1	Park	Council		



Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Lawson Park	Mudgee	57,687	1	74	758721	RE1	Park	Crown	R520083	Public Recreation (17/1/1894)
		3,483	1	54A	758721	RE1	Park	Crown	R520084	Addition - Public Recreation (11/9/1912)
		681	1		787930	RE1	Park	Council		
Lions Park	Mudgee	8,047	57		248275	RE1	Park	Council		
		5,653	7		239875	RE1	Park	Council		
		3,276	41		262863	RE1	Park	Council		
Loy Avenue Reserve	Mudgee	1,551	2		1176841	RE1	Park	Council		
Macquarie Drive Reserve	Mudgee	7,994	47		862452	R1	Park	Council		
Matilda Park	Mudgee	38,010	340		1194168	RE1	Park	Council		
Memorial Park	Mudgee	4,147	20	8	758721	RE1	Park	Crown	R700001	Public Park (8/3/1963)
			19	8	758721	RE1	Park	Crown		
Moufarrige Park	Mudgee	3,174	49		262657	RE1	Park	Council		
Mulgoa Park	Mudgee	1,909	36		585586	RE1	Park	Council		
Mulley Park	Mudgee	6,425	53		802483	RE1	Park	Council		
		160	18		1120592	R1	Park	Council		
Nicholson Street Reserve	Mudgee	18,810	47		1065134	RE1	Park	Council		
Norm King Park	Mudgee	1,571	11		1182613	R1	Park	Council		
Redbank Park	Mudgee	2,323	6		261191	RE1	Park	Council		
		1,129	10		261247	RE1	Park	Council		
Robertson Park	Mudgee	14,432	4		727197	RE1	Park	Crown	R520037	Public Recreation (16/8/1890)
Weemaran Reserve	Mudgee	230	91		812546	RE1	Park	Council		
White Circle Reserve	Mudgee	9,021	254		1167671	RE1 R1	Park	Council		
Coomber Street Park	Rylstone	2,535	16	9	758891	RU5	Park	Crown	R86671	Children's Playground (29/3/1968)
			17	9	758891	RU5	Park	Crown		
Rylstone Rotary Park	Rylstone	9,867	7001		1023891	RU5	Park	Crown	R60834	Public Recreation (30/11/1928)
		15,200	7300		1140929	RU5	Park	Crown		
Rylstone Showground <sup>51</sup>	Rylstone	1,328	9	2B	758891	RU5	Park	Crown	R83503	Public Recreation (6/10/1961)
		7,669	7014		1023898	RU5	Park	Crown		
		1,379	7013		1023898	RU5	Park	Crown		

<sup>51</sup> See **Appendix 8** diagram 1 for category definition.

Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Sammy's Flat <sup>52</sup>	Rylstone	26,700	7015		1032590	RU5	Park / Sportsground	Crown	R55764	Public Recreation (27/10/1922)
Harry Harvey Park	Wollar	8,857	9	1	759102	RU5	Park	Crown	R20772	Public Recreation (19/5/1894)
			10	1	759102	RU5	Park	Crown		
			8	1	759102	RU5	Park	Crown		
			7	1	759102	RU5	Park	Crown		
			6	1	759102	RU5	Park	Crown		

<sup>52</sup> See **Appendix 8** diagram 1 for category definition.

## Appendix 5

### SPORTSGROUNDS DESCRIBED WITHIN THIS PLAN OF MANAGEMENT

Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Goolma Sports Ground	Goolma	23,800	20		1039881	RU5	Sportsground	Council		
Billy Dunn Park	Gulgong	121,233	1		433114	RE1	Sportsground	Crown	R72354	Public Recreation (18/7/1947)
		536	1		629283	R1	Sportsground	Council		
Gulgong Tennis Club	Gulgong	7,193	183		755434	RE1	Sportsground	Crown	R61206	Public Recreation (21/6/1929)
Victoria Park	Gulgong	40,984	91		755434	RE1	Sportsground	Crown	R520064	Public Recreation (31/12/1878)
		2,086	43		262671	RE1	Sportsground	Council		
Dr Darton Memorial Park	Kandos	2,061	1	10	12191	RU5	Sportsground	Council		
		2,049	3	10	12191	RU5	Sportsground	Council		
		1,910	4	10	12191	RU5	Sportsground	Council		
		1,935	5	10	12191	RU5	Sportsground	Council		
		1,770	6	10	12191	RU5	Sportsground	Council		
		1,429	7	10	12191	RU5	Sportsground	Council		
		1,378	8	10	12191	RU5	Sportsground	Council		
		1,277	9	10	12191	RU5	Sportsground	Council		
		1,378	10	10	12191	RU5	Sportsground	Council		
		1,378	11	10	12191	RU5	Sportsground	Council		
		1,948	2	10	12191	RU5	Sportsground	Council		
Simpkins Park	Kandos	39,160	7006		1023895	RU5	Sportsground	Crown	R58899	Public Recreation (28/5/1926)
Waratah Park	Kandos	49,084	7005		1023895	RU5 / E4	Sportsground	Crown	R61218	Athletics Sports (21/6/1929)
Cahill Park	Mudgee	16,295	701		1030862	RE1	Sportsground	Crown	R35022	Public Recreation (27/09/1902)
Cahill Park	Mudgee	4,455	404		756894	RE1	Sportsground	Council		
Victoria Park	Mudgee	40,487	701		1030861	RE1	Sportsground	Crown	R40891	Athletic Sports - Public Recreation (12/9/1906)
Walker's Oval	Mudgee	14,420	6	24A	758721	RE1	Sportsground	Council		
		10,120	9	24A	758721	RE1	Sportsground	Council		
		17,550	10	24A	758721	RE1	Sportsground	Council		
		11,460	3		749570	RE1	Sportsground	Council		

Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Rylstone Recreation Reserve <sup>53</sup>	Rylstone	827,681	2		565936	RU1	Sportsground	Crown	R84185	Public Recreation (8/02/1963)
			145		755789	RU5	Sportsground / GCU	Crown		
			7011		1023907	RU5	Sportsground	Crown		
			7010		1023906	RU1	Sportsground / NA Bushland	Crown		
Rylstone Showground <sup>54</sup>	Rylstone	31,300	701		1023894	RU5	Sportsground / GCU	Crown	R590025	Public Recreation – Showground (2/9/1938)
		10,060	7016		1032590	RU5	Sportsground / GCU	Crown		
Sammy's Flat <sup>55</sup>	Rylstone	26,700	7015		1032590	RU5	Park / Sportsground	Crown	R55764	Public Recreation (27/10/1922)

<sup>53</sup> See **Appendix 8** diagram 2 for category definition.

<sup>54</sup> See **Appendix 8** diagram 1 for category definition.

<sup>55</sup> See **Appendix 8** diagram 1 for category definition.

## Appendix 6

### GENERAL COMMUNITY USE LANDS DESCRIBED WITHIN THIS PLAN OF MANAGEMENT

Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Apple Tree Flat Resting Place (1)	Apple Tree Flat	13,147	219		756870	RU4	GCU	Crown	R85895	Resting Place (22/7/1966)
			7002		1019737	RU4	GCU	Crown		
Ulan Road Reserve	Bombira		9		1243029	R2	GCU	Council		
Wurth Drive Reserve	Bombira	6,541	20		1227585	R2	GCU	Council		
Bungaba Community Hall	Bungaba	4,533	100		1092931	R5	GCU	Council		
Cooks Gap Hall	Cooks Gap	2,972	901		864661	R5	GCU	Council		
Crudine Recreation Reserve	Crudine	17943	25		755768	RU1	GCU	Crown	R86754	Public Recreation (31/5/1968)
Henry Lawson Memorial	Eurunderee	221	1		368450	RU4	GCU	Council		
Frog Rock Reserve	Frog Rock	4,413	61		250751	R5	GCU	Council		
Goolma Hall	Goolma	2650	147		750777	RU5	GCU	Crown	R88328	Public Recreation (6/8/1971)
Cope Road Reserve	Gulgong	1,525	389		755434	C3	GCU	Crown	R49010	Storage (9/7/1913)
Gulgong Scouts Hall	Gulgong	2271	485		46131	RE1	GCU	Crown	R97218	Boy Scouts (13/4/1984)
Hargraves Court House	Hargraves	14,160	701		1021142	RU5	GCU	Crown	R91643	Preservation of Historical Sites and Buildings (30/11/1979)
3 Poles Quarry	Mudgee	189,884	Pt 355		756894	RE1	GCU	Crown	R91534	Quarry (10/8/1979)
Acacia Grove Reserve	Mudgee	80	12		1021781	R1	GCU	Council		
Charles Lester Reserve	Mudgee	155	6		1208541	R1	GCU	Council		
Church Walkway	Mudgee	700	3		812087	RE1	GCU	Council		
Gawthorne Walkway	Mudgee	523	65		825504	R1	GCU	Council		
Gladstone Street Reserve	Mudgee	937	84		831352	R1	GCU	Council		
Hardy Crescent Reserve	Mudgee	195	76		1076597	R1	GCU	Council		
Henry Bayly Reserve	Mudgee	28,030	4		828410	RE1	GCU	Council		
Macquarie Walkway	Mudgee	241	28		1051165	R1	GCU	Council		
Mudgee Arts Precinct	Mudgee	1944.08	Pt 112		48439	R3	GCU	Crown	R120045	Public buildings (27/11/1987), Government Purposes, Community Purposes (20/03/2020)

Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Mudgee Arts Precinct	Mudgee	1106.3	Pt 112		48439	R3	GCU	Crown	R96911	Community Purposes (19/08/1983), Government Purposes, Urban Services, Heritage Purposes (8/11/2019)
Tennant Walkway	Mudgee	209	198		1089672	R1	GCU	Council		
Weemaran Reserve	Mudgee	4,771	22		791533	RE1	GCU	Council		
Winter Street Reserve	Mudgee	14,690	55		1172013	RE1 R1	GCU	Council		
White Circle Walkway 1	Mudgee	346	77		1076597	R1	GCU	Council		
White Circle Walkway 2	Mudgee	231	159		1082615	R1	GCU	Council		
Ulan Road Public Reserve	Mudgee	5,292	814		1262514	R2	GCU	Council		
Rylstone Guide Hall	Rylstone	1120	9	5	758891	RU5	GCU	Crown	R590069	Public Hall (1/4/1932)
			10	5	758891	RU5	GCU	Crown		
Rylstone Memorial Hall	Rylstone	2279	21	5	758891	RU5	GCU	Crown	R590070	Public Hall (5/10/1924)
Rylstone Recreation Reserve <sup>56</sup>	Rylstone		145		755789	RU5	Sportsground / GCU	Crown	R84185	Public Recreation (8/02/1963)
Rylstone Showground <sup>57</sup>	Rylstone	1,593	10	2B	758891	RU5	GCU	Crown	R83503	Public Recreation (6/10/1961)
		461.6	11	2B	758891	RU5	GCU	Crown	R590025	Public Recreation – Showground (2/09/1938)
		31,300	701		1023894	RU5	Sportsground / GCU	Crown		
		10,060	7016		1032590	RU5	Sportsground / GCU	Crown		
		3,218	7017		1125243	RU5	GCU	Crown		
		2,023	13		1136363	RU5	GCU	Council		
		2,023	14		1136363	RU5	GCU	Council		
		2,023	15		1136363	RU5	GCU	Council		
		1,631	A		151198	RU5	GCU	Council		
		2,447	B		151198	RU5	GCU	Council		

<sup>56</sup> See **Appendix 8** diagram 2 for category definition.

<sup>57</sup> See **Appendix 8** diagram 1 for category definition.

Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Turill Community Hall	Turill	13009	54		750748	RU1	GCU	Crown	R91236	Public Recreation (1/9/1978)

## Appendix 7

### NATURAL AREA – BUSHLAND LANDS DESCRIBED WITHIN THIS PLAN OF MANAGEMENT

Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Apple Tree Flat Resting Place (2)	Apple Tree Flat	3,819	221		756870	RU4	NA Bushland	Crown	R87522	Public Recreation (28/11/1969)
			222		756870	RU4	NA Bushland	Crown		
			7300		1126169	RU4	NA Bushland	Crown		
Maitland Bar Goldfields	Avisford	31,705	133		756884	C3	NA Bushland	Crown	R97504	Public Recreation (26/10/1984)
Beryls Reserve	Beryl	908,518	7002		1020162	C3	NA Bushland	Crown	R89982	Public Recreation (3/12/1976)
			7001		1030132	RU1	NA Bushland	Crown		
Bungaba Reserve	Bungaba	7,481	57		155597	RU1	NA Bushland	Crown	R88823	Public Recreation (12/1/1973)
Charbon Entrance	Charbon	18,365	253		755789	RU5	NA Bushland	Crown	R60558	Public Recreation (6/7/1928)
			254		755789	RU5	NA Bushland	Crown		
Cooyal Creek Reserve	Cooyal	7,487	7002		1021468	RU1	NA Bushland	Crown	R90756	Public Recreation (15/4/1977)
Cullenbone Reserve	Cullenbone	62,082	7004		1020304	R5	NA Bushland	Crown	R75518	Public Recreation (19/12/1952)
			7003		1023499	R5	NA Bushland	Crown		
Cumbo Reserve	Cumbo	64,604	7002		1025322	RU1	NA Bushland	Crown	R120051	Public Recreation (18/12/1987)
Goolma Reserve	Goolma	24,154	7002		1020397	RU1	NA Bushland	Crown	R74023	Camping, Public Recreation & Resting Place (9/5/1951)
			129		750752	RU1	NA Bushland	Crown		
			7003		1020397	RU1	NA Bushland	Crown		
Old Lambing Hill Public School	Goolma	57,014	122		750777	RU1	NA Bushland	Crown	R90968	Public Recreation (18/11/1977)
			123		750777	RU1	NA Bushland	Crown		
Bylong Valley Way Resting Place	Growee	4,748	238		755432	RU1	NA Bushland	Crown	R87094	Resting Place (7/3/1969)
Adams Lead Reserve	Gulgong	32,888	437		755434	RU1	NA Bushland	Crown	R95817	Public Recreation (19/2/1982)
			409		755434	RU1	NA Bushland	Crown		
			431		755434	RU1	NA Bushland	Crown		
Jos Davis Reserve	Gulgong	243,251	210		755433	RE1	NA Bushland	Crown	R83603	Public Recreation (1/12/1961)
			7001		1026312	RE1	NA Bushland	Crown		
			211		755433	RE1	NA Bushland	Crown		
			7002		1026312	RE1	NA Bushland	Crown		
			7016		1026314	RE1	NA Bushland	Crown		



Name	Location	Area (m <sup>2</sup> )	Parcel(s)			Zone	Category	Owner	Reserve No	Reserve Purpose (Gazette Date)
			Lot	Sec	DP					
Hargraves Reserve	Hargraves	18,330	48		756900	RU1	NA Bushland	Crown	R84083	Public Recreation & Resting Place (23/11/1962)
			47		756900	RU1	NA Bushland	Crown		
Henry Lawson Reserve	Home Rule	117,179	7001		1020325	RU1	NA Bushland	Crown	R89700	Public Recreation (24/12/1975)
Cherry Tree Hill Resting Place	Ilford	13,302	7005		1030841	RU1	NA Bushland	Crown	R82235	Resting Place (18/12/1959)
Ropes Reserve	Lue	134,209	7002		1029653	RU1 R5	NA Bushland	Crown	R120049	Public Recreation (18/12/1987)
Mount Knowles Reserve	Mount Knowles	6,839	7		721239	RU1	NA Bushland	Crown	R120073	Public Recreation (11/8/1989)
			9		721239	RU1	NA Bushland	Crown		
			8		721239	RU1	NA Bushland	Crown		
3 Poles	Mudgee	161,106	352		756894	RE1	NA Bushland	Crown	R91152	Public Recreation (2/6/1978)
			Pt 355		756894	RE1	NA Bushland	Crown		
Palermo Recreation Reserve	Mudgee	125,653	2		1054877	RE1	NA Bushland	Crown	R96117	Public Recreation & Water Supply (25/6/1982)
Pyramul Reserve	Pyramul	1,005	1		721967	RU5	NA Bushland	Crown	R78278	Public Recreation (20/1/1956)
Running Stream Reserve	Round Swamp	91,160	7003		1056614	RU1	NA Bushland	Crown	R76963	Public Recreation (6/8/1954)
Running Stream Resting Place	Round Swamp	8,476	178		755778	RU1	NA Bushland	Crown	R87365	Resting Place (5/9/1969)
Rylstone Recreation Reserve <sup>58</sup>	Rylstone		7010		1023906	RU1	Sportsground / NA Bushland	Crown	R84185	Public Recreation (8/2/1963)
			159		755789	RU1	NA Bushland	Crown		
Sandy Banks Reserve	Sofala	27,172	7007		1019619	RU1	NA Bushland	Crown	R86609	Public Recreation (9/2/1968)
			7008		1019619	RU1	NA Bushland	Crown		
Wyaldra Creek Reserve	Stubbo	50,487	102		750765	RU1	NA Bushland	Crown	R120050	Public Recreation (18/12/1987)
Gardiners Road Reserve	Two Mile Flat	46,345	7001		1032533	R5	NA Bushland	Crown	R95606	Public Recreation (2/10/1981)
Windeyer Reserve	Windeyer	49,800	701		1026906	RU1	NA Bushland	Crown	R520074	Public Recreation (15/1/1886)
Wollar Recreation Reserve	Wollar	7,985	701		1032571	RU5	NA Bushland	Crown	R11695	Public Recreation (14/6/1890)
Wollar Reserve	Wollar	57,696	231		257572	RU1	NA Bushland	Crown	R91470	Public Recreation (22/6/1979)

<sup>58</sup> See **Appendix 8** diagram 2 for category definition.

## Appendix 8

### Category Plans for Sites with more than a Single Category

