



**LACHLAN SHIRE
COUNCIL**

Wiradjuri Country

Tottenham

Albert

Fifield

Condobolin

Derriwong

Lake
Cargelligo

Tullibigeal

Murrin
Bridge

Burcher

Plan of Management

**CROWN
RESERVE 86016
(Condobolin
Caravan Park)**



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KEY INFORMATION

This plan of management (PoM) has been prepared by Lachlan Shire Council and specifically addresses the management of part of reserve R86016, known as Condobolin Riverview Caravan Park

The PoM outlines the way the land will be used and provides the framework for Council to follow in relation to the express authorisation of leases and licence on the land.

This PoM is required in accordance with Section 3.23 of the *Crown Land Management Act 2016* and Section 36 of the *Local Government Act 1993*.



INTRODUCTION

Lachlan Shire is located in the Central West Region of NSW, the State electorate of Barwon and the Federal Division of Parkes.

Lachlan Shire Council is geographically the Heart of NSW and is located 500 kilometres west of Sydney. The Shire covers an area of 14,965 square kilometres and has a population of 6194 with the main towns and villages being: Condobolin, Lake Cargelligo, Tottenham, Tullibigeal, Burcher, Fifield, Albert and Derriwong. Council operates from two administrative centres and three works depots.

The Heart of NSW is the traditional land of the Wiradjuri people also known as the people of the three rivers. The Wiradjuri people have inhabited modern-day New South Wales, Australia for at least 40,000 years. The Wiradjuri nation is the largest in NSW and second largest geographically in Australia.

The Wiradjuri people were a hunter-gatherer society, made up of small clans or family groups whose movements followed seasonal food gathering and ritual patterns. Today, a major Wiradjuri population can be found in the New South Wales town of Condobolin,

Early European explorers recorded their journeys passing through the Heart of NSW. In 1815 Surveyor George Evans who named the Lachlan River, was the first European to visit the area. Explorers John Oxley (in 1817) and Thomas Mitchell (in 1836) were the first recorded European presence in the region. Squatters soon arrived and by 1844 the 'Condobolin' run had been established. For 20 years it was essentially a stopover and river-crossing for drovers moving stock from the north and west of New South Wales to Victoria, hence there were a few permanent residents in what remained a pastoral area characterised by large holdings. Since the early settlers the Condobolin district has become a prime cropping and sheep and beef producing area.

A major copper discovery was made north at Melrose in 1885 and the town benefited from the subsequent traffic. A municipality was declared in 1890. At the end of 1894, gold fever



broke out at the Overflow Station, immortalised in Banjo Paterson's poem 'Clancy of the Overflow' and with the discovery of gold, the experienced miners considered the new prospect well worth testing and a calico city soon sprung up. By 1895 some four shafts had been sunk.

In 1896 W.H.J. Slee, the Chief Inspector of Mines, marked out a street plan on a good eligible site and named it 'Bobadah'. The railway arrived in 1898 and Condobolin was the railhead for the Central West until the line to Broken Hill was completed in 1927.

Agricultural production was further expanded when the Wyangala Dam was established on the Lachlan in 1935. The early settlers suffered droughts, floods and grasshoppers in the same way as the present-day residents, but it did not diminish their desire to build a strong community.

The Lachlan Shire towns continue to be busy country towns, with small industrial services and business, excellent medical services, retirement living, banking services along with offering a variety of sporting and recreation facilities.



PURPOSE OF THE PLAN OF MANAGEMENT

The Local Government Act 1993 (LG Act) requires a plan of management (PoM) to be prepared for all public land that is classified as 'community land' under that Act.

The Crown Land Management Act 2016 (the CLM Act) authorises local councils (council managers) appointed to manage dedicated or reserved Crown land to manage that land as if it were public land under the Local Government Act 1993 (LG Act). A PoM is required for all council-managed Crown reserves on community land.

The purpose of this PoM is to:

- contribute to the council's broader strategic goals and vision as set out in Lachlan Shire Community Strategic Plan
- ensure compliance with the Local Government Act 1993 and the Crown Land Management Act 2016
- provide clarity in the future development, use and management of the community land
- ensure consistent management that supports a unified approach to meeting the varied needs of the community.

Further information about the legislative context of Crown Reserve PoMs can be found in Appendix 2 of this document.



PROCESS OF PREPARING THIS PLAN OF MANAGEMENT

Figure 1 Illustrates the process followed by council in preparing this PoM

Step 1	<p>Drafting the PoM</p> <ul style="list-style-type: none">• The PoM must meet all the minimum requirements outline in section 36(3) of the LG Act and identify the owner of the land.• Any activities (including tenure or development) to be undertaken on the reserve must be expressly authorised in the PoM to be lawfully authorised.• Council must obtain written advice from a qualified native title manager that the PoM and the activities under the PoM comply with the NT Act.
Step 2	<p>Notifying the landowner and seeking Ministers consent to adopt</p> <ul style="list-style-type: none">• The department as the landowner is to be notified of the draft PoM prior to public exhibition of the PoM under s.39 of the LG Act.• Council is also required to seek the Ministers written consent to adopt the draft PoM (under clause 70B of the CLM Regulation). The Ministers consent can be sought at the same time as notifying the landowner (the department) of the draft PoM.• Note: In certain circumstances, council may only be provided with consent to proceed to public exhibition. Following public exhibition, Council will be required to re-submit the draft PoM for a final review where the Minister's consent to adopt the draft PoM will be provided.
Step 3	<p>Community consultation</p> <p>Councils are required to publicly notify and exhibit PoM under section 38 of the LG Act.</p> <ul style="list-style-type: none">• Council's are <u>not</u> required to hold a public hearing for Crown land under section 40A of the LG Act (exemption under clause 70A of the CLM Regulation).
Step 4	<p>Adopting a PoM</p> <ul style="list-style-type: none">• If there are any significant changes to the draft PoM following public exhibition (or in circumstances when consent to adopt was not previously provided), council must seek the Minister's consent to adopt the PoM.• A council resolution of a PoM that covers Crown land should note the PoM is adopted pursuant to section 40 of the LG Act in accordance with 3.23(6) of the CLM Act.• Once a council has adopted the PoM, a copy of the adopted PoM and minutes of the council resolution should be forwarded to the department (council.clm@crowland.nsw.gov.au) for record purposes.

Figure 1: process for preparing a Plan of Management for council-managed Crown reserves.



CHANGE AND REVIEW OF PLAN OF MANAGEMENT

This PoM will require regular review in order to align with community values and changing community needs, and to reflect changes in council priorities. Council has determined that it will review the PoM within 5 years of its adoption.

Council may continue to acquire or divest land for the benefit of the community. Land may also come into council's ownership by dedication of land for open space. The community will have an opportunity to participate in reviews of this PoM.

COMMUNITY CONSULTATION

This PoM was placed on public exhibition from [21/06/2024 to 09/08/2024], in accordance with the requirements of section 38 of the *Local Government Act 1993*. No submissions were received. Council noted that no submissions were received before adopting the PoM. In accordance with section 39 of the *Local Government Act 1993*, prior to being placed on public exhibition, the draft PoM was referred to the Department of Planning Housing & Infrastructure – Crown Lands, as representative of the state of NSW, which is the owner of the Reserve. Council has included in the plan any provisions that have been required by the Department of Planning Housing & Infrastructure – Crown Lands.



LAND DESCRIPTION

This plan of management covers reserve R86016, known as Condobolin Riverview Caravan Park and Rodeo Ground. The reserve information is detailed in Table 1. The land is owned by the Crown and is managed by council as Crown land manager under the Crown Land Management Act 2016.

This reserve is currently used as a caravan park, containing several self-contained cabins as well as powered and unpowered caravan site. It is also used for horse related events and activities.

Table 1: information about reserve covered by this plan of management.

Reserve covered by the plan of management	
Reserve number	86016
Reserve purpose	Camping, Public Recreation - gazette date: 21 October 1966
Land parcel/s	Lot Part Lot 159, 222, Part Lot 236, Part Lot 247 DP 753113
Area (Ha)	5.36
LEP zoning No.	RU1 – Primary Production
Assigned category/categories	General Community Use
Native Title Claim/Determination	No current claims or determinations.

This PoM is specific to the land mentioned in Table 1 and shown on the Map in Appendix 1. Contact the council or refer to the council's website for information about other public land not listed above.



BASIS OF MANAGEMENT

Lachlan Shire Council intends to manage its community land to meet:

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

Categorisation of the land

All community land is required to be categorised as one or more of the following categories. Where the land is owned by the Crown, the category assigned should align with the purpose for which the land is dedicated or reserved.

The LG Act defines five categories of community land:

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

The categorisation of the land is identified in Appendix 1 as well as shown by maps in Appendix 1.



Guidelines and core objectives for management of community land

The management of community land is governed by the categorisation of the land, its purpose, and the core objectives of the relevant category of community land. Council may then apply more specific management objectives to community land, though these must be compatible with the core objectives for the land.

The guidelines for categorisation of community land are set out in the Local Government (General) Regulation 2021. The core objectives for each category are set out in the LG Act. The guidelines and core objectives for the General Community Use is set out in the relevant category sections of this plan of management.

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Lachlan Shire Council area. The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

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



Restrictions on management of Crown land

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

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

Councils strategic objectives and priorities

Lachlan Shire Council, in consultation with the community, has developed the following strategies and plans to identify the priorities and aspirations of the community and the delivery of a vision for the future. They have a direct influence on the objectives, uses and management approach covered by PoMs.



DEVELOPMENT AND USE

Council will apply asset management principles to manage the life cycle of the assets within the park. This will ensure affordable service provision when considering:

- installation of new assets
- upgrade and renewals
- disposal of assets
- setting of service levels for maintenance and operational planning and activities

Current use of the land

This plan of management contains information about the existing use of the land, including condition of the land and structures, use of the land and structures, and current leases and licences on the land.

Permissible uses / future uses

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

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

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The use of community land is often supported by appropriate ancillary development such as playground equipment, amenity blocks or food kiosks.

The general types of uses which may occur on community land categorised as General Community Use and the forms of development generally associated with those uses, are set out in table 3 of this plan of management.



List of Category sections

- General community use

Express authorisation of leases and licences and other estates

Under section 46(1)(b) of the LG Act, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities. The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

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

A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short-term licence or hire agreement will be issued.

Leases and licences authorised by the plan of management

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

- the purpose is consistent with the purpose for which it was dedicated or reserved
- the purpose is consistent with the core objectives for the category of the land
- the lease, licence or other estate is for a permitted purpose listed in the *Local Government Act 1993* or the Local Government (General) Regulation 2021
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the *Native Title Act 1993*



- where the land is subject to a claim under the *Aboriginal Land Rights Act 1983* the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- the lease, licence or other estate is granted and notified in accordance with the provisions of the *Local Government Act 1993* or the Local Government (General) Regulation 2021
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Table 3 in this plan of management further identify the purposes for which leases and licences may be issued over the reserves identified in this plan of management.

Short-term licences

This PoM expressly authorises Council to issue short-term licences (for up to 12 months) under s2.20 of the *Crown Land Management Act* for the prescribed purposes listed in Clause 31 of the *Crown Land Management Regulation 2018*.

Short-term licences granted under s2.20 of the CLM Act are authorised a detailed in Table 3. Fees for short-term licenses will be charged in accordance with the council's adopted fees and charges at the time.

Native title and Aboriginal land rights considerations in relation to leases, licences and other estates

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

It is the role of the council's engaged or employed native title manager to provide written advice in certain circumstances to advise if the proposed activities and dealings are valid under the NT Act (see Appendix 3 for more information).



MANAGEMENT OF LAND BY CATEGORY

General Community Use

Guidelines and core objectives

General community use land is defined in clause 106 of the LG (General) Regulation as land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.

The core objectives for community land categorised as general community use, as outlined in Section 36I of the LG Act, are to:

- promote, encourage and provide for the use of the land
- provide facilities on the land, to meet the current and future needs of the local community and of the wider public:
 - 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).

Key issues

User Safety

Public safety is of the utmost importance in the management and maintenance of General Community Use areas.

Visual Quality

The visual quality and amenity of the General Community Use area must be managed. Special conditions may be required where the area is the subject of a lease or licence.



Land Management

The orderly and transparent management of land is completed by Council. Activities completed by Council facilitate the utilisation of the reserve by the community and specific user groups. The level of service provided by Council is set by Council's Asset Management Plans, the Community Strategic Plan and the Operational and Delivery Plan. Council will maintain these facilities in accordance with these Plans, to the agreed acceptable standard. These activities include mowing and vegetation control, watering, weed control, provision of utilities, cleaning, road works, drainage, and racetrack maintenance. Community and user groups will complete their Licence and Lease obligations. Council will respond to requests for additional service in a timely manner within budget and resource constraints. Council will manage the land to ensure compliance with Event Approval Conditions, to ensure continued safety and orderly use of the facilities.

Management framework for reserves categorised as General Community Use

Volunteer Management

Operating Committees or an incorporated body may be appointed to manage facilities on General Community Use land. These entities will be authorized to manage General Community Use areas in accordance with Section 355 and Section 377 of the *Local Government Act 1993*.

Fees and Charges / Conditions of Hire

Many Council facilities may be booked for activities and events, identified in this section as permissible. Applications must be made through Council.

Most bookings incur a hiring fee, and in some cases, a bond. Hiring fees are set out in the Lachlan Shire Fees & Charges Schedule, which is updated annually.



Maintenance

The on-going maintenance of buildings and facilities in General Community Use areas to appropriate standards whilst facing an ever-increasing demand for services is a considerable responsibility facing Council. These areas require different levels of maintenance, risk management and resources due to their diversity in land use. Any area or facility that is leased exclusively to a group or organisation may be required to be maintained by the lessee.

DEVELOPMENT AND USE

Infrastructure and Facilities

Subject to budgetary constraints, Council may construct or approve construction of a variety of facilities on this land. The purpose of any facilities provided shall be to support activities and uses that are consistent with the core objectives for this land category and be consistent with or ancillary to the reserve purpose. Facilities that may be approved on Community Land are found in Table 2.

Projects proposed by community groups must be in line with Council strategic plans. Depending on the scope of the project, Council may request that a written proposal be submitted outlining a description of the project and proposed location, estimated costs, scaled plans, justification for the proposed works, future maintenance requirements, future maintenance responsibilities and other elements relevant to the project.

Approval for works on community land will be submitted in writing to Lachlan Shire Council on every occasion.

All improvement works carried out by Community or individuals will be for use by the General Community, in accordance with Lease, Licence or other Estate under this Plan of Management. Unless express permission is granted by Council, within a Lease or Licence, the Community group does not retain any right or ownership over the improvements. The



improvements will be for use by all users of the facility. The *Crown Land Management Act 2016* Section 7.16 covers this in more detail.

Special Events

Council may receive applications for special events such as carnivals, commercial use and trade shows. Council will consider applications for use and if approved, operating conditions will be placed on any approval issued. An application fee, in accordance with Lachlan Shire Councils Fees & Charges Policy will be applied. In addition, a bond and usage fee may also be charged.

Sale of Alcohol

The occasional sale of alcohol by an event manager, committee, club, or group requires the approval of the NSW Liquor & Gaming through the issue of a Functions Licence. The function licence must be produced for Council in each instance when making application for the use of a recreation area if the sale of alcohol is intended. Applicants are required to comply with any conditions of the Licensing Board or Court of NSW, or Council.

Council may also prohibit the consumption of alcohol for the duration of an event in a park or reserve at the request of the organiser.

Alcohol Free Areas

Council may resolve that the consumption of alcohol is prohibited within certain areas, either completely, or between certain hours. Under Section 632 of the *Local Government Act 1993*, Council is authorised to erect signs prohibiting certain activities including the restriction of alcohol.

Permanent Signs

Permissible signage includes signs that are erected by Council to regulate various activities outlined in Section 632 of the *Local Government Act 1993*, signs advising the reserve name and/or facilities contained within it, directional signs and traffic signs. Any other signage requires prior Council approval.



Temporary Signs

Temporary signs include items such as banners used by sporting clubs. This plan authorises the use of temporary signs directly relating to the recreational use of a reserve. The signs are to be in place for no more than one week prior to an event and the signs must be removed immediately following the event. The temporary signs are to be erected wholly within the reserve. Temporary signs must not restrict pedestrian access and must not restrict vehicle sight distance around corners or along streets.

Some large temporary signs may still require Council approval. Reserve users are advised to check with Council staff who will assist with clarification in relation to the need for consent for signage.

Parking

Generally, car-parking areas should not occupy valuable greenspace, but be positioned to minimise the impact on the area they serve. Car parks should not be located near children's play areas, as there is an issue of safety where cars and children are concerned.

Parking on any Council reserve, apart from in designated parking areas is not permitted. Emergency and maintenance vehicles, and vehicles involved in the delivery of goods for an event are generally the only vehicles permitted access into parks. However, Council may approve parking on grassed areas that are not designated car parking area for special events.

All Ability Access

Council has prepared and adopted a Disability Access Inclusion Plan. By providing access for people with ambulatory challenges, Council also provides access for people pushing strollers and prams and wheelchairs. The combination of these user groups comprises a significant percentage of the total users of Councils reserves.

Access in reserves categorised as General Community Use by older or younger members of our community or by the differently-abled is an issue that requires careful consideration and



planning. The provision of equitable access involves the implementation of a range of measures that when considered in combination, makes access to a reserve manageable.

Some items to be considered in future design are:

- Designated parking close to the reserve
- Pathways leading from the carpark into the ground to appropriate seating
- Ramps where possible to replace steps
- Handrails where appropriate
- Accessible toilet facilities in close proximity to seating and carpark,
- Picnic tables constructed. at a height to accommodate wheelchairs and walkers
- Some seating benches to include arm rests



Current use of the land

This reserve is currently used as a caravan park



Condition of the land and structures

Asset Name & Condition	Dog Ring – Good Condition
Photo	
Asset Name & Condition	Off Leash Area – Good Condition
Photo	





Asset Name & Condition	Camp Kitchen & Storage Area – Good Condition
Photo	
Asset Name & Condition	Managers Residence & Office – Good Condition
Photo	




Asset Name & Condition	Amenities Block & Laundry – Good Condition
Photo	
Asset Name & Condition	BBQ & Shade Area 1 – Fair Condition
Photo	



Asset Name & Condition	BBQ & Shade Area 2 – Fair
Photo	
Asset Name & Condition	Sewer Pump Station 1 – Good Condition
Photo	





Asset Name & Condition	Storage Shed – Fair Condition	
Photo		
Asset Name & Condition	Cabin 1 – Good Condition	
Photo		





Asset Name & Condition	Cabin 2 - Good Condition	
Photo		
Asset Name & Condition	Cabin 3 – Good Condition	
Photo		





Asset Name & Condition	Cabin 4 – Good Condition	
Photo		
Asset Name & Condition	Cabin 5 – Good Condition	
Photo		





Asset Name & Condition	Cabin 6 – Good Condition	
Photo		
Asset Name & Condition	Cabin 7 -Good Condition	
Photo		



Asset Name & Condition	Cabin 8 – Good Condition	
Photo		
Asset Name & Condition	Kitchen – Poor Condition	
Photo		



Asset Name & Condition	Donga 1 & 2 – Good Condition	
Photo		
Asset Name & Condition	Donga 3 & 4 – Good Condition	
Photo		



Asset Name & Condition	Donga 5 – Good Condition	
Photo		

Use of the land and structures

The Caravan Park operation is currently operated under a Management Contract with Parks Management Group. Current contracted commenced 22 December 2022 and due to expire 27 November 2025. It is also used annually for a dog show.



Permissible uses / future uses

The general types of uses which may occur on community land categorised as General Community Use, and the forms of development generally associated with those uses, are set out in detail in Table 2. The facilities on community land may change over time, reflecting the needs of the community.

Table 2 - Permissible use and development of community land categorised as General Community Use by council or the community.

Purpose/Use, such as...	Development to facilitate uses, such as...
<p>Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes. Providing multi-purpose buildings with specialised community uses such as:</p> <ul style="list-style-type: none"> • casual or informal recreation • meetings (including for social, recreational, educational or cultural purposes) • functions • concerts, including all musical genres • performances (including film and stage) • exhibitions • fairs and parades • workshops • leisure or training classes • designated group use (e.g. scout and girl guide use) • entertainment facilities • caravan parks and camping grounds. 	<p>Development for the purposes of social, community, cultural and recreational activities. Development includes:</p> <ul style="list-style-type: none"> • provision of buildings or other amenity areas to facilitate use and enjoyment by the community • development (particularly within buildings) for the purposes of addressing the needs of a particular group (for example Dog Show, operation of Caravan Park – Amenities buildings, cabins & alike) • landscaping and finishes, improving access, amenity and the visual character of the general community area • water-saving initiatives such as rain gardens • energy-saving initiatives such as solar lights and solar panels • car parking • advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ○ relate to approved uses/activities ○ are discreet and temporary ○ are approved by the council • locational, directional and regulatory signage.



Express authorisation of leases, licences and other estates – General

Community Use

This plan of management **expressly authorises** the issue of leases, licences and other estates over the land categorised as General Community Use, listed in Table 3.

Table 3 - Leases, licences and other estates and purposes for which they may be granted for community land categorised as General Community Use.

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	<ul style="list-style-type: none"> 21 Years 	<ul style="list-style-type: none"> cultural purposes, including concerts, dramatic productions and galleries recreational purposes, including fitness classes, dance classes and games sporting uses developed/operated by a private operator kiosk, café and refreshment purposes commercial retail uses associated with the facility (e.g. sale or hire of sports goods) caravan parks and camping grounds
Licence	<ul style="list-style-type: none"> 1 Year 	<ul style="list-style-type: none"> recreational purposes, including fitness classes, dance classes kiosk areas
Short-term licence	<ul style="list-style-type: none"> 7 Days 	<ul style="list-style-type: none"> public speeches, meetings, seminars and presentations, including educational programs functions (including commemorative functions, book launches, film releases, balls, and similar activities) displays, exhibitions, fairs, fashion parades and shows events (including weddings, corporate functions, and community gatherings) concerts and other performances, including both live performances and film (cinema and TV) broadcasts associated with any event, concert, or public speech engaging in an appropriate trade or business delivering a public address, community events; auctions, markets and similar activities access through a reserve advertising camping using a tent, Caravan or otherwise catering community, training or education emergency occupation entertainment environmental protections, conservation or restoration of environmental studies



Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
		<ul style="list-style-type: none">• exhibitions• filming (as defined in the Local Government Act 1993)• functions• hiring of equipment,• holiday accommodation,• markets,• meetings,• sales,• shows,• sporting and organised recreational activities
Other estates	N/A	This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the LG Act.



ACTION PLAN

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

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

Table 4 sets out these requirements for community land categorised as General Community Use.

Table 4 - Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as General Community Use.

Management Issues	Objectives and Performance Targets	Means of achievement of objectives	Manner of assessment of performance
Regulatory Compliance	Ensure Regulatory Compliance for all activities undertaken on the land	Ensure site facilities comply with regulations Ensure activities and events are complying with approval conditions	Section 68 Approvals Development Approval Conditions Event applications
Funding Opportunities	Pursue funding opportunities for development and maintenance of Community Land	Grant Applications made Requests made in the annual budget process. User groups work with Council to apply for future funding to improve and enhance the facilities.	Additional Funding obtained and applied. Number of Grants acquitted. Number of Projects completed.



Management Issues	Objectives and Performance Targets	Means of achievement of objectives	Manner of assessment of performance
Public and Work Health and Safety	Provide and maintain facilities such that risk to people is minimised	<p>Implement and maintain safe work methods</p> <p>Maintain facilities to an acceptable standard</p> <p>Continue to undertake Event Management Procedures</p>	<p>Implement the Asset Management Plan.</p> <p>Complete routine maintenance.</p> <p>Respond to requests for additional maintenance in a timely manner within budget and resource constraints.</p> <p>Ensure compliance with event approval conditions, and risk assessment</p> <p>Ensure Traffic Management is approved through Traffic Committee</p>
The provision of facilities to meet the needs of the community (within budgeted funds)	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	<p>Maintain reserve to an acceptable standard.</p> <p>Engage with community and user groups to ensure that facilities are meeting their needs.</p>	<p>Seek user group feedback on proposed budgets</p> <p>Seek user group engagement in applying for funds and grants for improvements</p>
Efficient delivery of services	Provide utilities, building and facility services to and agreed standard	<p>Level of service is agreed.</p> <p>Event management procedure is followed by event holders.</p>	<p>Level of service is provided.</p> <p>Timely booking of facilities will enable the efficient provision of the service</p>

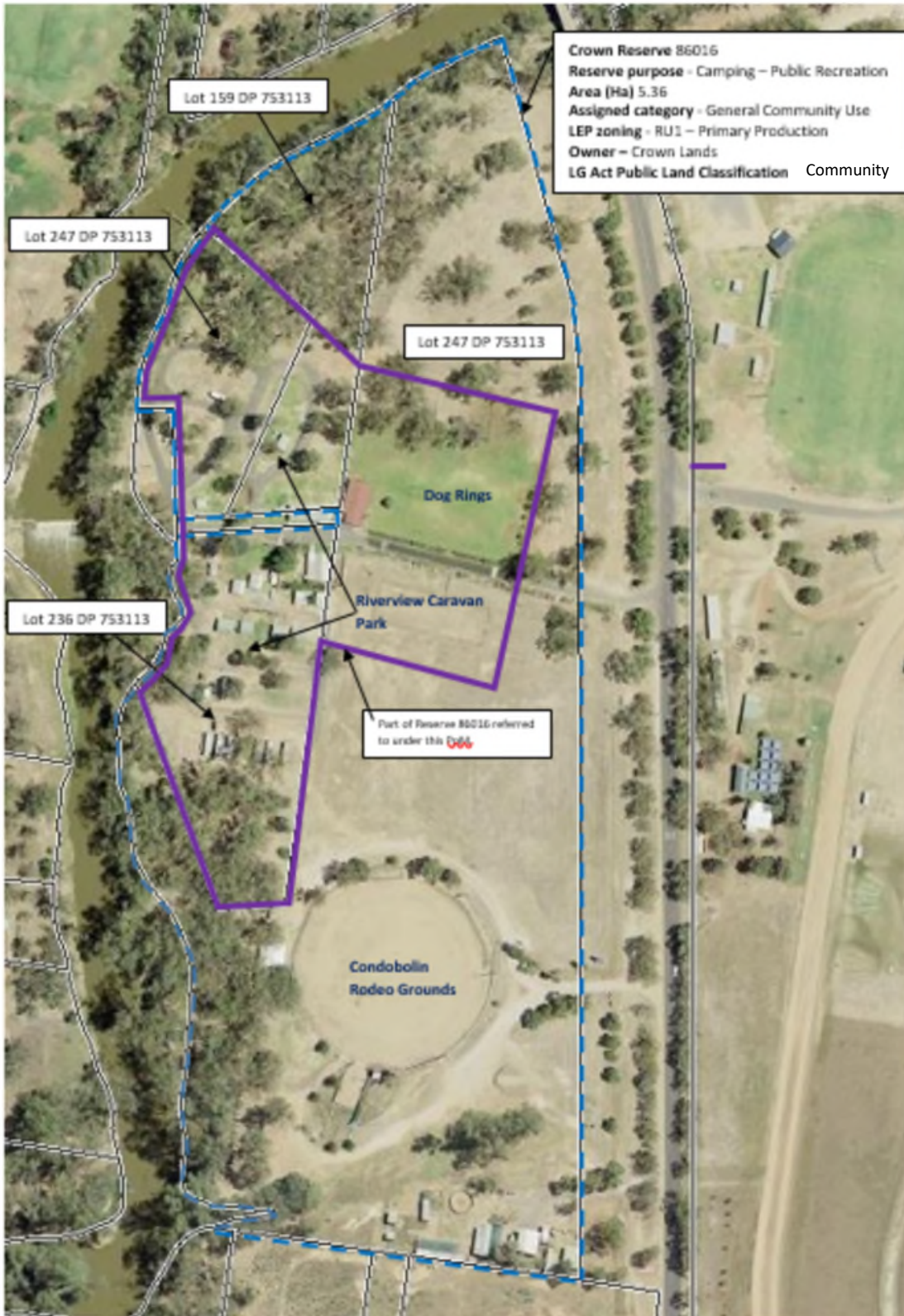


Management Issues	Objectives and Performance Targets	Means of achievement of objectives	Manner of assessment of performance
Maintain community safety	Provide a safe environment in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public.	Undertake facilities audits	Audits undertaken every 4 years Maintenance undertaken as required
Issuing of Leases, Licences and Other Estates	Provide transparent and equitable use of facilities	Leases and Licences to be prepared for authorised purposes, in accordance with the Plan of Management	Leases and licences executed for all user groups and temporary users of the reserve.
Environmental Management	Maintain environmental values and integrity of the precinct	Environmental values of the area are maintained. Environmental integrity of the area is not compromised by activities or developments	Development Application process ensure appropriate activities and controls take place



APPENDICES

Appendix A1 – Maps





Appendix A2 – Plan of Management Legislative Framework

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

Local Government Act 1993

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

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

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

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

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

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

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



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

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

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

- a) bushland
- b) wetland
- c) escarpment
- d) watercourse
- e) foreshore
- f) a category prescribed by the regulations.

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

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

Classification of public land

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

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

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

By comparison, no such restrictions apply to operational land that is owned by councils. For example, operational land can be sold, disposed, exchanged or leased including exclusive use over the land, unencumbered by the requirements which control the use and



management of community land. Crown reserves managed by council as operational land may generally be dealt with as other operational land but may not be sold or otherwise disposed of without the written consent of the Minister administering the CLM Act.

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

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

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

Crown Land Management Act 2016

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

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

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

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

Principles of Crown land management

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.



- Public use and enjoyment of appropriate Crown land are to be encouraged.
- Where appropriate, multiple uses of Crown land should be encouraged.
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.
- Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

Crown land management compliance

In addition to management and use of Crown reserves that is aligned with the reserve purpose(s), there are other influences over council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

Native Title Act 1993

The Commonwealth *Native Title Act 1993* (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

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

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

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

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

- a) granting leases, licences, permits, forestry rights, easements or rights of way over the land
- b) mortgaging the land or allowing it to be mortgaged
- c) imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants,



conditions or other restrictions on use) in connection with dealings involving the land

- d) approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

Council plans and policies relating to this plan of management

Council has developed plans and policies that are concerned to some extent with the management of community land. These documents have been considered when preparing this PoM.

The following is a list of documents that have a direct association with this PoM:

- Lachlan Shire Council Local Environmental Plan 2013
- Lachlan Shire Council Development Control Plan 2018
- Lachlan Shire Council Local Approvals Policy
- Lachlan Shire Council Community Strategic Plan 2022/23 – 2031/32
- Lachlan Shire Council Delivery Program 2022 - 2026
- Lachlan Shire Council Long Term Financial Plan
- Lachlan Shire Council Stormwater Plan
- Lachlan Shire Council Rural and Industrial Land Use Strategy
- Road Safety Action Plan
- Lachlan Shire Council Section 7.12 Contribution Plan
- Lachlan Shire Council Asset Management Plans
- Pesticide Use Notification Plan 2016
- Lachlan Shire Heritage Study 2004
- Active Transport Plan 2016
- Disability Inclusion Action Plan 2022 - 2025
- Village Enhancement Plans



NSW state legislation

Environmental Planning and Assessment Act 1979

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

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

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

Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) is important legislation that recognises the rights of Aboriginal peoples in NSW. It recognises the need of Aboriginal peoples for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable.

National Parks and Wildlife Act 1974

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

Coastal Management Act 2016

The *Coastal Management Act 2016* (the Act) establishes a strategic framework and objectives for managing coastal issues in NSW. The Act promotes strategic and integrated management, use and development of the coast for the social, cultural, and economic wellbeing of the people of NSW.

Biodiversity Conservation Act 2016

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

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to



community land categorised as natural area. However, other categories may also be affected.

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

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

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

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

Fisheries Management Act 1994

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

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

Rural Fires Act 1997

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

Water Management Act 2000

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



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

Heritage Act 1977

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

Commonwealth legislation

Environmental Protection and Biodiversity Conservation Management Act 1999

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

Telecommunications Act 1997

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



State Environmental Planning Policies

State Environmental Planning Policy no. 19 – Bushland in urban areas

This planning policy deals with bushland in urban areas, so is applicable to PoMs for community land categorised as Natural Area – Bushland.

SEPP (Transport & Infrastructure) 2021

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

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

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

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

This policy deals with clearing of native vegetation in urban areas and land zoned for environmental protection.

Other relevant legislation, policies, and plans

Catchment Management Authorities Act 2003
Companion Animals Act 1998
Disability Discrimination Act 1992
Local Land Services Act 2013
Operations Act 1997
Pesticides Act 1999
Protection of the Environment Operations Act 1997
Retail Leases Act 1994
Soil Conservation Act 1938
NSW Invasive Species Plan 2008-2015
National Local Government Biodiversity Strategy
NSW Biodiversity Strategy



Appendix A3 – Aboriginal interests in Crown land

Crown land has significant spiritual, social, cultural and economic importance to the Aboriginal peoples of NSW. The CLM Act recognises and supports Aboriginal rights, interests and involvement in Crown land.

The management of Crown land can be impacted by the Native Title Act 1993 (Cth) and the Aboriginal Land Rights Act 1983 (NSW).

Native Title

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

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

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

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

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

For further information about native title and the future acts framework see the [Crown lands website](#).

Aboriginal Land Rights

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

Aboriginal land claims may be placed on any Crown land in NSW. The Department of Planning Housing & Infrastructure is responsible for investigating claims as defined in the



ALR Act. If a claim is established, the land is transferred to the Aboriginal Land Council as freehold land.

At the time of preparing this plan of management, there is 1 undetermined Aboriginal land claim within this reserve. Council has considered the claim(s) in development of this plan of management.