



# Plan of Management Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course)



**Adopted 9<sup>th</sup> April 2008**

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Author	Michael Di Ramio
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# **Plan of Management**

## **Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course)**

**March 2008**

Prepared by



**Micris Management Services Pty Ltd**

PO Box 338, Campsie NSW 2096

Phone: (02) 9037 4835

Fax: (02) 9591 6932

Email: [info@micris-mgt.com](mailto:info@micris-mgt.com)

Web: [www.micris-mgt.com](http://www.micris-mgt.com)

## **FOREWORD**

The Local Government Act requires that Council have in place a Plan of Management for all Community Land. Community Land generally includes Parks and Reserves, Bushland and Community Facilities such as Community Centres, where the land is owned by Council or under Council's care and control.

This Plan of Management has been prepared to comply with the Local Government Act 1993, as amended and the Local Government (General) Regulation which commenced on 1st January 1999. This plan has been prepared to reflect the needs of:

- Council as managers of the land;
- All user groups;
- Local residents as users and neighbours of the land;
- Visitors and tourists; and
- The local community as custodians of the community assets.

## **Community input into the Plans of Management**

The Local Government Act 1993 requires that all Plans of Management be placed on public display for a minimum period of 28 days. A minimum period of 42 days after the draft is placed on exhibition is allowed for written submissions to be made to Council.

Submissions provide an opportunity for the community and other stakeholders, to express opinions, provide information and suggest alternatives to the proposed Management Strategies for Community Land within the Shire. On closure of the period of public comment, and after consideration of submissions received, Council may decide to amend the Draft Plan of Management, or adopt it without further amendment. If a Council adopts an amended plan without public exhibition of the amended draft plan, it must give public notice of that adoption, and of the terms of the amended Plan of Management, as soon as practicable after the adoption.

## **Public Hearing Land Categorisation**

In accordance with Section 40A of the Local Government Act 1999, a public hearing was held on 24<sup>th</sup> October 2007, in respect to the categorisation of the land.

## Acknowledgements

This Plan of Management has been prepared by Micris Management Services Pty Ltd for Wingecarribee Shire Council's Parks and Property Branch, with contributions from Council's, Design, Information Technology and Strategic Planning Branches.

This plan has been prepared following consultation with user groups, key stakeholders and the local community. A community workshop was held 2<sup>nd</sup> October 2007, the workshop was well attended with over 200 people present.

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## **Community Land off Centennial Road, Bowral**

### **(known as Bowral Country Club Golf Course)**

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## EXECUTIVE SUMMARY

This Plan of Management provides the framework for managing Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course). The Golf Course has been identified by Wingecarribee Shire Council as having a high recreational value for the community, user groups and provides an area of usable open space within an urban environment.

The Plan of Management aims to satisfy the requirements of the Local Government Act (1993) and the Local Government Amendment (Community Land Management) Act 1998. It takes a value – based approach to land planning and management, identifying the Reserve’s key values, role and purpose.

As part of the process of preparing this Plan of Management, extensive community consultation has been carried out. Including community workshops, user group consultation, meetings with key stakeholders and the distribution of community and user group questionnaires. This community consultation process has identified a number of values that fall into the broad categories of:

- Management
- Environment
- Recreational
- Community
- Access

The values and subsequent issues raised at the workshops have been addressed within the Action Plan. A set of core objectives, as determined by the Local Government Act (1993), have been addressed within the Action Plan.

A Masterplan for Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course) has been developed in conjunction with this Plan of Management. The Master Plan is based on the values identified for the Golf Course and the key actions.



*Photo 1 – Practice Green*

## 1.0 INTRODUCTION

### 1.1 Location

Bowral Country Golf Club Course is located in Bowral, at the corner of Boronia Street and Centennial Road. (refer to **Figure 1 & 2**). The Golf Course is bounded by Gibbergunyah Reserve to the north, Kirkham Road and private property to the east, Centennial road to the south and a combination of residential and commercial properties to the west such as the Golf View Lodge.

Bowral Country Golf Club Course has been a Public Golf Course since its inception in 1948 and is well known by the local community and on the golfing fraternity for its picturesque scenery and peaceful surroundings.

### 1.2 Site Significance

The Bowral Country Golf Club Course contributes substantially to the beauty, character and charm of the local area, and to the quality of life of local residents and visitors to the Shire. With its undulating fairways, locally significant stands of remnant and introduced vegetation, Bowral Country Golf Club Course is highly regarded for its recreational, natural, aesthetic and cultural values.

Bowral Country Golf Club Course are well utilised by competitive golfers, casual players, social players and passive users.



*Photo 2 – Golf Course adjacent to green 18 showing water features bushland backdrop*



Figure 1 – Location Map

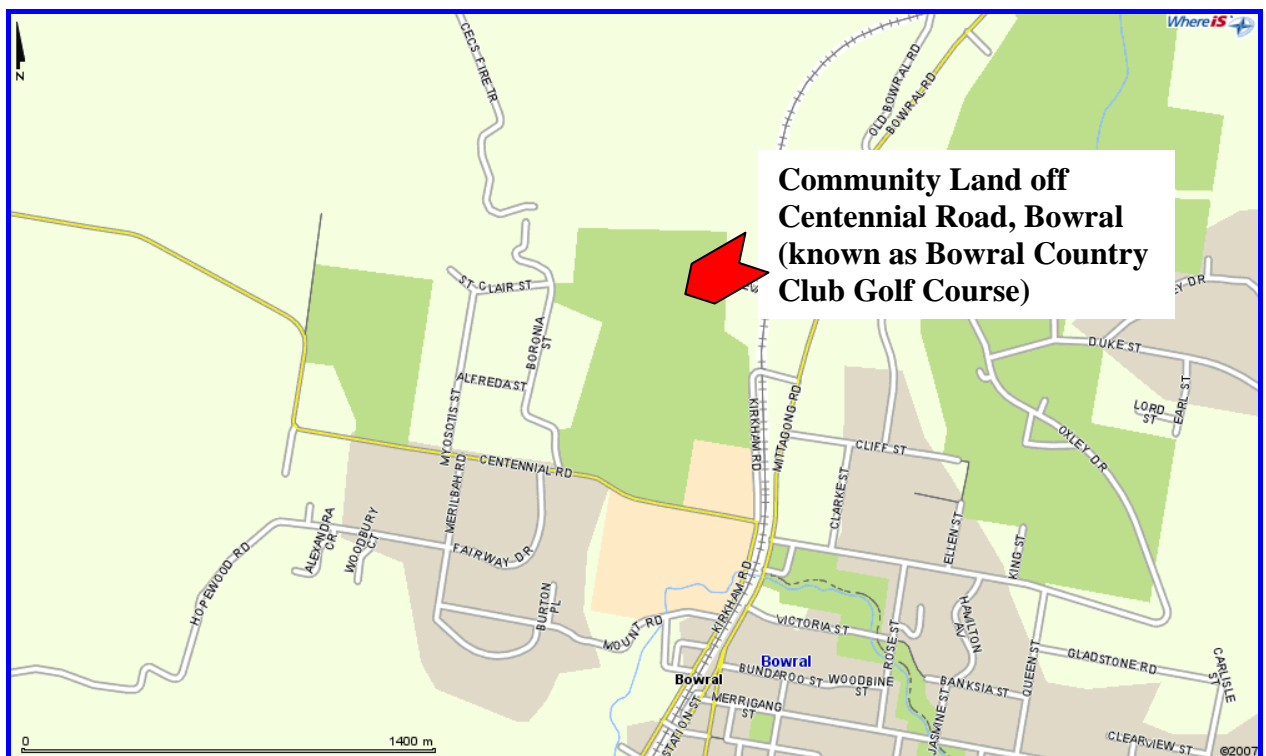


Figure 2 –Park Location

## **1.2 Background Information**

Bowral Country Golf Club Course is one of two Public Golf Courses in the Wingecarribee Shire. The remainder seven Golf Courses are in private ownership, thus making Bowral Country Golf Club Course a high profile community asset in terms of its sporting and passive Recreational benefits.

Bowral Country Golf Club Course is considered to be a significant facility that attracts interest both locally and nationally and provides an opportunity to increase tourism in the area. The site is featured in golfing web sites such as ausgolf and iseekgolf which describes the course.

The catchment area is made up of a variety of different land uses including residential areas, business areas and Community Land. Directly adjacent to Bowral Country Golf Club Course to the North is the well known Bushland and Open Space Reserve - Gibbergunyah Reserve.

The first official use of the name “Bowral Country Golf Club” in Council records was on 24<sup>th</sup> January 1950. However the Geographical Names Board of NSW has no formal record of this site being formally named.

The Bowral Country Golf Club has been involved with the management of the course from the first day play commenced. The site is mainly used for golf, however the site is also used for passive recreation such as early morning walks and social events, for example weddings.

The clubhouse and amenities facilities are located on private property adjacent to the course, thus maximising the open space and the benefit to the users and the Local Community. Council have recently approved an upgrade to the clubhouse incorporating a hotel development, this improvement to the private property adjacent to the course has the potential of increasing tourism and enhancing the recreational and social value of the Golf Course.

The course is shown in **Figure 5**, and the key aspects are described in **Table 1**.

**Table 1 Over View of Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course)**

Item	Description
Ownership	Wingecarribee Shire Council
Land title information	Lot13, DP 12037 Lot12, DP 739274 LotPT48, DP 751282 Lot1, DP 159189 Lot1, DP 254377 Lot23, DP 37357 Lot24, DP 37357 Lot25, DP 37357 Lot26, DP 37357 Lot2, DP 747518 Volume 3735 Folio 3
Management and maintenance of Golf Course	Managed by lessee: Bowral Country Golf Club & Bowral RSL. All maintenance is provided by the lessee.
Area	43 hectares
Land categories	The golf course is community land categorised as: Sportsground, General Community use, Natural Area – Watercourse & Bushland.
Zoning	6(b) Open Space (Private Recreation) under Wingecarribee Local Environmental plan 1989
Key components	<ul style="list-style-type: none"> <li>• 18 hole golf course</li> <li>• Par 70</li> <li>• Length – 5249 meters</li> <li>• ARC 67</li> <li>• Remnant bushland</li> </ul>
Patronage	15,000 users per year (approximately)

*Source: Wingecarribee Shire Council and Bowral Country Club*



### ***1.3 History of the Area***

Land sale plans from Mills and Pile Auctioneers dated 8<sup>th</sup> October 1892 show that majority of the land where the Golf Course now stands was once orchard gardens and cultivation paddocks.

Bowral Council meeting minutes dated 26<sup>th</sup> November 1947, indicate that Bowral Municipal Council were responsible for establishing a Municipal Golf Course by acquiring land adjacent to Centennial Park (via purchase and resumption) to develop the Links Golf Course. The minutes signed by Alderman Foley, Mayor also states “..... the Links, when constructed, will prove a major asset which will provide extra Sporting facilities for our citizens and will attract tourists to Bowral. The estimated cost of providing the ‘Links’ including the club house is 14,000 pounds”.

Council purchased land around the Fairmount Subdivision and resumed land from the Arrankamp Estate of suitable size to develop the Golf Course. Construction on the Golf Course commenced in 1947, it appears that play commenced in early 1949 as the holes become usable and the full eighteen holes were in use by the later half of the year.

The Bowral Country Club was formed on 17<sup>th</sup> November 1948, the first President was Alderman H. F. Venables, the first Captain was E. V. Sweeney, and the first Secretary was W. Newall.

Due to building restrictions it was not possible to erect a permanent Club House on the Golf Course at that time, until a permanent structure was permissible an arrangement was reached with the Craigieburn Hotel who owned the property adjacent to the Golf Course. Their premises were used as a club house, Bowral Country Golf Club would later purchase this property to establish their club house as it stands today.

An official opening took place on the 15<sup>th</sup> April 1950, and was opened by the Minister for Public Works & Local Government the Honourable Mr. J.J. Cahill.



*Photo 3 – Opening of the Country Club 1950*



## ***1.4 Definition of a Plan of Management***

The Local Government Act 1993, as amended and the Local Government Amendment (Community Land Management) Act 1998 requires that all public land owned by Council be classified as either Community Land or Operational Land. Generally speaking, Community Land refers to any property which is retained for use by the general public, whilst Operational Land need not be retained for public use. Local Government must prepare a plan of management for all Community Land, this is to ensure that an endorsed framework guides the operation and development of these community resources.

Plans of Management are public documents, and as such require stakeholders to be involved in their formation. A process of research and community consultation provides opportunities for community participation and involvement, establishing a sense of ownership in stakeholders and contributing to the ongoing success of the plans.

Until a Plan of Management for Community Land is adopted, the nature and use of the land cannot be changed and Council cannot carry out new development or improvements to the land.

Plans of Management assist Council to budget and source funds for the future maintenance, improvement and development of community land. Each plan provides Council with a current survey of its resources, a guideline for expenditure and plans for the development of the site.

This Plan of Management has been prepared in order to achieve a balanced, responsible and sustainable use of the land and to ensure that it addresses the needs of local user groups and the broader community. It identifies appropriate outcomes for the site and provides a way of achieving these outcomes through a series of clear management objectives and supporting strategies and actions.

This Plan of Management, supersedes any other Plan of Management prepared for this site.

## ***1.5 Purpose of this Plan of Management***

This Plan of Management has been prepared under the provisions of the Local Government Act 1993, as amended which requires Councils to prepare Plans of Management for all land under Council ownership or control classified as Community Land.

This Plan of Management aims to provide a clear, concise and practical framework for the management of Bowral Country Golf Club Course. It aims to be performance oriented in order to contribute towards Council achieving its strategic goals, vision, mission and strategic outcomes. As a means of achieving these aims, the Plan uses a values-based approach to land planning and management. This approach facilitates strategies which will protect and enhance values, whilst identifying the issues which may pose a threat to these values. It ensures the longer-term objectives of sustainable management.

The primary purpose of this Plan is to provide the community, users and Wingecarribee Shire Council with a clear statement on the future use and management of Bowral Country Golf Club Course. The efficient and appropriate management of this land is essential if its value to the community is to be maintained and enhanced.

The plan of management will be consistent with Council's other policies and plans, ensuring a strategic vision and approach to open space across the Wingecarribee LGA.

The plan will comply with the Local Government Act 1993, as amended and the Local Government Amendment (Community Land Management) Act 1998 and other relevant legislation in relation to the preparation of plans of management.

This Plan of Management will cover the development and management actions of the land for community purposes, over the life of this plan. An annual review of this Plan of Management will be performed and documented.



## 1.6 Land Ownership and Planning Context

### 1.6.1 Land Ownership

The area of land known as Bowral Country Golf Club Course is shown in the aerial photo below.



Photo 4 – Aerial photo of Community Land off Centennial Road, Bowral  
(known as Bowral Country Club Golf Course)



The land covered by this Plan shown in **Figure 3** below is owned by Wingecarribee Shire Council, the boundary of Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course) is represented on the plan by the red line. The Reserve is made up of eleven parcels of land. The Reserve is represented by the area in green.

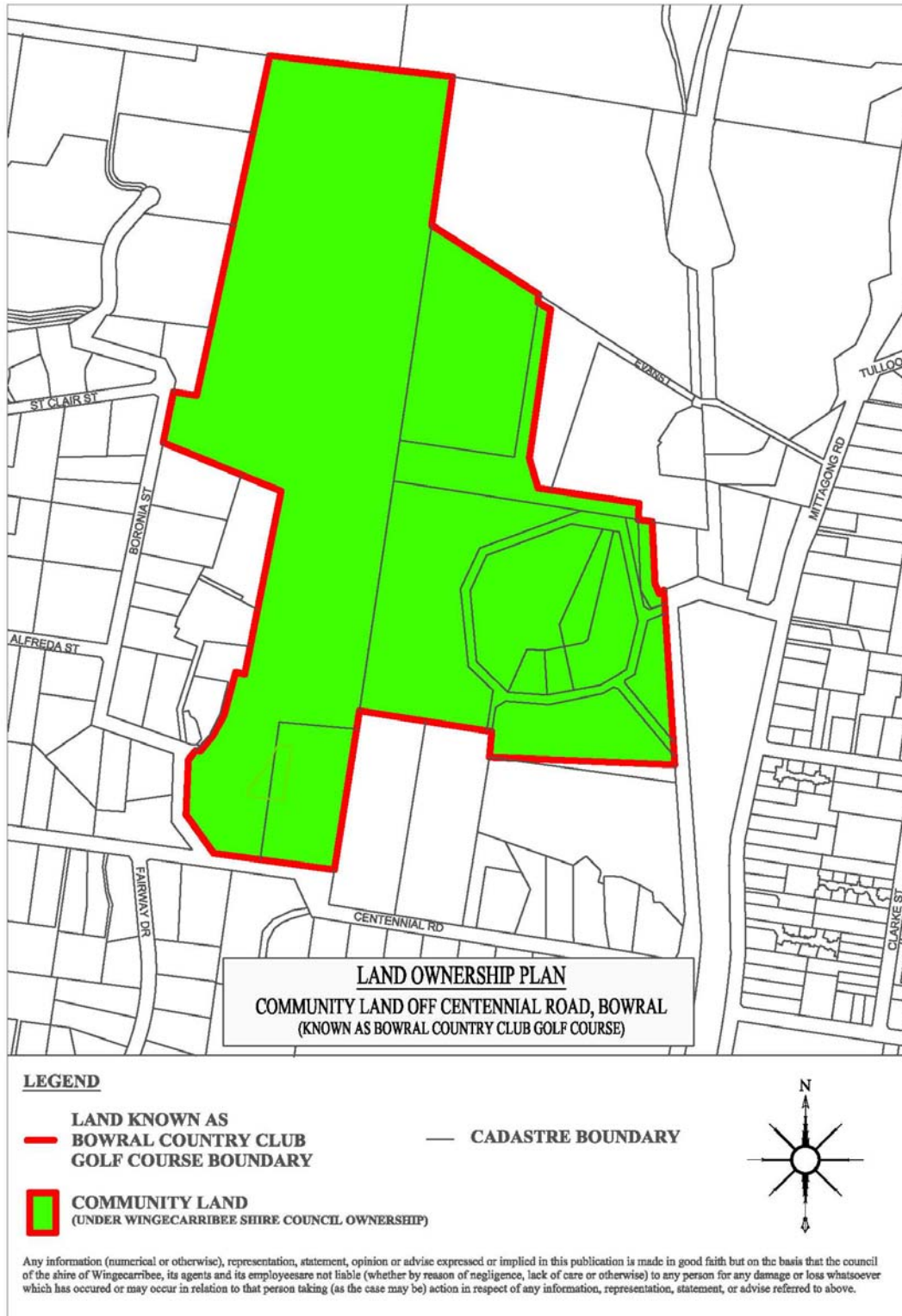


Figure 3 –Land ownership covered by the Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course) Plan of Management

## 1.6.2 Zoning Plan

Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course) is classified 6(b) Open Space (Private Recreation) in the Wingecarribee LEP 1989. The site consists of a total area of 43 hectares. A plan from Councils LEP appears below, showing the zoning of the site and surrounding areas.

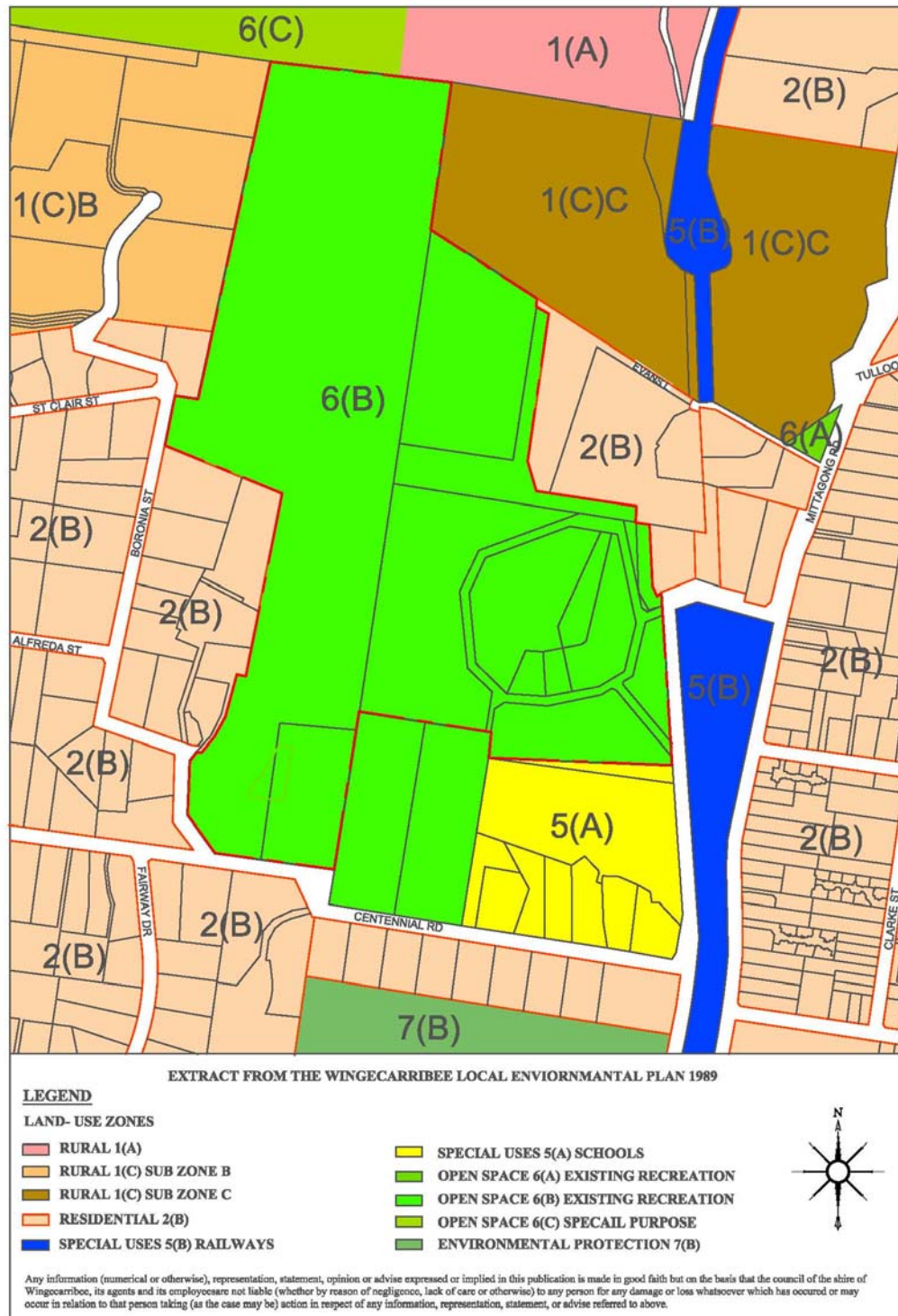


Figure 4 – Zoning Plan of Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course) and surrounding land

## 2.0 SITE ANALYSIS

### 2.1 Current Facilities and Condition

The following table describes existing areas, current uses, and the condition of the infrastructure within the Reserve. Refer to the site plan in **Figure 5** for the location of these facilities.

**Table 2 Condition assessment**

Area Description	Facility	Condition
Fairways	The fairways are in average condition.	Fair
Greens	The greens are in excellent condition, the Bowral Country Club have implemented a maintenance and renovation program.	Excellent
Tee's	The tee's are in good condition.	Good
Bushland	Generally in poor condition. Bushland areas require weed control and regeneration works to improve their ecological value.	Poor
Public Open Space Areas	In reasonable condition and fit for use.	Fair
Fencing	Generally in poor condition majority of the fences are inappropriate for this type of facility.	Poor
Maintenance shed	The maintenance shed is in fair condition.	Fair
Chemical storage / wash down area	The chemical storage and wash down areas do not meet required standards and need to be upgraded.	Poor
Old green keepers shed	The old green keeper shed is considered to be dangerous and should be demolished and removed off site.	Poor
Irrigation & ponds	The current irrigation system and water source ponds would appear to be undersized for their current demand.	Fair
Pathways	The paths are fit for use.	Fair
Furniture	Majority of the seats located throughout the course are in poor condition.	Poor
Bridges	On visual inspection majority of the bridges appear to be acceptable, with the exception of one that has collapsed. All bridges should be inspected by a qualified person and appropriate assessment be made	To be assessed
Car park (next to shed)	An informal parking area is in use.	Fair.

Source: Wingecarribee Shire Council and Bowral Country Club

#### Interpretation of building/site condition

<i>Excellent</i>	<i>these assets are in 'as new' condition and require little maintenance or upgrade.</i>
<i>Good</i>	<i>these assets are well maintained for their age but require on-going maintenance.</i>
<i>Fair</i>	<i>these assets are suitable for their current use but need repairs, renovations or upgrade.</i>
<i>Poor</i>	<i>these assets are in poor condition and require maintenance to make serviceable.</i>





Figure 5 – Site Plan

## **2.2 Users and Facilities**

### **2.2.1 Who Plays Golf**

According to Australian Bureau of Statistics data, golf is the fourth most popular national sport or physical activity of participants over the age of 18 years. About 40% are aged 40 years and over, and casual participation is around 60%. (Australian Bureau of Statistics, Participation in Sport and Physical Activities Australia, 1999).

### **2.2.2 Supply and Demand**

According to the NSW Golf Association, player numbers are growing strongly. However, this growth has mainly been in private club membership, while social golf is stable or declining. This is affecting Public Golf Courses, which the majority of do not offer memberships and cater for the social golfer (NSW Golf Association).

### **2.2.3 Patronage Trends at Bowral Country Club Golf Course**

Over 15,000 patrons per annum are recorded in using the course which does not include unrecorded rounds such as people using the course outside of opening hours. Visitation generally peaks on weekends, public holidays and school holidays. Most people play eighteen holes, although there is no data available.

The current user groups are made up of:

**Table 3 Membership and user groups**

User group	Number
Life Members	8
Day members	55
6 Day Members	4
5 Day Members	27
Country Members	60
Junior members	4
Sub-Junior members	11
Non-Handicap members	28
Social Members	56
Total	253

The need to maintain patronage to keep the course viable is a major issue to be addressed at the course. Any future business plan developed for the course should include a preferred patronage range that would sustain and not affect the quality of the course due to over-use or lead to undue playing delays.

#### **2.2.4 Recreational Use**

In September 2004, Council adopted a report detailing Wingecarribee Open Space, Recreation, Cultural and Community Facilities Needs Study prepared by Parsons Brinckerhoff. The study supported and identified a need to sustain the two Public Golf Courses within the area. This Plan of Management supports the findings and recommendations made within the Wingecarribee Open Space, Recreation, Cultural and Community Facilities Needs Study

The primary use of the site is to play golf and other golf related activities, the open space with the Course is used for passive recreation such as jogging, walking etc.

The Illawarra District Golf Association have described the course as ‘challenging’ and rates the course within the top 5 courses within the area.

The provision, accessibility and quality of open space is one factor that guides and influences people’s choice in participating in recreational activities. The site provides recreation opportunities together with social and cultural events. Councils aim is to promote a healthy and progressive lifestyle for the community of Wingecarribee by fostering and providing sporting and recreational services for the people of the region.

Components of the master plan may not occur for some years depending on funding. This Plan of Management recommends staging of the works, however the staging is dependent on availability of funding, demand and use of the facilities.



*Photo 5 – view of the fairway from tee No. 3*

### 2.2.5 Other Uses

In addition to golf and the existing passive recreational use of the open space the site is used for social events. This Plan of Management authorises the following additional activities:

**Table 4 Additional Usage**

---

Weddings
Car shows
Market days
Business events
School Cross Country events
Community function (such as carols by candle light)
Sporting tournaments

---

### 2.2.6 Alternative Uses

As part of the Plan of Management process Council wished to gain an understanding of the community desire for possible alternative uses for Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course). A summary of the submissions received may be found in *Attachment IV*.

The following table represents the possible alternative uses for the site expressed by members of the community in no apparent order. This Plan of Management permits the site to be used primarily for golf and other passive recreational use. The alternative uses listed in table 5 would require a Plan of Management to be amended to allow such use.

**Table 5 Alternative Uses**

---

Formal garden
Bushland corridor
Botanical garden / Arboretum

---



## **2.3 Access**

In accordance with Council's obligation to ensure equality, the Reserve and its facilities will be accessible to all members of the community, regardless of age, sex, socio-economic status or mobility.

### ***Entrances***

Bowral Country Club's formal entrance is off Boronia Street. An access road exists between an established hotel development to the east and residential properties to the west. The access road directs users into the private car park where the existing club House is located.

A second entrance to the course is located further along Boronia Street opposite St. Clair Street this access is predominantly used for maintenance and emergency vehicles.

### ***Pedestrian Access***

The formal pedestrian access to the site is currently via the formal entrance at the southern end of Boronia Street.

The entrance to the course opposite St. Clair Street also includes a right of way that provides access to Gibbergunyah Reserve.

There are a number of areas along the boundary of the site where pedestrian access can be gained via damaged or through unfenced areas and informal pedestrian entrances such as at the end of Kirkham Road.

### ***Disabled Access***

The site does not currently provide adequate disabled access, any proposed improvements to the site shall be in accordance with the Australian standards regarding 'Access and Egress'.

### ***Vehicular Parking and Access***

The course does not permit vehicle movement through the site. All movements within the site are via golf carts or on foot.

The formal carpark is currently located next to the club house, this area is privately owned. There is a small informal parking area opposite St. Clair Street. This area is mainly used by walkers using Gibbergunyah Reserve

## **2.4 Flora and Fauna**

A Flora and Fauna Constraints and Opportunities study has been prepared by Hayes Environmental for the site. The study found that the vegetation is generally in poor condition, due to previous clearing, introduction of ornamental horticultural specimens, and through weed invasion.

The study found that there are some areas of vegetation that are degraded and do not possess any ecological value, but could be retained for visual amenity. However, the study did find that there are large areas of vegetation that with a weed control program and regeneration works would improve in ecological value and maintain their viability.

The complete Flora and Fauna Constraints and Opportunities study prepared by Hayes Environmental has been included as ***Attachment I***.



*Photo 6 -Remnant vegetation located next to the water course*

## **2.5 Water Quality**

Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course) contains a Mittagong Creek tributary which flows through the course. Water quality analysis has not yet been undertaken of this tributary

## **2.6 Drainage System**

The Golf Course has a drainage collection system which was designed to collect the surface runoff during storm events. The water was stored in the irrigation system ponds. During the data collection process we had the opportunity to view the system in action, our observations concluded that the system was ineffective and needs to be redesigned.



## **2.6    *Current Management and Maintenance***

### **2.6.1    *Who does what***

The club house and car parking is on private land. The Club also manages the Golf Course site via a lease. The club house includes licensed premises, pro-shop, function rooms, cart hire etc. The current lease has some 11 years remaining.

The Bowral Country Club is responsible for all operational costs and maintenance of the Golf Course. Council's role in managing the course is as land owners and ensuring that a Public Golf Course facility is maintained.

### **2.6.2    *Communication and promotion***

There is no formal feedback or communication system between the patrons and the Club nor is there any system between the Club and Council to provide input or feedback on course improvements or management.

Similarly, there is no formal promotion strategy, business plan or marketing plan for the course. A business plan incorporating a promotion strategy and marketing plan should be developed and implemented to improve the viability of the course.

### **2.6.3    *Revenue***

Bowral Country Club provide Council with a rental fee each year.

### **2.6.3    *Maintenance standard***

During the development of this plan the Club members, employees and patrons have commented on the standard of the course via workshops and a questionnaire. There has been a uniform response that the course is maintained to a high standard. However our research has found that only the greens have been maintained to a high standard all other aspects of the course need attention. A maintenance and renovation program should be developed and implemented.

### 3.0 LEGISLATIVE AND STATUTORY REQUIREMENTS

This Plan of Management consists of Community Land and must therefore satisfy the:

- Local Government Act, 1993, as amended; and
- Local Government Amendment (Community Land Management) Act, 1998.

#### 3.1 *Principles of Community Land Management*

Under legislative requirements of the Local Government Act 1993, as amended and the Local Government Amendment (Community Land Management) Act, 1998, s36 (a) – (n), Councils must prepare and adopt Plans of Management for all Community Land. A plan may apply to one or more areas of Community Land, providing all the Act's requirements are fulfilled.

The Act states that the Plan must identify the following:

- a The category of land;
- b The objectives and performance targets of the plan with respect to the land;
- c The means by which Council proposes to achieve the plan's objectives and performance targets;
- d The manner in which Council proposes to assess its performance with respect to the plan's objectives and performance targets.

As this is a Plan of Management that applies to just one area of community land it must also:

- a) include a description of:
  - i. The condition of the land, and of any buildings or other improvements 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.

### ***3.2 Council Dealings with Community Land***

- (a) Council has no power to sell, exchange or otherwise dispose of Community Land, except for the purpose of enabling that land to become, or to be added to, a Crown Reserve or land reserved or dedicated under the National Parks and Wildlife Act 1974;
- (b) Council may grant a lease or license on Community Land, but only in accordance with the Local Government Act 1993, as amended;
- (c) A Council may grant any other estate in Community Land to the extent permitted by the Local Government Act 1993, as amended

### ***3.3 Leases or Licences on Community Land***

#### ***3.3.1 Granting a Lease or Licence for Community Land***

Leases and licences are a method of formalising the use of Community Land and facilities. Leases or licences can be held by groups such as sporting clubs, schools, commercial organisations or individuals providing facilities and/or services for public use.

The Local Government Act 1993, as amended allows Council to grant leases or licences over all or part of Community Land. The use of land under a lease or licence must be compatible with the Local Environment Plan or Council requirements and provide benefits and services or facilities for the users of the land. Terms and conditions of a lease should reflect the interests of Council and the public and ensure proper management and maintenance.

#### ***3.3.2 Conditions for Granting a Lease or Licence***

The following conditions must be met when granting a lease or licence over Community Land:

- The lease or licence must not be granted for a period exceeding 21 years;
- A lease or licence for a period greater than five years may only be granted by tender, unless it is granted to a non-profit organisation; and
- The Plan of Management must expressly authorise a lease or licence.

Council must:

- Give public notice of the proposal;
- Exhibit notice of the proposal on the land to which the proposal relates;
- Give notice of the proposal to such persons who appear to own or occupy land adjoining the Community Land; and
- Give notice of the proposal to any other person (owner or occupier of land in the vicinity of the Community Land), if in the opinion of Council, the subject of the proposal is likely to form the primary focus of the person's enjoyment of Community Land.

### ***3.3.3 Events Exempt from Lease or Licence***

#### **Casual Uses**

Casual uses of a public reserve for events of no more than three consecutive days will not be required to arrange a formal lease or licence with Council, provided that:

- The activity is permissible under the objectives identified for that land category,
- No significant damage to the reserve is anticipated as a result of the proposed activity,
- There is no anticipated disruption to adjacent properties as a result of the activity or event,
- The use or occupation does not involve the erection of any permanent buildings or structures,
- There is no interference with other users,
- Council obtains proof of suitable insurances,
- The organisers, in consultation with Council, make arrangements for the provision of extra toilets, waste collection, traffic management, security, and any other requirements deemed necessary by Council.

### ***3.4 Strategic Documents used in the Preparation of this Plan***

The following Council documents have been used to assist and guide the strategic outcomes of this Plan, ensuring consistency in values, principles and policies:

- Wingecarribee Local Environmental Plan 1989;
- Wingecarribee Open Space, Recreation, Cultural and Community Facilities Needs Study, 2004;
- Wingecarribee Management Plan 2006 – 2009;
- Wingecarribee Corporate Strategy 2005 – 2009;
- Wingecarribee Shire Council Open Space and Recreation Facilities Section 94 contributions plans (July 1993);
- Wingecarribee Social Plan – 1999 – 2004;
- State of the Environment Report 2001-2002;

### ***3.5 Other Relevant Legislation and Policies***

The Plan must also be in accordance with the provisions contained within relevant legislation and policy guidelines refer to Section 9.1 for a complete listing.

## **4.0 LEGISLATION RELATING TO COMMUNITY LAND OFF CENTENNIAL ROAD, BOWRAL (KNOWN AS BOWRAL COUNTRY CLUB GOLF COURSE)**

### ***4.1 Councils role in managing Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course)***

The site is classified as “Community Land”. All public land must be managed in accordance with the Local Government Act 1993, including the Local Government Amendment (Community Land Management) Act 1998. The Act requires that Councils must classify public land as “operational” or “community” and that Plans of Management must be prepared for Community Land. The ways in which Community Land can be used and managed are strictly governed in accordance with an adopted Plan of Management and any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land.

### ***4.2 Categories of Community Land***

Community Land must be categorised in accordance with the Local Government Amendment (Community Land Management) Act 1998. A category describes the land and each category has a set of core objectives. All current and intended uses of the land must comply with the core objectives and the objectives are defined and addressed within the Action Plan (Section 9).

The Local Government (General) Regulation 1999 provides guidelines for each of the categories, as described below:

#### ***4.2.1 General Community Use***

Land should be categorised as general community use 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, or does not satisfy the guidelines for categorisation as a sportsground, a park or an area of cultural significance.

#### ***4.2.2 Park***

Land that is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities for use mainly for recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

#### ***4.2.3 Sportsground***

Land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.

#### ***4.2.4 An Area of Cultural Significance***

Land described as an area of Aboriginal, aesthetic, archaeological, historical, technical or research, or social significance.

#### **4.2.5 Natural Area**

Land which, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore. Community Land that has been declared critical habitat or which is directly affected by a recovery plan or threat abatement plan under the Threatened Species Act 1995 or the Fisheries Management Act 1994 must be categorised as a natural area.

##### ***Natural Area: Bushland***

Land that contains primarily native vegetation and that vegetation is:

- The natural vegetation or a remainder of the natural vegetation of that land; or
- Are still representative of the structure and/or floristics of the natural vegetation in the locality.

##### ***Natural area: Wetland***

Land that includes marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a water body that is inundated cyclically, intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationery.

##### ***Natural area: Watercourse***

Land described as:

- Any perennial or intermittent stream, flowing in a natural, artificially improved or rediverted channel; or
- Associated riparian land or vegetation, including land which is protected under the relevant legislation.

##### ***Natural area: Foreshore***

Land that is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.

##### ***Natural area: Escarpment***

Land that includes features such as a long cliff-like ridge or rock and includes significant or unusual geological, geomorphological or scenic qualities.

### **4.3 Categorisation of Land within Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course)**

The Local Government Act requires Community Land to be categorised. A combination of categories may be used for the one parcel of land. Accordingly this Plan of Management has identified the following categories and is illustrated in **Figure 6**:

- General Community Use
- Sportsground
- Natural Area: Watercourse
- Natural Area: Bushland



#### **4.3.1 Land Categorisation**

A Public Hearing on the categorisation of the site was held at Wingecarribee Shire Council's Theatre on Wednesday 24<sup>th</sup> October 2007.

The notice of the Public Hearing was advertised in the Southern Highland News on 10<sup>th</sup> October and 17<sup>th</sup> October 2007. Micris Management Services were commissioned to chair the meeting. A subsequent report will be presented to Council to adopt the recommendations.

#### **4.4 Core Objectives**

The following Section outlines Council's objectives for the future management of Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course), these form the basis for the strategies developed in this Plan of Management. These strategies combine the objectives as outlined in the Local Government Act, with those of the Council and the Community.

The Local Government Act (1993) and the Local Government Amendment (Community Land Management) Act 198 establishes a set of core objectives for each category. These objectives are significant in ensuring any activities and uses of the site are consistent with the desired activities and uses for that category of land. Wingecarribee Shire Council has the responsibility to manage and develop the land in accordance with these core objectives.

##### **4.4.1 General community use objectives**

The core objectives for community land categorised for 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).

##### **4.4.2 Sportsground objectives**

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.

#### **4.4.3 Natural Area: Watercourses objectives**

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

- (a) To manage watercourses so as to protect the bio diversity and ecological values of the insert 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.

#### **4.4.4 Natural Area: Bushland objectives**

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

- (a) To ensure the ongoing ecological viability of the land by protecting the ecological bio diversity 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 facilities public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbances 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.

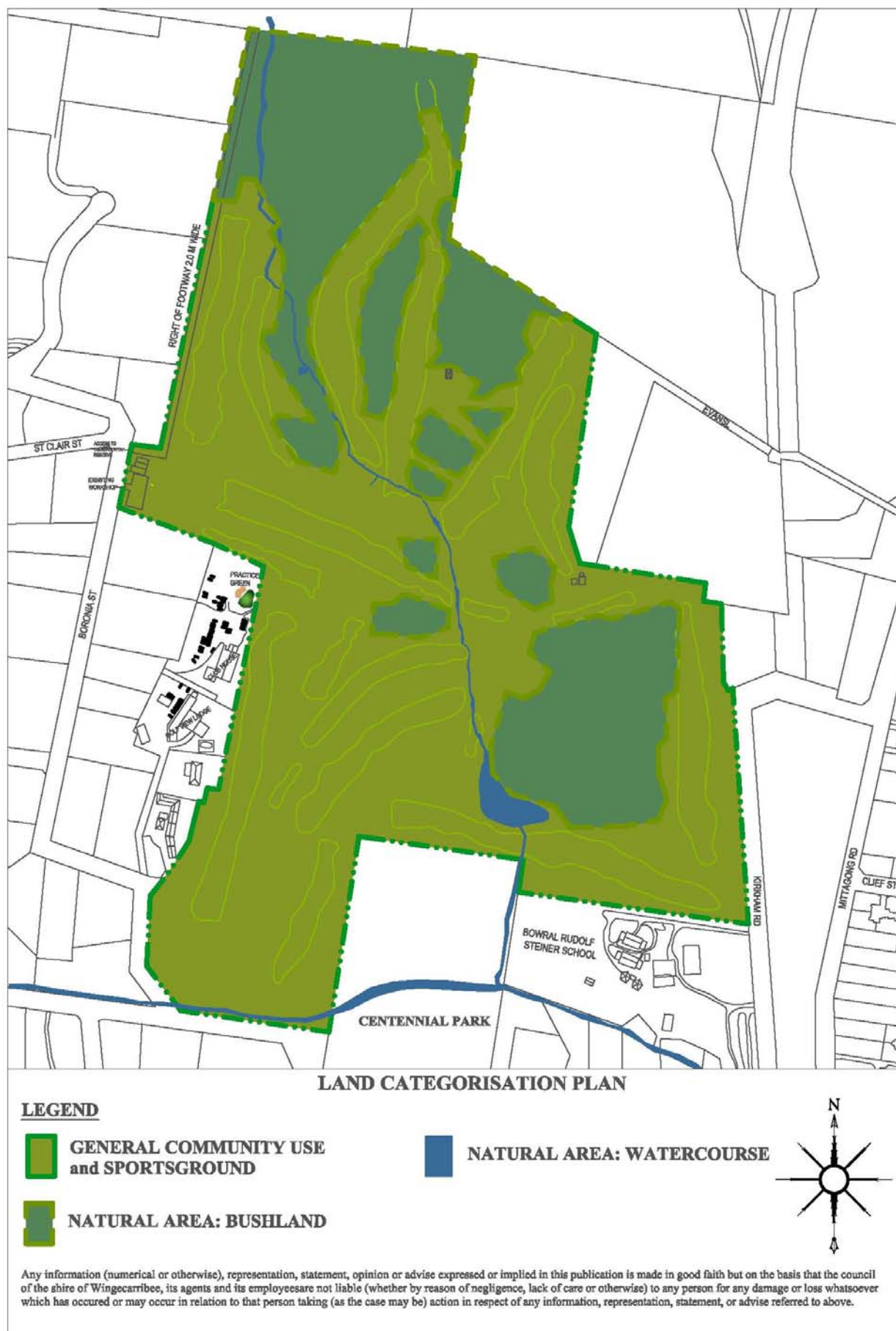


Figure 6 – Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course) Categorisation

#### 4.5 *Express Authorisation of Lease / Licences*

This Plan of Management expressly authorises Council to enter into a lease, licence or other estate with an appropriate operator, of its choice to manage the Golf Course.

**Table 6 Lease and licences consent levels**

Facility	Activity	Purpose	Agreement	Maximum Permissible Term	Advertise
Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course), including all structures	Organised sport	Public recreation (playing of sport) and ancillary activities	Lease / licence agreement	21 years	Yes
Community Land off Centennial Road, Bowral	Storage facility	Storage for community base groups	Licence	21 years	No

#### 4.6 *Easements*

This Plan of Management expressly authorises the granting of easements over the land for the purpose of providing pipes, conduit or other connections under the surface of the ground. This is limited to easements that connect premises adjoining Community Land to existing water, sewer, drainage or electricity facility of Council or other public utility provider that is situated on Community Land.

The granting of easements above, on or under the surface of Community Land or to land that is not Community Land is not within the authority of this Plan of Management. This includes but is not limited to:

- Piping to a natural watercourse,
- Piping to a facility through Community Land to a facility on land under private ownership,
- Private access, vehicular or pedestrian.

#### 4.7 *Authorised Development*

In accordance with the Local Government Amendment (Community Land Management) Act 1998 the Plan of Management must expressly authorise any proposed developments on the land. This authorisation in a Plan of Management gives ‘in principle’ support for an activity to proceed to the development assessment stage. This plan does not grant consent. Any proposed developments that are consistent with the plan are still subject to the normal development consent processes of Council.



## 5.0 PREPARATION OF THIS PLAN OF MANAGEMENT

### 5.1 *The Planning Process*

The planning process for this Plan of Management is based on a number of principles. These are:

- Using community values as a basis for management;
- Adopting a consultative approach, incorporating input from stakeholders; including Council officers, government authorities and the local community to ensure the plan reflects the visions and values of all;
- Providing site specific analysis information to add value;
- Providing practical recommendations which are achievable in the short term;
- Incorporating the Master Plan.

The process undertaken to prepare this Plan of Management follows the guidelines as set out in “Public Land Management” – Department of Local Government, 2000.

### 5.2 *Community Consultation*

Wingecarribee Shire Council actively seeks the involvement of the community in the preparation of its Plans of Management to ensure the plans address community desires, values and needs and to ensure they comply with the Local Government Act, 1993, and the 1998 amendments. The main advantages of involving the community in the process are that it:

- Creates a sense of ownership with the Reserve;
- Taps into the large amount of local knowledge about the site; and
- Advises and keeps the community informed.

Community consultation is a vital component in the preparation of this Plan of Management as well as in the Public Exhibition/ Submission period following release of the Draft. The purpose of this community consultation is to identify the values attached to this Community Land and to provide a forum in which to collect and understand related community issues.

#### 5.2.1 *Methods of Communication*

A number of workshops with key stakeholders were conducted. The workshops were designed to allow all stakeholders to have an active involvement in the development of the Plan of Management and Masterplan. A list of the workshops held is shown in **Table 7**.

The Community workshop was advertised by distributing 1,000 flyers (combined with the Community questionnaire) throughout Bowral and advertising the workshop in the Southern Highland News on 19<sup>th</sup> September and 22<sup>nd</sup> September 2007.

Two questionnaires were used to gain an understanding of the user requirements. The first questionnaire concentrated on the golfers and was distributed in mid July 2007, with 200 questionnaires being distributed and 71 being returned. The second questionnaire involved the general community and was distributed throughout Bowral, with 1,000 questionnaires being distributed in mid September 2007, with 109 being returned.

This questionnaire also called for submissions for possible alternative uses for the site, 16 submissions were received. A summary of each questionnaire may be reviewed in ***Attachment II, III and IV***. The results and analysis of the questionnaires were used in the development of the Plan of Management and Masterplan.

A preliminary draft Plan of Management was developed based on the research undertaken with stakeholders and community workshops, incorporating the analysis of the community and user group questionnaires.

An exhibition and submission period was undertaken for a period of nine (9) weeks between 12<sup>th</sup> December 2007 and the 15<sup>th</sup> February 2008. Seven (7) submissions were received during this period. Majority of the submissions supported the continuation for a public golf course, however only one submission commented on the draft Plan of Management.

A final draft of the Plan of Management was prepared taking into account the issues raised during this period, as well as the Categorisation report.

**Table 7 Stakeholder and Community Workshops**

Workshop/meetings	Date
Initial meeting with Council	13 June 2007
Initial meeting with Club	19 June 2007
Workshop with Club	29 June 2007
Workshop with Club staff	05 July 2007
Workshop with Council	14 September 2007
Workshop with Club	19 September 2007
Workshop with Council	28 September 2007
Community workshop	02 October 2007
Meeting with Council	17 October 2007
Meeting with Club	22 October 2007

### **5.3 Issues**

The following is a list of issues that have been recorded during the consultation process. These issues have been addressed within this plan and the Masterplan.

#### ***Access and Parking***

- Improved access to the golf course
- Provision of additional car parking spaces
- Improved circulation access throughout the course

#### ***Maintenance and Facilities***

- Improve maintenance standard for the course
- Provision of a driving range and starter shed
- Design pathways to segregate pedestrians and carts
- Upgrade irrigation system to cover all greens

### ***Development***

- Upgrade bunkers along greens
- Provide kiosk midway on the course
- Upgrade exiting toilet near 8<sup>th</sup> tee

### ***Safety***

- Broken bridge on 8<sup>th</sup> fairway
- Need to pass in front of 9<sup>th</sup> tee to get to 1<sup>st</sup> tee
- Some sections of the watercourses edges are unstable

## **6.0 BASIS FOR MANAGEMENT**

For the effective ongoing management of community land, Council needs to consider its characteristics, current condition and use. This helps identify the community values for the land and the management issues that have the potential to impact upon these values. Identification and understanding of these influencing factors will form the basis for Council's future management for the site.

In addition to the community values and management issues associated with Community Land, effective management of the site requires the consideration and incorporation of a multitude of legislative and policy requirements for community land. In managing this, Council must comply with the core objectives for General Community Use, Sportsground, Natural Area Watercourse and Natural Area Bushland as specified in the Act, as well as various Federal, State and local level legislations and policies. The main aspects of the current legislations and policies affecting the management of community land are outlined in Section 9.1 Statutory Provisions.

### ***6.1 Council's Management Goals***

Wingecarribee Shire Council recognises the importance of planning for the future and provides a management framework to meet the challenges of today and the future. Council's Management Plan 2006-2009 and Corporate Strategy 2005 - 2009 outlines Council's vision and mission statements.

Wingecarribee Shire Council's **Mission** statement is:

***"To make the Shire a better place in which to live."***

Wingecarribee Shire Council's **Vision** for the future of the Shire is to:

***"Ensure that Council addresses the challenges facing the community, and retain the unique character of the area."***

## **6.2 Council's Strategic Direction**

Wingecarribee Shire Council's 2006-2009 Management Plan is structured around six specific programs. Within each program are activities that ensure Council's Strategic Direction is delivered. The six programs and their objectives are defined as:

### ***Program 1 – Governance and Accountability***

*Open and transparent governance led by the Council and supported by the organisation.*

### ***Program 2 – Management, Organisation and Communication***

*A high performing organisation that is customer focused, defining and delivering services that achieve a balance between community expectation and available resources.*

### ***Program 3 – Business Enterprise and Development***

*Forging partnerships to create a prosperous economic climate through effective planning and promoting job creation opportunities.*

### ***Program 4 – Lifestyle and Community***

*Planning and partnering to enhance community lifestyle opportunities.*

### ***Program 5 – Environmental Sustainability***

*Protection, restoration and enhancement of the environment through effective planning, management and community awareness.*

### ***Program 6 – Infrastructure***

*Planning, delivery and management of sustainable infrastructure for 2015 and beyond.*

This Plan of Management aims to meet these strategic objectives through actions for the future development and management for Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course).



## 6.3 Community Values

**Table 8** - Identifies ongoing values and objectives for the site, and suggested performance targets. (The values are what makes the place important for the community that need to be protected and/or enhanced. The objectives are desired outcomes.)

**Table 8 Values, objectives and performance targets**

Value and objective	performance targets
<b>Management</b>  A facility that is well managed and maintained	80% satisfaction level with on-site management and maintenance  Financial returns that enable improvements and maintenance  Increasing patronage with maximum possible participation by non-mainstream groups eg (women, people from a non-English speaking background)  Well documented market research and accounting system  A business and marketing plan
<b>Environment</b>  An environmentally sustainable facility that enhances local bio-diversity and water quality	Increasing proportion of native plants; reduction in weed species; no diminution in water quality in the Mittagong Creek tributary; no threat to human or environmental health from soil or water contamination Up to date chemical storage and handling procedures, documented in an environmental management plan
<b>Recreation</b>  An enjoyable facility at which to play golf	80% user satisfaction with the course's recreational attributes  Upgrade fairways and tee's
<b>Community</b>  A facility that contributes to community well-being and cohesion	80% user satisfaction with social aspects of the course; 90% resident satisfaction with the course; declining damage to residences and cars from wayward balls
<b>Access</b>  A facility that is easy and safe to find, and welcoming	Sufficient directional signs and parking space for average demand

## 7.0 STRATEGIES and ACTION PLANS

The following tables outline the direction for the management and development of the site. The tables have the following objectives:

- To formulate performance targets;
- To ensure consistency with core objectives for community land categories;
- To develop actions that will define the way that Council will achieve it's performance targets;
- To provide a means of assessment, which is the way that Council measures its performance;
- To assign priorities for each of the performance targets; and

Within this action plan, each has been given a priority, which can be linked to the following time frame:

- **High** – commenced within the next 2 years
- **Medium** – commenced in 2 – 5 years
- **Low** – commenced after 5 years
- **Ongoing** – Throughout time as the Plan of Management is in operation

It should be recognised however that the commencement and completion of the actions would be dependent on the available resources and funds.

## 7.1 Amenities and Facilities

The proposed actions listed in the tables below are authorised for development.

**Table 9 Proposed action plans for amenities and facility development**

No.	Performance Target	Action	Priority	Performance Indicator	Responsibility
1	Provide quality active and passive recreational facilities	Remove all debris and waste and rectify disturbed areas. Priority should be given to hazardous materials.	High	All debris and waste removed	BCC & WSC
2		Replace damaged bridge next to tee No. 8	High	Bridge replaced	BCC
3		Prepare construction drawings for facilities improvements to the Golf Course as proposed in the Masterplan.	High	Drawings completed	BCC
4		Demolish old green keepers shed and make good disturbed areas.	High	Shed removed and area made good	BCC
5		Design and install appropriate boundary fencing. Staged construction.	High	Fencing installed	BCC
6		Design and install warning signs at strategic locations	High	Signs installed	BCC
7		Upgrade chemical storage area, sand/soil bins and wash out area to EPA and Australian Standards.	High	New facilities installed	BCC
8		Undertake remedial work on all trees that require immediate attention and implement an action plan to maintain the vegetation to an appropriate industry standard.	Ongoing	Work completed & action plan implemented to agreed schedule	BCC
9		Upgrade and construct formal entrance statement to Golf Course as proposed on the Masterplan.	High	Entrance statement finalised	BCC

Wingecarribee Shire Council (WSC)  
Bowral Country Club (BCC)

### *Amenities and Facilities continue*

No.	Performance Target	Action	Priority	Performance Indicator	Responsibility
10	Provide quality active and passive recreational facilities	Carryout changes to course layout as shown on the Masterplan. Associated LUA required.	High	LUA approved and new layout implemented	BCC
11		Design and install safety signage to access off Boronia Street.	High	Signage installed	BCC
12		Provide a bore to supplement irrigation supply.	High	Bore installed	BCC
13		Maintain all fairways, tees and greens to an industry acceptable standard.	Ongoing	Conduct annual customer satisfaction surveys.	BCC
14		Design and upgrade irrigation system including extension to existing dams.	High	Irrigation system updated & dam storage extended	BCC
15		Develop and implement a weed management plan	High	Mgt plan developed and implemented	WSC
16		Design and upgrade drainage system to collect surface runoff.	Medium	Drainage system designed and infrastructure installed	BCC
17		Upgrade fairways and tee's as a staged improvement.	Medium	Fairways and tee's upgraded to required std	BCC
18		Upgrade toilet adjacent to green No.8.	Medium	Toilet upgraded	BCC
19		Upgrade existing greenkeepers / maintenance shed.	Medium	Shed upgraded to meet required std	BCC

Wingecarribee Shire Council (WSC)  
Bowral Country Club (BCC)



### *Amenities and Facilities continue*

No.	Performance Target	Action	Priority	Performance Indicator	Responsibility
20	Provide quality active and passive recreational facilities	Install low voltage ferry lights on selected trees as agreed to by Council.	Low	Ferry lights installed	BCC
21	Provide sustainable bushland areas	Develop a detailed vegetation management plan for the site and implement the recommendations.	Ongoing	Mgt plan developed and implemented	WSC
22		Upgrade car park adjacent to green keepers shed.	Medium	Parking area designed and installed	BCC
23		Upgrade park furniture throughout course.	Low	Furniture installed	BCC
24		Develop and implement an appropriate riparian treatment to the tributary for Mittagong Creek.	Low	Treatment designed and implemented	WSC
25		Provide additional tree planting.	Low	Trees planted	BCC
26		Upgrade pathway to Gibbergunyah Reserve.	Low	Pathway upgraded to appropriate Std.	WSC

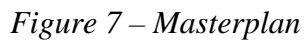
## 7.2 Management

**Table 10 Proposed action plans for the management of the Reserve**

No.	Objective and Performance Target	Action	Priority	Performance Indicator	Responsibility
1	Improved promotion of the site and facilities available.	Develop and implement a business and marketing plan for the golf course.	High	Appropriate management plan developed and incorporated	BCC
2		Develop a communication strategy for stakeholders regarding the way the course is managed and maintained.	Ongoing	Appropriate system developed and implemented	BCC
3	Provide an overall site management strategy.	Develop and prepare a maintenance plan for the golf course.	High	Maintenance plan prepared and implemented.	BCC
4		Conduct regular safety audits, assessing the area on a risk assessment basis.	Ongoing	Regular safety audits undertaken.	WSC and BCC
5		Develop an asset management plan for the site	High	Development and implementation of the plan	BCC

## **8.0 MASTER PLAN**

The Masterplan for the site has been developed as a result of community consultation and identifies numerous issues within the Reserve. Refer to Masterplan attached.





## 9.0 APPENDIX

### 9.1 *Statutory Provisions*

In addition to the legislation and policy outlined within this Plan of Management, there are a number of local, regional and state legislative documents, plans and policies that relate to the management and protection of Community Land off Centennial Road, Bowral (known as Bowral Country Club Golf Course). The main aspects affecting the site are outlined below:

#### **State Legislation**

##### ***Local Government Act 1993***

The Local Government Act 1993 includes a range of requirements on the management and use of public land. Council owned land must be classified as either community or operational land.

Section 35 of the Act requires that community land is used and managed in accordance with the following:

- The Plan of Management applying to the land
- Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land
- This Division

Section 38 of the Act requires that Council give public notice of a draft Plan of Management. The plan must be exhibited for at least 28 days with a submission period totalling 42 days. Any relevant supplementary material must also be exhibited.

A public hearing is only required if the Plan of Management proposes that community land be re-categorised or categorised for the first time. Section 45 of the Act dictates what dealings a Council can have with community land, as follows:

- i. A Council has no power to sell, exchange or otherwise dispose of community land
- ii. A Council may grant a lease or licence of community land, but only in accordance with this Division
- iii. A Council may grant any other estate in community land to the extent permitted by this Division or under the provisions of another Act

This section does not prevent a Council from selling, exchanging or otherwise disposing of Community Land for the purpose of enabling that land to become, or be added to, a Crown Reserve or to become, or be added to, land that is reserved or dedicated under the National Parks and Wildlife Act 1974.

Sections 46 and 47 of the Act provide clear guidelines for Council with respect to the granting of leases, licences and other estates on community land. This includes permissible uses, means of granting leases, licences and other estates, timeframes and subleases, development and dedication of community land as public road.

The Local Government Act 1993 also considers acts of vandalism in public places (eg. Injuring plants and animals or defacing property) and gives Councils the power to establish and enforce alcohol free zones.

***Environmental Planning & Assessment (EP & A) Act 1979***

This planning instrument applies to development and use of all land within Wingecarribee LGA. Under this instrument, any use or development proposed for an area must be consistent with the applicable zoning as outlined in this plan for that area.

In relation to Natural Areas, the Environmental Planning and Assessment (EP & A) Act aims to encourage the proper management, development and conservation of natural resources for the purpose of promoting the social and economic welfare of the community and a better environment. It also plans for the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities and their habitats.

Environment Assessments must be carried out for any proposed activity or development. Any change in the use of a land area requires a development application (DA) and environmental assessment of the proposed activity under Part 4 of the EP&A Act forms part of the DA. A review of environmental factors (REF) under Part 5 of the EP&A Act must also be written for those proposed activities that do not require development consent.

***Protection of Environment Operations Act 1997***

This legislation replaces the Clean Air Act 1961, Clean Waters Act 1970, Pollution Control Act 1970, Noise Control Act 1975, and the Environmental Offences and Penalties Act 1989. It is an offence for a person to discharge pollutants to waters unless they hold an environment protection licence.

***Catchment Management Authorities Act 2003***

This legislation establishes catchment management authorities and has the following objectives:

- to establish authorities for the purpose of devolving operational, investment and decision-making natural resource functions to catchment levels;
- to provide for proper natural resource planning at a catchment level;
- to ensure that decisions about natural resources take into account appropriate catchment issues;
- to require decisions taken at a catchment level to take into account State-wide standards and to involve the Natural Resources Commission in catchment planning where appropriate;
- to involve communities in each catchment in decision making and to make best use of catchment knowledge and expertise;
- to ensure the proper management of natural resources in the social, economic and environmental interests of the State;
- to apply sound scientific knowledge to achieve a fully functioning and productive landscape;
- to provide a framework for financial assistance and incentives to landholders in connection with natural resource management.

***Fisheries Management Act 1994***

The primary purpose of this Act is to conserve, develop and share the fishery resources of the State for the benefit of present and future generations, with the following objectives:

- to conserve fish stocks and key fish habitats;
- to conserve threatened species, populations and ecological communities of fish and marine vegetation;
- to promote ecologically sustainable development, including the conservation of
- to promote viable commercial fishing and aquaculture industries;
- to promote quality recreational fishing opportunities;
- to appropriately share fisheries resources between the users of those resources;
- to provide social and economic benefits for the wider community of New South Wales.

***Noxious Weeds Act 1993***

Local Government is responsible for the application of the Noxious Weed Act administered by the Department of Primary Industries. Council is required to enforce the control of State and locally declared noxious weeds on both private and public lands, and therefore

- must control declared noxious weeds on Council managed lands;
- must inspect and enforce control of declared noxious weeds on private land;
- must be a member of a regional weed committee and produce regional plans to ensure funding from Department of Primary Industries.

***Rural Fires Act 1997***

The objects of this Act are to provide:

- for the prevention, mitigation and suppression of bush and other fires in local government areas (or parts of areas) and other parts of the State constituted as rural fire districts, and
- for the co-ordination of bush fire fighting and bush fire prevention throughout the State, and
- for the protection of persons from injury or death, and property from damage, arising from fires, and
- for the protection of the environment by requiring certain activities referred to in the above paragraphs to be carried out having regard to the principles of ecologically sustainable development.

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

This Act applies to both community and Crown land, and its protection and conservation principles in this Act are consistent with the core objectives for Natural Areas. It also aims to foster public appreciation, understanding and enjoyment of nature and cultural heritage and their conservation. It provides protection and conservation powers for:

- habitat, ecosystems and ecosystem processes;
- biological diversity at the community, species and genetic levels;
- landforms of significance, including geological features and processes;
- landscapes and natural features of significance including wilderness and wild rivers
- places, objects and features of significance to Aboriginal people;
- places of social value to the people of New South Wales;
- places of historic, architectural or scientific significance

***Water Management Act 2001***

The purpose of this Act is to provide for the sustainable and integrated management of the water sources for the benefit of both present and future generations. This is achieved through:

- applying the principles of ecologically sustainable development;
- protecting, enhancing and restoring water sources, their associated ecosystems, ecological processes and biological diversity and their water quality;
- recognising and fostering the significant social and economic benefits to the State that result from the sustainable and efficient use of water, including:
  - i. benefits to the environment;
  - ii. benefits to urban communities, agriculture, fisheries, industry and recreation;
  - iii. benefits to culture and heritage;
  - iv. benefits to the Aboriginal people in relation to their spiritual, social, customary and economic use of land and water.
- recognising the role of the community, as a partner with government, in resolving issues relating to the management of water sources;
- providing for the orderly, efficient and equitable sharing of water from water sources;
- integrating the management of water sources with the management of other aspects of the environment, including the land, its soil, its native vegetation and its native fauna;
- encouraging the sharing of responsibility for the sustainable and efficient use of water between the Government and water users;
- encouraging best practice in the management and use of water.

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***Threatened Species Conservation Act, 1995 (TSC Act)***

This Act aims to assist with the protection and recovery of threatened native flora and fauna species, populations and communities, as well as their habitats within NSW. It has significant implications for Council in relation to the management of native vegetation.

***NSW Biodiversity Strategy 1999***

The core objectives of the NSW Biodiversity Strategy are to:

- Ensure the survival and evolutionary development of species, populations and communities of plants, animals and microorganisms native to NSW.
- Strengthen management of biodiversity on a bioregional basis while using existing catchment level networks to focus on specific actions, including the integration of biodiversity conservation and natural resource management, consistent with the principles of ecologically sustainable development.
- Identify, prevent or attack at-source the threats to biodiversity through timely implementation of targeted actions.
- Build on the success of existing initiatives to develop a coordinated and cost-effective biodiversity conservation program involving the community, industry and all levels of government and ensure that the rights, knowledge and values of local and Aboriginal communities are properly recognised and reflected.
- Strengthen actions to inform, motivate and achieve the support of the community including local and Aboriginal communities, industry, State Government agencies and Local Government, in conserving biodiversity.
- Increase our understanding of the ecological systems and processes required to conserve biodiversity through scientific research, survey and monitoring, taking into account the knowledge and values of Aboriginal and local communities.

***State Environmental Planning Policy 19 (Bushland in Urban Areas)***

This policy protects and preserves bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. It aims to protect remaining urban bushland, which predominantly exists in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

This plan of management for Mansfield Reserve is consistent with SEPP 19, which aims to protect and preserve bushland within urban areas, because of:

- i. its value to the community as part of the natural heritage
- ii. its aesthetic value, and
- iii. its value as a recreational, educational and scientific resource.



Under Clause 8(4) of this policy, a plan of management for bushland must specify measures to implement the aims of this policy, which are to:

- protect the remnants of plant communities which were once characteristic of land now within an urban area;
- retain bushland in parcels of a size and configuration which will enable the existing plant and animal communities to survive in the long term;
- protect rare and endangered flora and fauna species;
- protect habitats for native flora and fauna;
- protect wildlife corridors and vegetation links with other nearby bushland;
- protect bushland as a natural stabiliser of the soil surface;
- protect bushland for its scenic values, and to retain the unique visual identity of the landscape;
- protect significant geological features;
- protect existing landforms, such as natural drainage lines, watercourses and foreshores;
- protect archaeological relics;
- protect the recreational potential of bushland;
- protect the educational potential of bushland;
- maintain bushland in locations which are readily accessible to the community, and;
- promote the management of bushland in a manner which protects and enhances the quality of the bushland and facilitates public enjoyment of the bushland compatible with its conservation.

In addition, this clause also requires that a plan of management for bushland specify measures to:

- (a) enable recreational use of the bushland;
- (b) reduce hazard from bushfire;
- (c) prevent degradation of bushland, including degradation through alteration of drainage patterns, rubbish dumping, infestation with weeds and exotic plants or the intrusion of vehicles, and
- (d) restore and regenerate degraded areas of bushland.

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## Local Plans and Policies

### *Wingecarribee Local Environmental Plan (LEP) 1989*

The Wingecarribee Local Environmental Plan (LEP) 1989 provides planning and land use controls to encourage ecologically sustainable development for all land in the LGA. These controls provide for protection and enhancement of the natural environment, particularly remnant bushland. Under this instrument, any use or development proposed for an area must be consistent with the applicable zoning as designated for that area.

Public Open Space are zoned as either:

Open Space (Existing Recreation) Zone (6a);

Open Space (Private Recreation) Zone (6b);

Open Space (Special Purpose) Zone (6c);

Open Space (Proposed Recreation Reservation) Zone (6d);

Development in areas with either of these zonings must be in accordance with a Plan of Management adopted under the Local Government Act 1993.

#### **Open Space (Existing Recreation) Zone (6a);**

The objective of this zone is to provide land for public recreation purposes.

#### **Open Space (Private Recreation) Zone (6b);**

The objective of this zone is to provide land for private recreation purposes (including clubs and commercial premises associated with the prime recreation purpose) and for private recreation areas (including areas containing recreational areas with leases on Crown Land).

#### **Open Space (Special Purposes) Zone (6c);**

The objective of this zone is to identify areas having special open space significance such as State forests and passive recreation areas.

#### **Open Space (Proposed Recreation Reservation) Zone (6d);**

The objective of this zone is to identify land not in public ownership which is proposed to be acquired for the purposes of public open space.

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***Wingecarribee Open Space, Recreation, Cultural and Community  
Facilities Needs - Study 2004***

The plan provides a framework to guide the planning, development and management of Wingecarribee's open space systems in line with Council's strategic outcomes.

The overall purpose of Open Space, Recreation, Cultural and Community Needs Study as is:

- to properly identify the existing and likely future community needs for open space, recreation, cultural and community facilities in Wingecarribee for the next ten years;
- to identify a strategic planning and management direction for an integrated and corporate approach to the provision of recreation, cultural and community activity opportunities, through public facilities and open space; and
- to develop a policy framework for Council to provide quality recreation, cultural and community activity opportunities and environments that meet the needs of the Wingecarribee community for the next five to ten years.

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## 9.2 *References*

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