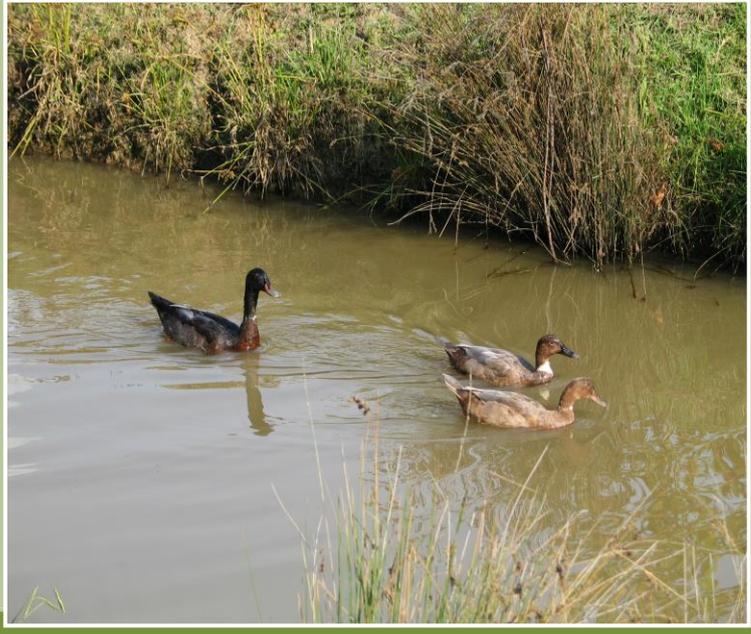




# Plan of Management Mittagong Creek Reserve

Issue B - July 2008



Adopted 9<sup>th</sup> July 2008 Motion OC 135/08

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# Plan of Management

# Mittagong Creek Reserve

## Issue B - July 2008

Prepared by



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## 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 03<sup>rd</sup> October 2007, in respect to the categorisation of the land.

## **Acknowledgements**

This draft 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 draft plan has been prepared following consultation with user groups, key stakeholders and the local community. Two community workshops were held on 5<sup>th</sup> April 2005 and 25<sup>th</sup> October 2006, the two workshops were well attended with a total of sixty six people present.

Numerous individuals and groups have contributed valuable ideas and information in the preparation of this plan and their efforts are gratefully acknowledged. In particular the contribution of those individuals who were involved in the preparation of the draft plan is sincerely appreciated. This includes: Effie Kerr, Kevin Gallagher and Darrel Chadwick from Bowral Vietnam Memorial Walk Trust; Jennifer Cox from Bowral Urban Landcare Group; Trevor Olsen from Bowral Bowling Club; Peter Bowmer, Peter Byrne, Edward Anderson, Mark Tawasha, Tom Zeiser and Alexia Hill from Wingecarribee Shire Council.

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## EXECUTIVE SUMMARY

This Plan of Management provides the framework for managing the Mittagong Creek Reserve. The public open space within the Mittagong Creek Reserve has been identified as a significant area by Wingecarribee Shire Council, as having a high social and recreational value for community and user groups, the Reserve 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 distribution of community questionnaires. This community consultation process has identified a number of values that fall into the broad categories of:

- Recreation
- Social/Cultural
- Natural
- Heritage
- Access
- Visual

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 Master Plan for Mittagong Creek Reserve has been developed in conjunction with this plan of management. The Master Plan is based on the values identified for the Reserve and the key actions.



*Photo 1 – An avenue of Cherry Trees*

## 1.0 INTRODUCTION

### 1.1 *Community Land*

Local government councils own and manage a variety of land. All the land that councils own or manage, with five exceptions is called ‘public land’ under the Local Government Act, 1993.

The five types of land that are not included in councils’ collection of public land are:

- a public road;
- land to which the Crown Lands Act 1989 applies;
- a common;
- land subject to the Trustees of Schools of Arts Enabling Act 1902; and
- a regional park under the National Parks and Wildlife Act 1974.

Public land must be classified as one of two forms of public land, either as ‘community land’, or as ‘operational land’. Operational is land that councils may deal with in a relatively unfettered manner – it can be leased or licensed, managed or even sold without the sorts of restrictions that apply to community land. Operational land is land that council may regard as a temporary asset or as an investment, or intends to use in a way that will significantly restrict the community’s use or access to the land. Council works depots or administrative buildings are good examples of operational land uses.

Community land is land for which councils must prepare a ‘plan of management’; to set out the directions and practices council intends to follow to manage the land. Councils may not sell community land, unless it is re-classified as operational land, and councils are not allow to enter into any leases, or licenses (other than for certain short-term casual uses) unless the Plan of Management authorises the agreement. Councils adopt a community land Plan of Management to give the Plan of Management force under the Local Government Act, 1993.

The Plan of Management also ‘categorises’ the community land to help define the suitable uses and development. Guidelines are provided in the Local Government (General) Regulation, 1999, to help councils categorise the community land, and ‘core objectives’ are provided in the Local Government Act, 1993, to provide the basic planning, development and management framework for council and community use of community land.

### 1.2 *Reasons for this Plan*

The Local Government Act, 1993, makes it mandatory for councils to prepare plans of management for community land. Wingecarribee Shire Council has prepared this plan of management, not only to meet this basic requirement of the Local Government Act, 1993, but also to set out a vision for the development and conservation of important land along the open space corridor alongside Mittagong Creek.

Wingecarribee Shire Council has recognised the need for improved planning and design for the lands along Mittagong Creek between the Mittagong Road to the north, adjacent to the Bowral Swimming Complex, down to Bowral Street.

The improved planning, design and management for these community lands will be outcomes of the Plan of Management through the landscape development plan and management strategies within the plan of management.

## **1.2 Role of the Plan**

A Plan of Management fulfils a number of functions. It sets out planning and design opportunities and constraints through the categorisation of the community land, the inclusion of core and other objectives, the development of performance targets, and identification of the means of achievement for the targets and the methods of assessment of success in achievement.

The Plan of Management is a council commitment to the use and management of the land. It provides direction for both council and community in the planning and management of the land. The Plan of Management is placed on public exhibition and the community has the opportunity to make submissions and comments on the draft plan of management.

This Plan of Management will also enable a master plan, and proposals for development and conservation of the lands, to be considered by the community, and approved by Wingecarribee Shire Council's adoption of the plan of management.

A Plan of Management also authorises certain uses and activities on the community land. When community land is categorised, each category and its objectives will generally define the suitable uses of the land, and any proposed developments and agreements, such as leases and licences need to be consistent with the objectives of the category.

## **1.3 Location and Context**

Mittagong Creek Reserve is located in Bowral, approximately nine kilometres north of Moss Vale, on Mittagong Road, in the Southern Highlands of New South Wales (NSW). Mittagong Creek Reserve commences at Mittagong Road (adjacent to the Bowral Swimming Complex) and travels in a south eastern direction until Bowral Street. Mittagong Creek Reserve follows the Mittagong Creek and incorporates Settlers Park, Foley Park and Venables Park (*refer to **Figure 1 & 2***).

Mittagong Creek Reserve is made up of several parcels of land, Mittagong Creek Reserve consists of the area commonly known as Cherry Tree walk, Bowral Cycleway, Mittagong Creek, Mittagong Creek Rivulet, Mittagong Creek Reserve and Bowral Vietnam War Memorial Walk.

## **1.4 Site Significance**

Mittagong Creek Reserve contributes substantially to the beauty, character and charm of the local area, and reflects the tranquil surroundings experienced by the local residents and visitors to the Shire. Mittagong Creek Reserve is highly regarded for its recreational, natural, aesthetic and cultural values.

Mittagong Creek Reserve is considered as a highly significant site in terms of its Passive Recreational uses, it's social content as a War Memorial to the men and woman who had fallen in the Vietnam conflict and environmental importance. The site has been classified by Council as a Regional Site within the Wingecarribee Shire.

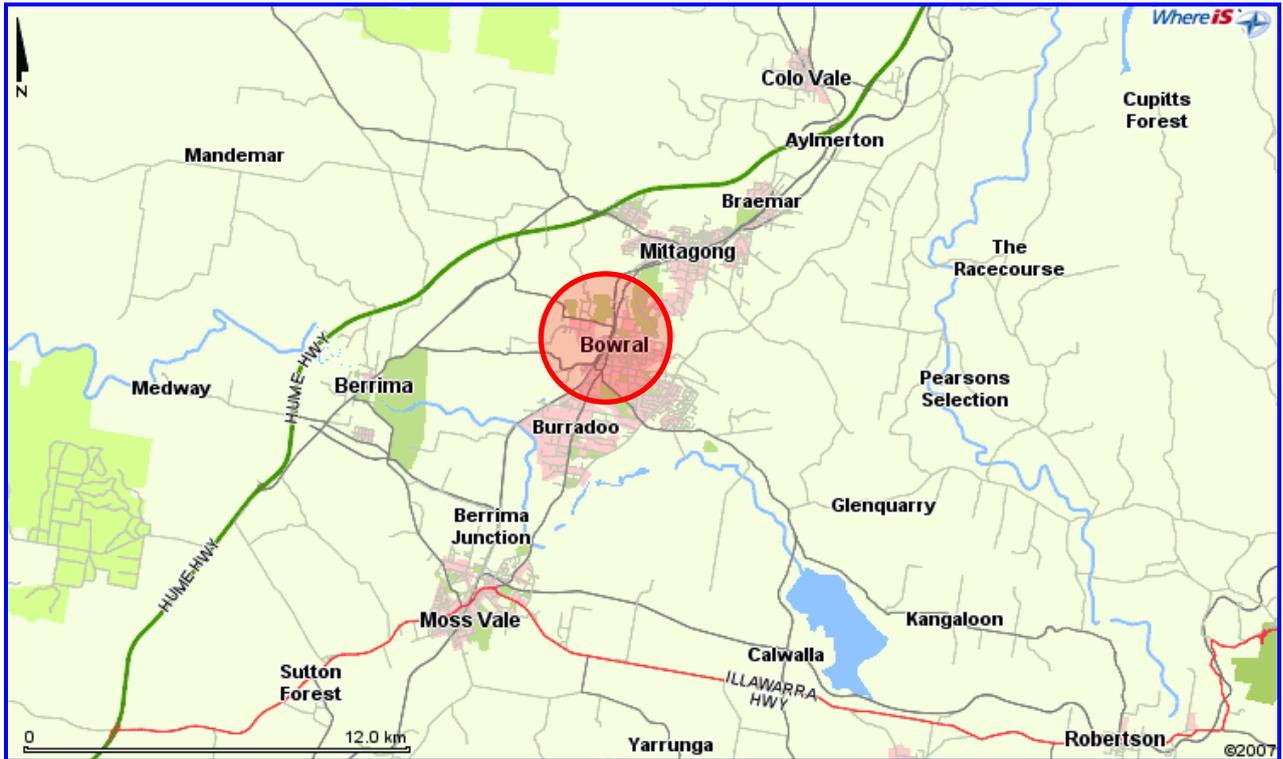


Figure 1 – Location Map



Figure 2 – Site Location

## 1.5 Background Information

The Mittagong Creek Reserve is characterised by varying widths of Open Space which exist along the Mittagong Creek, the areas covered by the Mittagong Creek Reserve are mainly used for passive recreation and ceremonial purposes.

Mittagong Creek Reserve consists of a wide variety of exotic and native trees and shrubs of differing age. The entrance point to the site is off Mittagong Road, however the site may be accessed via a number of different locations.

Mittagong Creek Reserve consists of a recreational path that follows the Mittagong Creek from Mittagong Road through to Bowral Street, and is bounded by residential and commercial properties. The site is segmented into five sections divided by public roadways and incorporates Settlers Park, Foley Park and Venables Park.

The site incorporates a Vietnam War Memorial dedicated and listed on the National and State War Memorial registers. It includes, Settlers Park with its granite clad name wall, two granite clad columns at the entrance to the Memorial Walk also known as Cherry Tree Walk, (an avenue of *Prunus tai haku*) and a Monument suite of five granite clad monoliths within a bed of rosemary and four cherry trees. The Memorial Walk and Monument Suite were dedicated to honour the men and woman of the Australian Army, Navy, Airforce and Ancillary Services who served in Vietnam. Between the Monument suite and the watercourse is an avenue of (*Casuarina cunninghamiana*) that leads to a timber pergola known as the pavilion of Peace and Reflection with four stone benches.

The site also includes timber benches and a parade ground with an oversized flagpole for Ceremonial occasions. Included in the Memorial Parkland is a second Monument, it consists of a small granite clad plinth with a plaque dedicated to the men of 8 RAR, two stone benches and 20 cherry trees dedicated to honour the 20 men from the regiment killed during the Vietnam conflict.

Mittagong Creek Reserve also incorporates a timber pedestrian bridge, two BBQ's picnic shelters and a number of timber benches.

There are two active user groups currently involved within the Mittagong Creek Reserve, Bowral Vietnam Memorial Walk Trust and the Bowral Urban Landcare Group.

The Bowral Parks and Gardens Advisory Committee which was later renamed Bowral Vietnam Memorial Walk Trust was responsible for initiating and managing the construction of the Vietnam War Memorial Walk along the Creek, better known to the public as 'Cherry Tree Walk'.

In 2000 the Bowral Urban Landcare Group commenced the Mittagong Creek Riparian Restoration Project. The project's broad objectives are to regenerate the creek line, increase the variety and quality of native flora species on the site, remove noxious weeds and reintroduce an understorey of native vegetation

Mittagong Creek Reserve has been used by the general public for passive recreation and ceremonial activities.

The name “Mittagong Creek Reserve” has been used by Wingecarribee Shire Council to describe the site covered by this Plan of Management. It is Councils intension to officially name the site with the NSW Geographical Names Board. Mittagong Creek Reserve also incorporates three individual Public Reserves, Settlers Park, Foley Park and Venables Park, a review of the NSW Geographical Names Register has revealed that only Foley Park is actually listed with the NSW Geographical Names Board.

Bowral Bowling Club utilises the majority of Venables Park to operate three Bowling Greens for the Bowling Club.

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

**Table 1 Overview of Mittagong Creek Reserve**

<b>Item</b>	<b>Description</b>
Ownership	Wingecarribee Shire Council
Land title information	Lot 106, DP 612879 Lot 1, DP 85220 Lot 9, DP 260073 Lot 8, DP 260073 Lot 7, DP 260073 Lot 12, DP 603108 Lot 6, DP 260073 Lot 7, DP 11818 Lot 6, DP 11818 Lot 5, DP 11818 Lot 4, DP 11818 Lot 1, DP 612724 Lot 13, DP 11818 Lot 17, DP 11818 Lot 18, DP 11818 Lot 5, DP 604285 Lot 1, Sec A PT Lot 15, Sec 19 PT Lot 14, Sec 19 Lot 20, Sec 17 Lot 2, DP 603694 Lot A, DP 157621 Lot 11, DP 749485 Lot 121, DP 790331 Lot B, DP 160166 DP 4260-3040 Lot 4, DP 745766 Lot 1, DP 198289 Lot 1, DP 254772
Area	5.25 hectares
Land categories	The Reserve is community land categorised as: Park, General Community use, Natural Area – Watercourse & Bushland.
Zoning	6(a) Open Space (Existing Recreation), 6(b) Open Space (Private Recreation) 6(d) Open Space Proposed Recreation under Wingecarribee Local Environmental plan 1989

Source: Wingecarribee Shire Council

## 1.6 History of the Area

Bowral was originally the property of Surveyor General and explorer, John Oxley. His son John Norton Oxley subdivided the land and established a private village which grew steadily, first catering to the needs of the newly arrived railway workers and then after the railway was operating, as a holiday resort for tourists from Sydney.

Bowral was initially named Wingecarribee by the Oxley Family, it was later renamed to Burradoo before eventually being named Bowral. Mittagong Creek Reserve forms part of this land, parish maps from the Department of Lands show the area was once referred to as “Private Town of Bowral”. The Township of Bowral was proclaimed in 1859.



Photo 2 – Parish Map of Mittagong

Source: NSW Department of Lands

Council records indicate that the Mittagong Creek has undergone considerable human intervention over the years. The fertile soil along the Mittagong Creek catchment also made it suitable for agriculture, thus urban development has seen a loss of the original native vegetation. The flat terrain and fertility of the flood plain made it much sought after agricultural land.

Venables Park was donated to the community in 1956. The Park was named after H. Fergus Venables who was the Mayor of Bowral for a 15 year term and an Alderman for 34 years, the Reserve was officially opened on the 6<sup>th</sup> October 1956 by his Excellency Lieutenant-General Sir John Northcott K.C.M.G, K.C.V.O.C.B Administrator of the Commonwealth of Australia.

Foley Park was donated to the community in 1979. The Park was named after Mr. W.F. Foley, a former Alderman and Mayor of Bowral Municipal Council. Foley Park was formally opened in August 1979 and gazetted with the Geographical Naming Board on the 31<sup>st</sup> August 1979.

Settlers Park was designed and the construction managed by the Bowral Parks and Gardens Advisory Committee, the Reserve formed part of the SkillShare programme and was funded by the Lions Club of Bowral. Settlers Park was designed to commemorate the early settlement to the Southern Highlands. Settlers Park was officially opened by Hon. John Fahey MP, Minister for Finance in September 1996.

During user group workshops and community consultation, the community recall Smith's Stables being located off Mittagong Road where Settlers Park and Bowral Swimming Pool is currently situated, members of the community can recall that the stables were still operational in the early sixties.

The recreational path that follows the Creek is said to be the oldest cycleway in Bowral. The community also recalls that the cycleway started as an unformed track that was used to get to the Bowral Swimming Pool, and in 1979 Council formalised the track by installing an asphalt pathway for community use.

## ***1.7 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.

## ***1.8 Purpose of this Plan of Management***

### ***1.8.1 General***

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.

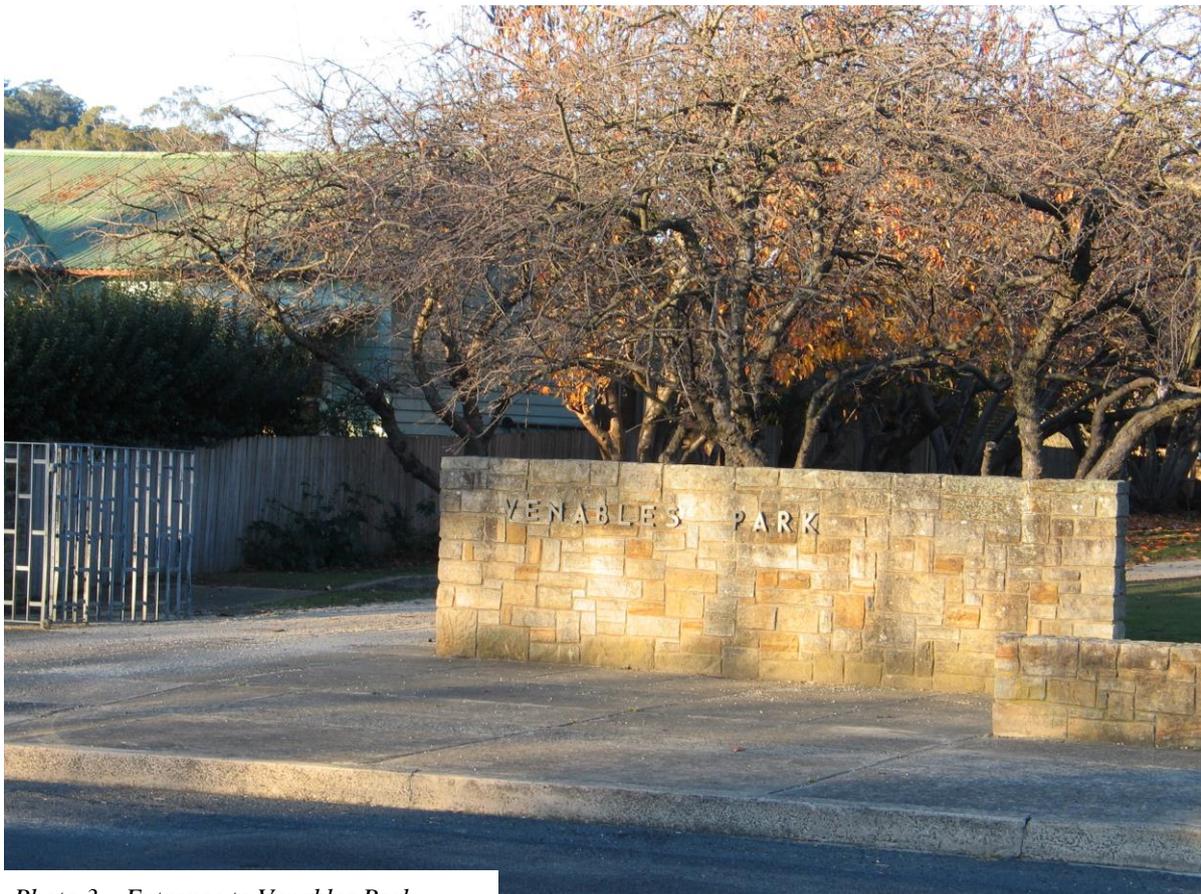
This Plan of Management aims to provide a clear, concise and practical framework for the management of Mittagong Creek Reserve. It aims to be performance oriented in order to contribute towards Council achieving its strategic goals, vision, mission and strategic outcomes. As a means of achieving these 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 Mittagong Creek Reserve. 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.



*Photo 3 – Entrance to Venables Park*

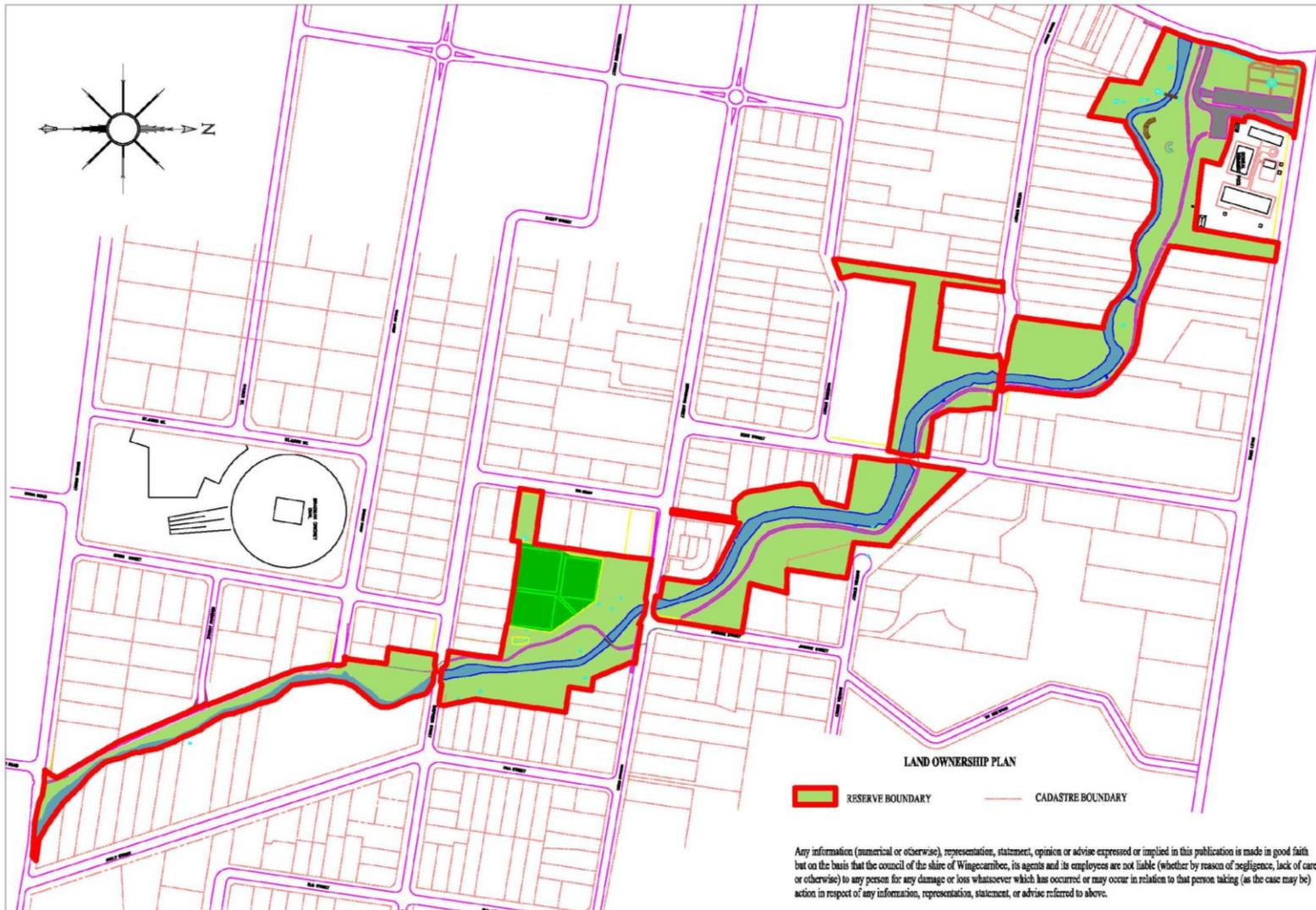
## 1.9 Land Ownership and Planning Context

### 1.9.1 Land Ownership

The area of land known as Mittagong Creek Reserve is shown in the aerial photo below.



Photo 4 – Aerial photo of Mittagong Creek Reserve



The land covered by this Plan shown in **Figure 3** below is owned by Wingecarribee Shire Council, the boundary of Mittagong Creek is represented on the plan by the red line. The Reserve is made up of twenty nine parcels of land divided by public roadways and follows Mittagong Creek. The Reserve is represented by the area in green.

The parcels of land that make up Mittagong Creek Reserve were dedicated at various times with the earliest in December 1922 and the latest in August 1992.

Figure 3 –Land ownership covered by Mittagong Creek Reserve Plan of Management

### 1.9.2 Zoning Plan

Mittagong Creek Reserve is classified 6(a) Open Space (Existing Recreation), 6(b) Open Space (Private Recreation) and 6(d) Open Space Proposed Recreation under Wingecarribee LEP 1989. The site consists of a total area of 5.4 hectares. A plan from Councils LEP appears below, showing the zoning of the site and surrounding areas.



Figure 4 – Zoning Plan for Mittagong Creek Reserve 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
Shared pathway / Cycleway	Generally in poor condition, a combination of asphalt and concrete paths with varying widths.	Fair
Unformed paths	The paths are fit for use	Fair
Solar Light	One solar light in excellent condition.	Excellent
Native and Exotic bushland/landscape Areas	Generally in good condition, however conflict exists between some of the native and exotic vegetation in several locations.	Good
Public Open Space Areas	In reasonable condition and fit for use.	Fair
Cherry Trees	Cherry Trees ( <i>Prunus tai haku</i> ) are lined along the cycleway are generally in good condition.	Good
Fencing	Generally in poor condition majority of the fences are inappropriate for this type of facility.	Poor
BBQ and Picnic Facilities	Two BBQ and three picnic facilities in fair condition.	Fair
Seating	Generally in Good condition, however the timber seats will need to be updated as their condition deteriorates.	Good
Sandstone Seating	The sandstone seats are located in the vicinity of the War Memorial are generally in good condition and fit for use.	Good
Timber Pergola	The timber pergola located behind the War Memorial is generally in good condition and fit for purpose.	Good
War memorial Entrance Statement	The polished marble entrance statement which represents the commencement of the walk is considered to be in excellent condition.	Excellent
War Memorial	The War Memorial consisting of 5 monoliths and 8 plaque commemorating Australian men and woman fallen in the Vietnam conflict is considered to be in excellent condition.	Excellent
War Memorial Plaque for 8 RAR	The War Memorial Plaque for 8 RAR is considered to be in excellent condition.	Excellent
Settlers Park	Settlers Park is located at the start of the Reserve off Mittagong Road, and consists of formal pathways, garden beds, trees, shrubs, signage wall and a plinth with a plaque commemorating first settlement and multiculturalism is considered to be in excellent condition.	Excellent
Venables Park	Venables Park incorporating Bowral Bowling Club is generally in good condition and fit for purpose..	Good
Foley Park	Foley Park is located between Victoria St and Woodbine St and is generally in good condition and fit for purpose.	Good

#### Interpretation of building/site condition

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



Figure 5 – Site Plan

## 2.2 Users and Facilities

In September 2004, Council adopted a report detailing Wingecarribee Open Space, Recreation, Cultural and Community Facilities Needs Study prepared by Parsons Brinckerhoff. The study identified the need for improved sporting, passive and unstructured recreational facilities on a Shire wide basis. Improvements to the quality of recreational facilities should also include interesting features such as heritage interpretations along walkways, public art and landscaping. The master plan accompanying this Plan of Management is the realisation of that Needs Study.

It is envisaged that the main users of the site will be formal organisations, social and sporting clubs, schools and local residents, living within and outside of the surrounding area of the site. The open space will cater for both structured and unstructured recreation including quiet areas for passive recreation. The only active recreation associated with this site will be with the Bowral Bowling Club. Casual users of the site may be involved in activities such as power or casual walking, cycling, walking the dog, casual ball games, picnic and social activities, ceremonial activities are organised on an annual basis at the Vietnam War Memorial.



*Photo 5- War Memorial commemorating the fallen Australian men and woman of the Vietnam conflict.*

The provision, accessibility and quality of open space is one factor that guides and influences people's choice in participating in recreational activities. Mittagong Creek Reserve provides structured and unstructured recreation opportunities. Council's 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 masterplan 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 and review of the needs assessment for the community and user groups of the site.

### 2.2.1 *Other Uses*

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

**Table 3 Additional Usage**

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Weddings
Market days
Business events
School events
Community function
Educational events

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### 2.3 *Access*

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

#### *Entrances*

Mittagong Creek Reserve is segregated into five distinct areas and is intercepted by fourteen Streets, thus there are fourteen possible entrance points to the site. However the formal commencement point for Mittagong Creek Reserve is off Mittagong Road adjacent to Settlers Park. Additional to the formal entrance point and the possible access locations points gained throughout the site, access appears to be gained typically from Mittagong Road, Rose Street, Merrigang Street, Sheppard Street and Bowral Street.

There is limited signage on site and in the surrounding Streets, however due to the coverage of the Bowral Vietnam War Memorial Walk, and the Mittagong Creek Riparian Restoration Project the site receives a high level of recognition.

#### *Pedestrian Access*

The existing pedestrian access and movement through the site is via the shared pathway / cycleway and informal trails linking one area of the site to the next. The proposed masterplan provides improvements to the existing pathway infrastructure through the site for pedestrians, cyclists and other users, the shared pathway / cycleway which extends throughout the site is shown on the masterplan. The design and upgrade of the cycleway should be generous enough to accommodate a variety and number of users at any one time.

#### *Disabled Access*

The site does not currently provide adequate disabled access, the proposed masterplan will provide disabled users access to the site by either car or bus (parking spaces are reserved specifically for this user group), or enter the site via non-vehicular entry. The design of the cycleway is to be in accordance with the Australian standards regarding ‘Access and Egress’. As previously mentioned, the cycleway should be generous and suitably robust to accommodate a variety of users simultaneously, for example: wheelchairs, pedestrians, cyclists, and prams.

### ***Vehicular Access***

There is no direct formal vehicle access to the site, except for the provision of access for maintenance or emergency vehicles. However, missing boundary fencing around the site may lead to access of unapproved vehicles and anti-social behaviour.

There is no established need for the provision of vehicle access throughout the site, the recreational purpose of the Mittagong Creek Reserve is not anticipated to change from its existing use and function. Existing users utilise Bowral Swimming Pool and Bowral Bowling Club car parking facilities, there appears to be no existing need for further car parking facilities along the Creek.

### **2.4 Watercourse**

During the course of the development of this Plan of Management there has been considerable discussion on the watercourse that follows the open space corridor. The main issues have been centred on the name.

This watercourse has been known as Mittagong Rivulet according to previous correspondence, parish maps, community comments/submissions and reference material encountered during the data collection phase. However the watercourse has been officially named ‘Mittagong Creek’ with the Geographical Names Board of New South Wales and gazetted on 3<sup>rd</sup> December 1976.



*Photo 6- Mittagong Creek.*

## 2.5 Flora

Mittagong Creek Reserve was originally classified as Southern Highlands Shale Woodland. Due to urban development, site clearing was a common occurrence as the land along the Creek was mainly used for agriculture purposes.

Since the early nineteenth century the land was stripped of its native vegetation, the land form altered and the creek channel widened for the sole purpose of land cultivation and farming. Thus considerable loss of native vegetation has occurred over the years to be replaced with exotic shrubs and weeds.

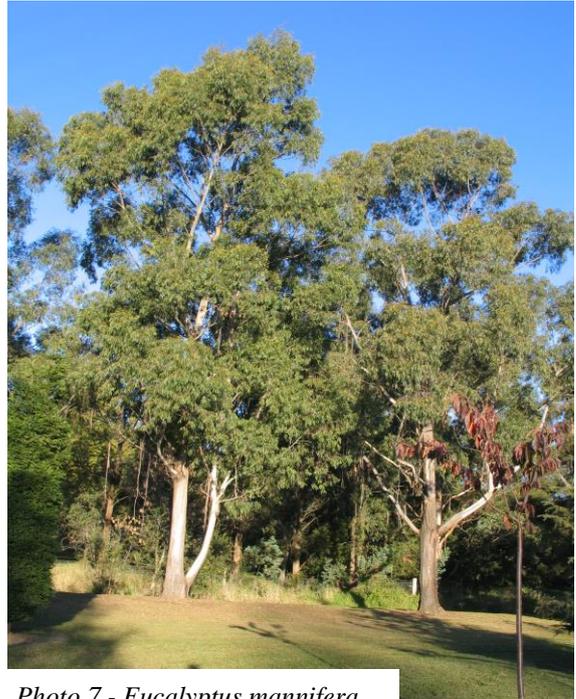


Photo 7 - *Eucalyptus mannifera*



Photo 8 - *Cedrus deodara*

The site features extensive planting of a wide variety of exotic and native vegetation of widely differing ages. These include:

**Native species:** - *Eucalyptus ovata*, *Eucalyptus radiata*, *Casurina cunninghamiana*, *Acacia mearnsii*, *Leptospermum lanigerum*, *Hakea salicifolia*, *Acacia floribunda*.

**Exotic species:** - *Nyssa sylvatica*, *Laurus sp* (Portugese laurel), *Quercus palustris*, *Fraxinus 'Raywood'*, *Liquidambar styraciflua*, *Crataegus sp* (Hawthorne), *Cotoneaster salicifolia*, *Agapanthus praecox*.

The most predominate trees within the site are the Cherry Trees (*Prunus tai haku*) which are planted along the cycleway as a remembrance to the Australians who gave their life during the Vietnam conflict. The trees are designed to straddle the cycleway and form an arbour for users of the site.



*Photo 9 -Avenue of Cherry Tree  
(Prunus tai haku)*

The site incorporates Settlers Park, the Park was designed to represent the British settlement and multiculturalism within Australia. The Reserve consists of formal paving and garden beds surrounding an oak tree, with scatted trees and shrubs on the outskirts of the paved area.



*Photo 10 – Cupprussus leylandii*

The masterplan proposes to support the work user groups are involved in.

To establish the site as a remembrance to the Australians who gave their life during the Vietnam conflict; and

To regenerate the creek line, increasing the variety and quality of native flora species on the site, removing noxious weeds and reintroducing an understorey of native vegetation.

## 2.6 Fauna



Photo 11 - A White Faced Heron

While no formal survey of fauna was carried out for this Plan of Management a variety of different native birds were seen within the site, some of the bird population that frequents the area were found to be Sulfer Crested Cockatoos; Galahs, Pigeons; Magpies, Ducks, Egret etc.

The creek line and the regenerated vegetation zone along the Creek attracts many different species of wildlife.

## 2.7 Water

### ***Flooding***

The majority of the Mittagong Creek Reserve including private land that is adjacent to the site is classified as flood affected land in Councils LEP 1989.

Council has recently completed a Floodplain Risk Management Study for Mittagong Creek which evaluates management options for the floodplain relating to both existing and future developments. The plans on pages 35 & 36 reveal the flood hazard line and flood prone areas on the site.



Photo12 - Mittagong Creek showing one of the 'V' notch weirs

This Plan of Management supports the Bowral Floodplain Risk Management Study and the management strategies (action plans) recommended within the study. It is of great importance to reduce the effect of flooding in order to minimise social, environmental and economic factors that impact the community and existing and future developments.

### ***Riparian Management Zones and Creek Health***

A riparian zone is the area of land immediately adjacent to a body of water (such as a river, creek, lake or pond) that influences or is influenced by the water body. Riparian lands form the transition between terrestrial and aquatic environments. Stream ecology and water quality is greatly influenced by riparian zones. Riparian zones perform a number of important functions:

- **Habitat** – Riparian zones are important to both aquatic and terrestrial animals. Riparian vegetation provides organic matter to feed invertebrates such as dragonflies and daphnia which in turn are a food source for frogs and fish. The vegetation also shades and buffers the aquatic environment against high temperatures in summer. Land-based animals use the riparian zone to shelter, hunt and breed. Many animals also use the riparian zones in areas with little remnant vegetation as transport corridors.
- **Recreational and aesthetic values** - Healthy creeks and rivers are peaceful and beautiful. They are important to keep for present and future generations to enjoy and learn from.
- **Channel shape and bank stabilisation** – River and creek banks are vulnerable to erosion from fast flowing water. Riparian vegetation protects the river channel from erosion. Riverbanks that are well vegetated with plants such as rushes and reeds will protect soil by reducing the velocity of the water, trapping sediment and binding the banks. This will reduce or prevent erosion and allow natural pools and riffles to form, creating important habitats for aquatic organisms.
- **Water quality** – Riparian vegetation improves water quality by filtering runoff from the catchment and removing pollutants. Pollutants such as organic and inorganic nutrients, herbicides, pesticides and sediments can all be absorbed or trapped by the vegetation before it enters the water body.

The establishment, values and objectives of riparian zones fall under the following:

- Water Management Act, 2000 and Water Management Amendment, 2005
- Native vegetation Act, 2003
- Threatened Species Conservation Act, 1995
- Local Government Act 1993, as amended
- Fisheries Management Act, 1994

A riparian corridor management study in 2005 by Department of Natural Resources has defined Mittagong Creek as a category two riparian corridor. The study defines three category objectives:

- Category 1 - Environmental Corridor;
- Category 2 - Terrestrial and Aquatic Habitat; and
- Category 3 - Bank Stability and Water Quality.

The study defines category two objectives as – ‘to provide basic habitat and preserve or emulate as much as possible a natural functioning stream. While accepting the width of the riparian corridor will not fully satisfy the requirements of a category one – Environmental Corridor, the width must still be sufficient to provide long term robust habitat and refuge for native fauna.

The Plan of Management aims to develop a set of strategies and action plans to ensure that Mittagong Creek Reserve is managed and developed in accordance with the outcomes defined in this plan of management.

One of the strategies will be to develop a planting program and management plan for the riparian areas, the key objectives for the strategy will be as follows:

- Provide bed and bank stability
- Protect water quality
- Maintain viability of riparian vegetation
- Integration with floodplain process
- Managing edge effects at riparian/urban interface
- Protecting natural values within the creek
- Provide adequate access
- Vegetation to reflect public open space usage
- Does not promote pest vegetation/ fauna
- Provide continuity and connectivity

The Creek has undergone regeneration work to improve the health and vitality of the creek, some of the works include minimisation and removal of blockages caused by in-stream weed invasion and siltation, removal of noxious weeds within the creek line, revegetation of native and aquatic species, reduction in bank erosion and improved bank stabilisation by vegetation, implementation of weirs to increase oxygen levels. However to ensure the health of the creek continues to improve constant monitoring and the development and implementation of a riparian and creek plan are required.

Mittagong Creek flows through the entire length of the Mittagong Creek Reserve, the health and quality of the Creek are therefore tied to the character of the site.

## **2.8 Landform and Drainage**

### ***Geology and Soil***

The predominant soil type present on the site is typically derived from Wianamatta Shale, the properties of the soil were found to be well compacted and quite moist. The soil is considered to be fertile; this will be an important attribute in the success of establishing new vegetation on site.

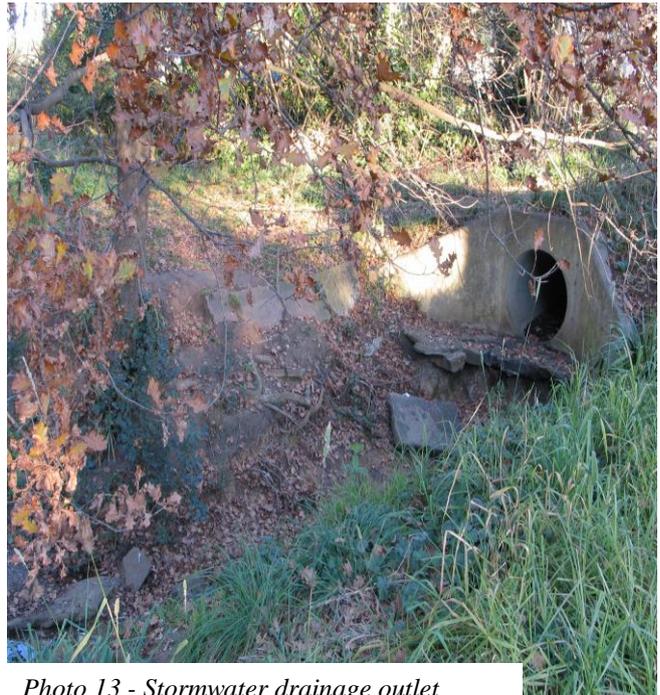
### ***Topography***

The site is elevated at the Bowral Street end (upstream end) and gently falls down to the Mittagong Road end (downstream end), the Open Spaces within the Reserve appear relatively flat and gently slopes towards the Creek.

### ***Drainage***

A survey of the site has uncovered a number of stormwater drains and swales discharging directly into the Creek. A large number of these structures were found to have damaged headwalls and were silted up. Additional to the stormwater drains and swales a few of the intercepting Roads and Council land had been graded to allow overland flow in rainy periods to discharge directly into the Creek.

There were also a large number of discharge pipes found protruding from the embankment of the Creek and allowing to discharge directly into the Creek, the pipes varied in size from 100mm to 375mm some appeared to be from road subdivisions, residential development and commercial development.

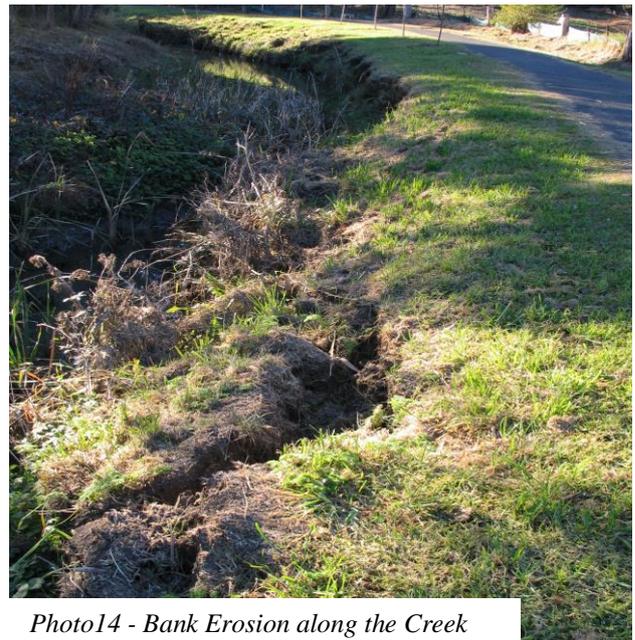


*Photo 13 - Stormwater drainage outlet located next to Bowral Street*

### ***Erosion***

There is a significant issue with bank erosion. On visual inspection erosion is occurring at several locations along the Creek. It was noticed that a high degree of erosion is taking place where the steep banks exist which are susceptible to collapsing. Where the banks are low channel widening appears to be occurring.

A bank stabilisation strategy is required to be implemented as a high priority, because as the banks are allowed to erode or the channel widens the Open Space diminishes which will have a critical impact on the recreational value of the site and begin to cause a liability issue with Council in terms of user risk and potential risk to private land owner, who's land may be affected due to this erosion problem.



*Photo14 - Bank Erosion along the Creek*

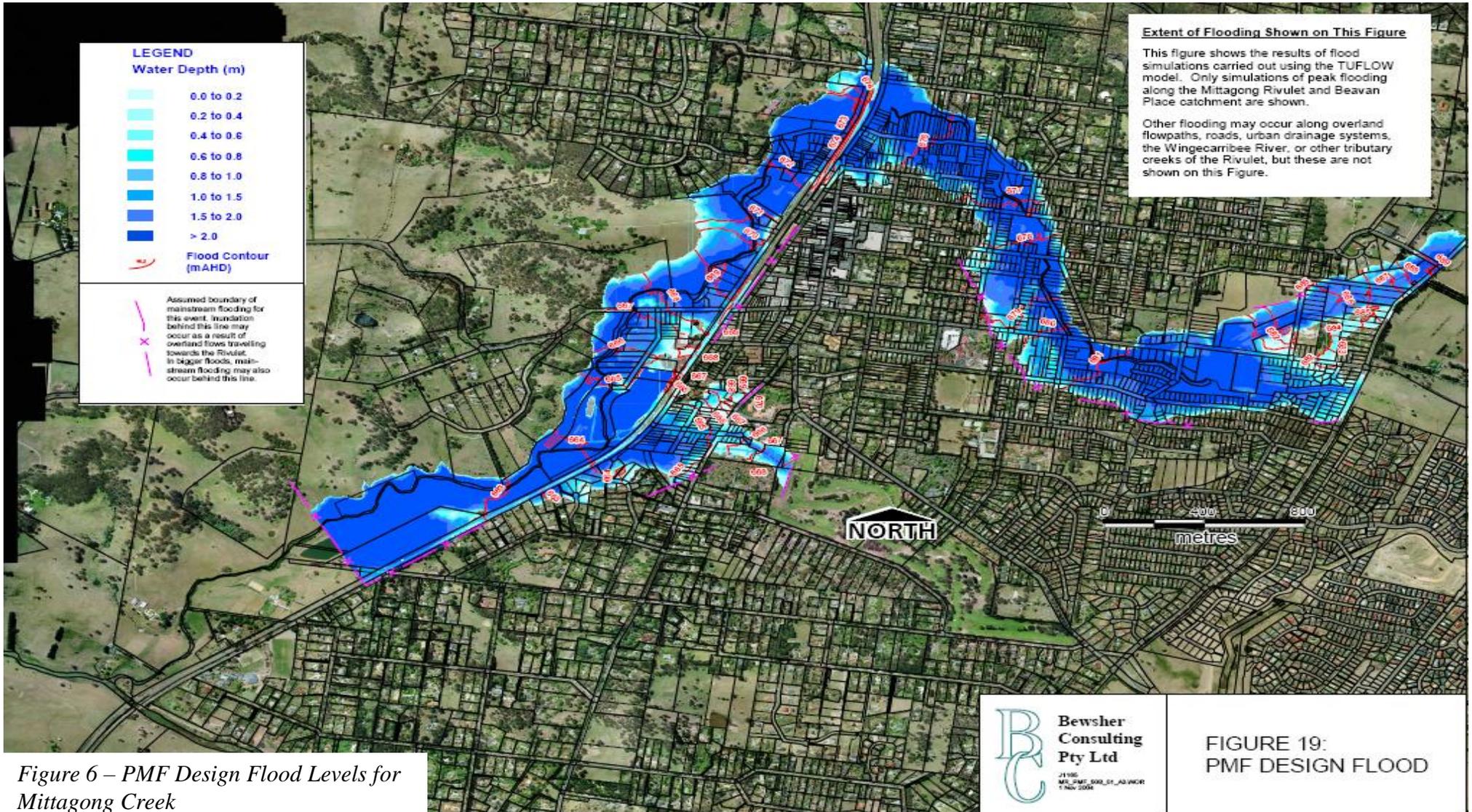
## **2.9 Views and Vistas**

Due to the nature of the topography, clear views exist across the site, Mittagong Creek Reserve is bound by public roadways, private land and for most of the site the Creek bounds the southern side and later crosses over to the northern side.

The site has a woodland character, with the majority of the development at the start of the site (off Mittagong Road). Movement through the site is via formal pathways and informal pathway which have been formed by users creating worn desire lines.

The site is essentially a mixture of different sizes and shapes of Open Space with an open canopy layer of a mixture of native and exotic trees. The canopy density varies throughout the site, this basically gives the site its unique character.

## Flood Prone Land



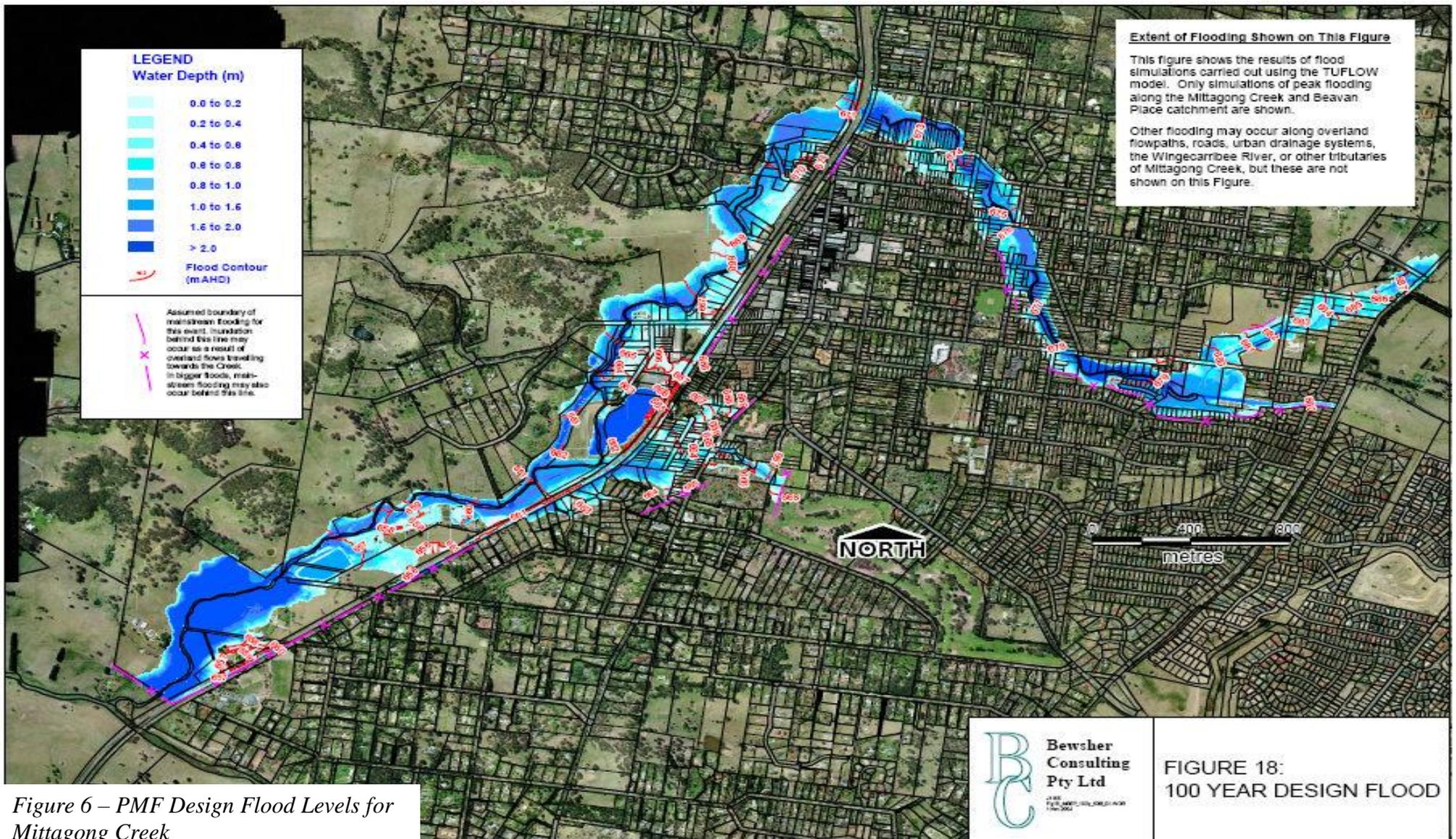


Figure 6 – PMF Design Flood Levels for Mittagong Creek

### 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 MITTAGONG CREEK RESERVE**

### ***4.1 Councils role in managing Mittagong Creek Reserve***

Mittagong Creek Reserve 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 diverted 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 Mittagong Creek Reserve**

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:

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

#### **4.3.1 Land Categorisation**

A Public Hearing on the categorisation of the site was held at Wingecarribee Shire Council's Theatre on Wednesday 3<sup>rd</sup> October 2007.

The notice of the Public Hearing was advertised in the Southern Highland News on 19<sup>th</sup> September and 26<sup>th</sup> September 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 1998 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 Park objectives**

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

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

#### **4.4.3 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.

#### **4.4.4 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.

#### **4.4.5 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 facilitate 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.

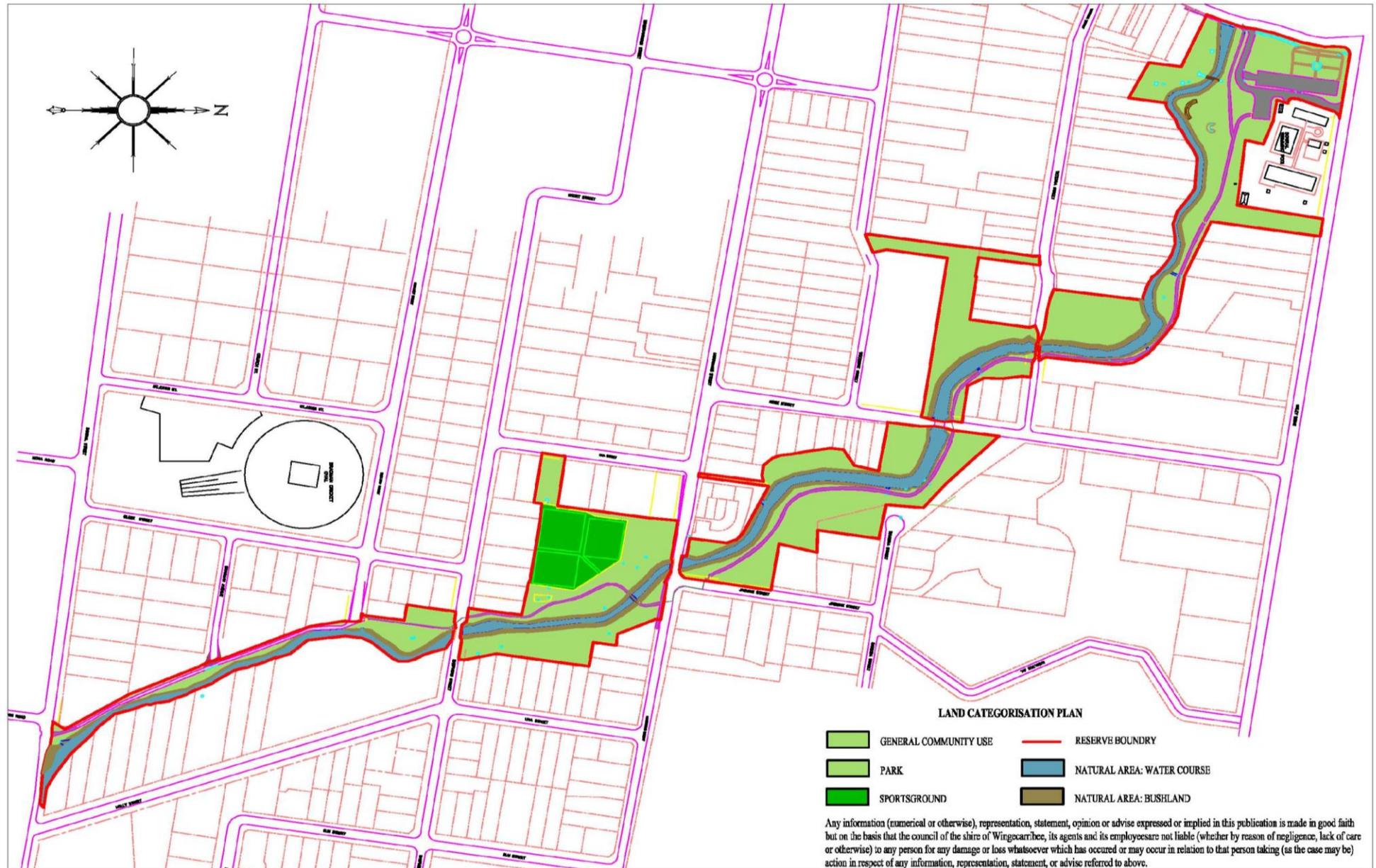


Figure 7 – Mittagong Creek Categorisation

#### 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 organisation, of its choice to manage the following facilities of Mittagong Creek Reserve.

**Table 4 Lease and licences consent levels**

Facility	Activity	Purpose	Agreement	Maximum Permissible Term	Advertise
Venables Park – Bowling Greens (also known as Bowral Bowling Club), including all structures	Organised sport	Public recreation (playing of sport) and ancillary activities	Lease / licence agreement	21 years	Yes
Public Open Space	Organised & informal sporting activities or other community use	Public recreation and ancillary activities	Lease / licence agreement	21 years	Yes

#### 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.

Two community workshops were advertised by distributing 1,000 flyers for each workshop throughout Bowral and advertising the workshop in the Southern Highland News on 23<sup>rd</sup>, and 30<sup>th</sup> March 2005 for the first workshop and 05<sup>th</sup>, 12<sup>th</sup>, and 19<sup>th</sup> October 2006 for the second workshop.

Participants from the first community workshop were encouraged to complete a questionnaire outlining their values, issues and thoughts regarding the site. The President of the Bowral Urban Landcare Group also handed out the questionnaire sheets to other members not present at the public meeting and to the general community on site. Approximately 70 of the questionnaire sheets were completed and returned to Council.

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 six (6) weeks between 5<sup>th</sup> September 2007 and the 19<sup>th</sup> October 2007. Thirteen (13) submissions were received during this period. A number of submissions raised a number of issues that resulted in changes to the masterplan and the Plan of Management. Due to the changes to the masterplan and Plan of Management a second exhibition and submission period was commenced for a period of six (6) weeks between 23<sup>rd</sup> April 2008 and the 4<sup>th</sup> June 2008. Six (6) further submissions were received during this period.

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

### **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.

#### ***Environmental Issues***

The primary environmental area of concern for the site was Mittagong Creek. Improvements to the quality of the waterways, removal of the weeds along the creek banks, and controlling pollutants were the main issues highlighted within the community consultation process. There was an overall support towards continuing work on restoring the Creek, enhanced wildlife habitats, as well as support for the re-establish locally native vegetation.

#### ***Maintenance Issue***

Overall comments received from the community suggested that ground maintenance in recent times has improved dramatically, however the level of maintenance expected for this type of facility was of major concern. The maintenance program on rubbish removal from the Creek was also of concern especially as there are no gross pollutant traps installed. The main issue highlighted was the poor and unsafe condition of the cycleway and the ongoing issue with vandalism.

#### ***Development Issues***

Community feedback received indicate that very little Council funds are allocated towards the site, given the high profile and excessive use the site receives, some suggestions on improvements are seating, covered areas, picnic areas, lighting, interpretive signage and security cameras to minimise vandalism. Most users of the site desire further development of the site in the way of a public toilet, a kid's area, a children's playground and the cycleway upgraded to suit its function as a shared pathway. Dog walkers and joggers alike would like to see dog litter bins distributed throughout the site and even an off leash dog area.

#### ***Access***

The access into each section of parkland via the Road intersection due to vehicle traffic is a concern for local residents and park users. Locals are also concerned with the existing access into the site for emergency vehicles and would like to see improved site access for emergency vehicles.

## 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, Park 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 Mittagong Creek Reserve.

### 6.3 Community Values

To effectively manage community land and meet community needs, Council needs to consider the values of the community. Community values tend to be broad in nature and remain constant for a considerable length of time. They can be defined as what the community sees as important about a place or a set of beliefs about how things should be. These community values provide a framework to underpin the way in which Council manages community land.

This Plan of Management incorporates this values-based approach to ensure best practice management of community land.

The following table identifies community values identified during the development of the plan of management:

**Table 5 – Community values**

<i>Recreational Values</i>	<p>Mittagong Creek Reserve is highly valued for its passive recreation. It is utilised mainly by the local community and to a certain extent a wider regional catchment. A strong sense of value has risen from the community regarding this site.</p> <p>This site is valued as one of the few places in Australia that pays respect to the Australian service people who died in the Vietnam War.</p>
<i>Access/Visual Values</i>	<p>Mittagong Creek Reserve is seen as a breath of fresh air within the Shire’s ever increasing urban sprawl. Many feel that this area is essential in maintaining a healthy lifestyle, and that it adds to their quality of life. It is an area where many people may come together to enjoy passive recreation like a casual walk, barbeques and family outings.</p>
<i>Social / Cultural Values</i>	<p>The community has developed a strong sense of community ownership of this site with the desire to protect its natural, and recreational values, and to develop appropriate management goals for this significant area.</p>
<i>Natural Values</i>	<p>This site contains many characteristics that are unique to this site. A balance is called for between the natural environment and the recreational environment. This site is considered part of the community’s urban heritage.</p>
<i>Heritage Values</i>	<p>There are two items that have been identified as potential heritage items within this site. Both items are located within Venables Park, the first being the metal Venables Park sign adjacent to Merrigang Street, and the second being the sandstone fence at the Street end off Una street. Although there is no documented evidence the community feel that these two items date back to the Park dedication by H.F. Venables in October 1956.</p>

## **6.4 Roles of the Area**

The main ‘role’ of Mittagong Creek Reserve is to provide a popular local and regional passive recreational resource.

The role of Mittagong Creek Reserve focuses on the protection and enhancement of the native and exotic vegetation and the Vietnam War Memorial and the Vietnam War Memorial Walk.

Mittagong Creek Reserve significance could be classed as regional or greater. A secondary role of the Reserve is the opportunity for social interaction, particularly for the residents of the surrounding area.

## 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 its 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 - 4 years
- **Medium** – commenced in 4 – 7 years
- **Low** – commenced after 7+ years
- **Ongoing** – Throughout time as the Plan of Management is in operation

The action plans have been developed in priority order, the scheduled work is to be developed and implemented in line with priorities listed within this plan of management.

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 6 - Proposed action plans for amenities and facility development**

No.	Performance Target	Action	Priority	Performance Indicator	Responsibility
1	Provide quality active and passive recreational facilities	Prepare a Riparian Management Plan.	High	Detailed plans prepared in consultation with stakeholders	WSC
2		Replace and Upgrade the cycleway on a rolling program to meet current Australian Standards.	High	Cycleway replaced and/or upgraded	WSC
3		Relocate sections of the cycleway and Cherry Trees as per the masterplan.	High	Selected items as nominated in the masterplan relocated	WSC & BVWMWT
4		Replace exposed drainage structures and install security fencing around any exposed structure to comply with Australian Standards.	High	Drainage structures designed and installed including fencing	WSC
5		Install fencing and bollards as per the masterplan	High	Fencing and bollards installed	WSC
6		Install signage and traffic control devices along cycleway to meet requirements of the current Australian Standard	High	Signage and devices installed	WSC
7		Upgrade landscaping areas as shown on the masterplan and the detail construction drawings	High	Landscape areas installed	WSC
8		As part of the scope of works for the Creek Restoration project design and install appropriate measures to eliminate bank erosion.	High	Bank erosion measures design and implemented	WSC & BULG

Wingecarribee Shire Council (WSC)  
 Bowral Vietnam Memorial Walk Trust (BVMWT)  
 Bowral Urban Landscape Group (BULG)

No.	Performance Target	Action	Priority	Performance Indicator	Responsibility
9		Install signage and dog litter bins along the Reserve	High	Signage and dog litter bins installed	WSC
10		Replace existing fencing around water irrigation area with appropriate fencing as approved by WSC	High	Fencing replaced	Bowral Bowling Club
11		Design and Construct a Entrance Statement for Venables Park incorporating the original signage.	High	Entrance statement designed and installed	WSC
12		Prepare detailed construction drawings and management plans for any future works.	Med	Detailed plans prepared in consultation with stakeholders	WSC & Stakeholders
13	Formalise naming of the site	Register the name “Mittagong Creek Reserve” with the NSW Geographical Names Board.	Medium	Application lodged and approved	WSC
14	Formalise naming of the site	Investigate appropriate naming for each section of the site and register the names with the NSW Geographical Naming Board.	Medium	Application lodged and approved	WSC
15		Design and install appropriate GPT’s as described on the masterplan	Medium	GPT’s installed	WSC

Wingecarribee Shire Council (WSC)  
Bowral Vietnam War Memorial Walk Trust (BVMMWT)  
Bowral Urban Landscape Group (BULG)

*Amenities and Facilities continue*

No.	Performance Target	Action	Priority	Performance Indicator	Responsibility
17	Provide quality active and passive recreational facilities	Installation of Park furniture; seats, bins, picnic shelters etc	Medium	Park furniture installed	WSC
18		Install solar powered lighting as per master plan	Medium	Lighting installed	WSC
19		Design and install Play Area as per Master plan (design to incorporate community consultation).	Low	Playground designed and installed	WSC
20		Investigate the necessity to install a public toilet within the site and the design options available.	Low	The need and design of a public toilet investigated and constructed if required	WSC
21	Ensure the Reserve is a safe environment for all users and the community.	All new structures to include vandalism proof designs and materials.	Ongoing	Minimal vandalism to new structures	WSC

Wingecarribee Shire Council (WSC)  
Bowral Vietnam War Memorial Walk Trust (BVMMWT)  
Bowral Urban Landscape Group (BULG)

## 7.2 Management

**Table 7 - Proposed action plans for the management of the Reserve**

No.	Objective and Performance Target	Action	Priority	Performance Indicator	Responsibility
1	Establish appropriate management structure for Mittagong Creek Reserve to reduce Councils risk, liability and OH&S exposure.	Review all external committees and groups with an interest in Mittagong Creek and Bowral Vietnam War Memorial Walk. Management of these groups to be inline with Councils policy and operating procedures.	High	Appropriate management structure determined and implemented.	WSC
2	Improved promotion of the site and facilities available.	For the management body formed, develop a business / marketing plan for the site and activities and/or services offered to user groups and the wider community.	Ongoing	Increase in user groups.	WSC and the User groups / Management Committee
3		Prepare an advertising and media strategy, which incorporates placing directional signage in the vicinity of the Reserve, include the Reserve within Councils Web Site, include the Reserve within the scope of the Shire’s information Centre, etc.	Ongoing	Increased awareness of the Reserve.	WSC and the User groups / Management Committee
4	Provide overall site maintenance.	Develop and prepare a maintenance plan for the Reserve to include: <ul style="list-style-type: none"> <li>Review maintenance standards and requirements</li> <li>Review exiting maintenance plans</li> </ul>	High	Maintenance plan prepared and implemented.	WSC
5		Mowing of grassed areas and open space to a satisfactory standard	Ongoing	Conduct biannual customer satisfaction surveys.	WSC
6		Landscape maintenance of all shrubs, trees and formal gardens	Ongoing	Conduct regular inspections as per asset management plan	WSC

Wingecarribee Shire Council (WSC)  
Bowral Vietnam War Memorial Walk Trust (BVWMWT)  
Bowral Urban Landscape Group (BULG)

*Management continue*

No.	Objective and Performance Target	Action	Priority	Performance Indicator	Responsibility
1	Provide overall site maintenance.	Prepare a maintenance plan and schedule for all vegetation, trees, gardens etc as per the masterplan and this PoM.	Ongoing	Maintenance plan and schedule prepared	Prepared by WSC with input by all stakeholders
2		All relocated or new trees and shrubs are to be planted as per Councils planting detail	Medium	Any new or relocated trees planted	BVWMWT & WSC
3		Inspect and replace all diseased , dead or damaged cherry trees annually	Ongoing	All affected trees replaced	BVWMWT & WSC
4		Remove and/or relocate any vegetation including trees and shrubs as per masterplan	Medium	Any nominated vegetation removed or replaced.	BVWMWT, BULG & WSC
6		Conduct regular safety audits, assessing the area for personal safety risks.	Ongoing	Regular safety audits undertaken.	WSC
		Maintenance of infrastructure on Reserve- cycleway, playgrounds, park furniture etc.	Ongoing	Conduct regular inspections as per asset management plan	WSC
		Develop an asset management plan for the site	Ongoing	Development and implementation of the plan	WSC
	Maintenance and upgrade to have a minimal impact on Park users.	Any maintenance and upgrade work to be co-ordinated to ensure minimal impact on Park users.	Ongoing	The Reserve is available for passive use.	WSC

Wingecarribee Shire Council (WSC)  
Bowral Vietnam War Memorial Walk Trust (BVWMWT)  
Bowral Urban Landscape Group (BULG)

## 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.

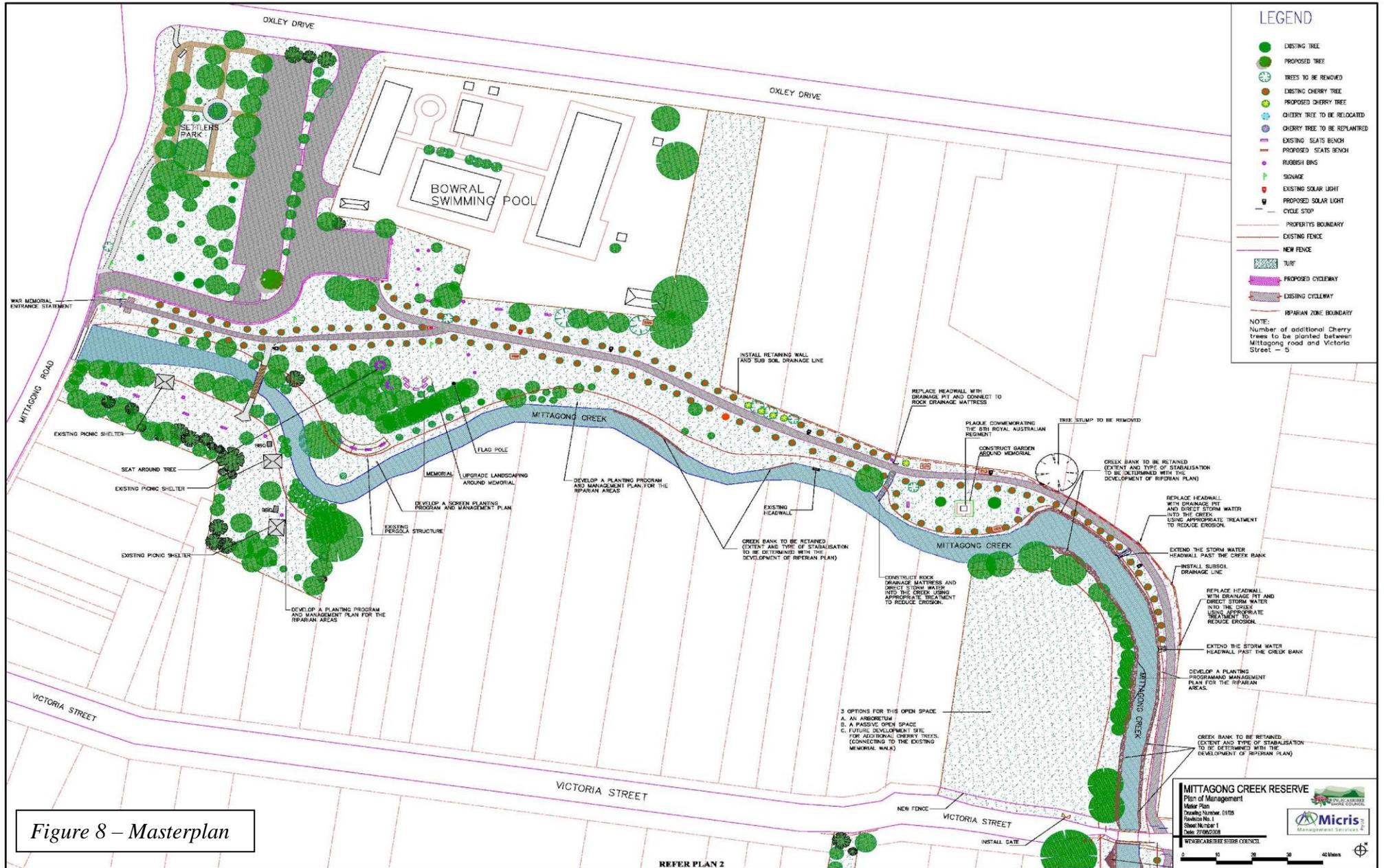


Figure 8 – Masterplan

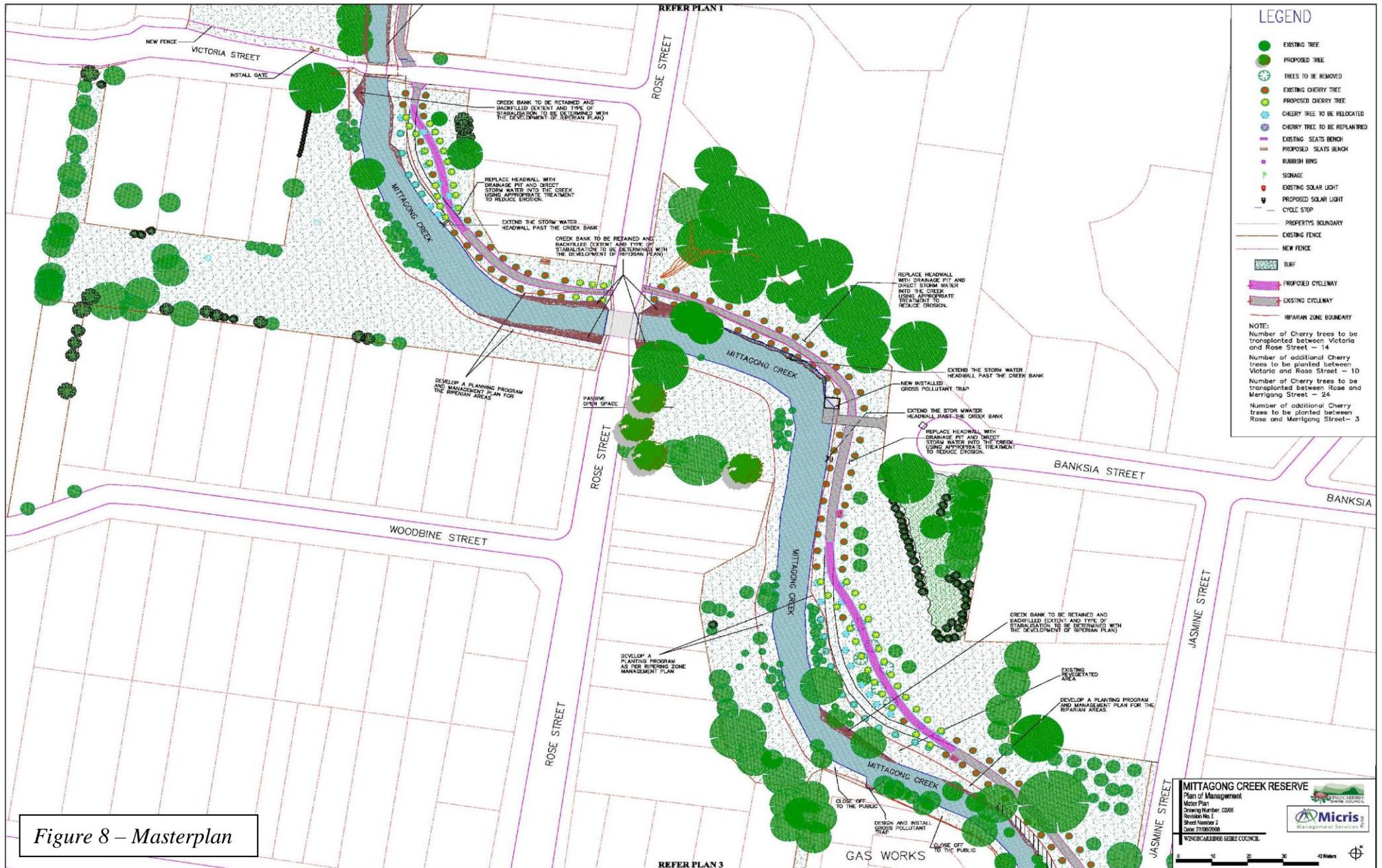






Figure 8 – Masterplan



## 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.

***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.

## 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.

## 9.2 *References*

Wingecarribee Shire Council Open Space and Recreation Facilities Section 94  
Contributions plans (July 1993)

Wingecarribee Social Plan – 1999 – 2004

Wingecarribee Shire Council Parks, Gardens & Reserves Management Plans (July 1995)

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

Wingecarribee our Future – Strategic Plan, October 2002

Wingecarribee Local Environmental Plan 1989

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