



SMALL VILLAGE PARKS

**CROWN RESERVES – 72519, 93898, 159008, 66106, 83715 & 1031648
AND COUNCIL OWNED COMMUNITY LAND
(BEELBANGERA, HANWOOD, LAKE WYANGAN, NERICON, THARBOGANG, YENDA &
YOOGALI)**

PLAN OF MANAGEMENT



Draft Plan of Management Report prepared by
Melva Robb
Consultant
Griffith City Council
GRIFFITH NSW 2680
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RESPONSIBLE OFFICER	Daphne Bruce				
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1.0 EXECUTIVE SUMMARY

The Small Village Parks Plan of Management has been prepared by Council to reflect the respective features of Playgrounds and Parks within the small Villages surrounding the City of Griffith (see # Note below). This Plan of Management (PoM) comprises both Council Managed Crown Reserves and Council Owned Community Land as a generic PoM incorporating the following Parks: -

Council Managed Crown Reserves

- Brolga Park – Crown Reserve 72519 (Beelbangera)
- Rowley Park – Crown Reserve 93898 (Yoogali)
- Cyril Morris Park – Crown Reserve 159008 (Yenda)
- Restyn Park – Crown Reserve 66106 (Hanwood)
- Tharbogang Tennis Courts & Public Recreation Reserve – Crown Reserve 83715 (Tharbogang)
- Mallee Park – Crown Reserve 1031648 (Nericon)

Council Owned Community Land

- Worthington Park (Yoogali)
- Halse Park (Yenda)
- Meggitt Park (Lake Wyangan)

More specifically, these Parks are referred to in *Appendix 1 of this PoM* (pg. 51).

The Plan of Management examines the current character, current use and future needs of the lands and their relationship to the surrounding properties and communities within which they are located. The Plan establishes a clear direction for future development, planning and resource management of the land by Council.

The PoM is required in accordance with Section 3.23 of the *Crown Land Management Act (CLMA) 2016* and Section 36 of the *Local Government Act (LGA) 1993*.

The Council Managed Crown Reserves together with the Council Owned Community Lands as listed above are categorised in this PoM, as: -

- **Park**

The categorisation of the lands is consistent with the Reserves' various purposes of Public Recreation, Public Park, Children's Playground, Environmental Protection (and sustainable grazing (see Note below ##)) and the lands continue to be used for passive recreational activities and pastimes, and open space.

Memorial Park, Yenda (Reserve 62949) and Yenda Preschool & Rotary Park (Reserve 88914) will have their own specific Plan of Management.

Sustainable Grazing was included in the reserve purpose of Reserve 1031648 comprising multiple Lot/DP's. The initially appointed Trust Manager was the Lands Administration Ministerial Corporation. **Mallee Park** established as a playground and now managed by Griffith City Council, is part of the collective Reserve 1031648.

2.0 INTRODUCTION

Figure 1 – Locality diagram



Griffith City is a thriving regional capital with a vibrant lifestyle and diverse economy; embracing community, heritage, culture and the environment.

Located in the Riverina, Griffith is 584km from Sydney, 458 km from Melbourne and 358km from Canberra; and is the largest regional centre in the Western Riverina region. Griffith is located in the heart of Wiradjuri Nation – the largest nation of Aboriginal and Torres Strait Islander people in Australia.

Griffith City Council is responsible for the care and control of many parcels of community land. With the introduction of the *CLMA 2016* on 1 July 2018, Council as the appointed Crown Land Manager will generally now manage Crown Reserves under the provisions of the *LGA 1993*.

2.1 Corporate Objectives

Griffith City Council has a positive future being acknowledged as a predominant major regional centre. Council's Mission Statement is –

1. To respond to the needs of the community and deliver in an economical manner those services which are the responsibility of Local Government.
2. To provide Local Government administration that is dedicated, accountable and committed to the improvement of the quality of life and the economic well-being of the citizens of the City of Griffith.

Figure 2 – Guiding Griffith 2040



The Community Strategic Plan *'Guiding Griffith2040'* adopted in February 2017 identifies the community's priorities and aspirations for the future and provides strategies for achieving these goals. The Community Strategic Plan is made up of four themes. The four key themes are:

Figure 3 – Community Strategic Plan - Themes

1. **Leadership –**
 - a. Developing an engaged and connected community through clear and transparent communication; acknowledging and being responsive to issues; and to be well informed on current issues that impact on the community;
 - b. Working together to achieve goals by engaging actively with State, Federal and non-government agencies to provide local advocacy; partnering and supporting local delivery service providers; sourcing opportunities for funding partnerships, projects and programs to improve quality of life for community members; and develop partnerships with industry and agricultural leaders.
 - c. Planning and leading with good governance within a clear framework of strategic planning, policies and procedures and service standards; and to ensure Council's financial sustainability.
2. **Love the Lifestyle –**
 - a. Griffith is a great place to live providing accessible diverse housing; a shared responsibility for the safety of its community members; promotion of reconciliation and a celebration of its social and cultural diversity and social inclusion of the varied demographic groups; providing and promoting accessibility to services and facilities; and building a community which promotes and facilitates an active and healthy lifestyle through provision of sporting and recreational facilities.
3. **Growing our City –**
 - a. Encouraging the local community to grow with establishment of diversified industries; promoting the growth of established businesses and assist new business growth; strategic planning and consideration of land use management to encourage new investment; promotion and support of diverse agricultural industries; and the promotion of Griffith as a desirable visitor and tourism destination.
 - b. Encouraging a skilled workforce with employment opportunities locally; developing partnerships to build quality education and training opportunities; and advocate for safe work practices and employment standards.
 - c. Providing, renewing and maintaining a range of quality infrastructure, assets, services and facilities in a cost effective and sustainable manner; maintain and develop an effective transport network; improving the aesthetic of the City and its villages; and mitigating against natural disasters.
4. **Valuing our Environment –**
 - a. Enhancing the natural and built environment through respectful planning, balanced growth and good design; facilitating community involvement in caring for the natural environment; delivering projects to protect biodiversity; valuing and protecting both natural and built heritage; sustainable land use; and considering climate change issues when decision making.
 - b. Use and manage our resources wisely through management of water resources and water quality; reduction of energy consumption and greenhouse gas emissions; and providing environmentally sustainable waste management services.

2.2 Land to which this plan applies

The lands to which this PoM applies is more particularly detailed in [Appendix 1 \(pg. 51\)](#).

Council Managed Crown Reserves –

Brolga Park, Restyn Park and Mallee Park all provide a range of playground equipment to cater for children's play activities and contribute to the families' social fabric within the Village landscape they are located. Hanwood and Yoogali Villages additionally have a Sportsground, adding to recreational opportunities available to residents and referred to separately in the *Small Village Sportsgrounds PoM* and *Hanwood Sports Precinct PoM*, respectively.

Rowley Park is a small triangular area of land providing open space for residences in Lane Place at Yoogali and doesn't contain any playground equipment, only a single wooden seat. Tharbogang Tennis Courts & Public Reserve contains disused tennis associated infrastructure and is located across a busy road (Slopes Road) away from the main village area. (*Tharbogang Park* is Tharbogang Village's main Park – see *comments below*). Cyril Morris Park located in the Town of Yenda comprises predominantly open space with a single aluminium table and seating.

Council Owned Community Lands –

Halse Park, Meggitt Park and Worthington Park provide a range of playground equipment to cater for children's play activities and contribute to the families' social fabric within the Village landscape they are respectively located.

All Parks are referred to as 'Neighbourhood Parks' within Griffith City Council's Playground Strategy Park Hierarchy (2014).

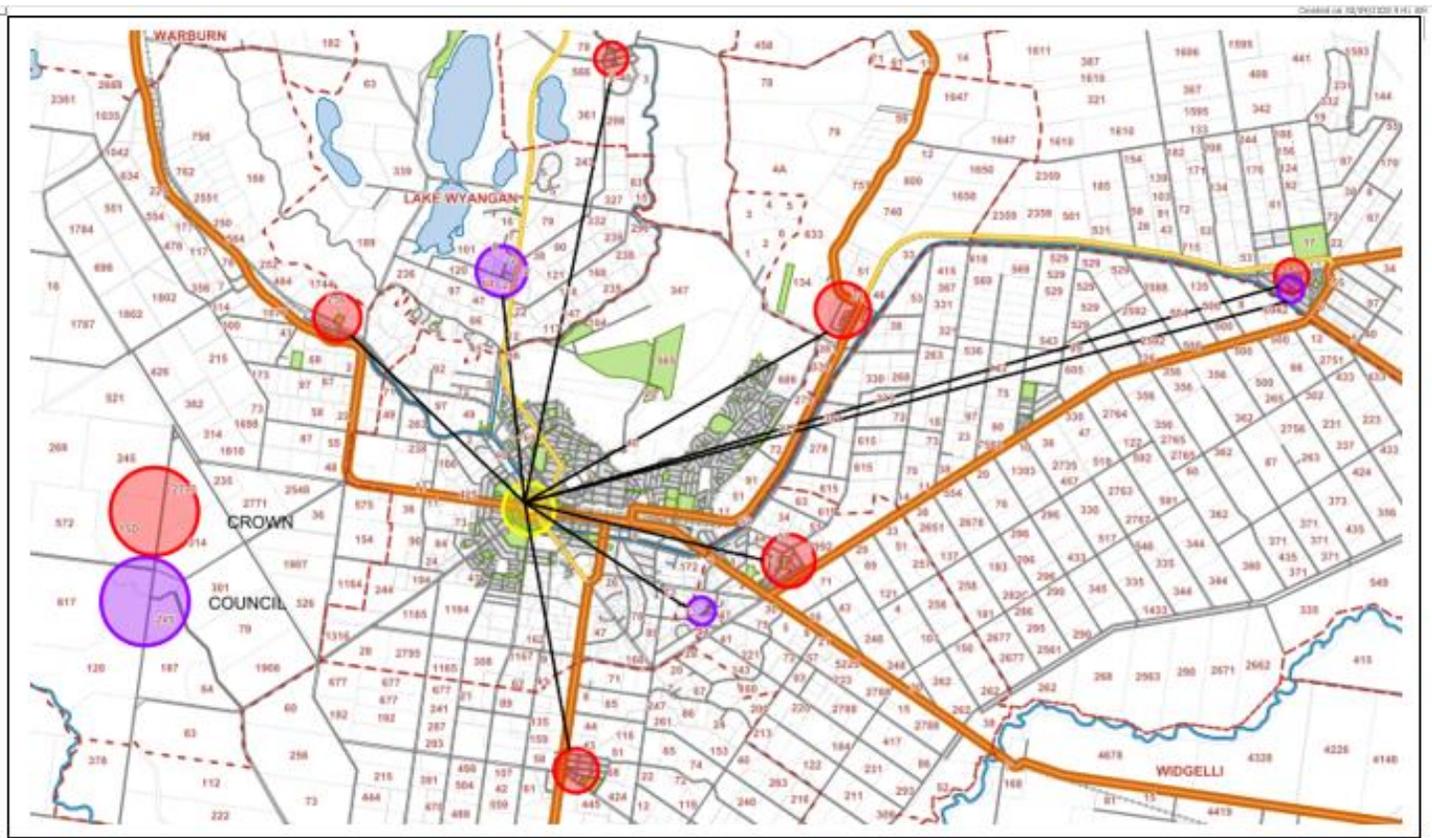
William T. Bull Memorial Park (Bilbul) and Tharbogang Park, Goodfellow Place (Tharbogang) have been excluded from this PoM.

William T. Bull Memorial Park is situated on a Council Public Road with encroachments on a Crown Reserve notified for 'Future Public Requirements'. Tharbogang Park is located on a Crown Public Road. These two Parks will require further investigation and discussion with the Department of Planning, Industry and Environment – Crown Lands.

Baden Harrison Park, 2 Maegraith Place, Lake Wyangan has also been excluded from this PoM due to its drainage infrastructure. This Park has been determined as a "detention basin" and will be considered separately by Council when reviewing all such areas containing similar infrastructure.

Reference to signage as "Park" will be addressed later in this PoM. Some of these lands primarily act as Reserves providing open space for passive recreation and are unlikely to comprise playground equipment into the future.

Figure 4– Village Parks and proximity to the City of Griffith



2.3 Owner of the land

Brolga Park, Rowley Park, Cyril Morris Park, Restyn Park, Tharbogang Tennis Courts and Public Recreation, and Mallee Park are all owned by The State of New South Wales (as Crown land) and managed by Griffith City Council as Crown Land Manager under the *CLMA 2016*.

Reserve 72519 (Brolga Park) (Young Street, Beelbangera) comprising Lot 7012 DP 1060473 was reserved from sale and lease generally for the purpose of 'Public Recreation and Children's Playground' on 14 November 1947. The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 23 January 1948.

Reserve 93898 (Rowley Park) (Lane Place, Yoogali) comprising Lot 1587 DP 257111 was reserved from Sale for the purpose of 'Public Park' on 31 October 1980. The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 7 November 1980.

Reserve 159008 (Cyril Morris Park) (West Avenue, Yenda) comprising Lot 28 DP 44498 was established as the Cyril Morris Park Recreation Trust and reserved for the purpose of 'Public Recreation' on 21 February 1992. Griffith City Council was appointed as the corporate manager in the Government Gazette of 21 February 1992.

Reserve 66106 (Restyn Park) (School Street, Hanwood) comprising Lot 312 DP 751709 was reserved from Sale and Lease for the purpose of 'Public Recreation' on 10 July 1936. The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 2 October 1936.

Reserve 83715 (Tharbogang Tennis Courts and Public Reserve (Slopes Road, Tharbogang) comprising Lot 218 DP 756035 was reserved from Sale for the purpose of 'Public Recreation' on 26 January 1962. The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 23 March 1962.

Reserve 1031648 (Mallee Park) (1-11 Alpen Street, Nericon) was established on 4 March 2011 in respect of several parcels of land including Lot 7301 DP 1154188 for the purposes of 'Environmental Protection, Public Recreation and Sustainable Grazing'. The Lands Administration Ministerial Corporation was appointed Trust Manager on 4 March 2011. Griffith City Council was appointed Trust Manager specifically in respect of Lot 7301 DP 1154188 in the Government Gazette of 1 May 2015.

Council of the Shire of Griffith was further proclaimed as City of Griffith (Griffith City Council) by Government Gazette of 1 July 1987. Griffith City Council was reappointed Trustee of the reserves (i.e. Reserves 72519, 93898, 159008, 66106, 83715) on 16 December 1994; Reserve 1031648 having been notified after such date on 4 March 2011.

The management and use of the land are subject to the provisions contained in the *CLMA 2016* and is not subject to any condition, restriction or covenant imposed by the owner.

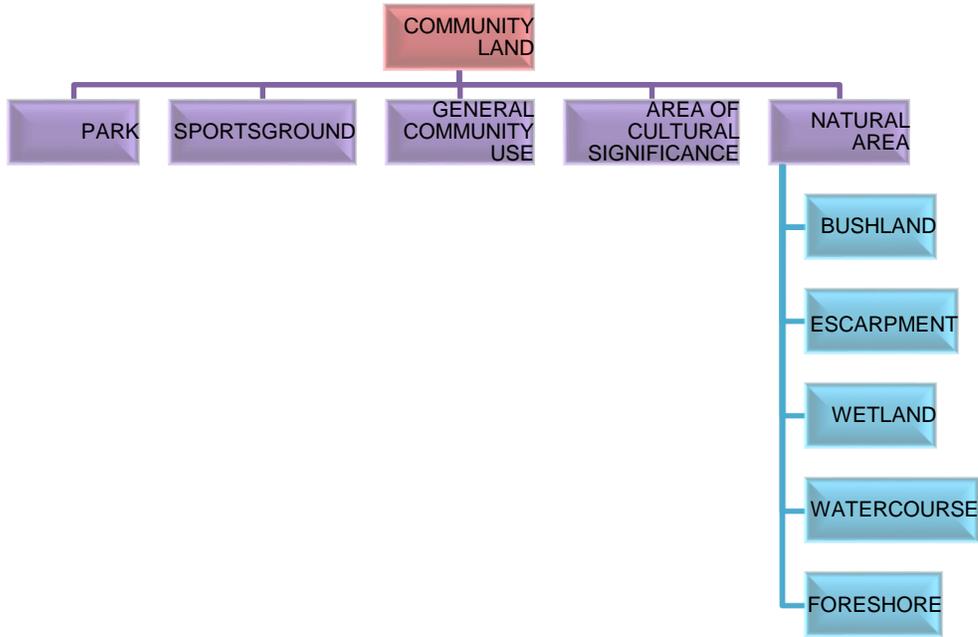
Worthington Park (10-12 Catanzariti, Drive, Yoogali), Halse Park (Leaver Street, Yenda) and Meggitt Park (19-21 Todd Road, Lake Wyangan) are all Council Owned Community Land and managed directly under the *LGA 1993*.

2.4 Categorisation of the reserve

With the introduction of the *CLMA 2016*, Council is to manage dedicated or reserved Crown land under their control as community land under Section 3.21 of the Act.

Under Section 3.23(2) of the *CLMA 2016*, Council Crown Land Managers must assign to all Crown land under their management, one or more initial categories of 'Community Land' referred to in Section 36 of the *LGA 1993*. The category is to relate most closely to the purpose(s) for which the land is dedicated or reserved.

For the purpose of Section 3.23 of the *CLMA 2016*, the PoM for Small Village Parks is a 'first Plan'.



The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land, as Crown land in Australia is subject to Native Title under the *Commonwealth Native Title Act (NTA (C'th)) 1993*.

The *CLMA 2016* provides a new regime for the management of Crown land and Council is now responsible for compliance with Native Title legislation for the Crown land it manages. In doing so, Council must obtain Native Title Manager advice as to the validity of any act or activity that it wishes to undertake on Crown Reserves (or Crown land) prior to dealing with the land, i.e. authorised through *Part 2 Division 3 of the NTA (C'th) 1993*.

The *Aboriginal Land Rights Act (ALR) 1983* together with the *NTA (C'th) 1993* recognises the intent of the original reserve purpose of the land so that a complying activity can be considered lawful or validated, under the *NTA (C'th) 1993*.

On Crown land, Native Title rights and interest must be considered unless:

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

Examples of acts which may affect Native title on Crown land reserves managed by Council include: -

- The construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbeques,
- The construction of extensions to existing buildings,
- The construction of new roads or tracks,
- Installation of infrastructure such as powerlines, sewerage pipes, etc.,
- The issue of a lease or licence,
- The undertaking of earthworks.

Council applied for the categorisation of all Council Managed Crown Reserves within this PoM as '**Park**' which closely relates to the reserves' purposes of Public Recreation, Children's Playground, Public Park and Environmental Protection. This category was approved by the Minister administering the *CLMA 2016* in relation to the reserves, and *Council does not propose to alter the category of these Reserves by this Plan of Management.*

Activities on the Council Managed Crown Reserves will need to reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation, including assessment of the activity under the *NTA 1993 (C'th)* and registered claims under the *ALRA 1983*.

Activities on the Council Owned Community Lands will need to be assessed for compliance with relevant Local Government legislation only.

3.0 PLANNING INSTRUMENTS, LEGISLATION and POLICIES

3.1 Local Government Act 1993 & Local Government (General) Regulations 2005

Under the *LGA 1993*, Section 36(1) Council must prepare a Plan of Management for all community land under their control. A Plan of Management may apply to one or more areas of community land.

Council must also consider the guidelines under Clause 101 of the Local Government (General) Regulations 2005 for categorisation of community land when preparing Plans of Management.

Clause 104 of the guidelines states that the land should be categorised as a park under Section 36(4) of the Act if the land is or proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

This Plan of Management has been prepared in accordance with the *LGA 1993* using the land categories approved by the Minister administering the *CLMA 2016* where lands are Council Managed Crown Reserves. The Plan of Management has further been prepared in accordance with the *LGA 1993* solely where lands are Council Owned Community Lands.

The minimum requirements for a Plan of Management for community land is set out in Section 36(3) of the *LGA 1993* and must identify the following:

- (a) the category of the land,
- (b) the objectives and performance targets of the plan with respect to the land,
- (c) the means by which the council proposes to achieve the plan's objectives and performance targets,
- (d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and may require the prior approval of the council to the carrying out of any specified activity on the land.

Section 36(2) specifies that a Plan of Management may apply to one or more areas of community land, except as provided by this Division.

Sections 36E – 36N of the *LGA 1993* specifies the core objectives for the management of each category of community land.

Figure 5c – Planning Zone – Cyril Morris Park and Halse Park, Yenda – RE1 – Public Recreation (also shows Memorial Park)

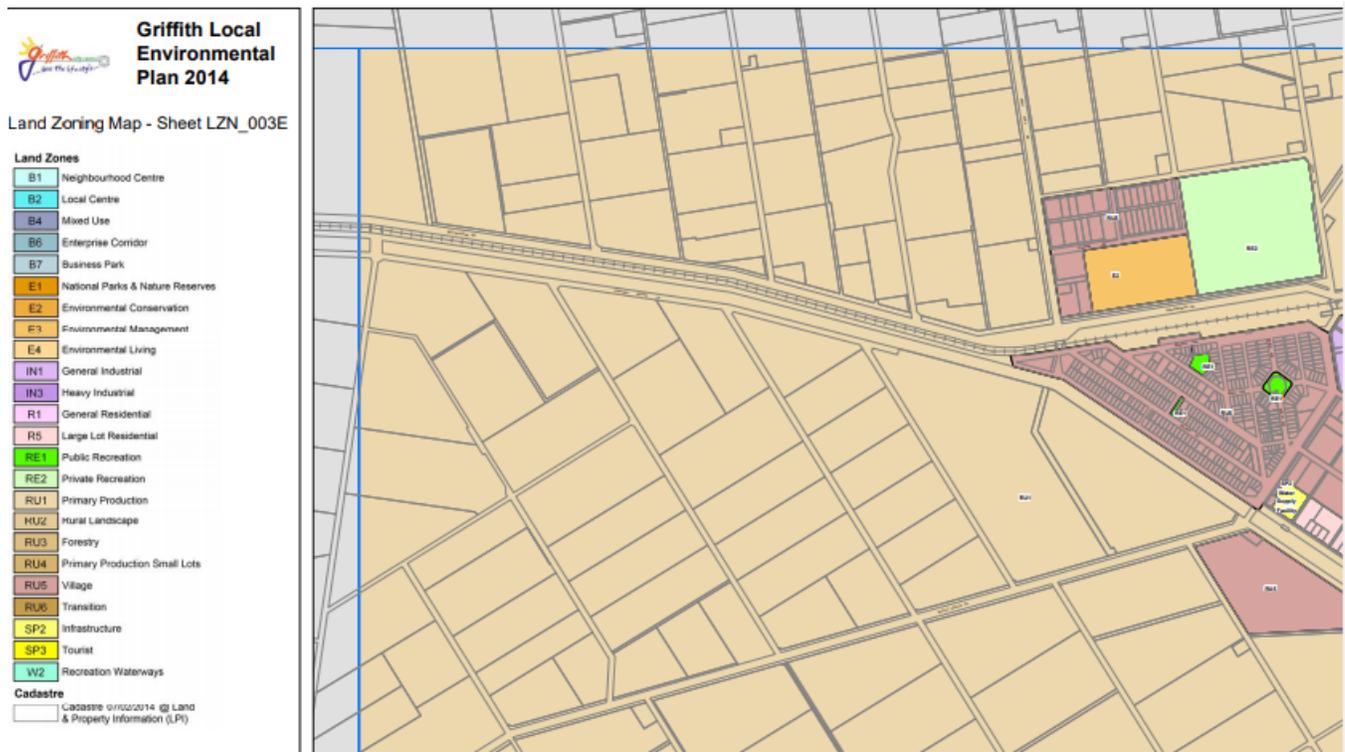


Figure 5d – Planning Zone – Restyn Park, Hanwood – RE1 - Public Recreation (also shows Womens Land Army Park and Hanwood Oval)

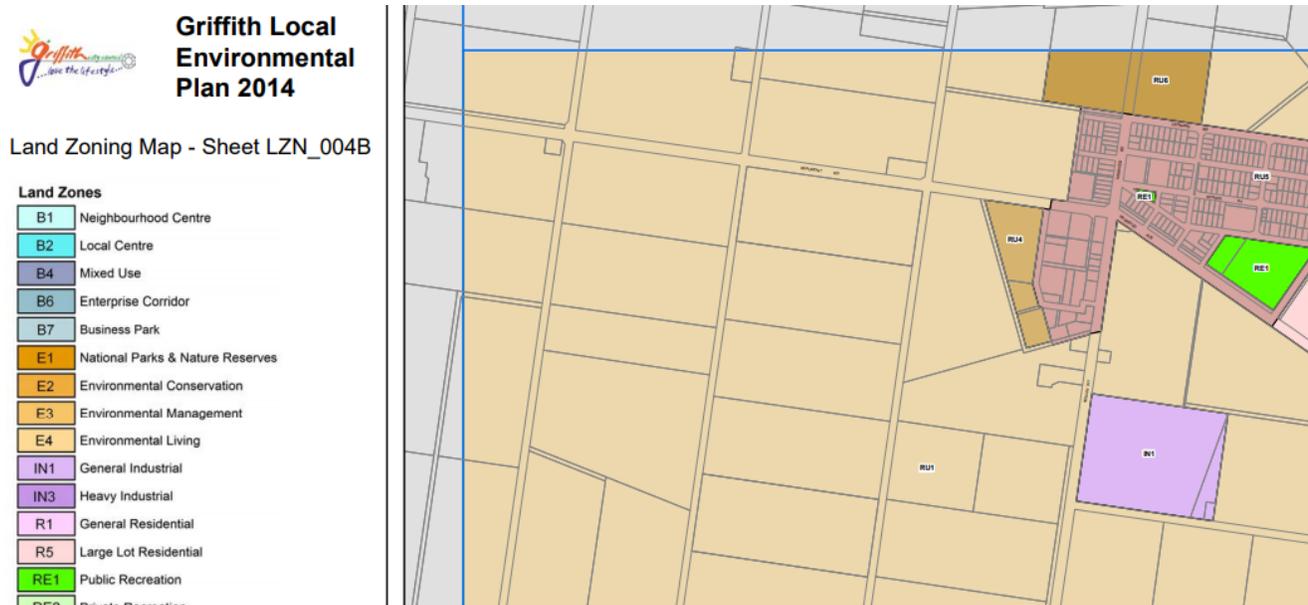


Figure 5e – Planning Zone – Tharbogang Tennis Courts and Public Recreation, Tharbogang – RE1 – Public Recreation (also shows Tharbogang Park not included in this POM)

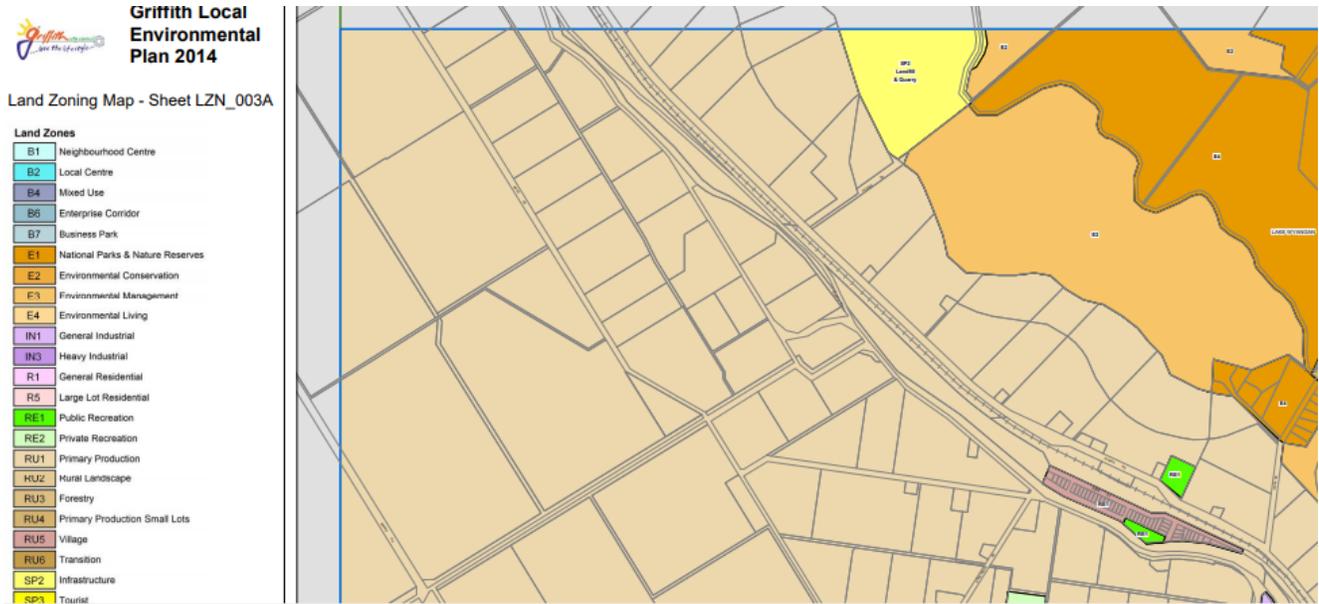


Figure 5d – Planning Zone – Mallee Park, Nericon – RE1 – Public Recreation

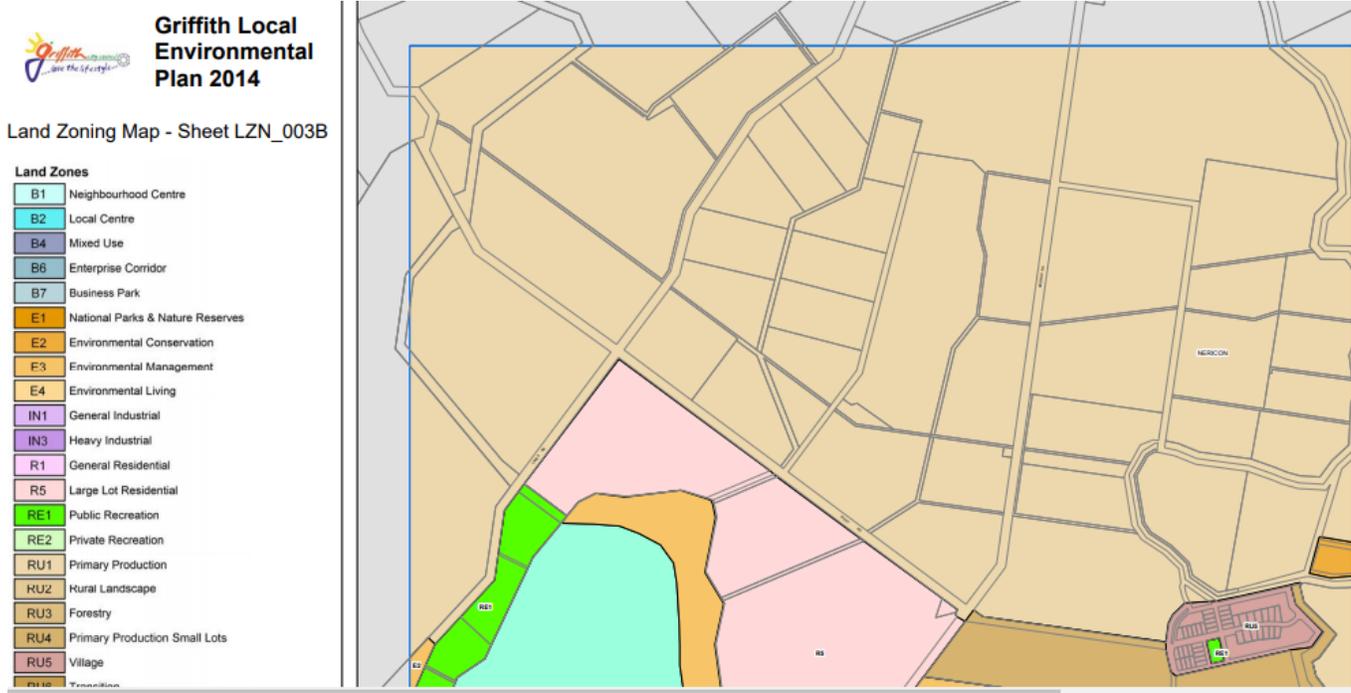


Figure 5e – Planning Zone – Worthington Park, (South) Yoogali – RE5 – Village

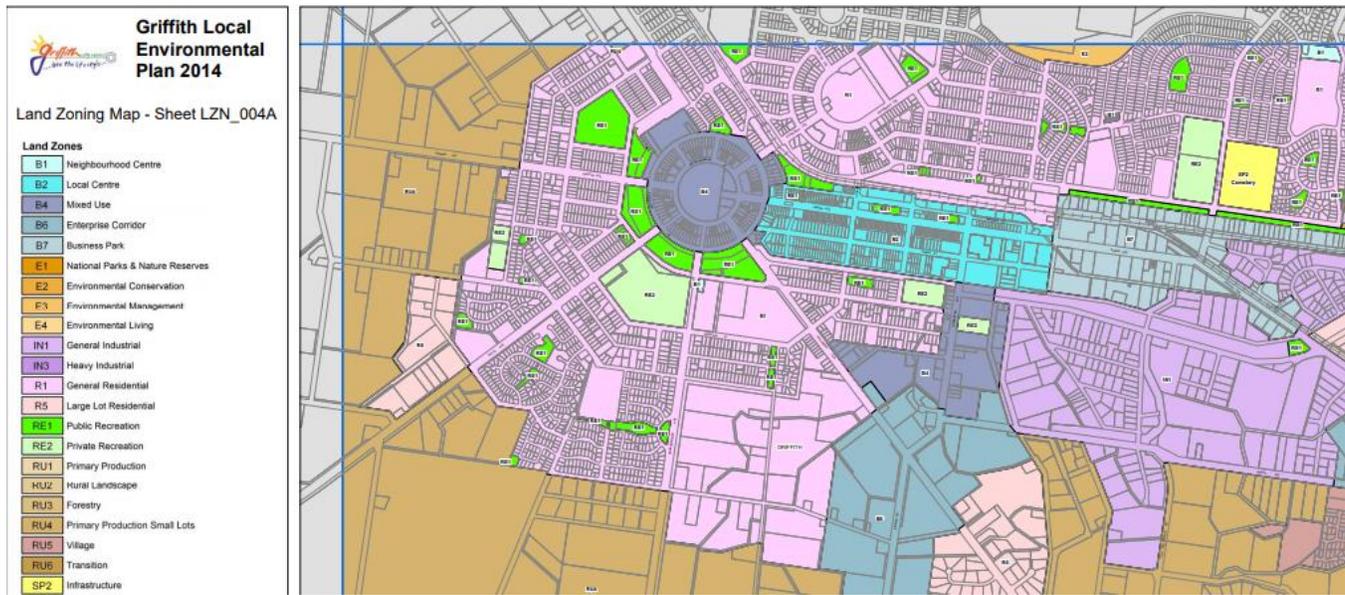
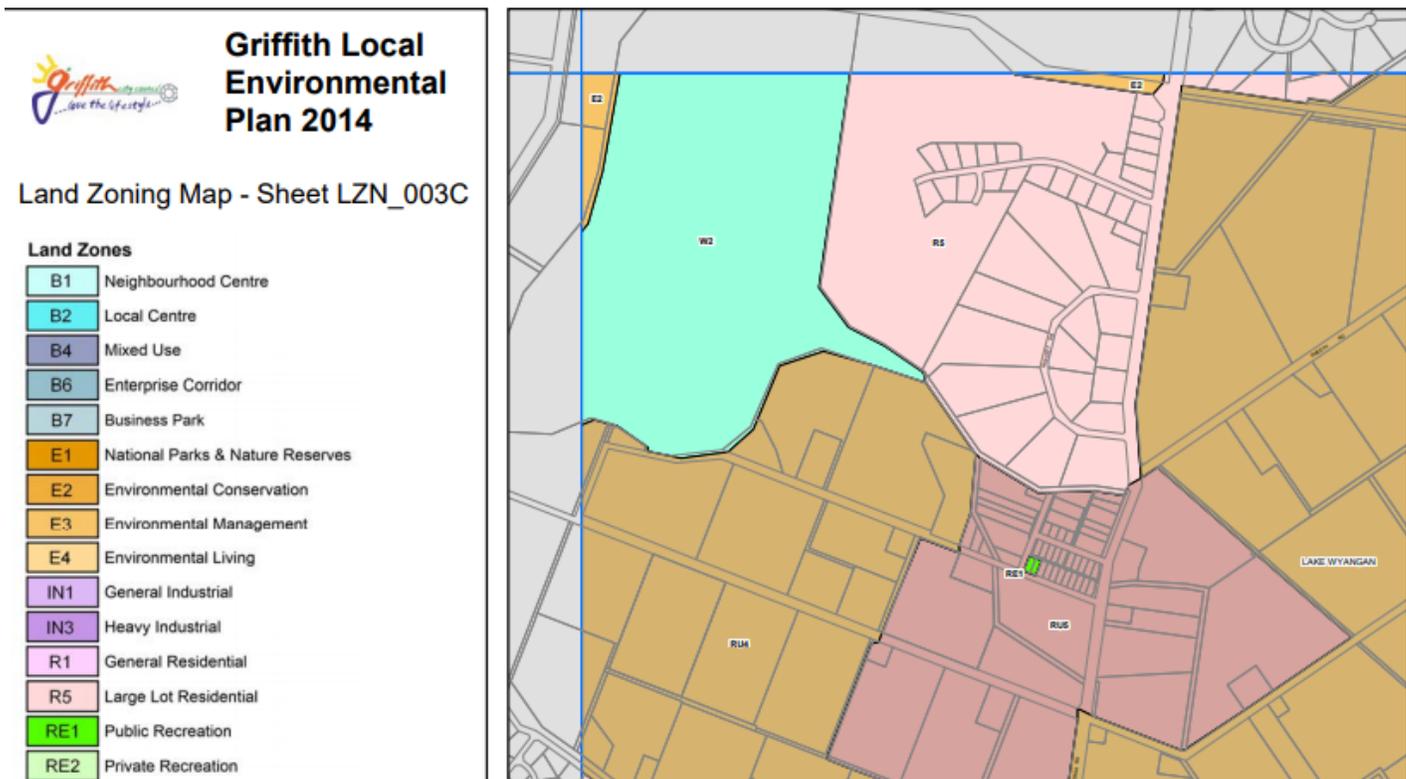


Figure 5f – Planning Zone – Meggitt Park, Lake Wyangan – RE1 – Public Recreation



The above diagrams - Griffith City Council *Local Environmental Plan 2014* (GLEP), indicates that all Council Managed Crown Reserves 72519, 93898, 159008, 66106, 83715 and 1031648 together with Council Owned Community Land comprising Worthington Park, Halse Park and Meggitt Park are all zoned RE1 – Public Recreation within an RU5 – Village zoning.

Zone RE1 - Public Recreation

1. The objectives of the RE1 – Public Recreation Use are:

- To provide land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreation purposes.
- To encourage the development of public open spaces in a way that addresses the community's diverse recreation needs.
- To offer opportunities for tourism development.

2. Permitted without consent

Environmental protection works; Water reticulation systems.

3. Permitted with consent

Amusement centres; Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Car parks; Caravan parks; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Eco-tourist facilities; Educational establishments; Emergency services facilities; Entertainment facilities; Environmental facilities; Flood mitigation works; Function centres; Heliports; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities.

4. Prohibited

Any development not specified in item 2 or 3.

Zone RU5 – Village

1. The objectives of RU5 – Village are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To enable development that will not hinder the future expansion of the village.
- To provide for a range of land uses, services and facilities that are associated with a rural village.

2. Permitted without consent

Environmental protection works; Homes-based child care; Home occupations.

3. Permitted with consent

Child care centres; Commercial premises; Community facilities; Dwelling houses; Home businesses; Light industries; Neighbourhood shops; Places of public worship; Recreation areas; Recreational facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Schools; Any other development not specified in item 2 or 4.

4. Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Crematoria; Depots; Electricity generating works; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Home occupations (sex services); Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Residential flat buildings; Resource recovery facilities; Rural industries; Rural workers' dwellings; Sex services premises; Truck depots; Waste disposal facilities; Water recreation structures; Water reticulation systems; Wharf or boating facilities.

3.3 Flood Planning

GLEP presents the objective to considering 'flood planning' in 7.2 (1) as:

- To minimise flood risk to life and property associated with the use of the land.,
- To allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change.
- To avoid significant adverse impacts on flood behaviour and the environment.

While the distance of Griffith and neighbouring Villages would be considered too distant for experiences of significant mainstream flooding, the *Griffith Main Drain J & Mirrool Creek Flood Study 2015* (BMT WBM) indicated the following (further summarised in [Appendix 2 \(pg. 52\)](#)).

Council Managed Crown Reserves

- *Brolga Park (Beelbangera)* is considered to have a Medium to High Hazard of being Flood Prone for events larger than 1:100 years. Estimated PMF Level is 128.28m.
- *Rowley Park (Yoogali)* is considered to have a Low Hazard of being Flood Prone for events larger than 1:100 years. Estimated PMF Level is 125.31m.
- *Cyril Morris Park (Yenda)* is considered to have a Low to Medium Hazard of being Flood Prone for events larger than 1:100 years. Estimated PMF Level is 131.47m.
- *Restyn Park (Hanwood)* is considered to have a Low Hazard of being Flood Prone for events larger than 1:100 years. Estimated PMF Level is 122.19m.
- *Tharbogang Tennis Courts & Public Reserve (Tharbogang)* is considered not Flood Prone Land. There is no flood indication for either a 1:100-year flood or for an extreme event.
- *Mallee Park (Nericon)* is considered not Flood Prone Land. There is no flood indication for either a 1:100-year flood for an extreme event.

Council Owned Community Land

- *Worthington Park (Yoogali)* is considered to have a Low Hazard of being Flood Prone for events larger than 1:100 years. Estimated PMF Level is 124.50m.
- *Halse Park (Yenda)* is considered to have a Medium Hazard of being Flood Prone for events larger than 1:100 years. Estimated PMF Level is 131.44m.
- *Meggitt Park (Lake Wyangan)* is considered Flood Prone for events larger than 1:100 years. Estimated PMF Level is 116.15m.

Flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. Floor levels are subject to Council's Flood Management Policy.

3.4 Council Plans, Strategies, Policies and Procedures

This PoM is to be used in conjunction with the appropriate Council plans, policies and procedures that govern the use and management of community land and any facilities located on the lands.

Additional Council policies, plans and strategies adopted after the date of this plan that have relevance to the planning, use and management of community land, will apply as though they were in force at the date of adoption of the PoM.

3.5 Review of this Plan

The use and management of Small Village Parks is regulated by this PoM.

Whilst the guidelines and principles outlined in the plan may be suitable at present, the Plan should be reviewed from time to time, to confirm its relevance.

The review should take place within 5 years of adoption of this plan.

3.6 Community Consultation

Consultation with the community is an important part of the preparation of this PoM. Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the land to which this PoM applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.

All stakeholders are given the opportunity to express their opinions and provide relevant information in relation to the planned management of the land, however as the land is Crown land, final approval for the PoM rests with the Minister administering the *Crown Land Management Act 2016* as owner of the land.

Council is required to submit the draft PoM to NSW Department of Planning, Industry & Environment, as representative of the owner of the land under section 39 of the *LGA 1993*. This process occurs prior to a public exhibition and community consultation of the Plan of Management. Refer to the "***Flowchart for Consultation and Approval of an Initial Plan of Management***" (Figure 6 below).

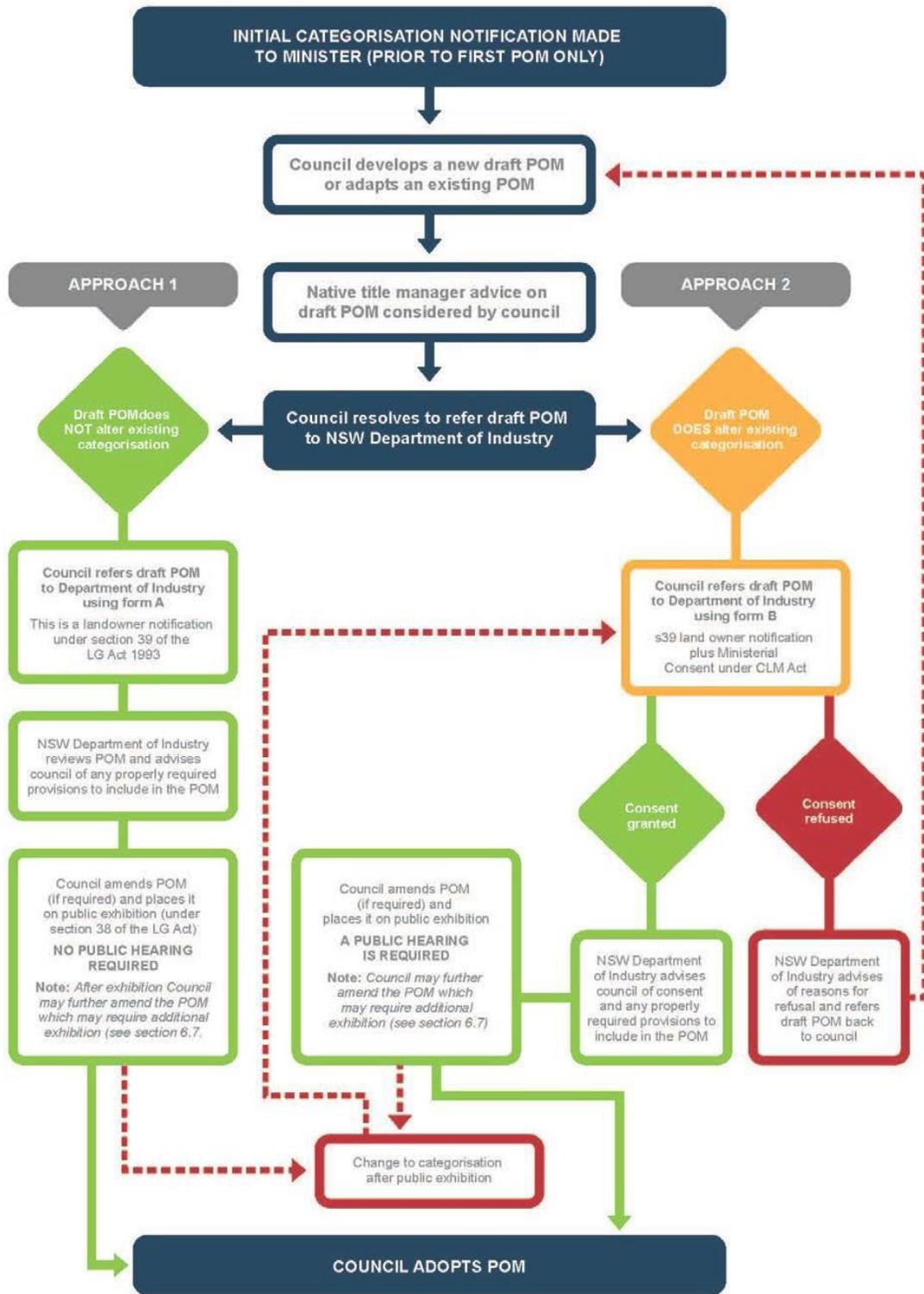
If after public consultation there is no change to the categorisation and no additional purpose is required to be added to the reserve, no additional ministerial consent is required. Council can then proceed to adopt the Plan of Management as outlined in ***Approach 1*** of the Flowchart referred to below.

If Council proposes a change in the categorisation of the land following public consultation, the plan must be referred again to the Minister administering the *CLMA 2016* following ***Approach 2*** of the ***Flowchart for Consultation and Approval of an Initial Plan of Management***.

The purpose of this Plan of Management is **not** to change the categorisation or to add a purpose to the Crown Reserves as currently stands.

Community consultation is also offered as a result of the development application process in line with Council's Griffith Community Participation Plan of 16 December 2019 (in response to Section 2.23 of the *Environmental Planning and Assessment Act 1979*).

Figure 6 - Flowchart for Consultation and Approval of an Initial Plan of Management



4.0 THE PHYSICAL ENVIRONMENT

4.1 The Sites

1. Council Managed Crown Reserves

The collective Crown Reserves of Brolga Park, Restyn Park, Tharbogang Tennis Courts and Public Reserve, and Mallee Park all contain a range of playground and recreational infrastructure (albeit that the infrastructure associated with Tharbogang Tennis Courts and Public Reserve is in a poor and unsafe condition – see below). The latter will be addressed in *Section 6 – Development and Use* and *Section 7 – Plan of Management Administration and Management*.

1.1 Tharbogang Tennis Courts and Public Reserve

The following is historical information in relation to the Tharbogang Tennis Courts.

- DA 32/90 lodged by Tharbogang Progress Association for construction of a toilet block for the Tharbogang Recreation Grounds Tennis Courts – approved 10/05/1990.
- Building Application 107/90 by Tharbogang Progress Association for construction of a toilet block – approved 10/07/1990. Also approved were plumbing permits for the associated septic.
- Council initially resolved to enter into a 5-year Lease with the Tharbogang Progress Association on 19/12/1995.
 - Council meeting of 6/2/1996 resolved that the Lease with Tharbogang Progress Association also provide for sub-leasing to the Tharbogang Play Group.
 - Council's meeting of 14/10/1997 resolved to Transfer the Lease to Tharbogang Play Group following cessation of the Tharbogang Progress Association.
 - Council's meeting of 2/10/2001 resolved to inform the Department of Land & Water Conservation that the Lease would not be renewed. It was further resolved that should future interest in using the site occur, that Council would have the land managed under a Council Committee rather than enter into a Lease.
- Application by the Coro Club in 2009 to take over the tennis courts and resurrect them for use. The Coro Club pulled out of the proposal following Council's Report.
- No subsequent use has occurred and original Tennis Clubhouse has fallen into disrepair and subject to vandalism.
- The septic pit was filled in some years ago as a safety concern. The toilets are derelict and unusable.

Rowley Park and Cyril Morris Park contain no playground infrastructure, only seating

2. Council Owned Community Land

The collective Council Owned Community Lands comprising Worthington Park, Halse Park and Meggitt Park all contain a range of playground and recreational infrastructure.

Various infrastructure has been noted in [Appendix 1 – Schedule of Small Village Parks \(pg.51\)](#).

Figure 7 – Aerial diagram development of respective Parks and location within the Village setting respectively

Council Managed Crown Reserves

Bolgga Park, Beelbangera – Lot 7012 DP 1060473



Rowley Park, Yoogali – Lot 1587 DP 257111



Cyril Morris Park, Yenda – Lot 28 DP 44498



Restyn Park, Hanwood – Lot 312 DP 751709



Tharbogang Tennis Courts & Public Reserve, Tharbogang – Lot 218 DP 756035



Mallee Park, Nericon – Lot 7301 DP 1154188



Council Owned Community Land

Worthington Park, Yoogali (south) – Lot 24 DP 1125507



Halse Park, Yenda – Lot 1 DP 617175





4.2 Topography, Hydrology and Drainage

The Parks are generally located on flat sites all bounded by the Northern Branch Canal and Mirrool Branch Canals, together with drainage catchments of Main Drain J and Drainage Channel (DC) North.

The Main Drain J catchment does produce high flow conditions within the irrigation drainage channels and can present a flood risk to communities and subsequently the recreational parks in Yoogali and Hanwood. The Mirrool Creek Catchment can affect communities and subsequently the recreational parks in Yenda. DC North and DC 'T' now drain the topographic depression of Myall Park that connects through to Main Drain J via Beelbangera and Yoogali.

Further reference to Flood Prone lands can be noted in [Appendix 2 \(pg.52\)](#).

4.3 Soils and Geology

Griffith is located in an area referred to as the 'lower catchment' within the broader Murrumbidgee Catchment; in an area characterised by flat landscapes (< 1%) with broad, fertile alluvial floodplains. The upper floodplain soils in and around Griffith have been described mainly as red-brown texture contrast soils of considerable depth, known as Red Chromosols (Australian Soil Classification). (Note # below).

The layering of horizons of greatly different textures (e.g. clay to sands) down the soil profile, and the overall good depth of these soils often exceeding 3.5m on the flats, supports colluvial/alluvial floodplain origins of these soils. As Griffith's landscape slopes further to the south towards the Murrumbidgee River, soils tend to transition towards a range of more heavy textured cracking dark clays.

Note # - The Australian Soil Classification, Revised Ed. RF Isbell 2002; CSIRO Pub.

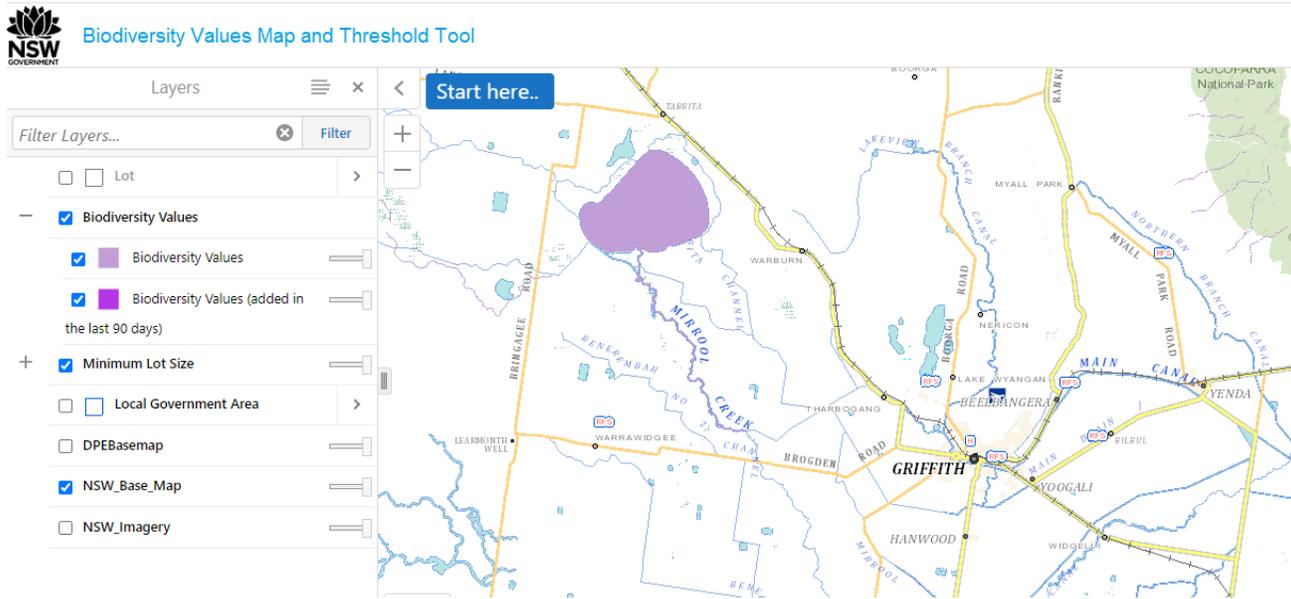
4.4 Biodiversity

Under the *LGA 1993*, Council has obligations for conservation issues as determined by the *Biodiversity Conservation Act 2016*, and the *Fisheries Management Act 1994*.

Griffith City Council's Planning Certificates under Section 10.7(2) and 10.7(5) *Environmental Planning and Assessment Act 1979* dated 8, 9 and 13 July 2020, respectively have been collated and shown in [Schedule of Small Village Parks Planning Certificates etc. at Appendix 2 \(pg. 52\)](#).

The NSW Government Biodiversity Values Map and Threshold Tool indicates that there is no land of biodiversity value within the subject lands in accordance with the *Biodiversity Conservation Act 2016*. However, the GLEP (2014) identifies areas of Terrestrial Biodiversity as referred to in the maps below.

Figure 8 – NSW Biodiversity Values Map and Threshold Tool



Council Managed Crown Reserves: -

Mallee Park – As referred to in the Schedule at [Appendix 2 \(pg. 52\)](#), this site has been mapped in GLEP (2014) for its terrestrial biodiversity and may include remnant vegetation.

Figure 8a - GLEP (2014) – Terrestrial Biodiversity Map – Sheet BIO_003 (extract Biodiversity shown by green colour)



Figure 8b – GLEP (2014) – Terrestrial Biodiversity Map (enlargement)



All details are indicated in [Appendix 2 – Schedule of Small Village Parks Planning Certificates etc.](#) (pg. 52).

4.5 Riparian Land and Watercourses

There are no named rivers, creeks or riparian lands on or in the vicinity of the respective Parks listed in this PoM.

Main Drain J is located in the vicinity of Parks located at Yoogali and Hanwood.

A waterbody as defined in the Griffith LEP 2014 states –

Waterbody (artificial) or artificial waterbody means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

5.0 THE SOCIAL ENVIRONMENT

5.1 Aboriginal Significance

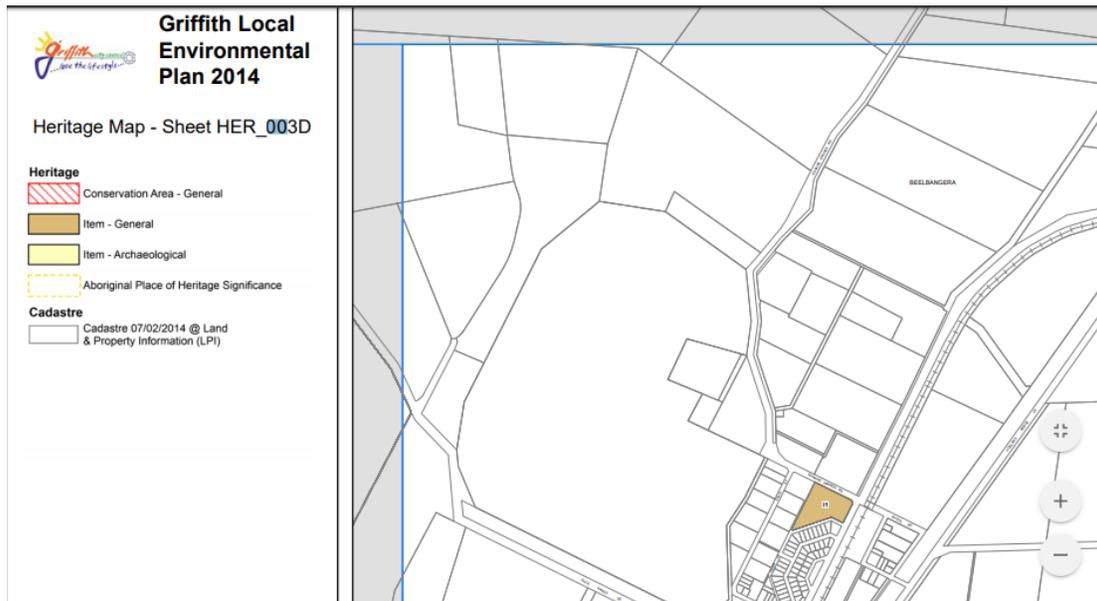
A search of the Office of Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) dated 17 July 2020 in respect of all sites has been collated and referred to at [Appendix 2 \(pg. 52\)](#).

5.2 Heritage Significance

The relevant 10.7 Certificates indicate that no environmental items and /or controls exist at any of the Parks covered by this PoM.

While GLEP (2014) Heritage Map HER_003D includes the locality of the Village of Beelbangera, it does not include the area of Brolga Park.

Figure 9 – GLEP (2014) – Heritage Map – HER_003D



6.0 DEVELOPMENT AND USE

6.1 Current Use of Land and Structures at date of Adoption of Plan of Management

The notified purposes for the Crown Reserves managed by Council and comprising Brolga Park, Rowley Park, Cyril Morris Park, Restyn Park, Tharbogang Tennis Courts and Public Reserve and, Mallee Park are a combination of Public Recreation, Public Park, Children's Playground, Environmental Protection (and sustainable grazing). Note that 'sustainable grazing' was originally applied to the whole of Reserve 1031648 at Nericon comprising multiple Lots. Council is the appointed Crown Land Manager of part of this Reserve only (Public Recreation), i.e. Lot 7301 DP 1154188 on which the playground area is specifically located.

These collective purposes align with the Reserves' past and current use and the values identified in this Plan.

Generally, structures at the date of adoption of this PoM are in a satisfactory to good condition and the lawn areas are well maintained. Improvements to infrastructure should be considered in line with Council's Asset Building Report, Council's Playground Strategy (2014) currently under review and budget planning.

However, the structures located on Tharbogang Tennis Courts and Public Reserve are in a degraded state resultant from lack of use and subsequent vandalism. While the Tennis Courts with considerable improvement and expenditure could be utilised in the future, other infrastructure should be removed due to its safety to the community and risk factor to Council. This will be addressed further in this Section; *Section 7 – Plan of Management Administration and Management*; and in *Section 8 – Management Guidelines*.

Rowley Park and Cyril Morris Park do not contain any playground infrastructure, only seating. Cyril Morris Park has a number of planted trees around its perimeter. While both Parks provide areas of open space, Cyril Morris Park due to its size, provides for greater types of passive recreation (i.e. kicking a football, throwing a vortex etc.). Therefore, it is proposed that signage will be amended to reflect "Reserve" in lieu of "Park".

Of the Council Owned Community Land parks, Worthington Park, Halse Park and Meggitt Park contain playground infrastructure, all of which are in good to very good condition. Worthington Park being the most recently established and modern of these collective Parks (established between 2008 – 2014 was handed to Council following development of the associated residential subdivision and after adoption of Council's Playground Strategy in March 2014). Lawn areas are well maintained. Improvements to infrastructure should be considered in line with Council's Asset Building Report and budget planning.

All facilities are more particularly identified in [Appendix 1 – Schedule of Small Village Parks \(pg. 51\)](#).

Figure 10 - at left – Mallee Park, Nericon (Council Managed) and at right – Meggitt Park, Lake Wyangan (Council Owned)



Figure 11 - Tharbogang Tennis Courts and Public Reserve



6.2 Strategic Objectives

The aim of this Plan of Management is to guide Council in future development of the land in accordance with the legislative requirements of both the *LGA 1993* and the *CLMA 2016* as applicable to the respective management types.

This Plan of Management will assist Council to: -

- Identify and assess the reserves' and Council's Community Owned Lands' current facilities, uses and condition
- To provide guidelines for the effective and ongoing management and budget forecasting for the reserves.
- To provide facilities that meet the needs of the small communities within which they exist that encourages ownership and pride to the neighbourhoods.
- To manage the lands for public recreation.
- To provide for public safety with the framework for on-going maintenance and improvements to the facility at an appropriate standard.
- Collate all information in a single document.

6.3 Condition of the land and structures on adoption of the Plan of Management

The current physical condition of the site and an action plan, defines the means of achieving the desired objectives of the Plan of Management for the respective Small Village Parks. The Plan provides a strategic framework for the on-going management of these Parks. Where playground equipment and associated infrastructure is in place, these areas will remain as “Parks” and those areas that contain seating and watering infrastructure only, in the future will be referred to as “Reserves”.

An Action Plan is required to set out the strategies and how they have been, or will be achieved in the future. Future budget allocations will dictate how or if the land will be further developed.

The following information has been extracted from Council’s Asset Management Plan 2017 (completed as of June 2018) highlighting major areas of concern. Unless specifically listed in the table below, the various infrastructure and playground equipment of Brolga Park, Restyn Park and Mallee Park (Crown Managed); and Worthington Park, Halse Park and Meggitt Park (Council Owned), are rated 2 or higher.

Table 1 - Building Asset Report

	BUILDING DESCRIPTION	YEAR BUILT	CONDITION RATING
Tharbogang Tennis Courts & Public Reserve	Tennis Club House and Toilets	?	No longer listed on Asset Register due to age. The facilities are derelict and therefore rated 5
Meggitt Park	Toilet Block	?	4
	Playground Equipment (Rocking Equipment only)	?	3

CONDITION RATING	DESCRIPTION
1	Very Good: Only planned maintenance required
2	Good: Minor maintenance required plus planned maintenance
3	Fair: significant maintenance required
4	Poor: significant renewal / rehabilitation required
5	Very Poor: Physically unsound and / or beyond rehabilitation

6.4 Permitted and future use

The notified purposes for the Council Managed Crown Reserves include Children’s Playground, Public Park, Public Recreation, Park, (*Environmental Protection and Sustainable Grazing – Refer to footnote pg. 5*). In relation to these lands managed by Council, the purpose and category align with the reserves’ past and current use and the values identified in the Plan.

Although the Tharbogang Tennis Courts and Public Reserve is compatible in both purpose and category, its future use as initially named, no longer applies. Existing buildings are derelict and subject to vandalism, being a health

and safety risk to both Council and the broader community. (Refer also to Section 7 – Plan of Management Administration and Management).

Of the two tennis courts, one is completely overgrown and both courts would require significant remediation to facilitate games of tennis. This parcel is isolated from the main Village area and requires crossing busy Slopes Road (that leads to Tharbogang Landfill). This area however provides good open space and could facilitate future rehabilitation to improve its natural habitat and potentially provide for educational study by students of the local Tharbogang Public School.

Alternate playground equipment (Tharbogang Park) lies within the Village area albeit, on a Crown road. (This should be addressed separately to this PoM as further investigation and discussion between Council and DPIE – Crown Lands would be required). Additionally, William T. Bull Memorial Park, Bilbul has infrastructure built on Crown Land notified for 'Future Public Requirements' and part Council Public Road and should also be considered separate to this PoM.

Rowley Park (Yoogali) and Cyril Morris Park (Yenda) do not contain any playground equipment and neither are likely to be further developed. Signage should accordingly be amended to reflect the status change from 'Park' to 'Reserve'.

Henderson Oval (Yoogali) provides both playground and Sportsground facilities to cater for Yoogali Village's needs. (Refer to Small Village Sportsgrounds Plan of Management).

Yenda already provides adequate playground facilities with substantial infrastructure built on Memorial Park; and the smaller Halse Park with playground facilities (in conjunction with Yenda Preschool and Rotary Park). Memorial Park and Yenda Preschool & Rotary Park will be addressed in separate PoMs'.

Capacity to further develop and improve Brolga, Mallee and Restyn Parks (Council Managed) and Halse and Meggitt Parks (Council Owned) will be dependent on deficiencies in current asset quality; future growth and development of the landscapes in which they are respectively located; budgetary requirements and funding.

Potential improvements could be made to Restyn Park if Council were to approve the re-allocation of \$25,000 (2020/2021 Budget) previously reserved for an upgrade of playground equipment at Womens Land Army Park to Restyn Park (as referred to in the Hanwood Sports Precinct PoM). This would enhance Restyn Park's status as the primary 'Neighbourhood Park' of Hanwood Village.

Worthington Park (Council Managed) is a newly established Park and not likely to require improvements during the term of this PoM (unless through acts of vandalism).

Future development of the Crown Reserves managed by Council will be consistent with the reserve purpose, available funding and budget allocations, and relevant legislation, i.e. LGA 1993, CLMA 2016, NTA 1993 (C'th) and the ALRA 1983.

Future development of the Council Owned Community Lands will be undertaken in accordance with the LGA 1993 and available funding and budget allocations.

6.5 Leases, Licences and other Estates

While occurrence of any tenure over the individual Small Village Parks is considered infrequent, there may be opportunity for small localised events to be held via a Temporary Licence. Subsequently, this Section has been included.

For this section, please see the Explanation of Terms set out below.

Section 3.22 of the *CLMA 2016* authorised Councils to now manage dedicated or reserved Crown land as public land under the *LGA 1993*.

The *LGA 1993* provides that tenures (leases, licences, or any other estates) or easements may be granted over all or part of community land.

Leases, licences and other estates formalise the use and occupation of community land and can generally only be permitted if consistent with the purpose for which the reserve was dedicated or reserved, or on a short-term basis as prescribed in the *Local Government (General) Regulation 2008*.

Tenures may be held by:

- Community organisations and sporting clubs, or
- By private / commercial organisations or
- Individuals providing facilities and / or services for public use.

The maximum period for leases and licences on community land allowable under the *LGA 1993* is 30 years (with the consent of the Minister for a period over 21 years) for purposes consistent with the categorisation and core objectives of the particular area of community land.

Community land may only be leased or licence for periods of more than 5 years if public notice is given according to the requirements of Sections 47 and 47A of the *LGA 1993*. Temporary licences may be granted for up to one year where they are consistent with purposes for which a short-term licence can be issued under the provisions of the *LGA 1993*.

Leases

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

Leases issued by Council will require:

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

Explanation of Terms

Tenure – A lease, licence or other estate issued by Council in accordance with Section 46 of the Local Government Act 1993 or Section 2.20 of the Crown Land Management Act 2016.

Holder - The company, organisation, individual or group of individuals who have been issued with a Tenure.

Licences

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

Purposes for which Tenures may be issued

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

This PoM authorises a Tenure to be issued:

- For any permissible use.
- For purposes consistent with the Reserve's:
 - Categorisation (see Section 2.4), and
 - Zoning (see Section 3.2), and
 - Reserve purpose(s) of Park, Public Park, Children's Playground, Public Recreation and Environmental Protection as required under the *CLMA*.

Council may grant a lease, licence or other estate in respect of Community Land for:

- A purpose prescribed by Section 36G as a core objective of the categorisation of the land and subject to being consistent with the Reserve purpose; or
- A purpose prescribed under Section 46 (4)(a) for the provision of goods, services and facilities, and the carrying out of activities, appropriate to the current and future needs within the local community and of the wider public in relation to Park as prescribed by Section 46 (1).

A tenure on Crown land may impact native title rights and interests. Apart from the tenure / hire agreements authorised above, which are valid acts under Section 24JA of the *Native Act 1993*, any use agreement issued on Crown land must be issued in accordance with the future act provisions of the *Native Title Act 1993* and in accordance with Part 8 of the *Crown Land Management Act 2016* unless native title is extinguished. For Crown land which is not excluded land this will require written advice from one of Council's native title managers that it complies with any applicable provisions of the native title legislation.

Direction of Funds

Income produced from the Reserve, i.e. as per the approved Tenure, will be distributed to manage other community land in a fashion determined by Council.

6.6 Native Title Assessment

Further to *Section 2 – Categorisation of the Reserve* and reference to Native Title Assessment, Council is required under the provisions of the *CLMA 2016*, to undertake steps to identify whether the activity proposed on Crown land will affect Native Title. Council must further consider what provisions of the *NTA 1993 (C'th)* will validate the activity; and what procedures should be taken in relation to a particular activity prior to its commencement.

The activity must be authorised through *Part 2 Division 3 of the NTA 1993 (C'th)*.

Examples of acts which may affect Native Title on Crown land reserves managed by Council include: -

- The construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbeques,
- The construction of extensions to existing buildings,
- The construction of new roads or tracks,
- Installation of infrastructure such as powerlines, sewerage pipes, etc.,
- The issue of a lease or licence,
- The undertaking of earthworks.

Accordingly, Council must obtain written advice from its Native Title Manager in relation to certain activities and acts carried out on Crown land where the land is not excluded land, in accordance with native title legislation and applicable to works and activities to be undertaken in respect of Brolga Park, Rowley Park, Cyril Morris Park, Restyn Park, Tharbogang Tennis Courts & Public Reserve, and Mallee Park.

6.7 Easements

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

The granting of easements over Crown land will be subject to the provisions of the *NTA 1993 (C'th)* and Division 8.7 of the *CLMA 2016*.

A copy of respective Certificates of Title Identifiers 7012/1060473 (Brolga Park); 1587/257111 (Rowley Park); 218/756035 (Tharbogang Tennis Courts and Public Reserve); 7301/1154188 (Mallee Park); 24/1125507 (Worthington Park); 1/617175 (Halse Park); 511/751743 & 512/751743 (Meggitt Park) confirm that no Easements have been registered impacting on the lands within the Reserve areas. It is noted however that, Brolga Park contains a sewerage augmentation / pump well (BE2) which has been fenced out from the playground area.

The following Council Managed Crown Reserve parks are impacted by easements registered on Title as described.

A copy of Certificate of Title Identifier 28/44498 (Cyril Morris Park) indicates an easement for sewerage purposes affecting part of the land described vide Government Gazette 27 September 1985 (Folio 5135).

A copy of Certificate of Title Identifier 312/757109 (Restyn Park) indicates an easement for pipeline more fully set out in Memorandum E931212 affecting part of the land described shown as proposed easement for pipeline 5 metres wide for conveyance of sewage in DP 828552. Easement now Vested in Griffith City Council vide Government Gazette 5 September 1997 (Folio 7847).

7.0 PLAN OF MANAGEMENT ADMINISTRATION AND MANAGEMENT

7.1 Management Issues

Management of the lands takes into consideration the reserves' purpose and the purpose for which all lands are classified and categorised.

Council recognises the importance of Reserves and community owned land in providing a range of varied playground equipment and play experiences within the small Villages within which they are respectively located. Broilga Park, Restyn Park, Mallee Park (Council Managed) and Halse Park and Meggitt Park (Council Owned Community Land); are all classified as 'Neighbourhood Parks' within Council's Playground Strategy (2014) (currently under review). Worthington Park has not been listed in the current Playground Strategy although it would be considered as a 'Neighbourhood Park' within the locality of Yoogali (South).

William T. Bull Memorial Park (Bilbul) and Tharbogang Park while listed as 'Neighbourhood Parks', have been excluded from this PoM as previously outlined.

The Playground Strategy notes that many playground parks are one-dimensional. Therefore, potential update of existing equipment or future development, may take into consideration the opportunity to provide a broader scope of play equipment.

Therefore, on-going management issues may relate to maintenance of existing infrastructure and relevance to changing needs and growth of the local community within which the Park exists. The Building Asset Report (Table 1, pg. 34) identifies existing facilities that will require removal and / or maintenance in the short-term and subject to financial planning. Other facility improvements may be further highlighted upon review of the 2014 Playground Strategy.

Table 2 – Management Issues and Guidelines

Maintenance of infrastructure	<ul style="list-style-type: none">• The Tennis Club House (Tharbogang Tennis Courts and Public Reserve) has been vandalised and is in poor condition. Funding and removal of this facility should be a high priority due to its public safety and liability to Council. The toilet facility should also be considered for removal simultaneously.• As referred to in Table 1 of initially constructed buildings and infrastructure.
Mowing	Parks and Open Space Reserves will be mowed in accordance with approvals, manuals or schedules as required.
Car Park	No formal car-park applies to the Parks and Reserves within this PoM; parking is kerb-side. Car parking areas may be required in the future subject to increased usage, demand and potential funding.
Watering	Watering of parks and landscaped areas (as applicable) shall be undertaken as required and according to specific water restrictions that may be in place from time to time.
Vandalism	Vandalism will be addressed at the time of occurrence and may include issues such as unauthorised vehicle access; the riding of horses; damage to playground equipment or infrastructure; or other damage resultant from unauthorised activities referred to in PG-CP-301 "Prohibited Activities on Council Active & Passive Recreation Areas.
Companion Animals	Domestic pets may use the land where authorised by signage provided that they are under the control of a competent person at all times, on an adequate chain, cord or

	<p>leash; and do not cause loss of amenity to other users of the Reserve, except where specifically publicly notified.</p> <p>Dogs are not permitted within any area that is:</p> <ul style="list-style-type: none"> • In a children's play area. • Within 10 metres of the kiosk or other food outlet or place where food is prepared (as per the Companion Animals Act 1998 as amended)
Playground Equipment	Playground equipment as identified in Table 1 has limited life-span. Further upgrades or replacement may be considered in line with the review of the 2014 Playground Strategy, Asset Report and any deficiencies that may be identified at the time (subject to available funding).
Weeds	Weed management practices will be undertaken in accordance with guidelines to ensure amenability of the park and playground areas.
Trees	Risk Assessment of Trees is currently being programmed by Council's Parks & Gardens staff

7.2 Plan Implementation

The following action plan sets out the requirements under Section 36(3) of the LGA 1993 with respect to: -

- The objectives and performance targets of the plan
- The proposed means in which to achieve the objectives and performance targets
- The proposed manner in which the objectives and performance targets are assessed for performance.

Responsibility: Griffith City Council (GCC)

Table 3 - Objectives and Performance Targets of this Plan of Management (PoM)

Performance Target	Actions	Priority	Performance Indicator
LEGISLATIVE			
To ensure that relevant legislation is complied with in relation to preparation of the PoM.	1. The Plan is prepared in accordance with Native Title Manager advice, the LGA 1993, the CLMA 2016 and NTA 1993 (C'th) (as applicable)	High	<ul style="list-style-type: none"> • The Plan is reviewed by Council's Native Title Manager and approved by Department of Industry – Crown Lands. • Council exhibits and adopts the PoM subject to community comments being addressed. (Where significant changes to the PoM are required, the PoM will be re-referred to Council and the Department).
MANAGEMENT			
Provide quality facilities; assess the	2. Consultation and development in	Ongoing	<ul style="list-style-type: none"> • Assets (current and future) are managed in accordance with

current facilities, condition and use of the land in accordance with community expectations	<p>accordance with Council's Strategies and Policies.</p> <p>3. Review of Council's Building Asset Report</p> <p>4. Provide maintenance to meet required service levels inclusive of grounds, trees and park infrastructure</p> <p>5. Ensure appropriate tenure arrangement with users (when and as applicable)</p>		<p>prescribed Council standards and community expectations.</p> <ul style="list-style-type: none"> Remove assets no longer in use or compliant with current standards (subject to funding). Community consultation in regards to meeting future community needs. Maintenance service levels to meet requirements in accordance with adopted budgets. Review of tenure conditions (as applicable).
Asset Management Plan in place to maintain and enhance the parks	6. Update Asset Management Plan (as required)	On-going	<ul style="list-style-type: none"> Asset renewal considered in 10-year financial planning (where applicable)
Manage the park and open space areas (as applicable) for the safety of all users	7. Conduct regular safety audits to assess the property on a risk assessment basis	On-going	<ul style="list-style-type: none"> Reduction in vandalism Feedback from community is positive and negative feedback acted upon as necessary
Address vandalism	8. Prompt action	On-going	<ul style="list-style-type: none"> Reduction in vandalism Feedback from community is positive and negative feedback acted upon as necessary
INFRASTRUCTURE			
Upgrade park infrastructure and playground and remove obsolete and / or dangerous infrastructure (as applicable)	<p>9. Ensure on-going inspection and assessment of infrastructure (as appropriate)</p> <p>10. Plan and renewal of infrastructure is in accordance with Asset Management guidelines and budgetary constraints</p>	On-going	<ul style="list-style-type: none"> Future upgrades and landscaping (including any demolition works) are carried out in accordance with the PoM and required development processes (where necessary) Feedback from community is positive and negative feedback acted upon as necessary
Manage the areas to provide equal access to all users	11. Continually review infrastructure and ensure any plans for new equipment, facilities will allow for access for all abilities	On-going	<ul style="list-style-type: none"> Facilities meet the requirements of all users Feedback from community is positive and negative feedback acted upon as necessary

ENVIRONMENT			
Provide quality passive recreational facilities	12.Maintain all facilities to a high standard 13.Consider and plan for future needs for expansion of playground areas, open space and / or landscaping as necessary	On-going	<ul style="list-style-type: none"> All facilities are maintained to meet service levels and continue to comply with Australian Standards Community feedback is positive and negative feedback acted upon as necessary
Manage environmental and user safety	14.On-going inspection and assessment of infrastructure in accordance with Council and Government WHS legislation 15.Consider the safety of the community in the maintenance of the recreational areas and open space in the use of chemicals and pest control measures	On-going	<ul style="list-style-type: none"> Audit process for safety and condition reporting working well Staff are appropriately trained in safe handling and use of appropriate chemicals for the land No unauthorised use of facilities Feedback from the community is positive and negative feedback is acted upon where necessary
USE OF THE RESERVES			
Signs	16.Review signs and follow guidelines provided by Statewide Mutual Signs as Remote Supervision	On-going	<ul style="list-style-type: none"> Continually monitor all signs are legible and current and renew as required Update signage in respect of open space areas to reflect "Reserve" in lieu of "Park" where appropriate
Provide adequate lighting to the areas	17.Examine existing and future lighting requirements	On-going	<ul style="list-style-type: none"> Continue to monitor requirements for security lighting for unlawful activities (as necessary) Community feedback is positive and negative feedback acted upon as necessary
Parking	18.Provide adequate parking areas to meet the needs of users as appropriate	On-going	<ul style="list-style-type: none"> Continue to monitor parking provided meets the needs of users of the facility as appropriate Community feedback is positive and negative feedback acted upon as necessary

7.3 Communication in the Management of the Reserves

Communication between Council and the community Tenure Holders is important to the success of this Plan. Council will establish and maintain clear lines of communication with Tenure Holders (as applicable), especially relating to the operations of and responsibilities within any (proposed) tenure operations as they apply in the future.

This could include regular meetings with Council and Tenure holders (as considered necessary).

7.4 Administration and Resourcing

Administrative issues have important influences on the way in which both Council Managed Crown Reserves and Council Owned Community Lands are managed.

Council shall seek to provide adequate staff resources for the management of the lands in accordance with this Plan of Management. Staff shall have appropriate qualifications and / or experience.

7.4.1 Information and Monitoring

Monitoring and collection of information relating to the Small Village Parks Plan of Management are important tools to enable good management outcomes.

Where a demonstrated need has been identified, a community educational program shall be developed to encourage use appropriate to the purpose of the land.

Management arrangements shall be implemented to regularly monitor the use of the land, environmental conditions and facilities.

Monitoring of associated tenure agreements (where applicable) will also be undertaken to ensure users and user groups comply with tenure conditions.

Surveys of visitation and / or satisfaction with the facilities may be undertaken to facilitate improved management and use of the land.

7.4.2 Role of Other Authorities

From time to time other authorities may have responsibilities or involvement in the management of the land. This will be considered and appropriate consultation will take place if required.

7.4.3 Infrastructure

Any necessary infrastructure to further service the purpose of the land may be constructed provided that a Native Title Assessment has been carried out by Council's Native Title Manager; the land is not subject to a Claim under the *ALRA 1983*; and the provisions of the *LGA 1993* and the *CLMA 2016* have been complied with. This applies to Council Managed Crown Reserves only.

Subsequent development activities shall be undertaken in a way that minimises the area, degree and duration of disturbance; and the area is to be restored to the greatest extent practicable.

7.4.4 Neighbourly relations

Council's development control practices recognise and endeavour to minimise the impacts upon adjoining land parcels.

Council shall endeavour to be a good neighbour and as far as possible shall consult with adjoining owners in respect of impacts of its management and other activities which may affect them.

7.4.5 Community Involvement in Management

Where appropriate Council may undertake community consultation subsequent to the making of this Plan of Management and may give community groups a role in management.

7.4.6 Delegation in Management Responsibilities

Council may determine to delegate management responsibilities in the future. This Plan of Management shall be complied with as part of the delegation.

7.4.7 Public Liability

Council will continue to maintain public liability insurance in respect of all parks / reserves and playgrounds. All users of the land will be required to maintain their own public liability insurance, currently to the sum of \$20 million dollars, or as amended by Council from time to time. The policy is to indemnify Council against any claims arising from their use of the facility.

7.4.8 Commercial Activities

Commercial activities may not be carried out on the land under this Plan of Management.

7.4.9 Emergencies

This Plan of Management authorises necessary activities to be carried out during declared emergencies as may be decided by the General Manager or delegate. Following the emergency, assessment of the facility and rehabilitation works will be undertaken if required.

8.0 Management Guidelines

The following guidelines are based on legislative requirements and community expectations and apply to all areas of Small Village Parks PoM unless otherwise identified.

8.1 Risk Management

Council recognises the need to develop and implement risk management processes for reserves, playgrounds and play equipment. The installation of any new equipment will necessitate an audit be undertaken. Audits of all parks, reserves and playgrounds are conducted by appropriately qualified staff from Council's Parks & Gardens Department, or other authorised officers, on a regular basis in accordance with Australian Standards.

Playgrounds are inspected on a weekly basis and operational inspections carried out on a yearly basis.

8.2 Water

Potable water is used on Brolga Park (Beelbangera), Rowley Park and Worthington Park (Yoogali), Restyn Park (Hanwood), Mallee Park (Nericon) and Meggitt Park (Lake Wyangan).

Raw water is used on both Cyril Morris Park and Halse Park (Yenda).

Tharbogang Tennis Courts and Public Reserve is not watered and relies exclusively on rainfall.

Council may enforce mandatory water restrictions when required. The restrictions apply to all water (raw and potable) supplied by Council through its reticulated water system. The restrictions also apply to all domestic and garden users who are supplied by Murrumbidgee Irrigation Limited. The relevant restrictions of the day will apply to all parks, reserves and playgrounds within this Plan of Management that such restrictions be observed.

8.3 Alcohol Free Zone

Council has the authority to establish Alcohol Prohibited Areas under Section 632A and 644 of the *LGA 1993* within Griffith and surrounding villages.

None of the parks, reserves and playgrounds are included in Council's Alcohol Prohibited Areas and signage shows accordingly.

8.4 Smoke Free Areas

Council has adopted a Smoke Free Outdoor Areas Policy (*EH-CP-202*) which came into effect from 2011.

Policy Objective:

The objectives of Griffith City Council in banning smoking on Council owned and controlled land, outdoor public areas and within vehicles is to:

- improve the health of community members;
- improve public amenity and maintenance of Council property;
- raise community awareness of the issues associated with smoking;
- provide community leadership in taking measures to protect the health and well-being of the community; and
- minimise cigarette butt pollution on Council owned and controlled land and within public places.

Policy Statement:

This policy prohibits smoking in the following areas on Council owned and controlled land, outdoor public areas and within vehicles specifically:

1. Within ten (10) metres of all children's playground equipment in outdoor public places;
2. Public swimming pools;
3. Spectator areas at sports grounds or other recreational areas used for organised sporting events;
4. Public transport stops and platforms, including taxi ranks;
5. Within 4 metres of a pedestrian access point to a public building;
6. In commercial outdoor dining areas being:
 - A seated dining area
 - Within 4 metres of a seated dining area on licensed premises, restaurant or café and
 - Within 10 metres of a food fair store or on public land as approved by Council
7. Within 10 metres of Council owned or managed buildings
8. Smoking within cars with a child under the age of 16 years in the vehicle.

All signage will be reviewed when required to be consistent with the current policy.

8.5 Vandalism

Vandalism and anti-social behaviour have continued to escalate over recent years with playgrounds an easy target. Although cost is difficult to estimate, thousands of dollars are outlaid each year to repair the damage caused to these areas.

To encourage the public to play a role in safeguarding the assets of the community, Council will pay a reward to members of the public supplying information which results in the successful prosecution of persons damaging Council property, or causing other acts of vandalism that may create situations dangerous to the public. (*Council Policy GC-CP-314*).

8.6 Animals

Griffith City Council recognises the need for pet owners to exercise their animals. Under the *Companion Animals Act 1998*, dogs are prohibited within a ten (10) metre zone of children's play apparatus and is applicable to all playground areas of Parks identified within this PoM.



8.7 Signs as Remote Supervision

Council's obligation to promote good risk management practices required the installation of appropriate signage at all parks, reserves and playgrounds. A risk assessment was completed to consider appropriate signage for remote supervision at the facilities. The signs identify the site, provide for safe use of equipment and meet risk management guidelines as set out in the Statewide Mutual, Best Practice Manual – Signs as Remote Supervision. Council will endeavour to follow Standard AS 2342–1992; Development, Testing and Implementation of Information and Safety Symbols and Symbolic Signs.

Where necessary, signage shall be further updated to reflect the usage style from Park to "Reserve" as previously identified in this Plan.

Figure 12 – Signage example



8.8 Parking

No formal parking areas have been designated at any of the parks, reserves and playgrounds contained within this PoM. Parking is available kerb side. Parking will be considered in the future subject to requirements of usage, demand and available funding.

8.9 Buildings, Amenities and Infrastructure

Buildings, amenities and infrastructure have been constructed on the land in the past in accordance with the *EP and A Act 1979*.

Any future construction or improvements on Council Managed Crown Reserves will require assessment by Council's Native Title Manager to be consistent with the *NTA 1993* (C'th) and that the land is not subject to a claim under the *ALRA 1983*. The provisions of the *LGA 1993* and *CLMA 2016* is to be considered as part of the assessment, and be consistent with the reserve purpose.

Future construction or improvements on Council Owned Community Land will be subject to the *LGA 1993* and applicable SEPP Infrastructure policies that may apply at the time.

8.10 Trees, Vegetation and Landscape

Proper management of landscaping, trees and vegetation is important to provide a high degree of amenity on the land. Trees and landscaping will be maintained and inspected on a regular basis and at any time may be removed or replaced.

Griffith City Council has adopted a Tree Policy (*PG-CP-402*). The aim of the tree policy is to improve the quality of streetscapes, parklands and private land in urban areas within the Council area.

As referred to in Table 2 (pg. 39), Council is presently undertaking a Risk Assessment of all trees within its Parks (and Sportsgrounds).

8.11 Asset Renewal / Replacement

All playground equipment will require replacement at some stage in the future when it no longer can be repaired or does not meet Australian Standards. The life of a playground depends on many factors including material of construction, the amount of use and degree of vandalism. These factors have been considered in accordance with the condition asset report as previously noted.

Asset renewal may also be considered following a review of the 2014 Playground Strategy and regards to the needs for improvement in the scope of play that may be restricted through currently existing equipment; and potential development of local Villages.

Restyn Park may benefit from renewal of existing infrastructure to further enhance the scope of play equipment and facilities that it currently contains. This could be facilitated should Council consider the transfer of an existing budget allocation of \$25,000 for playground equipment currently suggested for Womens Land Army Park noting that such an amount has been identified as insufficient (refer to details in Hanwood Sports Precinct PoM – extract below).

A cost analysis of Playground Equipment v. Exercise Equipment suggests a disparity of approximately \$15,000, i.e. playground equipment being higher due to the requirement for soft fall, excavation works, etc. Therefore, the \$25,000 allocated funds would not be sufficient to install any significant play equipment at the Womens Land Army Park and would potentially be better directed to Restyn Park. Council may consider the installation of fitness equipment in place of play equipment (in line with the adjoining sportsground activities) which would cost slightly more than the allocated \$25,000.

Existing Council owned assets on the lands shall be maintained by Council within the allocated annual budget for the reserves. Council may also apply for additional funding or grants to support improvement on the lands.

9 REFERENCES

Commonwealth Native Title Act 1993

<https://www.legislation.gov.au/Details/C2017C00178>

Crown Land Management Act 2016

http://www.austlii.edu.au/au/legis/nsw/num_act/clma2016n58226.pdf

<https://www.industry.nsw.gov.au/lands/what-we-do/legislation-policies>

DPI website

https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0007/164374/irrigation-profile-murrumbidgee.pdf

Environment website

<https://www.environment.nsw.gov.au/bioregions/Riverina-Landform.htm>

Griffith City Council Website – Publications and Policies

- *Griffith Community Participation Plan*

file:///C:/Users/Melva/Downloads/GRIFFITH_COMMUNITY_PARTICIPATION_PLAN_ENDORSED_17_DECEMBER_2019.pdf

- *Guiding Griffith 2040*

https://www.griffith.nsw.gov.au/cp_themes/default/page.asp?p=DOC-OIW-24-18-70

- Council Policies

https://www.griffith.nsw.gov.au/cp_themes/default/page.asp?p=DOC-ECH-80-74-45

[file:///C:/Users/Melva/Downloads/Tree_Preservation_Order_PG_CP_401%20\(3\).pdf](file:///C:/Users/Melva/Downloads/Tree_Preservation_Order_PG_CP_401%20(3).pdf)

- *Griffith City Council Asset Management Strategy*

file:///C:/Users/Melva/Downloads/Asset_Management_Plan_2017_Strategy_Final.pdf

file:///C:/Users/Melva/Downloads/4_AS_CP_201_Asset_Management_Policy_May_4_2018.pdf

- *Griffith Local Environmental Plan 2014 (GLEP 2014)*

<https://www.legislation.nsw.gov.au/#/view/EPI/2014/137/maps#LZN>

- State of the Environment Report 2012/16

https://issuu.com/griffithcitycouncil/docs/2016_state_of_the_environment_repor

- *Local Government Act 1993*

<https://www.legislation.nsw.gov.au/#/view/act/1993/30>

- Local Government Regulations

<https://www.legislation.nsw.gov.au/#/view/regulation/2005/487>

- NSW Land Registry Services

<https://www.nswlrs.com.au/Historical-Records-Online#Historical%20Maps>

Plants of Western New South Wales (Cunningham, Mulham, Milthorpe, Leigh)

- Trove

<https://trove.nla.gov.au/gazette>

10 APPENDICES

- 1) Schedule of Small Village Parks
- 2) Schedule of Small Village Parks – Planning Certificates, AHIMS Certificates & Heritage Significance etc.
- 3) Core Objectives for Categories of Community Land – Park
- 4) Relevant State Environmental Planning Policies

APPENDIX 1

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	SCHEDULE OF SMALL VILLAGE PARKS														
2	FACILITIES														
3	RESERVE NO.	PARK NAME	CROWN / COUNCIL	DATE OF GAZETTE	LOCALITY	LOT/DP	AREA	PLAY'D	TOILET FACILITY	SEATING	SHELTER	BBQ	SIGNAGE	KERB & /OR GUTTER	NATURAL AREA
4	72519	Brolga Park	Crown	14/11/1947	Beelbangera	7012/1060473	3142.53 m2	†		†	†		†	†	
5	93898	Rowley Park	Crown	31/10/1980	Yoogali	1587/257111	545.66 m2			†			†	†	
6	159008	Cyril Morris Park	Crown	21/02/1992	Yenda	28/44498	8979.46 m2			†			†		
7	66106	Restyn Park	Crown	10/07/1936	Hanwood	312/751709	1265.08 m2	†		†			†	†	
8	83715	Tharbogang Tennis Courts & Recreation Reserve	Crown	26/01/1962	Tharbogang	218/756035	23,329.57 m2		†						
9	1031648	Mallee Park	Crown	1/05/2015	Nericon	7301/1154188	5558.7 m2	†		†	†		†		†
10															
11		Worthington Park	Council		Yoogali	24/1125507	1114 m2	†		†			†	†	
12		Halse Park	Council		Yenda	1/617175	2022 m2	†		†			†		
13		Meggitt Park	Council		Lake Wyangan	511 & 512/751743	2014 m2	†	†	†	†		†	†	(partial)
14															
15	Note: "†" denotes existence of infrastructure/equipment														

APPENDIX 2

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	SCHEDULE OF SMALL VILLAGE PARKS - PLANNING CERTIFICATES, AHIMS CERTIFICATES & HERITAGE SIGNIFICANCE												
2	RESERVE NO.	PARK NAME	LOT/DP	Crown/ Council	Critical Habitat Y/N	Conservation Area Y/N	Part 7AA Threatened Species Conservation Act 1995 Y/N	Part 5 Biodiversity Conservation Act 2016 Y/N	Section 60ZC Local Lands Services Act 2013 Y/N	Biodiversity Values (as per mapping tool) Y/N	Flood Prone Land Y/N	Aboriginal Sites or Places Y/N	Heritage Significance Y/N
3	72519	Brolga Park	7012/1060473	Crown	N	N	N	N	N	N	Y (M/H)	N	N
4	93898	Rowley Park	1587/257111	Crown	N	N	N	N	N	N	Y (L)	N	N
5	159008	Cyril Morris Park	28/44498	Crown	N	N	N	N	N	N	Y (L/M)	N	N
6	66106	Restyn Park	312/751709	Crown	N	N	N	N	N	N	N (L)	N	N
7	83715	Tharbogang Tennis Courts & Recreation Reserve	218/756035	Crown	N	N	N	N	N	N	N	N	N
8	1031648	Mallee Park	7301/1154188	Crown	Y	N	N	N	N	N	N	N	N
9													
10		Worthington Park	24/1125507	Council	N	N	N	N	N	N	Y (L)	N	N
11		Halse Park	1/617175	Council	N	N	N	N	N	N	Y (M)	N	N
12		Meggitt Park	511/751743 512/751743	Council	N	N	N	N	N	N	Y	N	N
13	Flood Prone Land: Land is considered below the Flood Planning Level (FPL) and therefore subject to flood related development controls (level of a 1:100 ARI (average recurrent interval) flood event.												
14	H=High; M/H=Medium-High; L/M=Low-Medium; L=Low; N=no level indicator given												

APPENDIX 3

CORE OBJECTIVES FOR MANAGEMENT OF COMMUNITY LAND CATEGORISED AS PARK (*Local Government Act 1993*)

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

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

- (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.

Appendix 4

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

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

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

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

State Environmental Planning Policy No 64 – Advertising and Signage

State Environmental Planning Policy No. 64 Advertising and Signage aims: -

- To ensure that signage (including advertising):
 - (i) Is compatible with the desired amenity and visual character of an area, and
 - (ii) Provides effective communication in suitable locations, and
 - (iii) Is of high-quality design and finish
- To regulate signage (but not content) under Part 4 of the Act,
- To provide time-limited consents for the display of certain advertisements, and
- To regulate the display of advertisements in transport corridors, and
- To ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

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