



Greater Hume Shire

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DRAFT GENERIC PLAN OF MANAGEMENT

FOR COMMUNITY LAND - PARKS

1 INTRODUCTION

1.1 What is a Plan of Management?

A Plan of Management provides a framework for the management and development of public land. There are two main types of public land, Crown Land and Community Land. Crown Land is owned by the State for the benefit of all persons and Community Land is owned by the Council for the benefit of local residents and visitors. These two types of land are managed by separate legislative requirements; the Crown Lands Act 1989 and the Local Government Act 1993. All land included in this Generic Plan of Management is Community Land.

The Local Government Act 1993 requires that all public land owned by Council be classified as either community land or operational land. Council must have 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. Liaison with relevant Council officers and community feedback on the draft Plan of Management provides opportunities for community participation and involvement, establishing a sense of ownership in stakeholders and contributing to the ongoing success of the plans.

Plans of Management assist Council and landowners to budget and source funds for the future maintenance, improvement and development of community land.

1.2 Structure of this Plan of Management

This Plan of Management is in four main sections:

1. The Legislative context.
2. Current status.
3. The Basis for Management.
4. Strategies and Actions for implementation.

1.3 Land covered by this Plan

This Plan of Management covers the parcels of land categorised as Community Land – Parks, and are listed in Appendix 1.

This land is Community Land owned and managed by Greater Hume Shire Council.

2 HOW LEGISLATION APPLIES TO THIS PLAN

2.1 Local Government Act 1993

Under legislative requirements of the Local Government Act 1993 and further amendments, 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:

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

2.2 Community Land Categories

As detailed above, it is required under Section 36 of the Local Government Act 1993, that Council categorise community land as one or more of the following:

- Natural area, further categorised as
 - (a) bushland,
 - (b) wetland,
 - (c) escarpment,
 - (d) watercourse,
 - (e) foreshore,
 - (f) a category prescribed by the regulations, eg habitat of an endangered species
- Sportsground
- Park
- Area of Cultural Significance
- General Community Use

These categories determine the appropriate use and development of the land, with core objectives given to each category. Once Council has applied a category to a parcel of community land, it must manage the land in accordance with the relevant core objectives.

All parcels of land included in this Plan of Management have a primary category of Park.

Guidelines for Categorisation

The Local Government (General) Regulation 2005 provides guidelines for each of the above categories. Guidelines from this Regulation for categorising community land as a Park are set out below:

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

2.3 What dealings can Council have in Community Land?

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

2.4 Granting a lease or licence on Community Land

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

The Local Government Act 1993 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 Environmental 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.

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 of greater than five years may only be granted by tender, unless it is granted to a non-profit organisation;
- 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 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 the Council the subject to the proposal is likely to form the primary focus of the person's enjoyment of community land.

2.5 Other Statutory Provisions

Other relevant legislation, plans and policies that guide the management of Community Land identified in this Generic Plan of Management include, but is not limited to:

- Greater Hume Local Environmental Plan 2012

3 CURRENT STATUS

3.1 Uses & Facilities

Parks within the Shire are generally used by residents and visitors for passive recreation activities. This ranges from walking, picnics and barbecues, outdoor games to playground use and general social activities.

3.2 Maintenance and Management

Council staff manage and maintain parks within the Shire, which involves gardening and landscape works and general maintenance of equipment and facilities.

4 BASIS FOR MANAGEMENT

This Plan of Management is values based, with the values attributed to the Community Land determining its appropriate use, management and development. This Plan of Management aims to protect and enhance these values and further develop the roles of the land identified in this Plan of Management.

4.1 Values

The primary values of parks are recreational, visual and social.

On a recreational level, they provide local communities with areas of planned open space which are away from the home and yet easy to access and which provide a variety of opportunities for leisure (depending on factors such as size) including sporting facilities, picnic and barbecue areas, walking areas, playground equipment and seating. On a visual level, they provide break and buffer between residences and an opportunity for relaxation in a relatively natural setting. On a social level, they have the potential to increase the health and wellbeing on the community and provide for increased interaction within the local community.

4.2 Roles

Given values attributed to parks, the role of parks within Greater Hume Shire is to improve the general amenity of the area and provide a setting which residents and visitors are able to participate in active or passive recreation activities.

4.3 Objectives

Core Objectives for Community Land

The core objectives for community land categories outlined in the Local Government Act 1993 assist in determining the way that the land may be used and managed.

Section 36G of the Act states that 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 Community Consultation

As set down in Section 38 of the Local Government Act 1993, a council must give public notice of a draft plan of management, and place the draft plan on public exhibition for no less than 28 days. Any submissions made to council in respect of the draft plan will be considered by council prior to the final adoption of the Plan of Management. Therefore, the Shire community will be able to have input into this draft plan of management through the public exhibition and submission stage.

Further to this, Council intends to, where applicable, provide opportunity for input and participation in decision making for all interested community groups, local land owners and local residents in relation to any potential development, use and management of community land arising from this draft generic plan of management.

This generic Plan of Management refers to several parcels of Community Land. It is not feasible to conduct targeted consultations for each parcel of land considering the large number of parcels of land and the generic nature of this plan. Also, any major or sensitive developments or embellishments to Community Land would be subject to further community consultation. Significant parcels of Community Land may also be subject to specific plans of management or be recommended that these be developed in the future.

5 POLICY

A number of key issues were identified through the preparation of this Draft Generic Plan of Management for Parks. These include:

Maintenance

Maintaining the council's parks involves tending to lawns and vegetation, clearing drains, maintaining the quality of equipment, landscape elements and facilities. Council staff maintain parks which exist on Community Land as well as those which exist on Crown Land within the Shire.

Future use/Leases and Licences

Within Greater Hume's parks, a wide variety of formal and informal recreational activities are encouraged. The occasional hiring of sections of these open space areas for carnivals, film or outdoor theatre, special events and social gatherings is also appropriate through the granting of permission from Council.

Leasing Of Surplus Land

Council is able to grant a lease over community land provided it complies with the requirements of the Local Government Act and in particular Sections 45, 46, 46A and 47A.

Income received from any lease shall be held by Council in the General Fund for the purpose of future development of the facilities within that complex or as otherwise resolved by Council.

Access

Encourage the use of council parks by all members of the Greater Hume Shire community. Suitable access should be provided for people who are restricted due to age, limited mobility and other physical or social barriers, through the provision of parking and suitable amenities at all community facilities. Access must also be made available for emergency, maintenance and security vehicles.

Parking

Access and parking are very important issues as Parks are used by the broad cross section of the community and thus they should, where possible, be accessible by all.

Safety and Security

Safety is an issue Council needs to address on a permanent basis. Council has a statutory responsibility to provide facilities that meet relevant Australian Standards and is obliged under common law to take appropriate steps to protect people from reasonably foreseeable risk or harm in the use of public spaces and public assets. This implies a responsibility to maintain all parks and associated facilities to an acceptable standard.

Distribution

There appears to be certain localities within the Shire that do not have a sufficient number of parks and others which have an excess of parks. To determine whether this is the case it may be appropriate to identify those areas with a potential deficiency in number or quality of parks and survey the community to confirm or deny this. This is the most appropriate means to determine whether there is an equitable and acceptable distribution of parks across the Shire.

Residential amenity impact

The types of use which may occur on land categorised as a Park may have the potential to impact on adjoining residents. This may occur through traffic or noise generated from community facilities, impacts directly related to the presence of public utilities, loss of privacy and noise generated from use of pedestrian access ways and the like.

Whilst it is not possible to eliminate all these impacts, there is a need to minimise adverse impacts where possible and to consider the needs of local residents when managing these areas of land.

Where Council is considering additional development on Park land it will generally be the subject of a Development Application. All Development Applications are assessed under the Environmental Planning and Assessment Act 1979 and specifically consider impacts on adjoining residents.

Risk Management

Council is concerned with ensuring the safety of all users of Council Parks.

A process for regular inspections of park land will be developed to address risk management concerns regarding the safety of structures, as well as other matters depending on circumstances. The community is encouraged to report any safety concerns immediately to Council to minimise the risk of injury occurring or damage to the land.

6 STRATEGIES AND ACTION PLAN

6.1 Actions Table

The Actions Table provided within this Section outlines the direction for the management and development of the parcels of land included in this draft generic Plan of Management and has the following aims:

- To formulate objectives;
- To ensure consistency with the core objectives of the sportsground category of the land;
- To develop performance targets that will define the way that Council will achieve its objectives;
- To provide actions (or means of achievement), which is the way that Council will achieve its targets; and
- To provide performance measures for each action.

Any developments included in this Action Table require authorisation within this Plan of Management. This section includes authorisation for future developments for the land included in this Plan of Management.

PRIORITIES AND PERFORMANCE

Issue	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
Maintenance	Maintain parks to ensure that they are clean, safe and appropriate for use and to a high standard.	Develop a comprehensive maintenance schedule.	Grass cutting, rubbish removal, remove or repair damaged equipment etc.	High	Maintenance completed according to schedule.
	Provide for future uses of the land where appropriate.	To provide for future uses of parks where appropriate.	Review parks as to their suitability in their present form.	Low	Review completed.
Leasing of Surplus Land	To ensure that leases and licences are only granted if they are consistent with the requirements of the Local Government Act 1993 and other relevant legislation and policy.	Granting of any lease or licence is consistent with the requirements of the Local Government Act and other relevant legislation and policy.	Identify land surplus to the requirements of the community facility. Ensure all applications to lease land comply with Legislation	Low	All applications to lease community land comply with legislation.
Access	Encourage the use of council parks by all members of the community, and improve access and use of them for those who are restricted due to age, limited mobility and other physical or social barriers.	Aim to achieve the objectives of the Disability Discrimination Act 1992 when constructing new facilities.	Inspect and review all access for Council parks.	High	Improved access by all members of the community.
Parking	To provide safe and adequate parking for users of council parks.	Provide adequate parking for the users of council parks, including emergency, disabled parking and bicycle parking, in accordance with RTA and Council guidelines.	Construct or identify parking bays and parking areas at council parks.	Med	Adequate parking areas provided for users.
	Minimise spill over of parking on surrounding residential areas.		Review the number of disabled and emergency parking bays provided.		
Safety & Security	To provide parks which are safe and secure for use by all members of the community.	Provide measures to enhance the safety and security of users and visitors.	Provide adequate security lighting, signage, access and surveillance/public sight line measures.	High	Safety measures implemented.

Issue	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
Distribution of Parks	Ensure an equitable and functional distribution of parks within residential areas.	To create and maintain appropriate local parks within residential areas reflective of community needs.	Regular review of the distribution and status of parks within residential areas. In developing and new release areas land will be set aside and established as parks.	Med Ongoing	An equitable and functional distribution of parks within the Shire. An equitable and functional distribution of parks within the Shire.
Residential Impact	To minimise adverse impacts on amenity for adjacent residential dwellings from the use of council parks.	To protect adjacent dwellings from undue noise, lighting and visual impact from council parks.	Where appropriate, provide landscaping and ensure all lighting complies with the relevant Australian Standard.	Med	Actions taken to minimise impacts.
Risk Management	To reduce the number of reported incidents or accidents occurring on Park land as a result of poor maintenance.	No reported incidents or accidents occurring on Park land due to poor maintenance.	Undertake an audit of all structures on Park land and undertake repairs as required.	Ongoing	Audit complete and a schedule of works identified.
			Undertake regular inspections of Park land to determine potential risks.	Ongoing	Inspections undertaken on a regular basis and all resultant work undertaken.
			Encourage the community to report any maintenance or risk issues immediately to Council.	Ongoing	Number of reports received regarding maintenance and safety issues.

APPENDIX 1 – COMMUNITY LAND – GENERAL COMMUNITY USE – COMMUNITY FACILITIES

Lot/DP	Street Address	Town	Common Name	Category
Lot 8 DP 43213 & Lot 87 DP 259562	16 Croft Street	Holbrook	Friday Mount Park	Park
Lot 147 DP 12560	17 Second Street	Henty	East Henty Park	Park
Lot 2 DP 804402	17 Wallace Street	Holbrook	Geranton Park	Park
Lot 12 DP 736838	Wilson Street	Holbrook	Apex Park	Park
Lot 1 DP 119296	Gundagai Street	Holbrook	Pool Park	Park
Lot 234 DP 657823, Lot 235 DP 657820, Lot 236 DP 657821, Lot 237 DP 657822	48 Young Street	Holbrook	Pool Park	Park
Lot B DP 369356, Lot C DP 372103	Young Street	Holbrook	Ten Mile Creek Gardens	Park
Lot A DP 369356	Young Street	Holbrook	Ten Mile Creek Gardens	Park
Lot 10 DP 571557	163 Albury Street	Holbrook	Commander Holbrook Park	Park
Lot 2 DP 831081	159 Albury Street	Holbrook	Otway Park	Park
Lot 12 Section 7 DP 250646	Huon Street	Jindera	Pioneer Park	Park
Lots 6 & 7 Section 9 DP 758544	101 Urana Street	Jindera	Jindera Village Green	Park
Lot 1 DP 13046	Commercial Street	Walla Walla	Bicentennial Park & War Memorial	Park
Lots 32 & 33 DP 258018	6 Jacob Wenke Drive	Walla Walla	Sunnyside Park & Playground	Park
Lot 41 DP 633394	Olympic Highway	Culcairn	Jubilee Park	Park
Lot A DP 379189	Albury Urana Road	Burrumbuttock	Future Purchase – Schmidt Park	Park



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DRAFT GENERIC PLAN OF MANAGEMENT

**FOR COMMUNITY LAND - GENERAL COMMUNITY USE
– COMMUNITY FACILITIES**

1 INTRODUCTION

1.1 What is a Plan of Management?

A Plan of Management provides a framework for the management and development of public land. There are two main types of public land, Crown Land and Community Land. Crown Land is owned by the State for the benefit of all persons and Community Land is owned by the Council for the benefit of local residents and visitors. These two types of land are managed by separate legislative requirements; the Crown Lands Act 1989 and the Local Government Act 1993. All land included in this Generic Plan of Management is Community Land.

The Local Government Act 1993 requires that all public land owned by Council be classified as either community land or operational land. Council must have 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.

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Plans of Management assist Council and landowners to budget and source funds for the future maintenance, improvement and development of community land.

1.2 Structure of this Plan of Management

This Plan of Management is in four main sections:

1. The Legislative context.
2. Current status.
3. The Basis for Management.
4. Strategies and Actions for implementation.

1.3 Land covered by this Plan

This Plan of Management covers the parcels of land categorised as Community Land – General Community Use - Facilities, and are listed in Appendix 1.

This land is Community Land owned and managed by Greater Hume Shire Council.

2 HOW LEGISLATION APPLIES TO THIS PLAN

2.1 Local Government Act 1993

Under legislative requirements of the Local Government Act 1993 and further amendments, 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:

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

2.2 Community Land Categories

As detailed above, it is required under Section 36 of the Local Government Act 1993, that Council categorise community land as one or more of the following:

- Natural area, further categorised as
 - (a) bushland,
 - (b) wetland,
 - (c) escarpment,
 - (d) watercourse,
 - (e) foreshore,
 - (f) a category prescribed by the regulations, eg habitat of an endangered species
- Sportsground
- Park
- Area of Cultural Significance
- General Community Use

These categories determine the appropriate use and development of the land, with core objectives given to each category. Once Council has applied a category to a parcel of community land, it must manage the land in accordance with the relevant core objectives.

All parcels of land included in this Plan of Management have a primary category of General Community Use.

Guidelines for Categorisation

The Local Government (General) Regulation 2005 provides guidelines for each of the above categories. Guidelines from this Regulation for categorising community land as general community use are set out below:

Land should be categorised as general community use under section 36 (4) of the Act if the land:

- a. 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
- b. Is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 10-13 for categorisation as a natural area, a sportsground, a park or an area of cultural significance.

2.3 What dealings can Council have in Community Land?

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

2.4 Granting a lease or licence on Community Land

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

The Local Government Act 1993 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 Environmental 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.

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 of greater than five years may only be granted by tender, unless it is granted to a non-profit organisation;
- 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 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 the Council the subject to the proposal is likely to form the primary focus of the person's enjoyment of community land.

2.5 Other Statutory Provisions

Other relevant legislation, plans and policies that guide the management of Community Land identified in this Generic Plan of Management include, but is not limited to:

- Greater Hume Local Environmental Plan 2012.

3 CURRENT STATUS

3.1 Uses & Facilities

Community facilities identified in this plan of management have a variety of uses. They range from community halls, preschools and community building complexes to hotels. The activities that occur in these facilities varies greatly, generally in accordance with the lease or licence applicable to that facility.

The types of activities that occur in these facilities range from formal community educational and recreational classes, community meetings of social and cultural groups etc, preschool groups and various other community activities.

3.2 Maintenance and Management

In general, the groups that have tenure over the buildings through a lease or licence are responsible for the maintenance and management of the buildings. A committee of management is the most common form of management for these community facilities.

4 BASIS FOR MANAGEMENT

This Plan of Management is values based, with the values attributed to the Community Land determining its appropriate use, management and development. This Plan of Management aims to protect and enhance these values and further develop the roles of the land identified in this Plan of Management.

4.1 Values

Community facilities in Greater Hume Shire are valued for the contribution they make to the recreational, social, educational and cultural life of the of the people of Greater Hume Shire, especially in regards to an identified community meeting and activity point as a base for social interaction.

4.2 Roles

Community facilities covered by this Plan of Management include community halls, community building complexes, preschools and a community hotel. They provide a meeting place for individuals, community groups and organisations, act as a venue for many recreational, social, cultural and educational classes and programs and provide a valuable community asset for occasional use by any community group or individual, within the purposes as set out in the Local Government Act. They can provide a strong social and cultural hub for the communities within which they are situated.

4.3 Objectives

Core Objectives for Community Land

The core objectives for community land categories outlined in the Local Government Act 1993 assist in determining the way that the land may be used and managed.

Section 36I of the Act states that the core objectives for management of community land categorised as a 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 land 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 Community Consultation

As set down in Section 38 of the Local Government Act 1993, a council must give public notice of a draft plan of management, and place the draft plan on public exhibition for no less than 28 days. Any submissions made to council in respect of the draft plan will be considered by council prior to the final adoption of the Plan of Management. Therefore, the Shire community will be able to have input into this draft plan of management through the public exhibition and submission stage.

Further to this, Council intends to, where applicable, provide opportunity for input and participation in decision making for all interested community groups, local land owners and local residents in relation to any potential development, use and management of community land arising from this draft generic plan of management.

This generic Plan of Management refers to several parcels of Community Land. It is not feasible to conduct targeted consultations for each parcel of land considering the large number of parcels of land and the generic nature of this plan. Also, any major or sensitive developments or embellishments to Community Land would be subject to further community consultation. Significant parcels of Community Land may also be subject to specific plans of management or be recommended that these be developed in the future.

5 POLICY

A number of key issues were identified through the preparation of this Draft Generic Plan of Management for General Use Community – Facilities. These include:

Maintenance

The relevant Management Committee is responsible for the overall cleanliness and maintenance of the facilities under their control.

Community facilities are maintained to varying degrees across the Shire. This is understandable considering the varying age and use of these facilities.

Grounds Allocation and Use

The main purpose of the Management Committee is to manage the hiring of community facilities. This ensures that the facility is accessible to the community and local residents do not need to contact Council directly to gain access to the facility.

Funds raised from hiring the facilities assist in the provision of maintenance and meet operating costs as well as provide for improvements to the facility.

Fees & Charges

The schedule of fees and charges is set by Council, taking into consideration the recommendations of the Management Committee and the operating requirements of the facility

Future use/Leases and Licences

The Local Government Act 1993 allows the Council to grant leases and licences and enter into agreements with private parties (such as managing committees) in respect of community land. It is often appropriate for the Council to grant to other persons through a lease or licence a right to use/manage a community facility. The implications for broad community access and multi use of facilities should be considered by Council when doing this.

Leasing Of Surplus Land

Council is able to grant a lease over community land provided it complies with the requirements of the Local Government Act and in particular Sections 45, 46, 46A and 47A.

Income received from any lease shall be held by Council in the General Fund for the purpose of future development of the facilities within that complex or as otherwise resolved by Council.

Access

Encourage the use of community facilities and surrounding areas by all members of the Greater Hume Shire community. Suitable access should be provided for people who are restricted due to age, limited mobility and other physical or social barriers, through the provision of parking and suitable amenities at all community facilities. Access must also be made available for emergency, maintenance and security vehicles.

Parking

Access and parking are very important issues as General Community Use areas are used by the broad cross section of the community and thus they should, where possible, be accessible by all.

- Lack of structured pathways can limit use by parts of the community.
- Access for pedestrians and cyclists to, and circulation within, general community use areas could be improved.
- Parking arrangements within and adjacent to general community use areas may be unsatisfactory for users or disturb surrounding residential areas.
- Gates on some entries to general community use areas can limit access for emergency and service vehicles.

Safety and Security

Public safety should be promoted by good visibility and sight lines within the community facilities, the reduction of potential hiding places, exposure of community facilities to public roads, adequate security lighting and community input into management and maintenance to reduce vandalism.

Multi-use

Community facilities generally have a variety of uses and users. However, some have the capacity to be more widely used and accessed by the community, but may not be due to reasons such as current lease arrangements, inflexible programming or equipment storage issues limiting broader access. As the population of Greater Hume grows and calls on financial resources is greater, there should be a strong focus and priority on the multi-use potential of all community facilities.

Distribution

It is important that there is an equitable and functional distribution of community facilities across the Shire. Any new community facilities should be located and be built to reflect community needs.

Residential amenity impact

The types of use which may occur on land categorised as General Community Use may have the potential to impact on adjoining residents. This may occur through traffic or noise generated from community facilities, impacts directly related to the presence of public utilities, loss of privacy and noise generated from use of pedestrian access ways and the like.

Whilst it is not possible to eliminate all these impacts, there is a need to minimise adverse impacts where possible and to consider the needs of local residents when managing these areas of land.

Where Council is considering additional development on General Community Use land it will generally be the subject of a Development Application. All Development Applications are assessed under the Environmental Planning and Assessment Act 1979 and specifically consider impacts on adjoining residents.

6 STRATEGIES AND ACTION PLAN

6.1 Actions Table

The Actions Table provided within this Section outlines the direction for the management and development of the parcels of land included in this draft generic Plan of Management and has the following aims:

- To formulate objectives;
- To ensure consistency with the core objectives of the sportsground category of the land;
- To develop performance targets that will define the way that Council will achieve its objectives;
- To provide actions (or means of achievement), which is the way that Council will achieve its targets; and
- To provide performance measures for each action.

Any developments included in this Action Table require authorisation within this Plan of Management. Section 6 includes authorisation for future developments for the land included in this Plan of Management.

PRIORITIES AND PERFORMANCE

Issue	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
Maintenance	To maintain all aspects of the community use land to ensure they are clean, safe and appropriate for their use.	Regular Risk Assessments undertaken at the facility.	Strategies developed to address risks identified in assessment.	High	Risk Assessments conducted on a regular basis, safety improved
	Encourage community groups and residents to become involved in the community land facilities management.	Encourage community groups to seek funding for the embellishment of community land facilities.	Identify funding sources available to community groups for embellishment of the community land facilities.	Med	Additional funding identified and applied for.
Ground Allocation and Use	To ensure that all community facilities are accessible to members of the community.	Management Committees are responsible for overseeing the use and maintenance of the facilities. Details for hiring of facilities displayed on Councils Website.	Raise community awareness in regards to the requirements for hiring community facilities and provision of contact information.	Med	Community facilities are utilised to full potential. Council website provides updated contact details for hiring facilities.
	To ensure a fair and equitable charge for use and access to community use facilities within the shire.	Fees charged to organisations and groups using the community facilities. Fees assist with maintenance of community facilities.	Fees & Charges to be set by Council as recommended by the Management Committee.	Med	Inclusion of Fees & Charges in Management Plan for each Financial Year. Revenue raised from use of the facilities.
Leasing of Surplus Land	To ensure that leases and licences are only granted if they are consistent with the requirements of the Local Government Act 1993 and other relevant legislation and policy.	Granting of any lease or licence is consistent with the requirements of the Local Government Act and other relevant legislation and policy.	Identify land surplus to the requirements of the community facility. Ensure all applications to lease land comply with Legislation	Low	All applications to lease community land comply with legislation.

Issue	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
Access	Encourage the use of community facilities by all member of the community, and improve access and use of them for those members who are restricted due to age, limited mobility and other physical or social barriers.	Aim to achieve the objectives of the Disability Discrimination Act 1992 when constructing new facilities.	All new facilities to be accessible to all members of the community.	High	Improved access by all members of the community.
Parking	To provide safe and adequate parking for users of the community facilities. Minimise spill over of parking on surrounding residential areas.	Provide adequate parking for the users of the community facilities, including emergency, disabled parking and bicycle parking, in accordance with RTA and Council guidelines.	Construct or identify parking bays and parking areas at the community facilities. Review the number of disabled and emergency parking bays provided.	High	Adequate parking areas provided for users.
Safety & Security	To provide community facilities which are safe and secure for use by all members of the community.	Provide measures to enhance the safety and security of users and visitors.	Provide adequate security lighting, signage, access and surveillance/public sight line measures.	High	Safety measures implemented.
Multi-use	Increase the multi use of community facilities.	Number and variety of uses and users at the community facilities increased.	Support the use of community facilities by a range of community groups. Review usage records of community facilities. Incorporate multi use goals and targets into management arrangements.	Med	Increase in the use and multi use of community facilities.
Residential amenity impact	To minimise adverse impacts on amenity for adjacent residential dwellings from the use of community facilities.	To protect adjacent dwellings from undue noise, lighting and visual impact from community facilities.	Where appropriate, provide landscaping, reasonable use curfews and ensure all lighting complies with the relevant Australian Standard.	Med	Actions taken to minimise impacts.

APPENDIX 1 – COMMUNITY LAND – GENERAL COMMUNITY USE – COMMUNITY FACILITIES

Lot/DP	Street Address	Town	Common Name	Category
Lot 121, DP 801547	151 Adams Street	Jindera	Jindera Pre-School	General Community Use - Facilities
Lot 18, DP 6431 & Lots A-B DP 413482	96-100 Main Street	Brocklesby	Brocklesby Community Hotel	General Community Use - Facilities
Lot 1 DP 1120311	9 Green Street	Morven	Held for proposed Community Building	General Community Use - Facilities
Lot 123, DP 753761	Walla Sub Hall Road	Walla Walla	Walla Walla Sub Hall	General Community Use - Facilities
Lot 1 DP 303434	Hume Highway	Woomargama	Woomargama Car Park	General Community Use - Facilities
Lot 14 Section 3 DP 758514	Lyne Street	Henty	Public Toilet & Car Park	General Community Use - Facilities
Lot 2 DP 6177 & Lot A DP 411520	72 Commercial Street	Walla Walla	Walla Walla Literary Institute	General Community Use - Facilities
Lot 1 Section 8 DP 3870 & Lot 1 DP 318245	25 Balfour Street	Culcairn	Culcairn Memorial Hall	General Community Use - Facilities



Greater Hume Shire

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**DRAFT GENERIC PLAN OF MANAGEMENT
FOR COMMUNITY LAND - GENERAL COMMUNITY USE**

1 INTRODUCTION

1.1 What is a Plan of Management?

A Plan of Management provides a framework for the management and development of public land. There are two main types of public land, Crown Land and Community Land. Crown Land is owned by the State for the benefit of all persons and Community Land is owned by the Council for the benefit of local residents and visitors. These two types of land are managed by separate legislative requirements; the Crown Lands Act 1989 and the Local Government Act 1993. All land included in this Generic Plan of Management is Community Land.

The Local Government Act 1993 requires that all public land owned by Council be classified as either community land or operational land. Council must have 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. Liaison with relevant Council officers and community feedback on the draft Plan of Management provides opportunities for community participation and involvement, establishing a sense of ownership in stakeholders and contributing to the ongoing success of the plans.

Plans of Management assist Council and landowners to budget and source funds for the future maintenance, improvement and development of community land.

1.2 Structure of this Plan of Management

This Plan of Management is in four main sections:

1. The Legislative context.
2. Current status.
3. The Basis for Management.
4. Strategies and Actions for implementation.

1.3 Land covered by this Plan

This Plan of Management covers the parcels of land categorised as Community Land – General Community Use, and are listed in Appendix 1.

This land is Community Land owned and managed by Greater Hume Shire Council.

2 HOW LEGISLATION APPLIES TO THIS PLAN

2.1 Local Government Act 1993

Under legislative requirements of the Local Government Act 1993 and further amendments, 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:

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

2.2 Community Land Categories

As detailed above, it is required under Section 36 of the Local Government Act 1993, that Council categorise community land as one or more of the following:

- Natural area, further categorised as
 - (a) bushland,
 - (b) wetland,
 - (c) escarpment,
 - (d) watercourse,
 - (e) foreshore,
 - (f) a category prescribed by the regulations, eg habitat of an endangered species
- Sportsground
- Park
- Area of Cultural Significance
- General Community Use

These categories determine the appropriate use and development of the land, with core objectives given to each category. Once Council has applied a category to a parcel of community land, it must manage the land in accordance with the relevant core objectives.

All parcels of land included in this Plan of Management have a primary category of General Community Use.

Guidelines for Categorisation

The Local Government (General) Regulation 2005 provides guidelines for each of the above categories. Guidelines from this Regulation for categorising community land as general community use are set out below:

Land should be categorised as general community use under section 36 (4) of the Act if the land:

- a. 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
- b. Is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 10-13 for categorisation as a natural area, a sportsground, a park or an area of cultural significance.

2.3 What dealings can Council have in Community Land?

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

2.4 Granting a lease or licence on Community Land

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

The Local Government Act 1993 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 Environmental 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.

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 of greater than five years may only be granted by tender, unless it is granted to a non-profit organisation;
- 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 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 the Council the subject to the proposal is likely to form the primary focus of the person's enjoyment of community land.

2.5 Other Statutory Provisions

Other relevant legislation, plans and policies that guide the management of Community Land identified in this Generic Plan of Management include, but is not limited to:

- Greater Hume Local Environmental Plan 2012

3 CURRENT STATUS

3.1 Uses & Facilities

Community facilities identified in this plan of management have a variety of uses. They are cemeteries and road reserves.

Cemetery Land classified in this management plan is held as community land for the purpose of holding the land as a cemetery reserve. The land is to provide an area for the granting of a conferral of an interment right to inter human remains pursuant to the Local Government (Cemetery) Regulations 2010.

Road reserve land classified in this management plan is held as community land for the purposes of roadside easements.

3.2 Maintenance and Management

In general, the road reserves are maintained and managed by Council. A committee of management is the most common form of management for the cemeteries included in this plan of management.

4 BASIS FOR MANAGEMENT

This Plan of Management is values based, with the values attributed to the Community Land determining its appropriate use, management and development. This Plan of Management aims to protect and enhance these values and further develop the roles of the land identified in this Plan of Management.

4.1 Objectives

Core Objectives for Community Land

The core objectives for community land categories outlined in the Local Government Act 1993 assist in determining the way that the land may be used and managed.

Cemeteries

The objectives for this management plan are for the holding of the land for the use of the community and to ensure an attractive, respectful and harmonious environment for all members and visitors to the community and provision of a well maintained and presented cemetery.

Road Reserves

The objectives for this management plan are for the holding of the land for the purposes of roadside easements.

4.2 Community Consultation

As set down in Section 38 of the Local Government Act 1993, a council must give public notice of a draft plan of management, and place the draft plan on public exhibition for no less than 28 days. Any submissions made to council in respect of the draft plan will be considered by council prior to the final adoption of the Plan of Management. Therefore, the Shire community will be able to have input into this draft plan of management through the public exhibition and submission stage.

Further to this, Council intends to, where applicable, provide opportunity for input and participation in decision making for all interested community groups, local land owners and local residents in relation to any potential development, use and management of community land arising from this draft generic plan of management.

This generic Plan of Management refers to several parcels of Community Land. It is not feasible to conduct targeted consultations for each parcel of land considering the large number of parcels of land and the generic nature of this plan. Also, any major or sensitive developments or embellishments to Community Land would be subject to further community consultation. Significant parcels of Community Land may also be subject to specific plans of management or be recommended that these be developed in the future.

5 POLICY

A number of key issues were identified through the preparation of this Draft Generic Plan of Management for General Community Use. These include:

CEMETERIES

Maintenance

The relevant Management Committee is responsible for regular mowing, weeding, gardening, irrigation and general maintenance to present the land to an acceptable standard.

Grounds Allocation and Use

The main purpose of the Management Committee is to grant interment rights or other approval including reservations and to ensure the proper management of grave preparation and restoration of the site.

Funds raised from interment and reservations will assist in the provision of maintenance and meet operating costs as well as provide for improvements to the facility.

Fees & Charges

The schedule of fees and charges is set by Council, taking into consideration the recommendations of the Management Committee and the operating requirements of the facility

Parking

Access and parking are very important issues as General Community Use areas are used by the broad cross section of the community and thus they should, where possible, be accessible by all.

- Lack of structured pathways can limit use by parts of the community.
- Gates on some entries to general community use areas can limit access for emergency and service vehicles.

Safety and Security

Ensure that all infrastructure provided is maintained to a safe and reasonable standard.

ROAD RESERVES

Maintenance

Road reserves are maintained to varying degrees across the Shire. This is understandable considering the varying age and use of these roads.

Council will continue to ensure compliance with the conditions of the road reserves.

6 STRATEGIES AND ACTION PLAN

6.1 Actions Table

The Actions Table provided within this Section outlines the direction for the management and development of the parcels of land included in this draft generic Plan of Management and has the following aims:

- To formulate objectives;
- To ensure consistency with the core objectives of the sportsground category of the land;
- To develop performance targets that will define the way that Council will achieve its objectives;
- To provide actions (or means of achievement), which is the way that Council will achieve its targets; and
- To provide performance measures for each action.

Any developments included in this Action Table require authorisation within this Plan of Management. Section 6 includes authorisation for future developments for the land included in this Plan of Management.

PRIORITIES AND PERFORMANCE CEMETERIES

Issue	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
Maintenance	To maintain all aspects of the community use land to ensure they are clean, safe and appropriate for their use.	Regular Risk Assessments undertaken at the facility. Regular mowing, weeding, gardening and general maintenance undertaken.	Strategies developed to address risks identified in assessment. Management committees informed of responsibilities regarding maintenance.	High	Risk Assessments conducted on a regular basis, safety improved. Complaints reduced regarding condition of facility.
	Encourage community groups and residents to become involved in the management of cemeteries..	Encourage community groups to seek funding for the embellishment of community land facilities.	Identify funding sources available to community groups for embellishment of the community land facilities.	Med	Additional funding identified and applied for.
Ground Allocation and Use	To facilitate the timely and efficient granting of interment rights and reservations.	Ensure Management Committees are aware of importance of issuing correct interment rights within a timely manner.	Management Committees informed of responsibility for overseeing the granting of interment rights and reservations.	Med	Interment rights are granted in a timely and efficient manner at least 24 hours prior to interment.
Fees & Charges	To ensure a fair and equitable charge for interment and reservations within the shire.	Fees charged for interments and reservations are fair and reasonable. Revenue raised will be utilised for maintenance and improvements at the cemetery.	Fees & Charges to be set by Council as recommended by the Management Committee.	Med	Inclusion of Fees & Charges in Management Plan for each Financial Year. Revenue raised from use of the facilities.
Parking	To provide safe and adequate parking for users of the cemetery.	Provide adequate parking for the users of the community facilities, including emergency, disabled parking and bicycle parking, in accordance with RTA and Council guidelines.	Construct or identify parking bays and parking areas at the community facilities. Review the number of disabled and emergency parking bays provided.	High	Adequate parking areas provided for users.
	To provide cemeteries which are safe and secure for use by all members of the community.	Ensure that all infrastructure provided is maintained to a safe and reasonable standard. And regular Risk Assessments undertaken.	Management Committees undertake regular inspections and maintenance of grounds.	High	Safety measures implemented.

PRIORITIES AND PERFORMANCE
ROAD RESERVES

Issue	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
Maintenance	To ensure road reserves are maintained in a reasonable condition.	Regular Risk Assessments undertaken at the facility. Regular mowing and general maintenance undertaken.	Strategies developed to address risks identified in assessment.	High	Risk Assessments conducted on a regular basis, safety improved. Complaints reduced regarding condition of road reserves.

APPENDIX 1 – COMMUNITY LAND – GENERAL COMMUNITY USE

Lot/DP	Street Address	Town	Common Name	Category
Closed Road	Adams Street	Jindera	Closed Road - Chr Adam & Fallon Streets	General Community
Lot 131 DP 846746	Wymah Road	Wagra	Closed Road – Wymah Road	General Community
Lot 7005 DP 1052590 & Lot 7007 DP 1052591	Howlong Road	Burrumbuttock	Burrumbuttock Cemeterly	General Community
Lot 1 DP 668392	148 Drumwood Road	Jindera	Part Jindera Cemeterly	General Community
Lot 1 DP 668472	1092 Bungowannah Road	Jindera	Bungowannah Cemeterly	General Community