

COMMUNITY LANDS OF

PARKS

SPORTSGROUNDS

GENERAL COMMUNITY USE

PLAN OF MANAGEMENT



Moree Plains Shire Council

2016

Moree Plains Shire Council

Vision, Mission and Values

Our Organisational Vision

Moree Plains Shire is a strong, robust community that provides a relaxed, healthy and harmonious lifestyle with an economy that supports the local region and preserves the important environmental qualities of our area.

Our Organisational Mission

Moree Plains Shire Council's mission is to lead the way in fostering a healthy, positive and well-resourced community.

Our Organisational Values

Commitment: working hard to get the job done.

Integrity: being open and honest in our dealings.

Partnerships: working together with the community.

Protection: ensuring our activities do not impact on the health, safety or welfare of our stakeholders.

Respect: valuing the feelings, opinions and needs of others.

Service: giving our best to the community.

Our Community Vision

Blessed by the Plains' rich black soils and artesian waters, Shire residents enjoy a vibrant rural economy, have a deep cultural connection to Country, and harbour a deep respect for their place and each other in such a way as to impress newcomers.

Our Community Values

Celebrate our cultural diversity: Moree Plains gains so much from the diversity of its people.

Celebrate and embrace our differences by working together: a real sense of opportunity is evident within the Shire and residents work together to improve their quality of life.

A country lifestyle: residents have a commitment to maintaining a relaxed and tranquil community, ensuring that the Shire is a great place to raise a family.

An engaged community: there is an understanding that our vision cannot be achieved without involvement and contribution from the entire community.

Statement of Recognition of Moree Plains Shire's Aboriginal Cultural Heritage

Council values the unique status of Aboriginal people as the original custodians of lands and waters, including the land and waters of Moree Plains Shire. We work together for a united Australia and Shire that respects this land of ours, that values the diversity of Aboriginal cultural heritage, and provides justice and equity for all.

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1. Introduction

1.1 What is a Plan of Management?

- The Local Government Act 1993 (the Act) requires a Plan of Management to be prepared for all public land that is classified as ‘community’ land under that Act.
- A Plan of Management (PoM) is an important management tool, which is written by council in consultation with the community.
- A PoM outlines the land’s features, and clarifies how Council will manage, use or develop the land in the future.
- A PoM provides a transparent and co-ordinated approach to public land management.
- Community land may include a wide variety of properties, ranging from small recreation reserves to iconic parks, and in some instances buildings.
- Community land supports important aspects of community life, and is valued and appreciated by residents, workers, and visitors to the Shire of Moree Plains.
- The Act requires that community land is categorised as either natural area, park, sportsground, area of cultural significance, or general community use.
- A PoM can be prepared for more than one parcel of land (Generic or Geographic) or for a single property (Significant or Specific).

1.2 Need for this Plan of Management

The Local Government Act 1993 (the ‘Act’) requires all Council-owned land to be classified as either ‘community’ land or ‘operational’ land. Land classified as ‘Community’ land is to be managed and used in accordance with an adopted PoM.

The purpose of this PoM is to:

- contribute to the Shire’s broader strategic goals and vision as set out in *Moree Plains 2035 – Community Strategic Plan* (and supporting documents);
- ensure compliance with the Local Government Act 1993; and
- provide clarity in the future development, use and management of the community land.

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1.3 Process of preparing this Management

The process of preparing this Plan of Management, consultations with stakeholders, and documents produced at each stage, are shown in Figure 1.1.

Figure 1.1
Process of preparing this Plan of management

Consultations	Stages	Outputs
<p>Notices placed in Moree Champion Newspaper All documents available for inspection at Council's Offices and on the website.</p> <p>Resolution by Council</p>	<p>PREPARE DRAFT PLAN OF MANAGEMENT</p> <p>COUNCIL RESOLUTION</p> <p>PUBLIC EXHIBITION</p> <p>CONSIDER SUBMISSIONS</p> <p>PREPARE FINAL PLAN OF MANAGEMENT</p> <p>ADOPTION</p> <p>IMPLEMENTATION</p>	<p>Draft Plan of Management Report to Council</p> <p>Written submissions to Council</p> <p>Summary of submissions</p> <p>Report to Council</p> <p>Generic Plan of Management for Parks, Sportsgrounds and General Community Use Land</p>

1.4 Community Consultation

Community consultation and input is important to ensure a Plan of Management meets the needs of the local community. It also encourages an appreciation of the Shire's aims for management of public land.

Public notice of a draft PoM must be given and the draft plan must be placed on public exhibition for not less than 28 days. The public notice must specify that a period of not less than 42 days is available for submissions to be lodged with council.

A public hearing in respect of a draft PoM is only required if the plan proposes categorising, or altering the categorisation of community land. There are no changes of category proposed in this PoM.

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1.5 Contents of this Plan of Management

This Plan of Management is divided into the following sections, as outlined in Table 1.1.

Table 1.1 Structure of this Plan of Management

Section	What does it include?
1. Introduction	Background to the Plan of Management – what is a Plan of Management?, the need for the Plan of Management, process of preparation, community consultation, contents
2. Land description and planning	Land covered by the PoM
3. Legislative framework	State government planning legislation, local planning context
4. Basis of management	Categories of community land Objectives, performance targets, assessment of performance
5. Land Uses	Permissible uses and developments, scale and intensity of use, use agreements, bookings and events
6. Leases, licences & other estates	Authorisation of leases, licences and other estates; short term v casual hire
7. Change & review of PoM	Process of reviewing and updating the PoM
Appendices	A. Contains a schedule of the Community land covered by this PoM

Requirements of the Local Government Act for the contents of a Plan of Management, and where they can be found in this Plan, are listed in Table 1.2.

Table 1.2 Contents of a Plan of Management for community land

Requirement of the Local Government Act	How this plan satisfies the Act
Categorisation of community land	Sections 3,4 Appendix A
A description of the condition of the land, and of any buildings or other improvements on the land as at the date of adoption of the Plan of Management	Appendix A
The purposes for which the land, and any such buildings or improvements, will be permitted to be used	Sections 5, 6
The purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise	Sections 5, 6
A description of the scale and intensity of any such permitted use or development	Section 5
Authorisation of leases, licences or other estates over community land	Section 6
Performance targets	Section 4
A means for assessing achievement of objectives and performance targets	Section 4

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2. Land Description and Planning

2.1 Land covered by this Plan of Management

This generic PoM includes many of the Shire’s open spaces and parks which are categorised as Park, Sportsground, or General Community Use. Including these parks in a generic PoM ensures consistent management which supports a cohesive approach to meeting the diverse needs of the community.

The community land covered by this Generic Plan of Management is identified in the schedule in Appendix A.

2.2 Why are some parks missing?

Land that is **not** covered by this Generic PoM includes:

- community land covered by a specific Plan of Management;
- public open spaces and recreation facility assets within the Shire’s local government area (LGA) which are owned or managed by other entities (e.g. PCYC, Lifestyle Academy);
- privately owned land which is made available for public use;
- Council owned land that is classified under the Local Government Act as Operational land;
- Council owned land that is classified as Community Land and further categorised as “natural area”;
- Crown Land within the Shire.

Many of the parks within the Shire are Crown land owned by the State of New South Wales, and are managed by the Shire on behalf of the State.

The Shire manages Crown land assets in a similar manner to managing its community land. This Generic PoM has not been prepared for formal endorsement in accordance with the Crown Lands Act 1989. It does not affect any plans of management prepared and adopted by the Minister under the Crown Lands Act 1989.

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3. Legislative Framework.

This section describes the legislative and policy framework applying to the land covered under this Plan of Management

3.1 Local Government Act 1993

Community land must be managed according to the provisions of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The Local Government Act 1993 requires all Council owned land to be classified as either Operational or Community land. Community land is defined as land that must be kept for the use of the general community, and must not be sold. Community land is required to be managed in accordance with a PoM (refer Table 3.1) and any other laws regulating the use of the land.

Table 3.1 Requirements of the Local Government Act for Community land management

All community land must be categorised
The plan must contain core objectives for management of the land
The Plan must include a description of the condition of the land, and of any buildings or other improvements on the land.
The Plan must specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used.
The Plan must specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise.
The Plan must describe the scale and intensity of any such permitted use or development.
The Plan must include performance targets.
The Plan must contain means for assessing achievement of objectives and performance targets.
Council must exhibit the draft Plan for 28 days and give at least 42 days for the making of submissions.
Any amendments to a draft Plan must be publicly exhibited in the same way, until the Council can adopt the draft Plan without further amendment.
A Council may only grant a lease, licence or other estate over community land if it is expressly authorised in a Plan of Management

3.2 Zoning and Planning Controls

The Environmental Planning and Assessment Act 1979 (EPA Act) establishes the statutory planning framework for environmental and land use planning in NSW.

The Moree Plains Local Environmental Plan 2011 (LEP) was approved by the Department of Planning and Infrastructure, under delegation from the Minister on 09 December 2011.

The LEP is consistent with the extensive strategic planning work Council has undertaken in the Moree Plains Growth Management Strategy and Aboriginal Heritage Study, Koala Habitat Mapping project and the Flood Prone Mapping project which were endorsed by the Department in 2009.

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Development or uses requiring a Development Application will be assessed under Section 79(c) of the Environmental Planning and Assessment Act 1979. In summary, the possible impacts of any proposal will be considered in the light of all relevant planning controls and Council policies.

3.3 Other Relevant Legislation and Policies

In addition to the requirements of the Local Government Act 1993, there are a number of other pieces of legislation and Government policies that are relevant to the ongoing development and management of community land categorised as Park, Sportsground or General Community Use. Legislation and policies with direct relevance to the subject sites are listed below:

3.3.1 Commonwealth legislation

The Federal Telecommunications Act 1997 provides for telecommunication facilities being permitted on community land without authorisation in a Plan of Management.

3.3.2 State Government Legislation and Policies

Environmental Planning and Assessment Act 1979

State Environmental Planning Policies (SEPPs)

Companion Animals Act 1998

Disability Discrimination Act 1992

Heritage Act 1977

Protection of the Environment Operations Act 1997

Waste Minimisation Act 1995

Pesticides Act 1999

Retail Leases Act 1994

Threatened Species Conservation Act 1995

Water Management Act 2000

3.3.3 Council Plans and Policies

Moree Plains 2035 – Community Strategic Plan

Code of Practice for Section 355 Committees

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4. Basis of Management

4.1 Categorisation of Community Land

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

Section 36(4) of the Act requires Community land to be categorised (or broken down) into one of five categories as set out in the Act, which are:

- Natural Area (to be further sub-categorised as Bushland, Wetland, Escarpment, Watercourse or Foreshore);
- Sportsground;
- Park;
- Area of Cultural Significance;
- General Community Use.

The categories reflect land use and/or the physical characteristics of the land. Categorisation enables the Shire to focus its attention on the dominant character of the land, and the operational management of the asset.

The categories relevant to the Community-classified land in Appendix A are:

- Park;
- Sportsground;
- General Community Use.

More than one category may apply to a parcel of community land, such as an informal park may adjoin a sportsground, or a hall for general community use.

The guidelines for categorisation of community land are set out in the Local Government (General) Regulation 2005. The core objectives for each category are set out in the Local Government Act 1993. The guidelines and core objectives for the Park, Sportsground and General Community Use categories are set out in Table 4.1.

Appendix A identifies the community land to which the plan applies and the categories applicable to those parcels.

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Table 4.1 Guidelines for and core objectives of community land categorised as Park, Sportsground or General Community Use

Category	Guidelines (1)	Core Objectives (2)
Park	Land which is, or proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that not unduly intrude on the peaceful enjoyment of the land by others.	<ul style="list-style-type: none"> – encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities. – provide for passive recreational activities or pastimes and for the casual playing of games. – improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management
Sportsground	Land should be categorised as ‘Sportsground’ if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.	<ul style="list-style-type: none"> – encourage, promote and facilitate recreational pursuits in the community with active recreation involving organised sports and informal sporting activities and games. – ensure that such activities are managed having regard to any adverse impact on nearby residences.
General Community Use	Land that 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.	<ul style="list-style-type: none"> – to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public: <ul style="list-style-type: none"> • in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public. • 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).

(1) Local Government (General Regulation) 2005

(2) Local Government Act 1993

Council must manage Community land in accordance with these core objectives. Any activities or uses of the land should be consistent with the core objectives for that category of land.

Table 4.2 addresses the requirements of the LGA with regard to objectives, the manner of achieving these objectives and assessment of performance with regard to community land categorised as Park, Sportsground or General Community Use. The indicators provided are addressed in the Moree Plains 2035 Community Strategic Plan.

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Table 4.2 Objectives and performance in accordance with section 36(3) of the Local Government Act, 1993

OBJECTIVES s.36(3)(b) LGA 1993 (<i>Moree Plains 2035 Community Strategic Plan</i>) *	MEANS OF ACHIEVEMENT OF OBJECTIVES s.36(3)(c) (*)	MANNER OF ASSESSMENT OF PERFORMANCE s.36(3)(d) <i>Measuring our success</i> (*)
<p>S4.1 Provide access to diverse recreational and cultural opportunities</p> <p>S4.2 Provide our communities with a range of sustainable services, facilities and amenities</p>	<p>As an organisation, Council will:</p> <ul style="list-style-type: none"> • Provide safe, well-maintained community infrastructure, spaces and parks • Provide community facilities, recreation and leisure programs that provide choice. 	<p>Improved health and wellbeing for all Residents (ABS Statistics)</p>
<p>E3.3 Provide opportunities for the enjoyment of community spaces and places</p>	<p>Maintain public areas such as parks, gardens and ovals to a high standard</p>	<p>More people are satisfied with the look and feel of the built environment (MPSC Community Satisfaction Survey)</p>

4.2 Management of Community Land

The Shire intends to manage its community land to meet the objectives set out in Table 4.1 of this PoM. The types of uses, and development, which may take place, are identified in Sections 5 and 6.

Sections 355 and 377 of the Local Government Act, 1990 enable the day to day management of Community land to be delegated by council to a committee. Such a committee is generally comprised of local residents.

Council has established a “Code of Practice for Section 355 Committees”

Management principles of a section 355 committee are governed by adoption of a constitution.

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5. Land Uses

5.1 Permissible uses and developments

The use and development of community land should be generally compatible with both the intended function of the land, and the wider community context.

The Shire encourages a wide range of uses of community land, and intends to facilitate uses which increase the vitality and general enjoyment of its land.

With buildings, and recreational and sporting facilities in particular, the Shire intends to permit and encourage a broad range of activities.

The use of Community land is frequently encouraged, and supported, by appropriate ancillary development, (for example, playground equipment, amenity blocks, or food kiosks). The general types of uses which may occur on Community land categorised as Park, Sportsground and General Community Use, and the forms of development generally associated with those uses, are set out in Table 5.1. The facilities on Community land may change over time, reflecting the needs of the community.

While this PoM intends to facilitate and encourage the use of land, it does not reduce the Shire’s capacity to manage its assets in an alternative way. For example, the Shire may choose to operate its facilities through staff, or through the use of contractors.

The anticipated uses, and associated development, identified in Table 5.1 are intended to provide an overview or general guide. The expressions used are not intended to impose a strict or defined meaning. For example, a reference to “cricket” is also intended to include the variations and modifications of that game (such as Kanga Cricket, and rounders).

The Shire anticipates that new sports may develop, and others increase in popularity. If this occurs, then some sections of Community land may be adapted to allow that use, as it is a form of ‘active recreation’ enjoyed by members of the Shire’s community. References such as ‘field’, or ‘court’, are not intended to preclude development of an appropriate surface for that sport, even if that surface is usually described in a slightly different way.

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Table 5.1 Permissible uses of land categorised as Park, Sportsground and General Community Use

Purpose/Use	Development
Park Category	
<p>Active and passive recreation including children’s play</p> <p>Group recreational use, such as picnics and private celebrations</p> <p>Festivals, parades, markets, fairs, auctions and similar events and gatherings</p> <p>Exhibitions</p> <p>Filming and photographic projects</p> <p>Busking</p> <p>Public address (speeches)</p> <p>Community gardens</p> <p>Café or refreshment areas (kiosks/restaurants) including external seating</p> <p>Publicly accessible ancillary areas, such toilet facilities</p> <p>Restricted access ancillary areas (e.g. storage areas associated with functions, gardening equipment)</p> <p>Service areas ancillary to the use of land (e.g. loading areas, car spaces, bicycle racks)</p> <p>Low intensity commercial activities (e.g. recreational equipment hire)</p>	<ul style="list-style-type: none"> – Development for the purposes of improving access, amenity and the visual character of the park – Amenities to facilitate the safety, use and enjoyment of the park e.g. children’s play equipment – Lighting, seating, toilet facilities, courts or marked areas (e.g. access paths and activity trails) – Hard and soft landscaped areas – BBQ facilities and sheltered seating areas – Ancillary service, transport or loading areas – Commercial development which is sympathetic to and supports use in the area, e.g. cafes, kiosks, recreation hire equipment areas – Community gardens
Sportsground category	
<p>Active and passive recreational and sporting activities consistent with the nature of the particular land and any relevant facilities, e.g.</p> <p>–oval (cricket, football, rugby, track and field athletics, Australian rules, baseball, softball)</p> <p>–marked court (basketball, volleyball, badminton, tennis and netball)</p> <p>Change room/locker areas</p> <p>Shower/toilet facilities</p> <p>Kiosk/café uses</p> <p>Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas)</p> <p>Shade structures, storage ancillary to recreational uses, community events or gatherings, and public meetings</p> <p>Commercial uses associated with sports facilities (e.g. kiosks, cafes, sale or hire of recreational equipment, sports tuition, nutritionist, physiotherapist)</p>	<ul style="list-style-type: none"> – Development for the purpose of conducting and facilitating organised sport (both amateur and professional) – Sports training – Promotion of organised and unstructured recreation activities – Provision of amenities to facilitate use and enjoyment of the community land including change rooms, toilets, storage, first aid areas – Café/kiosk facilities – Equipment sales/hire areas – Meeting rooms/staff areas – Compatible, small scale commercial uses (e.g. physiotherapy practice, dietician)

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Purpose/Use	Development
General Community Use category	
<p>Provides a location for, and supports, the gathering of groups for a range of general social, cultural or recreational purposes</p> <p>Includes multi-purpose buildings (e.g. community halls and centres) with specialised community uses</p> <p>Uses may include:</p> <ul style="list-style-type: none"> – casual or informal recreational use – meetings, (including for social, recreational, educational or cultural purposes) – functions – concerts, including all musical genres – performances (including film and stage) – exhibitions – fairs, tradeshows and auctions (e.g. antiques, coins, art and other goods) – workshops – parades (e.g. fashion parades) – leisure or training classes – child care (e.g. before and after school care, vacation care) – designated group use (e.g. scout and girl guide use) – educational centres, including libraries, information and resource centres – entertainment facilities 	<p>Development for the purposes of social, community, cultural, recreational activities, including:</p> <ul style="list-style-type: none"> – Landscaping and finishes, improving access, amenity and the visual character of the general community area – Provision of buildings or other amenity areas to facilitate use and enjoyment by the community – Development (particularly within buildings) for the purposes of addressing the needs of a particular group (e.g. library facilities; stage facilities, recording areas) - Maintain undeveloped sites to minimise hazards

Future development and use of the community land will need to:

1. Meet legislative requirements

The zoning tables in the Shire of Moree Plains LEP specify the range of uses and activities that may be permitted on the land. A number of uses are also set out in the Regulations to the Local Government Act 1993.

2. Be consistent with the guidelines and core objectives of the community land category.

Under the Local Government Act uses and development of community land must be consistent with the guidelines for categorisation and the core objectives of each category, and any other additional objectives the Council proposes to place on the community land categories (refer to Section 4).

3. Be consistent with relevant Council policies.

Relevant Council policies as at the date of adoption of this plan are set out in Section 3 (Legislative Framework). The goals and strategies outlined in these documents have been used to guide the outcomes of this PoM.

The Shire’s policies will continue to develop after the preparation of this PoM. Management of the Shire’s assets, and their development, will take into account the policy framework at the relevant time.

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Substantial upgrades and proposed new development will take into account a range of factors, including:

- This PoM and the core objectives for the land;
- The planning controls for the land;
- The Shire’s adopted policies;
- The characteristics of the land affected, including existing and future use patterns.
- Any landscape masterplan for the land.

Minor changes to Community land are regularly made on a routine basis, such as garden beds are replanted, and damaged play equipment is replaced.

5.2 Scale and intensity of land use

The scale and intensity of development and activities on Community land is to be generally compatible with the scale and anticipated use of the park or reserve.

In particular, the scale and intensity of use will be consistent with the carrying capacity of the land, and any masterplan or development application relating to the land.

5.3 Uses and agreements

The Shire may from time to time enter into or create a range of leases, licences, other estates, management agreements (including under the provisions of sections 355 and 377 of the Local Government Act 1990), and/or booking arrangements, in order to encourage the use of the land and/or buildings appropriately and effectively. These arrangements are intended to support and encourage a range of uses, which enhance the level of activation and enjoyment of the space.

Kiosks, restaurants, refreshment facilities, mobile vending, recreational equipment sale or hire (e.g. bicycle hire or sale of swimming accessories), may support the general community enjoyment of the areas. Each proposal will be reviewed to ensure it is compatible with the relevant land. The types of uses and agreements, which the Shire considers appropriate, are described in Section 6.

5.4 Bookings and events

In supporting urban and regional liveability, parks, sportsgrounds, and buildings intended for community use have significant potential as venues for short term public and private special events of different sizes and scale.

The Shire is responsible for bookings of community land and reserves in its LGA. Generally, the Shire seeks to encourage a broad and appropriate range of uses within its area. Public halls (identified in Appendix A) are managed by local committees appointed by council. These committees manage the day to day affairs of the halls, including hiring and use. Contact details for committees can be obtained from council offices, or council’s website <http://www.mpsc.nsw.gov.au/>

General enquiries concerning hiring of community lands should be directed to council offices, or the website.

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6. Leases, licences and other estates

6.1 What are Leases, licences and other estates?

A lease is a contract between a land owner, and another entity, granting that entity a right to occupy an area, usually exclusively, for a specified period of time. The Shire will consider leasing areas of the land covered by this PoM especially in the following situations:

- there is a clear reason for granting a lease, and the lease is consistent with the intended use of the land e.g. a child care operator may need exclusive occupation and control of the child care centre.
- the occupant has made (or intends to make) a significant financial contribution to the asset e.g. a café operator may propose a new fit out of the café as part of a lease agreement.
- There is a very strong link between the nature of the asset and the proposed tenant e.g. a lease of a scout hall to Scouts Australia.

In addition, the Act and its Regulation specify some additional uses (e.g. public infrastructure) which are permitted, and which may be authorised by a lease or licence arrangement.

A licence allows occupation and a clear and transparent way of identifying the permitted activity. The main difference between a lease and licence is that a licence does not permit the sole, or exclusive, use of the area. Licences may be granted to formally recognise and endorse shared uses. For example, an outdoor seating area adjoining a café may be used by the café at some periods, but not all the time. Short term licences and bookings may be used to allow the Shire to program different uses at different times, allowing the best overall use. The Shire may use short term licences or bookings to manage the types of uses set out in Table 6.1 in particular.

6.2 Authorisation of Leases, Licences or Other Estates over Community Land

The Act requires that any lease or licence of Community Land must be authorised by a PoM. The lease or licence must be for purposes consistent with the categorisation and zoning of the land.

The maximum period for leases or licences on Community land permitted under the Act is 21 years. If a lease or licence is anticipated, then public notice should be given in accordance with the requirements of the Act. Where a lease arrangement has been entered into with Council for community land, subleasing the land must be in accordance with the requirements of Section 47C of the Act and Clause 119 of the Local Government (General) Regulation 2005.

This PoM authorises existing leases and licence agreements until the end of their current term. The leased or licensed areas may be renewed or changed in future. The leased or licensed areas may be reconfigured in the future to reflect changes in community needs.

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This PoM authorises the Shire to grant leases, licences or any other estates for community land covered in this PoM for purposes and uses which are identified or consistent with those in Table 5.1 and Tables 6.1 and 6.2. Some examples of longer term arrangements are outlined in the following Table 6.1. Shorter arrangements (for example, a short term licence associated with a particular event, or recurring for a few hours each season) are set out in Table 6.2.

Table 6.1 Leases, Licences and Other Estates

Type of Arrangement Authorised	Land and Facilities covered	Purposes for which long term leasing/licensing will be granted
Lease	Community land and buildings	<p>Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the area to support the activity.</p> <p>Sympathetic, compatible uses may include (but not be limited to):</p> <ul style="list-style-type: none"> – child care or vacation care – health or medical practitioners associated with the relevant facility (e.g. nutrition, physiotherapy) – educational purposes, including libraries, education classes, workshops – cultural purposes, including concerts, dramatic productions, and galleries – recreational purposes, including fitness classes; dance classes, and games – sporting uses developed/operated by a private operator – kiosk, café and refreshment purposes – commercial retail uses associated with the facility (e.g. sale or hire of sports goods) -
	Park/Sportsground	<p>Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the area to support the activity.</p> <p>Sympathetic, compatible uses including:</p> <ul style="list-style-type: none"> – café/kiosk areas, including seating and tables – management of court facilities – hire or sale of recreational equipment
Licence	Community Land and Buildings	<p>Sympathetic, compatible uses including:</p> <ul style="list-style-type: none"> – social purposes (including child care, vacation care) – educational purposes, including libraries, education classes, workshops – recreational purposes, including fitness classes; dance classes – café/kiosk areas - property maintenance purposes (grazing) where such activity is not inconsistent with any identified public use or access.
	Park/ Sportsground	<p>Sympathetic, compatible uses including:</p> <ul style="list-style-type: none"> – Outdoor café/kiosk seating and tables – Management of court or similar facilities

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		<ul style="list-style-type: none"> – Hire or sale of recreational equipment – Any licence proposal will be assessed and considered, having regard to the community benefit, compatibility with this PoM and the capacity of the area to support the activity
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Type of Arrangement Authorised	Land and Facilities covered	Purposes for which long term leasing/licensing will be granted
Other Estates	Community land and buildings	<p>This PoM allows Council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the Local Government Act 1993.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the Council or other public utility provider that is situated on community land.</p>

6.3 Short Term Uses

Table 6.2 Short Term Uses

Community land Category	Purposes for which short term casual licences may be granted
Park	<ul style="list-style-type: none"> – community events and festivals – playing a musical instrument, or singing for fee or reward – picnics and private celebrations such as weddings and family gatherings – filming, including for cinema/television – conducting a commercial photography session – public performances – engaging in an appropriate trade or business – delivering a public address – community events – fairs, markets, auctions and similar activities
Sportsground	<ul style="list-style-type: none"> – sporting fixtures and events – sports and fitness training and classes – broadcasting or filming of sporting fixtures – ancillary ceremonies (e.g. rehearsal of opening and closing ceremonies, cheer squads, etc) – uses reasonably associated with the promotion or enhancement of sporting groups, fixtures and events (e.g. “guest” events for juniors; gala days; club meetings)
General Community Use	<ul style="list-style-type: none"> – Public speeches, meetings, seminars and presentations, including educational programs – Functions (including commemorative functions, book launches, film releases, balls, and similar activities) – Displays, exhibitions, fairs, fashion parades and shows – Events (including weddings, corporate functions, and community gatherings) – Concerts and other performances, including both live performances and film (cinema and TV)

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| <ul style="list-style-type: none"> – Broadcasts associated with any event, concert, or public speech – Engaging in an appropriate trade or business delivering a public address, community events; auctions, markets and similar activities |
|---|

The examples given in Tables 6.1 and 6.2 are illustrative only. The Council welcomes innovation, and there may be new ways to better utilise a space. Interested parties should contact Council to locate the relevant staff member to discuss their particular interest area.

The grant of a lease or licence is an important step in using community land, but there may be other requirements relevant to any proposed use. For example, the refurbishment of a kiosk may also require development consent under the Environmental Planning and Assessment Act 1979. Any interested person should check carefully to make sure they are aware of all relevant requirements.

Agreements for use of community land may be granted for events of short duration which may be anything from a few hours to a few days. These casual arrangements should be for the types of short term uses identified in Table 6.2.

The functions and events conducted at each particular location may vary significantly, in light of the facilities available in that location. For example, catering services are available in some (not all) community buildings. In assessing Community land categorised as Park as a venue for any proposed event, the Council applies the following minimum criteria:

- the event should not result in physical damage to the park;
- where appropriate, the event should be made available to all sections of the community;
- the event should not result in a significant adverse impact on adjoining residents;
- organisers of the site should be responsible for cleaning up the site and repairing any damage that may occur.

Fees for short-term casual bookings will be charged in accordance with Council’s adopted Fees and Charges at the time.

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7. Changes and Review of the Plan of Management

This PoM will require regular review in order to align with community values and changing community needs, and to reflect changes in Council priorities.

The performance of this PoM will be reviewed on a regular basis to ensure the park, sportsground and general community use land and buildings are well maintained and provide a safe environment for public enjoyment.

Strategic reviews of this PoM will occur at 5 and 10 year intervals.

The Appendix to this PoM may be updated from time to time, without the requirement for public exhibition or review by Council. Amendment to the Appendix may reflect significant changes to the condition of the community land, new acquisitions, dedications of land, or reclassifications.

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APPENDIX A

COMMUNITY LAND SCHEDULE APPENDIX A

Classification	Property	Address	Lot/s	Sec	DP	Parish/ Town	Area	Owners	Zoning	CATEGORY	Land/Building Use	Improvements*	CONDITION*
PARK & SPORTS GROUND												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: physical unsound and/or beyond rehabilitation	
Community	Apex Park	43 Gwydir Street, Moree	B			434559 Moree	3503 m2	MPSC	RE1 - Public Recreation	PARK	Park	Automatic toilet, shade sails playground equip shelters fences	1
Community	Jacaranda Park	Shaftsbury Avenue, Moree	32, 52			260410 261635 Moree	1.63 ha	MPSC	RE1 - Public Recreation	PARK	Park	BBQ, shade sails playground equip shelters	1
Community	Kirkby Park House block	63 Frome Street Moree	29			751780 Moree	Approx 1000 m2	MPSC	RE1 - Public Recreation	PARK	Park	Nil	2
Community	Kirkby Park	Balo Street Moree	1			1168343 Moree	Approximately 8000 m2	MPSC	RE1 - Public Recreation	PARK	Reserve	Automatic toilet, shade sails playground equip shelters toilet block	1 2 3
Community	Mary Brand Park	3 Banks Street Moree	Lots 3-6 Lots 1-6			53 758706 1115428 Moree	Approx 8000 m2	MPSC	RE1 - Public Recreation	PARK	Park	Sprinkler system	2
Community	Lions (Lyle Kirkby) Park	Bridge Street Moree	53			3377 Moree	Approx 1100 m2	MPSC	RE1 - Public Recreation	PARK	Park	table/benches/shelter/ elec BBQ static steam engine	2
Community	Park & Toilets	155 St George Street Mungindi	2			225162 Yarouah	3636 m2	MPSC	RE1 - Public Recreation	PARK	Park & Toilets	Shelter/seats toilet block	3 1
Community	Leonard Victor Waters Memorial Park	117 Merriwa Street Boggabilla	7			17 758127 Boggabilla	Approx 2023 m2	MPSC	RU5 - Village	PARK	Park	Amenities block shade shelter	2 3
Community	Boomi Heritage Park	26 Bishop St Boomi	2			12 758135 Boomi	Approx 1000 m2	MPSC	RU5 - Village	PARK	Park	Historic machinery display Playground equipment Shade shelter	1
Community	Victory park (cnr Auburn & Alice Streets)	301 Auburn Street Moree	14 & 7			20 Moree	Approx 2000 m2	MPSC	RE1 - Public Recreation	PARK	Park	Nil	2
Community	Bob Vaile Park	Gwydir Street Moree	6			238789 Moree	Approx 1400 m2	MPSC	RE1 - Public Recreation	PARK	Park	Nil	2
Community	Boonery Park	7 Boonery Road Moree	4 & 5			226102 Moree	Approx 1400 m2	MPSC	RE1 - Public Recreation	PARK	Park	Nil	2
Community	Midkin Park - (also Ashley Hall below)	54 Boolooloo Street Ashley	4			22 758037 Ashley	2023 m2	MPSC	RU5 - Village	PARK/ SPORTSGROUND	Park	Shade/fencing/shelter/play equip Tennis court & fence	1 2
Community	Webb Oval/Webb Park	1 Webb Ave	573			751780 Moree	2 hectares	MPSC	RE1 - Public Recreation	PARK / SPORTSGROUND	Park	Shelters (2), Tables & seats, elec BBQ, sewer dump Toilet block, fence	1 2
Community	Boomi Cricket Grounds	9 Boomi Street, Boomi	3,4,6,7 & 8			1 758135 Boomi	1.01 ha	MPSC	RU5 - Village	SPORTSGROUND	Cricket field	Cricket Pitch, cricket nets, shelter, amenities building	2
Community	Boomi Tennis Courts	26-30 Boomi Street, & 33 Bishop Street, Boomi	2,3 & 7			13 758135 Boomi	6069 m2	MPSC	RU5 - Village	SPORTSGROUND	Tennis courts, parking	Tennis courts, lights	2
Community	Garah Recreation Grounds	Railway Parade, Garah	95			755999 Garah	1.6 ha	MPSC	RU1 - Primary Production	SPORTSGROUND	Tennis courts, cricket field,	Tennis courts, lights, cricket pitch, amenities building, club house.	2
GENERAL COMMUNITY USE													
Community	Pallamallawa Hall	47 Generoi Street Pallamallawa	7			15 758824 Paramellawa	2023 m2	MPSC	RU5 - Village	GENERAL COMMUNITY USE	Community Hall	Building	3
Community	Gurley Hall	Courallie Street Gurley	20			1052470 Gurley	6070 m2	MPSC	RU5 - Village	GENERAL COMMUNITY USE	Community Hall	Shade shelter, play equip, tennis court & fence building & air con	1 2
Community	Ashley Hall	54 Boolooloo Street Ashley	3			22 758037 Bogree	4047 m2	MPSC	RU5 - Village	GENERAL COMMUNITY USE	Community Hall	Building	2
Community	Boomi Hall	22 Bishop Street, Boomi	1			12 758135 Boomi	2023 m2	MPSC	RU5 - Village	GENERAL COMMUNITY USE	Community Hall	Building, aircon, Toilet block shelter	2 1
Community	Garah Hall	15 Midkin Street, Garah	1			23 758430 Garah	2023 m2	MPSC	RU5 - Village	GENERAL COMMUNITY USE	Community Hall	Building, aircon, Toilet block	2
Community	Mallawa Hall	Mallawa Road	5			750442 Carbeenbri	2.172 ha	MPSC	RU1 - Primary Production	GENERAL COMMUNITY USE	Community Hall	Building	5

* NOTE: Improvements located on Community Land, their descriptions, condition and maintenance/management will be provided for in greater detail with development of a separate supporting Asset Management Plan.

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