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## PLAN OF MANAGEMENT

## MISCELLANEOUS RESERVES



**RESERVES: 84528, 97980, 95524**

## 1. KEY INFORMATION

The Miscellaneous Reserves Plan of Management has been prepared by Yass Valley Council and provides direction as to the land management of the specified Crown Reserves where Council is the Crown Land Manager.

Plans of Management provide information about the reserve and its users, and state what, why, how and by whom the values of a reserve are to be managed. Plans of Management are statements about how a reserve is to be managed in line with its purpose.

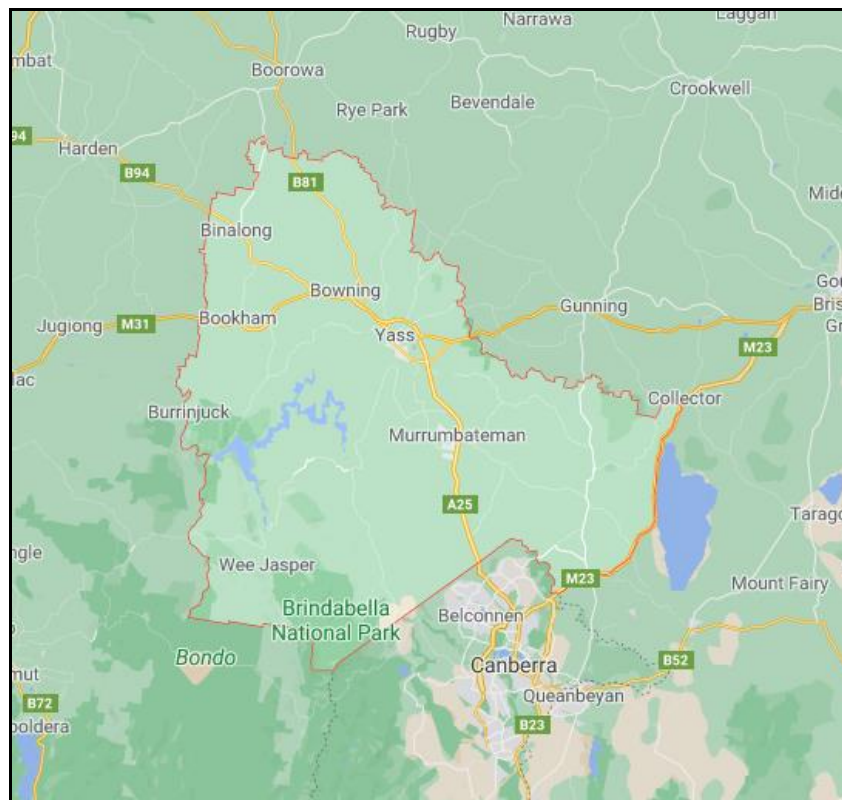
This Plan of Management has been prepared in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993* to provide a framework for the future management, use and development of the Miscellaneous reserves for which the Yass Valley Council is the Crown Land Manager pursuant to the relevant provisions of the *Crown Land Management Act 2016*.

The date of adoption for the Miscellaneous Reserves Plan of Management is the 31<sup>st</sup> October 2022.

## 2. INTRODUCTION

Yass Valley Council is a local government area in the Southern Tablelands region of New South Wales with access to Hume, Federal and Barton Highways and the Main Southern railway line. Yass Valley includes the towns, and extensive rural and residential areas of Yass, Binalong, Bookham, Bowning, Gundaroo, Murrumbateman, Parkwood, Sutton, Wallaroo, Wee Jasper and Bywong (part).

Yass Valley Council is responsible for the care and control of many parcels of community land and with the introduction of the *Crown Land Management Act 2016* on 1 July 2018, Crown Reserves, which Council is the Crown Land Manager will generally manage under the provisions of the *Local Government Act 1993*.





## 2.2 Land to which this plan applies

The Yass Valley Council manages and is also the Crown Land Manager for the following reserves included in this Plan of Management:

	Reserve	Gazette Date	Lot and DP	Purpose
Bookham	84528	20/9/1963	Lot 118 DP 878500	Public Recreation
Binalong	97980	8/11/1985	Lot 7305 DP 1147899 (part)	Public Recreation
Yass	95524	24/7/1981	Lot 22 DP 754149 Lot 7004 DP 94637	Public Recreation



Bookham Reserve: 84528  
Gazetted Date: 20/9/1963  
Purpose: Public Recreation  
Category: Natural Area - Bushland





Yass Reserve: 95524  
Gazetted Date: 24/7/1981  
Purpose: Public Recreation  
Category: Park

Reserve: 82204  
(Outlined in red)  
Purpose: Rubbish Depot  
Management Devolved to Council





Section 36 (3A) specifies that for Plans of Management that are specific to one area of land, must also describe the condition of the land as at the adoption of the plan, describe the buildings on the land as at adoption, describe the use of the buildings and the land as at adoption and state the purposes for which the land will be allowed to be used, and the scale and intensity of that use.

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

### **3.2 Crown Land Management Act 2016**

Division 3.6 of the *Crown Lands Management Act 2016* deals with the requirements that Council must meet in relation to the Plans of Management and other Plans.

Section 3.23(6) of the *Crown Land Management Act 2016* requires Council Crown Land Managers to adopt a Plan of Management for any Crown reserve for which it is appointed Crown Land Manager, and that is classified as community land under the *Local Government Act 1993*.

### **3.3 Categorisation of the reserve**

Under section 3.23(2) of the *Crown Land Management Act 2016* Council Crown Land Managers must assign to all Crown Land under their management one or more initial categories of community land referred to in section 36 of the *Local Government Act 1993*.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land as Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with the land.

Both the Aboriginal Land Rights Act and Native Title Act recognise the intent of the original reserve purpose of the land so that complying activity can be considered lawful or validated, particularly under Section J of the *Native Title Act 1993*.

The initial categories were approved by the Minister on 28<sup>th</sup> February 2020 and were subsequently revised in 2022. Detailed information relating to the categories applicable to the reserve are presented in separate sections in this Plan of Management.

Activities on each reserve will need to reflect the intent of the public purpose and will be assessed for compliance with the relevant Local Government and Crown Lands legislation including assessment of the activity under the *Native Title Act 1996* and registered claims under the *Aboriginal Land Rights Act 1983*.

Use of the land for any activity is subject to application and approval. Assessment will consider compliance with the objectives and relationship to and impact upon the public purpose for the land. Other uses that do not comply with the Plan of Management or zoning of the land under Council's LEP would not be considered.

### 3.4 Other relevant legislation and statutory controls

#### 3.4.1 Native Title Act 1993 (Federal)

All activities on the land must address the issue of native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition.

Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation by Council's Native Title Manager.

Confirmation has been provided by Council's Native Title Manager on the 18<sup>th</sup> of November 2021 that this Plan of Management complies with the requirements of the *Native Title Act 1993*.

#### 3.4.2 Aboriginal Land Rights Act 1983

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Council's to claim 'claimable' Crown Land.

Generally, the *Aboriginal Land Rights Act* is directed at allowing Land Council's to claim Crown Land that is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land council.

Council should be mindful that any activity on Crown land is lawful in relation to the reserve purpose of the land, Council should ensure that Crown land under its control is at all times lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or licence or any public works, Council should request a search to determine whether an Aboriginal Land claim has been made in relation to the land. If a claim is registered the activity must be postponed until the claim is resolved.

#### 3.4.3 The Biodiversity Conservation Act 2016

The purpose of this Act is to support biodiversity conservation in the context of a changing climate, and to avoid, minimise and offset the impacts of proposed development and land use change on biodiversity.

#### 3.4.4 Environment Planning and Assessment Act 1979

Under the *Yass Valley Local Environmental Plan 2013* the land is zoned as:

Reserve	Zone	Objective
84528	RU5 Village	<ul style="list-style-type: none"><li>To provide for a range of land uses, services and facilities that are associated with a rural village</li><li>To ensure that development is compatible with village character and amenity.</li><li>To ensure that development is provided with adequate water supply and the disposal of sewage.</li></ul>
97980	RE1 Public Recreation	<ul style="list-style-type: none"><li>To enable land to be used for public open space or recreational purposes.</li><li>To provide a range of recreational settings and activities and compatible land uses.</li><li>To protect and enhance the natural environment for recreational purposes</li><li>To provide for the free passage or temporary storage of storm or floodwaters</li><li>To identify land that is suitable for future public recreation use and that can be brought into public ownership.</li><li>To ensure the provision of adequate open space to meet the needs of all residents.</li></ul>
95524	RU1	<ul style="list-style-type: none"><li>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li></ul>

	Primary Production	<ul style="list-style-type: none"> <li>• To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>• To minimise the fragmentation and alienation of resource lands.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>• To protect and enhance the biodiversity of Yass Valley</li> <li>• To protect the geologically significant areas of Yass Valley</li> <li>• To maintain the rural character of Yass Valley</li> <li>• To encourage the use of rural land for agriculture and other forms of development that are associated with rural industry or that require and isolated or rural location.</li> <li>• To ensure that the location, type and intensity of development is appropriate, having regard to the characteristics of the land, the rural environment and the need to protect significant natural resources, including prime crop and pasture land</li> <li>• To prevent the subdivision of land on the fringe of urban areas into small lots that may prejudice the proper layout of future urban areas.</li> </ul>
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### **3.4.5 Council Plans, Strategies, Policies and Procedures**

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

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

### **3.4.6 Legislation and Statutory Controls**

This Plan of Management does not over-rule existing legislation that also applies to the management of community land. Other legislation and policies to be considered in the management process include but are not limited to the following:

- Yass Valley Strategic Weeds Plan
- Community Engagement Strategy
- Bookham Mainstreet Masterplan

## **4. CULTURALLY SIGNIFICANT LAND**

### **4.1 Indigenous Significance**

The Yass Valley has traditionally been inhabited by the Aboriginal Ngunnawal and Wiradjuri Tribes. The Ngunnawal tribe covered the area which is present day Canberra, and also extends into the majority of the Yass Valley Area. Wiradjuri covered a large portion of NSW, but only a small part within the western edge of the present day Yass Valley LGA. Yass Valley Council acknowledges the traditional owners of the land – the Ngunnawal and Wiradjuri.

### **4.2 Non-indigenous Significance**

European settlement of the Yass Valley began as early as the 1820's, following expeditions by Hume and Hovell, and Throsby and Wild. Land throughout the Yass Valley was settled relatively early due to its location on the road to Port Phillip (Melbourne), as well as the quality of rural land. The early fortunes of the Yass Valley were influenced by the success of agriculture – notably the fine wool industry and the Main Southern Railway lines as well as the Hume Highway passing through.

None of the reserves contain items of known European Heritage or are listed in the YVLEP 2013.



## **5. REVIEW OF THIS PLAN**

The use and management of the listed reserves in the Yass Valley Council are regulated by this Plan of Management.

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

The review should take place within 5 – 10 years of adoption of this plan.

## **6. FUTURE INFRASTRUCTURE AND FACILITIES**

Subject to budget availability, Council may construct or approve construction by others of a variety of facilities on the land, provided that the provisions of the *Local Government Act 1993*, the *Crown Land Management Act 2016* and the *Native Title Act 1993* have been complied with.

The purpose of the facilities shall be to support activities and uses that are consistent with the core objectives of the land category, the reserve purpose and shall not materially harm the land for the purpose for which it was dedicated or reserved.

Proposed projects by sporting/community groups must be in line with Council's strategic plans and depending on the scope of the project, Council may request that a written proposal be submitted outlining a description the project and proposed location, estimated costs, scaled plans, justification for the proposed works, future maintenance requirements and other elements relevant to the project.

All construction and alterations must have Council's Native Title Manager's written advice in relation to Native Title and Aboriginal Land Claims and must be approved by Council in writing on every occasion.

Infrastructure may be provided where consistent with the need to facilitate the use of the land, the provisions of the *Local Government Act 1993* and the *Crown Land Management Act 2016* have been complied with. Infrastructure such as buildings and amenities are to be maintained to the highest possible standard.

Services and utilities such as water supply, sewerage, electricity supply, gas and telecommunications may be constructed, maintained or repaired on the land.

## **7. CROWN RESERVES IMPROVEMENT FUND PROGRAM (CRIFP)**





The CRIFP provides financial support for the development, maintenance and protection of Crown Reserves. As the Crown Land Manager to the Reserves, Council can apply for the CRIFP and support community groups in their applications. Project types on these Crown Reserves can include:

- Enhancement of environmental assets by supporting conservation initiatives, bushfire management and invasive species (pest and weed) control on the Miscellaneous Reserves.

As one of these reserves (Yass) has been used as a landfill site in the past, projects may be required to restrict access, testing/monitoring or progressing stabilisation or remediation, and funding may be sought for these under the CRIFP.

## 8. DEVELOPMENT AND MAINTENANCE

### 8.1 Use of the land at the date of adoption of the Plan of Management

<b>Bookham</b> <b>Reserve 84528</b> <b>Purpose: Public Recreation</b> <b>Lot 118 DP 878500</b>	<ul style="list-style-type: none"><li>• Rural</li><li>• Informal recreation</li></ul>
	
<b>Binalong</b> <b>Reserve 97980</b> <b>Purpose: Public Recreation</b> <b>Lot 7305 DP 1147899</b>	<ul style="list-style-type: none"><li>• Rural</li></ul>
	

<p><b>Old Yass Tip</b></p> <p><b>Reserve 95524</b></p> <p><b>Purpose: Public Recreation</b></p> <p><b>Lot 7004 DP 94637 and Lot 22 DP 754149</b></p>	<ul style="list-style-type: none"> <li><b>Storage of waste materials</b></li> </ul>
	

## 8.2 Condition of the land on adoption of the Plan of Management

<b>Reserve</b>	<b>Description</b>	<b>Condition</b>
<p>Bookham</p> <p>Reserve 84528</p>	<p>Native Vegetation</p> <p>African lovegrass – infestation is spreading but being treated by Council.</p> <p>Poor condition Box Gum Grassy Woodland with an exotic dominant understorey.</p>	<p>Good</p>
<p>Binalong</p> <p>Reserve 97980</p>	<p>Native Vegetation</p> <p>Unsealed access way between private properties and Burley Griffin Way</p> <p>Heavy infestation of St Johns Wort, scattered Blackberry and Sweet Briar</p>	<p>Degraded native grassland</p> <p>Application to CRIF 2021 to control weeds.</p>
<p>Old Yass Tip</p> <p>Reserve 95524</p>	<p>Construction waste</p> <p>Used tyres</p> <p>Soil stockpiles</p> <p>Leachate Drains have been filled/covered</p> <p>Drains to Yass River</p> <p>Heavily infested with thistles, St Johns Wort, Sweet Briar and Blackberry</p>	<p>Very poor</p> <p>Likely to be significantly contaminated</p> <p>Overgrown with weed infestations (Blackberry etc)</p> <p>Application in 2021 to CRIF to control the weeds.</p>



### 8.3 Permitted use and future use

The following reserves have been categorised under the Crown Land Management Act 2016 as:

Reserve	Location	Purpose	Category
84528	Bookham	Public Recreation	Natural Area - Bushland
97980	Binalong	Public Recreation	Natural Area - Bushland
95524	Yass	Public Recreation	Park

Buildings and amenities may be provided where consistent with the need to facilitate the purpose of the land, provided that a Native title assessment has been carried out by Council's Native Title Manager, the land is not subject to a claim under the *Aboriginal Land Rights Act 1983* and the provisions of the *Local Government Act 1993* and the *Crown Land Management Act 2016* have been complied with.

The reserves may be used as follows and as per the land use definitions within the *Yass Valley LEP 2013*:

#### **Reserve 84528 (Bookham):**

**environmental facility** means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

**recreation area** means a place used for outdoor recreation that is normally open to the public, and includes—

(a) a children's playground, or

(b) an area used for community sporting activities, or

(c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor)

**recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

This includes the following:

Active recreation use (e.g. Mountain biking)	Performances (e.g. Music) and Outdoor Movies
Passive or informal recreation use (e.g. jogging, picnics)	Markets or Temporary food stalls
Fitness training or coaching (e.g. personal and group)	
Corporate or community functions or events	Emergency services use (e.g. bushfire shed, training or evacuation)
Educational activities	Arts and sculpture exhibitions

All reserves in this POM:

**advertisement** means a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

**environmental protection works** means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works.

**filming** means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means), but does not include—

(a) still photography, or

(b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or

(c) recording images as a visitor or tourist for non-commercial purposes, or

(d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

This includes the following:

Advertising (e.g. Sponsors of sporting clubs)
Filming and photography

**Note: Refer to the Local Government Act 1993, Section 68 Activities for Community Land within this plan at 10.1**

The following activities are **prohibited** on these reserves:

Lighting fires	Archery
Recreational drone flying	Motorbike or 4WD vehicle driving off formalised roads/accessways
Dumping of any waste materials	

## 8.4 Further Development

Reserve	Purpose	Category	
84528 Bookham	Public Recreation	Natural Area - Bushland	<ul style="list-style-type: none"><li>• Environmental protection works;</li><li>• Picnic seating/facilities;</li><li>• Mainstreet Masterplan</li></ul>
97980 Binalong	Public Recreation	Natural Area - Bushland	<ul style="list-style-type: none"><li>• Environmental protection works</li></ul>
95524 Yass	Public Recreation	Park	<ul style="list-style-type: none"><li>• Environmental protection works (including removal of waste/tyre stockpiles, weed management and riparian restoration along the Yass River);</li><li>• Entry gate upgrade;</li><li>• Signage installation – preventing illegal dumping/remediation works;</li></ul>

An inspection of the Crown reserves in this Plan of Management will occur at least twice a year (similar to the high risk pathways inspections that Council undertakes) keeping a detailed inspection report as to whether the priority weeds exist on the land.

If priority weeds are detected during these inspections, then the weeds would be treated at the first available opportunity.

## 8.5 Leases, Licences and other Estates

This plan of management expressly authorises the issue of Leases, Licences and other Estates of Reserves in this Plan categorised as Park, General Community Use and Natural Areas, provided that:

- The purpose is consistent with the reserve purpose of the land.
- The purpose is consistent with the core objectives for the category of the land.
- The lease, licence or other estate is for a permitted purpose listed in the *Local Government Act 1993* or the *Local Government (General) Regulations 2021*.
- The issue of the lease, licence or other estate and the provisions of the lease, licence of other estate can be validated by the provisions of the *Native Title Act 1993*.
- The land is not subject to a claim under the *Aboriginal Land Rights Act 1983*.
- The lease, licence or other estate is granted and notified in accordance with the provisions of the *Local Government Act 1993* or the *Local Government (General) Regulations 2021*.
- The issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Occupation of the land other than by lease or licence or other estate or for a permitted purpose listed in the *Local Government (General) Regulations 2021* is prohibited.

The terms of the authorisation for the lease, licence or other estate should include Native Title assessment and validation under the *Native Title Act 1993*, a search to conclude that the land is not affected by a claim under the



*Aboriginal Land Rights Act, 1983* and should ensure the proper management and maintenance of the land and that the interests of Council and the public are protected.

Areas held under lease, licence or regular occupancy shall be maintained by the user. The user will be responsible for maintenance and outgoings as defined in the lease or licence or agreement for use.

Any lease, licence or estate on community land must be granted in accordance with the notification requirements under Part 2, Division 2 of the *Local Government Act 1993*.

A lease or licence for a term exceeding 5 years may be granted only by tender, unless granted to a non-profit organisation.

A lease or licence for a period exceeding 21 years requires the consent of the Minister.

#### **Current Leases, Licences and Estates**

<b>Reserve</b>	
84528 Bookham	No leases, licences and other estates exist on this site
97980 Binalong	Existing Lease with adjoining neighbour for vehicle access until the 1 <sup>st</sup> of July 2023 for exclusive use. The Lease holder has been told it will not be renewed.
95524 Yass	No leases, licences and other estates exist on this site

## **9. POM ADMINISTRATION AND MANAGEMENT**

The general objectives of this Plan of Management are:

	<b>GENERAL PLAN OF MANAGEMENT OBJECTIVES</b>
1.	To ensure that relevant legislation is complied with in relation to the land.
2.	To inform Council staff and the community of the way the land will be managed.
3.	To implement specific policies, guidelines and works identified in the plan of management.
4.	To progressively improve the values of the land and to minimize the long term cost of maintenance to the council
5.	To make provisions for appropriate leases, licences and agreements in respond to the land.
6.	To identify and recognise existing uses and improvements on the land.
7.	To set in place an administrative structure to ensure the achievement of land management objectives.
8.	To identify major management issues applying to the land.

### **9.1 Management Authority**

For the purposes of this plan, the management authority is Yass Valley Council, in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993*.

Where Council's responsibilities are delegated, the provisions of this management plan continue to apply. Delegation is required to be formalised through a lease or a licence at the adoption of this plan.

### **9.2 Management Issues**

The management of the land within this plan must take into account the reserve purpose(s) of the land and the purpose for this the land is classified and categorised.

#### **a. Action Plan**

The Plan of Management specifies performance targets and priorities for actions to be taken in relation to the land to which the plan applies.

Assessment of achievement of the objectives of the plan is to be undertaken. A summary of indicators and targets for major objectives is outlined in the table below:

<b>OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND</b> <b>(General POM Objectives)</b>	<b>MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS</b>	<b>MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS</b>
To ensure that relevant legislation is complied with in relation to preparation of Plans of Management.	The Plan is prepared in accordance with the Act. Native Title Manager advice is sought during the preparation of the Plan.	The Plan is reviewed by Council's Native Title Manager and Department of Industry - Crown Lands then exhibited and adopted by Council if there are no changes to the approved plan. If changes are made following exhibition the plan must again be approved by Department of Industry- Crown Lands.
To inform Council staff and the community of the way the land will be managed.	The Plan is exhibited in accordance with the Local Government Act.	The Plan is exhibited and adopted by Council
To implement the specific policies, guidelines and works identified in the plan of management.	Ensure that the Plan is referenced to identify specific policies, guidelines and works.	All works are carried out in accordance with the Plan.
To progressively improve the values of the land to minimise the long term cost of maintenance to the Council.	Carry out all works identified in Council's Community Strategic Plan.	All works are completed and minimal maintenance of the improvements is required.
To make provision for leases, licences and agreements in respect of the land.	The Plan of Management authorises the provision of leases, licences and agreements where appropriate.	Any leases are prepared, exhibited and adopted in accordance with the provisions of the <i>Local Government Act 1993</i> and the <i>Crown Land Management Act 2016</i> .  Native Title Manager advice and a check for a claim under the Aboriginal land Rights Act is received for all proposed leases and licences.
To identify and recognise existing uses and improvements on the land.	Physical inspection.	The Plan is exhibited and adopted by Council.
To set in place an administrative structure to ensure the achievement of land management objectives.	Ensure that all sections of Council are aware of the contents of the Plan.	All future works are carried out in accordance with the Plan.
To identify the major management issues applying to the land.	Consultation and staff discussions.	The Plan is exhibited and adopted by Council.

#### **b. Staff Resources**

Council shall seek to provide adequate staff and financial resources for the management of the land in accordance with this Plan of Management.



**c. Environmental Assessment of Activities**

The environmental impact of activities carried out on the land will be assessed having regard to the requirements under the *Environmental Planning and Assessment Act*.

**d. Role and Activities carried out by Other Authorities**

Other government authorities may have responsibilities or involvement in the management of the land or of immediately adjacent land. This will be taken into account and, where appropriate, consultation will take place with relevant authorities.

**e. Principles for the development on adjoining land**

Council's development control practices recognise and endeavour to minimise the impacts upon adjoining land parcels. Council will consider the impacts of activities carried out on the reserve on adjoining land.

**f. Contract and Volunteer Labour**

In managing the land Council may use contract and volunteer labour but shall ensure that supervisors have appropriate qualifications and/or experience and are made aware of the requirements of this plan.

**g. Easements**

The Council may grant easements for the provision of services over, or on the land provided that the native Title assessment has been carried out by Council's Native Title Manager, the land is not subject to a claim under the *Aboriginal Land Rights Act 1983* and the provisions of the *Local Government Act 1993* and the *Crown Land Managements Act 2016* have been complied with.

**h. Existing Assets**

Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner.

**i. Public Liability**

Council will maintain public liability insurance for the land. All users of the land will be required to take out public liability insurance for a sum of not less than \$20m.

**j. Commercial Activities**

Commercial activities may be carried out on the land, provided that the activity is ancillary to the purpose of the land or for a purpose authorised under this Plan of Management. Any commercial activity is subject to prior Council consent.

**k. Emergencies**

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

**l. Land proposed for Future Development**

Land proposed in any of Council's plans for future development for a specific purpose may be utilised for other purposes on an interim basis until required for that purpose, however the use of reserve must be consistent with, or ancillary to the reserve purpose.

**m. Undeveloped Land**

Land to which this Plan of Management applies that is undeveloped and unused for the purpose of the land may upon assessment, be used for an activity that does not prevent or inhibit future use for the purpose of the land, including any maintenance or environmental protection works.

**n. Information Monitoring and Research**

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

## 10. MANAGEMENT GUIDELINES

### 10.1 Local Government Act 1993, Section 68 Activities for Community Land

Approval for activities under Part D s68 *Local Government Act 1993*:

- Engage in a trade or business
- Direct or procure a theatrical, musical or other entertainment for the public
- Construct a temporary enclosure for the purpose of entertainment
- For fee or reward, play a musical instrument or sing
- Set up, operate or use a loudspeaker or sound amplifying device
- Deliver a public address or hold a religious service or public meeting

is not required on Reserves 84528 (Bookham) and 97980 (Binalong) provided the following requirements are met:

- The event has a maximum of 200 patrons on site at any one time, and a duration of no more than three consecutive days
- All waste must be disposed of at an authorised waste management facility
- Adequate toilet facilities are to be provided for use at each event with at least one of the toilets being suitable for persons with a disability
- Caterers, food stalls or mobile food vans comply with any requirements under the *Food Act 2003*
- Temporary structures are “Exempt or Complying Development” under the *SEPP (Exempt & Complying Development Codes) 2008*
- *Protection of Environment Operations Act 1997* regulatory and compliance provisions must be observed
- Details of the event, risk assessment, and proof of any required insurances are provided at the time of booking the facility

This is to be applied as a local approvals policy specific to Reserves under s158 *Local Government Act 1993*.

**MANAGEMENT GUIDELINES****10.2 Physical and Environment Issues**

<b>Management Issue</b>	<b>Objectives and Performance Standard</b>	<b>Means of Achievement</b>	<b>Manner of Assessment</b>
Site Utility Services	<ul style="list-style-type: none"><li>• Allow for the installation of any services as required by site usage</li></ul>	<ul style="list-style-type: none"><li>• As required/approved by appropriate statutory authorities</li><li>• Registration of appropriate easements</li></ul>	<ul style="list-style-type: none"><li>• Whether all facilities are adequately serviced, identified and located</li></ul>
Signage	<ul style="list-style-type: none"><li>• Allow suitable information regulatory, identification, interactive and directional signage relating to the reserve</li><li>• Regulate advertising signage</li></ul>	<ul style="list-style-type: none"><li>• Council consent</li></ul>	<ul style="list-style-type: none"><li>• Number of user/resident comments</li><li>• Number of instances of illegal rubbish dumping</li></ul>
Watercourses	<ul style="list-style-type: none"><li>• Minimise detrimental impacts to watercourses that are near or are within the reserve</li><li>• Minimise the degree of stormwater runoff to and from watercourses</li></ul>	<ul style="list-style-type: none"><li>• Monitoring and inspections</li></ul>	<ul style="list-style-type: none"><li>• Degree of weed infestation attributed to stormwater</li><li>• Degree of damage caused by stormwater</li><li>• Water quality within watercourse</li></ul>
Flooding	<ul style="list-style-type: none"><li>• Minimise the detrimental impacts of flooding on the reserve</li><li>• Allow for adequate control of drainage and run-off to and from to minimise flooding</li><li>• Minimise erosion and siltation from flood waters</li></ul>	<ul style="list-style-type: none"><li>• Appropriate selection, design, construction and monitoring of drainage systems on site</li></ul>	<ul style="list-style-type: none"><li>• Number of incidents of flooding</li><li>• Water quality testing</li></ul>

Native Vegetation	<ul style="list-style-type: none"> <li>• Manage and protect existing native flora and fauna within the reserves</li> <li>• Maximise biodiversity of species</li> <li>• Protection of endangered species</li> </ul>	<ul style="list-style-type: none"> <li>• Application of <i>Biodiversity Conservation Act 2016</i></li> <li>• Application of correct horticultural and tree surgery techniques</li> <li>• Education and awareness via signage.</li> </ul>	<ul style="list-style-type: none"> <li>• Condition of vegetation within the miscellaneous reserves</li> <li>• Biodiversity assessment by Accredited assessor</li> </ul>
Weed Infestation	<ul style="list-style-type: none"> <li>• Minimise weed infestation and associated impacts</li> </ul>	<ul style="list-style-type: none"> <li>• Minimise illegal rubbish dumping within via community education and signage</li> <li>• Implementation of the <i>Biosecurity Act 2015</i></li> <li>• Minimise action that disturb the ground surface and discourage the conditions that encourage weeds</li> <li>• Prevent the dispersion of weeds by fill or the transport of seeds on machinery</li> <li>• Acceptable control measures include physical removal or slashing, accepted biological control techniques, bush regeneration, or chemical spraying where council is satisfied that there will be no adverse residual effects and no adverse effect on human health will occur</li> </ul>	<ul style="list-style-type: none"> <li>• Control of priority weeds.</li> </ul>



Bushfire Hazard	<ul style="list-style-type: none"> <li>• Manage fire regimes to maintain and enhance biodiversity values</li> <li>• Protect property and community assets from the adverse impacts of fire</li> </ul>	<ul style="list-style-type: none"> <li>• Minimise fuel loads on the reserve by mowing/ grazing/reduction burns as appropriate prior to/and during the commencement of the bushfire season</li> <li>• Annual community engagement with neighbouring landowners of the reserves prior to bushfire season</li> </ul>	<ul style="list-style-type: none"> <li>• Number of reserves where bushfire hazard reduction undertaken</li> </ul>
Remediation (applicable to land previously used for waste disposal)	<ul style="list-style-type: none"> <li>• Allow removal or treatment insitu of contaminated materials or waste from reserve</li> <li>• Allow required lining, capping, leachate storage and or monitoring as required</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation of the <i>Contaminated Land Management Act 1997</i></li> <li>• Implementation of EPA Soild Waste Landfill guidelines</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring/testing of soil and leachate</li> </ul>

10.3 Social and User Issues			
Management Issue	Objectives and Performance Standards	Means of Achievement	Manner of Assessment
Adjoining Uses	<ul style="list-style-type: none"> <li>Minimise impacts on adjoining areas</li> </ul>	<ul style="list-style-type: none"> <li>Minimise weed infestations on the reserves</li> <li>Minimise bushfire risk by managing fuel loads</li> <li>Ensure contaminated materials/ leachates do not leave the site</li> </ul>	<ul style="list-style-type: none"> <li>Number of complaints from adjoining residents/incidents</li> </ul>
Animals/companion animals  <u>Reserves 84528 (Bookham) and 97980 (Binalong) only</u>	<ul style="list-style-type: none"> <li>Allow dogs only on leash</li> </ul>	<ul style="list-style-type: none"> <li>Installation of signage</li> <li>Require Dog Clubs to seek Council's permission to conduct dog obedience and training activities</li> </ul>	<ul style="list-style-type: none"> <li>Complaints about dogs off leash</li> </ul>

10.4 Operation and Management issues			
Vehicular Access (Internal/External)	<ul style="list-style-type: none"> <li>• Allow vehicular access to the reserves when and where appropriate.</li> <li>• Enable vehicular access within the reserves for the movement of maintenance and emergency vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>• Use of regulatory signs</li> <li>• Use of traffic control devices such as barriers and bollards</li> <li>• Clear, formed vehicle tracks</li> </ul>	<ul style="list-style-type: none"> <li>• Number of incidents of illegal or unauthorised vehicular access</li> </ul>
Statutory Agencies	<ul style="list-style-type: none"> <li>• Allow statutory agencies (EPA, Telstra, Rural Fire Service etc) onto the reserves</li> </ul>	<ul style="list-style-type: none"> <li>• Authorisation from Council where required</li> </ul>	<ul style="list-style-type: none"> <li>• Adequate services or regulation for the maintenance for the reserves</li> </ul>
Encroachments	<ul style="list-style-type: none"> <li>• Prohibit encroachments from private property onto the reserves</li> </ul>	<ul style="list-style-type: none"> <li>• Investigation of reported encroachments</li> </ul>	<ul style="list-style-type: none"> <li>• Number of identified encroachments</li> </ul>
Management and Maintenance	<ul style="list-style-type: none"> <li>• An effective, efficient management and maintenance system</li> <li>• Specific areas of responsibility and allocation</li> </ul>	<ul style="list-style-type: none"> <li>• Employment of staff with relevant training</li> <li>• Monitoring and maintenance of all reserves in compliance with maintenance schedules and programs</li> </ul>	<ul style="list-style-type: none"> <li>• Physical condition of the reserves</li> <li>• Appropriate community usage of the reserves.</li> </ul>
Earthworks	<ul style="list-style-type: none"> <li>• Enable earthworks for stable road construction with minimal impact on surrounding land</li> </ul>		<ul style="list-style-type: none"> <li>• Adherence to approved plans</li> </ul>
Landfill	<ul style="list-style-type: none"> <li>• Allow cut and fill earthworks to occur on reserves.</li> <li>• Enable filling of reserves if necessary with clean fill for the purpose of levelling.</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate use of fill material.</li> <li>• Council consent.</li> </ul>	<ul style="list-style-type: none"> <li>• Adherence to approved maintenance program.</li> </ul>

**CATEGORIES:**  
**NATURAL AREA - BUSHLAND**  
**PARK**

**RESERVES: 84528, 97980, 95524**

## 11 CATEGORIES

### 11.1 Introduction

Detailed information relating to categories applicable to Miscellaneous Reserves in the Yass Valley are presented in this part of the Plan of Management.

### 11.3 Core Objectives and Performance Targets – Natural Area - Bushland

<b>OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND</b>	<b>MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS</b>	<b>MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS</b>
To conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area	<ul style="list-style-type: none"><li>• YVC support and facilitate the gradual removal of woody weeds (following guidelines to minimise short term impact of control)</li><li>• Treat herbaceous invasive priority weeds</li></ul>	<ul style="list-style-type: none"><li>• Annual survey of site and photo records retained</li></ul>
To maintain the land, or that feature or habitat, in its natural state and setting	<ul style="list-style-type: none"><li>• Yearly review of management actions to optimise outcomes.</li><li>• Inclusion in and consistency with environmental planning instruments, ie LEP and DCP, to ensure impacts from development in the surrounding areas are avoided.</li></ul>	<ul style="list-style-type: none"><li>• POM actions are reviewed each Council term.</li><li>• Regular observations of site to check for damage.</li></ul>
To provide for the restoration and regeneration of the land	<ul style="list-style-type: none"><li>• YVC support and facilitate the planting of recommended native shrub species prior to removing woody weeds, to replace any habitat they may be providing.</li><li>• Ensure staff are informed of correct techniques for restoration works, to avoid undesirable disturbance of the site.</li></ul>	<ul style="list-style-type: none"><li>• Site review following restoration works.</li></ul>
To provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion	<ul style="list-style-type: none"><li>• YVC support and facilitate the creation and maintenance of pathways, to limit human intrusion into grassed areas</li><li>• Creation and use of communication materials stressing the importance of using the tracks.</li></ul>	<ul style="list-style-type: none"><li>• Installation of pathways or fencing around any areas which need protection</li></ul>



To assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i> .	<ul style="list-style-type: none"> <li>• Prepare management guidelines to manage any threatened species identified as required.</li> </ul>	<ul style="list-style-type: none"> <li>• Management guidelines prepared if required.</li> </ul>
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#### 11.4 Core Objectives and Performance Targets - Park

<b>OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND</b> <b>(Local Government Act 1993)</b>	<b>MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS</b>	<b>MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS</b>
<p>To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities.</p> <p>To provide for passive recreational activities and for the casual playing of games.</p> <p>To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.</p>	<ul style="list-style-type: none"> <li>• Plan through community consultation passive recreational use of the land once it is remediated (former Yass Tip)</li> </ul>	<ul style="list-style-type: none"> <li>• Site remediation completed</li> </ul>