

Some Facts about Community Land in the Eurobodalla Shire

There are 823 parcels of Community Land in the Eurobodalla Shire Council Local Government Area. Totalling almost 1500 hectares. This does not include Crown Land (on which many of the Shire's recreational facilities are located). Council has care and control of 339 parcels (1027 hectares) of Crown Land.

In the Eurobodalla approximately:

- 68% of Community Land is categorised as Natural Area
- 22% of Community Land is categorised as General Community Use
- 7% of Community Land is categorised as Park
- 3% of Community Land is categorised as Sportsground

Eurobodalla Shire Council's Plans of Management

- Developed Reserves and Facilities Plan of Management (generic plan)
- Natural Areas and Undeveloped Reserves Plan of Management (generic plan)
- Gundry Reserve, Moruya
- Hanging Rock Recreational Reserve (Crown Land)
- Bill Smyth Reserve, Narooma (Crown Land)
- Dalmeny Camping Ground Reserve
- Corrigans Beach Reserve (Crown Land)
- Catalina Reserves & the Hanging Rock Boat Ramp Car Park Reserve
- Apex Park, Moruya
- Long Beach Foreshore & Wetlands Reserve (includes some Crown Land)
- Broulee & Mossy Point Reserves
- Kyla Park, Tuross Head – Foreshore Reserves, Parkland & Boatramp
- Kyla Park, Tuross Head – Areas of Cultural Significance
- Sportsgrounds (generic plan of all sportsgrounds on Community Land)
- Mystery Bay Primitive Camping Ground & Foreshore
- Yarragee Reserve, Moruya
- Moruya Riverside Park and adjacent reserves
- Surfside Beach Foreshore Reserve

Copies of these plan are on Council's website at:

www.esc.nsw.gov.au/Publications/Strategies/Management/index.html

Need more information?

Contact Eurobodalla Shire Council's Plans of Management Officer:

Eurobodalla Shire Council
PO Box 99
MORUYA NSW 2537.
Phone: 4474 1000
Email: council@eurocoast.nsw.gov.au
Web: www.esc.nsw.gov.au

This pamphlet was updated in October 2006.

More Information about Community Land Management is available from:

The Local Government Act 1993 &

www.legislation.nsw.gov.au

The Local Government (General) Regulation 2005

www.legislation.nsw.gov.au

The Department of Local Government

www.dlg.nsw.gov.au
(See Practice Note No. 1 – Public Land Management)
5 O'Keefe Avenue
NOWRA NSW 2541
Tel: (02) 4428 4100
Fax: (02) 4428 4199
Email: dlg@dlg.nsw.gov.au

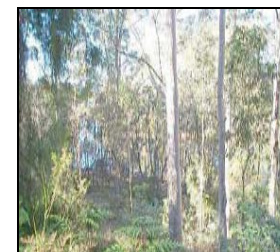
The Environmental Defenders Office New South Wales

www.edo.org.au/edonsw
Level 1,
89 York Street
SYDNEY NSW 2000
Tel: 9262 6989 or 1 800 626 239
Fax: 9262 6998
Email: edonsw@edo.org.au

The Total Environment Centre (TEC)

www.tec.org.au
Level 4
78 Liverpool Street
SYDNEY NSW 2000
Tel: 9261 3437
Fax: 9261 3990

A guide to Community Land Management



PLANS OF MANAGEMENT

Eurobodalla Shire Council
Information Pamphlet



EUROBODALLA SHIRE COUNCIL

Good Government, better living

What is Community Land?

Council owned land must be classified as either Community Land or Operational Land under the Local Government Act.

The purpose of classification is to identify clearly land which should be kept for use by the general public (Community Land) and land which need not (Operational Land).

Community Land ordinarily comprises of land such as a public parks or reserves. Operational Land ordinarily comprises of: land which is held as a temporary asset or as an investment; land which facilitates the carrying out by Council of its functions; or land which is not available to the general public, such as works depots or council garages.



Apex Park, Moruya

Community Land cannot be sold, except when it is to become or be added to: a Crown Reserve or; land that is reserved or dedicated under the National Parks and Wildlife Act 1974. Community Land can be re-classified as Operational Land in which case that land can be sold. Public notice must be given when Council proposes to re-classify land.

Why a Plan of Management?

The Local Government Act requires that the use and management of Community Land be governed by a Plan of Management which complies with the Act.

Until a Plan of Management is adopted, the nature and use of the land must not change.



View from Mystery Bay Campground

What must a Plan of Management include?

The Local Government Act provides a strict framework for what must be included in a Plan of Management. The following points are from various sections of the Local Government Act. For more detailed information you should consult the Local Government Act (available on the Internet or from Council staff).

A Plan of Management must identify:

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

A Plan of Management for just one area must also include:

- ◆ A description of the condition of the land (and buildings or other improvements on the land)
- ◆ A description of the use of the land (and buildings or other improvements on the land)
- ◆ The purpose for which the land will be used and developed
- ◆ The scale and intensity of any permitted use or development

Community Land must be categorised as one or more of the following:

- ◆ A Natural Area (bushland; wetland; escarpment; watercourse; foreshore or other category prescribed by the regulations)
- ◆ A Sportsground
- ◆ A Park
- ◆ An Area of Cultural Significance
- ◆ General Community Use



Nelligen Reserve on the Clyde River

Site Specific Plans of Management

These are prepared where issues for a particular site are more complex. They are also required if the land comprises the habitat of endangered or threatened species under the Threatened Species Conservation Act or Fisheries Management Act or if the land contains significant natural features or an Area of Cultural Significance.

What else affects a Plan of Management?

Other legislation and policies should also be considered in the preparation of Plans of Management. Examples include the National Parks and Wildlife Act 1974, the NSW Coastal Policy 1997 and the Threatened Species Conservation Act 1995.

How must Community Land be managed?

Community Land must be managed in accordance with the core objectives for each of the categories of land as specified in the Local Government Act and in accordance with the adopted Plan of Management for that land.

Can Community Land be leased or licensed?

Yes it can. Where there is exclusive use or occupation of Community Land it must be leased or licensed. The lease or licence must be authorised in the Plan of Management and be consistent with the core objectives for that land.

The Local Government Act and Regulations provide strict rules for leasing and licensing. For example, Community Land can not be leased for longer than 21 years and there are limited purposes for leasing or licensing Community Land. A lease or licence for more than 5 years may only be granted by tender (unless to a not for profit organisation). Council must give public notice of the proposed lease or licence and must exhibit notice of the proposal on the land on which the lease or licence may be granted.

If there is an objection to a proposed lease or licence, Council can not grant the lease or licence except with the Minister's consent.

How can the Community be involved?

Council will consult with the community during the preliminary stages of preparing a Plan of Management. In this way the community is involved from the early stages and their ideas, local knowledge and comments can be incorporated into the plan.

Where the category of Community Land is proposed to be changed, Council must hold a Public Hearing into the re-categorisation. A person independent of Council must chair the Public Hearing.

Once the Draft Plan of Management has been adopted it must be publicly exhibited for 28 days and submissions on the Draft Plan accepted for a further 14 days. This gives the community an opportunity to comment on the Draft Plan before it is adopted by Council as the Plan of Management.

Who determines the priorities for completing plans?

Issues such as re-categorisation, leases, licences, large projects, asset management and community involvement assist with determining the priority list for the completion of Plans of Management. The priority list is adopted by Council and regularly reviewed.