

# Plan of Management **General Community Use**

2021



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# 1 Key Information

This Plan of Management has been prepared by Shoalhaven City Council and provides direction as to the use and management of Community land categorised as General Community Use under the Local Government Act 1993. Crown land included in this Plan of Management is included in accordance with Section 3.23 of the Crown Land Management Act 2016 and Section 36 of the Local Government Act 1993.

The PoM outlines the way the land will be used and provides the framework for Council to follow in relation to the express authorisation of leases and licence on the land.

This PoM is a generic document covering most of the community land and open space within the Shoalhaven City Council local government area (LGA) categorised as general community use.

**Date Adopted:** xx/xx/xxxx

**Reviewed By:** Paul Donnelly

**Resolution No:** (if relevant) xxxxx

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**Previous Versions:** See revision table below

## Descriptions of Amendments:

Revision	Responsible Officer	Date	Description
1	Josh Hanns	Dec 2021	Draft approved by elected Council. Submitted to Crown Land for ministerial approval
2	Paul Donnelly	Sept 2023	Revised draft for ministerial approval based on Crown Land feedback
3	Paul Donnelly	Oct 2023	Native Title advice provided from Crown Lands.
4	Paul Donnelly	Nov 2023	Revised draft for ministerial approval based on Crown Land feedback (incl. leasing & licencing information)

**Author/Editor:** Matthew Urbaniak

**Review/Sign Off:** Jane Lewis

# 2 Introduction

Shoalhaven City Council is located on the south coast of New South Wales, the regional centre of Nowra-Bomaderry is located approximately 160km south of Sydney. The population is mostly concentrated along the coast. Major centres include Nowra-Bomaderry, Milton-Ulladulla, Huskisson-Vincentia, St Georges Basin, Culburra Beach and Sussex inlet.

As Shoalhaven City Council has an area of over 4600 square kilometres, it contains significant areas of National Park, State Forest, Bushland and beaches and lakes, with strong natural amenity. The area is a popular among new residents, holiday makers and day trippers.

Shoalhaven City Council has a large amount of Crown land, with over 170 Crown reserves, with approximately 120 of those being Council managed. Crown land in the Shoalhaven is varied in its use and in the purpose for which the land was reserved, however the reserve purposes typically found in the Shoalhaven are:

- Public Recreation
- Access
- Community Purpose
- Bush Fire Brigade
- Study/Preservation of Native Flora
- Cemetery
- Public Recreation & Showground
- Local Government Purposes
- Wharf Facility
- Museum
- Public Recreation & War Memorial
- Parking
- Camping
- Public Recreation & Racecourse
- Environmental Protection

As required under the Crown Land Management Act 2016, the categorisation of Crown land managed by Shoalhaven City Council was prepared so that the categorisation most closely relates to the reserve purpose.

## 2.1 Purpose of the plan of management

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The Local Government Act 1993 (LG Act) requires a plan of management (PoM) to be prepared for all public land that is classified as 'community land' under that Act.

The Crown Land Management Act 2016 (the CLM Act) authorises local councils (council managers) appointed to manage dedicated or reserved Crown land to manage that land as if it were public land under the Local Government Act 1993 (LG Act). A PoM is required for all council-managed Crown reserves on community land.

The purpose of this generic PoM (General Community Use) is to:

- Contribute to the council's broader strategic goals and vision as set out in the Community Strategic Plan.
- Ensure compliance with the Local Government Act 1993 and the Crown Land Management Act 2016.
- Provide clarity in the future development, use and management of the community land.
- Ensure consistent management that supports a unified approach to meeting the varied needs of the community.

Further information about the legislative context of Crown Reserve plans of management can be found in Appendix 3 of this document.

## 2.2 Process of preparing this plan of management

Figure 1 Illustrates the process followed by council in preparing this PoM.

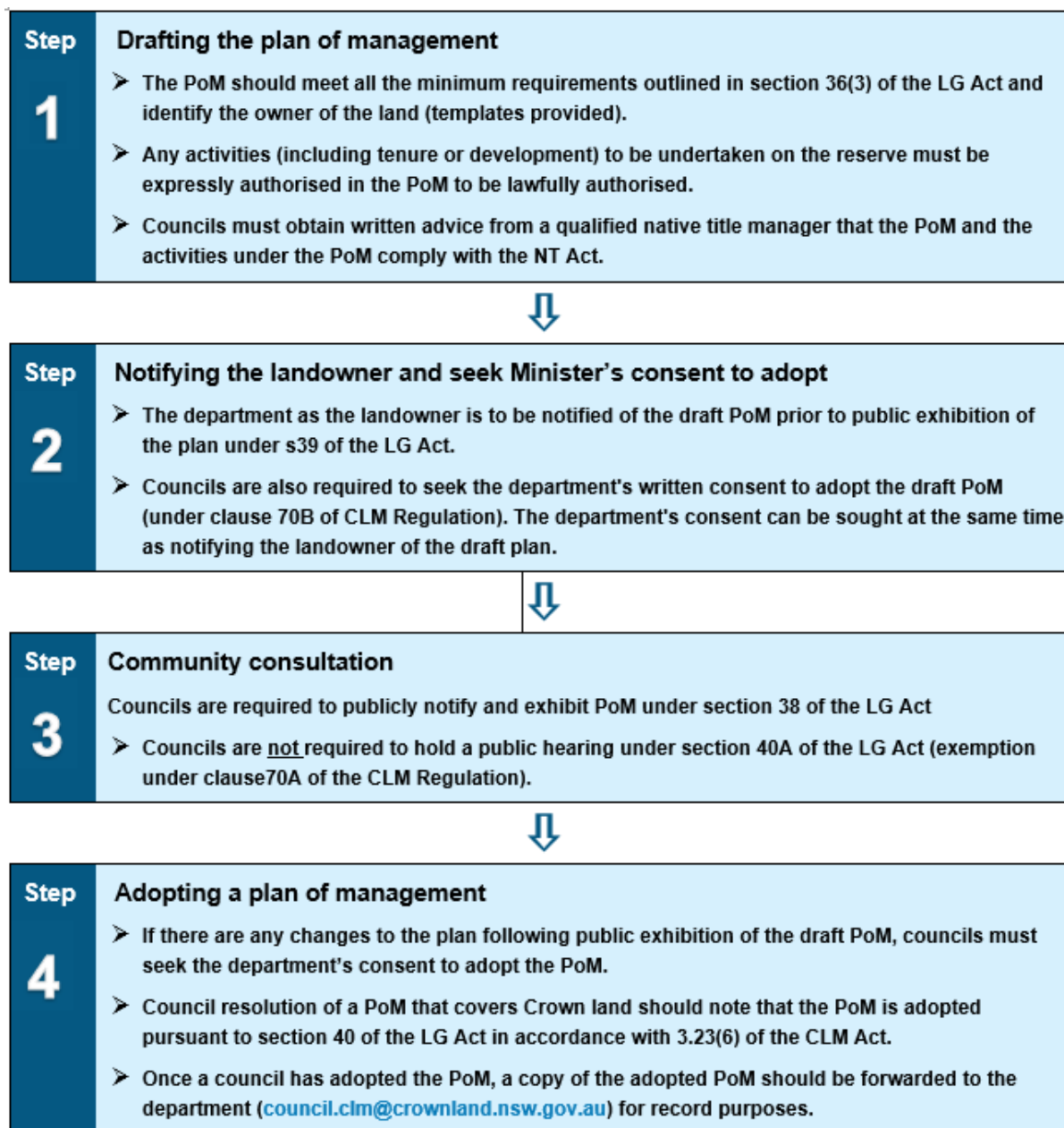


Figure 1: process for preparing a Plan of Management for council-managed Crown Reserves.

## 2.3 Change and review of this plan of management

This Plan of Management will be reviewed within five years, from the date of its adoption. The plan will be reviewed in relation to the performance targets which are outlined in this plan and in relation to the accuracy of reserves included in Appendix 1.

This Plan of Management may also be reviewed if directed by Council, or if there is significant change in legislation.

## 2.4 Community Consultation

This PoM was placed on public exhibition from [XX/XX/XXXX to XX/XX/XXXX], in accordance with the requirements of section 38 of the Local Government Act 1993 (LG Act). A total of [XX] submissions were received. Council considered these submissions before adopting the PoM.

In accordance with section 39 of the LG Act, prior to being placed on public exhibition, the draft PoM was referred to the Department of Planning, Industry and Environment – Crown Lands, as representative of the state of NSW, which is the owner of the Reserve. Council has included in the plan any provisions that have been required by Department of Planning, Industry and Environment – Crown Lands.

### 2.4.1 Summary of Preliminary Engagement Activity

An additional preliminary engagement activity was conducted from 27 October through 20 November 2020. The purpose of this engagement activity was to understand the community's identified values and challenges, regarding land classified as General Community Use.

The engagement activity was run via the online platform 'Get Involved'. A notification was sent to the following stakeholders:

- All Community Consultative Bodies
- Management Committees
- Leasee/Licensees from the Tenancy Register
- Aboriginal Advisory
- Youth Advisory
- Event Operators
- ParkCare Groups
- Chambers of Commerce
- Other identified interest groups

A total of 28 survey responses were received during the engagement period.

The survey questions were:

1.	Name:
2.	Email Address:
3.	Suburb, Village or Town:
4.	Gender:
5.	Age Group:
6.	What do you value or like most about General Community Use reserves in the Shoalhaven, and why are these reserves important to you?
7.	Which General Community Use reserves in the Shoalhaven do you visit and how often?
8.	What facilities or areas do you visit most often, and what do you typically do there?
9.	What do you see as the main uses or challenges requiring attention in the future use, development, and management of General Community Use reserves in Shoalhaven (if any)?

10.	How do you think these issues/challenges should be addressed?
11.	What other changes, improvements or new directions would you like to see happen at General Community Use reserves in the Shoalhaven?
12.	Would you like to make any other comments, ideas, or suggestions in relation to General Community Use Reserves in the Shoalhaven?

## 2.4.2. Preliminary Engagement Activity Results

The respondents from the community engagement activity provided a valuable insight into how the community would like to see general community use land managed.

The survey highlighted what the community values in these spaces:

- Natural spaces
- Spending time with family in a friendly space.
- Community connectivity.
- Attractive destinations

The results suggested potential management concerns:

- Accessibility
- Illegal dumping
- Waste management
- Protection of native plant species
- Maintenance

The community offered ways in which Council can manage these concerns:

- **Improving local infrastructure.**
- Maintenance improvements and additional staff.
- Focus on disability inclusion.
- More avenues of communication to the public.

The information garnered from this activity will assist Council with developing future Plans of Management.

# 3 Land Description

This PoM applies to Crown Land within the Shoalhaven Local Government area which has been categorised as General Community Use. Crown reserves with multiple categories assigned will appear in multiple PoMs.

The community land that is covered by this document is listed in Appendix 1. The land covered by this document is defined by real property identifiers (lots and deposited plans) and reserve numbers (for Crown land only).

Some open spaces are not covered by this plan of management, generally because they need site-specific plans of management to be prepared. Contact the council or refer to the council's website for information about other public land not listed in Appendix 1.

Maps are provided in Appendix 2.

## 3.1 Owner of the Land

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The land includes council-owned land, and land owned by the Crown which managed by the council as Crown land manager under the Crown Land Management Act 2016. The owner of the land is identified in Appendix 1.

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# 4 Basis of Management

Shoalhaven City Council intends to manage its community land to meet:

- assigned categorisation of community land
- the LG Act guidelines and core objectives for community land set out in Table 1
- restrictions on management of Crown land community land
- the council's strategic objectives and priorities
- development and use of the land outlined in Section 6 of the LG Act.

## 4.1 Categorisation of the land

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All community land is required to be categorised as one or more of the following categories. Where the land is owned by the Crown, the category assigned should align with the purpose for which the land is dedicated or reserved.

The LG Act defines five categories of community land:

- **Park** – for areas primarily used for passive recreation.
- **Sportsground** – for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- **General community use** – for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.
- **Cultural significance** – for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- **Natural area** – for all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories.

The categorisation of the land is identified in Appendix 1, as well as shown by maps in Appendix 2.

## 4.2 Guidelines and core objectives for management of Community Land

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

The guidelines for categorisation of community land are set out in the Local Government (General) Regulation 2021. The core objectives for each category are set out in the LG Act. The guidelines and core objectives for the General Community Use category is set out below in Table 1.

**Table 1: Guidelines and Core Objectives for Community Land (General Community Use)**

Guidelines – from the Local Government (General) Regulation 2021	Core objectives – from the Local Government Act 1993
<p><b>Clause 106 – General Community Use:</b></p> <p>Land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.</p>	<p><b>Category General Community Use (Section 36I):</b></p> <ul style="list-style-type: none"> <li>• to promote, encourage and provide for the use of the land</li> <li>• 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"> <li>(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and</li> <li>(b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).</li> </ul> </li> </ul>

## 4.3 Restrictions on management of Crown Land

Council is the Crown land manager of the Crown reserves described in this plan of management in accordance with the legislation and conditions imposed by the Minister administering the *Crown Land Management Act 2016*. The use of the land described in this plan of management must:

- Be consistent with the purpose for which the land was dedicated or reserved.
- Consider native title rights and interests and be consistent with the provisions of the Commonwealth Native Title Act 1993.
- Consider the inchoate interests of Aboriginal people where an undetermined Aboriginal Land Claim exists.
- Consider and not be in conflict with any interests and rights granted under the Crown Land Management Act 2016.
- Consider any interests held on title.

A Coastal Management Program (CMP) is under preparation by Council and any future development in coastal areas will have regard to the CMP and the objects of the *Coastal Management Act 2016*.

## 4.4 Council’s strategic objectives and priorities

Shoalhaven City Council, in consultation with the community, has developed the following strategies and plans to identify the priorities and aspirations of the community and the delivery of a vision for the future. They have a direct influence on the objectives, uses and management approach covered by PoMs.

### Community Strategic Plan

Shoalhaven City Council, in consultation with the community, has developed a community strategic plan identifying key themes that summarise important community priorities. The Shoalhaven Community Strategic Plan (CSP) is known as *Shoalhaven 2032*, and is the roadmap devised by our community for the future of Shoalhaven City.

There are four themes identified within Shoalhaven 2032. These themes are:

- Theme 1 – Resilient, safe, accessible, and inclusive communities.
- Theme 2 – Sustainable, liveable environments.
- Theme 3 – Thriving local economies that meet community needs.

- Theme 4 –Effective, responsible & authentic leadership.

Shoalhaven 2032 has a direct influence on the objectives, uses and management approach covered by this PoM. The land covered by this PoM shall therefore be managed in accordance with the key themes outline in Shoalhaven 2032.

### **Delivery Program Operational Plan**

Shoalhaven City Council's Delivery Program and Operational Plan Resourcing Strategy outlines Council's annual delivery plan. It is prepared by Council in collaboration with and on behalf of residents, businesses, all levels of government and local agencies, to help build and maintain a vibrant and sustainable future for the local community. The Delivery Program and Operation Plan Resourcing Strategy can be found online on Councils website.

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# 5 Development and Use

## 5.1 Permissible Uses / Future Uses

The types of uses which may occur on community land categorised as General Community Use, and the forms of development generally associated with those uses, are set out in Table 2. Additionally, development proposals must align with the permitted use associated with the gazetted reserve purpose (for each parcel of land to which this Plan of Management applies). The facilities on community land may change over time, reflecting the needs of the community.

The anticipated uses and associated development identified in the table are intended to provide a general guide. The terminology used is not intended to impose an exact meaning. For example, a reference to 'football' includes any variations of that game.

**Table 2: Permissible use and development of community land categorised as General Community Use by council.**

Purpose/Use, such as...	Development to facilitate uses, such as...
<p>Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes.</p> <p>Providing multi-purpose buildings (for example, community halls and centres) with specialised community uses such as:</p> <ul style="list-style-type: none"> <li>• casual or informal recreation</li> <li>• meetings (including for social, recreational, educational or cultural purposes)</li> <li>• functions</li> <li>• concerts, including all musical genres</li> <li>• performances (including film and stage)</li> <li>• exhibitions</li> <li>• fairs and parades</li> <li>• workshops</li> <li>• leisure or training classes</li> <li>• child care (for example, before and after school care, vacation care)</li> <li>• designated group use (e.g. scout and girl guide use)</li> <li>• educational centres, including libraries, information and resource centres</li> <li>• entertainment facilities</li> <li>• active cemeteries</li> <li>• caravan parks and camping grounds.</li> <li>• utility easements</li> </ul>	<p>Development for the purposes of social, community, cultural and recreational activities, such as libraries, childcare centres, youth services, aged services, men's sheds, health services, sports.</p> <p>Development includes:</p> <ul style="list-style-type: none"> <li>• provision of buildings or other amenity areas to facilitate use and enjoyment by the community</li> <li>• development (particularly within buildings) for the purposes of addressing the needs of a particular group (for example, a stage)</li> <li>• landscaping and finishes, improving access, amenity and the visual character of the general community area</li> <li>• water-saving initiatives such as rain gardens</li> <li>• energy-saving initiatives such as solar lights and solar panels</li> <li>• car parking and loading areas</li> <li>• advertising structures and signage (such as A-frames and banners) that:               <ul style="list-style-type: none"> <li>○ relate to approved uses/activities</li> <li>○ are discreet and temporary</li> <li>○ are approved by the council</li> </ul> </li> <li>• locational, directional and regulatory signage.</li> <li>• cemeteries</li> <li>• drainage reserves</li> <li>• pathways/shared pathways/cycleways</li> </ul>

## 5.2 Express Authorisation of Lease and Licences and Other Estates

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Under section 46(1)(b) of the LG Act, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the community land itself and the local area to support the activity.

A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short-term licence or hire agreement will be issued.

### 5.2.1 Leases and Licences Authorised by the Plan of Management

This plan of management expressly authorises the issue of leases, licences and other estates over the land covered by the plan of management, in accordance with section 46(1)(b) of the LG Act, provided that:

- the purpose is consistent with the purpose for which it was dedicated or reserved
- 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) Regulation 2021
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the Native Title Act 1993 (Cth)
- where the land is subject to a claim under the Aboriginal Land Rights Act 1983 the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- 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) Regulation 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.

Table 3 further identifies the purposes for which leases and licences may be issued over the reserves identified in this plan of management.

**Table 3. Purposes for which a lease/licence may be granted.**

Community land covered	Purpose for which tenure may be granted
<b>Leases</b>	
General Community Use	<ul style="list-style-type: none"> <li>• childcare or vacation care</li> <li>• health or medical practitioners associated with the relevant facility (e.g. nutrition, physiotherapy)</li> <li>• educational purposes, including libraries, education classes, workshops</li> <li>• cultural purposes, including concerts, dramatic productions and galleries</li> <li>• recreational purposes, including fitness classes, dance classes and games</li> <li>• sporting uses developed/operated by a private operator</li> <li>• kiosk, café and refreshment purposes</li> <li>• commercial retail uses associated with the facility (e.g. sale or hire of sports goods)</li> <li>• engaging in a trade or business for any of the purposes listed above</li> </ul>
<b>Licences</b>	
General Community Use	<ul style="list-style-type: none"> <li>• social purposes (including childcare, vacation care)</li> <li>• educational purposes, including libraries, education classes, workshops</li> <li>• recreational purposes, including fitness classes, dance classes</li> <li>• café/kiosk areas</li> <li>• delivery of a public address</li> <li>• commercial photographic sessions</li> <li>• picnics and private celebrations such as weddings and family gatherings</li> <li>• filming sessions</li> <li>• the agistment of stock.</li> </ul>
<b>Other estates</b>	
All community land and buildings	This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the LG Act.

## 5.2.2 Short-term Licences

This PoM expressly authorises Council to issue short-term licences (for up to 12 months) under s2.20 of the Crown Land Management Act for the prescribed purposes listed in Clause 31 of the Crown Land Management Regulation 2018.

Short-term licences granted under s2.20 of the CLM Act are authorised for the following prescribed purposes:

- a) access through a reserve,
- b) advertising,
- c) camping using a tent, caravan or otherwise,
- d) catering,
- e) community, training or education,
- f) emergency occupation,
- g) entertainment,
- h) environmental protection, conservation or restoration or environmental studies,
- i) equestrian events,
- j) exhibitions,
- k) filming (as defined in the Local Government Act 1993),
- l) functions,

- m) grazing,
- n) hiring of equipment,
- o) holiday accommodation,
- p) markets,
- q) meetings,
- r) military exercises,
- s) mooring of boats to wharves or other structures,
- t) sales,
- u) shows,
- v) site investigations,
- w) sporting and organised recreational activities,
- x) stabling of horses,
- y) storage.

Fees for short-term casual bookings will be charged in accordance with the council's adopted fees and charges at the time.

### 5.2.3. Native Title and Aboriginal Land Rights Considerations in Relation to Leases, Licences and Other Estates

When planning to grant a lease or licence on Crown reserves, the council must comply with the requirements of the Commonwealth *Native Title Act 1993* (NT Act) and have regard for any existing claims made on the land under the NSW *Aboriginal Land Rights Act 1983* (ALR Act).

It is the role of the council's engaged or employed Native Title Manager to advise if the proposed activities and dealings are valid under the NT Act (see Appendix 4 for more information).

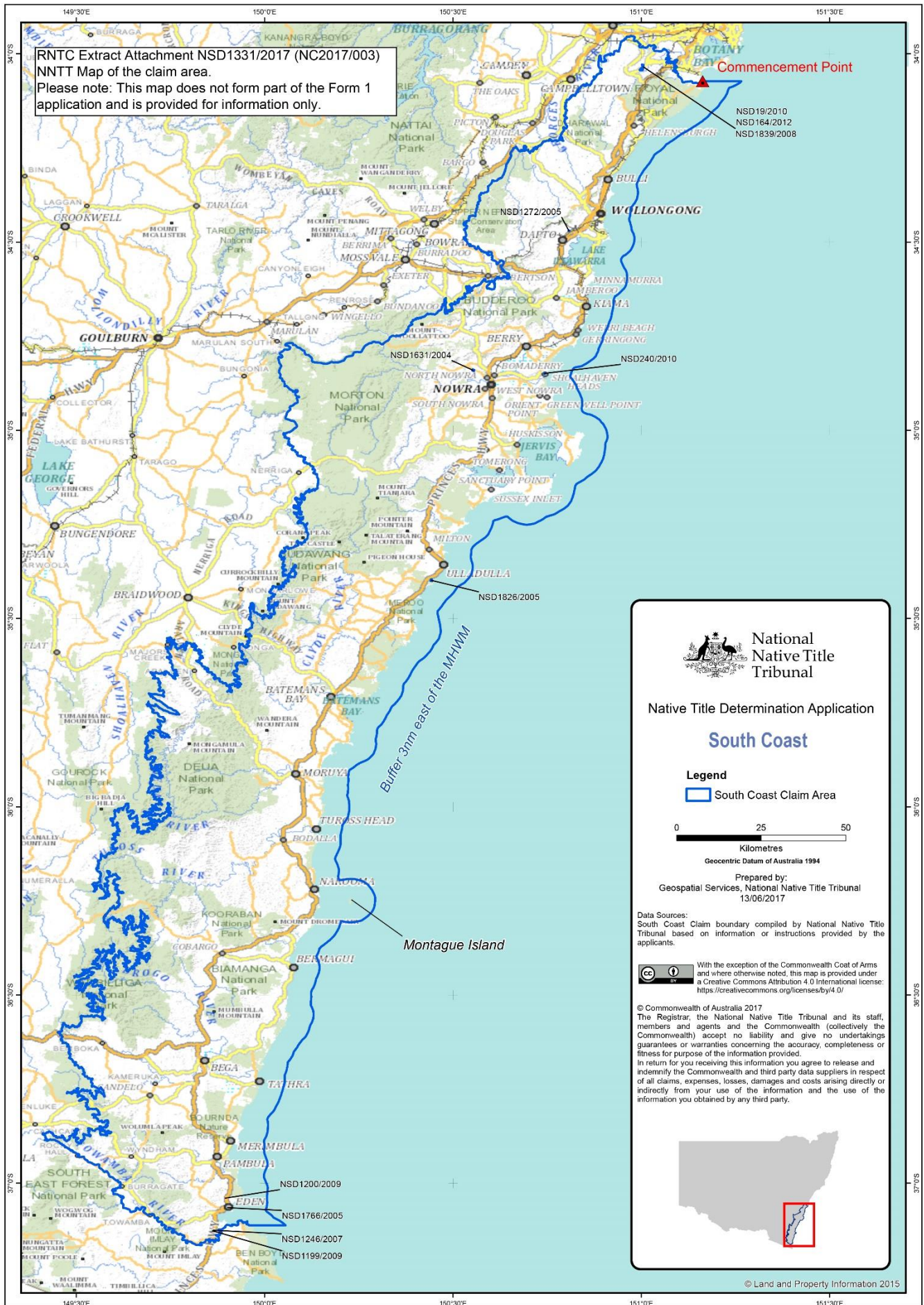
At the time of publication, the following native title claim(s) were registered over land to which this Plan of Management Applies:

1. Has there been a Native Title claim registered under the Native Title Act 1993: yes (further details below):
  - a. Native title claimants: South Coast People;
    - i. Native Title Tribunal file number: NC2017003;
    - ii. Federal Court file number: NSD1331/2017;
    - iii. Date filed: 03/08/2017;
  - b. The area the claim covers in relation to the LGA is illustrated in Figure 2 (over page).
  - c. Determination: pending.
  - d. Further information about the determined outcome per Crown reserve will be published in a schedule to be included as an addendum to a future revision of this Plan of Management.

Council will follow all procedural steps as required under the Native Title Act 1993, when relying upon a particular Subdivision to validate any future acts authorised in this PoM.



Figure 2: Map of Native Title Determination Claim (South Coast People, NC2017003)





## 5.3 Action Plan

Section 36 of the LG Act requires that a plan of management for community land details:

- The objectives and performance targets of the plan with respect to the land.
- The means by which the 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.

Table 4 sets out key objectives and performance targets for management of the land.

**Table 4. Objectives and performance targets, means of achieving them and assessing achievement.**

Management Issues	Objectives and Performance Targets	Means of Achievement of Objectives	Manner of Assessment of Performance
Use	To ensure that General Community Use land is used for appropriate purposes, and in the case of Crown Land, in line with the Reserve Purpose	General Community Use is used for purposes consistent with its Core Objectives. These uses may include Scout and Guide Halls, neighbourhood centres, libraries, cultural centres, childcare centres, educational, cultural and social functions, utility easements and drainage reserves.	General Community Use land is not used for inappropriate purposes
Provision of facilities	Consider the future need of the community when planning facilities in areas categorised as General Community Use.	Population trends are considered when planning for facilities on General Community Use land in order to meet the future need of the community.  Where possible, facilities are multipurpose and adaptable to ensure a variety of possible future use.	During the planning process of facilities located on General Community Use Land, future uses are considered and implemented.
Maintenance	To ensure all General Community Use land is maintained according to the specifications detailed in Council's Service Level Agreement	Undertake maintenance as per the relevant Asset Management Plan	Number of submissions received in relation to maintenance of the site
Impacts on adjoining residents	To minimise negative impacts of use on adjoining residents	Investigate potential impacts and prepare mitigating plans in conjunction with residents and user groups as required	Submissions and complaints received from residents adjoining land covered by this Plan of Management are recorded
Erosion, drainage and maintenance of water quality	To develop riparian buffers along	Develop a prioritised list of sites for the establishment of riparian buffers.	Prioritised list is developed.

Management Issues	Objectives and Performance Targets	Means of Achievement of Objectives	Manner of Assessment of Performance
	watercourses to stabilise banks and reduce erosion		
Rubbish dumping	To reduce the incidence of dumping on Crown land	Develop a strategy aimed at reducing the amount of illegal dumping which occurs on General Community Use land	A strategy to reduce dumping is developed and implemented.
Environmental impacts	To ensure the maintenance and use of land does not negatively impact on the natural environment	Undertake regeneration work where required to improve the land. Where required, revegetate land using native species	Complaints received regarding maintenance needs are responded to appropriately. Where possible, native species are favoured.
Accessibility	To ensure General Community Use land is accessible	Where possible, facilities on General Community Use Land are centrally located, close to essential services and transport options. Facilities will aim to be affordable and welcoming	During the planning process of General Community Use land, these factors will be considered. Complaints received from community members regarding accessibility are recorded
Access	Facilities on General Community Use land are easily accessed and well known in the community.	Information on Facilities are available online and are advertised on Council's social media.	Information on Facilities is kept up to date online.

# Appendices

## Appendix 1 Land Covered by this Plan of Management

### 1.1 Crown Land

Table shows all land information details for the reserves, however the PoM applies to the General Community Use only.

Reserve Number	Reserve Name	Reserve Location	Categories	Lot DP	Gazettal date	Purpose	Map (Appendix 2)	Lease and Licence Notes
R45715	MAVROMATTES RESERVE, NOWRA SAILING CLUB & WHARF	NOWRA	Part Park & Part General Community Use	380//755952 ; 7012//1002643 ;	31/08/1910	Access; Public Recreation	Figure 1	Licence to Nowra Community Sailing Club on Lot 380 DP 755952 and Lot 7012 DP 1002643. LD10225. 24/09/23 - 23/09/24. Permitted Use - Sporting and organised recreational activities
R52790	MOLLYMOOK BEACH RESERVE	MOLLYMOOK	Part Park & Part General Community Use & Part Natural Area	214//755967 ; 7001//1061117 ; 7038//1061116 ;	10/05/1918	Public Recreation	Figure 2	Lease to Bruce Maxwell Yalden & Maria Teresa Yalden on Lot 214 DP 755967. LD8754. 01/08/20 - 31/07/25. Permitted Use - Eat-in takeaway food outlet.  Lease in holdover to Mollymook Surf Life Saving Club on Lot 7038 DP 1061116. LD1507. 01/10/02 - 30/09/12. Permitted Use - Clubhouse, meeting / function rooms and any activities associated with

Reserve Number	Reserve Name	Reserve Location	Categories	Lot DP	Gazettal date	Purpose	Map (Appendix 2)	Lease and Licence Notes
								the use by the Mollymook Surf Life Saving Club incorporated or any other use approved by the Trust at all times subject to the relevant zoning and reserves gazetted purpose.
R75773	OHARA HEAD RESERVE	KIOLOA	Part General Community Use & Part Natural Area	34//755941 ; 7002//1020453 ; 7009//1020455 ; 7301//1143028 ; 7302//1143028 ; 7304//1143028 ;	24/04/1953	Public Recreation	Figure 3	Lease to Volunteer Marine Rescue on Part Lot 34 DP 755941 and Part Lot 7009 DP 1020455. LD8435. 01/01/18 - 31/12/37. Permitted Use - Offices Boat and Equipment Storage.
R76175		NOWRA	General Community Use	7011//1024847	28/08/1953	Public Recreation	Figure 4	N/A
R78638	DYBALL, SWANHAVEN & ERROL BOND RESERVES	SWAN LAKE	Part Park & Part General Community Use & Part Natural Area	5//193793 ; 55//755937 ; 7001//1119033 ; 7002//1118074 ; 7003//1117842 ; 7008//1029732 ; 7025//1029727 ; 7307//1132075 ;	08/06/1956	Public Recreation	Figure 5	N/A
R81105	BERRY SHOWGROUND & HAZELBERRY PARK & BERRY POOL	BERRY	General Community Use	1//940561 ; 3//17263 ; 4//17263 ; 5//17263 ;	03/10/1958	Public Recreation	Figure 6	N/A
R83609		BELLAWONGARAH	General Community Use	7007//1001528 ;	08/12/1961	Public Hall; Public Recreation	Figure 7	N/A

Reserve Number	Reserve Name	Reserve Location	Categories	Lot DP	Gazettal date	Purpose	Map (Appendix 2)	Lease and Licence Notes
R86614		TERMEIL	General Community Use	141//755961 ;	09/02/1968	Resting Place	Figure 8	N/A
R87268	ULLADULLA CIVIC CENTRE	ULLADULLA	Part Natural Area – Watercourse & General Community Use	302//755967 ; 340//44294 ; 352//46934 ;	11/07/1969	Community Centre	Figure 9	<p>Lease to Milton Ulladulla Family History Society Incorporated on Lot 340 DP 44294. LD8546. 02/06/19 - 01/06/24. Permitted Use - Meeting Room and Genealogy Room for Family History Purposes.</p> <p>Licence to Milton Ulladulla Bowling Club on Part Lot 340 DP 44294. LD7098. 01/12/17 – 30/11/22. Permitted Use – Carpark vehicle access.</p>
R88840	NOWRA RACING COMPLEX & RUGBY PARK	NOWRA	Part Natural Area & Part General Community Use	4//1265268 ; 102//1264756 ; 462//1062117 ;	26/01/1973	Public Recreation; Racecourse	Figure 10	<p>Lease to Shoalhaven City Turf Club Incorporated on Part Lot 46 DP 106217 (previous 4//1265268). LD7845. 01/07/19 - 30/06/24. Permitted Use - Racing, Public Expositions, Tourism and Community Events.</p> <p>Lease to Shoalhaven Greyhound Racing Club Limited on Part Lot 46 DP 106217 (previous 4//1265268). LD7774. 01/07/19 - 30/06/24. Permitted Use - Greyhound Racing meetings / training and administration office.</p>

Reserve Number	Reserve Name	Reserve Location	Categories	Lot DP	Gazettal date	Purpose	Map (Appendix 2)	Lease and Licence Notes
R89226	ULLADULLA PRE-SCHOOL	ULLADULLA	General Community Use	312//755967 ;	28/06/1974	Kindergarten	Figure 11	Lease in holdover to Milton Ulladulla Preschool Association Incorporated. LD7265. 01/05/18 - 30/04/23. Permitted Use - Operation of Community Preschool.
R89871		BURRILL LAKE	General Community Use	7008//1059896 ;	16/07/1976	Drainage	Figure 12	N/A
R89890	WANDANDIAN REC AREA & BUSH FIRE STATION	WANDANDIAN	General Community Use	5//1107700 ;	06/08/1976	Resting Place; Rural Services (for the area occupied by the RFS); Public Recreation (for the remainder of the reserve)	Figure 13	Deed of Understanding. Service Agreement with RFS LD4433 dated 27/03/2012.
R89935	HUSKISSON COMMUNITY CENTRE RESERVE	HUSKISSON	General Community Use	106//755928 ;	17/09/1976	Community Centre	Figure 14	N/A
R89947	EROWAL BAY RESERVE PAM WEISS VILLAGE GREEN	EROWAL BAY	Part General Community Use & Part Natural Area (Bushland) & Part Sportsground	2//874324 ; 3//874324 ; 4//874324 ;	08/10/1976	Public Recreation	Figure 15	N/A
R90617	NOWRA SCOUTS	NOWRA	General Community Use	392//755952	10/02/2023	Community Purposes, gazetted 10 Feb 2023; Boy Scouts, gazetted 14 Feb 1975	Figure 16	Short Term Licence to Nowra Water Dragons Dragonboat and Outrigger Canoe Club Inc. LD9924. 10/12/22 - 09/12/23. Permitted Use - Meetings, sporting and organised recreational facilities, storage.

Reserve Number	Reserve Name	Reserve Location	Categories	Lot DP	Gazettal date	Purpose	Map (Appendix 2)	Lease and Licence Notes
R90733	MILTON PONY CLUB	MOLLYMOOK	General Community Use	386//45117 ;	11/03/1977	Public Recreation	Figure 17	Short Term Licence to Milton Pony Club Incorporated. LD9882. 01/01/23 - 31/12/23. Permitted Use - Community, training or education, equestrian events, grazing, meetings, sporting and organised recreational activities, storage.
R96785		BOMADERRY	General Community Use	2//45792 ;	03/06/1983	Public Recreation	Figure 18	N/A
R96902	HUSKISSON CAR PARK	WOOLLAMIA	General Community Use	7004//1057339 ; 74//755928 ;	05/08/1983	Parking, gazetted 5 Aug 1983; Community & Sporting Club Facilities (s121a), gazetted 4 Oct 2013, Over Part lot 7004 DP 1057339; Public Recreation; Community Purposes; Environmental Protection; Tourist Facilities & Services (s121a), gazetted 27 Jun 2008	Figure 19	Licence to Jervis Bay Game Fishing Club Incorporated on Lot 7004 DP 1057339. 01/07/17 - 30/06/22. LD6880. Permitted Use - Occupation of Clubhouse for game fishing club and any associated activities.
R96904	WOLLAMIA BOAT RAMP & WHARF	WOOLLAMIA	General Community Use	7005//1057339 ;	05/08/1983	Public Recreation	Figure 20	N/A

Reserve Number	Reserve Name	Reserve Location	Categories	Lot DP	Gazettal date	Purpose	Map (Appendix 2)	Lease and Licence Notes
R97001	CUDMIRRAH-BERRARA COMMUNITY HALL & BUSH FIRE STN	CUDMIRRAH	Part Operational & Part General Community Use & Part Natural Area (Bushland) & Part Sportsground	41//755927 ; 7004//1125731 ;	07/10/1983	Bush Fire Brigade Purposes; Community Purposes; Public Recreation	Figure 21	Licence on Lot 7004 DP 1125731 to Cudmirrah Berrara Community Garden. LD8613. 05/12/20 - 04/12/21. LD8613. Permitted Use - Community, training or education.  Deed of Understanding. Service Agreement with RFS LD4433 dated 27/03/2012.
R97921	NOWRA MUSEUM	NOWRA	General Community Use	1//1123776 ;	27/09/1985	Museum	Figure 22	Lease on Lot 1 DP 1123776 to Shoalhaven Historical Society Incorporated. LD5591. 01/08/14 – 31/07/19. Permitted Use – Operation of a museum and associated activities.
R180005	FORMER PYREE SCHOOL	PYREE	General Community Use	126//821471 ;	05/09/1986	Community Purposes	Figure 23	N/A
R180011	KIOLOA BAWLEY POINT COMMUNITY CENTRE BUSHFIRE STN	KIOLOA	Part Operational & Part General Community Use	7005//1020466 ;	30/01/1987	Community Purposes	Figure 24	Short term Licence to Kioloa Bawley Point Sport & Recreation Club Inc. 01/12/20 - 30/11/21. LD8724. Permitted Use - Storage.  Deed of Understanding. Service Agreement with RFS LD4433 dated 27/03/2012
R180015	ST GEORGES BASIN SAILING CLUB	WRIGHTS BEACH	General Community Use	7306//1158444 ;	13/03/1987	Public Recreation	Figure 25	Short term Licence to AHIMSA Sailing Club Inc. 01/06/23 - 31/05/24. LD10126. Permitted Use



Reserve Number	Reserve Name	Reserve Location	Categories	Lot DP	Gazettal date	Purpose	Map (Appendix 2)	Lease and Licence Notes
								- Sporting and Organised Recreational Activities.
R180017	GREENWELL POINT FISHERMANS WHARF	GREENWELL POINT	General Community Use	123//728046 ;	24/04/1987	Wharf Facility	Figure 26	<p>Berth 1 &amp; 9 – Short term Licence to Robert George t/as Shoalhaven Boat Hire. Current period: 01/07/2023 to 30/06/2024. LD8862. Permitted Use - Mooring of boats to wharves or other structures.</p> <p>Berth 2 - Short term Licence to Stephen Case. Current period: 01/07/2023 to 30/06/2024 . LD9282. Permitted Use - Mooring of boats to wharves or other structures.</p> <p>Berth 3 &amp; 5 – Short term Licence to J &amp; B Truck Hire NSW Pty Ltd. 01/07/23 - 30/06/24. LD10405. Permitted Use - Mooring of boats to wharves or other structures.</p> <p>Berth 4 – Short term licence to John Musumeci. 01/07/2020 to 30/06/2021. LD7630. Permitted Use - Mooring of boats to wharves or other structures.</p> <p>Berth 6 – Short term Licence to Mark Bell. Current period: 01/07/2023 to</p>

Reserve Number	Reserve Name	Reserve Location	Categories	Lot DP	Gazettal date	Purpose	Map (Appendix 2)	Lease and Licence Notes
								30/06/2024. LD9113. Permitted Use - Mooring of boats to wharves or other structures.  Berth 7 - Short term Licence to Gary Crocker t/as Escape Charters. Current period: 01/07/2023 to 30/06/2024. LD9062. Permitted Use - Mooring of boats to wharves or other structures.
R180061	SHOALHAVEN HEADS BUSHFIRE ST, TENNIS, COMM. CENTRE	SHOALHAVEN HEADS	Part Sportsground & Part General Community Use	7008//1002212 ; 77//44344 ; 78//46935 ;	16/04/1993	Community Purposes; Public Recreation	Figure 27	Deed of Understanding. Service Agreement with RFS LD4433 related to Lot 7008 DP 1002212 dated 27/03/2012.
R180065	THOMPSON STREET SPORTING COMPLEX RESERVE	SUSSEX INLET	Part Sportsground & Part General Community Use	159//42824 ; 2//1062625 ;	30/12/1994	Community Purposes; Public Recreation	Figure 28	Short term Licence to Sussex Inlet Men's Shed Inc on Lot 2 DP 1062625. 01/01/23 - 31/12/23. LD9790. Permitted Use - Community, training or education.  Deed of Understanding. Service Agreement with RFS LD4433 dated 27/03/2012.
R180073	CROOKHAVEN HEADS PILOT COTTAGE RESERVE	CROOKHAVEN HEADS	General Community Use	Part 34//755971 ;	09/08/1996	Community Purposes	Figure 29	Lease on Part Lot 34 DP 755971 to Volunteer Marine Rescue. LD8437. 01/01/18 - 31/12/23. Permitted Use - Radio control room residence curtilage and communication tower.

Reserve Number	Reserve Name	Reserve Location	Categories	Lot DP	Gazettal date	Purpose	Map (Appendix 2)	Lease and Licence Notes
R580073	CROOKHAVEN PARK & ROBERT LONESBOROUGH RESERVE	CROOKHAVEN HEADS	Part Sportsground & Part General Community Use & Part Natural Area	Part 34//755971 ; 7306//1156532 ; 1//909050 ; 7310//1156515 ; 7305//1156415 ; 111//755971 ; 7307//1156532 ; 94//755971 ;	27/08/2020	Public Recreation  Note: PoM does not apply to the caravan park on this site.	Figure 30	N/A
R580088	HUSKISSON TENNIS COURT (OLD) & PT BUSH FIRE STATION	HUSKISSON	General Community Use	16/19/758530 ;	05/06/1964	Literary Institute; Community Purposes	Figure 31	Deed of Understanding. Service Agreement with RFS LD4433 dated 27/03/2012.
R580094	EAST CRESCENT RESERVE & CULBURRA SURF CLUB	CULBURRA BEACH	Part Park & Part General Community Use & Part Natural Area	7013//1126800 ;	07/11/1924	Public Recreation	Figure 32	Licence to Shoalhaven City Council. LD8329. 03/07/20. Permitted Use - Pump Station.
R700018	ULLADULLA LEISURE CENTRE	ULLADULLA	Part Sportsground & Part General Community Use	227//257580 ; 330//41314 ;	27/03/1997	Public Recreation	Figure 33	Lease to Milton Ulladulla District Tennis Association Inc on Lot 330 DP 41314. LD3035 and LD9359 (lease variation) on Lot 227 DP 257580. 01/11/06 - 31/10/2026. Permitted Use - The operation of a tennis club and associated activities.
R1003013	BERRY GENERAL CEMETERY	BERRY	General Community Use	1//723973 ;	7/1/1899	Cemetery  Note: Council does not plan to allow for additional graves on the site.	Figure 34	N/A

## 1.2 Council Owned Land

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
283	BERRY GENERAL CEMETERY	Lot 71 DP 4468	2A Kangaroo Valley Rd, BERRY	GBE001	No
2191	BERRY SCHOOL OF ARTS	Lot 8 DP 924675	19 Alexandra St, BERRY	NBE002	No
3177		Lot 21 DP 206466	4 Farrant Av, CULBURRA BEACH	CCU258	No
5004	CULBURRA SCOUT HALL	Lot 1 DP 621595	West Cr, CULBURRA BEACH	GCU002	No
7856	FLAMINGO AVE RESERVE	Lot 2502 DP 216525	Flamingo Av, SANCTUARY POINT	BSP420	No
11923	DENOON RESERVE	Lot 154 DP 40206	Harbord St, SUSSEX INLET	BSU752	No
13844	PLANTATION POINT RESERVE	Lot 180 DP 536100	Plantation Point Pde, VINCENTIA	BVI507	No
13964	COLLINGWOOD BEACH RESERVE	Lot 193A DP 25099	Susan St, VINCENTIA	BVI500	No
15120	CURTIS RESERVE	Lot 42 DP 14490	16 Celia Pde, SHOALHAVEN HEADS	NSH035	No
15852	NOAHS ARK CENTRE ULLADULLA	Lot 173 DP 755967	158 Green St, ULLADULLA	SUL139	No
15908	ULLADULLA CHILDRENS CENTRE	Part Lot 97 DP 26132	31 Hollywood Av, ULLADULLA	SUL833	No
15909	ULLADULLA CHILDRENS CENTRE	Lot 98 DP 26132	33 Hollywood Av, ULLADULLA	SUL833	No
15910	ULLADULLA CHILDRENS CENTRE	Lot 99 DP 26132	35 Hollywood Av, ULLADULLA	SUL833	No
19333	FARRANT AVENUE RESERVE	Lot 22 DP 206466	2 Farrant Av, CULBURRA BEACH	CCU258	No
19334	CULBURRA SURF CLUB	Lot 23 DP 206466	Farrant Av, CULBURRA BEACH	CCU258	No
19342	FARRANT AVENUE RESERVE	Lot 10 DP 230939	Farrant Av, CULBURRA BEACH	CCU264	No
19343	CULBURRA SURF CLUB CARPARK	Lot 11 DP 230939	Farrant Av, CULBURRA BEACH	CCU264	No
19344	CULBURRA SURF CLUB CARPARK	Lot 12 DP 230939	Farrant Av, CULBURRA BEACH	CCU264	No
19346	CULBURRA SURF CLUB CARPARK	Lot 24 DP 206466	Farrant Av, CULBURRA BEACH	CCU258	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
21461		Lot 2 DP 571682	59 Owen St, HUSKISSON		No
24708	THE PARAPET RESERVE	Lot 508 DP 228411	27 The Parapet, MANYANA	SCM770	No
25693	DENOON RESERVE	Lot 155 DP 40206	Harbord St, SUSSEX INLET	BSU751	No
27031		Lot 69 DP 261112	Kurrawa Dr, KIOLOA	SKI710	No
27058		Lot 130 DP 608652	Merry St, KIOLOA	SKI710	No
29315	CAMBEWARRA DRAINAGE EASEMENT	Lot 34 DP 242182	Tannery Rd, CAMBEWARRA VILLAGE	NCA049	No
29641	PENGANA CRES RESERVE	Lot 60 DP 243391	Princes Hwy, MOLLYMOOK	SMM821	No
29745		Lot F DP 22562	Shepherd St, MOLLYMOOK	SMM830	No
29938	HAZEL ROWBOTHAM RESERVE BUSH FIRE STATION	Lot 118 DP 25478	38 Anglers Pde, FISHERMANS PARADISE	SFP783	No
29939	HAZEL ROWBOTHAM RESERVE	Lot 295 DP 26974	Anglers Pde, FISHERMANS PARADISE	SFP783	No
30172	BOMADERRY PRE-SCHOOL & FORMER PRIMARY SCHOOL	Lot 2 DP 568955	5 Birriley St, BOMADERRY	NBO131	No
30238	SEWERAGE PUMP STATION	Lot 1 DP 397062	Bolong Rd, BOMADERRY	NBO108	No
30238	SEWERAGE PUMP STATION	Lot 1 DP 397062	Bolong Rd, BOMADERRY	NBO108	No
31695	HUSKISSON BABY HEALTH CENTRE	Lot 6 Sec 19 DP 758530	3 Watt St, HUSKISSON	GHU005	No
32523	SALISBURY DR RESERVE	Lot 157 DP 243305	Salisbury Dr, NOWRA	CEN345	No
32537	SALISBURY DR RESERVE	Lot 156 DP 243305	Salisbury Dr, NOWRA	CEN345	No
34898		Lot 101 DP 213760	Terragong Av, BAWLEY POINT	SBP860	No
34899		Lot 100 DP 213760	Lurnea Av, BAWLEY POINT	SBP853	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
35656	CALLALA BEACH COMMUNITY FACILITY HALL & TENNIS COURTS	Lot 40 DP 8188	89A Quay Rd, CALLALA BEACH	CCA287	No
36002	SOUTH PACIFIC CRES RESERVE	Lot 201 DP 29760	South Pacific Cr, ULLADULLA	SUL843	No
36390	BENDALONG BUSH FIRE STATION	Lot 354 DP 755923	22 Jacaranda Av, BENDALONG	GBE006	No
36664	BAINBRIGGE CRES RESERVE	Lot 31 DP 35634	Bainbrigge Cr, NOWRA	CNO339	No
37251	MARRIOTT PARK & SALT MINISTRIES	Lot 2 DP 329271	134 Kinghorne St, NOWRA	CNO331	No
38039	SANCTUARY POINT DRAINAGE RESERVE	Lot 563 DP 24760	Mountain St, SANCTUARY POINT	BSP446	No
38040	SANCTUARY POINT DRAINAGE RESERVE	Lot 564 DP 24760	Mountain St, SANCTUARY POINT	BSP446	No
38041	SANCTUARY POINT PATHWAY	Lot 76A DP 31614	Kerry St, SANCTUARY POINT	BSP422	No
38042	SANCTUARY POINT DRAINAGE RESERVE	Lot 887 DP 28031	Walmer Av, SANCTUARY POINT	BSP445	No
38043	SANCTUARY POINT DRAINAGE RESERVE	Lot 885 DP 28031	Macleans Point Rd, SANCTUARY POINT	BSP445	No
38044	SANCTUARY POINT DRAINAGE RESERVE	Lot 706 DP 27855	Walmer Av, SANCTUARY POINT	BSP444	No
38046		Lot 707 DP 27855	Macleans Point Rd, SANCTUARY POINT	BSP444	No
38048	SANCTUARY POINT DRAINAGE RESERVE	Lot 708 DP 27855	Kerry St, SANCTUARY POINT	BSP444	No
38050		Lot 1870 DP 31816	Waratah Cr, SANCTUARY POINT	BSP404	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
38270	KANGAROO VALLEY SHOWGROUND CARETAKERS COTTAGE	Lot B DP 376259	179 Moss Vale Rd, KANGAROO VALLEY	NKV029	No
38274	KANGAROO VALLEY SHOWGROUND	Lot A DP 376259	179 Moss Vale Rd, KANGAROO VALLEY	NKV029	No
38277	KANGAROO VALLEY SHOWGROUND	Lot D DP 409219	181 Moss Vale Rd, KANGAROO VALLEY	NKV029	No
38758		Lot 105 DP 26315	Mitchell Pde, MOLLYMOOK BEACH	SMM612	No
39608		Lot 1868 DP 31816	Waratah Cr, SANCTUARY POINT	BSP404	No
39609		Lot 1869 DP 31816	Waratah Cr, SANCTUARY POINT	BSP404	No
42878	VALLEY VIEW CL RESERVE	Lot 42 DP 262220	Valley View Cl, MILTON	SMI964	No
43721	DOG & STOCK POUND	Lot 342 DP 257515	114 Flatrock Rd, MUNDAMIA	GMU008	No
44527	FORMER CULBURRA WASTE DEPOT	Lot 1 DP 226779	Culburra Rd, CULBURRA BEACH	CCU112	No
47269	GLENHOME WAY RESERVE	Lot 24 DP 261785	Glenholme Way, CULBURRA BEACH	CCU104	No
47941	BOMADERRY COMMUNITY CENTRE	Lot 1 DP 568955	17 Birriley St, BOMADERRY	NBO131	No
48126	NOWRA EAST DRAINAGE RESERVE	Lot 98 DP 219576	Journal St, NOWRA	CEN350	No
48710	MURRAMARANG RD RESERVE	Lot 3 DP 579750	Murramarang Rd, BAWLEY POINT	SBP855	No
48754	HALSTEAD PL RESERVE	Lot 16 DP 703147	Halstead Pl, BOMADERRY	NBO063	No
49917	SHANKLIN CL RESERVE	Lot 35 DP 264257	Shanklin Cl, BOMADERRY	NBO074	No
50181	CAVALIER PDE RESERVE	Lot 56 DP 264369	Cavalier Pde, BOMADERRY	NBO056	No
50661	KALANG AVE RESERVE	Lot 17 DP 700425	Kalang Av, ULLADULLA	SUL127	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
53633	RATCLIFFE PARK	Lot 133 DP 703670	Greenwell Point Rd, NOWRA	CEN361	No
55186	HELSINKI PDE RESERVE	Lot 34 DP 703230	Helsinki Pde, BOMADERRY	NBO056	No
55632		Lot 5 DP 713092	Hawthorn Av, NOWRA	CNO512	No
56381		Lot 26 DP 713631	Bromley Cl, WEST NOWRA	CWN363	No
57215	GLENAIR AVE RESERVE	Lot 36 DP 717091	Glenair Av, WEST NOWRA	CWN111	No
57217	GLENAIR AVE RESERVE	Lot 38 DP 717091	Glenair Av, WEST NOWRA	CWN363	No
57386	MOONDARA RESERVE	Lot 51 DP 718012	Moondara Dr, BANGALEE	NIL053	No
57807	WAHROONGA CL RESERVE	Lot 32 DP 730378	Wahroonga Cl, ST GEORGES BASIN	BSG412	No
57962	ARIES PL RESERVE	Lot 54 DP 730895	Aries Pl, NARRAWALLEE	SNW600	No
58851	GRAHAM FAMILY ESTATE CEMETERY	Lot 3 DP 328915	Lyrebird Dr, NOWRA	GNO009	No
58882	NOWRA SHOWGROUND	Lot F DP 397462	Worrigeer St, NOWRA	CNO403	No
59415		Lot 3 DP 746784	Princes Hwy, SOUTH NOWRA	GSNO10	No
59669		Lot 1 DP 719698	Greville Av, SANCTUARY POINT		No
59670		Lot 2 DP 719698	Greville Av, SANCTUARY POINT		No
59671		Lot 3 DP 719698	Sanctuary Point Rd, SANCTUARY POINT		No
59672		Lot 4 DP 719698	Sanctuary Point Rd, SANCTUARY POINT		No
62083	PEARL CRES RESERVE	Lot 26 DP 734780	5 Pearl Cl, SUSSEX INLET	BSW959	No
62934	FAIRFAX RD RESERVE	Lot 14 DP 736531	Greenway Esp, WOOLLAMIA	BWO629	No



UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
63334	RACEMOSA AVE RESERVE	Lot 34 DP 736822	Beyeri Av, WEST NOWRA	CWN364	No
63373		Lot 17 DP 735184	Albatross Rd, WEST NOWRA	CWN109	No
64010		Part Lot 4 Sec 5 DP 759129	Yalwal Rd, YALWAL		No
64012		Part Lot 1 Sec 5 DP 759129	Yalwal Rd, YALWAL		No
66027	GARLIES CL RESERVE	Lot 15 DP 737498	Garlies Cl, VINCENTIA	BVI516	No
66028	GARLIES CL RESERVE	Lot 16 DP 737498	Garlies Cl, VINCENTIA	BVI516	No
69720	MEROO ROAD RESERVE	Lot 3 DP 787713	Meroo St, BOMADERRY	NBO173	No
70035	ROCKHILL RD RESERVE	Lot 2 DP 747836	Rock Hill Rd, NORTH NOWRA	NNN087	Yes
71363	CALLALA BAY RD RESERVE	Lot 51 DP 772178	McKane Cl, CALLALA BAY	CCA315	No
71386	HUON AVE RESERVE	Lot 50 DP 772178	Huon St, CALLALA BAY	CCA316	No
72420	WORRIGEE CEMETERY	Lot 8 DP 791226	Greenwell Point Rd, WORRIGEE	GWO015	No
72870	ELVIN DR RESERVE	Lot 6 DP 778725	Elvin Dr, BOMADERRY	NBO121	No
72908	HOOD CL RESERVE	Lot 29 DP 777899	Hood Cl, NORTH NOWRA	NNN073	No
73490	GOWLLAND CRES RESERVE	Lot 157 DP 786785	Gowlland Cr, CALLALA BAY	CCA324	No
73529	NORTHWOOD DR RESERVE	Lot 88 DP 786784	Northwood Dr, KIOLOA	SKI712	No
73592		Part Lot 126 DP 26132	Parson St, ULLADULLA	SUL833	No
73747	GLASFORD CRES RESERVE	Lot 117 DP 787924	Glasford Cr, KIOLOA	SKI711	No
74088	CAMMARAY DR RESERVE	Lot 106 DP 788879	Hurst Pl, ST GEORGES BASIN	BSG412	No
74293	TIDY CL RESERVE	Lot 210 DP 789141	Tidy Cl, CALLALA BAY	CCA324	No
74295	HUNTER ST RESERVE	Lot 212 DP 789141	Hunter St, CALLALA BAY	CCA320	No
74669	YURUNGA DR RESERVE	Lot 45 DP 790000	Yurunga Dr, NORTH NOWRA	NNN165	No

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75107	MOSS VALE RD RESERVE	Lot 16 DP 773481	Moss Vale Rd, KANGAROO VALLEY	NKV028	No
75287	WONGA PL RESERVE	Lot 104 DP 791649	Cammaray Dr, ST GEORGES BASIN	BSG405	No
75303	WONGA PL RESERVE	Lot 103 DP 791649	Wonga Pl, ST GEORGES BASIN	BSG405	No
75530	RAYLEIGH GARDENS EST TENNIS COURT & PARK	Lot 67 DP 792339	Lilac Cl, WORRIGEE	CEN358	No
75622	BARDEN CL RESERVE	Lot 266 DP 791984	Barden Cl, CALLALA BAY	CCA323	No
75624	BARDEN CL RESERVE	Lot 268 DP 791984	Barden Cl, CALLALA BAY	CCA319	No
75625	BARDEN CL RESERVE	Lot 269 DP 791984	Barden Cl, CALLALA BAY	CCA320	No
75644		Lot 10 DP 791782	Journal St, NOWRA	CEN200	No
76315		Lot 29 DP 794379	Nooramunga Av, CAMBEWARRA VILLAGE	NCA045	No
76376	DEPOT RD RESERVE	Lot 22 DP 800460	Depot Rd, WEST NOWRA	CWN111	No
76377	DEPOT RD RESERVE	Lot 23 DP 800460	Depot Rd, WEST NOWRA	CWN111	No
76648	CARSON CRES RESERVE	Lot 332 DP 801131	Carson Cr, CALLALA BAY	CCA323	No
76825	CLAYLANDS DR RESERVE	Lot 189 DP 801410	Kurraba Pl, ST GEORGES BASIN	BSG543	No
76927	SCORPIO GR RESERVE	Lot 15 DP 801469	Scorpio Gr, NARRAWALLEE	SNW606	No
76928	SCORPIO GR RESERVE	Lot 16 DP 801469	Scorpio Gr, NARRAWALLEE	SNW606	No
77264		Lot 101 DP 801471	Gemini Way, NARRAWALLEE	SNW603	No
77348	NOWRA SCHOOL OF ARTS, ANNEXE AND CAR PARK	Lot 20 DP 801794	Berry St, NOWRA	CNO610	Yes

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
77348	NOWRA SCHOOL OF ARTS, ANNEXE AND CAR PARK	Lot 20 DP 801794	Berry St, NOWRA	CNO610	Yes
77663		Lot 28 DP 803861	Forrester Ct, SANCTUARY POINT	BSP627	No
77717		Lot 34 DP 803714	Kenneth Av, SANCTUARY POINT	BSP628	No
77847		Lot 367 DP 804059	Durnford Pl, ST GEORGES BASIN	BSG542	No
77848		Lot 368 DP 804059	Durnford Pl, ST GEORGES BASIN	BSG541	No
77940		Lot 2 DP 806393	Kerry St, SANCTUARY POINT	BSP566	No
78281		Lot 383 DP 805160	Stott Cr, CALLALA BAY	CCA204	No
78494		Lot 26 DP 805804	Bourke Cl, VINCENTIA	BVI630	No
78495		Lot 27 DP 805804	Bourke Cl, VINCENTIA	BVI620	No
78626		Lot 1 DP 806783	Tartarian Cr, BOMADERRY	GBO021	No
78745		Lot 162 DP 806909	Village Dr, ULLADULLA	SUL138	No
78746		Lot 163 DP 806909	Village Dr, ULLADULLA	SUL847	No
79092		Lot 46 DP 807870	Argyle St, VINCENTIA	BVI620	No
80322	VILLAGE DRIVE RESERVE	Lot 33 DP 812794	Village Dr, ULLADULLA	SUL848	No
80323	VILLAGE DRIVE RESERVE	Lot 34 DP 812794	Village Dr, ULLADULLA	SUL848	No
80525	WORRIGEE RESERVE - BENNETTS	Lot 4 DP 813653	Worrigee Rd, WORRIGEE	CNU302	No
81046		Lot 2 DP 815412	Worrigee Rd, WORRIGEE	CNU302	No
81368	MAISIE WILLIAMS DRIVE RESERVE	Lot 4 DP 816388	Maisie Williams Dr, MOLLYMOOK	SMM827	No
81368	MAISIE WILLIAMS DRIVE RESERVE	Lot 4 DP 816388	Maisie Williams Dr, MOLLYMOOK	SMM827	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
81764	THEODORE PL/BELLS LANE RESERVE	Lot 18 DP 817911	Theodore Pl, BOMADERRY	NBO123	No
82903		Lot 137 DP 827114	Uranna Av, NORTH NOWRA	NNN230	No
83010	ARTHUR STREET RESERVE	Lot 17 DP 827757	Arthur St, WORRIGEE	CCB366	No
83344	JUDITH DRIVE SUBDIVISION	Lot 16 DP 829626	Balmaringa Av, NORTH NOWRA	NNN215	No
83345	JUDITH DRIVE SUBDIVISION	Lot 17 DP 829626	Balmaringa Av, NORTH NOWRA	NNN215	No
83551	CORALIE CLOSE RESERVE	Lot 149 DP 829592	Coralie Cl, NORTH NOWRA	NNN164	No
83967		Lot 14 DP 833839	Panorama Rd, ST GEORGES BASIN	BSG600	No
84114	ILLAWARRA CIRCUIT RESERVE	Lot 166 DP 832702	Illawarra Cct, WORRIGEE	CCB446	No
84539		Lot 6 DP 835135	Nielson Rd, SUSSEX INLET	BSU204	No
84541	OLD CAMBEWARRA SCHOOL	Lot 2 DP 839145	57 Main Rd, CAMBEWARRA VILLAGE	NCA162	No
84541	OLD CAMBEWARRA SCHOOL	Lot 2 DP 839145	57 Main Rd, CAMBEWARRA VILLAGE	NCA162	No
85314		Lot 27 DP 843541	Roxbrough Rd, FAR MEADOW	NCO168	No
85330		Lot 9 DP 843362	Turvey Cr, ST GEORGES BASIN	BSG529	No
85379		Lot 24 DP 842702	Worrigee Rd, WORRIGEE	CNU302	No
85967		Lot 2511 DP 848318	Socrates Pl, WORRIGEE	CCB380	No
86133		Lot 31 DP 850376	Sophia Rd, WORRIGEE	CCB371	No
86134		Lot 32 DP 850376	Sophia Rd, WORRIGEE	CCB371	No
86879		Lot 126 DP 858980	Settlers Way, MOLLYMOOK	SMM505	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
86880		Lot 127 DP 858980	Combe Dr, MOLLYMOOK	SMM506	No
87029	POLLUTION CONTROL POND	Lot 213 DP 884276	Fishermans Paradise Rd, FISHERMANS PARADISE	SFP784	No
88488		Lot 48 DP 873981	Flanagan Ct, WORRIGEE	CCB371	No
88915	FORESTPARK RESERVE	Lot 211 DP 880150	Forestpark Rd, WORRIGEE	CNU214	No
90038	NUMBAA CEMETERY	Lot 10 DP 2812	Comerong Island Rd, NUMBAA	GNU033	No
90136		Lot 199 DP 1010461	Tulip Oak Dr, ULLADULLA	SUL838	No
90191		Lot 298 DP 1011377	Robinia Way, WORRIGEE	CWO500	No
90206	KANGAROO VALLEY HALL	Lot 1 DP 1003243	177 Moss Vale Rd, KANGAROO VALLEY	NKV143	No
90532		Lot 15 DP 1014986	Emmett St, CALLALA BAY	CCA324	No
90533		Lot 16 DP 1014986	Emmett St, CALLALA BAY	CCA324	No
90871	YELLOW BELLIED GLIDER RESERVE	Lot 715 DP 1019410	Maxwell Cr, SANCTUARY POINT	BSP500	No
91162	JAMES CRESCENT RESERVE	Lot 507 DP 1027482	21 St James Cr, WORRIGEE	CNU440	No
91179		Lot 199 DP 1026742	Pemberly Dr, NOWRA HILL	CWN110	No
91590		Lot 406 DP 1034476	Gannet Rd, NOWRA HILL	CWN447	No
91637		Lot 316 DP 1034478	Stringybark Rd, NOWRA HILL	CWN446	No
91801		Lot 58 DP 1035336	Turvey Cr, ST GEORGES BASIN	BSG556	No
91802		Lot 59 DP 1035336	Turvey Cr, ST GEORGES BASIN	BSG555	No
91803		Lot 60 DP 1035336	Turvey Cr, ST GEORGES BASIN	BSG551	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
91863		Lot 132 DP 1034706	The Concourse, CAMBEWARRA VILLAGE	NCA050	No
91987		Lot 125 DP 1033701	Abelia Pl, WORRIGEE	CCB366	No
91988		Lot 126 DP 1033701	Abelia Pl, WORRIGEE	CCB366	No
92468		Lot 330 DP 1039936	Guinea Flower Cr, WORRIGEE	CCB381	No
92602		Lot 358 DP 1043249	Mountain Ash Pl, WORRIGEE	CWO501	No
92603		Lot 359 DP 1043249	Elderberry Av, WORRIGEE	CWO502	No
92604		Lot 360 DP 1043249	The Garden Walk, WORRIGEE	CWO500	No
92860		Lot 433 DP 1042388	31 Eucalyptus Av, WORRIGEE	CCB383	No
92861		Lot 434 DP 1042388	12 Eucalyptus Av, WORRIGEE	CCB384	No
92862		Lot 435 DP 1042388	32 Eucalyptus Av, WORRIGEE	CCB385	No
92896		Lot 35 DP 1044630	Royal Mantle Dr, ULLADULLA	SUL977	No
93142		Lot 62 DP 1045766	Callistemon Ct, ULLADULLA	SUL977	No
93317		Lot 727 DP 1046992	82 Sophia Rd, WORRIGEE	CCB383	No
93318		Lot 728 DP 1046992	107 Sophia Rd, WORRIGEE	CNU440	No
93327		Lot 12 DP 1049712	Hannah Pl, WORRIGEE	CCB447	No
93475		Lot 162 DP 1049679	Anson St, ST GEORGES BASIN	BSG553	No
93476		Lot 163 DP 1049679	Anson St, ST GEORGES BASIN	BSG552	No
93477		Lot 164 DP 1049679	Firman Glen, ST GEORGES BASIN	BSG529	No
93478		Lot 165 DP 1049679	Anson St, ST GEORGES BASIN	BSG551	No
93499		Lot 716 DP 1049743	Stringybark Rd, NOWRA HILL	CWN447	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
93559		Lot 30 DP 1049913	The Wool Rd, WORROWING HEIGHTS	BEB526	No
93912		Lot 939 DP 1049514	24 Juniper Pl, WORRIGEE	CCB447	No
93914		Lot 941 DP 1049514	15 Juniper Pl, WORRIGEE	CCB448	No
93915		Lot 942 DP 1049514	66 Arthur St, WORRIGEE	CCB449	No
93938		Lot 1023 DP 1051135	Balira Pl, WORRIGEE	CCB449	No
94005		Lot 205 DP 1056358	13 Carver Ct, ST GEORGES BASIN	BSG555	No
94006		Lot 206 DP 1056358	155 Anson St, ST GEORGES BASIN	BSG541	No
94007		Lot 207 DP 1056358	12 Carver Ct, ST GEORGES BASIN	BSG540	No
94530		Part Lot 832 DP 1060601	Liberty Rd, WORRIGEE	CNU443	No
94669		Part Lot 80 DP 1060106	Rayleigh Dr, WORRIGEE	CCB450	No
94743		Lot 523 DP 1064975	Isa Rd, WORRIGEE	CCB385	No
94866		Lot 91 DP 1066068	Anabel Pl, SANCTUARY POINT	BSP565	No
94867		Lot 92 DP 1066068	Anabel Pl, SANCTUARY POINT	BSP565	No
94868		Lot 93 DP 1066068	Anson St, SANCTUARY POINT	BSP573	No
94869		Lot 94 DP 1066068	Belpitt Pl, SANCTUARY POINT	BSP565	No
94870		Lot 95 DP 1066068	Belpitt Pl, SANCTUARY POINT	BSP627	No
94873		Lot 100 DP 1064504	Royal Mantle Dr, ULLADULLA	SUL977	No
94934		Lot 323 DP 1064120	Capeland Av, SANCTUARY POINT	BSP501	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
95271		Lot 233 DP 1071257	Anson St, SANCTUARY POINT	BSP629	No
95363		Lot 1115 DP 1069795	22 Golden Ash CI, WORRIGEE	CCB384	No
95382		Lot 608 DP 1069636	Golden Ash CI, WORRIGEE	CCB366	No
95604		Part Lot 290 DP 1069959	Mintbush Cr, WORRIGEE	CCB450	No
95805		Lot 199 DP 1076139	Settlers Way, MOLLYMOOK	SMM505	No
95840		Lot 299 DP 1076142	The Meadows, MOLLYMOOK	SMM605	No
95841		Lot 300 DP 1076142	Princes Hwy, MOLLYMOOK	SMM605	No
95842		Lot 397 DP 1076144	Princes Hwy, MOLLYMOOK	SMM605	No
95843		Lot 398 DP 1076144	Springfield Dr, MOLLYMOOK	SMM605	No
95844		Lot 399 DP 1076144	Springfield Dr, MOLLYMOOK	SMM605	No
95845		Lot 400 DP 1076144	Springfield Dr, MOLLYMOOK	SMM506	No
96825		Lot 1 DP 443142	Bolong Rd, BOMADERRY	NBO108	No
96825		Lot 1 DP 443142	Bolong Rd, BOMADERRY	NBO108	No
97078		Part Lot 1 DP 1100825	Roseville Rd, BOMADERRY	NBO126	No
97278		Part Lot 34 DP 1077234	Rouken Glen Dr, WEST NOWRA	CWN448	No
97689	ULLADULLA MULTI PURPOSE CENTRE	Lot 1 DP 1105058	78 St Vincent St, ULLADULLA		Yes
97695		Lot 6 DP 1071010	Owen St, HUSKISSON		No
98078		Lot 2 DP 1117224	Carriage Way, MILTON	SMI966	No
98088		Lot 11 DP 1117224	Carriage Way, MILTON	SMI967	No
98094		Lot 1 DP 1128146	111 Taylors Lane, CAMBEWARRA		Yes



UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
98102		Lot 5 DP 755931	Yalwal Rd, YALWAL		No
98103		Lot 14 DP 755931	Yalwal Rd, YALWAL		No
98104		Lot 4 DP 755936	Yalwal Rd, YALWAL		No
98108		Lot 11 DP 755936	Yalwal Rd, YALWAL		No
98109		Lot 12 DP 755936	Yalwal Rd, YALWAL		No
98114		Lot 20 DP 755936	Yalwal Rd, YALWAL		No
98115		Lot 60 DP 755936	Yalwal Rd, YALWAL		No
98117		Part Lot 11 Sec 2 DP 759129	Yalwal Rd, YALWAL		No
98120		Lot 15 Sec 2 DP 759129	Yalwal Rd, YALWAL		No
98121		Lot 17 Sec 2 DP 759129	Yalwal Rd, YALWAL		No
98122		Lot 28 Sec 2 DP 759129	Yalwal Rd, YALWAL		No
98123		Lot 29 Sec 2 DP 759129	Yalwal Rd, YALWAL		No
98124		Lot 32 Sec 2 DP 759129	Yalwal Rd, YALWAL		No
98125		Lot 36 Sec 2 DP 759129	Yalwal Rd, YALWAL		No
98126		Lot 6 Sec 3 DP 759129	Yalwal Rd, YALWAL		No
98127		Lot 9 Sec 11 DP 759129	Yalwal Rd, YALWAL		No
98446		Lot 30 DP 1117746	Connolly St, TOMERONG	BTO617	No
98708		Lot 8 DP 1123774	Bada Cr, BURRILL LAKE	SBL896	No
98778		Lot 4 DP 1071010	Owen St, HUSKISSON		No
99372		Lot 166 DP 1122896	Kanuka Dr, ULLADULLA	SUL978	No

UTE	Common Name	Description	Address	Council Reserve No	Multiple Classification
99373		Lot 167 DP 1122896	Kanuka Dr, ULLADULLA	SUL979	No
99458		Lot 12 DP 1145061	Payten Av, MILTON	SMI968	No
99537		Lot 3 DP 1137611	Settlers Way, MOLLYMOOK	SMM923	No
100083		Lot 11 DP 1150302	31 Candlebark Cl, WEST NOWRA	CWN449	No
116900		Lot 49 DP 1175026	14 Banool Cct, BOMADERRY	NBO168	No
117675		Lot 6 DP 1188080	39 Schofields Lane, BERRY	NBE012	No
118512		Lot 33 DP 1207847	Holloway Rd, NOWRA	CEN353	No
119098	CLIFTON PARK	Lot 1 DP 1215751	13 Clifton St, SANCTUARY POINT	BSP567	No
119446		Lot 400 DP 1209326	Alata Cr, SOUTH NOWRA	CWO505	No
119902		Lot 339 DP 1226462	5 Parker Cr, BERRY	NBE072	No
119938		Lot 783 DP 1228508	Wullun Cl, SANCTUARY POINT	BSP635	No
121749		Lot 1451 DP 1231370	2 Horizon Cr, VINCENTIA		No
121750		Lot 1452 DP 1231370	34 Halloran St, VINCENTIA		No
1000198		Lot 616 DP 1249606	Red Gum Dr, ULLADULLA	SUL982	No
1000199		Lot 617 DP 1249606	Brushbox Dr, ULLADULLA	SUL976	No
1000334		Lot 23 DP 1255989	271 Matron Porter Dr, NARRAWALLEE	SNW982	No
1001226		Lot 1 DP 1256748	Taylor Lane, CAMBEWARRA		No
1001291		Lot 3 DP 1256748	Taylor Lane, CAMBEWARRA		No

# Appendix 2 Maps



Figure 1



Figure 2





Figure 3



Figure 4





Figure 5





Figure 6





Figure 7





Figure 8





Figure 9



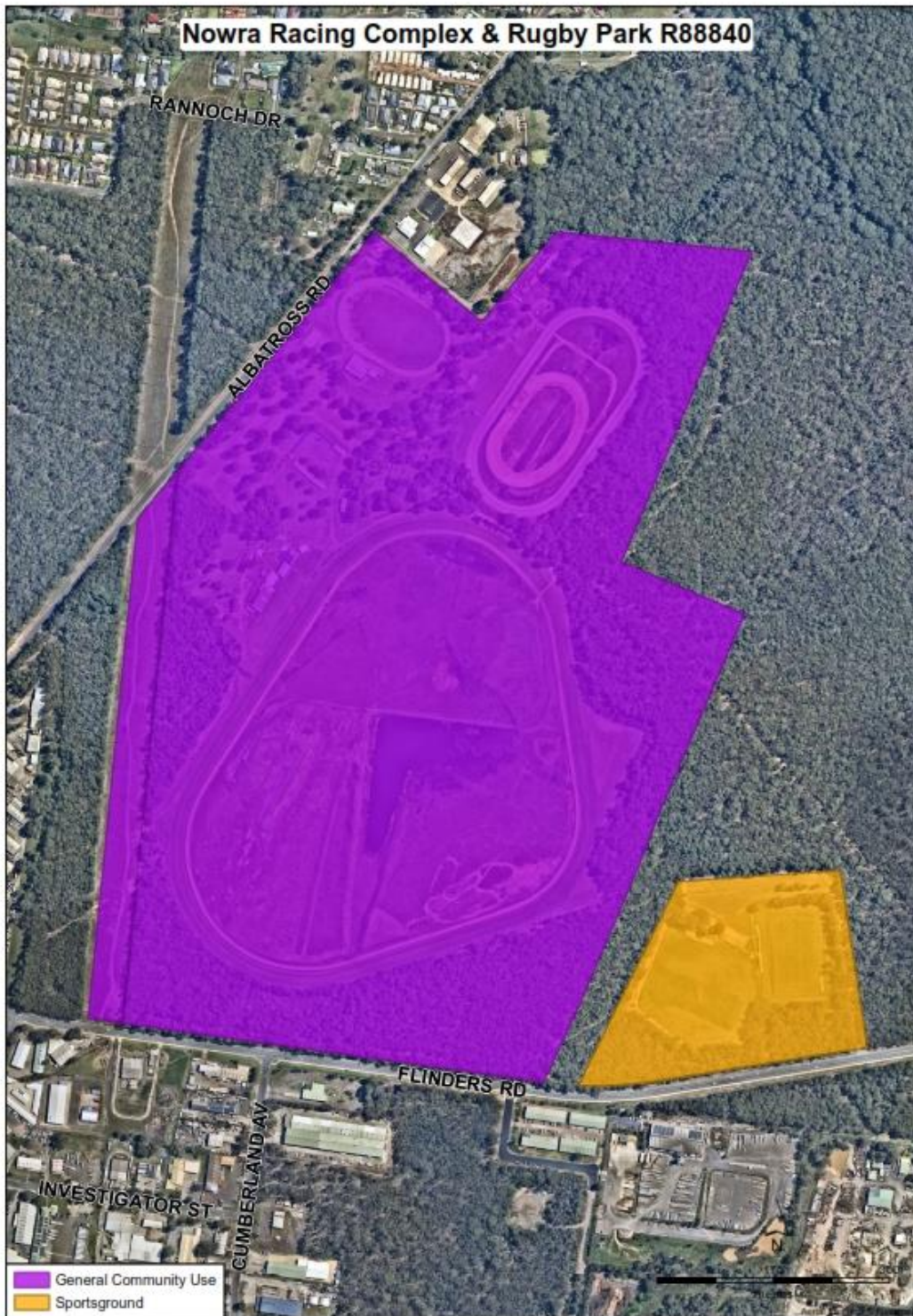


Figure 10





Figure 11



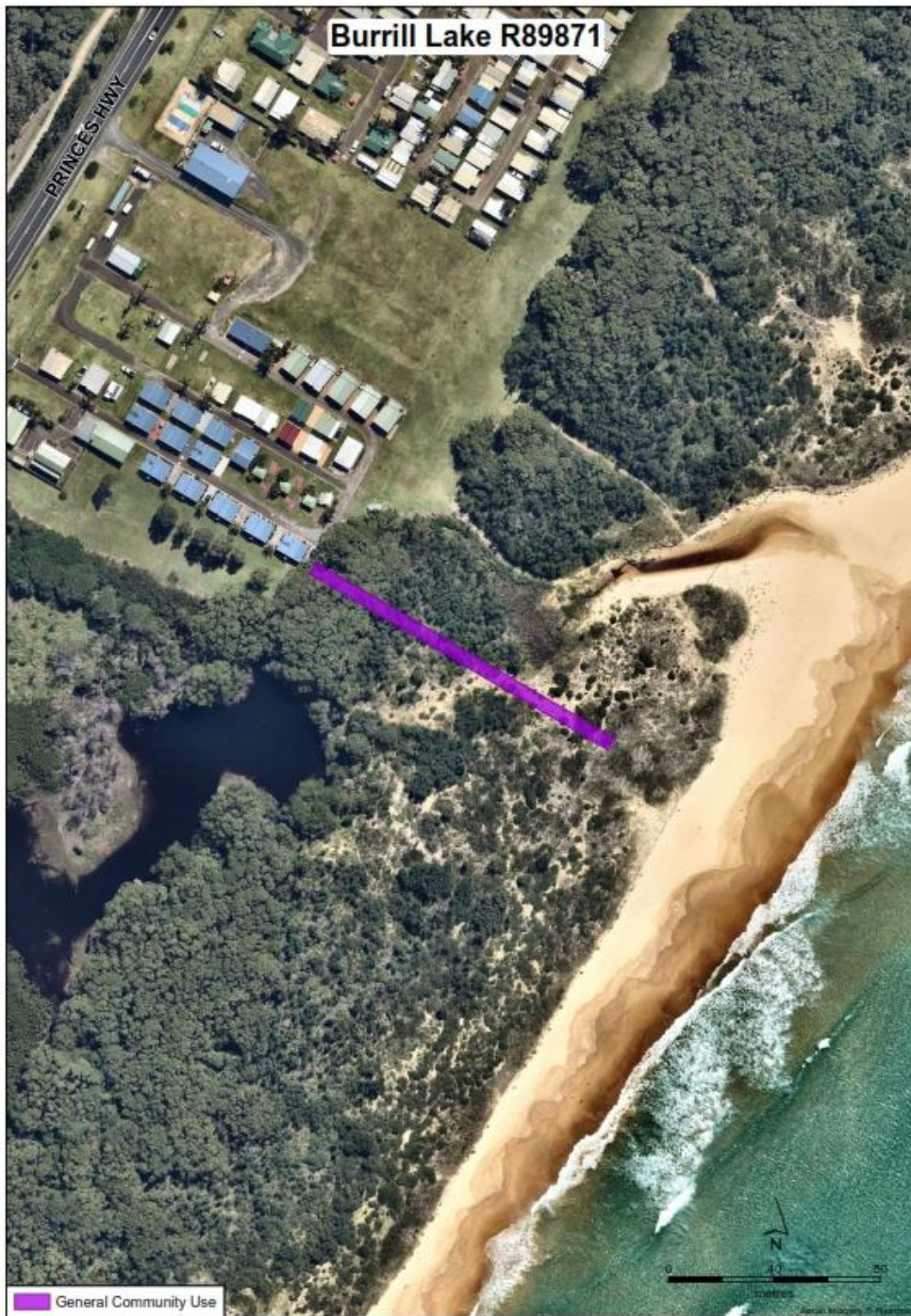


Figure 12





Figure 13





Figure 14





Figure 15





Figure 16





Figure 17





Figure 18





Figure 19





Figure 20



Figure 21



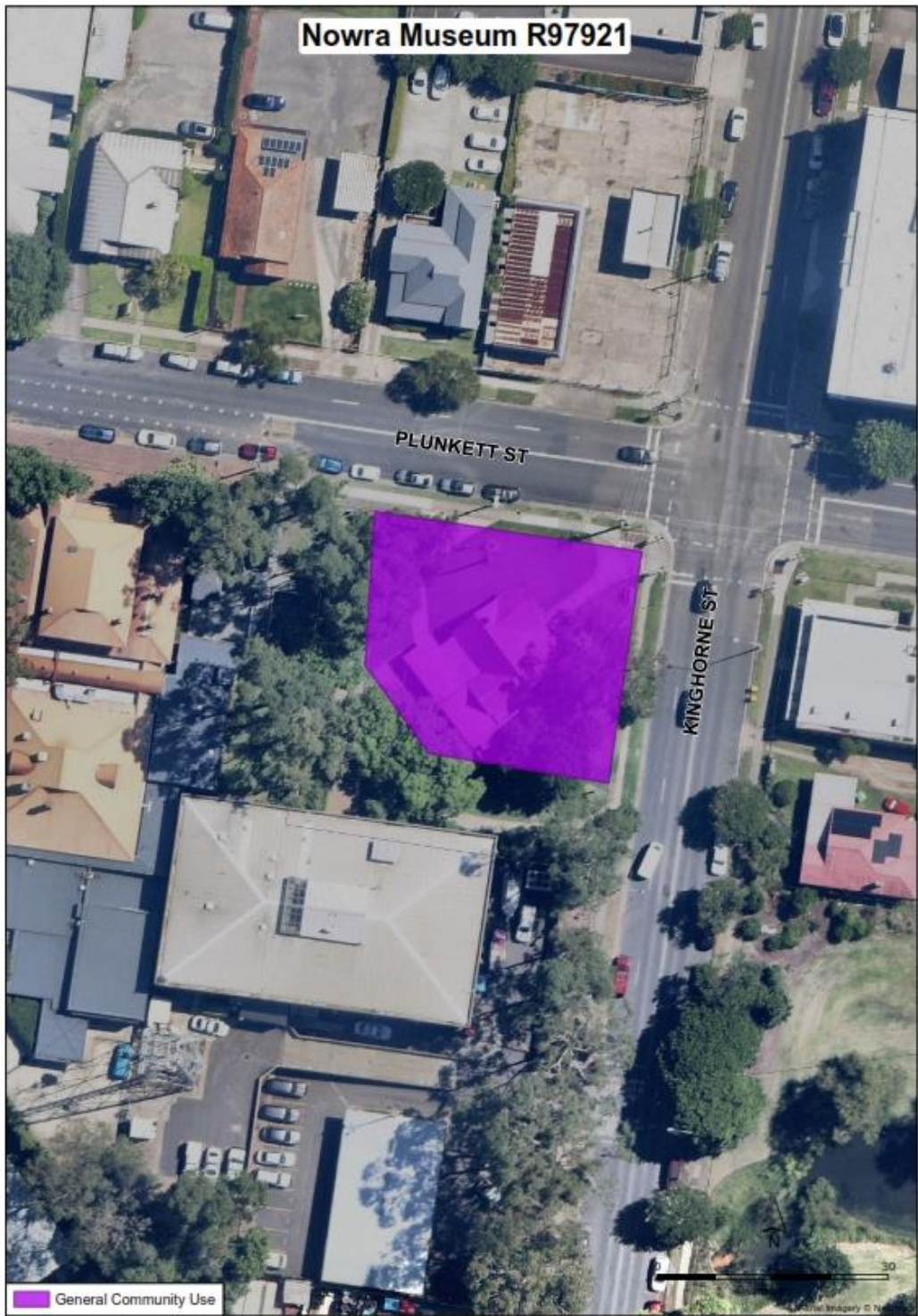


Figure 22



Figure 23





Figure 24





Figure 25



Figure 26





Figure 27



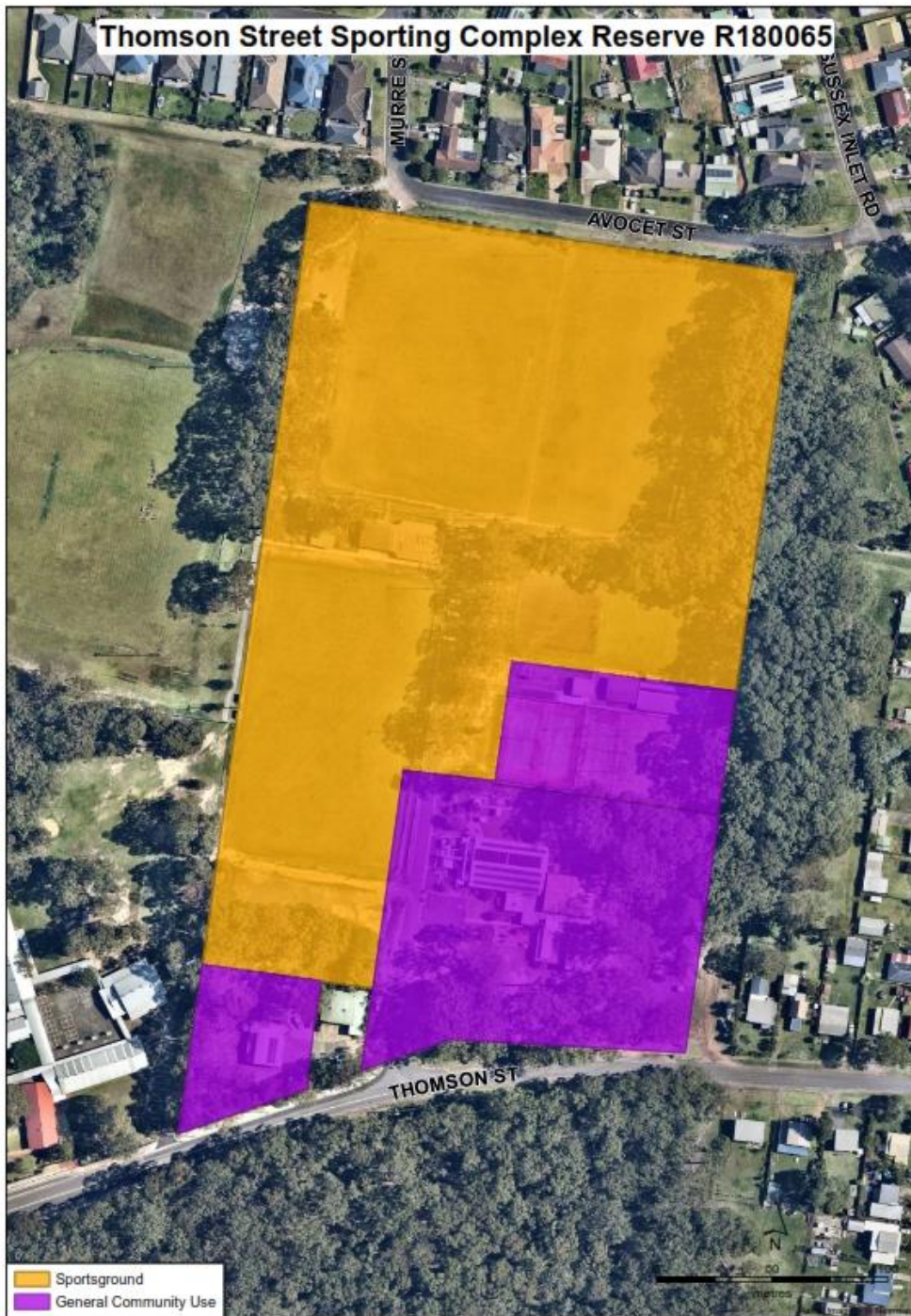


Figure 28





Figure 29





Figure 30



Figure 31





Figure 32



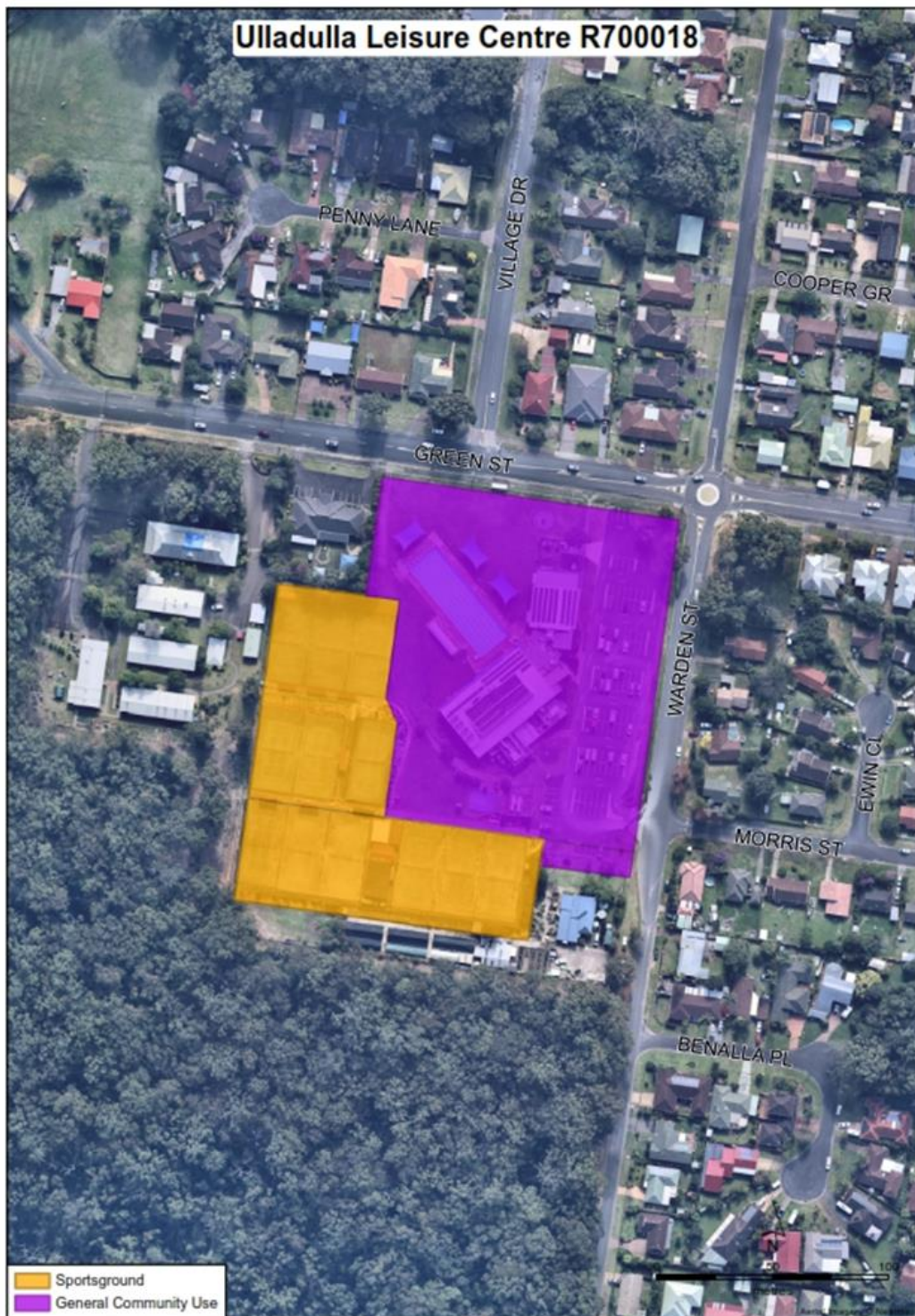


Figure 33



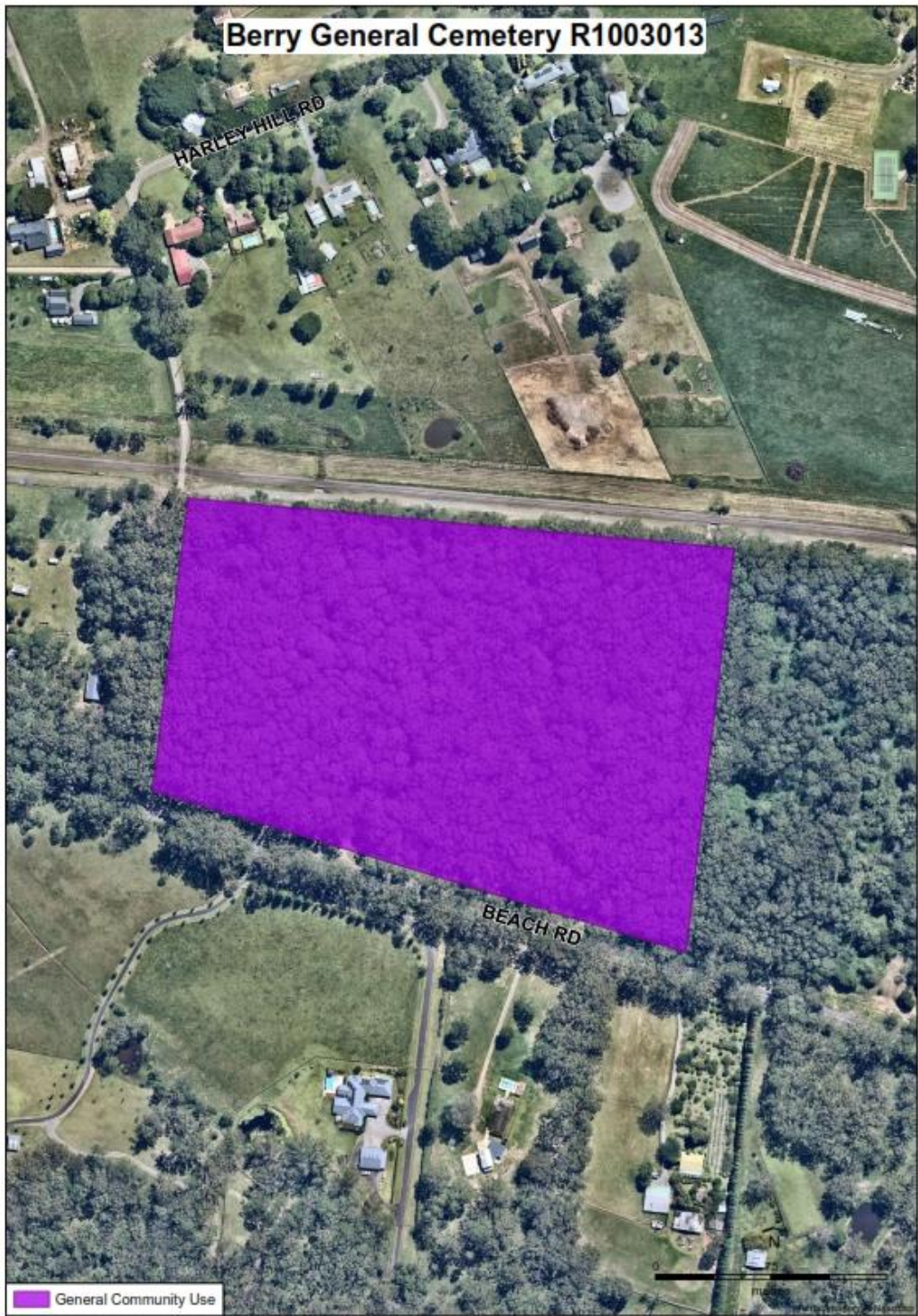


Figure 34



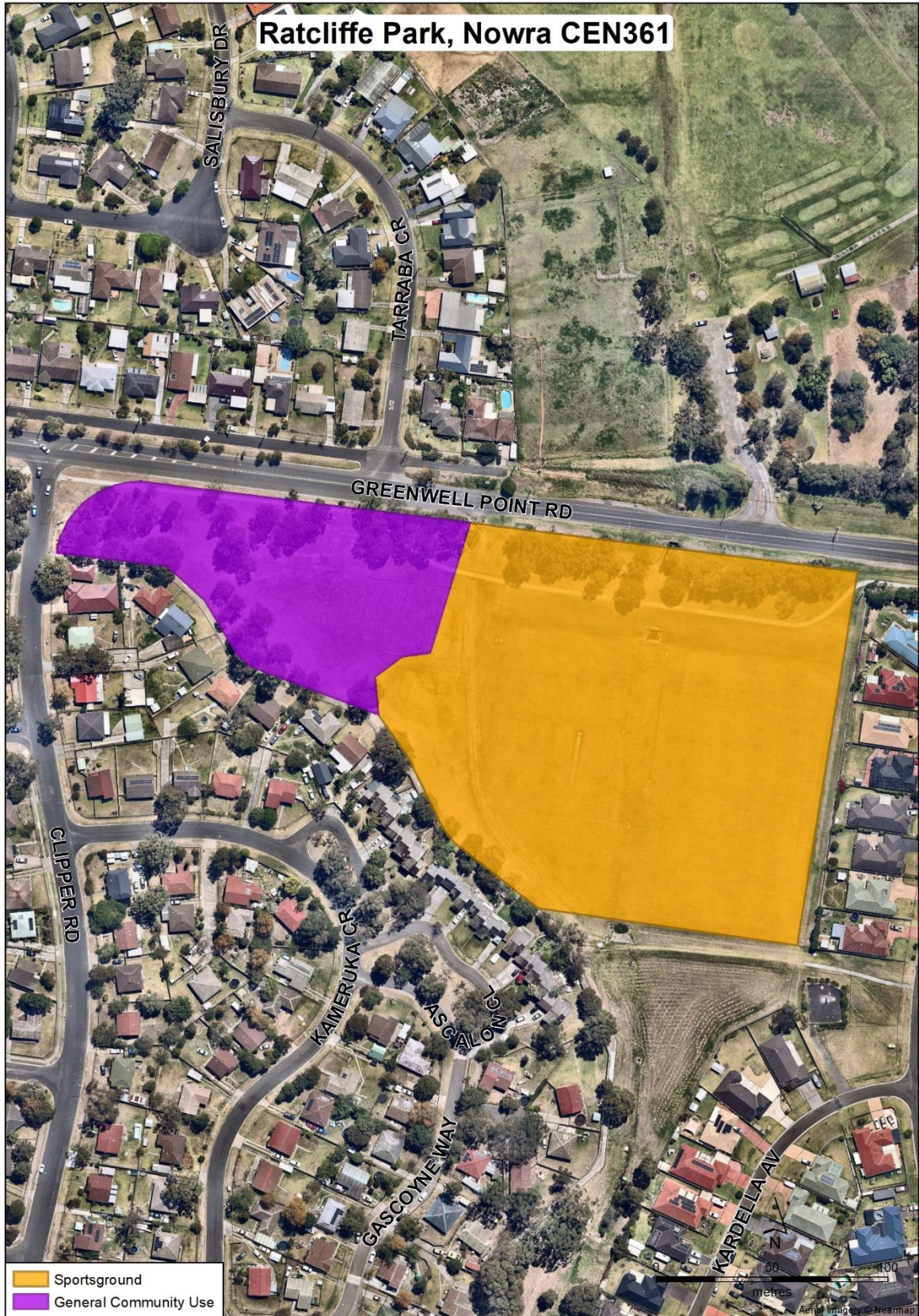


Figure 35



## Appendix 3 Plan of Management Legislative Framework

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The primary legislation that impacts on how community land is managed or used is briefly described below. You can find further information regarding these acts at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

### 3.1 Local Government Act 1993

Section 35 of the LG Act provides that community land can only be **used** in accordance with:

- the plan of management applying to that area of community land, and
- any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and
- the provisions of Division 2 of Chapter 6 of the Act.

Section 36 of the Act provides that a plan of management for community land must identify the following:

- a) the category of the land,
- b) the objectives and performance **targets** of the plan with respect to the land,
- c) the means by which the council proposes to **achieve** the plan's objectives and performance targets,
- d) the manner in which the council proposes to **assess its performance** with respect to the plan's objectives and performance targets,

and may require the prior approval of the council to the carrying out of any specified activity on the land.

A plan of management that applies to just one area of community land:

- e) must include a description of:
  - (i) 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, and
  - (ii) the use of the land and any such buildings or improvements as at that date, and
- f) must:
  - (i) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
  - (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
  - (iii) describe the scale and intensity of any such permitted use or development.

Land is to be categorised as one or more of the following:

- a) a natural area
- b) a sportsground
- c) a park
- d) an area of cultural significance
- e) general community use.

Land that is categorised as a natural area is to be further categorised as one or more of the following:

- a) bushland
- b) wetland
- c) escarpment
- d) watercourse
- e) foreshore
- f) a category prescribed by the regulations.

Additionally, under section 36 of the *Local Government Act 1993* (LG Act), a site-specific PoM must be made for land declared:

- as critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws (sections 36A(2) and 36B(3))
- by council to contain significant natural features (section 36C(2))
- by council to be of cultural significance (section 36D(2)).

### 3.1.1 Classification of public land

The LG Act requires classification of public land into either 'community' or 'operational' land (Section 26). The classification is generally made for council-owned public land by the council's Local Environmental Plan (LEP) or in some circumstances by a resolution of the council (Section 27).

Crown reserves managed by council as Crown land manager have been classified as community land upon commencement of the *Crown Land Management Act 2016* (the CLM Act). Councils may manage these Crown reserves as operational land if written consent is obtained from the minister administering the CLM Act.

Classification of land has a direct effect on the council's ability to dispose of or alienate land by sale, leasing, licensing or some other means. Under the LG Act, community land must not be sold (except for scheduled purposes), exchanged or otherwise disposed of by the council, and the land must be used and managed in accordance with an adopted PoM. In addition, community land is subject to strict controls relating to leases and licences (sections 45, 46, 46A and 47) of the LG Act.

By comparison, no such restrictions apply to operational land that is owned by councils. For example, operational land can be sold, disposed, exchanged or leased including exclusive use over the land, unencumbered by the requirements which control the use and management of community land. Crown reserves managed by council as operational land may generally be dealt with as other operational land but may not be sold or otherwise disposed of without the written consent of the minister administering the CLM Act.

Operational land would usually include land held as a temporary asset or an investment, land which facilitates the council carrying out its functions or land which may not be open to the general public (for example, a works depot).

The classification or reclassification of council-owned public land will generally be achieved by a Local Environmental Plan (LEP) or by a resolution of council in accordance with sections 31, 32 and 33 of the LG Act. If land is not classified by resolution within a three-month period from acquisition it automatically becomes community land, regardless of whether it satisfies the objectives for community land as outlined in the LG Act.

For Crown land, Council cannot reclassify community land as operational land without consent of the minister administering the CLM Act.

## 3.2 Crown Land Management Act 2016

Crown reserves are land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the CLM Act, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the CLM Act, as Council Crown land managers, councils manage Crown land as if it were public land under the LG Act. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of 'environmental protection' cannot be used in a way that compromises its environmental integrity.

Councils must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the CLM Act. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses.

### Principles of Crown land management

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.
- Public use and enjoyment of appropriate Crown land are to be encouraged.
- Where appropriate, multiple uses of Crown land should be encouraged.
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.

- Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

### **Crown land management compliance**

In addition to management and use of Crown reserves that is aligned with the reserve purpose(s), there are other influences over council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

### **3.3 Native Title Act 1993**

The Commonwealth *Native Title Act 1993* (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

- provide for the recognition and protection of native title
- establish ways in which future dealings affecting native title may proceed and to set standards for those dealings
- establish a mechanism for determining claims to native title
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure.

Specifically, the CLM Act makes it mandatory for council to engage or employ a native title manager. This role provides advice to council as to how the council's dealings and activities on Crown land can be valid or not valid in accordance with the NT Act.

Council must obtain the written advice from an accredited native title manager that Council complies with any applicable provisions of the native title legislation when:

- a) granting leases, licences, permits, forestry rights, easements or rights of way over the land
- b) mortgaging the land or allowing it to be mortgaged
- c) imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land
- d) approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

### **3.4 Council plans and policies relating to this plan of management**

Council has developed plans and policies that are concerned to some extent with the management of community land. These documents have been considered when preparing this PoM.

Land included in this Plan of Management is zoned under the Shoalhaven Local Environmental Plan 2014 (SLEP). The Local Environmental Plan sets out the objectives for each zone, as well as the activities, developments and structures which are permissible with or without development consent, and those which are prohibited within the Zone.



## 3.5 Other state and Commonwealth legislation

### 3.5.1 NSW state legislation

#### ***Environmental Planning and Assessment Act 1979***

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments which provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies which may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs) as well as Development Control Plans (DCPs).

#### ***Aboriginal Land Rights Act 1983***

The *Aboriginal Land Rights Act 1983* (ALR Act) is important legislation that recognises the rights of Aboriginal people in NSW. It recognises the need of Aboriginal people for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable.

#### ***National Parks and Wildlife Act 1974***

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance. This Act may affect community land categorised as cultural significance, natural area or park.

#### ***Biodiversity Conservation Act 2016***

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

The *Threatened Species Conservation Act 1995* has been repealed and superseded by the *Biodiversity Conservation Act 2016*. However, references to the former legislation remain in the LG Act and are therefore retained in this guideline.

The Department of Planning, Industry and Environment's Energy, Environment and Science division advises that recovery plans and threat abatement plans made under the *Threatened Species Conservation Act 1995* were repealed on the commencement of the *Biodiversity Conservation Act* in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under section 36B of the LG Act are now redundant. Councils will be advised if future amendments are made to the LG Act to enable these mechanisms.

Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned, and these control categories identify the course of action which needs to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

#### ***Fisheries Management Act 1994***

The *Fisheries Management Act 1994* (FM Act) includes provisions for the management of state fisheries, including the conservation of fish habitats, threatened species, populations and ecological communities of fish and marine vegetation and management of the riparian zone, waterways and threatened marine/freshwater aquatic species. This relates to community land categorised as natural area (foreshore, watercourse or wetland).

Where an area of community land is declared to be critical habitat, or if that area is affected by a recovery plan or threat abatement plan under Part 7A of the FM Act, a site-specific plan of management will need to be undertaken.

### ***Rural Fires Act 1997***

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone lands.

### ***Water Management Act 2000***

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- the fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries has to be protected
- the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land
- to be properly effective, water management must be a shared responsibility between the government and the community
- water management decisions must involve consideration of environmental, social, economic, cultural and heritage aspects
- social and economic benefits to the state will result from the sustainable and efficient use of water.

### ***Heritage Act 1977***

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

### ***Coastal Management Act 2016***

The *Coastal Management Act 2016* aims to protect and sustainably manage the NSW coastline by integrating environmental, social, and economic considerations, addressing climate change impacts, involving the community in decision-making, ensuring consistency in planning, and promoting sustainable development.

## **3.5.2 Commonwealth legislation**

### ***Environmental Protection and Biodiversity Conservation Management Act 1999***

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

### ***Telecommunications Act 1997***

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

## **3.5.3 State Environmental Planning Policies**

### **State Environmental Planning Policy no. 19 – Bushland in urban areas**

This planning policy deals with bushland in urban areas, so is applicable to PoMs for community land categorised as Natural Area– Bushland.

### **State Environmental Planning Policy (Transport & Infrastructure) 2021**

This planning policy lists development allowed with consent or without consent on community land.

### **State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011**

This aims to protect quality of surface water and the ecosystems that depend on it and requires that any development would have a neutral or beneficial effect on water quality.

### **State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

This policy deals with clearing of native vegetation in urban areas and land zoned for environmental protection.

## **State Environmental Planning Policy (Hazard and Resilience) 2021**

This policy aims to enhance resilience to natural hazards and climate change in NSW by guiding development in hazard-prone areas, mitigating risks, and promoting adaptive planning practices.

### **3.5.4 Other relevant legislation, policies and plans**

*Aboriginal Land Rights Act 1983*

*Biodiversity Conservation Act 2016*

*Biosecurity Act 2015*

*Companion Animals Act 1998*

*Disability Discrimination Act 1992*

*Environmental Planning and Assessment Act 1979*

*Environmental Protection and Biodiversity Conservation Management Act 1999 (Cth)*

*Fisheries Management Act 1994*

*Heritage Act 1977*

*Local Land Services Act 2013*

*Pesticides Act 1999*

*Protection of the Environment Operations Act 1997*

*Retail Leases Act 1994*

*Rural Fires Act 1997*

*Soil Conservation Act 1938*

*Telecommunications Act 1997 (Cth)*

*Water Management Act 2000*

NSW Invasive Species Plan 2008-2015

National Local Government Biodiversity Strategy

NSW Biodiversity Strategy

A Vegetation Management Plan for the Sydney Region (Green Web Sydney)

Australian Natural Heritage Charter



## Appendix 4 Aboriginal Interests in Crown Land

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Crown land has significant spiritual, social, cultural and economic importance to the Aboriginal peoples of NSW. The CLM Act recognises and supports Aboriginal rights, interests and involvement in Crown land.

The management of Crown land can be impacted by the *Native Title Act 1993* (Cth) and the *Aboriginal Land Rights Act 1983* (NSW).

### 4.1 Native Title

Native title describes the rights and interests that Aboriginal and Torres Strait Islander people have in land and waters according to their traditional law and customs. Native title is governed by the Commonwealth *Native Title Act 1993* (NT Act).

Native title does not transfer the land to the native title holder, but recognises the right to land and water by providing access to the land and, if applicable, compensation for any loss, diminution, impairment or other effect of the act on their native title rights and interests.

All Crown land in NSW can be subject to a native title claim under the NT Act. A native title claim does not generally affect Crown land where native title has been extinguished or it is considered excluded land.

When preparing a PoM, Council is required to employ or engage a qualified native title manager to provide advice and validate acts (developments and tenures) over the reserve, in line with the NT Act. The most effective way to validate acts under the NT Act is to ensure all activities align with the reserve purpose.

If native title rights are found to exist on Crown land, council Crown land managers may be liable to pay compensation for acts that impact on native title rights and interests. This compensation liability arises for local councils whether or not the act was validated under the NT Act.

For further information about native title and the future acts framework see the [Crown lands website](#).

### 4.2 Aboriginal Land Rights

The *Aboriginal Land Rights Act 1983* (ALR Act) seeks to compensate Aboriginal peoples for past dispossession, dislocation and removal of land in NSW (who may or may not also be native title holders).

Aboriginal land claims may be placed on any Crown land in NSW. The Department of Planning, Industry and Environment is responsible for investigating claims as defined in the ALR Act. If a claim is established, the land is transferred to the Aboriginal Land Council as freehold land.

At the time of preparing this plan of management, reserves may be affected by an undetermined Aboriginal land claims. Council has considered the claim(s) in the development of this plan of management.



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