



HYANDRA PRECINCT PARKS

**CROWN RESERVES – 72195, 89766 & 86857
AND COUNCIL OWNED COMMUNITY LAND**

PLAN OF MANAGEMENT



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1.0 EXECUTIVE SUMMARY

Griffith Parks' PoMs' have been prepared to align with Council's *Playground Strategy (2014)* "Application of Hierarchy" based around Precinct areas within the City of Griffith.

The Hyandra Precinct Parks Plan of Management has been prepared by Council to reflect the respective features of Playgrounds and Parks within the Hyandra Precinct area broadly located between Mallinson Street to the north, Macarthur Street to the east, Wakaden Street to the south and the junction of Noorebar Avenue with Boonah and Kooba Streets at the western end of the Precinct area.

This Plan of Management (PoM) comprises both Council Managed Crown Reserves and Council Owned Community Land as a generic PoM incorporating the following Parks: -

Council Managed Crown Reserves ([Refer Section 2.2 - Land to which this plan applies](#)).

- Part Apex Park – Crown Reserve 72195
- Lions Park – Crown Reserve 89766
- McKirdy Park – Crown Reserve 86857

Council Owned Community Land

- Part Apex Park
- Mallinson Park
- Part Robb Park
- Wade Park (Griffith)

More specifically, these Parks are referred to in [Appendix 1](#) of this PoM (refer pg.45).

That part of Robb Park located between Curtain and Wade Streets comprising Lot 72B DP 36574 has been excluded from the PoM as the land is owned by NSW Land & Housing. Council does however maintain the area in conjunction with the balance of the Park area. Refer to [Figure 4](#) pg. 9.

The Plan of Management examines the current character, current use and future needs of the lands and their relationship to the surrounding properties and communities within which they are located. The Plan establishes a clear direction for future development, planning and resource management of the land by Council.

The PoM is required in accordance with Section 3.23 of the *Crown Land Management Act (CLMA) 2016* and Section 36 of the *Local Government Act (LGA) 1993*.

The Council Managed Crown Reserves and Council Owned Community Lands are all categorised in this PoM, as: -

- **Park**

The categorisation of the lands is consistent with the Reserves' various purposes of Children's Playground, Public Park and Public Recreation and all the lands continue to be used for passive recreational activities and pastimes.

2.0 INTRODUCTION

Figure 1 – Locality diagram



Griffith City is a thriving regional capital with a vibrant lifestyle and diverse economy; embracing community, heritage, culture and the environment.

Located in the Riverina, Griffith is 584km from Sydney, 458 km from Melbourne and 358km from Canberra; and is the largest regional centre in the Western Riverina region. Griffith is located in the heart of Wiradjuri Nation – the largest nation of Aboriginal and Torres Strait Islander people in Australia.

Griffith City Council is responsible for the care and control of many parcels of community land. With the introduction of the *CLMA 2016* on 1 July 2018, Council will manage the Crown reserves for which they are Crown Land Manager, under the provisions of the *LGA 1993*

2.1 Corporate Objectives

Griffith City Council has a positive future being acknowledged as a predominant major regional centre. Council's Mission Statement is –

1. To respond to the needs of the community and deliver in an economical manner those services which are the responsibility of Local Government.
2. To provide Local Government administration that is dedicated, accountable and committed to the improvement of the quality of life and the economic well-being of the citizens of the City of Griffith.

Figure 2 – Guiding Griffith 2040



The Community Strategic Plan '**Guiding Griffith 2040**' adopted in February 2017 identifies the community's priorities and aspirations for the future and provides strategies for achieving these goals. The Community Strategic Plan is made up of four themes. The four key themes are:

Figure 3 – Community Strategic Plan – Themes

- 1. Leadership –**
 - a. Developing an engaged and connected community through clear and transparent communication; acknowledging and being responsive to issues; and to be well informed on current issues that impact on the community;
 - b. Working together to achieve goals by engaging actively with State, Federal and non-government agencies to provide local advocacy; partnering and supporting local delivery service providers; sourcing opportunities for funding partnerships, projects and programs to improve quality of life for community members; and develop partnerships with industry and agricultural leaders.
 - c. Planning and leading with good governance within a clear framework of strategic planning, policies and procedures and service standards; and to ensure Council's financial sustainability.
- 2. Love the Lifestyle –**
 - a. Griffith is a great place to live providing accessible diverse housing; a shared responsibility for the safety of its community members; promotion of reconciliation and a celebration of its social and cultural diversity and social inclusion of the varied demographic groups; providing and promoting accessibility to services and facilities; and building a community which promotes and facilitates an active and healthy lifestyle through provision of sporting and recreational facilities.
- 3. Growing our City –**
 - a. Encouraging the local community to grow with establishment of diversified industries; promoting the growth of established businesses and assist new business growth; strategic planning and consideration of land use management to encourage new investment; promotion and support of diverse agricultural industries; and the promotion of Griffith as a desirable visitor and tourism destination.
 - b. Encouraging a skilled workforce with employment opportunities locally; developing partnerships to build quality education and training opportunities; and advocate for safe work practices and employment standards.
 - c. Providing, renewing and maintaining a range of quality infrastructure, assets, services and facilities in a cost effective and sustainable manner; maintain and develop an effective transport network; improving the aesthetic of the City and its villages; and mitigating against natural disasters.
- 4. Valuing our Environment**
 - a. Enhancing the natural and built environment through respectful planning, balanced growth and good design; facilitating community involvement in caring for the natural environment; delivering projects to protect biodiversity; valuing and protecting both natural and built heritage; sustainable land use; and considering climate change issues when decision making.
 - b. Use and manage our resources wisely through management of water resources and water quality; reduction of energy consumption and greenhouse gas emissions; and providing environmentally sustainable waste management services.

2.2 Land to which this plan applies

The lands to which this PoM applies is more particularly detailed in **Appendix 1** (pg. 45).

Council Managed Crown Reserves –

That part of Apex Park – Reserve 72195 (comprising Lot 2 Section 66 DP 758476) provides a range of playground and sporting facilities to cater for children's activities and contributes to the families' social fabric, particularly as an adjunct to neighbouring North Griffith Primary School and to a lesser extent, St. Patrick's Primary School which contains its own sporting playground area. Apex Park is considered a 'Neighbourhood Park' as defined in Council's *Playground Strategy (2014)* i.e. a small park offering a narrow scope of play serving

the immediate neighbourhood. Note that the balance of Apex Park comprising Lot 1 Section 66 DP 758476 and containing the Apex Memorial rock and garden and some of the sporting infrastructure is Council Owned Community Land.

McKirdy Park – Reserve 86857 is considered as a ‘Precinct Park’ as defined in Council’s *Playground Strategy (2014)*, i.e. a medium scale park with several play experiences catering for children and teenagers with a reasonable level of amenity. McKirdy Park while not providing playground equipment, does contain a volleyball area and table-tennis furniture, and provides a social gathering place with a sheltered BBQ facility, water fountain and bins enabling families to come together within an area that comprises significant multi-unit dwellings with no individual open space for children to play and gather.

Lions Park – Reserve 89766

is similarly located within a multi-unit dwelling area however contains no playground equipment.

A concrete footpath extends along the front of both McKirdy and Lions Parks adjacent to very busy Wakaden Street and provides pedestrian accessibility to various nearby services (Churches, local supermarket, Griffith Base Hospital and a Club) and to Griffith’s main street shopping area.

Council Owned Community Lands –

As mentioned above, Lot 1 Section 66 DP 758476 is that part of Apex Park owned by Griffith City Council as community owned land.

Mallinson Park provides a small range of playground equipment to cater for children’s play activities with a single bench seat. This area is bounded to its north-east by lower Scenic Hill Reserve with part of the park less managed as it extends towards the neighbouring bushland setting. Mallinson Park is considered a ‘Neighbourhood Park’.

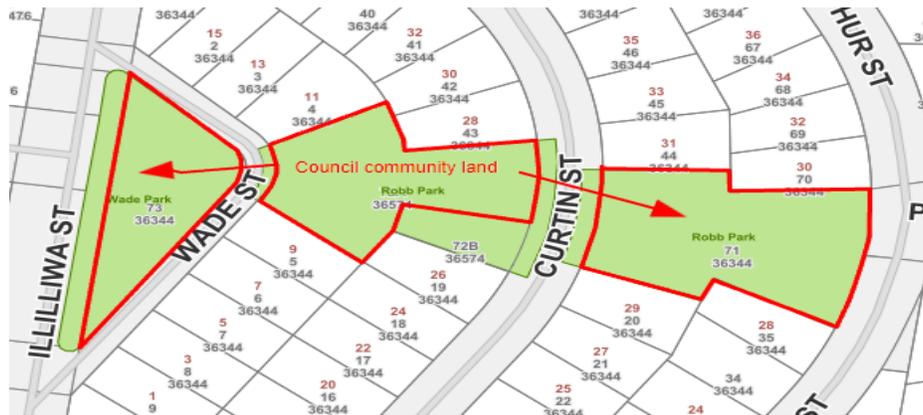
That part of Robb Park owned by Council extends from Macarthur Street to the east across to Curtain Street where it morphs into Wade Park to the west, which is bounded by Wade and Illilliwa Streets. These collective Parks provide a combination of walk-through thoroughfare for residents shopping at local East Griffith Shops and for students in transit to Marion Catholic College, East Griffith Primary School or to further Wade Campus of Murrumbidgee Regional High School.

Wade Park (Griffith) identified as a ‘Neighbourhood Park’, comprises a range of playground equipment, cricket pitch and seating nestled within this residential area. Robb Park is not specifically listed in the *Playground Strategy (2014)* containing no playground equipment; however, it provides connectivity to Wade Park.

That part of Robb Park comprising Lot 72B DP 36574 owned by NSW Land & Housing and excluded from this PoM, whilst resembling the balance of the neighbouring park area, could also be used for housing as currently owned by that department.

Figure 4 – Hyandra Precinct Parks – Crown reserves & Council community land:





2.3 Owner of the land

The following Parks are all Crown Reserved lands owned by The State of New South Wales (as Crown land) and managed by Griffith City Council as Crown Land Manager under the *CLMA 2016*.

Part Apex Park – Reserve 72195 fronting Kooba Street, Griffith comprising Lot 2, Section 66 DP 758476. The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 23 May 1947 (Folio 1221). The area was reduced following ‘Revocation of part’ in Government Gazette of 16 November 1956 (Folio 3422).

Lions Park – Reserve 89766 fronting Wakaden Street, Griffith comprising Lots 1 and 2, Section 167 DP 758476. The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 7 May 1976 (Folio 1963)

McKirdy Park – Reserve 86857 fronting Wakaden Street, Griffith comprising Lots 8-10, Section 168 DP 758476. The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 6 December 1968 (Folio 4876).

Details of the Parks and respective notifications of their public purpose as shown in [Appendix 1](#) (pg. 45).

Council of the Shire of Griffith was further proclaimed as City of Griffith (Griffith City Council) by Government Gazette of 1 July 1987. Griffith City Council was reappointed Trustee of the reserves (i.e. 72195, 89766 and 86857) on 16 December 1994.

The management and use of the lands are subject to the provisions contained in the *CLMA 2016* and is not subject to any condition, restriction or covenant imposed by the owner.

The following Parks are all Council Owned Community Land and managed directly under the LGA 1993: -

Part Apex Park fronting Noorebar Avenue and the corner of Kooba Street, Griffith comprising Lot 1 Section 66 DP 758476;

Mallinson Park located at Mallinson Street, Griffith comprising Lot A DP 36773;

Part Robb Park located between Macarthur and Curtin Streets, Griffith comprising Lot 71 DP 36344 and 72A DP 36574; and

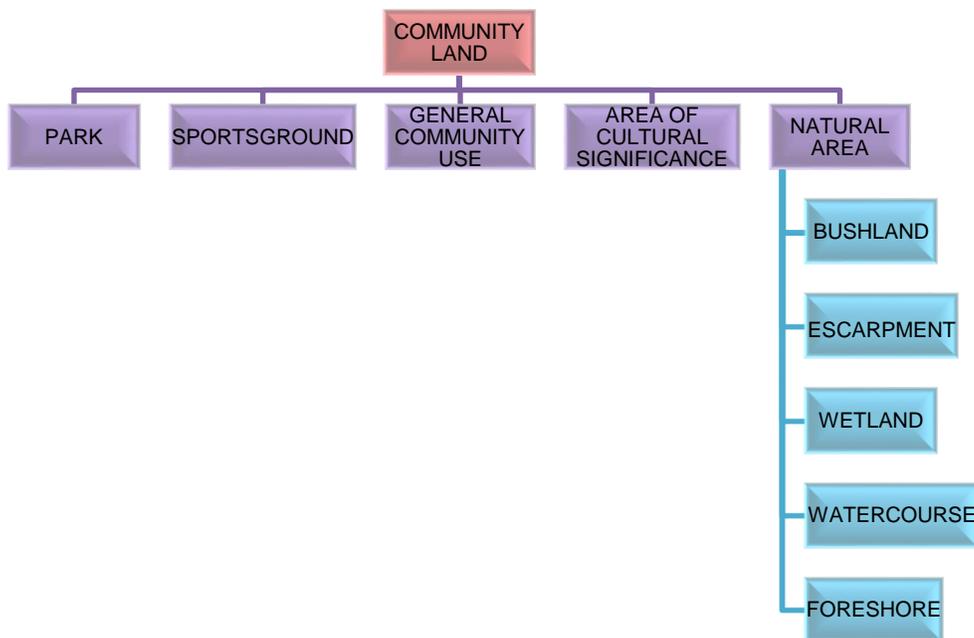
Wade Park located at 2-18 Wade Street, Griffith comprising Lot 73 DP 36344

2.4 Categorisation of the reserve

With the introduction of the *CLMA 2016*, Council is to manage dedicated or reserved Crown land under their control as community land under section 3.21 of the Act.

Under section 3.23(2) of the *CLMA 2016*, Council Crown Land Managers must assign to all Crown land under their management, one or more initial categories of 'Community Land' referred to in section 36 of the *LGA 1993*. The category is to relate most closely to the purpose(s) for which the land is dedicated or reserved.

For the purpose of section 3.23 of the *CLMA 2016*, the PoM for Hyandra Precinct Parks is a 'first Plan'.



The *CLMA 2016* provides a new regime for the management of Crown land and Council is now responsible for compliance with Native Title legislation for the Crown land it manages. Council must obtain Native Title Manager advice as to the validity of any act or activity that it wishes to undertake on Crown Reserves (or Crown land) prior to dealing with the land, i.e. authorised through *Part 2 Division 3 of the NTA (C'th) 1993*.

Both the *Aboriginal Land Rights Act (ALR) 1983* and the *Commonwealth Native Title Act (NTA (C'th)) 1993* recognises the intent of the original reserve purpose of the land so that a complying activity can be considered lawful or validated.

On Crown land, Native Title rights and interest must be considered unless:

- Native Title has been extinguished; or
- Native Title has been surrendered; or
- Determined by a court to no longer exist.

Examples of acts which may affect Native title on Crown land reserves managed by Council include: -

- The construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbeques,
- The construction or extensions to existing buildings,
- The construction of new roads or tracks,
- Installation of infrastructure such as powerlines, sewerage pipes, etc.,
- The issue of a lease or licence,
- The undertaking of earthworks.

Council applied for the categorisation of all Council Managed Crown Reserves as '**Park**' which closely relates to the reserves' purposes of Public Park, Public Recreation and Children's Playground. This category was approved by the Minister administering the *CLMA 2016* in relation to the reserves, and Council does not propose to alter the category of these Reserves by this Plan of Management.

Council does not propose to change the category of **Park** in relation to the Council Owned Community Land of part Apex, Mallinson, Wade and part Robb Parks pursuant to the *LGA 1993*.

Activities on the Council Managed Crown Reserves will need to reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation, including assessment of the activity under the *NTA 1993 (C'th)* and registered claims under the *ALRA 1983*.

Activities on Council Owned Community Land parks will need to be assessed for compliance with relevant Local Government legislation.

3.0 PLANNING INSTRUMENTS, LEGISLATION and POLICIES

3.1 Local Government Act 1993 & Local Government (General) Regulations 2021 [NSW]

Under the *LGA 1993*, Section 36(1) Council must prepare a Plan of Management for all community land under their control. A Plan of Management may apply to one or more areas of community land.

Council must also consider the guidelines under Clause 101 of the Local Government (General) Regulation 2021 [NSW] for categorisation of community land when preparing Plans of Management.

Clause 104 of the guidelines states that the land should be categorised as a park under Section 36(4) of the Act if the land is or proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

This Plan of Management has been prepared in accordance with the *LGA 1993* using the land categories approved by the Minister administering the *CLMA 2016* where lands are Council Managed Crown Reserves. The Plan of Management has further been prepared in accordance with the *LGA 1993* solely where lands are Council Owned Community Lands.

The minimum requirements for a Plan of Management for community land is set out in Section 36(3) of the *LGA 1993* and 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.

Section 36(2) specifies that a Plan of Management may apply to one or more areas of community land, except as provided by this Division.

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

3.2 Land Zoning

Figure 5a - Planning Zone –Hyandra Precinct Parks (including Apex, Lions, McKirdy, Part Robb and Wade Parks) – RE1 – Public Recreation

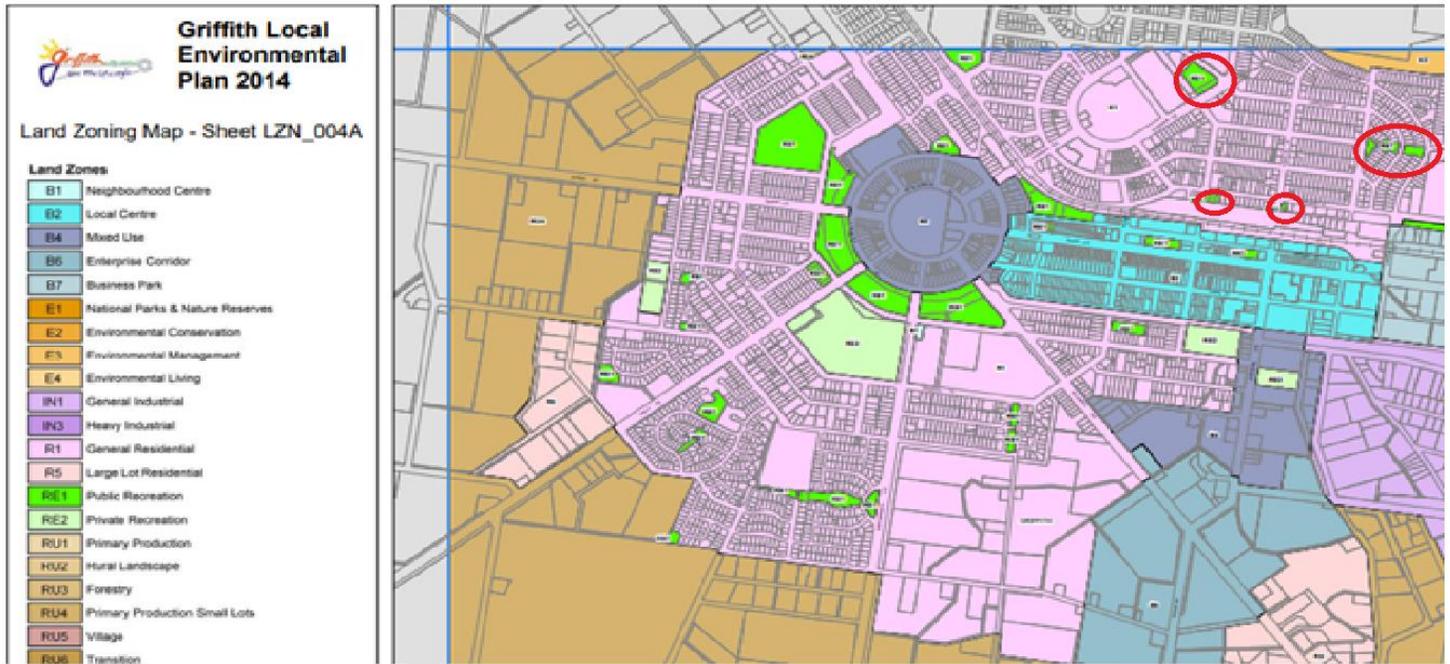


Figure 5b – Enlargement Planning Zone of Figure 5a



Figure 5c - Planning Zone –Hyandra Precinct Parks (comprising Mallinson Park) – RE1 – Public Recreation

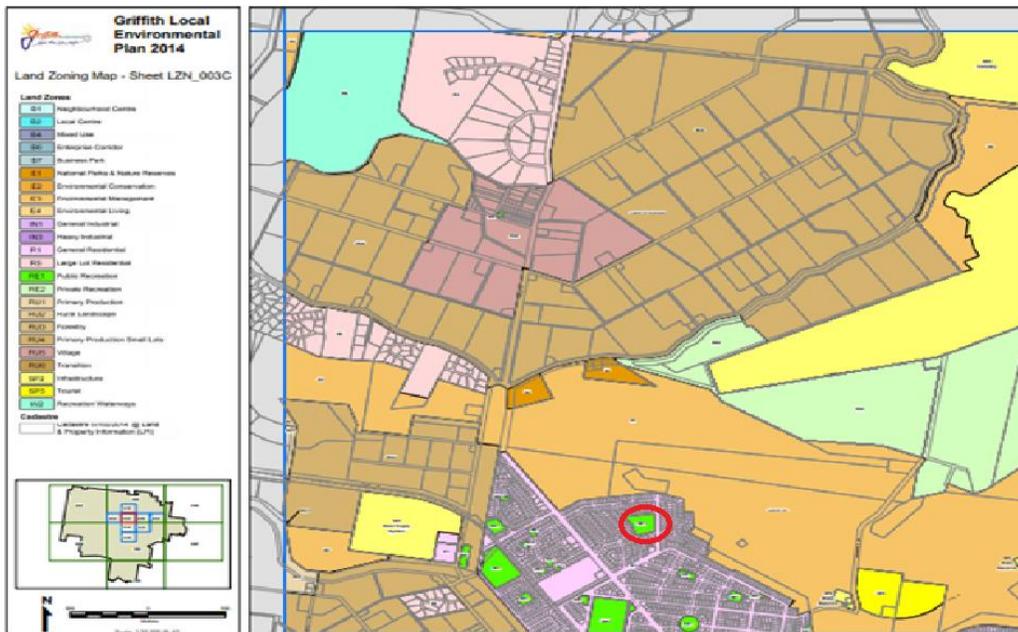
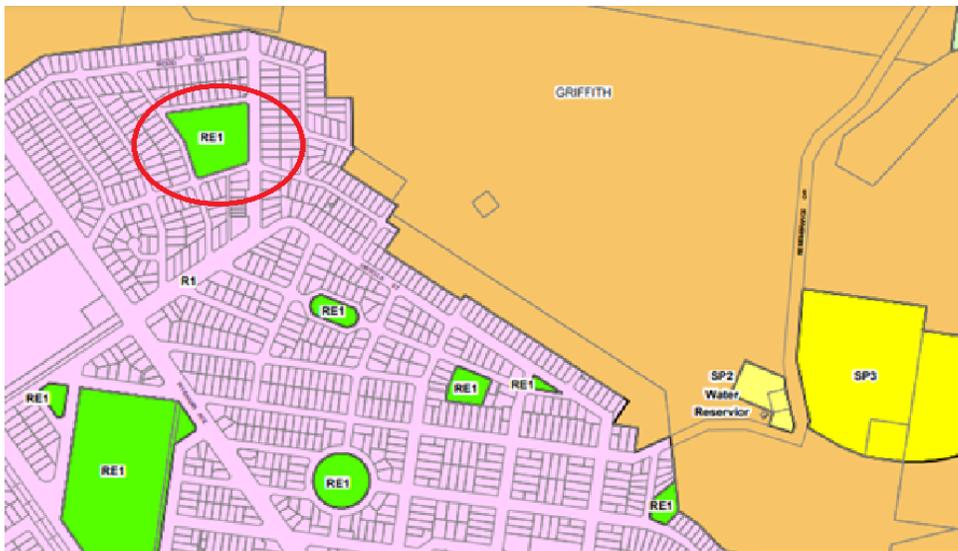


Figure 5d – Enlargement Planning Zone of Figure 5c above adjoining to Scenic Hill



The above diagrams - Griffith City Council *Local Environmental Plan 2014* (GLEP), indicates that all Council Managed Crown Reserves 72195 (Part Apex Park), 89766 (Lions Park) and 86857 (McKirdy Park) together with Council Owned Community Land comprising Part Apex, Mallinson, Part Robb and Wade Parks, are zoned RE1 – Public Recreation.

Zone RE1 - Public Recreation

1. The objectives of the RE1 – Public Recreation Use are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreation purposes.
- To encourage the development of public open spaces in a way that addresses the community's diverse recreation needs.
- To offer opportunities for tourism development.

2. Permitted without consent

Environmental protection works; Water reticulation systems.

3. Permitted with consent

Amusement centres; Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Car parks; Caravan parks; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Eco-tourist facilities; Educational establishments; Emergency services facilities; Entertainment facilities; Environmental facilities; Flood mitigation works; Function centres; Heliports; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities.

4. Prohibited

Any development not specified in item 2 or 3.

3.3 Flood Planning

GLEP 2014 presents the objective to considering 'flood planning' in 7.2 (1) as:

- To minimise flood risk to life and property associated with the use of the land.,
- To allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change.
- To avoid significant adverse impacts on flood behaviour and the environment.

Flood Reports dated 22 November 2020 for the Parks within the Hyandra Precinct have been assessed in accordance with the **Griffith CBD Overland Flow FRMS&P 2013 (WMA Water)** for a 1 in 100-year flood event (and further summarised in [Appendix 2](#) (pg.46)) as follows: -

Council Managed Crown Reserves

- *Apex Park* (Lot 2 Section 66 DP 758476) is considered to have a Low Hazard of being Flood Prone, estimated PMF Level is and 141.06m.
- *Lions Park* (Lots 1 & 2 Section 167 DP 758476) is not considered as Flood Prone Lands.

- *McKirdy Park* (Lots 8-10 Section 168 DP 758476) is not considered Flood Prone Lands other than for events *larger than 1:100 years*. The estimated PMF Level is 129.30m, 128.93m and 128.88m respectively.

Council Owned Community Land

- Apex Park (Lot 1 Section 66 DP 758476) is considered to have a Low Hazard of being Flood Prone; estimated PMF Level is 141.18m.
- *Mallinson Park* (Lot A DP 36773) is not considered as Flood Prone Land.
- *Part Robb Park* (Lot 71 DP 36344 and Lot 72A 36574) is not considered as Flood Prone Land.
- *Wade Park* (Lot 73 DP 36344) is not considered Flood Prone Land other than for events larger than 1:100 years. The estimated PMF Level is 135.57m.

Flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. Floor levels are subject to Council's Flood Management Policy.

3.4 Council Plans, Strategies, Policies and Procedures

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

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

3.5 Review of this Plan

The use and management of Hyandra Precinct Parks is regulated by this PoM.

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

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

3.6 Community Consultation

Consultation with the community is an important part of the preparation of this PoM. Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the land to which this PoM applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.

All stakeholders are given the opportunity to express their opinions and provide relevant information in relation to the planned management of the land, however as the land is Crown land, final approval for the PoM rests with the Minister administering the *Crown Land Management Act 2016* as owner of the land.

Council is required to submit the draft PoM to NSW Department of Planning, Industry & Environment, as representative of the owner of the land under section 39 of the *LGA 1993*. This process occurs prior to a public exhibition and community consultation of the Plan of Management. Refer to the "[*Process for Consultation and Approval of an Initial Plan of Management*](#)" (Figure 6 below).

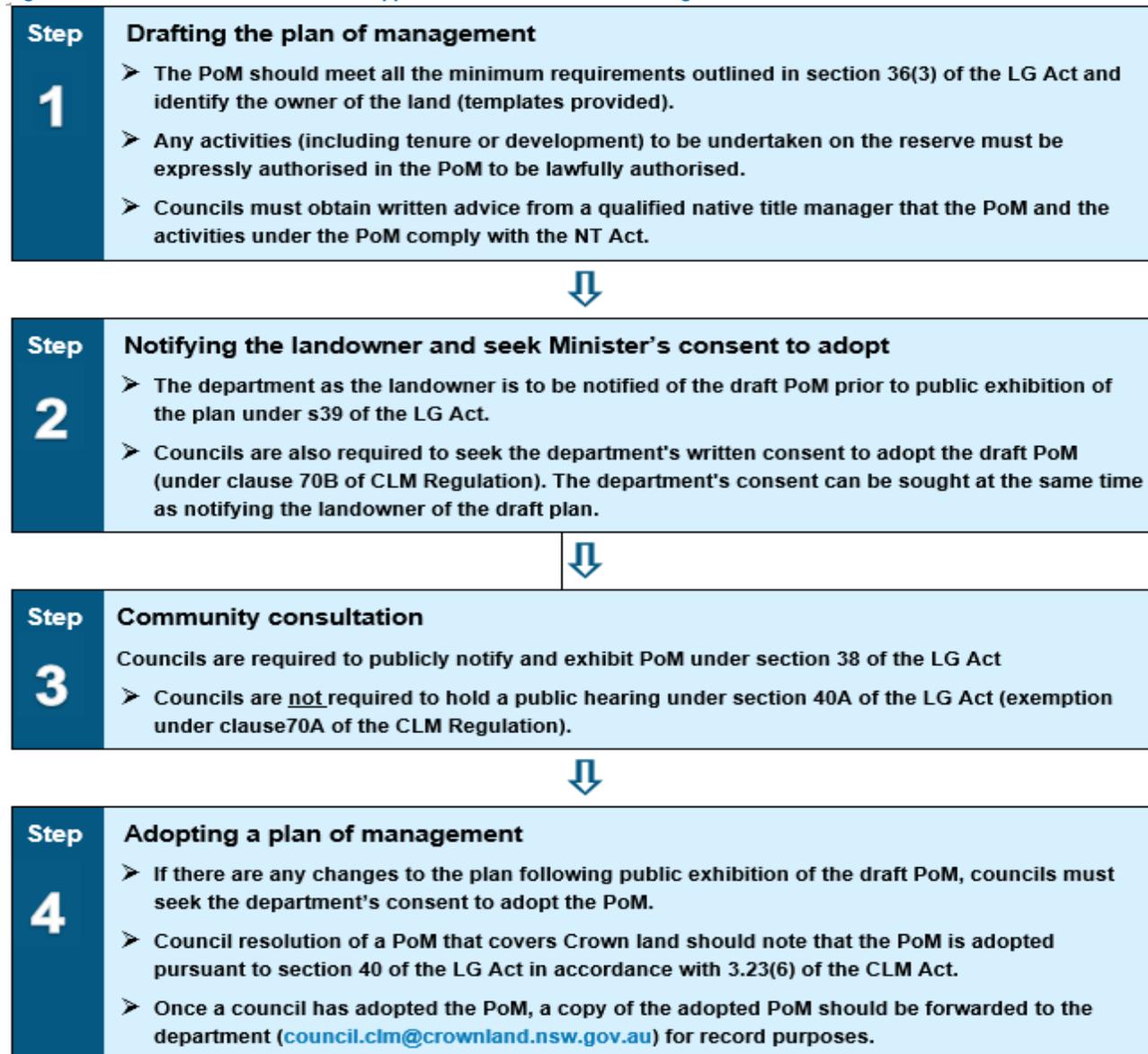
If after public consultation there is no change to the categorisation and no additional purpose is required to be added to the reserve, no additional ministerial consent is required. Council can then proceed to adopt the Plan of Management.

If Council proposes a change in the categorisation of the land following public consultation, the plan must be referred again to the Minister administering the *CLMA 2016* for consent to adopt the PoM.

The purpose of this Plan of Management is **not** to change the categorisation to the Crown Reserves as currently stands

Community consultation is also offered as a result of the development application process in line with Council's Griffith Community Participation Plan of 16 December 2019 (in response to Section 2.23 of the *Environmental Planning and Assessment Act 1979*).

Figure 6 - Process for Consultation and Approval of an Initial Plan of Management"



4.0 THE PHYSICAL ENVIRONMENT

4.1 The Sites

Historical records of Griffith City Council indicate the following in relation to the naming of the Parks: -

- ❖ Lions Park – named as it was developed by the Lions Club in 1978.
- ❖ McKirdy Park – Mr G McKirdy initially made a request on 18 September 1993 to name the park however Council had previously added the name to the list of Pioneers for road naming purposes on 14 November 1989. Following a motion of Councillors Churchill and Bonetti, Council resolved on 21 March 1995 to name the un-named park in Wakaden Street opposite the Northside Leagues Club “McKirdy Park” – *Advertised on 31 March 1995 – Named after Pioneer*. Council Minutes of July 1997 endorsed the list of names for streets and parks which was subsequently forwarded for gazettal.
- ❖ Mallinson Park – *Named after R Mallinson (Pioneer)*.
- ❖ Robb Park – *Origin – A Robb and L Robb. History - Name on Griffith Cenotaph.*
- ❖ Wade Park – *Origin – DM Wade adjacent to Wade Street. History – Name on Griffith Cenotaph.*
- ❖ Apex Park – no known history of naming.

I. Council Managed Crown Reserves

McKirdy Park is noted in Council’s *Playground Strategy (2014)* as a “Precinct Park”, i.e. medium to large scale park with several play experiences on offer; is well accessible within a city precinct; has a reasonable level of amenity; and provides a range of play experiences for children and teenagers.

McKirdy Park was upgraded in 2016 in accordance with the above Strategy’s requirement for a high priority upgrade that now provides for family interaction in a largely high-density housing area, i.e. supporting informal sporting games together with a shelter and barbeque area.

Apex Park is noted in Council’s *Playground Strategy (2014)* as a “Neighbourhood Park”, i.e. a small park that offers a more narrow scope of play than regional and precinct parks; essentially serving the immediate neighbourhood; and does not have the same level of amenity as Precinct and City Parks.

Apex Park provides a range of play equipment to cater for the locality within which it exists and being located between North Griffith and St. Patrick’s Primary Schools, also provides a range of sport associated infrastructure (i.e. AFL and netball goalposts and cricket practice nets) and is accordingly referred to by Council as a “*minor sportsground*”.

Lions Park is not listed in Council’s *Playground Strategy* as it contains no playground or other infrastructure and is in close proximity to McKirdy Park (i.e. approximately 275m east of McKirdy Park).

II. Council Owned Community Land

Part Apex Park noted above, incorporates the area of the Memorial rock and garden, part of sporting infrastructure and a footpath. This footpath provides connectivity from Griffith Base and St. Vincent’s Private Hospitals together with the Catholic Church and Primary Schools, and extends further around the Hyandra Precinct to incorporate Parks along MacArthur and Wakaden Streets.

Mallinson Park contains limited playground equipment while Wade Park (Griffith) has been extensively upgraded, both being represented as a “Neighbourhood Park” in the above-mentioned Strategy.

4.3 Soils and Geology

Griffith is located in an area referred to as the 'lower catchment' within the broader Murrumbidgee Catchment; in an area characterised by flat landscapes (< 1%) with broad, fertile alluvial floodplains. The upper floodplain soils in and around Griffith have been described mainly as red-brown texture contrast spoils of considerable depth, known as Red Chromosols (Australian Soil Classification). (Note # below).

The layering of horizons of greatly different textures (e.g. clay to sands) down the soil profile, and the overall good depth of these soils often exceeding 3.5m on the flats, supports colluvial/alluvial floodplain origins of these soils.

As Griffith's landscape slopes further to the south towards the Murrumbidgee River, soils tend to transition towards a range of more heavy textured cracking dark clays.

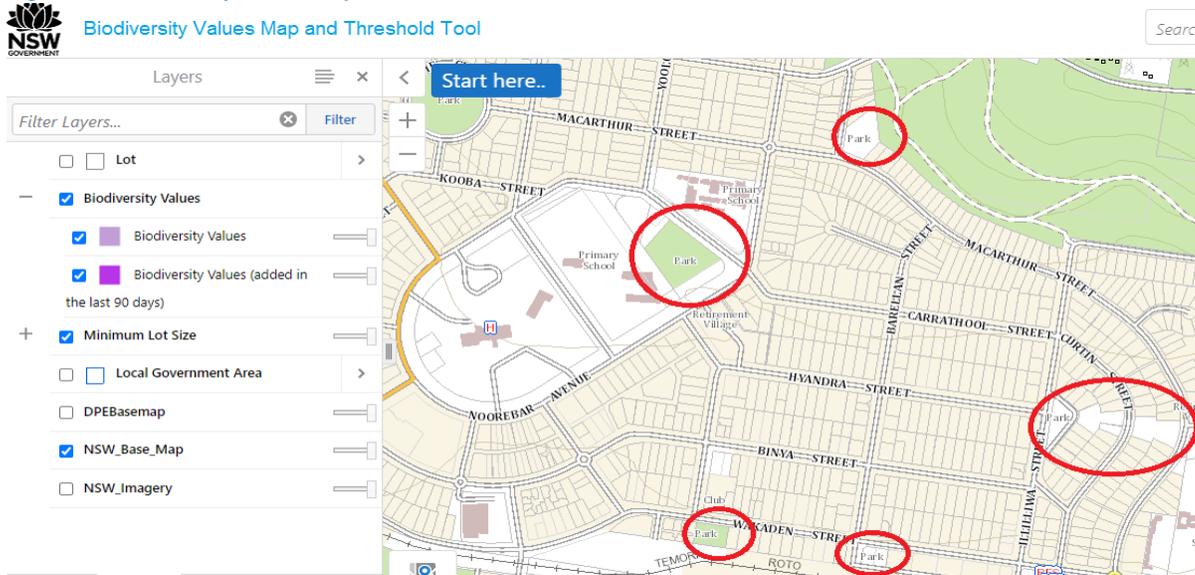
4.4 Biodiversity

Under the *LGA 1993*, Council has obligations for conservation issues as determined by the *Biodiversity Conservation Act 2016*, and the *Fisheries Management Act 1994*.

Griffith City Council's Planning Certificates under Section 10.7(2) and 10.7(5) *Environmental Planning and Assessment Act 1979* dated 6 November 2020, respectively have been collated and shown in [Schedule of Hyandra Precinct Parks Planning Certificates etc. Appendix 2](#) (pg. 46).

The NSW Government Biodiversity Values Map and Threshold Tool indicates that there is no land of biodiversity value within any of the subject lands. The land does not contain any contiguous areas of native vegetation, either remnant or planted.

Figure 9 – Biodiversity Values Map and Threshold Tool



Note # - The Australian Soil Classification, Revised Ed. RF Isbell 2002; CSIRO Pub.

4.5 Riparian Land and Watercourses

There are no named rivers, creeks or riparian lands on or in the vicinity of the respective Parks listed in this PoM.

A waterbody as defined in the Griffith LEP 2014 states –

Waterbody (artificial) or artificial waterbody means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

5.0 THE SOCIAL ENVIRONMENT

5.1 Aboriginal Significance

A search of the Office of Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) dated 5 November 2020 in respect of all sites has been collated and referred to at **Appendix 2** (pg.46).

5.2 Heritage Significance

The relevant 10.7 Certificates indicate that no environmental items and controls exist at any of the Parks covered by this PoM.

6.0 DEVELOPMENT AND USE

6.1 Current Use of Land and Structures at date of Adoption of Plan of Management

The notified purposes for the Crown Reserves managed by Council and comprising part Apex Park, Lions Park and McKirdy Park are a combination of Public Park, Public Recreation and Children's Playground.

These collective purposes align with the Reserves' past and current use and the values identified in this Plan.

McKirdy Park being determined as a "Precinct Park" and upgraded in 2016 in accordance with Council's Playground Strategy (2014) which underwent significant public consultation at that time, now comprises a sheltered area with a free electric BBQ, drinking fountain, Table Tennis furniture and Volleyball area and is extensively used by residents within the locality of high-density unit dwellings. Nearby Lions Park is an area of open space containing no playground infrastructure and is primarily used for passive recreational use also within an area of high-density housing. Lions Park does contain water infrastructure and a log bollard preventing unauthorised parking and access onto the lawned area.

As previously identified, Apex Park is determined as a "Neighbourhood Park" with infrastructure comprising of both playground and sporting fixtures (AFL goalposts, Netball hoops, cricket practice nets) particularly to cater for adjacent public and private Primary Schools, albeit that St. Patrick's Primary School contains significant sporting infrastructure of its own. This Park also contains an old steam train that has been enclosed by mandatory fencing; and a Memorial rock and garden however the relationship to the Apex Association is unknown.

The brick toilet block located near the southern corner of Apex Park could be considered outdated or inefficient in its service potential, further detailed in Table 1 Pg. 28. Therefore, potential exists for consideration of an upgrade of this facility to a more accessible and user-friendly location adjacent to existing paths and existing street lighting. Council currently cleans the toilet block 3x weekly with additional cleaning as necessary.

The playground area upgraded approximately 14 years ago, is now exposed to the elements without any trees to provide shade; former seated shelters located near the steam train having been removed several years ago due to deterioration. There is potential for improved playground amenity with the construction of shade sails and additional tree-planting to provide long-term natural shade.

Of the Council Owned Community Land parks, part Apex Park, Mallinson Park and Wade Park are considered "Neighbourhood Parks", while Robb Park is not listed in the Playground Strategy (2014) as it only contains lighting, a seated shelter and footpath connecting through to Wade Park.

Mallinson Park contains a limited range of playground equipment and a single wooden seat exposed to the elements. There are a few mature trees located to the west of the playground and to the north/north-eastern boundary as the area morphs into the adjoining Scenic Hill Reserve.

The playground equipment at Wade Park provides a good range of equipment to cater for varying ages of play. Lighting extends through neighbouring Wade and Robb Parks however these are prone to vandalism and due to their non-complaint standards, have now been disconnected from electricity. Robb Park also contains a single sheltered seat and deteriorating compacted cracker-dust footpath.

Generally, structures at the date of adoption of this PoM are in a satisfactory to good condition (Refer *Section 6.3* pgs. 27-28). Mature trees exist on all the parks and the areas are reasonably well maintained. Improvements to infrastructure should be considered in line with Council's Asset Building Report, Council's *Playground Strategy (2014)* currently under review, demographic changes and budget planning.

The identified Parks that provide only open space and / or used as a pedestrian walkthrough thoroughfare, will have signage amended to reflect "Reserve" in lieu of "Park", i.e. Lions Park and Robb Park.

Figure 10 - at left – McKirdy Park (Council Managed) and at right – Mallinson Park (Council Owned)



6.2 Strategic Objectives

The aim of this Plan of Management is to guide Council in future development of the land in accordance with the legislative requirements of both the *LGA 1993* and the *CLMA 2016* as applicable to the respective management types.

This Plan of Management will assist Council to: -

- Identify and assess the Reserves' and Council's Community Owned Lands' current facilities, uses and condition
- To provide guidelines for the effective and ongoing management and budget forecasting for the reserves.
- To provide facilities that meet the needs of the small communities within which they exist that encourages ownership and pride to the neighbourhoods.
- To manage the lands for public recreation.
- To provide for public safety with the framework for on-going maintenance and improvements to the facility at an appropriate standard.
- Collate all information in a single document.

6.3 Condition of the land and structures on adoption of the Plan of Management

The current physical condition of the site and an action plan, defines the means of achieving the desired objectives of the Plan of Management for the respective Hyandra Precinct Parks. The Plan provides a strategic framework for the on-going management of these Parks, where playground equipment and associated infrastructure is in place, signage will retain reference to "Park". Those areas that contain seating and watering infrastructure only, in the future, will be referred to as "Reserves".

An Action Plan is required to set out the strategies and how they have been, or will be achieved in the future. Future budget allocations will dictate how or if the land will be further developed.

The following information has been extracted from Council’s Asset Management Plan 2017 (completed as of June 2018).

Table 1 - Building Asset Report

	BUILDING DESCRIPTION	YEAR BUILT	CONDITION RATING
Apex Park	Toilet Block	? Constructed at least 60 years ago	3

CONDITION RATING	DESCRIPTION
1	Very Good: Only planned maintenance required
2	Good: Minor maintenance required plus planned maintenance
3	Fair: significant maintenance required
4	Poor: significant renewal / rehabilitation required
5	Very Poor: Physically unsound and / or beyond rehabilitation

Although not listed in the Building Asset Report referred above, existing lighting located at Robb and Wade Parks and initially installed by NSW Housing and Land (former entity) is no longer compliant to current standards and Council has isolated and subsequently turned off electricity to these light fixtures.

Consideration of replacement lighting to a “street-light” standard and removal of existing infrastructure is therefore of importance.

Furthermore, issues have been raised about the quality of the footpath within part Robb Park noting its frequency of use by a range of users, particularly mother’s with prams accessing Wade Park and / or people with mobility scooters accessing the nearby East Griffith Shops.

The existing footpath was installed at least 25 years ago by NSW Housing and Land and comprises compacted cracker-dust which now has issues of water-pooling and turf-encroachment and requires regular maintenance.

An approximate cost for upgrade to a concrete path is in the vicinity of \$60,000.00 (Peter Craig, Manager Parks & Gardens, GCC).

6.4 Permitted and future use

The gazetted purposes for the Council Managed Crown Reserves include Public Park and Public Recreation and Children’s Playground. In relation to these lands managed by Council, the purpose and category align with the reserves’ past and current use and the values identified in this Plan.

Lions Park and part Robb Park do not contain any playground equipment and are unlikely to be further developed. Signage should accordingly be amended to reflect the status change from “Park” to “Reserve” with

the lands providing open space for passive recreation particularly that of Lions Park which is situated within a high-density residential area of Wakaden Street, Griffith.

McKirdy Park being designated as a “Precinct Park” and Apex Park together with Wade Park being designated as a “Neighbourhood Park” provide a range of playground and sport infrastructure.

Apex Park in particular, provides appropriate sporting equipment to support the adjacent North Griffith and St. Patrick’s Primary Schools. Apex Park is referred to by Council as a ‘minor sportsground’ as no formal sporting associations utilise the park for competition games, only for team training purposes in addition to the Schools’ usage.

While Wade Park and McKirdy Park have undergone upgrades of infrastructure in accordance with Council’s *Playground Strategy (2014)*, there is further potential for upgrade of Apex Park (Council Managed) and Mallinson Park (Council Owned) as highlighted by the Strategy. Such development will depend on deficiencies in current asset quality; future population and demographic changes; development of the landscape generally and potentially, any subsequent review of the current *Playground Strategy* by Council.

Future improvements to the Parks (and areas identified as Reserves) will also be subject to pending budget and funding allocations.

Future development of the Crown Reserves managed by Council will be consistent with the reserve purpose, available funding and budget allocations, and relevant legislation, i.e. *LGA 1993*, *CLMA 2016*, *NTA 1993 (C’th)* and the *ALRA 1983*.

Future development of Council Owned Community Land will be undertaken in accordance with the *LGA 1993* and available funding and budget allocations.

6.5 Leases, Licences and other Estates

While occurrence of any tenure over the individual Hyandra Precinct Parks is considered infrequent, there may be opportunity for small localised events to be held, i.e. Short-term Licence most likely restricted to Apex and Mallinson Parks. Subsequently, this Section has been included however, there are currently no short term licences in place.

For this section, please see the Explanation of Terms set out below.

Section 3.22 of the *CLMA 2016* authorised Councils to now manage dedicated or reserved Crown land as public land under the *LGA 1993*. The *LGA 1993* provides that tenures (leases, licences, or any other estates) or easements may be granted over all or part of community land.

Leases, licences and other estates formalise the use and occupation of community land and can generally only be permitted if consistent with the purpose for which the reserve was dedicated or reserved, or on a short-term basis as prescribed in the Local Government (General) Regulation 2021 [NSW].

Tenures may be held by:

- Community organisations and sporting clubs, or
- By private / commercial organisations or

- Individuals providing facilities and / or services for public use.

The maximum period for leases and licences on community land allowable under the *LGA 1993* is 30 years (with the consent of the Minister for a period over 21 years) for purposes consistent with the categorisation and core objectives of the particular area of community land.

Community land may only be leased or licenced for periods of more than 5 years if public notice is given according to the requirements of Sections 47 and 47A of the *LGA 1993*. Temporary licences may be granted for up to one year where they are consistent with purposes for which a short-term licence can be issued under the provisions of the *LGA 1993*.

Leases

A lease will generally be required where exclusive use or control of all or part of community land is desirable for effective management. A lease may also be required when the scale of investment in facilities, necessity for security measures, or where the relationship between a holder and facilities on community land justifies such security of tenure.

Leases issued by Council will require:

- That subleases or any other supplementary tenures can only be issued by the Holders with the approval of Council, and consistent with Section 47C of the *LGA*.
- Maintenance of the facility will be the responsibility of the Lessees.

Licences

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of the community land is proposed. A number of licences for different holders can apply to the same area at the same time, provided there is no conflict of interest.

Purposes for which Tenures may be issued

In accordance with Section 46A of the *LGA*, a PoM for community land is to specify and authorise any purpose for which a lease, licence or other estate may be granted over community land during the life of the Plan of Management.

This PoM authorises a Tenure to be issued:

- For any permissible use.
- For purposes consistent with the Reserve's:
 - Categorisation (see Section 2.4), and
 - Zoning (see Section 3.2), and
 - Reserve purpose(s) of Children's Playground, Public Park and Public Recreation as required under the *CLMA*.

Explanation of Terms

Tenure – A lease, licence or other estate issued by Council in accordance with Section 46 of the Local Government Act 1993 or Section 2.20 of the Crown Land Management Act 2016.

Holder - The company, organisation, individual or group of individuals who have been issued with a Tenure.

Council may grant a lease, licence or other estate in respect of Community Land for:

- A purpose prescribed by Section 36G as a core objective of the categorisation of the land and subject to being consistent with the Reserve purpose; or
- A purpose prescribed under Section 46 (4)(a) for the provision of goods, services and facilities, and the carrying out of activities, appropriate to the current and future needs within the local community and of the wider public in relation to 'Park' as prescribed by Section 46 (1).

A tenure on Crown land may impact native title rights and interests. Apart from the tenure / hire agreements authorised above, which are valid acts under Section 24JA of the *NTA 1993 (C'th)*, any use agreement issued on Crown land must be issued in accordance with the future act provisions of the *NTA 1993 (C'th)* and in accordance with Part 8 of the *CLMA 2016* unless native title is extinguished. For Crown land which is not excluded land this will require written advice from one of Council's native title managers that it complies with any applicable provisions of the native title legislation.

Direction of Funds

Any income produced from the Reserve, i.e. as per the approved Tenure, will be distributed to manage other community land in a fashion determined by Council.

6.6 Native Title Assessment

Further to *Section 2.4 – Categorisation of the Reserve* and reference to Native Title Assessment, Council is required under the provisions of the *CLMA 2016*, to undertake steps to identify whether the activity proposed on Crown land will affect Native Title. Council must further consider what provisions of the *NTA 1993 (C'th)* will validate the activity; and what procedures should be taken in relation to a particular activity prior to its commencement.

The activity must be authorised through *Part 2 Division 3 of the NTA 1993 (C'th)*.

Examples of acts which may affect native title on Crown land or Crown reserves managed by Council include:

- The construction of new building and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbeques
- The construction of new roads and tracks
- Installation of infrastructure such as power lines, sewerage pipes, etc.
- The issue of a lease or licence
- The undertaking of major earthworks

Accordingly, Council must obtain written advice from its Native Title Manager in relation to certain activities and acts carried out on Crown land where the land is not excluded land, in accordance with native title legislation and applicable to works and activities to be undertaken at Apex Park, Lions Park and / or McKirdy Park.

6.7 Easements

Council reserves the right to grant easements as required for utilities and access, bearing in mind the impact of such easements on the site.

The granting of easements over Crown land will be subject to the provisions of the *NTA 1993 (C'th)* and Division 8.3 of the *CLMA 2016*.

A copy of respective Certificates of Title Identifiers 1 & 2/66/758476 (Apex Park); 1 & 2/167/758476 (Lions Park); 8-10/168/758476 (McKirdy Park); A/36773 (Mallinson Park); 71/36344 and 72A/36574 (part Robb Park) and 73/36344 (Wade Park) confirm that no Easements have been registered impacting on any of the lands.

7.0 PLAN OF MANAGEMENT ADMINISTRATION AND MANAGEMENT

7.1 Management Issues

Management of the lands takes into consideration the reserves' purpose and the purpose for which all lands are classified and categorised.

Council recognises the importance of Reserves and community owned land in providing a range of varied playground equipment and play experiences within the Hyandra Precinct, a densely populated area of Griffith incorporating single dwelling residences and in the vicinity of Lions and McKirdy Parks particularly, a significant area of high-density, 2-storey unit dwellings. This Precinct also contains two Primary Schools, Hyandra Retirement Village and a hospital and therefore the opportunity for additional open space is paramount for both physical and mental wellbeing.

Council's *Playground Strategy (2014)* indicates that the Hyandra Precinct contains *three Playgrounds*. However, this area comprises McKirdy Park (Council Managed Crown Reserve) and classified as a "Precinct Park"; Apex Park (Council Managed Crown Reserve) and Mallinson and Wade Parks (both Council Owned Community Lands) all of which are classified as "Neighbourhood Parks", noting that Apex Park contains a mixture of playground and sporting infrastructure. Two additional areas of open space are afforded by Lions Park and part Robb Park.

Collectively, these areas provide a wide range of recreational uses and opportunities providing greatly to the fabric of the community within which they are located.

The *Playground Strategy* notes that many playground parks within Griffith are one-dimensional and therefore, potential update of existing equipment or future development, may take into consideration, the opportunity to provide a broader scope of play equipment.

Therefore, on-going management issues may relate to maintenance of existing infrastructure and relevance to changing needs, growth and demographic of the local community within which the Park exists. Future facility improvements may be further highlighted upon review of the 2014 Playground Strategy and the community's current expectations.

Table 2 – Management Issues and Guidelines

Maintenance of infrastructure	<ul style="list-style-type: none">• As referred to in Table 1 of initially constructed infrastructure or as determined as a result of any review of the <i>2014 Playground Strategy</i>.• Removal of non-compliant lighting infrastructure within part Robb and Wade Parks and installation of "street-light" standard lighting.• Renewal of footpath within Robb and Wade Parks for improved accessibility.• Consideration of funding a new suitably located toilet block at Apex Park providing for improved accessibility and removal of the existing outdated facility.
Mowing	Parks and Open Space Reserves will be mowed in accordance with approvals, manuals or schedules as required.
Car Park	No formal car-park applies to the Parks and Reserves within this PoM; parking is kerb-side.
Watering	Watering of parks and landscaped areas (as applicable) shall be undertaken as required and according to specific water restrictions that may be in place from time to time.
Vandalism	Vandalism will be addressed at the time of occurrence and may include issues such as unauthorised vehicle access; the riding of horses; damage to playground

	equipment or infrastructure; or other damage resultant from unauthorised activities referred to in PG-CP-301 "Prohibited Activities on Council Active & Passive Recreation Areas.
Companion Animals	Domestic pets may use the land where authorised by signage provided that they are under the control of a competent person at all times, on an adequate chain, cord or leash; and do not cause loss of amenity to other users of the Reserve, except where specifically publicly notified. Dogs are not permitted within any area that is: <ul style="list-style-type: none"> • In a children's play area. • Within 10 metres of the kiosk or other food outlet or place where food is prepared (as per the Companion Animals Act 1998 as amended)
Playground Equipment	Playground equipment has limited life-span. Further upgrades or replacement may be considered in line with the review of the 2014 Playground Strategy, Asset Report and any deficiencies that may be identified at the time (subject to available funding).
Weeds	Weed management practices will be undertaken in accordance with guidelines to ensure amenability of the park and playground areas.
Trees	Risk Assessment of Trees is currently being programmed by Council's Parks & Gardens staff

7.2 Plan Implementation

The following action plan sets out the requirements under Section 36(3) of the LGA 1993 with respect to: -

- The category of the land
- The objectives and performance targets of the plan
- The proposed means in which to achieve the objectives and performance targets
- The proposed manner in which the objectives and performance targets are assessed for performance, and may require the prior approval of Council to the carrying out of any specified activity on the land.

Responsibility: Griffith City Council (GCC)

Table 3 - Objectives and Performance Targets of this Plan of Management (PoM)

Performance Target	Actions	Priority	Performance Indicator
LEGISLATIVE			
To ensure that relevant legislation is complied with in relation to preparation of the PoM.	1. The Plan is prepared in accordance with Native Title Manager advice, the LGA 1993, the CLMA 2016 and NTA 1993 (C'th) (as applicable)	High	<ul style="list-style-type: none"> • The Plan is reviewed by Council's Native Title Manager and approved by Department of Industry – Crown Lands. • Council exhibits and adopts the PoM subject to community

			comments being addressed. (Where significant changes to the PoM are required, the PoM will be re-referred to Council and the Department).
MANAGEMENT			
Provide quality facilities; assess the current facilities, condition and use of the land in accordance with community expectations	<ol style="list-style-type: none"> 2. Consultation and development in accordance with Council's Strategies and Policies. 3. Review of Council's Building Asset Report 4. Provide maintenance to meet required service levels inclusive of grounds, trees, park infrastructure and footpaths 5. Ensure appropriate tenure arrangement with users (when and as applicable) 	Ongoing	<ul style="list-style-type: none"> • Assets (current and future) are managed in accordance with prescribed Council standards and community expectations. • Community consultation in regards to meeting future community needs. • Maintenance service levels to meet requirements in accordance with adopted budgets. • Review of tenure conditions (as applicable).
Asset Management Plan in place to maintain and enhance the parks	<ol style="list-style-type: none"> 6. Update Asset Management Plan (as required) 	On-going	<ul style="list-style-type: none"> • Asset renewal considered in 10-year financial planning (where applicable)
Manage the park and open space areas (as applicable) for the safety of all users	<ol style="list-style-type: none"> 7. Conduct regular safety audits to assess the property on a risk assessment basis 	On-going	<ul style="list-style-type: none"> • Reduction in vandalism • Feedback from community is positive and negative feedback acted upon as necessary
Address vandalism	<ol style="list-style-type: none"> 8. Prompt action 	On-going	<ul style="list-style-type: none"> • Reduction in vandalism • Feedback from community is positive and negative feedback acted upon as necessary
INFRASTRUCTURE			
Upgrade park infrastructure and playground and remove obsolete and / or dangerous infrastructure (as and when necessary)	<ol style="list-style-type: none"> 9. Ensure on-going inspection and assessment of infrastructure (as appropriate) 10. Plan and renewal of infrastructure is in accordance with Asset Management guidelines and budgetary constraints 	On-going	<ul style="list-style-type: none"> • Future upgrades and landscaping are carried out in accordance with the PoM and required development processes (where necessary) • Feedback from community is positive and negative feedback acted upon as necessary

Manage the areas to provide equal access to all users	11.Continually review infrastructure and ensure any plans for new equipment, facilities will allow for access for all abilities	On-going	<ul style="list-style-type: none"> Facilities meet the requirements of all users Feedback from community is positive and negative feedback acted upon as necessary
ENVIRONMENT			
Provide quality passive recreational facilities	12.Maintain all facilities to a high standard 13.Consider and plan for future needs for expansion of playground areas, open space and / or landscaping as necessary	On-going	<ul style="list-style-type: none"> All facilities are maintained to meet service levels and continue to comply with Australian Standards Community feedback is positive and negative feedback acted upon as necessary
Manage environmental and user safety	14.On-going inspection and assessment of infrastructure in accordance with Council and Government WHS legislation 15.Consider the safety of the community in the maintenance of the recreational areas and open space in the use of chemicals and pest control	On-going	<ul style="list-style-type: none"> Audit process for safety and condition reporting working well Staff are appropriately trained in safe handling and use of appropriate chemicals for the land No unauthorised use of facilities Feedback from the community is positive and negative feedback is acted upon where necessary
USE OF THE RESERVES			
Signs	16.Review signs and follow guidelines provided by Statewide Mutual Signs as Remote Supervision 17.Signage should be amended to reflect the appropriate management of respective parks	On-going	<ul style="list-style-type: none"> Continually monitor all signs are legible and current and renew as required Update signage in respect of open space areas to reflect "Reserve" in lieu of "Park" where appropriate Remove reference to "NSW Department of Primary Industries Catchment & Lands" logo on Council Owned Community Land Parks
Provide adequate lighting to the areas	18.Examine existing and future lighting requirements	On-going	<ul style="list-style-type: none"> Continue to monitor requirements for security lighting for unlawful activities (as necessary)

			<ul style="list-style-type: none"> Community feedback is positive and negative feedback acted upon as necessary
Parking	19. Provide adequate parking areas to meet the needs of users as appropriate	On-going	<ul style="list-style-type: none"> Continue to monitor parking provided meets the needs of users of the facility as appropriate Community feedback is positive and negative feedback acted upon as necessary

7.3 Communication in the Management of the Reserves

Communication between Council and the community Tenure Holders is important to the success of this Plan. Council will establish and maintain clear lines of communication with Tenure Holders (as applicable) especially relating to the operations of and responsibilities within any (proposed) tenure operations as they apply in the future.

This could include regular meetings with Council and Tenure holders (as considered necessary).

7.4 Administration and Resourcing

Administrative issues have important influences on the way in which both Council Managed Crown Reserves and Council Owned Community Lands are managed.

Council shall seek to provide adequate staff resources for the management of the lands in accordance with this Plan of Management. Staff shall have appropriate qualifications and / or experience.

7.4.1 Information and Monitoring

Monitoring and collection of information relating to the Hyandra Precinct Parks Plan of Management are important tools to enable good management outcomes. Monitoring of associated tenure agreements (where applicable) will also be undertaken to ensure users and user groups comply with tenure conditions.

Management arrangements shall be implemented to regularly monitor the use of the land, environmental conditions and facilities. Surveys of visitation and / or satisfaction with the facilities may be undertaken to facilitate improved management and use of the land.

Where a demonstrated need has been identified, a community educational program shall be developed to encourage use appropriate to the purpose of the land.

7.4.2 Role of Other Authorities

From time-to-time other authorities may have responsibilities or involvement in the management of the land. This will be considered and appropriate consultation will take place if required.

7.4.3 Infrastructure

Any necessary infrastructure to further service the purpose of the land may be constructed provided that a Native Title Assessment has been carried out by Council's Native Title Manager; the land is not subject to a Claim under the *ALRA 1983*; and the provisions of the *LGA 1993* and the *CLMA 2016* have been complied with. This applies to Council Managed Crown Reserves only.

Subsequent development activities shall be undertaken in a way that minimises the area, degree and duration of disturbance; and the area is to be restored to the greatest extent practicable.

7.4.4 Neighbourly Relations

Council's development control practices recognise and endeavour to minimise the impacts upon adjoining land parcels.

Council shall endeavour to be a good neighbour and as far as possible shall consult with adjoining owners in respect of impacts of its management and other activities which may affect them.

7.4.5 Community Involvement in Management

Where appropriate Council may undertake community consultation subsequent to the making of this Plan of Management and may give community / sporting groups a role in management.

7.4.6 Delegation in Management Responsibilities

Council may determine to delegate management responsibilities in the future. This Plan of Management shall be complied with as part of the delegation.

7.4.7 Public Liability

Council will continue to maintain public liability insurance in respect of all parks / reserves and playgrounds. Casual users undertaking non-commercial activities on a reserve are not required to obtain their own insurance. Casual users seeking to hire a reserve for a commercial activity are required to obtain their own liability insurance, currently to the sum of \$20 million dollars, or as amended by Council from time to time.

7.4.8 Commercial Activities

Commercial activities may not be carried out on the land under this Plan of Management.

7.4.9 Emergencies

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

8.0 Management Guidelines

The following guidelines are based on legislative requirements and community expectations and apply to all areas of Hyandra Precinct Parks PoM unless otherwise identified.

8.1 Risk Management

Council recognises the need to develop and implement risk management processes for reserves, playgrounds and play equipment. The installation of any new equipment will necessitate an audit be undertaken. Audits of all parks, reserves and playgrounds are conducted by appropriately qualified staff from Council's Parks & Gardens Department, or other authorised officers, on a regular basis in accordance with Australian Standards.

Playgrounds are inspected on a weekly basis and operational inspections carried out on a yearly basis.

8.2 Water

An automated irrigation watering system using "potable" water is used in respect of Lions, McKirdy, Mallinson, and that part of Robb Park located between Macarthur and Curtain Streets,

An automated watering system using "raw water" is used in respect of Apex, Wade and that part of Robb Park located between Curtain and Wade Streets,

Council may enforce mandatory water restrictions when required. The restrictions apply to all water (raw and potable) supplied by Council through its reticulated water system. The restrictions also apply to all domestic and garden users who are supplied by Murrumbidgee Irrigation Limited. The relevant restrictions of the day will apply to all parks, reserves and playgrounds within this Plan of Management that such restrictions be observed.

8.3 Alcohol Free Zone

Council has the authority to establish Alcohol Prohibited Areas under Section 632A and 644 of the *LGA 1993* within Griffith and surrounding villages.

None of the parks, reserves and playgrounds are included in Council's Alcohol Prohibited Areas and signage shows accordingly.

8.4 Smoke Free Areas

Council has adopted a Smoke Free Outdoor Areas Policy (*EH-CP-202*) which came into effect from 2011.

Policy Objective:

The objectives of Griffith City Council in banning smoking on Council owned and controlled land, outdoor public areas and within vehicles is to:

- improve the health of community members;
- improve public amenity and maintenance of Council property;
- raise community awareness of the issues associated with smoking;
- provide community leadership in taking measures to protect the health and well-being of the community; and
- minimise cigarette butt pollution on Council owned and controlled land and within public places.

Policy Statement:

This policy prohibits smoking in the following areas on Council owned and controlled land, outdoor public areas and within vehicles specifically:

1. Within ten (10) metres of all children’s playground equipment in outdoor public places;
2. Public swimming pools;
3. Spectator areas at sports grounds or other recreational areas used for organised sporting events;
4. Public transport stops and platforms, including taxi ranks;
5. Within 4 metres of a pedestrian access point to a public building;
6. In commercial outdoor dining areas being:
 - A seated dining area
 - Within 4 metres of a seated dining area on licensed premises, restaurant or café and
 - Within 10 metres of a food fair store or on public land as approved by Council
7. Within 10 metres of Council owned or managed buildings
8. Smoking within cars with a child under the age of 16 years in the vehicle.

All signage will be reviewed when required to be consistent with the current policy.

8.5 Vandalism

Vandalism and anti-social behaviour have continued to escalate over recent years with sportsground and playgrounds an easy target. Although cost is difficult to estimate, thousands of dollars are outlaid each year to repair the damage caused to these areas.

To encourage the public to play a role in safeguarding the assets of the community, Council will pay a reward to members of the public supplying information which results in the successful prosecution of persons damaging Council property, or causing other acts of vandalism that may create situations dangerous to the public. (*Council Policy GC-CP-314*).

8.6 Animals

Griffith City Council recognises the need for pet owners to exercise their animals. Under the *Companion Animals Act 1998*, dogs are prohibited within a ten (10) metre zone of children’s play apparatus and is applicable to all playground areas of Parks identified within this PoM.



8.7 Signs as Remote Supervision

Council’s obligation to promote good risk management practices requires the installation of appropriate signage at all parks, reserves and playgrounds. A risk assessment was completed to consider appropriate signage for remote supervision at the facilities. The signs identify the site, provide for safe use of equipment and meet risk management guidelines as set out in the Statewide Mutual, Best Practice Manual – Signs as Remote Supervision. Council will endeavour to follow Standard AS 2342–1992; Development, Testing and Implementation of Information and Safety Symbols and Symbolic Signs.

Signage of Council Owned Community Land Parks should be amended to delete reference to “NSW Department of Primary Industries Catchments & Lands” or any subsequent Crown lands management regime that may have been used.

Where necessary, signage shall be further updated to reflect the usage style from Park to “Reserve” as previously identified in this Plan.

Figure 11 – Signage examples



8.8 Parking

No formal parking areas have been designated at any of the parks, reserves and playgrounds contained within this PoM. Parking is available kerb side. Parking will be considered in the future subject to requirements of usage, demand and available funding.

8.9 Buildings, Amenities and Infrastructure

Buildings, amenities and infrastructure have been constructed on the land in the past in accordance with the *EP and A Act 1979*.

Any future construction or improvements on Council Managed Crown Reserves will require assessment by Council's Native Title Manager to be consistent with the *NTA 1993* (C'th) and that the land is not subject to a claim under the *ALRA 1983*. The provisions of the *LGA 1993* and *CLMA 2016* is to be considered as part of the assessment, and be consistent with the reserve purpose.

Future construction or improvements on Council Owned Community Land will be subject to the *LGA 1993* and applicable SEPP Infrastructure policies that may apply at the time. Certain types of works do not require development consent and therefore may fall within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. [Refer Appendix 4.](#)

8.10 Trees, Vegetation and Landscape

Proper management of landscaping, trees and vegetation is important to provide a high degree of amenity on the land. Trees and landscaping will be maintained and inspected on a regular basis and at any time may be removed or replaced.

Griffith City Council has adopted a Tree Policy (*PG-CP-402*). The aim of the tree policy is to improve the quality of streetscapes, parklands and private land in urban areas within the Council area.

As referred to in Table 2 (pgs. 33-34), Council is presently undertaking a Risk Assessment of all trees within its Parks and Playgrounds.

8.11 Asset Renewal / Replacement

All playground equipment will require replacement at some stage in the future when it no longer can be repaired or does not meet Australian Standards. The life of a playground depends on many factors including material of construction, the amount of use and degree of vandalism. These factors have been considered in accordance with the condition asset report as previously noted.

Asset renewal may also be considered following a review of the 2014 *Playground Strategy* and regards to the needs for improvement in the scope of play that may be restricted through currently existing equipment and subject to finances and budgeting.

Existing Council owned assets on the lands shall be maintained by Council within the allocated annual budget for the reserves. Council may also apply for additional funding or grants to support improvement on the lands.

9 REFERENCES

Commonwealth Native Title Act 1993

<https://www.legislation.gov.au/Details/C2017C00178>

Crown Land Management Act 2016

http://www.austlii.edu.au/au/legis/nsw/num_act/clma2016n58226.pdf

<https://www.industry.nsw.gov.au/lands/what-we-do/legislation-policies>

DPI website

https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0007/164374/irrigation-profile-murrumbidgee.pdf

Environment website

<https://www.environment.nsw.gov.au/bioregions/Riverina-Landform.htm>

Griffith City Council Website – Publications and Policies

- *Griffith Community Participation Plan6*

file:///C:/Users/Melva/Downloads/GRIFFITH_COMMUNITY_PARTICIPATION_PLAN_ENDORSED_17_DECEMBER_2019.pdf

- *Guiding Griffith 2040*

https://www.griffith.nsw.gov.au/cp_themes/default/page.asp?p=DOC-OIW-24-18-70

- Council Policies

https://www.griffith.nsw.gov.au/cp_themes/default/page.asp?p=DOC-ECH-80-74-45

[file:///C:/Users/Melva/Downloads/Tree_Preservation_Order_PG_CP_401%20\(3\).pdf](file:///C:/Users/Melva/Downloads/Tree_Preservation_Order_PG_CP_401%20(3).pdf)

- *Griffith City Council Asset Management Strategy*

file:///C:/Users/Melva/Downloads/Asset_Management_Plan_2017_Strategy_Final.pdf

file:///C:/Users/Melva/Downloads/4_AS_CP_201_Asset_Management_Policy_May_4_2018.pdf

- *Griffith Local Environmental Plan 2014 (GLEP 2014)*

<https://www.legislation.nsw.gov.au/#/view/EPI/2014/137/maps#LZN>

- *State of the Environment Report 2012/16*

https://issuu.com/griffithcitycouncil/docs/2016_state_of_the_environment_repor

- *Local Government Act 1993*

<https://www.legislation.nsw.gov.au/#/view/act/1993/30>

- Local Government Regulations

<https://legislation.nsw.gov.au/view/pdf/asmade/sl-2021-460>

- NSW Land Registry Services

<https://www.nswlrs.com.au/Historical-Records-Online#Historical%20Maps>

Plants of Western New South Wales (Cunningham, Mulham, Milthorpe, Leigh)

- Spatial Services

<https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=44e72c6c7ccf498cb1c822b740c647d3>

- Trove

<https://trove.nla.gov.au/gazette>

10 APPENDICES

- 1) Schedule of Hyandra Precinct Parks
- 2) Schedule of Hyandra Precinct Parks – Planning Certificates, AHIMS Certificates & Heritage Significance etc.
- 3) Core Objectives for Categories of Community Land – Park
- 4) Relevant State Environmental Planning Policies.

APPENDIX 1

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	
1	SCHEDULE OF HYANDRA PRECINCT PARKS															
2								FACILITIES								
3	RESERVE NO.	PARK NAME	CROWN / COUNCIL	DATE OF GAZETTE	PURPOSE	LOT/DP	AREA	PLAY'D	TOILET FACILITY	SEATING	SHELTER	BBQ	SIGNAGE	KERB & /OR GUTTER	COMMENTS	
4	72195	Part Apex Park	Crown	7/03/1947	Public Park - Public Recreation	2/66/758476	9656m2	†	†				†	†	Contains sporting infrastructure	
5	89766	Lions Park	Crown	30/04/1976	Children's Playground	1 & 2/167/758476 8-9/168/758476	1657m2						†	†	Contains water infrastructure log bollards	
6	86857	McKirdy Park	Crown	29/04/1988	Public Recreation	10/168/758476	2537m2			†	†	†	†	†	Contains sporting infrastructure	
7																
8		Part Apex Park	Council			1/66/758476	2343m2						†	†	Contains balance of sporting infrastructure and Memorial garden	
9		Mallinson Park	Council			A/36773	4577m2	†		†			†	†	Single wooden seat only	
10		Part Robb Park	Council			71/36344 & 72A/36574	6833m2			†			†	†	Contains lighting infrastructure	
11		Wade Park	Council			73/36344	2455m2	†		†			†	†	Lighting	
12																
13	Note: "†" denotes existence of infrastructure/equipment															

APPENDIX 2

1	SCHEDULE OF ALL HYANDRA PRECINCT PARKS - PLANNING CERTIFICATES, AHIMS CERTIFICATES & HERITAGE SIGNIFICANCE												
2	RESERVE NO.	PARK NAME	LOT/DP	Crown/Council	Critical Habitat Y/N	Conservation Area Y/N	Part 7AA Threatened Species Conservation Act 1995 Y/N	Part 5 Biodiversity Conservation Act 2016 Y/N	Section 60ZC Local Lands Services Act 2013 Y/N	Biodiversity Values (as per mapping tool) Y/N	Flood Prone Land Y/N	Aboriginal Sites or Places Y/N	Heritage Significance Y/N
3	72195	Part Apex Park	2/66/758476	Crown	N	N	N	N	N	N	Y-L	N	N
4	89766	Lions Park	1/167/758476	Crown	N	N	N	N	N	N	N	N	N
5			2/167/758476	Crown	N	N	N	N	N	N	N	N	N
6	86857	McKirdy Park	8/168/758476	Crown	N	N	N	N	N	N	N	N	N
7			9/168/758476	Crown	N	N	N	N	N	N	N	N	N
8			10/168/758476	Crown	N	N	N	N	N	N	N	N	N
9													
10		Part Apex Park	1/66/758476	Council	N	N	N	N	N	N	Y-L		N
11		Mallinson Prk	A/36773	Council	N	N	N	N	N	N	N		N
12		Part Robb Park	71/36344	Council	N	N				N	N		N
13			72A/36574	Council	N	N	N	N	N	N	N		N
14		Wade Park	73/36344	Council	N	N	N	N	N	N	N		N
15													
16	Flood Prone Land: Land is considered below the Flood Planning Level (FPL) and therefore subject to flood related development controls (level of a 1:100 ARI (average recurrent interval) flood event.												
17	H=High; M/H=Medium-High; L/M=Low-Medium; L=Low; L/H = Low-High; N=no level indicator given												
18													

APPENDIX 3

CORE OBJECTIVES FOR MANAGEMENT OF COMMUNITY LAND CATEGORISED AS PARK (*Local Government Act 1993*)

36G Core objectives for management of community land categorised as a park

The core objectives for management of community land categorised as a park –

- (a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- (b) to provide for passive recreational activities or pastimes and for the casual playing of games, and
- (c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

APPENDIX 4

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that certain types of works do not require development consent under Part 4 of the EP&A Act. The General Exempt Development Code is set out in Division 1 of the SEPP, providing the limitations and conditions of the exemptions. They include: -

- Access Ramps
- Advertising and signage
- Aerials, antennae and communication dishes
- Air-conditioning units
- Animal shelters
- Aviaries
- Awnings, blinds and canopies
- Balconies, decks, patios, pergolas, terraces and verandahs
- Barbeques and other outdoor cooking structures
- Bollards
- Charity bins and recycling bins
- Earthworks, retaining walls and structural supports
- Fences
- Flagpoles
- Footpaths, pathways and paving
- Fowl and poultry houses
- Garbage bin storage enclosure
- Hot water systems
- Landscaping Structures
- Minor building alterations
- Mobile food and drink outlets
- Playground equipment
- Screen enclosures
- Sculptures and artworks
- Temporary uses and structures
- Waste storage containers

Section 1-16 of Division 2 of the SEPP provides for General Requirements for exempt development.

State Environmental Planning Policy No 64 – Advertising and Signage

State Environmental Planning Policy No. 64 Advertising and Signage aims: -

- To ensure that signage (including advertising):
 - (i) Is compatible with the desired amenity and visual character of an area, and
 - (ii) Provides effective communication in suitable locations, and
 - (iii) Is of high-quality design and finish
- To regulate signage (but not content) under Part 4 of the Act,
- To provide time-limited consents for the display of certain advertisements, and
- To regulate the display of advertisements in transport corridors, and
- To ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.

