



EAST GRIFFITH PARKS PRECINCT

**CROWN RESERVES – 86215, 90869 and 95530
AND COUNCIL OWNED COMMUNITY LAND**

DRAFT PLAN OF MANAGEMENT



Enticknap Park



Blumer Park

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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 East Griffith Precinct Parks Plan of Management has been prepared by Council to reflect the respective features of Playgrounds and Parks within the East Griffith and Driver areas of the City of Griffith. 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

- Enticknap Park – Crown Reserve 86215
- Blumer Park, Marcus Park and Ledgerwood Park – Crown Reserve 90869
- 52 Sanders Street and Lindsey Coon Park – Crown Reserve 95530

Council Owned Community Land

- Father O'Dea Park

More specifically, these Parks are referred to in Appendix 1 of this PoM (refer pg. 43).

Bi-Centennial Park and Dunbar Park were originally listed as part of the collective of East Griffith Precinct Parks however following further investigation, have been removed (refer to *Section 2.2 - Land to which this plan applies*).

Both Bi-Centennial and Dunbar Parks have significant drainage infrastructure and are considered to be "detention basins" providing open space and not considered as Parks *per se*. These areas will be considered separately by Council when considering the category of all its similar detention basins.

Rumble Park (as shown in Figure 4 – pg. 8 and located between Hoad Street and Jarvis Place) has also been excluded from this PoM.

The Department of Planning, Industry and Environment (DPIE) – Crown Lands previously advised Council on 26 February 2019, that management of this Park had defaulted to the Minister and therefore, the land cannot be managed as public land (either as a Council Managed Crown Reserve or Council Owned Community Land).

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' purpose of 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 as the appointed Crown Land Manager will generally now manage Crown Reserves 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 Griffith2040*’ 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

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| <ol style="list-style-type: none"> 1. Leadership – <ol style="list-style-type: none"> 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 – <ol style="list-style-type: none"> 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 – <ol style="list-style-type: none"> 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 <ol style="list-style-type: none"> 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. |
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2.2 Land to which this plan applies

The lands to which this PoM applies is more particularly detailed in [Appendix 1 \(pg. 43\)](#).

Council Managed Crown Reserves –

Enticknap Park provides a significant range of playground equipment and amenities (BBQ) to cater for children’s activities and contributes to the families’ social fabric within the broader East Griffith area as a ‘Precinct Park’ as defined in Council’s *Playground Strategy (2014)*. Lindsey Coon Park is open space; meanwhile the collective Blumer, Marcus and Ledgerwood Parks also providing open space, are generally used as walk-through thoroughfares particularly by students traversing to Wade Campus of Murrumbidgee Regional High School.

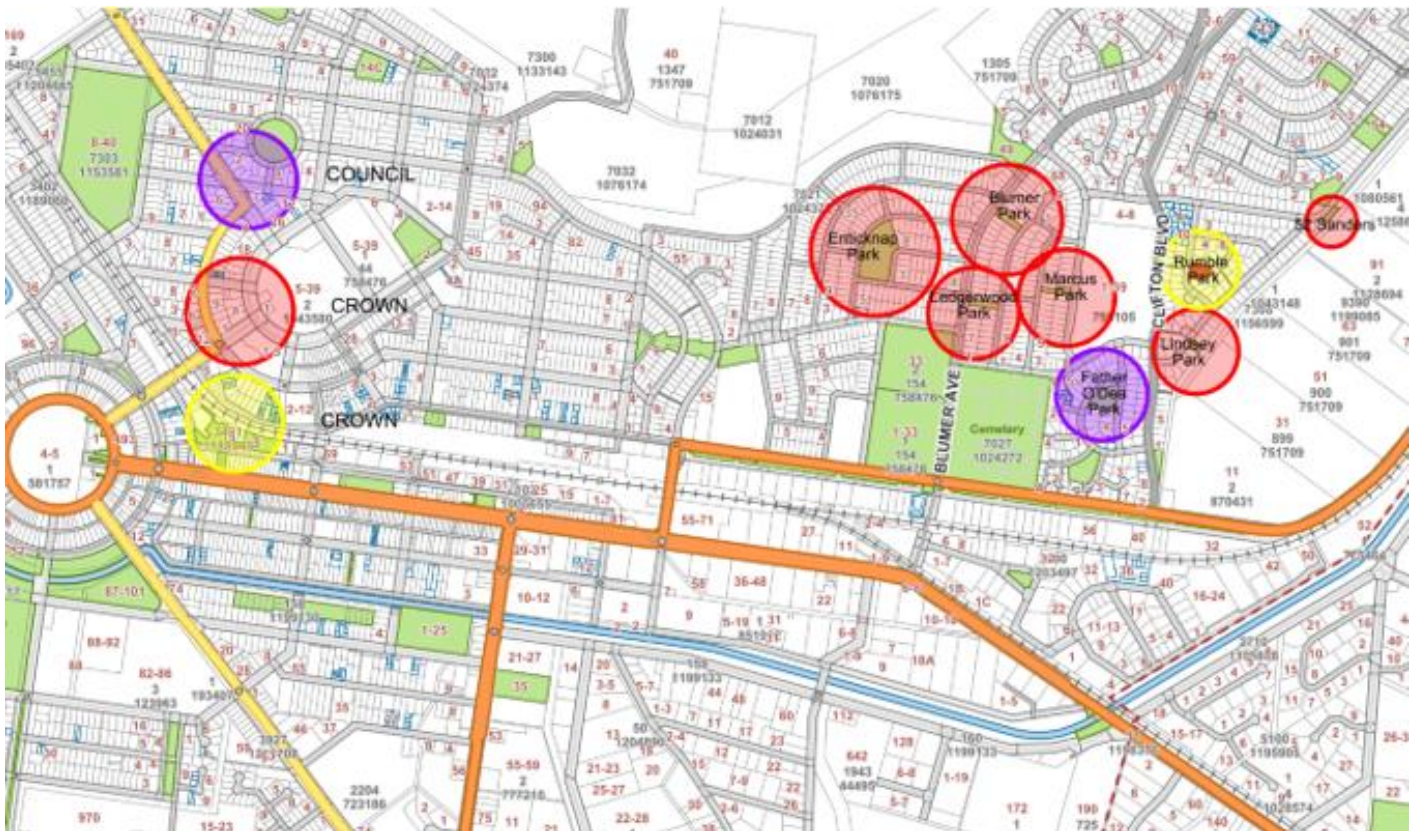
The park referred to as 52 Sanders Street is open space adjacent to Griffith City Drainage & Access Reserve 159011 (extending behind the residences of Burley Street) and the southern section of Murrumbidgee Irrigation's Northern Branch Canal fronting Citrus Road in Griffith.

Council Owned Community Lands –

Father O'Dea Park provides limited playground equipment to cater for children's play activities and contribute to the families' social fabric within its locality of Driver.

Note that Rumble Park is shown on the below map in yellow and is referred to in Council's *Playground Strategy (2014)* as a 'Neighbourhood Park' however is neither a Council Managed Crown Reserve or Council Community Owned Land as management has defaulted to the Minister. Future management has been addressed later in this PoM.

Figure 4 – East Griffith Precinct Parks



2.3 Owner of the land

Enticknap Park and the collective Blumer, Marcus and Ledgerwood Parks together with 52 Sanders Street & Lindsey Coon Park are all 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*.

Reserve 86215 (Enticknap Park) (9-39 Langley Street, Griffith) comprising Lot 1 Section 161 DP 758476 was reserved from Sale for the purpose of 'public park & public recreation' on 14 April 1967 (Folio 1203). The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 12 May 1967 (Folio 1591).

Reserve 90869 (Blumer Park, Ledgerwood Park and Marcus Park) (respectively located at 49 Blumer Avenue, 20 Blumer Avenue, and 27 Marcus Street, Griffith) comprising Lot 25 DP 241399, Lot 10 DP 241398 and Lot 14 DP 241397 respectively, were reserved from Sale for the purpose of 'Public Park' on 2 September 1977 (Folio 3737). The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 9 September 1977 (Folio 3805).

Reserve 95530 (52 Sanders Street and Lindsey Coon Park) (respectively located at 52 Sanders Street and 13 Burley Street, Griffith) comprising Lot 1 Section 183 DP 758476 and Lot 26 Section 183 DP 758476 respectively, were reserved from Sale for the purpose of 'Public Park' on 28 August 1981 (Folio 4635). The Council of the Shire of Wade was appointed Trust Manager in the Government Gazette of 4 September 1981 (Folio 4760).

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. Reserves 86215, 90869 and 95530) 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.

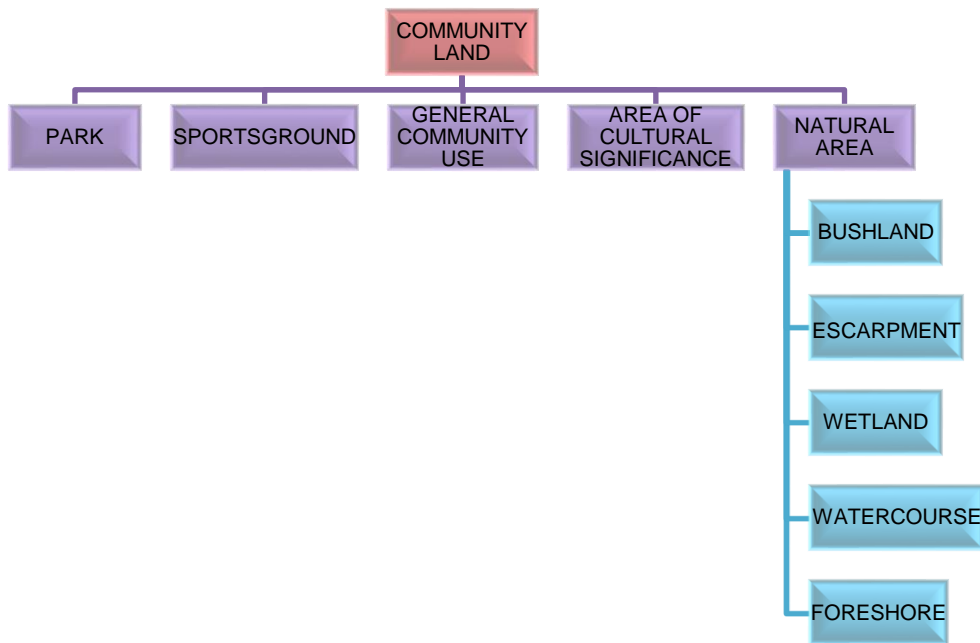
Father O'Dea Park located at Turnell Street, Griffith comprising Lot 82 DP 731928 is Council Owned Community Land and managed directly under the *LGA 1993*.

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 East Griffith Precinct Parks is a 'first Plan'.



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

Both the *Aboriginal Land Rights Act (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, under the *NTA (C'th) 1993*.

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 of 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 and Public Recreation. 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 Father O'Dea Park 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 Father O'Dea Park 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 2005

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) Regulations 2005 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 – All East Griffith Precinct Parks – RE1 – Public Recreation

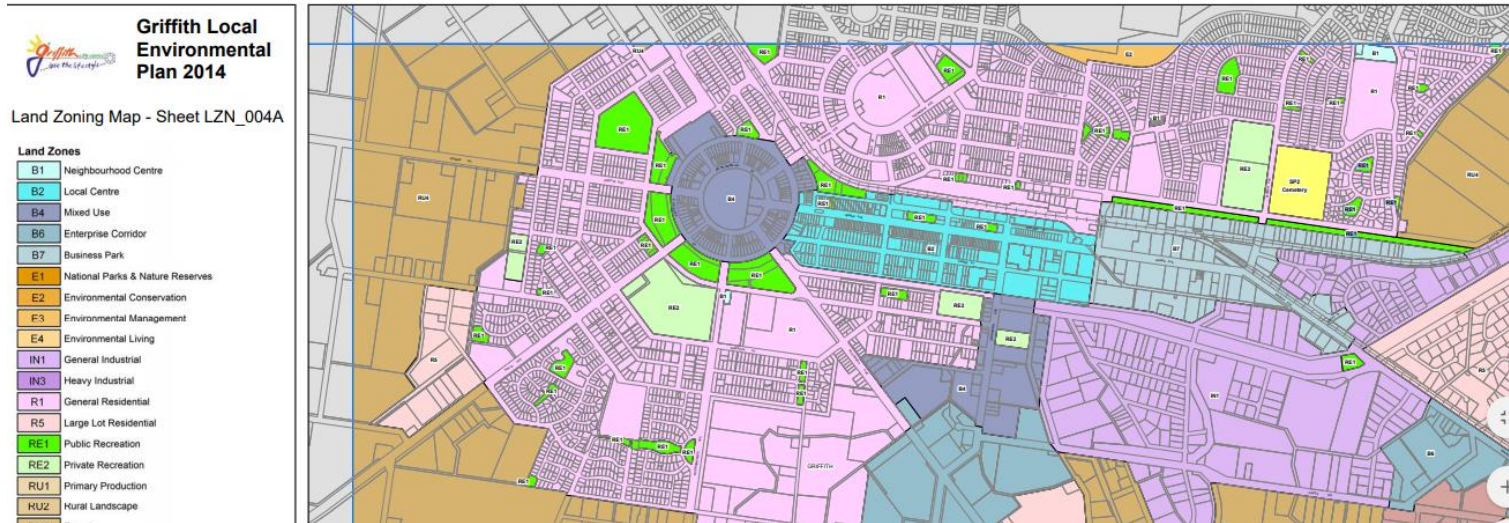


Figure 5b – Enlargement Planning Zone – All East Griffith Precinct Parks – RE1 – Public Recreation (includes those Parks now determined as Detention Basins and containing 'drainage infrastructure')



The above diagrams - Griffith City Council *Local Environmental Plan 2014* (GLEP), indicates that all Council Managed Crown Reserves 86215, 90869 and 95530 are zoned RE1 – Public Recreation.

The above diagrams – Griffith City Council *Local Environmental Plan 2014* (GLEP), also indicates that Council Owned Community Land comprising Father O'Dea Park is 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.

Other than Enticknap Park, the balance of Parks within this PoM, particularly 52 Sanders Street and Lindsey Coon Park are considered to be in close proximity to the Northern Branch Canal and Council's Drainage & Access Reserve (Reserve 159011), and therefore have potential to experience flooding, if not for a 1 in 100 year flood event; then subject to an extreme flood event of greater than 1:100 years. The *Griffith Main Drain J & Mirrool Creek Flood Study 2015* (BMT WBM) subsequently indicated the following (further summarised in [Appendix 2 \(pg. 44\)](#)).

Council Managed Crown Reserves

- *Enticknap Park* is not considered Flood Prone Land.
- *Blumer Park* is considered to have a Low to High Hazard of being Flood Prone for events *larger than 1:100 years*; estimated PMF Level is 134.91 m.
- *Ledgerwood Park* is considered to have a Low to Medium Hazard of being Flood Prone for events *larger than 1:100 years*; estimated PMF Level is 131.23 m.
- *Marcus Park* is considered to have a Low Hazard of being Flood Prone for events *larger than 1:100 years*; estimated PMF Level is 130.09 m.
- *52 Sanders Street* is considered to have a Low to Medium Hazard of being Flood Prone for a 1:100 years event; estimated PMF Level is 127.77 m.
- *Lindsey Coon Park* is considered to have a Medium to High Hazard of being Flood Prone for a 1:100 years event; estimated PMF 127.80 m.

Council Owned Community Land

- *Father O'Dea Park* is considered to have a Low Hazard of being Flood Prone for events *larger than 1:100 years*; estimated PMF 128.19 m.

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 East Griffith 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 “[Flowchart for Consultation and Approval of an Initial Plan of Management](#)” (Figure 6 below).

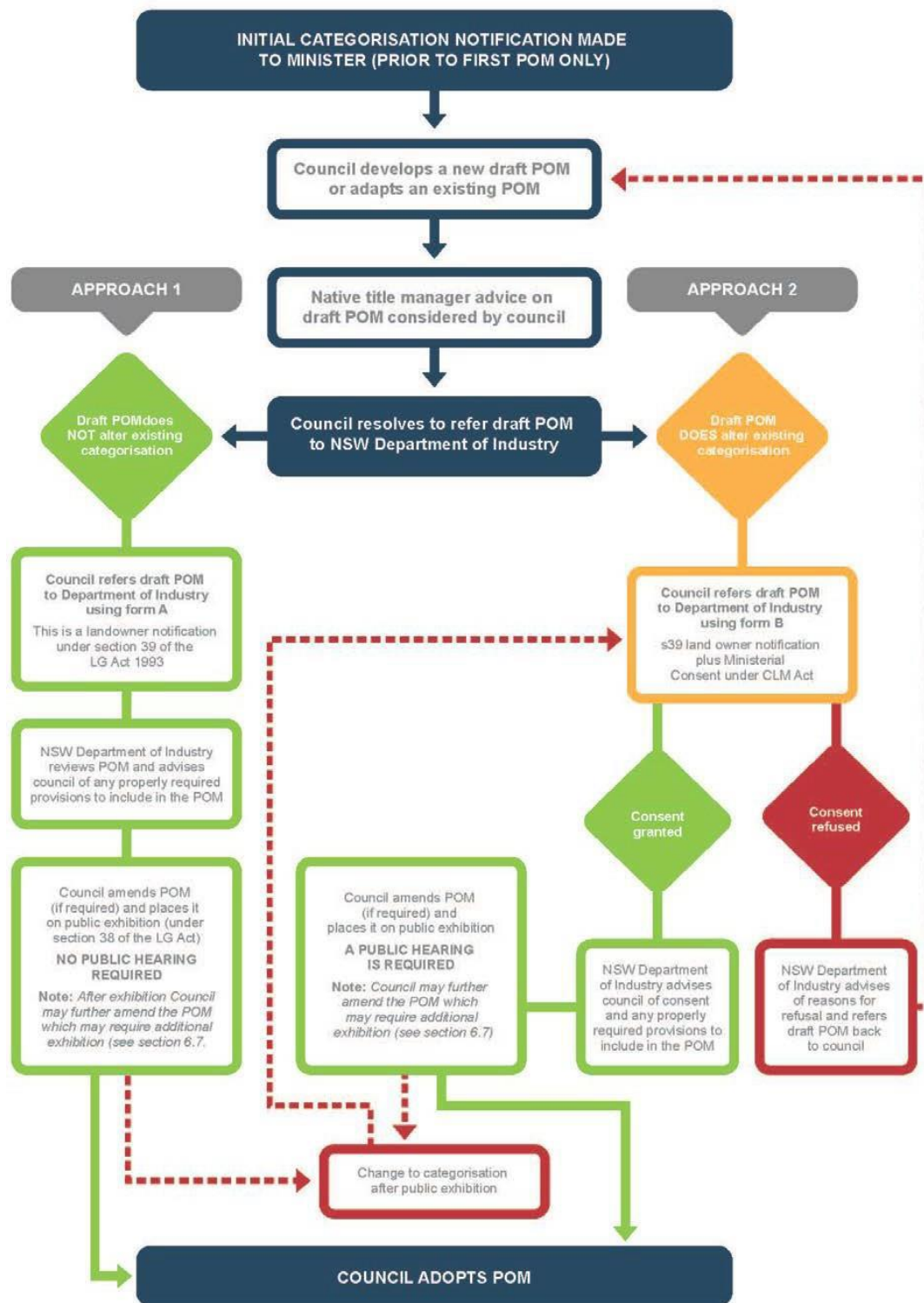
If after public consultation there is no change to the categorisation and no additional purpose is required to be added to the reserve, no additional ministerial consent is required. Council can then proceed to adopt the Plan of Management as outlined in [Approach 1](#) of the Flowchart referred to below.

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* following [Approach 2](#) of the [Flowchart for Consultation and Approval of an Initial Plan of Management](#).

The purpose of this Plan of Management is **not** to change the categorisation or to add a purpose 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 - Flowchart for Consultation and Approval of an Initial Plan of Management



4.0 THE PHYSICAL ENVIRONMENT

4.1 The Sites

I. Council Managed Crown Reserves

Enticknap Park is noted in Council's *Playground Strategy (2014)* as a "Precinct Park", i.e. a 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 should provide a range of play experiences for children and teenagers.

Enticknap Park has been substantially upgraded to provide an excellent range of playground and recreational infrastructure (albeit that some of the original infrastructure remains in situ as requested by local residents). There is some encroachment of garden landscaping from neighbouring residences extending from Langley and Murphy Crescents, however these are considered to enhance the aesthetic value of the park.

The collective Blumer, Marcus and Ledgerwood Parks provide open space generally used as walk-through thoroughfares particularly by students traversing to Wade Campus of Murrumbidgee Regional High School; with Blumer Park having been extensively beautified with additional garden beds that were constructed and are currently maintained by an adjoining resident.

Lindsey Coon Park is open space comprising of a single wooden seat.

The Park referred to as 52 Sanders Street is open space adjacent to Griffith City Drainage & Access Reserve 159011 (extending behind the residences of Burley Street) and the southern section of Murrumbidgee Irrigation's Northern Branch Canal fronting Citrus Road in Griffith and is notably used as rear access to adjoining farms. No improvements or infrastructure has occurred on the land.

II. Council Owned Community Land

Father O'Dea Park contains limited playground equipment.

Various infrastructure has been noted in [Appendix 1 – Schedule of East Griffith Parks](#) (pg. 43).

Figure 7 – Aerial imagery and Photos indicating associated infrastructure and development of respective Parks

Council Managed Crown Reserves

Enticknap Park – Lot 1, Section 161 DP 758476



Blumer Park – Lot 25 DP 241399



Ledgerwood Park – Lot 10 DP 241398



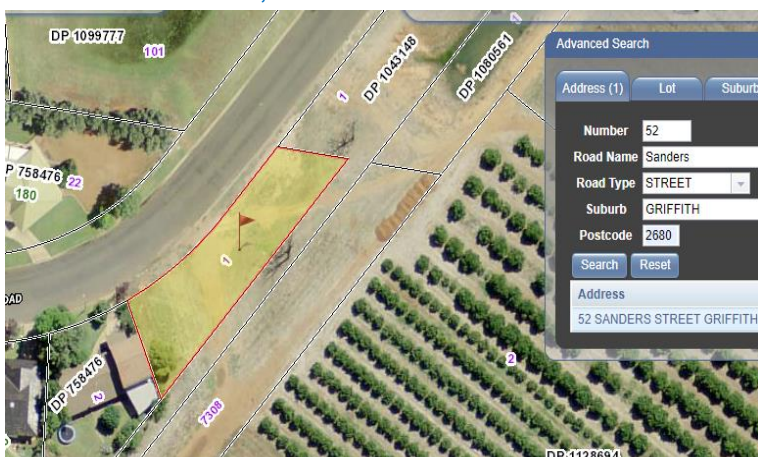
Marcus Park – Lot 14 DP 241397



Lindsey Coon Park – Lot 26, Section 183 DP 758476



52 Sanders Street – Lot 1, Section 183 DP 758476



Council Owned Community Land

Father O'Dea Park – Lot 82 DP 731928



4.2 Topography, Hydrology and Drainage

All parks are located on flat sites with 52 Sanders Street and Lindsey Coon Park particularly located adjacent to MI's Northern Branch Canal and Council's Griffith City Drainage & Access Reserve 159011 extending behind the residences of Burley Street. Only the site at 52 Sanders Street, Griffith is indicated in Council's Planning Certificate under Section 10.7(2) and 10.7(5) as being below the Flood Planning Level (FPL), however the Flood Reports provide a range of variables to the lands being flood prone at either a 1:100 year flood, or for events larger than a 1:100 year flood event due to proximity to the Northern Branch Canal.

The nearby detention basins of Dunbar Park and Bi-Centennial Park provide significant infrastructure so as to also stem water escape into the nearby Northern Branch Canal and Council's Urban Drainage & Access Reserve (Reserve 159011) to potentially reduce flood risk to neighbouring properties.

Further reference to Flood Prone lands is noted in [Appendix 2 \(pg. 44\)](#).

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.

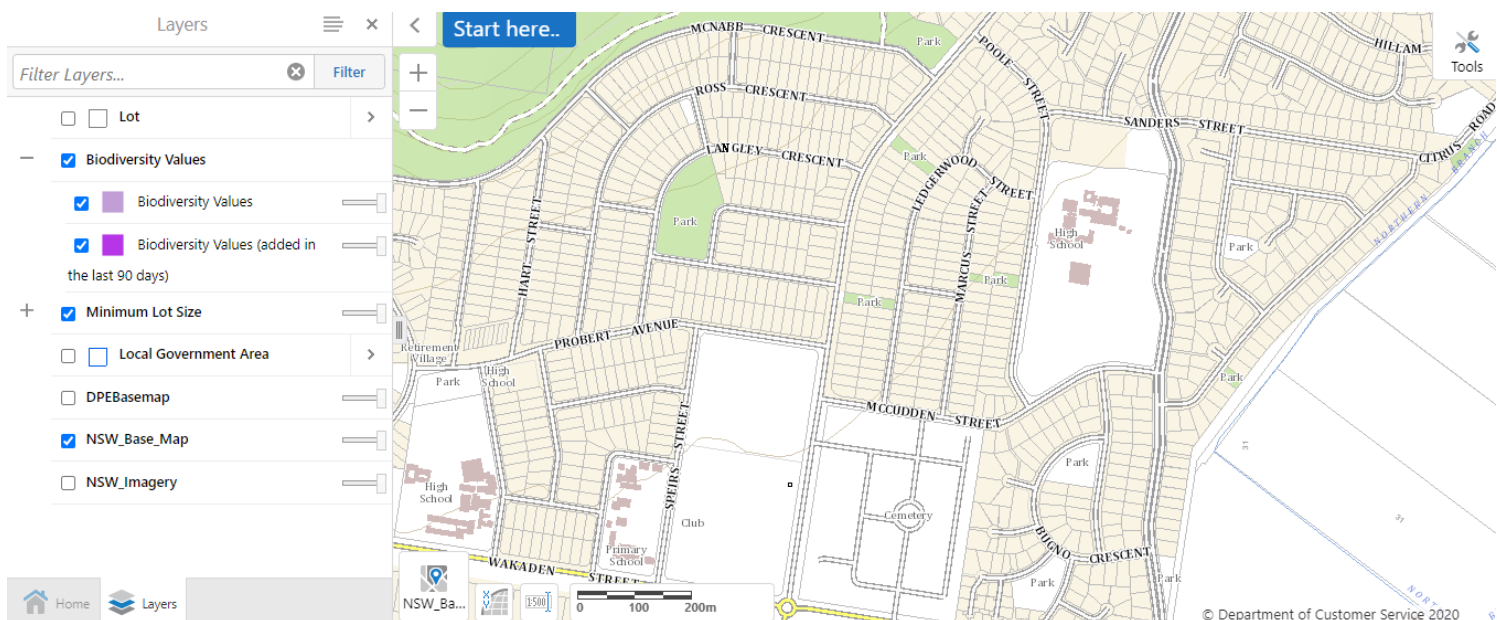
4.4 Biodiversity

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 7, 8 and 13 October 2020, respectively have been collated and shown in **Schedule of East Griffith Precinct Parks Planning Certificates etc. Appendix 2 (pg. 44)**.

The NSW Government Biodiversity Values Map and Threshold Tool indicates that there is no land of biodiversity value within the subject lands (i.e. Lot 1 Section 161 DP 758476; Lot 25 DP 241399; Lot 10 DP 241398; Lot 14 DP 241397; Lot 26 Section 183 DP 758476 & Lot 1 Section 183 DP 758476 respectively) as per Figure 8 below. The land does not contain any contiguous areas of native vegetation, either remnant or planted.

Figure 8 – Biodiversity Values Map and Threshold Tool



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.

The Northern Branch Canal is located adjacent to 52 Sanders Street and Lindsey Coon Park as referred to previously.

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 7 October 2020 in respect of all sites has been collated and referred to at [Appendix 2 \(pg.44\)](#).

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 Enticknap Park; the collective Blumer, Ledgerwood and Marcus Parks; and the combined 52 Sanders Street and Lindsey Coon Park are a combination of Public Park and Public Recreation.

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

Enticknap Park, determined as a "Precinct Park" in Council's *Playground Strategy Report (2014)* has significantly undergone an upgrade having taken place since compilation of Council's Asset Management Plan 2017 (completed as of June 2018). The original playground equipment, cricket nets and goal posts being recorded with an *Asset Condition Rating* of **3** i.e. **Fair**: significant maintenance required, have remained in situ at the community's request.

It should be noted that the implementation of the Playground Strategy in itself, went through an extensive community consultation process which provided Council with direction for play provision, design, management and priority for all the Parks under Council's administration (Council Managed and Community Owned). As a result, Council have been able to prioritise and budget for upgrades of both Precinct and Neighbourhood Parks alternately, with Enticknap Park having been identified high on Council's priority list.

Upgrade of Enticknap Park was officially opened on 21 August 2019. The Project for the upgrade totally funded by Council costing \$262,000 consisted of: -

- Inclusive and accessible playground with rubber, sand and bark softfall;
- Installation of a 1.2 meter-wide footpath to and around the play equipment (accessible digger, spinner and basket child swing, kiddie's area with drum and chimes and climbing equipment, flying fox, panel climbing, rope play equipment and gym equipment);
- Shade shelter with table settings, accessible double plated BBQ and additional garbage bins;
- Water bubbler;
- Seating (concrete and metal);
- Artificial grass area;
- Installation of soccer goal post; and
- Re-paint of old existing play equipment (retained at the request of the community)

Only a single seat exists on Lindsey Coon Park. Excluding 52 Sanders Street, all parks contain water infrastructure. These areas are all well maintained.

The area at 52 Sanders Street is a natural area extending from the southern section of MI's Northern Branch Canal Reserve containing no 'park' signage or identification and while maintained with mowing, is solely reliant on rainfall. The only sign on site relates to 'Report Illegal Dumping' (RID) as part of Council's *RID Campaign*. As previously stated, it is used as rear access to adjoining farm(s).

Further improvements to infrastructure should be considered in line with Council's Asset Building Report and budget planning and in line with the pending review of the *Playground Strategy (2014)*.

The currently 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”.

With reference to the infrastructure rating for Enticknap Park listed in Table 1 (pg. 26), local residents through community consultation requested that such infrastructure remain in-situ. The balance of equipment has been installed since the Asset Condition Rating and is accordingly rated **1**.

The Council Owned Community Land park being Father O’Dea Park contains limited playground infrastructure recorded with an *Asset Condition Rating* of **2** i.e. **Good**: Minor maintenance required plus planned maintenance. The Rocking Equipment has an Asset Condition Rating of **3** i.e. **Fair**: Significant maintenance required. Although pending review, the *Playground Strategy (2014)* considered upgrade of Father O’Dea Park as a low priority for improved pedestrian connection to and through the park; establish seating areas and natural shade around the play area; and upgrade the playground. Improvements should therefore be considered in line with the reviewed document and subject to Council’s future planning and budget forecasting. The area is well maintained.

All facilities are more particularly identified in [Appendix 1 – Schedule of East Griffith Precinct Parks](#) (pg.43).

Figure 9 - at left – Enticknap Park (Council Managed) and at right – Father O’Dea 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 East Griffith 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”; and those areas that contain seating and watering infrastructure only and, 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). Although Enticknap Park identifies the below with a rating of 3 indicating significant maintenance required, this infrastructure was specifically retained on site following recent upgrades at the request of the community. Information relating the recent upgrade is previously detailed on page 23.

Table 1 - Building Asset Report

	BUILDING DESCRIPTION	YEAR BUILT	CONDITION RATING
Enticknap Park	Slide, Swing, Rocking Equipment and Picnic Setting, Seating and Cricket Net (all original infrastructure)		3
Father O’Dea Park	Rocking Equipment		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

6.4 Permitted and future use

The notified purposes for the Council Managed Crown Reserves include Children’s Playground, Public Park and Public Recreation. 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.

Blumer, Ledgerwood, Marcus and 52 Sanders Street do not contain any playground equipment and are unlikely to be further developed. Lindsey Coon Park contains a single seat. Signage should accordingly be amended to reflect the status change from “Park” to “Reserve” with the lands providing open space albeit that Blumer Park is

significantly beautified by garden beds also presumably installed and maintained by neighbouring residents over recent years.

Enticknap Park and Father O'Dea Park respectively, provide a range of playground equipment (Enticknap being designated as a "Precinct Park" and Father O'Dea Park being designated as a "Neighbourhood Park"). Following Enticknap Park's recent upgrade of infrastructure, capacity to further develop and improve Father O'Dea Park (Council Owned) will be dependent on deficiencies in current asset quality; future population and demographic changes; and development of the landscape generally. Council's *Playground Strategy (2014)* indicated future development of Father O'Dea Park as being a 'low priority'. This may however change on review of the *Strategy*.

Should the issue of future management of Rumble Park by Council be resolved with DPIE during the term of this PoM, the *Strategy's* identified improvements should be considered as part of the PoM's outcomes. It will be necessary for DPIE to reserve the land for a relevant public purpose under the *CLMA 2016*.

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 Father O'Dea Park 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 East Griffith 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 Enticknap Park and Father O'Dea Park. Subsequently, this Section has been included.

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 2005.

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 licence 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 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 *Native Act 1993*, any use agreement issued on Crown land must be issued in accordance with the future act provisions of the *Native Title Act 1993* and in accordance with Part 8 of the *Crown Land Management Act 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

Crown land in Australia is subject to native title under the *NTA 1993 (C'th)*. On Crown land native title rights and interests 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 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

When proposing any act that may affect native title on Crown land or Crown reserves the act must be authorised through Part 2 Division 3 of the *NTA 1993 (C'th)*.

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 that it manages.

Council is required to undertake steps to identify whether the activity proposed on Crown land will affect Native Title; 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.

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 (i.e. applicable to works and activities to be undertaken in respect of Enticknap Park, Blumer Park, Ledgerwood Park, Marcus Park, 52 Sanders Street and Lindsey Coon Park; and potentially may include Rumble Park subject to negotiation).

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 8.7 of the *CLMA 2016*.

A copy of respective Certificates of Title Identifiers 1/161/758476 (Enticknap Park); 25/241399 (Blumer Park); 10/241398 (Ledgerwood Park); 14/241397 (Marcus Park); 26/183/758476 (Lindsey Coon Park); 1/183/758476 (52 Sanders Street) and 82/731928 (Father O'Dea 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 East Griffith Precinct, a densely populated area of Griffith. Enticknap Park (Council Managed) is classified as a "Precinct Park" with Council's *Playground Strategy (2014)* (currently under review). Father O'Dea Park is classified as a "Neighbourhood Park" under this Strategy.

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	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> .
Rumble Park Specific management issues	Community expectation would imply that Council manage Rumble Park although legislatively is unable to do so. Future management options should be discussed with DPIE as a <u>high priority</u> to facilitate indicated improvements to the park and consolidate existing maintenance by Council.
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	<p>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.</p> <p>Dogs are not permitted within any area that is:</p> <ul style="list-style-type: none">• In a children's play area.

	<ul style="list-style-type: none"> 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,	2. Consultation and development in	Ongoing	<ul style="list-style-type: none"> Assets (current and future) are managed in accordance with

condition and use of the land in accordance with community expectations	<p>accordance with Council's Strategies and Policies.</p> <p>3. Review of Council's Building Asset Report</p> <p>4. Provide maintenance to meet required service levels inclusive of grounds, trees and park infrastructure</p> <p>5. Ensure appropriate tenure arrangement with users (when and as applicable)</p>		<p>prescribed Council standards and community expectations.</p> <ul style="list-style-type: none"> • 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).
Resolve management of Rumble Park	6. Consultation with DPIE for future management outcomes	High	<ul style="list-style-type: none"> • Raise management concerns with DPIE and take necessary action as agreed.
Asset Management Plan in place to maintain and enhance the parks	7. 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	8. 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	9. 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)	<p>10. Ensure on-going inspection and assessment of infrastructure (as appropriate)</p> <p>11. Plan and renewal of infrastructure is in accordance with Asset Management guidelines and budgetary constraints</p>	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	12. 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	13.Maintain all facilities to a high standard 14.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	15.On-going inspection and assessment of infrastructure in accordance with Council and Government WHS legislation 16.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	17.Review signs and follow guidelines provided by Statewide Mutual Signs as Remote Supervision	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
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) 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 East Griffith Precinct Parks Plan of Management are important tools to enable good management outcomes.

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

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

Monitoring of associated tenure agreements (where applicable) will also be undertaken to ensure users and user groups comply with tenure conditions.

Surveys of visitation and / or satisfaction with the facilities may be undertaken to facilitate improved management and use 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 East Griffith 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

Potable water is used on all parks other than 52 Sanders Street which is not watered and relies exclusively on rainfall.

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*.

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.

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. 31-32), 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.

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://www.legislation.nsw.gov.au/#/view/regulation/2005/487>

- *NSW Land Registry Services*

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

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

- Trove

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

10 APPENDICES

- 1) Schedule of East Griffith Precinct Parks
- 2) Schedule of East Griffith 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

SCHEDULE OF EAST GRIFFITH PARKS														
RESERVE NO.	PARK NAME	CROWN / COUNCIL	DATE OF GAZETTE	PURPOSE	LOT/DP	AREA	FACILITIES							
							PLAY'D	TOILET FACILITY	SEATING	SHELTER	BBQ	SIGNAGE	KERB & /OR GUTTER	COMMENTS
86215	Enticknap Park	Crown	14/04/1967	Public Park & Public Recreation	161/758476	1.5228 ha	†		†	†	†	†	†	
90869	Blumer Park, Ledgerwood Park and Marcus Park	Crown	2/09/1977	Public Park	25/241399; 10/241398 & 14/241397	5261 m2 collectively						†	†	
95530	52 Sanders Street & Lindsey Coon Park	Crown	28/08/1981	Public Park	1 & 26/183/758476	1862 m2 collectively			† Part only			† Part only		
	Father O'Dea Park	Council			82/731928	5835m2	†		†				†	
	<i>Bi-Centennial Park</i>	<i>Council</i>			<i>90/746050</i>	<i>6802m2</i>							†	<i>Detention Basin</i>
	<i>Dunbar Park</i>	<i>Council</i>			<i>116/746050</i>	<i>1609m2</i>							†	<i>Detention Basin</i>
Note: "†" denotes existence of infrastructure/equipment														
<i>Bi-Centennial Park and Dunbar Park excluded from PoM following initial inspection of sites</i>														

APPENDIX 2

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	SCHEDULE OF ALL EAST GRIFFITH 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	86215	Enticknap Park	1/161/758476	Crown	N	N	N	N	N	N	N	N	N
4	Part 90869	Blumer Park	25/241399	Crown	N	N	N	N	N	N	N	N	N
5	"	Ledgerwood Park	10/241398	Crown	N	N	N	N	N	N	N	N	N
6	"	Marcus Park	14/241397	Crown	N	N	N	N	N	N	N	N	N
7	Part 95530	52 Sanders Street	1/183/758476	Crown	N	N	N	N	N	N	N	N	N
8	"	Lindsey Coon Park	26/183/758476	Crown	N	N	N	N	N	N	N	N	N
9													
10		Father O'Dea Park	82/731928	Council	N	N	N	N	N	N	N	N	N
11													
12	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.												
13	H=High; M/H=Medium-High; L/M=Low-Medium; L=Low; L/H = Low-High; N=no level indicator given												

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.

APEENDIX 4

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

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

