



ASHFIELD MUNICIPAL COUNCIL

PLAN OF MANAGEMENT SMALL PARKS AND GENERAL COMMUNITY USE

(Adopted by Council 23 March 2004 Minute Number 46/04)



TABLE OF CONTENTS

1. INTRODUCTION

1.1	BACKGROUND	5
1.2	DEFINITION	5
1.3	OBJECTIVE	5
1.4	COMMUNITY CONSULTATION	6

2. RECREATION AREA CHARACTERISTIC

2.1	INTRODUCTION	6
2.2	FACILITIES	7
2.3	CURRENT RECREATIONAL USAGE	7
2.3.1	Introduction	7
2.3.2	User Demands	7
2.3.3	User Groups	8
2.4	CONDITION OF LAND AND STRUCTURES	8
2.5	ZONING AND PLANNING CONTROL	8
2.6	ACCESS AND CIRCULATION	9
2.7	MAINTENANCE	9
2.8	FUNDING	10
2.9	MANAGEMENT STRUCTURES	10
2.10	MANAGEMENT ISSUES	10
2.10.1	Provision of Facilities	10
2.10.2	Access and Circulation	10
2.10.3	Health and Safety	10
2.10.4	Environmental/Heritage	11
2.10.5	Maintenance	11

3. MANAGEMENT STRATEGIES

3.1	INTRODUCTION	11
3.2	PROVISION OF FACILITIES	11
3.2.1	Recreation Facilities	11
3.2.2	Amenities	12
3.3	ACCESS AND CIRCULATION	12
3.3.1	Pedestrian/Cycleway Link	12
3.3.2	Carparks	12
3.3.3	Access for Disabled Persons	12
3.4	HEALTH AND SAFETY	12
3.4.1	Security	12
3.4.2	Shade Provision	12
3.4.3	Safety	13
3.4.4	Fencing	13
3.5	ENVIRONMENTAL/HERITAGE	13
3.5.1	Biodiversity Management	13
3.5.2	Heritage	14
3.6	LANDSCAPE IMPROVEMENTS	14
3.7	MAINTENANCE	14

4. IMPLEMENTATION

4.1	INTRODUCTION	14
4.2	MANAGEMENT STRUCTURE	15
4.3	FUNDING	16
4.4	PRIORITIES AND PERFORMANCE	16
4.5	STAFFING	19
4.6	COMMERCIAL DEVELOPMENT OPPORTUNITIES	19
4.7	EASEMENTS, LICENCES AND LEASES	19
4.8	REVIEW	19

5.	SCHEDULE OF RECREATION AREAS	20
6.	SMALL PARKS	
6.1	CORE OBJECTIVES	22
6.2	MANAGEMENT STATEMENT & OBJECTIVES	22
6.3	SPECIFIC POLICY	22
6.4	PROPOSED PERFORMANCE	23
7.	GENERAL COMMUNITY USE	
7.1	CORE OBJECTIVES	26
7.2	MANAGEMENT STATEMENT & OBJECTIVES	26
7.3	SPECIFIC POLICY	26
7.4	PROPOSED PERFORMANCE	27
APPENDIX		
A -	CONDITION OF LAND AND STRUCTURES	29
B –	EXTRACTS FROM LOCAL GOVERNMENT (GENERAL) AMENDMENT 1998	33

1. INTRODUCTION

1.1 BACKGROUND

Under the requirements of the Local Government Act of 1993, Local Council's are required to prepare Plans of Management for all Community Land, to ensure it is effectively planned and managed. Community Land, as defined by the Act, may be classified as one of the following:

- Sportsgrounds
- Parks
- Natural Areas
- General Community Use Areas (includes drainage reserves)

The main objective of this Plan of Management is to guide the future management and development of Recreation Areas throughout the Ashfield Municipal Council Local Government Area (LGA), taking account of community expectations and the resources available to Council.

1.2 DEFINITION

For the purposes of this Plan of Management, a Recreation Area is defined as an area of Community Land with a predominantly passive recreational function., ie a Small Park or General Community Use area. Some Recreation Areas depending on their size and location may be used for informal active recreation. Classification of Recreation Areas within the terms of the Local Government Act assist the formulation of objectives for the long-term management of these Recreation Area resources.

Specifically this Plan of Management (POM) covers Recreation Areas throughout the Ashfield LGA as listed in the Schedule at the end of this document.

In addition, the Plan also covers:

- General Community Use Facilities (eg Childcare Centres, Community Halls)
- Car Parks

Parks not included in this POM have been dealt with by specific Plans of Management. These individual POM were prepared to address particular management issues.

1.3 OBJECTIVES

Recreation Areas within the Ashfield LGA have been developed by Council for predominantly passive recreational purposes. Due to the diversity of facilities available throughout these Recreation Areas, they are used by a range of groups and individuals, and such use is quite common.

This POM aims to incorporate the needs of the wider community into the future management and development of each of the Recreation Areas.

Objectives of this POM are based on the Programs and Broad Objectives that are expressed in various Council documents including:

- the "Management Plan", and

- the “State of the Environment Report”

Other documents referred to in preparing this POM include the relevant Ashfield Council Policies and Procedures, Codes and the Delegated Authority Manual.

Discussion with Council staff and information from the community were taken into account in preparing the POM.

The specific objectives of the POM are to:

- ensure that each Recreation Area covered by this POM is managed for predominantly passive recreational purposes
- ensure each Park is a safe environment available and accessible for use by all sections of the community
- achieve a consistent and responsible approach to the management and maintenance of the resources within these Recreation Areas
- provide adequate, equitable and appropriate services for the community in the Recreation Areas and to ensure they are managed efficiently
- manage, develop, protect, restore, enhance and conserve the environmental values of each Recreation Area, to ensure that they are sustainable for future generations while being visually attractive and pollution free.

1.4 COMMUNITY CONSULTATION

This document was placed on public display for a period of 28 days to provide interested parties with an opportunity to comment on the Draft Plan of Management. Comments were received and considered by Council with minor adjustments being made to the final document and they were adopted by Council at its meeting on the 23 March 2004.

2. RECREATION AREA CHARACTERISTICS

2.1 INTRODUCTION

The Recreation Areas covered by this POM are distributed throughout Ashfield LGA. Their individual locations are listed in the schedule at the end of this document. See Section 5 Schedule of Recreation Areas Page 20.

Recreation Areas range in size from approximately 100m² to 1800m² and contain facilities and areas for both passive and informal active recreation. Facilities vary between individual Parks attracting a range of user groups.

The Recreation Areas within the Ashfield Municipality are generally located on land zoned 6(a) Open Space under Council’s Local Environmental Plan 1985.

All Recreation Areas are listed in Council’s Land Register which provides details of the facilities in each Park and Recreation Area.

2.2 FACILITIES

The facilities available at the Parks may include the following:

- children's playground areas
- picnic tables and seats
- toilet facilities
- lighting
- landscaping
- fencing
- signage
- paving

The combination of facilities provided at each Recreation Area varies depending on the nature of the site and community demand for recreation facilities in the particular area.

2.3 CURRENT RECREATIONAL USAGE

2.3.1 Introduction

The facilities at Recreation Areas throughout Ashfield Municipality are designed to provide a range of passive recreation activities. These Recreation Areas are used by a variety of user groups and individuals that may have different needs and requirements on priorities for the future development of Recreation Area. Most Recreation Areas provided to serve the needs of the local community and the preparation of an Open Space Strategy will assist Council to identify the community's requirements and priorities for Recreation Area improvements.

2.3.2 User Demands

Recreation Areas throughout Ashfield Municipality are primarily used for passive recreational purposes by various informal user groups. In some Recreation Areas the opportunity exists for informal active recreational activities.

Passive/informal recreational activities which may take place in Recreation Areas include:

- exercising of pets on leads
- observation of flora and fauna
- walking
- picnicking
- barbeques
- non-structured play
- relaxation

Informal active recreational activities include:

- informal ball games
- jogging
- structured children's playgrounds

2.3.3 User Groups

The Recreation Areas are used regularly by various groups that may include the following:

- local schools in areas surrounding the parks and recreation areas
- schools from other areas within as well as outside the Ashfield LGA
- visitors to the area
- family picnickers
- playgroups

Several community groups assist in weeding, watering and planting of trees and shrubs in various locations in Council's parks. Due the high density of the population of Ashfield Municipality these areas do provide recreational gardening activities for a sector of the community. In addition, the Parks and Recreation Areas are used by individuals including adjoining residents for a diverse range of informal active and passive recreation activities.

2.4 CONDITION OF LAND AND STRUCTURES

At the date of adoption of this POM, generally the following attributes are maintained in the Recreation Areas:

- grass cover is generally good
- trees and garden beds are thriving and in good condition
- amenity blocks are structurally sound
- children's play equipment is structurally sound and in good condition and complies with Australian Standards (where relevant)

A table showing the basic condition of each recreation area covered by this POM appears in Appendix A.

2.5 ZONING AND PLANNING CONTROL

Most Recreation Areas are located on land zoned 6(a) Open Space.

Ashfield Municipal Council's objectives for areas zoned 6(a) Open Space are to:

- identify land which is currently used or is intended for the purposes of open space or public recreation
- allocate sufficient open space to serve the present and future recreational needs of residents and visitors
- enable development associated with, ancillary to or supportive of public recreational use

Within the areas zoned 6(a) Open Space the following activities can be undertaken without development consent:

- landscaping
- gardening
- bushfire hazard reduction

The following activities are not permitted without development consent:

- construction of advertising structures
- buildings for the purposes of landscaping
- caravan parks

- child care centres and children's playgrounds
- drill grounds
- forestry
- public baths
- public reserves
- racecourses
- recreation areas and facilities
- showgrounds, sportsgrounds and tourist facilities
- utility installations
- uses or buildings associated with those purposes which are under the care, control and management of the council.

Activities other than those listed are prohibited in areas zoned 6(a) Open Space. Council may construct roads, stormwater drainage, recreation areas, public amenities, parking areas and cycleways in this zoning without obtaining its own consent.

2.6 ACCESS AND CIRCULATION

Public vehicular access to Recreation Areas is generally restricted to perimeter carpark areas only. Where perimeter-parking areas are not provided, vehicles park in surrounding streets. Gates are provided for service and emergency vehicle access to all Recreation Areas. In some cases formalised service vehicle paths are also provided and these tend to perform a dual vehicular/pedestrian access role.

Pedestrian access to the Recreation Areas listed in this POM is generally unrestricted although fencing is used around certain amenities for security purposes. All amenity blocks are locked during non-daylight hours.

Degree of access for disabled persons varies between each Recreation Area.

2.7 MAINTENANCE

Maintenance is required to ensure that Ashfield Municipal Council's Recreation Areas resources are capable of supporting the passive recreational needs of the community. Maintenance is carried out either by Council employed maintenance crews or Council hired contractors.

Council's Park Maintenance Crews are generally responsible for grass mowing, play equipment, gardening, and general maintenance activities.

The maintenance and general repair of buildings on Council property is the responsibility of Council's Facilities Coordinator. Council receives requests from residents, park and recreation users and local committees for particular maintenance. Play equipment is inspected regularly and repairs completed as required.

The cost of maintaining the Small Parks and General Community Use assets within Ashfield Municipality is high. This can create difficulty for Council to meet its maintenance demands during peak periods following wet weather.

2.8 FUNDING

The majority of funding for general maintenance and improvement works at the areas covered by this Plan comes from rates revenue, and occasionally grants are obtained for specific projects.

Funds may also be obtained through Section 94 Contributions, which are generated from developments within the municipality.

2.9 MANAGEMENT STRUCTURE

Management of Recreation Areas in the Ashfield LGA are primarily the responsibility of Ashfield Municipal Council.

2.10 MANAGEMENT ISSUES

Various management issues may occur at any of the Parks and Recreation Areas covered by this Plan. Management issues are addressed under Management Strategies in Section 3. The following sections list some of the management issues, which may occur at individual Recreation Areas.

2.10.1 Provision of Facilities

A number of issues relate to the provision of facilities. They may include:

- provision of adequate facilities and services including seating, garbage bins and water supply
- maximising passive recreational opportunity
- minimising conflicts between park and recreation users.

2.10.2 Access and Circulation

Access and circulation issues relate to pedestrians and cyclists as well as vehicles. They may include:

- insufficient car parking capacity
- inadequate pedestrian/cycle path links to surrounding areas, particularly to other areas of Community Land
- inadequate access and facilities for disabled persons

2.10.3 Health and Safety

The following health and safety issues may be relevant to the Small Parks, and General Community Use covered by this POM:

- provision of shade for Park users
- provision of drinking fountains
- conflicts with adjacent residential areas such as noise intrusion, projectiles, rubbish and traffic issues
- maintenance of play equipment
- vandalism
- inadequate lighting at night

2.10.4 Environmental/Heritage

A number of environmental and heritage issues may relate to Recreation Areas including:

- protection of threatened species, remnant ecological communities or significant trees
- protection of heritage items
- a number of items of both aboriginal and European significance have been identified throughout the Ashfield LGA; these items form the basis of council's heritage inventory study, which was completed in 1992 and listed over 100 items for inclusion in the state heritage inventory program.

2.10.5 Maintenance

A number issues related to maintaining the Small Parks, and General Community Use areas within the municipality.

The responsibility is one of Ashfield Council and include:

- minimising maintenance costs
- meeting demand during peak periods

3. MANAGEMENT STRATEGIES

3.1 INTRODUCTION

In order to address the management issues raised in Section 2, the strategies outlines in this section of the Plan of Management have been devised. Some of these strategies are Recreation Area specific, whilst others are generic policies developed in response to various issues that arise from time to time in Council's Small Parks and General Community Use areas. These strategies serve as a guide for Council staff, Recreation Area user groups, and the general community as well as relevant authorities.

Council may prepare detailed Master Plans for particular Recreation Areas where necessary and as funds become available. These Plans would incorporate detailed layouts of facilities and landscape development within each Recreation Area. The management and development of existing and future facilities must reflect the objectives and legislative requirements for land zoned 6(a) Open Space under Council's Local Environmental Plan 1985.

3.2 PROVISION OF FACILITIES

3.2.1 Recreation Facilities

Additional passive recreation facilities will be developed in response to demand and the availability of funding. Planning and design of these facilities will generally be carried out in the context of the results of recreational needs analysis where these are available. The planning process will involve specific user groups and/or the local community. Issues of demand, funding, use patterns, on-going management and maintenance should be considered in the planning and design process.

3.2.2 Amenities

Facilities such as toilets, litter bins, lighting and drinking fountains will be provided at Recreation Areas as required and as funds become available. Demand for these facilities will be identified during future recreational needs analysis and through consultation with Recreation Area users.

3.3 ACCESS AND CIRCULATION

3.3.1 Pedestrian/Cycleway Links

Where possible, Council will establish a pedestrian/cycleway link between Recreation Areas and other areas of Community Land.

Council has developed a cycleway network throughout the Ashfield LGA.

A detailed cycleway plan indicating proposed routes and priorities is available for viewing at Council's Engineering Services Department. Sections of the cycleway have already been constructed.

3.3.2 Carparks

Carparks of adequate capacity will be provided at individual Recreation Areas where required and as funding becomes available. Planning and design will need to ensure safe access into and through the carpark.

Public carparks within the Ashfield LGA are maintained by Council. Maintenance includes inspections and repairs to road pavement, linemarking, signs and landscaping. Funding for the development of new carparks is provided through grants, developer contributions and Council rates revenue.

3.3.3 Access for Disabled Persons

It is the intention of Ashfield Municipal Council to ensure its Recreation Areas are accessible and equipped with adequate facilities for disabled persons as funds permit. This includes toilet facilities, ramps of a suitable grade as an alternative to stairs wherever practical, reserved parking spaces and at-grade, sealed surfaces to allow wheelchair access.

3.4 HEALTH AND SAFETY

3.4.1 Security

Ashfield Municipal Council aims to ensure Recreation Areas that contain public amenities are sufficiently secure to minimise loss of property through theft and vandalism. It is for this reason that amenity buildings are locked at night.

3.4.2 Shade Provision

Recreation Areas may require tree planting or other structures to provide recreation users with adequate shade especially during summer months. Shade provision is particularly important over areas such as Children's Playgrounds, seating and BBQ/picnic areas.

3.4.3 Safety

All facilities provided at Recreation Areas are to be regularly assessed in terms of safety. Equipment or situations that represent a safety hazard will be replaced, repaired or rectified on a priority basis.

Play equipment within Recreation Areas is inspected on a regular basis and replaced as necessary and as funds permit. Ashfield Municipal Council has also implemented an ongoing playground renovation scheme. Under this scheme and subject to available funding, playgrounds are upgraded as required to ensure an acceptable standard of safety is maintained.

3.4.4 FENCING

Fences may be required around Recreation Areas or particular structures within Recreation Areas to limit access for security or other purposes.

Fences within and bordering Recreation Areas require regular inspection and maintenance. Fencing should be sufficiently secure to minimise loss of property through theft and vandalism. While Council is not required to pay the cost of repair of private boundary fences it does ensure that all Council fences within and around Recreation Areas are repaired or replaced as necessary and as funds permit.

3.5 ENVIRONMENT/HERITAGE

3.5.1 Biodiversity Management

Where remnant indigenous vegetation and/or significant trees occur in Recreation Areas they are to be conserved as important landscape resources.

These resources are under threat of being lost through a combination of factors including:

- changed water tables
- insect attack and disease
- urban consolidation
- infrastructure development
- senescence

The condition of remnants are monitored on an ongoing basis and reported annually in Council's State of the Environment Report.

Ashfield Municipal Council has adopted a Tree Preservation Order, which has been in effect since 1965. The long-term goal of the Tree Preservation Order is to ensure a satisfactory tree canopy cover is maintained throughout the Ashfield LGA.

Council's current practice is to protect and regenerate these remnant areas through the replanting of indigenous species. Re-establishment of wildlife corridors is also a long term Council objective.

Linking large stands of remnant vegetation through planting and regeneration can create wildlife corridors. Wildlife corridors allow the movement of fauna between vegetation communities effectively expanding the area of habitat available and assisting maintenance of genetic diversity.

Any Threatened Species that may be associated with Recreation Areas will be managed in accordance with the Threatened Species Conservation Act, 1995. At the time of preparation of this plan there were no areas with known remnant or wildlife corridors.

3.5.2 Heritage

Heritage items may be located within or adjacent to Recreation Areas. It is important therefore to ensure their protection through appropriate management.

3.6 LANDSCAPE IMPROVEMENTS

Major and minor landscape improvements are implemented on the basis of available funds.

It is considered that vegetation could be used to address a number of issues associated with poor physical and visual amenity, including:

- improving visual amenity by blocking undesirable views
- providing shade for park users

Where possible, landscape improvements should be carried out in accordance with a site-specific master plan.

Council also sets aside funds annually for street tree planting and also for the supply of trees to ratepayers, schools and community groups.

3.7 MAINTENANCE

It is Council's Responsibility to provide adequate facilities to recreation users. Such initiatives include:

- investigate ways of reducing maintenance costs
- undertake ongoing preventative and remedial maintenance of Council's assets
- ensure sufficient resources to cater for peak periods
- ensure toilet blocks are routinely cleaned and breakdowns are promptly repaired

4. IMPLEMENTATION

4.1 INTRODUCTION

The existing management structures that apply to the various Recreation Areas within Ashfield LGA have generally been effective in the care and control of these important recreation resources. However, future management decisions will need to be addressed in the context of this Plan of Management. Implementation of the Small Parks and General Community Use Plan of Management be an ongoing process that will proceed in response to community expectations, user requirements, availability of funding and other circumstances as they arise.

4.2 MANAGEMENT STRUCTURE

The management requirements for Recreation Areas throughout the Ashfield LGA differ substantially between individual Recreation Areas. It is therefore necessary to clearly define management responsibilities and ensure the involvement of a range of people with the necessary management skills and experience. The responsibilities of these groups are summarised below.

Ashfield Municipal Council

- ultimate responsibility for development and management of Parks, Sportsgrounds and General Community Use Areas
- on-going preventative and remedial maintenance of Parks, Sportsgrounds and General Community Use Areas assets
- allocation of resources (financial, human and physical) for effective development and maintenance of the Recreation Areas
- liaison with authorities that have responsibilities relevant to development and management of infrastructure and services associated with Parks and Recreation Areas e.g. RTA, Sydney Water and Integral Energy
- maintenance of landscape works and passive recreation facilities

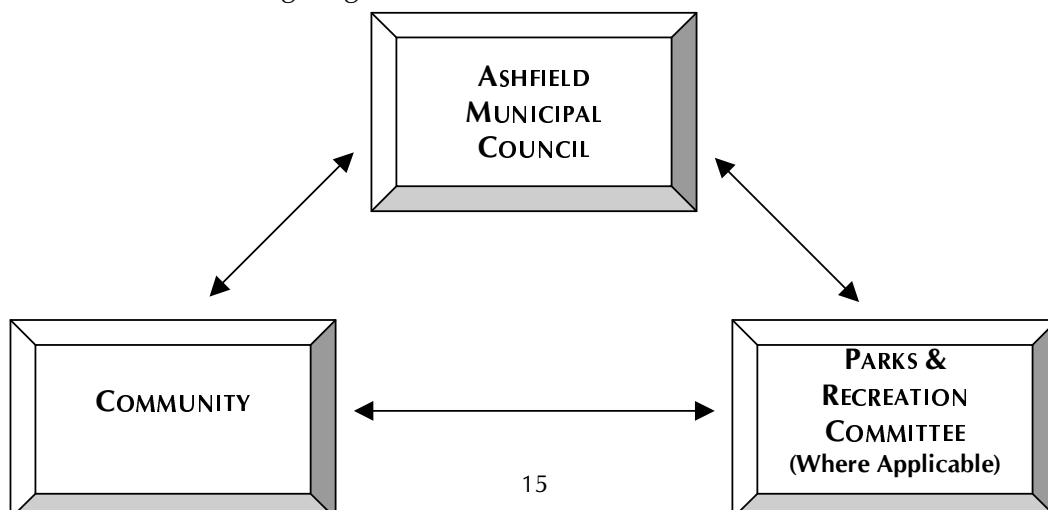
The Community

- reporting maintenance requirements and vandalism to Ashfield Municipal Council or to the relevant Park and Recreations Committee (where applicable)
- presentation of requests and proposals to Council and/or Parks and Recreation Committee (where applicable) for development or upgrading of facilities in the Parks and Recreation Areas

Parks and Recreation Committee (where applicable)

- seeking opinions regarding the expectations and needs of the community in relation to Recreation Areas
- providing advice to Council on the requirements of the Community
- reporting to Council on development and management of the Recreation Areas
- monitoring and reporting on maintenance requirements
- reporting vandalism and misuse of the Recreation Areas to Council and recommending actions to prevent their recurrence

The above groups are to work together to implement the development and ongoing maintenance of the Recreation Areas. The relationship between these groups is illustrated in the following diagram.



4.3 FUNDING

The timing for implementation of this Plan of Management will be directly dependent on the availability of funding. Such funding is required to cover capital expenditure as well as recurrent costs for repairs and maintenance.

Funding for the recurrent cost of repairs and maintenance is generally provided through Council's Annual Budget. Council's annual budget allocation for Recreation Areas is aimed at achieving a satisfactory level of maintenance in all Recreation Areas.

Ashfield Municipal Council needs to consider such expenditure within the context of its overall annual budget limits and priorities. As a result the timing and funding of such expenditure will differ for each of the Recreation Areas depending on individual requirements, and Council priorities.

In certain areas of the Ashfield LGA, Section 94 Contributions provide a major source of funds for capital improvements within Recreation Areas. These funds are generated by the contributions of developers included in new development. They are intended to increase the capacity of public facilities to cater for the expected population increase resulting from the new urban development. This source of funds directly depends on the rate of development and hence may fluctuate significantly.

4.4 PRIORITIES AND PERFORMANCE

In order to provide a framework within which to implement this POM, a prioritised schedule of actions have been prepared. The schedule will assist Council to allocate the financial, human and physical resources required for implementation of this POM. In determining the priority rating for each action, the following criteria have been applied:

H – High Priority

- safety issues in situations where there is a high probability of injury occurring
- work needed to ensure that the essential functions of the Recreation Areas are not compromised
- work needed to eliminate and/or reduce severe environmental problems such as erosion or water pollution in line with the requirements of the Environmental Protection Act and Soil Conservation Act.

M – Moderate Priority

- ongoing preventative and remedial maintenance of existing Recreation Areas assets
- work needed to ameliorate adverse environmental conditions, such as inadequate shade, views that require screening, noise intrusion, poor pedestrian circulation and access
- works aimed at reducing ongoing maintenance costs

L – Low Priority

- works aimed at improving the aesthetic quality of the Recreation Area
- works aimed at enhancing the habitat value of areas associated with the Recreation Area

The above criteria may require modification over time in response to special circumstances as well as changing community attitudes and expectations.

It should be noted that any situation that represents a safety issue is deemed to be a high priority. Similarly, any situation that is deemed to be an ongoing maintenance issue is considered to be a medium priority.

Implementation Schedule

The following schedule lists each proposed management action, giving it a priority rating as determined from the criteria above. In addition, each activity is listed against a performance indicator and its current status is noted.

The status ratings are as follows:

O – Ongoing – denotes activities that are carried out on an ongoing basis as required and as funds permit.

P – Proposed – those activities which have been proposed in the Plan of Management, but work has not commenced.

Co – Commenced – those activities for which work has already begun.

Cp – Complete – activities that have been completed (their performance indicators have been fulfilled) since the last POM Review.

Actions	Priority	Responsibility	Performance Indicator	Status
Provision of Facilities				
Prepare Open Space Strategy	L	AMC	Open Space Plan	P
Provide adequate amenities	L	AMC	Facilities provided	O
Upgrade play equipment	H	AMC	Compliance with Australian Standards	O
Environmental/Heritage Protection				
Provision of shade to children's playgrounds	M	AMC	Provision of shade to playgrounds	P
Sydney Green Web	M	AMC	Implementation of action plan	P
Identify and protect remnant ecological communities	M	AMC	Trees adequately protected	P
Access and Circulation				
Provide disabled access and facilities	H	AMC	Facilities provided to requirement AS4128	O
Improve pedestrian and cycleway access	M	AMC	Cycleways improved	P
Maintenance				
Improve security	H	AMC	Reduction in vandalism	O
Carry out preventative & remedial maintenance	M	AMC	Reduction in need for remedial maintenance	O
Landscape Improvements				
Prepare Landscape Master Plans	L	AMC	Landscape Planed prepared for future Council funding	Co
Implement landscape improvements	L	AMC	Improvements undertaken in accordance with Landscape Master Plan	O

AMC Ashfield Municipal Council

The above table represents a generic listing of potential management issues that may need to be addressed from time to time on individual Recreation Areas listed in the Schedule. Particular actions listed above may not necessarily be relevant to any or all of the Recreation Areas listed in the Schedule.

Detailed prioritisation of proposed improvements to Parks and Recreation Areas is carried out by Council when allocating funds on an annual basis.

4.5 STAFFING

Although current levels of staffing at Recreation Areas are generally adequate to maintain an acceptable quality of passive recreational experience, staff allocation needs to be monitored on an ongoing basis to ensure standards are maintained. If new facilities are developed then the need for additional staff will require assessment.

Development of new facilities may be carried out by contractors engaged by Council. Council has recently engaged contractors to undertake maintenance of a significant number of smaller Parks and Recreation Areas.

4.6 COMMERCIAL DEVELOPMENT OPPORTUNITIES

Ashfield Municipal Council has no current plans for the development of commercial facilities at any of the Recreation Areas covered by this POM. Such development may be constrained by available parking and facilities at individual Recreation Areas. Council is not currently considering any applications by private or community organisations to develop commercial facilities at the Parks and Recreation Areas covered by this POM.

4.7 EASEMENTS, LICENCES AND LEASES

Council may approve leases or licences over Community Land in accordance with Section 45(3) of the Local Government Act (1993). This Plan of Management authorises Council to issue permits or grant interests or estates, including leases, licences and easements in accordance with the Local Government Act (1993).

Licences and Leases may be used to formalise the use of Community Land by groups such as sporting or recreation clubs and organisations or individuals providing facilities or services for public use.

The content of Licences and Leases can vary substantially in terms of the conditions and requirements they contain. They may stipulate contributions to developments within the Recreation Areas as well as maintenance requirements and management responsibilities. Such conditions would be reviewed at the time the Licences and Leases are renewed.

4.8 REVIEW

As noted in Section 4.4 of this POM priority works will be considered by Council each year for budgeting and setting targets for implementation.

In addition, a complete review of the POM is to be carried out when necessary to update the Plan to reflect changing circumstances and community needs.

5. SCHEDULE OF PARKS

The schedule below lists recreation Areas covered by this Plan of Management. These include Small Parks (P) and General Community Use Areas (GCU).

No.	Name of Recreation Area E.g Small Park or General Community Use	Street Name	Suburb	Classification
1	Allman Park	Victoria Street	Ashfield	GCU/P
2	Anthony Street	Anthony Street	Ashfield	P
3	Bastable Street Hall	Bastable Street	Croydon	GCU
4	Bede Spillane	Queen Street	Ashfield	P
5	Bill Peters Reserve	The Avenue	Ashfield	P
6	Bridges Reserve	Edwin Street North	Croydon	P
7	Brown Street L/scape	Brown Street	Ashfield	GCU
8	Bruce Street Reserve	Bruce Street	Ashfield	P
9	Cadigal Reserve	Grosvenor Crescent	Summer Hill	P
10	Carrington Street Res	Carrington Street	Summer Hill	P
11	Dobroyd Parade	Dobroyd Parade	Haberfield	P
12	Elizabeth Street	Elizabeth Street	Ashfield	P
13	Federation Plaza	Gillies Avenue	Haberfield	GCU
14	Graham Reserve	Palace Street	Ashfield	P
15	284 Hawthorne Parade	Hawthorne Parade	Haberfield	P
16	16-18 Henson Street	Henson Street	Summer Hill	GCU
17	JG McCartney	John Street	Ashfield	P
18	John Patton	Hanson Street	Summer Hill	P
19	John Pope Reserve	Church Street	Ashfield	P
20	68 Kensington Road	Kensington Road	Summer Hill	P
21	76 Kensington Road	Kensington Road	Summer Hill	P
22	Lion Street Reserve	Lion Street	Croydon	P
23	Mervyn Fletcher Hall	Dalhousie Street	Haberfield	GCU
24	Park Ave playlot	Park Avenue	Ashfield	P
25	6 Railway Street	Railway Street	Croydon	GCU
26	Reg Cody Reserve	Cove to Waratah Street	Haberfield	P
27	Rose St Park	Rose Street	Ashfield	P
28	Rotary Park	Albert Parade	Ashfield	P
29	Summer Hill Plaza	Lackey Street	Summer Hill	GCU
30	Sutherland Reserve	Cnr Carshalton & Norton Street	Croydon Park	P
31	7 Tillock Street Reserve	Tillock Street	Haberfield	P
32	Underwood Reserve	Gower Street	Summer Hill	P
33	W Jeggrow Reserve	Cove to Waratah Street	Haberfield	P
34	Watson Ave	Watson Avenue	Croydon	P
35	William Street	William Street	Ashfield	P

6. SMALL PARKS



6.1 CORE OBJECTIVES FOR MANAGEMENT OF COMMUNITY LAND CATEGORISED AS SMALL PARKS

Section 36G The core objectives for management of Community Land categorised as a park are:

- (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.

6.2 MANAGEMENT STATEMENT & OBJECTIVES

Statement

Parks will be managed as the venue for passive recreation within the Municipality of Ashfield and also provide for the development of green corridors and urban drainage control where feasible.

Objectives

When this plan of management is implemented we will have:

- well maintained parks
- accessible parks
- provided a range of passive recreation facilities within each neighbourhood via a system of parks
- undertaken future planning in relation to parks.

6.3 SPECIFIC POLICY

LEASES, LICENSES & OTHER ESTATES POLICY

Leases, licenses or other estates over Parks or designated areas within Parks will be permitted under this plan of management for the purposes of passive recreation including the provision of built sporting recreation facilities; providing:

- (a) the type of use proposed and/or any required facilities being to the benefit of the community of Ashfield and meet a recognised need, and
- (b) Council approval of the proposed tenure term, and
- (c) the requirements of the Local Government Act 1993, Amendment 1998 & Regulation 1999 (see appendix B), and
- (d) the requirements of Council's Local Environmental Plan (LEP) relating to permissible uses, and
- (e) the negotiation of an appropriate lease, license or other estate fee, and
- (f) specific conditions contained in the lease agreement.

6.4 MANAGEMENT OBJECTIVES & PROPOSED PERFORMANCE OF COMMUNITY LAND CATERGORISED AS PARKS

Management Objectives	Proposed Performance	Assessment of Proposed Performance	Activity to achieve Management Objectives and Proposed Performance
Parks Maintained	Grass Quality	Full cover length > 20, < 100mm	Implement mowing program. Undertake turf maintenance as required.
	Garden beds	Weed free Rubbish free Mulched Healthy viable plants	Minimum monthly bed clean up, Apply 100mm cover mulch. Replace dead/diseased plants. Undertake horticultural maintenance as required.
	Litter	Grounds litter free No overflowing bins	Regular check on bins/grounds. Bins emptied weekly. Barricade any dangerous/broken sections & arrange repairs at earliest opportunity.
	Footpaths/Steps	Clear of obstructions Weed free Safe No damage	Remove any weeds in pavements Barricade any dangerous/broken sections & arrange repairs at earliest opportunity.
	Irrigation (where installed)	Operational	Check whole system, minimum twice a year. Weekly assessment of watering. Arrange plumbers, as required.
	Lights function Poles undamaged (where installed)	All lights operational No chipped paint, bent poles or broken luminaries	Notify Energy Australia.
	Seats useable (where installed)	No broken slats All seats fixed to ground, no missing bolts Clean	Monthly check or as reported. Replace broken or repaint item as required. Clean as required.
	Drinking fountain useable (where installed)	Clean Not leaking	Arrange plumber as required. Inspect quarterly.
	Picnic shelters useable (where installed)	Clean, undamaged	Arrange repairs as required. Inspect quarterly.
	Rubbish Bins useable (where installed)	Clean, undamaged	As reported. Inspect quarterly.
	Signage visible (where installed)	Clean, undamaged	As reported. Inspect quarterly.
Structures Maintained	Condition	All park structures undamaged, clean and available for use	Quarterly check of all structures. Repair as required.

Management Objectives	Proposed Performance	Assessment of Proposed Performance	Activity to achieve Management Objectives and Proposed Performance
Toilets Maintained	Condition	Paper and soap available Lights working	Daily check & replacement of items. Works orders for repairs submitted. Ranger to open & close.
	Availability	Open daylight hours or by specific arrangement	
Playground Maintained	Condition	Undamaged Painted Constructed to Australian Standards	Weekly inspections. Thorough quarterly inspections. Repairs as required.
	Safety	Reduced risk of accidents	Quarterly check of structural elements. Regular check of safety surface for glass, needles & rubbish.
Appropriate Access Provided	Illegal Access	Illegal access prohibited	Identify illegal vehicular access points & provide barriers. Identify park boundaries & determine encroachments. Remove encroachments & dumped refuse. Formalise access requirements of service authorities. Incorporate in standardised & clear signage information regarding illegal access.
			Provide access for maintenance, emergency & other vehicles as may be required. Provide equal access from car parks & street entrances to major park facilities such as BBQs, toilets & play equipment. Incorporate items such as even surfaced paths, pram ramps & accessible grades. Investigate the development of a linked path network to other open space areas.
	Leisure Needs Study Open Space & Recreation Facilities Plan	5 Year plan developed	Collect & map demographic data for AMC. Review trends in Park use for district Parks & Local Open Space. Obtain population predictions for the area. Establish deficiencies & prepare program to address them. Establish best use for available resources. Review policy on dog exercise with the view to establishing leash free areas. Parks to be used nominated & plans developed.

7. GENERAL COMMUNITY USE



7.1 Core Objectives for management of Community Land categorised as a General Community Use

Section 361 The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) in relation to public recreation and the physical, cultural, social & intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, license or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

7.2 Management Statement & Objectives

Statement

General Community Use Land will be managed as the venue for community activities within the Ashfield Municipality.

Objectives

When this plan of management is implemented we will have Venues;
- for community activities within the Ashfield Municipality.

7.3 Specific Policy

General Community Use will be managed as venue for community activity within the Ashfield Municipality.

Leases, Licenses & other estates

Leases, licenses or other estates over General Community Use areas or designated General Community Use areas within parks and/or Reserves will be permitted under this Plan of Management for the purposes of providing uses of the land and to provide facilities on the land to meet the current and future needs of the local community and of the wider public; providing:

- (a) the type of use proposed and/or any required facilities being to the benefit of the community of Ashfield and meet a recognised need and/or the use is for a residential purpose in relation to housing owned by the Council in accordance with section 46 (1)(b)(iv), and
- (b) Council approval of the proposed tenure term. and
- (c) the requirements of the Local Government Act 1993, Amendment 1998 & Regulation 1999 (see Appendix B), and
- (d) the requirements of Council's Local Environment Plan (LEP) relating to permissible uses, and
- (e) the negotiation of an appropriate lease, license or other estate fee, and;
- (f) specific conditions contained in the lease agreement.

7.4 MANAGEMENT OBJECTIVES & PROPOSED PERFORMANCE FOR COMMUNITY LAND CATEGORISED AS GENERAL COMMUNITY USE

Management Objectives	Proposed Performance	Assessment of Proposed Performance	Activity to achieve Management Objectives and Proposed Performance
Maximum Usage	Facilities useable	Lease agreement	Provide adequate facilities for proposed activity.
Facilities and land maintained	Grass Quality	Full cover length > 20, < 100mm	Implement mowing program. Undertake turf maintenance as required.
	Garden beds	Weed free Rubbish free Mulched Healthy viable plants	Minimum monthly bed clean up, Apply 100mm cover mulch. Replace dead/diseased plants. Undertake horticultural maintenance as required.
	Litter	Grounds litter free. No overflowing bins.	Regular check on bins/grounds. Bins emptied weekly. Barricade any dangerous/broken sections & arrange repairs at earliest opportunity.
	Footpaths/Steps	Clear of obstructions Weed free Safe No damage	Remove any weeds in pavements Barricade any dangerous/broken sections & arrange repairs at earliest opportunity.
	Carparks	Clear of obstructions. Relatively free of soil and sediment Safe No damage To Engineers standard	Remove any sediment, leaf litter, weeds and obstructions from the carpark area.
	Toilets (where installed)	Operational	Check of whole system, minimum twice a year Daily cleansing, stocking of soap and paper as required.
	Barbecue (where installed)	Operational	Check of whole system, minimum twice a year. Tops cleaned weekly and steam cleaned quarterly.
	Fountain (where installed)	Operational	Check of whole system, minimum twice a year Arrange plumber, as required.
Furniture Maintained	Lights function Poles undamaged (where installed)	All lights operational No chipped paint, bent poles or broken luminaries.	Monthly check Repaint damage annually Replace broken or repair fixtures & fittings within two weeks of being notified.
	Lights where installed and maintained by Energy Australia.	All lights operational No chipped paint, bent poles or broken luminaries.	Report damage or non working lights to Energy Australia.

APPENDIX

APPENDIX A – CONDITION OF LAND AND STRUCTURES

Facility	Allman Park	Anthony Street	Bede Spillane	Bill Peters Reserve	Bridges Reserve	Brown Street Landscape	Bruce Street Reserve	Cadigal Reserve	Carrington St Reserve	Dobroyd Parade
BBQ's	G	-	-	-	-	-	-	-	-	-
Bins	F	-	-	-	-	-	-	-	-	-
Bubblers	P	-	F	P	-	-	-	-	-	N
Carpark	-	-	-	-	-	-	-	F	-	-
Coverage	G	G	G	G	W	-	W	G	G	G
Fences	F	G	-	F	G	F	P	F	F	-
Garden Beds	P	-	P	F	-	-	F	F	F	F
Lights	G	G	G	G	F	-	F	P	G	G
Memorial	F	-	-	-	-	-	-	F	-	-
Netball Court/s	-	-	-	-	-	-	-	-	-	-
Paths and Access	F	F	F	G	F	F	P	F	F	G
Pergolas or Structures	F	-	-	-	-	-	-	-	-	-
Play Equipment	-	*	-	C	*	-	-	-	C	-
Seating	P	F	F	F	P	F	F	-	F	N
Shade	-	-	-	-	-	-	-	-	N	-
Shrubs	F	-	F	F	-	-	F	G	F	F
Signage	F	P	F	F	P	F	P	P	F	N
Tennis Court/s	-	-	-	-	-	-	-	-	-	-
Toilet Facilities	P	-	-	-	-	-	-	-	-	N
Trees	F	G	G	F	F	F	F	G	G	G
Turf	F	G	F	G	F	-	F	F	F	F
Vehicular	-	-	N	-	-	-	-	-	-	N
Other										

Facility	Elizabeth Street	Federation Plaza	Graham Reserve	284 Hawthorne Parade	70 McCartney	John Patton	John Pope Reserve	68 Kensington Road	76 Kensington Road	Lion Street Reserve	Park Avenue Playlot
BBQ's	-	-	-	-	-	-	-	-	-	-	-
Bins	-	G	-	-	-	-	-	-	-	-	-
Bubblers	P	G	-	F	-	P	-	-	-	-	-
Carpark	-	G	-	-	-	-	-	-	-	-	-
Coverage	G	G	G	G	G	G	G	G	G	G	G
Fences	P	G	-	G	F	-	-	F	F	P	F
Garden Beds	-	F	-	-	-	-	-	-	-	-	-
Lights	P	G	G	G	-	G	-	F	F	-	-
Memorial	-	-	-	-	-	-	-	-	-	-	-
Netball Court/s	-	-	-	-	-	-	-	P	-	-	-
Paths and Access	P	P	G	G	P	F	P	P	P	G	F
Pergolas or Structures	-	F	-	-	-	-	-	-	-	-	-
Play Equipment	NC	-	-	NC	NC	C	-	NC	-	C	NC
Seating	P	F	F	F	P	P	-	P	F	F	F
Shade	-	-	-	-	-	-	-	-	-	-	-
Shrubs	-	F	-	-	-	P	-	-	-	-	-
Signage	P	N.O	P	N.O.	P	F	-	P	F	-	-
Tennis Court/s	-	-	-	-	-	-	-	-	-	-	-
Toilet Facilities	-	G	-	-	-	-	-	-	-	-	-
Trees	G	G	G	G	G	F	F	G	G	F	F
Turf	F	P	F	F	F	F	F	F	G	F	G
Vehicular	-	G	N	N	N	-	-	-	-	N	-
Other											

Facility	Reg Cody Reserve	Rose Street Park	Rotary Park	Summer Hill Plaza	Sutherland Reserve	7 Tillock Street Reserve	Underwood Reserve	W Jeggrow Reserve	Watson Avenue	William Street
BBQ's	-	-	-	-	-	-	-	-	-	-
Bins	F	-	-	G	-	-	-	-	-	-
Bubblers	R	P	-	G	P	-	P	R	-	-
Carpark	-	-	-	G	-	-	-	G	-	-
Coverage	G	G	W	-	W	G	G	G	G	G
Fences	F	P	-	-	P	F	P	G	-	G
Garden Beds	-	-	F	F	-	-	F	-	-	G
Lights	G	-	-	G	-	-	F	G	-	-
Memorial	-	-	-	-	-	-	-	-	-	-
Netball Court/s	P	-	-	-	-	-	-	-	-	-
Paths and Access	G-F	F	-	G	F	G-F	P	G	-	G
Pergolas or Structures	P	-	-	-	-	-	-	-	-	-
Play Equipment	-	NC	-	F	C	-	C	NC	-	C
Seating	R	P	P	G	F	F	P	F	-	G
Shade	-	-	-	-	-	-	-	-	-	-
Shrubs	-	-	F	F	-	-	F	-	G	-
Signage	P	P	P	G	F	O	P	NOS	-	-
Tennis Court/s	-	-	-	-	-	-	-	-	-	-
Toilet Facilities	-	-	-	G	-	-	-	-	-	-
Trees	G	G	F	G	-	G	G	F	G	G
Turf	F	G	P	-	F	F	G	F	F	F
Vehicular	N	-	-	Y	Y	-	-	Y	-	N
Other										

Facility	Allman Park	Bastable Street Hall	Hammond Park	16-18 Henson Street	Mervyn Fletcher Hall	6 Railway Street
Air Conditioning	-	-	-	A	A	A
Gutter Cleaning	-	S	-	S	A	S
Fire safety Equipment	-	O	-	O	O	O
Grounds and Gardens	-	-	-	-	-	-
Painting	-	F	-	F	F	F
Pest Control	-	A	-	A	A	A
Thermostatic Mixing Valves	-	-	-	A	-	A
Building Repairs	-	C	-	F	C	F

S = Items require 6 monthly preventative maintenance

R = Items require replacement

Q = Items require quarterly replacement

O = Requires regular ongoing maintenance more than 1/4

APPENDIX B

The following section is an extract from the Local Government (General) Amendment 1998 and explains the lease, licence and other estate policy.

46 Leases, licences and other estates in respect of community land generally

(1) A lease, licence or other estate in respect of community land:

(a) may be granted for the provision of public utilities and works associated with or ancillary to public utilities, or

(b) may be granted, in accordance with an express authorisation in the plan of management and such provisions of the plan of management as apply to the granting of the lease, licence or other estate:

(i) for a purpose prescribed by subsection (4), or for a purpose prescribed by any of sections 36E to 36N as a core objective of the categorisation of the land concerned, or

(ii) for a purpose prescribed by the regulations, if the plan of management applies to several areas of community land, or

(iii) for a short-term, casual purpose prescribed by the regulations, or

(iv) for a residential purpose in relation to housing owned by the council, or

(v) for the purpose of providing pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on the community land, but may not otherwise be granted.

(2) Despite subsection (1), a lease, licence or other estate in respect of community land may be granted for a purpose mentioned in subsection (1) (b) only if the purpose for which it is granted is consistent with the core objectives, as prescribed in this Part, of its categorisation.

(3) A council must not grant a lease or licence for a period (including any period for which the lease or licence could be renewed by the exercise of an option) exceeding 21 years.

(4) The following purposes are prescribed for the purposes of subsection

(1) (b) (i):

(a) 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 any of the following:

(i) public recreation,

(ii) the physical, cultural, social and intellectual welfare or development of persons,

(b) the provision of public roads.

(5) Purposes prescribed by subsection (4) in relation to the matters mentioned in subsection (4) (a) (ii) include, but are not limited to, maternity welfare centres, infant welfare centres, kindergartens, nurseries, child care centres, family day-care centres, surf life saving clubs, restaurants or refreshment kiosks.

(6) A plan of management is void to the extent that it purports to authorise the grant of a lease, licence or other estate in contravention of this section.

46A Means of granting leases, licences and other estates

(1) A plan of management is to specify, in relation to the community land to which it applies, any purposes for which a lease, licence or other estate may be granted only by tender in accordance with Division 1 of Part 3.

(2) Nothing in this section precludes a council from applying a tender process in respect of the grant of any particular lease, licence or estate.

(3) A lease or licence for a term exceeding 5 years may be granted only by tender in accordance with Division 1 of Part 3, unless it is granted to a non-profit organisation.

47 Leases, licences and other estates in respect of community land terms greater than 5 years

(1) If a council proposes to grant a lease, licence or other estate in respect of community land for a period (including any period for which the lease, licence or other estate could be renewed by the exercise of an option) exceeding 5 years, it must:

- (a) give public notice of the proposal, and
- (b) exhibit notice of the proposal on the land to which the proposal relates, and
- (c) give notice of the proposal to such persons as appear to it to own or occupy the land adjoining the community land, and
- (d) give notice of the proposal to any other person, appearing to the council to be the owner or occupier of land in the vicinity of the community land, if in the opinion of the council the land the subject of the proposal is likely to form the primary focus of the person's enjoyment of community land.

(2) A notice of the proposal must include:

- information sufficient to identify the community land concerned
- the purpose for which the land will be used under the proposed lease, licence or other estate
- The term of the proposed lease, licence or other estate (including particulars of any options for renewal)

- the name of the person to whom it is proposed to grant the lease, licence or other estate (if known)
- a statement that submissions in writing may be made to the council concerning the proposal within a period, not less than 28 days, specified in the notice.

(3) Any person may make a submission in writing to the council during the period specified for the purpose in the notice.

(4) Before granting the lease, licence or other estate, the council must consider all submissions duly made to it.

(5) If a person makes a submission by way of objection to the proposal, the council must not grant the lease, licence or other estate except with the Minister's consent.

(6) If the council applies for the Minister's consent, it must forward with its application:

- a copy of the plan of management for the land
- details of all objections received and a statement setting out, for each objection, the council's decision and the reasons for its decision
- a statement setting out all the facts concerning the proposal to grant the lease, licence or other estate
- a copy of the newspaper notice of the proposal
- a statement setting out the terms, conditions, restrictions and covenants proposed to be included in the lease, licence or other estate
- a statement setting out the manner in which and the extent to which the public interest would, in the council's opinion, be affected by the granting of the proposed lease, licence or other estate, including the manner in which and the extent to which the needs of the area with respect to community land would, in the council's opinion, be adversely affected by the granting of the proposed lease, licence or other estate.

(7) On receipt of the application, the Minister must request the Director of Planning to furnish a report concerning the application within such period as the Minister specifies.

(8) After considering the application and any report of the Director of Planning, the Minister, if satisfied that:

- (a) subsections (1), (2) and (6) have been complied with, and
- (b) such consent would not contravene section 46, and
- (c) in all the circumstances, it is desirable to grant consent, may consent to the granting of a lease, licence or other estate in respect of the whole or part of the land to which the application relates, subject to such terms and conditions as the Minister specifies.

(8A) On request by any person, the Minister must provide that person, within 14 days of that request, with a written statement of reasons for consenting to, or refusing to consent to, the granting of a lease, licence or other estate in accordance with subsection (8).

(9) The Minister's consent is conclusive evidence that the council has complied with subsections (1), (2) and (6).

(10) For the purposes of this section, any provision made by a lease or licence, or by an instrument granting any other estate, in respect of community land, according to which the council:

(a) would suffer a disadvantage or penalty if the same or a similar lease, licence or estate were not to be granted, for a further term, after the expiry of the current lease, licence or other estate, or

(b) would enjoy an advantage or benefit if the same or a similar lease, licence or estate were to be so granted, is taken to confer an option for renewal for a term equal to the further term.

47A Leases, licences and other estates in respect of community land terms of 5 years or less

(1) This section applies to a lease, licence or other estate in respect of community land granted for a period that (including any period for which the lease, licence or other estate could be renewed by the exercise of an option) does not exceed 5 years, other than a lease, licence or other estate exempted by the regulations.

(2) If a council proposes to grant a lease, licence or other estate to which this section applies:

(a) the proposal must be notified and exhibited in the manner prescribed by section 47, and

(b) the provisions of section 47 (3) and (4) apply to the proposal, and

(c) on receipt by the council of a written request from the Minister, the proposal is to be referred to the Minister, who is to determine whether or not the provisions of section 47 (5) (9) are to apply to the proposal,

(3) If the Minister, under subsection (2) (c), determines that the provisions of section 47 (5) (9) are to apply to the proposal:

(a) the council, the Minister and the Director of Planning are to deal with the proposal in accordance with the provisions of section 47 (1) (8), and

(b) section 47 (9) has effect with respect to the Minister's consent.

47C Sublease of community land

(1) In addition to any restrictions created by the lease, community land that is the subject of a lease cannot be sublet for a purpose other than:

(a) the purpose for which, as notified under section 47 (2), the land was to be used under the lease, or

(b) a purpose prescribed by the regulations.

(2) A lease is void to the extent that its provisions are inconsistent with this section.

47D Occupation of community land otherwise than by lease or licence

(1) The exclusive occupation or exclusive use by any person of community land otherwise than in accordance with:

(a) a lease, licence or estate to which section 47 or 47A applies, or

(b) a sublease or other title directly or indirectly derived from the holder of such a lease, licence or estate, is prohibited.

(2) This section does not apply to:

- (a) the occupation or use of part of the site of a senior citizens' centre or home or community care facility by a duly appointed manager of the centre, or
- (b) the occupation or use of community land by persons, and in circumstances, prescribed by the regulations.

47E Development of community land

(1) No power of a council under an environmental planning instrument to consent to the carrying out of development on community land may be delegated by the council if:

- (a) the development involves the erection, rebuilding or replacement of a building (other than a building exempted by or under subsection (2) from the operation of this paragraph), or
- (b) the development involves extensions to an existing building that would occupy more than 10 per cent of its existing area, or
- (c) the development involves intensification, by more than 10 per cent, of the use of the land or any building on the land, or
- (g) the location of the development has not been specified in the plan of management applying to the land and the development is likely, in the opinion of the council, to be unduly intrusive to nearby residents.

(2) The following buildings are exempt from the operation of subsection (1) (a):

- (a) Toilet facilities,
- (b) small refreshment kiosks,
- (c) shelters for persons from the sun and weather,
- (d) picnic facilities,
- (e) structures (other than accommodations for spectators) required for the playing of games or sports.
- (f) playground structures,
- (g) work sheds or storage sheds,
- (h) buildings of a kind prescribed by the regulations.

(3) An existing area referred to in subsection (1) (b) does not include the area of any awning, balcony, verandah or other thing that extends beyond the main structural outline of the building.

(4) A delegation granted before the commencement of this section, to the extent that the delegation could not have been granted if this section had been in force at the time it was granted, is void.

The following section is an extract from the Local Government (General) Amendment (Community Land Management) Regulation 1999 that has been amended in 1998 and explains the lease, license and other estates policy.

6JF Leases, licenses and other estates in respect of community land

(1) For the purposes of section 46 (1) (b) (iii) of the Act, the use or occupation of community land for the following events is prescribed as a purpose in respect of which a council may grant a license in respect of community land on a short-term casual basis:

- (a) the playing of a musical instrument, or singing, for fee or reward,
- (b) engaging in a trade or business,
- (c) delivering a public address,
- (d) commercial photographic sessions,
- (e) picnics and private celebrations such as weddings and family gatherings,
- (f) filming for cinema or television,
- (g) the agistment of stock.

(2) However, the use or occupation of community land for events listed in subclause (1) is prescribed only if the use or occupation does not involve the erection of any building or structure of a permanent nature.

6JG Exemptions from section 47A (Leases, licenses and other estates in respect of community land - terms of 5 years or less)

(1) Leases, licenses and other estates granted for the following purposes are exempt from the provisions of section 47A of the Act:

- (a) residential purposes, where the relevant community land has been developed for the purposes of housing owned by the council,
- (b) the provision of pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on the community land,
- (c) use and occupation of the community land for events such as:
 - (i) a public performance (that is. a theatrical, musical or other entertainment for the amusement of the public),
 - (ii) the playing of a musical instrument, or singing, for fee or reward,
 - (iii) engaging in a trade or business,
 - (iv) playing of any lawful game or sport,
 - (v) Delivering a public address,
 - (vi) Conducting a commercial photographic session,
 - (vii) picnics and private celebrations such as weddings and family gatherings,
 - (viii) filming for cinema or television,

(2) However, the use or occupation of community land for events listed in subclause (1) (c) is exempt only if:

- (a) the use or occupation does not involve the erection of any building or structure of a permanent nature, and

- (b) In the case of any use or occupation that occurs only once, it does not continue for more than 3 consecutive days, and
- (c) In the case of any use or occupation that occurs more than once, each occurrence is for no more than 3 consecutive days, not including Saturday and Sunday, and the period from the first occurrence until the last occurrence is not more than 12 months.

6JH Sublease of community land

For the purposes of section 47C (1) (b) of the Act:

- (a) refreshment kiosks, dances and private parties are prescribed as purposes for which community land that is leased for surf life-saving club or a sporting club may be sublet, and