

2025-2035
RIVERSIDE
RESERVES
PLAN OF
MANAGEMENT



Key Information

This Plan of Management (PoM) has been prepared by Dubbo Regional Council and provides direction as to the use and management of Council-managed Crown reserves classified as 'community land' in the Dubbo Regional Council area. The PoM is required in accordance with Section 3.23 of the Crown Land Management Act 2016 (CLM Act) and Section 36 of the Local Government Act 1993 (LG Act).

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

This PoM covers most of the community land and open space that is associated with the Dubbo Riverside environment. The Dubbo Riverside Reserves PoM has been prepared by Council and provides direction as to the use and management of crown reserves that border the Macquarie River between Devil's Hole and Sandy Beach within the city of Dubbo.

The land to which this plan applies includes Crown land that runs along the east and west banks of the Macquarie River from the Devil's Hole to Sandy Beach.



Acknowledgement of Country

We acknowledge the Wiradjuri people who are the traditional custodians of the land on which we live, work and play. We pay our respects to Elders past and present of the Wiradjuri Nation and thank them for their care of the land, water and sky and extend that respect to other Indigenous Australians.

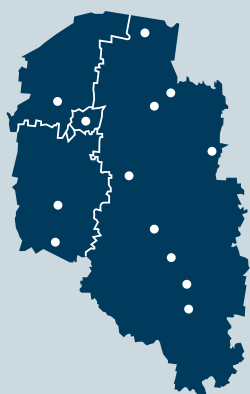
Contents

Introduction	4	Appendix 1 – Community Land Covered by This Plan of Management	51
Purpose of the Plan of Management	5	Appendix 2 – Leases Licences and Other Estates	51
Land Description	7	Appendix 3 – Devil’s Hole Reserves 83803 and 97134	52
Basis of Management	8	Appendix 4 Police Paddock Reserve 97642	57
Development and Use	13	Appendix 5 Riverbank 520043	60
Management of Land – Park	20	Appendix 6 Biddybungji Reserve 520046	65
Management of Land – Sportsground	26	Appendix 7 Riverbank Reserve 5890	69
Management of Land – Natural Area	33	Appendix 8 – Flood Maps	76
Management of Land – Natural Area – Bushland	36	Appendix 9 – AHIMS Search Results	78
Management of Land – Natural Area – Watercourse	44	Appendix 10 – Plan of Management Legislative Framework	90
References	50	Appendix 11 – Aboriginal Interests in Crown Land	94

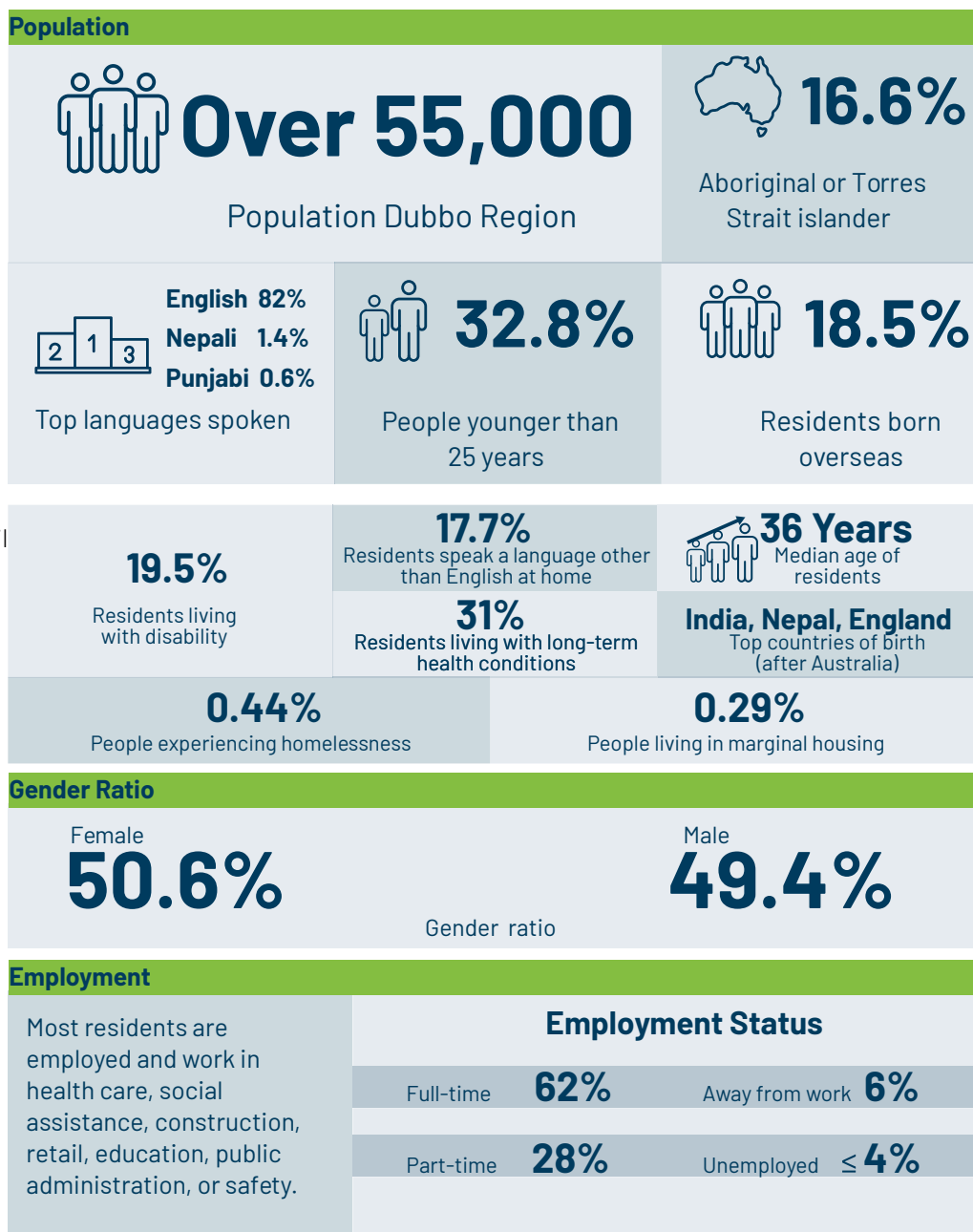
Introduction

The Dubbo Regional Council Local Government Area (LGA) was proclaimed by the NSW Government on 12 May 2016 as an amalgamation of the former Dubbo City and Wellington Councils. The Dubbo Regional Council LGA is at the heart of the region and had an estimated population of 54,843 in 2020. It includes the regional city of Dubbo, the local service centre of Wellington and villages of Eumungerie, Ballimore, Geurie, Wongarbron, Stuart Town, Mumbil and Brocklehurst. Our LGA is shown below:

Figure 1: Dubbo Regional LGA



Service area of 7,534.5 km² including one city, town and villages.



Dubbo Regional Council LGA contributed \$3.64 billion to GRP in 2019, supported by a diversity of economic sectors including health care and social assistance, public administration and safety, construction, manufacturing, retail, agriculture, transport and warehousing, and finance.

Dubbo is one of the largest inland regional cities in NSW and sits at the intersection of major road, rail and air routes. It services a catchment area of over 120,000 people from within the region and in the adjoining Far West region. Dubbo's broad range of industries reinforce its role as a regional city, supported by extensive educational, professional, government and retail services.

Wellington sits at the foot of Mount Arthur between the Macquarie and Bell rivers. It supports surrounding agricultural activities such as cropping, wool, beef, and prime lamb farming on rich productive soils. Tourists are attracted to the Wellington Caves complex, Lake Burrendong, the Burrendong Arboretum, Mount Arthur, small wineries, and boutique galleries.

Purpose of the Plan of Management

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

The *Crown Land Management Act 2016* ("CLM Act") authorises local Councils (Council land managers) appointed to manage dedicated or reserved Crown land to manage that land as if it were public land under the LG Act. Therefore, all Crown land reserves managed by Council are also required to have a PoM under the LG Act. The purpose of this generic PoM is to:

- contribute to the Council's broader strategic goals and vision as set out in Council's 2040 Community Strategic Plan and forward Delivery Plans
- ensure compliance with the LG Act and the CLM Act.
- provide clarity in the future development, use and management of the community land.
- ensure consistent management that supports a unified approach to meeting the varied needs of the community.

Further information about the legislative context of Crown Reserve PoM can be found in Appendix 10 of this document.



Process of preparing this plan of management

What are the steps in the process for drafting and adopting Plans of Management?

Step 1

Drafting the Plan of Management

- The PoM must meet all the minimum requirements outlined in section 36(3) of the LG Act and identify the owner of the land. (templates provided)
- Any activities (including tenure or development) to be undertaken on the reserve must be expressly authorised in the PoM to be lawfully authorised.
- Councils must obtain written advice from a qualified native title manager that the PoM and the activities under the PoM comply with the NT Act.

Step 2

Notifying the landowner and seeking Minister's consent to adopt.

- The department as the landowner is to be notified of the draft PoM prior to public exhibition of the PoM under s.39 of the LG Act.
- Councils are also required to seek the department's written consent to adopt the draft PoM (in accordance with s3.23(6) CLM Act). The department's consent can be sought at the same time as notifying the landowner of the draft plan.

Step 3

Community consultation

Councils are required to publicly exhibit PoM under section 38 of the LG Act.

- Councils are **not** required to hold a public hearing under section 40A of the LG Act (in accordance with s3.23(6) CLM Act).

Step 4

Adopting a Plan of Management

- If there are any changes to the plan following exhibition of the draft PoM, councils must seek the department's consent to adopt the PoM.
- Council resolution of a PoM that covers Crown land should note that the PoM is adopted pursuant to section 40 of the LG Act in accordance with 3.23(6) of the CLM Act.
- Once a council has adopted the PoM, a copy of the adopted PoM should be forwarded to the department: council.clm@crowland.nsw.gov.au for record purposes.

Change and review of plan of management

This PoM will require regular review to align with community values and changing community needs, and to reflect changes in Council priorities. Council has determined that it will review the PoM within ten (10) years of its adoption. However, the performance of this PoM will be reviewed on a yearly basis to ensure that the reserves are being managed in accordance with the PoM, are well maintained and provides a safe environment for public enjoyment in accordance with the reserve/s gazetted purpose/s.

Council may continue to acquire or divest land for the benefit of the community. Land may also come into Council's ownership by dedication of land for open space.

The community will have an opportunity to participate in reviews of this PoM.

Community consultation

This PoM was placed on public exhibition from 14/07/2025 to 25/08/2025 in accordance with the requirements of section 38 of the LG Act. No formal submissions were received.

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

Council also conducted targeted consultation during the development of this plan with the following groups: Rivercare, Ozfish Riverbus, Dubbo Environment Group, Central West Local Land Services and Taronga Western Plains Zoo.

Land Description

The community land that is covered by this document is listed in Appendix A1. The land covered by this document is defined by real property identifiers (lots and deposited plans) and reserve numbers. Some open spaces are not covered by this PoM, generally because they need site-specific plans of management to be prepared.

Contact the Council or refer to the Council's website for information about other public land not listed in Appendix A1.

Owner of the land

The land includes land owned by the Crown which is managed by the Council as Crown land manager under the Crown Land Management Act 2016.



Figure 2: Map of reserves

Basis of Management

Dubbo Regional Council intends to manage its community land to meet:

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

The vision for this PoM is to manage the reserves for the benefit of:

- the aquatic environment
- riparian bushland
- passive recreation through walking, cycling and trail delivery
- active recreation through provision of quality sportsgrounds
- improved health and wellbeing through improved liveability
- improved sustainability through efficient energy and water use
- improved connections to Indigenous heritage
- creation of better places to live and work.

Features of this plan address:

- access to foreshore places
- built environment connections to the Macquarie River
- connections to the future release area in north-west Dubbo
- development and implementation of the adopted Macquarie River CBD Master Plan – 2020 and the Macquarie River Master Plan (North and South Precincts) – 2023
- maintenance of quality recreational grounds and amenities for football, netball, touch football, cricket, disc golf, triathlon, fishing and kayaking
- walking, cycling and commuting connections to the city centre through the Tracker Riley Shared Pathway loop extensions
- promotion of opportunities to create and enhance the riparian corridor and other habitat links
- artistic, wildlife and heritage interpretation areas.
- provision of a range of range of recreation and environmental experiences are part of the heritage and culture of a high quality city life style.

Categorisation of the land

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

The LG Act defines five categories of community land:

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

The categorisation of the land is identified in Appendix 1, as well as shown by maps in Appendix 3 – 7.

Guidelines and core objectives for management of community land

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

The guidelines for categorisation of community land are set out in the Local Government (General) Regulation 2021. The core objectives for each category are set out in the LG Act. The guidelines and core objectives for the Park, Sportsground, General Community Use and Natural Area categories are set out in the relevant category sections of this PoM.

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Dubbo Regional Council area.

Restrictions on management of Crown land

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

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

At the time of this submitted draft PoM there were eight active Aboriginal land claims and are listed in the table below.

Claim number	Claimant	Lots	Date	Status	Reserve	
21998	New South Wales Aboriginal Land Council	Lot 1 DP 130730	13-Nov-09	Incomplete	5890	Riverbank
23868	New South Wales Aboriginal Land Council	lot 379 DP 754308	15/1/2010	Incomplete	97642	Police Paddock
23869	New South Wales Aboriginal Land Council	lot 379 DP 754308	15/1/2010	Incomplete	97642	Police Paddock
23891	New South Wales Aboriginal Land Council	Lot 376 DP 754308	15-Jan-10	Incomplete	97134	Devil's Hole Billabong
46132	New South Wales Aboriginal Land Council	Lot 7016 DP 1020037	16-Oct-18	Incomplete	83803	Devil's Hole North
46149	New South Wales Aboriginal Land Council	Lot 7018 DP 1020036	22-Oct-18	Incomplete	97642	Police Paddock
55711	New South Wales Aboriginal Land Council	lot 332 DP 754308	2/5/2024	Incomplete	83803	Devil's Hole North
55736	New South Wales Aboriginal Land Council	lot 7045 DP 1114493	3/5/2024	Incomplete	83803	Devils Hole North

A schedule of leases, licences and other estates are provided in Appendix A2.

A search of the Aboriginal Heritage Information Management System (AHIMS) reveals one Aboriginal site on reserve 5890 with several more nearby other reserves (see Appendix A9).



Council's strategic objectives and priorities

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

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Dubbo Regional Council area.

The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

Dubbo Regional Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate. Within buildings, swimming pools, and recreational and sporting facilities in particular, Dubbo Regional Council intends to permit and encourage a broad range of appropriate activities.

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

Council's 2040 **Community Strategic Plan** and 2025/2026 **Delivery Program and Operational Plan** includes the following relevant objectives, strategies and actions

Our community has access to a diverse range of recreational opportunities

- Passive and active open space is located to maximise access and use by the community
 - o Review and implement the Strategic Open Space Master Plan

- o Engage with the community in the planning and development of public open space
- o Implement the Public Open Space Guidelines to identify standards for future development
- Unique recreation and open space facilities are available
- Our sporting facilities cater for a wide range of events and opportunities
 - o Actively engage and collaborate with sports user groups and Dubbo Regional Sports Council to support effective asset management and development and viable responsive service delivery
 - o Complete irrigation renewal at John McGrath Oval

Land use management sustains and improves the built and natural environment

- The quality of the Macquarie, Talbragar and Bell river corridors are managed and enhanced
 - o Review the Parks and Bushcare Program in line with the adopted Volunteer framework
- Stormwater discharge into receiving waters is limited
- Endangered ecological communities, threatened species, habitats and environmental assets are protected

Two separate master plans have been developed for the Dubbo urban river reserves. The Macquarie River CBD Master Plan was adopted in April 2020 and focuses on the eastern bank of the Macquarie River between L.H. ford Bridge and Emile Seriser Bridge. The Macquarie River (North and South Precincts) Master Plan was adopted in April 2023. This master plan covers the remaining river corridor managed by Dubbo Regional Council from Devil's Hole in the North to Regand Park in the South, and on both the eastern and western banks of the river. Relevant sections of the Master Plans are included in the appropriate reserve section.

Council's Open Space Master Plan 2018

This master plan was preceded by the Dubbo City Park and Open Space System 2008. This master plan identifies 3 strategic directions:

- develop, promote, and link Destination Parks
- develop and expand the Green Web that links parks and open space
- build Resilience through improved planning.

A review on the Open Space Master Plan 2018 is currently being undertaken. The revised Open Space Master Plan 2035 builds on the success of its predecessor and provides a strong nexus between Developer Contributions and future works and improved linkages / connectivity of the public open space network.

Council's Recreation Strategy 2030

This strategy sets out how Council will deliver long term planning for the equitable spread of sports grounds across the LGA. This includes actions to:

- planning for future needs of the community through analysis of current supply, future needs, and gap analysis (in partnership with Office of Sport)
- provide quality playing surfaces and amenities
- focused improvement for key facilities for sporting associations
- develop plans for quality informal recreation to meet future needs of the community
- develop plans to activate precincts to meet future population growth areas, particularly in urban release areas including Keswick, Southlakes, Grangewood / Delroy, Holmwood and Montefiores
- provide opportunities for a diverse range of recreation opportunities to benefit the health and wellbeing of the community
- provide opportunities for engaging younger people in recreation
- provide a framework to allow for opportunities for private activation including business opportunities such as mobile food and coffee to bike or kayak hire
- plan for long term equitable spread of indoor and aquatic facilities
- investigate partnerships with key stakeholders such as, state sporting organisations, community groups and agencies, local schools and hospitals to expand offering of activities and complementary services
- improve water based sports
- improve communication and usage across all facilities
- develop healthy programs to foster activation, sustainable recreation and accessible physical activity programs
- promote fit for purpose facilities across the LGA

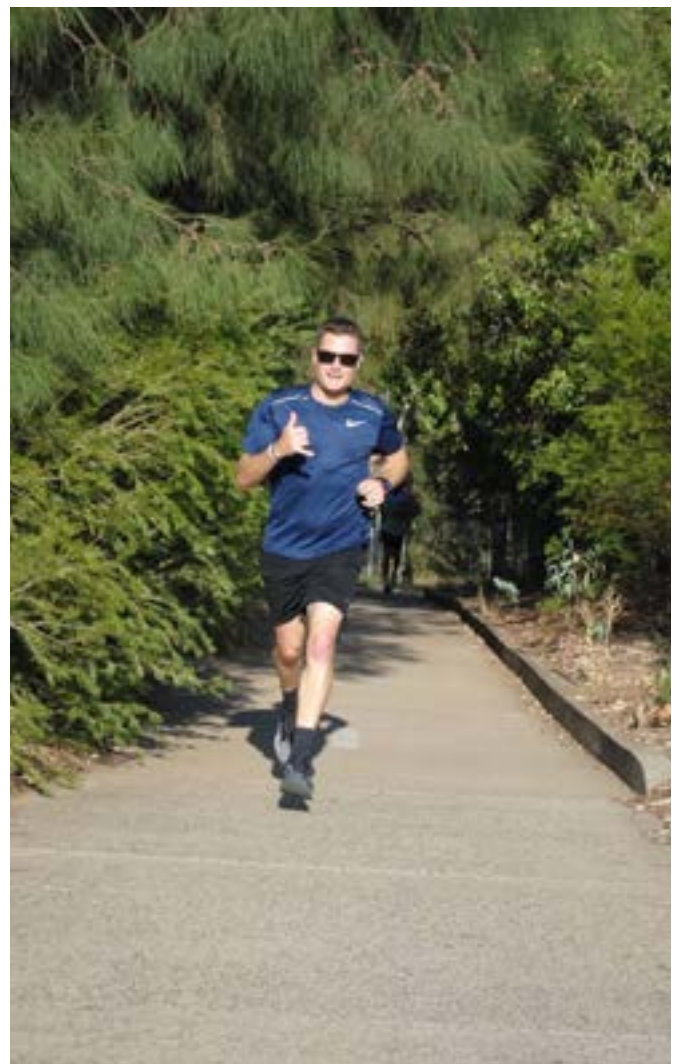
- undertake review of existing underutilised facilities
- grow sustainable opportunities for inclusive partnerships

The Recreation Strategy also sets out how we will improve recreational opportunities over the next ten years. The strategy sets out actions to address the following objectives:

- improve communication and usage across all facilities
Develop healthy programs
- promote fit for purpose facilities across the LGA
- grow sustainable opportunities for inclusive partnerships.

The overarching objectives of Council management of public lands are:

- to provide access to a range of community, cultural and open space facilities and areas
- to value our unique environment and ensure it is protected for future generations
- to achieve economic prosperity
- to fully realise our tourism assets
- to enhance our quality of life through key infrastructure and services.



As a part of the consultation process in developing the PoM program, a set of guiding principles and objectives were determined. These are:

Create Vibrant and Diverse Experiences

- deliver to the community a substantial Riverside precinct that builds on our unique region identity with offerings of contemporary recreation, exercise and cultural experiences
- respond to the needs of community to cater to new opportunities and innovative ways to better use the precinct. This may be to encourage a maximum diversity of programmed and unprogrammed uses that are compatible with the precinct
- plan areas of the precinct to cater to temporary installations, events, music, festivals, contemplative zones and large picnic spaces

Respect Cultural Heritage

- cater specifically for the needs of youth, families and cultural groups through flexible, multi-use facilities and programs. This may include incorporation of recreation opportunities and experiences for a wide range of user groups
- protect Aboriginal cultural heritage values

Strive For Environmental Sustainability

- support restoration or protection of existing natural biodiversity
- support and improve connections between the river, drainage lines, flora and fauna providing corridors and supporting buffer zones to encourage an ecological network across the precinct
- manage and restore cultural heritage elements and character of the precinct
- ensure that land use development is underpinned by common sustainability objectives and are linked by common physical structures
- seek energy efficient upgrades to lighting, including LED and solar where appropriate
- maximise the use of renewable energy sources as it becomes appropriate or available

Enhance Community Health

- contribute to community health and wellbeing through access to recreation and exercise
- provide safe pedestrian and cycling connections to adjoining communities, and Tracker Riley Shared Pathway loops
- provide social equity across access, way finding, recreation and exercise. Especially for new residential areas
- create opportunities for community uses to be interactive and responsive to social equity

Improve Financial Sustainability

- encourage community involvement and partnerships, including Indigenous involvement where possible
- create employment in the precinct associated with development and management of recreation, tourism and community facilities.





Development and Use

Current use of the land

Each relevant category section of this PoM contains information about the existing use of the land, including condition of the land and structures, use of the land and structures, and current leases, licences and estates on the land.

Crown land can be reserved or dedicated for various public purposes. The notified purpose(s) for reserves subject to this plan are public recreation.

The assigned categories are natural area bushland, natural area watercourse, park and sportsground.

Land Zoning

The land zoning for the reserves subject to this plan area RE1 and W2. A map of the zoning for each reserve is provided in each precinct profile.

Zone RE1 Public Recreation

Objectives of zone

- 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 recreational purposes.
- To provide for facilities and amenities to enhance the use of public open space.

Permitted without consent – Environmental protection works; Roads.

Permitted with consent – Aquaculture; Boat launching ramps; Boat sheds; Camping grounds; Cemeteries; Charter and tourism boating facilities; Community facilities; Eco-tourist facilities; Environmental facilities; Jetties; Kiosks; Mooring pens; Moorings; Recreation areas; Research stations; Signage; Water recreation structures; Water reticulation systems; Water storage facilities Wharf or boating facilities(indoor); Recreation facilities(major); Recreation facilities(minor).

Zone W2 Recreational Waterways

Objectives of zone

- To protect the ecological, scenic and recreation values of recreational waterways.
- To allow for water-based recreation and related uses.
- To provide for sustainable fishing industries and recreational fishing.

Permitted without consent – Environmental protection works; Roads

Permitted with consent – Aquaculture; Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Environmental facilities; Jetties; Kiosks; Marinas; Mooring pens; Moorings;

Prohibited – Advertising structures; Industries; Multi dwelling housing; Residential flat buildings; Seniors housing; Warehouse or distribution centres(outdoor); Restaurants or cafes; Signage; Water recreation structures; Water reticulation systems; Wharf or boating facilities

Prohibited – Advertising structures

Table 2: Guidelines

Specific Guidelines	
Play and Recreational Equipment	Play equipment may be installed or removed. Equipment shall be regularly maintained and kept in a safe condition in accordance with the relevant Australian Standard and Council's Playground Strategy and the Community, Culture and Places / Recreation and Open Spaces Asset Management Plan.
Mowing	Park areas, playing fields and ovals will be mowed in accordance with approvals, manuals or schedules as required.
Watering	Watering of parks and sportsground areas shall be undertaken as required and according to specific water restrictions that may be in place.
Wet Weather Use	During periods of wet weather, Council may restrict the use of park areas, playing fields and rural reserves to prevent damage to grass surfaces.
Line Marking	Line marking may be undertaken (under cost recovery) but will normally be the responsibility of the user.
Erection of Posts	The erection of posts on playing fields is allowed by this PoM and is the responsibility of Council (under cost recovery). Users, in certain circumstances may erect posts, if they have the approval of Council.
Sand Arenas	The construction of sand arenas in the sportsground area is allowed by this PoM. The construction of sand arenas must have the prior written approval of Council.
Hours of Operation	Council may restrict the hours of operation of any area of the Park areas, playing fields and rural reserves at its discretion.
Alcohol	Note some reserves are alcohol free or have alcohol prohibited zones enforced. Where alcohol is allowed the occasional sale of alcohol by a sporting committee, club or user group requires the approval of the NSW Office of Liquor Gaming and Racing through the issue of a Limited Licence. The Licence should be provided to Council in each instance. When making application for the use of an active recreational area if the sale of alcohol is intended, applicants are required to comply with any requirements of both the Office of Liquor Gaming and Racing and Council.
Companion Animals	Domestic pets may use the land where authorised by signage provided that they are under the control of a responsible person at all times and do not cause loss of amenity to other users of the land, except where specifically publicly notified. Dogs are not permitted within any area that is: • set aside for the playing of organised games, or • within 10 metres of a children's playing apparatus or • within 10 metres of cooking or eating facilities. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.
Parking	Parks and Sportsgrounds attract numerous user groups, and some car parking is required to be provided within the reserve. Car parking areas should not occupy valuable land but be positioned to minimise the impact on the reserves. Car parking is not to be situated near children's play areas. Existing car parking areas will be maintained to safety standards. Consideration will be given to the provision of parking spaces for people with a disability (in accordance with regulations). Internal roads and parking areas may be constructed or reconstructed to a safe and all weather standard.
Neighbours	Council shall endeavour to be a good neighbour and, as far as possible, shall consult with adjoining owners in respect of management activities which may affect them.

Building and Amenities	
Native Title Assessment	Where it is proposed to construct or establish a public work on reserved or dedicated Crown land, where native title is not extinguished, prior to approval Council will notify and give an opportunity for comment from any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered Native title claimants in relation to the land or waters covered by the reservation or lease as required under the <i>Native Title Act 1993</i> .
Aboriginal Land Claim	The terms of the authorisation for the commencement of any building or development activity on the areas of land subject to this PoM, should include advice that the land is not subject to a claim under the <i>Aboriginal Land Rights Act 1983</i> . If a claim is registered on the land activity cannot commence until the claim is resolved.
Buildings and Amenities	Buildings (including stages) and amenities may be provided where consistent with the need to facilitate the use of the land, the provisions of the LG Act and the <i>Crown Land Management Act 2016</i> have been complied with. Buildings and amenities are to be maintained to the highest possible standard.

Public Toilets and Amenities	Public toilets are provided at Ollie Robbins Oval, Sir Roden Cutler Park and Lions Park West and are to be maintained by the Council.
Play Equipment and Recreation Equipment	Play equipment shall be constructed and maintained in accordance with the relevant Australian Standard and may be replaced or removed as required.
Outdoor furniture	Outdoor furniture shall be provided as required and maintained to a safe standard in accordance with any adopted landscape design.
Private buildings	Private buildings may be constructed only where there is a lease or licence from Council and that lease or licence specifically makes provision for the use or erection of a private building. Private buildings and the lease areas are to be fully maintained by the user.
Public Buildings	Public buildings may be constructed for any purpose ancillary to the purpose of the land, provided that the provisions of the LG Act and the Crown Land Management Act 2016 have been complied with. Community facilities may also be permitted.
Removal of Buildings or Utilities	Buildings or utilities that are no longer required may be removed by the Council subject to development approval. The land is to be rehabilitated following removal.
Horticultural Maintenance	Mowing shall be regularly undertaken as required in accordance with any adopted Council maintenance procedures manual. In areas of concentrated use reseeding or turfing may be undertaken as required.
Cleaning	Buildings and amenities will be regularly cleaned and maintained in a tidy condition in accordance with any Council schedule.

Infrastructure	
Native Title Assessment	Where it is proposed to construct or establish a public work on reserved or dedicated Crown land, where native title is not extinguished, prior to approval Council will notify and give an opportunity for comment from any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered Native title claimants in relation to the land or waters covered by the reservation or lease as required under the <i>Native Title Act 1993</i> .
Aboriginal Land Claim	The terms of the authorisation for the commencement of any infrastructure construction activity on the areas of land subject to this PoM, should include advice that the land is not subject to a claim under the <i>Aboriginal Land Rights Act 1983</i> . If a claim is registered on the land activity cannot commence until the claim is resolved.
Infrastructure	Any necessary infrastructure to service purpose of the land may be constructed.
Services and Utilities	Services and utilities such as water supply, sewerage, electricity supply, gas and telecommunications may be constructed, maintained or repaired on the land.
General Maintenance	General maintenance will match the level and type of use and wherever possible users will be encouraged to help. Areas held under lease, licence or regular occupancy shall be maintained by the user. Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. The Council may make arrangements for community groups to undertake maintenance for specific facilities on Council's behalf.
Energy Efficiency	Measures shall be taken to improve the energy efficiency of all buildings and activities carried out on the land. Measures shall include use of energy efficient lighting, periodic auditing of energy use, and appropriate orientation of any new buildings to incorporate passive solar design principles.
Lighting	Where appropriate, adequate lighting shall be provided on the land to ensure public safety and security for buildings and amenities as far as possible.
Floodlighting	Floodlights shall be designed and operated to minimize glare and spillage of light to adjoining properties. Floodlights shall comply with AS2560.
Fences	Fences may be constructed and shall be in accordance with any standards or guidelines adopted by Council.
Signs	Signs may be erected on the land in accordance with State Environmental Policy and any adopted Development Control Code and Policy.

Access	
Access and Occupation	The PoM seeks to facilitate access to the land to enable its use for its reserved purposes.
Access	Access to the land may be limited by Council at times where this may interfere with works or may have an adverse effect on the land.
Public Access	Public access to land to which this PoM applies can be denied to assist rehabilitation or protection of special items of significance or where a lease has been granted, but shall not otherwise be denied. Access can be denied during natural events, such as flooding or fire, to protect the public.
Occupation by Adjoining Land Owners	Where Council is aware of occupation or encroachment by private landowners onto the land, measures will be taken to prevent this occurring.
Roads and Parking	Roads and parking areas may be constructed or reconstructed to a safe all weather standard. New roads and parking areas may be constructed. In cases where significant new roadworks are proposed, a master plan should be prepared and the works constructed in accordance with the plan.

Pollution Control	
Pollution Control	Management should seek to ensure that no pollution is generated on the land and that adequate measures are taken to prevent adverse impacts from adjoining land.
Soil Erosion and Sedimentation	All activities are to ensure adequate controls to prevent soil erosion and sedimentation and are to be inspected periodically.
Nutrients	Measures shall be taken to minimise and to control nutrients entering watercourses, water bodies or groundwater.
Environmental Protection (noise control, dust, chemicals etc)	Measures shall be taken during any construction or maintenance works on the land to ensure that normal environmental protection, pollution control and health guidelines are met.
Litter	Litter shall be regularly collected and removed. Provision shall be made for the provision of litter bins at various locations. It is the responsibility of all users to ensure that the area and surrounds are left in a tidy manner after use.
Gross Pollutant Traps	Gross Pollutant Traps are to be cleaned out on a Schedule to ensure that they are operating efficiently.
Rubbish Dumping	Rubbish dumping is not permitted. Grass clippings or garden waste is to be disposed of in a manner that does not affect natural vegetation or encourage the spread of weeds.
Irrigation	Irrigation is to be managed on any grassed or mown areas to avoid runoff or impact negatively on the water table.
Noise	Noise from events shall be required to comply with noise pollution control requirements.
Drainage	Drainage works are allowed on the land to which this PoM applies. Any works are to comply with any environmental management guidelines adopted by Council to minimise the flow of nutrients and pollutants into watercourses.
Fertilisers and Pesticides	The use of fertilisers and pesticides may be permitted on land to which this PoM applies but only where no suitable alternatives exist, and no adverse environmental impact is likely to occur. New landscape designs are to minimise the need for these. Notification of pesticide use must be given in accordance with Council's adopted Pesticide Use Notification Plan.
Removal of Silt	Silt shall be removed from drains and silt traps as necessary.

Trees, Vegetation and Landscape	
Trees, Vegetation and Landscape	Proper management of landscaping measures, trees and vegetation is important to provide a high degree of amenity on the land.
Trees	Trees will be maintained, as will maintenance of appropriate growing conditions involving management of soil compaction and other encroachments, in accordance with any Council Tree Management Policy.
Tree Planting and Removal	Trees may be planted, removed, or replaced. In replacing trees, regard will be had to endorsed plans and policies outlining preferred species. Tree planting maintenance, removal and replacement shall be in accordance with Public Tree Amenity value standard, codes, manuals, or policies.
Tree Protection	Appropriate protection such as guards and barriers shall generally be provided for all new plantings as may be required.
Landsscape Design	Landscape design will be subject to approval by Council.
Gardens	Gardens may be constructed and maintained on the land.
Weed control	Weed control shall be by both taking preventative measures and active control measures. Prevention of weed infestation shall be by minimising actions that disturb the ground surface and discouraging the conditions that encourage weeds. Measure shall be taken to prevent the dispersion of weeds by fill or the transport of seeds on machinery. Control measures which are acceptable include physical removal or slashing, accepted biological control techniques, bush regeneration, or chemical spraying where Council is satisfied that there will be no adverse residual effects and no adverse effect on human health will occur.
Bushfire Hazard Reduction	Where a bushfire hazard is identified on the land measure shall be taken to reduce the bushfire hazard.

Information, Monitoring and Research	
Information monitoring and Research	Monitoring and collection of information relating to the land to which the PoM applies are important to enable good management.
Education and Research	Where a demonstrated need has been identified, an educational programme shall be developed to encourage use appropriate to the purpose to all or part of the land to which this PoM applies.
Monitoring	Management arrangements shall be implemented to regularly monitor the use of the land, environmental conditions and facilities.
Surveys	Surveys of visitation and/or satisfaction with the facilities may be undertaken to facilitate the management and use of the land.

Permissible uses / future uses

Community land is valued for its important role in the social, intellectual, cultural, spiritual and physical enrichment of residents, workers, and visitors to the Dubbo Regional Council area.

The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

Dubbo Regional Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate. Within buildings, event precinct, and recreational and sporting facilities in particular, Dubbo Regional Council intends to permit and encourage a broad range of appropriate activities.

The use of community land is often supported by appropriate ancillary development such as playground equipment, amenity blocks or food kiosks.

The general types of uses which may occur on community land categorised as Park, Sportsground, General Community Use and Natural Area, and the forms of development generally associated with those uses, are set out in tables in the relevant category section in this PoM.

List of Category sections

- Park
- Sportsground
- Natural Area Bushland
- Natural Areas Watercourse

Express authorisation of leases and licences and other estates

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

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

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

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

Leases and licences authorised by the plan of management

This PoM expressly authorises the issue of leases, licences and other estates over the land covered by the PoM, in accordance with section 46(1)(b) and section 36(3A) of the LG Act, provided that:

- the purpose is consistent with the purpose for which it was dedicated or reserved
- the purpose is consistent with the core objectives for the category of the land
- the lease, licence or other estate is for a permitted purpose listed in the LG Act or the Local Government (General) Regulation 2021
- the lease, licence or other estate is a valid act under the provisions of the Native Title Act 1993 (Cth)
- where the land is subject to a claim under the Aboriginal Land Rights Act 1983 the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- the lease, licence or other estate is granted and notified in accordance with the provisions of the LG Act or the Local Government (General) Regulation 2021
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Tables in the relevant category sections of this PoM further identify the purposes for which leases and licences may be issued over the reserves identified in this PoM, and the maximum duration of leases, licences and other estates.

Areas held under lease, licence or regular occupancy shall be maintained by the user. The user will be responsible for maintenance and outgoings as defined in the lease or licence or agreement for use. Granting of a lease or licence does not grant approval for any development applications or similar Council approvals that may be required.

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



Short-term licences

There are specific limitations on short-term licensing under Clause 116 of the *Local Government (General) Regulation 2021*. Short-term licences and bookings may be used to allow the Council to program different uses of community land at different times, allowing the best overall use.

Short-term licences are authorised for the purpose of:

- (a) the playing of a musical instrument, or singing, for fee or reward
- (b) engaging in a trade or business
- (c) the playing of a lawful game or sport
- (d) the delivery of a public address
- (e) commercial photographic sessions
- (f) picnics and private celebrations such as weddings and family gatherings
- (g) filming sessions
- (h) the agistment of stock.
- (i) for the purpose of an event

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

Native title and Aboriginal land rights considerations in relation to leases, licences and other estates

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

It is the role of the Council's engaged or employed native title manager to provide written advice in certain circumstances to advise if the proposed activities and dealings are valid under the NT Act (see Appendix A11 for more information).

Likely Extinguishment of Native Title

Considerations

- Devil's Elbow North End (R.83803) in part, being Lot 332 DP 754308, with the grant of Special Lease 1921-29 Dubbo granted to John Joseph Cuddy on 25 January 1923.
- Police Paddock (R.97642) in part, being Lot 379 & Lot 380 DP 754308, with the grant of Special Lease 1954-12 Dubbo to Bruce Rogers Douglas & 1954-13 Dubbo to William Henry Adolphus Haycox and William Leonard Haycox on 10 September 1954.
- Riverbank Reserve (D.520043) in part, being Lot 1 DP 243250 & Lot 701 DP 1070545, with the creation of former part of Macquarie Street closed on 11 August 1972 & 19 August 1977.

- Riverbank Reserve (R.5890) in part, being:
 - o Lot 247 DP 822452 in full & part Lot 7013 DP 1115445 with the vesting in Trustees & grant of Special Lease 1918-13 Dubbo granted to Arthur Henny on 15 November 1918.
 - o Lot 7012 DP 1095148 in full, with creation of an unnamed road closed on 10 September 1982.
 - o Lot 132 DP 547063 & Lot 25 DP 754308 in full, with a 17-acre, 2-rood, 9-perch Crown Grant to George Smith on 13 May 1858 and a 13-acre, 2-rood, 9-perch Crown Grant to Thomas Sutcliffe Mort on 6 August 1856.
 - o Lot 1 DP 130730 in full, with a 44-acre Crown Grant to Luke McGuinn on 13 January 1871 & a 28-acre Crown Grant to Denis McGuinn on 4 July 1870





Management of Land – Park

The parks in this plan are high use parks with a very popular network of trails. The trail network is a mixture of concrete, bitumen and hard packed gravel. Some of the concrete path is marked with a centre line and arrows. Parks included in this plan include:

- Devil's Hole
- Police Paddock
- Riverbank Reserve
- Sir Roden Cutler Park
- Lions Park West
- Biddybung Reserve

Guidelines and core objectives

Parks are defined in clause 104 of the Local Government (General) Regulation Act 2021 as land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others.

The core objectives for parks, as outlined in Section 36G of the LG Act, are to:

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

Key Issues

Safety and Risk Management

Safety is an issue Council needs to address on a permanent basis. Council has a statutory responsibility to provide facilities/structures that meet relevant Australian Standards and is obliged under common law to take appropriate steps to protect people from reasonably foreseeable risk or harm in the use of public spaces and public assets. This implies a responsibility to maintain all natural areas and associated facilities to an acceptable standard. Key safety issues include:

- the effects of anti-social behaviour
- increasing number of homeless camps
- dogs, off leash, can threaten the health and safety of other users
- parks are potentially affected by natural disasters such as flood, fire or severe windstorms, posing a threat to the safety of users.

Access and Parking

Access and parking are very important to provide access to parks

- not all parks have structured pathways, nor have suitable toilets, which can limit use by parts of the community
- design of facilities in the past has not taken in to account the needs of physically disabled users and parents with prams
- vandalism of fences and gates to allow unauthorised vehicular access is prevalent. Placing physical obstructions along access routes deems the route inaccessible for emergency or service vehicles.

Recreation and Land Use

Passive recreation activities are encouraged in parks:

- the drinking of alcohol within parks areas can lead to anti-social behaviour as well as broken glass causing a safety issue. Alcohol Prohibited Zones (APZ) may be implemented under Section 632A of the LG Act.
- currently there are private water pumps used for irrigation, located within parks areas
- there are two existing boat ramps and one pontoon
- there are some unauthorised tracks, this opens parks up to weed invasion and anti-social behaviour
- it is difficult to prevent the use of swing ropes into the river from riverside parks areas due to the vast number of areas requiring monitoring
- swimming and or diving into water bodies can be dangerous due to variable water quality and submerged logs, rocks.

Landscape Character and Design

Any structures, signs, paths etc in parks should be sympathetic to the existing setting, its landscape values or the unique character and features of each site:

- flooding is a constraint to the location and type of structures placed in riverside parks.
- stormwater is generally designed to flow into natural watercourses. This water often contains sediment, weed propagates and seed and is high in nutrients, thus promoting the spread of weeds into riverside parks.
- pumps and pipes and other infrastructure within parks can detract from the appearance of the reserve.
- consideration of Safety by Design principles should be incorporated into new designs for parks where possible, to improve safety of park users and staff and reduce the incidence of crime.

Maintenance of Parks and Associated Facilities

Due to the relative high use of parks, maintenance of these areas is important:

- vandalism and inappropriate behaviour is a problem in parks
- litter and dumping of household and industrial rubbish is a problem in many parks
- play equipment needs to be maintained to a high standard.

Community Involvement/Neighbour Relations

Good neighbourly relations are important in the management of parks. Neighbours and community users are vital for the contribution to the planning and management process as well as informing Council of any ongoing issues:

- there is often encroachment or dumping of rubbish and garden refuse into park
- in some cases, the community and neighbours are affected by issues such as anti-social behaviour.

Management framework for reserves categorised as Park

Council's Open Space Masterplan 2018 (under review) and Recreation Strategy 2030 provide the strategic direction for the management of the open space network. Council's Open Space Masterplan 2018 includes several specific actions to be addressed during the ten-year life of the plan.

The recreation strategy categories parks into levels:

Community Infrastructure – typically are provided for utilities and services

Local – typically have signage, trees for shade and a natural playing surface

District – typically have trees, wayfinding signage, litter bins, park furniture and playgrounds

Regional – typically have trees, picnic tables and BBQs, play spaces, bins, lights and amenities.

Council's Delivery Plan requires Council to support community initiatives and to provide volunteering opportunities and programs that allow safe participation in activities that meet the volunteer's needs and add value to the service delivery of Council. To support this program Council has produced its Parks and Bushcare volunteer guidelines and appointed a Parks and Bushcare Officer.

The management and presentation of the parks network within the Dubbo Regional Council Local Government Area exists within the Community, Culture and Places Division. Two (2) functions are involved – Recreation and Open Space as the asset owner provides the strategic management of these facilities that includes identifying future needs, master planning and the setting of Maintenance Service Levels that each of the public parks are categorised into based on the attributes found within the Asset Classification System. The Greenspace Operations team provides the recurrent maintenance to present these public parks in accordance with the agreed Maintenance Service Levels.

The Greenspace Operations function operates internal crews, and occasionally partner with external community groups, to support the primary functions associated with the maintenance and enhancement of these public park assets.

Conditions of use

General conditions

1. Council requires user groups to provide Public Liability Insurance Policy by way of a Certificate of Currency (minimum \$20,000,000) at least seven days prior to an event.
2. Event organisers are responsible for conducting their own risk assessment of Council's Parks and Gardens and submit a risk management plan to Council at least seven days prior to the event.
3. Booking dates and times are to be strictly adhered to.
4. Parks and gardens are a public space and therefore exclusiveness to an area booked for an event is not guaranteed.
5. Parks are to be used in the condition they appear (e.g. mowing and maintenance is not carried out for specifically for weddings but rather on a scheduled roster)
6. Parks are to be left clean and tidy after use. Failure to comply with this regulation will result in the user group being invoiced for the 'actual costs' of litter control.
7. Many Council parks are an alcohol prohibited zone between 9pm and 9am daily, responsible consumption is required.
8. Electric barbeques are available at specific parks free of charge.
9. Council encourages user groups to utilise equipment which doesn't require power as only certain parks have power available.
10. It is the responsibility of user groups to have all appliances and electrical cords used on Council grounds tested and tagged in accordance with current Australian standards and regulatory requirements.
11. All marquees and signage erected must receive written approval from Council as the marking of underground services may be required at some parks, gardens and sporting facilities and incurs additional charges.
12. Bikes and skateboards are not permitted.
13. No unauthorised vehicles are to be driven or parked on any park, garden or non-defined vehicle area without written approval from Council.
14. For the use of jumping castles in Council parks and gardens the provider must have \$20,000,000 public liability insurance to comply and any injury or incident will be the responsibility of the user group. Also no pegs are to be used, only weights due to underground services (under review).
15. If user groups wish to engage external vendors/ services such as food vans it is the responsibility of the user group to ensure the vendor has the appropriate insurances, risk management plans and adheres to the terms and conditions of use for parks.
16. Any unsafe parks should not be used and reported to Council immediately on 6801 4000. Calls are logged using this service, and allocated to staff so the appropriate inspections and work can be carried out to ensure faults are fixed.
17. The user group hiring parks and gardens are responsible for all damage caused during their event and will be invoiced the 'actual costs' for any repairs required.
18. Signage for Temporary Events must comply with the following in accordance with the relevant legislation*:
 - a. One banner and one sign with a total combined area of less than 6m² is permitted offsite.
 - b. Off-site signage must:
 - i. not be placed in residential areas,
 - ii. not be placed on any public land or assets,
 - iii. not be permanently fixed,
 - iv. not incorporate any illumination, bill posters or bunting,
 - v. have land owner/occupier consent.
19. All signage must not be displayed earlier than 14 days before the event and must be removed within 2 days after the event.

Failure to comply with the above may result in regulatory action and fines being issued.

*Relevant legislation - Protection of the Environment Operations Act 1998 and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008".

Please note: Horse riding, dogs (not a leash), animals, lighting of fires, practising of golf, camping and removal of shrubs and trees are prohibited in ALL parks.



Permissible uses / future uses

The general types of uses which may occur on community land categorised as Park and the forms of development generally associated with those uses, are set out in Table 3 below. The facilities on community land may change over time, reflecting the needs of the community.

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

Table 3: Permissible use and development of community land categorised as Park by Council

Purpose/Use, such as...	Development to facilitate uses, such as...
- Active and passive recreation including children's play and cycling. - Group recreational use, such as picnics and private celebrations. - Eating and drinking in a relaxed setting - Publicly accessible ancillary areas, such as toilets - Festivals, parades, markets, fairs, exhibitions and similar events and gatherings - Low-intensity commercial activities (for example recreational equipment hire) - Filming and photographic projects - Busking - Public address (speeches) - Community gardening - Note: Some of the uses listed above require a permit from the Council.	- Development for the purposes of improving access, amenity and the visual character of the park, for example paths, public art, pergolas. - Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts, bocce courts. - Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, BBQs, sheltered seating areas. - Café or refreshment areas (kiosks/restaurants) including external seating. - Lighting, seating, toilet facilities, courts, paved areas - Hard and soft landscaped areas - Storage sheds - Car parking and loading areas. - Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment. - Community gardens - Heritage and cultural interpretation, for example signs - Advertising structures and signage (such as A-frames and banners) that: - relate to approved uses/activities. - are discreet and temporary. - are approved by the Council. - Bio-banking and carbon sequestration initiatives - Water-saving initiatives such as stormwater harvesting, rain gardens and swales - Energy-saving initiatives such as solar lights and solar panels - Locational, directional and regulatory signage - Car park infrastructure e.g. EV charging station

Express authorisation of leases, licences and other estates – Park

This PoM **expressly authorises** the issue of leases, licences and other estates over the land categorised as Park, listed in table 3, provided that:

- the purpose is consistent with the purpose for which the land was dedicated or reserved
- the purpose is consistent with the core objectives for the category of the land
- the lease, licence or other estate is for a permitted purpose listed in the LG Act or the Local Government (General) Regulation 2021
- the lease, licence or other estate is a valid act under the provisions of the Native Title Act 1993 (Cth)
- where the land is subject to a claim under the Aboriginal Land Rights Act 1983 the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- the lease, licence or other estate is granted and notified in accordance with the provisions of the LG Act or the Local Government (General) Regulation 2021
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Table 4: Leases, licences and other estates and purposes for which they may be granted for community land categorised as Park.

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	21 years (or up to 30 years with ministerial consent)	• café/kiosk areas, including seating and tables. • management of court facilities • hire or sale of recreational equipment. • Car park infrastructure e.g. EV charging station
Licence	21 years (or up to 30 years with ministerial consent)	• outdoor café/kiosk seating and tables • management of court or similar facilities • hire or sale of recreational equipment • Car park infrastructure e.g. EV charging station
Short-term licence	1 year	• community events and festivals • playing a musical instrument, or singing for fee or reward • picnics and private celebrations such as weddings and family gatherings • filming, including for cinema/television. • conducting a commercial photography session • public performances • engaging in an appropriate trade or business • delivering a public address • community events • fairs, markets, auctions, and similar activities • to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on land adjoining the community land and/or to remove waste that is consequential on such work.
Other estates	Ongoing	This PoM allows the Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the Council or public utility provider on the community land in accordance with the LG Act.

Action plan

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

- objectives and performance targets for the land
- the means by which the Council proposes to achieve these objectives and performance targets
- the manner in which the Council proposes to assess its performance in achieving the objectives and performance targets.

Table 5: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Park

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Use and recreation	To enhance opportunities for a balanced passive recreational use of parks. To optimise public access to all areas of parks. Provide opportunities for all kinds of activity in open space for people of all ages, abilities, and cultural backgrounds.	Maintain and increment the range of organised and informal/unstructured activities in parks. Provide improved facilities for event usage so that these functions may be accommodated without adversely affecting the values and character of individual parks. Provide amenities to increase use and enjoyment of parks including toilets, change rooms and kiosk/ café facilities. Undertake accessibility audit of facilities to identify compliance. Maintain in accordance with specified Maintenance Service Level	Increased local use of parks measured by survey and observation.
Safety	Prevent unsafe use	Install signage, conduct inspections, erect fencing in high-risk areas	Number of signs erected, number of inspections, number of fences
	Discourage anti-social behaviour	Redesign/restrict access to discourage anti-social behaviour	Reports of anti- social behaviour
	Ensure no one is harmed by dogs	Install signage instructing that dogs must be always on a lead, except in designated off leash areas	Number of complaints
	Ensure the public is not at threat from flood and fire	Parks are to be closed from the public whilst there is a high threat of fire or flood entering the reserve	Reserves closed
		Develop bushfire risk management plans for reserves that pose a high risk	Plans developed
Litter and dumping	Reduce the amount of litter and dumping	Track down offenders, clean up dumped rubbish immediately when appropriate, install signage, conduct targeted surveillance at hotspots	Number of incidents
Access management	Ensure access minimises impact, prevent unauthorised access, maintain existing tracks, trails, gates and fences	Close and rehabilitate unauthorised tracks, limit access from adjoining properties	Number of unauthorised accesses
Landscape character is maintained	Any structures, signs, paths should be sympathetic to the existing setting	Plan appropriately	Number of new structures etc that are sympathetic to the landscape

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Land use planning	Ensure development of adjoining areas do not impact on parks	Ensure there is a buffer between development and parks	Adequate buffers on development
	Ensure signage does not impact on visual quality	Limit amount of unnecessary signage	Signage policy
Harm to the aquatic environment	To protect existing landforms such as natural drainage lines, watercourses, and foreshores	Manage drainage lines, stormwater, and sewerage systems to reduce downstream impacts.	No serious environmental incidents
	To protect aquatic and riparian environments	Ensure all permits, eg: Fisheries, are in place prior to the commencement of works	Compliance. No serious incidents or legal action.



Section 36F of the LG Act, are to:

- encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games.
- ensure that such activities are managed having regard to any adverse impact on nearby residences.

Council has adopted a Recreation Strategy 2030. This strategy sets out how recreational opportunities will be improved. The strategic vision is:

"To enhance the lives of its people by offering diverse choices for quality sport and recreation and encouraging social connections for improved health and wellbeing for all. The strategy identifies the various sportsgrounds in the local government area and describes them as either structured sport or flexible open space."

Management of Land – Sportsground

The Sportsground covered by this PoM are:

- Bob Dowling Ovals
- John McGrath Fields
- Nita McGrath Netball Courts
- Katrina Gibbs Fields
- Hans Claven Oval
- Ollie Robbins Oval
- Lady Cutler Ovals

Guidelines and core objectives

Sportsgrounds are defined in clause 103 of the Local Government (General) Regulation 2021 as land used primarily for active recreation involving organised sports or playing outdoor games.

The core objectives for sportsgrounds, as outlined in

Key issues

Safety and Risk Management

Safety is an issue Council needs to address on a permanent basis. Council has a statutory responsibility to provide facilities/structures that meet relevant Australian Standards and is obliged under common law to take appropriate steps to protect people from reasonably foreseeable risk or harm in the use of public spaces and public assets. This implies a responsibility to maintain all natural areas and associated facilities to an acceptable standard. Key safety issues include:

- sportsgrounds are potentially affected by natural disasters such as flood, fire or severe windstorms, posing a threat to the safety of users.
- chemical usage needs to minimise the potential impacts upon the community.

Access and Parking

Access and parking are very important issues to provide access to sportsgrounds:

- parking in conjunction with organised sport hubs such as netball and football is very congested leading to illegal parking on sportsgrounds and adjacent open space. This deteriorates the condition of the ground surface.
- design of facilities in the past has not properly taken into account the needs of physically disabled users and parents with prams.

Recreation and Land Use

Organised sports and less structured playing of games are encouraged in sportsgrounds:

- The drinking of alcohol within sportsgrounds can lead to anti-social behaviour as well as broken glass causing a safety issue.

Landscape Character and Design

- consideration of Safer by Design principles should be incorporated into new designs for Sportsgrounds, to improve safety of users and staff and reduce the incidence of crime.

Maintenance of Sportsgrounds and Associated Facilities

Due to the relative high use of sportsgrounds, maintenance of these areas is very important.

Community Involvement/Neighbour Relations

Good neighbourly relations are important in the management of sportsgrounds. Neighbours and community users are vital for the contribution to the planning and management process as well as informing Council of any ongoing issues:

- there is often a lot of noise generated during sporting events
- in some cases, the community and neighbours are affected by issues such as anti-social behaviour.

Management framework for reserves categorised as Sportsground.

The recreation strategy categorises sportsgrounds into levels:

- **Local** – typically have signage, trees for shade and a natural playing surface.
- **District** – typically have amenities, change rooms, canteens facilities, spectator space, irrigation, light and fencing, carparking.
- **Regional** – typically have covered spectator space, amenities, professional lights, irrigation, fencing, carparking with wayfinding and signage commercial canteen facilities, official rooms, functions rooms.

The management and presentation of the sporting facilities within the Dubbo Local Government Area exists within the Liveability Division. Two (2) functions are involved – Recreation and Open Space as the asset owner provides the strategic management of these facilities that includes identifying future needs, master planning and the setting of Maintenance Service Levels that each of the sporting facilities / complexes are categorised into based on the attributes found within the Asset Classification System. The Greenspace Operations team provides the recurrent maintenance to present these facilities in accordance with the agreed Maintenance Service Levels, and to undertake sport specific tasks to assist the sporting clubs and associations to partake in their chosen sport.

The Greenspace Operations function operates internal crews to support the two main functions associated with the service delivery of its core business associated with the provision of sporting facilities. The two functions associated with the provision of Sporting Facilities for the community is the ongoing maintenance and ongoing presentation of the facilities and sport specific preparation.

Sporting facilities are predominately located predominately within the major urban centres of Dubbo and Wellington, although there are a small number located within the villages.

Council staff work to prescribed standards and respond to client requests, sporting clubs and associations, as well as reactive and remedial asset maintenance works identified in budgets. Specialist tasks are supported by contractors including weed spraying, rubbish collection, plumbing, electrical, property maintenance and road repairs.

Council also operates a Sports Council. The Dubbo Region Sports Council has a constitution that sets out its objectives that includes amongst other things:

- cooperation, communication and collaboration between Council and sporting groups
- to make recommendations on ground allocation
- to negotiate with Council on mutually acceptable fees and charges
- to coordinate an awards night
- contribute to strategic planning, prioritisation, and promotion of sporting events.

Council has a ground allocation policy which is developed in consultation with the Dubbo Region Sports Council. This policy aims to:

- minimise the risk of potential litigation of Council.
- enable the greatest number of user groups to get the maximum use of fields.
- enable user groups wherever reasonable and possible, time to complete their seasonal training and competition.

The Dubbo Region Sports Council with the administration support of the Dubbo Regional Council, Recreation Coordinator will call for, review applications, and approve summer and winter sporting ground allocations on a seasonal basis per annum for pre-season, training, and competition.

The Dubbo Region Council Recreation Coordinator manages all one-off bookings including sporting carnivals, gala days or sporting and community events.

In allocating sporting grounds and facilities, the Dubbo Region Sports Council Management Committee and Recreation Coordinator will adhere to the following guidelines:

- The incumbent sporting organisation be given priority to sporting grounds, meaning in the first instances priority is given to the sporting organisation who in previous season/s held the allocation for a specific sporting facility. For a sporting organisation to overturn the incumbent sporting organisation continuing to maintain the allocation of a specific sporting facility a formal business case/letter must be submitted to the Dubbo Region Sports Council by the challenging sporting organisation. The Dubbo Region Sports Council Management Committee are to review the business case/letter and assess on a case-by-case basis.
- The 'type' or 'level' of booking whether it be seasonal sporting ground allocations, or a one-off carnival, gala day or major event be considered, and preference given in accordance with the hierarchy below:
 1. National Competition/Event
 2. State Competition/Event
 3. Regional Competition/Event
 4. Local Competition
 5. Training
 6. Pre-Season Training

Also senior competition/events/training takes precedent over junior competition/events/training.

Conditions of use

We appreciate, in advance, your cooperation and understanding of the terms and conditions for using Council's sporting facilities:

General conditions

1. Council requires user groups/users to provide their Risk Assessment and Public Liability Insurance Policy by way of a Certificate of Currency (minimum \$20,000,000) at least seven days prior to training, competition, or an event.
2. Event organisers are responsible for conducting their own risk assessment of Council's Parks and Gardens and submit a risk management plan to Council at least seven days prior to the event.
3. Signage for Temporary Events must comply with the following in accordance with the relevant legislation*:
 - a. One banner and one sign with a total combined area of less than 6m² is permitted offsite.
 - b. Off-site signage must:
 - o not be placed in residential areas,
 - o not be placed on any public land or assets,
 - o not be permanently fixed,
 - o not incorporated any illumination, bill posters, or bunting,
 - o have land owner/occupier consent.
 - c. All signage must not be displayed earlier than 14 days before the event and must be removed within 2 days after the event.

Failure to comply with the above may result in regulatory action and fines being issued.

*Relevant legislation - Protection of the Environment Operations Act 1998 and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008".

Grounds and facilities

1. Booking dates and times are to be strictly adhered to.
2. Council must be notified of any updates, changes or cancellations to event or contact details as soon as possible.
3. User groups should take reasonable steps to check that no physical change to the facility/grounds has occurred since the previous use which may have rendered it unplayable. Any such physical change is to be reported to Council as soon as practicable.
4. Council requests that if you see turf damage happening from training patterns then you are required to move away from that area and train on a different part of the field. Council is asking that you respect other user groups that use the field for their competition and ensure that the playing surface is in the best possible condition throughout the season.
5. User groups are responsible for inspecting all structures such as goal posts, in-ground sprinklers to ensure the safety of the grounds prior to use.
6. In the event of wet weather, Council's Recreation Coordinator (or a representative) will liaise with representatives of affected user groups to determine the fitness for use of any ground.
7. If grounds are open for use by Council, then user groups are to make all pre-practice and pre-game inspections and decisions on the grounds prior to use.
8. No unauthorised vehicles are to be driven on any field or non-defined vehicle areas without written approval from Council.
9. No parking of vehicles is permitted on any grass area without written Council approval.
10. All marquees and signage erected must adhere to Council's Peg Policy for Sporting Grounds, Parks and Garden. This includes the use of star pickets or pegs bigger than 5mm wide and 200mm long not being permitted.
11. If user groups wish to engage external vendors/ services, such as food vans, it is the responsibility of the user group to ensure the vendor has the appropriate insurances, risk management plans and adheres to the terms and conditions of use for sporting fields.
12. Grounds are to be left in a clean and tidy condition after each use. Failure to comply with this regulation will result in the user group being invoiced for the 'actual costs' of litter control.
13. No smoking is permitted within the facility, grandstand, or perimeter fence. It is the responsibility of your user group to ensure that all spectators attending abide by this regulation.
14. Amenities blocks are to be left in a clean and tidy condition. All taps should be turned off, lights turned off and doors locked.
15. Upon use of a canteen the user group must leave the canteen clean and tidy to Council standards ready for the next user group. In the case where the canteen needs to be cleaned by Council's contract cleaner the user group will be invoiced 'actual costs' per clean required.
16. No BBQs are to be cooked in designated areas where possible and nor on concrete or asphalt areas without a protective splashback material under the BBQ and against the building. If cleaning of such surfaces is required, then 'actual costs' will be invoiced to the user group.
17. The use or sale of glass bottles at all grounds is prohibited. It is the responsibility of user groups to ensure that all spectators attending matches abide by this regulation.
18. Prior to the commencement of the season, Council requires copies of licensing arrangement under which alcohol is sold.
19. User groups are to ensure sporting facilities are locked after use including amenities, canteen roller doors, gates etc. In the event that Council provides keys to a user group for a facility these should be returned within one business day following the event. If the keys are lost or damaged the replacement cost will be borne by the user group.

Electrical requirements

1. It is the responsibility of user groups to have all appliances and electrical cords used on Council grounds tested and tagged in accordance with current Australian standards and regulatory requirements.

Faults, damages and reporting

1. Any unsafe facilities/grounds should not be used and reported to Council immediately on 6801 4000. Calls are logged using this service, and allocated to staff so that appropriate inspections and work can be carried out to ensure faults are fixed.
2. All faults within a facility must be report to the Council within 72 hours, so the appropriate inspections and work can be carried out to ensure faults are fixed prior to the next event.
3. If a user group reports a fault during their event and it turns out to be caused by the user group negligence or misuse, then the user group will be invoiced for the 'actual costs' for fixing the fault. For example, a typical problem is the overloading of circuits which requires an electrical contractor call out.
4. The user group hiring facilities/grounds are responsible for all damage caused during their event and will be invoiced the 'actual costs' for any repairs required.

Permissible uses / future uses

The general types of uses which may occur on community land categorised as Sportsground, and the forms of development generally associated with those uses, are set out in Table 7 below. The facilities on community land may change over time, reflecting the needs of the community.

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

It is anticipated that new sports may develop, and others increase or decrease in popularity. If this occurs, then some community land may be modified to facilitate the changing forms of 'active recreation' enjoyed by the community. References such as 'field', or 'court', are not intended to exclude other sporting surfaces.

Table 6: Permissible use and development of community land categorised as Sportsground, by Council or the community.

Purpose/Use, such as...	Development to facilitate uses, such as...
- Active and passive recreational and sporting activities compatible with the nature of the particular land and any relevant facilities - Organised and unstructured recreation activities - Community events and gatherings - Commercial uses associated with sports facilities	- Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example: - Sports field (cricket, football, track and field athletics, baseball, softball) - Marked court (basketball, volleyball, badminton, tennis, hockey, netball etc.) - Aquatic facility (learn to swim classes, squad training, fitness and health classes including aqua aerobics, recreational and competitive swimming and diving, organised water sports including water polo, diving, hydrotherapy facilities) - Professional rooms for hire - Change room/locker areas. - Shower/toilet facilities. - Kiosk/café uses. - Car parking and loading areas. - Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas) - Shade structures - Storage ancillary to recreational uses, community events or gatherings, and public meetings - Facilities for sports training, e.g. batting cages, tennis walls - Provision of amenities to facilitate use and enjoyment of the community land including seating, change rooms, toilets, storage, first aid areas - Café/kiosk facilities - Heritage and cultural interpretation, e.g. signs - Equipment sales/hire areas - Meeting rooms/staff areas - Compatible, small scale commercial uses, e.g. sports tuition - Advertising structures and signage (such as A-frames and banners) that: - relate to approved uses/activities - are discreet and temporary - are approved by the Council - Water-saving initiatives such as stormwater harvesting, rain gardens and swales - Energy-saving initiatives such as solar lights and solar panels - Locational, directional and regulatory signage - Car park infrastructure e.g. charging station

Express authorisation of leases, licences and other estates – Sportsground

This PoM **expressly authorises** the issue of leases, licences and other estates over the land categorised as Sportsground, provided that:

- the purpose is consistent with the purpose for which the land was dedicated or reserved
- the purpose is consistent with the core objectives for the category of the land
- the lease, licence or other estate is for a permitted purpose listed in the LG Act or the Local Government (General) Regulation 2021
- the lease, licence or other estate is a valid act under the provisions of the Native Title Act 1993 (Cth)
- where the land is subject to a claim under the Aboriginal Land Rights Act 1983 the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- the lease, licence or other estate is granted and notified in accordance with the provisions of the LG Act or the Local Government (General) Regulation 2021
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Table 7 further identifies the purposes for which leases and licences may be issued over the reserves identified in this PoM.

Table 7: Leases, licences and other estates and purposes for which they may be granted for community land categorised as Sportsground		
Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	21 years (or up to 30 years with ministerial consent)	• café/kiosk areas, including seating and tables • management of court facilities • hire or sale of recreational equipment • Car park infrastructure e.g. EV charging station
Licence	21 years (or up to 30 years with ministerial consent)	• outdoor café/kiosk seating and tables • management of court or similar facilities • hire or sale of recreational equipment • Car park infrastructure e.g. EV charging station
Short-term licence	1 year	• sporting fixtures and events • sports and fitness training and classes • broadcasting or filming of sporting fixtures • ancillary ceremonies (for example, rehearsal of opening and closing ceremonies, cheer squads, etc.) • uses reasonably associated with the promotion or enhancement of sporting groups, fixtures and events (for example, 'guest' events for juniors; gala days; club meetings) • to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on land adjoining the community land and/or to remove waste that is consequential on such work.
Other estates	Ongoing	This PoM allows the Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the Council or public utility provider on the community land in accordance with the LG Act.

Action plan

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

- objectives and performance targets for the land
- the means by which the Council proposes to achieve these objectives and performance targets.
- the manner in which the Council proposes to assess its performance in achieving the objectives and performance targets.

Table 8: Objectives and performance target, means of achieving them and assessing achievement for community land categorised as Sportsground

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Safety	Recreation fields, equipment, including playing facilities, tables, and the like shall be installed and maintained in accordance with acceptable standards	Conduct regular inspections in accordance with the Maintenance Service Standard	Inspections completed
Useage	Ensure all sporting fields area fit for play	Maintain in accordance with specified Maintenance Service Level	Inspections completed as per Maintenance Service Level.
	Discourage and limit anti-social behaviour	Prohibit the drinking of alcohol at sportsgrounds where appropriate	Sportsgrounds/events identified and signposted where appropriate
Vandalism	Lock facilities and restrict access to grounds where required	Erect fencing and install gates where required	Number of sites vandalised
Sporting surfaces	Reduce the loss of quality playing surfaces through overuse	Close sportsgrounds in accordance with Council's wet weather policy	Wet weather / ground closure policy implemented
	Allocate grounds and set usage	Consult with the Sports Council on ground allocations and usage	Ground Allocation Policy implemented
Access and Parking	Prevent unauthorised access	Close non-essential access, lock gates, provide dedicated parking areas and prohibit parking on grounds	Areas damaged by access and parking
Community involvement	Continue to operate the Dubbo Regional Sports Council	Sports Council operates effectively	Meetings held
	Reduce impact to neighbours	Respond effectively to any reports from neighbours, design lighting and limit use to reduce impact	Number of complaints



Management of Land – Natural Area

Natural area

Crown reserves categorised as Natural Areas in the Dubbo Regional Council area fall into two main categories. Those that are associated with riparian areas along rivers and creeks and those which are not. The latter are often small and isolated from each other and from other natural areas managed by the state. Council will manage its Natural Areas:

- to ensure management of natural areas takes into consideration the principles of Crown Land management
- to provide for public safety
- to efficiently and effectively manage public assets
- to provide the wider community with sufficient appropriate access to natural areas
- to encourage community involvement in the management of natural areas
- to create awareness of the importance of natural systems within the community
- to protect the natural areas as self-sustaining ecological systems, retaining as far as possible the native plants and animals
- to maintain the scenic, scientific, educational, aesthetic, cultural and heritage values of the natural areas
- to prevent degradation of natural areas and to minimise physical disturbance to land, and to work towards restoring or reclaiming degraded land including weed-infested areas
- to promote, foster awareness and support for the Council's natural areas management programme
- to provide a broad spectrum of safe, high quality recreational opportunities having regard to the objectives outlined above, and to limit development

in natural areas

- to undertake and to foster research and monitoring of the natural areas to document their significance and to assess and improve management practices.

This plan provides a framework for the management of nature based recreation in the Council's natural areas, aiming to balance the growing demand for nature based recreation with the preservation of the environment upon which it depends. Preserving natural values is of primary importance, as it is these values that attract people to the reserves to participate in nature based recreation.

Natural areas provide opportunities for nature based recreation. Nature based recreation is defined as outdoor recreation activities that:

- are dependent on the natural environment
- have an appreciation of nature as a key motivational factor
- do not require substantial modification to the natural environment
- are environmentally sustainable, as determined by an ongoing environmental monitoring program.

Whilst some of the following activities can potentially be considered nature-based recreation, they are not permitted in the Dubbo Regional Council area due to other factors including their potential impacts on the environment and neighbours, limited land area available to support such activities (which may further exacerbate impacts), inherently high risks and the costs of maintaining the necessary infrastructure:

- off road driving of motor vehicles including four-wheel-drive vehicles, except where permitted by a commercial use permit
- riding off-road motorcycles including trail bikes, motocross bikes, enduro bikes, quads and similar motorised vehicles
- electric or self-propelled vehicles (except eco-tourism operators)
- hang gliding
- hunting, archery, shooting
- camping
- fossicking, collecting.

Nature based recreation includes the following key activities:

- bushwalking
- mountain biking
- horse riding
- day use including picnicking
- nature study including birdwatching
- canoeing, kayaking and fishing
- orienteering, geocaching, trail running and adventure racing
- ecotourism and commercial use
- camping.

Mountain biking has become a popular nature-based recreation activity since its development in the 1980s. There are several different styles of mountain biking including cross country, track riding, dirt jumping, 4 X, dual slalom, freeriding, all-mountain and downhill riding.

The most common type of mountain biking is cross country. Cross country mountain bikers typically utilise a combination of off-road trails including fire trails and 'single track' (a narrow, flowing track following natural surface levels). Cross country riders also use other parts of Councils open space, such as Tracker Riley Shared Pathway. Cross country type trails are provided at Mugga Hill, Geurie Fauna and Flora Reserve Dundullimal Reserve and the Dubbo Regional Cycling Complex. Council encourages these to be multi use trails to allow more than one user group to utilise the area. Shared use trails can be successful provided they are designed appropriately, and the appropriate codes of conduct and guidelines are adhered to.

Unauthorised trail building is an issue and Council staff are working with mountain bike groups to try to provide sustainable trails and so reduce the number of environmentally damaging unauthorised trails.

Guidelines and core objectives

Natural areas are defined in clause 102 of the Local Government (General) Regulation 2021 as land possessing a significant feature that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore.

Section 36A of the Act provides that community land that has been declared a critical habitat under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994 must be categorised as a natural area.

Section 36B of the LG Act provides that community land all or part of which is directly affected by a recovery plan or threat abatement plan under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994 must be categorised as a natural area.

Section 36C of the Act provides that community land that is

the site of a known natural, geological, geomorphological, scenic or other feature that is considered by the Council to warrant protection or special management considerations, or that is the site of a wildlife corridor, must be categorised as a natural area.

The core objectives for natural areas, as outlined in Section 36E of the LG Act, are to:

- conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area
- maintain the land, or that feature or habitat, in its natural state and setting
- provide for the restoration and regeneration of the land
- provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion
- assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*.

Council will manage its natural areas to maximise its ecological values and connectivity. The conservation and protection of its environmental, scenic, catchment and cultural heritage values will be paramount. This will be achieved through adaptive ecological management and the provision of opportunities for low-impact sustainable nature-based public access, targeted interpretation and educational material.

The following objectives have been identified as important to achieving these strategic outcomes:

- maintain and enhance viable habitat corridors contributing to the ecological richness of the region
- conserve geological and geomorphological features and maintain natural biophysical processes
- protect and enhance the diversity, integrity and viability of native flora and fauna communities, particularly those identified as significant or threatened
- protect and monitor threatened and biogeographically significant species and their habitat
- undertake ecological restoration to repair the structure and integrity of degraded ecosystems, improve habitat function and to improve ecological resilience
- control pest plant and animal species

- implement fire management strategies that primarily protect life and property, whilst also ensuring the diversity and function of natural communities is maintained
 - protect catchment values of watercourses
 - protect and improve public appreciation of Aboriginal and European cultural heritage sites and values
 - involve traditional owners in cooperative management of Indigenous cultural heritage values
 - protect and enhance the significant landscape values
 - provide opportunities for safe, minimal-impact and sustainable nature-based recreation consistent with the protection of natural and cultural values
 - develop/design infrastructure that does not impact upon scenic values
 - mitigate against existing and potential human-induced impacts upon biodiversity such as rubbish dumping, inappropriate use of the reserves, the effects of increased visitation and adjacent land uses
 - foster greater public awareness and appreciation for the values and management of natural areas
 - provide interpretation and educational material that promotes appreciation of the reserves and support for the conservation of its values
 - manage impacts of pre-existing land uses, such as grazing, in a manner that supports and maintains natural and recreational values
 - develop and maintain strong relationships with neighbours, Government departments, other Council land and/or asset managers and other key stakeholders to enhance the protection, viability and integrated management of the reserves
 - adaptive management principles will be applied to all management guidelines and actions of this plan
 - manage in accordance with all relevant legislation and policy.
3. In this section, erection of a building or structure includes rebuilding or replacement of a building or structure.
 4. The following buildings and structures are prescribed for the purposes of subsection (1)(a)—
 - a. walkways,
 - b. pathways,
 - c. bridges,
 - d. causeways,
 - e. observation platforms,
 - f. signs.
 5. The following purposes are prescribed for the purposes of subsection (1)(b)—
 - a. information kiosks,
 - b. refreshment kiosks (but not restaurants),
 - c. work sheds or storage sheds required in connection with the maintenance of the land,
 - d. toilets or rest rooms.
 6. Despite subsection (1), a lease, licence or other estate may be granted, in respect of community land categorised as a natural area, to authorise the erection or use of any building or structure necessary to enable a filming project to be carried out, subject to the conditions prescribed by subsection (7) and the regulations.
 7. It is a condition of any lease, licence or other estate referred to in subsection (6)—
 - a. that any building or structure so erected must be temporary in nature, and
 - b. that as soon as practicable after the termination of the lease, licence or other estate—
 - i. any building or structure erected must be removed, and
 - ii. any damage to the land caused by the erection or use of a building or structure must be made good, and
 - iii. the land must be restored as nearly as possible to the condition that it was in at the time the lease, licence or other estate was granted, at the expense of the person to whom the lease, licence or other estate was granted.

Lease or licence in respect of natural area

1. A lease, licence or other estate must not be granted, in respect of community land categorised as a natural area—
 - a. to authorise the erection or use of a building or structure that is not a building or structure of a kind prescribed by this section or the regulations, or
 - b. to authorise the erection or use of a building or structure that is not for a purpose prescribed by this section or the regulations.
2. A lease, licence or instrument granting any other estate is void to the extent that its provisions are inconsistent with this section.



Management of Land – Natural Area – Bushland

The areas categorised as Natural Area Bushland throughout the LGA are generally either

- riparian vegetation along the Bell and Macquarie rivers and creeks such as Curra Creek and Jones Creek
- small patches of forest or woodland on hills and rocky slopes
- more rarely are open woodland on fertile soils

Along the Macquarie and Bell rivers and associated creeks there are still many of the magnificent old River Red Gums (*Eucalyptus camaldulensis*), Rough-barked Apple (*Angophora floribunda*) and River Oaks (*Casuarina cunninghamiana*), representing part of the original riparian vegetation. On low lying and swampy areas Fuzzy Box (*E. conica*) is common, with Yellow Box (*E. melliodora*) on higher parts of the landscape.

Cypress Pine (*Callitris spp*) and Ironbark (*E. crebra* and *E. sideroxylon*) often occur on rocky hills and slopes, whilst white box communities (*E. albens*) can be found on basalt soils and other fertile soils.

Bushland immediately associated with the Macquarie and Bell rivers and other major watercourses is mapped as Natural Area (Watercourse) and in most instances the land from the top of the bank to the water edge is categorised as Natural Area (Bushland) and where this vegetation extends in its natural (and sometimes disturbed state) it is also categorised as Bushland. Where active groundcover management is taking place this provides the transition point to being categorised as general community use, park or sportsground.

Guidelines and core objectives

Bushland is defined in clause 107 of the Local Government (General) Regulation 2021 as land containing primarily native vegetation that is the natural vegetation or a remainder

of the natural vegetation of the land, or although not the natural vegetation, is still representative of the structure or floristics of the natural vegetation in the locality. Such land includes—

(a) bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or

(b) moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or

(c) highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.

The core objectives for bushland, as outlined in Section 36J of the LG Act, are to:

- ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna of the land and other ecological values
- protect the aesthetic, heritage, recreational, educational and scientific values of the land
- manage the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures to minimise or mitigate disturbance caused by human intrusion
- restore degraded bushland
- protect existing landforms such as natural drainage lines, watercourses and foreshores
- retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term
- protect bushland as a natural stabiliser of the soil surface.

Key issues

Safety and Risk Management

Safety is an issue Council needs to address on a permanent basis. Council has a statutory responsibility to provide facilities/structures that meet relevant Australian Standards and is obliged under common law to take appropriate steps to protect people from reasonably foreseeable risk or harm in the use of public spaces and public assets. This implies a responsibility to maintain all natural areas and associated facilities to an acceptable standard. Key safety issues include:

- due to the number of natural areas distributed over a wide area, staff are unable to inspect each natural area on a regular basis
- the effects of anti-social behaviour
- dogs, off leash, can threaten the health and safety of other users
- natural areas are potentially affected by natural disasters such as flood, fire or severe windstorms, posing a threat to the safety of users
- people often defecate in natural areas where there are no toilet facilities provided. This may pose a health issue if other members of the public work in or visit these areas
- chemical usage needs to minimise the potential impacts upon the community
- there are some existing private pump houses in natural areas that may pose a safety risk to the public if moving parts are exposed.

Access and Parking

Access and parking are very important issues in natural areas as often this can lead to degradation of areas through introduction of weeds and pest animals. By their nature, natural areas are often difficult to access, therefore not always available to the broad cross section of the community:

- the majority of natural areas do not have structured pathways, nor have suitable toilets, which can limit use by parts of the community
- design of facilities in the past has not taken in to account the needs of physically disabled users and parents with prams
- provision of emergency access or egress from natural areas can often not be provided. Flood and fire evacuation of users' needs to be addressed
- there is limited access for pedestrians, cyclists and horse riders to and within natural areas
- in many areas horses, bicycles and motorbikes can damage tracks and cause problems such as erosion and spread of weeds

- some high use natural areas require suitable parking areas
- as most natural areas are unfenced, unauthorised vehicular access is difficult and expensive to curb
- too many access tracks through natural areas exposes them to rubbish dumping, vandalism, anti-social behaviour and feral animal movements
- vandalism of fences and gates to allow unauthorised vehicular access is prevalent. Placing physical obstructions along access routes deems the route inaccessible for emergency or service vehicles
- gates on some entries to natural areas can limit access for emergency and service vehicles closure of natural areas can alienate the community.



Recreation and Land Use

Recreation activities are encouraged in natural areas but are subsidiary to the objective of management of the land to retain its natural features and qualities. Risks to be managed include:

- the drinking of alcohol within natural areas can lead to anti-social behaviour as well as broken glass causing a safety issue
- a lack of signage identifying what can or cannot occur within each natural area makes it difficult to curb certain activities. The over usage of signs can however lead to clutter and visual pollution
- currently there are private water pumps used for irrigation, located within natural areas.
- in some natural areas, overnight camping is conducted even though camping is prohibited in natural areas
- off road recreation vehicles are prohibited in natural areas, except on properly constructed roads or where used for maintenance or management purposes
- horse riding is not permitted in natural areas except on designated tracks
- many unauthorised tracks are often created by horse or bike riders, this opens natural areas up to weed invasion and predation and can have negative impacts on the biodiversity values of the natural areas
- where barbeques have been provided in natural areas, they are open fireplaces. This is not appropriate where bushfires can easily be started or where fuel is sourced from natural areas
- often cyclists or horse riders do not stick to formed tracks
- it is difficult to prevent the use of swing ropes into the river from natural areas due to the vast number of areas requiring monitoring
- swimming and or diving into water bodies can be dangerous due to variable water quality and submerged logs, rocks.

Landscape Character and Design

Any structures, signs, paths etc in natural areas should be sympathetic to the existing setting, its landscape values or the unique character and features of each site. The inherent landscape features of natural areas thus need to be retained, and where possible enhanced, when developing natural areas:

- often natural areas are unsigned and entrances are not obvious
- flooding is a constraint to the location and type of structures placed in natural areas

- stormwater is generally designed to flow into natural watercourses. This water often contains sediment, weed propagates and seed and is high in nutrients, thus promoting the spread of weeds into natural areas
- pumps and pipes within reserves can detract from the appearance of the reserve
- consideration of Safer by Design principles should be incorporated into new designs for Natural Areas where possible, to improve safety of park users and staff and reduce the incidence of crime.

Biodiversity Conservation

Management and maintenance of natural areas needs to be carried out in an ecologically sustainable manner to prevent any long-term impacts upon the environment. It is necessary to maintain ecological processes and systems when managing natural areas:

- fragmentation of bushland areas can expose natural areas to impacts such as weed invasion, dumping, predation of native animals and other negative factors
- small isolated pockets of native vegetation may limit the viability of plant and animal populations
- it is important to ensure habitat values are not compromised
- biodiversity values may be compromised in response to public perceptions about threats posed by native fauna e.g.: snakes
- it is necessary to manage threatened species, communities and key threatening processes in accordance with recovery plans and threat abatement plans
- pest plants or animals compete with native plants and animals for resources
- domestic animals can prey upon native wildlife
- there is a lack of data about the attributes and condition of Council's natural areas
- there is a lack of data about the fire history of Council's natural areas, making it difficult to plan for hazard reduction activities and ecological burns.

Maintenance of Natural Areas and Associated Facilities

Due to the relative low use of natural areas, maintenance of these areas is often limited:

- there is minimal budget for maintenance of the infrastructure, roads, carparks or natural areas
- buildings, fences and other structures are often outdated and not appropriate to the needs of user, nor acceptable to the general community
- many natural areas lack essential facilities and structures such as shelters
- vandalism and inappropriate behaviour is a problem in natural areas
- litter and dumping of household and industrial rubbish is a problem in many natural areas
- security is difficult due to the lack of resources and the wide distribution of natural areas.

A challenge to the management of natural areas is to reduce bushfire risk to life and property while maximising biodiversity values:

- there is a need for appropriate asset protection zones and access tracks for fire management vehicles within natural areas
- there is a need for a Bushfire Risk Management Plan to be developed for Natural Areas.

Identification and management of areas of cultural heritage is important if these are to be retained:

- many areas of Cultural Significance have not yet been identified or documented.

Community Involvement/Neighbour Relations

Good neighbourly relations are important in the management of natural areas. Neighbours and community users are vital for the contribution to the planning and management process as well as informing Council of any ongoing issues:

- there is often encroachment or dumping of rubbish and garden refuse into natural areas
- in some cases, the community and neighbours are affected by issues such as anti-social behaviour and presence of pest animals such as rabbits and foxes
- often community awareness of natural area qualities and management issues is poor. A broader understanding would ensure that as far as possible residents and visitors have a positive interaction with the bushland.

Planning Framework

Development of adjoining private properties often impacts upon natural areas through pollution, spread of weeds, fire hazards, etc:

- although new adjoining developments should be designed with perimeter roads to assist in natural area management and fire protection, many older developments do not have such a buffer
- often there are no corridors for wildlife across private properties to or from Natural Areas.

Fauna

The riparian area provides habitat for a number of bats, birds and mammals. Commonly seen species include Spotted Harrier, Little Eagle, Little Lorikeet, Grey-crowned Babblers, Diamond Firetail and Red-browed Finches and Kingfishers.

Bushland associated with the Macquarie and Bell rivers also provides roosting habitat for the Grey-headed (GHFF) and Little Red Flying Foxes (LRFF). GHFF are listed as a vulnerable threatened species in NSW. GHFF are a semi regular visitor to Dubbo and Wellington with camps often staying for several months. Camp locations are variable and usually on the river. In Wellington the junction is an often-used site and in Dubbo the area behind the Water Treatment Works and near Dundullimal Reserve are often used. They have also established camps in Victoria Park and in trees between Tarlow Avenue and Yuille Court in West Dubbo.

Camps, once established, are monitored monthly by staff from the Department of Planning, Industry and Environment, unless they have young when they are monitored more frequently depending on the camp location. In times of heat stress camps are also monitored more frequently to rescue stressed animals and to collect deceased animals. Council is considering the development of a Camp Management Plan that would address all camps in the LGA.

More specific actions for individual species are included in the reserve plans where relevant.

Weeds

Local Councils that are the local control authorities for weeds under the Biosecurity Act 2015 must deliver specific weed management functions and:

- appoint and support staff as authorised officers under the Act
- inspect lands for high-risk weeds and seek compliance with the Act from owners/occupiers,
- educate their communities about weeds risk and best practice weeds management,
- control high-risk weeds
- submit reports about these activities to the Biosecurity Information System as per the NSW Metadata Standard
- participate in regional strategic weeds management through their Regional Weed Committee.

Local government weed management priorities should be guided by the Regional Strategic Weed Management Plans.

Council is a member of the Central West Regional Weed Committee. Council is responsible for the control of weeds on Council controlled lands such as reserves and roadsides. The Central West Region Strategic Weed Management plan sets out the State Priority weeds.

Management framework for reserves categorised as Natural Area – Bushland

Council's Natural Areas team leads the management of natural areas. Various volunteer groups have assisted Council in managing its natural areas over many years. This includes regular working bees that target litter, weeds and tree planting. Extensive plantings of eucalypts, casuarina, cooba and river cooba, bursaria, melaleuca, and various wattles have been undertaken in the riparian bushland

Council's 2024–2025 Delivery Plan requires Council to support community initiatives and to provide volunteering opportunities and programs that allow safe participation in activities that meet the volunteer's needs and add value to the service delivery of Council. To support this program Council has produced its Parks and Bushcare volunteer guidelines and appointed a Parks and Bushcare officer.

Council has a Parks and Bushcare Volunteer Guideline which sets out to build community capacity to contribute to natural area management by actively restoring, maintaining and protecting healthy, resilient ecosystems.

The objectives for Council's Bushcare Program are to:

- support Bushcare and Landcare Groups to function on a regular basis
- provide volunteers with the skills and knowledge to contribute to the maintenance and management bushland effectively
- raise community awareness about invasive weeds and the impacts of living near the bush
- foster community support for bushland management and community conservation programs
- provide good governance and effective risk management for staff and volunteers and others
- improve the quality of community life through increased social interaction and sharing of information.

The general types of uses which may occur on community land categorised as Natural Area – Bushland, and the forms of development generally associated with those uses, are set out in Table 9 below. The facilities on community land may change over time, reflecting the needs of the community.

The anticipated uses and associated development identified in the table are intended to provide a general guide.

Table 9: Permissible use and development of community land categorised as Natural Area – Bushland by Council or the community	
Purpose/Use, such as...	Development to facilitate uses, such as...
• Preservation of the Council's natural heritage including the identified endangered ecological communities • Preservation of biological diversity and habitat • Providing a location for relaxation and passive informal recreation • Walking/hiking • Guided bushwalks • Environmental and scientific study • Bush regeneration works • Carbon sequestration • Bio-banking • Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna. • Fire hazard reduction.	• Visitor facilities: toilets, picnic tables, BBQs, sheltered seating areas, lighting, low impact carparks, refreshment kiosks (but not restaurants) • Low-impact walking trails • Interpretive signage, information kiosks • Water-saving initiatives such as rain gardens, swales and sediment traps • Bridges, observation platforms, signs • Work sheds or storage sheds required in connection with the maintenance of the land • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out • Locational, directional and regulatory signage

Express authorisation of leases, licences and other estates – Natural Area – Bushland

This PoM **expressly authorises** the issue of leases, licences and other estates over the land categorised as Natural Area – Bushland, provided that:

- the purpose is consistent with the purpose for which it was dedicated or reserved
- the purpose is consistent with the core objectives for the category of the land
- the lease, licence or other estate is for a permitted purpose listed in the LG Act or the *Local Government (General) Regulation 2021*
- the lease, licence or other estate is a valid act under the provisions of the *Native Title Act 1993 (Cth)*
- where the land is subject to a claim under the *Aboriginal Land Rights Act 1983* the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- the lease, licence or other estate is granted and notified in accordance with the provisions of the LG Act or the *Local Government (General) Regulation 2021*
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Table 10: Leases, licences and other estates and purposes for which they may be granted for community land categorised as Natural Area – Bushland.

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	21 years (or up to 30 years with ministerial consent)	• walkways, pathways, bridges, causeways • observation platforms, signs • information kiosk • kiosk selling light refreshments (but not restaurants) • bicycle/boat hire or similar • work sheds or storage sheds required in connection with the maintenance of the land • toilets • temporary erection or use of any building or structure necessary to enable a filming project to be carried out
Licence	21 years (or up to 30 years with ministerial consent)	• walkways, pathways, bridges, causeways • observation platforms, signs • Information kiosk • Kiosk selling light refreshments (but not restaurants) • Bicycle/boat hire or similar • work sheds or storage sheds required in connection with the maintenance of the land • toilets • temporary erection or use of any building or structure necessary to enable a filming project to be carried out
Short-term licence	1 year	This PoM allows the Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the Council or public utility provider on the community land in accordance with the LG Act.
Other estates	Ongoing	This PoM allows the Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the Council or public utility provider on the community land in accordance with the LG Act.

Other Permitted Activities

In addition to the uses requiring a lease or licence, this PoM authorises the following uses, to be leased or licensed as appropriate

Pumps

This PoM authorises the installation of pumps and bores on community land for the purpose of supplying facilities on that land with water. For example, to provide water to toilet blocks.

Stormwater

This PoM authorises the construction of relevant structures for the purposes of stormwater treatment and or retention as prescribed in s28 of the Regulations. This plan authorises the continued use of drains, channels and easements and creation of new drains, channels and easements.

Action plan

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

- objectives and performance targets for the land
- the means by which the Council proposes to achieve these objectives and performance targets
- the manner in which the Council proposes to assess its performance in achieving the objectives and performance targets.

Table 11: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Natural Area – Bushland

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Active management for biodiversity	to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms)	Control pests and weeds, erosion and promote ecological processes such as fire when appropriate	Bushland in high condition
Safety	Prevent unsafe use	Install signage, conduct inspections, erect fencing in high risk areas	Number of signs erected, number of inspections, number of fences
	Discourage anti-social behaviour	Redesign/restrict access to discourage anti-social behaviour	Reports of anti-social behaviour
	Ensure no one is harmed by dogs	Install signage instructing that dogs must be on a lead at all times, except in designated off leash areas	Number of complaints
	Ensure the public is not at threat from flood and fire	Natural areas are to be closed from the public whilst there is a high threat of fire or flood entering the reserve	Reserves closed
		Develop Bushfire Risk Management Plans for reserves that pose a high risk	Undertake risk assessment of reserves
Litter and dumping	Reduce the amount of litter and dumping	Track down offenders, clean up dumped rubbish immediately when appropriate, install signage, conduct targeted surveillance at hotspots	Number of incidents

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Access management	Ensure access minimises impact, prevent unauthorised access, maintain existing tracks, trails, gates and fences	Close and rehabilitate unauthorised tracks, limit access from adjoining properties	Number of unauthorised access
Community involvement	Encourage participation in Bushcare program, promote awareness of the values of natural areas, reduce encroachment	Support volunteers, hold working bees, distribute newsletter, educate neighbours	Number of engaged people
Landscape character is maintained	Any structures, signs, paths should be sympathetic to the existing setting	Plan appropriately	Number of new structures etc that are sympathetic to the landscape
Land use planning	Ensure development of adjoining areas do not impact on natural areas	Ensure there is a buffer between development and natural areas	Adequate buffers on development
	Ensure signage does not impact on visual quality	Limit amount of unnecessary signage	Signage policy
Biodiversity Conservation	Maintain, protect and enhance natural areas	Work with volunteers to promote and encourage natural and assisted regeneration of native vegetation and weed management programs.	Plans developed
Pests and weeds	Control weeds and pest using best management practices to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion	Conduct bush regeneration in natural areas when funding permits Promote the use and enjoyment of the reserve and provide opportunities for learning and educational experiences.	Hectares of reserve land regenerated
Harm to the aquatic environment	to protect existing landforms such as natural drainage lines, watercourses and foreshores	Manage drainage lines, stormwater and sewerage systems to reduce downstream impacts.	No serious environmental incidents
	To protect aquatic and riparian environments	Ensure all permits, eg: Fisheries, are in place prior to the commencement of works	Compliance. No serious incidents or legal action.
Cultural heritage	Identify and conserve areas of cultural significance	Involve relevant people with a cultural association with the land	Sites identified and protected
Facilitate the use of natural areas for recreation	Limit the impact of recreational activities of the environment and other users	Prohibit camping except where designated	Number of unauthorised camping
	Limit bushwalking, mountain biking and horse riding to designated tracks and trails	Maintain tracks and trails	Tracks and trails maintained



Management of Land – Natural Area – Watercourse

Watercourses on or adjacent to crown land reserves managed by Dubbo Regional Council include the Macquarie – Wambuul, Talbragar and Bell rivers and creeks such as Curra Creek and Jones Creek. Watercourses provide an important habitat for fish, aquatic invertebrates, shellfish and molluscs, turtles, platypus, water rats, water dragons and waterbirds.

The Macquarie – Wambuul is the river associated with reserves subject to this PoM.

Watercourses provide an important recreational and sporting asset and utilised by fisherman, kayakers and for swimming.

Guidelines and core objectives

Watercourses are defined in clause 110 of the Local Government (General) Regulation 2021 as any stream of water, perennial or intermittent, in a natural or artificial channel, and associated riparian land or vegetation.

The core objectives for watercourses, as outlined in Section 36M of the LG Act, are to:

- manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows
- manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability
- restore degraded watercourses
- promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

Note: Although Council can have a positive impact on the health of the riparian corridor that can improve biodiversity and ecological values, water quality and bank stability, the management of the watercourse itself, and the water within it, remains the responsibility of the State.

Physical environment

By convention the Macquarie River is taken as being formed above Bathurst at the confluence of the Fish and Campbell's rivers. These two streams drain a high plateau consisting largely of undulating to hilly terrain. From Bathurst to Burrendong Dam the river is confined to a very narrow and steep sided valley. At the dam the Macquarie is joined from the north/north east by the Cudgegong River which rises in uplands above Rylstone and Kandos. From Burrendong Dam the Macquarie flows North West through Wellington and widens, the river flats gradually becoming more extensive. In places they are several kilometres wide. Upon entering the broader, flatter valley, the river's cross-section becomes broader and shallower. To Wellington itself, the Macquarie River has a catchment area of 14,250 square kilometres. Floods on this river within the Council area are considerably influenced by the mitigation effects of Burrendong Dam, 30 river kilometres above Wellington. Actual flows from the dam generally take 4-8 hours to reach the town but discharges are advised well beforehand.

Key issues

Flooding

Flooding of the Bell and Macquarie rivers at Wellington and the Macquarie River in Dubbo is a regular and normal natural event. Council staff monitor and assess the situation and take the necessary actions to protect reserves. The level of intervention will be based on the level of flooding expected.

Threatened fish

Five fish species that potentially occur within the Macquarie-Bogan Catchment are listed as threatened under the *NSW Fisheries Management Act 1994* (Table 12). These are trout cod, river snail, silver perch, purple spotted gudgeon and olive perchlet. A conservation stocking program has seen trout cod restocked into the Macquarie River over the past decade but it is not known whether any breeding populations have been established. Silver perch are stocked in Windamere and Burrendong dams for recreational fishing. The aquatic community of the Macquarie and Bogan rivers is part of the endangered community known as the aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River. This includes 21 native fish species and hundreds of native invertebrate species that are found within the Darling River and its associated streams, wetlands, and anabranches within NSW. The community occurs in lowland riverine environments with meandering channels and a variety of aquatic habitats including deep channels and pools, wetlands, gravel beds and floodplains.

Table 12: Threatened aquatic species of the Macquarie-Bogan catchment

Common name	Scientific name	Status
Trout cod	<i>Maccullochella macquariensis</i>	Endangered
River snail	<i>Notopala sublineata</i>	Endangered
Silver perch	<i>Bidyanus bidyanus</i>	Vulnerable
Purple spotted gudgeon	<i>Mogurnda adspersa</i>	Endangered
Olive perchlet	<i>Ambassis agassizii</i>	Endangered
Population: Darling River EEC Aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River Endangered Ecological Community		

Erosion

Council commissioned a River Health Report for the Macquarie and Bell rivers in 2018. The report was prepared by the Soil Conservation Service of NSW and mapped the riverbank health into four categories: stable (green), minor (yellow), moderate (orange) and severe (red). The areas identified as severe are highlighted below. Relevant actions from the report are included in the respective reserve plans.

The issue of river bank erosion through the two urban environments is a high-profile issue within the community. While the recent river bank erosion issues are of concern, they are not a recent phenomenon with historic changes to river use and regulation responsible for significant changes to in stream dynamics over time.

In Dubbo this is largely driven by public access to the river, particularly in utilising the Tracker Riley Shared Pathway as well as from active landcare and bushcare groups. During the 2016 and 2021 flood events the Shible and Tamworth Street footbridges were both closed for considerable periods because of flood damage. In addition, the Tracker Riley Shared Pathway through Regand Park was closed for many months due to bank slumping at the South Dubbo Weir, seating was removed from areas close to the river adjacent to Lady Cutler South playing fields following a bank collapse, and the Tracker Riley Shared Pathway downstream of the Tamworth Street footbridge is threatened by probable further large scale bank collapse.

Stormwater pollution

Stormwater has the potential to carry pollutants into the watercourse particularly from the urban landscape. Council is committed to reducing the pollution from stormwater and has installed gross pollutant traps to capture litter. Council continues to play its part in helping to reduce stormwater pollution through:

- Delivering stormwater education campaigns to the local community to ensure residents understand the impacts of stormwater pollution and ways they can help to reduce it.
- Installing stormwater treatment devices in developed areas where practical, such as Gross Pollutant Traps (GPTs).
- Requiring new developments to incorporate stormwater treatment measures, such as rainwater harvesting, swales, retention basins, wetlands and GPTs.
- Using asset management guidelines, developed by the Institute of Public Works Engineers Australia, to help manage the stormwater system.
- Undertaking street sweeping programs, rubbish collection and more.

Areas of the river bank identified at risk subject to this plan are shown below.



Figure 3: South Dubbo Weir

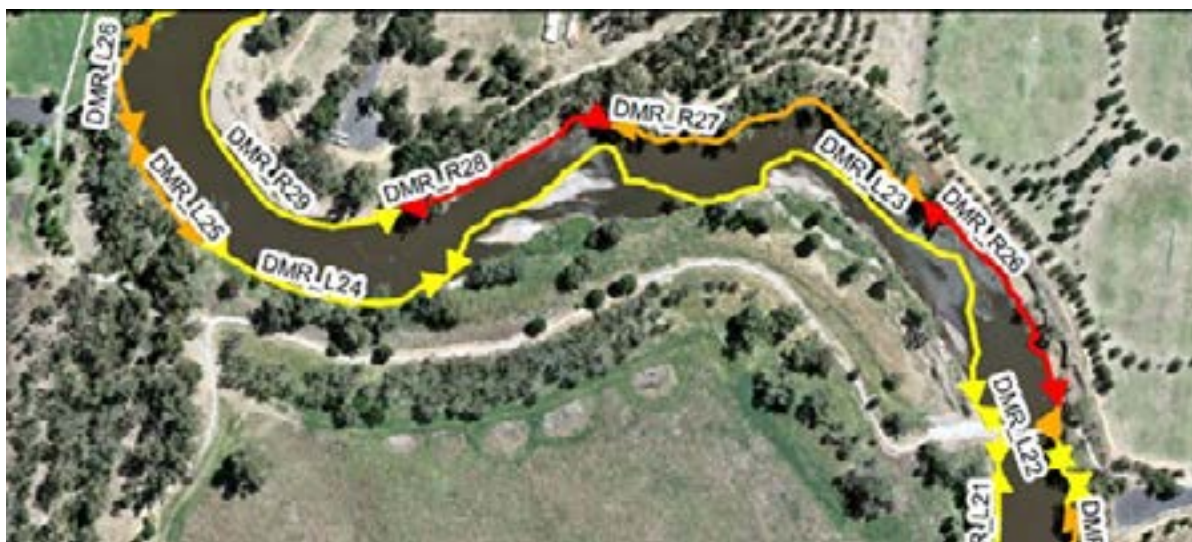


Figure 4: Tamworth St Bridge



Figure 5: Devil's Hole

Development and use

Permissible uses / future uses

The general types of uses which may occur on community land categorised as Natural Area – Watercourse, and the forms of development generally associated with those uses, are set out in

Table 13: Permissible use and development of community land categorised as Natural Area – Watercourse by Council or the community.	
Purpose/Use, such as...	Development to facilitate uses, such as...
• Preservation of the Council's natural heritage including the identified endangered ecological communities • Preservation of biological diversity and habitat • Providing a location for relaxation and passive, informal, water-based recreation, unless prohibited. • Approved bush care projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna • Restoration works associated with the protection of the biodiversity and ecological values of the in-stream environment.	• Visitor facilities: toilets, picnic tables, BBQs, sheltered seating areas, lighting, low-impact carparks, refreshment kiosks (but not restaurants) • Low-impact walking trails • Interpretive signage, information kiosks • Water-saving initiatives such as rain gardens, swales and sediment traps • Bridges, observation platforms • Work sheds or storage sheds required in connection with the maintenance of the land • Bicycle/boat hire or similar • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out • Locational, directional and regulatory signage • Flood mitigation works, such as detention basins, realignment of water flows and banks, installation of pipes, culverts and other structures to assist in control of flood waters.

Express authorisation of leases, licences and other estates – Natural Area – Watercourse

This PoM **expressly authorises** the issue of leases, licences and other estates over the land categorised as Natural Area – Watercourse, provided that:

- the purpose is consistent with the purpose for which it was dedicated or reserved
- the purpose is consistent with the core objectives for the category of the land
- the lease, licence or other estate is for a permitted purpose listed in the *LG Act* or *the Local Government (General) Regulation 2021*
- the lease, licence or other estate is a valid act under the provisions of the Native Title Act 1993 (Cth)
- where the land is subject to a claim under *the Aboriginal Land Rights Act 1983* the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- the lease, licence or other estate is granted and notified in accordance with the provisions of the *LG Act* or *the Local Government (General) Regulation 2021*
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Table 14 further identifies the purposes for which leases and licences may be issued over the reserves identified in this PoM as Natural Area – Watercourse

Development and use

Permissible uses / future uses

The general types of uses which may occur on community land categorised as Natural Area – Watercourse, and the forms of development generally associated with those uses, are set out in

Table 14: Leases, licences and other estates and purposes for which they may be granted for community land categorised as Natural Area – Watercourse.		
Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	21 years (or up to 30 years with ministerial consent)	- walkways, pathways, bridges, causeways - observation platforms, signs - information kiosk - kiosk selling light refreshments (but not restaurants) - bicycle/boat hire or similar - work sheds or storage sheds required in connection with the maintenance of the land - toilets - temporary erection or use of any building or structure necessary to enable a filming project to be carried out
Licence	21 years (or up to 30 years with ministerial consent)	- walkways, pathways, bridges, causeways - observation platforms, signs - Information kiosk - Kiosk selling light refreshments (but not restaurants) - Bicycle/boat hire or similar - work sheds or storage sheds required in connection with the maintenance of the land - toilets - temporary erection or use of any building or structure necessary to enable a filming project to be carried out
Short-term licence	1 year	- scientific studies and surveys or similar - bicycle/boat hire or similar - temporary erection or use of any building or structure necessary to enable a filming project to be carried out
Other estates	Ongoing	This PoM allows the Council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the Council or public utility provider on the community land in accordance with the LG Act.

Action plan

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

- objectives and performance targets for the land
- the means by which the Council proposes to achieve these objectives and performance targets
- the manner in which the Council proposes to assess its performance in achieving the objectives and performance targets.

Table 15: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Natural Area – Watercourse

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Broad issues can be listed here (for example landscaping, equipment, facilities, traffic management, neighbour amenity) Example – Equity of access	Council must list all the objectives that apply to the land. Objectives must be consistent with core objectives under the LG Act. Example – Ensure access to and within parks to people with disabilities	List practical steps that will be taken to achieve the objectives. Example – Design wheelchair friendly paths.	List practical measures of assessment. Example – Assess useability of park by wheelchair users through surveys and observation.
Stormwater pollution	To manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows	Install upgrade and maintain gross pollutant traps	Traps operational and cleaned regularly
Bank stability	to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability	Maintain riparian vegetation to maintain bank stability. Implement recommendations from the River Health Report	Number of river bank health actions implemented
Litter, riparian weeds, shopping trolleys	To restore degraded watercourses	Work with volunteers to promote and encourage natural and assisted regeneration of native vegetation and weed management and conduct river clean ups. Work with supermarkets to reduce incidence of shopping trolleys being dumped in rivers.	Number and effort of volunteers in the Parks and Bushcare Volunteer programs
River access	to promote community education, and community access to and use of the watercourse	Maintain the 2 boat ramps and pontoon.	Facilities operational
Flooding		Review and update as required the Contingency and Business Continuity Plan 2013 which details Council's response to a flood event in the Macquarie River	Plan updated



References

Australia ICOMOS 1999, The Burra Charter: 2013 The Australia ICOMOS Charter for Places of Cultural Significance, Australia ICOMOS, Burwood.

Central West Local Land Services. 2017. Central West Regional Strategic Weed Management Plan 2017-2022. [ONLINE] Available at: <https://www.centralwest.lls.nsw.gov.au>.

Commonwealth of Australia, Australian Natural Heritage Charter: for the conservation of places of natural heritage significance, 2nd edition, Australian Heritage Commission in association with the Australian Committee for the International Union for the Conservation of Nature (ACIUCN), Canberra, 2002. <http://www.environment.gov.au/system/files/resources/56de3d0a-7301-47e2-8c7c-9e064627a1ae/files/australian-natural-heritage-charter.pdf>

Department of Lands 2018, Spatial Information Exchange, Department of Lands, Sydney, available at: <http://imagery.maps.nsw.gov.au/>.

NSW Legislation. 2011. Dubbo Local Environmental Plan [ONLINE] Available at: <https://www.legislation.nsw.gov.au>.

NSW Legislation. 2007. State Environmental Planning Policy (Infrastructure) 2007. [ONLINE] Available at: <https://www.legislation.nsw.gov.au>.

NSW Office of Environment and Heritage. BioNet Atlas. [ONLINE] Available at: https://www.environment.nsw.gov.au/atlaspublicapp/UI_Modules/ATLAS_/AtlasSearch.aspx

NSW Office of Environment and Heritage. 2016. Central West Lachlan Regional Native Vegetation PCT map. [ONLINE] Available at: <https://www.seed.nsw.gov.au/>.

NSW Rural Fire Service. 2018. Planning for Bushfire Protection, [ONLINE] Available at <https://www.rfs.nsw.gov.au>

Aboriginal Heritage Information Management System (AHIMS) Web Services (nsw.gov.au) [ONLINE] <https://www.environment.nsw.gov.au/awssapp/login.aspx>

NSW BioNet Vegetation Classification [ONLINE] <https://www.environment.nsw.gov.au/NSWVCA20PRapp/LoginPR.aspx>

Appendix 1 – Community Land Covered by This Plan of Management

Table A1.1: Crown reserves					
Name	Also known as	Reserve	Lot	Purpose	Category
Devil's Hole North	Devil's Elbow	83803	Lot 332 DP 754308, Lot 7016 DP 1020037, Lots 7045-7046 DP 1114493	Public Recreation	Park / Natural Area Bushland
Devil's Hole Billabong	Brisbane / Bultje St Triangle	97134	Lot 376 DP 754308	Public Recreation	Natural Area Bushland
Police Paddock		97642	Lots 379-380 DP 754308, Lot 7018 DP 1020036	Public Recreation	Park / Natural Area Bushland
Riverbank Reserve	John McGrath Fields, Bob Dowling Ovals, Nita McGrath Netball Courts, Katrina Gibbs Fields, Riverbank Park, Ollie Robbins Oval and Hans Claven Oval	520043	Lot 1 DP 243250, Lot 7024 DP 1020024, Lot 7023 DP 1020031, Lot 7022 DP 1020035, Lot 7019 DP 1070545, Lot 7021 DP 1136248	Public Recreation	Park / Natural Area Bushland / Natural Area Watercourse / Sportsground
Riverbank Reserve	Sir Roden Cutler Park and Lady Cutler Ovals.	5890	Lot 1 DP 130730, Lot 247 DP 822452, Lot 7012 DP 1095148, Lot 7013 DP 1115445, Lot 132 DP 547063, Lot 25 DP 754308	Public Recreation; site investigation	Park / Sportsground / Natural Area bushland
Biddybungji Park	Biddybunge, Biddybungie, Lions West Park	520046	Lot 1 DP 1114367	Public Recreation	Park

Appendix 2 – Leases Licences and Other Estates

Table A2.1: Lease, licenses and other easements		
Reserve	Type	Date
5890	Licence CROWN LICENCE - LOT 1 DP 130730 - WATER PIPELINE FROM MACQUARIE RIVER / PIPELINE SIR RODEN CUTLER PARK / PIPELINE GOLF LINKS CREEK STORMWATER - DISCOVERY HOLIDAY PARKS	?
5890	Short term Crown Licence for access - Part Lot 7013 DP 1115445	1/12/2024- 30/11/2025
5890	Short term Crown Licence for access - Part Lot 7013 DP 1115445	1/12/2024- 30/11/2025
520043	Crown Licence - Lot 7021 DP 1136248 - Dubbo Riverbank Reserve R520043 - Nita McGrath Netball Clubhouse - Dubbo Netball Association Inc 2015 102 1	5 Year Licence 17.4.2016 - 16.4.2021
520043	Crown Licence - Lot 7021 DP 1136248 - Riverbank Reserve R520043 - Dubbo Touch Association Inc. 2015 39 1	5 Year Licence 30.7.12 - 29.7.17 5 Year Option 30.7.17 - 29.7.22 Option Taken

Easements Reserve 5890 - An easement exists on Lot 1 DP 130730 for water supply 2 metres wide.

Appendix 3 – Devil's Hole Reserves 83803 and 97134

Description

Devil's Hole is a popular passive recreation reserve and off leash dog area. 24 hour public access is provided to Devil's Hole.

The site is also known as the home of Boo the Bunyip and the place where the Devil Devil lives in a hole in the river. Whilst there is no known records of culturally modified trees, scatters or artefacts, the site is of high cultural significance to Aboriginal people. There are opportunities to engage with the local Aboriginal community to develop interpretation, educational materials and experiences (action 1).

A settlement of tin huts and shanties were built on the banks of the river and were predominantly occupied by members of the Aboriginal community. In the 1950 floods, some 30 people from 10 families living there became displaced several times and sheltered at the Methodist Hall and later at the showground in marquees provide by No. 6 Stores Depot. In 1951 there was much discussion about moving the camps to the Troy Stock Reserve and the Pastures Protection Board agreed to revoke approximately 5 acres of TSR 1637 to provide for the resettlement. In 1951 Council passed a resolution to demolish all unauthorised structures within 12 months.

A pair of barking owls (*Ninox connivens*) has been known to roost in the reserve, successfully fledging young. Barking Owls are also notorious for their "screaming woman" call - it is described as a scream of terrifying intensity which sounds remarkably lifelike. This is not a common call and more likely to be used outside the breeding season. Its significance is unknown. There are other barking owl pairs known to nest and roost in the Riverside parks and reserves and Council should encourage monitoring of the local population by the relevant authorities (action 2). The reserve is also a popular fishing and bird watching location. Access to the river also supports recreation such as kayaking along the Macquarie River.

Note: Reserve 63074 which is adjacent to 83803 defaults to the Minister and is not included in this POM.

Part of Lot 321 DP 754308, being the part which was previously within or east of Special Lease

1929-3 Dubbo for Pipeline and erection of machinery (pumping plant) to George Albert Evans is

now included in Devil's Elbow North End (R.83803).

Facilities

At the entrance there is a car park and picnic shelter. A looped road provides access to the riverside and large sandy beach area. Bollards prevent access to sensitive areas.



Figure A3.1 Entrance to Devil's Hole

Signs are erected. Boom gates were installed in the past but have been removed. Bins are provided near the two picnic shelter.



Figure 3.2 Picnic Shelters

Issues

Reserve 63074 which is adjacent to R83803 is a reserve which defaults to the Minister. The role of Council in part managing the reserve is an informal arrangement that needs to be formalised.

Managing groundcover in the park area is a significant challenge. Excessive growth is controlled by mechanical slashing and weeds are controlled by mechanical slashing and chemical control (action 3).

Encouraging natural regeneration and weed control in the bushland areas is also a significant challenge with weed control the main challenge (action 4).

The roadside car park, picnic area and BBQ area needs an upgrade (action 5). Recent works have been completed to install a bore and to repair a broken stormwater outlet. Restoration of this area should be a priority (action 6). Secure perimeter fencing is required to prevent accidental access to the steep river bank adjacent to the picnic area.

During wet weather the loop road becomes inundated, potholes form, and the road surface becomes eroded by vehicular use. Consideration should be given to closing the reserve during wet weather and sealing of the Devil's Hole loop road and provide improved drainage to reduce inundation of the road (action 7).

Consideration should be given to installing a vehicle barrier in the far south western corner to prevent vehicles having direct access to a steep river bank to prevent illegal dumping (action 8).



The western side of the river adjacent to the reserve will be significantly impacted by both the North West residential release and works associated with the proposed River St Bridge. These works provide an opportunity to open the land associated with the riparian corridor for a range of recreational uses. The Council Residential Release Strategy predicts significant residential development for North West Dubbo. Significant opportunities exist to coordinate and connect future residents to the riverside, parkland, Devil's Hole using cycling and walking trails (action 10).

Under s 7.11 (Developer Contribution Plan) an opportunity to extend the existing walking trail to the North Dubbo Weir on both sides of the Macquarie River is identified. Additional linkages may be possible to Devil's Hole.

This plan identifies the opportunity to create a river crossing to the adjacent urban release area. A pedestrian bridge/crossing point is suggested to link across the river at Devil's Hole where topography may support development of a bridge structure at this location. Consideration should also be given to providing possible trail riding access to this portion of the trail network for horses. Alternatively, and or in addition the weir structure may provide a substrate for a river crossing (action 12)



Figure A3.3 Access point

Upstream 100 m from Devil's Hole is a vertical eroding bank. The River Health report recommended installation of approximately 5 deflector structures and bench/batter upper bank followed by revegetation (action 9).

Devil's Hole Action Plan

The actions below indicate proposed actions for achievement over the 10-year period of this plan. Priorities may change over time and are dependent on council's Operation Plan/Delivery Plan and budget. Priorities may change over time, resulting in actions not being achieved within the given life span of this document.

#	Description
1	Commence discussions with Crown Lands in regards to the management of Reserve 63074.
2	Explore opportunities to enhance the educational and cultural experience of a visit to Devil's Hole by engage with local Aboriginal community to develop interpretation and educational materials and experiences
3	Work with the Department of Planning Industry and Environment to monitor the Barking Owl population
4	Maintain groundcover by chemical and mechanical means in the area categorised as park.
5	Undertake, support, and encourage bush regeneration and weed control in the area categorised as natural area.
6	Implement relevant actions from the Macquarie River Master plan including: the upgrade of the car park, picnic and BBQ area, looped shared internal road, improved signage, pedestrian bridge, pontoon, cycle and pedestrian links.
7	Encourage regeneration of eroded riverbank adjacent storm water outlet
8	Consider closing the reserve in wet weather and/or investigate the feasibility of sealing the loop road and other works to reduce inundation.
9	Consider installing vehicle barriers at illegal dumping point
10	Investigate the installation of approximately 5 deflector structures and bench/batter upper bank followed by revegetation in section DMR.L48 and remove willows and revegetation with native species along other parts of the riverbank, subject to external funding applications to relevant state government departments.
11	Investigate opportunities to extend the existing pedestrian path, shared path, and cycle path network. Options for extensions identified include: - Wiradjuri Park to North West release area via the western bank or River St bridge works - Police paddock to Devil's Hole to Troy
12	Continue discussions with Water NSW and NSW Fisheries over the future of the North Weir and identify impacts to water level and recreational activities upstream and through the CBD of Dubbo
13	Undertake feasibility study into a river crossing from Devil's Hole to North release area

RESERVE_NO	83803
RESERVE_TY	RESERVE
RESERVE_NA	DEVILS ELBOW - NORTH END
GAZETTED	1952-01-19
STATUS	CURRENT
MANAGEMENT	COUNCIL CLM
MANAGER	Dubbo Regional Council
PURPOSE	Public Recreation
LOTS	Whole: Lot 332 DP 754308, Lot 7016 DP 1020037, Lots 7045-7046 DP 1114493 Parish Dubbo County Lincoln
Parish	DUBBO
County	LINCOLN
LGA	DUBBO REGIONAL
Council	DUBBO REGIONAL COUNCIL
Suburb	DUBBO
Area_m2	36514.46792040

RESERVE_NO	97134
RESERVE_TY	RESERVE
RESERVE_NA	DEVILS HOLE BILLABONG RESERVE
GAZETTED	1984-01-13
STATUS	CURRENT
MANAGEMENT	COUNCIL CLM
MANAGER	Dubbo Regional Council
PURPOSE	Public Recreation
LOTS	Whole: Lot 376 DP 754308 Parish Dubbo County Lincoln
Parish	DUBBO
County	LINCOLN
LGA	DUBBO REGIONAL
Council	DUBBO REGIONAL COUNCIL
Suburb	DUBBO
Area_m2	47357.29309182

Figure A3.5 Reserve details.

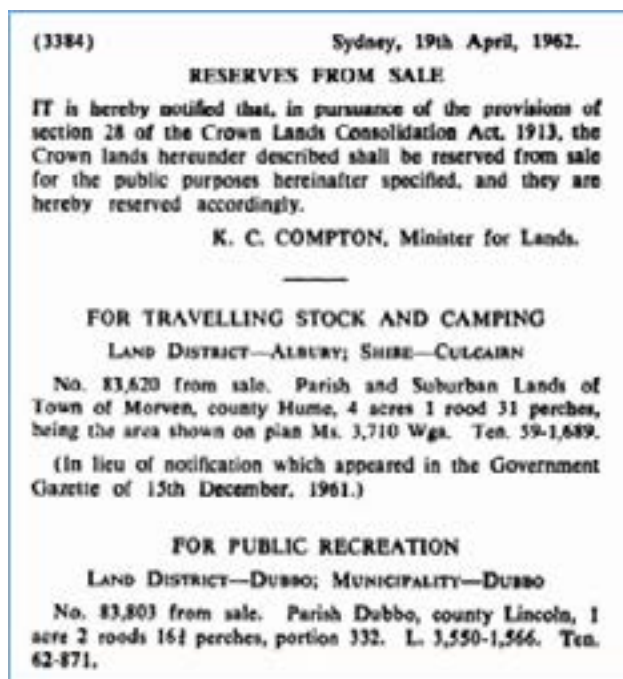


Figure A3.6 Gazette of 83803

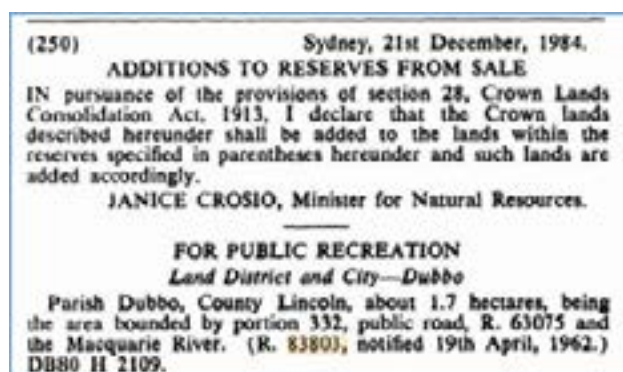


Figure A3.7 Addition

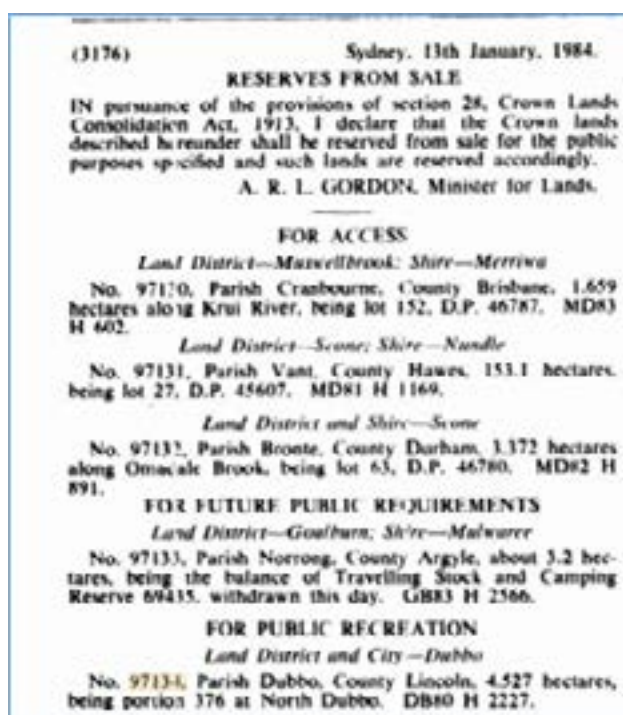


Figure A3.8 Appointment of Council as trustees.

On 24 March 1995 the Dubbo City Council Crown Reserves Reserve Trust was appointed trustee of 97134 and 83803



Figure A3.9 Gazette of 97134

Devil's Hole Maps



Fig A3.10 LEP Zones

Reserve 83803 is zoned as:

- W2 – Recreational Waterway
- RE1 – Public Recreation

Reserve 97134 is zoned:

- RE1 – Public Recreation



Fig A3.11 Lots

Devil's Hole, as defined by this PoM is made up of the following parcels:

- 83803 – Lot 332 DP 754308, Lot 7016 DP 102002237, Lots 7045, 7046 DP 1114493
- 97314 – Lot 376 DP 754308
- 63704 – Lot 321 DP 745308



Fig A3.12 Categorisation

Reserve 83803 is categorised as:

- Park – blue
- Natural Area (bushland) – green
- Reserve 97314 is categorised:
- Natural Area (bushland) – green



Figure A3.13 Aerial View



Fig A3.14 Vegetation

Devil's Holes reserve, as defined under this PoM has the following vegetation communities identified:

- River Red Gum riparian tall woodland / open forest wetland (PCT 78)
- Plains Grass grassland on alluvial mainly clay soils (PCT 45)
- Mixed box eucalypt woodland on low sandy-loam rises on alluvial plains (PCT 248)
- Derived grassland of the NSW South Western Slopes (PCT 796)
- Western Grey Box tall grassy woodland on alluvial loam and clay soils (PCT 76), and
- Western Grey Box - cypress pine shrub grass shrub tall woodland (PCT 81)

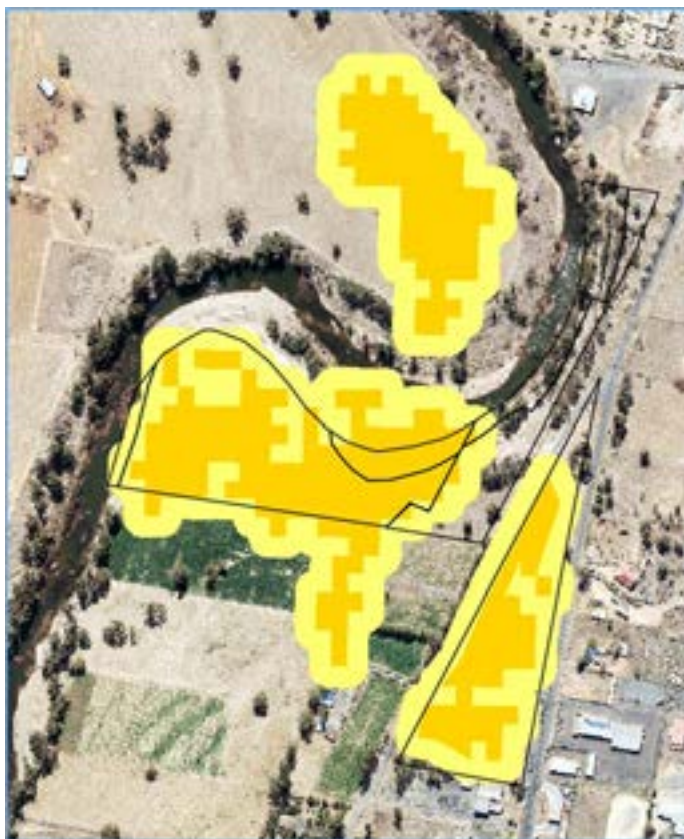
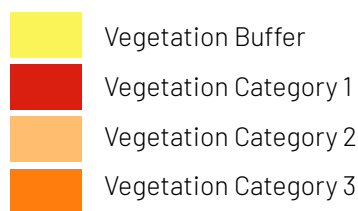


Figure A3.15 Bush Fire Prone Land

Bushfire Prone Land



Appendix 4 Police Paddock Reserve 97642

Description

The Police Paddock is an undeveloped area and includes a large stand of mature River Red Gums that grow in a flood runner that runs through the middle of the block. This separates the elevated eastern side from the lower western side of the block. The area was originally set aside for police purposes in 1896 and was used for training and the holding of horses, but as early as 1918 there were calls from the community for other uses including market gardens, a dairy or a park. In 1929 Council unsuccessfully wrote to the Minister for Agriculture seeking to dedicate the land as a recreation reserve. In 1953 the purpose was changed to access (a strip along the river) and future public requirements. This latter area then being leased to 2 different dairy farmers; however, it did not proceed as Council had a by law prohibiting dairying in the town.

The Dubbo Swimming Club also held carnivals in the river adjacent to the Police Paddock prior to the opening of the Dubbo Pool.

Under the adopted Macquarie River Master Plan (North and South Precinct) the already flat and cleared eastern side of the Police Paddock has been identified for the expansion of active recreation and supporting infrastructure including carparking and amenities. The western side of the Police Paddock, and incorporating the natural drainage channel, has been identified for riparian restorative works. These works have already commenced with the planting of over 400 endemic riparian trees and shrubs. These works will preserve and enhance its conservation value and opportunities for passive recreation.

The eastern side lends itself to a park or perhaps a sportsground. The western side has opportunities to be both sports fields and management to preserve and enhance its conservation value and for passive recreation.

Police Paddock forms a long-term opportunity to create a culturally focused outdoor arts and sculpture area. The Police Paddock precinct already has several large sculptural tree roots that lend to a community arts interpretation and development. Linked artistic interpretation, sculpture trails, environmental restoration, and educational opportunities will enhance this section of the Dubbo Riverside (action 1).

The future character of the area could incorporate long term options to extend passive recreation via the Tracker Riley Shared Pathway extension loop, a vibrant arts and sculptural sub-precinct and well established and maintained sports fields (action 2)

Facilities

There is currently only a gravel road circuit. There are signs erected. Previously Council allowed and promoted an area as a digging area for worms. Whilst this is no longer encouraged, the signs remain in place and the site is actively used by fisherpersons to dig for worms.

Issues

Managing groundcover in the park area is a significant challenge. Excessive growth is controlled by mechanical slashing and weeds are controlled by mechanical slashing and chemical control (action 3).

Encouraging natural regeneration and weed control in the bushland areas is also a significant challenge with weed control the main challenge (action 4).

In wet weather the gravel roads become impassable and the roads and open areas attract illegal vehicle use which further degrades the road surface. Currently it is not possible to physically close the reserve (action 5).

Dumping, litter and digging for worms are other management issues that could be targeted through a compliance program (action 6).

Police Paddock Action Plan

The actions below indicate proposed actions for achievement over the 10-year period of this plan. Priorities may change over time and are dependent on council's Operation Plan/Delivery Plan and budget. Priorities may change over time, resulting in actions not being achieved within the given life span of this document.

#	Description
1	Implement the Macquarie River (North and South Precincts) Master Plan including: ensuring retention of the high biodiversity value, travellers rest stop and associated facilities, off leash park, upgraded shared paths, boardwalk over stormwater channel, clubhouse and amenities, pedestrian bridge, flying fox foraging habitat plantings and the inclusion of educational and interpretative signage.
2	Develop a plan to extend the shared path from the riverside of the netball courts to Brisbane Street and to the Police Paddock
3	Maintain groundcover by chemical and mechanical means in the area categorised as park.
4	Undertake, support, and encourage bush regeneration in the area categorised as natural area.
5	Assess and review the current vehicle track network in the Police Paddock and close and rehabilitate and redundant tracks
6	Undertake a targeted litter, dumping and vehicle usage compliance program

RESERVE_NO	97642
RESERVE_TY	RESERVE
RESERVE_NA	POLICE PADDOCK
GAZETTED	1985-01-04
STATUS	CURRENT
MANAGEMENT	COUNCIL CLM
MANAGER	Dubbo Regional Council
PURPOSE	Public Recreation
LOTS	Whole: Lots 379-380 DP 754308, Lot 7018 DP 5030036 Parish Dubbo County Lincoln
Parish	DUBBO
County	LINCOLN
LGA	DUBBO REGIONAL
Council	DUBBO REGIONAL COUNCIL
Suburb	DUBBO
Area_m2	144877.32448355

Figure A3.5 Reserve details.

The reserve was gazetted on for public recreation on 4 January 1985, being formerly part R 76107 (for access 24 July 1953) and part R 76109 (for future public requirements 24 July 1953).

Authority was given for a pump on 19 January 1968.

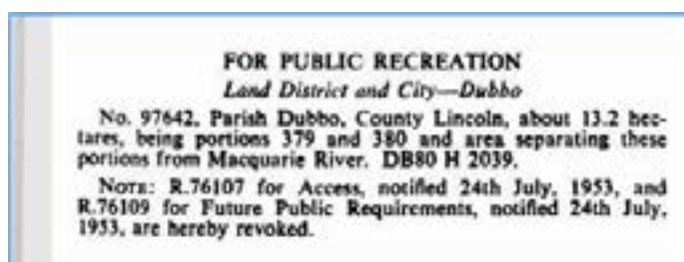


Figure A4.2 Gazettal notice.

Police Paddock Maps



Reserve 97642 zoned as:

- RE1 – Public Recreation

The proposed future use of this precinct is consistent with these zonings.



Fig A4.4 Future Plan — possible future shared path network



Fig A4.5 Categorisation

The crown reserves 97642 are categorised as either:

- Park- blue
- Natural Area(bushland)- green



Fig A4.6 Vegetation

Two vegetation types are mapped in Figure 2.4 on the reserve being:

- River Red Gum riparian tall woodland / open forest wetland (PCT 78)
- Mixed box eucalypt woodland on low sandy loam rises on alluvial plains (PCT 248)

The mixed woodland is still dominated by river red gums.

Appendix 5 Riverbank 520043

Description



Figure A5.1 Aerial image

The Riverbank reserve is in three disjunct parts. In the north the reserve is primarily sporting fields known as John McGrath Fields, Bob Dowling Ovals, Nita McGrath Netball Courts and Katrina Gibbs Field.



Figure A5.2 Sporting field names - north

The fields are well developed for as sportsgrounds that supports cricket, touch football and netball. The David Martin cricket nets have been recently upgraded in the south east corner of Bob Dowling Ovals.

Servicing the northern sporting fields are a clubhouses for Netball and Touch Football and an amenities block, shown below:



Figure A5.3 Netball Clubhouse.



Figure A5.4 Amenities.



Figure A5.5 Touch Football Clubhouse.



Figure A5.6 Sporting field names -CBD and south precincts.

The middle section includes Riverbank Park, Ollie Robbins Oval and Hans Claven Oval. On the south side of Victoria St there is an additional area of Riverbank Park. Hans Claven Oval provides two soccer fields, one of which is lit for night training and games.

The river and adjacent parks area also utilised for triathlon with the swim leg commencing at various locations between downstream of Sandy Beach and exiting at the boat ramp on the eastern side of the river. The cycle leg commences on Bligh St and the run leg utilises the Tracker Riley Walkway network. This forms part of a highly utilised 5.5 km path that encircles the river, crossing it at the Tamworth St low level bridge and the Emile Serisier Bridge. The path is also illuminated at night on the eastern bank. Dubbo Parkrun also utilises a section of this path. The river and foreshore are utilised by various groups including the Dragon Boat Club.

Two master plans have been developed for the riverside reserves that form part of this PoM. The first Master Plan – Macquarie River CBD Master Plan was adopted by Council in April 2020. This master plan focused on the eastern side of the river between L.H. Ford and Emile Serisier bridges. The masterplan introduces community activation through riverside access, improved amenity, and play space areas. The focal point is the Macquarie River Event Precinct (action 1) and Macquarie River Shared Pathway. This plan can be accessed from Council's website or at this address:

[https://www.dubbo.nsw.gov.au/ArticleDocuments/242/ED20%20136835%20%20Macquarie%20River%20CBD%20Master%20Plan%20April%202020%20Group%20GSA%20adopted\(3\).PDF.aspx](https://www.dubbo.nsw.gov.au/ArticleDocuments/242/ED20%20136835%20%20Macquarie%20River%20CBD%20Master%20Plan%20April%202020%20Group%20GSA%20adopted(3).PDF.aspx)



Figure A5.7 Macquarie River CBD Masterplan

Council was successful in securing funding through the NSW Government (Destination Dubbo) for the development of two major projects including the Ollie Robbins Oval Event Precinct and Open Space Legacy Fund for the Shared Pathway.

The shared pathway, as identified in the funding agreement, recently completed, runs approximately 300 metres from the southern carpark at Ollie Robbins and connect back to the existing pathway north of Church Street.

The second master plan, Macquarie River (North and South Precincts) Master Plan, adopted, March 2023, covers nearly Council owned and managed land (Crown Land) from Regand Park to Devil's Hole on both side of the river. This plan can be accessed from Council's website or at this address:

2187_FinalMP_RevA_20230309_PartB.pdf.aspx

Currently in the middle section of the riverbank there is a boat ramp, shelters, BBQ areas, toilet facilities and exercise equipment. These existing facilities along the middle section of the riverbank reserve will be largely replaced as part of the wandering stage development. The soccer fields that occupy the area known as Hans Claven fields will eventually be relocated to Riverside Ovals.

Facilities

John McGrath Fields

- 2 concrete cricket pitches covered in synthetic grass in good condition.
- White post and rail fence in moderate condition
- The field is irrigated.

Bob Dowling Oval

- Touch Clubhouse
- Amenities Block

Nita McGrath Netball Courts

- Clubhouse
- Pump Station - Building
- Pool fence on the southern end of the courts
- Fence Post & Rail
- Nita McGrath-Irrigation
- 13 Netball Courts
- Nita McGrath-Netball Goal Posts
- Bore, Motors, Pumps, Equipment

Katrina Gibbs Fields

- Irrigation
- Park-Lighting - Floodlighting
- Bins
- Signs
- Fencing

Riverbank Park Nth LH Ford East Bank

- Boat Ramp
- Fencing- Steel
- Fitness Centre
- Irrigation
- Pedestrian Lighting
- Picnic Settings
- Pontoon
- Pontoon Fence
- Pontoon Light
- Paving
- Signage- Regulation
- Bins/Holders
- Sign -Safety
- PED Lighting
- Signage - Risk
- Boom Gate
- Fitness Centre

Ollie Robbins Oval

- Cricket Wicket Concrete
- Irrigation
- Perimeter Fencing
- Picnic Setting
- Power Boxes
- Shade Structures
- Shade Structure Large
- Benches
- Bins
- Signs
- Amenities

Hans Claven Oval

- Training Lights
- Signs
- Bins
- Irrigation
- Fencing
- Goal Posts

Issues

The sportsgrounds are high use areas and are maintained fit for use in accordance with the specified maintenance service level (action 1). The park areas are also high use areas and are maintained by regular mowing and weed control to a lawn like condition (action 2). Natural regeneration and weed control is undertaken and encouraged along the natural areas adjacent to the river (action 3).

To help ensure that the future needs of the sporting community are met Council is required to implement the adopted master plans is (action 4), including actions 3.27 of the Recreation Strategy 2030.

Storage has been raised as an issue by several groups including the triathlon club (action 5) and actions 3.13 and 3.26 of the Recreation Strategy 2030.

Dubbo Riverside Action Plan

The actions below indicate proposed actions for achievement over the 10-year period of this plan. Priorities may change over time and are dependent on council's Operation Plan/Delivery Plan and budget. Priorities may change over time, resulting in actions not being achieved within the given life span of this document.

#	Description
1	Maintain Hans Claven soccer fields, Nita McGrath Netball Courts and John McGrath Fields in suitable condition for use for the allocated sport
2	Maintain groundcover in park areas by chemical and mechanical means.
3	Undertake, support, and encourage bush regeneration in the area categorised as natural area including to the water's edge.
4	Continue to implement the Macquarie River CBD Master Plan and the Macquarie River (North and South Precincts) Master Plan as funds and opportunities arise.
5	Review long term planning for Macquarie River to support accessibility, storage, and amenities. Facilities may include shared storage between other water-based sports and Dubbo Triathlon Club.



Figure A5.7 Parish Map 1884

RESERVE_NO	120043
RESERVE_TY	DEDICATION
RESERVE_NA	RIVERBANK RESERVE
GAZETTED	1945-11-02
STATUS	CURRENT
MANAGEMENT	COUNCIL CLM
MANAGER	Dubbo Regional Council
PURPOSE	Public Recreation
LOTS	Lot 7022 DP 1829035, Lot 7023 DP 1870545, Lot 7021 DP 1136246 Parish Dubbo
Parish	DUBBO
County	LINCOLN
LGA	DUBBO REGIONAL
Council	DUBBO REGIONAL COUNCIL
Suburb	DUBBO
Area_m2	296999.3079363

Figure A5.8 Reserve details

The reserve was gazetted in its current form on 2 November 1945, from the former reserve 2071

[4794]	Department of Lands, Sydney, 21st July, 1896.
RESERVE FROM SALE FOR PUBLIC RECREATION.	
H IS Excellency the Governor, with the advice of the Executive Council, directs it to be notified that, in pursuance of the provisions of the 101st section of the Crown Lands Act of 1884, the land specified in the Schedule appended hereto shall be reserved from sale for public recreation, and is hereby reserved accordingly.	
HENRY COPELAND.	
No. 2,071. County of Lincoln, parish of Dubbo, town of Dubbo, area about 50 acres. The Crown Lands within the following boundaries: Commencing on the right bank of the Macquarie River, at its intersection with the north side of Cobra-street; and bounded thence on the south by that side of that street bearing east to the south-west corner of suburban allotment 4; thence on the east by a line partly forming the west boundaries of suburban allotments 4, 3, 8, and 7, bearing north to the north-west corner of the last-mentioned allotment; thence again on the south by the north boundary of that allotment bearing east to its north-east corner; thence again on the east by a line partly forming the west boundaries of suburban allotments 9 and 10, town section 30, and suburban allotments 11 and 12, bearing north to the south-west corner of the last-mentioned allotment; thence again on the south by the north boundary of that allotment bearing east to its north-east corner; thence again on the east by the west side of Macquarie-street bearing north to the south side of Myall-street; thence on the north by that side of that street bearing west to the Macquarie River aforesaid; and thence by that river upwards, to the point of commencement.	
Suburban allotments 4, 3, 8, 7, 9, 10, 11, and 12 are shown on plan entailed D. 2-1,340.	
Within the Land Board District of Dubbo.	
[Ms. 86-11,160]	

Figure A5.9 Gazettal for 2071

Riverbank Reserve Maps



Figure A5.10 Zones

Reserve 520043 is bordered in orange and zoned as:

- RE1 – Public Recreation

The proposed future use of this precinct is consistent with these zonings.



Fig A5.11 Precinct plan

The precinct masterplan is mapped in Figure 4.2. The Macquarie River CBD Masterplan for the eastern riverbank is shown above in Figure A5.3



Figure A5.12 Categorisation

The crown reserves 520043 are categorised as:

- Parkland – blue
- Natural Area Bushland – green
- Natural Area Watercourse – dark blue
- Sportsground – orange



Figure A5.13 Vegetation

The vegetation types are mapped in Figure 2.4 are:

- River Red Gum riparian tall woodland / open forest wetland (PCT 78)

Appendix 6

Biddybunggi Reserve

520046

Description

Biddybunggi Reserve site on the western bank of the Macquarie River between the Railway Bridge and LH Ford Bridge. Part of the reserve has been renamed Lions Park West, and Biddybunggi is spelt several ways: Biddybunge, Biddybungie.

The western riverbank is almost completely taken up by Biddybunggi Park and Lions West Park. On the western riverbank at the northern end of Biddybunggi Reserve there exists an area containing a variety of sub-tropical rainforest plants. The informal track network that has formed on the western riverbank that should be reviewed.

Facilities

The Lions West Park section of the reserve contains a toilet block, picnic areas and play equipment. A shared trail runs north south through the reserve, forming an integral part of the Tracker Riley riverside shared path network.

The Lions Park West Amenity Block was replaced at a cost of \$370,000 in 2022/2023.

- Biddybunggi Park-Benches
- Biddybunggi Park-Concrete Path
- Biddybunggi Park-Granite Path
- Biddybunggi Park-Steel Fencing
- Biddybunggi Park-Pedestrian Lighting
- Biddybunggi Park-Timber Fencing

Lions Park West

- Lions Park West Dubbo-BBQ
- Lions Park West Dubbo-Concrete Path
- Lions Park West Dubbo-Granite Path
- Lions Park West Dubbo-Irrigation
- Lions Park West Dubbo-Pedestrian Lighting
- Lions Park West Dubbo-Picnic Setting
- Lions Park West Dubbo-Picnic Shelters
- Lions Park West Dubbo-Playground
- Lions Park West Dubbo-Playground Softfall
- Lions Park West-Bins
- Lions Park West-Bubbler
- Lions Park West-Signs
- Lions Park(West)- Amenities



Figure A6.1 Picnic Shelters overlooking the river.



Figure A6.2 BBQ and Picnic shelters.



Figure A6.3 Playground.



Figure A6.4 Amenities.

Issues

A portion of the shared path is gravel. It is a highly used path and the soft gravel is less conducive to wheeled forms of transport such as prams, strollers, scooters and wheelchairs. Consideration should be given to upgrading this path to concrete or bitumen seal (action 1).

On the western riverbank at the northern end of Biddybunge Reserve there exists an area containing a variety of sub-tropical rainforest plants. Consideration should be given to undertaking a stocktake and plan for the area (action 2).

The informal track network that has formed on the western riverbank that should be reviewed (action 3).

Managing groundcover in the park area is a significant challenge. Excessive growth is controlled by mechanical slashing and weeds are controlled by mechanical slashing and chemical control (action 4).

Encouraging natural regeneration and weed control in the bushland areas is also a significant challenge with weed control the main challenge (action 5).



Figure A6.5 bank erosion

Some undercutting and lower bank erosion is evident on the westside bank immediately upstream of the city side boat ramp, possibly from boat wake. This area needs to be monitored whilst bush regeneration work should continue on the western bank (action 6).



Figure A6.6 erosion scarp.

An erosion scarp exists downstream of the Emile Serisier Bridge and bare banks beneath bridge. The River health report recommended installation of rock toe protection to erosion scarp (~30 M) and bench/batter upper bank prior to revegetation (action 7).

Biddybunge Action Plan

The actions below indicate proposed actions for achievement over the 10-year period of this plan. Priorities may change over time and are dependent on council's Operation Plan/Delivery Plan and budget. Priorities may change over time, resulting in actions not being achieved within the given life span of this document.

#	Description
1	Implement actions from the Macquarie River (North and South Precincts) Master Plan including: Investigate the cost and feasibility of upgrading the gravel portion of the shared path and car parking, pontoon.
2	Undertake a stocktake and species identification of the western rainforest plantings and prepare a report making recommendations on its future
3	Assess and determine the future of the unauthorised trail network that has formed by usage along the western riverbank
4	Maintain groundcover by chemical and mechanical means in the area categorised as park.
5	Undertake, support and encourage bush regeneration in the area categorised as natural area including to the water's edge.
6	Monitor western bank for undercutting, planting of endemic species to assist in stabilisation efforts.
7	Investigate the installation of rock toe protection to erosion scarp (~30 M) and bench/batter upper bank prior to revegetation
8	Use 'Biddybung' name consistently
9	Renew the Lions Park West Playground and softfall in the next 2-years estimated cost of \$130,000.

RESERVE_NO	520046
RESERVE_TY	DEDICATION
RESERVE_NA	BIDDYBUNG PARK
GAZETTED	1893-11-14
STATUS	CURRENT
MANAGEMENT	COUNCIL CLM
MANAGER	Dubbo Regional Council
PURPOSE	Public Recreation
LOTS	Whole: Lot 1 DP 1114367 Parish Dubbo County Gordon
Parish	DUBBO
County	GORDON
LGA	DUBBO REGIONAL
Council	DUBBO REGIONAL COUNCIL
Suburb	DUBBO
Area_m2	88568.95263936

Figure A6.7 Reserve details.



Figure A6.8 Parish Map

Department of Lands, Sydney, 14th November, 1893.									
HENRY COVELAND.									
List No. 9 of 1893.									
Part.	County.	Parish.	Section.	Lot.	Area.	By what name designated.	No. of Papers.	Condition of Title.	
1	Dubbo	Dubbo	1	1	1	Public Reserve	1	1	1
2	Dubbo	Dubbo	2	2	2	Public Reserve	2	2	2
3	Dubbo	Dubbo	3	3	3	Public Reserve	3	3	3
4	Dubbo	Dubbo	4	4	4	Public Reserve	4	4	4
5	Dubbo	Dubbo	5	5	5	Public Reserve	5	5	5
6	Dubbo	Dubbo	6	6	6	Public Reserve	6	6	6
7	Dubbo	Dubbo	7	7	7	Public Reserve	7	7	7
8	Dubbo	Dubbo	8	8	8	Public Reserve	8	8	8
9	Dubbo	Dubbo	9	9	9	Public Reserve	9	9	9
10	Dubbo	Dubbo	10	10	10	Public Reserve	10	10	10

Figure A6.9 Gazette.

Riverbank Reserve Maps



Figure A6.10 Zones

Reserve 520046 is zoned as:

- RE1 – Public Recreation

The proposed future use of this precinct is consistent with these zonings.



Fig A6.11 Precinct plan



Figure A6.12 Categorisation

The crown reserve 520046 is categorised as:

- Park – blue



Figure A6.13 Vegetation

The vegetation types are mapped in Figure 2.4 are:

- River Red Gum riparian tall woodland / open forest wetland (PCT 78)

Appendix 7 Riverbank Reserve 5890

Description

Riverbank reserve 5890 runs along the west bank of the Macquarie-Wambool River south of LH Ford Bridge. Part of the reserve is known as Sir Roden Cutler Park. Part of the reserve is also on the east bank and is known as Lady Cutler Ovals.



Figure A7.1 Sporting ground field names

An off-leash dog area is located between Shire avenue and the river.

Lot 2 DP 1039425, known as Wiradjuri Park within Riverbank Reserve (R.5890) was acquired by Transport NSW on 14 October 2022.

Facilities

Sir Roden Cutler includes toilet facilities, a ninja exercise park, BBQ area and playgrounds. A viewing platform provides a pleasant vista of the river and overlooks Sandy Beach.



Figure A7.2 Viewing area

The Ninja course was funded by the Dubbo Mud Run, Club Dubbo, NSW State Government and Dubbo Regional Council.



Figure A7.3 Ninja Course

Lady Cutler Ovals contains sports fields and complementary passive recreational activities and includes part of the disc golf course. The disc golf course extends across Sandy Beach reserve. Sandy Beach is adjacent and is a popular swimming and fishing location and launch point for a float downstream to exit at the pontoon or boat ramps.

Sir Roden Cutler Park

- Irrigation
- BBQ
- Picnic Setting
- Picnic Shelters
- Viewing Platform (damaged due to flood events)
- Signs
- Bins
- Bubbler
- Fence
- Amenities
- Fitness Centre

Lady Cutler

- Wicket Covers
- Cricket Nets
- Steel post and rail
- Irrigation
- Pump North
- Pump South
- Shade Structures
- Soccer Posts
- Delivery Line
- Signs
- Bins
- Amenities

Issues

Wiradjuri Park was co-purchased by Crown Lands and Dubbo City Council in 1993. The Wiradjuri Park reserve has been significantly impacted by the River St Bridge. Only a small portion of Wiradjuri Park will remain in-situ between the river and the new roadworks. This parcel is likely to be returned to Dubbo Regional Council for management, although it is unclear what mechanism this may take. As such, Wiradjuri Park has been retained in this PoM.

Pedestrian and cycle traffic through this area needs to be carefully considered to ensure access to the river crossing and connection between the parks on either side of the river and river crossing (action 1). A sandstone boulder with Aboriginal grinding grooves is located within Wiradjuri Park and is identified as Terramungamine Grinding Grooves. The boulder with grinding grooves has been placed in the current location for safekeeping after it was dislodged by flood events at Terramungamine Reserve.

The River St Bridge Archaeological report states: *“that there is no significance or association between the Terramungamine Grinding Grooves and its current location, and therefore its relocation is not likely to present complex issues. The Terramungamine Grinding Grooves have not been recorded on AHIMS, however are protected by the NPW Act and an AHIP would be required should it be relocated. The local community and relevant stakeholders would also be given opportunity to provide input to a management plan for relocating the item”.*



Figure A7.4 Terramungamine grinding grooves.

With the River Street (Third River Crossing) Bridge proceeding - the relocation of Aboriginal and cultural heritage items will need to be conducted (action 2). Council has resolved (Ordinary Meeting of Council, 15 August 2024, CCL24/201) to work with the local traditional owners following the completion of the bridge works to return the grinding grooves to Terramungamine Reserve.



Figure A7.5 River St bridge alignment.

An opportunity will arise to construct a shared path along the western riverbank from the City to the North West Release area and linking over the new bridge to North Dubbo. This will also allow access to protect and enhance the riparian corridor along this route (action 3).

Enhancement of the existing habitat corridor along the river edge is an objective of the long-term management of the corridor. Ecological restoration has commenced with areas of restoration of the bushland river edge with buffer tree planting and planting of infill mid storey trees and shrubs (action 4).

The Tracker Riley Shared Pathway and Regand Park trail are popular exercise and passive recreation destinations. Fitness stations are included along the tracks and may be extended in the future including consideration of a bicycle trials area (action 5).

Currently there is vehicular access from the Newell Highway into Golf links Reserve with no formed link to Sir Roden Cutler Park. Vehicle access into and within the park should be reviewed. There are opportunities to enhance the passive recreation experience in Golf Links Park by the construction of formed walking tracks and resting areas and a destination point (action 6).

Managing groundcover in the park area is a significant challenge. Excessive growth is controlled by mechanical slashing and weeds are controlled by mechanical slashing and chemical control (action 7).

Sportsgrounds are maintained to a high standard with the playing surface maintained for the allocated sport (action 8)

Erosion of the riverbank is occurring in several locations. A stormwater outlet with failing apron. Replace apron with drop structure of large rocks.



Figure A7.6 Stormwater outlet with failing apron

Slumping of bank fronting lookout and ongoing erosion between rock deflectors. Monitor and maintain/improve the quality of the riparian vegetation (action 9) as external funding allows.

Council is currently consulting with the community on a proposed new south bridge. Three options for the location and alignment of the proposed new bridge are outlined, following preliminary investigations in a Strategic Concept Design Report, prepared by GHD. Strategic costs are also provided, indicating total project costs between \$35.7 - \$41.4 million, including upgrades to the wider road network that will be necessary for the proposed Bridge to operate as intended.



Figure A7.7 Slumping of bank at Sir Roden Cutler Park.



Figure A7.8 South bridge 3 options.

Encroachment into the reserve by garden extensions from adjacent properties has occurred in several locations. Some of these are subject to short term access licences.

Sir Roden Cutler, Lady Cutler and Wiradjuri Park (to be determined) Action Plan

The actions below indicate proposed actions for achievement over the 10-year period of this plan. Priorities may change over time and are dependent on council's Operation Plan/Delivery Plan and budget. Priorities may change over time, resulting in actions not being achieved within the given life span of this document.

#	Description
1	Implement actions from the Macquarie River (North and South Precincts) Master Plan including: motion sensor lighting, new playground, off leash dog area, amenities upgrade, stairs, improved car park, ev charging station
2	Work with TfNSW and the appropriate Aboriginal community/ies to ensure appropriate consultation on any necessary relocation of Aboriginal and cultural heritage items is carried out.
3	Work with NSW TfNSW to allow for construction of a shared path along the western riverbank from the City to the North West Release area and linking over the new bridge to North Dubbo. This will also potentially allow access to protect and enhance the riparian corridor along this route
4	Undertake, support and encourage bush regeneration in the area categorised as natural area including to the water's edge.
5	Investigate suitable locations for a bicycle trials area and additional fitness stations
6	Develop a access strategy for Golf Links Reserve addressing current vehicular access, lack of formed track, resting areas and destination points
7	Maintain groundcover by chemical and mechanical means in the area categorised as park.
8	Maintain sportsgrounds in a fit for purpose manner using chemical and mechanical means.
9	Develop a project plan to implement actions from the Dubbo River Health Report
10	Remove damaged viewing platform and investigate the feasibility of installing a new platform at a site less prone to riverbank erosion.
11	Approach Crown lands with a view to removing Council as land manager over lot 247 DP 822452 – electricity substation within lot 246 or alternatively encourage The West Dubbo Bowling Club to acquire the land.
12	Obtain a map of the easement over Lot 1 DP 130703
13	Renew the Sir Roden Cutler BBQs in 2025/2026
14	Undertake investigations to resolve any encroachment.

RESERVE_NO	5890
RESERVE_TY	RESERVE
RESERVE_NA	RIVERBANK RESERVE
GAZETTED	1888-04-07
STATUS	CURRENT
MANAGEMENT	COUNCIL CLM
MANAGER	Dubbo Regional Council
PURPOSE	Public Recreation
LOTS	1 Parish Dubbo County Gordon, Lot 132 DP 547963, Lot 25 DP 754308 Parish Dubbo County Lincoln
Parish	DUBBO, DUBBO
County	LINCOLN, GORDON
LGA	DUBBO REGIONAL
Council	DUBBO REGIONAL COUNCIL
Suburb	DUBBO
Area_m2	290577.84769754

Figure A7.9 Reserve details.

No. 5,890. County of Gordon, parish of Dubbo, town of Dubbo, containing an area of 12½ acres. The Crown Lands within the following boundaries: Commencing on the south-eastern side of Wylandra-street, at the westernmost corner of allotment 1 of suburban section 11; and bounded thence on the north-east by the south-western boundary of that allotment bearing south 65 degrees 56 minutes east 10 chains 1½ links; thence on the south-east and south by a line bearing respectively south 39 degrees 12 minutes west 3 chains 66 links, south 25 degrees 55 minutes 20 seconds west 8 chains 41 links and west 9 chains 60½ links; thence on the north-west by the south-eastern side of Wylandra-street aforesaid bearing north 24 degrees 4 minutes east 15 chains 87½ links, to the point of commencement. The above includes part of camping reserve 1,493, cancelled this day. Plan catalogued D 25-1,349 Roll. [Ms. 88-1,653]
--

Figure A7.10 Gazettal of 5890 7 April 1888

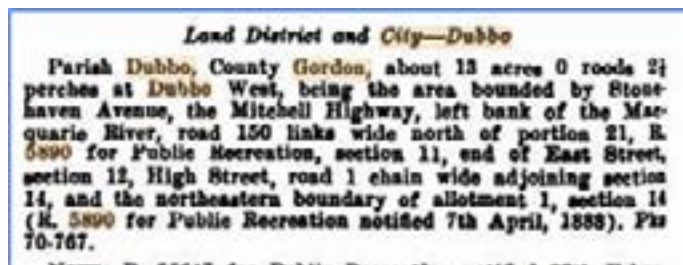


Figure 7.11(a) Addition of approx. 13 acres was added on 1 October 1971

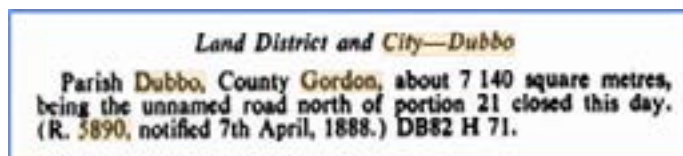


Figure 7.12 Unnamed Road reserve was added on 10 September 1982.



Figure 7.13(a) Revocation Lot 12 DP 227455 was added 20 May 1994.

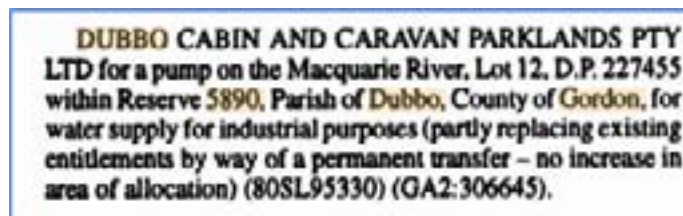


Figure 7.13(b) On 16 March 2018 the purpose of site inspection was added to reserve 5890.

Lot 247 DP 822452 is a minute lot that contains an electrical substation and is enclosed entirely within the fenced yard of 80 Whylandra St, a house owned by West Dubbo Bowling Club. Council should approach Crown lands with a view to removing Council as land manager over lot 247 DP 822452 – electricity substation within lot 246 (action 11) or alternatively for West Dubbo Bowling Club to acquire the land.



Figure A7.14 Deposited plan 822452 identifying Lot 247.

Riverbank 5890 Maps



Figure A7.15 Zones

Reserve 5890 is bordered in yellow and mapped as:

- RE1 – Public Recreation except for Lot 247 DP 822452 which is R2 Low Density residential.

The proposed future use of this precinct is consistent with these zonings.



Figure A7.17 categorisation

The Reserve 5890 is categorised as either:

- Parkland – blue
- Sportsground – Orange
- Natural Area bushland – green



Fig A7.16 Site plans showing Sir Roden Cutler Park, Riverbank Reserve and Lady Cutler Ovals.



Figure A7.18 vegetation.

The vegetation is mapped as:

- River Red Gum riparian tall woodland / open forest wetland (PCT 78)

Easements



FDLID: 1/130730

SEARCH DATE	TIME	EDITION NO	DATE
23/9/2021	10:42 AM		

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 1 IN DEPOSITED PLAN 130730
LOCAL GOVERNMENT AREA DUBBO REGIONAL
PARISH OF DUBBO COUNTY OF GORDON
TITLE DIAGRAM DP130730

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES

SECOND SCHEDULE (2 NOTIFICATIONS)

- * 1 DP1117006 EASEMENT FOR WATER SUPPLY SUPPLY 2 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1117006
- * 2 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Figure A7.19 Title search listing easements over Lot 1.



Figure A7.20 Easements over Lot 2

Appendix 8 – Flood Maps

Legend

ROADS Label 15k-25k

Lot extents

- Macquarie River Dominant Flood 6.50m - Flood extent
- Macquarie River Dominant Flood 7.00m - Flood extent
- Macquarie River Dominant Flood 7.50m - Flood extent
- Macquarie River Dominant Flood 8.00m - Flood extent
- Macquarie River Dominant Flood 8.50m - Flood extent
- Macquarie River Dominant Flood 9.00m - Flood extent
- Macquarie River Dominant Flood 9.50m - Flood extent
- Macquarie River Dominant Flood 10.00m - Flood extent
- Macquarie River Dominant Flood 10.50m - Flood extent
- Macquarie River Dominant Flood 11.00m - Flood extent
- Macquarie River Dominant Flood 11.50m - Flood extent
- Macquarie River Dominant Flood 12.00m - Flood extent
- Macquarie River Dominant Flood 12.50m - Flood extent
- Macquarie River Dominant Flood 13.00m - Flood extent

Recreational Areas

- Horticulture
- Landcare
- Sporting

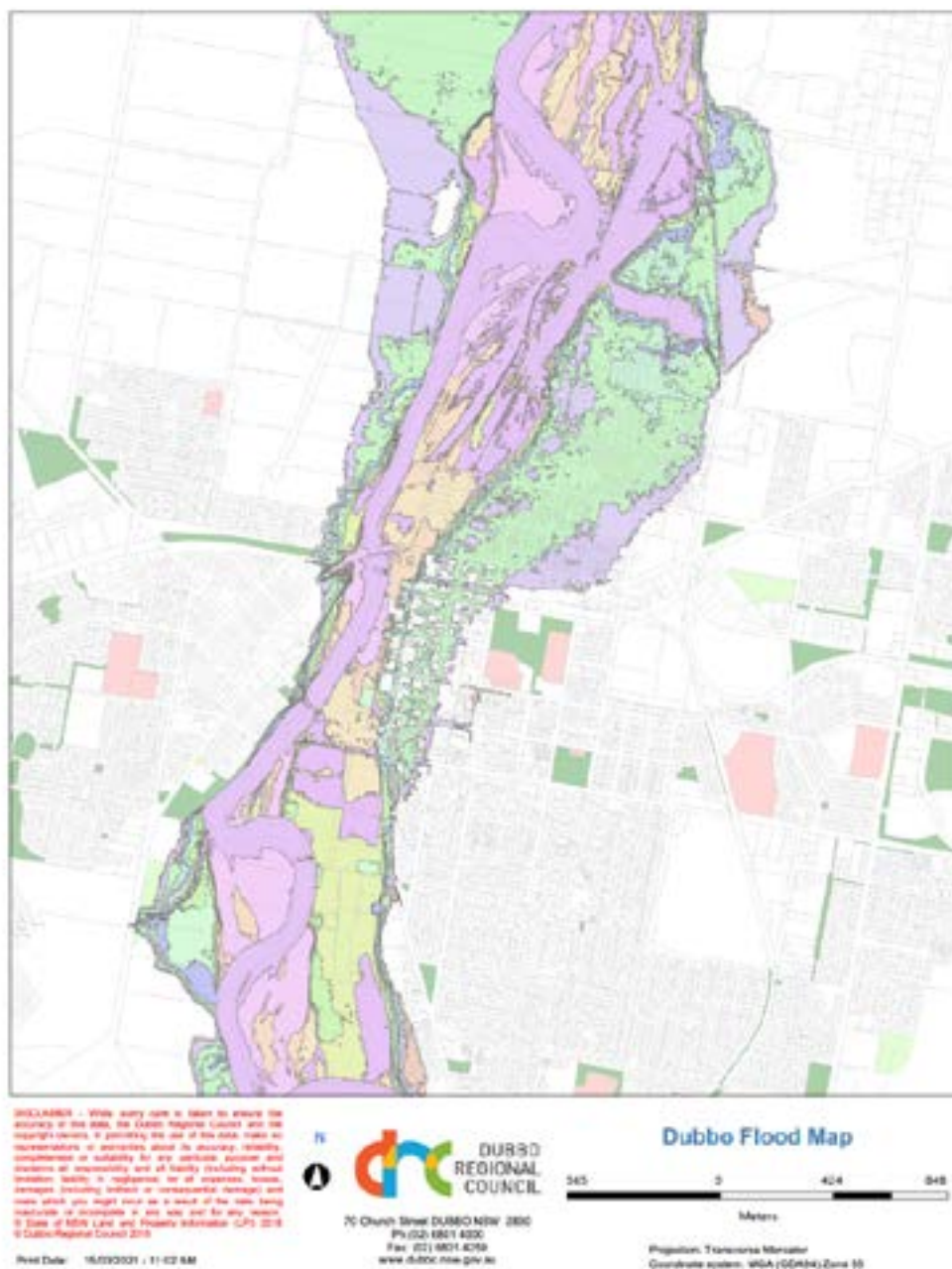


Figure A8.1 Dubbo Flood Map

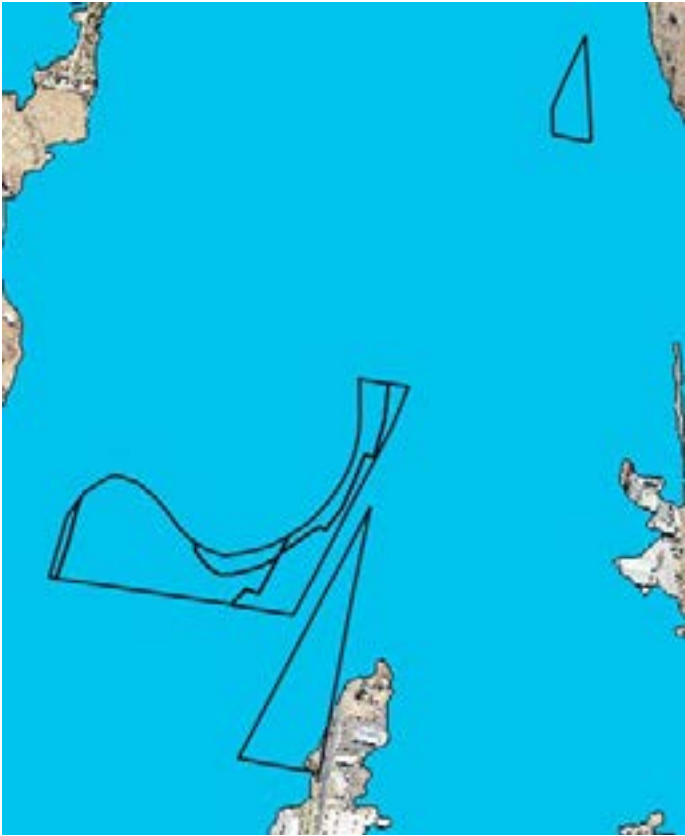


Figure A8.2 Reserve 1:100 Flood map



Figure A8.3 Reserve 1:100 Flood map.



Figure A8.4 Reserve 1:100 Flood map



Figure A8.5 Reserve 1:100 Flood map

Appendix 9 – AHIMS Search Results



AHIMS Web Services (AWS) Search Result

Your Ref/PO Number : 83803

Client Service ID : 611141

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

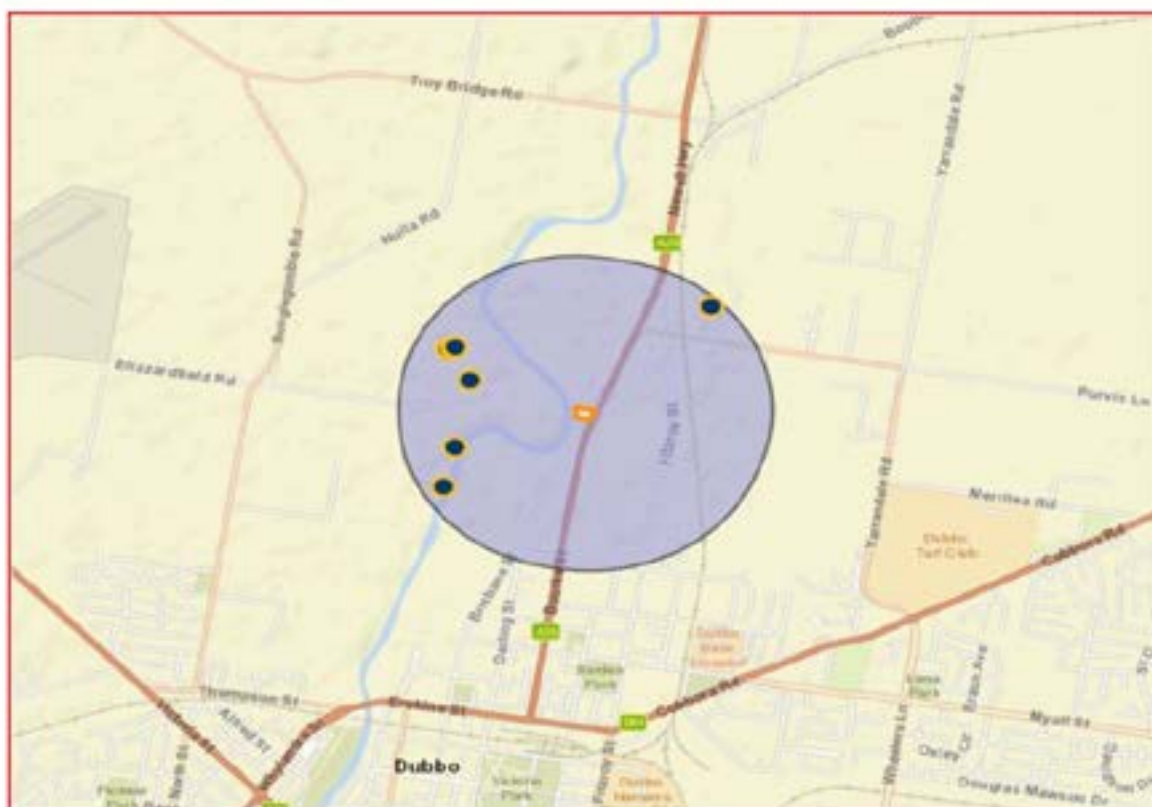
Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 332, DP:DP754308, Section : - with a Buffer of 1000 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

8	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *



AHIMS Web Services (AWS) Search Result

Your Ref/PO Number : 97134

Client Service ID : 611142

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 376, DP:DP754308, Section : - with a Buffer of 50 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

☐	Aboriginal sites are recorded in or near the above location.
☐	Aboriginal places have been declared in or near the above location. *



AHIMS Web Services (AWS) Search Result

Your Ref/PO Number : 97642

Client Service ID : 611143

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 379, DP:DP754308, Section : - with a Buffer of 200 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

1	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *



AHIMS Web Services (AWS) Search Result

Your Ref/PO Number : 520043 - 6

Client Service ID : 611180

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7021, DP:DP1136248, Section : - with a Buffer of 50 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 1, DP:DP243250, Section : - with a Buffer of 50 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7022, DP:DP1020035, Section : - with a Buffer of 50 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

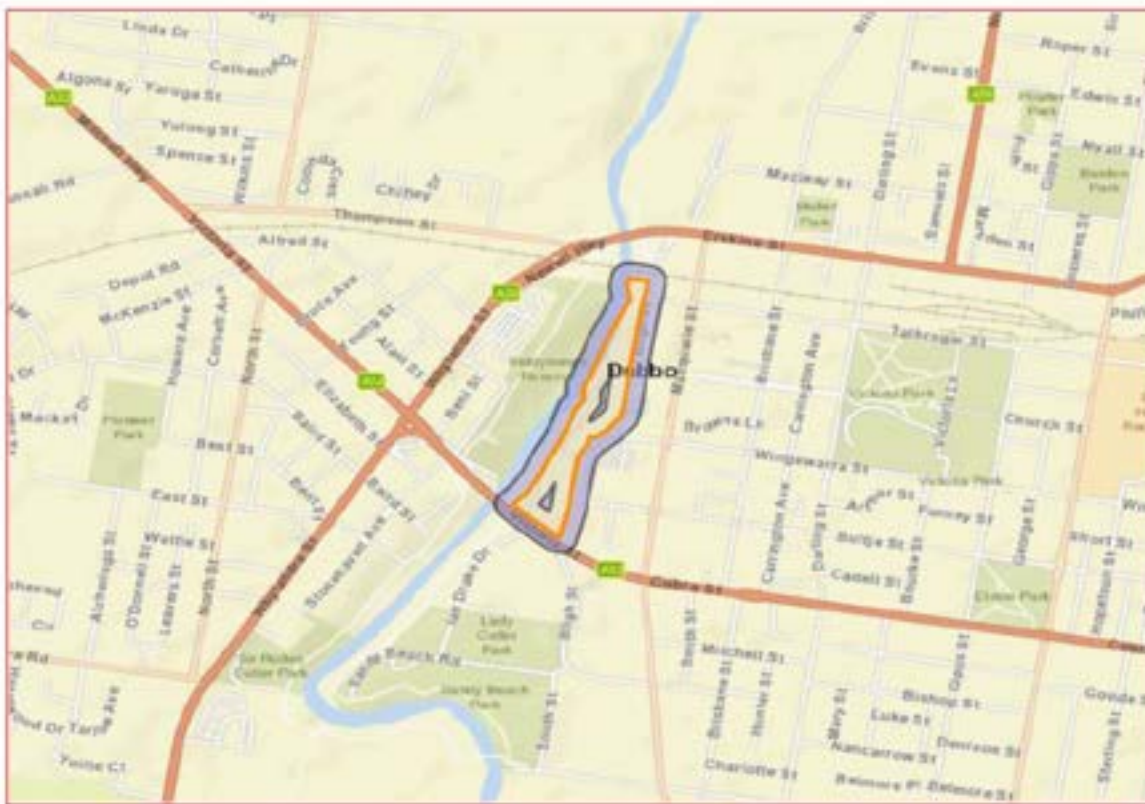
Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7023, DP:DP1020031, Section : - with a Buffer of 50 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7024, DP:DP1020024, Section : - with a Buffer of 50 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *



AHIMS Web Services (AWS)

Search Result

Your Ref/PO Number : 5890-4

Client Service ID : 611137

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7013, DP:DP1115445, Section : - with a Buffer of 200 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

1	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *



AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 294379

Client Service ID : 611535

SiteID	SiteName	Date	Zone	Extent	Northings	Eastings	Site Status	Site Extent	Site Type	Report
NS-1-0091	M1 Dubbo	AGD	SS	499150	61299150	Open site	Valid	Small	Open Camp Site	10/5
	Context			Recorders: N Treadwell, Mergel Kiering, and Miles						
								Extent		



AHIMS Web Services (AWS) Search Result

Your Ref/PO Number : 5890-2

Client Service ID : 611131

Dubbo Regional Council

Date: 05 August 2021

Darling St

Dubbo New South Wales 2830

Attention: Peter Christie

Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 2, DP:DP1039425, Section : - with a Buffer of 200 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

1	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *



AHIMS Web Services (AWS) Search Result

Your RefPO Number : 5890

Client Service ID : 611125

Dubbo Regional Council

Darling St

Dubbo New South Wales 2830

Attention: Peter Christie

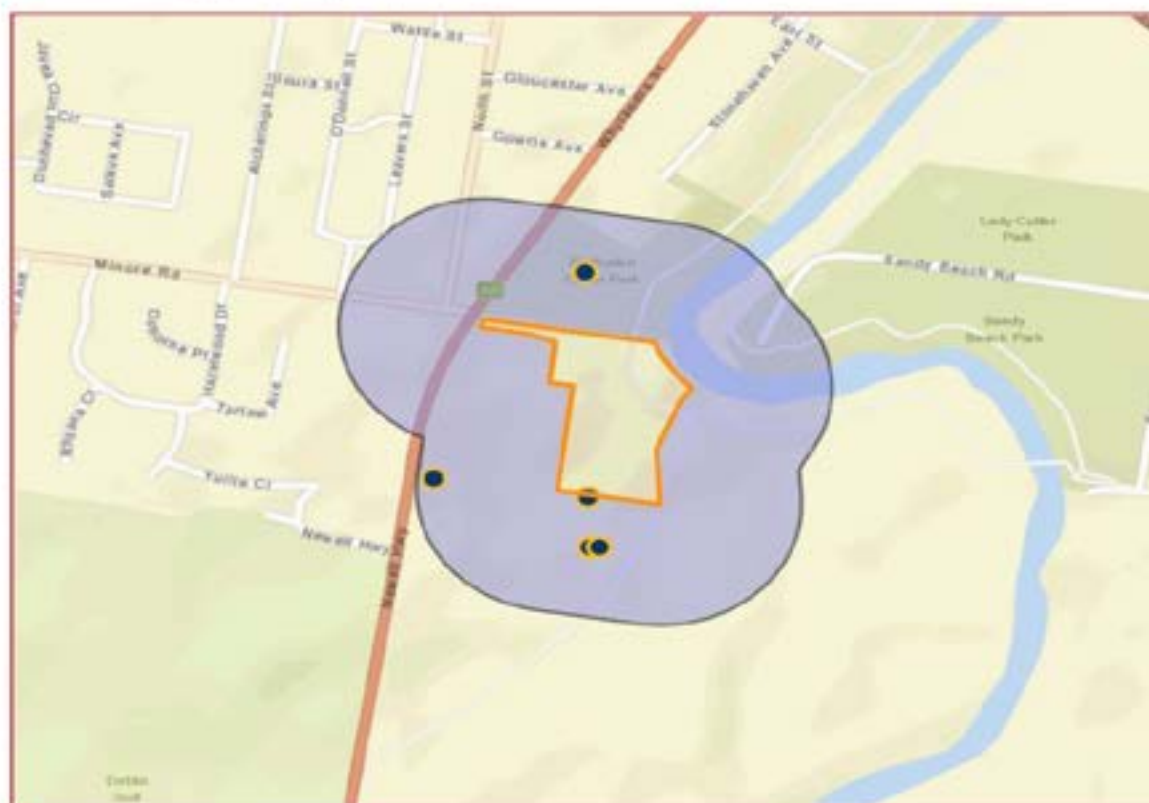
Email: peter.christie@dubbo.nsw.gov.au

Dear Sir or Madam:

Date: 05 August 2021

AHIMS Web Service search for the following area at Lot : 1, DP:DP130730, Section : - with a Buffer of 200 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

5	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Dubbo Regional Council
Darling St
Dubbo New South Wales 2830
Attention: Peter Christie
Email: peter.christie@dubbo.nsw.gov.au
Dear Sir or Madam:

Date: 05 August 2021

AHIMS Web Service search for the following area at Lot : 1, DP:DP1114367, Section : - with a Buffer of 50 meters, conducted by Peter Christie on 05 August 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Appendix 10 – Plan of Management Legislative Framework

Local Government Act 1993

Section 35 of the Local Government Act 1993 (LG Act) provides that community land can only be used in accordance with:

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

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

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

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

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

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

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

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

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

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

Additionally, under section 36 of the LG Act, a site-specific PoM must be made for land declared:

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

Classification of public land

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

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

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

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

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

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

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

Crown Land Management Act 2016

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

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

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

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

Principles of Crown Land Management

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.
- Public use and enjoyment of appropriate Crown land are to be encouraged.

- Where appropriate, multiple uses of Crown land should be encouraged.

- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.

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

Crown Land Management Compliance

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

Native Title Act 1993

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

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

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

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

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

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

Council plans and policies relating to this plan of management

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

The following is a list of documents that have a direct association with this PoM:

- 2040 Community Strategic Plan
- 2020-2021 Delivery Plan
- Dubbo Regional Council SPARC (2020-2025)
- Regional Council Asset Management Policy 2017
- Interim Asset management Plan
- Dubbo Local Environmental Plan 2011
- Wellington Local Environment Plan 2012
- Development Control Plans
- Council Defined Asset Management Plan 2017
- Dubbo Street Tree Masterplan
- Open Space Masterplan 2018
- Recreation Strategy 2030

Other state and Commonwealth legislation

NSW State Legislation

Environmental Planning and Assessment Act 1979

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

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

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

Aboriginal Land Rights Act 1983

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

National Parks and Wildlife Act 1974

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

Biodiversity Conservation Act 2016

Note: This Act repealed several pieces of legislation including the *Native Vegetation Act 2003*, *Threatened Species Conservation Act 1995*, the *Nature Conservation Trust Act 2001*, and the animal and plant provisions of the *National Parks and Wildlife Act 1974*.

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

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

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

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

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

Fisheries Management Act 1994

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

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

Rural Fires Act 1997

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

Water Management Act 2000

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

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

Heritage Act 1977

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

Commonwealth legislation

Environmental Protection and Biodiversity Conservation Management Act 1999

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

Telecommunications Act 1997

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

State Environmental Planning Policies

State Environmental Planning Policy no. 19 – Bushland in Urban Areas

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

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

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

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

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

Other relevant legislation, policies and plans

- *Aboriginal Land Rights Act 1983*
- *Biodiversity Conservation Act 2016*
- *Biosecurity Act 2015*
- *Catchment Management Authorities Act 2003*
- *Companion Animals Act 1998*
- *Disability Discrimination Act 1992*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Protection and Biodiversity Conservation Management Act 1999 (Cth)*
- *Fisheries Management Act 1994*
- *Heritage Act 1977*
- *Local Land Services Act 2013*
- *Operations Act 1997*
- *Pesticides Act 1999*
- *Protection of the Environment Operations Act 1997*
- *Retail Leases Act 1994*
- *Rural Fires Act 1997*
- *Soil Conservation Act 1938*
- *Telecommunications Act 1997 (Cth) Water Management Act 2000*
- *NSW Invasive Species Plan 2008–2015*
- *National Local Government Biodiversity Strategy*
- *NSW Biodiversity Strategy*
- *A Vegetation Management Plan for the Sydney Region (Green Web Sydney)*
- *Australian Natural Heritage Charter*

Appendix 11 – Aboriginal Interests in Crown Land

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

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

Native Title

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

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

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

When preparing a PoM, Council is required to employ or engage a qualified native title manager to provide advice and validate acts (developments and tenures) over the reserve, in line with the NT Act.

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

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

Aboriginal Land Rights

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

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

At the time of preparing this plan of management, there are 44 reserves which are affected by an undetermined Aboriginal land claim. Council has considered the claim(s) in development of this plan of management.

Responsible Officer:	Manager Recreation and Open Space
Division:	Recreation and Open Spaces
Prepared by:	Manager Recreation and Open Space
Version:	1
Revision:	1
Document Date:	7 May 2025
Effective:	28 October 2025

Cnr Church and Darling Streets, Dubbo
Cnr Nanima Crescent and Warne Street, Wellington

Ph: (02) 6801 4000
dubbo.nsw.gov.au