



Murrumbidgee
COUNCIL

Modern Slavery Prevention Policy

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1. Objective

Murrumbidgee Council is committed to ensuring:

- a) its operations and supply chains do not cause, involve, or contribute to modern slavery; and
- b) its suppliers, relevant stakeholders, and others with whom we do business, respect and share our commitment regarding minimising the risk of modern slavery.

2. Statement of Intent

Murrumbidgee Council is committed to combating modern slavery by:

- Identifying where our modern slavery risks are in our supply chain, and assessing the degree of those risks;
- Engaging with our suppliers to identify which are committed to minimising the risk of modern slavery in their own supply chains and operations. This will primarily be done by asking suppliers to complete a modern slavery questionnaire;
- Completing a modern slavery risk checklist prior to making a purchase;
- Including modern slavery clauses in RFx documents and contracts;
- Providing adequate training for all staff to ensure they are aware of what modern slavery is, what Council's modern slavery risks are and how to raise any identified or potential concerns;
- Working with, and supporting, our suppliers to reduce the risk of modern slavery, where appropriate;
- Establishing a complaint process enabling staff and others to raise concerns about modern slavery.

3. Application

This policy applies to all persons employed by Murrumbidgee Council, or on Council's behalf in any capacity. The prevention, detection, and reporting of modern slavery in any part of Murrumbidgee Council's operations or supply chain is their responsibility.

4. Legality & Responsibility of Enforcement

The General Manager has overall responsibility for ensuring this policy complies with Murrumbidgee Council's legal and ethical obligations, and that all those under Council's control comply with it. The Procurement Officer has primary and day-to-day responsibility for implementing this policy and ensuring all employees are given adequate and regular training on it and the issue of modern slavery in supply chains.

5. Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).

**AREAS OF CULTURAL
SIGNIFICANCE
JERILDERIE COURT HOUSE
& LIBRARY**

Draft Plan of Management
2024-2029



Murrumbidgee
COUNCIL

MARCH 2024

Plan of Management prepared for **Murrumbidgee Council**

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EXECUTIVE SUMMARY

Murrumbidgee Council has a long and diverse history of both Aboriginal cultural significance and post-European colonization and the pastoral development of the interior of New South Wales, with perhaps the most notable being the penning of the *Jerilderie Letter* by Ned Kelly. In total, Murrumbidgee Council manages and maintains four reserves which have been identified as having significant cultural value to the community. Plans of management for areas of cultural significance have been developed for each of the sites with the aim to provide a basis for guiding Council's ongoing management of the reserves.

This plan, being the Plan of Management for Areas of Cultural Significance – Jerilderie Court House & Library applies to Crown Reserve No. 150042.

The intention of this plan of management is to provide Council with a framework that enables decisions in regard to the Jerilderie Court House & Library, consistent and equitable basis. The plan of management satisfies the requirements of the Local Government Act 1993 as amended by the Local Government Amendment (Community Land Management) Act 1998.

The current use patterns; condition of the existing built assets; emerging needs, constraints and opportunities, have been considered in this plan of management. The plan of management identifies appropriate objectives and actions, as well as measures that enable the successful implementation of key outcomes provided by the plan and a means for the effective ongoing management of the cultural assets.

The plan of management has been prepared with due regard to *Developing Plans of Management for Community Land Crown Reserves—Guideline for Council Crown Land Managers* issued in September 2021 and the sample for a site-specific Crown reserve plan of management outline, in order to achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that it addresses the needs of the local neighbourhood, the broader community, and the environment. It has been prepared to meet the requirements of the Local Government Act, 1993 (LG Act), as amended by the Local Government Amendment (Community Land Management) Act 1998.

The plan aims to serve as a key management tool that is strongly related to other strategic plans of Council such as Council's Management Plan, as well as research obtained in preparation for Council's Heritage strategy.

PART 1: INTRODUCTION AND GENERAL INFORMATION

1. KEY INFORMATION

This Plan of Management Plan covers the following:

- Lot 228 DP 820111 being Crown Land Reserve No. 150042 which is the Jerilderie Courthouse & Library which has been reserved for Community Purposes and Heritage Purposes.

Murrumbidgee Council is the Crown Land Manager pursuant to the relevant provisions of the Crown Land Management Act 2016 and has the responsibility for the ongoing management and care of the reserve listed above.

The Plan of Management for Areas of Cultural Significance – Jerilderie Courthouse and Library was adopted on **[insert date]**.

Terms that are *italicised* throughout the document are terms defined by legislation. Where relevant these definitions are included in Appendix A.

2. ABOUT PLANS OF MANAGEMENT

A plan of management provides information about public land and its user groups stating what, why, how and by whom the integrity of any particular parcel of community land is to be managed. It establishes the values, uses, management practices and broad intent for the public purpose for which the land has been reserved or dedicated.

All plans of management are prepared in accordance with the provisions of the Crown Land Management Act 2016 for Ministerial approval. A plan of management provides a framework for the future management, use and development of reserved Crown land and should be consistent with the public purpose for the reserve and the principles of Crown land management, as well as other guidelines, policies, and any other legal requirements that may apply to the reserve.

A plan of management can be prepared for more than one parcel of land (generic or geographic) or for a single parcel (significant or specific). The Plan of Management for Areas of Cultural Significance – Jerilderie Courthouse & Library is a site specific plan of management.

The Crown land covered under this plan of management are a valuable community resource and the key objective of the PoM is to provide a clear direction that will enable the history of Jerilderie be shared

with members the local community and visitors to the local government area while facilitating opportunities for the use of the buildings for purposes that would allow the ongoing conservation of the heritage items.

2.1 Why is Murrumbidgee Council preparing a Plan of Management?

Murrumbidgee Council was established on 12 May 2016 following the merger of Murrumbidgee Shire Council and Jerilderie Shire Council and under the provisions of the Crown Land Management Act, 2016 has been appointed as a Crown Land Manager. Under the provisions of the aforementioned Act, the responsibilities that fall upon a Crown Land Manager is to ensure that land resources are to be shared equitably in accordance with the principles of environmental protection, conservation and ecological sustainability, public use and enjoyment as well as encouraging multiple use of the land. As Crown Land Manager, Murrumbidgee Council is required to prepare a plan of management for over 30 parcels of Crown land it is responsible for.

A plan of management can fulfil many purposes and a Crown Land Manager may, for example, use a plan of management to:

- Provide a single document that collates information held by Council to enable a single point of reference;
- Expand upon the Council's corporate objectives and direction set out in its Community Strategic Plan;
- Provide an outline the day-to-day use and management of community land;
- Ensure that the environment is properly managed in accordance with the principles of sustainable development;
- Incorporate a masterplan that provides directions for future development, including landscaping and the provision of infrastructure;
- Identify risks associated with the use of the land and incorporate mitigation measures including emergency response actions;
- Explain how the provisions of a local environmental plan or development control plan are to be applied to the particular reserve and if required provide additional guidelines;

It is not intended that the Plan of Management for Areas of Cultural Significance – Jerilderie Courthouse & Library will cover all of the items listed above.

2.1 Corporate objectives of Murrumbidgee Council

The management actions in this Plan of Management are have been formulated so that they align with Murrumbidgee Council's Community Strategic Plan (CSP) that was adopted in 2019, which has been adopted on two guiding tenants, one being the principle of social justice and the other being sustainability.

Social justice principles underpinned the Murrumbidgee Council CSP are:

Equity – there should be fairness in decision making, prioritizing and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances.

Access – all people should have fair access to services, resources and opportunities to improve their quality of life.

Participation – everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives

Rights – equal rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds to participate in community life.

2.2 Land to which this plan applies

This plan of management is for the Jerilderie Courthouse & Library, which provides a history of European heritage which has been categorised as an area of cultural significance. This plan of management, along with similar plans for the Darlington Point Museum and The Willows is to enable consistent management which supports a cohesive approach to meeting the diverse needs of the community. Land covered by this plan of management is listed in Table 1 below and highlighted in Figure 1 on the following page:

Table 1: Land covered by this Plan of Management

Land	Real property description	Land owner
R150042 Jerilderie Court House and Library	Lot 228 DP 820111	Crown land managed by Murrumbidgee Council.

Figure 1 – Aerial Image of Jerilderie Courthouse & Library



Land not covered by this plan includes community land covered by other plans of management listed in Table 2.

Table 2: Area of cultural significance not covered by this plan of management

Land	Reason
<p><i>R62157</i> <i>Pump station</i></p>	<p>This site has dual categorisation including a natural area and it has been included in the generic plan of management for natural areas</p>
<p><i>R89633</i> <i>The Willows, Jerilderie</i></p>	<p>This site has its own unique characteristics and a separate plan of management is warranted.</p>

Land	Reason
R88058 <i>Darlington Point Museum</i>	This site has its own unique characteristics and a separate plan of management is warranted.

2.3 Owner of the land

For the purpose of Section 37 of the Local Government Act, 1993 column three of Table 1 identifies land that is owned by the Crown and that Murrumbidgee Council has been appointed as Crown Land Manager under the provisions of Division 3.2 of the Crown Land Management Act, 2016.

The land identified is not subject to any trust, estate, interest, dedication, condition, restriction or covenant referred to in clause 37(b) of the Local Government Act, 1993. Further there is no condition or restriction imposed by the owner in respect to the use of management of the land as referenced in clause 37(c) of the Act.

2.4 Categorisation of the reserve

The land covered by this plan of management is public land and for the purpose of clause 26 of the Local Government Act, 1993 is classified as community land. Table 3 identifies the purpose of the reserve and the categorization of the land as confirmed by the Department of Planning, Industry and Environment – Crown Lands.

Table 3: Land categorisation

Land	Purpose(s)	Categorisation
R150042 <i>Jerilderie Court House and Library</i>	Community purposes and heritage purposes	Area of cultural significance and general community use

3. Relevant legislation, policies and procedures

The statutory framework for the preparation and operation of the Plan of Management for Areas of Cultural Significance is primarily guided by:

- Local Government Act, 1993
- Local Government (General) Regulation, 2021
- Crown Land Management Act, 2016
- Crown Land Management Regulation, 2018

Other legislation, regulations and environmental planning instruments that may be of relevance to the Plan of Management for Areas of Cultural Significance include:

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation, 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- Jerilderie Local Environmental Plan, 2012;
- Companion Animals Act, 1998;
- Disability Discrimination Act, 1992.

3.1 Local Government Act 1993

Section 3.23(6) of the Crown Land Management Act, 2016 requires Murrumbidgee Council to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown Land Manager, and that is classified as community land under the Local Government Act 1993 (LG Act). These PoMs must be prepared and adopted in accordance with the provisions of Division 2 of Part 2 of Chapter 6 of the LG Act. The core objectives for the management of community land categorised as an area of cultural significance are set out in sections 36H and 36I of the Local Government Act, 1993 and clauses 105 and 106 of the Local Government (General) Regulation, 2021 respectively. These core objectives are as follows:

Table 4: Core objectives

Land	Guidelines ¹	Core Objectives ²
<i>General community use</i>	Land that may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public.	<p>The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:</p> <ul style="list-style-type: none"> a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)

¹ NSW Local Government (General) Regulation 2021, Part 4 Division 1, Guidelines for the categorisation of community land.

² NSW Local Government Act 1993, Part 2 Division 2, Use and management of community land.

<p><i>Area of cultural significance</i></p>	<p>Land is to categorised as an area of cultural significance includes an area of Aboriginal significance; or is an area of aesthetic significance; or is an area of archaeological significance; or is an area of historical significance; or is an area of technical or research significance; or is an area of social significance.</p>	<p>The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area for past, present or future generations by the active use of conservation methods including:</p> <ul style="list-style-type: none"> a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance, b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material, c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state, d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact), e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.
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It should be noted that a key objective of general community use has the underlying intention of promoting and encouraging the use of these reserves for the purpose of the cultural, social, intellectual and education welfare for individual members of the public and the local community.

While the Local Government Act 1993 (LG Act) contains many provisions that have an impact on the management of the Reserve there is one aspect of particular importance: the approval requirements certain activities specified in the Table from Section 68 of the Act, in particular those listed under Part D Community land.

Section 68 of the Act requires a person, wanting to carry out and activity specified in the Table D, to obtain approval from Council to undertake in any of the following activities:

-
- 1 Engage in a trade or business
 - 2 Direct or procure a theatrical, musical or other entertainment for the public
 - 3 Construct a temporary enclosure for the purpose of entertainment
 - 4 For fee or reward, play a musical instrument or sing
 - 5 Set up, operate or use a loudspeaker or sound amplifying device
 - 6 Deliver a public address or hold a religious service or public meeting

The Crown Land Management Act 2016 specifies that approvals of activities under the Local Government Act 1993 must comply with plans of management and that a local council cannot grant an approval for an activity on dedicated or reserved Crown land under Part 1 of Chapter 7 (including Section 68) of the Local Government Act 1993 that contravenes a plan of management for the land.

It is considered, that while the activities listed above may be permitted on community land and consistent with the categorization of the land, not all would be consistent with the purpose of the reserve.

3.2 Crown Land Management Act 2016

Section 3.23(6) of the Crown Land Management Act, 2016 (CLM Act) requires Murrumbidgee Council to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown Land Manager and that is classified as community land under the Local Government Act 1993 (LG Act).

The objects and principles of Crown Land Management are listed in Sections 1.3 and 1.4 of the CLM Act 2016 provide a legislative starting point for preparation of a plan of management. The principles of Crown Land Management are:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land, and
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- (c) that public use and enjoyment of appropriate Crown land be encouraged, and
- (d) that, where appropriate, multiple use of Crown land be encouraged, and
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licensed or otherwise dealt within the best interests of the State consistent with the above principles.

Crown Land Managers have a statutory responsibility for the care, control and management of the Crown Land for the purposes for which the land is reserved or dedicated or other purposes as authorised by the Act. In this instance the statutory responsibilities assigned to Murrumbidgee Council, as Crown Land Manager, are drawn from Division 3.4 of CLM Act. In this regard Murrumbidgee Council is authorised to:

- Classify and manage its dedicated or reserved Crown land as if it were public land within the meaning of the Local Government Act 1993, subject to this Division (see section 3.21(1).
- To manage its dedicated or reserved Crown land as if it were community land or operational land, but only as permitted or required by this Division including those functions ascribed to it pursuant to section 3.22 of the CLM Act.
- Assign an initial category or categories to the Crown Land in accordance with sections 3.23(2) & (3) of the CLM Act that Council considers to most closely relate to the purpose for which the land is dedicated or reserved.
- Prepare the first plan of management applicable to the land, either by amending an existing plan of management that applies to the land or adopt a new plan of management.

On 25 February 2020 Murrumbidgee Council resolved to provide written notice to the Minister of the initial categorisation of the Crown Land pursuant to section 3.23(4) Murrumbidgee Council. The copy of the initial categorisation of the reserves listed Table 3 and other land managed by Murrumbidgee Council was sent to the Department of Planning, Industry & Environment (Crown Lands) on 4 March 2020.

This Plan of Management for Areas of Cultural Significance – Jerilderie Courthouse & Library is based on the initial for categorisation of the reserve which was approved by Minister

3.3 Other relevant legislation and statutory controls

The following is an overview of any other relevant legislation and statutory controls including the provision of relevant factors listed in an environmental planning instrument, including the provisions of the relevant environmental planning instruments and in other council plans, strategies, policies and procedures.

3.3.1 Native Title Act, 1993

All activities on the land must address the issue of native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation of the future act procedures in Division 3 of the Native Title Act, 1993 by Council's Native Title Manager.

3.3.2 Aboriginal Land Rights Act, 1983

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Councils to claim certain Crown Land. Generally the Aboriginal Land Rights Act, 1983 is directed at allowing local Aboriginal Land Council's to claim Crown land that is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land Council.

Strategies which allow Council to validly carry out a project or activity under the Native Title Act may not deal with project risks arising in relation to the Aboriginal Land Rights Act, 1983. Council should be mindful that any activity on Crown land is lawful in relation to the reserve purpose of the land, Council should ensure that Crown land under its control is at all times lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or license or any public works, Council should request a search to determine whether an Aboriginal Land Rights claim has been made in relation to the land. If a claim is registered the activity must be postponed until the claim is resolved.

The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected.

3.3.3 Environmental planning & assessment act, 1979

The Environmental Planning and Assessment Act, 1979 (EP&A Act) provides the fundamental framework for which planning and development in NSW takes place, with Part 3 of the Act providing

the mechanism for how environmental planning instruments are made; Part 4 relating to development assessment and consent; and Part 5 address infrastructure and environmental assessment.

3.3.3.1 State environmental planning policies

A state environmental planning policy is an environmental planning instrument made under Part 3 of the EP&A Act that guides development and land use within NSW. There are presently 38 State environmental planning policies in force, not all of which apply to the local government area of Murrumbidgee Council. Those applying to Murrumbidgee Council are:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Primary Production) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Resources and Energy) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy No 65—Design Quality of Residential Apartments

It should be noted that not all these would be applied to the development within Plan of Management for Areas of Cultural Significance – Jerilderie Courthouse & Library, as many relate to development that is inconsistent with the purpose of the reserve and the categorisation of the land and this plan of management.

3.3.3.2 Local environmental plans

Murrumbidgee Council administers two (2) local environmental plans being the Jerilderie Local Environmental Plan 2012 (JLEP) and the Murrumbidgee Local Environmental Plan 2013 (MLEP). Both of these environmental planning instruments were made under Part 3 of the EP&A Act that guide development and land use within the Murrumbidgee Council local government area.

Table 5: Land zoning

Land	Local environmental plan	Zoning
R150042 Jerilderie Court House and Library	Jerilderie Local Environmental Plan 2012	RU5 Village

Figure 2: Extract from JLEP 2012 Zoning Map



The RU5 Village zone under Jerilderie Local Environmental Plan 2012 is considered to be an open zone, that is one where a broad range of land uses and typically lists any number of uses, including any other development not specified in item 2 of 4, where item 2 refers to development permitted without consent and item 4 identifies development that is prohibited. Specifically, the Land Use Table in JLEP 2012 states:

1 Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.

2 Permitted without consent

Environmental protection works; Home-based childcare; Home occupations; Roads; Water reticulation systems

3 Permitted with consent

Centre-based childcare facilities; Community facilities; Dwelling houses; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Electricity generating works; Farm buildings; Farm stay accommodation; Forestry; Heavy industrial storage establishments; Heavy industries; Jetties; Marinas; Mooring pens; Moorings; Pond-based aquaculture Rural industries; Rural workers' dwellings; Sex services premises; Waste or resource management facilities; Wharf or boating facilities

3.3.1.2 Development Control Plan

A development control plan provides detailed planning and design guidelines to support the planning controls in a local environmental plan. Development control plans are prepared in accordance with Section 3.43 of the Environmental Planning and Assessment Act, 1979.

Murrumbidgee Council has two (2) development control plans in force. These documents are published on the NSW Planning Portal and on Council's website.

3.4 Review of this plan

This Plan of Management has been prepared pursuant to the provisions of the Crown Land Management Act 2016 to provide an appropriate statutory basis for the continuing improvement and function of the former Jerilderie Courthouse and Library.

This Plan provides a medium-term strategy for the management and maintenance of the reserves. It is anticipated most of the works described will be implemented over a five to ten-year period. Priorities for works and funding are to be addressed on an annual basis to meet development priorities and community needs.

This Plan is to be reviewed approximately every five years or as required to ensure it continues to be relevant to and consistent with government legislation and policy and community expectation.

3.5 Community consultation

Murrumbidgee Council acknowledges that community participation is essential and how Council engages the community in terms of its legislative requirements and has adopted a Community Participation Plan (CPP) and a Communication Strategy. Both documents have been designed to provide the community an understanding of how to participate in planning and other matters, including the management of community land.

The level and extent of community participation will vary depending on the community, the nature of the proposal under consideration and potential impacts of the decision. As a minimum, the CPP and Communication Strategy demand that its statutory obligations are properly met. In this respect Section 38 of the LG Act requires:

- (1) Council must give public notice of a draft plan of management.
- (2) The period of public exhibition of the draft plan must be not less than 28 days.
- (3) The public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to Council.
- (4) Council must, in accordance with its notice, publicly exhibit the draft plan together with any other matter which it considers appropriate or necessary to better enable the draft plan and its implications to be understood.

In accordance with section 39 of the LG Act Council must, before giving public notice of the draft plan of management forward a copy of the draft to the Crown, as Council is not the owner of the land.

With regard to the provisions of sections 38 and 39 of the LG Act, Council resolved on **[insert date]** to adopt the draft plan of management and to:

- Provide the landowner with a copy of the draft PoM.
- Place the draft PoM on public exhibition for 28 days.

The exhibition included advertisement in local newspapers, on Council's website and documents being made available at its administration buildings in Coleambally, Darlington Point and Jerilderie.

Following consideration of submissions, Council resolved on **[insert date]** to adopt the Plan of Management for Areas of Cultural Significance – Jerilderie Courthouse & Museum.

4. Land comprising the habitat of endangered species or threatened species

The provisions of sections 36A and 36B of the Local Government Act, 1993 do not apply to any of the reserves for the following reasons:

-
- that no part of the reserve has been declared to be an area critical habitat under the Threatened Species Conservation Act, 1995, and
 - that no part of the reserve has been declared to be an area of critical habitat under Part 7A of the Fisheries Management Act, 1994, and
 - the reserve is not affected by a recovery plan for the purpose of Part 4 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994, and
 - the reserve is not affected by a threat abatement plan for the purpose of Part 5 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994, and

5. Land containing significant natural features

The provisions of section 36C of the Local Government Act, 1993 does not apply to any of the reserves as the land is not subject to a resolution of Murrumbidgee Council that declared the land, being a 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
- a wildlife corridor.

6. Culturally significant land

In terms of section 36D(1) Murrumbidgee Council, when initially categorising the community land comprising Crown Reserve No. 150042, declared the former Jerilderie Courthouse & Library was as an area of cultural significance because of its local historical and cultural significance.

While the resolution of Council did not specifically declare the reserve having historical or cultural significance it must be noted that the site containing the former Jerilderie Court House group (I10) is listed in Schedule 5 of JLEP 2012 as heritage item. The status has heritage items requires the provisions of clause 5.10 of those environmental planning instruments to be taken into consideration in assessing any development application on the land. Further a search of the NSW Environment & Heritage Aboriginal Heritage Management Information System on 18 September 2020 indicates that:

- No Aboriginal sites are recorded in or near³ the above location; and
- No Aboriginal places have been declared in or near the above location.

³ The search parameter applied was within 200m of each of the lots

In considering the provisions of section 36D(2) and (3) this plan of management, the following is noted:

- Applies to Lot 228 DP 820111 in its entirety.
- Crown Reserve No. 150042 and the buildings contained therein are because of the historical and cultural connection to Jerilderie makes the reserve an area of cultural significance.
- The provisions set out in Table 7 and in clause 9 of this plan of management are designed to protect the Jerilderie Courthouse, including the features of Jerilderie LEP which designates the site as being a heritage item.
- The plan of management incorporates the core objectives under section 36 of the LGA, 1993.

Further as part of its public notice requirements under section 38 (LGA, 1993) Council will notify the Chief Executive of the Office of Environment and Heritage and incorporate and submission made.

PART 2: DETAILED INFORMATION REGARDING CATEGORIES OF LAND

This Plan of Management applies to Crown Land Reserve listed in Table 6 below is owned by the state of New South Wales and Murrumbidgee Council has been appointed the Crown Land Manager. Part 2 provides detailed information regarding the area of cultural significance and general community use categorisation of the land, Murrumbidgee Council's vision for the reserve, existing site conditions and

current use of the land, identification of appropriate development within the reserves and directions of how the land will be managed for and on behalf of the community.

Table 6: Reserve purpose and gazette date

Land	Purpose & Gazette date	Categorisation
R150042 Jerilderie Court House	Community purposes and heritage purposes 4 October 1991	Area of cultural significance and general community use

7. Management directions

Murrumbidgee Council acknowledges that the Jerilderie Court House and Library provide the local community with a strong sense of its link to the past. Currently the reserve is not being utilised to its full potential, and the Plan of Management examines opportunities which would result in the conservation of heritage items and thus maintain the community's link to its history.

This section aims to provide an overview of Murrumbidgee Council's broad development and management strategies for the reserves. It will identify the existing condition of the land and structures on the adoption of the plan, identify existing uses of the land as well as additional matters dealing with the day-to-day management and maintenance of the reserve.

In order to realise the potential of the land and provide a greater benefit for the local community the following directions for the management of the reserve are proposed:

- Enable sympathetic uses of the buildings that are Tables 7 & 8 to enable the conservation of the structures and preserve the historic association of the reserves with the community.
- To enable activities identified in Table D under Section 68 of the LG Act.

To maintain the structural integrity of the buildings within the boundaries of the reserves and preserve the history Jerilderie through proper conservation strategies.

8.1 Statutory guidelines for development of the reserves

Section 36(3A)(b) of the Local Government Act requires that any site-specific plan of management must:

- (i) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used

-
- (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or license or otherwise
 - (iii) describe the scale and intensity of any such permitted use or development.

The current uses of each of the sites are consistent with the categorisation of the land as an area of cultural significance. Further the previous use of the Jerilderie Court House was in keeping with the categorisation as general community use.

The provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021 (SEPP) identifies certain development that is exempt or may be carried out without consent. All other development is legislated in MLEP 2012 as being permissible without consent, permitted with consent or otherwise is prohibited. With regard to clause 2.73(1)(d)(ii) of the SEPP, development for any purpose may be carried out without consent on Crown managed land by or on behalf of the Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted under the Local Government Act 1993 in relation to Crown managed land managed by a Council. Irrespective of the categorisation of the land, the provisions of clause 2.73(3)(a) and 2.74(1) allows certain development that may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council.

Under JLEP 2012 the reserve is zoned RU5 Village and one of the objectives of the zone is to allow for a range of land uses, services and facilities that are associated with a rural village. Table 7 below identifies the uses that are exempt development, permitted with or without the consent in an environmental planning instrument and Council's plan of management. As described in section 3.3.1.1 of this plan, the RU5 Village zone is an open zone and permits a wide range of uses, however not all uses are deemed compatible with the current use of the land or the purpose of the reserve and in this regard Table 7 identifies certain uses that would complement the current reserve purpose and provide scope or Council to ensure the heritage integrity of the buildings are made through sympathetic development.

Table 7 - Permitted uses of land consistent with reserve purpose

Land Use	Provisions of an environmental planning instrument	Allowed under Plan of Management	Reason
Community facilities	Permitted with consent under JLEP 2012.	Allowed.	Community facilities are consistent the broad objectives relating to social and cultural cohesion of the community and would be consistent with both the purpose of the reserve and its categorisation.
Environmental protection works	Permitted with consent under JLEP 2012.	Allowed.	Environmental protection works to protect the land from environmental degradation is not contrary to the purpose or categorisation of the reserve.
Roads	Permitted with consent under JLEP 2012.	Not allowed. In the event that road widening is required Council would be required to acquire the land.	The construction of a road is considered inconsistent with the purpose and categorisation of the reserve.
SEPP (Transport & Infrastructure)	Exempt development or permitted without consent.	Allowed, subject to satisfying the requirements of clause 2.73 & 2.74 of SEPP (Transport & Infrastructure).	Identified in SEPP (Transport & Infrastructure) 2021 as exempt development or development permitted without consent.
Water reticulation systems	Permitted without consent under JLEP 2012 and MLEP 2012	Allowed.	Water reticulation systems are consistent with the categorisation of the reserve.
Any other development	Permitted with consent under both JLEP 2012 and MLEP 2012.	Not allowed unless listed in Table 8 or an amendment to the Plan of Management is made.	The open zone of the RU5 provides an opportunity for a wide range of land uses some of which may or may not be compatible with the categorisation of the land. Should a use be proposed that is consistent with the objectives of general community use or a park, then Council will consider amending the Plan of Management.

Table 8 – Other development that may be considered

Land Use	Provisions of an environmental planning instrument	Allowed under Plan of Management	Reason
Health consulting rooms	Permitted with consent under JLEP 2012.	Allowed where it can be demonstrated that a lease for health consulting rooms will contribute to any building located within the reserve will be maintained and protected.	The leasing of buildings for the purpose of a health consulting rooms provide a community facility that would be consistent with the purpose and categorisation of the reserve.

8.2 Use of the land and structures at the date of adoption of the plan

In accordance with section 36(3A)(a) of the LG Act include a brief outline of the current usage is reserve, including any details of current leases/licenses or other arrangements for the use of the land.

At the time of preparing the plan of management the building was vacant, however its former use which under the provisions of JLEP 2012 would fall within the definition of a *community facility* or a *public administration building*.

The site contains an historic building which has previously include use as the community library and court house. The building and yard are well maintained. An information plaque/sign at the front of the site provides an outline of the building's history.

There are no leases, licenses or other arrangements in place regarding the use of the land.

8.3 Condition of the land and structures on adoption of the plan

The provisions of Section 36(3A)(a) of the LG Act requires a plan of management to include a description of the condition of the land and structures within the reserve upon adoption of the plan.

At the date of adoption of the PoM the site and building may be considered as being in good condition and it and the site well maintained.

The grounds are pleasantly landscaped and well-watered and maintained.

Figure 3A – Existing building⁴



Figure 3B – History trail plaque



Figure 3C – Lawns and gardens



Figure 3D – Rear of existing building



8.3 Permitted use and future use

Section 36(3A)(b) of the Local Government Act requires that any site-specific plan of management must:

- (iv) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used
- (v) specify the purposes for which any further development of the land will be permitted, whether under lease or license or otherwise
- (vi) describe the scale and intensity of any such permitted use or development.

⁴ Images in Figures 3A to 3D taken on 9 December 2019 © Steven Parisotto Photography

Table 9 – Appropriate uses and activities for land categorised as an area of cultural significance

Area of Cultural Significance	
Purpose or use as...	Development to facilitate
<p>The following purpose or uses are permitted by this Plan of Management on land categorised as an area of cultural significance.</p> <p>a) Land that is suitable for</p> <ul style="list-style-type: none"> ▪ Preserving the history of Jerildeire by permitting buildings with a tangible historic link to the community ▪ For community activities that promote awareness and importance of heritage within the community. <p>b) Environmental protection works including tree planting and erosion control measures and landscaping commensurate to the reserve.</p>	<p>The Plan of Management will allow and facilitate development for the purposes that would benefit the social, and cultural welfare of the community, including:</p> <ul style="list-style-type: none"> ▪ Development that includes the upgrade of the building. ▪ Allow development that is consistent with general community use purpose and categorisation where it helps conserve the heritage significance of the building. ▪ 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

Table 10 – Permissible uses and activities for land categorized as general community use

General Community Use	
Purpose or use as...	Development to facilitate
<p>The following purpose or uses are permitted by this Plan of Management on land categorized as a general community use.</p> <p>c) Land that is suitable for</p> <ol style="list-style-type: none"> <i>i.</i> The gathering of groups for a range of social, cultural or recreational purposes. <i>ii.</i> Providing multi-purpose use of building with broad based community uses such as: <ul style="list-style-type: none"> ▪ casual or informal recreation ▪ meetings (including for social, recreational, educational or cultural purposes) ▪ functions ▪ performances (including film and stage) ▪ exhibitions ▪ fairs and parades ▪ workshops ▪ leisure or training classes 	<p>The Plan of Management will allow and facilitate development for the purposes that would benefit the social, community, and cultural welfare of the community, including:</p> <ul style="list-style-type: none"> ▪ Landscaping and finishes, improving access, amenity and the visual character of the general community area ▪ Water saving initiatives such as rain gardens ▪ Energy saving initiatives such as solar lights and solar panels ▪ Carparking and loading areas ▪ Signage related to the approved use of the site

<ul style="list-style-type: none"> ▪ childcare (e.g. before and after school care, vacation care) ▪ designated group use (e.g. scout and girl guide use) <p>d) Environmental protection works including tree planting and erosion control measures and landscaping commensurate to the reserve.</p>	
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8.3.1 Jerilderie Court House & Library as an area of cultural significance

The purpose of this section is to provide and understanding of the core objectives for community land as an area of cultural significance, identify the legislative requirements concerning the development of the land and otherwise identify key matters that set out the strategy for managing the reserves as areas of cultural significance.

The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area for past, present or future generations by the active use of conservation methods including:

- (a) *the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,*
- (b) *the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material,*
- (c) *the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,*
- (d) *the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),*
- (e) *the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.*

8.3.2 Jerilderie Court House and Library as a general community use

The purpose of this section is to provide and understanding of the core objectives for community land as a general community use, identify the legislative requirements concerning the development of the

land and otherwise identify key matters that set out the strategy for managing the Jerilderie Court House and Library as a *general community use*.

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

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

The management of the reserve require Murrumbidgee Council to set out in its annual budget funds for the ongoing protective care and maintenance of the buildings and land within each of the reserves and this is undertaken as a financial loss as revenue streams from each of the reserves is limited.

As identified in previously (see Tables 7 and 8) there are a number of land uses that are permissible with the RU5 Village zone (which applies to each of the reserves) and would be consistent with the categorisation of the land for as an area of cultural significance as well as the general community use which applies to the Jerilderie Court House and Library. The nominated uses listed in Tables 7 & 8 type of development is listed in the relevant environmental planning instruments which are forms of development that can be carried out, but only with the consent. That is to say a development application must be lodged with the consent authority for assessment and determination in accordance with sections 4.15 and 4.16 of the Environmental Planning and Assessment Act, 1979 (EP&A).

It is considered that identifying sympathetic land uses would provide opportunities for Council to source a regular revenue stream, rather than relying solely on income from rates and grant funding. Further the uses identified in Table 7 & 8 would be consistent with one of the core objectives of community land categorised as an *area of cultural significance*. Specifically (d) which encourages the adaptive reuse of the land by allowing compatible uses, that would uses involve either no change to the cultural significance of the area including changes to the physical material or uses that involve changes that are substantially reversible or changes that require a minimum impact.

8.4 Leases, licences and other estates

Leases, Licences and other estates formalise the use of community land by groups such as sporting clubs and non-profit organisations, or by commercial organisations and individuals providing facilities and services for public use. Activities should be compatible with the zoning and reservation purpose of the land and provide benefits and services for facilities to the users of the land.

Occupation of the land other than by lease or licence or other estate or for a permitted purpose listed in the Local Government (General) Regulation 2021 is prohibited.

The terms of the authorisation for a lease licence or other estate should include Native Title assessment and validation under the Native Title Act 1993 and should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983. The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected. 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.

The Plan of Management Areas of Cultural Significance – Jerilderie Court House & Library expressly authorises the issue of leases, licences and other estates over the land covered by the plan of management, in accordance with section 46(1)(b) of the LG Act, provided that:

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

9. Administration of Plan and Performance Targets

Section 36(3) of the LG Act requires, as a minimum, for all plans of management, include the following:

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

The following table identifies the management issues; objectives and performance targets; the means in which Council will achieve the stated objectives and the manner in how the performance target is assessed.

Table 9 - Objectives and performance targets

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	Provide defined paths for pedestrian access, including where practical assess and facilities for people with disabilities, to and within reserve.	Appropriate design and construction for pavements, facilities and other structures to comply with relevant Australian Standards.	Assess useability of the reserves by wheelchair users through surveys and observation.
Alcohol	<i>Implement controls to prohibit the consumption and/or possession of alcohol, except within designated or leased areas.</i>	<i>Use of regulatory signs and enforcement.</i>	<i>Record all complaints and investigations and where necessary take appropriate regulatory action.</i>
Artworks and monuments	<i>Allow for public and community artworks and monuments in appropriate settings.</i>	<i>Engage appropriate persons to engage the community to identify, commission & erect artworks.</i>	<i>Document comments received in respect to artworks.</i> <i>Install artworks based on any budgetary funding or State and Federal grants</i>
Buildings	<i>Allow safe, clean, convenient and hygienic public amenity facilities for persons of all abilities.</i> <i>Allow buildings and building alterations, ancillary to the use of the reserve.</i> <i>Allow for multi-purpose use of existing building.</i>	<i>Undertake regular cleaning and maintenance of the public amenities</i> <i>Provision and maintenance of security lighting in an around the amenities' building.</i> <i>Undertaking an appropriate review of environmental factors when considering development listed in State Environmental Planning Policy (Transport Infrastructure) 2021, where Council is to carry out the works.</i> <i>Assess and determine any development application in accordance with the provisions of the Environmental Planning & Assessment Act, 1979.</i>	<i>Undertake daily cleaning of the public amenities, and identify any new maintenance matters out or incidents of vandalism.</i> <i>Record and respond to complaints about hygiene and maintenance.</i> <i>Undertake regular of maintenance of the amenities in accordance with any operational plan for upkeep of all parks and recreational facilities within the local government area.</i> <i>Record all incidents of accidents and near misses as a result of damage or wear and tear to the amenity facilities.</i>

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
<i>Hours of Usage</i>	<i>Restrict the hours of use of the facilities commensurate to the amenity of the area.</i>	<i>Council approval and regulatory signs for special events and group activities.</i>	<i>Record and investigate the number of unauthorised special events and group activities and where necessary take appropriate regulatory action.</i>
<i>Landscaping (including irrigation systems)</i>	<i>Allow use of suitable species and use of landscape materials, including mulching and edge treatments, to achieve the desired landscape character and complement the character of existing plantings.</i> <i>Allow watering systems to optimise water usage, minimise maintenance and enable appropriate vegetative growth.</i>	<i>Augment existing indigenous planting.</i> <i>Use screen planting for visual acoustic and physical buffers.</i> <i>Application of correct horticultural and tree surgery techniques.</i> <i>Minimise rubbish dumping within the local area via community education.</i> <i>Design, install and operate the irrigation system.</i>	<i>Number of comments about public acceptance and level of usage.</i> <i>Degree of turf encroachment into planted areas.</i> <i>Number of comments about maintenance, durability and public acceptance of the landscape character.</i> <i>Number of reported incidents of rubbish dumping .</i> <i>Number of incidents of failure of the irrigation system.</i>
<i>Lighting</i>	<i>Allow security lighting which will enable safe movement of pedestrians along major access routes at night.</i> <i>Prevent excessive lighting impacts on adjoining land uses.</i> <i>Allow for lighting of special events at night.</i> <i>Allow for the lighting of architectural or landscaped features.</i>	<i>Set appropriate illumination levels.</i> <i>Design, site and install light facilities.</i> <i>Regulate times for lighting of special events.</i> <i>Council approval.</i>	<i>Number of comments from adjoining residents and Park users.</i> <i>Number of problems related to inadequate lighting.</i>
<i>Signage</i>	<i>Allow suitable information, regulatory, identification, interpretive and directional signage relating to the reserve</i> <i>Regulate advertising signage.</i>	<i>Appropriate design and siting of signage in accordance with the relevant development control plan.</i> <i>Council approval.</i>	<i>Number of user comments.</i> <i>Number of ordinance investigations and prosecutions.</i>

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
<i>Site Utility Services</i>	<i>Allow for the installation of all services as required by site usage.</i>	<i>Approval by the appropriate Statutory Authorities.</i> <i>Construction and installation of all necessary services.</i> <i>Registration of appropriate easements.</i>	<i>All facilities are adequately serviced, identified and located.</i> <i>Number of objections received from service authorities about the location and quality of services.</i> <i>Number of site utility service installations constructed.</i>
<i>Special Events</i>	<i>Allow special events within the reserve with minimal adverse visual, physical, social and environmental impact.</i>	<i>Council approval as required under Environmental Planning & Assessment Act, 1979 and/or Local Government Act, 1993</i>	<i>Number of comments about special events.</i> <i>Attendance levels at special events.</i>
<i>Vandalism</i>	<i>Minimise vandalism within the reserve.</i>	<i>Appropriate landscape design techniques.</i> <i>Appropriate use of materials.</i> <i>Encouragement of community involvement and education.</i> <i>Appropriate use of signage. Prompt repair of vandalised areas.</i>	<i>Number of reported incidents of vandalism</i>
<i>Waste Management</i>	<i>Minimise litter within the reserve.</i> <i>Encourage recycling.</i>	<i>Provide and service enough waste management facilities in strategic locations.</i> <i>Provide a recycling bins for glass, aluminium, PET plastics etc.</i>	<i>Number of garbage and recycling bins provided.</i> <i>Number of comments in relation to inadequate waste facilities.</i>

APPENDICIES

APPENDIX A - Definitions

Term	Legislative definition
community facility	<p>means a building or place—</p> <ul style="list-style-type: none"> (a) owned or controlled by a public authority or non-profit community organisation, and (b) used for the physical, social, cultural or intellectual development or welfare of the community, <p>but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.</p>
community land	<p><i>means –</i></p> <p><i>land that is classified as community land under Division 1 of Part 2 of Chapter 6. (Local Government Act, 1993)</i></p>
community participation plan	<p><i>means –</i></p> <p><i>a community participation plan prepared and published under Division 2.6. (Environmental Planning and Assessment Act, 1979)</i></p>
environmental planning instrument	<p><i>means –</i></p> <p><i>an environmental planning instrument (including a SEPP or LEP but not including a DCP) made, or taken to have been made, under Part 3 and in force. (Environmental Planning and Assessment Act, 1979)</i></p> <p><i>Note. SEPP is an acronym for State Environmental Planning Policy, a LEP is a Local Environmental Plan, and a DCP is a Development Control Plan.</i></p>
health consulting rooms	<p>means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.</p>
plan of management	<p><i>means –</i></p> <p><i>a plan of management adopted by a council under Division 2 of Part 2 of Chapter 6 and in force in relation to an area of public land. (Local Government Act, 1993)</i></p>
public reserve	<p><i>means –</i></p> <ul style="list-style-type: none"> (a) a public park, or (b) any land conveyed or transferred to the council under section 340A of the Local Government Act 1919, or

-
- (c) any land dedicated or taken to be dedicated as a public reserve under section 340C or 340D of the [Local Government Act 1919](#), or
 - (d) any land dedicated or taken to be dedicated under section 49 or 50, or
 - (e) any land vested in the council, and declared to be a public reserve, under section 37AAA of the [Crown Lands Consolidation Act 1913](#), or
 - (f) any land vested in the council, and declared to be a public reserve, under section 76 of the [Crown Lands Act 1989](#), or
 - (g) Crown managed land that is dedicated or reserved—
 - (i) for public recreation or for a public cemetery, or
 - (ii) for a purpose that is declared to be a purpose that falls within the scope of this definition by means of an order published in the Gazette by the Minister administering the [Crown Land Management Act 2016](#),

being Crown managed land in respect of which a council has been appointed as its Crown land manager under that Act or for which no Crown land manager has been appointed, or

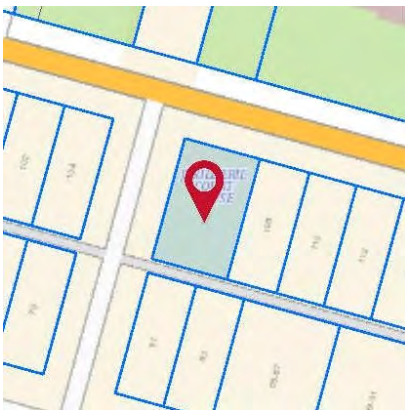
- (h) land declared to be a public reserve and placed under the control of a council under section 52 of the [State Roads Act 1986](#), or
- (i) land dedicated as a public reserve and placed under the control of a council under section 159 of the [Roads Act 1993](#),

and includes a public reserve of which a council has the control under section 344 of the [Local Government Act 1919](#) or section 48, but does not include a common.



Property Report

106 JERILDERIE STREET JERILDERIE 2716



Property Details

Address: 106 JERILDERIE STREET JERILDERIE
2716
Lot/Section No: 228/-/DP820111 /Plan
Council: MURRUMBIDGEE COUNCIL

Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Jerilderie Local Environmental Plan 2012 (pub. 22-6-2012)
Land Zoning	RU5 - Village: (pub. 22-6-2012)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	600 m ²
Heritage	Jerilderie Court House Significance: State
Land Reservation Acquisition	NA
Foreshore Building Line	NA



AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : 20-C01-POM Crthse 200

Client Service ID : 536403

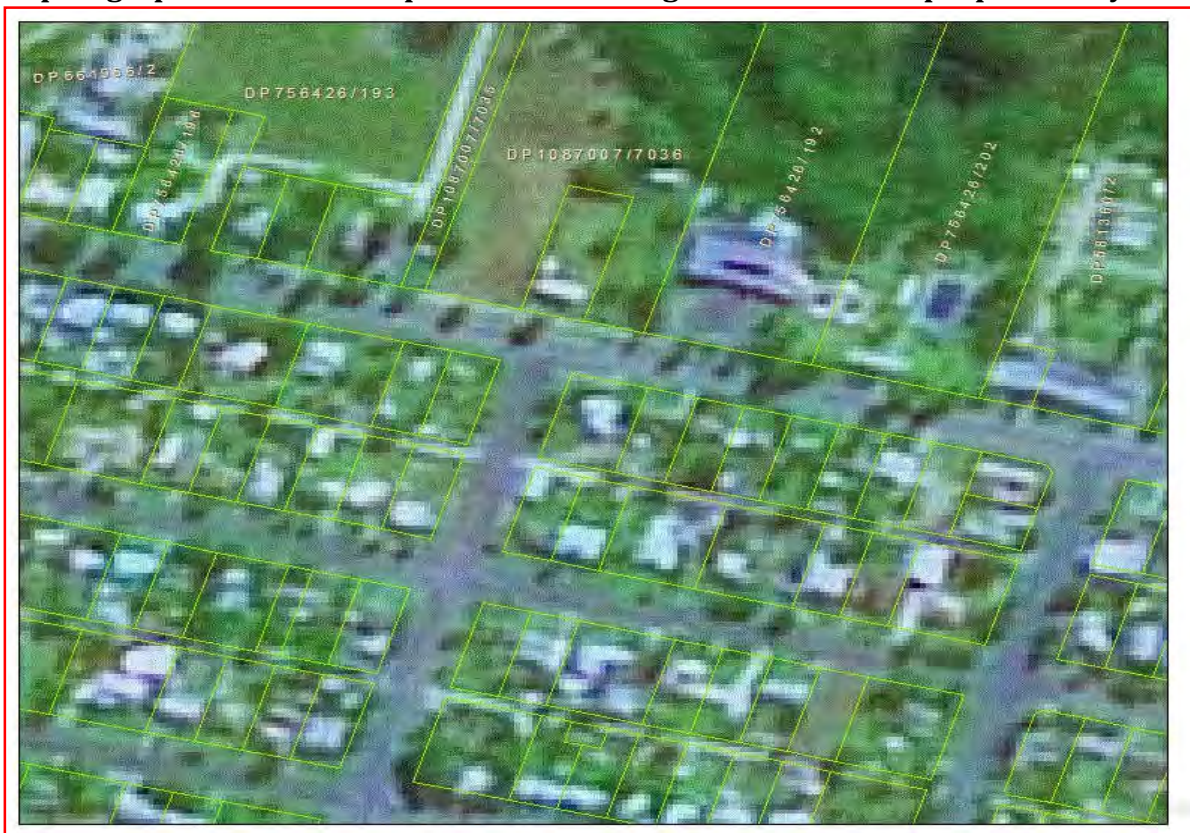
Steven Parisotto
63 Hillam Dr
Griffith New South Wales 2680
Attention: Steven Parisotto
Email: parisplan@icloud.com

Date: 18 September 2020

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 228, DP:DP820111 with a Buffer of 200 meters, conducted by Steven Parisotto on 18 September 2020.

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 the Office of the Environment and Heritage 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. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it.
- Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and
- Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Attachment # 3 - Item # 4

NATURAL AREAS

*Draft Generic Plan of
Management
2024-2029*



Murrumbidgee
COUNCIL

MARCH 2024

November 2020

*Plan of Management prepared for **Murrumbidgee Council***

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Disclaimer:

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EXECUTIVE SUMMARY

Murrumbidgee Council has a broad and diverse network of crown reserves which have been categorised as a *natural area*. The Plan of Management for Natural Areas (the plan) aims to provide a basis for guiding Council's ongoing management of Crown reserves land within the Murrumbidgee Local Government Area in accordance with the requirements of the NSW Local Government Act 1993 (the Act) and the Crown.

The intention of this plan of management is to provide Council with a framework that enables decisions in regard to community land, to be made on an informed, consistent and equitable basis. The plan of management satisfies the requirements of the Local Government Act 1993 as amended by the Local Government Amendment (Community Land Management) Act 1998.

The current use patterns; condition of the existing built and natural assets; emerging needs, constraints and opportunities, have been considered in this plan of management. The plan of management identifies appropriate objectives and actions, as well as measures that enable the successful implementation of key outcomes provided by the plan and a means for the effective ongoing management of the reserve to meet the needs of the three towns.

The plan of management has been prepared with due regard to Developing Plans of Management for Community Land Crown Reserves—Guideline for Council Crown Land Managers issued in September 2021 and the sample for a generic Crown reserve plan of management outline, in order achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that it addresses the needs of the local neighbourhood, the broader community, and the environment. It has been prepared to meet the requirements of the Local Government Act, 1993 (LG Act), as amended by the Local Government Amendment (Community Land Management) Act 1998.

The plan aims to serve as a key management tool that is strongly related to other strategic plans of Council such as Council's Management Plan.

PART 1: INTRODUCTION AND GENERAL INFORMATION

1. KEY INFORMATION

This Plan of Management Plan covers the following:

- Lot 156 DP 756425 being Crown Land Reserve No. 31393 (Pines Reserve);
- Lot 7002 DP 1019507 being Crown Land Reserve No. 33953 (Thurrowa Reserve);
- Lot 7001 DP 1001673 being Crown Land Reserve No. 55431 (Cape Reserve);
- Lots 255, 277 DP 750908, Lots 7011-7012 DP 1024215, Lot 7001 DP 1024217, Lot 7301 DP 1145310, Lot 7303 DP 1145343, Lot 7312 DP 1159328 being Crown Reserve No. 68938 which includes Bunyip Hole Reserve; and
- Part Lot 60 and part 66 DP 1145260 being Crown Reserve No. 82340 at Darlington Point.

Murrumbidgee Council is the Crown Land Manager pursuant to the relevant provisions of the Crown Land Management Act 2016 and has the responsibility for the ongoing management and care of the reserves listed above.

The generic Plan of Management for Natural Areas (NAPoM) was adopted on **[insert date]**.

Terms that are *italicised* throughout the document are terms defined by legislation. Where relevant these definitions are included in Appendix A.

2. ABOUT PLANS OF MANAGEMENT

A *plan of management* provides information about public land and its user groups stating what, why, how and by whom the integrity of any particular parcel of community land is to be managed. It establishes the values, uses, management practices and broad intent for the public purpose for which the land has been reserved or dedicated.

All plans of management are prepared in accordance with the provisions of the Crown Land Management Act 2016 for Ministerial approval. A plan of management provides a framework for the future management, use and development of reserved Crown land and should be consistent with the public purpose for the reserve and the principles of Crown land management, as well as other guidelines, policies, and any other legal requirements that may apply to the reserve.

A plan of management can be prepared for more than one parcel of land (generic or geographic) or for a single parcel (significant or specific). The NAPoM is a generic plan of management based in the primary categorization of the reserves.

The Crown land covered under this plan of management is a valuable community resource and the key objective of the NAPoM is to provide a clear direction that will enable ongoing use of the reserve.

2.1 Why is Murrumbidgee Council preparing a Plan of Management?

Murrumbidgee Council was established on 12 May 2016 following the merger of Murrumbidgee Shire Council and Jerilderie Shire Council and under the provisions of the Crown Land Management Act, 2016 has been identified as a Crown Land Manager. Under the provisions of the aforementioned Act, the responsibilities that fall upon a Crown Land Manager is to ensure that land resources are to be shared equitably in accordance with the principles of environmental protection, conservation and ecological sustainability, public use and enjoyment as well as encouraging multiple use of the land. As Crown Land Manager, Murrumbidgee Council is required to prepare a plan of management for over 30 parcels of Crown land it is responsible for.

A plan of management can fulfil many purposes and a Crown Land Manager may, for example, use a plan of management to:

- Provide a single document that collates information held by Council to enable a single point of reference;
- Expand upon the Council's corporate objectives and direction set out in its Community Strategic Plan;
- Provide an outline the day-to-day use and management of community land;
- Ensure that the environment is properly managed in accordance with the principles of sustainable development;
- Incorporate a masterplan that provides directions for future development, including landscaping and the provision of infrastructure;
- Identify risks associated with the use of the land and incorporate mitigation measures including emergency response actions;
- Explain how the provisions of a local environmental plan or development control plan are to be applied to the particular reserve and if required provide additional guidelines;

It is not intended that the NAPoM will cover all of the items listed above.

2.1 Corporate objectives of Murrumbidgee Council

The management actions in this Plan of Management are have been formulated so that they align with Murrumbidgee Council's Community Strategic Plan (CSP) that was adopted in 2019, which has been adopted on two guiding tenants, one being the principle of social justice and the other being sustainability.

Social justice principles underpinned the Murrumbidgee Council CSP are:

Equity – there should be fairness in decision making, prioritizing and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances.

Access – all people should have fair access to services, resources and opportunities to improve their quality of life.

Participation – everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives

Rights – equal rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds to participate in community life.

2.2 Land to which this plan applies

This Plan of Management Plan covers four Crown Reserves that have been categorized as *natural areas* and one reserve, being The Cape which has both a *natural area* and a *general community use* categorisation. Land covered by the plan of management is listed in Table 1:

Table 1: Land covered by this plan of management

Land	Real property description	Land owner
R31393 <i>The Pines, Jerilderie</i>	Lot 156 DP 756425	Crown land managed by Murrumbidgee Council.
R33953 <i>Thurrowa Reserve, Thurrowa</i>	Lot 7002 DP 1019507	Crown land managed by Murrumbidgee Council.

Land	Real property description	Land owner
R55431 <i>The Cape, Jerilderie</i>	Lot 7001 DP 1001673	Crown land managed by Murrumbidgee Council.
R68938 <i>Bunyip Hole Reserve</i>	Lots 255 and 277 DP 750908; Lots 7011 and 7012 DP 1024215; Lot 7001 DP 1024217; Lot 7301 DP 1145310; Lot 7303 DP 1145343; and Lot 7312 DP 1159328	Crown land managed by Murrumbidgee Council.
R82340 <i>Darlington Point</i>	Lots 60 and 66 DP 751688	Crown land managed by Murrumbidgee Council.

Table 2: Land not covered by this plan of management

R62157 <i>Pump Station, Jerilderie</i>	Lot 7014 & 7015 DP 1002224	Crown land managed by Murrumbidgee Council.
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Although the Pump Station is categorised as a *natural area*, it is also categorised as an *area of cultural significance*. As such it is subject to a separate plan of management.

2.3 Owner of the land

For the purpose of Section 37 of the Local Government Act, 1993 column three of Table 1 identifies land that is owned by the Crown and that Murrumbidgee Council has been appointed as Crown Land Manager under the provisions of Division 3.2 of the Crown Land Management Act, 2016. It also identifies land which is owned by Murrumbidgee Council and managed as community land for the purpose of the LG Act, 1993.

The land identified is not subject to any trust, estate, interest, dedication, condition, restriction or covenant referred to in clause 37(b) of the Local Government Act, 1993. Further there is no condition or restriction imposed by the owner in respect to the use of management of the land as referenced in clause 37(c) of the Act.

2.4 Categorisation of the reserves

The land covered by this plan of management is public land and for the purpose of clause 26 of the Local Government Act, 1993 is classified as community land. Table 3 identifies the purpose of the reserve and the categorization of the land as confirmed by the Department of Planning, Housing and Infrastructure – Crown Lands.

Table 3: Land categorization and gazettal date

Crown Reserve	Purpose(s) & gazettal date	Categorisation
<i>R31393 The Pines, Jerilderie</i>	Public recreation 8 September 1900	Natural area (bushland)
<i>R33953 Thurrowa Reserve, Thurrowa</i>	Refuge in time of flood 22 February 1902	Natural area (bushland)
<i>R55431 The Cape, Jerilderie</i>	Access 26 May 1922	Natural area (foreshore and bushland) & General community use
<i>R68938 Bunyip Hole Reserve, Darlington Point</i>	Public recreation 5 January 1940	Natural area (foreshore and bushland)
<i>R82340 Darlington Point</i>	Public recreation 5 February 1960	Natural area (foreshore and bushland)

3. Relevant legislation, policies and procedures

The statutory framework for the preparation and operation of the Plan of Management for Natural Areas (NAPoM) is primarily guided by:

- Local Government Act, 1993
- Crown Land Management Act, 2016
- Crown Land Management Regulation, 2018

Other legislation, regulations and environmental planning instruments that may be of relevance to the Plan of Management for Natural Areas include:

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation, 2021;
- State Environmental Planning Policy (Transport & Infrastructure) 2021;
- State Environmental Planning Policy (Biodiversity & Conservation) 2021;
- Murrumbidgee Local Environmental Plan, 2013;
- Companion Animals Act, 1998;
- Biosecurity Act, 2015;
- Biodiversity Conservation Act, 2016; and
- Fisheries Management Act, 1994.

3.1 Local Government Act 1993

Section 3.23(6) of the Crown Land Management Act, 2016 requires Murrumbidgee Council to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown Land Manager, and that is classified as community land under the Local Government Act 1993 (LG Act). These PoMs must be prepared and adopted in accordance with the provisions of Division 2 of Part 2 of Chapter 6 of the LG Act.

The core objectives for the management of community land categorized as a natural area is set out in section 36E with specific requirements for bushland and foreshore categories specified in sections 36J, 36N of the Local Government Act, 1993.

The core objectives for *general community uses* are specified in section 36I of the Act. Part 4 Division 1 the Local Government (General) Regulation 2021 set down the guidelines for the respective categorization of land (viz. 102, 106, 107 and 111).

These core objectives are set out in Table 4 on pages 12 & 13.

Table 4: Guidelines and core objectives

Land	Guidelines	Core Objectives
<p><i>Natural area</i></p>	<p>Land should be categorised as a natural area under section 36(4) of the Act if the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36(5) of the Act.</p> <p>Land that is categorised as a natural area should be further categorised as bushland under section 36(5) of the Act if the land contains primarily native vegetation and that vegetation—</p> <p>(a) <i>is the natural vegetation or a remainder of the natural vegetation of the land, or</i></p> <p>(b) <i>although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.</i></p> <p>Such land includes—</p> <p>(a) <i>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</i></p> <p>(b) <i>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</i></p> <p>(c) <i>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.</i></p> <p>Land that is categorised as a natural area should be further categorised as foreshore under section 36(5) of the Act if the land is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.</p>	<p>The core objectives for management of community land categorised as a natural area are—</p> <p>(a) 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, and</p> <p>(b) to maintain the land, or that feature or habitat, in its natural state and setting, and</p> <p>(c) to provide for the restoration and regeneration of the land, and</p> <p>(d) to 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, and</p> <p>(e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.</p>

<i>General community use</i>	Land that may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public.	<p>The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:</p> <p>a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and</p> <p>b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)</p>
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While the Local Government Act 1993 (LG Act) contains many provisions that have an impact on the management of these reserve there is one aspect of particular importance: the approval requirements certain activities specified in the Table from Section 68 of the Act, in particular those listed under Part D Community land.

Section 68 of the Act requires a person, wanting to carry out an activity specified in the Table D, to obtain approval from Council to undertake in any of the following activities:

- 1 *Engage in a trade or business*
- 2 *Direct or procure a theatrical, musical or other entertainment for the public*
- 3 *Construct a temporary enclosure for the purpose of entertainment*
- 4 *For fee or reward, play a musical instrument or sing*
- 5 *Set up, operate or use a loudspeaker or sound amplifying device*
- 6 *Deliver a public address or hold a religious service or public meeting*

The Crown Land Management Act 2016 specifies that approvals of activities under the Local Government Act 1993 must comply with plans of management and that a local council cannot grant an approval for an activity on dedicated or reserved Crown land under Part 1 of Chapter 7 (including Section 68) of the Local Government Act 1993 that contravenes a plan of management for the land.

Given the categorization of the reserves, and their character none of the listed activities under Section 68 of the Local Government would be appropriate for the reserves, except within the *general community use* portion of Cape Reserve.

3.2 Crown Land Management Act 2016

Section 3.23(6) of the Crown Land Management Act, 2016 (CLM Act) requires Murrumbidgee Council to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown Land Manager and that is classified as community land under the Local Government Act 1993 (LG Act).

The objects and principles of Crown Land Management are listed in Sections 1.3 and 1.4 of the CLM Act 2016 provide a legislative starting point for preparation of a plan of management. The principles of Crown Land Management are:

- (a) *that environmental protection principles be observed in relation to the management and administration of Crown land, and*
- (b) *that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and*
- (c) *that public use and enjoyment of appropriate Crown land be encouraged, and*
- (d) *that, where appropriate, multiple use of Crown land be encouraged, and*
- (e) *that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and*
- (f) *that Crown land be occupied, used, sold, leased, licensed or otherwise dealt within the best interests of the State consistent with the above principles.*

Crown Land Managers have a statutory responsibility for the care, control and management of the Crown Land for the purposes for which the land is reserved or dedicated or other purposes as authorised by the Act. In this instance the statutory responsibilities assigned to Murrumbidgee Council, as Crown Land Manager, are drawn from Division 3.4 of CLM Act. In this regard Murrumbidgee Council is authorised to:

- Classify and manage its dedicated or reserved Crown land as if it were public land within the meaning of the Local Government Act 1993, subject to this Division (see section 3.21(1)).
- To manage its dedicated or reserved Crown land as if it were community land or operational land, but only as permitted or required by this Division including those functions ascribed to it pursuant to section 3.22 of the CLM Act.

-
- Assign an initial category or categories to the Crown Land in accordance with sections 3.23(2) & (3) of the CLM Act that Council considers to most closely relate to the purpose for which the land is dedicated or reserved.
 - Prepare the first plan of management applicable to the land, either by amending an existing plan of management that applies to the land or adopt a new plan of management in accordance with sections 3.23 (6) & (7) of the CLM Act

On 25 February 2020 Murrumbidgee Council resolved to provide written notice to the Minister of the initial categorisation of the Crown Land pursuant to section 3.23(4) Murrumbidgee Council. The copy of the initial categorisation of Crown and other land managed by Murrumbidgee Council was sent to the Department of Planning, Industry & Environment (Crown Lands) on 4 March 2020.

This NAPoM, is based on the initial for categorisation of the reserves which was approved by Minister on **[insert date]**.

3.3 Other relevant legislation and statutory controls

The following is an overview of any other relevant legislation and statutory controls including the provision of relevant factors listed in an environmental planning instrument, including the provisions of the Native Title Act, 1993 (Commonwealth), Aboriginal Land Rights Act, 1983, Murrumbidgee Local Environmental Plan 2013 and in other council plans, strategies, policies and procedures.

3.3.1 Native Title Act, 1993

All activities on the land must address the issue of native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation of the future act procedures in Division 3 of the Native Title Act, 1993 by Council's Native Title Manager.

3.3.2 Aboriginal Land Rights Act, 1983

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Councils to claim certain Crown Land. Generally the Aboriginal Land Rights Act, 1983 is directed at allowing local Aboriginal Land Council's to claim Crown land that is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land Council.

Council should be mindful that any activity on Crown land is lawful in relation to the reserve purpose of the land, Council should ensure that Crown land under its control is at all times lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or licence or any public works, Council should request a search to determine whether an Aboriginal Land Rights claim has been made in relation to the land. If a claim is registered the activity must be postponed until the claim is resolved.

Strategies which allow Council to validly carry out a project or activity under the Native Title Act may not deal with project risks arising in relation to the Aboriginal Land Rights Act, 1983.

3.3.3 Environmental planning & assessment act, 1979

The Environmental Planning and Assessment Act, 1979 (EP&A Act) provides the fundamental framework for which planning and development in NSW takes place, with Part 3 of the Act providing the mechanism for how environmental planning instruments are made; Part 4 relating to development assessment and consent; and Part 5 address infrastructure and environmental assessment.

3.3.3.1 State environmental planning policies

A state environmental planning policy is an environmental planning instrument made under Part 3 of the EP&A Act that guides development and land use within NSW. There are presently 38 State environmental planning policies in force, not all of which apply to the local government area of Murrumbidgee Council. Those applying to Murrumbidgee Council and of likely relevance to the categorization and use of the reserves are:

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

- State Environmental Planning Policy (Transport & Infrastructure) 2021
- State Environmental Planning Policy (Biodiversity & Conservation) 2021

It should be noted that not all these would be applied to the development within NAPoM, as many relate to development that is inconsistent with the categorisation of the land and this plan of management.

3.3.3.2 Local environmental plans

Murrumbidgee Council administers two (2) local environmental plans being the Jerilderie Local Environmental Plan 2012 (JLEP) and the Murrumbidgee Local Environmental Plan 2013 (MLEP). Both of these environmental planning instruments were made under Part 3 of the EP&A Act that guide development and land use within the Murrumbidgee Council local government area.

Table 5: Land zoning

Land	Local environmental plan	Zoning of land
R31393 <i>The Pines, Jerilderie</i>	Jerilderie Local Environmental Plan 2012	RU1 Primary Production
R33953 <i>Thurrowa Reserve, Thurrowa</i>	Jerilderie Local Environmental Plan 2012	RU1 Primary Production
R55431 <i>The Cape, Jerilderie</i>	Jerilderie Local Environmental Plan 2012	RU1 Primary Production
R68938 <i>Bunyip Hole Reserve, Darlington Point</i>	Murrumbidgee Local Environmental Plan 2013	Part RU1 Primary Production; Part E3 Environmental Management; and Part RU5 Village
R82340 <i>Darlington Point</i>	Murrumbidgee Local Environmental Plan 2013	RU1 Primary Production

3.3.3.3 Development Control Plan

A development control plan provides detailed planning and design guidelines to support the planning controls in a local environmental plan. Development control plans are prepared in accordance with Section 3.43 of the Environmental Planning and Assessment Act, 1979.

Murrumbidgee Council has two (2) development control plans in force and these documents are published on the NSW Planning Portal and on Council's website.

3.4 Review of this plan

This Plan of Management has been prepared pursuant to the provisions of the Crown Land Management Act 2016 to provide an appropriate statutory basis for the continuing improvement and function of Natural Areas.

This Plan provides a medium-term strategy for the management and improvement of the reserve. It is anticipated most of the works described will be implemented over a five to ten-year period. Priorities for works and funding are to be addressed on an annual basis to meet development priorities and community needs.

This Plan is to be reviewed approximately every five years or as required to ensure it continues to be relevant to and consistent with government legislation and policy and community expectation.

3.5 Community consultation

Murrumbidgee Council acknowledges that community participation is essential and how Council engages the community in terms of its legislative requirements and has adopted a *Community Participation Plan (CPP)* and a Communication Strategy. Both documents have been designed to provide the community an understanding of how to participate in planning and other matters, including the management of community land.

The level and extent of community participation will vary depending on the community, the nature of the proposal under consideration and potential impacts of the decision. As a minimum, the CPP and Communication Strategy demand that its statutory obligations are properly met. In this respect Section 38 of the LG Act requires:

- (1) *Council must give public notice of a draft plan of management.*
- (2) *The period of public exhibition of the draft plan must be not less than 28 days.*
- (3) *The public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to Council.*

(4) Council must, in accordance with its notice, publicly exhibit the draft plan together with any other matter which it considers appropriate or necessary to better enable the draft plan and its implications to be understood.

In accordance with section 39 of the LG Act Council must, before giving public notice of the draft plan of management forward a copy of the draft to the Crown, as Council is not the owner of the land.

With regard to the provisions of sections 38 and 39 of the LG Act, Council resolved on **[insert date]** to adopt the draft plan of management and to:

- Provide the landowner with a copy of the draft PoM.
- Place the draft PoM on public exhibition for 28 days.

The exhibition included advertisement in local newspapers, on Council's website and documents being made available at its administration buildings in Coleambally, Darlington Point and Jerilderie.

Following consideration of submissions, Council resolved on **[insert date]** to adopt the Plan of Management for Natural Areas.

4. Land comprising the habitat of endangered species or threatened species

The provisions of sections 36A and 36B of the Local Government Act, 1993 do not apply to the reserves listed in Table 3 for the following reasons:

- that no part of the reserve has been declared to be an area critical habitat under the Threatened Species Conservation Act, 1995, and
- that no part of the reserve has been declared to be an area of critical habitat under Part 7A of the Fisheries Management Act, 1994, and
- the reserve is not affected by a recovery plan for the purpose of Part 4 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994, and
- the reserve is not affected by a threat abatement plan for the purpose of Part 5 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994.

5. Land containing significant natural features

The provisions of section 36C of the Local Government Act, 1993 does not apply to any of the reserves listed in Table 3 as the land is not subject to a resolution of Murrumbidgee Council that declared the land, being a 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
- a wildlife corridor.

6. Culturally significant land

In 2010 the Office of Environment and Heritage (formerly the Department of Environment, Climate Change and Water) published the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. This code of practice is aimed at assisting individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects

As part of its due diligence in preparation of this Plan of Management, a basic search of the NSW Environment & Heritage Aboriginal Heritage Management Information System (AHIMS) for each of lots within the reserves was undertaken. With the exception of Lot 7012 DP 1024215 and Lot 7312 DP 1159328 no Aboriginal sites are recorded in or near¹ the above location; and no Aboriginal places have been declared in or near the above location.

An extensive search of the AHIMS database was undertaken, and the Aboriginal sites recorded in or near these lots have been identified as modified (carved or scarred) trees and a watering hole. The site card associated with the searches indicate that the trees have moderate archaeological value, as they present some unique characteristic, material or feature.

The assessment stress that land clearance and ecological factors mean that scar trees have a finite life-span, and their study is considered important for the ongoing scientific understanding of past Aboriginal land use. Because of the increase in the disappearance of these site types in NSW, it is generally recommended that these sites be retained wherever possible.

The plan of management does not permit the removal of the any scar or modified tree.

¹ The search parameter applied was within 50m of each of the lots.

PART 2: DETAILED INFORMATION REGARDING CATEGORIES OF LAND

This Plan of Management applies to Crown Land reserve listed in Table 1 and is owned by the state of New South Wales and Murrumbidgee Council has been appointed the Crown Land Manager. Part 2 provides detailed information regarding the management of natural areas and general community use, Murrumbidgee Council's vision for the reserve, existing site conditions and current use of the land, identification of appropriate development within the reserves and directions of how the land will be managed for and on behalf of the community.

7. Vision for Natural Areas

The vision for the use of these is best described as:

“Providing a place that preserves that natural character of the locality”

The vision set out in the plan of management aligns with Murrumbidgee Council's *Statement of Vision & Priorities – Three Towns One Community* that seeks to promote “community built by an innovative mindset delivering appropriate and reliable services”.

8. Management directions

Murrumbidgee Council acknowledges the land covered by this plan of management maintains its fundamental purpose of being a refuge in the time of flood, but also provides an opportunity to provide scope for the social and recreational use of the land as an informal area for primitive camping. While the current uses of the land meet the primary purpose of the, opportunities exist to provide further benefit to the community.

This section aims to provide an overview of Murrumbidgee Council's broad development and management strategies for Natural Areas. It will identify the existing condition of the land and structures on the adoption of the plan, identify existing uses of the land as well as additional matters dealing with the day-to-day management and maintenance of the reserve.

In order to realise the potential of the land and provide a greater benefit for the local community the following directions for the management of the reserve are proposed:

- To maintain and enhance the visual aesthetics of the reserve through proper maintenance of and regular clean-up of the land as a result of any illegal dumping.
- To investigate opportunities for further use of the land for primitive camping including, subject to funding, the provision of amenities.

- To provide opportunities for community events, within the scope of Section 68 of the Local Government Act, 1993 within Cape Reserve designated as *general community use*.

8.1 Statutory guidelines for development of the natural areas

The provisions of section 36(3A)(b) of the Local Government Act that apply to a plan of management have been considered, and are as follows:

- (i) *specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used*
- (ii) *specify the purposes for which any further development of the land will be permitted, whether under lease or license or otherwise*
- (iii) *describe the scale and intensity of any such permitted use or development.*

The reserves are in the most part vacant, with structures limited to fencing, signage and in some cases limited seating. In terms of a land use under the provision of the environmental planning instrument may fall within the broad definition as a *recreation area*, which is a place used for outdoor recreation.

The provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021 (SEPP) identifies certain development that is exempt or may be carried out without consent. All other development is legislated in the relevant local environmental planning instrument as being permissible without consent, permitted with consent or otherwise is prohibited. With regard to Division 19 & 25 of the SEPP, development for soil conservation works and waterway or foreshore management activities may carried out without consent by or on behalf of a public authority. Such works are limited to those set out in clauses 2.133 and 2.165 of the SEPP.

Table 5 identifies the zoning of the land under both Jerilderie Local Environmental Plan 2012 and Murrumbidgee Local Environmental Plan 2013. These zones that apply, particularly the RU1 Primary Production and the RU5 Village zones, provide a range of permissible land uses, however not all are consistent with the categorization of the land. Table 6 below identifies the uses that are exempt development, permitted with or without the consent in an environmental planning instrument and Council's plan of management of the Natural Areas in terms of what it will permit.

Table 6 - Preferred uses of land categorised as natural area

Land Use	Provisions of an environmental planning instrument	Allowed under NAPoM	Reason
Boat launching ramps	Permitted with consent in RU1, RU5 and C3 zones of both JLEP 2012 and MLEP 2013.	Allowed, subject to proper environmental studies and that it is for public use to gain access to the Murrumbidgee River.	The use is considered consistent with the purpose and classification of the reserve as it provides public access to the waterways.
Boat sheds	Permitted with consent in RU1, RU5 and E3 zones of both JLEP 2012 and MLEP 2013.	Not allowed.	The use would be inconsistent with the purpose of the reserve and its classification.
Building identification signs	Permitted with consent in RU1, RU5 and E3 zones of both JLEP 2012 and MLEP 2013.	Allowed if in conjunction with another use permitted in this plan of management	A building identification sign would only with the purpose of the reserve and its categorization of the land as a <i>natural area</i> if it is ancillary to another permitted use.
Camping grounds	Permitted with consent in RU1, RU5 and E3 zones of both JLEP 2012 and MLEP 2013.	Primitive camping grounds, without communal amenities would be allowed except within RU5 zone.	The use would be consistent with the purpose of the reserve and with categorization of the land.
Eco-tourist facilities	Permitted with consent in RU1, RU5 and E3 zones of both JLEP 2012 and MLEP 2013.	Allowed in RU1 and RU5 zoned land subject to proper environmental studies.	The use of part of the land as an eco-tourist facility would be in keeping with the purpose of the reserve and the categorization of the land as a <i>natural area</i> .
Environmental protection works	Permitted without consent.	Allowed.	<i>Environmental protection works</i> are in keeping with the purpose and categorisation of the reserve.
Flood mitigation works	Permitted with consent in RU1, RU5 and E3 zones of both JLEP 2012 and MLEP 2013.	Allowed.	The use would be consistent with the purpose and categorization of the land.
Forestry	Permitted with consent in RU1 zones of both JLEP 2012 and MLEP 2013.	Not allowed.	The use would be inconsistent with the purpose of the reserve and the categorization of the land as a <i>natural area</i> .
Information and education facilities	Permitted with consent.	Not allowed.	The use would be inconsistent with the purpose of the reserve and the categorization of the land as a <i>natural area</i> .
Recreation areas	Permitted with consent in RU1 and RU5 zones of both JLEP 2012 and MLEP 2013.	Allowed.	The use of the reserves as a <i>recreation area</i> is in keeping with the categorization of the land as a <i>natural area</i> .

Land Use	Provisions of an environmental planning instrument	Allowed under NAPoM	Reason
Roads	Permitted with consent in RU1 and RU5 zones of both JLEP 2012 and MLEP 2013. Permitted without consent in SP2 zone.	Not allowed, except for bushfire fighting purposes.	Except where need for bushfire fighting purposes the construction of a road would be inconsistent with the purpose of the reserve and categorization of the land as a <i>natural area</i> .
SEPP Infrastructure	Exempt development or permitted without consent.	Allowed, subject to satisfying the requirements of clause 2.133 & 2.165 of SEPP (Transport & Infrastructure) 2021.	Works identified in SEPP (Transport & Infrastructure) 2021 as development permitted without consent are for environmental protection purposes and would be considered consistent with the purpose and categorisation of the reserve.
Tree removal	Subject to the provisions of State Environmental Planning Policy (Tree Removal in Non-Urban Areas) 2017	Not allowed.	The use would be inconsistent with the purpose of the reserve and its categorisation of the land as a <i>natural area</i> .

8.2 Use of the land and structures at the date of adoption of the plan

In accordance with section 36(3A)(a) of the LG Act include a brief outline of the current usage is reserve, including any details of current leases/licenses or other arrangements for the use of the land.

The reserves are in the most part vacant, with structures limited to fencing, signage and in some cases limited seating. There was evidence of the land being used for camping.

Each of the reserves is being used for their intended purpose and are consistent with the categorization of the land.

8.3 Condition of the land and structures on adoption of the plan

The provisions of Section 36(3A)(a) of the LG Act requires a plan of management to include a description of the condition of the land and structures on adoption of the plan.

8.3.1 Pines Reserve (R.31393)

At the date of adoption of the Plan of Management for Natural Areas, Pines Reserve comprised of natural grass cover, a plantation of pine trees and remnant vegetation and associated perimeter fencing.

Figure 1 – Aerial Image of The Pines



Legend


 Natural area (bushland)

Figure 2 – Entrance to reserve



Figure 3 – part of reserve looking eastwards



8.3.2 Thurrowa Reserve (R.33953)

At the date of adoption of the Plan of Management for Natural Areas, Thurrowa Reserve was in its natural state covered with native grasses and remnant vegetation. Part of the site is fenced as shown in figures 5 and 6.

Figure 4 – Aerial Image of Thurrowa Reserve



Legend


 Natural area (bushland)

Figure 5 – Part of reserve looking west



Figure 6 – part of reserve looking north-west



8.3.3 The Cape (R.55413)

At the date of adoption of the Plan of Management for Natural Areas, the Cape comprised of a mix of native vegetation along the edge of the water way, and natural grasses. The site is flat and largely vacant with the only structure being a stock bridge to the north constructed in 1985 and shown in image 8 and 10.

Figure 7 – Aerial Image of the Cape



Legend




	Natural area (bushland)
	Natural area (foreshore)
	General community use

Figure 8 – Stock bridge looking southwards



Figure 9 – Plaque



Figure 10 – Bridge looking west



Figure 11 – Waterway



Figure 12 – Part of bushland



Figure 13 – part of grazing area



8.3.4 Bunyip Hole Reserve (R.68938)

At the date of adoption of the Plan of Management for Natural Areas, Bunyip Hole comprises largely of remnant vegetation running along the southern foreshore of the Murrumbidgee. The reserve features a number of walking trails, interspersed with signage, seating and fencing.

Figure 15a – Aerial Images of Bunyip Hole Reserve (West)



Figure 16 – Warning signage



Figure 17 – Part of reserve looking east



Figure 18 – Map signage



Figure 19 – Walking path



Figure 20 – Picnic tables



Figure 21 – Walkway along river



Figure 22 – Park bench



Figure 23 – Corral fencing



Figure 24 – Information signage



Figure 25 – Corral fencing



Figure 26 – Part of bushland



Figure 27 – Park seating





8.3.5 Reserve No. 82340 Darlington Point

At the date of adoption of the Plan of Management for Natural Areas, Reserve No. 82340 at Darlington Point, the native grass cover and remnant vegetation were in their natural state. The site adjoins the Murrumbidgee Valley Regional Park.

Figure 28 – Aerial Image



Legend

-  Natural area (bushland)
-  Natural area (foreshore – 40 metres from MHWL)

8.3 Permitted use and future use

Section 36(3A)(b) of the Local Government Act requires that any site-specific plan of management must:

- (iv) *specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used*
- (v) *specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise*
- (vi) *describe the scale and intensity of any such permitted use or development.*

Natural Areas will continue to be used as a *natural area* and the future works are likely to be limited to the clean-up of any unlawful dumping.

The reserves have all been mapped as being areas of varying degrees of environmental sensitivity and as such any development of the land would be subject to detailed reports. Given the zoning restrictions and the limited uses permitted by this plan, it is not expected that any future works would have an adverse impact on the environmental sensitivity of the land.

8.4 Leases, licences and other estates

Leases, licences and other estates formalise the use of community land by groups such as sporting clubs and non-profit organisations, or by commercial organisations and individuals providing facilities and services for public use. Activities should be compatible with the zoning and reservation purpose of the land and provide benefits and services for facilities to the users of the land.

Occupation of the land other than by lease or licence or other estate or for a permitted purpose listed in the Local Government Regulations 2021 is prohibited.

The terms of the authorisation for a lease licence or other estate should include Native Title assessment and validation under the Native Title Act 1993 and should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983. The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected. 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.

This Plan of Management expressly authorises the issue of leases, licenses and other estates over the reserves covered by this Plan of Management, provided that:

- with the exceptions of those purposes identified in section 47B of the Local Government Act, 1993 is only over land that is categorised as *general community use*.
- the purpose is consistent with the core objectives for the category of the land.
- the lease, license or other estate is for a permitted purpose listed in the Local Government Act 1993 or the Local Government Regulations 2021.
- the issue of the lease, license or other estate and the provisions of the lease, license or other estate can be validated by the provisions of the Native Title Act 1993.
- the land is not subject to a claim under the Aboriginal Land Rights Act 1983.
- the lease, license or other estate is granted and notified in accordance with the provisions of the Local Government Act 1993 or the Local Government Regulations 2021.
- the issue of the lease, license or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

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.

Presently there are no leases or licenses in place.

9. Administration of Plan and Performance Targets

Section 36(3) of the LG Act requires, as a minimum, for all plans of management, include the following:

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

Each of the reserves have been categorised partly as a natural area, with sub-categories of bushland or bushland and foreshore. The Cape an at Jerilderie has an additional categorisation of general community use.

The following table identifies the management issues; objectives and performance targets; the means in which Council will achieve the stated objectives and the manner in how the performance target is assessed.

Table 8 - Objectives and performance targets

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	Provide defined paths for vehicular access.	Appropriate design and construction for pavements, facilities and other structures to comply with relevant Australian Standards. Use of regulatory signs.	Record and review all accidents and near misses as a result of inappropriate use. Record all illegal or unauthorised vehicular entry and where necessary take appropriate regulatory action.
Barbeques	Allow the use of portable barbeques (with the exception of wood fire barbeques).	Use of regulatory signs regarding the use of portable barbeque facilities.	Record the number of reported failures and accidents, including reported near misses.
Rubbish Dumping and Littering.	Prohibit rubbish dumping and littering.	Regulatory signage at appropriate locations. Community education on the environmental impacts of rubbish dumping. Regular clean-up of reserve to remove any illegal dumping of rubbish	Number of incidents of illegal dumping Cost of clean-up and litter collection per annum
Signage	Allow suitable information, regulatory, identification, interpretive and directional signage relating to the reserve. Regulate advertising signage.	Appropriate design and siting of signage in accordance with the relevant DCP for Advertising, Structures & Signs. Council approval.	Number of user comments. Number of ordinance investigations and prosecutions.

APPENDICIES

APPENDIX A - Definitions

Term	Legislative definition
community land	<p>means –</p> <p>land that is classified as community land under Division 1 of Part 2 of Chapter 6. (Local Government Act, 1993)</p>
community participation plan	<p>means –</p> <p>a community participation plan prepared and published under Division 2.6. (Environmental Planning and Assessment Act, 1979)</p>
environmental planning instrument	<p>means –</p> <p>an environmental planning instrument (including a SEPP or LEP but not including a DCP) made, or taken to have been made, under Part 3 and in force. (Environmental Planning and Assessment Act, 1979)</p> <p>Note. SEPP is an acronym for State Environmental Planning Policy, a LEP is a Local Environmental Plan, and a DCP is a Development Control Plan.</p>
plan of management	<p>means –</p> <p>a plan of management adopted by a council under Division 2 of Part 2 of Chapter 6 and in force in relation to an area of public land. (Local Government Act, 1993)</p>
public reserve	<p>means –</p> <ul style="list-style-type: none"> (a) a public park, or (b) any land conveyed or transferred to the council under section 340A of the Local Government Act 1919, or (c) any land dedicated or taken to be dedicated as a public reserve under section 340C or 340D of the Local Government Act 1919, or (d) any land dedicated or taken to be dedicated under section 49 or 50, or (e) any land vested in the council, and declared to be a public reserve, under section 37AAA of the Crown Lands Consolidation Act 1913, or (f) any land vested in the council, and declared to be a public reserve, under section 76 of the Crown Lands Act 1989, or (g) Crown managed land that is dedicated or reserved— <ul style="list-style-type: none"> (i) for public recreation or for a public cemetery, or (ii) for a purpose that is declared to be a purpose that falls within the scope of this definition by means of an order

published in the Gazette by the Minister administering the [Crown Land Management Act 2016](#),

being Crown managed land in respect of which a council has been appointed as its Crown land manager under that Act or for which no Crown land manager has been appointed, or

- (h) land declared to be a public reserve and placed under the control of a council under section 52 of the [State Roads Act 1986](#), or*
- (i) land dedicated as a public reserve and placed under the control of a council under section 159 of the [Roads Act 1993](#),*

and includes a public reserve of which a council has the control under section 344 of the [Local Government Act 1919](#) or section 48, but does not include a common.

DRAFT

APPENDIX B - Aboriginal Heritage Information Management System Search Extracts



**AHIMS Web Services (AWS)
Search Result**

Purchase Order/Reference : 20-C01-MC The Pines

Client Service ID : 578498

PARISPLAN URP
63 HILLAM DR
GRIFFITH NEW SOUTH WALES 2680
Attention: Steven Parisotto
Email: admin@parisplan.com.au

Date: 24 March 2021

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 156, DP:DP756425 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

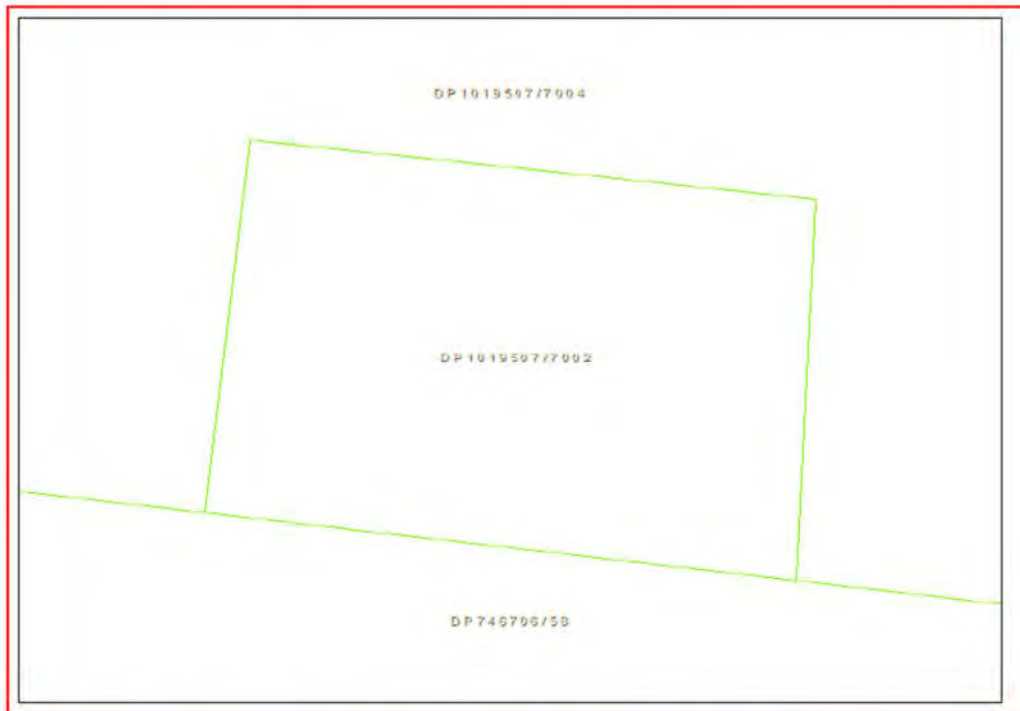
Date: 24 March 2021

63 Hillam Dr
Griffith New South Wales 2680
Attention: Steven Parisotto
Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7002, DP:DP1019507 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

Date: 24 March 2021

63 Hillam Dr
 Griffith New South Wales 2680
 Attention: Steven Parisotto
 Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7001, DP:DP1001673 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

Date: 24 March 2021

63 Hillam Dr
Griffith New South Wales 2680
Attention: Steven Parisotto
Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7014, DP:DP1002224 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

Date: 24 March 2021

63 Hillam Dr
Griffith New South Wales 2680
Attention: Steven Parisotto
Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 277, DP:DP750908 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

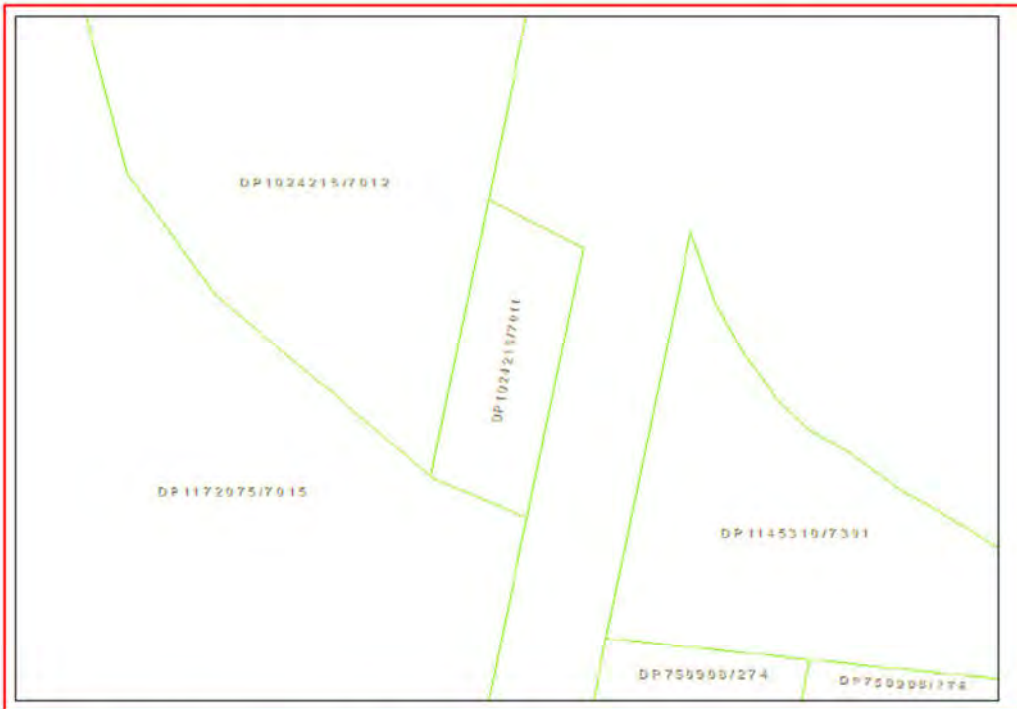
Date: 24 March 2021

63 Hillam Dr
 Griffith New South Wales 2680
 Attention: Steven Parisotto
 Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7011, DP:DP1024215 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

Date: 24 March 2021

63 Hillam Dr
 Griffith New South Wales 2680
 Attention: Steven Parisotto
 Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7012, DP:DP1024215 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

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

PARISPLAN URP

Date: 24 March 2021

63 Hillam Dr
Griffith New South Wales 2680
Attention: Steven Parisotto
Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7001, DP:DP1024217 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

Date: 24 March 2021

63 Hillam Dr
Griffith New South Wales 2680
Attention: Steven Parisotto
Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7301, DP:DP1145310 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

Date: 24 March 2021

63 Hillam Dr
Griffith New South Wales 2680
Attention: Steven Parisotto
Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7303, DP:DP1145343 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

Date: 24 March 2021

63 Hillam Dr
 Griffith New South Wales 2680
 Attention: Steven Parisotto
 Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 7312, DP:DP1159328 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP
 63 Hillam Dr
 Griffith New South Wales 2680
 Attention: Steven Parisotto
 Email: admin@parisplan.com.au

Date: 24 March 2021

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 60, DP:DP751688 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

PARISPLAN URP

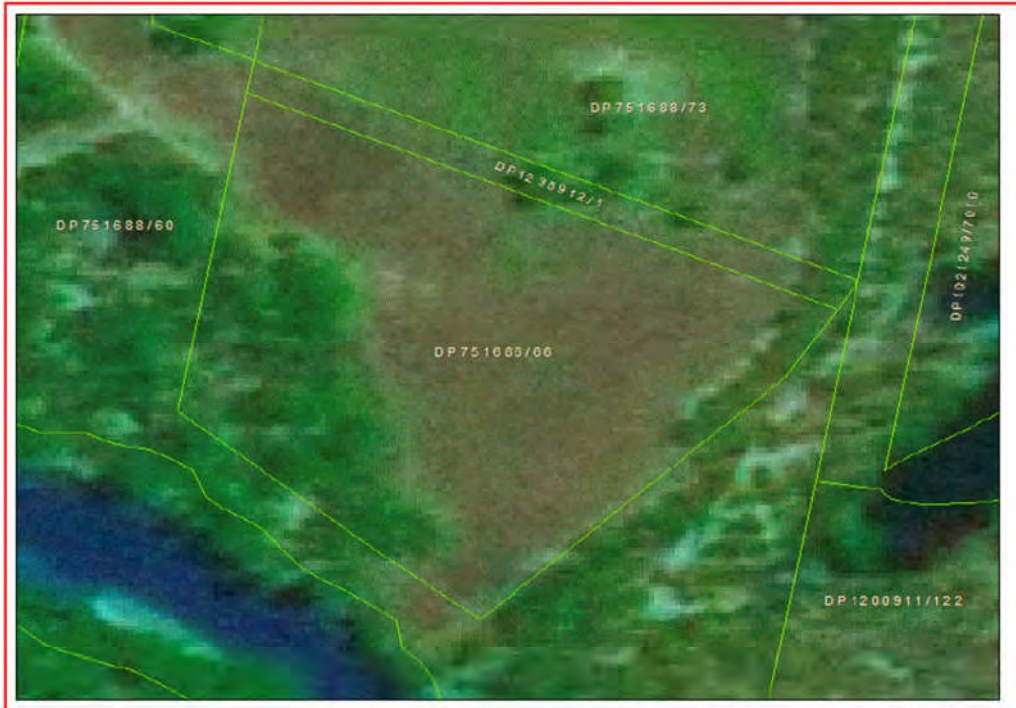
Date: 24 March 2021

63 Hillam Dr
 Griffith New South Wales 2680
 Attention: Steven Parisotto
 Email: admin@parisplan.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 66, DP:DP751688 with a Buffer of 50 meters, conducted by Steven Parisotto on 24 March 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 the Office of the Environment and Heritage 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. *

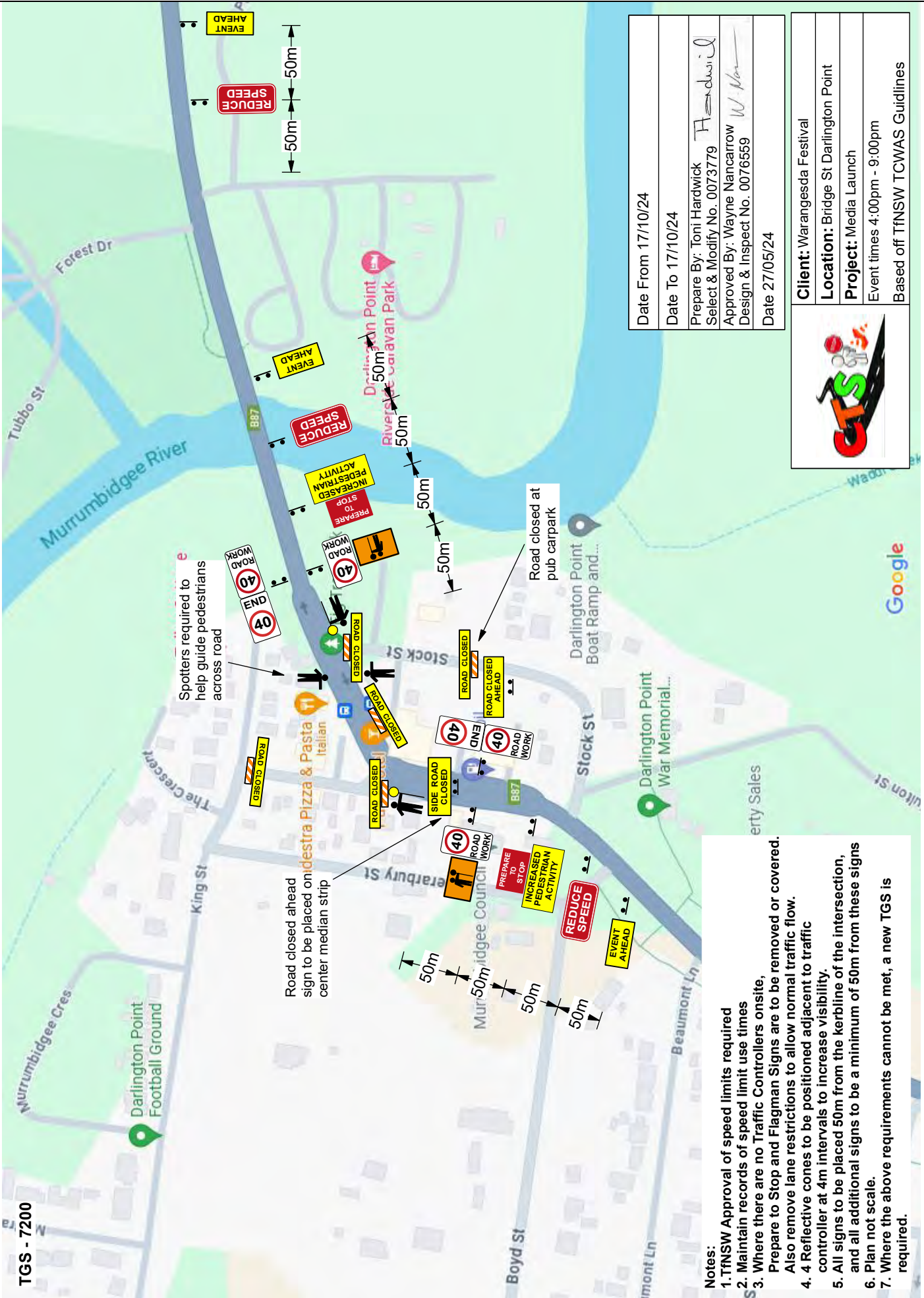
If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

DRY



TGS - 7200

Date From 17/10/24
Date To 17/10/24
Prepare By: Toni Hardwick
Select & Modify No. 0073779
Approved By: Wayne Nancarrow
Design & Inspect No. 0076559
Date 27/05/24

Client: Warangesda Festival
Location: Bridge St Darlington Point
Project: Media Launch
Event times 4:00pm - 9:00pm
Based off TfNSW TCWAS Guidelines



- Notes:**
1. TfNSW Approval of speed limits required
 2. Maintain records of speed limit use times
 3. Where there are no Traffic Controllers onsite, Prepare to Stop and Flagman Signs are to be removed or covered. Also remove lane restrictions to allow normal traffic flow.
 4. 4 Reflective cones to be positioned adjacent to traffic controller at 4m intervals to increase visibility.
 5. All signs to be placed 50m from the kerbline of the intersection, and all additional signs to be a minimum of 50m from these signs.
 6. Plan not scale.
 7. Where the above requirements cannot be met, a new TGS is required.

SCHEDULE OF INVESTMENTS - 31 MAY 2024**External investments**

In accordance with Regulation 212 of the *Local Government (General) Regulation 2005*, details of Murrumbidgee Council's external investments are set out below.

Institution	Balance (\$)	Yield (p.a.)	Maturity	Term (months)	No.
Suncorp - METWAY	1,000,000.00	5.02%	3/06/2024	4	34
Bendigo	1,517,576.71	4.69%	6/06/2024	3	26
Westpac	500,000.00	4.90%	11/06/2024	3	24
Westpac	1,069,674.42	4.97%	21/06/2024	4	43
Suncorp - METWAY	1,000,000.00	4.93%	25/06/2024	4	20
Bendigo	2,800,000.00	5.50%	28/06/2024	12	46
St George	537,107.36	4.19%	3/07/2024	5	27
Suncorp - METWAY	500,000.00	4.95%	9/07/2024	4	31
Bendigo	524,204.94	4.79%	19/07/2024	4	23
Westpac	614,988.82	4.95%	22/07/2024	4	30
Bendigo	1,597,051.03	4.80%	25/07/2024	4	33
Bendigo	500,000.00	4.80%	29/07/2024	4	35
Bendigo	1,000,000.00	4.80%	29/07/2024	4	40
Bendigo	1,039,292.49	5.01%	29/07/2024	6	22
IMB Ltd	1,036,720.68	4.95%	30/07/2024	5	38
IMB Ltd	805,389.99	4.85%	31/07/2024	4	29
Westpac	1,524,962.47	4.94%	6/08/2024	4	39
Bendigo	1,024,166.85	4.84%	19/08/2024	4	45
Bendigo	1,016,343.84	4.84%	21/08/2024	4	44
Westpac	826,797.60	4.89%	23/08/2024	3	32
Westpac	781,053.42	4.89%	29/08/2024	3	25
Bendigo	1,274,478.35	4.70%	16/09/2024	6	21
NAB	1,500,000.00	5.00%	23/09/2024	4	47
NAB	1,500,000.00	5.01%	20/11/2024	6	28
	<u>25,489,809</u>				

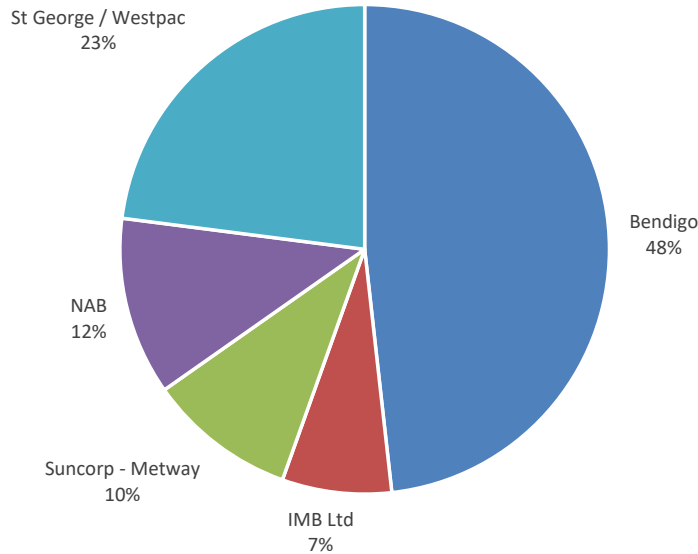
Maturity

All investments comply with the maximum duration set out for each rating category in the *Investment Policy*.

Month	\$ Funds Maturing
June 2024	\$ 7,887,251
July 2024	\$ 8,154,755
August 2024	\$ 5,173,324
September 2024	\$ 2,774,478
October 2024	\$ -
November 2024	\$ 1,500,000
	<u>\$ 25,489,809</u>

Counterparties to Investments

Institution	Balance	S&P / Moody's / Fitch	Highest	Limit	% Invested	Compliant
Bendigo	12,293,114	A- / Baa1 / A-	A	N/A	48.23%	N/A
IMB Ltd	1,842,111	- / Baa1 / BBB+	BBB	10%	7.23%	●
Suncorp - Metway	2,500,000	A+ / A1 / A	A	14%	9.81%	●
NAB	3,000,000	AA- / Aa2 / A+	A	14%	11.77%	●
St George / Westpac	5,854,584	AA- / Aa2 / A+	AA	30%	22.97%	●
	<u>25,489,809</u>				<u>100%</u>	

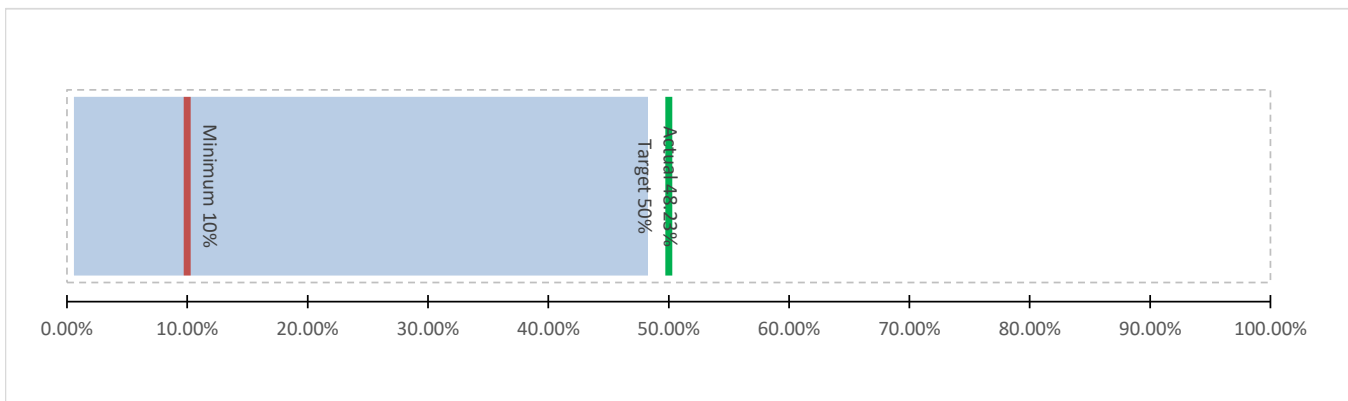


Investment with Bendigo Bank

48.23% ●

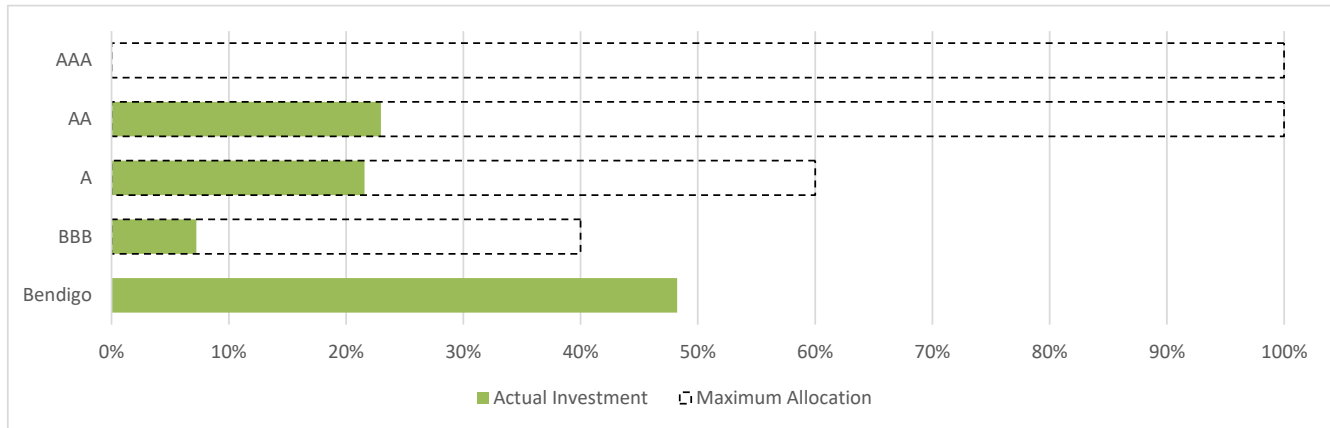
In recognition of the significant community role, support and activities undertaken within the Council area, Council aims to hold 50% of its investment portfolio with the Coleambally Community Bank.

If, when considering a new investment, an equivalently-rated or better-rated institution is offering an interest rate 0.40% p.a. (or more) higher than Coleambally Community Bank with a comparable term to maturity, Council may invest in that institution in preference to Coleambally Community Bank, irrespective of the target set out above. However, Council will hold a minimum of 10% of its portfolio with the Coleambally Community Bank at all times.



Overall Credit Quality Limits

Credit Rating	Maximum	Balance	% Invested	Compliant
AAA	100%	\$ -	0.00%	●
AA	100%	\$ 5,854,584	22.97%	●
A	60%	\$ 5,500,000	21.58%	●
BBB	40%	\$ 1,842,111	7.23%	●
Bendigo	N/A	\$ 12,293,114	48.23%	N/A
Total		\$ 25,489,809	100%	



Monthly investment movements

Redemptions

Institution - No.	Balance (\$)	Comments
IMB - Inv 41	510,619	Cash Flow requirements
Bendigo - Inv 37	2,089,398	Cash Flow requirements
	<u>2,600,017</u>	

New Investments

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
	<u>0</u>			

Rollovers

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
Wesptac - Inv 32	826,798	4.89	3	Rollover for proposed cash flow
Westpac - Inv 25	781,053	4.89	3	Rollover for proposed cash flow
NAB - Inv 28	1,500,000	5.10%	6	Rollover for proposed cash flow
NAB - Inv 47	1,500,000	5.00%	4	Rollover for proposed cash flow
	<u>4,607,851</u>			

Investment performance

	May-24	FYTD
Total investment income, including accrued interest	\$102,882	\$1,467,292
Money-weighted rate of return (% p.a.)	4.59%	5.22%
Bloomberg AusBond Bank Bill Index	4.50%	4.37%
Over performance/(under performance)	0.10%	0.84%

