



Connell Park, Bellingen

Plan of Management

Bellingen Shire Council

1 March 2023



Acknowledgement to Country

Bellingen Shire Council acknowledges the Gumbaynggirr people as the Traditional Custodians of the land on which we live, work and learn. We pay our respects to Elders past, present and emerging.

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Document status

| Status Code | Revision | Author | Reviewer | | Approved for issue | | |
|-------------|----------|-----------|----------|-----------|--------------------|-----------|----------|
| | | | Name | Signature | Name | Signature | Date |
| S4 | 0 | M Purkiss | S Lawer | | S Lawer | | 20/10/22 |
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Glossary

| Abbreviation | Detail |
|--------------------|---|
| Bellingen LEP 2010 | Bellingen Local Environmental Plan 2010 |
| Council | Bellingen Shire Council |
| LGA | Local Government Area |
| LSPS | Local Strategic Planning Statement |
| PoM | Plan of Management |

1. Introduction

A Plan of Management (PoM) provides Bellingen Shire Council (Council) with an appropriate framework for the future management of public land in accordance with relevant legislation. All land owned by Council that is classified as community land requires a plan of management in accordance with the *Local Government Act 1993*.

This is to ensure that an endorsed framework guides the operation and development of these community resources. PoMs are public documents, and as such require stakeholders to be involved in their formation. Development of a PoM provides opportunities for the community to participate and to be involved in shaping the future management of an area of community land in line with existing Council policies.

This Connell Park PoM 2022 replaces Connell Park PoM 1999 and applies to the whole parcel of land identified for recreational purposes. A majority of the works identified in the 1999 PoM has since been undertaken. Those works that have not been completed have been included in this plan.

The Connell Park PoM 2022 considers all the proposed works identified by the Proposed Future Site Plan prepared by Locale Consulting 2020 located in Appendix B. This plan of management allows for the re-categorisation of certain areas of land to ensure that the categories better reflect existing and proposed uses and to allow for the ongoing protection of areas of natural vegetation.

This PoM provides clear guidelines and designation of areas to enable the efficient ongoing use of Connell Park by the whole community and to minimise conflict between existing and future user groups.

1.1 Background

Connell Park is the largest sporting reserve in the Bellingen LGA. It provides for a range of sporting facilities (including netball courts, rugby league, soccer, touch football, oz tag and cricket fields, and a leisure centre) and passive recreation areas (parkland, BBQ facilities and playground) which cater for the recreation needs of local and surrounding residents. Connell Park also contains a significant riparian system along Cemetery Creek offering environmental amenity and services to the community.

Council's long-term directions for the LGA are contained in Vision 2040 Bellingen Shire Council Local Strategic Planning Statement (March 2020) and Bellingen Shire Community Vision 2035, which provide long term goals for liveability, productivity, sustainability, infrastructure and collaboration, underpinned by clear planning priorities about where housing, jobs, infrastructure and open space should be located.

Council's Open Space and Recreational Needs Study (December 2020) provides the strategic direction for the future planning of the LGA's network of open space and community use facilities. The directions in these strategic planning documents have informed the preparation of this PoM.

1.2 Purpose of the PoM

The *Local Government Act 1993* requires a PoM to be prepared for all public land that is classified as 'community land' under the Act. The PoM is an important management tool, which is written by council in consultation with the community and covers the following:

- Provide clarity in the future development, use and management of the community land
- Outlines the land's features, and clarifies how Council will manage, use or develop the land in the future
- Provides a transparent and co-ordinated approach to public land management.
- Community land may include a wide variety of properties, ranging from small recreation reserves to iconic parks, and in some instances buildings.
- Community land supports important aspects of community life, and is valued and appreciated by residents, workers, and visitors.

- The Act requires that community land is categorised as either natural area, park, sportsground, area of cultural significance, or general community use
- A PoM can be prepared for more than one parcel of land (Generic or Geographic) or for a single property (Significant or Specific)

The purpose of the Connell Park PoM is to:

- Contribute to Council's broader strategic goals and visions.
- Ensure that Connell Park accommodates a range of public sporting facilities and general recreational needs of the community.
- Protect and enhance the natural, social and cultural values of Connell Park
- Ensure consistent management that supports a unified approach to meeting the varied needs of the community efficiently and with minimal conflict between existing and future user groups
- Provide a framework for the ongoing use, management, and maintenance of Connell Park for the next ten years
- Guide development of Connell Park by identifying existing and future uses
- Authorise leases, licences and other estates to applied to the land.
- Re-categorise areas of land within Connell Park to reflect existing and proposed uses and to allow for the ongoing protection of areas of natural vegetation
- Identify and address the key issues affecting Connell Park
- Establish management objectives, strategies and performance targets in an 'Action Plan'.

Council's strategic objectives and priorities are reflected in the Action Plan in Section 8.3, which identifies the objective, performance targets and means to achieve and assess performance of these objectives and targets. This has identified key issues for each category of land as set out in Section 6 of this PoM.

1.2.1 Previous plans of management

The Connell Park PoM considers information from previous plans and draft plans including:

- Plan of Management 20 July 1999
- Draft Connell Park Management Plan 2020

This plan of management will supersede the PoM dated 20 July 1999

1.2.2 Review of the POM

The Connell Park PoM will require regular review to align with community values and changing community needs, and to reflect changes in Council priorities. Council has determined that it will review the Connell Park PoM within ten-years (10) of its adoption.

Along with a ten-year (10) review, the performance of this PoM will be reviewed on an annual basis to ensure the land is being managed, well maintained, and provides a safe environment for public enjoyment. The community will have an opportunity to participate in reviews of the Connell Park PoM.

1.3 Community consultation

Community consultation and input is important to ensure a PoM meets the needs of the local community. It also encourages an appreciation of the Council's aims for management of public land.

The Draft Connell Park PoM will be advertised and publicly exhibited for the statutory periods required under the LG Act 1993.

Public notice of a draft PoM must be given, and the draft plan must be placed on public exhibition for not less than 28 days. The public notice must specify that a period of not less than 42 days is available for submissions to be lodged with council.

A public hearing in respect of a draft PoM is only required if the plan proposes categorising or altering the categorisation of community land. There are no changes of category proposed in this PoM.

Council will employ a range of methods by which to capture community feedback and stakeholder engagement and inform the community of the Connell Park PoM development including:

- Have Your Say - an online platform that provides a space where the community can share their views on a range of Council projects, strategies and policies as well as keep up to date with current news and updates.
- Document and plans placed on Public Exhibition - the community had the opportunity to provide comment or make a submission.
- Social Media - Council utilised dedicated Facebook and Instagram accounts to keep the community informed and updated as well as receive feedback.
- Consultation with the Indigenous community, existing user groups and individual landowners.

Council's biodiversity plan states that Council will consult with the local Aboriginal community when developing plans of management to incorporate Aboriginal cultural heritage values and knowledge regarding biodiversity.

There are four Local Aboriginal Land Councils (LALC) whose boundaries overlap with the Bellingen Shire:

- Dorrigo Plateau Local Aboriginal Lands Council
- Coffs Harbour and District Local Aboriginal Lands Council
- Nambucca Heads Local Aboriginal Lands Council
- Bowraville Local Aboriginal Lands Council, situated in Bowraville.

Contact was made with both the Dorrigo Plateau Local Aboriginal Lands Council and Bowraville Local Aboriginal Lands Council.

Upon initial consultation with the Dorrigo Plateau LALC via email, the LALC advised Bellingen does not fall within the Dorrigo Plateau boundaries and confirmed Bellingen LGA falls within the boundaries of Bowraville LALC. An email was sent to Bowraville LALC detailing the aim of the PoM for Connell Park and the need to liaise with the LALC. To date, no response has been received from the Bowraville LALC, however further consultation will be undertaken as required.

1.4 POM preparation

Figure 1.1 below indicates the process taken to prepare the POM.

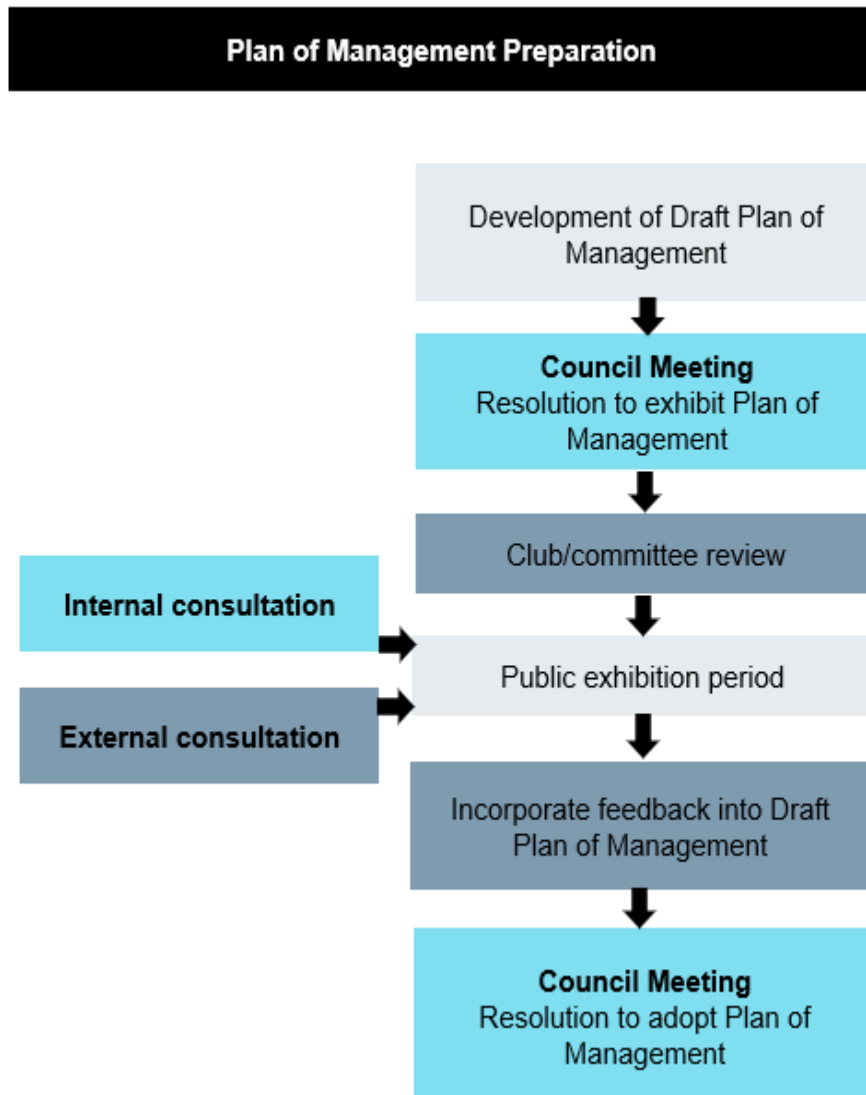


Figure 1.1 Plan of Management Approval Process Connell Park, Bellingen

2. Land description

2.1 Overview

Connell Park is located on the corner of Prince Street and Waterfall Way, Bellingen. It comprises of three individual lots being Lots 34 and 35 of DP 255479 and Lot 37 of DP 264523. The land covers an area of approximately 12 hectares and is owned and managed by Bellingen Shire Council. The land is bound by Waterfall Way to the north, Prince Street to the west, Crown Street and Halpin Street to the south and east.

The land is zoned RE1 Public Recreation under the *Bellingen Local Environmental Plan 2010* primarily used by several formal user groups and the general community and is categorised as 'Sportsground' and 'Park' under the *Local Government Act 1993*. Surrounding land uses include; Bellingen Golf Club to the north, Bellingen High School to the east, residential development to the south and residential and commercial development to the west.

The Park is relatively flat with a slight depression within the south-western portion and at southern boundary of the Park (refer to Figure 2.1).

2.1.1 History

Originally part of a dairy farm, Council purchased the land in 1978 from the Connell family in conjunction with the development of Connell subdivision. Since 1978, the land has been progressively developed both for active recreation involving organised sports and passive and active recreational pursuits. Connell Park is the primary sporting facility within Bellingen and provides a significant role in meeting the sporting needs of the community.

2.1.2 User groups

Connell Park and its facilities are used by a range of formal user groups and the public listed in Table 2.1.

Table 2.1 Sporting types and groups

| Type | Group |
|-----------------|---|
| Sporting groups | <ul style="list-style-type: none">– Rugby League (junior and training for women's) – Bellingen Valley Junior Rugby League– Football (soccer) – Bellingen Football Club– Archery – Bellingen Archers– Netball – Bellingen Netball Club– Cricket – Bellingen Cricket Club |
| Schools | <ul style="list-style-type: none">– Bellingen High School– Bellingen Primary School– St Mary's Bellingen School |
| Other users: | <ul style="list-style-type: none">– Personal trainers– Bellingen Urban Landcare– Oztag– Touch football– General passive recreational users |



Paper Size ISO A4
 0 25 50
 Metres
 Map Projection: Transverse Mercator
 Horizontal Datum: GDA 1994
 Grid: GDA 1994 MGA Zone 56



Bellingen Shire Council
 Plan of Management for Connell Park, Bellingen

Project No. 12568414
 Revision No. 0
 Date 13/09/2022

Site Location

FIGURE 2.1

\\ghd\mfg\AU\Newcastle\Projects\22\12568414\GIS\Map\PCM_0.aprx
 Print date: 17 Oct 2022 - 13:21

Data source: public_NSW_Imagery © Department of Customer Service 2020; Roads, Watercourses, Cadastre - DCS, 2022. Created by: dibanin

Figure 2.1 Aerial image of site location

2.1.3 Land details

Connell Park is currently owned by Council and managed by the Bellingen Connell Park Committee, a Section 355 Committee. Council have delegated the care, control and management of Connell Park to this committee. The details of the park are listed in Table 2.2.

Table 2.2 *Connell Park land details.*

| Item | Description |
|----------------|--|
| Classification | Community land |
| Owner | Bellingen Shire Council |
| Purpose | Public Recreation |
| Land parcels | Lot 34 and 35 of DP255479 and Lot 37 of DP264523 |
| Location | Corner of Prince Street and Waterfall Way, Bellingen |
| Area | 11.96 ha |

2.1.4 Zoning

Connell Park is zoned for a recreation purpose with the objectives of the zone and permitted and prohibited uses listed in Table 2.3.

Table 2.3 *Connell Park zoning information.*

| Bellingen LEP 2010 | |
|---------------------------|--|
| Zoning | RE1 Public Recreation |
| Objectives | <ul style="list-style-type: none"> – To enable land to be used for public open space or recreational purposes. – To provide a range of recreational settings and activities and compatible land uses. – To protect and enhance the natural environment for recreational purposes. |
| Permitted without consent | Environmental protection works |
| Permitted with consent | Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Entertainment facilities; Environmental facilities; Extensive agriculture; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises; Tourist and visitor accommodation; Water recreation structures; Water recycling facilities. Water supply systems |
| Prohibited | Any development not specified in item 2 or 3 |

Recreation areas, Recreation facilities (indoor), Recreation facilities (major), Recreation facilities (outdoor) are all permissible uses within the zone.

3. Legislative framework

This section describes the legislative and policy framework applying to the land covered under this PoM.

3.1 State policy framework

3.1.1 Local Government Act 1993

Community Land must be managed according to the provisions of the *Local Government Act 1993* and Local Government Regulation 2021. The Act requires all Council owned land to be classified as either Operational or Community Land. Community land is defined as land that must be kept for the use of the general community and must not be sold.

The Act directs that a PoM must be adopted for all Community Land to govern its use and management and requires that community land be categorised as either:

- Natural Area – Bushland/Wetland/Escarpment/Watercourse or Foreshore
- Park
- Sportsground
- Area of Cultural Significance
- General Community Use

3.1.2 Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* recognises that land in New South Wales was traditionally owned and occupied by Aboriginal People, and is of spiritual, social, cultural and economic importance to them. Aboriginal Land Claims may only be lodged by Aboriginal Land Councils constituted under the Act.

Lodgement of an Aboriginal Land Claim by a Land Council creates an initial interest in the land. The full extent of this interest is not known until the claim is investigated and a determination is made by the relevant Minister.

Once an Aboriginal Land Claim has been lodged Council has a custodial role in managing the land and must ensure that activities do not impact on the physical condition of the land, or prevent the land being transferred to the claimant Land Council in the event the land claim is successful.

3.1.3 National Parks and Wildlife Act 1974

Statutory responsibilities on Council arising from the National Parks and Wildlife Act 1974 specifically relate to the protection of sites of pre- and post-European contact archaeological significance. This Act may affect community land categorised as having cultural significance, natural area or park.

3.1.4 Biodiversity Conservation Act 2016

The purpose of the *Biodiversity Conservation Act 2016* is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. Council has legislative responsibility under the Act to implement management strategies that will:

- Regulate human interactions with wildlife by applying a risk-based approach.
- Support conservation and threat abatement actions to slow the rate of biodiversity loss and conserve threatened species and ecological communities in nature.
- Establish a framework to avoid, minimise and offset the impacts of proposed development and land use change on biodiversity.

3.1.5 Additional legislation

A PoM is managed by a broad legislative framework. The key legislation requirements are listed above. An overview of the additional primary legislation is provided in Appendix A.

3.2 Local strategic objectives and priorities

Table 3.1 outlines the strategies and plans identifying community priorities and the future vision of Bellingin. They have a direct influence on the objectives, uses and management as outlined in the Connell Park PoM.

Table 3.1 Relevant strategies relating to Connell Park

| Plan | Description |
|---|--|
| Bellingin Shire Community Vision 2035 | <p>The Bellingin Shire Community Vision 2035 is a high-level plan for Bellingin Shire prepared in partnership with the community to outline the future for the local community. The plan sets out all the strategic priorities, outcomes, and aspirations for the future of the local community, and is structured under five themes - Resilient Economy, Community Wellbeing, Places for People, Living Environment and Civic Leadership.</p> <p>It identifies the main priorities and aspirations for the future of the local government area and addresses a broad range of issues and challenges that are relevant to the whole community and link to the agreed Community Vision.</p> <p>While Council is responsible for leading the development of the Community Strategic Plan, it has been done with the understanding that it will be delivered as a partnership between Council, and other stakeholders such as federal/state agencies, community groups and individuals.</p> |
| Bellingin Local Strategic Planning Statement (LSPS) | <p>The Bellingin Shire Council Local Strategic Planning Statement 2020-2040 (LSPS) integrates the approach that Council will take to its land use planning functions, (typically expressed through documents such as the Local Environmental Plan or Growth Management Strategies), with the broader strategic approach that Council is pursuing as expressed through Corporate Planning Documents like the Community Strategic Plan.</p> |
| Bellingin Shire Council Community Participation Plan 2019 | <p>The purpose of this Community Participation Plan (CPP) is to outline how and when Council will engage with the community regarding its land use planning functions in accordance with the Environment Planning and Assessment 1979 and other relevant legislation.</p> <p>This plan, as a standalone component of the Bellingin Community Engagement Framework, seeks to provide a single document that the community can access, that sets out all of council's community participation requirements under land use planning legislation, including all minimum mandatory exhibition timeframes. The CPP is a public communication device designed to facilitate and enhance community participation in the land use planning system by making it clear how and when the community can participate in land use planning decisions that affect them.</p> <p>The CPP also aims to increase the credibility, trust, and accountability of council's planning functions by accessing the community's knowledge, ideas, and expertise and ensuring there is a common understanding of council's planning processes and how community input has been taken into account.</p> |
| Bellingin Local Environmental Plan 2010 (LEP) | <p>The Bellingin LEP 2010 is the principal environmental planning instrument for controlling development and guiding planning decisions made by Council to facilitate new development.</p> <p>The Bellingin LEP applies a RE1 Public Recreation with objectives to provide land for public open space or recreational purposes and protect and enhance the natural environment for both environmental and recreational purposes. The LEP ensures areas of high ecological, scientific, cultural or aesthetic values are maintained or improved.</p> |

| Plan | Description |
|---|--|
| Bellinghen Shire Biodiversity Strategy 2019 | <p>The Bellinghen Shire Biodiversity Strategy 2019 will provide an overarching framework to assist management, enhancement and protection of natural areas and biodiversity in the Bellinghen Shire LGA for the next 10 years. The Strategies Action Plan identifies various key focus areas. The focus areas applicable to the Connell Park PoM include:</p> <ul style="list-style-type: none"> – Key Focus Area 2. Native Vegetation: protecting, managing and restoring Bellinghen's native vegetation. – Key Focus Area 3. Waterways: managing and conserving river systems, wetlands, riparian land, coastal and estuarine health. – Key Focus Area 5: Public spaces: Managing our reserves to promote biodiversity and community interaction. <p>Council will continue to monitor and review the Action Plan to ensure they are meeting the strategic and specific objectives.</p> |
| Bellinghen Disability Inclusion Action Plan 2022-2026 | <p>The Bellinghen Shire Disability Inclusion Action Plan was endorsed in 2017 and has been updated and adopted in June 2022.</p> <p>The development of the Bellinghen Shire Council Disability Inclusion Action Plan has focused on increased consultation and involvement of people who identify as having a disability including physical disabilities, intellectual disabilities, cognitive disabilities, sensory disabilities, and those with mental health conditions.</p> <p>Continued consultation and involvement of people with disability will also be a focus of the implementation phase. In addition, appropriate cultural considerations will be paramount when developing any programs in relation to this plan.</p> |
| S7.12 Contributions Plan 2021 | <p>Bellinghen Shire Council adopted a new S7.12 Contributions Plan in June 2021 used to collect payments towards the provision of infrastructure triggered by new development. The payments received assist with the cost of providing roads, drainage, open space, and community infrastructure required to accommodate the needs of a growing population.</p> <p>This plan authorises the consent authority including Bellinghen Shire Council (Council), a planning panel or a registered certifier to impose conditions on development consents or complying development certificates (CDCs) requiring s7.12 levies from development to which the plan applies. This plan has been prepared in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and Environmental Planning and Assessment Regulation 2021 and having regard to the latest practice notes issued by the Secretary of the Department of Planning and Environment (DPE).</p> |

4. Environmental attributes

4.1 Key environmental themes

4.1.1 Hydrology and flooding

Cemetery Creek runs from west to east through Connell Park and connects with the Bellinger River. Cemetery Creek runs through Bellingen and is affected by short duration flooding. When the creek overtops the banks significant inundation of low-lying areas to the south of Waterfall Way can occur, particularly between Ford and Prince Streets.

Connell Park is located south of the Bellinger River within a flood fringe area and is affected by the 1 in 20 year flood event and Council's Flood Planning Area (refer Figure 4.1). Any development within the flood affected areas can only be undertaken subject to a flood study being completed to estimate the potential flood impacts and the need for mitigation.



Figure 4.1 Flood Mapping of Connell Park

4.1.2 Soil and contamination

Connell Park is underlain by the Bellinger landscape, characterised by level to undulating alluvial terraces and floodplains with small intermittent swamps on Quaternary alluvials in the Bellinger Valley and its tributary valleys. Local relief is typically to 10 metres and slope gradients range from 0-5 percent. Soil profiles are typically sandy loam topsoils to fine loamy and light clay subsoils. Potential limitations include soils with low to very low wet bearing strength, low permeability, low subsoil fertility, high water erosion hazard, high run-on, localised flood hazard and seasonal waterlogging.

A search of the Australian Soil Resource Information Management System (ASRIMS) was conducted on 18 March 2022 to determine the probability of acid sulfate soils occurring in the proposal site. The search indicated that the proposal site has a low probability of acid sulfate soils.

A search of the Contaminated Lands Record of Notices on 23 March 2022 for the Bellinger Shire LGA did not identify any known contamination within or in the immediate vicinity of Connell Park. Review of the naturally occurring asbestos in NSW online map did not identify any asbestos occurrence within or in proximity to Connell Park.

4.1.3 Vegetation

Native vegetation areas are located predominantly along the riparian corridor associated with Cemetery Creek. A review of the Vegetation Map of the Bellinger Local Government Area, 2013. VIS_ID 4188, identified riparian vegetation within Connell Park along Cemetery Creek dominated by camphor laurel trees. These areas of vegetation are considered to have poor biodiversity and ecological quality due to camphor laurel infestation.

The riparian corridor separates the northern portion of the park where existing sporting fields are present, and the southern portion which is predominantly cleared and maintained as grassed open space, currently used on occasion by Bellinger High School. Bellinger Urban Landcare Group undertake conservation and restoration works along the riparian corridor.

The desktop literature review identified three threatened ecological communities and 23 flora species listed as threatened under the BC Act and/or EPBC Act that have been previously recorded or predicted to occur within 10 kilometres of the study area.

4.1.4 Fauna

Database searches identified 89 threatened and/or migratory fauna species listed under the *Biodiversity Conservation Act 2016* and/or *Environmental Planning and Biodiversity Conservation Act 1999* and/or *Fisheries Management Act 1994* that have been previously recorded or predicted to occur within 10 kilometres of the study area.

The parkland vegetation would provide foraging resources for relatively mobile common native fauna species. Landscape plantings in Connell Park have limited potential to provide habitat for fauna species. The Cemetery Creek riparian zone would provide habitat for species such as aquatic macroinvertebrates, fish, birds, microbats, reptiles and amphibians. Cemetery Creek is classified as Key Fish Habitat under the Department of Primary Industries' Key Fish Habitat Mapping.

4.1.5 Aboriginal cultural significance and native title

Connell Park is located within the Bowraville Local Aboriginal Land Council area.

A search of the Aboriginal Heritage Information Management System (AHIMS) database was conducted on 18 March 2022. No recorded sites are located within 1 kilometre of Connell Park.

A search of the National Native Title Register indicated that Connell Park is not subject to Native Title claim or indigenous land use agreement under the Native Title Act.

4.1.6 Historic Heritage significance

A search of the following databases was conducted to identify heritage items in proximity to the proposal:

- Australian Heritage Database
- State Heritage Register and Inventory
- Bellingen LEP 2010

Two heritage items listed under the Bellingen LEP 2010 are located within Connell Park:

- ‘Cultural planting – Connell Park’ forming an important visual element contrasting with open playing fields.
- ‘Street trees’ an unusual selection of trees from the 1950s on the road reserve fronting 1149 Waterfall Way

The heritage listing details are listed in Table 4.1 below.

Table 4.1 *Heritage listing details for Connell Park*

| Lot/DP | Heritage Significance | Reason of heritage significance |
|--|--|---|
| Lot 34 DP 255479 | <u>Not</u> listed as heritage under the Bellingen LEP 2010 | *Not heritage but to note, it is next to heritage Item 87 |
| Lot 35 DP 255479 | Listed as local heritage under the Bellingen LEP 2010 | Instrument no Item 87 For the cultural plantings in Connell Park |
| Lot 37 DP 264523 | Listed as local heritage under the Bellingen LEP 2010 | |
| The road reserve fronting Connell Park | Listed as local heritage under the Bellingen LEP 2010 | Instrument no Item 88 For the street trees |

5. Basis of management

Community land requires categorisation under the *Local Government Act 1993* and Local Government Regulations 2021. Council intends to manage its community land to meet:

- Assigned categorisation of Community Land
- The LG Act guidelines and core objectives for Community Land
- Councils' strategic objectives and priorities
- Development and use of the lands as outlined in Section 6 of the *Local Government Act 1993*.

This PoM facilitates the realignment and re-categorisation of certain land within Connell Park. The 1999 PoM only categorised the lands as:

- Sportsground
- Park

New categories have also been applied to the park lands to assist with the management of the site attributes and land uses.

Categorisation of Community Land.

All community land is required to be categorised as one of more of the following categories.

The *Local Government Act 1993* defines five categories of community land as:

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

Table 5.1 describes the new categories that apply to Connell Park. The sportsground classification dominates most of the community land.

Table 5.1 Land category details

| Categorisation | Location within Connell Park | Area (m ²) |
|-------------------------|--|------------------------|
| Park | Portion of Connell Park | 7,013 |
| Sportsground | Majority of Connell Park | 53,562 |
| General community use | Playground (south) Swimming pool (south) Land on south-eastern boundary near Bellinghen Highschool | 28,449 |
| Natural area - Bushland | Creeks and banks | 30,548 |

Table 5.2 provides an overview of the core objectives of community land categories pursuant to the Local Government Regulations 2021.

Table 5.2 Guidelines for the core objectives of community land categorised as Park, Sportsground or General Community Use

| Category | Core Objectives (2) |
|-------------------------|--|
| Park | <ul style="list-style-type: none"> – Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities. – Provide for passive recreational activities or pastimes and for the casual playing of games. – Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management |
| Sportsground | <ul style="list-style-type: none"> – Encourage, promote and facilitate recreational pursuits in the community with active recreation involving organised sports and informal sporting activities and games – Ensure that such activities are managed having regard to any adverse impact on nearby residences |
| General Community Use | <ul style="list-style-type: none"> – 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 – In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public – 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) |
| Natural Area – Bushland | <ul style="list-style-type: none"> – 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 – To maintain the land, or that feature or habitat, in its natural state and setting – To provide for the restoration and regeneration of the land – 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. – 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 |



LEGEND

- Reserve boundary
- Cadastre
- General community use
- Park
- Natural area - Riparian corridor
- Sportsground
- Cemetery Creek

Paper Size ISO A4
 0 25 50
 Metres
 Map Projection: Transverse Mercator
 Horizontal Datum: GDA 1994
 Grid: GDA 1994 MGA Zone 56



Bellingen Shire Council
 Plan of Management for Connell Park, Bellingen

Project No. 12568414
 Revision No. 0
 Date 13/09/2022

Recategorisation Plan

FIGURE 5.1

g:\ghd\ghd\AU\Newcastle\Projects\22\12568414\GIS\Map\POM_3.aprx
 Print date: 17 Oct 2022 - 13:21

Data source: public_MGN_Imagery © Department of Customer Service 2020, Roads - DCS, 2022. Created by: dbarwin

6. Land use and development

6.1 Management principles

Council encourages a wide range of activities on community land and activation of the land where appropriate.

The following management principles provide direction to facilitate activities and actions on the land.

- Provide clear guidelines for the effective management of Connell Park.
- Provide direction for management and future development and provide measurable performance criteria for Council and the community.
- Satisfy the statutory requirements of the *Local Government Act 1993* and Local Government Regulation 2021.
- Introduce actions that will make the best use of available resources to satisfy the sporting needs of the community, and to maximise usage of the Connell Park.
- Balance the communities needs for active recreation opportunities and impact of provisions of these facilities on adjoining landowners.
- Clearly identify objectives and establish direction for planning resource management and maintenance of Connell Park.
- Provide a basis for assigning priorities in work programming and budgeting.
- To provide and maintain safe enjoyable physically attractive recreation and sporting facilities by upgrading existing facilities and planning and implementing new projects to meet the needs of the community.
- To promote recreational opportunities consistent with the Park's values.
- To encourage the active participation of the local community in the rehabilitation and ongoing maintenance of Cemetery Creek.
- To provide and maintain facilities in a manner which minimises risk to users of the park and promotes a healthy lifestyle.

6.2 Current use

Connell Park contains the facilities indicated on the Existing Site Plan prepared by Locale Consulting in Appendix B and supports a range of sporting groups shown in Table 6.1.

Table 6.1 *Sporting groups currently utilising Connell Park*

| Activity | Facility |
|----------------------|---|
| Rugby league | 1 full sized field, 1 junior field and 1 shared field |
| Football (Soccer) | 1 full size, 1 shared field and several small junior fields |
| Cricket | 1 senior and 1 junior field, 2 practice nets |
| Archery | Shared range area with junior soccer field |
| Netball | 2 senior and 1 junior grass courts |
| Swimming | One half course swimming pool (8 lanes/25m), 1 warm up pool (3 lanes/20m) and children's pool/play area |
| Children's play area | Various items of play equipment |
| Picnic area | Electric BBQ and shelters, seating and tables |
| Exercise equipment | Various items of exercise equipment near children's play area |
| Athletics | Marked discus/javelin area |

6.3 Connell Park proposed future development

The Connell Park Management Plan 2020 prepared by Locale Consulting established a Future Site Plan located in Appendix B. The site plan identifies future use and facilities that were scoped by Council and local stakeholders. A number of improvements were recommended throughout this process and are outlined in Table 6.2. Council has been successful in securing funding to implement a number of these recommended projects as outlined in brackets in No: 1, 2, 3, 6, 9 & 12)

Table 6.2 Recommended improvements

| No. | Improvement details |
|-----|---|
| 1 | Provision of a new multi-purpose building incorporating changerooms, amenities and related spaces, for use by all sporting groups, swimming pool and the broader community. (Successful grant funding secured for two new multipurpose sport facilities) |
| 2 | Removal of the existing sports amenities buildings, to be replaced with a new sports buildings providing storage, amenities, canteen, and additional change rooms. (Successful grant funding secured for this project). |
| 3 | Field based improvements such as higher specification lighting (LED over at least two fields), drainage (including increased maintenance, soil top-up and levelling) and fencing that meets user needs and higher-level competition requirements. (Successful grant funding has been secured for drainage improvements and terrain modelling to be delivered in 2 stages. Funding has been received for stage 1). |
| 4 | New shared user path in the form of a ring road around the sportsground. |
| 5 | Provision of additional junior sporting fields in the existing underutilised area of the Park in the south-eastern corner adjoining the High School. |
| 6 | Replacement of the main existing Cemetery Creek pedestrian bridge and provision of a similar pedestrian crossing to facilitate movement through the Park, between sporting fields and to the High School, and be trafficable for ambulance, sports and club vehicles. Successful funding secured to replace the main Cemetery Creek bridge. |
| 7 | Ongoing restoration and improvement of the Cemetery Creek riparian zone in conjunction with Bellingen Urban Landcare initiatives. |
| 8 | Provision of a formalised nature-based walk along the south-western portion of the creek corridor including educational points. |
| 9 | Replacement of existing grassed netball courts with two new paved courts (including provision of sufficient space for a further two courts subject to demand and allowance for a roof/shed), and lighting for evening competition and training. (Funding has been secured to upgrade the grass netball courts to hard court/surface inclusive of new lighting). |
| 10 | Increased provision of street trees for shade and amenity. |
| 11 | Provision for formalised parking at Prince Street, with additional overflow parking areas designed to meet appropriate standards. |
| 12 | Enhancement of the playground area as a "higher-level" play space in Bellingen in accordance with Council's Open Space and Community Facilities Study. Stage 1 of the upgrade has been completed by Council. Development of Stage 2 will be undertaken by Council once funding has been secured. |
| 13 | Supplementary change room block on Western side of the park. |

6.4 Approvals and land owner's consent

Section 35 of the *Local Government Act 1993* states:

"Community land is required to be used and managed in accordance with the following:

- The plan of management applying to the land
- Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land.
- This Division"

Council, leasees, licensors and casual users must comply with relevant laws by obtaining the relevant approvals that apply to the use and development of any land, as well as comply with the Plan of Management if the land is Community Land.

Common approvals required on Community Land are development consent under the *Environmental Planning and Assessment Act 1979* and approval under section 68 of the *Local Government Act 1993*. There are many laws permitting the use of land for a specified purpose or otherwise regulating the use of land and different laws apply depending on the use, activity or development.

A leasee or licensor of Council owned land is required to gain the consent of Council as a landowner before lodging any application seeking a relevant approval. Council will only consider granting landowner consent for applications to be lodged that are consistent with the PoM that applies to that land in the case of Community land or that is consistent with Council's strategic directions in the case of Operational land. Landowner's consent is separate from consent under the applicable legislation, but where land owner's consent is required to lodge an application to seek a legislative approval the two are linked, with Council in effect determining the matter, as land owner, not regulator, if land owner's consent to lodge the application is not given.

6.5 Granting a lease or licence on Community Land

A lease, licence or other estate may be granted in accordance with an express authorisation by this Plan of Management, providing the lease, licence or other estate is for a purpose prescribed in s. 46 of the *Local Government Act 1993*.

The purpose of the lease, licence or other estate must also be consistent with core objectives for the category of the Community Land. The land within the Connell Park PoM, is categorised as sportsground, general community use or natural area watercourse so those respective core objectives apply to the relevant locations.

Under the *Local Government Act 1993*, there are limits to the term of a lease or licence of Community land, and there are prescribed processes for granting a lease or licence depending on the type of leasee or licensee (not for profit or for profit) and the length of the lease or licence (short term casual or longer).

Any lease or licence over Community Land exceeding 22 years requires Minister's consent. Additionally, leases or licenses over community land cannot exceed 30 years. Council has a "Leases and Licences of Council Owned and Managed Land, Buildings and Public Roads Policy adopted on 3 April 2017 which it follows when leasing and licencing public land.

The main objective of the policy is to outline the general requirements for the granting of occupation agreements for Council owned and managed land and buildings in a timely manner that meets legislative requirements. Council policies are reviewed on a regular basis and this PoM acknowledges that this Council policy or its successor is the guide for Council's leasing and licencing of Council land, building and public roads. This policy will expire in December 2022 and is due to be reviewed.

7. Management of land by category

7.1 Current management

The site is currently overseen by the Bellingen/Connell Park Management Committee (a Section 355 committee of Council) which serves both Connell Park and the nearby Bellingen Park area. The committee operates under Council's Section 355 Committee Guidelines Manual (9 July 2018).

The Committee consists of representatives from the main sporting and user groups and currently handles much of the day-to-day management of the site such as bookings and scheduling and access to the amenities and storage (this excludes the pool area as outlined below). Overall maintenance of sporting areas remains the responsibility of Council. This includes regular upkeep such as mowing as well as cleaning of the public toilets located adjoining the swimming pool.

The Bellingen Shire Swim Centre is a seasonal pool facility that is currently managed under lease to the YMCA. This management structure was identified as being a major driver of the preparation of the Plan of Management for the site in 1999. Whilst major asset works remain the responsibility of Council, the operation of the pool and its general maintenance is undertaken as part of the lease arrangements.

Bellingen Urban Landcare Group undertakes conservation and restoration works along Cemetery Creek. Since June 2011, these works have been through an MOU with Council. This includes revegetation and weed control in the riparian zone, often with the assistance of a contractor and supported by Council grant or Environmental Levy funding. Working bees are co-ordinated with the group's volunteer members and in sometimes in association with nearby schools.

In addition to these existing activities, the site contains a "Return & Earn" recycling machine which is present under a licence with Council. The machine is located in the car park area in the north-eastern portion of the site and is the only one of its kind within the town. A licence fee is paid to Council and subsequently to the Management Committee by the recycling contractor.

7.1.1 Management framework

The management of the park will be undertaken in accordance with the following categories as indicated in Figure 2.

- Park
- Sportsground
- General community use
- Natural Area – Bushland

7.2 Park

Connell Park includes an area categorised as Park on the western boundary adjacent to Prince Street. This Park currently includes an open space area with trees and shrubs.

7.2.1 Guidelines and core objectives

Clause 104 of the Local Government Regulation 2021 defines the Park category as land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the land use by others.

Section 36G of the *Local Government Act 1993* identified the following core objectives for the Park category of land:

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

The Park areas provides for passive recreation, which will encourage, promote and facilitate recreational, cultural, social and educational pastimes in accordance with these core objectives.

7.2.2 Key issues

The following key issues for the Park category have been identified through the preparation of the Action Plan taking into consideration Council's strategic objectives and priorities:

- Provide high quality open space and recreational facilities.
- Ensure ongoing maintenance of the open space and any facilities within the Park.
- Improve amenity with shelters, seating, picnic settings.
- Ensure appropriate dog/animal control.
- Improve safety and security.
- Improve walking and cycling connections.
- Improve accessibility of facilities, equipment, entry and exit points.

7.2.3 Development and use

The following development and use are permitted within the Park category of land:

- Infrastructure and facilities
- Landscaping and non-sporting equipment and facilities
- Parking
- Signage
- Special events or uses.

7.2.4 Current use of the land

7.2.4.1 Condition and use of the land and structures

Section 36(3A)(a) of the *Local Government Act 1993* requires a PoM to provide a description of the condition of the land and structures on adoption of the Plan. A table identifying all of Connell Parks assets and condition is provided in Appendix C.

7.2.4.2 Current lease and licences

There are no formal leases or licence over any of the land categorised as Park Land.

7.2.5 Permissible uses/future uses

Section 36(3A) of the *Local Government Act 1993* requires a PoM to detail the uses currently permitted on the land and any planned or committed future uses.

The general types of uses which may occur on community land categorised as Park are outlined in Table 7.1. Facilities on community land may change over time, reflecting the needs of the community.

Table 7.1 Permissible use and development for land categorised as Park

| Purpose/use | Development to facilitate uses |
|---|--|
| <ul style="list-style-type: none"> - Active and passive recreation including children’s play and cycling. - Community gardens - Group recreational use, such as picnics and private celebrations - Festivals, parades, markets, fairs - Exhibitions - Events and gatherings - Eating and drinking in relaxed settings - Filming and Photographic projects - Publicly accessible ancillary areas, such as toilets - Low-intensity commercial activities (e.g. Recreational equipment hire - Busking - Public Address (e.g. speeches) - Restricted access ancillary areas (e.g. storage areas associated with functions, gardening equipment). - <i>Note: Some of the uses listed above require a permit from Council</i> | <ul style="list-style-type: none"> - Development for the purpose of improving access, amenity and the visual character of park, for example, paths, public art and pergolas - Development for the purpose of active recreation such as playgrounds and equipment, exercise grounds, bike pedal park, bike rack - Amenities to facilitate the safe use and enjoyment of the park (e.g. children play equipment) - BBQ facilities, sheltered seating areas and shade structures. - Lighting, seating, toilet facilities and paved areas - Hard and soft landscaped areas - Carparking and loading areas. - Commercial development that is sympathetic to and support use in the areas, for example hire for recreational equipment - Heritage and Cultural interpretation (e.g., signs) - 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 - Community gardens |

7.2.6 Express authorisation of leases, licences and other estates - Park

Section 46(1)(b) and 36(3A) of the *Local Government Act 1993* requires a PoM to provide an express authorisation for the granting of leases, licences or other estates.

This PoM expressly authorises the issue of leases, licences and other estates over the land categorised as Park listed in Table 7.2. The term of any lease, licences or other estate will be subject to the relevant provisions of the *Local Government Act 1993*.

Table 7.2 Lease, licence and other estate and purpose for which they may be granted for land categorised as a park

| Type of Tenure Arrangement | Purpose for which tenure may be granted |
|----------------------------|---|
| Lease | Not applicable for the Park category of the reserve |
| Licence | <ul style="list-style-type: none"> - Hire or sale of recreational equipment |
| Short-term licence | <ul style="list-style-type: none"> - Community events and festivals - Playing a musical instrument, or singing for fee or reward - Picnics and private celebration (e.g. weddings and family gatherings) - Filming, including for cinema/television. - Conducting a commercial photography session - Public performances - Engaging in an appropriate trade or business - Delivering a public address - Community events - Fairs, markets, auctions, and similar activities |
| Other estates | This PoM allows Council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connection for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act. |

7.3 Sportsground

The majority of the land at Connell Park is categorised as Sportsground. It covers approximately 53,562 m² of Connell Park. The Sportsground area of land is generally flat and includes the following:

- Rugby League fields
- Soccer fields
- Cricket ovals and nets
- Netball courts
- Archery
- Existing sports buildings

7.3.1 Guidelines and core objectives

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

As outlined in Section 36F of the *Local Government Act 1993*, the core objectives for Sportsgrounds are to:

- Encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games.
- Ensure these activities area managed having regard to any impact on nearby residences.

The land categorised as Sportsground aligns with these objectives by providing for a wide variety of formal and informal sporting activities and games to be played throughout the year, including cricket, football and netball as summer sport; and, soccer, netball, rugby league, during winter.

Connell Park is bounded by roads on all three (3) sides with car parks distributed around its perimeter. This ensures that sporting activities and games are played away from nearby residential properties and spreads the distribution of traffic and car parking. This ensures that potential amenity impacts to nearby residences, such as noise are traffic congestion, are minimised.

Further specific management measures and objectives for the Sportsground category areas of land are provided in the Action Plan in Section 8.3.

7.3.2 Key issues

The following key issues for the areas of land categorised as Sportsground have been identified through the preparation of the Action Plan (AP) taking into consideration Council's strategic objectives and priorities:

- Provide high quality opens space and recreational facilities.
- Optimise existing sports field layouts.
- Equity of access between sporting codes
- Maintenance and upgrades of sports fields
- Upgrade of amenities
- Manage competing uses for the sports fields
- Reduce energy and water use.
- Allow for future additional purpose of sporting club facilities.

7.3.3 Development and land use

The permitted development and uses of the Sportsground category are:

- Infrastructure and facilities
- Permitted uses for active recreation involving organised and informal sports or the playing of outdoor games.
- Parking

- Landscaping and non-sporting equipment and facilities
- Signage
- Coaching

Specific permitted and future uses are identified in Table 7.3.

7.3.4 Current use

7.3.4.1 Conditions and use of land and structures

Section 36(3A)(a) of the *Local Government Act 1993* requires a PoM to provide a description of the condition of the land and structures on adoption of the Plan. A table identifying all of Connell Park’s assets and condition is provided in Appendix C.

7.3.4.2 User group arrangements

Council has various payment arrangements including set fees and charges for local sporting clubs, groups and associations utilising the fields and courts at Connell Park. The following sporting groups currently pay fees and charges to Council for the use of the Sportsground.

- Junior Rugby League
- Cricket
- Netball
- Soccer
- Local school groups

7.3.5 Permissible uses and future uses

Section 36(3A) of the *Local Government Act 1993* requires a PoM to detail the uses currently permitted on the land and any planned or committed future uses.

The general types of uses which may occur on community land categorised as Sportsground and the forms of development generally associated with those uses, are set out in detail in Table 7.3. The facilities on community land may change over time, reflecting the needs of the community.

Table 7.3 Permissible use and development of land categorised as Sportsground

| Purpose/use | Development to facilitate uses |
|---|--|
| <ul style="list-style-type: none"> – Active and passive recreational and sporting activities consistent with the nature of the land and any relevant facilities – Organised and unstructured recreation activities – Ancillary areas (meeting rooms, equipment storage) – Shower/Toilet facilities – Kiosk/café uses. – Car parking and loading area. – Shade structures, storage ancillary to recreational uses, community events or gatherings and public meetings – Community events and gatherings – Commercial uses associated with sports facilities | <ul style="list-style-type: none"> – Development for the purpose of conducting and facilitating organised sport (both amateur and professional) – Sports training (rugby league, AFL, cricket, football/soccer and multipurpose) – Fields for any additional sports for Connell Park – Ancillary Area (e.g., equipment storage areas) – Shade structures – Storage ancillary to recreation uses, community events or gatherings, and public meetings. – Provisions of amenities to facilitate use and enjoyment of the community land including seating, change rooms, toilets storage, first aid areas and water bubblers. – Equipment sales, hire areas. – Compatible, small scale commercial uses (e.g. Sport tuition) – Advertising structures and signage (e.g. A frames and banners) that: <ul style="list-style-type: none"> • Relate approved uses/activities. • Are discreet and temporary. • Are approved by Council |

7.3.6 Express authorisation of leases, licences and other estates – Sportsground

Section 46(1)(b) and 36(3A) of the *Local Government Act 1993* requires a PoM to provide an express authorisation for the granting of leases, licences or other estates.

This PoM expressly authorises the issue of leases, licences and other estates over the land categorised as Park listed in Table 7.4. The term of any lease, licences or other estate will be subject to the relevant provisions of the *Local Government Act 1993*.

Table 7.4 Purposes for which leases, licences and other estates may be granted for land categorised as Sportsground

| Type of tenure agreement | Purpose for which may be granted |
|--------------------------|---|
| Lease | <ul style="list-style-type: none"> – Café/kiosk areas, including seatings and tables. – Management of hard-court facilities – Hire or sale of recreational equipment. – Clubhouse and amenity buildings and fields |
| Licence | <ul style="list-style-type: none"> – Café/kiosk areas, including seating and tables – Management of court of similar facilities – Hire or sale of recreational reequipment. – Use and maintenance of sports field and courts for community sporting groups and the general community |
| Short term licence | <ul style="list-style-type: none"> – Sporting fixtures and events – Sports and fitness training and classes – Use of sports field and courts for community sporting groups and the general community – Broadcasting or filming of sport fixtures and still photography. – Uses reasonable associated with promotion or enhancement of sporting groups, fixtures and events (e.g., guest events for juniors, gala days and club meetings) – Community events |
| Other estates | This PoM allows Council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connection for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act. |

7.4 General community use

The land categorised as General Community Use includes the Bellingen Shire Swim Centre located on the south-western part of the Connell Park accessed via Prince Street, and land on the eastern boundary near the Bellingen High School. The swim centre facility is owned by Council and is under a lease agreement with the YMCA. The Swim Centre, including the cricket and rugby league storage shed is located on Lot 35 DP 255479.

It comprises the following range of water and dry land facilities:

- Outdoor Learn to swim pool.
- Outdoor Eight lane 25 m outdoor lap pool
- Outdoor three lane 18 metre program pool
- Outdoor Children’s wading pool
- Sheltered spectator area.
- A kiosk/cafe
- Change sheds.
- BBQ, lawn and shade areas
- Open space area with trees and shrubs

7.4.1 Guidelines and core objectives

Clause 106 of the Local Government Regulation 2021 identifies general community use land as land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.

The core objectives for community land categorised as general community use, as outlined in Section 361 of the *Local Government Act 1993*, are to promote, encourage and provide for the use of the land, and provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public
- 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)

The land categorised as General Community Use accords with these objectives by promoting, encouraging and providing for the use of the land to meet the current physical, cultural, social and future needs of the community.

Further specific management measures and objectives for the General Community Use category areas of land are provided in the Action Plan in Section 8.3.

7.4.2 Key issues

Key issues for the areas of land categorised as General Community Use have been identified through the preparation of the Action Plan (AP) taking into consideration Council's strategic objectives and priorities.

The key issues associated with the proposed for the Swim Centre are:

- Provide high quality open space and recreational facilities.
- Replace existing indoor facilities.
- Ensure equity of use
- Provide sufficient car parking.
- Reduce energy and water use.
- Improve lighting for safety and security.

The key issues associated with the Swim Centre are:

- Provide additional splash and play facilities.
- Ensure equity of use
- Reduce energy and water use.
- Improve data collection and usage.

7.4.3 Development and use

The permitted development and uses of the General Community Use category of land in the Reserve are:

- Infrastructure and facilities
- Permitted uses of active recreation involving organised and informal sports
- Aquatic based sports and therapy
- Special events or uses.
- Parking
- Landscaping and non-sporting equipment and facilities
- Signage
- Coaching
- Sale of food and beverages, including alcohol

Specific permitted and future uses are identified in Table 7.3.

7.4.4 Current use

7.4.4.1 Condition and use of the land and structures

Section 36(3A)(a) of the LG Act 1993 requires a PoM to include a description of the condition of the land and structures on adoption of the plan. A table identifying existing assets and their condition is provided in Appendix C.

7.4.4.2 Current leases and licences

There is an agreement for lease and licence of part of Connell Park between Council and YMCA and Return and Earn facilitators. The current leases within the General Community use of land are outlined in Table 7.5.

Table 7.5 Current leases within land categorised as Sportsground

| Lessee | Location | Commenced | Terminate |
|-----------------|---|-----------|-------------|
| YMCA | Connell Park | N/A | 2025/2026 |
| Return and Earn | Connell Park parking lot on eastern side. | 2018 | 30 Jan 2023 |

7.4.5 Permissible uses and future uses

Section 36(3A) of the LG Act 1993 requires a PoM to detail the uses currently permitted on the land and any planned or committed future uses of the land.

The general types of uses which may occur on community land categorised as General Community Use and the forms of development generally associated with those uses, are set out in detail in Table 7.6. The facilities on community land may change over time, reflecting the needs of the community.

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

Table 7.6 Permissible use and development of land categorised as General Community Use

| Purpose/Use | Development to facilitate uses |
|---|--|
| Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes. | <p>Development for the purposes of the multi-purpose indoor and outdoor leisure centre including:</p> <ul style="list-style-type: none"> – Café and kiosk – Carparking and landscaping – Child minding creche – Reception area and administration <p>Other development, including:</p> <ul style="list-style-type: none"> – Provision of buildings or other amenity areas to facilitate use and enjoyment by the community. – Development (particularly within buildings) for the purposes of addressing the needs of a particular group. – 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 – Car parking and loading areas. – Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> • Relate to approved uses/activities. • Are discreet and temporary. • Are approved by council. – Locational, directional and regulatory signage |

7.4.6 Express authorisation of leases, licences and other estates – General community use

Section 46(1)(b) and 36(3A) of the *Local Government Act 1993* requires a PoM to provide an express authorisation for the granting of leases, licenses or other estates.

This PoM expressly authorises the issue of leases, licenses and other estates over the land categorised as General Community Use, listed in Table 7.7. The term of any lease, licenses or other estate will be subject to the relevant provisions of the *Local Government Act 1993*.

Table 7.7 Leases, licences and other estates and purposes for which they may be granted for land categorised as General Community use

| Type of tenure arrangement | Purpose for which |
|----------------------------|---|
| Lease | <ul style="list-style-type: none"> – Educational purposes, including workshops. – Community services, delivery and provision – Recreational purposes, including fitness classes, dance classes and games. – Sporting uses – Kiosk, café and refreshment purposes (with or without liquor licence) – Commercial retail uses associated with the facility (e.g. sale or hire of sports goods) |
| Licence | <ul style="list-style-type: none"> – Educational purposes, workshops – Recreational purposes (e.g. fitness classes and dance classes) – Café/kiosk areas (with or without a liquor licence) – Sale of goods or services that are ancillary to community land use and reserve purpose |
| Short-term licence | <ul style="list-style-type: none"> – Public speeches, meetings, seminars and presentations (e.g. educational programs) – Functions (e.g. commemorative functions, book launches, film releases, and similar activities) – Displays, exhibitions and shows. – Events (e.g. corporate functions and community gatherings) – Concerts and other performances, including both live performances and film (cinema and TV) – Concerts and other performances, including both live performances and film (cinema and TV) – Broadcasts associated with any event, concert, or public speech – Engaging in an appropriate trade or business – Filming and still photography |
| Other estates | <p>This PoM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the <i>Local Government Act 1993</i>.</p> |

7.5 Natural Area – Bushland

There is one area of land categorised as Natural Area - Bushland and is identified as a riparian corridor that traverses the Park.

7.5.1 Guidelines and core objectives

Clause 102 of the Local Government Regulation identifies natural areas as land possessing a significant feature that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore.

Section 36E of the *Local Government Act 1993* identifies the following core objectives for natural areas:

- 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

- To maintain the land, or that feature or habitat, in its natural state and setting
- To provide for the restoration and regeneration of the land
- 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.
- To assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*

Clause 107 of the Local Government Regulation identifies bushland as land containing primarily native vegetation that is the natural vegetation or a remainder of the natural vegetation of the land, or although not the natural vegetation, is still representative of the structure or floristics of the natural vegetation in the locality.

Section 36J of the *Local Government Act 1993* identifies the following core objectives for bushland:

- To ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna of the land and other ecological values
- To protect the aesthetic, heritage, recreational, educational and scientific values of the land
- To manage the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures to minimise or mitigate disturbance caused by human intrusion
- To restore degraded bushland
- To protect existing landforms such as natural drainage lines, watercourses and foreshores

The categorisation of the land as Natural Area - Bushland is consistent with the core objectives for natural areas and bushland. The categorisation will assist in maintaining and conserving these areas of biodiversity in their natural state and allow for the restoration of degraded bushland.

Further specific management measures and objectives for the Natural Area - Bushland category area of land are provided in the Action Plan provided in Appendix 8.3.

7.5.2 Key issues

The following key issues for the areas of land categorised as Natural Area - Bushland have been identified through the preparation of the Action Plan taking into consideration Council's strategic objectives and priorities:

- Provide high quality open space and recreational facilities.
- Conserve and restore natural resources.
- Ensure appropriate dog/animal controls.
- Protect areas of bushland biodiversity
- Improve access to natural areas.

7.5.3 Development and use

The permitted development and uses of the Natural Area - Bushland category of land in the Reserve are:

- Infrastructure and facilities, including boardwalk.
- Passive recreation
- Landscaping and non-sporting equipment and facilities
- Bush regeneration
- Signage

7.5.4 Current land use

7.5.4.1 Condition and use of the land and structures

Section 36(3A)(a) of the *Local Government Act 1993* requires a PoM to include a description of the condition of the land and structures on adoption of the plan. A table identifying the existing assets and their condition is provided in Appendix C.

7.5.4.2 Current leases and licences

There are no formal leases or licences over any land categorised as Natural Area – Bushland in the Reserve.

7.5.5 Permissible and future uses

Section 36(3A) of the *Local Government Act 1993* requires this PoM to detail the uses currently permitted on the land and any planned or committed future uses of the land.

The general types of uses which may occur on community land categorised as Natural Area – Bushland and the forms of development generally associated with those uses, are set out in detail in Table 7.8. The facilities on community land may change over time, reflecting the needs of the community.

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

Table 7.8 Permissible use and development of land categorised as Natural Area - Bushland

| Purpose/use | Development to facilitate uses |
|---|--|
| <ul style="list-style-type: none">– Preservation of natural heritage– Preservation of biological diversity and habitat– Providing a location for relaxation and passive informal recreation– Walking/hiking– Guided bushwalks.– Environmental and scientific study– Bush regeneration works.– Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna.– Fire hazard reduction | <ul style="list-style-type: none">– Visitor facilities (e.g. sheltered seating areas and shade structures)– Low-impact walking trails and boardwalks– Interpretive signage– Water-saving initiatives (e.g. rain gardens, swales and sediment traps)– Observation platforms and signs– Temporary erection or use of any building or structure necessary to enable a filming project to be carried out– Locational, directional and regulatory signage |

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

Section 46(1)(b) and 36(3A) of the *Local Government Act 1993* requires a PoM to provide an express authorisation for the granting of leases, licenses or other estates.

This PoM expressly authorises the issue of leases, licenses and other estates over the land categorised as Natural Area – Bushland is indicated in Table 7.9. The term of any lease, licenses or other estate will be subject to the relevant provisions of the *Local Government Act 1993*.

Table 7.9 *Leases, licences and other estates and purposes for which they may be granted for land categorised as Natural Area - Bushland*

| Type of tenure arrangement | Purpose for which tenure may be granted |
|----------------------------|---|
| Lease | Not applicable |
| Licence | <ul style="list-style-type: none"> - Scientific studies and surveys or similar - Guided bushwalks. - Environmental and scientific study - Bush regeneration works. - Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna. - Temporary erection or use of any building or structure necessary to enable a filming project to be carried out |
| Short-term licence | <ul style="list-style-type: none"> - Scientific studies and surveys or similar - Guided bushwalks. - Environmental and scientific study - Bush regeneration works. - Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna. - Fire hazard reduction - Temporary erection or use of any building or structure necessary to enable a filming project to be carried out. - Filming and still photography |
| Other estates | <p>This PoM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the <i>Local Government Act 1993</i>.</p> |

8. Action plan

Part 2 of the *Local Government Act 1993* requires a PoM for community land to include the following:

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

The Action Plan sets out these requirements for activities undertaken on the land. This action plan provides a review of the key issues that need to be addressed within the context of Connell Park over the next 5 to 10 years.

8.1 Categories

In accordance with the *Local Government Act 1993*, the action plan below provides performance objectives and targets for the following categories of community land at Connell Park:

- Parks (P)
- Sportsground (S)
- General Community Use (GCU)
- Natural Area - Bushland (N)

8.2 Priority ranking

The priority rankings and their desired implementation time frames are listed below: High: commence within the next two years Medium: commenced in two to five years Low: commence after five years Ongoing: existing, ongoing action.

The priority rankings and their desired implementation time frames are listed below:

Timeframes used in this section are as follows:

- Short-term (ST): 1-2 years
- Medium-term (MT): 3-5 years
- Long-term (LT): 5 years+
- Ongoing (OG): recurring strategy
- As required (AR): strategy to be undertaken when triggered.

8.3 Connell Park Plan of Management - Action Plan

Table 8.1 Connell Park Action Plan

| # | Category | Objective (an end toward which efforts are directed) | Performance Target (an objective or goal to be performed) | Means of Achievement – Actions (how Council or the community can achieve the objective and performance targets) | Priority Rank | Performance Measure (how Council can assess the performance of the means of achievement) |
|--|----------|---|--|--|---|---|
| 1. FUNCTION, PROVISION AND DESIGN | | | | | | |
| 1.1 | All | Defined roles and responsibilities | <p>Ensure existing user needs and legislative requirements are carefully considered alongside opportunities to establish new facilities.</p> <p>New and existing facilities are designed with a view to ensuring their ability to establish a return or other cost savings that can assist in the ongoing maintenance and renewal of facilities over the long-term.</p> | <p>Review current site booking arrangements with a view to establishing a central, publicly accessible booking system and calendar to provide greater transparency and improved record keeping with respect to user activities.</p> <p>Investigate upgrade opportunities to existing lighting systems to enable higher levels of record keeping and transparency over use – such as app enable systems that record use according to different user groups.</p> <p>As required, and in consultation with the Management Committee, establish and review the need for various lease or licence arrangements to assist in the operation of future facilities.</p> | <p>ST</p> <p>ST</p> <p>AR</p> | Effective management system of activities long term. |
| 1.2 | P,S,GCU | Integrate existing facilities with new facilities | <p>Increase the attractiveness and useability of the site for both sporting and other activities through higher quality facilities, presence of simple attributes such as shade trees, accessible amenities, and clear/safe arrangements.</p> <p>Ensure that existing user needs and code standards are carefully considered alongside opportunities to establish new facilities.</p> <p>Enhance the identity of the site through the consistent application of materiality and vegetation that is</p> | <p>Grant funding has been received for the construction of two multi-purpose sport facilities including unisex changerooms with toilet / shower facilities, a kiosk/canteen, storage and referee facilities. This project will provide critical infrastructure upgrades and upon receipt of funding, implementation of detailed works will commence.</p> <p>Further consider options for access across Cemetery Creek and sporting field set out to maximise user efficiencies. Grant funding has been secured for the replacement of the existing pedestrian footbridge as part of the infrastructure upgrades.</p> | <p>ST</p> <p>ST</p> <p>MT</p> <p>ST</p> | Consideration for design and integration of new infrastructure will be facilitated through ongoing consultation processes that remain critical moving forward through all stages of planning and delivery. Ongoing refinement and detailing through subsequent processes will be undertaken to ensure that the spaces and facilities constructed continue to meet the |

| # | Category | Objective (an end toward which efforts are directed) | Performance Target (an objective or goal to be performed) | Means of Achievement – Actions (how Council or the community can achieve the objective and performance targets) | Priority Rank | Performance Measure (how Council can assess the performance of the means of achievement) |
|-----|----------|---|---|---|---------------------|---|
| | | | <p>consistent with its position as an important community asset positioned at the gateway to the town.</p> <p>Recognise key constraints and opportunities to the development and use of the site are recognised, such as its flood constraints and environmental sensitivities.</p> <p>Ensure that both new and existing facilities are designed, where reasonably possible, with a view to ensuring their ability to establish a return or other cost savings that can assist in the ongoing maintenance and renewal of facilities over the long-term</p> | <p>Implement forward planning process for the sporting field expansion and associated facilities including bridge and pathway system to a stage of being in a position to seek substantial grant funding.</p> <p>Funding has been successful for a project to improve the drainage and playing field surfaces which will reduce the likelihood of field closures post rainfall and flooding events. This will be delivered over at least 2 stages.</p> <p>Seek grant funding for the sporting field expansion and upon receipt of funding, commence implementation of detailed works.</p> | <p>ST</p> <p>MT</p> | <p>diverse needs and required standards of the groups that are intended to use those areas.</p> |
| 1.3 | P, N | Protecting and enhancing natural features | <p>Increase the attractiveness and useability of the site for both sporting and other activities through higher quality facilities, presence of simple attributes such as shade trees, accessible amenities and clear / safe access arrangements.</p> <p>Enhance the identity of the site through the consistent application of materiality and vegetation that is consistent with its position as an important community asset positioned at the gateway to the town.</p> <p>Recognise key constraints and opportunities to the development and use of the site, such as its flood</p> | <p>Prepare a Vegetation Management Plan for the site, to be agreed with Council and developed in conjunction with the Management Committee, to include a range of short, medium and long-term activities that maintain and improve the Cemetery Creek riparian corridor and other environmental improvements including:</p> <ul style="list-style-type: none"> – identification of ongoing funding commitment for bush regeneration works – processes for the removal of all mature Camphor Laurel trees within the Cemetery Creek riparian zone (up to 5 mature trees per year) – extension of the existing area of Bellingen Primary / St Mary's Bellingen School environmental plantings along Cemetery Creek | <p>ST</p> | <p>Levels of biodiversity re-established within the Cemetery Creek Corridor and throughout the vegetated zones will be periodically assessed. Ongoing bush regeneration works to control terrestrial and aquatic weed species will also be assessed intermittently within a coordinated program in order to track and measure improvement over a 5-to-10-year period.</p> |

| # | Category | Objective (an end toward which efforts are directed) | Performance Target (an objective or goal to be performed) | Means of Achievement – Actions (how Council or the community can achieve the objective and performance targets) | Priority Rank | Performance Measure (how Council can assess the performance of the means of achievement) |
|-----|----------|---|---|---|---------------------------|--|
| | | | constraints and environmental sensitivities. | <ul style="list-style-type: none"> – location and form of educational signage, and – location and form of formalised pathway along the south-west portion of the corridor Implement the staged removal of Camphor Laurel trees including appropriate preparation and remedial works to encourage increased biodiversity outcomes. Establish a formal walking trail to the south-west of Cemetery Creek, connecting from the Prince Street car park, through the existing enclosed canopy area, and emerging back across the Creek in the area of the netball courts. | ST-LT LT | |
| 1.4 | S,P, GCU | Provide signage and regulatory information | Increase the attractiveness and useability of the site for both sporting and other activities through higher quality facilities, presence of simple attributes such as shade trees, accessible amenities and clear / safe access arrangements. Enhance the identity of the site through the consistent application of materiality and vegetation that is consistent with its position as an important community asset positioned at the gateway to the town. | Consider opportunities for improved signage, including variable information signage, that assists both occasional users and new visitors to orientate and explore the area. In context of Council's broader policy approach, consider installation of dog waste bag dispensers, particular along key user pathways and desire lines as these are more clearly developed into the future. In context of Council's broader review of public toilets across the LGA, consider public toilet and sporting amenities needs across the Connell Park site. | AS ST ST-MT | Assessment of signage effectiveness when clarifying permitted activities in line with user conflicts raised. Assessing the operation of clubs and events via signage and information enabling site activities and facilities to be readily identified. |

| # | Category | Objective (an end toward which efforts are directed) | Performance Target (an objective or goal to be performed) | Means of Achievement – Actions (how Council or the community can achieve the objective and performance targets) | Priority Rank | Performance Measure (how Council can assess the performance of the means of achievement) |
|-----------------------------|----------|---|--|--|---|--|
| 2. PARK IMPROVEMENTS | | | | | | |
| 2.1 | S | Maintain and grow formal sporting use | <p>Increase the attractiveness and useability of the site for both sporting and other activities through higher quality facilities, presence of simple attributes such as shade trees, accessible amenities and clear / safe access arrangements</p> <p>Ensure that existing user needs and standards are carefully considered alongside opportunities to establish new facilities.</p> <p>Recognise key constraints and opportunities to the development and use of the site, such as its flood constraints and environmental sensitivities</p> | <p>Maintain clear communication with relevant clubs, associations and peak bodies to ensure compliance with relevant standards and to encourage engagement (and funding) with subsequent projects.</p> <p>Establish potential funding streams and opportunities to support short-term actions to alleviate current pressures, including allowances for temporary on-site storage, basic fencing upgrades and works associated with other strategic Council projects (e.g. public toilet network review).</p> <p>Review current vehicle access points and consider options to restrict access to formalised locations only, including fencing, bollards or similar.</p> <p>Undertake a review of the existing maintenance requirements and establish an improved maintenance regime in discussion with Council and user groups.</p> | <p>ST</p> <p>OG</p> <p>ST</p> <p>MT</p> <p>ST</p> | <p>Number of informal recreation uses in contrast to formal uses assessed in order to track improvement.</p> |

| # | Category | Objective (an end toward which efforts are directed) | Performance Target (an objective or goal to be performed) | Means of Achievement – Actions (how Council or the community can achieve the objective and performance targets) | Priority Rank | Performance Measure (how Council can assess the performance of the means of achievement) |
|-----|----------|---|---|--|-------------------------------------|--|
| 2.2 | P | Maintain and grow informal recreation use | <p>Increase the attractiveness and useability of the site for passive activities through to higher quality facilities, presence of simple attributes such as shade trees, accessible amenities and clear / safe access arrangements.</p> <p>Ensure that existing user needs and code standards are carefully considered alongside opportunities to establish new facilities.</p> <p>Recognise key constraints and opportunities to the development and use of the site, such as its flood constraints and environmental sensitivities.</p> <p>Ensure that both new and existing facilities are designed, to ensure their ability to establish a return or other cost savings that can assist in the ongoing maintenance and renewal of facilities over the long-term.</p> | <p>Integrate adjoining uses including activation of the existing playground and picnic space, encouraging non-sporting use and providing facilities (e.g. café) that engages visitors to stay and enjoy the available spaces.</p> <p>Consider opportunities to upgrade and replace existing playground equipment and incorporate a greater level of nature play / natural elements that are more consistent with the adjoining riparian area and environmental attributes of the Bellingen Valley. Council received funding to upgrade existing play spaces making them more inclusive. Stage 1 has been completed and has included replacement of non-complying playground equipment, addition of natural play elements, soft-fall and a new fence around the play space. Stage 2 is to be completed and will include additional playground equipment and an inclusive footpath connection around the extended play space that will connect with the proposed footpath.</p> <p>Increase connectivity of the spaces through the introduction of a shared user path that connects Waterfall Way, Prince Street car park, multi-use facility, sporting fields and high school - including replacement and/or construction or new Creek crossings where required.</p> | <p>ST</p> <p>ST-MT</p> <p>ST-MT</p> | <p>These uses will be tracked to continue to reflect trends in sporting participation and fluctuating popularity over time. In addition, approaches to the level of infrastructure provision, fee allocations and the recoupment of costs will therefore be appropriately assessed in line with these trends – creating an adaptable planning approach in order to maintain the long-term ability of the new and/or existing facility to meet evolving user needs.</p> |
| 2.3 | P,S,GCU | Plan for new facilities | <p>Established planning and construction processes to meet specific user needs across the diverse range of uses, whilst addressing details of associated amenity demands (e.g. change room capacity, toilet access, storage arrangements, administration etc.)</p> | <p>Ensure flexible spaces are provided that are able to adapt to future use scenarios with a view to creating revenue opportunities that benefit the broader community as well as more financially sustainable management models.</p> <p>Ensure that forward planning is undertaken with an understanding of Council's asset management requirements, financial accounting and how these</p> | <p>ST</p> <p>AR</p> | <p>Progress of executing the established requirements will be measured in line with clear policies and intent from Council to support such activities. Changes in demand will be tracked in conjunction with delivery.</p> |

| # | Category | Objective (an end toward which efforts are directed) | Performance Target (an objective or goal to be performed) | Means of Achievement – Actions (how Council or the community can achieve the objective and performance targets) | Priority Rank | Performance Measure (how Council can assess the performance of the means of achievement) |
|--|----------|---|--|---|------------------------|---|
| | | | Buildings interact with surrounding areas, play spaces and access routes in a way that will assist in ensuring that the facilities are able to meet current through to long-term needs in ways that are cost-effective and efficient over the building's life cycle. | may impact on delivery across the life of the facility (e.g. pricing, recoupment and lifecycle costing). Support a new toilet and buildings to facilitate the needs of the local sporting groups. | ST | |
| 2.4 | P,S, GCU | Capture asset information and improve existing facilities. | Ensure existing user needs are considered including opportunities to upgrade existing new facilities. | Undertake audits of existing structures to identify potential for remedial works to restore functionality, or to recognise alternative building use in the longer-term. As an interim measure, consider relaxation of current policies relating to the placement of storage facilities on the site whilst more permanent options are considered and implemented. At the completion of any subsequent works (upgrades or new), ensure that all facilities, structures and other assets are effectively captured in asset management plans. | ST ST AR | Understanding of current structure condition. Audit report and recommendations for future upgrade and replacement of facilities and equipment. |
| 3. ACCESS, PARKING and PEDESTRIAN | | | | | | |
| 3.1 | P,S, GCU | Provide greater access and opportunities for walking and cycling. | Continue to encourage 'Active Transport' linkages between and through public open space areas. | Manage pedestrian and bicycle access to Connell Park via designated cycleways and pathways, to ensure appropriate and positive use of the open space. | ST-MT | Increased Active Transport connecting the park to the surrounding urban area. |
| 3.2 | P,S, GCU | Ensure additional parking is provided. | Continue to restrict vehicular access to the open space areas of the Park and provide adequate parking areas on the periphery of the Park. | Investigate options to support additional parking within the vicinity of the park. | ST-MT | High satisfaction levels as reported by Council surveys. Low levels of complaints from neighbours regarding car parking in surrounding streets |

| # | Category | Objective (an end toward which efforts are directed) | Performance Target (an objective or goal to be performed) | Means of Achievement – Actions (how Council or the community can achieve the objective and performance targets) | Priority Rank | Performance Measure (how Council can assess the performance of the means of achievement) |
|-------------------------------|----------|--|--|---|--|---|
| 4. SAFETY AND SECURITY | | | | | | |
| 4.1 | P,S, GCU | Open space to be designed and maintained to ensure safety. | Parks and sportsgrounds to be maintained in accordance with relevant safety legislation and Crime Prevention Through Environmental Design (CPTED) principles (eg good surveillance). | <p>All play equipment and sports equipment to comply with Australian Standards.</p> <p>Provide ease of access throughout the Park for emergency and service vehicles by identifying key access points into the Park and providing emergency and service vehicles with keys for access.</p> <p>Identify passive surveillance opportunities and ensure the Park is designed to maximize safety and security (including landscaping).</p> <p>Manage a system of recording, vandalism and antisocial behaviour. This information should be used to initiate methods to deal with any problem areas.</p> <p>Provide emergency service information signs at all Park entry points, amenity buildings and car parks.</p> | <p>ST</p> <p>MT</p> <p>ST-MT</p> <p>ST</p> | <p>Park and landscape maintenance to meet agreed service levels.</p> <p>Review of reported incidents by internal risk team and liaison with Local Area Command.</p> <p>Include emergency service information in wayfinding and regulation signage.</p> <p>Reduction in reported anti-social behaviour.</p> <p>Installation of safety signage.</p> |
| 4.2 | All | Ensure appropriate dog/animal control. | Implement actions and recommendations regarding animal control in parks and open space. | Provision of on leash access to passive recreation areas and internal pathways for dog owners. | ST-MT | <p>Respond to incidents involving dogs.</p> <p>Positive Sports Committee feedback.</p> |
| 4.3 | P,S, GCU | Improve lighting for use at night. | Activate the park at night with sustainable and smart lighting, including LED upgrades to game level, to increase use and safety | Conduct and audit and assessment and works program to improve the lighting of sporting grounds to improve safety at night and allow for additional night-time training hours. | ST-MT | Increased usage after dusk as measured by bookings and informal use observations. |
| 4.4 | S | Emergency services | Identify locations for helipad and appropriate areas for emergency services training. | Liaise with emergency service agencies to determine appropriate helipad location. | ST-MT | Location of helipad. |

| # | Category | Objective (an end toward which efforts are directed) | Performance Target (an objective or goal to be performed) | Means of Achievement – Actions (how Council or the community can achieve the objective and performance targets) | Priority Rank | Performance Measure (how Council can assess the performance of the means of achievement) |
|------------------------------|----------|---|---|---|---------------|--|
| 5. CULTURAL AWARENESS | | | | | | |
| 5.1 | All | Safeguard and celebrate our Indigenous cultural heritage. Recognise the history of the Park (Indigenous and post contact, migrant) and cultural connections for certain residents. | Conserve the Park's history and ensure cultural connections are interpreted appropriately. | Install interpretative signage, acknowledging the previous uses of the Park including as a natural area and dairy farm. Consult with the local Aboriginal Land Council about appropriate cultural signage and connections. | ST ST | Number of cultural interpretative projects completed. Calendar of events/activities to be developed by Council's Cultural Events and Venues Team Positive feedback from community based user groups. |
| 6. NATURAL AREAS | | | | | | |
| 6.1 | N | Protect natural areas of bushland and biodiversity. | Restoration and regeneration of bushland in the Natural Area – Bushland. Ensure essential access through or into natural areas minimizes any impact. | Use native vegetation to regenerate the natural areas. Integrate regeneration and restoration with works that mitigate degrading influences on the site. | ST-MT | Successful implementation of bushland restoration and regeneration programs based on documented aims and objectives. regular monitoring to determine increase in the quality of the natural areas. Consistency with SEPP Biodiversity and Conservation 2021. |

| # | Category | Objective (an end toward which efforts are directed) | Performance Target (an objective or goal to be performed) | Means of Achievement – Actions (how Council or the community can achieve the objective and performance targets) | Priority Rank | Performance Measure (how Council can assess the performance of the means of achievement) |
|-------------------|-----------|---|--|---|---|--|
| GOVERNANCE | | | | | | |
| 6.2 | P, S, GCU | Compliance with Local Government Act. | Support appropriate leases and licences /permits that are in the best interests of the community as a whole and enable, wherever possible, shared use of community land. | <p>Continue to support the appropriate leases with local clubs and community groups.</p> <p>Ensure small park-based businesses (i.e. mobile cafes, fitness training) are in keeping with Council's relevant policies.</p> <p>Select lessees/licensees carefully by way of tender or Council resolutions with reference to this PoM and other local policy.</p> <p>Ensure leases and licences do not overly limit public use by providing exclusive use to lessees/licensee.</p> | <p>ST</p> <p>ST</p> <p>ST</p> <p>ST</p> | <p>Leases and licences are supported and well managed.</p> <p>Open spaces are maintained by lessees/licensees.</p> <p>Leases and licences adhered to by all lessees/licensees.</p> |

Appendices

Appendix A

Plan of Management Legislative Framework

Plan of management Legislative Framework

The primary legislation that impacts on how community land is managed or used is briefly described below. You can find further information regarding these acts at www.legislation.nsw.gov.au.

Local Government Act 1993

Section 35 of the *Local Government Act 1993* provides that community land can only be **used** in accordance with: the plan of management applying to that area of community land, and any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and the provisions of Division 2 of Chapter 6 of the Act.

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

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

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

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

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

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

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

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

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

Additionally, under the *Local Government Act 1993*, a site-specific PoM must be made for land declared:

- as critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws;
- by council to contain significant natural features;
- by council to be of cultural significance.

Classification of public land

The *Local Government Act 1993* requires classification of public land into either 'community' or 'operational' land. The classification is generally made for council-owned public land by Council's Local Environmental Plan or in some circumstances by a resolution of Council.

Classification of land has a direct effect on Council's ability to dispose of or alienate land by sale, leasing, licensing or some other means. Under the *Local Government Act 1993*, community land must not be sold (except for scheduled purposes), exchanged or otherwise disposed of by Council, and the land must be used and managed in accordance with an adopted PoM. In addition, community land is subject to strict controls relating to leases and licences (sections 45 and 46) of the *Local Government Act 1993*.

Native Title Act 1993

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

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

The *Native Title Act 1993* may affect use of Crown land, particularly development and granting of tenure.

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

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

Other State and Commonwealth legislation

NSW state legislation

Environmental Planning and Assessment Act 1979

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

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

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

Water Management Act 2000

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

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

Commonwealth legislation

Environmental Protection and Biodiversity Conservation Management Act 1999

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

State Environmental Planning Policies

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021

Local Environmental Planning Policies

Bellingen Local Environmental Plan 2010

The Bellingen Local Environmental Plan 2010 (LEP 2010) aims to make local environmental planning provisions for land in Bellingen.

Connell Park is zoned RE1 Public Recreation pursuant to LEP 2010. The objectives of the RE1 zone are to:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

This PoM will ensure development of the park meets the relevant objectives of the RE1 zone. Recreation areas, Recreation facilities (outdoor), recreation facilities (indoor) and recreation facilities (major) are all permissible with consent in the RE1 zone.

Other relevant, policies and plans

- *Biosecurity Act 2015*
- *Biodiversity Conservation Act 2016*
- *Code of Practice for Section 355 Committees*
- *Companion Animals Act 1998*
- *Contaminated Land Management Act 1997*
- *Disability Discrimination Act 1992*
- *Environmental Planning and Assessment Act 1979*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Local Land Services Act 2016*
- *Heritage Act 1977*
- *Rural Fires Act 1997*
- *Protection of the Environment Operations Act 1997*
- *Public Works Act (1912)*
- *Pesticides Acts 1999*
- *State Environmental Planning Policies (SEPPs)*
- *Waste Minimisation Act 1995*
- *Water Management Act 2000*

Appendix B

Existing and future site plan

Existing site plan

Connell Park Management Plan - Existing site plan



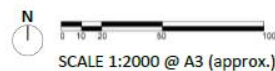
LEGEND

- RESERVE BOUNDARY
- BUILDINGS / STRUCTURES
- CEMETERY CREEK LINE (approx.)
- EXISTING CONCRETE PATHWAYS
- EXISTING VEHICLE ACCESS

NOTES

1. **Junior Rugby League** - Training / playing area used by younger members of league club. Recently installed seats and street trees present on Prince Street.
2. **Junior Rugby League** - Main junior field, including for use by women's and touch / tag competitions.
3. **Cricket wicket** - Senior field, approx. 55m to boundary with concrete wicket installed between league / soccer fields.
4. **Combination field** - Soccer / league combination field. Predominantly used for soccer in recent years.
5. **Junior soccer / Archery** - Fields currently used for 10 - 11 year old age groups and for archery.
6. **Cricket wicket** - Junior field, approx. 50m to boundary including with concrete wicket installed between league / soccer fields.
7. **Senior soccer** - main field for highest level competition.
8. **Junior soccer** - Fields currently used for 5 - 7 year old age groups.
9. **Junior soccer** - Fields currently used for 8 - 9 year old age groups.
10. **Netball** - Existing grass surface courts and rings. Water near to site adjoining pool fence.
11. **Cricket practice nets** - Two existing cricket nets with split concrete pitch. Fencing around in variable condition.
12. **Bellinggen Swimming Pool** - Includes warm up (20m x 3 lane), competition pool (25m x 8 lane) and childrens pool area. Entry building includes administration area, kiosk and pool pump room.
13. **Public toilets and storage** - Existing public toilets inclusive of change areas for pool and storage area at end.
14. **Playground and outdoor gym** - Existing playground space and outdoor gym equipment. Includes shade sails and picnic facilities.
15. **Storage shed** - Shared by cricket and junior league for storage.
16. **Footbridges** - providing access from carpark to pool and playground area, and secondary bridge near netball courts.
17. **Gravel parking area** - providing parking space (including grass overflow) for site users including sporting groups and pool visitors.
18. **Cemetery Creek** - Extending through the site and subject to active regeneration and maintenance by Bellinggen Urban Landcare since 1996.
19. **Athletic sports circle** - Occasional high school use of athletics circle (shot put / javelin) utilising existing grassed open space area.
20. **Return & Earn station and car park** - Formalised parking area located adjoining soccer fields and accommodating an "return & earn" recycling machine.
21. **Sporting facilities building** - Originally designed as canteen, toilets, storage and change rooms. Poor condition and inadequate "fit for purpose" constraints mean that current primary function is for storage (soccer / archery), canteen and basic toilet during sporting events (Note: not public toilets and only open during sporting activities).
22. **Informal open space** - Area to south-east of Cemetery Creek forms part of Connell Park area. No current formalised sporting use with exception of occasional use for athletics. Potential to connect space via pedestrian bridge and to be utilised for sporting fields, particularly soccer.
23. **Access and parking** - Existing access road and parking area utilising predominantly by High School. Note drainage pipe under car park results in waterlogging of informal open space area.

CONNELL PARK - BELLINGEN
FEBRUARY 2020



PLAN 01 - EXISTING SITE PLAN



Future site plan

Connell Park Management Plan - Future site plan



LEGEND

- | | |
|---|-------------------------------|
| RESERVE BOUNDARY | CEMETERY CREEK LINE (approx.) |
| EXISTING BUILDINGS / STRUCTURES | CEMETERY CREEK RIPARIAN ZONE |
| PROPOSED BUILDINGS / STRUCTURES | EXISTING CONCRETE PATHWAYS |
| PROPOSED STREET TREES | PROPOSED SHARED PATHWAY |
| FIRE HYDRANT INGROUND (TO VERIFY INCLUDING FIRE TRUCK ACCESS) | PROPOSED BUSHWALK PATHWAY |
| | EXISTING VEHICLE ACCESS POINT |

PLAN XX - FUTURE SITE PLAN

* Note: sports fields markings and buildings are indicative and not to scale.

* Note: Council recognises that individual sporting codes may require additional assets to support their individual sporting needs. Council will manage these with ongoing discussions with user groups as needs arise.



NOTES

- 1. Junior Rugby League** - Training / playing area retained (boundaries adjusted to suit new pathway. Recently installed seats and street trees retained on Prince Street.
- 2. Western fields** - Main rugby league, soccer/league combination and cricket field. Potential to improve lighting, irrigation, levelling, drainage and fencing to meet user needs and high specification competition requirements.
- 3. New multi-purpose building** - New building for use by pool and community. Includes amenities/change rooms for pool with sporting groups option/facilities/kiosk/café, and storage. Potential for admin rooms, spectator terraced undercover area, alfresco dining area, and gym space.
- 4. New sports building** - replacing existing sports building for storage/amenities/change rooms/facilities, servicing northern and central areas of park.
- 5. Existing eastern sports fields** - Existing sports field arrangement, including main soccer field, junior cricket and archery, to be generally retained with existing arrangements (ie. subject to minor adjustments where required). Potential to improve or provision lighting, irrigation, levelling, drainage and fencing to meet user needs and high specification competition requirements.
- 6. Shared user pathway** - New shared user path extending from intersection of Prince St and Waterfall Way to provide pedestrian access to playground, new building / pool, netball, and junior soccer area (proposed) through to high school. New path also connecting from Waterfall Way to high school. Note pathway changed to go behind netball/cricket nets.
- 7. Cemetery Creek crossings** - Replace existing cemetery creek crossing when required and to ensure compliant access arrangements. Provide new crossing to facilitate movement through park to High School and to enable sporting activities (e.g. junior soccer) to expand into currently underutilised space (see 13).
- 8. Cemetery Creek restoration** - Establish a balanced approach to the protection and enhancement of Cemetery Creek through increased riparian replanting, staged removal of weed species / Camphor laurel trees. Where possible increase riparian zone whilst retaining sporting field requirements.
- 9. New netball courts** - Construct two new paved netball courts, including lighting, to cater for current demand and player requirements. Ensure design and space for future expansion to south pending increased participation.
- 10. Shade / street trees** - Increase spectator comfort and amenity through increased provision of street trees on Waterfall Way, high school access road and associated with parking area on Prince Street.
- 11. Prince Street parking area** - Provide a balanced approach to parking requirements at Prince Street through formalisation of some parking, with retention of overflow parking areas for peak use. Approx. 50 spaces shown.
- 12. Playground and picnic space** - Consider options to improve and integrate existing playground and picnic space through increased pathway provision (e.g. perimeter path), landscape improvements, nature play elements and associated infrastructure.
- 13. Underutilised park area** - Undertake detailed survey and associated design to establish potential for additional junior sporting fields. Full size and junior (10's) field shown, though cut and fill or detailed site investigations would be required to ensure feasibility. Potential for flood free artificial multi-sport field with lighting.
- 14. Riparian bushwalk trail** - Potential for formalised walking trail in south-west corner of site, connecting from Prince St. car park to shared user path at netball courts via existing (or replacement) footbridge.
- 15. Cricket nets & Storage** - upgrade of cricket nets and add equipment storage for cricket and netball.

CONNELL PARK - BELLINGEN

JULY 2022

Appendix C

Assets table

Existing Assets

| # | Existing Assets | Asset description | Photo |
|-------------------------|--|---------------------------------------|------------------------------------|
| Park | | | |
| 1 | Seating, tables, shelters | Steel and timber | (Images to be provided by Council) |
| 2 | Path from Prince Street | Bitumen | |
| Sportsground | | | |
| 3 | Carpark in northern-eastern corner (Earn and Return Station) | Bitumen | |
| 4 | Sporting amenities building - kiosk | Brick and steel | |
| 5 | Changerooms with sporting amenities | Brick and steel | |
| 6 | Storage Shed | Steel | |
| 7 | Cricket practice nets | Iron | |
| 8 | Soccer fields | Grass | |
| 9 | Rugby league fields | Grass | |
| General Community Use | | | |
| 10 | Swimming pool complex | Cement, brick and steel | |
| 11 | Public toilets at swimming complex | Brick and steel | |
| 12 | Picnic Area | Steel | |
| 13 | Exercise equipment | Steel | |
| 14 | Children's play area | Sofffall beneath play equipment | |
| 15 | Carpark | Bitumen | |
| 16 | Walking paths | Concrete | |
| Natural Area - Bushland | | | |
| 17 | 2 x Bridges across Century Creek | Wood with temporary steel enforcement | |
| 18 | Riparian corridor | Native vegetation | |

