



Generic Plan of Management for Community Land Categorised as a Sportsground

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Prepared for: Byron Shire Council

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1. INTRODUCTION

1.1. What is a Plan of Management?

A Plan of Management provides a framework for the management and development of public land. There are two main types of public land, Crown Land and community land. Crown Land is owned by the State for the benefit of all persons, and Community Land is owned by the Council for the benefit of local residents and visitors. These two types of land are managed by separate legislative requirements; the Crown Lands Act 1989 and the Local Government Act 1993. All land included in this Generic Plan of Management is Community Land.

The Local Government Act (1993) requires that all public land owned by Council be classified as either community land or operational land. Council must have a plan of management for all community land. This is to ensure that an endorsed framework guides the operation and development of these community resources.

Plans of Management are public documents, and as such require stakeholders to be involved in their formation. A process of research, liaison with relevant Council officers and community feedback on the draft Plan of Management provides opportunities for community participation and involvement, establishing a sense of ownership in stakeholders and contributing to the ongoing success of the plans. As this a generic plan of management, it is also envisaged that any major development or works on community land would involve further community consultation and notice.

Plans of Management assist Council and landowners to budget and source funds for the future maintenance, improvement and development of community land. Each generic plan provides Council with a current survey of its resources, and a general guideline for the development of community land.

1.2. Structure of this Plan of Management

This Plan of Management is in four main sections:

1. The Legislative context.
2. Current status.
3. The Basis for Management.
4. Strategies and Actions for implementation.

1.3. Land covered by this Plan

This Plan of Management covers the parcels of land categorised as Community Land – Sportsground, and are listed in Appendix 1.

All land is Community Land, owned and managed by Byron Shire Council.

Also see Section 2.2 for further information regarding Community Land Categories as stipulated in the Local Government Act 1993.

2. HOW LEGISLATION APPLIES TO THIS PLAN

2.1. Local Government Act 1993

Under legislative requirements of the Local Government Act 1993 and further amendments, Council's must prepare and adopt Plans of Management for all community land. A plan may apply to one or more areas of community land, providing all the Act's requirements are fulfilled.

The Act states that the Plan must identify the following:

- The category of land;
- The objectives and performance targets of the plan with respect to the land;
- The means by which Council proposes to achieve the plan's objectives and performance targets;
- The manner in which Council proposes to assess its performance with respect to the plan's objectives and performance targets.

2.2. Community Land Categories

As detailed above, it is required under Section 36 of the Local Government Act 1993, that Council categorise community land as one or more of the following:

- Natural area, further categorised as
 - a) bushland,
 - b) wetland,
 - c) escarpment,
 - d) watercourse,
 - e) foreshore,
 - f) a category prescribed by the regulations, eg habitat of an endangered species
- Sportsground
- Park
- Area of Cultural Significance
- General Community Use

These categories determine the appropriate use and development of the land, with core objectives given to each category. Once Council has applied a category to a parcel of community land, it must manage the land in accordance with the relevant core objectives.

All parcels of land included in this Plan of Management have a primary category of Sportsground. Those parcels that have more than one category are identified and these categories shown in Appendix 2.

2.2.1. Guidelines for Categorisation

The Local Government (General) Regulation 1999 (updated 23 August 2002) provides guidelines for each of the above categories. Guidelines from this Regulation for categorising community land as a sportsground are set out below:

Land should be categorised as a sportsground under section 36 (4) of the Act if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.

2.3. What dealings can Council have in Community Land?

- Council has no power to sell, exchange or otherwise dispose of community land, except for the purpose of enabling that land to become, or be added to, a Crown Reserve or land reserved or dedicated under the National Parks and Wildlife Act 1974;
- Council may grant a lease or licence on community land, but only in accordance with the Local Government Act 1993; and
- A Council may grant any other estate in community land to the extent permitted by the Local Government Act 1993.

2.4. Granting a lease or licence on Community Land

Leases and licences are a method of formalising the use of community land and facilities. Leases and licences can be held by groups such as sporting clubs and schools, by commercial organisations or individuals providing facilities and/or services for public use.

The Local Government Act 1993 allows Council to grant leases or licences over all or part of community land. The use of land under a lease or licence must be compatible with the Local Environmental Plan or Council requirements and provide benefits and services or facilities for the users of the land. Terms and conditions of a lease should reflect the interests of Council and the public and ensure proper management and maintenance.

The following conditions must be met when granting a lease or licence over community land:

- The lease or licence must not be granted for a period exceeding 21 years;
- A lease or licence for a period of greater than five years may only be granted by tender, unless it is granted to a non-profit organisation;
- The Plan of Management must expressly authorise a lease or licence.

Council must:

- Give public notice of the proposal;
- Exhibit notice of the proposal on the land to which the proposal relates;
- Give notice of the proposal to such persons who appear to own or occupy land adjoining community land; and
- Give notice of the proposal to any other person (owner or occupier of land in the vicinity of the community land), if in the opinion of the Council the subject to the proposal is likely to form the primary focus of the person's enjoyment of community land.

2.5. Other Statutory Provisions

Other relevant legislation, plans and policies that guide the management of Community Land identified in this Generic Plan of Management include, but is not limited to:

- Byron Shire Local Environmental Plan (1988).
- North Coast Regional Environmental Plans (1988).

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- North Coast Region Tourism Development Strategy (1987).
- New South Wales Open Space Strategy (1990).
- Coastal Crown Lands Policy (1989).
- Byron Shire Council Management Plan 2002-2005.
- Byron Shire's Greenprint for a Sustainable Future.
- Byron Flora and Fauna Study 1999.
- Threatened Species Conservation Act 1995.
- Fisheries Management Act 1994.
- Other relevant Byron Shire Council plans and policies.

3. CURRENT STATUS

3.1. Uses & Facilities

Community land categorised as sportsgrounds in Byron Shire generally have a mix of formal sporting fields and courts such as soccer fields and tennis courts, some type of community buildings, informal open space, paths and playground equipment. The use of sportsgrounds is primarily for organised sports and outdoor games, but they are also widely used for informal sporting and recreational activities by Shire residents and visitors.

3.2. Maintenance and Management

Sportsgrounds covered by this plan of management are maintained and managed by Byron Shire Council, as landowners. Resident sporting clubs participate in varying levels of maintenance for the areas they use. This should be encouraged and supported to continue.

4. BASIS FOR MANAGEMENT

This Plan of Management is values based, with the values attributed to the Community Land determining its appropriate use, management and development. This Plan of Management aims to protect and enhance these values and further develop the roles of the land identified in this Plan of Management.

4.1. Values

Sportsgrounds in Byron Shire are valued for the contribution they make to the recreation and social life of the people of Byron Shire, especially in regards to sporting activities or outdoor games.

4.2. Roles

The role of sportsgrounds in the Shire is to provide local and regional sporting venues for competitive sport and informal recreation venues for use by Byron Shire residents and visitors.

4.3. Corporate Goals

The Byron Shire Council Management Plan 2002-2005 is a key document that guides and informs the management of community land. The following highlights the components from the Shire Management Plan that relate directly to this Plan of Management.

Our Vision

A thriving community where residents and visitors can live, work and play in a sustainable environment and where Council delivers the highest standard of local government services and infrastructure.

Values and Guiding Principles

The following Values and Guiding Principles are taken from the Byron Shire Council Management Plan 2002-2005 and are relevant to Community Land categorised as Sportsground.

Values	Guiding Principles
Sustainability	Be responsible custodians of the Shire's natural and cultural environment
Participation	Value community involvement in service provision
Efficiency	Be guided by clearly communicated plans and priorities

Key Outcomes

The Byron Shire Council Management Plan 2002-2005 identifies nine key outcomes to achieve the Vision. The key outcomes applicable to Community Land categorised as Sportsground are;

- Resilient Community

To ensure that the community has access locally to an appropriate range of services and facilities such that its quality of life and well being is enhanced.

- Infrastructure Assets

To manage demand for and maintenance of infrastructure assets in a manner that is equitable between the needs of different groups within the community and between present and future generations

4.4. Objectives

Core Objectives for Community Land

The core objectives for community land categories outlined in the Local Government Act 1993 assist in determining the way that the land may be used and managed.

Section 36F of the Act states that the core objectives for management of community land categorised as a sportsground are:

(a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and

(b) to ensure that activities are managed having regard to any adverse impact on nearby residences.

4.5. Community Consultation

Council acknowledges that community consultation is a vital and important component of its business, as illustrated by the Byron Shire Council 2002-2005 Management Plan values of Openness and Participation.

As set down in Section 38 of the Local Government Act 1993, a council must give public notice of a draft plan of management, and place the draft plan on public exhibition for no less than 28 days. Any submissions made to council in respect of the draft plan will be considered by council prior to the final adoption of the Plan of Management. Therefore, the Byron Shire community will be able to have input into this draft plan of management through the public exhibition and submission stage.

Further to this, Council intends to, where applicable, provide opportunity for input and participation in decision making for all interested community groups, sporting groups, local land owners and local residents in relation to any potential development, use and management of community land arising from this draft generic plan of management.

This generic Plan of Management refers to several parcels of Community Land. It is not feasible to conduct targeted consultations for each parcel of land considering the large number of parcels of land and the generic nature of this plan. Also, any major or sensitive developments or embellishments to Community Land would be subject to further community consultation. Significant parcels of Community Land may also be subject to specific plans of management or be recommended that these be developed in the future.

4.6. Key Issues

A number of key issues were identified through the preparation of the draft generic Plan of Management for sportsgrounds. These include:

Quality and distribution of sportsgrounds

In recent consultation with some sporting groups in the Shire, it was noted that many cited the poor playing surface as their main issue. This appeared to be mainly through overuse of sportsgrounds due to the high demand placed on them by the number of teams/members, coupled with the impromptu use of sportsgrounds by local residents and visitors.

Additionally, there are areas in the Shire that are clearly lacking in the provision of sportsgrounds, which Council has identified and is actioning. Ocean Shores is one location identified as requiring sportsground development, with the Shara Boulevard site planned for development. This site has its own Plan of Management. Suffolk Park is also identified as requiring sportsground development. Council is currently developing a Plan of Management and masterplan for the proposed Suffolk Park Sportsground.

Access

Encourage the use of Sportsgrounds and surrounding areas by all members of the Byron Shire community. Suitable access should be provided for people who are restricted due to age, limited mobility and other physical or social barriers, through the provision of parking and suitable amenities at all sportsgrounds. Access must also be made available for emergency, maintenance and security vehicles.

Parking

Access to sportsgrounds may be by motor vehicle, bicycle or foot. Sufficient car parking needs to be provided at or near sportsgrounds to reduce traffic congestion on local roadways. Sufficient facilities for bicycle parking should also be provided.

Safety and Security

Public safety should be promoted by good visibility and sight lines within the sportsgrounds, the reduction of potential hiding places, exposure of sportsgrounds to public roads, adequate security lighting and community input into management and maintenance to reduce vandalism.

Multi-use

With an increasing population and increasing demand on limited financial resources, there should be a strong focus and priority on the multi-use potential of sportsgrounds.

Environmental quality

Sportsgrounds environs should be well planted where appropriate to improve the aesthetic quality of the area as well as to provide shade for users and habitat for wildlife in the area, consistent with the needs of particular sporting activities. This, however, should not compromise the issues raised in safety and security regarding sight lines and other safety concerns.

Flooding and drainage

The susceptibility of the land to flooding and erosion should be noted at the outset. Siting of buildings and other structures should not impede the free flow of floodwaters and any structures need to be flood compatible, where applicable.

Bushfire risk

As set out under the Rural Fires Act 1997, it is the duty of the Shire to prevent the occurrence of and minimise the spread of bushfire or fire from any land vested in or under its control or management. Some sportsgrounds adjacent to areas identified as being susceptible to bushfire risk may require the appropriate siting of facilities and other actions to reduce fire risk.

Maintenance

The maintenance regime of sportsgrounds must be determined annually or seasonally, based on the level of use. Community involvement in maintenance programs should be encouraged and supported, as it will reduce maintenance costs.

Signage

Both directional and promotional signage should be facilitated where permissible and where compatible with the amenity of neighbouring land uses. This will assist in both improving the experience of users and promoting the appropriate use of certain areas within the sportsground. This may result in a potential reduction of wear and tear of formal sport areas by occasional users and thus improve the quality of the ground and reduce maintenance costs.

Residential amenity impact

The proximity of sportsgrounds to nearby residences may impact the amenity of the residences. Impacts may be in the form of traffic congestion, limited parking, effects from lighting, noise or physical damage to property as a direct result of activities on the sportsground. Impact mitigation needs to be considered prior to any development of sportsgrounds and with the ongoing management arrangements.

Each of these issues have been addressed in the Actions Table in Section 5.

5. STRATEGIES AND ACTION PLAN

5.1. Actions Table

The Actions Table provided within this Section outlines the direction for the management and development of the parcels of land included in this draft generic Plan of Management and has the following aims:

- To formulate objectives;
- To ensure consistency with the core objectives of the Sportsground category of the land;
- To develop performance targets that will define the way that Council will achieve it's objectives;
- To provide actions (or means of achievement), which is the way that Council will achieve it's targets;
- To provide performance measures for each action; and

Within this action plan, each has been given a priority, which can be linked to the following time frame:

High – commenced within the next 2 years

Medium – commenced in 2 – 5 years

Low – commenced after 5 years

Any developments included in this Action Table require authorisation within this Plan of Management. Section 6 includes authorisation for future developments for the land included in this Plan of Management.

Issue	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
Quality and distribution of sportsgrounds	To provide a sports facility/facilities that caters for different and identified user needs and which is located so as to contribute to the equitable distribution of sportsgrounds within the Shire.	To create appropriate local sportsgrounds that caters for a number of different sporting opportunities reflective of identified needs.	Develop the Suffolk Park and Shara Boulevard - Ocean Shores sportsgrounds in conjunction with the local communities. A draft Plan of Management has been developed for Shara Boulevard. A draft Plan of Management for Suffolk Park is currently being developed.	High - Med	Shara Boulevard and Suffolk Park sportsgrounds developed and in use.
Access	Encourage the use of sportsgrounds by all members of the community, and improve access and use of them for those members who are restricted due to age, limited mobility and other physical or social barriers.	Aim to achieve the objectives of the Disability Discrimination Act 1992 when constructing new facilities.	All new facilities to be accessible to all members of the community.	High	Improved access by all members of the community.
	Improve access and circulation.	Improve signage of facilities.	Develop a common signage strategy for sportsgrounds.	Med	Signage erected in appropriate locations.
		Improve pathways.	Develop pedestrian pathways through the sportsgrounds. These to be appropriate for use by people with disabilities.	Med	Improved access by all members of the community.
Parking	To provide adequate parking for users of the sportsgrounds.	Provide adequate parking for the users of the sportsgrounds, including disabled parking and bicycle parking, in accordance with RTA and Council guidelines.	Construct or identify parking bays and parking areas at sportsgrounds.	High	Adequate parking areas provided for users.

Issue	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
Safety and Security	To provide sportsgrounds which are safe and secure for use by all members of the community.	To provide measures to enhance the safety and security of users and visitors.	Provide adequate security lighting, signage, access and surveillance / public sight line measures.	High	Safety measures implemented.
Multi-use	To provide sportsgrounds which are adaptable to change, can be used for multiple sports and are able to be used on a year round basis.	To provide sportsgrounds for a number of sporting pursuits which have different peak seasons and which allow for occasional community events and other activities.	Provide sportsgrounds for identified community needs and occasional community events, together with areas catering for informal leisure opportunities such as BBQ/picnic areas, open areas for informal ball games so as to alleviate the pressure on formal sporting areas, play equipment, seating, etc.	Med	Adaptable and multi-use areas developed and provided.
Environmental quality	To minimise adverse environmental effects of sportsgrounds on adjacent land uses, water bodies and areas of significant habitat.	To manage the development and use of sportsgrounds so as to minimise the impact on adjacent land uses, water bodies and areas of significant habitat.	Develop appropriate management practices and plans considering adjacent land uses, water bodies and areas of significant habitat.	Med	Management practices and plans developed.
Flooding and drainage	To provide effective flood and drainage management for sportsgrounds.	To manage the development and use of sportsgrounds so as to minimise the impact of flooding or adversely affect flood flow.	Protect or improve existing drainage channels and avoid placement of structures or earthworks that may adversely affect flood flow.	Med	Flood and drainage compatible development takes place.
Bushfire risk	To provide effective bushfire risk management at sportsgrounds.	To manage the risk of bushfires at sportsgrounds where appropriate.	Develop bushfire mitigation strategies where appropriate.	High	Bushfire mitigation strategies developed and maintained where appropriate.
Maintenance	To maintain all aspects of the sportsgrounds to ensure they are clean, safe and appropriate for their use.	Develop comprehensive maintenance schedules.	Maintenance schedules to include: - Rubbish Removal, - Weed removal; - Vegetation management; - Removal of graffiti;	High	Maintenance completed according to schedule

Issue	Objective	Performance Target	Means of Achievement (Actions)	Priority	Performance Measure
		Regular safety audits undertaken at the Ground.	Strategies developed to address safety risks identified in audit.	High	Audits conducted regularly, safety improved.
		Maintain a range of recreational facilities at all sportsgrounds.	Establish a system of reporting, monitoring and recording the condition of facilities, structures and equipment.	Med	All facilities in good condition and well maintained.
	Encourage community groups and residents to become involved in the sportsgrounds management.	Encourage community groups to seek funding for the embellishment of the sportsgrounds.	Identify funding sources available to community groups for embellishment of the sportsgrounds.	Med	Additional funding identified and applied for.
Signage	To install appropriate signage to encourage and control appropriate use of sportsgrounds.	To ensure all users of sportsgrounds are aware of its preferred patterns and types of use.	Install/update/maintain appropriate signage.	Low	Signage installed and maintained.
Residential amenity impact	To minimise adverse impacts on amenity for adjacent residential dwellings from the use of sportsgrounds.	To protect adjacent dwellings from undue noise, lighting and visual impact from sportsgrounds uses.	Where appropriate, provide landscaping, reasonable use curfews and ensure all lighting complies with the relevant Australian Standard.	Med	Actions taken to minimise impacts.

6. AUTHORISED SCALE & PURPOSE OF DEVELOPMENT

In accordance with the Local Government Act 1993 a Plan of Management must expressly authorise any proposed or potential developments on community land. As this is a generic Plan of Management, this authorisation is in general terms. Any specific works will require some level of further detail and investigation.

The following table details the developments that this draft generic Plan of Management expressly authorises for sportsgrounds in Byron Shire.

Building or location	Purpose / Use	Authorised scale of development
Existing amenities blocks/pavilions/ community buildings	Sporting, Community & Recreation purpose.	Development authorised for improvements to community buildings and amenities blocks where required.
Proposed amenities blocks/pavilions/ community buildings	Sporting, Community & Recreation purposes.	Development authorised for the construction of new amenities/pavilions/ community buildings where required.
Sportsgrounds in general	Sporting, Community & Recreation purposes.	Easements are authorised over the land for the purpose of providing pipes, conduit or other connections under the surface of the ground. This is limited to easements that connect premises on the Ground to an existing water, sewer, drainage or electricity facility of Council or other public utility provided that is situated on the land.
Sportsgrounds in general	Sporting, Community & Recreation purposes.	Development authorised for embellishments on sportsgrounds, including, but not limited to: - Drainage & irrigation; - Picnic Facilities; - Playground Equipment; - Lighting; - Walkway / cycleways; - Minor earthworks; - Landscaping; - Fencing; - signage - Sporting goalposts; and - Spectator seating.
Sportsgrounds in general	Sporting, Community & Recreation purposes	Leases and licences over the land are authorised for purposes as outlined in the Act.

7. ESTIMATED COSTS OF WORKS

There are no estimates of costs for the authorised developments as they are not specific works, but rather an overview of the type and range of works authorised for the type of community land covered by this Plan of Management.

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APPENDIX 1 – COMMUNITY LAND MAP INDEX

MAP REF	PARCEL	LOT/DP	STREET NAME	STREET TYPE	TOWN	AREA	Primary Category	Secondary Category	Third Category
AJ24	206320	61/856020	Manns	Road	MULLUMBIMBY	40705.54	Sportsground	NA (Bushland)	NA (Watercourse)
BB26	22180	2/747876	Ashton	Street	BANGALOW	11657.89	Sportsground	Park	
BB26	67730	9/748099	Bangalow	Road	BANGALOW	50061.65	Sportsground		
AX15	114560	8/263974	Federal	Drive	FEDERAL	694.55	Sportsground		

APPENDIX 2 – COMMUNITY LAND MAP SHEETS







