

Mallanganee Memorial Park (Sportsground) PLAN OF MANAGEMENT





Prepared by

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Acknowledgments

Kyogle Council acknowledges the Australian Aboriginal and Torres Strait Islander peoples of this nation. It acknowledges the traditional custodians of the lands on which it operates and pays its respects to Elders past and present.

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INTRODUCTION

1.0 KEY INFORMATION

Plan of Management for:	Mallangane Sportsground
Local Government:	Kyogle Council
Land tenure:	Community land (Council)
Size of Reserve:	2.12 hectares
Date of adoption:	14 December 2020



Figure 1: Aerial image of Mallangane Sportsground showing site boundary extent

2.0 INTRODUCTION

2.1 Community Land and Plans of Management

2.1.1 Classification of public land

The *Local Government Act 1993* (NSW) (LG Act) requires classification of public land into either community or operational and the land is managed in accordance with the legislation.

This Plan of Management (POM) applies to Mallangane Memorial Park (commonly referred to as Mallangane Sportsground) located in the Village of Mallangane within the Kyogle Local Government Area (LGA). Mallangane is located in the southern part of the municipality.

A total area of 2.12 hectares of public reserve is covered under this Plan. Refer to Figure 1.

Currently, the park is covered by Council's Generic Plan of Management, however, the location, features and community priorities warrant a specific Plan of Management.

Mallangane Park is owned and managed by Kyogle Council for public use. The park has a range of values, including recreation, sport and camping.

A Plan of Management (POM) is required to ensure the values of the land are protected, that the use of the reserve meets a range of community needs and that appropriate management actions are identified and implemented.

The reserve is adjacent to Council-owned operational land, as well as privately owned rural and residential properties.

This POM has been prepared in accordance with requirements of the *Local Government Act 1993*. The Act requires that all community land be subject to a POM. The Act also requires the management objectives specified for community land be included in the POM.

2.1.2 Community Land

Open space community land (generally known as parks, reserves and sportsgrounds) is land owned or controlled by councils and other government entities and recognised as an important element of the urban environment, providing opportunities for recreation. Under the *Local Government Act*, there are five categories of community land comprising:

- park
- sportsground
- general community use
- cultural significance
- natural area.

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

- bushland
- wetland
- escarpment
- watercourse
- foreshore
- a category prescribed by the regulations.

2.1.3 Mallangane Park Community Land category

Mallangane Park is categorised as General Community Use.

2.1.4 Plans of Management for Community Land

The *Local Government Act 1993* requires all councils to prepare Plans of Management (POMs) to govern the use and management of all community land owned or under their care, control and management.

Councils may not undertake any activities, uses or developments that are not provided for in POMs. Any changes to POMs must be publicly exhibited in accordance with the *Local Government Act*.

Section 36 of the LG Act sets out the requirements for a POM that are summarised below.

A Plan of Management for community land must identify the following:

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

A POM that applies to one area of community land must also include a description of the:

- condition of the land, and any buildings or other improvements on the land, as at the date of adoption of the Plan of Management
- use of the land and any such buildings and improvements, as at that date
- purposes of which the land, and any such buildings or improvements, will be permitted to be used
- purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise
- scale and intensity of any such use or development.

2.1.5 Specific Plans of Management

Council's Community Land Generic Plan of Management states that some open spaces need specific POMs to be prepared for reasons, such as substantial size, large number and variety of uses, and community concern about particular sites.

The *Local Government Act* also requires specific POMs for community land included in this list:

- land declared to be critical habitat under the Fisheries Management Act 1994
- land subject to threat abatement plan prepared by the Office of Environment and Heritage (OEH) under the Fisheries Management Act 1994 for key threatening processes
- land subject to recovery plans prepared by OEH under the Fisheries Management Act 1994
- land declared by Council to contain significant natural features
- land declared by Council to contain an area of cultural significance.

This POM for Mallangane Memorial Park is a specific POM. The area requires its own specific POM because has substantial size and significance, relative to the Village.

2.1.6 Legislation pertaining to this Plan of Management

Mallangane Memorial Park is located within the Kyogle Council LGA and is owned and managed by Kyogle Council.

Council's management responsibilities for the park are framed by the NSW Local Government Act 1993 (LG Act) and the Environmental Planning and Assessment Act 1979 (EP&A Act) and amendments.

The LG Act provides the management framework and processes for the land, while the EP&A Act and related planning instruments and policies control the use and development of the land.

Plans of Management for public land must be prepared in accordance with the statutory requirements of the Local Government Act.

Use and management of parks and reserves must comply with all applicable planning controls under the *Environmental Planning and Assessment Act*, namely the Kyogle Local Environmental Plan (LEP) 2012.

Local Government Act 1993

The Plan of Management is a statutory document that sets out for the community how Kyogle Council plans to manage Mallangane Memorial Park, into the future. Division 2 of the *Local Government Act* requires Council to prepare a Plan of Management for community land and to use and manage that land only in accordance with that plan. The LG Act also requires that a Plan of Management must identify the objectives, performance targets and permissible uses for community land. Table 1 indicates how this POM incorporates the requirements of the LG Act.

Table 1. Plan of Management requirements under the Local Government Act 1993

Requirements of the Local Government Act 1993	Reference in this Plan of Management
A description of the condition of the land, and of any buildings or other improvements on the land, as at the date of adoptions of the Plan of Management	Section 3.3
A description of the use of the land and any such buildings or improvements, as at the date of adoption of the Plan of Management	Section 3.3
Categorisation of community land	Section 2.1
Core objectives for management of the land	Section 4.2
The purposes for which the land, and any such buildings or improvements, will be permitted to be used	Section 4.3.3
The purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise	Section 4.3.3
A description of the scale and intensity of any such permitted use or development	Section 4.3.3
Authorisation of leases, licences or other estates over community land	Section 4.3.4
Performance targets	Section 4.4
A means for assessing achievement of objectives and performance targets	Section 4.4

Local Environmental Plan 2012

The Kyogle Local Environmental Plan 2012 (LEP) is a statutory instrument prepared in accordance with the *Environmental Planning and Assessment Act 1979* to set out development objectives and consent requirements for particular areas. Under the LEP, the land parcels making up Mallangane Memorial Park are zoned RU1 Primary Production.

The objectives of the RU1 zone are to:

- encourage sustainable primary industry production by maintaining and enhancing the natural resource base
- encourage diversity in primary industry enterprises and systems appropriate for the area
- minimise the fragmentation and alienation of resource lands
- minimise conflict between land uses within this zone and land uses within adjoining zones
- ensure that the productive capacity of agricultural land is appropriately recognised and managed
- enable a range of other uses to occur on rural land providing such uses do not conflict with existing or potential agriculture and do not detract from the scenic amenity and character of the rural environment.

Consent is not required for activities, including environmental protection works, extensive agriculture, home-based child care, home occupations and intensive plant agriculture.

The following activities are permitted with the consent of Council in the RU1 zone:

Airstrips, animal boarding or training establishments, aquaculture, bed and breakfast accommodation, boat sheds, building identification signs, business identification signs, camping grounds, caravan parks, cellar door premises, cemeteries, charter and tourism boating facilities, community facilities, crematoria, dual occupancies, dwelling houses, ecotourist facilities, educational establishments, environmental facilities, extractive industries, farm buildings, farm-stay accommodation, flood mitigation works, forestry, function centres, helipads, home businesses, home industries, industrial training facilities, information and education facilities, intensive livestock agriculture, open-cut mining, plant nurseries, recreation areas, recreation facilities (outdoor), restaurants and cafes, roads, roadside stalls, rural industries, rural supplies, rural workers' dwellings, secondary dwellings, timber yards, turf farming, veterinary hospitals, water-supply systems.

While an extensive range of uses is permitted in the zone, this POM identifies a reduced range of uses considered suitable for the reserve.

Native Title considerations

Council has an appointed Native Title Manager (NTM) who is responsible for providing advice to Council in connection with its Native Title obligations. The NTM has advised that the Plan of Management was validated against subdivision S24JA of the *Native Title Act 1993*, and that copies of the Plan of Management were provided to NTSCORP Limited as part of the consultation process. The NTM advised that there were no objections raised to the Plan of Management.

The NTM advises that any disturbance of ground within the nominated footprint included in the adopted Plan of Management does not require any further Native Title notification. However, any disturbance of ground outside the nominated footprint will require further Native Title notification. Advice is to be sought from Council's NTM for any proposed future acts.

Other relevant legislation and statutory controls

Under section 35 of the LG Act, community land is required to be used and managed in accordance with a Plan of Management and any law permitting the use of the land for a specific purpose. Table 2 summarises the legislation (other than the LG Act) that applies, or potentially may apply, to management and use of Mallangane Park.

Table 2. Legislation that may be applicable to Mallangane Park

Legislation	Application to Mallangane Park
Environmental Planning and Assessment Act 1993 (NSW)	This Act provides environmental planning instruments for development control at the state (State Environmental Planning Policies), regional (Regional Environmental Plans) and local (LEPs) levels. While this Plan of Management determines permitted uses in Mallangane Park, specific activity or development will require assessments through the development application (DA) process under relevant sections of this Act. Where a proposal is likely to have a significant impact on the environment, an environmental impact assessment (EIA) must be conducted under the Act. The DA and EIA processes consider and provide the public with information on the environmental, social, cultural and economic impacts of the proposed activity or development and enable members of the public to comment on the proposal.
Native Title Act 1993 (Commonwealth)	The Native Title Act 1993 recognises the rights and interests of Aboriginal and Torres Strait Islander people in land and waters according to their traditional laws and customs. The Act establishes a process for claiming and recognising Native Title lands and waters in Australia. The NTA aims to balance Indigenous and non-Indigenous peoples' rights to land, and sets out how Native Title rights and interests fit within Australian law.
Aboriginal Land Rights Act 1983 (NSW)	Under the Aboriginal Land Rights Act 1983 (ALRA) in NSW, Aboriginal Land Councils can claim land as compensation for historic dispossession of land and to support Aboriginal communities' social and economic development. The ALRA recognises the traditional ownership and occupation of the land by Aboriginal peoples and the importance of their connection to land. The ALRA recognises the spiritual, cultural and economic importance of land to the state's Aboriginal peoples.
National Parks and Wildlife Act 1974 (NSW)	Under this Act, it is an offence to knowingly disturb an Aboriginal object or site without a consent permit issued by the Office of Environment and Heritage (OEH). Traditional Aboriginal cultural activities, conservation works and emergency activities are exempt from this provision.
Heritage Act 1977 (NSW)	This Act cover the protection and management of non-Aboriginal heritage. It provides for listing of significant sites on the State Heritage Register or under Local Environmental Plans.
Biodiversity Conservation Act 2016 (NSW)	Commenced in August 2017, this Act provides for the management of biodiversity conservation and native vegetation, including through a Biodiversity Offsets Scheme, declaration of Areas of Outstanding Biodiversity Value and protection of threatened species. It provides for the listing and protection of flora and fauna species and ecological communities, as well as the management of threatening processes.
Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)	This Commonwealth legislation provides for the protection of nationally significant threatened species and cultural heritage.
Biosecurity Act 2015 (NSW)	This Act provides for the management of animal and plant pests, diseases and contaminants that threaten the environment, biodiversity, the economy and the community.
Rural Fires Act 1997 (NSW)	Under section 63 of this Act public authorities have a duty to take steps to prevent the occurrence of bushfires on their land and minimise the danger of the spread of bushfires from that land.

2.1.7 Council documents

Relevant Council strategic planning and policy documents were reviewed to inform development of this Plan of Management and are summarised here.

Kyogle Community Strategic Plan - Planning for Growth

The plan highlights the opportunities available in the Kyogle Local Government Area (LGA) for growth and investment, as an established agricultural and lifestyle locale. The Plan provides a range of cues that address priority themes to enhance liveability and sustainability of the area, while maintaining a contemporary position, commensurate with growth and emerging opportunities in other regions. These themes were identified through broad community consultation and focus groups.

Kyogle Economic Development Future - Pathways to Prosperity

Council is identifying and implementing a range of strategies to encourage development of a broad range of industries, particularly those that generate high employment, to strengthen the economic base for the area. The amenity and attractiveness of places are directly connected to key growth indicators and can contribute to population growth, business investment and higher property prices. Place-based economic development is the practice of using a community's public spaces to contribute to economic progress.

This approach focuses on identifying and leveraging the unique characteristics of places and existing assets to attract investment and strengthen existing businesses.

Visions of Village Life Master Plan

In consultation and collaboration with Village communities across the municipality, Council developed Village Master Plans setting out the vision, goals and priorities for each locality to guide planning, project delivery and decision making, as well as specific projects, actions and initiatives Council will deliver to support achievement of Village vision statements.

Relevant information contained in the Mallanganeer Village Master Plan has been included in this Plan of Management and used as basis for further community engagement and consultation. The Village vision is:

For Mallanganeer to remain a beautiful, quiet, small village where people can enjoy nature, wildlife and the country town atmosphere.

Kyogle and Villages Open Space Design Guide

The Open Space Design Guide was established to provide a framework to guide the delivery and ongoing maintenance of infrastructure within a range of public open spaces and reserves across the Kyogle Local Government Area (LGA). The guide includes a series of guiding principles and processes, which have been established from emerging and best practices in urban design. The guide also identifies and applies best practice approaches to place making in a regional and rural context by providing advice on the character, design, appointment and activation of key public spaces to reflect an established place character and community identity.

The Guide provides a locally relevant categorisation of open spaces to inform future planning, engagement and activation processes by Council. It prescribes infrastructure requirements for open space materials, finishes and forms, addresses the maintenance requirements associated with such items, and considers the suitability of materials in the context of the prevailing climatic conditions in the region.

2.2 Process of preparing this Plan of Management

The process of preparing this Plan of Management is depicted in this flowchart.



2.3 Change and review of this Plan of Management

Plans of Management require periodic review in order to align with community values and changing community needs and to reflect changes in Council priorities. This POM will be reviewed regularly to ensure that the document reflects current uses, management objectives and performance targets.

The Plan of Management for Mallanganeer Park will be reviewed by 30 June 2024 and every four years, thereafter.

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THE CONTEXT



Figure 2: Mallanganee Memorial Park entry and adjacent playground

3.0 THE CONTEXT

3.1 The residents of Mallanganeë

3.1.1 Community profile - key facts and trends

Approximately 148 people lived in Mallanganeë at the last Census collected in 2016. There were slightly more males (57.5%) than females (42.5%) living in Mallanganeë. The median age was 52 years, slightly older than 50 years for the Kyogle Local Government Area and 14 years older than the NSW median of 38 years. Resident numbers in each age group are provided below.

Mallanganeë Primary School closed in 2009, due to insufficient enrolments.

There were 43 families living in 88 dwellings in 2016, with an average of two people per household. There were eight couples with children, 24 couples without children, 10 one-parent families and 32 one-person households.

Just under 60% of dwellings had an internet connection, 44% did not have an internet connection and just over 8% did not state if they had internet or not.

Household income in Mallanganeë is predominantly low with 43 households recording incomes per week as low (<\$650) or lower middle (\$650-\$1,449). Only four households recorded an upper middle income (\$1,449-\$2,499), three recorded a high income (>\$2,500), with nine households not stating their income.

The population age structure is detailed in the table below.

Table 3. Population age structure, Census 2016

Mallanganeë population and age structure 2016	Age Group	Count
	Babies and preschoolers (0 to 4)	5
	Primary schoolers (5 to 11)	6
	Secondary schoolers (12 to 17)	11
	Tertiary education/independents (18 to 24)	11
	Young workforce (25 to 34)	12
	Parents and homebuilders (35 to 49)	23
	Older workers and pre-retirees (50 to 59)	37
	Empty nesters and retirees (60 to 69)	22
	Seniors (70 to 84)	18
	Frail aged (85 and over)	0

3.1.2 Implications for open space

The demographic profile of residents living in Mallanganeë has implications for the types of open space parks and the way they are embellished to provide recreation opportunities for residents.

Provision of play opportunities for children is essential for development of physical, social and psychological health and wellbeing. Play changes as children grow older and imaginative and creative play, as well as challenge and technical difficulty, are important at different age stages.

Age groups most likely to participate in structured sport are 5 to 35 years old. There are approximately 40 people that fall between this broad age group living in Mallanganeë, however, not all of these people may be interested in, or capable of, participating in structured sport. Nevertheless, opportunities for games, particularly of a social nature are an important and valued element of most communities.

Most residents living in Mallanganeë have low or lower-middle incomes and therefore, has less disposable income, making free and low-cost opportunities for recreation essential for health and wellbeing.

The current provision of open space will continue to serve the residents of Mallanganeë into the future, particularly if developed and embellished to encourage use and community connection.

3.2 Community Land in Mallanganeë

3.2.1 Open space in Mallanganeë

Kyogle's Open Space Design Guide details several park typologies to describe and direct use and embellishment to ensure the provision of a range of recreation opportunities for residents and visitors.

The following table provides a summary of park typologies that can be found within Mallanganeë.

Table 4. Kyogle OS Design Guide park typologies and descriptions

Park typology	Description
Recreation parks	Local parks contain limited infrastructure, yet offer community benefits and are intended to complement backyards, generally catering for short visits by small groups.
Play spaces	Successful play spaces are well located, use natural elements, provide diverse experiences, are accessible, meet community needs, allow risk and challenge and are well maintained.
Sport parks	Sport parks cater for unstructured recreation and structured sport and can include indoor or outdoor sport facilities and surfaces, spectator facilities, car parking, shade and amenities.
Camping areas	Camping areas are places usually away from urban areas where tents or simple buildings (such as cabins) are erected for shelter or for temporary residence. In NSW, primitive camping areas are regulated.
Natural areas	Land primarily set aside to protect and enhance areas with significant biodiversity, environmental or cultural value.
Green links	Linear parks link areas of open space incorporating off-road shared walk and cycle paths, often following environmental corridors, waterways, drainage lines and utility reserves.

3.2.2 Parks near Mallanganeë Memorial Park

There are a range of parks with different settings that provide different recreation opportunities and experiences for residents and visitors.

Parks located near Mallanganeë Park are detailed in the following table, together with the park typology and hierarchy.

Table 5. Parks within Mallanganeë by type and hierarchy

Map ref.	Park/Reserve name	Park typology	Hierarchy
1	Mallanganeë Park	Sport park Camping area	Local
2	Everson Park	Recreation park	Local
3	Memorial Park	Recreation park	Local
4	Mallanganeë Tennis Courts	Sport park	Local Private specialised
5	Mallanganeë Showgrounds	Showgrounds	Private specialised
6	Mallanganeë Lookout	Destination	NA
7	Sandilands Park	Recreation park	Local



Figure 3: Aerial image of Mallangane and indicative location of subject site

3.3 Description of Mallangane Memorial Park

3.3.1 Location and context of Mallangane Memorial Park

Mallangane is located adjacent to the Bruxner Highway and approximately 40 kilometres from the town of Casino, in the neighbouring Lismore Local Government Area.

Mallangane National Park and Sugarloaf and Cherry Tree State Forests cover large tracts of land directly to the east of the Village.






Mallangane Park is located on the southern edge of the Village and agricultural land abuts most of its perimeter. Ephemeral waterways traverse the north, south and west boundaries of the park. Vehicles and pedestrians can access the park, via the main gated entrance off Sandilands Street or, via a secondary entrance off Pine Street.



LEGEND

	Reserve boundary
--	------------------

RESERVE CATEGORISATION

	General Community Use
	Park
	Sportsground
	Natural area - bushland
	Natural area - watercourse
	Natural area - escarpment

NOT TO SCALE



3.3.2 Key features and landscape character

A brick-gated entrance to Mallangane Park features a memorial to those who served in both World Wars, highlighting the strong military presence in the area. There is also a sculpture, depicting love and sacrifice of man in times of adversity, showing Papua New Guinean Raphael Oembari leading Australian Private George Whittington from the front line at Buna on Christmas Day 1942.

3.3.3 Key stakeholders

Due to the small population size of Mallangane and the significance of Mallangane Park to the fabric of the Village, the whole Village community is identified as the key stakeholders for the purpose of this Plan of Management.

3.3.4 Consultation summary

During development of the Mallangane Village Master Plan, the outcomes of community consultation revealed the following key aspirations that are relevant to this Plan of Management:

- Mallangane Sportsgrounds
 - upgrade amenities including accessible toilets, showers and multi-function kitchen
 - seal entry and internal road
 - restore archway (Memorial Gate)
 - provide loop road from Sandilands Street through to Pine Street
 - upgrade water supply and promote water conservation
 - refurbish existing sport facilities
 - remove depot fencing
 - expand camping area
 - improve pathways and connectivity
 - picnic tables
 - refurbish cricket nets.

In addition to this POM, Council commissioned development of a Master Plan for Mallangane Park. The Master Plan is a supporting document to this POM and includes drawings to depict proposed development and embellishment consistent with this POM.

3.3.5 Leases/licences

There are currently no leases or licences over any part of the Mallangane Park.

3.3.6 Land use and current improvements

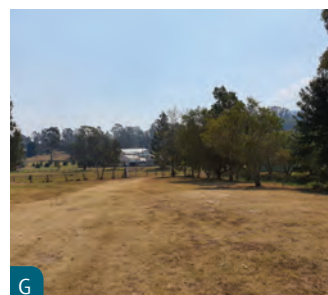
Mallangane Park is currently developed for use as a sportsground for cricket and various football codes. Primitive camping is catered for on site with basic amenities. Generally, the condition of current improvements and assets is poor and in need of replacement or renewal.

3.3.7 Infrastructure and embellishments

Reticulated water and sewerage is not currently provided in Mallangane, however, there are plans to provide them in the future.

The entry from Sandilands Street is framed by a gateway constructed in 1951 and identified in the Kyogle LEP 2012 as a locally significant heritage item. The gateway includes brick columns with an archway and includes memorial plaques commemorating local residents lost in World Wars I and II. A time capsule consisting of a brick column, approximately one metre high, is located adjacent the gateway. The time capsule commemorates the Mallangane and District Centenary 1878 - 1978 and is to be opened in 2028.

Timber post and plain or barbed wire fencing runs along the property boundary. The sports oval is defined by a post and rail fence, made from galvanised pipe, with steel gates. Fencing is in poor condition.



- A. Memorial Park gate entry from Sandilands Street
- B. Internal entry road from Sandilands St into Park
- C. View across informal car parking and sports field
- D. View across sports field
- E. Typical post and plain/barbed wire fencing
- F. Bench seating and field boundary fence
- G. Informal car parking
- H. T. H. (Tom) Furhmann memorial plaque
- I. Time capsule to be opened in 2028
- J. Disused cricket practice net

An avenue of Jacarandas on the northern edge of the site near the entry perpetuate the memory of T. H. (Tom) Furhmann, accidentally killed in January 1983.

Primitive camping is permitted on site and approximately six concrete pads/slabs are provided, however, they are in poor condition.

3.3.8 Access, circulation and parking

Vehicle access is primarily from Sandilands Street. A decorative arched gateway marks the entrance and is approximately 3m high, restricting access by vehicles exceeding this height, at this entrance. A secondary access and egress is located off Pine Street.

Internal roads within the park are formed, however, are not currently sealed.

There are several concrete pads for the convenience of those camping at the park with recreation vehicles (RVs). Generally, vehicle parking is not defined.

3.3.9 Lighting

While timber lighting posts indicate that the field may have been lit in the past, there is currently no field lighting. Lighting is currently available in buildings located on the park. There is currently no floodlighting or field lighting at the park.

3.3.10 Play equipment

The playspace includes a single unit with multiple elements and a double swing set.

3.3.11 Toilets and park furniture

There are toilets located in the change room building and the concrete block building located in the park. A toilet block in poor condition is located at the entrance to Memorial Park servicing the playground near the entrance to the park. Park furniture is limited to bench seats and table and chair settings in poor condition.

3.3.12 Stormwater and drainage

Drains on the boundary of the park catch and drain stormwater from the site.

3.3.13 Buildings

There are currently four buildings in the park:

- large maintenance shed constructed with corrugated iron walls and roof, with concrete flooring and an awning facing the field (dirt floor)
- small corrugated iron building, used as a canteen or bar
- concrete block toilet block
- timber building, including showers and change rooms with an awning and concrete flooring.



- A. Memorial Park gate entry from Sandilands Street
- B. Memorial Park gate with playground in background
- C. Playground with shade sail, shelter and toilet
- D. Play equipment
- E. Public toilet
- F. Sportsground and goalposts
- G. Concrete cricket wicket
- H. Maintenance shed with awning
- I. Change rooms with tiered seating under awning
- J. Steel and timber slate tiered seating under awning

PLAN OF MANAGEMENT



4.0 THE PLAN OF MANAGEMENT

4.1 Aims of the Plan of Management

The Plan of Management for Mallanganeer Park aims to:

- fulfil Council's statutory obligations in respect to public land management under the requirements of the Local Government Act 1993
- provide a framework and maximise opportunities for sustainable, long-term management of community land
- be consistent with Council's strategic plans and provide a basis for prioritising capital and operational works programming and budgets
- maximise utilisation of the land for community use within Council's capacity
- respond to current needs and opportunities, as well as provide guidance for future development
- reflect the values and expectations of key stakeholders and the local community, for future use and enjoyment of Mallanganeer Park
- be a resource for both Council staff and the public regarding the use of the land, including leasing and licensing.

4.2 Core objectives of this Plan of Management

The Local Government Act sets out core objectives for the management of community land. The core objectives for the category of general community use are below:

To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

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

4.3 Use and Development of Community Land at Mallanganeer Park

4.3.1 Zoning

The community land covered by this Plan is zoned RU1 Primary Production

Table 6. Existing land title, tenure and zoning

Legal descriptor	Approx. area ha	Owner	Control and mgmt	LEP 2014 zoning	Current category
Lot A DP 367971	1.9747	Kyogle Council	Kyogle Council	RU1 Primary Production	General community use
Lot B DP 367971	0.1457	Kyogle Council	Kyogle Council	RU1 Primary Production	General community use

4.3.2 Development allowed in RU1 Primary Production Zone

The objectives of the RU1 zone are to:

- encourage sustainable primary industry production by maintaining and enhancing the natural resource base
- encourage diversity in primary industry enterprises and systems appropriate for the area
- minimise the fragmentation and alienation of resource lands
- minimise conflict between land uses within this zone and land uses within adjoining zones
- ensure that the productive capacity of agricultural land is appropriately recognised and managed
- enable a range of other uses to occur on rural land providing such uses do not conflict with existing or potential agriculture and do not detract from the scenic amenity and character of the rural environment.

Consent is not required for activities including environmental protection works, extensive agriculture, home-based child care, home occupations and intensive plant agriculture.

The following activities are permitted with the consent of Council in the RU1 zone:

Airstrips, animal boarding or training establishments, aquaculture, bed and breakfast accommodation, boat sheds, building identification signs, business identification signs, camping grounds, caravan parks, cellar door premises, cemeteries, charter and tourism boating facilities, community facilities, crematoria, dual occupancies, dwelling houses, ecotourist facilities, educational establishments, environmental facilities, extractive industries, farm buildings, farm-stay accommodation, flood-mitigation works, forestry, function centres, helipads, home businesses, home industries, industrial training facilities, information and education facilities, intensive livestock agriculture, open-cut mining, plant nurseries, recreation areas, recreation facilities (outdoor), restaurants and cafes, roads, roadside stalls, rural industries, rural supplies, rural workers' dwellings, secondary dwellings, timber yards, turf farming, veterinary hospitals, water-supply systems.

4.3.3 Permissible uses and developments

Table 7. Uses and developments allowed at Mallangane Park

COMMUNITY LAND - GENERAL COMMUNITY USE Purpose/Use	Development to facilitate use
<p>Providing a location for, and supporting, the gathering of community-based interest groups for a range of social, cultural or recreational purposes.</p> <p>Providing multi-purpose buildings (e.g. community halls and centres) with specialised community uses, such as:</p> <ul style="list-style-type: none"> casual or informal recreation meetings, including for social, recreational, educational or cultural purposes functions concerts, including all musical genres performances, including film and stage exhibitions, fairs, parades leisure or training classes children's services social services designated group use, such as scout and girl guide use entertainment facilities of appropriate scale community-based commercial operations, which are sympathetic to and support use in the area and are of appropriate scale. 	<ul style="list-style-type: none"> Provision of buildings or other amenity areas to facilitate use and enjoyment by the community, including licensed clubs and associated facilities, such as a refreshment room development of buildings and grounds for the purposes of addressing the needs of a particular group commercial operations, including primitive camping sports fields and courts development to facilitate sporting use, such as lighting and fencing benches, picnic tables, shade structures hard and soft landscaping water-saving initiatives, such as stormwater harvesting, rain gardens and swales energy-saving initiatives, such as solar lights and solar panels, where appropriate car parking and loading areas, driveways, access roads or similar bridges, boardwalks, etc. locational, directional, regulatory, heritage and cultural interpretation signage utilities to improve amenity or safety of the reserve, e.g. CCTV cameras. <p>Advertising and promotional structures and signage (such as A-frames and banners) that:</p> <ul style="list-style-type: none"> relate to approved uses/activities are discreet and temporary are approved by Council.

The scale and intensity of current and proposed uses for Mallangane Park is detailed in the table below.

Table 8. Scale and intensity of any permitted use or development at Mallangane Park

USE or DEVELOPMENT	SCALE	INTENSITY
Buildings (community recreation club, clubhouse, amenities etc.)	Subject to Council approval	The intensity of use is not to cause nuisance to nearby residents and must comply with lease or licence conditions and relevant Council policies.
Community-based interest group activities	Subject to Council approval	The intensity of use is not to cause nuisance to nearby residents and must comply with lease or licence conditions and relevant Council policies.
Organised sport and training	Limited to the physical constraints of the sports fields	Subject to conditions of casual or seasonal hire agreements with Council.
Passive recreation uses	Small scale	The intensity of use is not to cause nuisance to nearby residents.
Landscape upgrades - natural (tree planting)	Scale is not to compromise use of the site for active and passive recreation	To enhance the site, in terms of aesthetics, climate control and habitat.
Landscape upgrades - amenity (installation of seats, toilets etc.)	Scale is not to compromise use of the site for active and passive recreation	Low intensity so as to not compromise the natural and open character of the site. Sufficient provision to enhance the amenity of the site, in terms of comfort and convenience.
Infrastructure to support the environment (fencing, boardwalks, drystone walling etc.)	Appropriate scale	Scale to suit the community land category
Car parks	Limited to dedicated car parks provided, and to future infrastructure provided	24 hours a day, 7 days a week
Roads and paths	Limited to the dedicated roads and paths, and to future infrastructure proposed	24 hours a day, 7 days a week
Commercial development which is sympathetic to and supports uses in the area (bike hire, cafe, markets etc.)	Small scale	Agreement, via lease, licence or permit, approved by Council
Community events	Limited to the physical constraints of the site	Subject to Council approval
Sports and other lighting	Suitable for regional and district level sports ground	Times subject to Council approval. Lighting to comply with Australian Standards
Public art and signage	Scale and style to suit character of site	Limited amount to provide appropriate impact and help reinforce local identity
Sportsground maintenance	Subject to noise, occupational health and safety, and any other relevant legislation	Seven days a week, subject to Council approval
Camping	Subject to Council approval	The intensity of use is not to cause nuisance to nearby residents and must comply with relevant Council approvals

4.3.4 Leases, licences and other estates

Leases, licences and other estates over community land must be expressly authorised in Plans of Management and comply with the conditions in the Local Government Act. They must be in the best interests of the community, as a whole, and enable, wherever possible, shared use of community land. The term other estates includes other interests, charges, rights or titles in relation to the land (for example, easements).

The main difference between a lease and a licence is that a licence does not permit the sole, or exclusive, use of the area. Licences may be granted to formally recognise and endorse shared uses. Licences are commonly used for sports facilities, such as clubhouses.

Maximum term and public notice

The maximum term of a lease, licence or other estate is 30 years. The consent of the Minister for Local Government is required if the lease or licence exceeds 21 years. This consent is also required if the term of the lease or licence will be greater than five years and objections have been lodged against the proposal. Council must give public notice of the proposal and exhibit notice of it on the land to which the proposal relates. Council must consider all submissions made in response.

Granting a lease or licence

The grant of a lease or licence is an important step in using community land, but there may be other requirements relevant to any proposed use. For example, development consent may be required under the Environmental Planning and Assessment Act 1979. Any interested person should check carefully to ensure they are aware of all relevant requirements.

A lease, licence or other estate must not be granted, if it involves:

- an activity that is not in accordance with a permitted purpose
- an activity that is not consistent with the objectives of the Plan of Management
- any activity prohibited by the land zoning stated in Council's current Local Environmental Plan (LEP).

Leases, licences and other estates allowed in Mallangane Park

In accordance with the requirements of the Local Government Act 1993, this Plan of Management expressly authorises Council to grant a lease, licence or other estate at Mallangane Park, where the activity is consistent with this POM and the core objectives for the category of land, and is for a purpose listed in Table 5.

Table 9. Purposes for which leases, licences and other estates may be authorised by Council at Mallangane Park

Type of arrangement	Category of community land	Purpose
Lease	General Community Use	<ul style="list-style-type: none"> • licensed community recreation club and associated facilities • classes and workshops for activities, such as yoga, dance, art and craft • community-based interest groups for a range of social, cultural, or recreational purposes • commercial operations to activate the site and provide community recreation • cafe (including outdoor dining area) • health or medical practitioners associated with the relevant facility (e.g. nutrition, physiotherapy) • children's services • car parks
Licence	General Community Use	<ul style="list-style-type: none"> • community based interest groups for a range of social, cultural, or recreational purposes • classes and workshops for activities, such as yoga, dance, art and craft • small-scale commercial uses, e.g. mobile cafe, hire of sports and recreation equipment
Other estate	All categories	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 in accordance with the Local Government Act 1993. Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the Council or other public utility provider that is situated on community land.
Short-term casual permit	General Community Use	<ul style="list-style-type: none"> • small-scale functions, displays, exhibitions, concerts • public speeches, meetings, seminars and presentations • community events, auctions, markets and similar activities • classes and workshops for activities, such as yoga, dance, art and craft • small-scale commercial uses, e.g. mobile cafe, hire of sports and recreation equipment.

4.4 Management objectives and actions for Mallangane Park

The following management objectives support environmental protection, active and passive recreation, social connection, appropriate commercial recreation and visual amenity.

Develop a quality public environment

By ensuring the creation of comfortable and engaging environments.

Improve pedestrian and cycling amenity

By encouraging an increase in these forms of transport by improving the appeal of the environment to pedestrians and cyclists.

Improve community safety

Through the promotion of CPTED to achieve natural surveillance of public spaces and active frontages.

Increase accessibility and integration

By ensuring that the activity centre (i.e. recreation reserve, open/public space) is a focus for the entire community, is accessible to all and physically integrated within the surrounding neighbourhood.

Encourage a mix of uses

By optimising the diversity of uses to promote vitality, extend the hours of activity and intensify the use of existing infrastructure.

Encourage environmental sustainability

By promoting efficient use of existing assets, prolonged life cycle of structures and encouraging energy efficiency, water and resource conservation.

4.5 Objectives and performance targets

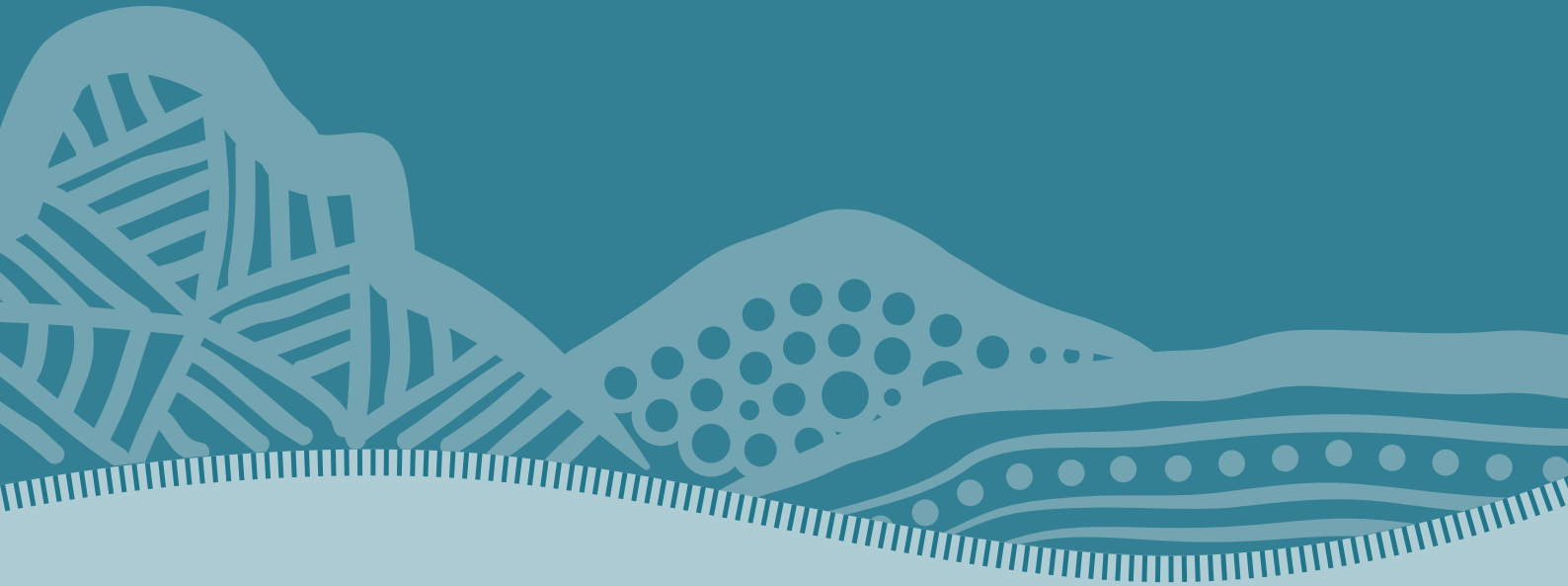
Table 10. Objectives and performance targets for Mallangane Memorial Park

Management objectives	Performance targets	How to achieve objectives and performance targets	Assessment of performance regarding objectives and performance targets
		<i>Refer Kyogle Open Space Design Guide</i>	
Develop a quality public environment	<p>Open space is designed to be comfortable and engaging</p> <p>Provide play spaces at appropriate locations</p> <p>Public art reflecting the community is integrated into public spaces</p>	<p>Aim for all open spaces to comply with the Open Space Design Guide</p> <p>Maintain open spaces to the level required in the Parks and Reserves Asset Management Plan</p> <p>Parks and sportsgrounds have shade and seating</p> <p>Design parks that:</p> <ul style="list-style-type: none"> • preserve the natural environment for contemplation, reflection and inspiration • invoke a sense of place • ameliorate mental fatigue • inspire artistic expression. 	<p>Regular inspections of parks and sportsgrounds confirm appropriate standard of amenity and quality to relevant Australian Standards.</p> <p>Parks and sportsgrounds are regularly inspected to ensure good maintenance.</p> <p>Survey of users to ascertain satisfaction.</p> <p>Community/stakeholder forums provide regular feedback on passive and active recreation needs.</p>
Improve pedestrian and cycling amenity	Provide linkages with nearby destinations and open spaces	<p>Provide wide, shaded, pedestrian and cycle paths to accommodate mobility scooters and prams within parks and sportsgrounds and to other destinations, such as town/village centres</p> <p>Create a connected network of walk and cycle paths that link people to where they want to go (key destinations) including passing through parks and sportsgrounds.</p>	Surveys reveal users are satisfied with linkages provided within open spaces and to other destinations.
Improve community safety	Open space is designed to support natural surveillance and active frontages	<p>Provide, where appropriate:</p> <ul style="list-style-type: none"> • pedestrian lighting, particularly along perimeter pathways to make parks and sportsgrounds safer • safety lighting for cycle paths through parks and sportsgrounds • floodlighting to enable night-time training at sportsgrounds • solar lighting, if possible <p>Provide well-managed unleashed areas for social use by dogs and their owners</p>	<p>Lighting is adequate and appropriate for each open space.</p> <p>Participants in night sport report that lighting is satisfactory.</p> <p>Surveys reveal that users feel safe in parks and sportsgrounds.</p>
Increase accessibility and integration	<p>Ensure fairness and equity in use of parks and sportsgrounds</p> <p>Provide signage to support and encourage use</p>	<p>Provide, where appropriate:</p> <ul style="list-style-type: none"> • ramps, handrails, tactile etc. • obvious entries and signage • access for maintenance and emergency vehicles, and service authorities • car parking • water-sensitive urban design <p>Ensure leases and licences do not overly limit public use by providing exclusive use to lessees/licensees</p> <p>Ensure revenue from events and activities in parks and sportsgrounds is based on 'user pays' philosophy</p>	<p>Surveys of user groups reveal that no group is unfairly disadvantaged.</p> <p>Parking is adequate for all parks and sportsgrounds, most of the time.</p>
Encourage a mix of uses	Open space is designed and embellished to maximise diverse uses	<p>Parks and sportsgrounds provide, where appropriate:</p> <ul style="list-style-type: none"> • sport fields for formal sports • space for unstructured activity • playgrounds that encourage creative and independent play • large level areas for passive recreation and community events • facilities for a variety of ages (older people and younger people) • pedestrian and cycle paths • quiet areas for reflection 	<p>Survey of users to ascertain satisfaction.</p> <p>Community/stakeholder forums provide regular feedback on passive and active recreation needs.</p> <p>Surveys reveal users are satisfied with linkages provided within open spaces and to other destinations.</p>

<p>Encourage environmental sustainability</p>	<p>Encourage energy efficiency, water and resource conservation</p> <p>Manage Council's natural areas to a high standard</p>	<p>Provide solar lighting, if possible and appropriate</p> <p>Incorporate water-sensitive urban design elements into open spaces, where appropriate:</p> <ul style="list-style-type: none"> • grassed swales • rain gardens • water-collecting tree pits and medians • bio-retention basins • water tanks to harvest stormwater <p>Implement water quality improvement programs in a coordinated and efficient manner</p> <p>Stabilise and monitor stormwater outlets and creek-line erosion in conjunction with Catchment Management Plans, where necessary</p>	<p>Steady increase in the number of participants in bushland management issues and activities.</p> <p>Reduction in level of gross pollutant, sediment and nutrient-enriched stormwater and septic tank effluent entering natural areas.</p> <p>No unacceptable fragmentation or deterioration of natural area quality, as a result of recreation facilities.</p> <p>There is a steady, measurable increase in the number of WSUD elements incorporated into open spaces.</p>
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APPENDICES

- > A: References and supporting documents
- > B: Category maps



A: REFERENCES

Australian Bureau of Statistics (ABS) 2016 Census Quickstats, 12 July 2019

Kyogle and Villages Open Space Design Guide, 2019

Kyogle Council Crown Reserves Strategic Plan 2009-2013, 2009

Kyogle Council Plan of Management for Community Land, 1996,

Mallangane, Visions of Village Life Master Plan, 2018

B: CATEGORY MAPS



KYOGLE COUNCIL

Park name	Land identification	Town or Village	Category	Hierarchy	Owner
Mallanganee Memorial Park	Lot A DP 367971	Mallanganee	General Community Use	Local	Council



LEGEND

	Reserve boundary
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RESERVE CATEGORISATION

	General Community Use
	Park
	Sportsground
	Natural area - bushland
	Natural area - watercourse
	Natural area - escarpment

NOT TO SCALE





KYOGLE COUNCIL

Park name	Land identification	Town or Village	Category	Hierarchy	Owner
Mallangane Memorial Park	Lot B DP 367971	Mallangane	General Community Use	Local	Council



LEGEND

	Reserve boundary
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RESERVE CATEGORISATION

	General Community Use
	Park
	Sportsground
	Natural area - bushland
	Natural area - watercourse
	Natural area - escarpment

NOT TO SCALE

