

Old Bonalbo Reserve
R86567

PLAN OF MANAGEMENT





Prepared by

ROSS Planning on behalf of

© Kyogle Council

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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.

Cover photo: Tennis court and fencing with tennis building in background

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INTRODUCTION

1.0 KEY INFORMATION

Plan of Management for:	Old Bonalbo Reserve
Reserve number:	86567
Reserve purpose:	Public Recreation
Local Government:	Kyogle Council
Size of reserve:	0.3375 hectares
Date of adoption:	14 December 2020



Figure 1: Aerial image of Old Bonalbo and the reserve

2.0 INTRODUCTION

2.1 Community Land and Plans of Management

2.1.1 Classification of public land

Introduction of the *Crown Land Management Act 2016* (NSW) resulted in Councils now managing Crown land as if it were public land under the *Local Government Act 1993* (NSW). The LG Act requires classification of public land into either community or operational and the land is managed in accordance with the LG Act. The classification of community land in Kyogle is made by Council resolution.

This Plan of Management (POM) applies to the reserve, commonly referred to as The Old Bonalbo Tennis Courts, located in the Village of Old Bonalbo within Kyogle Local Government Area (LGA). The POM applies to two Crown and one Council-owned parcels of land. A total area of 0.3375 hectares of public reserve is covered under this Plan. Refer to figure 1 on opposite page.

The reserve is Crown land managed by Kyogle Council for public use. The primary value of the reserve to the Village is for recreation and social sports games.

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 located on the southern edge of the Village and is the only public park in the Village. The Old Bonalbo Public School, neighbouring the reserve, catered for approximately 20 students in 2019. The Anglican Church of All Saints is located adjacent the reserve, and the Soldiers Memorial Hall (community managed) faces the church across a lawn area. Together, the school, church, hall grounds and reserve make up approximately 25% of the Village footprint.

This POM has been prepared in accordance with requirements of the LG Act and CLM Act. The LG 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 LG 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 Old Bonalbo Community Land category

The Reserve is categorised as General Community Use.

2.1.4 Plans of Management for Community Land

The LG Act 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 POM
- 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 LG 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 the reserve in Old Bonalbo is a specific POM. The reserve requires its own specific POM because of its significance, relative to the Village.

2.1.6 Legislation pertaining to this Plan of Management

The park is located within the Kyogle Council LGA and is managed by Kyogle Council. The land is owned by the NSW State Government.

Council's management responsibilities for the reserve are framed by the *Crown Land Management Act 2016* (CLMA), 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 LG Act.

Use and management of reserves must comply with all applicable planning controls under the EP&A Act, namely the Kyogle 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 Old Bonalbo into the future. Division 2 of the LG 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 Old Bonalbo are zoned RU5 Rural Village. The objectives of the RU5 zone are to:

- To provide for a range of land uses, services and facilities that are associated with a rural Village.
- To promote development in existing Villages that reflects or enhances their local character and identity.
- To ensure that the amenity of existing developments is not adversely affected by new development.

Consent is not required for activities including, extensive agriculture; home-based child care; home occupations

The following activities are permitted with the consent of Council in the RU5 zone:

agricultural produce industries, amusement centres, animal boarding or training establishments, boat building and repair facilities, boat sheds, building identification signs, business identification signs, camping grounds, car parks, caravan parks, cemeteries, centre-based child care facilities, commercial premises, community facilities, depots, dwelling houses, electricity generating works, entertainment facilities, environmental facilities, environmental protection works, exhibition homes, exhibition villages, farm buildings, flood mitigation works, freight transport facilities, function centres, highway service centres, home businesses, industrial retail outlets, industrial training facilities, information and education facilities, intensive plant agriculture, light industries, marinas, mortuaries, neighbourhood shops, oyster aquaculture, passenger transport facilities, places of public worship, public administration buildings, recreation areas, recreation facilities (indoor), recreation facilities (major), recreation facilities (outdoor), registered clubs, residential accommodation, respite day care centres, restricted premises, roads, sawmill or log processing works, schools, service stations, sewerage systems, storage premises, tank-based aquaculture, tourist and visitor accommodation, transport depots, truck depots, vehicle body repair workshops, vehicle repair stations, veterinary hospitals, warehouse or distribution centres, water recreation structures, water-supply systems, wholesale supplies.

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 the reserve.

Table 2. Legislation that may be applicable to Old Bonalbo

Legislation	Application to Old Bonalbo
Crown Land Management Act 2016 (NSW)	This Act provides for the ownership, use and management of Crown land in NSW and provides clarity concerning the law applicable to Crown land. Under the Act, environmental, social, cultural and economic considerations are required to be taken into account in decision making about Crown land. The Act provides for the consistent, fair and transparent management of Crown land for the benefit of the people of NSW and to facilitate use by the Aboriginal people of NSW because of spiritual, social, cultural and economic importance of land to Aboriginal people, and to allow co-management of dedicated or reserved Crown land, where appropriate. The Act provides for the management of Crown land having regard to the principles of Crown land management.
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 Old Bonalbo, specific activity or development will require assessments through the development application (DA) process under Part 4 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 Part 5 of 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 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

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 is 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 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 Old Bonalbo Village Master Plan has been included in the Plan of Management and used as a basis for further community engagement and consultation. The Village vision is:

For Old Bonalbo to become an attractive, vibrant village that is home to a united, inclusive community and offers a unique, small-town experience for residents and visitors

Kyogle 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 places 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:

>	>	>	>	>	>	>	>	>
Initial stakeholder consultation	Prepare draft POM with Native Title Manager advice	Notify land owner	Council resolution to publicly exhibit the POM	Public exhibition	Report to Council discussing submissions	Preparation of final POM	Adoption by Council	Prepare a Works Plan with short, medium and long-term actions to guide implementation of the POM

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 Old Bonalbo will be reviewed by 30 June 2024 and every four years, thereafter.

THE CONTEXT



View toward the Border Ranges from Bongaboo

3.0 THE CONTEXT

3.1 The residents of Old Bonalbo

3.1.1 Community profile - key facts and trends

Approximately 70 people lived in Old Bonalbo at the last Census collected in 2016. Villages such as Old Bonalbo act as service centres for surrounding agricultural and rural properties, and therefore, may service a larger population catchment than indicated by official records. There were more males (58.3%) than females (47.2%) living in Old Bonalbo. 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 is provided below.

Old Bonalbo Public School (Primary) had 17 enrolments in November 2019.

There were 16 families living in 42 dwellings in 2016, with an average of under two people per household. There were three couples with children, eight couples without children, no one-parent families and nine one-person households.

Twenty dwellings had internet connection, with ten indicating they did not have an internet connection.

Household income in Old Bonalbo is predominantly low with 29 households recording incomes per week as low (<\$650) or lower middle (\$650-\$1,449). No households recorded an upper middle income (\$1,449-\$2,499), or high income (>\$2,500).

Table 3. Population age structure, Census 2016

Old Bonalbo population and age structure 2016		
	Babies and preschoolers (0 to 4)	7
	Primary schoolers (5 to 11)	9
	Secondary schoolers (12 to 17)	0
	Tertiary education/independents (18 to 24)	3
	Young workforce (25 to 34)	3
	Parents and homebuilders (35 to 49)	10
	Older workers and pre-retirees (50 to 59)	9
	Empty nesters and retirees (60 to 69)	16
	Seniors (70 to 84)	6

3.1.2 Implications for open space

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

As the only public open space in the Village, it is vital that the reserve is developed to provide opportunities for as many age groups as possible. Age groups most likely to participate in sport are aged 5 to 35. There are approximately 15 people living in the Village in this age bracket indicating that formal sport courts may not be the best use for the whole community.

It is proposed that the reserve is developed in the future to cater for a more diverse range of recreation and social sport activities.

3.2 Community Land in Old Bonalbo

3.2.1 Open space in Old Bonalbo

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 Old Bonalbo.

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.



Aerial image of Old Bonalbo Village and places of interest

3.3 Description of Old Bonalbo

3.3.1 Location and context of Old Bonalbo

Old Bonalbo, nestled against the Richmond Ranges, is located along the Bruxner Highway and is approximately 80 kilometres from the town of Casino in the neighbouring Lismore Local Government Area.

Yabbra National Park is located directly to the west of the Village with Richmond Range National Park to the east.

The Old Bonalbo Reserve and tennis courts are located on the southern edge of the Village and share common boundaries with the Soldiers Memorial Hall, Anglican Church, Old Bonalbo Public School and residential properties.



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

The reserve is located beside the only primary school, community hall and church in the Village. The cluster of community facilities are joined by open lawn areas with scattered trees, creating a sense of community space that is public. The reserve itself has a high level area and slopes relatively steeply to the west.

3.3.3 Key stakeholders

Due to the small population size of Old Bonalbo and the significance of the reserve 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 Old Bonalbo Village Master Plan, the outcomes of community consultation revealed the following key aspirations that are relevant to this Plan of Management:

- upgrade amenities, including clean and functional public toilets with disabled access
- enhanced parking arrangements to accommodate vehicles and vans
- upgrade barbecue and seating area
- refurbish existing facilities and/or provide new recreational options for people of all ages
- footpath network connecting key locations within the precinct
- provide community access to sport and recreation facilities.

3.3.5 Leases/licences

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

3.3.6 Land use and current improvements

The reserve is an “L shaped” parcel extending north-south between the Anglican Church and Sinclair Street, and east-west parallel with Sinclair Street.

The part of the reserve extending north-south has been developed for three tennis courts, however, these facilities are in poor condition, currently, with no signs of regular use. The slope of the land east-west is relatively steep and a retaining wall has been constructed on the southern and western sides of the tennis courts to provide level ground.

3.3.7 Infrastructure and embellishments

Three hard court tennis courts have been developed at the reserve. One of the courts has a bitumen surface and the other two are concrete with synthetic grass surface. An umpire's chair in poor condition is located between the synthetic courts.

The courts have perimeter fencing, approximately 3 metres high, consisting of steel post and wire mesh. A timber post and three-strand wire fence defines the boundary between the school grounds and the reserve.

3.3.8 Access, circulation and parking

The Reserve frontage is along Sinclair Street with no vehicle access currently available, due to the slope of the land from the south-east corner to the south-west corner of the site.

Pedestrian access is from Sinclair Street, or via the grounds of the neighbouring Soldiers Memorial Hall or Anglican Church.

There is ample street parking for vehicles on both streets, however, there is no legal vehicle access to the reserve.

3.3.9 Lighting

Lighting is currently available at the building on site. There are timber lighting columns surrounding the synthetic surface courts, however, it is currently unknown if these are operational.

3.3.10 Play equipment

There is no play equipment at the reserve. There is a playground in the primary school grounds neighbouring the reserve.

3.3.11 Toilets and park furniture

Toilets have not been built on the Reserve. There is a separate toilet block at the adjacent Soldiers Memorial Hall within approximately 30 metres of the Reserve.

A single picnic table setting under a flat skillion roof shelter is located near the north-west edge of the Reserve. A brick barbecue, including a chimney has been constructed next to the shelter. Both facilities are in fair condition.

3.3.12 Stormwater and drainage

The site slopes generally toward the south-west corner of the site. A spoon drain runs for the length of Sinclair Street and stormwater sheds onto surrounding agricultural land.

3.3.13 Buildings

A small timber clubhouse located at the centre line of the synthetic surface courts, and approximately in the centre of the Reserve. The building is ageing, however, appears to be functional.



- A. Bitumen tennis court
- B. Concrete tennis courts with synthetic grass overlay
- C. Tennis courts with small clubhouse in background
- D. Bitumen tennis court
- E. Tennis rebound wall in neighbouring school grounds
- F. Covered picnic table overlooking courts

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PLAN OF MANAGEMENT



4.0 THE PLAN OF MANAGEMENT

4.1 Aims of the Plan of Management

The Plan of Management for Old Bonalbo 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, the local community, for future use and enjoyment of Old Bonalbo
- 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:

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 Old Bonalbo

4.3.1 Zoning

The community land covered by this Plan is zoned RU5 Village

Table 5. Existing land title, tenure and zoning

Legal descriptor	Approx. area ha	Owner	Control and mngt	LEP 2014 zoning	Current category
Lot 11 Section 1 DP 23347	0.0736	Kyogle Council	Kyogle Council	RU5 Village	General Community Use
Lot 12 Section 1 DP 23347	0.1041 ha	State of NSW	Kyogle Council	RU5 Village	General Community Use
Lot 13 Section 1 DP 23347	0.1171 ha	State of NSW	Kyogle Council	RU5 Village	General Community Use
Lot 14 Section 1 DP 23347	0.1163 ha	State of NSW	Kyogle Council	RU5 Village	General Community Use

4.3.2 Development allowed in RU5 Village Zone

The objectives of the RU5 zone are to:

- provide for a range of land uses, services and facilities that are associated with a rural Village.
- promote development in existing Villages that reflects or enhances their local character and identity.
- ensure that the amenity of existing developments is not adversely affected by new development.

Consent is not required for activities, including, extensive agriculture; home-based child care; home occupations

The following activities are permitted with the consent of Council in the RU5 zone:

agricultural produce industries, amusement centres, animal boarding or training establishments, boat building and repair facilities, boat sheds, building identification signs, business identification signs, camping grounds, car parks, caravan parks, cemeteries, centre-based child care facilities, commercial premises, community facilities, depots, dwelling houses, electricity generating works, entertainment facilities, environmental facilities, environmental protection works, exhibition homes, exhibition villages, farm buildings, flood-mitigation works, freight transport facilities, function centres, highway service centres, home businesses, industrial retail outlets, industrial training facilities, information and education facilities, intensive plant agriculture, light industries, marinas, mortuaries, neighbourhood shops, oyster aquaculture, passenger transport facilities, places of public worship, public administration buildings, recreation areas, recreation facilities (indoor), recreation facilities (major), recreation facilities (outdoor), registered clubs, residential accommodation, respite day care centres, restricted premises, roads, sawmill or log processing works, schools, service stations, sewerage systems, storage premises, tank-based aquaculture, tourist and visitor accommodation, transport depots, truck depots, vehicle body repair workshops, vehicle repair stations, veterinary hospitals, warehouse or distribution centres, water recreation structures, water-supply systems, wholesale supplies.

4.3.3 Permissible uses and developments

Table 6. Uses and development allowed at Old Bonalbo

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.

Table 7. Scale and intensity of any permitted use or development at Old Bonalbo

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 provided	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 or licence, 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 sportsground	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

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)
- an activity that is not consistent with the reserve's purpose.

Leases, licences and other estates allowed in The Old Bonalbo Tennis Courts

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 Old Bonalbo, 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 8.

Table 8. Purposes for which leases, licences and other estates may be authorised by Council at Old Bonalbo

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
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 Old Bonalbo

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 9. Objectives and performance targets for Mallangenee Memorial Park

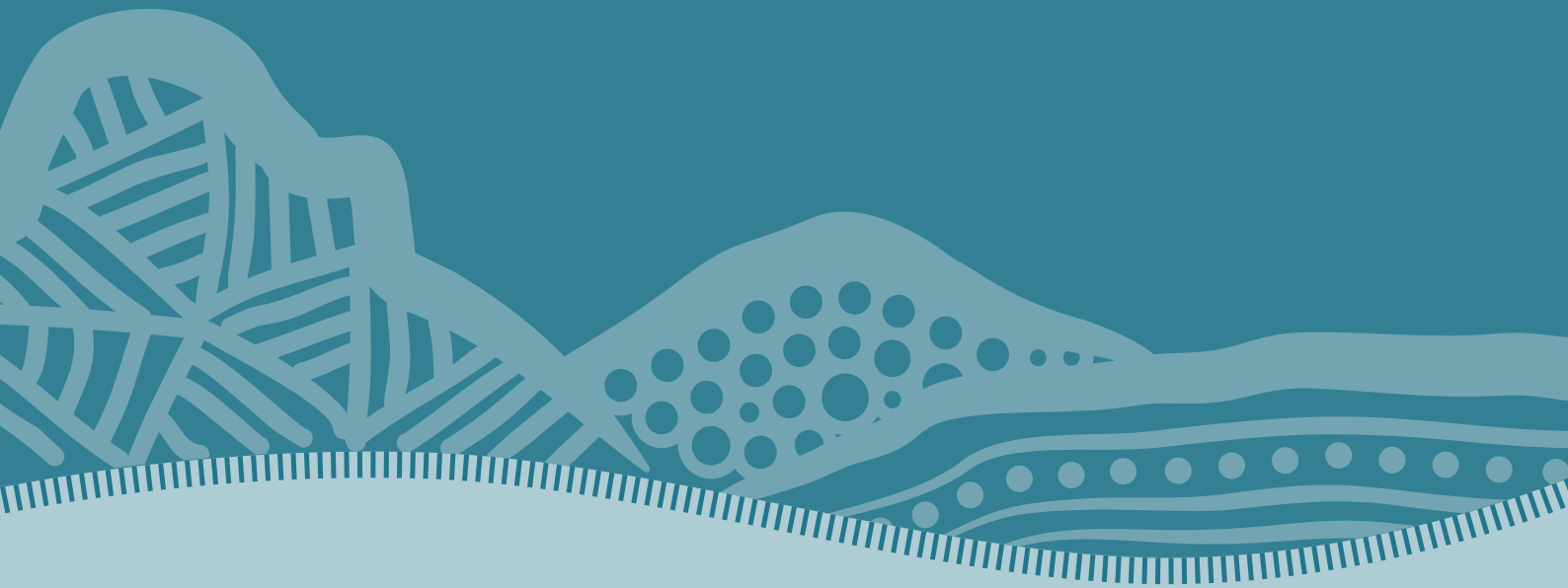
Management objectives	Performance targets	How to achieve objectives and performance targets <i>Refer Kyogle Open Space Design Guide</i>	Assessment of performance regarding objectives and performance targets
Develop a quality public environment	<p>Open space is designed to be comfortable and engaging</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>Community Advisory Committees</p> <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>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,

New South Wales Crown Land Management Act 2016 No 58

New South Wales Crown Land Management Regulation 2018

New South Wales Local Government Act 1993 No 30

Old Bonalbo Visions of Village Life Master Plan, 2018

B: CATEGORY MAPS



KYOGLE COUNCIL

Park name	Reserve number	Land identification	Town or Village	Category	Hierarchy	Owner
Old Bonalbo	Immediately adjacent 86567	Lot 11 Section 1 DP 23347	Old Bonalbo	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	Reserve number	Land identification	Town or Village	Category	Hierarchy	Owner
Old Bonalbo	86567	Lot 12 Section 1 DP 23347	Old Bonalbo	General Community Use	Local	Crown



LEGEND

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

RESERVE CATEGORISATION

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

NOT TO SCALE





KYOGLE COUNCIL

Park name	Reserve number	Land identification	Town or Village	Category	Hierarchy	Owner
Old Bonalbo	86567	Lot 13 Section 1 DP 23347	Old Bonalbo	General Community Use	Local	Crown



LEGEND

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

RESERVE CATEGORISATION

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

NOT TO SCALE





KYOGLE COUNCIL

Park name	Reserve number	Land identification	Town or Village	Category	Hierarchy	Owner
Old Bonalbo	86567	Lot 14 Section 1 DP 23347	Old Bonalbo	General Community Use	Local	Crown



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

