

**DRAFT**

**Plan of Management  
for  
Council Community Land  
Central Coast Council**

*FOR PUBLIC EXHIBITION*

*20 December 2022*

## Acknowledgement

We acknowledge the Traditional Custodians of the land on which we live, work and play.

We pay our respects to Elders, past, present and emerging and recognise their continued connection to these lands and waterways.

We acknowledge our shared responsibility to care for and protect our place and people.

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# PART 1: MANAGEMENT FRAMEWORK

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## Chapter 1: Introduction

### 1.1 What is a plan of management?

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Community land owned by Council includes a wide variety of properties, ranging from small recreation reserves to iconic parks, beaches, natural areas and community facilities. Community land supports important aspects of community life and provides opportunities for recreation, leisure, community services and contact with the natural environment.

The *Local Government Act 1993* (LG Act) requires a Plan of Management (POM) to be prepared for all public land that is classified as 'community' land under that Act. A Plan of Management is an important tool for managing community land, which is written by Council in consultation with the community. A POM categorises community land based on its characteristics and outlines how Council will use and manage the land. A POM provides a transparent and coordinated approach to public land management.

A POM can be prepared for more than one area of land or a specific area or site. This POM is an area-wide POM which covers multiple parcels and sites of community land in the Central Coast LGA.

### 1.2 Need for this plan of management

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The LG Act requires all land classified as community land to be managed and used in accordance with the POM applying to the land and any other laws regulating the use of the land. Most land owned by Council is classified as community land.

Council also manages many Crown reserves as Crown Land Manager. A separate Plan of Management will cover these Crown Reserves.

### 1.3 What must a plan of management cover?

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The LG Act requires a POM to:

- categorise all land covered in the POM into categories specified in the LG Act
- determine how Council will use and manage land covered in the POM, in a way that is consistent with the core objectives for each category under the Local Government Act and other laws that relate to the use of the land
- identify the objectives and performance targets for each category of land
- identify the means by which Council proposes to achieve the objectives and performance targets for each category of land
- expressly authorise leases, licenses and other estates that may be granted for each category of land, and
- specify any purposes for which a lease, licence or other estate may be granted only by tender under the Local Government Act.

## 1.4 What land is covered by this POM?

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The land that is covered in this POM is listed in the **Schedule of Community Land** that forms part of this POM. It includes public land that is classified as community land across the Central Coast area and is owned by Central Coast Council.

## 1.5 What land is not covered by this POM?

---

Land that is not listed in the Schedule of Community Land is not covered in this POM.

Amongst the land that is NOT included in this POM is:

- public land that is not owned by Council
- Council owned land classified as operational land
- public roads
- public reserves or facilities that are not owned by Council but are managed by Council as Crown Land Manager
- Crown land that is devolved to Council to manage is where Council is not the Crown Land Manager
- privately owned land that is made available for public use.

## 1.6 Status of other POMs

### 1.6.1 Revocation and continuation of other POMs

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All POMs that affect Council community land at the current time are listed in **Appendix 2 - Listing of current POMs**.

An existing Council POM may be revoked by a new POM when it is adopted by Council.

The POMs listed in this Schedule as 'Cease to apply' will cease to apply from the date the CCC Community Land POM 2022 is adopted.

The POMs listed in this Schedule as 'Continuing' will continue to have effect but only in relation to land not covered by the CCC POM for Council Community Lands.

## 1.7 Community consultation

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Community consultation is important to ensure a POM takes account of the aspirations of the community. Community consultation requirements are set out in the Local Government Act. Before a POM can be adopted by Council, it must be placed on public exhibition for at least 28 days. Submissions may be made to Council for a period of at least 42 days from the first day of public exhibition.

A public hearing must be held if the POM would have the effect of categorising a piece of community land for the first time or altering the existing category of a piece of community land.

After considering all submissions, Council may decide to adopt the draft POM or amend it.

If the POM is amended, Council is required to publicly exhibit the draft POM again, unless Council considers that the amendments are not substantial.

## 1.8 Regular review of this POM

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This POM will be updated from time to time to align with changing community needs, land use, council priorities, land ownership, land reclassifications and changes to the law.

The process for updating or amending a POM (including community consultation requirements) is the same as for preparing a new POM.

## 1.9 Site-Specific POMs

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This POM ceases to apply to a piece of community land that is listed in the Schedule of Community Land if and when a site-specific POM is adopted for that land.

Council may prepare a site-specific POM if:

1. The characteristics of the land require a site-specific POM under the Local Government Act, or
2. The land is identified as requiring a more detailed management process, for example, if there are several different or conflicting uses or values to be specifically addressed.

The Local Government Act requires a site-specific POM rather than a POM covering multiple sites in the following circumstances:

- For land that wholly or in part comprises critical habitat
- For land directly affected by a recovery plan or threat abatement plan under the former *Threatened Species Conservation Act 1995* or *Threatened Species Conservation Act 1995*
- If Council declares by resolution that the land contains significant natural features or a wildlife corridor and that a site-specific POM is required to manage the land
- If Council declares by resolution that the land is of Aboriginal, historical or cultural significance and that a site-specific POM is required to manage the land.

If Council is considering whether land is an area of Aboriginal significance, Council is required to consult with Aboriginal people traditionally associated with the area in which the land is situated, in accordance with the requirements of the Local Government Regulation.

Current site-specific POMs are identified in **Appendix 2 – Listing of current POMs.**

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## Chapter 2 Description of the Land

The Central Coast Local Government Area lies at the heart of one of the state's fastest growing corridor. The area offers an expansive and diverse environment for leisure and recreation.

The LGA covers a land area of 1,680 square kilometres (168,000 hectares) with a population of about 350,000 as at 2022.

The *Central Coast Local Strategic Planning Statement (LSPS) 2020* notes that the LGA supports large areas of bushland, significant wetlands, natural coastlines and coastal lagoons and lakes. Specifically the Central Coast contains over 100,000 hectares (ha) of native vegetation, distributed across four State Forests, five National Parks, three State Conservation Areas, 10 Nature Reserves and numerous Council bushland reserves.

The area has a unique combination of natural and cultural characteristics and influences which influence management of open space.

This chapter outlines some of these key characteristics and influences.

### 2.1 Land Zoning

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Local Environmental Plans are statutory planning tools that set controls over development in the area to which they apply and are one of the main instruments for implementing the EP&A Act.

They contain zoning controls as well as controls for heritage conservation areas and protected areas, amongst other matters.

The current version of the Central Coast LEP defines the land zonings applicable to the lands subject to this POM. This includes for each zone:

- Objectives of the zone
- Works Permissible without consent
- Works Permitted with consent
- Works Prohibited

Along with the Core objectives for each category, the zoning controls provide the guiding framework for the determination of permissible uses and development for each community land category under this POM.

## 2.2 Natural environment

### 2.2.1 Topography

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The Central Coast includes seven distinctive landform or physiographic regions:

- Watagan Mountains
- Erina Hills
- Central Coast Lowlands
- Macdonald Ranges
- Somersby Plateau
- Hawkesbury Valley
- Awaba Hills

The diverse and varied topography of the Central Coast includes steep to very steep hills, sandstone plateaux, deeply dissected valleys, undulating hills, lowlands, alluvial plains, coastal dune fields, sea cliffs, estuarine lakes and lagoons.

One of the key features of the Central Coast is its beaches lying within 81km overall of ocean coastline

### 2.2.2 Hydrology

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The dominant hydrological (water) features in the Central Coast LGA include:

- parts of the lower Hawkesbury River and its tributaries including Mangrove Creek, Popran Creek, Mooney Creek, Mullet Creek and Patonga Creek
- Brisbane Water estuary, and its major tributaries Narara Creek, Erina Creek and Kincumber Creek, which drains into Broken Bay
- coastal lagoons including Cockrone Lagoon, Avoca Lake, Terrigal Lagoon and Wamberal Lagoon
- Tuggerah Lakes estuary including Tuggerah Lake, Budgewoi Lake and Lake Munmorah and its major tributaries Ourimbah Creek, Wyong River and Spring Creek
- part of the southern Lake Macquarie estuary.

### 2.2.3 Geology

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Geology relates to the physical nature and characteristics of the ground surface and its underlying strata. It affects the quality and erodibility of soils and the nature of vegetation that is supported. Central Coast is located on the north-eastern section of the Sydney Basin. The geology of the Central Coast is dominated by the Hawkesbury Sandstone and Narrabeen groups.

**Hawkesbury Sandstone** - overlies the Narrabeen Group and consists of grainy sandstones with some minor bands of shale. It outcrops on the Somersby Plateau, MacDonald Ranges and on some ridges of the Watagan Mountains.

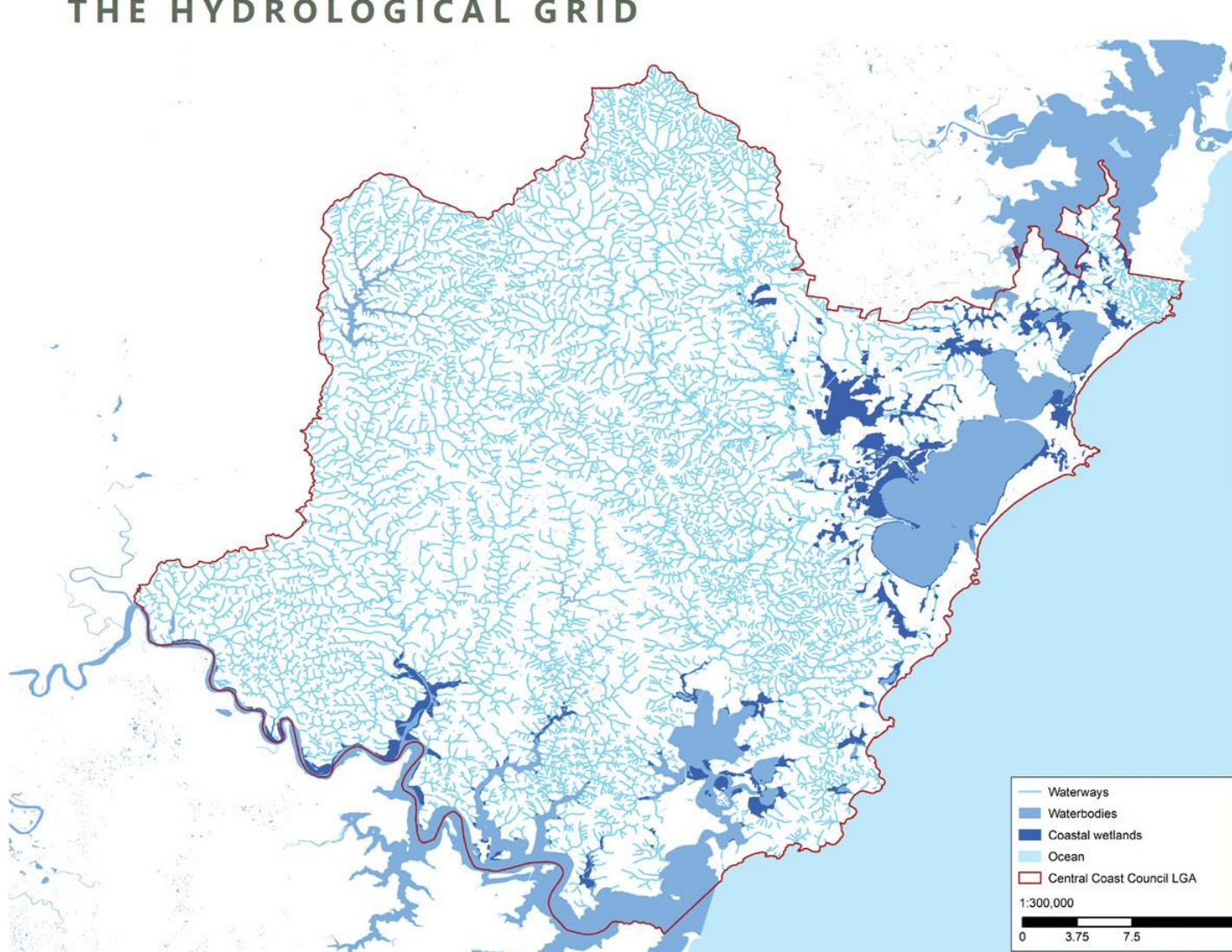
**Narrabeen Group** is the most extensive geology within the LGA and consists of sandstone, siltstone and claystone. It outcrops in the Watagan Mountains, Erina Hills and within the deeply incised valleys of the MacDonald Ranges, Hawkesbury River and tributaries. It also outcrops on more gently undulating terrain within the Central Coast Lowlands and Awaba Hills. The topography and soils are closely related to the geology.

Other less extensive geologic units in the LGA include:

- Wianamatta Group shales which occurs as a few thin, isolated bands on ridgetops southwest of Central Mangrove
- Scattered outcroppings of Tertiary volcanics which form small vents and caps of basalt and breccia such as found at Peats Ridge, Kulnura and elsewhere

Younger sediments which occur along watercourses, wetlands and estuaries and similarly aged marine and windblown sediments found along the coast and dune systems and some coastal headlands.

## THE HYDROLOGICAL GRID



There are a total of 3,960.6 km of waterways noted in the central Coast Green Grid Plan 2020

**Figure 2.1: Central Coast Green Grid: The Hydrological Grid**

### 2.2.4 Biodiversity

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The biodiversity of the Central Coast can be described in terms of ecosystems, vegetation communities, and the species of which these are comprised.

Nine ecosystem types occur on the Central Coast: Rainforest, Forest and Woodland, Swamp Forest, Heath / Scrub, Wetland, Mangrove Swamp, Saltmarsh and Seagrass, Maritime Grassland, Freshwater Rivers and Marine.

On land, 70% of the Central Coast region contains native vegetation cover (Central Coast Council, 2019). There are at least 83 distinct vegetation community types have been described and mapped for the Central Coast.

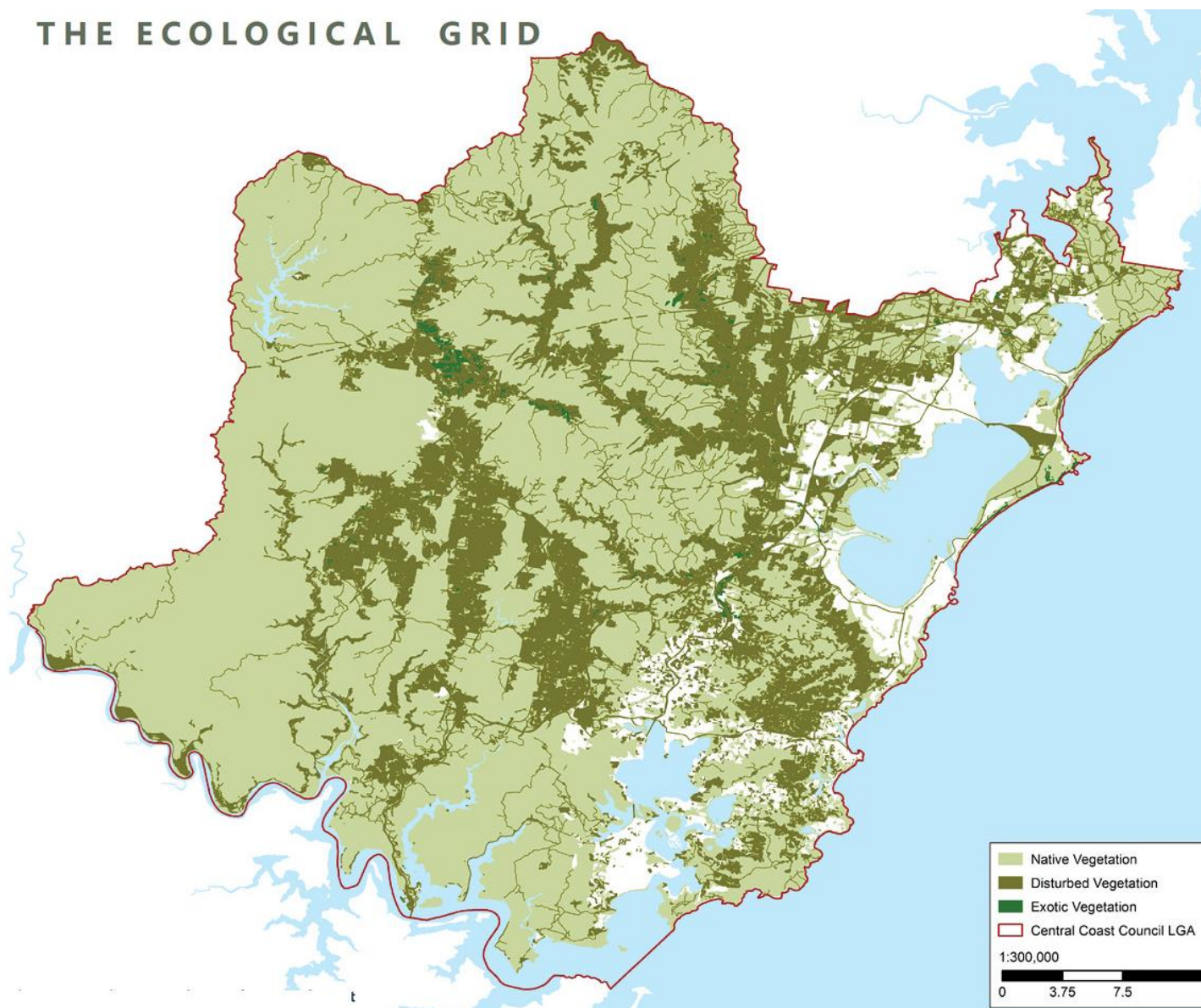
The vegetation community types are closely related to the geology, topography and fire history of the area. Generally, the rainforest and wet sclerophyll forest communities occur in more sheltered valleys with higher moisture levels and more protection from fire. Wet heaths, sedgeland and swamp forest occur in drainage impeded areas such as wetlands, lowland and upland swamps. Dry sclerophyll forests, woodlands and heaths occur in more exposed landscapes such as ridges, plateaux and coastal headlands.

16 ecological communities which have been recorded within the Central Coast LGA are listed as threatened under the NSW Biodiversity Conservation (BC) Act and four are listed as threatened under the Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act.

There are hundreds of different native animals on the Central Coast, including 122 frog and reptile, 384 bird and 108 mammal species. Over one hundred of these species are listed as threatened in NSW and 40 are listed as nationally threatened. In addition, 40 of these species are listed as protected migratory bird species under the EPBC Act



## THE ECOLOGICAL GRID



### Native Vegetation including percentage of conserved lands

a total of 136,772.1 ha of mapped native vegetation,

71,352.5 ha of disturbed native vegetation,

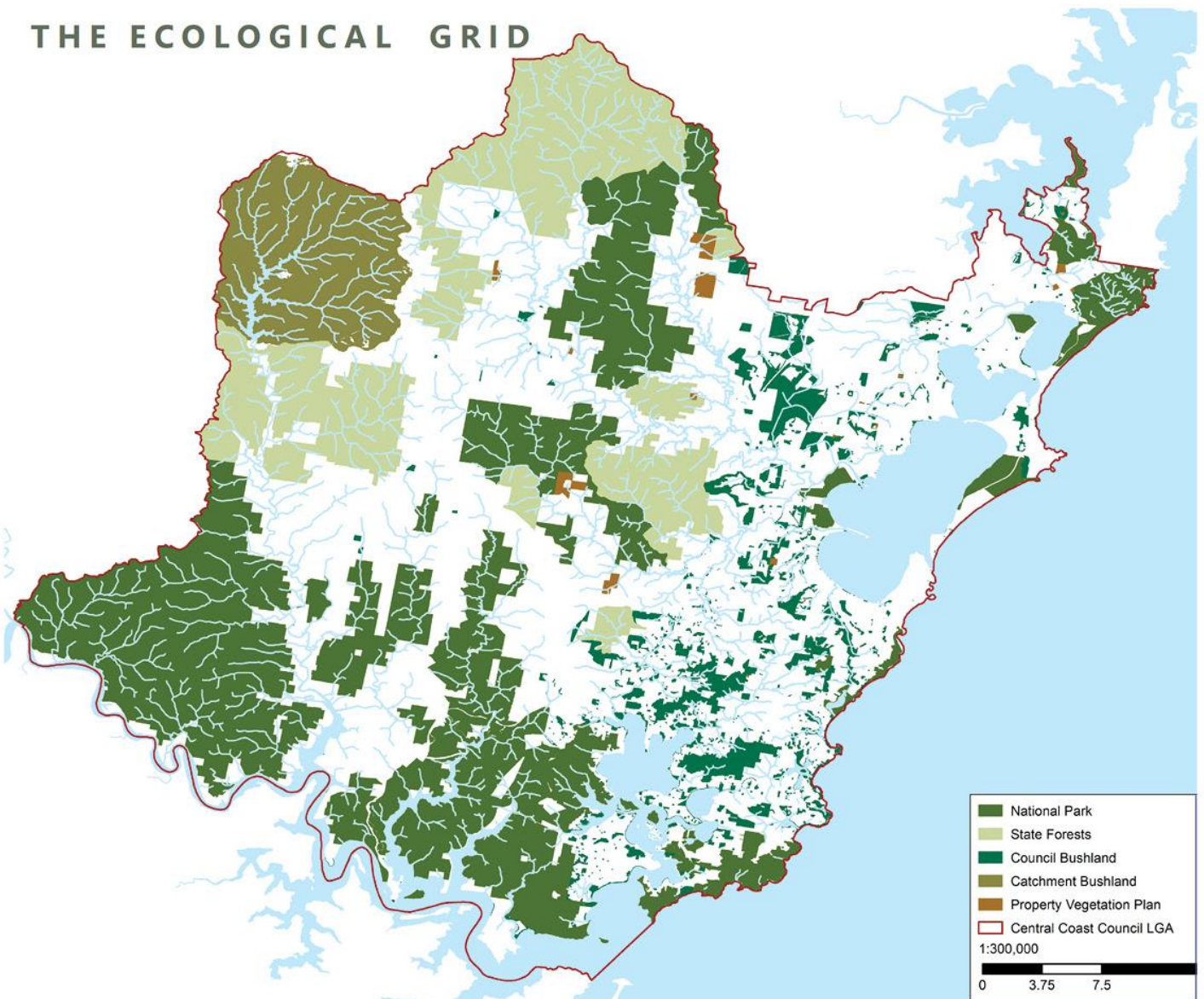
The levels of native vegetation cover as a percentage vary to each Social Planning District,

-Gorokan and Gosford Central districts having the lowest level of native vegetation cover (32% each)

-Ourimbah has the highest (82%)

**Figure 2.2: Central Coast Green Grid: The Ecological Grid – Vegetation Type**

### THE ECOLOGICAL GRID



Native Vegetation - land tenure	Highest:		Lowest:	
	% of native bushland in public ownership:	-Peninsular	22%	-Mountains
	-Wyang	20%	-Toukley	3%
	-San Remo / Budgewoi	15%	-Southern Lakes	4%
			-Warnervale / Wadalba	4%

**Figure 2.3: Central Coast Green Grid: The Ecological Grid – Land Tenure of bushland**

### 2.2.5 Bush Fire

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Fire has been a major influence in shaping the Australian environment. Aboriginal people used fire as a land management tool for tens of thousands of years before the arrival of Europeans. Many vegetation communities on the Central Coast have evolved to the occurrence of fire. Some communities, such as rainforest, are fire sensitive and fire has the ability to alter their species composition. Fire is still seen as an inherent cultural responsibility and obligation of Aboriginal people in caring for Country for current and future generations.

Urban and rural development adjacent to bushland means Council must assess risks and carry out strategies to lessen potential impacts on humans, livestock and property (Central Coast Council, 2020). Works undertaken by Council include providing asset protection zones (buffer zones) and fire trails, conducting hazard reduction burns, providing bush fire information and implementing development controls. Consideration also needs to be given to restoring ecological fire regimes in order to retain the value of the natural bushland environment.

## 2.3 Open space and recreation

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The *Central Coast LSPS 2020* identifies that Central Coast is highly valued for its natural, open environment. Our urban open spaces fulfil a wide range of recreational purposes for the community and are part of an invaluable network that makes the Central Coast a desirable place to live and work. The Central Coast's recreational open space comprises public outdoor passive and active recreation space in urban areas.

Most of the non-regional recreational open space within the Central Coast is concentrated in fringe areas around water bodies rather than in centres, and on higher sloping sites that are managed for biodiversity value and less suitable for recreational use.

Rapid urbanisation of the region has placed pressures on the central Coast's existing recreational open space network, and these pressures are likely to increase over time. It is critical that the Central Coast's open spaces are capable of adapting to community needs.

The LSPS recognises that preferences for recreational open space can change over time, and there may be a need to reorientate existing open space to suit current community needs. There is a general move away from single use space toward high-quality integrated open space where a greater number of recreational activities can be undertaken by a wider range of the community. It is crucial that in planning for open space, that Council considers the community's needs and desires in a manner that reflects the way the LGA's urban open space is actually used.

This demand for high quality spaces and facilities will require a new approach to the way Council plans for urban open space. While new planning should consider land sufficiency (the amount of land available for open space), more emphasis should be placed on the strategic distribution and use of recreational open space based on community needs. Planning should also aim to move away from single use to multi or integrated use of recreational open space.

The LSPS notes that looking ahead, the majority of the Central Coast's growing population will be accommodated in the Greater Warnervale area, as well as the Northern Lakes and

Gosford Central Districts. Increased urbanisation presents a major challenge to the appropriate provision of urban open space. As private open space becomes increasingly smaller, to accommodate more diverse housing types, more expectation is being placed on local governments to provide land for useable open space. The Central Coast's open space planning will need to adapt to this change by considering the strategic distribution and use of open space to 2036.

The use of remnant land for a combination of infrastructure and open space purposes in the past has resulted in a lack of useable parks and spaces. Often, these 'dual-use' lands primarily functioned as overland flow paths to address flooding; severely limiting the recreational opportunities available.

Pocket Parks with on-site facilities were also often constrained by "no use" peripheral or buffer areas to reduce impacts on neighbouring residents.

The emphasis on provision of dual use lands through state policy has resulted in more pressure on local governments to provide open space for parks and sportsfields with significant drainage constraints.

This results in constraints upon the extent and nature of development of the land for recreation and sporting purposes. It has also led to an increase in the time facilities are unavailable to the community following rain events and the cost to rectify damage to facilities following major storm events.

The provision of other types of open space categories, such as semi-natural open space, has been used in new release areas in the past. This is contributing to a significant reduction in the provision of more active types of open space by allowing credit for undevelopable land.

As such the LSPS identifies three planning priorities:

- 1. Plan for Recreational Open Space based on current and future community needs and expectations** - undertake an Active Lifestyles Strategy including a Recreational Needs Analysis that considers the strategic distribution and use of Recreational Open Space to 2036.
- 2. Distinguish our recreational open space assets from our natural assets** - Develop a Central Coast Green Grid Plan that reviews our green infrastructure assets and provides guidelines around the provision of both constrained and unconstrained recreational open space and semi-natural areas. The policy would provide a tool to maintain and improve useable recreational open space, and provide a clearer picture on our recreational open space assets.
- 3. Support neighbourhood parks accessible to local communities within walking distance and larger recreational multi-use open space destinations** - Undertake an Active Lifestyles Strategy including a Recreational Needs Analysis that considers the strategic distribution and use of Recreational Open Space to 2036.

The LSPS identifies that by 2036, the Central Coast's recreational open space network will be improved to adapt to the socio-demographic changes ahead, including preferences for a variety of types of urban open space. Urban open space will be more integrated with movement networks and will be strategically located to provide a mix of quality play spaces and day to day recreational amenity, catering for all ages and ability types.

Green Infrastructure will be provided and enhanced through the appropriate planning of recreational open space.

### **Access to open space**

Availability of open space to the Central Coast population was considered by the Central Coast Green Grid 2020 report. This reviewed access to open space within 400m for each of the 17 Social Planning Districts in the LGA.

This identified that, across the Central Coast, 89% of people lived within a 400m radius of publicly owned (RE1) zoned land. However this was not equal across all Social Planning Districts (see Appendices of the Green Grid 2020 report).

## **2.4 Community and cultural facilities**

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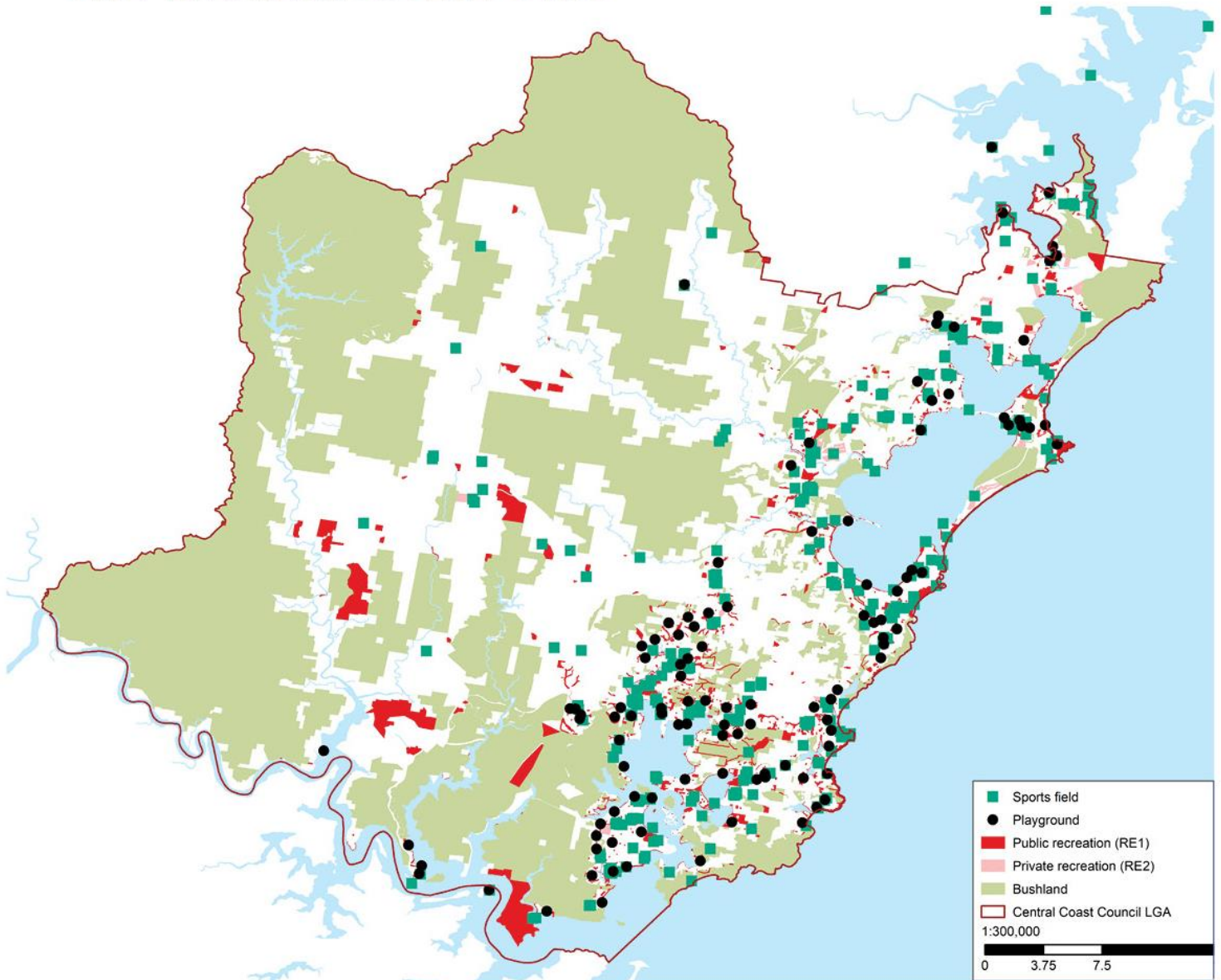
The LSPS 2020 identifies that a network of quality community and culture facilities within the Central Coast will be required to better meet the needs of the current and future population.

In planning for the community, there is an opportunity to adopt a precinct planning approach to community facilities based on priority areas using criteria to guide decision making.

This approach would consider things such as the community's social needs and desired outcomes, the hierarchy of facility provision, land use synergies, opportunities for multi-use community hubs and co-location, and public transport and cycling connections.

Any planning for community facilities will involve broad community consultation to ensure that our facilities meet the community's needs and preferences.

## THE RECREATIONAL GRID



- 4,829 ha of land zoned for public open space (RE1)
- 498 ha of land zoned for private open space (RE2) such as golf courses.
- Council bushland reserves zoned environmental protection, National Parks and State Forests offer recreation opportunities.
- 35% of land zoned RE1 is owned by Central Coast Council, - as such 65% as areas for future open space as a result of future acquisition.
- 15 patrolled surf beaches
- 88 kilometres of mapped bushland walking tracks,

**Figure 2.4: Central Coast Green Grid: The Recreational Grid**

## Chapter 3 Legislative and Strategic Framework

Council is required to comply with all applicable Acts and Regulations when using and managing community land.

Anything permitted by this POM is subject to all applicable laws including approval requirements.

The key legislative and policy framework applying to the use and management of community land is listed in this chapter of the POM.

A full listing of state legislation is available at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

References to laws, plans, strategies and policies in this Part of the POM extend to any replacement or amendment of them.

### 3.1 Key legislation

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#### 3.1.1 Local Govt Act 1993 & Local Govt (General) Regulation 2005

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The *Local Government Act 1993* and the *Local Government (General) Regulation 2005* (Local Government Regulation) govern the use and management of land owned by Council.

The Local Government Act requires all Council owned land to be classified as either operational or community land. Community land is generally land that must be kept for the use of the general community and must not be sold. Community land is required to be managed in accordance with a POM and any other laws regulating the use of the land.

Matters relevant to the management of community land that are covered in the Local Government Act include:

- Classification and reclassification of land
- Preparation of POMs
- Categorisation of community land
- Restrictions on dealings in community land
- Advertising and tendering requirements for lease, licences and other estates in land
- Restrictions on dealings over land categorised as natural areas
- Restrictions on subleasing community land
- Restrictions on dedicating community land as a public road
- Public reserves devolved to Council to manage
- Use of land held for drainage purposes
- Requirement to keep a Council land register.

### 3.1.2 Environmental Planning and Assessment Act 1979

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

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

This Act is also the enabling legislation for planning policies that may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs).

On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs), as well as Development Control Plans (DCPs).

All land use and development permitted by this POM is subject to the EP&A Act.

### 3.1.3 Heritage protection laws

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This POM is intended to operate concurrently with and subject to heritage laws and any conservation management plans, strategies and Statements of Heritage Significance that apply to land covered by this POM.

Responsibility for heritage management in NSW is shared between local and State government as follows:

- Councils – items of local heritage significance
- NSW Heritage Office - items of State significance and the State Heritage Register
- National Parks and Wildlife Service - Aboriginal cultural heritage.

Key heritage protection laws and arrangements that impact the use and development of community land include:

- *Heritage Act 1977* (NSW)
- *National Parks and Wildlife Act 1977* (NSW)
- *Environmental Planning and Assessment Act 1979* (NSW)
- The NSW State Heritage Register, which lists items of State significance
- Schedules to local environmental plans, which list items of local heritage significance
- Local Government Heritage Guidelines
- Aboriginal Heritage Standards and Guidelines
- The Aboriginal Heritage Impact Permits (AHIPs) system administered by the NSW Department of Planning, which regulates activities that may cause harm to Aboriginal cultural heritage
- The Aboriginal Heritage Information Management System (AHIMS) administered by Heritage NSW, which records Aboriginal places and objects in NSW.

The EP&A Act provides local government with the power to protect items and places of heritage significance in the local area through local environmental plans and development control plans. Heritage items may also be identified in State Environmental Planning Policies and Regional Environmental Plans. There is also a Register of the National Estate compiled by the Australian Heritage Commission for the Federal Government.



The main guiding document for the conservation and management of a specific heritage item or place is the Conservation Management Plan, Conservation Management Strategy or Statement of Heritage Significance for the item.

## 3.2 Other key legislation and policies

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### Commonwealth legislation

- *Disability Discrimination Act 1992* (Cth)
- *Environmental Protection and Biodiversity Conservation Management Act 1999* (Cth)
- *Native Title Act 1994*
- *Telecommunications Act 1997* (Cth)

### State legislation

- *Aboriginal Land Rights Act 1983*
- *Anti-Discrimination Act 1977* (NSW)
- *Biosecurity Act 2015* (NSW)
- *Biodiversity Conservation Act 2016*
- *Coastal Management Act 2016*
- *Companion Animals Act 1998* (NSW)
- *Fisheries Management Act 1994* (NSW)
- *Heritage Act 1977* (NSW)
- *Marine Estate Management Act 2014*
- *National Parks and Wildlife Act 1977* (NSW)
- *Native Title Act (New South Wales) 1994*
- *Protection of the Environment Operations Act 1997* (NSW)
- *Retail Leases Act 1994* (NSW)
- *Rural Fires Act 1997* (NSW)
- *Water Management Act 2000* (NSW)

### State environmental planning policies

- *State Environmental Planning Policy (Coastal Management) 2018*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Koala Habitat Protection) 2019*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*

### State plans and strategies

- *Central Coast Regional Plan 2036*
- *Economic Development Strategy for Regional NSW*
- *Central Coast and Lake Macquarie Regional Economic Development Strategy 2018-2022*
- *Sport and Active Recreation Plan Central Coast 2018-2023 (NSW Office of Sport)*
- *Sport 2030 (Australian Government)*
- *Australian Government Smart Cities Plan (2016)*
- *NSW State Infrastructure Strategy 2018-2038*
- *Greater Sydney Regional Strategic Pest Animal Plan 2018-2023*
- *Greater Sydney Regional Strategic Weed Management Plan 2017-2022*

## 3.3 Central Coast Council strategic framework

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This POM operates concurrently with Council's current policies, strategies and plans that affect the use and management of community land and facilities. Council's current policies, strategies and plans are on Council's website. The key strategic documents are Council's Community Strategic Plan, four-year Delivery Program and annual Operational Plan. Council's policies will continue to develop after the adoption of this POM.

### 3.3.1 Community Strategic Plan 2018-2028

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Council's Community Strategic Plan *One - Central Coast* has been built around five key themes that reflect the needs and values of our local community:

- **Belonging** - Our community spirit is our strength - Creativity, connection and local identity
- **Smart** - A growing and competitive region - A place of opportunity
- **Green** - Environmental resources for the future - Cherished and protected natural beauty
- **Responsible** - Good governance and great partnerships - Delivering essential infrastructure - Balanced and sustainable development
- **Liveable** - Reliable public transport and connections - Out and about in the fresh air - Healthy lifestyles for a growing community

### 3.3.2 Central Coast Local Strategic Planning Statement 2020

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The *Central Coast Local Strategic Planning Statement 2020* provides a land use vision that will guide sustainable growth and development across the Region to 2036 and beyond.

The plan identifies a series of directions for sustainable growth of which Open Space and Community And Culture are particularly relevant to management of community land.

### 3.3.3 Four-Year Delivery Program

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Council's four-year Delivery Program is an overarching plan of priorities developed by each elected Council. It guides investment across all services and business units through to the next Council election and outlines the programs and activities that Council has committed to in response to its Community Strategic Plan *One - Central Coast*.

### 3.3.4 Annual Operational Plan

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The annual Operational Plan is a schedule of work to be completed each financial year. It demonstrates how Council will use available budgets and resources to complete planned projects in areas such as traffic and transport, economic and community development, water and sewerage, sport and recreation, environmental management, governance, finance, people management and IT systems within Council itself.

All projects listed in the Operational Plan are linked to the community objectives outlined in the *Community Strategic Plan One – Central Coast*.

### 3.3.5 Other Council strategies

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Other Council plans and strategies also outline how Council will identify and plan funding priorities, manage regional challenges and plan for a sustainable future. Some of the key documents also influencing management of open space include:

**Coastal Open Space System Strategy**

The Coastal Open Space System (COSS) is a network of reserves supporting native vegetation that are managed by Council for a number of environmental and community values. The COSS reserves are consistent with the community land categorisation of 'bushland' as defined in section 36 The Local Government Act 1993. The network is not contiguous, and the reserves are situated predominately in six separate units that are located close to each other in the eastern part of the Local Government Area (LGA).

The primary purpose of the COSS is to maintain areas of native vegetation and habitat for native animals on public land in the eastern part of the Central Coast Local Government Area. The reservation of the land in the COSS also has the effects of protecting Aboriginal cultural sites and non-Aboriginal heritage items as well as local water catchments and geological formations. In addition, the retention of native vegetation provides a green backdrop to many of the urban areas in the LGA and ensures that most of the residents of the Central Coast area live in the vicinity of natural environments.

**Central Coast Biodiversity Strategy (CCBS) 2020** - Natural areas and ecosystems of high biodiversity value will be protected through implementing the Central Coast Biodiversity Strategy, including the Principles for Land Use Planning. Investigating the establishment of a local Biodiversity Monitoring Program will assist in making biodiversity a priority.

**Central Coast Green Grid – Our Place 2021** - The Central Coast Green Grid seeks to improve urban ecosystems, biodiversity resilience, urban amenity, connectivity, and liveability of public spaces for the benefit of the Central Coast community over the next 20 years.

The strategy identifies that this will be achieved by creating quality green spaces closer to homes, protecting and managing environmentally important lands and increasing the tree canopy to improve liveability across the Central Coast.

**Central Coast Bike Plan and Pedestrian Access and Mobility Plan 2019- 2021** - The Central Coast Council has developed two new planning documents: a Bike Plan and a Pedestrian Access and Mobility Plan (PAMP). Together, these documents guide Council's ongoing provision of an active transport network for Central Coast residents and visitors over the next ten years.

The Bike Plan outlines the policies and desired improvements required to achieve Council's vision for:

*"People of all ages and abilities can cycle and walk on safe, inclusive and connected facilities."*

It also outlines the research and analysis that underpins the development of this Bike Plan, and builds on the former Gosford City Council's Gosford Bike Strategy (2014) and former Wyong Shire Council's On-Road Bicycle and Shared Pathway Strategy (2010).

**Central Coast disability Inclusion Plan (CCBS) 2021-25** - Through this plan, Council will work to develop positive community attitudes and behaviours towards people with disability, create more liveable communities, support meaningful access to employment, and improve access to services.

**Central Coast Playspace Strategy 2020** - The Playspace Strategy was the result of a review of the former Wyong Shire Council (fWSC) and former Gosford City Council (fGCC) strategies. It provides strategic direction for the development, and sustainable management of playspaces across the whole region. We have over 260 public play spaces in parks, reserves,

holiday/caravan parks and community centres. A well-designed Action Plan articulates a hierarchy of quality play spaces offering diverse opportunities as well as providing equitable distribution across the region.

**Skatepark Action Plan 2020** - This action plan was informed by:

- Gosford Skatepark Strategy 2001
- Wyong Shire Council Sk8 Strategy 2014
- Central Coast Sport and Active Recreation Plan 2018-2023 (Office of Sport NSW)
- Skatepark facilities audit 2019
- Community Engagement 2019
- Central Coast Council (CCC) has over 26 skateparks distributed across the Local Government Area (LGA).

The action plan seeks to articulate a hierarchy of quality skateparks offering diverse opportunities as well as ensuring there is an adopted process for skatepark provision, development, and sustainable management across the LGA.

**Tennis Facilities Action Plan 2022.** - Part of the suite of sports assets in Central Coast includes tennis centres ranging from small 2 court community sites to regional operations with 16 plus courts.

There are 126 public tennis courts in total located at 34 tennis centres across the Local Government Area (LGA).

As of 2020, 30 of these facilities are owned by Council with the balance remaining owned and operated by two registered clubs, a school and private provider.

**Central Coast Youth Strategy 2019-2024** – The Youth Strategy provides the strategic direction over the next 5 years for the delivery of contemporary youth services, programs, activities and events that meet the needs of a diverse population.

It's a plan for Council to work alongside the local youth sector, schools, young people and the community to make the Central Coast an even better place.

### **3.3.5 Resourcing Strategy**

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Effective delivery of the Operational Plan requires strategic allocation of Council resources. The Resourcing Strategy helps Council understand how much it can achieve each year. It covers:

- long-term financial projections – keeping budgets and finances on track 10 years into the future
- workforce requirements – ensuring Council has the right staff in the right areas and have the skills to meet future challenges
- asset maintenance, replacement and renewal – making sure Council's infrastructure is in good condition and meets community needs.

## Chapter 4 Categorisation of community land

### 4.1 Categories of community land

The management of community land is governed by the category assigned to the land and the core objectives set out in the Local Government Act for managing each category of land. The categories reflect the dominant land use and the physical characteristics of the land. Council may apply additional or more specific management objectives, but they must be consistent with the core objectives in the Local Government Act.

The Local Government Act requires a POM to categorise community land into one or more of the five categories in Table 3.1. This POM is divided into a separate chapter for each Category.

**Table 4.1: Categories of community land**

1. Park	
2. Sportsground	
3. General Community Use	
4. Cultural Significance - subcategorised into:	<ul style="list-style-type: none"> <li>▪ Aboriginal</li> <li>▪ aesthetic</li> <li>▪ archaeological</li> <li>▪ historical</li> <li>▪ technical</li> <li>▪ research</li> <li>▪ social</li> </ul>
5. Natural Area – subcategorised into:	<ul style="list-style-type: none"> <li>▪ bushland</li> <li>▪ escarpment</li> <li>▪ foreshore</li> <li>▪ watercourse</li> <li>▪ wetland</li> </ul>

### 4.2 Assigned Categories

The category that has been assigned by Council to each parcel of land covered in this POM is listed in the **Schedule of Community Land**.

## 4.3 Approach to Categorising Community Land

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### 4.3.1 Council owned land

Council has categorised Council owned land covered in this POM based on the following criteria:

- The dominant land use or physical characteristics of the land
- The mandatory requirements for categorising specific types of land in sections 36A to 36D in the Local Government Act
- The guidelines for categorising land in Part 4 Division 1 of the Local Government Regulation, and

The core objectives for each category in sections 36E to 36N of the Local Government Act.

### 4.3.2 Drainage reserves

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Drainage reserves have been categorised based on the dominant characteristic or use of the land on the basis that section 51 of the Local Government Act permits drainage reserves to be used for any purpose that is not inconsistent with its use for drainage purposes.

## 4.4 Council's Approach to Categorising Community Land with more than one characteristic or land use

### 4.4.1 Areas with more than one dominant characteristic or land use

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Where an area of land has more than one dominant characteristic or land use, Council has generally assigned more than one category to the land. An example is a park which also has an area used for the purposes of a sportsground.

Mapping showing each area of land that has more than one assigned category and the boundaries of each category, are included in the Appendices that form part of the POM as **Appendix 1 – Maps of Community Land showing Category.**

### 4.4.2 Areas with smaller or secondary characteristics or land uses

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Where an area of land has one dominant characteristic or land use as well as other smaller or secondary characteristics or uses, Council has generally assigned a category based on the dominant characteristic or use. In such cases the land will be required to be managed in such a way that caters for both the dominant and secondary characteristics of the land, as far as practical.

The chapter for each category specifically deals with principles and requirements for managing land with secondary characteristics or land uses. An example is a park with small pockets of native vegetation that is part of a wildlife corridor. Another example is a small community building that is within a natural area.

#### 4.4.3 Land that includes an area of cultural importance

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This POM is intended to operate in parallel with Indigenous and Non-Indigenous cultural heritage protection laws and does not seek to duplicate or replace existing arrangements in place for protecting and managing Indigenous and Non-Indigenous cultural heritage.

Some areas of land that contain a heritage item listed in a LEP or on the NSW State Heritage Register are covered in site specific POMs. Those areas of land are not covered in this POM.

Where land owned or managed by Council contains a heritage item listed in a LEP or on the NSW State Heritage Register, or a place or object on the AHIMS register, and the dominant characteristic or use of the land is an area of cultural significance, the land will normally be categorised as an area of cultural significance and managed under a site-specific POM rather than an area wide POM.

Where land covered in this POM contains a heritage item listed in a LEP or on the NSW State Heritage Register, or a place or object on the AHIMS register, but the dominant characteristic or use of the land is not an area of cultural significance, the land has been categorised based on its dominant characteristic or use.

Land covered in this POM that contains a heritage item listed in a LEP or on the NSW State Heritage Register, or a place or object on the AHIMS register, will be required to be managed in a way that caters for both the dominant characteristics of the land and ensures the cultural heritage items or significance of the land are protected.

Council's principles for managing community land that comprises or includes items of cultural importance, including Aboriginal cultural heritage, are further outlined in **Chapter 6**.

## Chapter 5 Leases, licences and other estates in community land

### 5.1 Definitions

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#### Leases

A lease is a contract between a landowner, and another entity, granting that entity a right to occupy an area for a specified period of time. For example, a childcare operator may need exclusive occupation and control of a childcare centre.

Subleases are only allowable for the same purpose as the original lease, except for a small number of exceptions listed in cl.26, LG Regulation.

#### Licences

A licence can include permits and/or hiring agreements and provides a clear way of identifying a permitted activity on community land.

Licences may be granted to formally recognise and endorse shared use—for example, an outdoor seating area adjoining a café may be used by the café at some periods, but not all the time. Licences are commonly used for sports or recreation hirings such as beach and aquatic equipment.

Shorter term licenced uses such as for commercial fitness training, wedding photography or community events may be approved and allowed through permits, licences or hire agreements. Short term or temporary licences (including permits and hire agreements) are explained in **Section 5.7**.

Access to adjoining private property is limited by the LG Regulation Cl 116 (3)-(5) by circumstance and for purposes. It is only permissible as a short-term licence under the LG Act and, if a fire trail or existing road (made prior to 2001) is used, the purposes is generally for transport of building materials and removal of associated building waste.

If access is not a fire trail or existing road, the access for transport of building materials and removal of associated building waste purposes is only permissible to places that provide for the physical, cultural, social and intellectual welfare or development of persons.

#### Easements

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 LG Act.

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 Council or other public utility provider that is situated on community land.



## 5.2 General requirements and restrictions

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Central Coast Council may enter into or create a range of leases, licences, other estates, management agreements, and/or booking arrangements (including permits), in order to authorise the use of the land and/or buildings appropriately and effectively.

These arrangements are intended to support and encourage a range of uses, which enhance the level of activation and enjoyment of the space. Kiosks, restaurants, refreshment facilities, mobile vending, recreational equipment sale or hire (e.g. bicycle hire or sale of swimming accessories), may support the general community enjoyment of the areas.

Parks, sportsgrounds, buildings intended for community use, and Central Coast's significant coastal and natural environments require Council's careful consideration of the open space and community values when considering short term public and private special events of different sizes and scale.

Each proposal will be reviewed to ensure it is compatible with the relevant land, Council policies and Local Environment Plan, and community feedback on proposals when required.

Council is responsible for bookings of community land and reserves in its LGA and, generally, Council seeks to encourage a broad and appropriate range of uses within its area to meet community need and expectations.

A range of policies and required forms address specific types of use approvals and in greater detail. For up-to-date information, applicants should check Council's website at [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au).

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a POM. The term 'other estates' includes other interests, charges, rights or titles in relation to the land (an example is easements).

### **Express authorisation**

The Local Government Act provides that leases, licences or other estates in community land cannot be granted by Council unless expressly authorised by a POM. There are a small number of exceptions for utilities and filming projects (see **section 5.9** below).

As a general rule, express authorisation of leases, licences (including permits) or other estates should include:

- the type of arrangement authorised – where Council may authorise leases and/or licences and/or other estates;
- the land or facilities to be covered – where Council may allow leases and/or licences and/or other estates on all or some of the land and facilities; and
- the purpose for which leasing or licensing will be granted – Council may choose to allow leasing for community purposes, business or commercial purposes, or more limited purposes such as sports or childcare facilities.

Sections 45 to 47D of the LG Act, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities, and organisations and persons/commercial interests.

The lease or licence must be for uses consistent with the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this POM and the capacity of the community land itself and the local area to support the activity. A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short-term licence or hire agreement will be issued.

The LG Act also sets out specific tender and notification requirements for leases, licences and other estates that Council must follow with variations in process and procedures according to the lease or licence term and uses or purposes.

### **Lease and License Terms**

Leases and licences also vary widely in scope and duration. For example, a sporting club may have a licence over a clubhouse for a season (several months), or a lease may be for several years.

The maximum period for any lease or licence is 30 years (including any option) and Minister's consent is required if the lease/licence exceeds 21 years (Sect 47(5)(b)). Unless exempt by the regulations, all such leases, licences or grant of other estate must be advertised and the community notified in accordance with the provisions of sections 47 and 47A of the LG Act.

The grant of any tenures, e.g.: tenure terms and limits, tendering, and notification and approvals, will be subject to the provisions of Part 2, Division 2 of the LG Act.

Council must call tenders for leases or licences over 5 years, unless the lease or licences is to be granted to a non-profit organisation, (s.46A).

Subleases are only allowable for the same purpose as the original lease, except for a handful of exceptions listed in cl.26, LG Regulation.

Council may only grant exclusive occupation of community land through a lease, licence or other estate.

For leases between 5 and 21 years Council must:

- give public notice of the proposal
- place a notice of the proposal on the land
- notify owners adjoining the land
- notify persons living in the vicinity of the land if the council believes that the land "is the primary focus of the person's enjoyment of community land"
- consider submissions made about the proposal
- refer the proposal to the Minister for Local Government if Council has received an objection to the proposal.

If an objection has been received, the council cannot grant the lease etc but must refer the proposal to the Minister for approval.

Subleasing requires Council's consent as lessor and is subject to restrictions in section 47C of the LG Act. Subleasing can only be for a purpose that has been included in the public notification for the head lease, or for a purpose in the LG Regulations.

There are additional restrictions on leases and licences for land categorised as a natural area, which are covered in more detail in **Chapter 10 – Natural Areas**.

### 5.3 Authorisation for new leases, licences and permits for each category

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This POM expressly authorises the issue of leases, licences and other estates over the land covered by the POM, in accordance with section 46(1)(b) of the LG Act, provided that:

- the purpose is consistent with the core objectives for the category of the land;
- the lease, licence or other estate is for a permitted purpose if prescribed in the LG Act or the LG Regulation;
- the lease, licence or other estate is granted and notified in accordance with the provisions of the LG Act or the LG Regulation; and

### 5.4 Authorisation for existing leases and licences

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This POM expressly authorises existing leases and licences until the end of their current term including any holding over.

### 5.5 Authorisation for ancillary uses

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This POM expressly authorises Council to grant a lease, licence or permit for a purpose that is ancillary to a purpose that is expressly authorised elsewhere in this POM. For the purposes of this POM, 'ancillary' has the same meaning as in planning law.

### 5.7 Authorisation for Short-term licences, permits and hiring

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Short-term licences and bookings (including permits or hire agreements) may be used to allow Council to program different uses of community land at varied times, allowing the most effective overall use of the land.

Fees for short-term licenses and bookings will be charged in accordance with Council's adopted fees and charges at the time.

There are specific limitations on short-term licensing under Clause 116 of the LG Regulation. The LG Act authorises short term licences for the purpose of:

- the playing of a musical instrument, or singing, for fee or reward;

- engaging in a trade or business;
- the playing of a lawful game or sport;
- the delivery of a public address (speeches, talks presentations as permitted by Council);
- commercial photographic sessions;
- picnics and private celebrations such as weddings and family gatherings; or
- filming sessions.

This POM expressly authorises Council to grant licences on a short term, casual basis for a purpose listed in clause 116 of the *Local Government (General) Regulation 2005* provided that Council is satisfied that:

1. the short-term licence is consistent with the core objectives for the categorisation of the land; and
2. the use is permitted under zoning and planning laws.

## 5.8 Authorisation for Residential leases

---

Central Coast Council may develop and provide land for the purposes of housing owned by Council.

This POM expressly authorises Council to grant leases or licences for residential purposes in relation to housing on land owned by Council.

## 5.9 Other Uses Permitted under Section 46 of the Local Government Act

---

Council is permitted to grant a lease, licence or other estate in community land for the following purposes under section 46 of the Local Government Act, without the need for express authorisation in a POM:

### Utilities:

- the provision of public utilities and works associated with or ancillary to public utilities, or
- providing 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.

### Filming projects:

- to allow a filming project to be carried out, whether or not the project is in accordance with the plan of management or is consistent with the core objectives of the categorisation of the land concerned.

## 5.10 Easements, restrictions, covenants and other estates

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This POM expressly authorises Council to grant easements or to create restrictions on use or covenants over Council owned community land provided that Council is satisfied that the easement, restriction or covenant:

1. Is for one of the following purposes:
  - a public purpose, including without limitation public utilities, publicly owned infrastructure, public access, public parking, the protection of public land; or
  - a purpose permitted under section 46 (a) or (a1) of the Local Government Act; or
  - If Council adopts an easements or encroachments policy, is for a purpose permitted by that policy and is consistent with that policy
2. Is consistent with the core objectives for the categorisation of the land, and
3. If the land is reserved or dedicated land, would not be likely to materially harm the use of the land for the purpose for which it was reserved or dedicated.

Council does not have the power to grant easements over Crown land or to register covenants or other restrictions over Crown land, as it does not own Crown land.

## Chapter 6 General principles that apply to all categories of community land

### 6.1 Priorities and funding for maintenance and development of community land

---

The maintenance and development of community land is a significant cost for Council. Council's ongoing commitment to the development and maintenance of community land will depend on its financial resources. Council's capacity to implement the actions and priorities in this POM will be determined by Council's Community Strategic Plan – *One Central Coast*, Four Year Delivery Program and Annual Operational Plan, Resourcing Strategy and Budget.

Council funds works and facilities on community land from several sources, including rate revenue, federal and state government grants, rental revenue and for some sites, developer contributions.

Council also benefits from many volunteer groups who take on the management and care of some community facilities, sportsgrounds and reserves in their local neighbourhoods. Local community groups may also contribute new developments or upgrades to facilities for the community, primarily through State and Federal community grants programs, but also through fundraising and community working bees.

Landcare groups across the Central Coast LGA also play an importance role in caring for the natural areas on community land.

Volunteers, community groups and other third parties are required to obtain owner's consent from Council or the Crown and to have an appropriate tenure or permit from Council before any works can be done on community land. Planning and development approvals are also required. All third party works or development on community land normally become the property of Council when completed.

### 6.2 Permissible use and development of community land

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Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Central Coast LGA.

The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

Central Coast Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate. Central Coast Council intends to permit and encourage a broad range of appropriate activities within its iconic beach-side parks and coastlines, expansive natural bushland and waterways, local and neighbourhood parks, sportsgrounds and playing fields, community buildings and facilities, recreational and sporting facilities.

Council has to balance increasing population and intensity of use and demand with the responsibility to manage public land on behalf of a diverse community.

There are instances where Council will require the preparation of policies to guide and provide clarity and transparency for decision-making and approvals for uses.

It is frequent and common that certain uses, such as commercial or organised uses will require Council's approval and include the use of agreements or permissions with conditions, such as leases, licences, permits or hire agreements.

In addition, certain uses and developments will also require Council consents or other approvals through the Local Environment Plan or other State Government planning instruments

The types of uses that are permitted for land covered in this POM and the development that is permitted to facilitate those uses, depends on the categorisation of the land and are set out in the chapter for each category.

See also Chapter 5 for leases, licences and other estates in land that may be granted by Council.

The facilities on community land may change over time, reflecting the changing needs of the community.

Generally future development and use of community land will take into account:

- legislative requirements, including zoning and planning controls
- this POM and the core objectives for the category of the land
- Council's policies at the relevant time
- The characteristics of the land, including existing and future use patterns
- Any masterplan for the land.

Minor changes to community land are regularly made on a routine basis such as replanting gardens, replacing damaged assets and renewing playgrounds.

## 6.3 Environmental Management and Protection

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There are many State and Federal Acts that recognise the values of the environment and establish regulatory and management frameworks to protect the environment and manage the risk of a natural disaster (such as bush fire and coastal erosion). Council as a land manager of community land and Crown reserves has roles and responsibilities under these Acts to:

- Consider the principles of ecologically sustainable development in its decision making (LG Act, *Water Management Act 2000* and *Rural Fires Act 1997*)
- Not harm, pick or damage plants, animals or ecological communities, or their habitats, that are listed in State or Federal legislation unless appropriately authorised (*Fisheries Management Act 1994*, *Biodiversity Conservation Act 2016*, and *Environmental Protection and Biodiversity Conservation Act 1999* (Cth))
- Manage the coastal environment in a manner consistent with the principles of ecologically sustainable development for the social, cultural and economic well-being of the people of the State (*Coastal Management Act 2016*)
- Prevent, mitigate and suppress bush and other fires, including protecting persons and infrastructure and assets (*Rural Fires Act 1997*)

- Prevent pollution of the environment and avoid or reduce waste (*Protection of the Environment Operations Act 1997* (NSW))
- Provide for sustainable and integrated management of water sources (*Water Management Act 2000*).

This POM is intended to operate in parallel with environmental management and protection laws and does not seek to duplicate or replace existing or future requirements that apply under these laws. For example, Council is required under the *Coastal Management Act 2016* to prepare a Coastal Management Program (**CMP**). A CMP is separate to this POM and operates concurrently to set a long-term strategy for the management of community and Crown land affected by the *Coastal Management Act* in order to achieve the objects of that Act.

## 6.4 Accessibility and Inclusion

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Council is continuing to improve accessibility to its facilities for people with a disability so that all residents and visitors can enjoy the local environment and activities. Council has developed a Disability Inclusion Action Plan which details the strategies and actions Council is implementing to enable people with disabilities to better access facilities and open spaces.

One of the four focus areas in the Disability Inclusion Action Plan is on creating a liveable community by improving accessibility to built and natural environments.

Actions within this focus area include:

- Improve pedestrian paths of travel around the Central Coast
- Design more playgrounds with features accessible and inclusive to all children with disabilities
- Ensure accessibility and inclusivity of local community events
- Increase accessibility of beaches and swimming pools
- Increase availability of accessible public toilets and changing places
- Improve Council's approach to delivering accessible and inclusive design
- Increase accessibility of Council owned facilities including theatres and galleries
- Improve access to public transport through more accessible bus stops and surrounding infrastructure
- Work in partnership with local business to improve accessibility of local retail
- Improve signage and wayfinding to enable easier mobility
- Parks that are mobility friendly
- More accessible parking at beaches.



## 6.5 Protection of Indigenous and Non-Indigenous cultural heritage

Council's principles for categorising and managing land that comprises or includes an element or area of cultural importance are outlined in the following parts of the POM:

- Chapter 3 Part 3.1.4 - Heritage Protection Laws
- Chapter 4 Part 4.4.3 - Council's Approach to Categorising Community Land with more than one characteristic or land use – Land that includes an area of cultural importance
- Chapter 6 Part 6.5 - Protection of Aboriginal and historical cultural heritage

### 6.5.1 Indigenous cultural heritage

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This POM is intended to operate in parallel with Aboriginal cultural heritage protection laws and does not seek to duplicate or replace existing arrangements in place for protecting and managing Aboriginal cultural heritage.

Council's principles for managing land that contains an Aboriginal cultural heritage place or object ('site') listed in a LEP or on the NSW State Heritage Register or on the AHIMS register are as follows:

- Aboriginal cultural heritage sites are to be protected
- Aboriginal sites are to be managed according to the National Parks and Wildlife Act and Guidelines
- Any new sites discovered are to be recorded and reported to the National Parks and Wildlife Service, Darkinjung Aboriginal Land Council and other relevant local Aboriginal community groups
- The location of fragile and sensitive sites is to be kept confidential, unless this information is already in the public domain
- Council will maintain a heritage layer in its GIS mapping system that shows all land that contains an Aboriginal heritage item listed in a LEP or on the NSW State Heritage Register, which is available to all Council staff
- Council's heritage officer is to be consulted prior to any works commencing on land that contains an Aboriginal heritage item listed in a LEP or on the NSW State Heritage Register
- Prior to finalising plans for works that require a development consent or a Part 5 approval under the EP&A Act, Council will conduct a search of the AHIMS register
- Prior to commencing any works that require a development consent or a Part 5 approval under the EP&A Act on land that contains an Aboriginal heritage item listed in a LEP or on the NSW State Heritage Register, or on the AHIMS register, Council will consult with Darkinjung Aboriginal Land Council and other Aboriginal groups in relation to the proposed works and consider potential impacts and mitigation measures.

### 6.5.2 Non-indigenous cultural heritage

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This POM is intended to operate concurrently with and subject to heritage protection laws and any conservation management plans, strategies and Statements of Heritage Significance that apply to land covered by this POM.

Council's principles for managing works or dealings on land that is not categorised as an area of cultural significance, but that contains a European historical or cultural heritage item listed in a LEP or on the NSW State Heritage Register, is as follows:

- European cultural heritage sites and items are to be protected
- Council will maintain a heritage layer in its GIS mapping system that shows all land that contains a heritage item listed in a LEP or on the NSW State Heritage Register, which is available to all Council staff
- Council's heritage officer is to be consulted prior to any works commencing or dealing granted on land that contains a heritage item listed in a LEP or on the NSW State Heritage Register, and
- Potential impacts and mitigation measures are to be considered prior to any works commencing or dealing granted on land that contains a heritage item listed in a LEP or on the NSW State Heritage Register.

## PART 2: MANAGEMENT OF COMMUNITY LAND CATEGORIES

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## Chapter 7. Parks

### 7.1 Central Coast Context

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Parks are publicly accessible open space lands for passive recreation usually located adjacent to land planned, zoned or developed for residential, commercial, industrial, civic and other urban purposes. They are also often located adjoining natural areas and forming a transition between urban and natural settings.

Parks in the Central Coast can range from smaller Local and pocket parks through to larger district and regional destinations for informal recreation and leisure.

Parks are places used and valued by the community either directly for recreation or indirectly as view corridors for visual amenity or as active transport corridors. Parks are a significant part of people's lives as they go about their daily routines and often are the strongest contributor to their perception of the landscape character of where they live, work and visit. They are often identified as key contributors to positive perceptions of quality of life.

Well maintained parks and reserves are one of the cornerstones of community wellbeing. While participation figures are not available for unstructured sport and recreational activity on the Central Coast, those familiar with the hundreds of kilometres of shared pathways, lake foreshores, parklands, play spaces, reserves and beaches of the region will know that the Central Coasts parklands are much loved and well used by locals and visitors alike.

The community's recreational, cultural, social and educational needs may be met in parks directly by providing facilities and development to support activities. These needs may also be met by managing and protecting cultural and heritage sites, existing landscape character and areas of natural vegetation within urban areas.

The value of trees and natural vegetation conserved and provided within parks is a key attribute of open space and landscape character for residents and visitors. Parkland tree canopy makes a significant contribution to the quality of life of the Central Coast.

### 7.2 Categorisation of land as a Park

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The guidelines for categorisation of community land are set out in the Local Government Regulations. The core objectives for each category are set out in the Local Government Act.

The guidelines and core objectives for land categorised as a Park are set out in **Table 7.1**.

Council must manage community land categorised as a Park in accordance with the core objectives in **Table 7.1** and any activities, use or development of the land must be consistent with these core objectives.

Where areas of land categorised as a Park has additional values such as ecological, cultural or social, Council will also manage these areas to protect those additional values.

**Table 7.1 Guidelines for and core objectives of community land categorised as a Park**

<b>Guidelines</b> Clause 104 Local Government Regulation	<b>Core objectives</b> Section 36G Local Government Act
Land should be categorised as a park under section 36(4) of the Act if the land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.	The core objectives for management of community land categorised as a park are— (a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and (b) to provide for passive recreational activities or pastimes and for the casual playing of games, and (c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

Central Coast Council has applied the category of a Park in a broad sense to include a range of open space settings and values:

- small remnant native vegetation patches in urban spaces and on foreshores and drainage corridors
- regularly mown but undeveloped grassed reserves
- local parks with play spaces
- district and regional parks with diverse recreation assets
- small intensively developed urban parks, and
- formal town centre parks.

## 7.3 Values and roles of Parks

Parks may have a range of values and roles for the Central Coast community and environment.

Parks:

- provide areas for informal leisure and recreational activities
- provide areas for outdoor lifestyle alternatives to organised sports
- provide opportunities for social interaction, cohesion and improved quality of life
- can contribute to psychological, emotional and spiritual health and wellbeing
- enhance landscape character, orientation and way finding within neighbourhoods
- contribute to a sense of place or prevailing character of the local area
- provide a supporting role to native vegetation and wildlife corridors and habitat
- contribute to climate mitigation through reduced hard surfaces, increased shade tree canopy, reduced heat island effects and increased carbon sequestration and oxygen exchange

- mitigate impacts of noise and air pollution by buffering and filtration
- provide the opportunity to establish and maintain connection to land in an urban context
- provide settings for the management of cultural and heritage values
- provide a setting for life-long learning opportunities
- complement adjacent development by providing providing space for land shaping and level changes water treatment and buffer zones to residential areas
- can provide small business opportunities through leasing and licensing supporting informal recreational use of Park,
- can increase attractiveness of adjacent residential and commercial lands
- can provide economic value adds to tourism

## 7.4 Guiding Principles for Parks

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In addition to the fundamental requirement of addressing the LG Act Community Land Management core objectives for management, there are a series of key guiding strategies and policies that also influence the management of land categorised as Park. These include:

- One Central Coast, Council's Community Strategic Plan
- Central Coast Local Planning Statement
- Wyong Local Parks Strategy
- Wyong Recreation Facilities Strategy
- Gosford Playground Strategy-
- Gosford Open Space Strategy
- CCC Dog Exercise Strategy
- CCC Draft Active Lifestyles Strategy
- NSW Office of Sport – Sport and Active Recreation Plan Central Coast 2018-2023
- NSW Public Spaces Charter
- NSW Everyone can Play Guidelines
- CCC Disability Inclusion Action Plan
- NSW GA Greener Places design framework
- United Nations Sustainable Development Goal 11.7

This background, in turn informs a series of guiding principles identified by Council for the use and development of Parks in Central Coast. These are:

**Welcoming** – Visible, accessible and inviting places for informal community use

**Inclusive** - planning design and management of Parks maximises accessibility and usability by a wide range of abilities, ages and cultures

**Engaging** - Well-designed places that tell stories of the environment and community, encourage social engagement and activity and support life long learning

**Diverse** - Providing a variety of Park types and characters as part of a complementary network of green spaces that reflects community needs and identities

**Durable And Sustainable** - Choice of materials, design and maintenance that is comfortable, long lasting and sustainable

**Connected** - Providing a cohesive network of open spaces linked with active transport (pedestrian and cycle links) and integrated as part of the evolving urban setting and form of the Central Coast

**Valued** - The shared experiences in Parks and other open spaces become important parts of the community's fabric, and memory.

**Community Building** - improving well-being, access to services and sense of belonging

**Benefitting Local Economy** - encouraging appropriate complementary business opportunities that support community use of Parks.

## 7.5 Community Land Schedule and Mapping

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Land categorised wholly or in part as a Park is listed the **Schedule of Community Land** under the heading '**Category**'.

Mapping covering each parcel of land that is categorised partly as a Park and partly as another category, is provided in the **Maps of Community Land showing Category** in **Appendix 1**.

## 7.6 Permissible use and development

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New uses (and intensifications of existing uses) and new developments (and expansion of existing developments) on land categorised as Park will be determined for each site by compliance with each of the following:

- the core objectives that apply to the management of land categorised as Par , namely, *"to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and, to provide for passive recreational activities or pastimes and for the casual playing of games, and to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management."*
- the land uses which are permissible for the land for the land use zone that applies to the land in the Central Coast Local Environment Plan 2022
- the provisions of any other planning instrument that applies to the land under the Environmental Planning and Assessment Act 1979 such as a State Environmental Planning Policies (SEPPs)

Approvals of certain uses and the scale and intensity of permissible uses and developments allowed in the future on community land in this category will take in to account:

- this plan of management and any relevant Council policies,
- any relevant consent under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*;
- in the case of leasing and licensing, consistency with the reserve purpose if Crown Reserve
- the core objectives for this category of community land
- any identified carrying capacity of the proposed site or locations
- community feedback on proposals when required.
- the proposed uses or developments may not proceed.

Any new use or any new development that is not in compliance with the core objectives for this category of community land or the permissible land uses under the Central Coast Local Environmental Plan or any other applicable instruments under the EP& A Act 1979 instruments is inconsistent with the intent of this Plan of Management.

The facilities that are provided and the uses that are considered suitable on community land may change over time in response to the changing, needs of the community. It is anticipated that new uses and activities may emerge, and others increase or decrease in popularity. If this occurs, then the use and development of some community land may be modified to facilitate the changing forms of use desired by the community.

Where there is an inconsistency with the intent of the plan of Management it may be necessary to submit and have approved a planning proposal to amend the LEP

## 7.7 Leases, licences and other estates

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This POM expressly authorises Council to grant leases, licences or other estates in land categorised as a Park for the purposes set out in **Table 7.2**.

The general information and requirements relating to leases, licences and other estates in community land in **Part 5.1 of Chapter 5** applies to any leases, licences or other estates in land authorised under this part of the POM.



**Table 7.2 Leases, licences and other estates authorised for community land categorised as a Park**

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
Lease or Licence	<ul style="list-style-type: none"> <li>▪ Recreational activities such as Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Jetties; Marinas; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor)</li> <li>▪ Business and tourism uses such as Aquaculture; Eco-tourist facilities; Food and drink premises; Kiosks; Livestock and domestic animal grazing; Markets; Specialised retail premises</li> <li>▪ Infrastructure and emergency uses such as Emergency services facilities; Electricity supply works; Gas supply works; Roads; Sewerage systems; Water recycling facilities; Water supply systems</li> <li>▪ Culture-related uses such as Entertainment facilities; Function centres; Registered clubs</li> <li>▪ Social and welfare uses such as Community facilities;</li> <li>▪ Educational activities such as Centre-based childcare facilities; Respite-day care centres; Information and education facilities</li> <li>▪ Uses that facilitate recreational, cultural, social and educational pastimes and activities such as Car parks; Vehicle refuelling points</li> <li>▪ Facilitating connection to Country and with place/landscape - culture and heritage</li> </ul>
Licence	<ul style="list-style-type: none"> <li>▪ Recreational purposes, including fitness classes, yoga, exercise, dance classes, games</li> <li>▪ Commercial activities which are sympathetic to and supports use in the core objectives of a Park, e.g. hire of recreation equipment</li> <li>▪ Festivals, parades, markets, fairs,</li> <li>▪ Exhibitions and similar events and gatherings</li> <li>▪ Major Council or State Government community, sporting, recreation, cultural and leisure events</li> <li>▪ Low scale performance or art eg busking, performance arts, chalk artists (only with permission in select areas)</li> <li>▪ Public Art installations (not including memorials)</li> <li>▪ Mobile vendors</li> <li>▪ Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>▪ Temporary erection or use of any building or structure (with special conditions) necessary to enable a filming project to be carried out</li> <li>▪ Public address (speeches) and/or distributing pamphlets eg charity, environment groups</li> <li>▪ Stalls for major community or charity fund raising</li> <li>▪ Fitness and wellness classes</li> <li>▪ Environmental volunteer activities</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>▪ Advertising structures and signage (such as A-frames and banners) consistent with the permissible uses and development</li> <li>▪ Energy-saving initiatives such as solar lights and solar panels</li> </ul>
Short-term or seasonal licence or permit (Clause 116 of the LG Regulation)	<ul style="list-style-type: none"> <li>▪ Community events and festivals</li> <li>▪ Playing a musical instrument, or singing for fee or reward</li> <li>▪ Picnics and private celebrations such as weddings and family gatherings</li> <li>▪ Filming, including for cinema/television</li> <li>▪ Conducting a commercial photography session</li> <li>▪ Public performances</li> <li>▪ Fitness and wellness classes</li> <li>▪ Engaging in a trade or business consistent with the purposes and core objectives of a park</li> <li>▪ Delivering a public address</li> <li>▪ Community events</li> <li>▪ Fairs, markets, auctions and similar activities</li> <li>▪ Sports and fitness training and classes</li> <li>▪ The playing of a lawful game or sport</li> <li>▪ Approved temporary access for construction and works</li> <li>▪ Any additional short-term casual use prescribed by the LG Act or LG Regulations</li> </ul>
Additional purposes for leases, licences and other estates in land	<ul style="list-style-type: none"> <li>▪ Purposes/uses expressly authorised in <b>Table 7.2</b> of this POM, including ancillary and secondary purposes.</li> <li>▪ Purposes/uses permitted in a Council policy or strategy adopted after the date of this POM, provided that the use is consistent with the core objectives for the categorisation of land as a Park</li> <li>▪ Purposes/uses permitted under State and local environmental planning policies</li> <li>▪ Purposes/uses authorised under the Local Government Act, Local Government Regulation and other State and Commonwealth legislation, including for utilities or <i>filming</i> projects which are authorised under section 46 of the Local Government Act</li> </ul>
Other Estates	This POM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act and the Regulation.

## 7.8. Key management issues

### 7.8.1 Parks with smaller or secondary characteristics

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Land categorised as Park may have native vegetation areas that do not fully meet the criteria to be separately categorised as a Natural Area. In these cases the areas of the Park with native vegetation will normally be retained as a treed area or bushland Park without improvement or development, except where the development is consistent with the core objectives of the applicable Natural Area category.

Council recognises that some land categorised as a Park serves a dual recreation and drainage function and this dual function must be managed so as to maintain the recreational and drainage integrity of these assets.

### 7.8.2 Linkages

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Parks should desirably link to a neighbourhood's pedestrian and cycle network. Parks also provide an opportunity to extend active transport modes such as cycling networks. Pedestrian, cycle and shared pathways in Parks can play a role in providing key linkages to destinations such as town centres, schools and other facilities.

### 7.8.3 Equity in Access

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Parks are especially important to Central Coast communities as they provide low or no-cost opportunities for the community to undertake a range of activities that contribute positively to levels of well-being and community building. Ensuring equitable access to these places is a fundamental guiding principle that should inform ongoing planning design and management and maintenance of Parks.

### 7.8.4 park embellishment

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Parks developed for new release areas will be delivered in accordance with adopted open space strategies. These will normally be funded in accordance with the developer contributions framework prescribed in the *Environmental Planning and Assessment Act 1979*.

### 7.8.5 Maintenance

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Parks will be maintained to meet the service levels established for each type of Park in Council's open space hierarchy. Maintenance will be carried out by Council staff and contractors and in areas where appropriate, volunteer groups. Maintenance work includes monitoring of hard surfaces and fixtures, mowing and garden maintenance to developed Parks, through to environmental volunteer work by community groups (eg weed control) and asset protection zone maintenance by Council or the NSW Rural Fire Service.

## 7.9 Strategy and Action plan

Section 36 of the Local Government Act requires that a POM for community land details:

- the objectives and performance targets of the POM with respect to the land
- the means by which the council proposes to achieve the POM objectives and performance targets; and
- the way in which Council proposes to assess its performance in achieving the POM objectives and performance targets.

**Table 7.3** sets out these requirements for land categorised as a Park.

**Table 7.3 Strategy and Action Plan for community land categorised as a Park**

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Location and distribution.	<p>To provide inclusive and equitable access to Parks to all residents of the Central Coast.</p> <p>To provide a range of quality facilities accessible to areas of identified community need</p> <p>To provide a diversity of Park settings and environments</p>	<p>Develop and implement strategic approaches to locating and providing Parks through:</p> <ul style="list-style-type: none"> <li>• Active Lifestyles Strategy</li> <li>• Playspace Action Plan</li> <li>• Skate Action Plan</li> </ul> <p>Review accessibility, equity and quality of open space to existing neighbourhoods to identify shortfalls</p> <p>Review accessibility, equity and quality of open space to planned neighbourhoods to optimise outcomes</p>	<p>Strategies and action plans are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program.</p>
Recreational and other use	<p>To facilitate appropriate use of Parks with accessible, quality facilities</p> <p>To undertake regular community engagement and consider evolving community needs and preferences</p> <p>To promote awareness of open space assets</p>	<p>Provide and upgrade park facilities appropriate to meet identified needs and preferences for use.</p> <p>Integrate development and maintenance activities with the recommendations of Council's adopted action plans.</p> <p>Promote Parks through Council's website and social media platforms.</p>	<p>Continue annual park user satisfaction survey</p> <p>Website and social media monitoring to evaluate feedback.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Playspaces	To develop and maintain and develop playspaces in local Parks to an agreed delivery program responding to equitable distribution and scale	Provide and upgrade playspaces appropriate to meet identified needs and preferences for use.  Monitor, measure and report prescribed sustainable usage targets and asset life span projections	Continue annual community satisfaction survey  Website and social media monitoring to evaluate feedback
Sustainability and biodiversity	To embed sustainable design through facilities materials and finishes and design approach  To provide appropriate summer shade to enable comfortable use and mitigate heat island effect in urban areas  To link and complement bushland areas and habitat through tree canopy within Parks  To ensure upgrades and maintenance are consistent with and complement Biodiversity Strategy goals and objectives  To manage volume and quality of stormwater leaving site and optimise water harvesting where feasible	Review sustainability and biodiversity outcomes in Parks and Park maintenance and plan and implement enhancements to address objectives  Integrate sustainability and biodiversity outcomes to planning implementation and maintenance of new Parks  Provide interpretive and rehabilitation signage and on-line awareness programs in native vegetation areas	Completion of sustainability and biodiversity performance reviews  Parks are regularly assessed for tree canopy health  Website and social media monitoring to evaluate feedback.
Maintenance	To maintain Parks to agreed service levels and program  To integrate consideration of funding / resources for ongoing maintenance and management to planning of new Parks and Park upgrades	Monitor, measure and report prescribed sustainable usage targets and asset life span projections	Continue annual community satisfaction survey  Website and social media monitoring to evaluate feedback

## Chapter 8. Sportsgrounds

### 8.1 Central Coast Context

Accessible well-maintained Sportsgrounds contribute significantly to the social capital, health and wellbeing of the community. The availability and diversity of sporting facilities is a key objective of Council's Community Strategic Plan.

Ongoing population growth on the Central Coast, means that Council needs to carefully manage and plan its sporting assets to ensure that the community has equitable access to facilities that can sustainably meet identified needs.

The amalgamation of the former Gosford and Wyong Councils in May 2016 led to an aggregated portfolio of sport and recreation assets valued at \$250M located across a local government area of 1,680 square kilometres.

It is estimated that in winter months, 32,000 community members participate weekly in organised sport activities at facilities under Council's management.

These community assets offer significant well-being outcomes over and above physical benefits including social connection, the mitigation of urban heat island effects through green cover and tree canopy, enhanced community identity and a major contribution to sense of place.

### 8.2 Categorisation of land as a Sportsground

The guidelines for categorisation of community land are set out in the Local Government Regulations. The core objectives for each category are set out in the Local Government Act.

The guidelines and core objectives for land categorised as a Sportsground are set out in **Table 8.1**.

Council must manage community land categorised as a Sportsground in accordance with the core objectives in **Table 8.1** and any activities, use or development of the land must be consistent with these core objectives.

**Table 8.1 Guidelines for and core objectives of community land categorised as a Sportsground**

Guidelines	Core objectives
Clause 103 Local Government Regulation	Section 36F Local Government Act
Land should be categorised as a sportsground if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.	<ul style="list-style-type: none"> <li>encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games</li> <li>ensure that such activities are managed having regard to any adverse impact on nearby residences.</li> </ul>

Central Coast Council has applied the category Sportsground to a range of open space settings including:

- developed turf grass playing fields
- local sportsgrounds with small scale facilities
- district and regional sportsgrounds with higher capacity and diversity of development for specific sports and games
- developed outdoor courts
- ancillary buildings such as clubhouses, and their curtilage
- sports field surrounds, and
- small patches of native vegetation and drainage corridors that are within sports reserves.

## 8.3 Values and roles of Sportsgrounds

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Sportsgrounds may have a variety of values and roles for the Central Coast community and environment. Sportsgrounds:

- provide venues for community and professional organised sports participation and viewing
- provide health and recreation settings for active lifestyles
- provide opportunities for social interaction, and cohesion, perception of quality of life
- can contribute to psychological, emotional and spiritual health and wellbeing of the individual
- provide exercise and sports opportunities for schools
- enhance landscape character, orientation and way finding within neighbourhoods
- contribute to a sense of place or prevailing character for the local area
- provide a supporting role to native vegetation and wildlife corridors and habitat
- contribute to climate mitigation through reduced hard surfaces, increased shade tree canopy, reduced heat island effects and increased carbon sequestration and oxygen exchange
- provide settings for the management of sports-related cultural and heritage values
- complement adjacent development by providing providing space for land shaping and level changes water treatment and buffer zones to residential areas
- provide economic benefits through sports tourism, small business opportunities for fitness and coaching
- support property values of adjacent land
- provide small business opportunities through leasing, licensing for active sport and recreational purposes such as sports clinics

## 8.4 Guiding Principles for Sportsgrounds

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In addition to the fundamental requirement of addressing the LG Act Community Land Management core objectives for management, there are a series of key guiding strategies and policies that also influence the management of land categorised as Sportsground. These include:

- One Central Coast, Council's Community Strategic Plan
- Central Coast Local Planning Statement
- Wyong Local Parks Strategy
- Wyong Recreation Facilities Strategy
- Gosford Playground Strategy-
- Gosford Open Space Strategy
- CCC Dog Exercise Strategy
- CCC Draft Active Lifestyles Strategy
- NSW Office of Sport – Sport and Active Recreation Plan Central Coast 2018-2023
- NSW Public Spaces Charter
- NSW Everyone can Play Guidelines
- CCC Disability Inclusion Action Plan
- NSW GA Greener Places design framework
- United Nations Sustainable Development Goal 11.7

This background, in turn informs a series of guiding principles identified by Council for the use and development of Sportsgrounds in Central Coast. These include:

**Welcoming** - Visible and accessible sports facilities enable and encourage respectful sports participation and viewing by the community, and integrate opportunities for passive recreation where feasible

**Inclusive** - planning design and management of Sportsgrounds maximises accessibility and usability by a wide range of abilities, ages and cultures

**Engaging** - Well-designed facilities and places that encourage physical activity, participation, encourage social engagement, tell stories of the place, and support life long learning

**Diverse** Providing a hierarchy of complementary sporting facilities in Central Coast that reflects community needs

**Durable And Sustainable** - Choice of materials, design and maintenance that is comfortable, long lasting and sustainable

**Connected** - Providing a cohesive network of open spaces linked with active transport (pedestrian and cycle links) and public transport and integrated as part of the evolving urban setting and form of the Central Coast

**Valued** - The shared experiences in Sportsgrounds and other open spaces become important parts of the community's fabric, and memory.



**Community Building** - improving well-being, access to services and sense of belonging

**Benefitting Local Economy**– encouraging appropriate complementary business opportunities that support community use of Sportsgrounds.

## 8.5 Community Land Schedule and Mapping

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Land categorised wholly or in part as a Sportsground is listed in the **Schedule of Community Land** under the heading '**Category**'.

Mapping covering each parcel of land that is categorised partly as a Sportsground and partly as another category is provided in the **Maps of Community Land showing Category** in **Appendix 1**.

## 8.6 Permissible use and development

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The use of community land is often supported by appropriate ancillary development. Lands in the Sportsground category will be used in future for sporting training, competition, and other sports-related activities and community events. Council will permit the erection of amenities and change room block(s), sports fields and training facilities, storage buildings and areas, seating and spectator facilities, pathways and infrastructure lighting and utilities as required for use and events. The general types of uses which may occur on community land and the forms of development generally associated with those uses, are set out for land categorised as Sportsground in **Table 8.2** below.

The Table specifies the permissible uses and activities, as well as developments for which the land, and any such buildings or improvements, that may be undertaken in the category areas by Council and lessees or licensees consistent with their user agreements, following Council assessment, approvals and any booking or hire arrangements established by, or with the agreement of Council.

Approvals of certain uses and the scale and intensity of permissible uses and developments allowed in the future will be determined in context:

- with this plan of management and any relevant Council policies,
- Council assessment and development approvals,
- category core objectives,
- any identified carrying capacity of any proposed site or locations.

The facilities on community land may change over time, reflecting the needs of the community. It is anticipated that new sports and activities may develop, and others increase or decrease in popularity. If this occurs, then some community land may be modified to facilitate the changing forms of recreation enjoyed by the community

The uses and associated development identified in **Table 8.2** provide a general guide and empower Council community consultation and decision-making.

They are intended to provide an overview or general guide and the expressions used are not intended to impose a strict or defined meaning. For example, references such as 'field', or 'court', are not intended to exclude other sporting surfaces.

Council may develop or encourage appropriate ancillary development, which is ancillary to the reserve and the purpose and core objectives of Sportsgrounds, and that will enhance healthy and active lifestyles

**Table 8.2 Permissible uses and development of community land categorised as a Sportsground**

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> <li>▪ Active and passive recreational and sporting activities compatible with the nature of the land and any relevant facilities, and consistent with the purposes and core objectives of a Sportsground, for example:               <ul style="list-style-type: none"> <li>○ Kiosk/cafe</li> <li>○ Organised and unstructured recreation activities including children's play and cycling</li> <li>○ Community events and gatherings</li> <li>○ Commercial uses associated with sports</li> </ul> </li> <li>▪ Group recreational use, such as picnics and private celebrations</li> <li>▪ Eating and drinking in a relaxed setting</li> <li>▪ Publicly accessible ancillary areas, such as toilets</li> <li>▪ Low-intensity commercial activities (for example recreational equipment hire or leisure or training classes) that are consistent with the purposes and core objectives of a Sportsground</li> <li>▪ Community and charity events and gatherings</li> <li>▪ Festivals, parades, markets, fairs, exhibitions and similar events and gatherings</li> <li>▪ Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>▪ Concerts, including all musical genres, performances (including film and stage)</li> <li>▪ Busking</li> <li>▪ Mobile vendors</li> <li>▪ Public address (speeches)</li> <li>▪ Management of areas with Natural Values</li> <li>▪ Environmental volunteering</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example:               <ul style="list-style-type: none"> <li>○ Sports field (cricket, football, track and field athletics, baseball, softball)</li> <li>○ Marked court (basketball, volleyball, badminton, tennis, hockey, netball etc.)</li> <li>○ Aquatic facility (learn to swim classes, squad training, fitness and health classes including aqua aerobics, recreational and competitive swimming and diving, organised water sports including water polo, diving, hydrotherapy facilities)</li> </ul> </li> <li>▪ Professional rooms associated with the reserve purposes for hire</li> <li>▪ Facilities for sports training</li> <li>▪ Compatible, small scale commercial uses, e.g. sports tuition and health, sports physiotherapy</li> <li>▪ Gymnasiums, exercise classes and activities</li> <li>▪ Skate facilities</li> <li>▪ Change room/locker areas</li> <li>▪ Shower/toilet facilities</li> <li>▪ Car parking and loading areas</li> <li>▪ Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas)</li> <li>▪ Café or refreshment areas (kiosks/restaurants) including external seating</li> <li>▪ Shade structures</li> <li>▪ Storage ancillary to recreational uses, community events or gatherings, and public meetings</li> <li>▪ Facilities for sports training, e.g. batting cages, tennis walls</li> </ul>

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> <li>▪ Provision of utilities services including telecommunications (authorised under section 46(1)(a) Local Government Act)</li> <li>▪ Purposes/uses expressly authorised in <b>Table 8.3</b>.</li> <li>▪ Purposes/uses permitted under State and local environmental planning policies.</li> <li>▪ Purpose/uses permitted under the Local Government Act and Regulation and other State and Commonwealth legislation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Storage ancillary to:               <ul style="list-style-type: none"> <li>○ sporting and recreational uses, or</li> <li>○ community and charity events or gatherings, or</li> <li>○ public meetings</li> </ul> </li> <li>▪ Development for the purposes of improving access, amenity and the visual character of the land, for example seating, change rooms, toilets, storage, first aid areas paths, public art, pergolas</li> <li>▪ Telecommunications infrastructure</li> <li>▪ Heritage and cultural interpretation, e.g. signs</li> <li>▪ Equipment sales/hire areas</li> <li>▪ Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, BBQs, sheltered seating areas</li> <li>▪ Lighting, paved areas, hard and soft landscaped areas</li> <li>▪ Advertising structures and signage (such as A-frames and banners) that:               <ul style="list-style-type: none"> <li>○ relate to approved uses/activities</li> <li>○ are discreet and temporary</li> <li>○ are approved by Council</li> </ul> </li> <li>▪ Water-saving initiatives such as stormwater harvesting, rain gardens and swales</li> <li>▪ Energy-saving initiatives such as solar lights and solar panels</li> <li>▪ Locational, directional and regulatory signage</li> <li>▪ Shared pathways</li> <li>▪ Development to facilitate any other purposes/uses set out in this table</li> </ul>

## 8.7 Leases, licences and other estates

This POM expressly authorises Council to grant leases, licences or other estates in land categorised as a Sportsground for the purposes set out in **Table 8.3**.

The general information and requirements relating to leases, licences and other estates in community land, in **Part 5.1 of Chapter 5** applies to any leases, licences or other estates in land authorised under this part of the POM.

Council must have regard to managing any adverse impact on nearby residences before granting a lease or licence of land categorised as a Sportsground.

**Table 8.3 Leases, licences and other estates authorised for community land categorised as sportsground**

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
Lease or licence	<ul style="list-style-type: none"> <li>▪ Facilities and areas for the purpose of conducting and facilitating organised sport and training (both amateur and professional), for example:               <ul style="list-style-type: none"> <li>○ Sports field (cricket, football, track and field athletics, baseball, softball)</li> <li>○ Marked court (basketball, volleyball, badminton, tennis, hockey, netball etc.)</li> <li>○ Facilities for sports training, e.g. batting cages, tennis walls</li> <li>○ Aquatic facility (learn to swim classes, squad training, fitness and health classes including aqua aerobics, recreational and competitive swimming and diving, organised water sports including water polo, diving, hydrotherapy facilities)</li> </ul> </li> <li>▪ Sporting club facilities including club houses, meeting and training rooms, and facilities ancillary to sporting club or group activities</li> <li>▪ Professional rooms associated with the reserve purposes for hire</li> <li>▪ Change room/locker areas</li> <li>▪ Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas)</li> <li>▪ Compatible, small scale commercial uses, e.g. sports tuition and health, sports physiotherapy</li> <li>▪ Café or refreshment areas (kiosks/restaurants) including external seating</li> <li>▪ Low-intensity commercial activities (for example recreational equipment hire or leisure or training classes) that are consistent with the purposes and core objectives of a Sportsground</li> <li>▪ Gymnasiums, exercise classes and activities</li> <li>▪ Skate facilities</li> <li>▪ Storage ancillary to:               <ul style="list-style-type: none"> <li>○ sporting and recreational uses, or</li> <li>○ community and charity events or gatherings, or</li> <li>○ public meetings</li> </ul> </li> <li>▪ Equipment sales/hire areas</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>▪ Car parking and loading areas</li> <li>▪ Electric vehicle charging stations in car parks</li> <li>▪ Provision of utilities services including telecommunications (authorised under section 46(1)(a) Local Government Act</li> <li>▪ )Any other purpose or use permitted in <b>Table 8.2</b></li> </ul>
Licence	<ul style="list-style-type: none"> <li>• Ancillary ceremonies (for example, rehearsal of opening and closing ceremonies, cheer squads, etc.)</li> <li>• Uses reasonably associated with the promotion or enhancement of sporting groups, fixtures and events (for example, "guest" events for juniors; gala days; club meetings)</li> <li>• Small scale commercial activities consistent with the purposes and core objectives of a sportsground</li> <li>• Community and charity events and gatherings</li> <li>• Major Council or State Government community, sporting, recreation, cultural and leisure events</li> <li>• Recreational purposes, including fitness classes, yoga, exercise, dance classes, games</li> <li>• Festivals, parades, markets, fairs, exhibitions and similar events and gatherings</li> <li>• Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>• Temporary erection or use of any building or structure (with special conditions) necessary to enable a filming project to be carried out</li> <li>• Concerts, including all musical genres, performances (including film and stage)</li> <li>• Busking</li> <li>• Mobile vendors</li> <li>• Public address (speeches)</li> <li>• Management of areas with natural values</li> <li>• Environmental volunteering</li> <li>• Advertising structures and signage (such as A-frames and banners) that are consistent with permissible uses and developments</li> <li>• Temporary access for construction and works</li> <li>• Facilitating connection to Country and with place/landscape - culture and heritage</li> </ul>
Short-term or seasonal licence or permit (Clause 116 of the LG Regulation)	<ul style="list-style-type: none"> <li>▪ Community events and festivals</li> <li>▪ Playing a musical instrument, or singing for fee or reward</li> <li>▪ Picnics and private celebrations such as weddings and family gatherings</li> <li>▪ Filming, including for cinema/television</li> <li>▪ Conducting a commercial photography session</li> <li>▪ Public performances</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>▪ Fitness and wellness classes</li> <li>▪ Engaging in a trade or business consistent with the purposes and core objectives of a sportsground</li> <li>▪ Delivering a public address</li> <li>▪ Community events</li> <li>▪ Fairs, markets, auctions and similar activities</li> <li>▪ Sports and fitness training and classes</li> <li>▪ The playing of a lawful game or sport</li> <li>▪ Approved temporary access for construction and works</li> </ul>
Additional purposes for leases, licences and other estates in land	<ul style="list-style-type: none"> <li>▪ Purposes/uses expressly authorised in <b>Table 8.2</b> of this POM, including ancillary and secondary purposes.</li> <li>▪ Purposes/uses permitted in a Council policy or strategy adopted after the date of this POM, provided that the use is consistent with the core objectives for the categorisation of land as a Sportsground</li> <li>▪ Purposes/uses permitted under State and local environmental planning policies</li> <li>▪ Purposes/uses authorised under the Local Government Act, Local Government Regulation and other State and Commonwealth legislation, including for utilities or filming projects which are authorised under section 46 of the Local Government Act</li> </ul>
Other Estates	This POM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act and the Regulation.

## 8.8. Key management issues

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### 8.8.1 Sportsgrounds with smaller or secondary characteristics

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The primary purpose of Sportsgrounds is to provide the setting for organised sports activities. They also provide for informal recreation activities either by informal use of field areas between sports usage or by peripheral landscape areas. In some cases, Sportsgrounds may be the outdoor social focal point of a neighbourhood.

Where areas of land categorised as a Sportsground have additional values such as ecological, cultural or social that don't fully meet the criteria to be separately categorised, Council will also manage these areas to protect those values.

Land categorised as Sportsground may have native vegetation areas that do not fully meet the criteria to be separately categorised as a Natural Area. In these cases the areas of the Sportsground with native vegetation will normally be retained as a treed area without improvement or development unless consistent with the core objectives of the applicable natural area category.

Council may also seek to achieve multi-functionality at Sportsgrounds by allowing sports fields surrounds to be used for water treatment and detention construction, land shaping, level changes and buffer zones where it does not adversely impact the ability of the site to meet community needs and where these aspects contribute to amenity or function of the Sportsground

As such Council recognises that some land categorised as Sportsground serves a dual recreation and drainage function and this dual function must be managed so as to maintain the recreational and drainage integrity of these assets.

### 8.8.2 Sportsground Development

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Sportsgrounds developed for new release residential areas will be delivered in accordance with Council's adopted strategies, plans and design requirements relating to open space and recreational facilities.

Funding for these works will be sourced from developer contributions, Council's annual and four-year capital works program, and State and Commonwealth grant funding and assistance packages.

### 8.8.3 Linkages

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Sportsgrounds form part of the integrated Central Coast Open Space Network. As such Sportsgrounds should link to the district's broader pedestrian and cycle network and should be served by the public transport network. Sportsgrounds also provide an opportunity to extend active transport networks by contributing to linkages to destinations such as town centres, schools and other facilities.

In new urban release areas Council will continue to build on its shared pathway network using Sportsgrounds and Parks to provide for safe active transport travel routes. Sportsgrounds are an important destination for active transport linkages due to their catchment and the age range of users

### **8.8.4 Allocation of playing fields or courts**

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Council generally invites and grants seasonal licences for developed Sportsgrounds and courts (which are not leased for exclusive use) to incorporated bodies representing sporting associations and clubs. These seasonal licences will reflect seasonal competitive cycles and prescribe responsibilities and costs to all parties as well as the nature of use authorised by the seasonal licence.

Council will only award seasonal licences to incorporated bodies.

It is noted that The Central Coast Stadium at Gosford and the Central Coast Regional Sporting and Recreation Complex are not available for seasonal licensing and usage of these facilities is managed through an events-based system only. Both these sites are subject to separate site-specific POMs either current or to be prepared.

### **8.8.6 Equity in access**

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Ensuring equitable access to open space in Central Coast is a fundamental guiding principle that should inform ongoing planning design management and maintenance of Sportsgrounds. This will include:

- applying universal design principals to facilities, access and Parking
- considering access to sports facilities for all abilities sporting groups
- considering fair and equitable allocation of seasonal and other bookings

### **8.8.7 Maintenance**

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Sportsgrounds will be maintained to meet the service levels established for each type of Sportsground facility in Council's sporting facility hierarchy. Maintenance will be carried out by Council staff and contractors and in areas where appropriate, tenants or volunteer groups.

Maintenance work may range from field, court, building and landscape maintenance on developed Sportsgrounds, environmental volunteer work by community groups and asset protection zone maintenance by Council or the NSW Rural Fire Service.

Council will use the adopted Central Coast Council Sportsground Management Strategy as the standard by which it will assess physical maintenance actions and review the impacts of usage on its Sportsgrounds



## 8.9 Strategy and Action plan

Section 36 of the Local Government Act requires that a POM for community land details:

- the objectives and performance targets of the POM with respect to the land
- the means by which the council proposes to achieve the POM objectives and performance targets; and
- the way in which Council proposes to assess its performance in achieving the POM objectives and performance targets.

**Table 8.4** sets out these requirements for land categorised as a Sportsground.

**Table 8.4 Strategy and Action Plan for community land categorised as a Sportsground**

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Location and distribution	<p>To distribute Sportsgrounds to serve identified community needs and achieve equity of access to facilities to all residents of the Central Coast</p> <p>To site new sportsgrounds to complement adjoining urban development, educational and retail centres, natural areas and provide a community focus for neighbourhoods and districts</p> <p>To integrate Sportsgrounds with existing and future pedestrian and cycle and public transport networks</p>	<p>Develop and implement strategic approaches to siting providing and managing Sportsgrounds through:</p> <ul style="list-style-type: none"> <li>▪ Sportsground Management Strategy</li> <li>▪ Active Lifestyle Strategy</li> </ul>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program.</p> <p>Annual satisfaction survey achieves positive responses</p> <p>Website and social media monitoring to evaluate feedback</p>

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)© Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Recreational Use	<p>To provide functional and quality Sportsgrounds including fields, courts and other facilities that encourage safe and sustainable sports and ancillary use</p> <p>To facilitate informal use of peripheral areas to complement organised sports use and add to recreational opportunities provided to the community</p> <p>To promote and facilitate multi-use and flexible / adaptable use where appropriate</p> <p>To undertake regular community engagement and consider evolving community needs and preferences</p> <p>To provide fair and equitable management of seasonal licences and bookings</p>	<p>Provide and upgrade park facilities appropriate to meet identified needs and preferences for use as per the Active Lifestyles Strategy.</p> <p>Operational activities are co-ordinated with the Sportsground Management Strategy</p> <p>Undertake ongoing user and general community liaison on Sportsgrounds</p> <p>Review seasonal and other licenses and bookings in accordance with Council's Sportsground Management Strategy</p>	<p>Continue annual community satisfaction survey</p> <p>Sporting Association collaborations are generally positive.</p> <p>Website and social media monitoring to evaluate feedback</p>

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Sustainability and biodiversity	<p>To embed sustainable design through materials and finishes and design approach</p> <p>To optimise sustainability of sports facilities including materials and finishes, energy and water use</p> <p>To provide appropriate summer shade to enable comfortable summer viewing and use and mitigate heat island effect in urban areas</p> <p>To link and complement bushland areas and habitat through tree canopy within Sportsgrounds</p> <p>To ensure upgrades and maintenance are consistent with and complement Biodiversity Strategy goals and objectives</p> <p>To manage volume and quality of stormwater leaving site and optimise water harvesting where feasible.</p>	<p>Review sustainability and biodiversity outcomes in Sportsgrounds and plan and implement enhancements to address objectives</p> <p>Integrate sustainability and biodiversity outcomes to planning implementation and maintenance of new Sportsgrounds</p> <p>Provide interpretive and rehabilitation signage and on-line awareness programs in native vegetation areas</p> <p>Review and identify potential for improvements in water usage management and recycling.</p> <p>Review and identify potential for energy efficiency gains in managing sports ground use.</p>	<p>Completion of sustainability and biodiversity performance reviews</p> <p>Sportsgrounds are regularly assessed for tree canopy health</p> <p>Net reduction in the usage of potable water for irrigation.</p> <p>Net reduction in electricity consumption to achieve required level of field/court illumination.</p>

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)© Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Maintenance	<p>To maintain Sportsgrounds to agreed service levels and program</p> <p>To encourage sports users to play a collaborative role in ongoing field and facilities maintenance and management</p> <p>To integrate consideration of funding / resources for ongoing maintenance and management to planning of new Parks and Park upgrades</p>	Monitor, measure and report prescribed sustainable usage targets and asset life span projections	<p>Continue annual community satisfaction survey</p> <p>Website and social media monitoring to evaluate feedback.</p>

## Chapter 9. General Community Use

### 9.1 Central Coast Context

Council supports the social, health and wellbeing needs of the community with a variety of community infrastructure which provides space for community activities and the delivery of community services and programs.

The benefits of providing opportunities for all residents to equitably access and use community infrastructure are well documented and are supported by the objectives of Council's Community Strategic Plan.

Community infrastructure is comprised largely of community facilities such as community halls and centres, libraries, arts & cultural facilities, and leisure and recreational facilities. These may function as either multi-purpose or single use facilities.

A range of ancillary services, activities and facilities may also be provided to the community and the wider public, to encourage and activate greater use of General Community Use land, in line with the core objectives for that land and current and future community expectations and needs..

### 9.2 Categorisation of land as General Community Use

The guidelines for categorisation of land for General Community Use are set out in the Local Government Regulations. The core objectives for each category are set out in the Local Government Act.

The guidelines and core objectives for land categorised as General Community Use are set out in **Table 9.1**.

Council must manage community land categorised as a General Community Use in accordance with the core objectives in **Table 9.1** and any activities, use or development of the land must be consistent with these core objectives.

Where areas of land categorised as General Community Use has additional values such as ecological, cultural or social, Council will also manage these areas to protect those values.

**Table 9.1 Guidelines for and core objectives of community land categorised as General Community Use**

Guidelines	Core objectives
Clause 106 Local Government Regulation Land should be categorised as General Community Use if the land— (a) may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and	Section 36F Local Government Act 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— <ul style="list-style-type: none"> <li>(a) in relation to public recreation and the physical, cultural, social and</li> </ul>

Guidelines	Core objectives
<p>Clause 106 Local Government Regulation</p> <p>(b) is not required to be categorised as a natural area under section 36A, 36B or 36C of the Local Government Act and does not satisfy the guidelines under the Local Government Regulation for categorisation as a natural area, a sportsground, a park or an area of cultural significance.</p>	<p>Section 36F Local Government Act</p> <p>intellectual welfare or development of individual members of the public, and</p> <ul style="list-style-type: none"> <li>(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).</li> </ul>

Central Coast Council has applied the category General Community Use to areas of land with the following dominant characteristics or uses:

- land which is predominantly used for a community building and associated facilities,
- land containing utilities and other infrastructure that needs to be restricted from public use for public safety and security reasons
- beaches and beach front land with regular organised community and associated commercial activity
- play spaces within the curtilage of community buildings
- developed district and regional parks with diverse recreation opportunities and associated commercial activity
- land or facilities that are leased or licensed for a purpose for which community land may be used, but which does not satisfy the guidelines in the Local Government Regulations for categorisation of the land as a natural area, sportsground, park or an area of cultural significance.

### 9.3 Values of General Community Use Land

General Community Use land may have a variety of values and roles for the Central Coast community and environment. General Community Use land:

- provides areas for the delivery of a wide range of community uses and facilities
- provides settings for the delivery of community support programs and services that address key social issues
- provide opportunities for social interaction, and cohesion, perception of quality of life
- contributes to a sense of place or prevailing character for the local area
- provides the opportunity to establish and maintain connection to land in an urban context
- provides settings for the management of cultural and historic values
- enhances safety and amenity of neighbourhoods or town centres by increasing activity in the area
- provides educational opportunities
- provides economic benefits from tourism facilities and settings.

## 9.4 Guiding Principles for General Community Use Areas

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In addition to the fundamental requirement of addressing the LG Act Community Land Management core objectives for management, there are a series of key guiding strategies and policies that also influence the management of land categorised as General Community Use. These include:

- One Central Coast, Council's Community Strategic Plan
- Central Coast Local Planning Statement
- CCC Draft Active Lifestyles Strategy
- NSW Office of Sport – Sport and Active Recreation Plan Central Coast 2018-2023
- Community Facilities Leasing Policy
- CCC Disability Inclusion Action Plan

This background, in turn informs a series of guiding principles identified by Council for the use and development of land categorised as General Community Use in Central Coast. These include:

**Welcoming** - Visible and accessible community facilities enable and encourage use and visitation by the broader community

**Inclusive** - operation and management of General Community Use Sites maximises accessibility and usability by a wide range of abilities, ages and cultures

**Engaging** - Well-designed facilities that enable and encourage use and participation, encourage social engagement, foster creativity, tell stories of the place, and support life-long learning

**Diverse** - Providing a range of complementary community facilities in Central Coast that reflects and responds to community needs

**Durable And Sustainable** - Choice of finishes, design and maintenance that is comfortable, long lasting and sustainable

**Connected** – Facilities linked to active transport (pedestrian and cycle links) and public transport and integrated as part of the evolving urban setting and form of the Central Coast

**Valued** - The shared experiences in Sportsgrounds and other open spaces become important parts of the community's fabric and memory.

**Community Building** - improving well-being, access to services and sense of belonging

**Benefitting Local Economy** – encouraging appropriate complementary business opportunities that provide a service to and benefit the community

## 9.5 Community Land Schedule and Mapping

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Land categorised wholly or in part as General Community Use is listed in the **Schedule of Community Land** under the heading '**Category**'.

Mapping covering each parcel of land that is categorised partly as General Community Use and partly as another category, is provided in the **Maps of Community Land showing Category** in **Appendix 1**.

## 9.6 Permissible use and development

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New uses (and intensifications of existing uses) and new developments (and expansion of existing developments) on land categorised as General Community Use will be determined for each site by compliance with each of the following:

- the core objectives that apply to the management of land categorised as General Community use, namely, *"to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public"*
- the land uses which are permissible for the land for the land use zone that applies to the land in the Central Coast Local Environment Plan 2022
- the provisions of any other planning instrument that applies to the land under the Environmental Planning and Assessment Act 1979 such as a State Environmental Planning Policies (SEPPs)

Approvals of certain uses and the scale and intensity of permissible uses and developments allowed in the future on community land in this category will take in to account:

- this plan of management and any relevant Council policies,
- any relevant consent under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*,
- in the case of leasing and licensing, consistency with the reserve purpose if Crown Reserve
- the core objectives for this category of community land
- any identified carrying capacity of the proposed site or locations
- community feedback on proposals when required.
- the proposed uses or developments may not proceed.

Any new use or any new development that is not in compliance with the core objectives for this category of community land or the permissible land uses under the Central Coast Local Environment Plan or any other applicable instruments under the EP& A Act 1979 instruments is inconsistent with the intent of this Plan of Management.

The facilities that are provided and the uses that are considered suitable on community land may change over time in response to the changing, needs of the community.



It is anticipated that new uses and activities may emerge, and others increase or decrease in popularity. If this occurs, then the use and development of some community land may be modified to facilitate the changing forms of use desired by the community.

Where there is an inconsistency with the intent of the plan of Management it may be necessary to submit and have approved a planning proposal to amend the LEP

## 9.7 Leases, licences and other estates

This POM expressly authorises Council to grant leases, licences or other estates in land categorised as General Community Use for the purposes set out in **Table 9.2**.

The general information and requirements relating to leases, licences and other estates in community land generally, in **Part 5.1 of Chapter 5** applies to any leases, licences or other estates in land authorised under this part of the POM.

**Table 9.2 Leases, licences and other estates and purposes for which they may be granted for community land categorised as General Community Use**

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
Lease or licence	<ul style="list-style-type: none"> <li>▪ Business and tourism uses such as Business premises; Food and drink premises; Function centre; Garden centres; Kiosks; Medical centres; Plant nurseries; Public administration buildings; Specialised retail premises; Tourist and visitor accommodation</li> <li>▪ Cultural uses such as Entertainment facilities; Function centres; Registered clubs</li> <li>▪ Infrastructure and emergency uses including Emergency services facilities; Electricity supply; Gas supply works; Waste or resource management facilities; Water supply; Sewerage works;</li> <li>▪ Education uses such as Information and education facilities; Schools; Centre-based childcare facilities; Respite-day care centres;</li> <li>▪ Social and welfare uses including Residential uses; Short-term accommodation; Residential care facilities; Community facilities;</li> <li>▪ Recreational activities such as Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Jetties; Marinas; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor)</li> <li>▪ Uses that facilitate recreational, cultural, social and educational pastimes and activities such as Car parks; Vehicle refuelling points</li> <li>▪ Storage leased to external entities</li> <li>▪ Provision of utilities services including telecommunications (authorised under section 46(1)(a) Local Government Act)</li> </ul>
Licence	<ul style="list-style-type: none"> <li>• Community workshops, birthdays</li> <li>• Workshops</li> <li>• Leisure or training classes</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>• Mobile vendors</li> <li>• Festivals, parades, markets, fairs, exhibitions and similar events and gatherings</li> <li>• Major Council or State Government community, sporting, recreation, cultural and leisure events</li> <li>• Commercial activities ancillary to caravan parks and camping grounds, or active cemeteries and crematoria</li> <li>• Recreational purposes, including fitness classes, yoga/Pilates, exercise, dance classes, games</li> <li>• Sporting uses developed/operated by a private operator e.g surf school</li> <li>• Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>• Temporary erection or use of any building or structure (with special conditions) necessary to enable a filming project to be carried out</li> <li>• Facilitating connection to Country and with place/landscape - culture and heritage</li> </ul>
Short-term or seasonal licence or permit (Clause 116 of the LG Regulation)	<ul style="list-style-type: none"> <li>• Community events and festivals</li> <li>• Playing a musical instrument, or singing for fee or reward</li> <li>• Picnics and private celebrations such as weddings and family gatherings</li> <li>• Filming, including for cinema/television</li> <li>• Conducting a commercial photography session</li> <li>• Public performances</li> <li>• Fitness and wellness classes</li> <li>• Engaging in a trade or business consistent with the purposes and core objectives of general community use</li> <li>• Delivering a public address</li> <li>• Community events</li> <li>• Fairs, markets, auctions and similar activities</li> <li>• Sports and fitness training and classes</li> <li>• The playing of a lawful game or sport</li> <li>• Approved temporary access for construction and works</li> <li>• Any additional short-term casual use prescribed by the LG Act or LG Regulations</li> </ul>
Additional purposes for leases, licences and other estates in land	<ul style="list-style-type: none"> <li>▪ Purposes/uses expressly authorised in <b>Table 9.2</b> of this POM, including ancillary and secondary purposes.</li> <li>▪ Purposes/uses permitted in a Council policy or strategy adopted after the date of this POM, provided that the use is consistent with the core objectives for the categorisation of land as General Community Use</li> <li>▪ Purposes/uses permitted under State and local environmental planning policies</li> <li>▪ Purposes/uses authorised under the Local Government Act, Local Government Regulation and other State and Commonwealth legislation,</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	including for utilities or filming projects which are authorised under section 46 of the Local Government Act
Other Estates	This POM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act and the Regulation.

## 9.8. Key management issues

### 9.8.1 Relationship of General Community Use sites to adjoining open space

The extent of General Community Use categorisation will generally be limited to the footprint of a facility. As such land categorised as General Community Use may adjoin or lie within land categorised as Park Sportsground or Natural Area.

As such use and development of either will need to consider the relationship to the other, and to manage both to protect their inherent values.

### 9.8.2 Provision of General Community Use Land

General Community Use lands play an important role in assisting to provide sites for the provision of a range of community facilities and services. However availability and distribution of General Community Use lands may not address all needs, and Council may need to supplement community lands with provision of facilities and services on operational land and or leased premises. Key issues for the provision of General Community Use land include:

- Financial constraints on the procurement and development of land for General Community Use
- Increasing demand for facilities that are up to date and well equipped, and that also provide for a greater variety of uses
- Constraints of the location and other qualities of identified General Community Use land on providing equity of access
- Historical uses of the land that may not comply with current Legislation or planning strategies and which may hinder more appropriate development

### 9.8.3 Development of General Community Use Land

The General Community Use category will often apply to built facilities and in some cases fitout which seek to meet the needs to services providers and users. Council will continue to use a strategic approach to the provision, maintenance and upgrading of Community facilities in accordance with Council's relevant strategies, policies and plans.

Community facilities will be maintained to meet the service levels established for each type of facility in Council's community facilities hierarchy. Maintenance will be carried out by Council staff and contractors and in areas where appropriate, volunteer groups.

#### **9.8.4 Allocation of General Community Use Land**

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Council generally invites expressions of interest for use and management of General Community Use land and facilities where applicable under Councils Community Facilities Leasing Policy. Leases or licenses arising will reflect Councils strategic approach to services provision and prescribe responsibilities and costs to all parties as well as the nature of use authorised by the lease or licence.

Uses and development allowable will reflect the permissible activities and authorisations listed in the General Community Use section.

#### **9.8.5 Fees, Charges and Conditions of Hire**

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Some General Community Use land and facilities may be available for short term hire and rental. These may be hired in accordance with the fees and charges endorsed by Council and the appropriateness of the proposed activity to the objectives of General Community Use and the schedule of activities. Council will require an application to assess the proposed hire and make conditions in accordance with the policy for hiring and booking community lands.

Council may also create estates over the land and its facilities to the effect that the lessee, licensee or operating committee may provide the facilities of hire in accordance with council's policies and the appropriateness of the intended activity to the objectives of General Community Use and the values of the land.

#### **9.8.6 Linkages**

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General Community Use sites will provide important services to the broader community and so should link to the district's broader pedestrian and cycle network, and be served by the public transport network.

### 9.8.7 Equity in access

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Ensuring equitable access to open space in Central Coast is a fundamental guiding principle that should inform ongoing planning design management and maintenance of General Community Use lands. This will include:

- applying universal design principals to facilities, access and Parking
- considering access to facilities for all abilities user groups
- considering fair and equitable allocation of leases, licenses and short term hire and rental.

### 9.8.8 Maintenance

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General Community Use land and the facilities and infrastructure upon it will be maintained to meet the service levels established by asset owners in relation to the various infrastructure elements and for the management objectives of the General Community Use and any sub-units.

This may range from building or infrastructure maintenance on developed General Community Use land to Community Gardens by community groups, Asset Protection Zone maintenance by Council staff or the Rural Fire Service. This maintenance will be managed and resourced by the appropriate Council asset manager for the specific objective and physical condition of the General Community Use land and to meet Council's obligations under the terms of the NSW IPR Framework.

Where a lease is in place over the land and facility then the responsibilities and nature of maintenance will be set out in the lease conditions and/or maintenance schedule and will form part of the operating cost of that lease.

## 9.9 Strategy and Action Plan

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Section 36 of the Local Government Act requires that a POM for community land details:

- the objectives and performance targets of the POM with respect to the land
- the means by which the council proposes to achieve the POM objectives and performance targets; and
- the way in which Council proposes to assess its performance in achieving the POM objectives and performance targets.

**Table 9.3** sets out these requirements for land categorised as General Community Use.

Council will monitor and report on the measures used to achieve the core objectives in planning and implementing the development and management of General Community Use land.

**Table 9.3 Strategy and Action Plan for community land categorised as General Community Use**

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Location and distribution.	<p>To provide opportunities for access to Community Facilities to all residents of the Central Coast.</p> <p>To provide a range of quality community facilities that address areas of identified community need.</p> <p>To integrate community facilities with existing and future pedestrian and cycle and public transport networks</p>	<p>Develop and implement strategic approaches to providing Community Facilities</p> <p>Implement Actions of the Community Facilities strategy</p> <p>Facilities are developed to address identified needs and meet endorsed standards</p> <p>Explore use of appropriate infrastructure lands for community facilities in co-ordination with asset owners and service providers</p>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year delivery program.</p> <p>Annual reporting of satisfactory access safety and security of infrastructure operations</p>

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Use of General Community Use Land and facilities	<p>To facilitate appropriate use of General Community Use land with accessible, quality facilities.</p> <p>To manage and utilise facilities in accordance with an endorsed Community Facilities Strategy</p> <p>To promote and facilitate multi-use and flexible / adaptable use where appropriate</p> <p>To undertake regular community engagement and consider evolving community needs and preferences</p> <p>To grant appropriate tenures over land</p> <p>To provide fair and equitable management of hiring and bookings</p>	<p>Finalise and implement Community Facilities Strategy</p> <p>Provide and upgrade community facilities appropriate to meet identified needs and preferences for use.</p> <p>Explore opportunities for appropriate and practical multi- use of facilities</p> <p>Integrate operational activities with the recommendations of the appropriate Community Facilities strategies and plans and general Council procedures (eg leasing licenses and bookings).</p>	<p>Strategic framework available</p> <p>Annual satisfaction survey achieves positive responses.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Sustainability and biodiversity	<p>To embed sustainable design through materials and finishes and design approach</p> <p>To optimise sustainability of Community facilities including materials and finishes, energy and water use</p> <p>To manage volume and quality of stormwater leaving site and optimise water harvesting where feasible</p>	<p>Review sustainability and biodiversity outcomes to GCU lands and plan and implement enhancements to address objectives</p> <p>Integrate sustainability and biodiversity outcomes to planning implementation and maintenance of new GCU facilities</p> <p>Integrate General Community Use land into the Green Grid Strategy.</p> <p>Review and identify potential for improvements in water usage management and recycling.</p> <p>Review and identify potential for energy efficiency gains in managing sports ground use.</p>	<p>Completion of sustainability and biodiversity performance reviews</p> <p>Measure achievement of integration of sustainability standards into delivery of buildings and facilities categorised as GCU.</p> <p>Website and social media monitoring to evaluate community feedback.</p>



<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Maintenance	<p>To maintain Community facilities to agreed service levels and program</p> <p>To embed maintenance requirements and responsibilities in licensing and booking arrangements</p> <p>To integrate consideration of funding / resources for ongoing maintenance and management to planning of new Community facilities and Community facility upgrades</p>	<p>Ensure asset management approach or specific plans are in place for community facilities</p> <p>Monitor, measure and report prescribed sustainable usage targets and asset life span projections</p>	<p>Continue annual community satisfaction survey</p> <p>Website and social media monitoring to evaluate feedback</p>

## Chapter 10. Natural Areas

### 10.1 Central Coast Context

The Central Coast area covers an area of approximately 1,681 square kilometres and extends from the Hawkesbury River in the south to Lake Macquarie and the Watagan Mountains in the north, and from the forests of Dharug National Park and the elevated sandstone plateau in the west to the coastal estuaries, lakes, lagoons, headlands and beaches abutting the Tasman Sea in the east.

There is a variety of topographical, hydrological and geological features and ecological communities across this large and diverse landscape.

Central Coast Council owns or manages many natural areas across the diverse landscape of the Local Government Area.

### 10.2 Categorisation of land as Natural Area

The guidelines for categorisation of community land are set out in the Local Government Regulations. The core objectives for each category are set out in the Local Government Act.

The guidelines and core objectives for land categorised as a Natural Area are set out in **Table 10.1**.

Council must manage community land categorised as a Natural Area in accordance with the core objectives in **Table 10.1** and any activities, use or development of the land must be consistent with these core objectives.

Where areas of land categorised as a Natural Area has additional values such as cultural or social, Council will also manage these areas to protect those additional values.

**Table 10.1 Guidelines for and core objectives of community land categorised as a Natural Area**

Guidelines	Core objectives
Clause 102 Local Government Regulation	Section 36E Local Government Act
Land should be categorised as a natural area under section 36 (4) of the Act if the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36 (5) of the Act.	<p>The core objectives for management of community land categorised as a natural area are:</p> <ul style="list-style-type: none"> <li>(a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and</li> <li>(b) to maintain the land, or that feature or habitat, in its natural state and setting, and</li> <li>(c) to provide for the restoration and regeneration of the land, and</li> <li>(d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and</li> </ul>

**Guidelines**

Clause 102 Local Government Regulation

**Core objectives**

Section 36E Local Government Act

- (e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*.

Land categorised as a natural area is required to be further categorised into one or more of the following subcategories, which are covered separately in Chapters 10A to 10E of this POM:

- (a) Bushland (Chapter 10A)
- (b) Wetland (Chapter 10B)
- (c) Escarpment (Chapter 10C)
- (d) Watercourse (Chapter 10D), and
- (e) Foreshore (Chapter 10E)
- (f) A category prescribed by the LG Regulations.

Central Coast Council has applied the category of a Natural Area in a broad sense to include a range of natural values including:

- Large areas of native vegetation, including bushland and wetland
- Core habitat, wildlife corridors and corridor gaps
- Threatened ecological communities and known habitat of threatened species
- Land that adjoins and has similar characteristics to areas managed for conservation including National Park, Nature Reserve and Conservation Agreements
- Escarpments with significant or unusual features or qualities
- Watercourses and adjoining riparian vegetation
- Foreshores with significant natural features or attributes
- Land contained in the Coastal Open Space System
- Large areas of land mapped as coastal wetlands or areas mapped as littoral rainforest under the State Environmental Planning Policy (Coastal Management) 2018
- Land protected and/or managed under a conservation agreement or similar restriction on title
- Land being actively restored, including bush regeneration and Landcare type activities.

## 10.3 Values of Natural Areas

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Natural Areas may have a variety of values and roles for the Central Coast environment and community including:

- Providing and supporting native vegetation, wildlife corridors and core habitat
- Managing hydrology and environmental function of watercourses and related riparian corridors, wetlands and foreshores
- Maintaining essential ecosystem services such as nutrient cycling and water quality
- Mitigating impacts of surface water, noise, air and artificial light pollution by buffering and filtration
- Mitigating impacts of altered hydrology by providing natural areas for water storage and groundwater recharge
- Contributing to water catchment and storage
- Protecting natural features such as escarpments and other landforms
- Contributing to the landscape and environmental character of the Central Coast
- Contributing to climate mitigation through reduced heat island effects, increased carbon sequestration, oxygen exchange and water storage and infiltration
- Enhancing orientation and way finding at a local and regional scale
- Providing opportunities to establish and maintain connections to the natural environment as well as culture and heritage
- Providing areas for nature-based recreation, social gatherings and events that are compatible with the natural setting
- Providing opportunities for education and learning about the natural environment and culture and heritage
- Providing settings for the management of cultural and heritage value.

## 10.4 Guiding Principles for Natural Areas

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In addition to the fundamental requirement of addressing the LG Act Community Land Management core objectives for management, there are a series of key guiding strategies and policies that also influence the management of land categorised as Natural Area. These include:

- One Central Coast, Council's Community Strategic Plan
- Central Coast Council Biodiversity Strategy
- CCC Coastal Open Space System Strategy
- One Central Coast, Council's Community Strategic Plan
- Central Coast Local Planning Statement
- NSW GA Greener Places design framework
- CCC Disability Inclusion Action Plan
- United Nations Sustainable Development Goal 11.7

The guiding principles for Natural Areas generally are as follows:

**Protected And Conserved** - Protect natural areas for current and future generations through robust legal mechanisms and a range of funding streams. Consolidate and expand where feasible and sustainable.

**Representative And Viable** - Provide a network of natural areas with functional connections and sufficient size that conserves the Central Coast's diversity of natural landforms, habitats and native plants and animals and maintains viable populations and ecosystem functions in the context of a changing urban environment and climate.

**Regenerated And Restored** - Enhance natural areas through regeneration of native vegetation communities and restoration of natural hydrological and ecological burning regimes and catchment processes.

**Resilient** - Reduce the risk of natural hazards, including bush fire, flooding and coastal erosion, biosecurity threats and climate change from impacting on natural areas, life and adjoining properties.

Explore innovative management techniques and technologies, monitor success and adapt practices to respond to new threats and risks.

**Inclusive** - Promote shared responsibility and sense of ownership through effective communication and community involvement in planning and on-ground management of natural areas.

Build partnerships with indigenous stakeholders, research institutions, neighbours and other key land managers to share knowledge and coordinate programs to efficiently and effectively plan and manage natural areas.

**Valued And Respected** - Embed an appreciation of the importance of the ecosystem services, scenic quality, cultural and heritage, and biodiversity value of natural areas in the community through education programs.

Demonstrate, facilitate and promote sustainability and responsible behaviour and deter unauthorised activities.

**Distinctive** - Protect and maintain and the natural features of natural areas that provide the unique landscape of the Central Coast region and identity of local communities

**Shared And Enjoyed** - Encourage the community to connect with nature and the local culture and heritage to promote sense of belonging, appreciation and health and wellbeing.

Embellish natural areas with well-designed built features that facilitate safe access, use and enjoyment by all the community in a manner that protects and sustains natural and heritage values.

## 10.5 Key Strategic Directions

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The key strategic themes of the **Central Coast Council Biodiversity Strategy** which apply to natural areas are:

- Planning and managing biodiversity in Council's natural areas
- Ensuring adequate resourcing to enable Council to effectively manage its natural areas and expand the conservation estate
- Promoting community appreciation and participation in biodiversity conservation
- Protecting biodiversity through land use planning and information management
- Demonstrating leadership in biodiversity conservation
- Protect and expand the Coastal Open Space System (COSS)

The key objectives of **Council's Coastal Open Space System Strategy** are:

- to conserve the visual and environmental quality of the natural scenery of Gosford City;
- to protect the vegetated ridgelines which provide a green backdrop and visual relief to the urban areas;
- to provide habitat for native flora and fauna, and for the protection of biodiversity within the City;
- to provide vegetated connections between ridgelines and wetlands to allow movement of wildlife and the plant gene pool;
- to facilitate and enhance the enjoyment of the conservation areas by the provision for passive recreation activities compatible with the natural environment;
- to ensure natural areas with water catchments remain undeveloped thus not causing deterioration in water quality entering receiving waters;
- to ensure natural areas are preserved for the educational and scientific value they provide to the community; and
- to bring land that has environmental and scenic value into public ownership.

## 10.6 Land Schedule and Mapping

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Land categorised wholly or in part as Natural Area is listed in the separate **Schedule of Community Land** under the heading '**Category**'. Areas are listed as one of the sub-categories of NA-Bushland, NA-Wetland, NA-Escarpment or NA-Foreshore.

Mapping covering each parcel of land that is categorised partly as Natural Area and partly as another category is provided in the **Maps of Community Land showing Category** in **Appendix 1**.

## 10.7 Permissible use and development

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Permissible use and development of land categorised as Natural Area is outlined in **sections 10A to 10E** for the Natural Area sub-categories.

## 10.8 Leases, Licences and other Estates

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The LG Act imposes restrictions on the ability of Council to grant leases, licences or other estates over community land categorised as Natural Area and further sub-categorised as Bushland, Wetland, Escarpment, Watercourse or Foreshore.

Council may only grant a lease, licence or other estate over Natural Area category land if:

- It is authorised under the POM;
- The purpose is consistent with the core objectives for that category of land;
- The uses of the land are consistent with the reserve's purpose(s); and
- The lease/ licence is for a purpose specified in section 47B of the LG Act (as below).

Section 47B restricts the grant of a lease, licence or other estate that would enable the erection of structures or buildings to only the use or erection of these listed below:

- Walkways;
- Pathways;
- Bridges;
- Causeways;
- Observation platforms; or
- Signs.

Separate from the above, Council is able to authorise the erection and use of buildings or structures for the following purposes:

- Information kiosks;
- Refreshment kiosks (but not restaurants);
- Work sheds or storage sheds required in connection with the maintenance of the land; or
- Toilets or rest rooms.

While these structures are permitted to be constructed on community land categorised as Natural Area, a development application may also be required prior to their construction in accordance with the *Environmental Planning and Assessment Act 1979*.

It is noted however, that the legislation does not restrict the use of the land or the issue of a lease or licence in a Natural Area category for activities such as walking tours, environmental tours, bush care, watercraft hire, etc.

Authorisations for leases licenses and other estates are outlined in **sections 10A to 10E** for the Natural Area sub-categories.

The other general information and requirements relating to leases, licences and other estates in community land generally, in **Part 5.1 of Chapter 5** applies to any leases, licences or other estates in land authorised under this part of the POM.

## 10.9 Key Management Issues

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General management issues for Natural Areas include:

### **Protection and Expansion**

- Legal protection and sustainable funding for land acquisition of high ecological value land in other ownership
- Increasing land values and pressure for development of land
- Representation of local ecological communities, populations and species, including threatened and iconic species

### **Habitat Loss and Degradation**

- Geographical isolation – urban development and impassable natural barriers
- Historically disturbed or degraded areas
- Corridor gaps and reduced core habitat due to urban expansion
- Edge effects
- Unauthorised use of public land for private benefit and encroachment from adjoining properties, including dumping, filling, mowing and structures
- Loss of habitat – bush rock removal, firewood collection, tree vandalism, asset protection zones
- Soil and stream bank erosion
- Invasion by weeds
- Predation/competition by domestic and feral animals
- Overabundance of some native species including as a result of loss of habitat
- Spread of pathogens and disease
- Construction and operation of public infrastructure
- Altered fire and hydrological regimes and ecosystem and coastal processes
- Climate change

### **Water Quality and Quantity**

- Nutrient loading, sedimentation and other pollution associated with urban and rural run-off
- Managing increased stormwater volumes and velocities from urban areas
- Ground water quality and quantity

### **Natural Hazard Management**

- Risk of bush fire, flooding, slope instability and coastal erosion impacting natural areas, particularly in the context of increased density of development at the urban interface
- Climate change and sea level rise

### **European and Aboriginal Culture and Heritage**

- Incomplete registers
- Limited interpretative features to promote awareness

### **User Management**

- Providing Equitable access on challenging natural topography and surfaces
- Increasing visitation and demand for facilities for an increasing variety of recreational activities
- Safety of visitors
- Misuse, vandalism and other unauthorised uses



- Willingness to pay
- Planning and managing the full life cycle of impacts
- Limited capacity and resources to ensure compliance

**Community Awareness, Appreciation and Engagement**

- Lack of valuing of natural areas by some members of the community
- Lack of understanding of ecosystem processes and acceptance of nature at the interface with urban areas, including recreational areas
- Appreciation that some natural areas have an inherent value without being developed for recreation or other use.
- Encouraging community involvement in regeneration and revegetation

**Financial Constraints**

- Increasing cost of maintenance and increasing size of reserve system particularly at the urban interface
- Increasing demand for user facilities and cost of maintenance
- Ongoing cost of appropriately skilled people to manage natural areas

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## Chapter 10A. Natural Area - Bushland

### 10A.1 Central Coast Context

Land categorised as the Natural Area – Bushland (NA-Bushland) subcategory is widespread across the Central Coast and ranges from relatively small urban managed bushland reserves to larger parcels of relatively undisturbed native vegetation in remote locations such as the Mangrove Dam catchment. Bushland also includes well-known reserves such as Kincumba Mountain, Mount Alison and Rumbalara-Katandra-Ferntree Regional Reserves.

Many of the larger bushland reserves are known to contain plant, animal and ecological communities that are listed as threatened in NSW and/or nationally. Smaller bushland reserves can also contain threatened species as well as providing valuable habitat for other native species and are also important as 'stepping stones' for species movement between larger reserves. Bushland reserves can also contain important Indigenous and European cultural items and significance

### 10A.2 Categorisation of land as NA-Bushland

The guidelines for categorisation of community land are set out in the Local Government Regulations. The core objectives for each subcategory are set out in the Local Government Act.

The guidelines and core objectives for land categorised as NA-Bushland are set out in **Table 10A.1**.

Council must manage community land categorised as NA-Bushland in accordance with the core objectives in **Table 10A.1** and any activities, use or development of the land must be consistent with these core objectives.

Where areas of land categorised as NA-Bushland has additional values such as cultural or social, Council will also manage these areas to protect those additional values.

**Table 10A.1 Guidelines for and core objectives of community land categorised as NA-Bushland**

Guidelines	Core objectives
Clause 107 Local Government Regulation	Section 36J Local Government Act
(1) Land that is categorised as a natural area should be further categorised as bushland under section 36 (5) of the Act if the land contains primarily native vegetation and that vegetation: <ol style="list-style-type: none"> <li>(a) is the natural vegetation or a remainder of the natural vegetation of the land, or</li> <li>(b) although not the natural vegetation of the land, is still representative of the structure</li> </ol>	The core objectives for management of community land categorised as bushland are: <ol style="list-style-type: none"> <li>(a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and</li> </ol>

<b>Guidelines</b>	<b>Core objectives</b>
Clause 107 Local Government Regulation	Section 36J Local Government Act
<p>or floristics, or structure and floristics, of the natural vegetation in the locality.</p> <p>2) Such land includes:</p> <p>(a) bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or</p> <p>(b) moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or</p> <p>(c) highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.</p>	<p>(b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and</p> <p>(c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and</p> <p>(d) to restore degraded bushland, and</p> <p>(e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and</p> <p>(f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and</p> <p>(g) to protect bushland as a natural stabiliser of the soil surface.</p>

Central Coast Council has applied the sub-category of NA-Bushland to areas of land with dominant characteristics that include the following natural values:

- Large areas of native vegetation, including bushland
- Core habitat, wildlife corridors
- Some corridor gap areas with potential to be revegetated to restore connectivity
- Threatened ecological communities and known habitat of threatened species
- Some areas of land that adjoin areas managed for conservation such as National Parks, nature reserve and Conservation Agreements, that support native vegetation conservation
- Land contained in the Coastal Open Space System
- Areas of land mapped as littoral rainforest under the *State Environmental Planning Policy (Coastal Management) 2018*
- Land protected and/or managed under a conservation agreement or similar restriction on title
- Land being actively restored, including bush regeneration and Landcare-style activities

## 10A.3 Values of NA-Bushland

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Large parcels of bushland are more likely to have high biodiversity values, however, even smaller parcels subject to more disturbance and human usage may provide important connections or habitat for threatened species and other native plants and animals.

Bushland can also contribute to landscape character, and provide important cultural, heritage, recreational, social, educational, spiritual, emotional and other benefits to local and regional communities. Bushland also provides essential ecosystem services such as oxygen production, clean water catchments, nutrient recycling, helping to filter airborne dust and pollutants and mitigating the impacts of altered climate such as reduced heat island effects.

## 10A.4 Land Schedule and Mapping

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Land categorised wholly or in part as NA-Bushland is listed in the **Schedule of Community Land** under the heading '**Category**'.

Mapping covering each parcel of land that is categorised partly as NA-Bushland and partly as another category is provided in the **Maps of Community Land showing Category** in **Appendix 1**.

## 10A. 5 Permissible Use and Development

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The primary purpose of Bushland Reserves is to protect the natural environment, to provide habitat for flora and fauna and protect and conserve cultural heritage while providing opportunities for people to experience the rich ecosystems that they may represent while minimising or mitigating disturbance caused by human use. A low level of development is envisaged for Bushland Reserves with the objective being to provide a natural outdoor experience.

Development will generally be limited to low impact activities such as walking on well-formed tracks.

Protecting the natural assets of our region is also a commitment to protecting the rights of future generations to access and benefit from these elements which contribute to a liveable Central Coast area.

Under State Environmental Planning Policy (Biodiversity and Conservation) 2021, a person shall not disturb bushland zoned or reserved for public open space purposes without the consent of the council. This policy also establishes specific aims which must be considered before consent is granted.

The general types of appropriate uses and associated development that may occur on community land categorised as NA - Bushland, are set out in **Table 10A.2** below.

The anticipated uses and associated development identified in **Table 10A.2** are intended to provide an overview or general guide. The expressions used are not intended to impose a strict or defined meaning.

Council encourages the use of community land categorised as NA - bushland and intends to facilitate uses which are consistent with the core objectives of Natural Area and Bushland and guiding principles for natural areas.

Council may develop or encourage appropriate ancillary development or use, which is ancillary to the reserve and the purpose and core objectives of Natural Area and Bushland.

The facilities located on community land may change over time, reflecting the emerging needs of the communities of the Central Coast and increasing knowledge of natural areas and biodiversity in our region.

Examples of uses that are considered appropriate and consistent with the core objectives for land classified as Bushland are set out in **table 10A.2**. Note that any use or development must be consistent with the core objectives for land categorised as bushland and is also subject to the restrictions that apply to leases and licences of natural areas under the Local Government Act (see Part 10.7 of this POM).

Large areas of land categorised as bushland form part of the central coast water catchment area. This POM (including Table 10A.6) is not intended to restrict any use or development of land under the control of the Central Coast Water Supply Authority and any use or development authorised under another Act including the *Water Management Act 2000*.

**Table 10A.2 Permissible use and development of community land categorised as NA - Bushland**

Purpose/Use	Development to facilitate uses (subject to restrictions on purposes for which a lease or licence can be granted over natural areas under the Local Government Act)
<ul style="list-style-type: none"> <li>▪ Preservation of Council's natural heritage including the identified endangered ecological communities</li> <li>▪ Preservation of biological diversity and habitat</li> <li>▪ Providing a location for relaxation and passive informal recreation</li> <li>▪ Nature-based recreation including guided activities, such as bushwalking or cycling on designated pathways and bird watching</li> <li>▪ Group recreational use, such as picnics and private celebrations, or organised nature-based recreation activities, such as orienteering</li> <li>▪ Environmental and heritage education, community events and workshops</li> <li>▪ Environmental volunteering</li> <li>▪ Connection with place/landscape - culture and heritage</li> </ul>	<ul style="list-style-type: none"> <li>▪ Nature-based recreation areas including any ancillary buildings such as:               <ul style="list-style-type: none"> <li>○ Walking and/or cycling trails, pathways</li> <li>○ Interpretation mechanisms and signage</li> <li>○ Foot bridges and observation platforms</li> <li>○ Compatible fencing, security gates and bollards</li> <li>○ Standard quality sign on main entrance</li> <li>○ Locational, directional and regulatory signage</li> <li>○ Interpretive and wayfinding signage, information and refreshment kiosks</li> <li>○ Sheltered seating areas</li> <li>○ Lighting for safety, compliance or support to facilities</li> </ul> </li> <li>▪ Water saving initiatives such as rain gardens, swales and sediment traps</li> </ul>

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- Environmental and scientific study, monitoring and research
  - Small scale commercial activities consistent with reserve purpose/core objectives, such as guided bushwalking, nature play or nature photography
  - Approved land and bush management activities and care projects requiring ecological restoration activities associated with protection of flora and fauna or natural values
  - Carbon sequestration
  - Bio-banking
  - Land remediation
  - Fire hazard reduction and cultural burns
  - Soil erosion and water quality
  - Water storage for public drinking water
  - Facilitating connection to Country
  - Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)
  - Purposes for which a lease or licence is permitted for natural areas – see Part 9.7 of this POM
  - Purposes/uses permitted under State and local environmental planning policies.
  - Purpose/uses permitted under the Local Government Act and Regulation and other State and Commonwealth legislation.
  - Purposes/uses permitted in a Council policy or strategy adopted after this POM.
- Energy saving initiatives such as solar lights and solar panels
  - Bicycle hire or similar
  - Remediation works
  - Water recreation structures
  - Environmental facilities
  - Environmental management, bush fire hazard reduction, flood mitigation and coastal protection works
  - Fences (temporary and permanent), bollards, delineators, access control, security cameras
  - Signage and interpretation features
  - Public art installations to support appreciation and understanding of the natural area
  - Temporary erection or use of any building or structure (with special conditions) necessary to enable a filming project to be carried out
  - Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land
  - Biodiversity conservation initiatives including artificial habitat
  - Water storage facility
  - Development to facilitate any other appropriate purposes/uses set out in this table.
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## 10A.6 Leases, Licences and other Estates

This POM expressly authorises Council to grant leases, licences or other estates in land categorised as NA - Bushland for the purposes set out in **Table 10A.3**.

The general information and requirements relating to leases, licences and other estates in community land generally, in **Part 5.1 of Chapter 5** applies to any leases, licences or other estates in land authorised under this part of the POM.

**Table 10A.3 Leases, licences and other estates and purposes for which they may be granted for community land categorised as NA - Bushland**

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
Lease or licence	<ul style="list-style-type: none"> <li>▪ Erection or use of building or structure that is a kind prescribed by the LG Act or regulations, including walkways, pathways, bridges, causeways, observation platforms and signs</li> <li>▪ Erection or use of a building or structure for a purpose prescribed by the LG Act or regulations, including information kiosk, refreshment kiosks (but not restaurants), work sheds or storage sheds required in connection with the maintenance of the land, toilets or rest rooms</li> <li>▪ Water recreation structures</li> <li>▪ Environmental facilities</li> <li>▪ Environmental management, bush fire hazard reduction, flood mitigation and coastal protection works</li> <li>▪ Bicycle hire or similar</li> <li>▪ Facilitating connection to Country and with place/landscape - culture and heritage</li> </ul>
Licence	<ul style="list-style-type: none"> <li>▪ Environmental and heritage education, community events and workshops</li> <li>▪ Environmental and scientific study, monitoring and research</li> <li>▪ Approved land and bush management activities and care projects requiring ecological restoration activities associated with protection of flora and fauna or natural values</li> <li>▪ Guided bushwalks and/or tours</li> <li>▪ Bicycle/boat/ kayak hire or similar</li> <li>▪ Environmental volunteering</li> <li>▪ Facilitating connection to Country and with place/landscape - culture and heritage</li> <li>▪ Public art installations to support appreciation and understanding of the natural area</li> <li>▪ Small scale commercial activities consistent with reserve purpose/core objectives, such as guided bushwalking, nature play or nature photography</li> <li>▪ Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>▪ Temporary erection or use of any building or structure (with special conditions) necessary to enable a filming project to be carried out</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>▪ Biodiversity conservation initiatives including artificial habitat</li> <li>▪ Fire hazard reduction and cultural burns</li> <li>▪ Soil erosion and water quality</li> <li>▪ Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land</li> <li>▪ The temporary use of any existing road or fire trail, or the temporary use of land that does not have an existing road or fire trail:               <ul style="list-style-type: none"> <li>○ to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on adjoining land, or</li> <li>○ to remove waste that is consequential on such work.</li> </ul> </li> </ul>
Short term licensing or hiring	<ul style="list-style-type: none"> <li>• Community events and festivals</li> <li>• Playing a musical instrument, or singing for fee or reward</li> <li>• Picnics and private celebrations such as weddings and family gatherings</li> <li>• Filming, including for cinema/television</li> <li>• Conducting a commercial photography session</li> <li>• Public performances</li> <li>• Fitness and wellness classes</li> <li>• Engaging in a trade or business consistent with the purposes and core objectives of Natural Area Bushland</li> <li>• Delivering a public address</li> <li>• Community events</li> <li>• Fairs, markets, auctions and similar activities</li> <li>• Sports and fitness training and classes</li> <li>• Approved temporary access for construction and works</li> <li>• Any additional short-term casual use prescribed by the LG Act or LG Regulations</li> </ul>
Additional purposes for leases, licences and other estates in land	<ul style="list-style-type: none"> <li>• Entering into an agreement for the purpose of conservation (for example a Biodiversity Stewardship Agreement, Conservation Agreement or Wildlife Refuge Agreement within the meaning of Part 5 of the Biodiversity Conservation Act 2016)</li> <li>• Purposes/uses expressly authorised in <b>Table 10A.2</b> of this POM, including ancillary and secondary purposes.</li> <li>• Purposes/uses permitted in a Council policy or strategy adopted after the date of this POM, provided that the use is consistent with the core objectives for the categorisation of land as Natural Area Bushland</li> <li>• Purposes/uses permitted under State and local environmental planning policies</li> <li>• Purposes/uses authorised under the Local Government Act, Local Government Regulation and other State and Commonwealth legislation, including for utilities or filming projects which are authorised under section 46 of the Local Government Act</li> </ul>



Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
Other Estates	This POM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act and the Regulation.

## 10A.7 Strategy and Action Plan

Section 36 of the Local Government Act requires that a POM for community land details:

- the objectives and performance targets of the POM with respect to the land
- the means by which the council proposes to achieve the POM objectives and performance targets; and
- the way in which Council proposes to assess its performance in achieving the POM objectives and performance targets.

**Table 10A.4** sets out these requirements for land categorised as NA - Bushland

**Table 10A.4 Strategy and Action Plan for community land categorised as NA - Bushland**

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Biodiversity conservation	<p>To ensure the ongoing ecological viability of the land by protecting its ecological biodiversity and habitat values (including flora and fauna, invertebrates, fungi and micro-organisms and other ecological values)</p> <p>To retain and conserve bushland in viable parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term</p> <p>To expand bushland coverage including the Coastal Open Space System (COSS)</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Coastal Open Space System Strategy</li> <li>▪ Coastal Management Program</li> <li>▪ Place-based Climate Actions Plans</li> <li>▪ Central Coast Green Grid Plan</li> </ul> <p>Protect significant habitats and linkages through appropriate protective zoning in the LEP and/or a DCP.</p>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p> <p>Appropriate land use zones are applied to protect and enhance the values of significant bushland areas.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Protection of bushland values and management of bushland	<p>To protect the aesthetic, heritage, recreational, educational and scientific values of the land</p> <p>To protect existing landforms such as natural drainage lines, watercourses and foreshores</p> <p>To protect bushland as a natural stabiliser of the soil surface</p> <p>To establish an ecologically sustainable fire regime</p> <p>To minimise or reduce encroachments and edge effects of adjoining land uses</p> <p>To manage invasive weed species and pest animals</p> <p>To recognise that bushland management needs to be adaptable to a changing environment</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Coastal Open Space System Strategy</li> <li>▪ Central Coast Bush Fire Risk Management Plan</li> <li>▪ Place-based Climate Actions Plans</li> <li>▪ Central Coast Green Grid Plan</li> <li>▪ Greener Places Strategy</li> <li>▪ Coastal Management Program</li> <li>▪ Site Management Plans for Priority Reserves</li> <li>▪ Encroachment Management Strategy</li> <li>▪ and Policy</li> <li>▪ Policy for Compliance and Enforcement</li> <li>▪ Other relevant Management Plans and standards</li> </ul> <p>Implement land use planning and development controls for development adjoining bushland</p>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p> <p>Developments are assessed in line with planning controls to ensure protection measures for adjoining bushland are considered.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Restoration and rehabilitation	<p>To restore and regenerate degraded bushland</p> <p>To encourage community participation through environmental volunteering groups to restore degraded bushland</p> <p>To minimise encroachments, invasive weed species, pest animals and edge effects from adjoining land uses on bushland</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Landcare Strategy</li> <li>▪ Encroachment Management Strategy</li> <li>▪ and Policy</li> <li>▪ Coastal Management Program</li> <li>▪ Other relevant Management Plans</li> </ul> <p>Continue to support Landcare or other community groups working in degraded bushland.</p>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p>
Community enjoyment and education	<p>To provide opportunities for the community to positively experience bushland and build appreciation and understanding of the value of bushland and ecosystem processes</p> <p>To manage the land to protect and enhance the values and quality of the bushland and facilitate public enjoyment of the bushland and to minimise or mitigate any disturbance caused by human intrusion</p> <p>To promote community awareness about the threats to bushland</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Nature-based Recreation Strategy</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Coastal Management Program</li> <li>▪ Policy for Compliance and Enforcement</li> <li>▪ Other relevant Management Plans</li> </ul>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p> <p>Community feedback from community awareness program</p>

## Chapter 10B. Natural Area - Wetland

### 10B.1 Central Coast Context

Land categorised as the Natural Area – Wetland (NA-Wetland) subcategory is generally located on the coastal plain adjoining the estuaries, lakes and lagoons in the eastern section of the Central Coast. They include well known areas such as Everglades Wetland at Woy Woy, Bareena Wetland at North Avoca and Toukley Wetland.

Many of the wetlands are small in size or narrow and located adjacent to residential development or recreation areas such as golf courses. Despite this most are known to contain floodplain ecological communities that are listed as threatened in NSW and/or nationally. Some wetlands also contain threatened species, such as Grey-headed Flying Fox camps, protected migratory shorebird species, as well as providing valuable habitat for other native species including fish and aquatic invertebrates.

Many wetlands are also mapped as Coastal Wetlands under the State Environmental Planning Policy (Coastal Management) 2018 and some as key fish habitats under the Fisheries Management Act 1994.

### 10B. 2 Categorisation of land as NA-Wetland

The guidelines for categorisation of community land are set out in the Local Government Regulations. The core objectives for each sub-category are set out in the Local Government Act.

The guidelines and core objectives for land categorised as a Wetland are set out in **Table 10B.1**.

Council must manage community land categorised as Wetland in accordance with the core objectives in **Table 10B.1** and any activities, use or development of the land must be consistent with these core objectives.

Where areas of land categorised as a Wetland has additional values such as cultural or social, Council will also manage these areas to protect those additional values.

**Table 10B.1 Guidelines for and core objectives of community land categorised as Wetland**

Guidelines	Core objectives
Clause 108 Local Government Regulation	Section 36K Local Government Act
Land that is categorised as a natural area should be further categorised as wetland under section 36 (5) of the Act if the land includes marshes, mangroves, backwaters, billabongs, swamps, sedgeland, wet meadows or wet heathlands that form a waterbody that is inundated cyclically,	The core objectives for management of community land categorised as wetland are: <ol style="list-style-type: none"> <li>(a) to protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and</li> </ol>

Guidelines	Core objectives
Clause 108 Local Government Regulation	Section 36K Local Government Act
intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationary.	<p>water flow), and to the flora, fauna and habitat values of the wetlands, and</p> <p>(b) to restore and regenerate degraded wetlands, and</p> <p>(c) to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.</p>

Central Coast Council has applied the sub-category of Wetland to include:

- Large areas of native vegetation mapped as a wetland community
- Large areas of land mapped as coastal wetlands under the *State Environmental Planning Policy (Coastal Management) 2018*

These areas may also include the following natural values:

- Core habitat, wildlife corridors and corridor gaps
- Threatened ecological communities and known habitat of threatened species
- Land adjoining areas managed for conservation including National Park, Nature Reserve and Conservation Agreements
- Land contained in the Coastal Open Space System
- Land protected and/or managed under a conservation agreement or similar restriction on title
- Land being actively restored, including bush regeneration and Landcare activities

### 10B.3 Values of NA-Wetland

Larger wetlands are more likely to have increased biodiversity values, however, even smaller wetlands subject to more disturbance and human usage may provide important habitat for threatened species and other native plants and animals. Saline mangrove and saltmarsh wetlands provide important nursery habitat for juvenile fish species some of which are important to recreational and commercial fisheries.

Wetlands can provide important cultural, heritage, recreational, educational, spiritual, emotional and other benefits to local and regional communities. Wetlands also provide essential ecosystem services such as oxygen production, clean water catchments, nutrient recycling, helping to filter airborne dust and pollutants and mitigating the impacts of altered climate such as reduced heat island effects

## 10B.4 Land Schedule and Mapping

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Land categorised wholly or in part as Natural Area - Wetland is listed in the **Schedule of Community Land** under the heading '**Category**'.

Mapping covering each parcel of land that is categorised partly as Natural Area – Wetland and partly as another category, is provided in the **Maps of Community Land showing Category** in **Appendix 1**.

## 10B. 5 Permissible Use and Development

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A low level of development is envisaged for areas categorised as wetland in order to provide a natural outdoor experience that does not detract from the core objectives for that category. Development will be limited to low impact activities such as walking on well-formed tracks to rough tracks, educational opportunities and quiet contemplation.

Sites with higher use may require ancillary visitor facilities such as car parking, signage, picnic areas, walking or educational platforms and designated water access points

The general types of permissible uses and associated development that may occur on community land categorised as Wetland, are set out in **Table 10B.2** below.

The anticipated uses and associated development identified in **Table 10B.2** are intended to provide an overview or general guide. The expressions used are not intended to impose a strict or defined meaning.

Council encourages the appropriate use of community land categorised as Wetland and intends to facilitate uses which are consistent with the core objectives of Natural Area - Wetland.

Council may develop or encourage appropriate ancillary development, which is ancillary to the reserve and the purpose and core objectives of Natural Area and Wetland.

The facilities located on community land may change over time, reflecting the emerging needs of the communities of the Central Coast and increasing knowledge of natural areas and biodiversity in our region.

Examples of uses that are considered appropriate and consistent with the core objectives for land classified as bushland are set out in **table 10B.2**. Note that any use or development must be consistent with the core objectives for land categorised as NA-Wetland and is also subject to the restrictions that apply to leases and licences of natural areas under the Local Government Act (see Part 10.7 of this POM).

**Table 10B.2 Permissible and inappropriate use and development of community land categorised as NA - Wetland**

<b>Purpose/Use</b>	<b>Development to facilitate uses (subject to restrictions on purposes for which a lease or licence can be granted over natural areas under the Local Government Act)</b>
<ul style="list-style-type: none"> <li>▪ Preservation of Council’s natural heritage including the identified endangered ecological communities</li> <li>▪ Preservation of biological diversity and habitat</li> <li>▪ Providing a location for relaxation and passive recreation, such as <ul style="list-style-type: none"> <li>○ Nature-based recreation, such as bush, river and water body edge walking or water-based recreation access on designated pathways and bird watching</li> <li>○ Group recreational use, such as picnics and private celebrations</li> </ul> </li> <li>▪ Guided walks and interpretive tours</li> <li>▪ Environmental and scientific monitoring and research</li> <li>▪ Environmental and heritage education, community events and workshops</li> <li>▪ Approved environmental volunteering, such as bushcare, riverine and wetland projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna.</li> <li>▪ Restoration or regenerative works associated with the protection of the biodiversity and ecological values of the in-stream, riparian and wetland environment including water quality.</li> <li>▪ Stabilisation of banks and water quality management</li> <li>▪ Maintenance of access to the watercourse for fish restocking and recreational use</li> <li>▪ Small scale commercial activities consistent with reserve purpose/core objectives, such as guided bushwalking, riverine or wetland tours or nature photography</li> <li>▪ Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> </ul>	<ul style="list-style-type: none"> <li>• Recreation areas and environmental facilities, including ancillary buildings and visitor facilities: information kiosks sheltered seating or observation areas, lighting</li> <li>• Environmental management, bush fire hazard reduction, flood mitigation and water quality, and coastal protection works such as improvements, such as detention basins, realignment of water flows and banks, installation of pipes, culverts and other structures to assist in control of flood waters</li> <li>• Low-impact walking trails and water-based recreation access facilities</li> <li>• Bridges, observational / educational platforms,</li> <li>• Locational, directional and regulatory, and interpretive signage and features</li> <li>• Lighting for safety, compliance or support to facilities</li> <li>• Fences (temporary and permanent), bollards, delineators, access control, security cameras</li> <li>• Public art installations to support appreciation and understanding of the natural area</li> <li>• Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land</li> <li>• Biodiversity conservation initiatives including artificial habitat</li> <li>• Development to facilitate any other appropriate purposes/uses set out in this table.</li> <li>• Water-saving initiatives such as rain gardens, swales and sediment traps</li> <li>• Energy-saving initiatives such as solar lights and solar panels</li> </ul>



Purpose/Use	Development to facilitate uses (subject to restrictions on purposes for which a lease or licence can be granted over natural areas under the Local Government Act)
<ul style="list-style-type: none"> <li>▪ Connection to Country and cultural heritage interpretation</li> </ul> <p>Note: Some of the uses listed above require a permit from the council</p> <ul style="list-style-type: none"> <li>▪ Purposes/uses permitted under State and local environmental planning policies.</li> <li>▪ Purpose/uses permitted under the Local Government Act and Regulation and other State and Commonwealth legislation.</li> <li>▪ Purposes/uses permitted in a Council policy or strategy adopted after this POM.</li> <li>▪ Purposes for which a lease or licence is permitted for natural areas – see <b>section 10B.6</b></li> </ul>	<ul style="list-style-type: none"> <li>• Temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> </ul>

## 10B.6 Leases, Licences and other Estates

This POM expressly authorises Council to grant leases, licences or other estates in land categorised as NA - Wetland for the purposes set out in **Table 10B.3**.

The general information and requirements relating to leases, licences and other estates in community land generally, in **Part 5.1 of Chapter 5** applies to any leases, licences or other estates in land authorised under this part of the POM.

**Table 10B.3 Leases, licences and other estates and purposes for which they may be granted for community land categorised as NA - Wetland**

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
Lease or licence	<ul style="list-style-type: none"> <li>• Erection or use of building or structure that is a kind prescribed by the LG Act or regulations, including walkways, pathways, bridges, causeways, observation platforms and signs</li> <li>• Erection or use of a building or structure for a purpose prescribed by the LG Act or regulations, including information kiosk, refreshment kiosks (but not restaurants), work sheds or storage sheds required in connection with the maintenance of the land, toilets or rest rooms</li> <li>• Recreation areas and environmental facilities, including ancillary buildings and visitor facilities: information kiosks</li> <li>• Biodiversity conservation initiatives including artificial habitat</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>• Environmental and scientific monitoring and research</li> <li>• Environmental and heritage education, community events and workshops</li> <li>• Approved environmental volunteering, such as bushcare, riverine and wetland projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna.</li> <li>• Restoration or regenerative works associated with the protection of the biodiversity and ecological values of the in-stream, riparian and wetland environment including water quality.</li> <li>• Stabilisation of banks and water quality management</li> <li>• Maintenance of access to the watercourse for fish restocking and recreational use</li> <li>• Small scale commercial activities consistent with reserve purpose/core objectives, such as guided bushwalking, riverine or wetland tours or nature photography</li> <li>• Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land</li> <li>• Guided walks and interpretive tours</li> <li>• Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>• Temporary erection or use of any building or structure (with special conditions) necessary to enable a filming project to be carried out</li> <li>• Facilitating connection to Country and with place/landscape - culture and heritage</li> </ul>
Licence	<ul style="list-style-type: none"> <li>• Approved bush care and wetland projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna</li> <li>• Restoration or regenerative works associated with the protection of the biodiversity and ecological values of the in-stream, riparian and wetland environment including water quality</li> <li>• Guided walking tours</li> <li>• Environmental and scientific study</li> <li>• Scientific studies and surveys or similar</li> <li>• Bicycle/row boat/ kayak hire or similar</li> </ul>
Short term licensing or hiring	<ul style="list-style-type: none"> <li>• Community events and festivals</li> <li>• Playing a musical instrument, or singing for fee or reward</li> <li>• Picnics and private celebrations such as weddings and family gatherings</li> <li>• Filming, including for cinema/television</li> <li>• Conducting a commercial photography session</li> <li>• Organised group nature-based recreation activities</li> <li>• Public performances</li> <li>• Fitness and wellness classes</li> <li>• Engaging in a trade or business consistent with the purposes and core objectives of Natural Area Wetland or Natural Area Watercourse</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>• Delivering a public address</li> <li>• Community events</li> <li>• Fairs, markets, auctions and similar activities</li> <li>• Sports and fitness training and classes</li> <li>• Any additional short-term casual use prescribed by the LG Act or LG Regulations</li> </ul>
Additional purposes for leases, licences and other estates in land	<ul style="list-style-type: none"> <li>• Entering into an agreement for the purpose of conservation (for example a Biodiversity Stewardship Agreement, Conservation Agreement or Wildlife Refuge Agreement within the meaning of Part 5 of the Biodiversity Conservation Act 2016)</li> <li>• Purposes/uses expressly authorised in <b>Table 10B.2</b> of this POM, including ancillary and secondary purposes.</li> <li>• Purposes/uses permitted in a Council policy or strategy adopted after the date of this POM, provided that the use is consistent with the core objectives for the categorisation of land as Natural Area Bushland</li> <li>• Purposes/uses permitted under State and local environmental planning policies</li> <li>• Purposes/uses authorised under the Local Government Act, Local Government Regulation and other State and Commonwealth legislation, including for utilities or filming projects which are authorised under section 46 of the Local Government Act</li> </ul>
Other Estates	This POM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act and the Regulation.

## 10B. 7 Strategy and Action Plan

Section 36 of the Local Government Act requires that a POM for community land details:

- the objectives and performance targets of the POM with respect to the land
- the means by which the council proposes to achieve the POM objectives and performance targets; and
- the way in which Council proposes to assess its performance in achieving the POM objectives and performance targets.

**Table 10B.4** sets out these requirements for land categorised as NA-Wetland.

**Table 10B.4 Strategy and Action Plan for community land categorised as NA - Wetland**

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Protection and management of wetlands	<p>To protect the biodiversity and ecological values of wetlands</p> <p>To restore the natural hydrological regime (including groundwater) of wetlands</p> <p>To maintain or improve water quality of flows entering wetlands</p> <p>To provide for wetlands to migrate landward in response to climate change</p> <p>To manage wetlands to reduce the risk of bush fires in response to climate change</p> <p>To minimise encroachments, invasive weed species, pest animals and edge effects from adjoining land uses on wetlands</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Floodplain Risk Management Plans</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Place-based Climate Actions Plans</li> <li>▪ Central Coast Green Grid Plan</li> <li>▪ Other relevant Management Plans</li> </ul> <p>Implement land use planning and development controls for development within the catchment of wetlands</p>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p> <p>Developments are assessed in line with planning controls to ensure protection measures for wetlands are considered.</p>

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Degradation of wetlands	<p>To restore and regenerate degraded wetlands.</p> <p>To encourage community participation through environmental volunteering groups to restore degraded wetlands</p> <p>To minimise encroachments, invasive weed species, pest animals and edge effects from adjoining land uses on wetlands</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Landcare Strategy</li> <li>▪ Encroachment Management Strategy and Policy</li> <li>▪ Other relevant Management Plans</li> </ul> <p>Continue to support Landcare or other community groups working in degraded wetlands.</p>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p>
Community education and use of wetlands	<p>To build community understanding of the value of wetlands and their ecosystem processes</p> <p>To provide opportunities for sustainable community use of wetlands that foster community appreciation, without compromising the ecological values of wetlands</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Nature-based Recreation Strategy</li> <li>▪ Policy for Compliance and Enforcement</li> <li>▪ Other relevant Management Plans</li> </ul>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p> <p>Public access managed and interpretative opportunities provided with minimal impact on wetlands.</p>

## Chapter 10C. Natural Area - Escarpment

### 10C.1 Central Coast Context

Land categorised as the Natural Area – Escarpment (NA-Escarpment) subcategory is limited on the Central Coast. It applies only to prominent parts of some coastal headlands such as at Killcare Beach, North Avoca and The Skillion at Terrigal Haven (note the Skillion is Crown Reserve and subject to a specific POM).

Escarpments are relatively small in size but have a large visual impact on the character of the Central Coast.

### 10C. 2 Categorisation of land as NA-Escarpment

The guidelines for categorisation of community land are set out in the Local Government Regulations. The core objectives for each sub-category are set out in the Local Government Act.

The guidelines and core objectives for land categorised as Escarpment are set out in **Table 10C.1**.

Council must manage community land categorised as Escarpment in accordance with the core objectives in **Table 10C.1** and any activities, use or development of the land must be consistent with these core objectives.

Where areas of land categorised as Escarpment has additional values such as cultural or social, Council will also manage these areas to protect those additional values.

**Table 10C.1 Guidelines for and core objectives of community land categorised as NA-Escarpment**

Guidelines	Core objectives
Clause 109 Local Government Regulation	Section 36L Local Government Act
Land that is categorised as a natural area should be further categorised as an escarpment under section 36 (5) of the Act if: <ul style="list-style-type: none"> <li>(a) the land includes such features as a long cliff-like ridge or rock, and</li> <li>(b) the land includes significant or unusual geological, geomorphological or scenic qualities.</li> </ul>	The core objectives for management of community land categorised as an escarpment are: <ul style="list-style-type: none"> <li>(a) to protect any important geological, geomorphological or scenic features of the escarpment, and</li> <li>(b) to facilitate safe community use and enjoyment of the escarpment.</li> </ul>

Central Coast Council has applied the sub-category of Escarpment to include the following natural values:

- Escarpments with significant or unusual features or qualities

## 10C. 3 Values of NA-Escarpment

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Escarpmnts are relatively small in size but have a large visual impact on the character of the Central Coast. Escarpments can provide important cultural, heritage, educational, spiritual, emotional and other benefits to local and regional communities.

Even though relatively small in size Escarpments may provide some biodiversity values including potential habitat for the NSW listed threatened ecological community Themeda (Kangaroo Grass) grassland on seacliffs and coastal headlands in the NSW North Coast, Sydney Basin and South East Corner Bioregions.

## 10C. 4 Land Schedule and Mapping

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Land categorised wholly or in part as Natural Area - Escarpment is listed in the **Schedule of Community Land** under the heading '**Category**'.

Mapping covering each parcel of land that is categorised partly as Natural Area - Escarpment and partly as another category, is provided in the **Maps of Community Land showing Category as Appendix 1**.

## 10C. 5 Permissible Use and Development

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The escarpment community land is valued for its important role in the social, spiritual and physical enrichment of residents, workers, and visitors to the Central Coast LGA.

The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

Central Coast Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate. Within Central Coast's iconic beach-side parks and coastlines, including the escarpments, community buildings and facilities, recreational and sporting activities, Central Coast Council intends to permit and encourage a range of activities appropriate to the foreshore and escarpment environments.

Council has to balance increasing populations and intensity of use and demand with the responsibility to manage public land on behalf of a diverse community. There are instances where Council will require the preparation of policies to guide and provide clarity and transparency for decision-making and approvals for uses.

It is frequent and common that certain uses, such as organised uses will require Council's approval and include the use of agreements or permissions with conditions, such as licences, permits or hire agreements.

The general types of permissible uses and associated development that may occur on community land categorised as NA - Escarpment, are set out in **Table 10C.2** below.

The anticipated uses and associated development identified in **Table 10C.2** are intended to provide an overview or general guide. The expressions used are not intended to impose a strict or defined meaning.

Council encourages the appropriate use of community land categorised as Escarpment and intends to facilitate uses which are consistent with the core objectives of Natural Area and Escarpment.

Council may develop or encourage appropriate ancillary development, which is ancillary to the reserve and the purpose and core objectives of Natural Area and Escarpment.

The facilities located on community land may change over time, reflecting the emerging needs of the communities of the Central Coast and increasing knowledge of natural areas and biodiversity in our region.

Examples of uses that are considered appropriate and consistent with the core objectives for land classified as NA - Escarpment are set out in **Table 10C.2**. Note that any use or development must be consistent with the core objectives for land categorised as NA - Escarpment and is also subject to the restrictions that apply to leases and licences of natural areas under the Local Government Act (see **Section 10.7** of this POM).

**Table 10C.2 Permissible use and development of community land categorised as Escarpment**

Purpose/Use	Development to facilitate uses (subject to restrictions on purposes for which a lease or licence can be granted over natural areas under the Local Government Act)
<ul style="list-style-type: none"> <li>▪ Preservation of Council's natural heritage including the identified endangered ecological communities</li> <li>▪ Preservation of biological diversity and habitat</li> <li>▪ Providing a location for formal and informal recreation</li> <li>▪ Walking paths and sightseeing on designated pathways and sites</li> <li>▪ Small scale commercial activities consistent with reserve purpose/core objectives, such as guided walks and interpretive tours</li> <li>▪ Escarpment stabilisation and management</li> <li>▪ Environmental and scientific monitoring and research</li> <li>▪ Environmental and heritage education, community events and workshops</li> <li>▪ Approved environmental volunteering, such as bushcare projects requiring ecological</li> </ul>	<ul style="list-style-type: none"> <li>▪ Recreation, environmental and visitor facilities, including ancillary facilities such as: picnic tables, sheltered seating areas, information kiosks</li> <li>▪ Low-impact walking trails including boardwalks</li> <li>▪ Bridges, observational / educational platforms, observation desks and site facilities</li> <li>▪ Lighting for safety, compliance or support to facilities</li> <li>▪ Locational, directional and regulatory, and interpretive signage and features</li> <li>▪ Fences (temporary and permanent), bollards, delineators, access control, security cameras</li> <li>▪ Public art installations to support appreciation and understanding of the natural area</li> </ul>



Purpose/Use	Development to facilitate uses (subject to restrictions on purposes for which a lease or licence can be granted over natural areas under the Local Government Act)
<p>restoration activities associated with the protection and conservation of flora and fauna.</p> <ul style="list-style-type: none"> <li>▪ Major Council or State Government community, sporting, recreation, cultural and leisure events</li> <li>▪ Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>▪ Connection to Country and cultural heritage interpretation</li> </ul> <p>Note: Some of the uses listed above require a permit from the council.</p> <ul style="list-style-type: none"> <li>▪ Purposes for which a lease or licence is permitted for natural areas – see Part 10C.6 of this POM</li> <li>▪ Purposes/uses permitted under State and local environmental planning policies.</li> <li>▪ Purpose/uses permitted under the Local Government Act and Regulation and other State and Commonwealth legislation.</li> <li>▪ Purposes/uses permitted in a Council policy or strategy adopted after this POM.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Environmental management, and coastal protection works such as improvements</li> <li>▪ Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land</li> <li>▪ Biodiversity conservation initiatives including artificial habitat</li> <li>▪ Energy-saving initiatives such as solar lights and solar panels</li> <li>▪ Temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> <li>▪ Development to facilitate any other appropriate purposes/uses set out in this table.</li> </ul>

## 10C.6 Leases, Licences and other Estates

This POM expressly authorises Council to grant leases, licences or other estates in land categorised as NA - Escarpment for the purposes set out in **Table 10C.3**.

The general information and requirements relating to leases, licences and other estates in community land generally, in **Part 5.1 of Chapter 5** applies to any leases, licences or other estates in land authorised under this part of the POM.

**Table 10C.3 Leases, licences and other estates and purposes for which they may be granted for community land categorised as NA - Escarpment**

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
Lease or licence	<ul style="list-style-type: none"> <li>• Erection or use of building or structure that is a kind prescribed by the LG Act or regulations, including walkways, pathways, bridges, causeways, observation platforms and signs</li> <li>• Erection or use of a building or structure for a purpose prescribed by the LG Act or regulations, including information kiosk, refreshment kiosks (but not restaurants), work sheds or storage sheds required in connection with the maintenance of the land, toilets or rest rooms</li> <li>• Recreation areas and environmental facilities, including ancillary buildings and visitor facilities: information kiosks</li> <li>• Biodiversity conservation initiatives including artificial habitat</li> <li>• Environmental and scientific monitoring and research</li> <li>• Environmental and heritage education, community events and workshops</li> <li>• Approved environmental volunteering, such as bushcare, riverine and wetland projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna.</li> <li>• Restoration or regenerative works associated with the protection of the biodiversity and ecological values of the in-stream, riparian and wetland environment including water quality.</li> <li>• Stabilisation of banks and water quality management</li> <li>• Maintenance of access to the watercourse for fish restocking and recreational use</li> <li>• Small scale commercial activities consistent with reserve purpose/core objectives, such as guided bushwalking, riverine or wetland tours or nature photography</li> <li>• Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land</li> <li>• Guided walks and interpretive tours</li> <li>• Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>• Temporary erection or use of any building or structure (with special conditions) necessary to enable a filming project to be carried out</li> <li>• Facilitating connection to Country and with place/landscape - culture and heritage</li> </ul>
Licence	<ul style="list-style-type: none"> <li>• Approved bush care and wetland projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna</li> <li>• Restoration or regenerative works associated with the protection of the biodiversity and ecological values of the in-stream, riparian and wetland environment including water quality</li> <li>• Guided walking tours</li> <li>• Environmental and scientific study</li> <li>• Scientific studies and surveys or similar</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>• Bicycle/row boat/ kayak hire or similar</li> </ul>
Short term licensing or hiring	<ul style="list-style-type: none"> <li>• Community events and festivals</li> <li>• Playing a musical instrument, or singing for fee or reward</li> <li>• Picnics and private celebrations such as weddings and family gatherings</li> <li>• Filming, including for cinema/television</li> <li>• Conducting a commercial photography session</li> <li>• Organised group nature-based recreation activities</li> <li>• Public performances</li> <li>• Fitness and wellness classes</li> <li>• Engaging in a trade or business consistent with the purposes and core objectives of Natural Area Wetland or Natural Area Watercourse</li> <li>• Delivering a public address</li> <li>• Community events</li> <li>• Fairs, markets, auctions and similar activities</li> <li>• Sports and fitness training and classes</li> <li>• Any additional short-term casual use prescribed by the LG Act or LG Regulations</li> </ul>
Additional purposes for leases, licences and other estates in land	<ul style="list-style-type: none"> <li>• Entering into an agreement for the purpose of conservation (for example a Biodiversity Stewardship Agreement, Conservation Agreement or Wildlife Refuge Agreement within the meaning of Part 5 of the Biodiversity Conservation Act 2016)</li> <li>• Purposes/uses expressly authorised in <b>Table 10C.2</b> of this POM, including ancillary and secondary purposes.</li> <li>• Purposes/uses permitted in a Council policy or strategy adopted after the date of this POM, provided that the use is consistent with the core objectives for the categorisation of land as Natural Area Bushland</li> <li>• Purposes/uses permitted under State and local environmental planning policies</li> <li>• Purposes/uses authorised under the Local Government Act, Local Government Regulation and other State and Commonwealth legislation, including for utilities or filming projects which are authorised under section 46 of the Local Government Act</li> </ul>
Other Estates	<p>This POM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act and the Regulation.</p>

## 10C. 7 Strategy and Action Plan

Section 36 of the Local Government Act requires that a POM for community land details:

- the objectives and performance targets of the POM with respect to the land
- the means by which the council proposes to achieve the POM objectives and performance targets; and
- the way in which Council proposes to assess its performance in achieving the POM objectives and performance targets.

**Table 10C.4** sets out these requirements for land categorised as Escarpment.

**Table 10C.4 Strategy and Action Plan for community land categorised as Escarpment**

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Protection of escarpment values	To protect any important geological, geomorphological or scenic features of the escarpment	Develop and implement the: <ul style="list-style-type: none"> <li>▪ Coastal Management Program or existing Coastal Zone Management Plans and Estuary Management Plans</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Place-based Climate Actions Plans</li> </ul> Implement land use planning and development controls for development on or adjoining escarpments	Strategies are endorsed and implemented.  Action plans are integrated into Council's 4-year Delivery Program  Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Community access and safety	<p>To facilitate safe community use and enjoyment of the escarpment</p> <p>To maximise safety and minimise opportunities for risk of injury at escarpment sites</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Nature-based Recreation Strategy</li> </ul> <p>Place-based Climate Actions Plans</p> <p>Provision of appropriate controls (including signage, fencing and observation platforms) to guide safe access to escarpment areas</p>	<p>Guidelines are considered when planning and constructing facilities on escarpments</p> <p>Public access managed and interpretative opportunities provided with minimal impact on the values of escarpments</p> <p>Human impacts are minimised in the area surrounding the escarpment and on the escarpment</p> <p>Customer feedback and asset inspections</p>

## Chapter 10D. Natural Area - Watercourse

### 10D.1 Central Coast Context

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Land categorised as Natural Area - Watercourse (NA-Watercourse) includes sections of many of the rivers and creeks across the Central Coast, such as Mangrove Creek at Greengrove, Snake Island at Cheero Point in Mooney Creek, Green Point Creek at Pearl Beach, Kincumber Creek, Jiliby Creek, Tumbi Creek at Killarney Vale and Bateau Bay, Ourimbah Creek at Chittaway and Tuggerah, and Wyong River at Wyong.

The land parcels categorised Watercourse are mostly small in size or narrow and are located adjacent to residential development, recreation areas such as playing fields or rural areas. Land categorised watercourse also includes the riparian environment, which is important for bed and bank stability, improving water quality and providing riparian vegetation and fauna habitats. Some contain floodplain ecological communities that are listed as threatened in NSW and/or nationally.

### 10D. 2 Categorisation of land as NA - Watercourse

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The guidelines for categorisation of community land are set out in the Local Government Regulations. The core objectives for each sub-category are set out in the Local Government Act.

The guidelines and core objectives for land categorised as a Watercourse are set out in **Table 10D.1**.

Council must manage community land categorised as Watercourse in accordance with the core objectives in **Table 10D.1** and any activities, use or development of the land must be consistent with these core objectives.

Where areas of land categorised as Watercourse has additional values such as cultural or social, Council will also manage these areas to protect those additional values.

**Table 10D.1 Guidelines for and core objectives of community land categorised as NA - Watercourse**

Guidelines	Core objectives
Clause 110 Local Government Regulation	Section 36M Local Government Act
<p>Land that is categorised as a natural area should be further categorised as a watercourse under section 36 (5) of the Act if the land includes:</p> <ul style="list-style-type: none"> <li>(a) any stream of water, whether perennial or intermittent, flowing in a natural channel, or in a natural channel that has been artificially improved, or in an artificial channel that has changed the course of the stream of water, and any other stream of water into or from which the stream of water flows, and</li> <li>(b) associated riparian land or vegetation, including land that is protected land for the purposes of the Rivers and Foreshores Improvement Act 1948 or State protected land identified in an order under section 7 of the Native Vegetation Conservation Act 1997.</li> </ul>	<p>The core objectives for management of community land categorised as a watercourse are:</p> <ul style="list-style-type: none"> <li>(a) to manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and</li> <li>(b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and</li> <li>(c) to restore degraded watercourses, and</li> <li>(d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.</li> </ul>

Central Coast Council has applied the sub-category of Watercourse to include the following natural values:

- Watercourses and adjoining riparian vegetation.

### 10D.3 Values of NA - Watercourse

Even though small and often subject to more disturbance and human usage, Watercourses may provide important habitat for aquatic and terrestrial species including threatened and other native plant and animal species.

Watercourses, including associated riparian vegetation, may contribute to bank stabilisation, erosion control, clean water catchments and nutrient recycling. Land categorised watercourse can also provide important cultural, heritage, recreational, social, educational, spiritual, emotional and other benefits to local and regional communities.

### 10D. 4 Land Schedule and Mapping

Land categorised wholly or in part as Natural Area – Watercourse is listed in the **Schedule of Community Land** under the heading '**Category**'.

Mapping covering each parcel of land that is categorised partly as Natural Area – Watercourse and partly as another category is provided in the **Maps of Community Land showing Category** in **Appendix 1**.

## 10D.5 Permissible Uses and Development

The general types of appropriate uses and associated development that may occur on community land categorised as Watercourse, are set out in **Table 10D.2** below.

The anticipated uses and associated development identified in **Table 10D.2** are intended to provide an overview or general guide. The expressions used are not intended to impose a strict or defined meaning.

Council encourages the appropriate use of community land categorised as NA - Watercourse and intends to facilitate uses which are consistent with the core objectives of Natural Area - Watercourse.

Council may develop or encourage appropriate ancillary development, which is ancillary to the reserve and the purpose and core objectives of NA - Watercourse.

The facilities located on community land may change over time, reflecting the emerging needs of the communities of the Central Coast and increasing knowledge of natural areas and biodiversity in our region.

Examples of uses that are considered appropriate and consistent with the core objectives for land classified as bushland are set out in **Table 10D.2**. Note that any use or development must be consistent with the core objectives for land categorised as NA - Watercourse and is also subject to the restrictions that apply to leases and licences of natural areas under the Local Government Act (see Part 10.7 of this POM).

**Table 10D.2 Permissible and inappropriate use and development of community land categorised as Watercourse**

Purpose/Use	Development to facilitate uses (subject to restrictions on purposes for which a lease or licence can be granted over natural areas under the Local Government Act)
<ul style="list-style-type: none"> <li>▪ Preservation of Council's natural heritage including the identified endangered ecological communities</li> <li>▪ Preservation of biological diversity and habitat</li> <li>▪ Providing a location for relaxation and passive recreation, such as               <ul style="list-style-type: none"> <li>○ Nature-based recreation, such as bush, river and water body edge walking or water-based recreation access on designated pathways and bird watching</li> <li>○ Group recreational use, such as picnics and private celebrations</li> </ul> </li> <li>▪ Guided walks and interpretive tours</li> </ul>	<ul style="list-style-type: none"> <li>• Recreation areas and environmental facilities, including ancillary buildings and visitor facilities: information kiosks sheltered seating or observation areas, lighting</li> <li>• Environmental management, bush fire hazard reduction, flood mitigation and water quality, and coastal protection works such as improvements, such as detention basins, realignment of water flows and banks, installation of pipes, culverts and other structures to assist in control of flood waters</li> <li>• Low-impact walking trails and water-based recreation access facilities</li> </ul>



Purpose/Use	Development to facilitate uses (subject to restrictions on purposes for which a lease or licence can be granted over natural areas under the Local Government Act)
<ul style="list-style-type: none"> <li>▪ Environmental and scientific monitoring and research</li> <li>▪ Environmental and heritage education, community events and workshops</li> <li>▪ Approved environmental volunteering, such as bushcare, riverine and wetland projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna.</li> <li>▪ Restoration or regenerative works associated with the protection of the biodiversity and ecological values of the in-stream, riparian and wetland environment including water quality.</li> <li>▪ Stabilisation of banks and water quality management</li> <li>▪ Maintenance of access to the watercourse for fish restocking and recreational use</li> <li>▪ Small scale commercial activities consistent with reserve purpose/core objectives, such as guided bushwalking, riverine or wetland tours or nature photography</li> <li>▪ Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>▪ Connection to Country and cultural heritage interpretation</li> </ul>	<ul style="list-style-type: none"> <li>• Bridges, observational / educational platforms,</li> <li>• Locational, directional and regulatory, and interpretive signage and features</li> <li>• Lighting for safety, compliance or support to facilities</li> <li>• Fences (temporary and permanent), bollards, delineators, access control, security cameras</li> <li>• Public art installations to support appreciation and understanding of the natural area</li> <li>• Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land</li> <li>• Biodiversity conservation initiatives including artificial habitat</li> <li>• Development to facilitate any other appropriate purposes/uses set out in this table.</li> <li>• Water-saving initiatives such as rain gardens, swales and sediment traps</li> <li>• Energy-saving initiatives such as solar lights and solar panels</li> <li>• Temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> </ul>
<p>Note: Some of the uses listed above require a permit from the council</p>	
<ul style="list-style-type: none"> <li>▪ Purposes/uses permitted under State and local environmental planning policies.</li> <li>▪ Purpose/uses permitted under the Local Government Act and Regulation and other State and Commonwealth legislation.</li> <li>▪ Purposes/uses permitted in a Council policy or strategy adopted after this POM.</li> <li>▪ Purposes for which a lease or licence is permitted for natural areas – see <b>section 10D.6</b></li> </ul>	

## 10D.6 Leases, Licences and other Estates

This POM expressly authorises Council to grant leases, licences or other estates in land categorised as NA - Watercourse for the purposes set out in **Table 10D.3**.

The general information and requirements relating to leases, licences and other estates in community land generally, in **Part 4.1 of Chapter 4** applies to any leases, licences or other estates in land authorised under this part of the POM.

**Table 10D.3 Leases, licences and other estates and purposes for which they may be granted for community land categorised as NA - Watercourse**

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
Lease or licence	<ul style="list-style-type: none"> <li>• Erection or use of building or structure that is a kind prescribed by the LG Act or regulations, including walkways, pathways, bridges, causeways, observation platforms and signs</li> <li>• Erection or use of a building or structure for a purpose prescribed by the LG Act or regulations, including information kiosk, refreshment kiosks (but not restaurants), work sheds or storage sheds required in connection with the maintenance of the land, toilets or rest rooms</li> <li>• Recreation areas and environmental facilities, including ancillary buildings and visitor facilities: information kiosks</li> <li>• Biodiversity conservation initiatives including artificial habitat</li> <li>• Environmental and scientific monitoring and research</li> <li>• Environmental and heritage education, community events and workshops</li> <li>• Approved environmental volunteering, such as bushcare, riverine and wetland projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna.</li> <li>• Restoration or regenerative works associated with the protection of the biodiversity and ecological values of the in-stream, riparian and wetland environment including water quality.</li> <li>• Stabilisation of banks and water quality management</li> <li>• Maintenance of access to the watercourse for fish restocking and recreational use</li> <li>• Small scale commercial activities consistent with reserve purpose/core objectives, such as guided bushwalking, riverine or wetland tours or nature photography</li> <li>• Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land</li> <li>• Guided walks and interpretive tours</li> <li>• Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>• Temporary erection or use of any building or structure (with special conditions) necessary to enable a filming project to be carried out</li> <li>• Facilitating connection to Country and with place/landscape - culture and heritage</li> </ul>
Licence	<ul style="list-style-type: none"> <li>• Approved bush care and wetland projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>• Restoration or regenerative works associated with the protection of the biodiversity and ecological values of the in-stream, riparian and wetland environment including water quality</li> <li>• Guided walking tours</li> <li>• Environmental and scientific study</li> <li>• Scientific studies and surveys or similar</li> <li>• Bicycle/row boat/ kayak hire or similar</li> </ul>
Short term licensing or hiring	<ul style="list-style-type: none"> <li>• Community events and festivals</li> <li>• Playing a musical instrument, or singing for fee or reward</li> <li>• Picnics and private celebrations such as weddings and family gatherings</li> <li>• Filming, including for cinema/television</li> <li>• Conducting a commercial photography session</li> <li>• Organised group nature-based recreation activities</li> <li>• Public performances</li> <li>• Fitness and wellness classes</li> <li>• Engaging in a trade or business consistent with the purposes and core objectives of Natural Area Wetland or Natural Area Watercourse</li> <li>• Delivering a public address</li> <li>• Community events</li> <li>• Fairs, markets, auctions and similar activities</li> <li>• Sports and fitness training and classes</li> <li>• Any additional short-term casual use prescribed by the LG Act or LG Regulations</li> </ul>
Additional purposes for leases, licences and other estates in land	<ul style="list-style-type: none"> <li>• Entering into an agreement for the purpose of conservation (for example a Biodiversity Stewardship Agreement, Conservation Agreement or Wildlife Refuge Agreement within the meaning of Part 5 of the Biodiversity Conservation Act 2016)</li> <li>• Purposes/uses expressly authorised in <b>Table 10D.2</b> of this POM, including ancillary and secondary purposes.</li> <li>• Purposes/uses permitted in a Council policy or strategy adopted after the date of this POM, provided that the use is consistent with the core objectives for the categorisation of land as Natural Area Bushland</li> <li>• Purposes/uses permitted under State and local environmental planning policies</li> <li>• Purposes/uses authorised under the Local Government Act, Local Government Regulation and other State and Commonwealth legislation, including for utilities or filming projects which are authorised under section 46 of the Local Government Act</li> </ul>
Other Estates	This POM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act and the Regulation.

## 10D.7 Strategy and Action Plan

Section 36 of the Local Government Act requires that a POM for community land details:

- the objectives and performance targets of the POM with respect to the land
- the means by which the council proposes to achieve the POM objectives and performance targets; and
- the way in which Council proposes to assess its performance in achieving the POM objectives and performance targets.

**Table 10D.4** sets out these requirements for land categorised as Watercourse.

**Table 10D.4 Strategy and Action Plan for community land categorised as NA - Watercourse**

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Biodiversity conservation and protection of watercourses	To protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows	Develop and implement the: <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Floodplain Risk Management Plans</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Central Coast Green Grid Plan</li> <li>▪ Other relevant Management Plans</li> </ul> Implement land use planning and development controls for development within or adjoining watercourses.	Strategies are endorsed and implemented.  Action plans are integrated into Council's 4-year Delivery Program  Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.  Developments assessed in line with planning controls to ensure protection measures for watercourses are considered

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Management of watercourses	<p>To manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability</p> <p>To provide for changes to the hydrological regime of watercourses (including flow paths) in response to climate change</p> <p>To minimise encroachments, invasive weed species, pest animals and edge effects from adjoining land uses on the riparian environment</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Floodplain Risk Management Plans</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Central Coast Green Grid Plan</li> <li>▪ Encroachment Management Strategy and Policy</li> <li>▪ Other relevant Management Plans</li> </ul>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p>
Restoration and rehabilitation of watercourses	<p>To restore and rehabilitate degraded watercourses</p> <p>To remove barriers to fish passage</p> <p>To provide for the natural dynamic meandering of watercourses</p> <p>To encourage community participation through environmental volunteering groups to restore degraded watercourse</p> <p>To minimise encroachments, invasive weed species and edge effects from adjoining land uses on the riparian environment</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Floodplain Risk Management Plans</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Landcare Strategy</li> <li>▪ Encroachment Management Strategy and Policy</li> <li>▪ Other relevant Management Plans</li> </ul> <p>Continue to support Landcare or other community groups working on degraded watercourses</p>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Community education, access and use of watercourses	<p>To build community understanding of the value of riparian environments and their ecosystem processes</p> <p>To promote community access to and use of watercourses, without compromising the other core objectives of the category</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Nature-based Recreation Strategy</li> <li>▪ Policy for Compliance and Enforcement</li> <li>▪ Other relevant Management Plans</li> </ul>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p>

## Chapter 10E. Natural area - Foreshore

### 10E.1 Central Coast Context

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Land is categorised the Natural Area – Foreshore (NA-Foreshore) subcategory in areas that are immediately adjacent to lakes, lagoons, estuaries, rivers and beaches and that contain significant natural features or attributes. Examples include sections of estuarine foreshore around Brisbane Water, Tuggerah Lake and Lake Munmorah, sections of coastal lagoon foreshore such as Avoca Lake, sections of beaches such as Soldiers Beach, North Entrance beach and Toowoona Bay, and sections of coastal headlands such as Avoca rock platform.

Foreshores are mostly small in size or narrow and mostly located adjacent to residential development. They are subject to more disturbance and human usage than the other sub-categories of Natural Area. Despite this some contain floodplain ecological communities that are listed as threatened in NSW and/or nationally. Some foreshore reserves, such as North Entrance, also contain threatened species and protected migratory shorebird species as well as providing valuable habitat for other native species.

### 10E. 2 Categorisation of land as NA - Foreshore

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The guidelines for categorisation of community land are set out in the Local Government Regulations. The core objectives for each sub-category are set out in the Local Government Act.

The guidelines and core objectives for land categorised as an Escarpment are set out in **Table 10E.1**.

Council must manage community land categorised as Escarpment in accordance with the core objectives in **Table 10E.1** and any activities, use or development of the land must be consistent with these core objectives.

Where areas of land categorised as NA - Foreshore has additional values such as cultural or social, Council will also manage these areas to protect those additional values.

**Table 10E.1 Guidelines for and core objectives of community land categorised as NA - Foreshore**

<b>Guidelines</b>	<b>Core objectives</b>
Clause 111 Local Government Regulation	Section 36N Local Government Act
Land that is categorised as a natural area should be further categorised as foreshore under section 36 (5) of the Act if the land is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.	<p>The core objectives for management of community land categorised as foreshore are:</p> <ul style="list-style-type: none"> <li>(a) to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and</li> <li>(b) to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.</li> </ul>

Central Coast Council has applied the sub-category of Foreshore to include the following natural values:

- Foreshores with significant natural features or attributes.

### 10E. 3 Values of NA - Foreshore

Even though often subject to more disturbance and human usage compared to other Natural Area sub-categories, Foreshores may provide important habitat for threatened, protected migratory shorebird and other native plant and animal species.

Foreshores can provide important cultural, heritage, recreational, social, educational, spiritual, emotional and other benefits to local and regional communities. Foreshores also provide essential ecosystem services such as shore stabilisation, erosion control, clean water catchments and nutrient recycling.

### 10E.4 Land Schedule and Mapping

Land categorised wholly or in part as Natural Area - Foreshore is listed in the **Schedule of Community Land** under the heading '**Category**'.

Mapping covering each parcel of land that is categorised partly as Natural Area - Foreshore and partly as another category is provided in the **Maps of Community Land showing Category** in **Appendix 1**.



## 10E.5 Permissible Uses and Development

Central Coast's foreshore community land is valued for its important role in the social, spiritual and physical enrichment of residents, workers, and visitors to the Central Coast LGA.

The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

Central Coast Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate.

Within Central Coast's iconic beach-side parks and coastlines, including the escarpments, community buildings and facilities, recreational and sporting activities, Central Coast Council intends to permit and encourage a range of activities appropriate to the foreshore and escarpment environments.

Council has to balance increasing populations and intensity of use and demand with the responsibility to manage public land on behalf of a diverse community.

There are instances where Council will require the preparation of policies to guide and provide clarity and transparency for decision-making and approvals for uses.

It is frequent and common that certain uses such as organised uses will require Council's approval and include the use of agreements or permissions with conditions, such as licences, permits or hire agreements.

The general types of permissible uses and associated development that may occur on community land categorised as Foreshore, are set out in **Table 10E.2** below.

The anticipated uses and associated development identified in **Table 10E.2** are intended to provide an overview or general guide. The expressions used are not intended to impose a strict or defined meaning.

Council encourages the appropriate use of community land categorised as Foreshore and intends to facilitate uses which are consistent with the core objectives of Natural Area and Foreshore.

Council may develop or encourage appropriate ancillary development, which is ancillary to the reserve and the purpose and core objectives of Natural Area and Foreshore.

The facilities located on community land may change over time, reflecting the emerging needs of the communities of the Central Coast and increasing knowledge of natural areas and biodiversity in our region.

Examples of uses that are considered appropriate and consistent with the core objectives for land classified as bushland are set out in **Table 10E.2**.

Note that any use or development must be consistent with the core objectives for land categorised as Natural Area - Foreshore and is also subject to the restrictions that apply to leases and licences of natural areas under the Local Government Act (see **Part 10E.6** of this POM).

**Table 10E.2 Permissible use and development of community land categorised as Natural Area - Foreshore**

<b>Purpose/Use</b>	<b>Development to facilitate uses (subject to restrictions on purposes for which a lease or licence can be granted over natural areas under the Local Government Act)</b>
<ul style="list-style-type: none"> <li>▪ Preservation of Council’s natural heritage including the identified endangered ecological communities</li> <li>▪ Preservation of biological diversity and habitat</li> <li>▪ Providing a location for formal and informal recreation, such as , such as cycling on a shared pathway, beach and foreshore walking and swimming</li> <li>▪ Group recreational use, such as picnics and private celebrations, or organised nature-based recreation activities</li> <li>▪ Surf sports and surf life saving activities</li> <li>▪ Small scale commercial activities consistent with reserve purpose/core objectives, such as equipment hire, surf or water craft tuition, water craft tours, photography or mobile vendors</li> <li>▪ Environmental and heritage education, community events and workshops</li> <li>▪ Environmental volunteering and land management activities to protect and enhance natural values</li> <li>▪ Environmental and scientific study, monitoring and research</li> <li>▪ Major Council or State Government community, sporting, recreation, cultural and leisure events</li> <li>▪ Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>▪ Connection to Country and cultural heritage interpretation</li> </ul> <p>Note: Some of the uses listed above require a permit from the council.</p> <ul style="list-style-type: none"> <li>▪ Purposes for which a lease or licence is permitted for natural areas – see Part 9.7 of this POM</li> </ul>	<ul style="list-style-type: none"> <li>▪ Surfing equipment, beach use equipment and services, water craft such as kayak hire</li> <li>▪ Locational, directional and regulatory signage</li> <li>▪ Low impact suitable recreation activities such as beach volleyball equipment</li> <li>▪ Temporary or low-impact visitor and user facilities, including water recreation structures</li> <li>▪ Environmental facilities</li> <li>▪ Environmental management including coastal protection works</li> <li>▪ Boat storage</li> <li>▪ Boat ramps</li> <li>▪ Locational, directional and regulatory, and interpretive signage and features</li> <li>▪ Fences (temporary and permanent), bollards, delineators, access control, security cameras</li> <li>▪ Public art installations to support appreciation and understanding of the natural area</li> <li>▪ Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land</li> <li>▪ Biodiversity conservation initiatives including artificial habitat</li> <li>▪ Temporary erection or use of any building or structure necessary to enable a filming project or an approved major event to be carried out</li> <li>▪ Development to facilitate any other appropriate purposes/uses set out in this table</li> </ul>

Purpose/Use	Development to facilitate uses (subject to restrictions on purposes for which a lease or licence can be granted over natural areas under the Local Government Act)
<ul style="list-style-type: none"> <li>▪ Purposes/uses permitted under State and local environmental planning policies.</li> <li>▪ Purpose/uses permitted under the Local Government Act and Regulation and other State and Commonwealth legislation.</li> <li>▪ Purposes/uses permitted in a Council policy or strategy adopted after this POM</li> </ul>	

## 10E.6 Leases, Licences and other Estates

This POM expressly authorises Council to grant leases, licences or other estates in land categorised as NA - Foreshore for the purposes set out in **Table 10E.3**.

The general information and requirements relating to leases, licences and other estates in community land generally, in **Part 5.1 of Chapter 5** applies to any leases, licences or other estates in land authorised under this part of the POM.

**Table 10E.3 Leases, licences and other estates and purposes for which they may be granted for community land categorised as NA - Watercourse**

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
Lease or licence	<ul style="list-style-type: none"> <li>▪ Erection or use of building or structure that is a kind prescribed by the LG Act or regulations, including walkways, pathways, bridges, causeways, observation platforms and signs</li> <li>▪ Erection or use of a building or structure for a purpose prescribed by the LG Act or regulations, including information kiosk, refreshment kiosks (but not restaurants), work sheds or storage sheds required in connection with the maintenance of the land, toilets or rest rooms</li> <li>▪ Environmental facilities</li> <li>▪ Boat ramps</li> <li>▪ Facilitating connection to Country and with place/landscape - culture and heritage</li> </ul>
Licence	<ul style="list-style-type: none"> <li>▪ Surf sports and surf lifesaving activities</li> <li>▪ Surfing equipment, beach use equipment and services, water craft such as kayak hire</li> <li>▪ Major Council or State Government community, sporting, recreation, cultural and leisure events</li> <li>▪ Scientific studies and surveys or similar</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>▪ Low impact suitable recreation activities on the foreshore such as beach volleyball equipment and storage</li> <li>▪ Small scale commercial activities consistent with reserve purpose/core objectives, such as equipment hire, surf or water craft tuition, water craft tours, photography or mobile vendors</li> <li>▪ Environmental and heritage education, community events and workshops</li> <li>▪ Environmental volunteering and land management activities to protect and enhance natural values</li> <li>▪ Environmental and scientific study, monitoring and research</li> <li>▪ Biodiversity conservation initiatives including artificial habitat</li> <li>▪ Organised group nature-based recreation activities</li> <li>▪ Filming and photographic projects (authorised under section 46(1)(c) Local Government Act)</li> <li>▪ Temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> <li>▪ Boat storage</li> <li>▪ Temporary or low-impact visitor and user facilities, including water recreation structures</li> <li>▪ Work sheds, storage sheds or temporary stockpile areas for natural materials required in connection with the maintenance of the land</li> </ul>
Short term licensing or hiring	<ul style="list-style-type: none"> <li>▪ Community events and festivals</li> <li>▪ Playing a musical instrument, or singing for fee or reward</li> <li>▪ Picnics and private celebrations such as weddings and family gatherings</li> <li>▪ Filming, including for cinema/television</li> <li>▪ Conducting a commercial photography session</li> <li>▪ Organised group nature-based recreation activities</li> <li>▪ Public performances</li> <li>▪ Fitness and wellness classes</li> <li>▪ Engaging in a trade or business consistent with the purposes and core objectives of Natural Area Foreshore</li> <li>▪ Delivering a public address</li> <li>▪ Community events</li> <li>▪ Fairs, markets, auctions and similar activities</li> <li>▪ Sports and fitness training and classes</li> <li>▪ Any additional short-term casual use prescribed by the LG Act or LG Regulations</li> </ul>
Additional purposes for leases, licences and other estates in land	<ul style="list-style-type: none"> <li>• Entering into an agreement for the purpose of conservation (for example a Biodiversity Stewardship Agreement, Conservation Agreement or Wildlife Refuge Agreement within the meaning of Part 5 of the Biodiversity Conservation Act 2016)</li> <li>• Purposes/uses expressly authorised in <b>Table 10E.2</b> of this POM, including ancillary and secondary purposes.</li> </ul>

Type of tenure arrangement	Purpose for which a lease, licence or other estate in land may be granted
	<ul style="list-style-type: none"> <li>• Purposes/uses permitted in a Council policy or strategy adopted after the date of this POM, provided that the use is consistent with the core objectives for the categorisation of land as Natural Area Bushland</li> <li>• Purposes/uses permitted under State and local environmental planning policies</li> <li>• Purposes/uses authorised under the Local Government Act, Local Government Regulation and other State and Commonwealth legislation, including for utilities or filming projects which are authorised under section 46 of the Local Government Act</li> </ul>
Other Estates	This POM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act and the Regulation.

## 10E.7 Strategy and Action Plan

Section 36 of the Local Government Act requires that a POM for community land details:

- the objectives and performance targets of the POM with respect to the land
- the means by which the council proposes to achieve the POM objectives and performance targets; and
- the way in which Council proposes to assess its performance in achieving the POM objectives and performance targets.

**Table 10E.4** sets out these requirements for land categorised as NA – Foreshore.

**Table 10E.4 Strategy and Action Plan for community land categorised as NA Foreshore**

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Biodiversity conservation	Protect the biodiversity and ecological values of the inter-tidal zone	Develop and implement the: <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Other relevant Management Plans</li> </ul>	Strategies are endorsed and implemented.  Action plans are integrated into Council's 4-year Delivery Program  Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
<p>Protection and management of foreshores</p>	<p>To maintain the foreshore as a transition area between the aquatic and the terrestrial environment</p> <p>To protect and enhance all functions associated with the foreshore’s role as a transition area</p> <p>To ensure the natural profiles of foreshores are maintained or restored where possible</p> <p>To minimise encroachments and edge effects from adjoining land uses on foreshores</p> <p>To provide for foreshore areas to migrate landward in response to climate change</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Floodplain Risk Management Plans</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Place-based Climate Actions Plans</li> <li>▪ Central Coast Green Grid Plan</li> <li>▪ Greener Places Strategy</li> <li>▪ Encroachment Management Strategy and Policy</li> <li>▪ Other relevant Management Plans</li> </ul> <p>Implement land use planning and development controls for development on or adjoining foreshores.</p>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council’s 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p> <p>Developments assessed in line with planning controls to ensure protection measures for foreshores are considered</p>

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Restore and rehabilitate degraded foreshores	<p>To restore and regenerate degraded foreshores in priority areas</p> <p>To ensure the natural profile of foreshores is maintained or restored where possible</p> <p>To improve inter-tidal habitats</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Floodplain Risk Management Plans</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Other relevant Management Plans</li> </ul> <p>Continue to support Landcare or other community groups working in degraded foreshores.</p>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p>
Community education, access and use of foreshores	<p>To build community awareness of the value of foreshores as a transition area and the management issues</p> <p>To facilitate the ecologically sustainable use of foreshores and mitigation of impacts on foreshores by community use</p>	<p>Develop and implement the:</p> <ul style="list-style-type: none"> <li>▪ Coastal Management Program</li> <li>▪ Central Coast Council Biodiversity Strategy</li> <li>▪ Nature-based Recreation Strategy</li> <li>▪ Policy for Compliance and Enforcement</li> <li>▪ Other relevant Management Plans</li> </ul>	<p>Strategies are endorsed and implemented.</p> <p>Action plans are integrated into Council's 4-year Delivery Program</p> <p>Progress against the actions reported through the annual report, 4-year delivery plan and Community Strategic Plan.</p>



## PART 3: SCHEDULE

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## Schedule of Community Land

All land that is subject to this Plan of Management (when finalised) is listed in the **Schedule of Community Land**.

The Schedule is included as an integral component of the POM when it is finalised and adopted.

The Schedule lists land by suburb, street address, legal description (lot and title) and categorisation.

In some cases, land is covered by more than one category.

In such cases, the part of the land in each category is shown on the maps that are provided with this draft POM at Appendix Two.

For the purpose of public exhibition of the draft POM, the **Schedule of Community Land** is provided as a separate document (computer file).

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## PART 4: APPENDICES

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## Appendix 1 - Maps of Community Land showing Category

A suite of maps has been prepared that indicates the categorisation of land as set out in the Schedule of Community Land.

This includes mapping of the proposed categorisation of parcels (lots) of community land to which more than one category is proposed to apply.

For the purposes of the public exhibition draft document, the maps are provided as a separate document (computer file).

Refer to the **Community Land Category Mapping PDF**.

## Appendix 2 - Listing of current POMs

The **Schedule of POMs** lists all POMs that have been adopted under the Local Government Act 1993 that are current at this date by the former Gosford City Council and the former Wyong Shire Council.

It is intended that POMs listed here as “POMs that cease to apply” will cease to apply from the date the finalised CCC Community Land POM 2022 is adopted by Council.

It is intended that POMs listed here as “Continuing POMs” will continue to have effect in relation to land that is not listed in the finalised Schedule of Community Land.

### Continuing POMs

Council	POM Name
Gosford	Kincumba Mountain Reserve Plan of Management
Gosford	Grahame Park Plan of Management
Gosford	Gosford City Bowling Club

### POMS that will cease to apply

Council	POM Name
Gosford	Community Parks
Gosford	Sportsgrounds
Gosford	Foreshore Parks
Gosford	Formal Parks
Gosford	Wetlands
Gosford	Terrigal Bowling Club
Gosford	South End Park
Gosford	Wilson Road Park Terrigal
Gosford	Community Land Natural Areas – Bushland
Wyong	Wyong Regional Sporting Complex
Wyong	Foreshore Reserve Chelmsford Road East Lake Haven
Wyong	Baker Park and Surrounds

Wyong	Boat Harbour and Sandy Beach Summerland Point
Wyong	Sportsgrounds, Parks, and General Community Use
Wyong	Taylor and Shore Parks The Entrance
Wyong	Heador/Ray Street Reserve Toukley
Wyong	Bill Sohler Park Ourimbah
Wyong	Jubilee and Baden Powell Parks Long Jetty
Wyong	Natural Areas
Wyong	Acacia Avenue Reserve Lake Munmorah
Wyong	Woodbury's Inn and Braithwaite Reserve
Wyong	Tunkuwallin Reserve Gwandalan and Summerland Point
Wyong	Council Owned Foreshore Land at The Entrance North to Shelly Beach