

LEETON SHIRE COUNCIL



Management Plan for Gogeldrie Weir Caravan Park



Leeton Shire Council

23-25 Chelmsford Place
LEETON NSW 2705

Phone (02) 69530911
Fax (02) 69533337

council@leeton.nsw.gov.au

Contents

Introduction	3
Management Plan for Gogeldrie Weir	3
Land Covered by this Management Plan	3
Legislative Requirements.....	3
Land Description and Planning	4
Community Land and Classification.....	4
Management Objective Strategies	4
What are the Permitted Uses in this Management Plan?.....	4
Permitted Uses	4
Existing Uses	5
Permit, Licence and Leasing of Gogeldrie Weir.....	5
Other Development or Activities that may be carried out on the Land.....	6
Community Objectives, Policies and Proposals for Management of Reserves	7
Buildings, improvements and purpose of the land	8

Introduction

Management Plan for Gogeldrie Weir

The Gogeldrie Weir Management Plan is a document prepared in consultation with the community that provides direction as to the use of Gogeldrie Weir. The Management Plan is required in accordance with Section 36 of the Local Government Act, 1993.

The Management Plans assists Leeton Shire Council in formalising the use of the community land at Gogeldrie Weir. It also provides the framework for Council to follow in relation to the Leasing, Licensing and Permit process of the land.

Land Covered by this Management Plan

Parcel ID:	1000941 and 1000943
Common Name:	Gogeldrie Weir Caravan Park
Title Reference:	Lots 2 and 4, DP 1184875
Valuation Number:	3901320
Category:	Business
Zoning:	RE1 Public Recreation under the Leeton Local Environmental Plan 2014
Lease/Licence:	D Collins and C Jay
Restrictions / Special Conditions:	Lease agreement expiring 22 December 2016 with a further option being from 23 December 2016 until 22 December 2021
Owner:	Leeton Shire Council
Area (Ha):	7.5908 Hectares

Leeton Shire Council purchased the above land on 15 December 2015 from the Water Conservation and Irrigation Commission.

Prior to this purchase, Leeton Shire Council had a licence in place with the Water Administration Ministerial Corporation for the care and control of the Gogeldrie Weir Caravan Park site.

Leeton Shire Council had a subsequent sub-licence agreement in place to the current licensee for the day to day operations of the site until 22 December 2016, with an option to renew for a period of five (5) years commencing on 23 December 2016 and ending on 22 December 2021. This sub-licence was also approved by the Water Administration Ministerial Corporation.

The licence agreement will automatically transfer to a lease agreement now that Council owns this land.

Legislative Requirements

When preparing a Management Plan there are various conditions to which local government must comply. Below is a list of the main legislation that influences the use and management of Gogeldrie Weir in this plan:

- Local Government Act, 1993

- Environmental Planning and Assessment Act, 1979
- Protection of the Environment Operations Act, 1997
- Native Vegetation Act, 2003
- Heritage Act, 1993
- Aboriginal Heritage Act, 1997

Land Description and Planning

Community Land and Classification

Community land is an area of land set aside to encourage, promote and facilitate recreational, cultural, natural preservation, social and educational pastimes and activities, and to provide for passive recreational activities or pastimes and for the organised or casual playing of games.

For the purpose of the Gogeldrie Weir land parcels (Community Land) have been categorised based on its core usage. In accordance with Section 36 (4) of the Local Government Act the land has been classified as:

General Community Use

Management Objective Strategies

What are the Permitted Uses in this Management Plan?

Permitted Uses

This Plan for Gogeldrie Weir provides for a range of recreational and community activities within the Reserve and also works of an operational nature.

Based on the core objectives of this plan, the uses permitted on any land covered by this Management Plan are:

- Camping and short term accommodation in accordance with Section 68 of the Local Government Act, 1993
- The casual playing of games and informal recreational activities and the construction of facilities to cater for these activities
- Provide access to the Murrumbidgee River for activities such as fishing and skiing
- Passive recreational activities and pastimes and the construction of facilities to cater for these activities
- The construction of community facilities and use of those facilities to allow individuals and groups to come together for social, community, educational, cultural, leisure and welfare activities
- The granting of long-term Leases or Licences for both public and private recreation
- The provision of public utilities and works associated with or ancillary to public utilities
- The granting of a Licence under Section 46 of the Local Government Act 1993

It should be noted that Council still has powers under a number of Acts to police a range of activities and behaviour in public places irrespective of whether Council has formal control over land. **Note:** Permit Holders must comply with all Permit Conditions and Council Policies.

Existing Uses

This Management Plan provides for the continuation of existing uses at Gogeldrie Weir subject to compliance with relevant statutory and regulatory obligations.

Any change to existing uses will, where significant, require public consultation and amendments of the Management Plan. The level of significance of a change is determined by the extent or type of proposal, by the importance the land has to the public, current users and future generations and its proximity to other uses.

Permit, Licence and Leasing of Gogeldrie Weir

A Lease, Licence or Permit enables Council to formalise agreements with organisations and individuals who occupy or manage Community Land. These agreements allow clear legal definition of the rights and obligations that an organisation, individual and wider community has in regard to the land.

From time to time Leases, Licences and Permits will expire, require renewal and/or renegotiation, and new leasing proposals considered.

Activities under a Lease, Licence or Permit should be compatible with any zoning or reservation, provide benefits, services or facilities for users of the land, and be consistent with the Management Plan.

The terms and conditions of a Lease, Licence or Permit will ensure that proper management of the area is undertaken such that it is maintained in a safe and visually pleasing condition, and that the interests of Council and the public are protected.

Conditions of approval must be in keeping with the existing relevant Council policies and may require a resolution from Council.

The establishment of new agreements or changes to existing agreements will not require public consultation where there is no change to the proposed use or activity on that particular parcel of Community Land.

However, where the Lease, Licence or Permit is for a period exceeding five years, Council is required by the Local Government Act 1993 to consult with the community.

As with any proposed change of use of Community Land, where a new Lease, Licence or Permit is proposed that constitutes a change in use, the Management Plan must be amended to provide for the change of use and must be advertised for public comment.

Granting of a Lease, License or Permit for a commercial activity is conditional on the activity being consistent with Management Plan objectives.

Council will only grant a Lease, Licence or Permit for use of Community Land under this Management Plan if it is:

- Consistent with the current use and purpose of the land
- For activities appropriate to the current and future needs of the community

- Anticipated that no significant damage to the land is likely to be caused as a result of the proposed activity
- Anticipated that no significant disturbance will affect adjacent property owners
- Relating to wider community purposes such as public recreation and cultural development
- Acknowledged that all suitable insurances have been provided to Council
- For short term casual Permits as listed below:
 - The playing of a musical instrument, or singing, for fee or reward
 - A public performance (that is theatrical, musical or other entertainment for the amusement of the public)
 - Engaging in a trade or business
 - Transporting of materials and equipment required in relation to building or landscaping works
 - Delivering a public address
 - Commercial photographic sessions
 - Filming for cinema or television

Note: The use or occupation of Community Land for short term Permits is allowed only if:

- The use or occupation does not involve the erection of any building or structure of a permanent nature.
- In the case of any use or occupation that occurs only once, it does not continue for more than three (7) consecutive days.

Other Development or Activities that may be carried out on the Land

Below is a list of additional activities (generally of an operational nature) that typically may be undertaken on the land in accordance with Management Plan objectives:

- Telecommunication facilities providing they are in accordance with Council's policies and that the structure would not detrimentally affect native vegetation, areas or places of Indigenous or European heritage, or the amenity of any locality
- Bushfire hazard reduction
- Community notice signs and temporary signs
- Cycle ways
- Drainage
- Horticulture
- Landscaping
- Reserve maintenance
- Remediation works
- Temporary structures
- Work sheds or storage required in connection with the maintenance of the land
- Visitor facilities including accommodation structures such as cabins
- Vehicular access
- Public utility infrastructure
- Establish, enhance and maintain vegetation to provide:
 - Shade
 - Windbreaks
 - Enhanced scenic or recreational value or visual screening
 - Habitat for native wildlife
 - Enhancement of biodiversity
 - Suitable buffers for the protection of water quality and ecological processes in neighbouring watercourses or wetlands

Community Objectives, Policies and Proposals for Management of Reserves

Gogeldrie Weir provides an important focal point for community identity, social interaction and culture. Good design and maintenance of the reserve also project an appealing image to investors and visitors to the Weir.

Council is required within this Management Plan to set out its vision for Gogeldrie Weir Caravan Park through objectives.

The core objectives for management of this reserve are:

- a) To enhance the design and appearance of the Park through the installation or expansion of public infrastructure, provided there is no significant detrimental impact on the main purpose for which the land is reserved
- b) To provide ancillary facilities and play equipment and/or facilities within Council's budgetary constraints to support the main purposes for which the land has been reserved
- c) To provide people with safe, equitable and dignified access to buildings in accordance with the Disability Discrimination Act (DDA) and the Building Code of Australia (BCA)
- d) To provide the appropriate level of maintenance within Council's budgetary constraints and community expectations to ensure the land is safe for the general public
- e) To enhance the landscaping and provision of public amenities for public use within Council's budgetary constraints
- f) To preserve local heritage and cultural places
- g) To minimise the environmental impacts associated with garden areas through water efficient design and maintenance
- h) To protect and enhance significant remnant vegetation that may exist on particular parcels of Community Land. This may at times involve excluding the public.

The below sets out the objectives for Leeton Shire Council in relation to Gogeldrie Weir and how these will be achieved, as well as a plan for assessing the success in meeting these objectives.

Objectives	Means of Achievement	Performance Measures	Comments
Develop and maintain Gogeldrie Weir Caravan Park to ensure good community access to recreational areas	Through orderly and targeted provision of developed open space and prioritising capital programs	Carry out periodic inspections	Liaise with the Lessee of the Gogeldrie Weir Caravan Park to ensure community access to recreational areas is sufficiently maintained

Permit occupation of Gogeldrie Weir Caravan Park (or part thereof) by Lessee/Licensee	Provide Lessee/Licensee with an agreement with governs the appropriate use of Council property, in accordance with the Local Government Act, 1993	Ensure terms of Lease/License are adhered to and by carrying out regular inspections and/or assessment	Current agreement in place until 22 December 2021
Enhance the utilisation of Gogeldrie Weir Caravan Park	Ensure the Park has facilities adequate with community needs	Carry out periodic inspections of the Park	Lessee is responsible for general day to day maintenance of the facility and promotion of the Park to the community
Temporary one-off occupation of site	Ensure the site is available for one-off dedicated events that are consistent with the intent of the facility	Issue permits that set out conditions of use and ensure appropriate insurances have been obtained	Lessee is to seek approval from Council for any permits to be issued for one-off events (such as Bidgee Classic Fishing Competition)

Note: While it is the intention of Council to meet the above objectives, the commencement and completion of the performance targets are dependent on available Council resources and funding assessed against the other priorities of Council.

Buildings, improvements and purpose of the land

In accordance with Section 36(3A) of the Local Government Act, the following information is provided:

- (i) **Condition of the land** – The site is an irregular shaped, near level, inside lot, which is naturally contoured and positioned at road level. The lot is cleared and faces east with no significant views and frontage of the river. Access to the property is easy and direct. The property is located in a 1:100 flood liable area. The property was inundated by floodwater in the March 2012 floods.

Buildings or other improvements on the land – The following buildings or other improvements were situated on the site at the time of implementing this Management Plan:

Description	Condition
Barbecues / Shelters (7)	Good
EnviroCycle Installation	Good
Fish Cleaning Station	Good
Garage	Good
Office	Good
Residence	Fair
Solar Panels	Good
Toilet Block	Good
Work Shed (large)	Good
Work Shed (small)	Good
Full boundary fencing of chain wire construction	Good

In accordance with Section 36(4) of the Local Government Act, 1993 the following purposes are permitted at the Gogeldrie Weir Caravan Park site:

- Use as a camping ground
- Use as a caravan park
- The casual playing of games and informal sporting activities and the construction of facilities to cater for these activities
- Passive recreational activities and pastimes and the construction of facilities to cater for these activities
- The construction of community facilities and use of those facilities to allow individuals and groups to come together for social, community, educational, cultural, leisure and welfare activities
- The granting of leases/licences/permits for community facilities
- The provision of public utilities

The above purposes will continue to be permitted should any further development of the land be undertaken:

The scale and intensity of all permitted uses listed above shall be determined by and carried out in accordance with all relevant Acts, Regulations and Council approvals required.