

Cumnock Plan of Management

CUMNOCK COMMUNITY PRESCHOOL, MEMORIAL
PARK AND OVAL, BOWLING GREENS AND SWIMMING
POOL





Figure 1: Cumnock War Memorial Hall, now housing Cumnock Community Preschool

Foreward

This plan of management was prepared for Cabonne Shire Council in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2021.

This document relies upon information taken at a particular time. This document is also relying on the best mapping available at the time of writing from external Government sources. Accordingly, boundary inaccuracies in mapping may be present until such time as this Plan is reviewed. Changes to available information, legislation and schedules are made on an ongoing basis and readers should obtain up to date information from www.legislation.nsw.gov.au or www.cabonne.nsw.gov.au

Any finding, conclusion or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the client.

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Table of Amendments

Number	Exhibition Period	Adopted by Council	Author	Reviewer
1			MW	EB/MS

Table of Contents

4

Executive Summary	5
1.0 Introduction	6
1.1 Change and review	7
1.2 Community consultation.....	7
2.0 Land Description	8
2.1 History of the site.....	10
2.2 Current use of the land.....	13
2.3 Current leases and licences	14
3.0 Basis of Management.....	15
3.1 Categorisation of the land.....	15
3.2 Guidelines and Core Objectives	16
3.3 Categorisation.....	18
3.3 Terms of management	19
3.4 Councils strategic objectives and priorities	19
4.0 Current Condition & Future Use	20
4.1 Condition Report	20
4.1 Permissible future uses.....	29
4.2 Key issues	33
4.3 Management framework of Reserves	34
4.3.1 Administration.....	34
4.3.2 Management Guidelines.....	35
4.4 Development and Use	36
4.5 Express authorisation of tenures.....	38
5.0 Action Plan	41
Table 15: Action Plan & strategic links – General Community Use	42
Table 16: Action Plan & strategic links – Sportsground	44
Table 17: Action Plan and strategic links – Park	47
Appendix A Individual sites & actions	49
Cumnock Preschool building.....	50
[this section left blank intentionally – to be completed following results of community consultation].	50
Cumnock Swimming Pool	51
[this section left blank intentionally – to be completed following results of community consultation].	51
Appendix B Plan of Management Legislative Framework.....	52
Appendix C: Aboriginal Heritage Inventory Management System (AHIMS) register check	57

Executive Summary

This Plan of Management has been prepared for Cabonne Shire Council-owned community facilities in the village of Cumnock. These facilities are located on land classified as community land under the Local Government Act and as such, require a Plan of Management to be prepared. Within community land, categories have been assigned by Council which, for this site, includes Park, Sportsground and General Community Use.

The main facilities on the land under this Plan of Management have been assessed for their current condition and future uses have been suggested to coincide with the categories of the land. An action plan provides suggestions for improvements and future developments in keeping with the community land categories, tenure permissibility and land use zonings.

Council welcomes feedback regarding this Plan and intends to review its content every five years.

1.0 Introduction

This Plan of Management has been prepared for a multi-purpose Council-owned site in Cumnock encompassing the following:

- Cumnock Community Preschool,
- War Memorial Oval,
- Cumnock Swimming Pool,
- Bowling Club (Greens only – excluding Club),
- Tennis Courts,
- Playground,
- Historic Fire Engine & enclosure.

The Local Government Act 1993 (LG Act) requires a Plan of Management to be prepared for all public land that is classified as ‘community land’ under that Act. In NSW, all public land is classified as either ‘community land’ or ‘operational land’ in accordance with the Act and Local Government (General) Regulation 2021. Community land is public land that:

- Cannot be sold;
- Cannot be leased, licenced or any other estate granted over it for more than 21 years; and
- Must have a Plan of Management prepared for it.

Operational land includes all the other land including freehold land.

The purpose of this Plan of Management is to:

- provide clarity in the future development, use and management of this community land within Cumnock;
- contribute to the council’s broader strategic goals and vision as set out in Council’s strategic plans and policies
- ensure compliance with the Local Government Act 1993, the Local Government (General) Regulations 2021, and
- ensure consistent management that ties in with Council’s strategic documents – supporting a unified approach to meeting the needs of the resident and visitor communities.

1.1 Change and review

This Plan will require regular review in order to align with community values and changing community needs, and to reflect changes in Council priorities. Council will review the Plan of Management within five (5) years of its adoption. However, the performance of this Plan of Management will be reviewed on a yearly basis to ensure the Reserve is being managed in accordance with the Plan of Management, is well maintained and provides a safe environment for public enjoyment.

The community will have an opportunity to participate in reviews of this Plan of Management in accordance with the consultation requirements in the Local Government Act and Council's Community Participation Plan..

1.2 Community consultation

In preparation of this Plan of Management, liaison with user groups was conducted by Council, providing valuable insight into current condition of the land and buildings and intended directions and developments. This approach will be strengthened by a broader consultation process in accordance with the Local Government Act 1993 and Council's Community Participation Plan 2019.

This Plan of Management was placed on formal public exhibition from [XX/XX/XXXX to XX/XX/XXXX], in accordance with the requirements of section 38 of the Local Government Act 1993. A total of [XX] submissions were received. Council considered these submissions before adopting the Plan of Management. [for further completion following exhibition].

2.0 Land Description

The subject lands are described as follows:

Table 1: Cumnock Memorial Oval

Assigned category	Sportsground
Land parcel/s	1/358065; 3/1100326 1/952047
Area (Ha)	4.13 ha
LEP zoning	RE1 Public Recreation

Table 2: Cumnock Preschool

Assigned category	General Community Use
Land parcel/s	Part Lots 4-6 incl Sec 1 DP 5907
Area (Ha)	2,314 m2
LEP zoning	RU5 Village

Table 3: Cumnock Bowling Club Greens & walkway

Assigned category	General Community Use
Land parcel/s	Part Lots 4-6 incl Sec 1 DP 5907, Part Lot 3 DP 1100326
Area (Ha)	
LEP zoning	RU5 Village

Table 4: Swimming Pool & surrounds, including Cumnock Community Centre

Assigned categories	Sportsground, General Community Use, Park
Land parcel/s	7-8/1/5907; 1-2/2/5907; 2/112234
Area (Ha)	5,290 m2
LEP zoning	RE1 Public Recreation



Figure 2: Council Reserve - total lots. Source: NSW Planning Portal, with author annotations.

2.1 History of the site

Prior to development of this site, the land was home to the Wiradjuri people for many thousands of years.

This 5.31ha compilation of community land has been in Council's ownership since at least 1945 and has since this time been used for sporting and community purposes. The following timeline outlines developments on the site as known.

- 1945 Establishment of a War Memorial Park with Memorial Gates and a Returned Soldiers League (RSL) Hall in Cumnock was resolved by members of the Cumnock & Yeoval RSL sub-branch in May
- 1946 The *Wellington Times* (22 Aug 1946) published a detailed report on a well-attended community meeting to discuss the park and the plans drawn up by the Amaroo Shire Council engineer, Mr G. T. Pinnington, in conjunction with the Cumnock Memorial Park Committee. By this stage, a site for the park had also been proposed and Mr J. Black moved the land be purchased from the Bruce Estate and an additional area be purchased from Messrs Bruce Bros.
- 1946 *Molong Express*, 6 September 1946, advertised for sale and removal of the old stock yards on the chosen site
- 1946 *Molong Express*, 8 November 1946, reported the committee had adopted the master plan of the park prepared by Pinnington, which estimated the total cost of the park, including buildings, playing areas, tennis courts, children's playground, which was to be completed in three sections
- 1948 Cumnock War Memorial Park (Sportsground) established
- 1954 Cumnock War Memorial Hall (current Preschool building) and gates opened by Sir John Norcott, Governor of NSW and the Amaroo Shire President, Councillor Sylvanus Reynolds (see image below)



Figure 3 Opening of the Cumnock Memorial Gates & Hall 28 Aug 1954.

Source: www.cumnocknswmemorials.com/history.html

- 1954 *Molong Express*, 15 October 1954, reported the park was in the final stages of development. A parkland had been created, with gravel roads, avenues of trees and an established bowling green. Additional tennis courts were under construction and a turf wicket had been put down.
- 1954 *Wellington Times*, 18 November 1954, reported Mr S. R. Reynolds, chairman of the park, suggested the Council become responsible for the general upkeep and maintenance of the park
- 1970 Memorial Park entrance on McLaughlan Street has a sundial and time capsule unveiled on 14 March
- 1988 Plaque inscribed to the memory of Clive Reynolds in recognition for his efforts in the planning and establishment of the Memorial Park dedicated by the Cumnock Progress Association
- 2018 A new cement mould to house an updated time capsule unveiled 27th November



Figure 4 Overview of Cumnock War Memorial Park with Pool, Community Centre & Bowling Club. Sportsground in background. Image: Don Bruce, via www.cumnocknswmemorials.com/history.html

2.2 Current use of the land

Current uses on the land include the following:

- Cumnock Bowling Club greens
- Cumnock Community Preschool
- Tennis Courts
- Fire Engine Display
- Cumnock Memorial Oval
- Childrens Playground
- Cumnock Memorial Park, and
- Cumnock Swimming Pool.

Also located on site is the Cumnock Community Centre (brick building currently unoccupied) and Ironbark Gully, a natural waterway which flows toward Doughboy Hollow.

2.3 Current leases and licences

One expired licence for the Cumnock Preschool is the only formal tenancy that has been in place on this land. It is intended to renew this licence upon adoption of this Plan of Management.

This Plan of Management permits a range of uses and the ability to issue leases and licences on the land.



Figure 5: Historic, commemorative entrance pillars, War Memorial Hall

3.0 Basis of Management

Overall, Cabonne Shire Council intends to manage this community land to meet:

- the assigned category of the land;
- the LG Act's guidelines and core objectives for community land;
- Council's strategic objectives and priorities, and
- development and use of the land outlined in Section 6 of the LG Act.

In addition to the above, Council's management practices at this reserve will be carried out in partnership with the Cumnock community, noting the important knowledge base and contribution made by local volunteers.

3.1 Categorisation of the land

All community land is required to be categorised as one or more of the following categories.

The guidelines for categorisation of community land are set out in the Local Government (General) Regulation 2021.

The LG Act defines five categories of community land:

Park	for areas primarily used for passive recreation
Sportsground	for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games
General community use	for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries
Cultural significance	for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance
Natural area	for all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories

3.2 Guidelines and Core Objectives

The management of community land is governed by the categorisation of the land, its purpose, and the core objectives of the relevant category of community land. Council may then apply more specific management objectives to community land, though these must be compatible with the core objectives for the land. The core objectives for each category are set out in the LG Act.

See Table 5 below for the core objectives and guidelines for the Reserve land categories in this Plan.

Table 5: Core Objectives and Guidelines for the categories of land in this Plan

Category	Guidelines – LG(General) Regulation 2021	Core Objectives – LG Act 1993
General Community Use	Land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance	<p>To promote, encourage and provide for the use of the land;</p> <p>To provide facilities on the land, to meet the current and future needs of the local community and of the wider public:</p> <ul style="list-style-type: none"> a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and 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).
Park	land that 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	<ul style="list-style-type: none"> 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.
Sportsground	Land 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"> • to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and • to ensure that such activities are managed having regard to any adverse impact on nearby residences

3.3 Categorisation

When considering categories to assign to community land, Division 2 of the Local Government Act and Part 4 of the Local Government (General) Regulation 2021 are consulted. The map below shows the categories assigned to the community land under this Plan of Management.

Figure 3: Category Map



Source: NSW Planning Portal, with author annotations. Note: GCU means General Community Use

The Preschool and Community Centre have been categorised General Community Use, the Oval, Blowing Greens and surrounding active sporting areas are categorised Sportsground and the memorial park has been categorised Park.

3.3 Terms of management

The use of the land described in this plan of management must:

- Be used in accordance with the objectives of the category of the land and objectives of the land use zones;
- If under tenure, comply with the requirements of the Local Government Act and associated Regulations; and
- consider any interests held on title.

3.4 Councils strategic objectives and priorities

Cabonne Shire Council, in consultation with the community, has developed the following strategies and plans to identify the priorities and aspirations of the community and the delivery of a vision for the future. They each have a direct influence on the objectives, uses and management approach covered by Plans of Management.

- Cabonne village Masterplans 2021 – Cumnock
- Cumnock Village Recreation Precinct Masterplan 2021
- Cabonne Community Strategic Plan 2022-2032
- Cabonne Settlement Strategy 2021-2041 and associated town and village options papers;
- Cabonne Local Strategic Planning Statement 2020
- Cabonne Recovery Plan 2023

This is the first Plan of Management for this precinct. No prior plans are to be revoked.

4.0 Current Condition & Future Use

This section outlines future management and development of the Reserves, in accordance with the above-mentioned framework of legislation and current plans.

4.1 Condition Report



Section 36(3A) of the Local Government Act requires that Council provide an assessment of the current condition of the land and any buildings and other improvements at the date of adoption of the Plan.


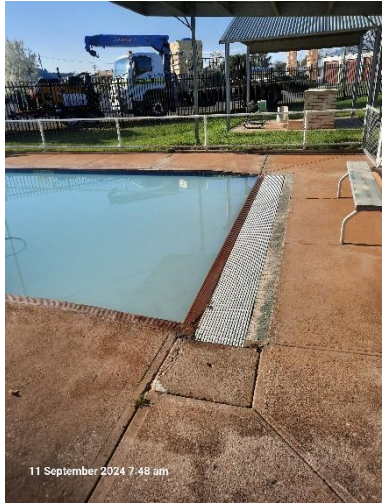


The following table details improvements on each of the three main precincts/categories.

The condition rating is as follows:




1 Very good	only planned maintenance required
2 Good	Minor defects only. Minor maintenance required plus planned maintenance
3 Fair	Maintenance required to return to accepted level of service. Significant maintenance required
4 Poor	Requires renewal. Significant rehabilitation required
5 Very Poor	Asset unserviceable. Physically unsound and/or beyond rehabilitation

Table 6: Condition Report, September 2024.




Area/ Building	Use & Description	Condition	Image
General Community Use			
Cumnock Village Preschool building (Memorial Hall)	Face brick rendered & painted building with new roofing iron. Concrete pathways & front original fence in place with child-proof security fence built behind	1 – Very good	
Cumnock Community Centre	Face brick community building. Current unoccupied. Asbestos Report in 2016 noted <i>"very low risk of exposure under current conditions and use. Recommend to label as asbestos containing and to reinspect condition on an annual basis"</i> (Safe Environments, 29/04/2016).	3 – Fair	

Sportsground			
Swimming pool (25m x 9m x 1.2m)	Main town pool used for swimming club, casual lane hire & general use	3 – Fair	
Toddler Pool (9m x 6m x 0.3m)	Concrete toddler pool	3 – Fair	
Pool Amenities Building	Concrete brick rendered building	4 – Poor	
Pool Plant Room	Metal shed containing chlorine pump, filtration system, pumps. Plant room contains asbestos in the cement wall	3 – Fair	

CUMNOCK COMMUNITY LAND
PLAN OF MANAGEMENT

	<p>panels, ceiling and wall panels, as stated in report dated 19 April 2016 by Safe Environments Pty Ltd. With a risk level very low, the recommendation was <i>to label as asbestos containing and reinspect condition on annual basis</i>. Results of annual inspection to be noted in Council's records and actions taken as necessary</p>		
Shade sails	Shade sails over pool and BBQ areas	2 - Good	 

CUMNOCK COMMUNITY LAND
PLAN OF MANAGEMENT

BBQ area	Brick BBQ and metal shade	2 - Good	
Diplomat fence Filtration Plant Non-slip removable wet deck New access gates, security cameras.	All new improvements completed in the 2023/24 season	1 - Very good	No images.
Memorial Oval & boundary fence	Natural grass oval, new white boundary fence	1 - Very good	
Oval amenities buildings	New colorbond storage shed and brick canteen/amenities building in very good condition. Face brick building in background was determined in 2016 to NOT contain any asbestos by Safe Environments Pty Ltd.	1 - Very good	

CUMNOCK COMMUNITY LAND
PLAN OF MANAGEMENT


Oval footpaths	Oval footpaths in excellent condition with bollards to prevent unauthorised access	1 – Very good	
Oval sculptures & decorative features	Decorative metalwork silhouettes	1 – Very good	
Bowling Greens	Greens, although owned by Council, are managed by Cumnock Bowling Club	1 – Very good	

CUMNOCK COMMUNITY LAND
PLAN OF MANAGEMENT

Exercise station & equipment	Various resistance outdoor gym equipment	2 - good	
Tennis Courts	Bardens gravel/antbed courts. Some fence sections need repair. Lighting to be assessed & replaced where needed	4 - Poor	
Fire Engine & enclosure	Static display only, in access-restricted enclosure	1 - Very good-	

Park			
Fencing including dry stone wall	Fencing generally in excellent condition, including dry stone wall. Damaged colorbond boundary fence panels to be replaced in consultation with adjoining property owners	2 - good	<div><p>11 September 2024 7:51 am</p></div> <div><p>12 September 2024 7:28 am</p></div>

CUMNOCK COMMUNITY LAND
PLAN OF MANAGEMENT

Vegetation & plantings	Formal deciduous plantings surround oval. Playground in shady area	1 – Very good	
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4.1 Permissible future uses

Future uses at the reserves under this Plan of Management include current permissible uses as well as those in accordance with the categories set by Council. Council encourages a wide range of uses of community land and facilitates uses which increase appropriate activation of its land. Within buildings, swimming pools and recreational and sporting facilities in particular, Cabonne intends to permit and encourage a broad range of appropriate activities.

It is anticipated that new sports 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 'active recreation' enjoyed by the community. References such as 'field', or 'court', are not intended to exclude other sporting surfaces.

Tables 7 – 9 below show the permitted uses within each of the categories within the reserves.

Table 7: General Community Use Reserves permissible uses and development.

Purpose/Use	Development to facilitate uses
<p>Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes.</p> <p>Open areas to allow for:</p> <p>casual or informal recreation</p> <p>meetings (including for social, recreational, educational or cultural purposes)</p> <p>functions</p> <p>concerts, including all musical genres</p> <p>performances (including film and stage)</p> <p>exhibitions</p> <p>workshops</p>	<p>Provision of buildings or other amenity areas to facilitate use and enjoyment by the community</p> <p>landscaping and finishes, improving access, amenity and the visual character of the general community area</p> <p>water-saving initiatives such as rain gardens</p> <p>Stage/elevated or covered area for musicians & performances</p> <p>energy-saving initiatives such as solar lights and solar panels</p> <p>car parking and loading areas</p> <p>advertising structures and signage (such as A-frames and banners) that:</p> <ul style="list-style-type: none"> - relate to approved uses/activities - are discreet and temporary - are approved by the council

Table 8: Sportsground permissible uses and development.

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Active and passive recreational and sporting activities compatible with the nature of the particular land and any relevant facilities • Organised and unstructured recreation activities • Community sporting events and gatherings • Commercial uses associated with sports facilities 	<ul style="list-style-type: none"> ○ Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example: ○ 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) ○ Professional rooms for hire ○ Change room/locker areas ○ Shower/toilet facilities ○ Kiosk/café uses ○ Car parking and loading areas ○ Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas) ○ Shade structures ○ Storage ancillary to recreational uses, community events or gatherings, and public meetings ○ Facilities for sports training, e.g. ergonomic machines, weights rooms for ground training. ○ Heritage and cultural interpretation, e.g. signs ○ Equipment sales/hire areas ○ Meeting rooms/staff areas ○ Water-saving initiatives such as stormwater harvesting, rain gardens and swales ○ Energy-saving initiatives such as solar lights and solar panels ○ Locational, directional and regulatory signage. ○ Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> • relate to approved uses/activities • are discreet and temporary • are approved by the council

Table 9: Park permissible uses and development

Park	
<ul style="list-style-type: none"> ○ Active and passive recreation including children's play and cycling ○ Group recreational use, such as picnics and private celebrations ○ Eating and drinking in a relaxed setting ○ Publicly accessible ancillary areas, such as toilets ○ Festivals, parades, markets, fairs, exhibitions and similar events and gatherings ○ Low-intensity commercial activities (for example recreational equipment hire) ○ Filming and photographic projects ○ Busking ○ Public address (speeches) ○ Community gardening <p>Note: Some of the uses listed above require approval from Council. Prior to conducting any of the above activities, contact Council for further advice</p>	<ul style="list-style-type: none"> ○ Development for the purposes of improving access, amenity and the visual character of the park, for example paths, public art ○ Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts ○ Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, BBQs, sheltered seating areas ○ Lighting, seating, toilet facilities, courts, paved areas ○ Hard and soft landscaped areas ○ Storage sheds (on higher ground in acc with local Flood provisions) ○ Car parking and loading areas ○ Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment assoc with adjacent river ○ Community gardens ○ Heritage and cultural interpretation, for example signs ○ Bio-banking and carbon sequestration initiatives ○ Water-saving initiatives such as stormwater harvesting, rain gardens and swales ○ Energy-saving initiatives such as solar lights and solar panels ○ Emergency planning developments relating to flood risk, where agreed by local emergency planning committees and Council, eg. levees. ○ Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> • relate to approved uses/activities • are discreet and temporary • are approved by Council

*Note, Tables 7, 8 & 9 are general in nature and related to reserves with the same category under the Local Government Act. Prior to any developments taking place on the reserve, Council's Planning staff to check for development consent requisites and congruity with any hazard controls including flood precinct controls.

4.2 Key issues

Key issues for the ongoing use and management of the reserves are:

Administrative issues – ongoing booking management, use of site Manager, insurances, leases and licences, companion animals within reserves, subsequent reviews of this Plan of Management and linked strategic plans.

Environmental issues – environmental assessment of any new developments, management of noise and local nuisances (if any), flood risk and management for low-lying reserves, hours of operation including pools and play equipment.

Infrastructure – including water, sewer and electricity/solar upgrades & maintenance, building & facility accessibility, building maintenance, rainwater tanks, dump points, irrigation systems, lighting, perimeter fencing and signs; memorial restoration.

Safety and security – Emergency and Risk Management, compliance, internal site security, monitoring.

Improvements – Historic building & relic retention & restoration; pool upgrades; playgrounds; paths along waterways; public art;

These are expanded upon below. Note that these issues include those at the current sites as they stand. Development of the sites is discussed in further detail in section 4.7 and Table 10.

[Note, this section to be updated following consultation with user groups & wider community]

4.3 Management framework of Reserves

4.3.1 Administration

The following table outlines administrative issues common to this type of community land. Whilst actions may seem ‘commonsense’, areas of responsibility often span across Council Departments and clear lines of responsibility are best determined at the outset of the Plan.

Where improvements can be made, these are outlined for further consideration by Council.

Table 10: Administrative responsibilities for community land

Administrative Issue	Management Actions
Leases & licences	Issuing of leases and licences for temporary and other uses.
Insurance	Assets to be noted on insurance schedules, public liability, insurance for leasees and licencees – all to be determined. Inclusion of Cabonne Shire Council as an interested party on all relevant policies
Volunteers and working with Council/user groups	Staff responsible for managing volunteers, user groups. Where not already drafted, consider drafting a Volunteer Policy for all Council-related work by volunteers and include likely scenarios for use of community land
Annual Reporting	An annual report is required under the LG Act. Inclusions for this land to be drafted by appropriate staff
Emergency Management	Determine emergency management & response including site protocols & place within broader emergency management plan
Asset Management	Determine asset management responsibilities on site including incorporation into Asset Management Plan/s, expenditure, WH&S requirements, risk management

4.3.2 Management Guidelines

The following table outlines the general management guidelines for the land.

Table 11: Management actions for community land

Key Issues	Management Actions
General Maintenance	In partnership with user groups, Council will maintain the land at a service level appropriate to the site. Where contractors are used, this may form part of their agreement/contract
Infrastructure	Permanent, physical assets on site will be maintained in working order by Council. Temporary structures will be maintained by the user group/committee
Alcohol	The sale & consumption of alcohol is prohibited at Council's Swimming Pools. Sale of alcohol at events at the oval and other areas are also the responsibility of the lessee or licensees under the terms of their liquor license
Companion Animals	Companion animals are prohibited within Council Swimming Pools unless a registered assistance dog. Companion animals on the Oval and other park areas are permitted provided they are under effective control by a competent person and waste always collected & placed in bins. Training and obedience schools are permitted within Parks provided consent from Council has been obtained and relevant licences issued
Access & Parking	Access to the Oval is via McLaughlin St – sealed and signposted
Pollution control and dangerous goods	Council will ensure compliance with WHS Act requirements relating to storage of dangerous goods (such as pool chemicals) including appropriate storage design and bunding. Pollution control on site is a general maintenance matter for on-site managers
Site Safety	Pool safety audits are required on a regular basis in consultation with pool contractors or site managers. Annual site risk assessments for community lands in consultation with any site managers are to be conducted to highlight safety improvements and incorporate into budgets
Events	Events are permissible and encouraged: determine if development consent/section 68 activity approval & tenure (eg. Licence) is required, risk management & insurances, duration of the event, cleanup & hire fees

4.4 Development and Use

Development of the reserve will be in accordance with the reserve purpose and the objectives of the categories assigned. Where the Local Government Regulation 2021 permits exempt developments, these are permitted as well.

Infrastructure and facilities

Permitted infrastructure includes upgrades to existing buildings and expansions. Any new structures able to be used by the wider community will also need to have a nexus of use in accordance with the reserve purpose. New infrastructure to be proposed includes works as detailed below.

Community buildings

- Additions and alterations in accordance with permitted uses and subject to any development consents required
- Fencing/access/toilet/parking upgrades to comply with user group needs and legislative requirements

Swimming Pool

- New electric BBQ and shelter
- New shade structures
- Refurbish and repainting of existing buildings
- Upgrades to comply with access and parking minimum standards in accordance with the *Disability Discrimination Act 1992* and the Building Code of Australia. This may include new infrastructure including footpaths, parking areas and an accessible pool lift.

Memorial Oval & surrounds

- Realigned & straightened track (in accordance with Cumnock Village Recreation Precinct Masterplan)
- New shade structures
- New seating and storage sheds
- Additional athletics facilities in accordance with current user groups intentions (eg. Discus, shotput, long jump)
- Tennis court lighting
- New tennis court fencing
- Bollard lighting

CUMNOCK COMMUNITY LAND PLAN OF MANAGEMENT

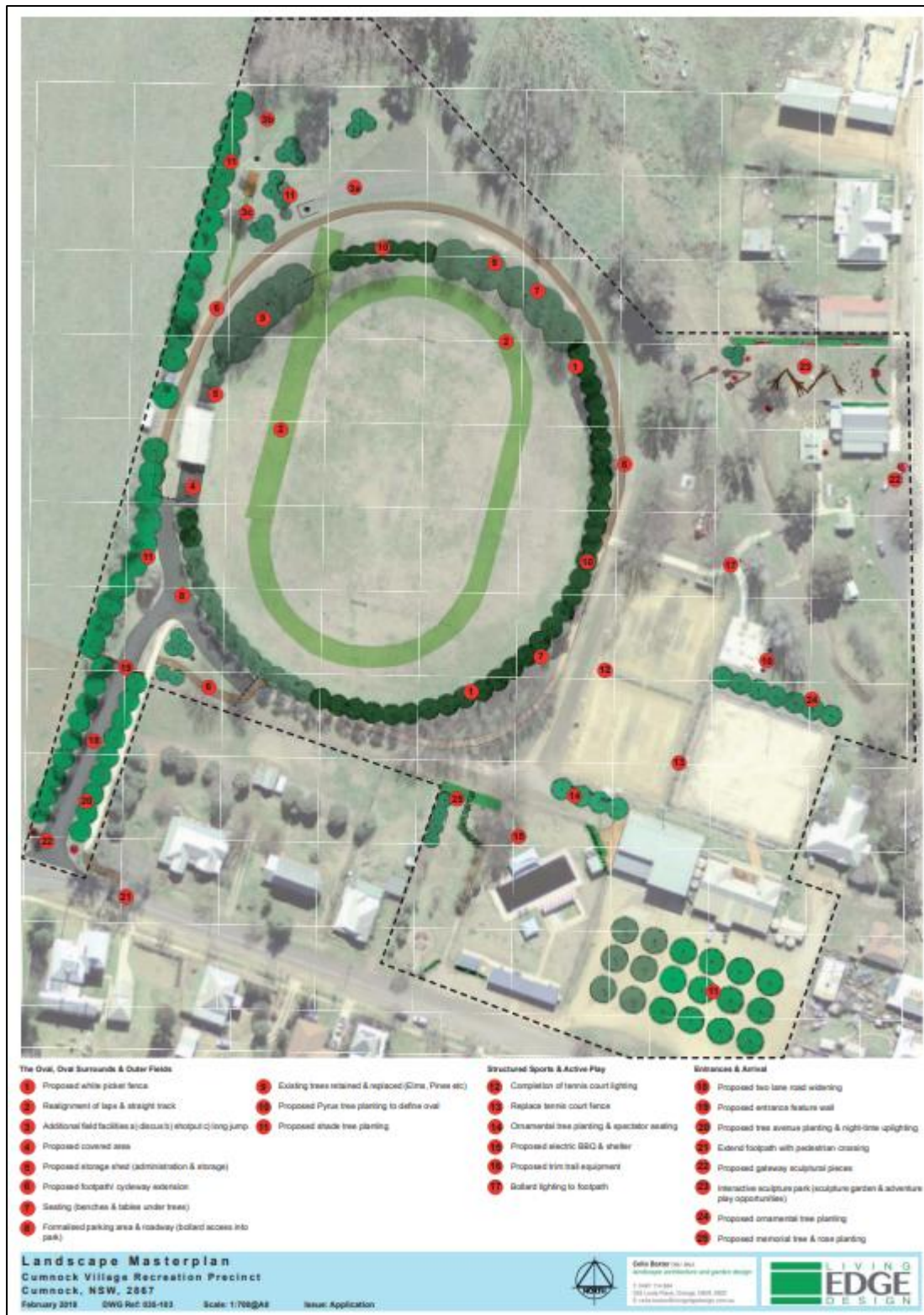


Figure 6: Cumnock Village Recreation Precinct Masterplan 2021. Source: Cabonne Shire Council

4.5 Express authorisation of tenures

In accordance with section 46(1)(b) and 36(3A) of the LG Act, this plan of management expressly authorises the issue of leases, licences and other estates over the land as follows:

Table 5 Leases, licences and other estates and purposes for which they may be granted for community land categorised as General Community Use

Table 12: Memorial Oval

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	Up to 21 years unless consent from Minister obtained for longer	<p>Combined or separate lease arrangement for kiosk, café and refreshment purposes</p> <p>Commercial retail uses associated with the facility (e.g. sale or hire of sports goods, apparel)</p>
Licence	Up to 21 years unless consent from Minister obtained for longer	<p>café/kiosk areas</p> <p>sale of goods or services that are ancillary to community land use and reserve purpose – e.g. ice machine, snack vending machine</p>
Short-term licence	Up to 5 years	<p>public speeches, meetings, seminars and presentations, including educational programs</p> <p>functions</p> <p>Sporting groups</p> <p>engaging in an appropriate trade or business delivering a public address, community events; auctions, markets and similar activities</p>
Other estates	In accordance with the LG Act	This Plan of Management allows the 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 the council or public utility provider on the community land in accordance with the LG Act

Table 13: Swimming Pools and Parks

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	Up to 21 years unless consent from Minister obtained for longer	<p>Contract management of the Pool for summer season</p> <p>Combined or separate lease arrangement for kiosk, café and refreshment purposes</p> <p>Commercial retail uses associated with the facility (e.g. sale or hire of sports goods, apparel)</p>
Licence	Up to 21 years unless consent from Minister obtained for longer	<p>café/kiosk areas</p> <p>sale of goods or services that are ancillary to community land use and reserve purpose – e.g. ice machine</p>
Short-term licence	Up to 5 years	<p>functions at pools</p> <p>Ongoing partial use of the pool area for a specific commercial purpose, separate to general pool usage. E.g. ongoing lifeguard training</p>
Other estates	In accordance with LG Act 1993	This Plan of Management allows the 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 the council or public utility provider on the community land in accordance with the LG Act. Additionally, Council may issue a tenancy for a purpose in accordance with the core objectives of the categorisation of the land (sportsground) (s.46(2) LG Act)

Table 14: War Memorial Hall (currently Cumnock Community Preschool)

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	Up to 21 years unless consent from Minister obtained for longer	Community office space – hot desks.
Licence	Up to 21 years unless consent from Minister obtained for longer	Express authorisation for community uses including preschool & child care , health clinic, professional rooms. sale of goods or services that are ancillary to community land use and reserve purpose – e.g. ice machine
Short-term licence	Up to 5 years	At Council's discretion and depending on existing tenancies. Examples include pop-up shops, temporary events and meetings.
Other estates	In accordance with LG Act 1993	This Plan of Management allows the 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 the council or public utility provider on the community land in accordance with the LG Act. Additionally, Council may issue a tenancy for a purpose in accordance with the core objectives of the categorisation of the land (sportsground) (s.46(2) LG Act)

Prior to any of the above tenures being granted, the following requirements and sections of legislation require completion/compliance:

- Compliance firstly with the requirements of this Plan of Management;
- Notification requirements under the LG Act 1993 and Local Government (General) Regulation 2021 are to be fulfilled;
- Consider whether the consent of the Minister is required under the LG Act or Regulation.

5.0 Action Plan

In accordance with section 36 of the LG Act, the tables below outline the following required information for a Plan of Management for community land:

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

For ease of reporting, cross-referencing of Council's key strategic plans are also included in this Action Plan. The Action Plan has been split by reserve category.

Note the following improvements are within each of the categories mentioned below:

GCU Cumnock Preschool, Cumnock Community Centre

Sportsground: Cumnock Memorial Oval, Tennis Courts, Bowling Green & Swimming Pool

Park: Cumnock War Memorial Park

The following timeframes apply to the actions in this Plan:

ST: Short Term (Complete over 1-2 years)

MT Medium Term (Complete within 5 years)

LT Long Term (Complete within 10 years).

Table 15: Action Plan & strategic links – General Community Use

Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
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 the wider public:	<p>Community Strategic Plan (CSP):</p> <p><i>2.5 Cabonne's community infrastructure enables all residents and visitors to participate in a range of activities</i></p> <p><i>3.5 Cabonne's children have access to childcare and children's services that meet the needs of our local families</i></p>	<ul style="list-style-type: none"> - Encourage events and use of the facilities on site and re-use or refurbishment of Community Centre - Community surveys with CSP review to determine future needs and wants of community - Assess asset condition regularly in line with agreed service levels and Asset Management Plans - Maintain close connections with user groups including Childcare and Preschools to ensure buildings are continuing to be fit for purpose and assist in seeking funding 	<p>Number and increased number of events & attendance: Medium/Long Term</p> <p>CSP feedback to align questions with GCU reserves: Medium term</p> <p>Asset conditions checked with AMP reviews and risk assessments: Medium Term</p> <p>Licence renewals: Short Term</p>

Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public	<p>3.4 <i>Provide services, facilities and activities that promote inclusion across the community</i></p> <p>3.8 <i>Cabonne has a thriving, vibrant arts and culture scene that promotes local endeavour and encourages local participation</i></p>	<ul style="list-style-type: none"> - Facilitate hosting wider events to encourage greater usage - Assess asset condition regularly in line with agreed service levels and Asset Management Plans - Engage with local action groups during regular meetings regarding cultural exhibits, market days & expanded uses for community buildings and spaces 	<p>Number and increased number of events & attendance: Medium/Long Term</p> <p>CSP feedback to align questions with GCU reserves: Medium term</p> <p>Asset conditions checked with AMP reviews and risk assessments: Medium Term</p> <p>Additional uses of community spaces per calendar year Long Term</p>
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)	<p>CSP:</p> <p>Quality Governance- as mentioned under <i>Destination 2036 Action Plan for Local Government (2012)</i></p>	<ul style="list-style-type: none"> - Tenure and hire fees included in Council's Fees and Charges – to be reviewed if limited interest/income - Promote successful hire/licences issued for reserves through Council social media and website - Determine appropriate tenure and hire fees for new and existing leases/licences - Prepare guideline for casual hire/lease/licencing of community buildings/sites, particularly where demand justifies preparation - Regularly review and renew licence for existing uses including Preschool 	<p>Fees and Charges reviewed to determine appropriate service level and levies: Short Term</p> <p>Assessment of accessibility of reserves: Short Term</p> <p>Council social media engagement of inclusive posts: Short Term</p> <p>Guidelines prepared for well-utilised facilities: Short Term</p> <p>Licences renewed: Short Term</p>

Table 16: Action Plan & strategic links – Sportsground

Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
(a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games,	<p>Community Strategic Plan (CSP): 2. Infrastructure <i>2.5 Cabonne's community infrastructure enables all residents and visitors to participate in a range of activities</i></p> <p>3. Community <i>3.2 Cabonne's community clubs, groups and organisations are sustainable and provide access to activities for all age groups and abilities</i></p> <p><i>3.3 Cabonne's youth are engaged and contributing members of their communities</i></p>	<p>CSP: Support community organisations to provide a range of services, sport, recreation and cultural activities that meet community needs</p> <ul style="list-style-type: none"> - Encourage multi-use of sites - Facilitate hosting wider events to encourage greater usage (*links with <i>Cabonne Economic Development and Visitor Economy Strategy</i> – encourage cross-regional collaboration) - Improved boundary fencing - Improved access to and between reserves - Maintain recent improvements from Masterplan and review evolving uses 	<p>Council survey with CSP to include use of open space: Medium Term</p> <p>Increased usage of Reserves: Medium Term</p> <p>Increased number of wider events hosted: Medium Term</p> <p>Feedback from local sporting groups of participation numbers & why: Short Term</p>
	<p>Disability Inclusion Action Plan 2017–21 (DIAP)</p> <ul style="list-style-type: none"> - Work with local disability organisations and community to 	<ul style="list-style-type: none"> - Improve accessible paths of travel to (and within) key destinations 	<p>With Annual Reporting: Short Term</p>

Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
	<p>make events, activities and facilities accessible and inclusive</p> <p>- Include access and inclusion as a guiding principle in <i>Plans of Management for community land</i> and provisions within the Development Control Plan. Consider the particular needs of children with disability in the design, layout and security of parks and playgrounds</p>	<p>- Play and pool equipment for limited mobility groups</p> <p>- Continuously upgrade Council's assets to meet legislative requirements for accessibility</p> <p>- Seek funding for above improvements in consultation with Cumnock community</p>	<p>With Audit of parks/sporting fields for accessibility: Short Term</p> <p>Ongoing</p>
		<p>- Ensure lease/licence fees are affordable</p> <p>- Assess directional signage (both physically and online)</p> <p>- Apply for funding to upgrade facilities through Community and Economic Development/Sporting Grants when available</p> <p>- Improved information on how to book fields and their regular use</p>	<p>- Council to look at online linkages Short Term</p> <p>- Funding applications applied for when funding streams open ongoing</p> <p>- Improved pool access for persons with a disability Short Term – grant funding</p> <p>Survey with next CSP</p> <p>Medium Term</p>
(b) to ensure that such activities are managed having	CSP:	- Social media suggestions for improvement from community	Social media feedback for improvements::

Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
regard to any adverse impact on nearby residences.	<p>3.4 Residents feeling connected, safe, valued, and that they are able to contribute to the Cabonne community</p> <p>4.4 The Cabonne community celebrates what we have to offer through community events that bring people together (locals and visitors alike)</p>		Medium Term

Table 17: Action Plan and strategic links – Park

Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
(a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities,	CSP: 3. Community 3.2 Cabonne's community clubs, groups and organisations are sustainable and provide access to activities for all age groups and abilities 3.8 Cabonne has a thriving, vibrant arts and culture scene that promotes local endeavour and encourages local participation	CSP: Infrastructure custodians invest in maintaining and enhancing facilities, including public toilets, caravan parks, swimming pools, sports grounds, recreational facilities, museums, community halls, playgrounds, parks and gardens	Maps/promotional material produced & distributed. Feedback from local community and arts/cultural/drama groups. Awareness surveys with next CSP. Medium Term
(b) to provide for passive recreational activities or pastimes and for the casual playing of games,	CSP: 3. Community <i>3.2 Cabonne's community clubs, groups and organisations are sustainable and provide access to activities for all age groups and abilities</i>	Investigate which user groups require a lease or licence for their operations on Council land	Upon adoption of this Plan/number of tenures issued. Short term

Management Objectives (Local Govt Act, s 36)	Links to adopted Council Strategic Plans	Actions	Performance Evaluation and Timeframe (ST/MT/LT)
(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.	<p>CSP 2. Infrastructure 2.5 Cabonne's community infrastructure enables all residents and visitors to participate in a range of activities</p> <p>Cabonne Recovery Plan:</p> <p><i>Restore and maintain community facilities and assets, including sporting facilities, parks, recreation areas, cemeteries, footpaths and cycleways</i></p> <p><i>1.3.2 Active transport footpaths and bridges in Molong, Mullion Creek, Cargo, Cudal, Cumnock, Eugowra, Manildra, and Canowindra</i></p>	<ul style="list-style-type: none"> - Assess current physical condition of key facilities at reserves to determine forward plans for maintenance - Assess condition of boundary fences to ensure adequate security (where necessary) - As site infrastructure improves, consider best methods of security at the site for all user groups, including lighting - Conduct annual safety audits of the site in conjunction with interested user groups and Council's internal Audit Committee - Improved site management techniques - Electricity/solar power for future site upgrades - Access and parking assessments 	<p>Physical condition reports for facilities, fences, parking to marry in with Asset Management reports</p> <p>Short Term</p> <p>Safety/security audit at prioritised sites</p> <p>Medium Term</p> <p>Toolbox meetings for outdoor staff to gauge feedback on site management techniques regular intervals</p> <p>Public toilet and amenity audits – regular basis</p> <p>Footpaths and bridges from Recovery Plan: Medium Term</p>

Appendix A Individual sites & actions

Cumnock Preschool building

[this section left blank intentionally – to be completed following results of community consultation].

DRAFT

Cumnock Swimming Pool

[this section left blank intentionally – to be completed following results of community consultation].

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Appendix B Plan of Management

Legislative Framework

The primary legislation that impacts on how community land is managed or used is briefly described below. You can find further information regarding these acts at www.legislation.nsw.gov.au.

Local Government Act 1993

Section 35 of the Local Government Act 1993 (LG Act) provides that community land can only be used in accordance with:

- the plan of management applying to that area of community land, and
- any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and
- the provisions of Division 2 of Chapter 6 of the Act.

Section 36 of the Act provides that a plan of management for community land must identify the following:

- the category of the land,
- the objectives and performance targets of the plan with respect to the land,
- the means by which the council proposes to achieve the plan's objectives and performance targets,
- the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and may require the prior approval of the council to the carrying out of any specified activity on the land.
- Land is to be categorised as one or more of the following:
 - A natural area
 - A park
 - A sportsground
 - An area of cultural significance
 - A sportsground,

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

- a) bushland
- b) wetland
- c) escarpment

- d) watercourse
- e) foreshore
- f) a category prescribed by the regulations.

Additionally, under section 36 of the *Local Government Act 1993* (LG Act), a site-specific PoM must be made for land declared:

- as critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws (sections 36A(2) and 36B(3))
- by council to contain significant natural features (section 36C(2))
- by council to be of cultural significance (section 36D(2)).
- council should also consider a site-specific PoM for reserves that are complex.

Classification of public land

The LG Act requires classification of public land into either 'community' or 'operational' land (Section 26). The classification is generally made for council-owned public land by the council's Local Environmental Plan (LEP) or in some circumstances by a resolution of the council (Section 27).

Classification of land has a direct effect on the council's ability to dispose of or alienate land by sale, leasing, licensing or some other means. Under the LG Act, community land must not be sold (except for scheduled purposes), exchanged or otherwise disposed of by the council, and the land must be used and managed in accordance with an adopted PoM. In addition, community land is subject to strict controls relating to leases and licences (sections 45, 46, 46A and 47) of the LG Act.

By comparison, no such restrictions apply to operational land that is owned by councils. For example, operational land can be sold, disposed, exchanged or leased including exclusive use over the land, unencumbered by the requirements which control the use and management of community land.

Operational land would usually include land held as a temporary asset or an investment, land which facilitates the council carrying out its functions or land which may not be open to the general public (for example, a works depot).

The classification or reclassification of council-owned public land will generally be achieved by a Local Environmental Plan (LEP) or by a resolution of council in accordance with sections 31, 32 and 33 of the LG Act. If land is not classified by resolution within a three-month period from acquisition it automatically becomes community land, regardless of whether it satisfies the objectives for community land as outlined in the LG Act.

Other State and Commonwealth legislation

NSW State legislation

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments which 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 the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies which 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).

National Parks and Wildlife Act 1974

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance. This Act may affect community land categorised as cultural significance, natural area or park.

Biodiversity Conservation Act 2016

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned, and these control categories identify the course of action which needs to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

Rural Fires Act 1997

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone lands.

Water Management Act 2000

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- the fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries has to be protected
- the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land
- to be properly effective, water management must be a shared responsibility between the government and the community
- water management decisions must involve consideration of environmental, social, economic, cultural and heritage aspects
- social and economic benefits to the state will result from the sustainable and efficient use of water.

Heritage Act 1977

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

Commonwealth legislation

Environmental Protection and Biodiversity Conservation Management Act 1999

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

Telecommunications Act 1997

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

State Environmental Planning Policies

State Environmental Planning Policy (Biodiversity and Conservation) 2021

This planning policy has consolidated the biodiversity and conservation considerations from prior SEPPs including vegetation in urban and non-urban areas and its clearing, koala habitat protection and development controls in certain water catchments and protected areas.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Minor works under this SEPP which can be carried out within reserves have limiting criteria which determines when they need development consent from Council.

State Environmental Planning Policy (Resilience and Hazards) 2021

This policy outlines the steps involved in identifying and remediating contaminated land which may be relevant to reserves considering past uses.

State Environmental Planning Policy (Transport & Infrastructure) 2021

This planning policy lists development allowed with consent or without consent on community land.

Other relevant legislation, policies and plans

Biosecurity Act 2015

Catchment Management Authorities Act 2003

Companion Animals Act 1998

Disability Discrimination Act 1992

Local Land Services Act 2013

Protection of the Environment Operations Act 1997

Soil Conservation Act 1938

NSW Invasive Species Plan 2008-2015

Australian Natural Heritage Charter

Appendix C: Aboriginal Heritage Inventory Management System (AHIMS) register check

A check of the AHIMS register (as at 3 March 2025) revealed no items listed or captured on the reserves within this Plan of Management. As this is a fluid register, new Aboriginal Heritage items may be entered at any time and as such, the register is to be checked prior to commencing any work on or near this community land. Using a buffer of at least 50 metres in the register allows boundary discrepancies to be captured.

This free register can be accessed at the NSW Environment and Heritage government site: [Aboriginal Heritage Information Management System \(AHIMS\) Web Services \(nsw.gov.au\)](https://www.nsw.gov.au/aboriginal-heritage-information-management-system-ahims-web-services)