



City of Blue Mountains

The City Within a World Heritage National Park

Generic Community Land Plan of Management

City of Blue Mountains
Community Land Plan of Management

General Provisions

ADOPTED
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City of Blue Mountains Community Land Plan of Management

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Prepared by Blue Mountains City Council
based partly on the Blue Mountains City Council
Community Lands Plan of Management published in 1996
prepared by PPM Consultants and Fathom Consulting
and the draft *Natural Areas Management Strategy*
prepared by Blue Mountains City Council in June 2000

This *Community Land Plan of Management* is
the front-end volume for a proposed set of five
Area Community Land Plans of Management

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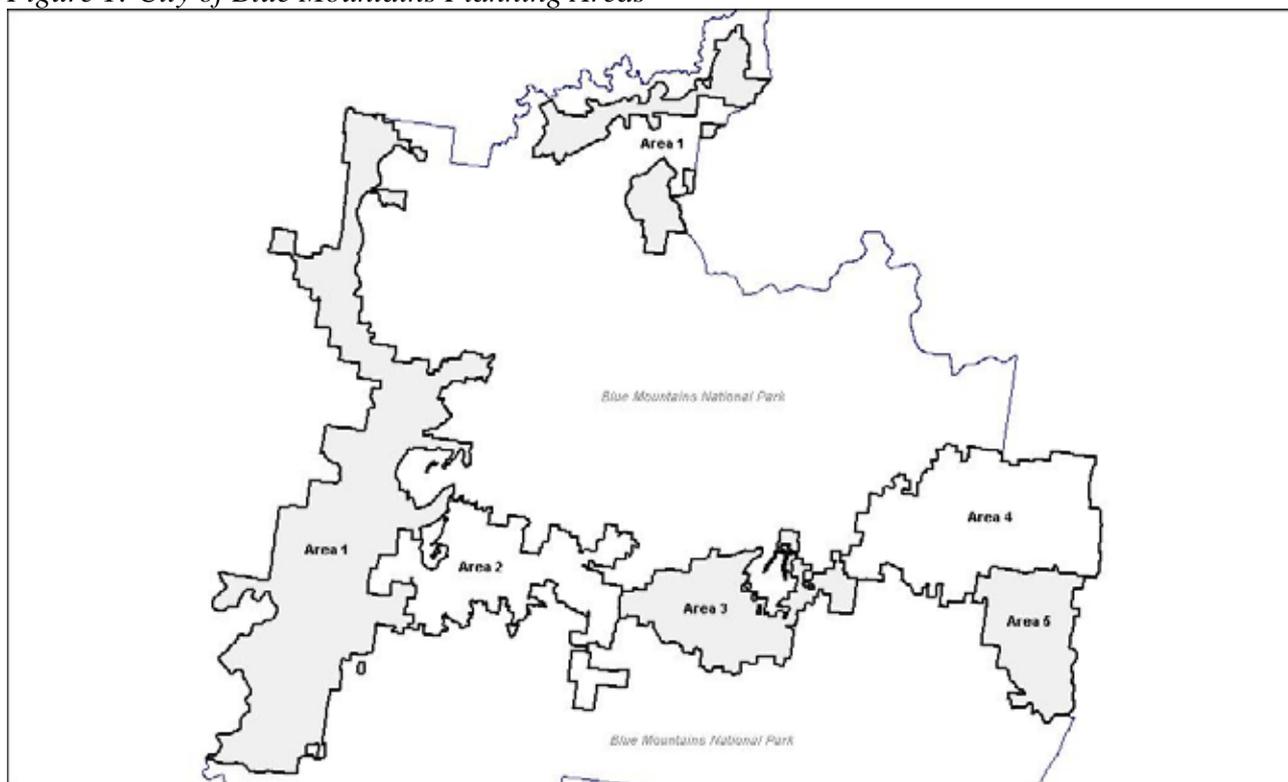
Part 1

City of Blue Mountains Community Land Plan of Management Planning Framework

1.1 Introduction

Blue Mountains City Council adopted a generic *Community Lands Plan of Management* in November 1996. To further comply with subsequent requirements of the *Local Government Act*, Council is preparing a set of five plans of management for Community Lands, based on the five areas used for Council planning. The purpose of these plans is to publicly exhibit and adopt the maps of Community Land categories required under the *Local Government Act*, and to adopt general management strategies for those Community Lands unlikely to be covered by a specific plan of management.

Figure 1: City of Blue Mountains Planning Areas



Blue Mountains City Council owns over 1,000 parcels of Community Land, comprising some 350 reserves, covering more than 1,000 hectares. In addition, Council manages about 300 hectares of Regional Open Space owned by the NSW State Government, as Community Land. Under the *Local Government Act*, Council is required to produce plans of management for all Community Land.

Council also manages some 4,000 hectares of Crown Land on behalf of the State Government, under the *Crown Lands Act*. This is just under half of the Crown Land estate in the City of Blue Mountains. Council is not required to produce plans of management for these Crown Lands, and the five Area Community Land Plans of Management do not include Crown Land.

Occasionally, plans of management are prepared for particular Crown Land reserves where there are significant management issues. These plans of management are prepared in association with the relevant State Government department, under the *Crown Lands Act*.

The Community Land estate in the City of Blue Mountains is spread throughout the city, ranging from reserves of over 90 hectares to parks of less than half a hectare. Some Community Land reserves link with other public lands. Some form part of larger reserves with adjoining Crown Lands. Other Community Lands sit within larger environmental protection zones, which provide a broader natural setting for these reserves.

Council's Community Lands are an integral part of the public land estate in the City of Blue Mountains and provide a wide range of recreational opportunities for residents and visitors.

Table 1: Council Planning Areas

Area	Towns	Area (ha)	Community Lands	Plan of Management
Area 1	Berambing, Mount Tomah, Mount Irvine, Mount Wilson, Bell, Mount Victoria, Blackheath, Medlow Bath, Megalong	17,260	circa 400 ha	Current generic PoM. To be replaced by Area Community Land PoM
Area 2	Katoomba, Leura, Wentworth Falls	5,454	circa 200 ha	Current generic PoM. To be replaced by Area Community Land PoM
Area 3	Bullaburra, Lawson, Hazelbrook, Woodford, Linden	3,978	circa 150 ha	This PoM
Area 4	Faulconbridge, Springwood, Winmalee, Hawkesbury Heights, Yellow Rock, Valley Heights, Sun Valley	7,014	circa 440 ha	Current generic PoM. To be replaced by Area Community Land PoM
Area 5	Warrimoo, Blaxland, Mount Riverview, Glenbrook, Lapstone	2,923	circa 230 ha	Current generic PoM. To be replaced by Area Community Land PoM

This generic Plan of Management covers all Community Land. The Area Community Land Plans of Management cover the Community Land in each Planning Area. If Council has already adopted a specific plan of management, the Area Plan of Management will refer to it. The provisions of this Plan of Management do not over-ride the specific plan of management.

Whenever a new specific plan of management is developed, it will become the primary plan of management applying to the land. The general provisions of the Area Community Land Plan of Management will remain in place for the land but the specific plan of management will provide more detailed management actions.

As already mentioned, plans of management for Crown Land managed by Council are developed under the *Crown Lands Act 1989*, and are not covered in the Area Community Land Plans of Management. However for the purposes of consistent management, Council has categorised the Crown Land that it manages with the categories set under the *Local Government Act 1993*. The categorisation of Crown Land has no legal status but is a useful management tool for Council.

1.1.1 Format of the Area Community Land Plans of Management

Preparation of the Area Community Land Plans of Management

This document and the Area Plan of Management have been prepared and structured in accordance with the requirements of the *Local Government Act 1993*. Section 36 of the Act requires that:

- all Community Land must have a plan of management;
- the land must be categorised;
- the plan must contain objectives for management of the land;
- the plan must include performance targets;
- the plan must contain a means of achieving objectives and performance targets; and
- the plan must contain a means for assessing achievement of objectives and performance targets.

Structure of this document

- This volume is a generic front-end to each Area Community Land Plan of Management. It introduces the Plan of Management, explaining its purpose and structure. It also contains information and references pertinent to Community Land management, providing a useful resource for managers and the community.
 - Part 1 outlines the planning framework for Community Land management in the City of Blue Mountains.
 - Part 2 sets the context for Community Land management in the City of Blue Mountains.
 - Part 3 provides a synopsis of all the relevant legislative requirements, Council Policies and Resolutions, and other general provisions.

For each Planning Area, there is companion volume to this document.

The companion volumes provide an overview of Area Community Lands and include the categorisation of Community Lands. They cover general management issues and actions for each Planning Area as well as containing the individual summary plans of management for each Community Land reserve in each Area. They contain the core objectives for the management of these issues and the land, management actions and performance measures, and the means of achieving these objectives and performance targets.

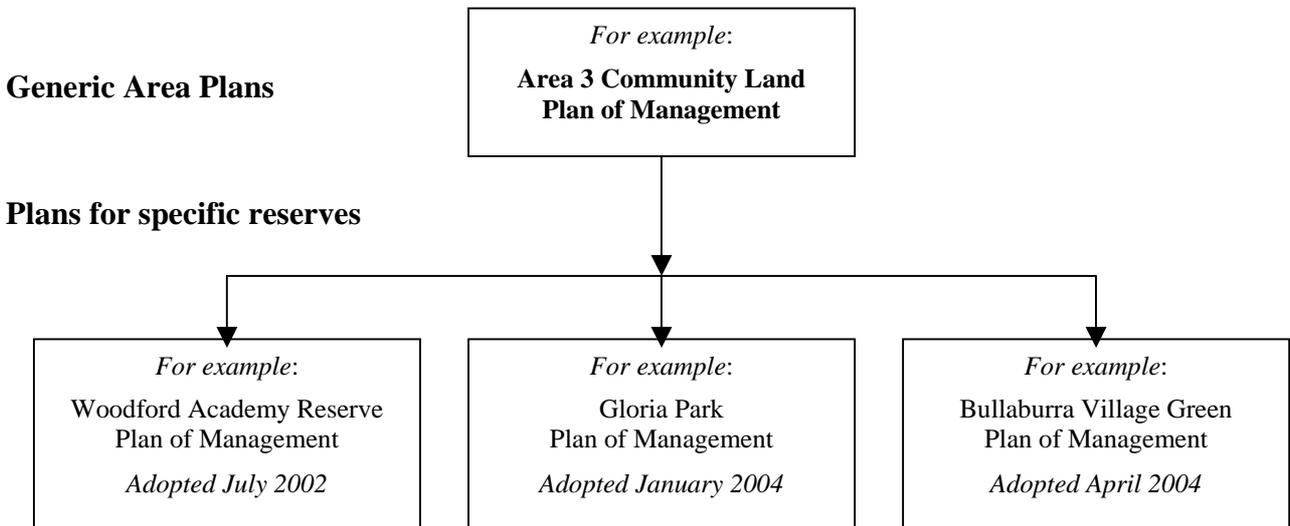
Why an Area Community Land Plan of Management?

This Plan of Management combines with a set of five plans of management that will update, and eventually replace, the Blue Mountains City Council *Community Lands Plan of Management* adopted in November 1996.

The *Community Lands Plan of Management* set the basis for a number of continuing management actions, particularly Council support for *World Heritage Nomination* of the Greater Blue Mountains, and the *Public Lands Rationalisation Project*. At present this document remains the key overall guideline to management of public land by Blue Mountains City Council. However, once the Area plans of management are complete, it will be replaced by the Area plans of management, which will provide a level of detail and category mapping that are not included in the master document.

This set of plans will be more specific, on an Area basis, than the 1996 *Community Lands Plan of Management*. In turn, where required under the *Local Government Act 1993*, plans of management for specific reserves will be prepared.

Figure 3: Community Land Planning Framework



Part 2

City of Blue Mountains Community Land Plan of Management Management Context

1.2 The City of Blue Mountains in Context

The Blue Mountains form part of the elevated western section of the Sydney Basin Biogeographical Region. The Sydney Basin extends along a small section of the east coast of Australia from Tomaree National Park at Port Stephens to Murramarang National Park near Durras. National parks, nature reserves or other State parks cover about half of the Sydney Basin.

The sandstone formation known as the Blue Mountains is a dissected tilted-plateau, rising from 10 metres above sea-level at the Hawkesbury-Nepean River to 1085 metres at Bell in the City of Blue Mountains and 1215 metres at Mount Werong in Blue Mountains National Park. The Local Government Area is 1,432 square kilometres in size and 40% of Blue Mountains National Park covers three-quarters of the Local Government Area. Blue Mountains National Park is currently 2,669 square kilometres in size and encloses the City of Blue Mountains: the City within a World Heritage National Park.

The residents of the Blue Mountains live within a National Park that is part of one of the most important natural reserve systems in Australia: the Greater Blue Mountains World Heritage Area.

Blue Mountains National Park is one of Australia's most visited national parks due to its spectacular scenery and proximity to Sydney. It is part of a system of contiguous reserves that covers over one million hectares extending along the coast to west of the Great Dividing Range from the Hunter Valley south to Mittagong. The park is of particular significance because of the diversity of its natural features and environments and its role in contributing to a comprehensive, adequate and representative conservation reserve system within the Sydney Basin biogeographic region and along the Great Escarpment (NPWS 1998).

Open forest and woodlands with diverse and often dense understorey vegetation are dominant throughout the Local Government Area. Heath, swamp or wet heath, and rainforest communities comprise the remainder of the native vegetation.

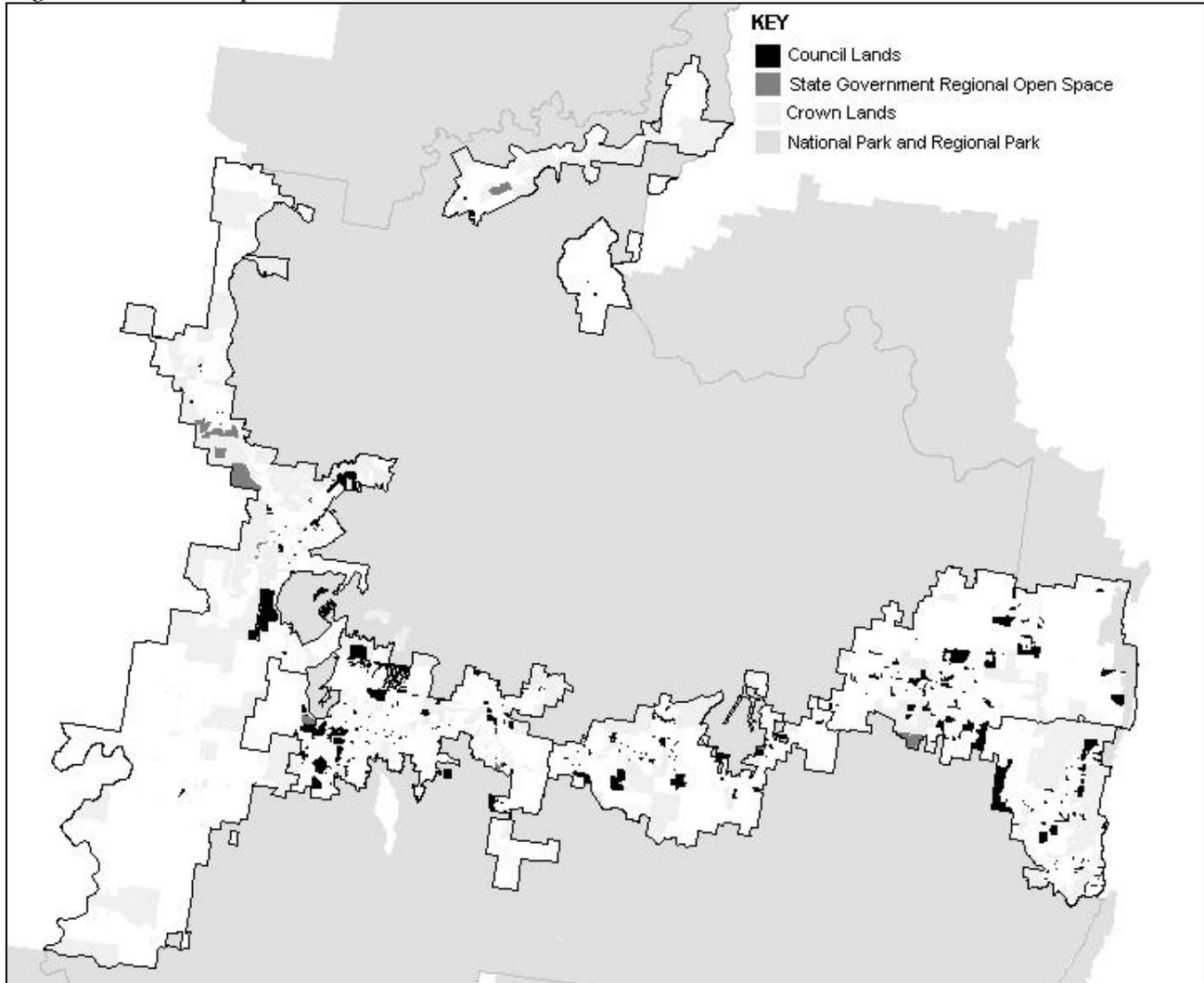
The Blue Mountains Local Government Area has outstanding natural values. However, many of the natural lands that are not part of Blue Mountains National Park are also of conservation significance.

Approximately 7% of the LGA is composed of other public lands and a further 6% of the LGA is composed of Environmental Protection Zones (under LEP 1991 on private lands. Public lands include Community and Operational Lands owned by Blue Mountains City Council, Public Recreation Reserves, Reservations and other Crown Lands owned by the Department of Lands, and Regional Open Space acquired by the State Government.

Within the City of Blue Mountains, natural areas make up more than 90% of the public land estate managed by Council. Over 90% of Community Land is also comprised of natural areas. However Council's parks are significant assets for residents, and a few attract visitors from outside the Blue Mountains. Council manages 122 parks, 54 of which are on Community Land. Council also manages over 20 sportsgrounds, including equestrian arenas, 3 of which are on Community Land.

Adding to the recreational opportunities in the City of Blue Mountains are tennis courts, golf courses, bowling clubs and swimming pools. Council manages over 60 general community use lands, which include these sports sites, with 20 on Community Land.

The Community Lands of the City of Blue Mountains add to the natural areas reserved as National Park and Crown Reserves and also provide a broad range of recreational opportunities for residents and visitors.

Figure 2: Council's public land estate in context

Note: This map includes Crown Lands that are not managed by Blue Mountains City Council as well as Council-owned public lands, such as Operational Lands, that are not covered by a Community Land Plan of Management.

The LGA boundary is shown as a dark grey line. Not the whole LGA is shown, only the towns and their surrounds.

1.2.1 Recreational Impacts

A significant impact on public lands has been the increase in extreme sports, particularly informal recreation such as BMX dirt jump riding and downhill mountain bike racing. The use of rock-climbing and abseiling sites has also increased substantially over the past decade. Community Land has been affected by this expansion of recreational use, particularly Regional Open Space sites.

Council is developing a Nature-Based Recreation Strategy to plan for and manage the demand for nature-based sports sites and, in the interim, has developed a number of management actions that are listed in Part 3.

Part 3

City of Blue Mountains Community Land Plan of Management General Provisions

3 General Provisions

This section outlines the general legislative requirements for Community Land and summarises Council policies and resolutions pertaining to Community Land management.

3.1 General Legislative Requirements

The Area Community Land Plans of Management are prepared under the provisions of the *Local Government Act 1993* as amended. The *Local Government Act* is the primary Act of Parliament pertaining to the management of Community Land.

The following table lists other relevant Acts of Parliament that may need to be taken into consideration along with the *Local Government Act* for Community Land management.

Table 2: Legislation relevant to Community Land management

Act of Parliament
Australian Government Legislation
<i>Endangered Species Protection Act 1992</i>
<i>Environment Protection and Biodiversity Conservation Act 1999</i>
NSW State Government Legislation
<i>National Parks and Wildlife Act 1974</i>
<i>Heritage Act 1977</i>
<i>Environmental Planning and Assessment Act 1979</i>
<i>Crown Lands Act 1989</i>
<i>Catchment Management Act 1989</i>
<i>Noxious Weeds Act 1993</i>
<i>Local Government Act 1993</i>
<i>Fisheries Management Act 1994</i>
<i>Threatened Species Conservation Act 1995</i>
<i>Native Vegetation Conservation Act 1997</i>
<i>Rural Fires Act 1997</i>
<i>Companion Animals Act 1998</i>

The relevance of these Acts of Parliament is outlined in the appendices.

3.1.1 Local Government Act Requirements

The Local Government Act 1993, as amended, provides for the classification of Council-owned land as Community Land or Operational Land.

Classification of Council Lands

Part 2 of the *Local Government Act 1993* requires that all Council owned public land be classified as Community Land or Operational Land. If Council public land is classified as Community Land, a plan of management must be prepared and the Community Land must be managed in accordance with the plan of management and any other laws applying to the land. In the plan of management the Community Land must be categorised in accordance with the categories specified in the *Local Government Act 1993*.

Community Land

Community Land cannot be sold – unless re-classified via public exhibition or LEP process as Operational Land – and must be managed by Council in accordance with the plan of management applying to the land, any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and the requirements of Part 3 Division 1 of the *Local Government Act*. This Area Plans of Management apply to all Community Land in the Area. Where Council has adopted a specific plan of management for a reserve, its specific provisions apply.

Operational Land

Operational Land need not be available for community use and can be sold. Plans of management are not required for Operational Land: Operational Land is not included in this plan of management.

Drainage Reserves and Parking Areas

There are a considerable number of drainage reserves and car parks that are classified as Community Land. The most appropriate classification of these lands is more likely to be Operational rather than Community. Drainage reserves and car parks have not been included in the generic *City of Blue Mountains Community Land Plan of Management*.

Rural Fire Brigade Stations

Some Community Lands contain Rural Fire Brigade stations. Where other Rural Fire Brigade stations are sited on Council owned land, it is classified as Operational Land. The most appropriate future classification of Council owned lands containing RFB Stations is being reviewed and RFB Stations have not been included in the *City of Blue Mountains Community Land Plan of Management*.

Road Reserves

Under *Draft Local Environment Plan 2002*, a number of unformed road reserves have been zoned Environmental Protection – Open Space (EP-OS). These EP-OS lands will effectively become reserves. If these sections of the road reserves are de-gazetted, these lands will have to be classified Community Land and included in future editions of the *City of Blue Mountains Community Land Plan of Management*.

Easements

Section 46(1) of the *Local Government Act* provides for leases, licences and other estates, including easements for infrastructure serving a public purpose, in respect of Community Land.

Council cannot provide vehicle access, a right of way or an easement for private purposes across Community Land under the *Local Government Act*.

State Government Regional Open Space managed as Community Land

The *Sydney Regional Environmental Plan No. 10 1987* (SREP 10) zoned a number of lands within the Blue Mountains as Regional Open Space. The State Government has since acquired a number of these Regional Open Space zones. Regional Open Space that has been acquired is managed as Community Land in accordance with Part 2 of the *Local Government Act 1993*, which requires all land vested in Council, except roads or Crown Lands, to be managed as Community or Operational Land.

Categorisation of Community Land

The *Local Government Act* stipulates a set of categories for appropriate management of Community Land and provides the general management objectives for each category.

The following table lists the categories of Community Land and the criteria for application of these categories:

Table 3: *Community Land Categories*

Category	Local Government Act criteria for categorisation
Area of Cultural Significance	<p>Land should be categorised as an area of cultural significance under section 36 (4) of the Act if the land is:</p> <ul style="list-style-type: none"> (a) an area of Aboriginal significance, because the land: <ul style="list-style-type: none"> (i) has been declared an Aboriginal place under section 84 of the <i>National Parks and Wildlife Act 1974</i>, or (ii) whether or not in an undisturbed state, is significant to Aboriginal people in terms of their traditional or contemporary cultures, or (iii) is of significance or interest because of Aboriginal associations, or (iv) displays physical evidence of Aboriginal occupation (for example, items or artifacts such as stone tools, weapons, engraving sites, sacred trees, sharpening grooves or other deposits, and objects or materials that relate to the settlement of the land or place), or (v) is associated with Aboriginal stories, or (vi) contains heritage items dating after European settlement that help to explain the relationship between Aboriginal people and later settlers, or (b) an area of aesthetic significance, by virtue of: <ul style="list-style-type: none"> (i) having strong visual or sensory appeal or cohesion, or (ii) including a significant landmark, or (iii) having creative or technical qualities, such as architectural excellence, or (c) an area of archaeological significance, because the area contains: <ul style="list-style-type: none"> (i) evidence of past human activity (for example, below-ground features such as building foundations, occupation deposits, features or artifacts or above-ground features such as buildings, works, industrial structures, and relics, whether intact or ruined), or (ii) any other deposit, object or material that relates to the settlement of the land, or (d) an area of historical significance, because of the importance of an association or position of the land in the evolving pattern of Australian cultural history, or (e) an area of technical or research significance, because of the area's contribution to an understanding of Australia's cultural history or environment, or (f) an area of social significance, because of the area's association with Aboriginal life after 1788 or the area's association with a contemporary community for social, spiritual or other reasons.
Park	<p>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.</p>
Sportsground	<p>Land should be categorised as a sportsground under section 36 (4) of the Act if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.</p>
General Community Use	<p>Land should be categorised as general community use under section 36 (4) of the Act if the land:</p> <ul style="list-style-type: none"> (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 (b) is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 10-13 for categorisation as a natural area, a sportsground, a park or an area of cultural significance .

<p>Natural Area</p>	<p>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> <p>Note. Section 36A of the Act provides that community land that has been declared a critical habitat under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i> must be categorised as a natural area.</p> <p>Section 36B of the Act provides that community land all or part of which is directly affected by a recovery plan or threat abatement plan under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i> must be categorised as a natural area.</p> <p>Section 36C of the Act provides that community land that is the site of a known natural, geological, geomorphological, scenic or other feature that is considered by the council to warrant protection or special management considerations, or that is the site of a wildlife corridor, must be categorised as a natural area.</p>
<p>Bushland</p>	<p>(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:</p> <ul style="list-style-type: none"> (a) is the natural vegetation or a remainder of the natural vegetation of the land, or (b) although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality. <p>(2) Such land includes:</p> <ul style="list-style-type: none"> (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 which contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or (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 (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>Wetland</p>	<p>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, intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationary.</p>
<p>Watercourse</p>	<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"> (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 (b) associated riparian land or vegetation, including land that is protected land for the purposes of the <i>Rivers and Foreshores Improvement Act 1948</i> or State protected land identified in an order under section 7 of the <i>Native Vegetation Conservation Act 1997</i>.

Escarpment	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"> (a) the land includes such features as a long cliff-like ridge or rock, and (b) the land includes significant or unusual geological, geomorphological or scenic qualities.
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A general indication of what sort of places these categories apply to in the City of Blue Mountains is provided in the table below:

Table 4: Community Land Categories

Category	Includes	
Area of Cultural Significance	Lands listed in the Register of the National Estate, State Heritage Register, or Local Environmental Plan	
Park	Parkland, picnic areas, playgrounds	
Sportsground	Ovals, sports fields	
General Community Use	Tennis Courts, Golf Courses, Bowling Clubs, Swimming Pools	
Natural Area	Subcategory	
	Bushland	Forest, woodland, heath
	Wetland	Blue Mountains Swamp
	Watercourse	Creeks, riparian vegetation
	Escarpment	Cliffs, escarpment vegetation
	Foreshore	Not applicable in Blue Mountains

Community Land Management Objectives

The *Local Government Act* core objectives for management of Community land categories are set out in the table below:

Table 5: Local Government Act Core Objectives for Community Land Management

Category	Local Government Act core objectives
Area of Cultural Significance	<p>The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.</p> <p>Those conservation methods may include any or all of the following methods:</p> <ul style="list-style-type: none"> a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance, b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material, (c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state, (d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact), (e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land. <p>A reference in subsection (2) to land includes a reference to any buildings erected on the land.</p>
Park	<p>The core objectives for management of community land categorised as a park are:</p> <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	<p>The core objectives for management of community land categorised as a sportsground are:</p> <ul style="list-style-type: none"> a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.
General Community Use	<p>The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:</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).

Natural Area	<p>The core objectives for management of community land categorised as a natural area are:</p> <ul style="list-style-type: none"> (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 (b) to maintain the land, or that feature or habitat, in its natural state and setting, and (c) to provide for the restoration and regeneration of the land, and (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 (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 <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i>.
Bushland	<p>The core objectives for management of community land categorised as bushland are:</p> <ul style="list-style-type: none"> (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 (b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and (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 (d) to restore degraded bushland, and (e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and (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 (g) to protect bushland as a natural stabiliser of the soil surface.
Wetland	<p>The core objectives for management of community land categorised as wetland are:</p> <ul style="list-style-type: none"> (a) to protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and (b) to restore and regenerate degraded wetlands, and (c) to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.
Watercourse	<p>The core objectives for management of community land categorised as a watercourse are:</p> <ul style="list-style-type: none"> (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 (b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and (c) to restore degraded watercourses, and (d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.
Escarpment	<p>The core objectives for management of community land categorised as an escarpment are:</p> <ul style="list-style-type: none"> (a) to protect any important geological, geomorphological or scenic features of the escarpment, and (b) to facilitate safe community use and enjoyment of the escarpment.

1.2.3 Planning Instruments

As well as the *Local Government Act* and the relevant sections of other legislation, there are a number of planning instruments that affect the management of community Land. In particular, Council's *Local Environment Plans* (LEPs), developed under the *Environmental Planning and Assessment Act*, are the other primary legal documents developed by Council that determine the appropriate use of Community Land.

It is essential that the planning and management provisions of the LEPs and Community Land Plans of Management match one another. Otherwise Council may be bound by legal documents with contradictory provisions.

General Strategies

The following strategies provide general contextual information for the management of Community Lands, particularly Natural Areas.

Table 6: Generic Strategies pertaining to Community Land management

International
<i>Convention on Biological Diversity</i>
<i>Agenda 21</i>
National
<i>National Strategy for the Conservation of Biological Diversity</i>
State Government
<i>NSW Biodiversity Strategy</i>
Local Government
<i>National Local Government Biodiversity Strategy</i>
<i>Green Web – Sydney: A Vegetation Management Plan for the Sydney Region</i>
<i>National Strategy for Ecologically Sustainable Development</i>

Planning Processes

State Regional Environmental Plan No.10 1987 zoned a number of lands within the City of Blue Mountains as Regional Open Space. Much of this land has since been acquired and is managed as Community Land. There can be caveats applying to Regional Open Space about how it can be used.

The primary planning project that affects Community Land management is the multi-agency Public Lands Rationalisation Project. This project commenced in the 1980s, a Taskforce was appointed by the Minister for the Environment in 1996, and a consultancy engaged in 2000. The following table includes the main publications from this project.

Table 7: State Planning Instruments, Studies and Strategies relevant to Council-managed lands

State Government
<i>State Regional Environmental Plan No. 10 – Blue Mountains Regional Open Space 1987</i>
State Government and Council
Public Lands Rationalisation Project
<i>Boundary Rationalisation and Proposed Major Additions: Blue Mountains National Park.</i> NSW National Parks and Wildlife Service, 1989

<i>New Area Proposals and Proposed Additions to National Parks in Blue Mountains District.</i> NSW National Parks and Wildlife Service, December 1996
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<i>Blue Mountains Public Lands Rationalisation Project, Stage 1 – Public Exhibition Report.</i> Blue Mountains City Council, NSW National Parks and Wildlife Service, Department of Land and Water Conservation, December 2002

Relevant Blue Mountains City Council Plans

There are a number of plans, strategies, policies and reports that are relevant to Community Land management. These plans and documents may need to be used in conjunction with the Area Community Land Plans of Management to determine the full range of permissible uses of Community Land.

The following table lists the primary Council strategies and policies pertaining to Community Land management along with Council's Local Environment Plans.

Table 8: Council Planning Instruments, Studies and Strategies relevant to Council-managed lands

Blue Mountains City Council
<i>Blue Mountains City Council Management Plan</i>
<i>Local Environment Plan 1991 (LEP 1991)</i>
<i>Community Lands Plan of Management November 1996</i>
<i>Blue Mountains Recreation and Sport Strategy 2002</i>
<i>BMX Dirt Jump Strategy October 2002</i>
<i>Draft Local Environment Plan 2002 (DLEP 2002)</i>
<i>Community Buildings Policy 19 February 2002</i>

A summary of the existing Council resolutions from the *Community Lands Plan of Management* 1996 and Council strategies and policies follows.

1.2.4 Council Policies

The following Council policies apply to Community lands throughout the City Of Blue Mountains.

Community Lands Plan of Management November 1996

As explained, the Area Community Land Plans of Management will replace the *Community Lands Plan of Management* published in 1996. The following generic recommendations from the existing *Community Lands Plan of Management* continue to apply to Community Lands.

General Objective

The objective for the management of the Blue Mountains Community Lands is to conserve the values of these lands for the communities of today and the future, and to manage these lands for safe sustainable use by those communities.

General Policy Recommendations

1.6.1 *s.4.7 Community Facilities in each Planning Area*

It is recommended that proposals for any future community facilities on Community Land take into account:

- a) the information and recommendations contained in LEP studies; and
- b) the environmental impact of such proposals on the other values of those Community Lands.

1.6.2 *s.6.1 Public Lands Management – General Issues*

It is recommended that Council initiates discussions with the **Department of Land and Water Conservation, the Department of Urban Affairs and Planning** and any other government agencies it considers relevant, seeking a general and systematic review of the classification, relevant statutory provisions, management arrangements and management resources for all of the public lands in the Blue Mountains local government area.

Adopted by Council 30.04.1996

It is recommended that Council initiates discussions with the [relevant State Government agencies] and any other government agencies it considers relevant, seeking a general and systematic review of the classification, relevant statutory provisions, management arrangements and management resources for all of the public lands in the Blue Mountains local government area.

It is recommended that Council should request that the State Government should conduct an inventory of all public State lands in the Blue Mountains Local Government Area, addressing land use status, actual and permitted uses and activities, commercial access to areas, commercial use of natural resources, appropriateness of boundaries and appropriateness of management agency.

Comment: The Public Lands Rationalisation Taskforce was set up in 1996, following the publication of the *Draft Community Lands Plan of Management* in May 1996. The taskforce revised the 1989 report and published a new report in 1996. Some of the resulting recommendations of the Taskforce in 1998 have since been implemented, with transfers of lands to Blue Mountains National Park and the creation of Yellomundee Regional Park. A consultancy was appointed in 2000 to review the existing and new recommendations and a public exhibition of the revised recommendations was held from December 2002 to February 2003.

1.6.3 *s.6.2 Consistent Management Approaches for all Public Land*

It is recommended that the Blue Mountains City Council seek the commitment of all managers of public lands in the Blue Mountains, to basic management principles consistent with the character and requirements of the Blue Mountains area. To this end, the Blue Mountains City Council should convene a meeting of the managers of all Blue Mountains public lands to discuss this issue.

1.6.4 *s.6.3 Management of Crown Land by Council*

It is recommended that discussions be initiated with the **Department of Land and Water Conservation and the National Parks and Wildlife Service** to review the most appropriate future management of the extensive natural Crown land areas at present under the care, control and management of the Blue Mountains City Council.

It is recommended that where Crown lands have substantial Council assets and developments on them that the Blue Mountains City Council seek to have them transferred to Council in fee simple unless there are special reasons for not so doing. As Community Lands they would then become subject to the provisions of the Local Government Act (1993) for plans of management.

1.6.5 *s.6.4 Regional Open Space as Community Land*

It is recommended that discussions be initiated with the **Department of Urban Affairs and Planning and the National Parks and Wildlife Service** to review the most appropriate future management arrangements for the extensive natural regional open space lands adjacent to the Blue Mountains National Park, currently vested for management in the Blue Mountains City Council.

1.6.6 *s.8.3 New Uses and Future Demand*

It is recommended that Council adopt the management policy that where new or upgraded facilities or developments are needed, but there is no suitable site on Community Land of the appropriate category, it will consider, in the first instance, the option of acquisition of land for the desired purpose or the shared use of other public or institutional lands or facilities before using Community Land categorised as Natural.

1.6.7 *s.8.4 Catchment Protection*

It is recommended that Council commences a program of evaluation and remediation of stormwater management for all developed community lands.

It is recommended that, for all new development on Community Lands, and on lands where there could be an impact on Community Lands, there should be a stormwater and runoff management strategy which adequately protects the downstream bushland, streams and water supply catchments.

It is recommended that Council carries out a program of weed management for all community lands in accordance with the Weed Management Guidelines see Appendix.

1.6.8 *s.8.5 Environment Protection*

It is recommended that Council adopt stringent environmental impact assessment and mitigates any potential adverse effects of all developments proposed to be carried out on Community Lands and for developments and activities which may affect Community Lands.

- 1.6.9 *s.8.6 Edges of the Wilderness – Ecological Processes*
It is recommended that Council gives a high priority to the protection ecological processes on Community Lands in the categories of Natural but also where they occur in other public or private or lands.
It is recommended that the contribution of Community Lands to ecosystems of significance in the Blue Mountains through integrated approaches to management be recognised.
- 1.6.10 *s.8.7 The City Edge and the Urban Controls affecting Community Land Sites*
It is recommended that Council publicly review the activities and regulatory procedures of its own and of State agencies to identify weaknesses, inconsistencies and "loopholes" which place the natural environment and other values at risk and take action to improve performance.
It is recommended that action to raise public awareness of the damage which can be caused by the spread of weeds, uncontrolled pets and urban run-off be continued and given high priority.
- 1.6.11 *s.8.8 Management of Assets and development on Community Land*
It is recommended that Council prepare landscape master plans for parks and sportsgrounds.
It is recommended that assessments be made on a regular basis of the intensity and types of use being made of community lands.
It is recommended that systems which record the maintenance costs per site be established and that such records be compared with usage and design.
It is recommended that a key output of the recreation strategy being prepared by Council by the establishment of principles and procedures for reaching decisions on the development of sporting facilities on community lands (to be used in association with environmental criteria).
- 1.6.12 *s.8.10 Management Partnerships*
It is recommended that Council encourages and supports partnerships with voluntary and special interest groups for management of Community Lands and clarifies this working relationship.
- 1.6.13 *s.8.11 Access*
It is recommended that Council adopts an access policy for Community Lands including the following principles and strategies:
- access to Community Lands should be available to an members of the community on a fair and equitable basis using processes as defined by the Local Government Act.
 - if there are serious conflicts about access to a Community Land property, Council may prepare an amended plan of management which takes account of the land's suitability and capability for the purposes proposed, current use claims and potential future uses, availability of alternative sites and facilities, direct and indirect costs to ratepayers, fitness for the purpose proposed, and environmental impacts.
 - Council may impose restrictions on access to parts of Community Lands where this is necessary to protect the values of those lands or for reasons of public safety or for other management reasons that may be required from time to time.
 - access pathways to Community Lands will be maintained, and illegal encroachments onto Community Lands and their access ways will be removed.
 - a program of sign posting of all access ways to Community Lands and identification of boundaries will be commenced.

1.6.14 *s.8.12 Visitor Management*

It is recommended that Council, in conjunction with other public land managers of the Blue Mountains, considers the needs of visitors to the Blue Mountains and prepares a coordinated plan for their management.

1.6.15 *s.8.13 Bushfire Management and Fuel Reduction*

It is recommended that:

1. The Blue Mountains *Operational Plan* for bushfire operations should be applied to Community Lands in the same way that it applies to other public lands, and that,
2. The Fuel Reduction Plan should be applied to Community Lands with the management principles, values and objectives of the Community Lands being included in the matters assessed before fuel reduction activities are approved and carried out.

1.6.16 *s.8.14 Cultural and Natural Heritage Protection*

It is recommended that Council's should aim to conserve places of cultural and natural heritage significance on its Community Lands which are identified on the Register of the National Estate, listed by the National Trust, are subject to any order under the NSW *Heritage Act 1977*, are on the Council's Heritage Register, or are otherwise identified authoritatively.

It is recommended that Council adopts the following authorities as the basis for heritage management on Community Land:

- the Charter of the Conservation of Places of Cultural Significance (the Burra Charter) for the management of cultural heritage places, and
- the Interim Australian Natural Heritage Charter for the management of natural heritage places.

1.6.17 *s.8.15 The Management of Recreation Facilities on Community Lands*

It is recommended that all recreation facilities on Community Land should have a specific master plan prepared (where this has not already been done). In the interim, such facilities will be managed in accordance with the general principles of the Plan of Management for the Blue Mountains Community Lands.

1.6.18 *s.8.16 Commercial Recreation Opportunities*

It is recommended that Council develops a licensing system for commercial recreational activities which bring visitors to, and utilise, the resources of Natural Community Lands and that the licence system should, as far as possible, be consistent with that of the National Parks and Wildlife Service.

1.6.19 *s.9 Financial Management*

It is recommended that Council consider the adoption of some or all of the Financial policies outlined in section 9.4 of the *Community Lands Plan of Management 1996* that aim to increase the revenue needed to manage Community lands and other open space lands.

1. Council should increase the allocation of locally generated expenditure to open space management.
2. Raise special rates.
3. Increase the allocation of externally generated (State and Federal) expenditure to open space management in the Blue Mountains.
4. Reduce the costs of maintenance by increasing efficiencies.
5. Increase user charges for open space and recreational facilities.
6. Dispose of surplus land.

1.6.20 *s.10.2 Responsibilities of Council Staff*

It is recommended that a review of Council's internal administrative arrangements be made to ensure that the Plans of Management for the Community Lands can be effectively implemented.

It is recommended that, each Community Land site with a major facility complex, be assigned a single officer with responsibility for coordinating the implementation of all aspects of its future management.

It is recommended that all of Council's staff involved in any way with Community Lands management should be invited to comment on the Draft Plan of Management and be briefed on the Plan's requirements as soon as they are completed, and have continuing access to the Plan of Management through the Council's management information system.

It is recommended that Council prepare an Annual Action Plan specifying the actions which will be taken to implement the Plans of Management in the following year, the resources which will be allocated to these actions and the responsibility for the various actions required.

1.6.21 *s.10.3.1 Community Groups and the Plan of Management*

It is recommended that the groups participating in the management of Community Lands are briefed on the management requirements contained in the Plan of Management for the Community Land property where they will be working.

It is recommended that the roles, work programs, responsibilities and rights of the partners (Council and the community group) need to be clearly defined and the areas of cooperation identified in a "management agreement" which is reviewed annually.

1.6.22 *s.10.3.2 Voluntary Groups – Bushcare*

It is recommended that Council continues to support voluntary groups which participate in the management of Community Lands and consider formalising guidelines for the formation and support of such groups.

1.6.23 *s.10.3.3 Special Interest Groups*

It is recommended that special interest groups having use of Community Lands for their own special interests should be encouraged to participate in management activities appropriate for their particular requirements.

1.6.24 *s.10.4 Contractors*

It is recommended that Council adopts systems to ensure that contracts for work affecting Community Lands take account of the requirements of the plans of management, including the selection process, briefing of contractors, supervision and evaluation of the work done.

1.6.25 *s.11 Performance Evaluation*

It is recommended that Council adopts an integrated approach to evaluating its performance with respect to the Plans of Management. The performance evaluation process will incorporate an independent annual review, reporting to the General Manager and Council and incorporating the results of the evaluation in the annual Management Action Plan for the Community Lands.

Except where otherwise noted, the above general policy recommendations were adopted by Blue Mountains City Council on 12 November 1996.

All Community Lands: General Provisions**12.3.1 Environment protection**

Council will use stringent environmental impact assessment measures and take appropriate action to mitigate any potential adverse effects of developments proposed to be carried out on Community Lands and of any developments and activities which may affect Community Lands.

12.3.2 Catchment protection

Council will adopt a program of evaluation and remediation of stormwater management for all developed Community Lands. (ie: Parks and Sportsground areas).

For all new development on Community Lands, and on lands where there could be an impact on Community Lands, there will be a stormwater and runoff strategy plan required which adequately protects the downstream bushland, streams and water supply catchments.

12.3.3 Weeds

Council will carry out a program of weed management on all Community Lands in accordance with the Weed Management Guidelines.

12.3.4 Cultural and natural heritage protection

Council will aim to conserve places of cultural and natural heritage significance on its Community Lands which are identified on the Register of the National Estate, listed by the National Trust, are subject to any order under the NSW Heritage Act, are on Council's Heritage Register, or are otherwise identified authoritatively.

Council will use the following authorities as the basis for heritage management on Community Land:

- the Charter of Conservation of Places of Cultural Significance (the Burra charter) for the management of cultural heritage places, and,
- the Interim Australian Natural Heritage Charter for the management of natural heritage places.

12.3.5 Access

Access to Community Lands will be available to all members of the community on a fair and equitable basis.

If there are serious conflicts concerning access to a Community Land site, Council will consider amending this Plan of Management, taking into account current use claims and potential future uses, availability of alternative sites and facilities, direct and indirect costs to ratepayers, the land's suitability and capability for the purposes proposed, fitness for the purpose proposed, environmental impacts and the views of the community.

Council may impose restrictions on access to parts of Community Lands where this is necessary to protect the values of those lands or for reasons of public safety or for other management reasons that may be required from time to time.

Access pathways to Community Lands will be maintained and illegal encroachments onto Community Lands and their access ways will be removed.

A program of sign posting of access ways to Community Lands and identification of boundaries will be prepared by Council.

Council will monitor parking demand at actively used sites and will provide adequate parking to protect residential amenity in surrounding areas and satisfy demand.

12.3.6 Management of assets and development of Community Lands

Council will prepare landscape master plans for parks and sportsgrounds. No new works shall be undertaken on these sites until plans have been prepared.

Assessments of the intensity and types of use being made of community lands will be made on a regular basis.

Systems which record the maintenance and management costs per site will be established and such records will be compared with usage and design for usage, as a basis for future management.

The future development of sporting facilities on Community Lands will be based on the output of the Council's Recreation Strategy and on environmental considerations.

12.3.7 Meeting future demand for new uses

Where new or upgraded facilities or developments are needed, but there is no suitable site on Community Land of the appropriate category, Council will consider the use of other government or institutional land or facilities or the acquisition of suitably located land for the desired purpose, before using Community Land categorised as Natural.

12.3.8 Management partnerships

Council will encourage and support partnerships with voluntary and special interest groups and other government agencies for management of Community Lands.

Groups participating in the management of Community Lands will be briefed on the management requirements contained in the Plan of Management for the Community Land site where they will be working.

Roles, work programs, responsibilities and rights of the partners (Council and the community group) will be clearly defined and the areas of cooperation identified in a "management agreement" which is regularly reviewed.

Special interest groups having use of Community Lands for their own purposes will be encouraged to participate in management activities appropriate to their particular requirements and will be required to prepare their own business plan for doing so.

12.3.9 Contractors

Council will adopt systems to ensure that contracts for work affecting Community Lands take account of the requirements of the Plan of Management, including the selection process, briefing of contractors and the evaluation of the work done.

12.3.10 Annual Action Plan

Council will prepare an Annual Action Plan specifying the actions which will be taken to implement the Plan of Management in the following year, and the resources which will be allocated to these actions and the responsibility for the various actions required.

12.3.11 Leases and Licences

"A lease or licence can apply to any parcel of Community Land when it is in conformity with the provisions of the *Local Government Act 1993* and formally approved of by Council, or by the General Manager under delegated authority when appropriate. It must be demonstrated that the activity, development or impacts are compatible with the nature of the particular land category over which the lease or licence is to be carried out and meets the general and special provisions of the Plan for that particular category of Community Land."

[Adopted at Council's November 1996 meeting]

Natural Area: General Provisions**Definition**

Community Land Natural Areas are lands where natural features are predominant and which contribute to the conservation of natural features of significance for the Blue Mountains.

Objectives

The objectives of management of natural areas are:

1. to protect, conserve, and regenerate the natural environment,
2. to encourage a regional approach to the management of biodiversity, geodiversity, ecological processes and natural beauty
3. to provide opportunities for the appreciation of the natural environment
4. to provide opportunities for education about the natural environment
5. to develop a licensing system for commercial recreational activities

Issues

Fire management; weeds; off road vehicle access; cooperation with NPWS; commercial nature-based tourism; catchment protection; wildlife corridors; bush regeneration, the construction and maintenance of infrastructure.

Principles

1. Emphasis in management should be given to conservation of biodiversity, geodiversity, and ecological processes.
2. Community lands contiguous with national parks and other natural public lands should have consistent & cooperative management strategies with those lands.
3. The visual impact of developments in natural lands is a primary consideration.

Performance targets for Natural Areas

Council will establish a basic land description for each Community Land site in the Natural Area category and identify any special management requirements.

The target of Council is to achieve annually a net improvement in the condition of Natural Community Lands, measured over a four-year cycle.

Management strategies

The management strategies for the conservation of natural heritage values on Natural Community Lands will be based on those in the Interim Australian Natural Heritage Charter.

Council will encourage and support the formation of voluntary Bushcare Groups who wish to contribute to the conservation of Natural Community Lands.

Notification of all Agencies responsible for infrastructure of the objectives for community land and of environment protection procedures.

Stormwater management strategies for all proposed new development in catchments flowing into Natural Community Lands will be required to accompany development applications.

Activities which can be carried out without the prior approval of Council

Any development for the purpose of conservation of natural heritage values.

Performance evaluation

The means by which Council will assess its performance with respect to the Plan's objectives and performance targets for natural areas is to conduct an annual review in conjunction with Council's specialist staff, voluntary management groups and other independent experts to evaluate Council's performance in managing Community Lands, and to use change for all categories to structure and prioritise management activities for these lands.

Natural Area - Bushland: Special Provisions

Definition

Natural Area – Bushland Community Lands are lands where the natural bush ecosystem retains a significant proportion of its original condition in terms of biological diversity, geodiversity and natural habitats.

Objectives

The objectives of management of Natural Area – Bushland are:

1. the general objectives for Community Lands and Natural Areas;
2. to retain or restore the natural heritage significance of the bushland in terms of biological diversity, geodiversity and ecological processes;
3. to encourage a regional approach to the management of bushland;
4. to provide opportunities for visitors to enjoy bushland.

Issues

Weed invasion, loss of continuity of bushland corridors, urban runoff with high nutrient levels, loss of bushland by clearing for other development purposes, collecting of rare species (eg orchids), impact of commercial recreation activities.

Principles

Emphasis in bushland management should be given to conservation of biodiversity, geodiversity, and ecological processes.

Natural Area – Bushland Community Lands contiguous with national parks and other natural public lands should have consistent and cooperative management strategies with those lands.

Performance targets for Natural Area – Bushland

1. To achieve an annual increase in the amount of area of bushland being restored to an ecologically sustainable condition.
2. To ensure no net loss of bushland from Community Land in the Blue Mountains.
3. To establish a system by which appropriate conditions to protect the bushland will be attached to all approvals by Council for development which may affect the quality of bushland.

Management strategies

Management strategies may include:

1. rehabilitating and restoring bushland;
2. providing special protection of the catchments of Natural Area – Bushland Community Land;
3. establishing and maintaining strong and supportive partnerships with voluntary groups (eg Bushcare Groups).

Activities which can be carried out without the prior approval of Council

Any activities which are directly for the purpose of conservation of bushland values.

Performance evaluation

The means by which Council will assess its performance with respect to the Plan's objectives and performance targets for natural areas is to conduct an annual review in conjunction with Council's specialist staff, voluntary management groups and other independent experts to evaluate Council's performance in managing Community Lands, and to use change for all categories to structure and prioritise management activities for these lands.

Natural Area - Wetland: Special Provisions**Definition**

Natural Area – Wetland Community Lands are lands which are inundated with water;

- on a permanent or temporary basis
- that is usually slow moving or stationary
- that is shallow, and
- that may be fresh, brackish or saline
- and where plants and animals living in them are adapted to, and often dependent on, living in wet conditions for at least part of their life cycle.

Objectives

The objectives of management of Natural Area – Wetland Community Lands are; the general objectives for Community Land and Community Land Natural Areas to maintain the ecological and hydrological processes upon which the wetlands depend.

Issues

Prevention of changes in natural drainage patterns; protection from diversion of water from the wetland; management of the catchment to protect water quality and flow regime; increasing urbanisation of catchments a threat; artificial wetlands.

Performance targets for Natural Area – Wetland

1. There is an increase in the amount of area of wetland that is being restored to an ecologically sustainable condition
2. There is no net loss of wetlands from Community Land in the Blue in the Mountains
3. Appropriate conditions to protect the wetlands will be attached to all approvals by Council for development in the catchments of Natural Area – Wetland Community Lands.

Management strategies

Management strategies will include

1. rehabilitating wetlands
2. re-establishing areas of buffer vegetation around wetlands ensuring adequate water (in terms of quality, quantity and flow regime) to maintain and restore wetland habitats
3. providing special protection of the catchments of wetlands
4. to set up a register of all wetlands on Community Land in the Blue Mountains with identification of their catchments.

Activities which can be carried out without the prior approval of Council

1. weed removal in accordance with weed management guidelines;
2. removal of feral animals including feral waterfowl;
3. reinstatement of an appropriate hydrological regime to maintain the wetland;
4. any other activity directly for the purpose of conservation of the wetland's natural heritage values.

Performance evaluation

The means by which Council will assess its performance with respect to the Plan's objectives and performance targets for natural areas is to conduct an annual review in conjunction with Council's specialist staff, voluntary management groups and other independent experts to evaluate Council's performance in managing Community Lands, and to use change for all categories to structure and prioritise management activities for these lands.

Natural Area - Watercourse: Special Provisions**Definition**

Natural Area – Watercourse Community Lands include permanent or intermittent streams and their associated riparian lands which have not been substantially altered by human interference.

Objectives

The objectives of management of Natural Area – Watercourse Community Lands are:

1. the general objectives for Community Land and Natural Areas;
2. to conserve the ecological relationships of streams and their associated riparian lands;
3. to protect the natural regime of geophysical and hydrological processes and change;
4. to protect watercourses from the adverse effects of inappropriate activities in their catchments.

Issues

Water quality; flow regime; riparian access; catchment processes.

Principles

1. Watercourses, regardless of their permanent or intermittent nature or size, are a special feature of the natural environment which require special protection.
2. Watercourses are important as a component of the ecological processes of the Blue Mountains because they supply water, on which all life depends.
3. Watercourses are important focuses for bushwalkers and other people who use Natural Areas for recreation. These areas provide a rich environment and are often natural routes of travel through Natural Areas.
4. Watercourses may have important associations with the past Aboriginal use of the area because they supply water and attract animals for game.

Performance targets for Natural Area – Watercourse

An inventory of watercourses of the Blue Mountains Community Lands will be completed and incorporated into Council's Geographic Information System.

The catchments of the watercourses of the Blue Mountains Natural Area – Watercourse Community Lands will be mapped and thereafter appropriate conditions to protect watercourses from damage will be attached to approvals for development in their catchments.

Management strategies

Access to watercourses will be provided where appropriate by walking or bicycle tracks, but generally there will not be major construction of roads or other developments near watercourses on Community Lands.

Council will establish a licensing system for commercial recreational use of watercourse areas.

Activities upstream of watercourses which may divert, pollute or otherwise disrupt water flowing into Community Lands will be prevented or remediated.

Activities which can be carried out without the prior approval of Council

As for Natural Areas.

Performance evaluation

The means by which Council will assess its performance with respect to the Plan's objectives and performance targets for natural areas is to conduct an annual review in conjunction with Council's specialist staff, voluntary management groups and other independent experts to evaluate Council's performance in managing Community Lands, and to use change for all categories to structure and prioritise management activities for these lands.

Natural Area - Escarpment: Special Provisions**Definition**

Natural Area – Escarpment Community Lands are lands where there is a visually significant cliff line or steep change of slope in topography.

Objectives

The objectives of management of Natural Area – Escarpment Community Lands are:

1. the general objectives for Community Land and Natural Areas;
2. to conserve the visual significance of escarpments;
3. to protect areas of escarpment which are significant for their features of geodiversity.

Issues

Cliff top development and other visual intrusions caused by new development; developments and activities which cause accelerated erosion.

Principles

The visual intactness of the escarpments of the Blue Mountains is a significant value which characterises the Blue Mountains and should be protected. The value of cliff escarpments for recreational rock climbing should be recognised and safe rock climbing encouraged.

Performance targets

An inventory of significant escarpments of the Blue Mountains will be completed and installed in Council's Geographic Information System to provide a context for decisions on the management of the escarpments on Natural Area – Escarpment Community Land.

Appropriate conditions to protect Natural Area – Escarpment Community Land escarpments will be attached to all approvals by Council for development which may adversely the natural heritage significance, recreational value or visual intactness of Natural Area – Escarpment Community Land.

Management strategies

The management strategies for the conservation of natural heritage value Natural Area – Escarpment Community Lands will be based on those in the Interim Australian Natural Heritage Charter.

Council will establish a licensing system for commercial recreational use affecting escarpment areas.

Activities which can be carried out without the prior approval of Council

As for Natural Areas.

Performance evaluation

The means by which Council will assess its performance with respect to the Plan's objectives and performance targets for natural areas is to conduct an annual review in conjunction with Council's specialist staff, voluntary management groups and other independent experts to evaluate Council's performance in managing Community Lands, and to use change for all categories to structure and prioritise management activities for these lands.

Sportsgrounds: Special Provisions

Definition

Community Land Sportsgrounds are lands where there are facilities constructed for organised sports or on which such facilities may be constructed in the future.

Objectives

The objectives of management of Sportsgrounds are:

1. the general provisions for all Community Land,
2. to provide a range of public sporting facilities to meet the needs of all groups in the Blue Mountains community,
3. consistency with the Council's Strategic Directions as set out in "Planning Our Future", and,
4. to complement sporting facilities provided by other organisations (schools, commercial operators etc.) in the Blue Mountains and its region.

Issues

User priorities, costs of maintenance, access and parking, new and obsolete facilities, maintenance procedures, drainage and run-off, design of structures, lighting, responding to changing needs.

Principles

A range of sporting facilities should be available to all members of the Blue Mountains community. Users may need to contribute to Sportsground upkeep and management.

Performance targets for Sportsgrounds

1. Completion of landscape, development and parking Master Plans.
2. Agreement with sporting clubs on line marking procedures.
3. Completion of stormwater and runoff strategies for each Sportsground.
4. Management Plans for facilities and agreement reached with the sporting clubs using each Sportsground.
5. Review of maintenance contracts to ensure consistency with the Plan of Management.
6. Review of access provisions for people with disabilities and provision of access that complies with appropriate standards.

Management strategies

Council may:

- Enter into management agreements with user groups
- Provide grass cutting and landscape maintenance services
- Carry out works to provide sporting facilities, parking areas, drainage, lighting, signage etc.

Activities which can be carried out without the prior approval of Council

The range of sporting activities for which facilities are designed. Changes to the range of sporting activities and facilities requested by the community, that are consistent with the Blue Mountains Recreation Strategy and which meet environmental criteria.

Performance evaluation

The means by which Council will assess its performance with respect to the Plan's objectives and performance targets for natural areas is to conduct an annual review in conjunction with Council's specialist staff, voluntary management groups and other independent experts to evaluate Council's performance in managing Community Lands, and to use change for all categories to structure and prioritise management activities for these lands.

Parks: Special Provisions**Definition**

Community Land Parks are lands where most natural features have been replaced by cultured landscape with the purpose of providing an environment for recreational activities, which are not organised sports, memorials or similar uses.

Objectives

The objectives of management of Parks are:

1. the primary management objectives for Community Land
2. to retain and maintain a range of Parks throughout the Blue Mountains area for residents and visitors
3. to recognise and conserve the cultural heritage and land character of the Blue Mountain's Parks and structures within them
4. to ensure that access is provided for people with disabilities

Issues

Maintenance and vandalism, changing needs for some Parks, low use but high maintenance costs, heritage features may require inventory, users are not always local ratepayers, access and parking, signage and information about Parks is poor.

Principles

Neighbourhood and District Parks are an important part of the amenity and character of the Blue Mountains Towns. Neighbourhood and District Parks should be readily accessible to all residents.

Performance targets for Parks

1. Landscape Master Plans prepared for all Parks.
2. Review of By-Laws (including dogs, ball games, picnics, alcohol, roller blades etc).
3. Review of access provisions for people with disabilities and provision of access that complies with appropriate standards to the extent that this is practicable.
4. Review of maintenance contracts to ensure consistency with the Plan of Management.
5. Design and provision of consistent signage.

Management strategies

Council may employ the following strategies:

- The regular monitoring of use by different groups;
- Consultation with local residents and users;
- The carrying out of works to modify existing layout, design and landscape in accordance with a Landscape Master Plan;
- The management of each Park will reflect its special character and local value;
- Periodic review and modification of maintenance procedures to reflect changing needs.

Activities which can be carried out without prior approval of Council

- Passive recreation
- Picnics and BBQ's where appropriate facilities are available
- Informal ball games

Activities Requiring Consent of Council

- Concerts
- Large organised picnics

Performance evaluation

The means by which Council will assess its performance with respect to the Plan's objectives and performance targets for natural areas is to conduct an annual review in conjunction with Council's specialist staff, voluntary management groups and other independent experts to evaluate Council's performance in managing Community Lands, and to use change for all categories to structure and prioritise management activities for these lands.

General Community Use: Special Provisions**Definition**

General Community Use Community Lands are those lands for which the dominant land use, activity or purpose is not natural heritage conservation, park recreation or organised sport. General Community Use areas may include community halls, lands managed for the purpose of urban landscape enhancement, car parks and monuments.

Objectives

The objectives of management of General Community Use areas are:

- the primary management objectives for Community Land
- to provide lands for a wide range of community uses in addition to Natural Area, Sportsground and Park uses.

Issues

Community needs change over time, emerging new uses may suggest changes.

Principles

- Keep the Community Lands uses and demands for use under regular review to ensure that the community's needs are being met.
- Identify the particular attributes of General Community Use areas.

Performance targets for General Community Use land

An inventory will be completed of all General Community Use areas which identifies their location, size, condition, attributes and assets.

Management strategies

Council may employ the following strategies:

- General Community Use areas will require strategies appropriate to their special nature.
- In general the General Management Provisions for all community lands will provide an adequate basis for management.

Activities which can be carried out without the prior approval of Council

No new development or activity.

Performance evaluation

The means by which Council will assess its performance with respect to the Plan's objectives and performance targets for General Community Use areas are to incorporate the performance evaluation with the annual performance evaluation for Parks.

Community Buildings Policy Adopted 19 February 2002

The *Community Buildings Policy* provides the framework and specifications for use of community buildings by community service organisations. It defines the roles and responsibilities of Council and community management committees, and sets out a pricing policy and the annual process for setting fees and charges.

The following table lists Council public halls and other community buildings, some of which are managed by committees with delegations under Sections 355 and 377 of the *Local Government Act*.

Table 9: BMCC Community Buildings

Public Hall or Community Building		Land: owner & current classification	Planning Area	PoM
1	Mount Wilson Village Hall	Council Community Land	1	2002
2	Mount Victoria Public Hall	Council Operational Land	1	
3	Blackheath Community Centre	Council Operational Land	1	
4	Medlow Bath meeting facility		1	
5	Megalong Valley Hall	Crown Public Recreation Reserve	1	
6	Katoomba Civic Centre Senior Citizens Centre	Council Public Land	2	
7	Wentworth Falls School of Arts	Council Community Land	2	2002
8	Mid Mountains Community Centre	Council Public Land	3	
9	Lawson Youth Centre Lawson Community Hall	Council Community Land	3	
10	Gloria Park Pavilion	Council Community Land	3	
11	Weroona Park meeting facility	Council Community Land	3	1999
12	Faulconbridge Community Centre	Council Community Land	4	
13	Springwood Civic Centre	Council Community Land	4	
14	Braemar Gallery	Council Community Land	4	
15	Winmalee Community Hall	Council Community Land	4	
16	Warrimoo Citizens Hall	Crown Reservation	5	
17	Blaxland Community Centre Seniors Community Centre	Council Operational Land	5	
18	Mount Riverview Hall Reservoir Park	Council Operational Land	5	
19	Glenbrook School of Arts Glenbrook Theatre and Hall	Council Operational Land	5	2002

Other Council Resolutions

Trail Bikes and Other Unauthorised Vehicle Access

Unauthorised motorised vehicle access is not permitted in reserves managed by Blue Mountains City Council and the NSW Police and BMCC Rangers patrol reserves to ensure compliance with Council's policy.

At its Ordinary Meeting of 18/9/2001 Council resolved:

That subject to funding assistance being received from the NSW State Government, Council implement the policy of blanket restrictions upon the use of reserves managed by Blue Mountains City Council by motorised vehicles until and unless more comprehensive assessments, coordinated with the management of the National Park and incorporating adequate community consultation, can demonstrate whether such restrictions will be lifted and how access will be managed in such discrete areas as may be determined by that process.

That the Policy on the exclusion of motorised vehicles be implemented by the following actions:

- a) Erect signs prohibiting use by motorised vehicles within the Blue Mountains; increase surveillance and signposting techniques that minimise the disruption that used by the destruction of signs.*
- b) Enforce the prohibitions using surveillance by Council rangers supplemented by the NSW Police Service.*

The policy of banning motorised vehicle access to reserves has been implemented for Council managed lands. There has been on-going liaison with the formerly the Department of Lands and Rural Affairs (formerly the Department of Land and Water Conservation) and the National Parks and Wildlife Service. DLWC has sign-posted reserves and natural areas under its management, and the NPWS has gated trails that allow access to Council reserves. Council has also supplied maps of target areas to the Trail Cycle Squad.

Trail bikes and other unauthorised vehicle access

Notice of Motion 13 March 2001 (Minute No. 103):

That Council receive an urgent report on the extent of trail bike riding in Council reserves and the National park and that this report addresses how this activity can be prevented and what the applicable legislation requires.

In response to this report at its Ordinary Meeting of 22/5/01 Council resolved:

- 1. That Council agree to provide \$9,869 in funding to the NSW Police Service for the purpose of establishing a trail motorcycle squad within the local area, to be funded from savings in the Blue Mountains City Services budget for 2000-01.*
- 2. That Council receive a report on achievements of the trail motorcycle squad six months after commencement of the program.*
- 3. That Council establish a working party of land managers, enforcement agencies, user representatives and Bushcare/conservation representatives to investigate strategies to address the problem of trail bike riding on Council reserves and in the National Park.*

At its Ordinary Meeting of 18/9/01 Council resolved:

- 2. That Council note and endorse the strategic actions described in Section 3 for the purposes of developing appropriate city-wide public land management planning.*
- 3. That subject to funding assistance being received from the NSW State Government, Council implement the policy of blanket restrictions upon the use of reserves managed by Blue Mountains City Council by motorised vehicles until and unless more comprehensive assessments, coordinated with the management of the National Park and incorporating adequate community consultation, can demonstrate whether such restrictions will be lifted and how access will be managed in such discrete areas as may be determined by that process.*
- 4. That the Policy on the exclusion of motorised vehicles be implemented by the following actions:*

- a) *Erect signs prohibiting use by motorised vehicles within the Blue Mountains; increase surveillance and signposting techniques that minimise the disruption that used by the destruction of signs.*
- b) *Enforce the prohibitions using surveillance by Council rangers supplemented by the NSW Police Service.*
5. *That Council request the Hon Bob Debus to secure urgent assistance from the State Government to:*
 - a) *Accelerate and increase the detail of a city-wide nature-based recreation study to include matters such as the current bushland recreation use patterns and user needs, appropriate recreational uses of bushland, alternative options and user profiles and networks that can be utilised in the development of more detailed management plans.*
 - b) *Develop and implement the education and information campaign for users, peak representative groups and the general community.*
 - c) *Secure funding form the Federal Government on the basis that these actions are an essential component of the proper management of the Greater Blue Mountains World Heritage Area.*
 - d) *Contribute an amount of \$20,000 to the signage strategy.*
6. *That Council resolve that these actions supersede the requirement to establish a separate working party on trail bikes and that the National Parks and Wildlife Service and the Department of Land and Water Conservation be requested to maintain a working group of major land management agencies for the purpose of progressing and coordinating the public land management initiatives described in the report.*
7. *That barriers be installed as a matter of urgency at all road entrances to North Lawson Park preferably in areas that can be monitored by residents and that a report comes to Council on the proposed barriers.*

The policy of banning motorised vehicle access to reserves has been implemented for Council managed lands. There has been on-going liaison with the Department of Lands and National Parks and Wildlife Service. The Dept of Lands has sign-posted reserves and natural areas under its management, and the NPWS has gated trails that allow access to Council reserves. Council has also supplied maps of target areas to the Police *Trail Cycle Squad*.

Council is currently preparing a Nature-based Recreation Strategy.

BMX Dirt Jump Strategy October 2002

Between 1999 and 2002 a corporate project team worked on a solution to the proliferation of unauthorised construction of BMX dirt jump sites in consultation with riders and residents. As a result, Council has endorsed the in-principle provision of one authorised site per Planning Area, and approved the interim operation of four sites until permanent sites have been established. Unauthorised construction of dirt jump sites on Community Land is not supported by Council and is illegal.

At its meeting of 8 October 2002, Council approved the following sites for interim operation: the old Blackheath Aerodrome site, Blackheath; a site in Pitt Park, Wentworth Falls; the Oaklands Road site, Horseshoe Falls Reserve, Hazelbrook; and the Olivet Street site, Knapsack Park, Glenbrook.

Council approved the closure of all other sites, with the closure of the sites at Ellison Road, Winmalee and Old Bathurst Road, Blaxland to occur after further stakeholder consultation.

Council approved other site development work and rehabilitation work be scheduled according to budget availability and that bids for this work be included in the Capital Works proposals for 2003-2004.

Council endorsed the further investigation of potential long-term sites with the objective that dirt jump sites will be located and managed as intensive recreation rather than bushland recreation facilities.

1.2.5 Recommendations

Community Land Management Provisions

Special Provisions

Areas of Cultural Significance

On its Community Lands, Council will aim to conserve Areas of Cultural Significance which are identified on the Register of the National Estate, listed by the National Trust, are subject to any order under the NSW *Heritage Act*, are listed on the NPWS Register of Aboriginal Sites, comprise or are part of an Aboriginal Place under the *National Parks and Wildlife Act*, are on Council's Heritage Register, or are otherwise identified authoritatively.

Council will use the following authorities as the basis for heritage management on Community Land:

- the Charter of Conservation of Places of Cultural Significance (the Burra Charter), and
- the Interim Australian Natural Heritage Charter.

Performance Targets for Management of Community Land

Specific performance targets are included in the summary Reserve Plans of Management in each generic Area Community Land Plan of Management and in individual Plans of Management.

General performance targets for Community Land include:

- a net balance over time of the area of the Community Land estate, or a maintenance of balance of use and available recreation opportunities with other public lands;
- an increase in available recreation opportunities;
- an improvement in the quality of Community Land resources;
- an improvement in the accessibility of Community Lands for residents and visitors, where appropriate; and
- an improvement in the habitat provided in those Natural Areas that conserve flora or fauna.

Performance Targets for the Area Community land Plans of Management

The Area Community Land Plans of Management

- Must comply with the requirements of the *Local Government Act 1993*
- Must be reviewed on a five-year basis

Performance targets in the Area Community Land Plans of Management

- Must be evaluated on an annual basis
- Must be meaningful and understandable to the community
- Must contribute to continual improvement in the management of Community Lands
- Must produce results which are comparable from year to year

Licensing Schedule

Activities requiring licences are set out in the table below.

Table 10: General Licensing Schedule

Activity	Area of Cultural Significance	Natural Area	Park	Sportsground	General Community Use
Commerce					
Commercial Recreation	✗ unless specified	✓ unless specified	✓	✓	✓
Bushwalking	✓	✓	✓	✗	✗
Rockclimbing	✗ unless specified	✓	✗ unless specified	✗	✗
Abseiling	✗ unless specified	✓	✗ unless specified	✗	✗
Hang-gliding	✗ unless specified	✓	✗ unless specified	✗	✗
Horse riding	✗ unless specified	In designated areas	✗ unless specified	In designated areas	
Markets	✗ unless specified	✗	✓ unless specified	✓	✓
Fetes	✗ unless specified	✗	✓ unless specified	✓	✓
Food sales	✗ unless specified	✗ unless specified	✗ unless specified	✓	✓
Alcohol sales	✗ unless specified	✗ unless specified	✗ unless specified	✗ unless specified	✓
Other activities	✗ unless specified	✗ unless specified	✗ unless specified	✗ unless specified	✓

Permitted Uses

Public pedestrian access is permitted in all Community Lands except where a lease permits an exclusive use or unless otherwise specified in a Plan of Management.

Table 11: General Permitted Uses

Activity	Area of Cultural Significance	Natural Area	Park	Sportsground	General Community Use
Active recreation					
Bushwalking	✓ unless specified	✓	✓ unless specified	✗	✗
Rockclimbing	✗ unless specified	✓	✗ unless specified	✗	✗
Abseiling	✗ unless specified	✓	✗ unless specified	✗	✗
Hang-gliding	✗ unless specified	✓	✗ unless specified	✗	✗
Horse riding	✗ unless specified	In designated areas	✗ unless specified	In designated areas	
Development					
Outdoor gym	✗	✗	✓ unless specified	✓ unless specified	✓ unless specified
Play equipment	✗ unless specified	✗	✓	✓	✓
Skate park	✗	✗	✓ unless specified	✓ unless specified	✗ unless specified
BMX dirt jump park	✗	✗ unless specified	✓ unless specified	✓ unless specified	✗ unless specified
Other recreation					
Passive recreation	✓ unless specified	✓	✓	✓	✓ unless specified
Dog-walking	✗ unless specified	✗ unless specified	✓ unless specified	✗ unless specified	✗ unless specified
On leash	✗ unless specified	On firetrails unless specified	✓ unless specified	✗ unless specified	✗ unless specified
Off leash	✗ unless specified	✗ unless on designated roads	✗ unless specified	✗ unless specified	✗ unless specified
Other activities	✗ unless specified	✗ unless specified	✗ unless specified	✗ unless specified	✗ unless specified

Not permitted

Unauthorised motorised vehicle access is not permitted in reserves managed by Blue Mountains City Council and the NSW Police and BMCC Rangers patrol reserves to ensure compliance with Council's policy.

Monitoring and Assessment

The *Community Lands Plan of Management 1996* proposed that there should be an annual performance evaluation for each of the categories and subcategories of Community Lands, conducted by an expert evaluation panel consisting of:

- Council officers;
- One or more independent experts; and
- Interested members of the community.

It was proposed that an independent person who is not an officer of Council chair the evaluation panel. In lieu of this arrangement, it is proposed that the condition of Community Lands be reported in Council's annual *State of the Environment Report*.

Monitoring Natural Areas

Biodiversity Monitoring

The monitoring of biodiversity can be problematic due to lack of data, the inherent variability of ecosystems and significant unknowns in ecology. Bearing in mind these issues, the scope and objectives for a biodiversity monitoring program will be established to improve future management. As part of this, threatening processes and the impact of different disturbances could be prioritised for potential monitoring. A prerequisite for this process is the completion of validation of Council's vegetation mapping and development of a natural areas database.

Environmental Impact Assessment of proposed works in Natural Areas

Where specific Plans of Management have not been prepared for Community Lands and adopted in accordance with the legislative requirements, environmental impact assessments will be prepared for management works in natural areas, including construction of gross pollutant traps and other stormwater controls, walking tracks, planting and tree-felling. This includes work conducted as part of voluntary programs.

Where Plans of Management have been adopted, environmental impact assessments will only be required for works not included in the PoM and will then be conducted for the required revision and re-exhibition of the PoM.

Environmental impact assessments will be conducted in accordance with the requirements of Part 8 of the *Environmental Planning and Assessment Regulation 1994*, under Part 5 of the *Environmental Planning and Assessment Act 1979*, taking into account the requirements of the *Threatened Species Conservation Act 1995*. The guidelines presented in *Appendix F* of the *Blue Mountains City Council Community Lands Plan of Management, Appendix Volume* will be taken into consideration during the preparation of environmental impact assessments.

The environmental impact assessment for any development on land adjacent to a natural area will take into account any potential impacts on the adjoining natural area.

Monitoring of Programs and Impacts

Environmental impact assessments do not necessarily provide adequate indications of the impacts of management actions. Council will improve its monitoring of the impacts on natural areas by:

- 1) Developing a natural areas database to assist with desktop assessment of management programs. Metadata management will include comprehensive records of studies conducted in or on natural areas in the City of Blue Mountains.
- 2) Establishing procedures for simple site surveys that provide meaningful feedback on the effectiveness of management strategies.
- 3) Monitoring of specific threats or impacts will be implemented where meaningful measures of impact can be established.
- 4) Establishing formal community feedback mechanisms for input on the results of management programs. This could involve use of libraries as information submission centres, or a Council web-site link for feedback.
- 5) Using its State of Environment Reporting process as a means of monitoring performance (see below under *Reporting*).

Reporting

The outcomes of natural area management programs will be reported annually in Council's *State of the Environment Report*.

The SoE report serves as a report card, summarising information about the state or condition of the environment, the pressures or human impacts upon it and our response to those pressures. The SoE report must address the following eight environmental sectors: land, aquatic systems, biodiversity, air quality, waste and toxic hazards, noise and heritage. From 2000 a comprehensive report has been prepared every four years with a supplementary report in the three subsequent years, updating information about key indicators.

State of the Environment reporting has developed substantially over the last decade. This has been characterised by the researching and testing of data suitable for indicating the condition of the environment and guiding the management responses. Many data gaps have been identified. The 1997/98 State of the Environment (SoE) Report identified the need to “develop a core set of key environmental indicators and targets for environmental performance.”

The table below lists key indicators identified at present and the proposed source for the data. They target Council's identified priorities – biodiversity, water quality and protection and restoration of natural areas.

Table 12: Key Indicators

Indicator	Issues	Data Source
Native Vegetation Communities and Cover	<ul style="list-style-type: none"> • Biodiversity Conservation • Catchment Health 	<ol style="list-style-type: none"> 1. Environmental Management to develop the initial vegetation community map. 2. City Services, E&CS and Environmental Management to update the map. 3. Environmental Management to periodically remap areas of greatest change.
Priority Weed Species	<ul style="list-style-type: none"> • Biodiversity Conservation 	<ol style="list-style-type: none"> 1. Environmental Management Branch to develop a formula for prioritising weeds. 2. The Environmental Management Branch with the assistance of the Noxious and Environmental Weeds Teams will map the area and locations of the priority weeds.
Macroinvertebrate Abundance and Diversity	<ul style="list-style-type: none"> • Aquatic Health • Biodiversity Conservation 	<ol style="list-style-type: none"> 1. The Environmental Management Branch to undertake macro invertebrate monitoring at select locations. 2. The Environmental Management Branch to obtain the results of the macroinvertebrate monitoring undertaken by Sydney Water.
Water Quality	<ul style="list-style-type: none"> • Aquatic Health • Human Amenity 	<ol style="list-style-type: none"> 1. The Environmental Management Branch to obtain the results of the water quality monitoring collected by Dept of Lands. 2. The Environmental Management Branch to undertake water quality monitoring at additional locations.
Area of Land Use	<ul style="list-style-type: none"> • Socioeconomic Setting 	<ol style="list-style-type: none"> 1. City Sustainability to develop an initial landuse map. 2. E&CS to maintain and update the map.

Indicators are components of a system that highlight what is happening in the whole system. They are small windows that provide a glimpse of the 'big picture' showing which direction a critical aspect of the environment is going: improving, deteriorating, or staying the same. Indicators can often be a combination of various interrelated data sets. An indicator can be defined as physical, chemical, biological, social or economic measures that can be used to assess environmental conditions and trends over time.

Environmental problem areas in the Blue Mountains have been identified and data collection on the extent of these problems has greatly improved. Indicators will assist in showing improvements and effectiveness in management by Blue Mountains City Council.

The aim is for the SoE to concentrate on key performance indicators and move away from less rigorous use of historic and anecdotal data. This is in line with amendments to the Local Government Act, which requires consideration of the SoE as part of the management planning process and the use of environmental indicators. There is an identified need for the indicators used in the SoE report to be consistent over time to enable the evaluation of trends and other changes.

Review of this Plan of Management

The *plan of management* is not a static document and will be subject to on-going review and refinement. Council will review the plan in the third quarter of each financial year to assess progress in the implementation of actions, and prepare a report for Council detailing works achieved and shortfalls in performance.

Area 3
Community Land Plan of Management

Volume 1
Appendices

Additional Management Context Information

World Heritage Nomination

In June 1998, the Australian Government nominated the Greater Blue Mountains Area for World Heritage Listing. The area of more than 1 million hectares comprises Blue Mountains, Wollemi, Yengo, Nattai, Kanangra Boyd, Gardens of Stone and Thirlmere National Parks and the Jenolan Caves Karst Reserve.

The World Heritage Bureau of the United Nations Educational, Scientific and Cultural Organization (UNESCO) met at the UNESCO Headquarters in Paris in July 1999. The Bureau decided to defer the present nomination under natural criteria and noted a number of impacts, including 155 inholdings and the potential for an airport at Badgerys Creek, which might compromise the integrity of the area. The Bureau recommended that the Committee should not inscribe this property on the World Heritage List on the basis of cultural criteria, as recommended by ICOMOS

Report of the UNESCO Bureau of the World Heritage Committee, Twenty-third Session, Paris, 5-10 July 1999

Council supported the nomination of the Greater Blue Mountains as a World Heritage Area and this Plan of Management provides guidelines for the management of Community Lands to address threats to natural values.

Public Lands Management

Since the 1980s, adjustments have been planned and made to the complex public land boundaries surrounding the urban area of the City of Blue Mountains. Since then, an inter-agency Public Lands Rationalisation Taskforce has been formed to review the status and management of public lands within the City.

In 1989, a joint internal Working Paper was produced by Blue Mountains City Council and the NSW National Parks and Wildlife Service which identified incongruities in the boundaries of Blue Mountains National Park and made initial recommendations on land title transfers. This Working Paper was developed in response to a land capability study prepared by the then Department of Lands that examined all Trust-managed Crown Reserves in the Blue Mountains. Accordingly, the Working Paper sought to review the Department's recommendations and explore further opportunities to improve the consistency of public land tenure in the Blue Mountains.

Council's resolve to pursue this matter was further strengthened in 1996 by the release of the *Draft Community Lands Plan of Management*. The *Plan of Management* highlighted Council's expansive management liability and the need for appropriate ownership and management of these reserves. Consequently, the 1989 Working Paper was revised in 1996 by the NPWS to account for new reserves in the District and current proposals for additions to the National Park. This internal document has formed the basis for continued modification of the National Park boundaries.

To progress the matter in a coordinated manner a Public Lands Rationalisation Taskforce was formed in the early 1990s. The Taskforce comprises members from BMCC, NPWS, DLWC and DUAP. Two sub-committees were established to look at Road Reserves and Public Recreation Reserves respectively. The work of the second party is an intrinsic element of the *Natural Areas Management Strategy* in terms of improving the management of natural areas.

The initial recommendations of the Taskforce have been implemented, and a consultant will be jointly employed by Blue Mountains City Council and the NSW National Parks and Wildlife Service to expedite the process for unresolved areas. Improvement of the public lands tenure system is an ongoing process and its implementation will be staged to allow for community consultation along with manageable outcomes.

Natural Areas Strategy Scoping Study

Council supports the process initiated by the Public Lands Rationalisation Taskforce and this Plan of Management recommends resolution of outstanding transfers of lands to ensure more appropriate management of the public lands of the City of Blue Mountains.

Blue Mountains City Council Management Plan

Mission Statement

The Blue Mountains City Council is committed to working in close partnership with the community to preserve and enhance a City where quality and diversity of life are in harmony with the unique natural and built environment of the Blue Mountains: The City within a National Park.

Vision Statement

Communities reside within a National Park that has great scenic attraction but is deceptively fragile. To manage these areas appropriately is the great challenge facing its government – the Blue Mountains City Council – bearing in mind the importance of this area to the national heritage, its popularity as a tourism destination, and as a place to reside.

Natural Systems

The manner in which development has taken place in the past has left a legacy of environmental damage which now requires a concerted effort to repair.

The open space system of the Blue Mountains needs to be better integrated – the various parcels need to be managed as part of an ecological system. The boundaries with the National Park need to be rationalised and there are opportunities for closer collaboration with the National Parks and Wildlife Service in the management of the system. Action can restore bushland for its own sake and as a habitat is urgently required. The role of the open space system in a strategic plan for ecological diversity needs to be defined. There are opportunities to extend the connections for integrated human use. Managing open space in public and private ownership needs to be addressed with strategies for private land becoming an emerging issue.

The various water cycle systems need to be managed in a coordinated manner which is directed at improving the quality of water in the various catchment areas. The management of waste also requires an integrated approach.

Biodiversity refers to the infinite variety of all living things: from koalas and freshwater fish to invertebrates and microbes. But the concept extends beyond diversity between mere species: it also encompasses genetic diversity and ecosystem diversity.

Australia's commitment to biodiversity conservation is reflected in its ratification of the Convention on Biological Diversity in 1993. In 1996, the Commonwealth and all States and Territories agreed to a National Strategy for the Conservation of Australia's Biological Diversity. In early 1997, the NSW Government placed on public exhibition a draft Biodiversity Strategy. (This was adopted in 1999). The crucial role of Local Government in biodiversity conservation is widely acknowledged.

It is rarely possible to return natural systems to their pristine conditions. The outcome sought here is that wherever possible remediation work will seek to restore degraded systems to more naturally functioning ones.

Outcomes

- **Natural systems are protected from degradation and degraded natural systems are restored or enhanced.**
- **A priority on water quality and biodiversity has been maintained.**

Strategic Objectives

1. Identify the related land management agencies and provide an effective leadership role in determining the responsibility for and effective management of natural and open space resources.
2. Adopt an integrated management approach to protection, remediation and restoration of the natural systems of the Blue Mountains, with particular emphasis on water and biodiversity.
3. Attain World Heritage listing to benefit the Blue Mountains and its environment.
4. People living in and visiting the Blue Mountains minimise their actions that damage the environment.
5. Increase the participation and effectiveness of members of the community in protection, remediation and restoration and/or enhancement of the environment.
6. Create an open space network that meets the needs of the community while being compatible with the natural systems outcomes.

Blue Mountains City Council Management Plan

Managing for Sustainability

Sustainable development will yield a viable future by integrating economic, environmental, social and cultural factors in all decision-making.

Outcome

- ***The community's needs are met and lifestyles enhanced without compromising the ability of future generations to meet their own needs and to live within a healthy and viable environment.***

Strategic Objectives

1. Integrate issues of environmental, economic, cultural and social sustainability as part of the regular decision-making framework of the council and the community.
2. Provide a strategic planning framework which relates to the wider region and to local areas within the Mountains, and within which local planning will occur.
3. Develop and utilise a close working relationship with the community to ensure that the framework for sustainability is relevant to and involves the community.

Blue Mountains City Council Management Plan

Principles of Ecologically Sustainable Development

Principles of ecologically sustainable development means the following statements of principle:

Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. Ecologically sustainable development can be achieved through the implementation of the following principles and programs:

- (a) the precautionary principle—namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
In the application of the precautionary principle, public and private decisions should be guided by:
 - (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
 - (ii) an assessment of the risk-weighted consequences of various options,
- (b) inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations,
- (c) conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,
- (d) improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:
 - (i) polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,
 - (ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,
 - (iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

Local Government Act 1993

Legislative Context

Biodiversity Management Strategies

Biodiversity management strategies derive mainly from the *Convention on Biological Diversity*. The *National Strategy for the Conservation of Biological Diversity* is a national response to the international convention. And the *NSW Biodiversity Strategy* is a State response to both of these initiatives. In turn, the *National Local Government Biodiversity Strategy* has been produced by the National General assembly of Local Government to aid the implementation of biodiversity conservation initiatives at the local government level. *Green Web – Sydney: A Vegetation Management Plan for the Sydney Region* was prepared by the Sydney Regional Organisation of Councils as a reference resource for Councils planning and undertaking revegetation work to conserve and restore interlinking bushland within the Sydney Basin.

International Convention on Biological Diversity

The *Convention on Biological Diversity* recognises that the Earth's biological resources are vital to humanity's economic and social development, and that there is a growing recognition that biological diversity is a global asset of tremendous value to present and future generations. At the same time, the threat to species and ecosystems has never been so great as it is today. Species extinction caused by human activities continues at an alarming rate. The objectives of this Convention include the conservation of biological diversity and the sustainable use of its components. *Convention on Biological Diversity*

National Strategy for the Conservation of Biological Diversity

This Strategy recognises that the conservation of biological diversity provides significant cultural, economic, educational, environmental, scientific and social benefits for all Australians and that there is a need for more knowledge and better understanding of Australia's biological diversity. There is a pressing need to strengthen current activities and improve policies, practices and attitudes to achieve conservation and sustainable use of biological diversity. We share the earth with many other life forms that have intrinsic value and warrant our respect, whether or not they are of benefit to us.

The Strategy acknowledges the core objectives and accepts the guiding principles of the National Strategy for Ecologically Sustainable Development. The goal is to protect biological diversity and maintain ecological processes and systems.

Environment Australia

NSW Biodiversity Strategy

The NSW Government has developed a *Biodiversity Strategy* to provide a balanced set of actions to conserve biodiversity which integrate ecological, social and economic objectives by managing our natural resources to benefit present and future generations, through a collaborative approach involving the entire community. As a "whole of government" Strategy it commits all government agencies to working towards conserving biodiversity in New South Wales.

The strategic goal of the *NSW Biodiversity Strategy* is "to protect the native biological diversity of NSW and maintain ecological processes and systems". The core objectives are to: 1) Ensure the survival and evolutionary development of species, populations and communities of plants, animals and micro-organisms native to NSW. 2) Strengthen management of biodiversity on a bioregional basis while using existing catchment level networks to focus on specific actions, including the integration of biodiversity conservation and natural resource management, consistent with the principles of ecologically sustainable development. 3) Identify, prevent or attack at source the threats to biodiversity through timely implementation of targeted actions. 4) Build on the success of existing initiatives to develop a coordinated and cost-effective biodiversity conservation program involving the community, industry and all levels of government and ensure that the rights, knowledge and values of local and Aboriginal communities are properly recognised and reflected. 5) Strengthen actions to inform, motivate and achieve the support of the community including local and Aboriginal communities, industry, State Government agencies and Local Government, in conserving biodiversity. 6) Increase our understanding of the ecological systems and processes required to conserve biodiversity through scientific research, survey and monitoring, taking into account the knowledge and values of Aboriginal and local communities.

NSW National Parks and Wildlife Service; NSW Biodiversity Strategy

Simplified Context for the NSW Biodiversity Strategy*

<i>International Agreements</i>	UN Convention on Biological Diversity; Agenda 21; World Heritage Convention; Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Bonn Convention; Ramsar Convention; Japan Australia Migratory Bird Agreement (JAMBA); China Australia Migratory Bird Agreement (CAMBA).
<i>Commonwealth Legislation</i>	Endangered Species Protection Act, 1992; National Parks and Wildlife Conservation Act, 1975; Australian Heritage Commission Act, 1975; Environment Protection (Impact of Proposals) Act, 1974; World Heritage Properties Conservation Act, 1983.
<i>National Agreements, Strategies and Programs</i>	Inter Governmental Agreement on the Environment (IGAE); National Strategy on Ecologically Sustainable Development; National Strategy for the Conservation of Australia's Biological Diversity; National Reserve System Co-operative Program; National Forest Policy Statement; National Greenhouse Response Strategy; Decade of Landcare; Ocean Rescue 2000; National Weeds Strategy; National Water Quality Management Strategy; National Strategy for Rangeland Management (draft); MDBC Basin Sustainability Program; National Strategy for the Conservation of Australian Species and Communities Threatened with Extinction (draft).
<i>State Policies</i>	NSW Biodiversity Strategy; NSW Coastal Policy; NSW Forest Policy; Total Catchment Management; State Soils Policy; State Rivers and Estuaries Policy; NSW Wetland Management Policy; State Environmental Planning Policies; NSW State Groundwater Policy; NSW Weirs Policy; Draft Nature Tourism Strategy.
<i>State Legislation</i>	Threatened Species Conservation Act, 1995; National Parks and Wildlife Act, 1974; Wilderness Act, 1987; Crown Lands Act, 1989; Soil Conservation Act, 1938; Western Lands Act, 1901 (as amended); Catchment Management Act, 1989; Water Administration Act, 1986; Forestry Act, 1916; Fisheries Management Act, 1994; Rural Lands Protection Act, 1989; Noxious Weeds Act, 1993; Protection of the Environment Administration Act, 1991; Local Government Act, 1993; Environmental Planning and Assessment Act, 1979; Heritage Act, 1977; Coastal Protection Act, 1979; Native Vegetation Conservation Act, 1997; Marine Parks Act, 1997.
<i>Local Policies and Programs</i>	State of the Environment Reports (SoEs), Local Environmental Plans, Development Control Plan, Plans of Management for Community Land, Local Approvals Policies, Annual Management Plans, Property Management Planning, Local Council Biodiversity Policies.

*Indicative only, not all relevant agreements, legislation and policies are shown – key policies and legislation highlighted.

National Local Government Biodiversity Strategy

The *National Local Government Biodiversity Strategy* was endorsed by unanimous vote at the National General Assembly of Local Government in November 1998. The document represents an agreed Local Government position at the national level on the management of biodiversity, and recognises that conservation and sustainable use of our natural resources will only be achieved through local area planning and management, along with community education and participation.

The objectives include developing a national awareness, training and education program; and ensuring adequate resources for Councils or Regional Organisations to play a greater role in biodiversity conservation. Suggested actions include establishing a biodiversity support network for Local Government; and supporting Councils or Regional Organisations to develop and implement Local Government biodiversity conservation strategies.

Enviro Australia

Green Web Strategy

Green Web has been developed by the Inner Metropolitan, Southern Sydney, Western Sydney, Macarthur and Northern Sydney Regional Organisation of Councils using funding from Environment Australia (formerly the Australian Nature Conservation Agency) under the Regional Environment Employment Program. GreenWeb seeks to address the great loss of biodiversity in the Sydney Basin, particularly in Western Sydney.

Western Sydney Regional Organisation of Councils Limited (WESROC) are responsible for putting together Green Web, a vegetation management plan for Sydney's Greater Metropolitan area. Green Web includes a regional strategy for revegetation and the creation of wildlife corridors.

Objectives

- To identify, protect and enhance biodiversity, environmental health, natural heritage and landscape amenity.
- To re-establish habitat by means of enhancing and creating sustainable ecological systems where the long-term survival of species is guaranteed.
- To create bush corridors between core habitats for the movement of native animal and plant species.
- To protect habitat from degradation caused by inappropriate use, encroachment of invasive plants and from predation by cats and dogs.
- To encourage natural regeneration on public and private land with a particular focus on riverine environments, coastal foreshores and endangered species and ecological communities.
- To initiate the restoration of natural ecosystems to repair environmental degradation and to prevent increasing costs to the community by preventing further loss of natural systems, ecological processes and natural resources.

Guiding Principles

- Identify, protect and enhance all remnant vegetation and habitat.
- All vegetation is important including common species, understorey and ground cover plants as they provide the habitat, structure and ecological processes necessary for the sustainable conservation of rare species.
- Revegetation work should be applied as a priority in areas where the following aims are achieved:
- enhancement and expansion of remnant vegetation and habitat,
- linking small fragmented areas of remnant vegetation to create larger more compact areas,
- creation of buffer zones around indigenous vegetation and habitat,
- increasing the width of existing narrow corridors along creeks and roads,
- enhancing the diversity of plant and animal species and enriching the structure of the ecological niches within the bushland area.
- Establish effective and consistent regulatory mechanisms for the protection of remnant bushland and habitat on private land to prevent further clearing and fragmentation of habitat.
- Re-establish indigenous vegetation and habitat in different types of open space.

Green Web – Sydney: A Vegetation Management Plan for the Sydney Region, February 1997

Strategies and Actions

- Prepare a *biodiversity management manual for council staff*, including:
- references for the identification of indigenous plants, particularly TSC Act & ROTAP species, and invasive plants;
- Minimise access to areas of indigenous vegetation;
- Erect protective barriers or fences around areas of remnant vegetation;
- Cease mowing, whipper snipping, spaying or slashing in areas of remnant vegetation;
- Set up wildflower regeneration areas;
- Protect remnant vegetation from dumping of grass clippings and other rubbish that damages plants, increases nutrients and attracts vermin;
- Avoid high nutrient mulching materials and fertilisers in existing remnants;
- Do not plant in areas of remnant vegetation;
- Avoid the use of chemicals, in particular spraying of pesticides and herbicides;
- Maintain natural drainage conditions and prevent changes to drainage patterns such as directing water towards remnants;
- Provide maps, photographic records and species lists of remnant plants for each reserve to workers;
- Place signs or markers on sites identifying indigenous plants;
- Prohibit general access for horses in remnant bushland;
- Create buffer zones between indigenous vegetation and areas of exotic grasses or other invasive plants.

Green Web – Sydney: A Vegetation Management Plan for the Sydney Region, February 1997

Australian National Strategy for the Conservation of Australian Species

The *Australian National Strategy for the Conservation of Australian Species and Communities Threatened with Extinction* was published by the Endangered Species Advisory Committee in 1992. The purpose of the Strategy is: to identify the additional measures needed to ensure the survival of endangered and vulnerable Australian plants, animals and ecological communities; to define overall aims and objectives for a program to save Australia's endangered and vulnerable species and ecological communities; and to outline the steps required to achieve the objectives. The overall aims defined in the strategy are: 1) to ensure that endangered and vulnerable species and ecological communities can survive and flourish; 2) to ensure that endangered and vulnerable species and ecological communities retain their genetic diversity and potential for evolutionary development in their natural habitat; and 3) to prevent further species and ecological communities from becoming endangered.

Environment Australia

Strategies for Ecologically Sustainable Development

Local Agenda 21

In 1992, the United Nations released an action plan for sustainable development called Agenda 21. Agenda 21 is a blueprint for actions to contribute to global sustainability in the 21st century. It recognises that most environmental challenges have their roots in local activities and therefore encourages Local Governments to promote local environmental, economic and social sustainability by translating the principles of sustainable development into strategies that are meaningful to local communities. This process is called Local Agenda 21 (LA21).

By the time of the APEC Pathways to Sustainability Conference in June 1997, there were approximately 61 Councils in Australia with LA21 programs in place. Through the Newcastle Declaration, the APEC Ministers for Sustainable Development set an APEC-wide target of doubling the number of Councils with LA21s by 2003. In recognition of this and the importance of local ESD, the Australian and New Zealand Environment and Conservation Council (ANZECC) in July 1999 established an ANZECC LA21 Achievement Award for Local Government.

The projected key outcomes from a Local Agenda 21 program include integrated decision making which takes all foreseeable economic, social and environmental considerations into account and development, implementation and periodic review of a long term, integrated action plan which incorporates sustainable development principles.

Our Community Our Future: A Guide to Local Agenda 21, Environs Australia 1999

National Strategy for Ecologically Sustainable Development

In 1987 the World Commission on Environment and Development, in a report titled *Our Common Future*, recognised that sustainable development meant adopting lifestyles within the planet's means. The report also clearly identified that the current patterns of economic growth could not be sustained without significant changes in attitudes and actions. Australia's response has been to adopt and further refine the concept of sustainable development, taking into account our unique natural environment, the aspirations and values of the Australian people and the prevailing patterns of economic production and consumption. The result is Ecologically Sustainable Development (ESD). Put simply, ESD means using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained and quality of life for both present and future generations is increased. It requires changes in the nature of production and consumption so that they can better satisfy human needs while using fewer raw materials and producing less waste. The key to ESD is integrating environment and development considerations in decision-making.

In 1989 the Australian Government released a public discussion on a proposal to develop a National Strategy for Ecologically Sustainable Development (NSESD). The process was extensive and, over a period of two years from 1990 to the end of 1992, involved consultation and negotiations between key interest groups from industry, the community, conservation groups, scientific organisations and all levels of government. Each Working Group developed a comprehensive report which fed into the National Strategy. Intersectoral issues, such as climate change, biodiversity conservation, urban development, employment, economic diversity and resilience and international considerations, were the subject of a special report by the chairs of each of the Working Groups. The intersectoral report also provided a basis for the National Strategy. Australia's three tiers of Government, Commonwealth (Federal), State and Local, adopted the National Strategy for Ecologically Sustainable Development in December 1992 at a meeting of the Heads of Government of each jurisdiction.

The 1990 Discussion Paper defined five key principles of ESD: integrating economic and environmental goals in policies and activities; ensuring that environmental assets are properly valued; providing for equity within and between generations; dealing cautiously with risk and irreversibility; and recognising the global dimension. These principles were adopted in the National Strategy and each of the 33 chapters identifies the Goal, Strategic Approach and Objectives adopted to ensure the application of the principles to the sectors and inter-sectoral issues covered by the Working Groups.

Environment Australia

Acts of Parliament

National Legislation

Endangered Species Protection Act 1992

The objectives of this Act are to: promote the recovery of species and ecological communities that are endangered and vulnerable; prevent other species and ecological communities from becoming endangered; reduce conflict in land management through readily understood mechanisms relating to the conservation of species and ecological communities that are endangered or vulnerable; provide for public involvement in, and promote public understanding of, the conservation of such species and ecological communities; and encourage cooperative management for the conservation of such species and communities.

Environment Australia

Environment Protection and Biodiversity Conservation Act 1999

The objects of this Act are to: provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance; promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources; promote the conservation of biodiversity; promote a cooperative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples; assist in the cooperative implementation of Australia's international environmental responsibilities; recognise the role of indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity; and promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

Environment Australia

State Legislation

National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974*, administered by the NPWS, **provides a framework for the protection for specific fauna and flora**. Part 7 (sections 92-112) covers Fauna; Part 8 (sections 113-118) covers Native Plants; Part 9 (sections 118A-118E) covers threatened species, populations and ecological communities, and their habitats, and critical habitat, as per the *Threatened Species Conservation Act 1995*.

Under the *National Parks and Wildlife Act 1974*, it is an offence to harm or pick or damage the habitat of threatened species, populations or ecological communities. Sections 98-100 of the Act contain provisions which make it an offence to harm protected fauna.

Section 91 empowers the Minister to make an interim protection order in respect to an area of land which has natural, scientific or cultural significance. Such an order may contain terms relating to the preservation, protection and maintenance of the area of land, its fauna, native plants, threatened species, populations or ecological communities or critical habitat of endangered species populations or ecological communities. It may have effect for a period not longer than 2 years. An appeal can be made to the Land and Environment Court against the imposition of the order or any of its terms.

Section 68 of the *NPWA* makes provision for the declaration of any lands as a Wildlife Refuge. The consent of the relevant minister, owner and/or occupier of the land is generally required for a Wildlife Refuge to be declared, and may be revoked if such consent is withdrawn. A Wildlife Refuge is not binding on successors in title.

Section 69 of the *NPWA* enables the Minister for the Environment to enter into a Conservation Agreement with the owner of the land. Such an agreement may subsequently be varied or terminated with the agreement of both parties, but is binding on successors in title to the owner who entered into the agreement.

Nature Conservation Council of NSW

Environmental Planning and Assessment Act 1979

This Act provides for protection of the environment through zoning controls. The EPA Act provides for three levels of planning controls: State Environmental Planning Policies, Regional Environmental Plans and Local Environmental Plans.

State Environmental Planning Policies (SEPPs)

Important State Environmental Planning Policies include a number of SEPPs which apply to natural areas, including SEPP 19 *Bushland in Urban Areas*; SEPP 14 *Wetlands*; SEPP 44 *Koala Habitat Protection* and SEPP 58 *Protecting Sydney's Water Supply*. Only SEPP 44 and SEPP 58 apply in the Blue Mountains local government area.

SEPP No.44 – Koala Habitat Protection

The Blue Mountains local government area is listed in Schedule 1 of the *State Environmental Planning Policy No.44 – Koala Habitat Protection*, under the *Environmental Planning and Assessment Act 1979*. Koalas with the same distinctive DNA have entered residential areas in Springwood and Colo Vale: it seems there is a remnant population of koalas in the lower parts of the Blue Mountains plateaux.

State Regional Environmental Plans (SREPs)

Relevant State Regional Environmental Plans include SREP No.20 Hawkesbury-Nepean River.

SREP No.20 – Hawkesbury Nepean River

The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The *Regional Environmental Plan* sets out a series of strategies for total catchment management, and management of environmentally sensitive areas, water quality, water quantity, cultural heritage, flora and fauna, wetlands, and riverine scenic quality as well as development, recreation and tourism.

Local Environmental Plans

'Local government authorities may make local environmental plans (LEPs) having provisions that reserve or protect urban bushland. Through the LEP process, development consent can be required for any development on land identified as urban bushland. LEPs may also prohibit development on urban bushland. The use of land adjoining or within the catchment of urban bushland can also be regulated through the LEP, provided it is within that local government area.' (Nearn, 1995).

Where development consent is required for any proposed activities in natural areas, such as walking track construction or signage, Section 90 of the *EPA Act 1979* sets out those matters which must be taken into account by Council when considering these development proposals. These include effect of the proposed works on landscape or scenic quality; threatened species, populations or ecological communities and their habitats, critical habitat, or other protected fauna and protected native plants; social and economic effects, soil erosion; and any matter specified in an environmental planning instrument as a matter to be taken into consideration.

The potential impacts of any other proposed activities in natural areas would generally be assessed under Part 5 of the *EPA Act*. Clause 82 of the *Environmental Planning and Assessment Regulation 1994* sets out matters to be taken into account concerning the environmental impact of an activity, including threatened species, populations or ecological communities and their habitats.

A number of sections in the *EPA Act* relate to conservation of native animals and plants, including threatened species, populations or ecological communities and their habitats. These include Sections 5, 26, 34, 76, 77, 78, 90, 110, 111 and 112. The EPA Act requires a Species Impact Statement to be prepared where a development or activity is likely to significantly affect threatened species, populations or ecological communities and their habitats.

The EPA act authorises the DUAP on behalf of the Minister to purchase and manage lands for various open space purposes such as regional open space and special use corridors. Under S 26(c) of the EPA Act an environmental planning instrument may make provision for reserving land for the purposes of open space, a public place or public reserve. Under S 27(1) the EPI must then make provision for acquisition of that land by a public authority unless the land is already held for that purpose by a public authority.

Nature Conservation Council of NSW

Local Government Act 1993 and Local Government Regulation 1999

The purposes of this Act include the provision of the legal framework for an effective, efficient, environmentally responsible and open system of local government in New South Wales. Under the act, the Charter of Council includes requirements to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development. Council must also have regard to the long term and cumulative effects of its decisions, and bear in mind that it is the custodian and trustee of public assets and effectively account for and manage the assets for which it is responsible. One of the service functions of Council is the provision, management or operation of environment conservation, protection, improvement services and facilities.

The *Local Government Amendment (Community Lands Management) Act 1998* commenced on 1 January 1999. Section 36 of the amended *Local Government Act 1993* requires that Council prepare a Plan of Management for community lands. This plan must identify:

- The category of the land;
- The objectives and performance targets of the plan with respect to the land;
- The means by which these objectives and performance targets will be achieved; and
- The methods that will be used to assess whether performance targets and objectives are being achieved.

Until a Plan of Management is adopted, the nature and use of the land must not change (Section 44). Community Land must be categorised, and mapped, as:

- Community land comprising the habitat of endangered species; or
- Community land comprising the habitat of threatened species; or
- Community land containing significant natural features; or
- Community land comprising an area of cultural significance; or as a
- Natural area; or
- Sportsground; or
- Park; or
- General community use.

A natural area is sub-categorised, and mapped, as: Bushland; Wetland; Escarpment; Watercourse; or Foreshore.

Sections 35 to 47F set out the requirements for management of Community Land.

Crown Lands Act 1989 and Crown Lands Regulation 1995

Many bushland reserves are not community land under the *Local Government Act*, but are owned by the Department of Land and Water Conservation and may be administered by a Trust, or by Council. Draft plans of Management may be prepared and adopted, as well as altered and cancelled, for such lands under the *Crown Lands Act*.

The Minister for Land and Water Conservation can vest Crown Lands in Council under Part 4 Division 7 Sections 75 to 77. The Minister can dedicate Crown Lands for a public purpose under Part 5 Division 2 Sections 80-86, and can reserve Crown Land under Division 3 Sections 87-91 for a public purpose or from sale or for any future public requirements.

The Objects of this Act include the management and conservation of Crown Land with regard to the *Principles of Crown Land Management*. *Principles of Crown Land Management*, under Section 11, include the observation of environmental protection principles in relation to the management and administration of the land. The conservation of natural resources (including water, soil, flora, fauna and scenic quality); encouragement of public use and enjoyment; and management of Crown land in such a way that both the land and its resources are sustained in perpetuity. Section 30 requires a program for the assessment of Crown land, consisting of an inventory, an assessment of the capabilities of the land (including for environmental protection or nature conservation) and identification of suitable uses.

Whereas Road Authorities have an obligation under the *Roads Act 1993* to maintain *dedicated* public roads, there is no such obligation to maintain unconstructed roads in Crown Road Reserves. These areas often incorporate significant native vegetation remnants.

Adapted from Nature Conservation Council of NSW

Threatened Species Conservation Act 1995

This Act aims to conserve threatened species, populations and ecological communities of animals and plants and amends the *National Parks and Wildlife Act 1974* and the *Environmental Planning and Assessment Act 1979* accordingly.

The objectives of the *Threatened Species Conservation Act 1995* are: to conserve biological diversity and promote ecologically sustainable development. To prevent the extinction and promote the recovery of threatened species, populations and ecological communities. To protect the critical habitat of threatened species, populations and ecological communities. To eliminate or manage certain processes that threaten the survival or evolutionary development of threatened species, populations and ecological communities. To ensure that the impact of any action affecting threatened species, populations and ecological communities is properly assessed. And to encourage the conservation of threatened species, populations and ecological communities by the adoption of measure involving cooperative management.

Key threatening processes are listed under Schedule 3 of the Act. A key threatening process is “a process that threatens, or may have the capacity to threaten, the survival or evolutionary development of species, populations or ecological communities” (*Threatened Species Conservation Act 1995*). *This could be applied to processes that degrade the remnants of indigenous vegetation which contain species and provide habitat which are not conserved elsewhere in the area.*

Local Government has a two-fold responsibility in implementing the Act in assessing the impacts of a development application on listed species, ecological communities and their habitat as well as in ensuring the protection of threatened species on Council managed land. Therefore Councils need to be aware of the occurrence of critical habitat and threatened species in order to determine whether a proposed development or activity could affect threatened species, populations or ecological communities.

To fulfil their responsibilities under the Act, Councils need to develop appropriate policies and strategies that ensure that species, populations and communities listed under the Act are adequately protected and not adversely affected by development proposals or inappropriate land-use practices.

Adapted from Green Web – Sydney: A Vegetation Management Plan for the Sydney Region, February 1997

Fisheries Management Act 1994

This Act complements the *Threatened Species Conservation Act* for protection of aquatic fauna. Its aims include: conserving biological diversity of aquatic species & vegetation and promoting ecologically sustainable development; preventing the extinction and promote the recovery of threatened species, populations and ecological communities of aquatic species and vegetation; protecting the critical habitat of those threatened species, populations and ecological communities that are endangered; eliminating or managing certain processes that threaten the survival or evolutionary development of threatened species, populations and ecological communities of aquatic species and vegetation; ensuring that the impact of any action affecting threatened species, populations and ecological communities of aquatic species and vegetation is properly assessed; and encouraging the conservation of threatened species, populations and ecological communities of aquatic species and vegetation by the adoption of measures involving cooperative management. *Adapted from Fisheries Management Act 1994*

Native Vegetation Conservation Act 1997

The *Native Vegetation Conservation Act 1997* seeks to prevent the inappropriate clearance of native vegetation and to sustainably manage remnant native vegetation through a suite of measures, including Regional Vegetation Management Plans and Property Agreements. In the City of Blue Mountains, the *NVC Act* primarily applies to Mount Irvine, Mount Wilson, Mount Tomah and Megalong Valley.

Species protected under the *Blue Mountains Local Environmental Plan 1991*

Schedule 13 – Protected Native Plants in the Blue Mountains	
Seed Plants	
Actinotus helianthi	Flannel Flower
Blandfordia, all native species	Christmas Bells
Boronia, all native species except Boronia repanda, Boronia deanei and Boronia umbellata	Boronia
Bulbophyllum, all native species except Bulbophyllum globuliforme	Orchid
Casuarina cunninghamiana	River Oak
Caustis, all native species	Curly Sedge
Ceratopetalum gummiferum	Christmas Bush
Crowea, all native species	Crowea
Cymbidium, all native species	Orchid
Dendrobium, all native species	Orchid
Dipodium, all native species	Orchid
Eriostemon, all native species except Eriostemon ericifolius	Wax Plant
Galeola, all native species	Orchid
Grevillea aspleniifolia	Fern-leaved Grevillea
Grevillea longifolia	Fern-leaved Grevillea
Liparis, all native species	Orchid
Lomatia silaifolia	Crinkle Bush
Persoonia pinifolia	Pine-leaved Geebung
Sarcochilus, all native species except Sarcochilus fitzgeraldii, Sarcochilus hartmannii and Sarcochilus weinthalii	Orchid
Sprengelia incarnata	Sprengelia
Taeniophyllum, all native species	Orchid
Telopea, all native species	Waratah
Xylomelum, all native species	Woody Pear
<i>All native species of epiphytic and lithophytic orchids not included elsewhere in this Schedule.</i>	
Ferns and Fern Allies	
Adiantum, all native species	Maiden Hair Fern
Cyathea, all native species	Tree Fern
Davallia pyxidata	Hare's Foot Fern
Dicksonia, all native species	Tree Fern
Lycopodium deuterodensum	Mountain Moss
Platycerium, all native species	Elk Horn and Stag Horn
Tmesipteris, all native species	
Todea barbara	Tree Fern
Mosses	
Sphagnum, all native species	Sphagnum Moss

Blue Mountains City Council draft criteria for determining an Area of Cultural Significance

Table: Criteria for defining an Area of Cultural Significance

Area of Cultural Significance
An Area of Cultural Significance is Community Land that meets the guidelines set out in the:
<ul style="list-style-type: none"> • <i>Local Government (General) Regulation 1999</i>
And an Area of Cultural Significance is Community Land that is listed in the:
<ul style="list-style-type: none"> • Register of the National Estate
<ul style="list-style-type: none"> • State Heritage Register
<ul style="list-style-type: none"> • State Heritage Inventory
<ul style="list-style-type: none"> • Local Environment Plan
And an Area of Cultural Significance is Community Land that is of:
<ul style="list-style-type: none"> • Aboriginal significance, and listed in the: • NPWS register; • ALC records; • ATC records; or is established through • Verified local community knowledge