

## APPENDIX III: GUIDELINES FOR CATEGORISATION OF COMMUNITY LAND

### 1. What are Community Land 'Categories'?

Community Land must be categorised in accordance with the *Local Government Act 1993*. A category describes the land and each category has a set of core objectives. A description of each category is listed below, as are the core objectives. All current and intended uses of the land must comply with the category assigned to that area of land.

#### **General Community Use**

Land should be categorised as general community use if the land:

- 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
- Is not required to be categorised as a natural area, or does not satisfy the guidelines for categorisation as a sportsground, a park or an area of cultural significance

#### **Park**

Land that is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities for use mainly for recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

#### **Sportsground**

Land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.

#### **An Area of Cultural Significance**

Land described as an area of Aboriginal, aesthetic, archaeological, historical, technical or research, or social significance.

#### **Natural Area**

Land which, 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.

Community Land that has been declared critical habitat or which is directly affected by a recovery plan or threat abatement plan under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994 must be categorised as a natural area.

##### **Natural Area: Bushland**

Land that contains primarily native vegetation and that vegetation is:

- The natural vegetation or a remainder of the natural vegetation of that land
- Is still representative of the structure and/or floristics of the natural vegetation in the locality

##### **Natural area: Wetland**

Land that 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.

##### **Natural area: Watercourse**

Land described as:

- Any perennial or intermittent stream, flowing in a natural, artificially improved or re-diverted channel

- Associated riparian land or vegetation, including land which is protected under the relevant legislation

**Natural area: Foreshore**

Land that is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.

**Natural area: Escarpment**

Land that includes features such as a long cliff-like ridge or rock and includes significant or unusual geological, geomorphological or scenic qualities.

## 2. Core Objectives of Community Land

- 36F Core objectives for management of Community Land categorised as a natural area**
- 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
  - To maintain the land, or that feature or habitat, in its natural state and setting
  - To provide for the restoration and regeneration of the land
  - 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
  - To assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994
- 36G Core objectives for management of Community Land categorised as a sportsground**
- To encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games
  - To ensure that such activities are managed having regard to any adverse impact on nearby residences
- 36H Core objectives for management of Community Land categorised as a park**
- To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities
  - To provide for passive recreational activities or pastimes and for the casual playing of games
  - To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management
- 36I Core objectives for management of Community Land categorised as an area of cultural significance**
- 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.
- Those conservation methods may include any or all of the following methods:
  - 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
  - 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
  - The reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state

- e) 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)
- f) 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

A reference in subsection (2) to land includes a reference to any buildings erected on the land.

**36J Core objectives for management of Community Land categorised as general community use**  
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:

- a) In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public
- b) In relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)

**36K Core objectives for management of Community Land categorised as bushland**

- 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
- b) To protect the aesthetic, heritage, recreational, educational and scientific values of the land
- 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
- d) To restore degraded bushland
- e) To protect existing landforms such as natural drainage lines, watercourses and foreshores
- 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
- g) To protect bushland as a natural stabiliser of the soil surface

**36L Core objectives for management of Community Land categorised as wetland**

- 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
- b) To restore and regenerate degraded wetlands
- c) To facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands

**36M Core objectives for management of Community Land categorised as an escarpment**

- a) To protect any important geological, geomorphological or scenic features of the escarpment
- b) To facilitate safe community use and enjoyment of the escarpment

**36N Core objectives for management of Community Land categorised as a watercourse**

- 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
- b) To manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability
- c) To restore degraded watercourses
- d) To promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category

- 360 Core objectives for management of Community Land categorised as foreshore**
- a) To maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area
  - b) To facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use