



Attachment 1 to Item 203

Draft Macquarie Park Plan of Management

Date of meeting: 22 November 2022
Location: Council Chambers
Time: 6:30 p.m.

MACQUARIE PARK Windsor

Draft Plan of Management

hawkesbury.nsw.gov.au



Prepared by: Hawkesbury City Council and Parkland Planners

Adopted on:

CONTROLLED DOCUMENT

Draft Issue B: November 2022

Version	Description	Date
A	Preliminary Draft – Internal and Native Title Manager review	April 2022
B	Draft for Council adoption to refer to Crown Lands	7 November 2022
B	Draft – for Crown Review	
C	Draft – for Public Exhibition	

Acknowledgement of Country

Hawkesbury City Council acknowledges the Darug and Darkinjung people as the traditional custodians of the Hawkesbury. We pay respect to all Elders past, present and emerging and acknowledge all Aboriginal and Torres Strait Islander peoples as the first people of this Country.

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Part 1: INTRODUCTION

1.1 What is a Plan of Management?

This Plan of Management (PoM) has been prepared by Hawkesbury City Council and Parkland Planners to provide direction for the use, management and enhancement of Macquarie Park in Freemans Reach.

As land in Macquarie Park is owned by Council and is Crown land managed by Council the PoM is required and prepared in accordance with the *Crown Land Management Act 2016* and the *Local Government Act 1993*.

This Plan of Management is accompanied by a Concept Plan which illustrates proposed physical changes to Macquarie Park.

1.2 Land to which this plan applies

This site-specific PoM applies to Macquarie Park, located at 1 Wilberforce Road, Freemans Reach. Figure 1 Macquarie Park



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1.3 Background to this Plan of Management

This PoM is part of a series of site specific or generic plans of management which have been prepared for all community land and Crown land that Council manages.

Macquarie Park was included in the Windsor Foreshore Parks Plan of Management 2013. The proposed construction and leasing of the Windsor Paddlesports Club building, and changes to legislation governing Crown land resulted in Council preparing a site-specific Plan of Management for Macquarie Park.

Upon adoption of this Plan of Management it will supersede the Windsor Foreshore Parks Plan of Management 2013 as it applies to Macquarie Park.

1.4 Purpose of this Plan of Management

The *Local Government Act 1993* (LG Act) requires a Plan of Management (PoM) to be prepared for all public land that is classified as 'community land' under that Act.

The *Crown Land Management Act 2016* (the CLM Act) authorises local councils (council managers) appointed to manage dedicated or reserved Crown land to manage that land as if it were public land under the *Local Government Act 1993*. Therefore, all Crown land reserves managed by council are also required to have a Plan of Management under the Local Government Act.

The PoM is required in accordance with Section 3.23 of the *Crown Land Management Act 2016* and Section 36 of the *Local Government Act 1993*.

The purpose of this Plan of Management is to:

- ensure compliance with the *Local Government Act 1993* and the *Crown Land Management Act 2016*
- contribute to Council's broader strategic goals and vision as set out in the Hawkesbury Community Strategic Plan 2017-2036
- provide clarity in the future development, use and management of the community land
- ensure consistent management that supports a unified approach to meeting the varied needs of the community.

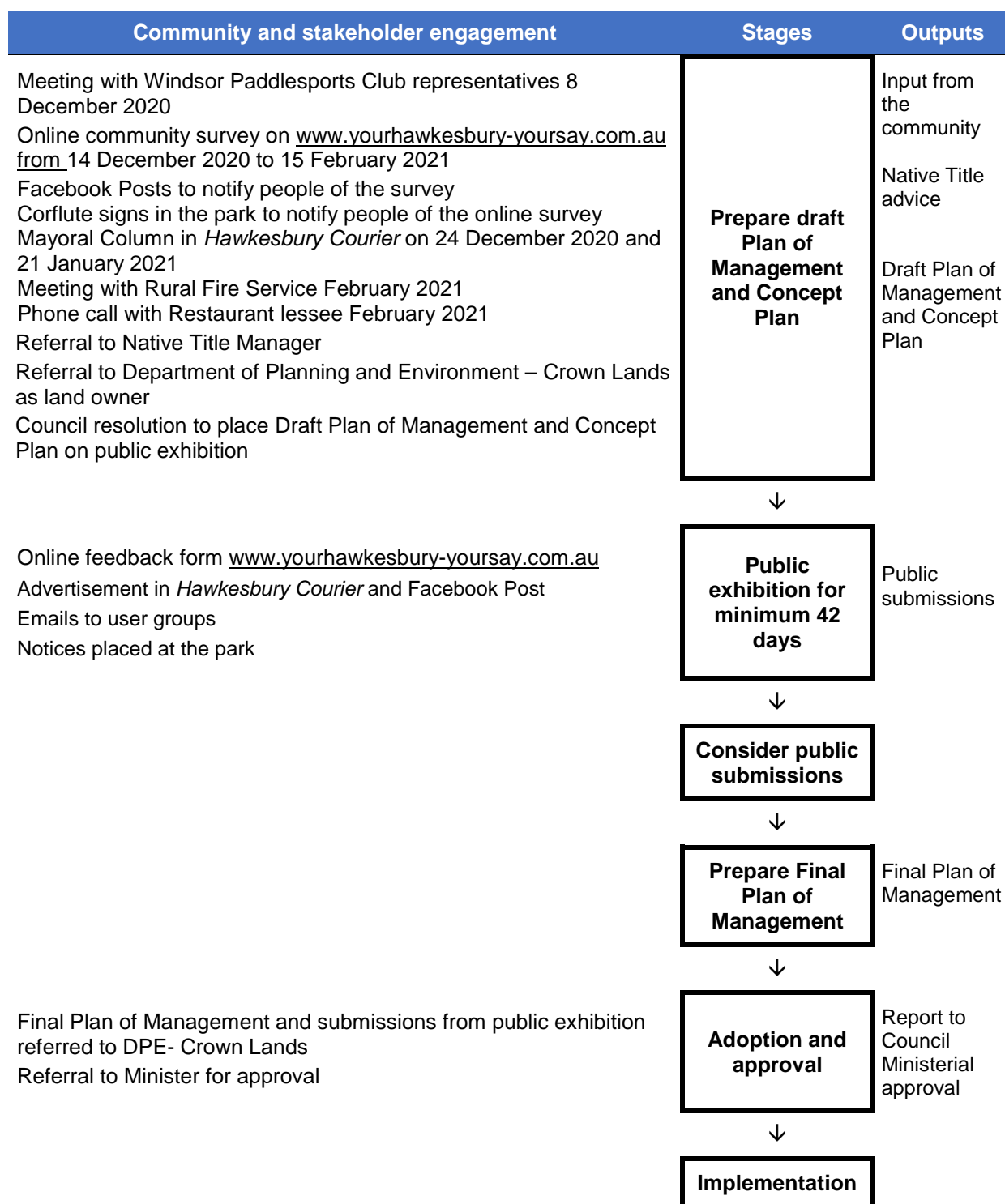
1.5 Process of preparing this Plan of Management

The process of preparing this Plan of Management, engagement with stakeholders and the community, and documents produced at each stage, are shown in Figure 2.

Engagement with the community is an important part of the preparation of this Plan of Management. Council is committed to engaging with the community in the planning and management of its community land. By utilising collaborative processes that recognise the values of the park and local knowledge, we can develop a shared vision for its use, management, and development.

An online survey was open to the community to provide input into the development of the plan. The online survey was conducted from, with 103 responses received. Key stakeholders, such as the restaurant lessee and representatives from the Windsor Paddlesports Club, have been consulted directly.

Figure 1 Process of preparing this Plan of Management



In accordance with section 39 of the *Local Government Act 1993*, prior to being placed on public exhibition, the draft PoM was referred to the Department of Planning, Industry and Environment – Crown Lands, as representative of the State of NSW, which is the owner of the Crown reserve. Council has included in the plan any provisions that have been required by the Department of Planning, Industry and Environment – Crown Lands.

The Draft Plan of Management was placed on public exhibition from **date** to **date** in accordance with the requirements of Section 38 of the *Local Government Act 1993*. A total of **xx** submissions were received. Council considered these submissions before finalising and adopting the PoM.

1.6 Contents of this Plan of Management

This Plan of Management is divided into the following sections, as outlined in Table 1.

Table 1 Structure of this Plan of Management

#	Section	What does it include?
1	Introduction	Background to the Plan of Management, purpose, process, contents
2	Description of Macquarie Park	History, ownership and management, physical description, facilities, uses, maintenance
3	Planning context	Commonwealth and State planning legislation Regional and local planning context
4	Basis for Management	Values and issues of the community and users Vision, roles, management objectives
5	Future uses and developments	Permissible uses and developments, scale and intensity of use, use agreements
6	Management of land by category	Use and management considerations for the Park, General Community Use and Natural Area-Watercourse categories
7	Implementation and review	Management, funding, reporting, review

Requirements for a Plan of Management for Crown land managed by a Council are generally as provided by the *Local Government Act 1993* rather than the *Crown Land Management Act 2016*. These requirements of the *Local Government Act 1993* for the contents of a Plan of Management for community land, and where they can be found in this Plan, are listed in Table 2.

Table 2 Contents of a Plan of Management for community land

Requirement of the Local Government Act	How this plan satisfies the Act
A description of the condition of the land, and of any buildings or other improvements on the land as at the date of adoption of the Plan of Management	Section 2
A description of the use of the land and any such buildings or improvements as at the date of adoption of the Plan of Management	Section 2
Categorisation of community land	Section 3
Core objectives for management of the land	Section 3
The purposes for which the land, and any such buildings or improvements, will be permitted to be used.	Section 5, 6
The purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise.	Section 5, 6
A description of the scale and intensity of any permitted use or development.	Section 5
Authorisation of leases, licences or other estates over community land.	Section 5, 6
Objectives and performance targets.	Section 6
Means by which the plan's objectives and performance targets will be achieved.	Section 6
Means for assessing achievement of objectives and performance targets.	Section 6

This Plan of Management has also been prepared according to the requirements of the *Crown Land Management Act 2016*. A Plan of Management will satisfy the *Crown Land Management Act 2016* if the points in Table 3 are addressed.

Table 3 Contents of a Plan of Management required by the Crown Land Management Act 2016

A Plan of Management prepared by a Council crown land manager satisfies the Crown Land Management Act if:	How this plan satisfies the Act
It is consistent with the purposes the land has been reserved or dedicated. (Sections 3.13 and 2.12)	This Plan has been prepared consistent with the purpose(s) of the reserves and dedications.
It has been prepared under the <i>Local Government Act 1993</i> and is classified community land that is either dedicated or reserved Crown land. (Sections 3.32 (1)(b) and Section 3.23 (6))	All Crown land that this Plan of Management has been prepared for is either dedicated or reserved Crown land under the management of Hawkesbury City Council, or is community land under the <i>Local Government Act 1993</i> and therefore required to have a Plan of Management.
Plans of Management for the land are to be prepared and adopted in accordance with the provisions of Division 2 or Part 2 of Chapter 6 of the <i>Local Government Act 1993</i> . (Section 3.23 (7) (d))	This Plan has been prepared to satisfy the requirements of the <i>Local Government Act 1993</i>
If the draft Plan of Management alters the categories assigned as provided by this section, the council manager must obtain the written consent of the Minister to adopt the plan if the re-categorisation would require an addition to the purposes for which the land is dedicated or reserved	No additional purposes of reserved or dedicated land are proposed.
Hold public hearing under section 40A of the <i>Local Government Act 1993</i> . (Section 3.23 (7) (d))	A public hearing will be undertaken in relation to this Plan of Management if the categories change after initial categorisation.
Excepting where the relevant land is excluded land, the written advice of at least one Council's Native Title Manager that it complies with any applicable provisions of the native title legislation has been obtained. (Section 8.7 (1) (d))	Council has received the advice of a native title manager that the plan complies with the <i>Native Title Act 1993</i> (Cwth).
Council must comply with any requirements of the native title legislation in relation to the land (Section 8.10)	The Plan of Management has been prepared to ensure any impacts on native title will be appropriately addressed under the future act provisions of the <i>Native Title Act 1993</i> . Council shall meet the notification requirements of Section 24JB of the <i>Native Title Act 1993</i> in relation to the construction or establishment of a public work prior to further approval.

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Part 2: DESCRIPTION OF MACQUARIE PARK

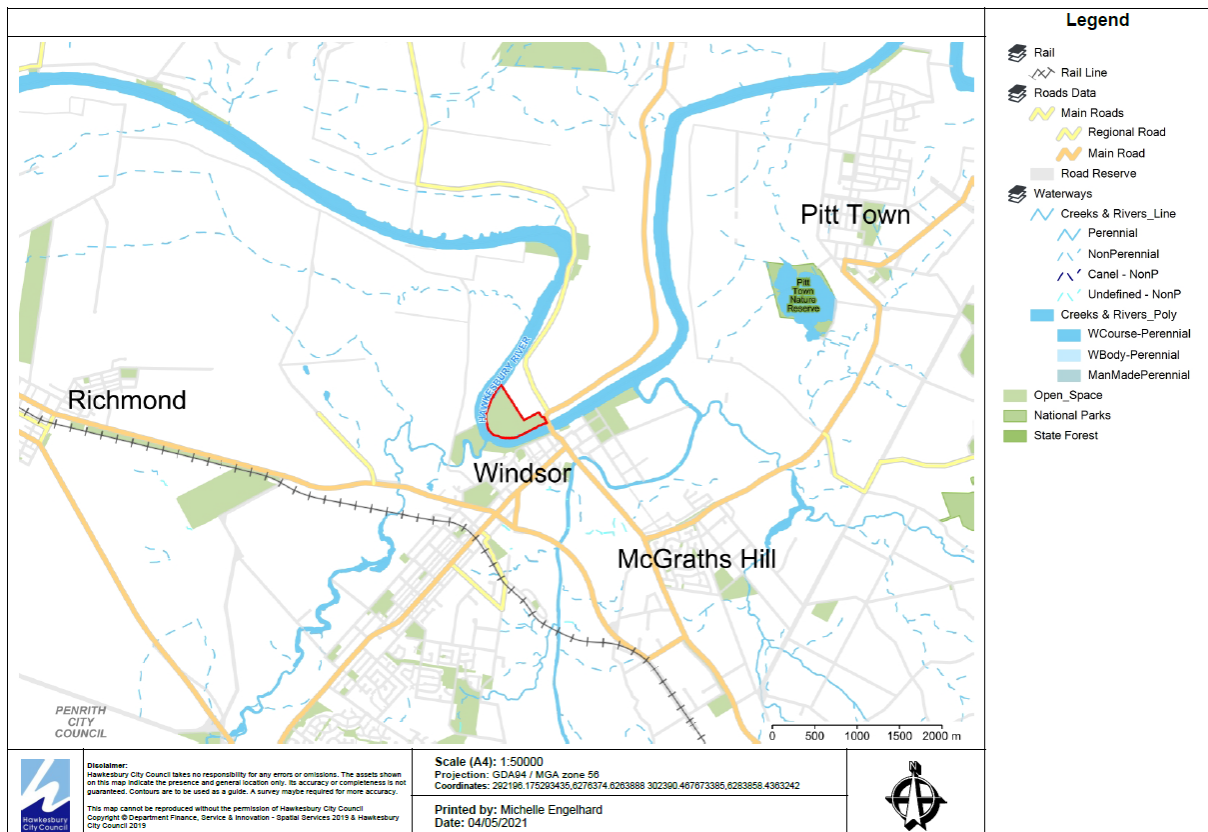
2.1 Site location

Macquarie Park is located north west of Sydney, on the foreshore of the Hawkesbury River in Freemans Reach and opposite the township of Windsor.

The park at 1 Wilberforce Road, Freemans Reach is bound by private agricultural property to the north, Freemans Reach Road to the east, and the Hawkesbury River to the south and west.

The Windsor Bridge across the river is a key access route to the park except in flood conditions when the bridge is inundated.

Figure 2 Location of Macquarie Park in relation to Windsor and surrounds



A private vegetable farm is located on the north-east boundary of the park.

Howe Park and Deerubbin Park are located on the opposite side of the Hawkesbury River from Macquarie Park.



2.2 Description of Macquarie Park

Macquarie Park is nearly 23 hectares in size. It comprises three distinctive areas:

- a formalised picnic ground with grassed areas and a privately leased restaurant/kiosk. Within this area there are picnic tables, children's playground, picnic shelters with barbecues, and public toilets
- a more natural bushland character dominated by regrowth *Acacia* trees. A sandy beach, known as Windsor Beach, stretches around much of the riverbank. The beach is well used as a swimming beach, and a canoe launch ramp provides access to the water for non-motorised boats. Fishing is a popular activity along the foreshore.
- open grassland to the north of the park, which is used for informal sport and events.



2.3 History of Macquarie Park

The original inhabitants of the land at Macquarie Park and greater Hawkesbury area were the Darug (Dharug) Aboriginal tribe, who moved throughout the region seeking food and shelter and engaging in trade and ceremonies. The Hawkesbury River, called *Deerrubbin*, was a rich resource and could support many clans including the local Boorooberongal clan.

Following colonisation and settlement of Europeans, the fertile Hawkesbury region was one of the first areas established to provide food to the new colony. The town of Green Hills (Windsor) was established on the other side of the river from Macquarie Park, and a punt was used to transport materials, food and people across the river.

Key events in the history of the park itself are noted in the table below.

Table 4 History of Macquarie Park

Year	Description of the event
1795	On 22 July 1795, Richard Turner was granted 30 acres of land on the banks of the Hawkesbury River by the Crown on the proviso that the land be farmed for at least 5 years.
1798	The land was taken over by a new owner, Lieutenant Braithwaite, who returned to England after finding life in NSW not to his liking.
1806	Upon the death of Lieutenant Braithwaite, the proceeds of the land were bequeathed to an orphan school, however a succession of Windsor solicitors secured their interest in the farm over the course of 100 years. Finally, in 1930, Torrens Title was granted to Captain Edmund Lawrence Braithwaite.
1814	A ferry was established to provide communication between Windsor and Freemans Reach, just downstream of Macquarie Park.
1832	The ferry service was taken over by the government and was replaced with a punt operating on a cable.
1874	The opening of Windsor Bridge enabled large numbers of people to access the beautiful sandy beach on the river's edge. The site became a popular picnic spot and remains so to this day.
1912	Local farmer, Frank Woods, established the Macquarie Beach Picnic Ground. Bush huts were constructed for shade, a kiosk and to shelter 20-30 cars. The picnic grounds were very popular until Woods and his family were forced to leave in 1930.
1930	Torrens Title was granted to Captain Edmund Lawrence Braithwaite and then sold to Matthew Johnston. Johnston constructed Macquarie Park House in 1930 and demolished the bush huts in favour of a more modern look. Floods caused extensive damage in 1930 and again in 1932.
1932	Johnston leased the grounds to Anne and Joyce Arnold who made considerable investment in the park by constructing six cabins on the riverbank. Yet again, floods destroyed these too.
1956	Crown land, Lot B DP 386334, was dedicated for the purpose of Public Recreation on 7 December 1956.
1959	Crown land, Lot 7008 DP 751665, was reserved for the purpose of Public Recreation on 3 April 1959. Colo Shire Council was appointed as Trust Manager for the park.
1960s	Jimmy Gough leased the land from Colo Council and established a caravan park that served the district for over ten years.
1970s	Colo Council again took over the management of the area and closed the park due to flood damage to the banks.
1977	First Canoe Classic race from Windsor to Brooklyn held. The race is held every year, attracting hundreds of participants and spectators.
1980s	Council leased a large part of the park to J. Gough for the purpose of sand extraction (Lot 1 DP 606535 and may also have included Lot 7008 DP 1032358). Up to 4 metres depth of sand was removed from the site, tapering down to the water level on the western side. This explains the highly degraded nature of the site and is likely the catalyst for the 1988 landscape/restoration plan that Council partially implemented.
1980s	Hawkesbury Shire Council undertook improvements to enable Macquarie Park House to be used once again. It was used as both a kiosk and accommodation service for young people.
1993-1994	Macquarie Park House was refurbished for use as a restaurant after being destroyed by fire in 1993.

Year	Description of the event
1995/ 1996	Stage 1 – Macquarie Park Enhancement Project was designed to restore Macquarie Park to a pleasant and safe recreational facility, while undertaking environmental restoration work on the banks of the Hawkesbury River. Stage 1 works consisted of bank stabilisation plantings, walking paths, installation of cable fencing to restrict vehicular access to the riverbank, and formalisation of car parking.
1996/ 1997	Stage 2 of the Macquarie Park Enhancement Project included further bank stabilisation and mass plantings, shade tree planting (40), design and construction of entry gates into the park, and placement of interpretive signage throughout the park. The themes of the interpretive signage are history of the park, flora in the park, interesting views from the park, floods in the Hawkesbury, and a general information sign about facilities in the park.
1999	A sandstone monument/rock engraving was installed in a memorial bush tucker garden, commemorating the meeting between local Aboriginal people and European explorers in 1791.
2010	Playground upgrade, including picnic facilities.
2016	Canoe access ramp and launching ramp constructed
2020	Greater Sydney Sports Facility Fund grant received for the Windsor Paddle Sport Facility
2020	Public amenities building was replaced.
2020	On 18 May 2020, a new replacement bridge across the river between Windsor and Freemans Reach was opened to traffic, just downstream of the old bridge. The old bridge has mostly been removed, with a small portion retained on the Windsor side to be used as a public observation deck.

2.4 Land ownership and management

2.4.1 Land titles

Macquarie Park is comprised of community land owned by Hawkesbury City Council and Crown land managed by Hawkesbury City Council as Crown Land Manager under the *Crown Land Management Act 2016*.

The land ownership as set out in Table 5 is shown in Figure 3.

Figure 3 Ownership of land in Macquarie Park



Table 5 Ownership and tenure of Macquarie Park

Legal Description	Area (ha)	Owner	Crown Reserve Number	Reserve	Reserve Purpose	Categories	Zoning
Lot 1 DP 606535	14.47	Council	-	-	-	General Community Use Natural Area Park	RE1 Public Recreation
Lot 1 DP 226141	0.20	Council	-	-	-	Park Natural Area	RU2 Rural Landscape
Lot 7008 DP 1032358	5.19	Crown	R.81510	Reserve	Public Recreation Gazetted 3 April 1959	Park Natural Area	RU2 Rural Landscape
Lot B DP 386334 (Lot 1 DP 883806)* (Lot 2 DP 883806)*	2.80	Crown	D.500060	Dedication	Public Recreation Gazetted 7 December 1956	General Community Use Park Natural Area	RE1 Public Recreation
TOTAL	22.66						

* DP 883806 is for lease purposes only.

A right of way of variable width provides access from Lot 1 DP 226141 to the adjoining property Lot A DP 386334.

2.4.2 Native title and Aboriginal land status

Table 6 shows the native title status of the Crown reserves R.81510 and R.500060 as at 1 April 2022.

Table 6 Native title and Aboriginal land claims

Native title status as at 1 April 2022	Macquarie Park	
	R.81510	D.500060
Subject land	R.81510	D.500060
Current Native Title application (claim)?	No	No
Determination of Native Title?	No	No
Registered Indigenous Land Use Agreement?	No	No
Acts likely to have extinguished native title?	No	No
Compulsory acquisitions of native title or future act protection determinations?	No	No
Native title certificates under CLMA issued?	No	No
Aboriginal land claims as at 1 April 2022		
Aboriginal land claims under the <i>Aboriginal Land Rights Act 1983</i>	No	No

2.4.3 Management

Macquarie Park is managed by Hawkesbury City Council, which is responsible for:

- day-to-day management including cleaning of amenities, opening and closing of gates
- managing informal use and bookings for use
- managing use agreements
- liaising with the community and user groups about improvements to facilities
- ensuring that park rules are adhered to

- ongoing preventative and remedial maintenance of park assets
- allocation of resources (financial, human and physical) for capital improvements and maintenance
- liaising with authorities which have responsibilities relevant to development and management of infrastructure and services associated with the park.

Council is also responsible for review of this PoM when necessary to enable changing circumstances and community needs to be considered and incorporated.

2.4.4 Key stakeholders

Several organisations have a responsibility and/or an interest in Macquarie Park as set out below.

Table 7 Key stakeholders in Macquarie Park

Stakeholders	Responsibility / interest in Macquarie Park
Hawkesbury City Council	Land owner and manager Crown Land Manager Community and stakeholder engagement Bookings Maintenance Funding
Minister for Lands and Water Department of Planning and Environment – Crown Lands	Land owner of Crown land Use of Macquarie Park according to reserve purpose Native title provisions
Darug Custodians Aboriginal Corporation Darug Tribal Aboriginal Corporation Deerubbin Local Aboriginal Land Council	Aboriginal cultural heritage
Wayne Edwards Holdings	Lease holder for restaurant/café
Windsor Paddlesports Club Hawkesbury Canoe Classic	User groups
Adjoining land owners	Neighbours
Hawkesbury River County Council (HRCC)	Administration of the <i>Biosecurity Act 2015</i> in Hawkesbury City
NSW Rural Fire Service	Training Activities Extinguishing fires
NSW Police	Crime prevention

2.5 Natural environment

2.5.1 Landforms

The environment at Macquarie Park has been altered significantly since early colonial settlement. Not only has the native vegetation been cleared for farming in the early years, much of the reserve has been reshaped by flood events and sand extraction activities.

The photograph in Figure 4 below, dated c.1875, shows the riverbank looking north toward what is now Macquarie Park. The riverbank was cut back, leaving a low flat river frontage and steep banks at a distance from the water's edge.

Figure 4 Macquarie Park circa 1875



Photos from the early 1900s show the banks to be less steep, possibly through a combination of slumping of the banks and deposition from floods.

Today, the riverbanks are still affected by slumping, and deposition of sand at the bend of the river. Much of the current landform however, has been shaped by human intervention, either through extraction or filling and regrading of the steep embankments.



April 2022



April 2022

2.5.2 Flooding

Records of flooding on the Hawkesbury River have been documented since the 1790s. Floods were particularly devastating to the early settlers whose farms and crops were damaged, threatening the existence of the colony.

Ten major floods occurred between 1799 and 1819. In the ensuing 60 years there were 16 floods, with the highest in 1867 when the river at Windsor peaked at 19.7 metres.

Situated on the Hawkesbury River and at an elevation of just 10.5 metres at its highest point, Macquarie Park is subject to major flood events (>10m AHD) which impact the physical environment and recreational infrastructure within the reserve.

Three flood events occurred in March 2021 (12.92 metres AHD) and February-March 2022, with the highest flood level during this period 13.79 metres AHD.



After flood waters recede debris remains on the ground and water remains in shallow depressions in the unsealed carpark and grassed areas.



26 February 2022



26 February 2022

2.5.3 Vegetation

Benson and Howell (1990) categorise the vegetation in the Macquarie Park area before urban intervention as Cumberland Plain Woodland and River-Flat Eucalypt Forest on Coastal Floodplains.

The Cumberland Plain Woodland vegetation community predominantly comprises *Eucalyptus* trees with a grassy and herbaceous understorey with scattered clumps of shrubs.

The River-Flat Eucalypt Forest is a vegetation community of tall open forests to woodlands and often fringe floodplain lagoons or wetlands with semi-permanent standing water (Office of Environment and Heritage).

Due to the high level of site disturbance over the years, no remnant vegetation exists in Macquarie Park.

Macquarie Park is now largely a landscaped environment, typically planted with either introduced horticultural species or non-locally occurring Australian natives chosen for their aesthetic properties.

The only native vegetation occurring in Macquarie Park is a highly degraded riparian forest consisting of mostly *Acacia binervia* on the sandy peninsula (Ben's Point), a few mature *Eucalyptus* trees on higher ground near the entrance to the park, and a stand of mostly *Casuarina cunninghamiana* on the riverbank below Macquarie House, adjacent to the old Windsor Bridge, which were planted as part of a rehabilitation scheme in the mid-1990s.



At least six mature trees existed prior to the 1997 Stage 2 Enhancement Project, including:

- White Cedar (*Melia azedarach*) – planted approximately 1935
- Peppercorn (*Schinus areira*) – planted approximately 1945
- Weeping Willow (*Salix babylonica*) – planted approximately 1955
- Mountain Blue Gum (*Eucalyptus deanei*) – planted approximately 1965
- Poplar (*Populus albus*) – planted approximately 1975





Macquarie Park - 1995



Same view 2013



Lomandra was planted in the Stage 2 riverbank planting project. Note the lack of species diversity and dominance of River Oak down to the water's edge. Photo taken: 2013.

The stand of River Oak situated on the embankment near the northern boundary of the park were planted as part of the Macquarie Park Enhancement Project in 1995. Revegetation works consisted of planting a canopy of River Oak (*Casuarina cunninghamiana*), with a sub canopy of Prickly-leaved Paperbark (*Melaleuca styphelioides*) and White Sally (*Acacia floribunda*). *Lomandra longifolia* was planted along the river side of the pathway. Plastic weed matting is still evident at the base of most trees, this and the heavy leaf litter from the River Oak seem to be suppressing the establishment of ground layer plants. Two exceptions are within the Bush Tucker Garden around the plaque and sandstone monument, and along the pathway where the canopy starts to open.

The plantings were intended to be established in a block pattern with the functions to include bank stabilisation, shade, restoration of native vegetation to the riverbank, and screening of the traffic from the park. Notes from the Stage two works indicate that over 700 plants were to be planted on the riverbank, most of them were to be ground covers with some low growing shrubs and few taller trees for the low points around the waterline. It is unknown what the final composition of species was but it was reported that a vast majority of plants failed. A second planting schedule was proposed, with school children involved in planting events. This could explain the almost monoculture of River Oak that exists along the river. It is believed that 40 shade trees were planted as part of the 1997 Stage 2 Enhancement Project.

Weeds such as African Love Grass (*Eragrostis curvula*) and Castor Oil Plant occur along the river bank and sandy peninsula. Other major weeds within this area include Box Elder (*Acer negundo*), Green Cestrum (*Cestrum parqui*), Moth Vine (*arauja sericifera*), Balloon Vine (*Cardiospermum grandiflorum*) and Wandering Jew (*Tradescantia fluminensis*).



Within the picnic areas, mostly exotic tree species similar to the older, historical plantings found in Windsor and native rainforest species have been planted for shade. The main species used include: Jacaranda (*Jacaranda mimosiolifa*), Peppercorn (*Schinus areira*), River Peppermint (*Eucalyptus elata*), Ivory Curl Flower (*Buckinghamia celissismia*), and Lilly Pilly (*Syzygium paniculatum*).

Revegetation works within Macquarie Park have been mainly to stabilise the riverbanks. One consequence of this is the narrowing or elimination of views to and from the reserve. Tree species include River She Oaks (*Casuarina cunninghamina*) and Parramatta Wattle (*Acacia parramattensis*). In general, the existing vegetation is in poor condition. There is little species diversity within the vegetation and it is not expected to support a high diversity or abundance of native fauna species that rely upon high quality habitat or large remnants. It is therefore regarded as having low ecological value.



Within the revegetated section along the river bank, a bush tucker garden has been developed around a sandstone sculpture (rock engraving) which commemorates the meeting along the River of the local Aboriginal people with European explorers in 1791. The engraving was prepared by Enda Watson, a fifth generation descendant of Yarramundi, and opened in 1999.



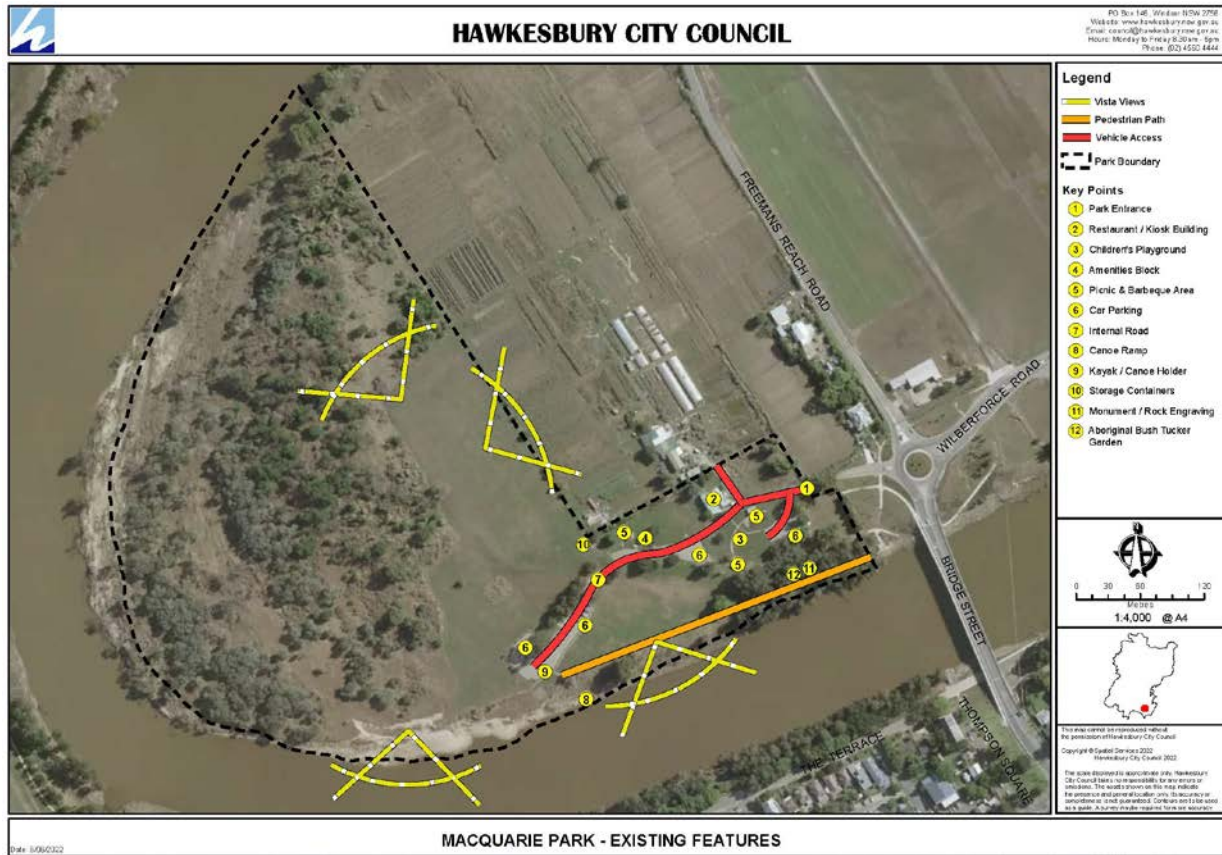
Bush tucker garden
Hawkesbury City Council

Sandstone sculpture/rock engraving
Macquarie Park Plan of Management

2.6 Park structures and facilities




Key structures, facilities and areas in Macquarie Park are shown in Figure 5.

Figure 5 Structures and areas of Macquarie Park



The condition and use of park structures and landscape improvements is described in Table 8 below.

Table 8 Condition and use of park areas and structures

Facility/Improvements	Condition	Uses	Images
Buildings			
Restaurant / Kiosk Building	Fair	Dining in Takeaway food and beverages	 
Amenities block	Excellent	Public amenities	

Facility/Improvements	Condition	Uses	Images
Picnic shelters/ seating x 3 including barbecues	Good	Picnics and barbecues	 
Storage Containers x 3	Fair	Storage of paddle craft	 
Passive recreation			
Children's playground (built 2012) (including climbing tower, climbing frames, swing, bike track)	Good	Children's play	  
Playground fencing	Good	Safety fencing	
Pathways and steps – crushed sandstone	Very poor	Walking	 
Pathway – concrete	Good, but water can pool on the path	Walking, carrying watercraft	

Facility/ Improvements	Condition	Uses	Images
Pathway / boardwalk including steps – metal	Good	Walking	 
Canoe launching ramp	Fair	Watercraft launching	 <p>2021</p>
Kayak / canoe holder	Poor	Holding watercraft	
Table settings	Varies	Picnics	 
Barbecues	Adequate	Barbecues and picnics	 
Seats	Varies	Sitting	 
Signage – regulatory	Fair	Communicate park rules to visitors	 

Facility/Improvements	Condition	Uses	Images
Signage – Interpretive	Very poor	Visitor information	 
Signage – Warning	Poor	Safety warnings to visitors	
Bollards	Good	Vehicle barriers	 
Bins	Good	Waste disposal	 
Grassed areas		Informal recreation, events	 
Roads and carparks			
Entry Walls / Gates /Sign	Poor	Park access	
Internal bitumen road	Poor	Access	

Facility/Improvements	Condition	Uses	Images
Car parking area near restaurant	Poor	Vehicle parking	 
Car parking area near playground	Good	Vehicle parking	
Car parking area near canoe ramp with sandstone vehicle barriers	Good	Vehicle parking	
Other car parking areas	Fair	Vehicle parking	
Memorials and displays			
Monument / rock engraving	Good		 
Aboriginal bush tucker garden	Fair		 

A development application has been approved for the construction of a clubhouse and storage for the Windsor Paddleboat Club within the park, overlooking the Hawkesbury River. The building will include:

- kayak and boat storage, toilets/showers/change and an outdoor shower and waste area on the ground floor. The storage area will replace the need to store paddleboat equipment in three storage containers on site.
- an auditorium, terrace, verandah and kitchen/storage on the first level.

2.7 Park uses

2.7.1 Activities and events

Macquarie Park is a popular attraction for Hawkesbury residents and visitors from greater Sydney.

The key drawcard of the park is the proximity and access to the Hawkesbury River for swimming, fishing, canoeing and kayaking.

The 'Windsor Beach' is popular for swimming, however water conditions vary and drownings have occurred. Angel rings are provided at the bottom of the stairs to the river and at the beach.

Macquarie Park is a popular place to launch canoes and kayaks, and is home to the Hawkesbury Paddlesports Club.

The Hawkesbury Canoe Classic is an annual overnight marathon canoe race of 111 km starting from Macquarie Park to Brooklyn usually held in October each year. The event attracts about 600 paddlers and has been running since 1977.



Informal recreation facilities and spaces encourage visitors to walk, enjoy picnics and barbecues, and play informal games.



The presence of a playground, restaurant/kiosk and public toilets means that visitors can stay longer and enjoy the range of recreation activities on offer in the park.

The large grassed open spaces and proximity to Windsor make Macquarie Park an ideal location for community events such as Australia Day.



Birthday parties and other gatherings of families and friends are popular in Macquarie Park. The park is also a popular venue for weddings and professional photography.

Park visitors also attend car rallies, Rural Fire Service (RFS) field days, markets, kayak events, and events organised by church or playgroups.

The Rural Fire Service (RFS) have held field days at the park for 30 years. The main event each year is a competition event between brigades, with approximately 500 participants and fire truck displays. In addition, the RFS use the large field area for Remote Area Fire Training (RAFT) 3-4 times a year. This training involves the set-up of a 400 metre fitness circuit.

High levels of use, especially on sunny weekends and in holidays, results in overcrowding and high volumes of rubbish.

2.7.2 Use agreements

One lease applies to Macquarie Park as at the date of adoption of this Plan of Management, with details in Table 9.

Table 9 Lease agreement at Macquarie Park

Leased area	Lessor	Lessee	Permitted Use	Commencement date:	Expiry Date:
Lot 1 DP 883806 (Restaurant and immediate surrounds)	Hawkesbury City Council	Wayne Edwards Holdings	Kiosk/ Bistro/ Takeaway	1/1/2018	31/12/2022 No option period

Licenses and hire agreements are entered into for short term events such as car rallies, Rural Fire Service training/competition events, celebrations including weddings, and the Hawkesbury Canoe Classic.

The Windsor Paddlesports Club has Council approval to keep their storage containers/equipment on site.

An easement allows access between Lot 1 DP 226141 and the adjoining property Lot A DP 386334.

2.8 Maintenance

Maintenance works currently undertaken in Macquarie Park are daily cleaning and rubbish removal, and fortnightly mowing. Other maintenance works such as maintaining timber furniture is undertaken as required.

It is expected that park maintenance services in future will be similar to those currently undertaken.

Part 3: PLANNING CONTEXT

3.1 Introduction

This section outlines the national, state, regional and local planning context which influences the use, development and management of Macquarie Park.

Full versions of the legislation referred to below are on-line at www.legislation.nsw.gov.au and www.austlii.edu.au. Hawkesbury City Council website: www.hawkesbury.nsw.gov.au.

3.2 Commonwealth legislation

3.2.1 Native Title Act 1993

Native title describes the traditional ownership, rights and interests that Aboriginal and Torres Strait Islander people have in land and waters according to their traditions, law and customs. It describes the process for the recognition of native title rights – including mechanisms for Aboriginal and Torres Strait Islander People to establish the existence of native title, lodge native title claims, determine and validate the extinguishment of native title, and dealing with land and waters where native title persists.

Native title does not transfer the land to the native title holder, but recognises the right to land and water, by providing access to the land and if applicable, compensation for any loss, diminution, impairment or other effect of the act on their native title rights and interests.

The Commonwealth *Native Title Act 1993* (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

- provide for the recognition and protection of native title
- establish ways in which future dealings affecting native title may proceed and to set standards for those dealings
- establish a mechanism for determining claims to native title
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure.

All Crown land in NSW can be subject to a native title claim under the NT Act. A native title claim does not generally affect Crown land where native title has been extinguished or it is considered excluded land.

The NSW *Crown Land Management Act 2016* requires that on Crown land (including where managed by a local council) native title rights/interests must be addressed (unless native title has been surrendered, extinguished or legally determined to no longer exist). Any dealings in land or water by a Crown land manager that affect (impair or extinguish) native title are classified as “future acts” and must comply with the Act. Examples of a “future act”, on Crown land, might include the granting of freehold title, or a lease or licence, or the construction of public works. The Native Title Act sets out procedures to follow before such “future acts” can be validly carried out.

Table 10 Planning context of Macquarie Park

	Land use planning and management	Open space / recreation	Environment	Community/culture
Commonwealth	<i>Native Title Act 1993</i>			<i>Disability Discrimination Act 1992</i>
NSW	<i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2021</i> <i>Environmental Planning and Assessment Act 1979</i> SEPP (Transport and Infrastructure) 2021 <i>Crown Land Management Act 2016</i> <i>Crown Land 2031</i> Crown Lands State Strategic Plan – A Vision for Crown Land <i>Local Land Services Act 2013</i>	Draft NSW Greener Places Charter NSW Greener Places Policy Draft NSW Greener Places Design Guide Greater Sydney Recreation Survey <i>Companion Animals Act 1998 and Regulation 2008</i>	<i>Fisheries Management Act 1994</i> <i>Noxious Weeds Act 1993</i> <i>Pesticides Act 1999 and Pesticides Regulation 2017</i> <i>Water Management Act 2000</i> <i>Biodiversity Conservation Act 2016</i> SEPP (Biodiversity and Conservation) 2021 <i>Biosecurity Act 2015</i> <i>Coastal Management Act 2016</i> SEPP (Coastal Management) 2018	
Sydney	A Metropolis of Three Cities: Greater Sydney Region Plan	50-Year Vision for Greater Sydney's Open Space and Parklands Greater Sydney Green Grid Greater Sydney Local Land Services	Greater Sydney Regional Strategic Weed Management Plan 2017-2022	
Regional/ District	Western City District Plan Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River 1997		Hawkesbury Nepean Catchment Action Plan 2013-2023 Hawkesbury Bush Fire Risk Management Plan 2017-2022	
Hawkesbury LGA	Hawkesbury Local Strategic Planning Statement 2040 Hawkesbury Community Strategic Plan 2022-2042 Hawkesbury Local Environmental Plan 2012 Hawkesbury Development Control Plan	Hawkesbury Regional Open Space Strategy (HROSS) 2013 HROSS Planning and Design Guidelines 2013 Interpretive Signage and Public Art Policy 2010 Hawkesbury Wayfinding and	Hawkesbury Floodplain Risk Management Study and Plan 2012 Flood Policy 2020 Hawkesbury Bush Fire Prone Land Map 2017	Access and Inclusion Plan 2014-2017 Hawkesbury Mobility Plan 2010

	2012 Hawkesbury Section 94 Contributions Plan 2015	Signage Strategy 2022		
	Macquarie Park Plan of Management			

Specifically, the CLM Act makes it mandatory for Council to engage or employ a qualified native title manager. Written native title advice was obtained from accredited native title manager Craig Barnes during preparation of this Plan of Management. This role provides advice to Council as to how the council's dealings and activities on Crown land such as developments and tenures can be valid or not valid in accordance with the NT Act. The most effective way to validate acts under the NT Act is to ensure all activities align with the reserve purpose.

Council must obtain the written advice from an accredited native title manager that Council complies with any applicable provisions of the native title legislation when:

- a) granting leases, licences, permits, forestry rights, easements or rights of way over the land
- b) mortgaging the land or allowing it to be mortgaged
- c) imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land
- d) approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

If native title rights are found to exist on Crown land, council Crown land managers may be liable to pay compensation for acts that impact on native title rights and interests. This compensation liability arises for local councils whether or not the act was validated under the NT Act.

3.3 NSW government legislation and plans

3.3.1 Introduction

The NSW legislation most affecting use and management of Macquarie Park is the *Local Government Act 1993*, *Crown Land Management Act 2016*, and the *Environmental Planning and Assessment Act 1979*.

Both the *Crown Land Management Act 2016* and the *Local Government Act 1993* include provisions regarding the preparation of Plans of Management for lands under a Council's management, how a Plan of Management is to be prepared (including community engagement activities), and what must be included in a Plan of Management.

3.3.2 Local Government Act 1993

Classification

Lot 1 DP 606535 and Lot 1 DP 226141 in Macquarie Park are owned by Hawkesbury City Council and are classified as community land under the *Local Government Act 1993*. Council owned land which is classified as 'community' land must be managed and kept for the purposes of the community. Community land must be managed according to the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

Community land:

- must have a Plan of Management prepared for it, which sets out guidelines for use and management of the land. Until a Plan of Management is adopted, the nature and use of the land must not change.
- must be kept for the use of the general community, and must not be sold. Council has no power to sell, exchange or otherwise dispose of community land, except for the purpose of enabling that land to become, or be added to, a Crown Reserve or land reserved or dedicated under the *National Parks and Wildlife Act 1974*.
- cannot be leased or licensed for a period of more than 21 years, or for 30 years with consent from the Minister.

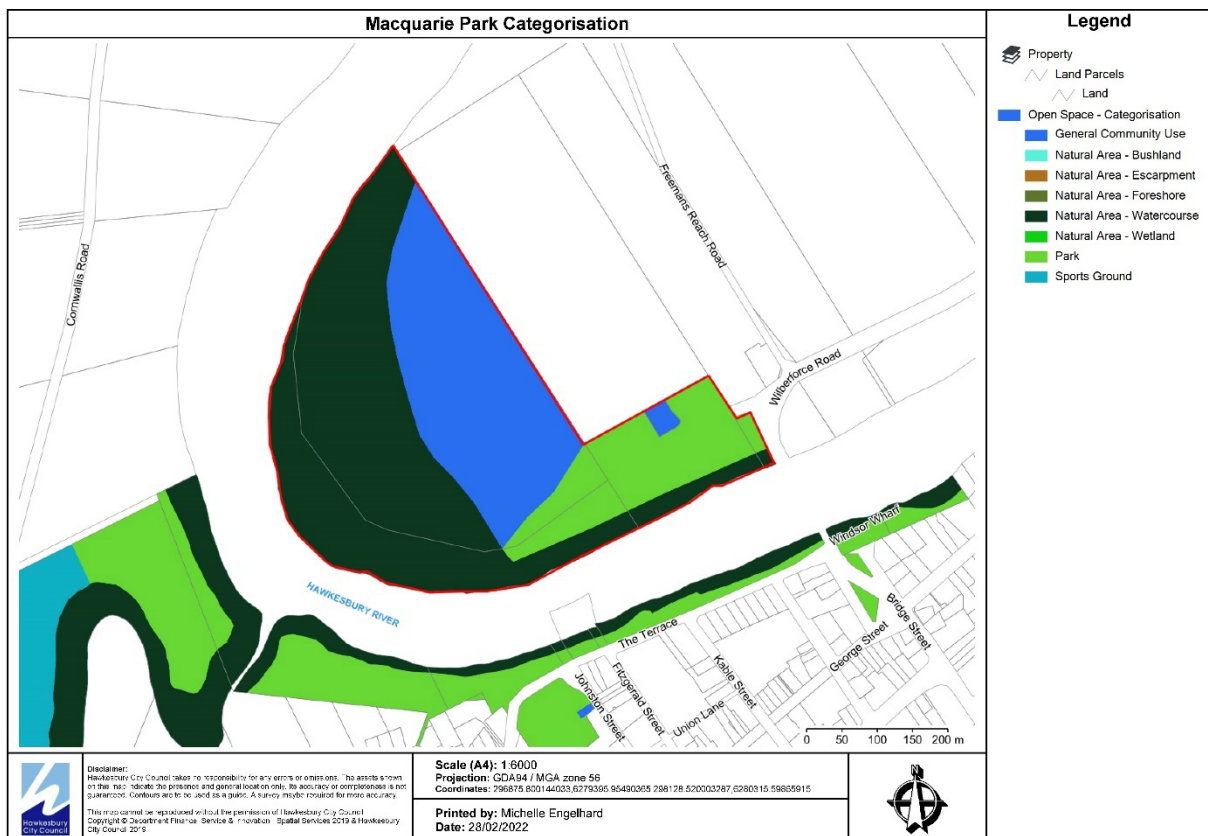
Categorisation

Community land, as well as Crown land, must be categorised in accordance with Section 36 of the *Local Government Act 1993* as either:

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

A category assigned to community land, using the guidelines for categorisation in the *Local Government (General) Regulation 2021*, reflects its physical characteristics and Council’s intentions for future use and management of the land. Parts of Macquarie Park are categorised as Park, General Community Use and Natural Area-Watercourse as shown in Figure 6.

Figure 6 Categorisation of Macquarie Park



The guidelines for categorisation of community land are set out in the *Local Government (General) Regulation 2021*. The core objectives for each category are set out in the LG Act. The guidelines and core objectives for the Park, General Community Use and Natural Area categories are set out in the relevant category sections of this plan of management.

Use agreements

The requirements of the *Local Government Act 1993* regarding leases, licences and other estates are in Section 5.

3.3.3 Crown Land Management Act 2016

Part (35%) of Macquarie Park is Crown land as set out in Table 5.

Crown reserves are land set aside on behalf of the community for a wide range of reserve purposes, including environmental and heritage protection, and public recreation. The Crown reserves in Macquarie Park are reserved for Public Recreation.

Crown land is governed by the *Crown Land Management Act 2016*, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Councils must also manage Crown land in accordance with the objects and principles of Crown land management outlined in Section 1.4 of the CLM Act. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses. Refer to Section 4.4.

In addition to management and use of Crown reserves that is aligned with the reserve purpose(s), there are other influences over council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or Councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

The CLM Act more closely aligns the planning and management of Council-managed Crown reserves with the management of community land under the *Local Government Act 1993*. Under the CLM Act, as Council Crown land managers, Councils manage Crown land as if it were public land under the Local Government Act. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of ‘environmental protection’ cannot be used in a way that compromises its environmental integrity.

Section 3.21 of the CLM Act authorises a local Council that has management responsibility for an area of dedicated or reserved Crown land (a “council manager”), as Hawkesbury City Council does for Macquarie Park, to manage that land in accordance with the public land provisions of the *Local Government Act 1993*. With some exceptions, Sections 3.22(1) of the CLM Act requires that a Council manager of dedicated or reserved Crown land “must manage the land as if it were community land under the *Local Government Act 1993*” and has “for that purpose all the functions that a local Council has under that Act in relation to community land (including in relation to the leasing and licensing of community land)”.

Section 3.23 of the CLM Act requires a Council manager of dedicated or reserved Crown land to:

- categorise the land to one or more categories of community land referred to in Section 36(4) of the *Local Government Act 1993*. The assigned category(s) must be closely related to the purpose(s) for which the land is dedicated or reserved. The multiple categorisations of Macquarie Park, which are consistent with the initial categories assigned by Council and approved by DPIE-Crown Lands, and which correspond with the reserve purposes of Public Recreation and Conservation, are Park, General Community Use and Natural Area-Watercourse, as shown in Figure 6.
- prepare and adopt a Plan of Management for the dedicated or reserved Crown land in accordance with the Plan of Management provisions of Division 2 of Part 2 of Chapter 6 of the *Local Government Act 1993*.

The CLM Act also provides that any existing lease, licence or permit issued under the previous legislation will continue for its agreed term. However from 1 July 2018 all new leases, licences and permits will be issued under the new legislation.

Section 3.15 of the CLM Act also allows the Minister to make, and publish, Crown land management rules “for or with respect to the management of dedicated or reserved Crown land by Crown land managers”.

The *Crown Land Management Regulation 2018* supports the new *Crown Land Management Act 2016*. The Regulation is a statutory document that prescribes principles and rules relating to the use and management of Crown land in NSW.

3.3.4 Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) recognises the rights of Aboriginal people in NSW. The Act seeks to compensate Aboriginal peoples (who may or may not also be native title holders) for past dispossession, dislocation and removal of land in NSW.

Aboriginal land claims may be placed on any Crown land in NSW. The Department of Planning and Environment is responsible for investigating claims as defined in the ALR Act. If a claim is established, the land is transferred to the Aboriginal Land Council as freehold land.

At the time of preparing this Plan of Management none of the reserves subject to this Plan of Management are affected by an undetermined Aboriginal land claim.

Other state government legislation, and metropolitan and regional strategies and plans, are in Appendix A.

3.4 Local legislation and plans

3.4.1 Introduction

Hawkesbury City Council, in consultation with the community, has developed the following strategies and plans to identify the priorities and aspirations of the community and the delivery of a vision for the future. They have a direct influence on the objectives, uses and management approach covered by this PoM.

Council has also developed plans and policies that are concerned to some extent with the management of community land. These documents have been considered when preparing this PoM.

3.5.2 Land use planning

Hawkesbury Local Strategic Planning Statement

Council's Planning Priority 1 is to 'bridge the shortfall of infrastructure through stakeholder collaboration to support current and future growth.' A corresponding action is to "seek funding, investigate and deliver leisure and sporting related facilities at appropriate locations."

Hawkesbury Community Strategic Plan 2022-2042

The Hawkesbury Community Strategic Plan 2022-2042 sets out strategies to achieve Council's aims for relevant community and assets outcomes in Hawkesbury City:

Table 11 Community outcomes and objectives

Community Outcomes	Intent		Long term objectives	Success indicators
Great place to live	Council will continue to partner with the community and key service providers to deliver outcomes which support a connected, healthy and inclusive Hawkesbury	1.2	Encourage and enable our community to participate in a healthy lifestyle	Our recreational, leisure and cultural facilities will be well used and well regarded
		1.5	Provide the right places and spaces to serve our community	
		1.6	Build on a sense of community and wellbeing	We will enjoy and use our local sporting, leisure and cultural facilities as they meet our needs
		1.7	Encourage broad and rich celebration of our local culture and significant heritage	
Protected environment and valued	Through leadership, stewardship and education, ensure that	2.1	Value, protect and enhance our historic built environment as well as our relationship to	We value our historic built environments and

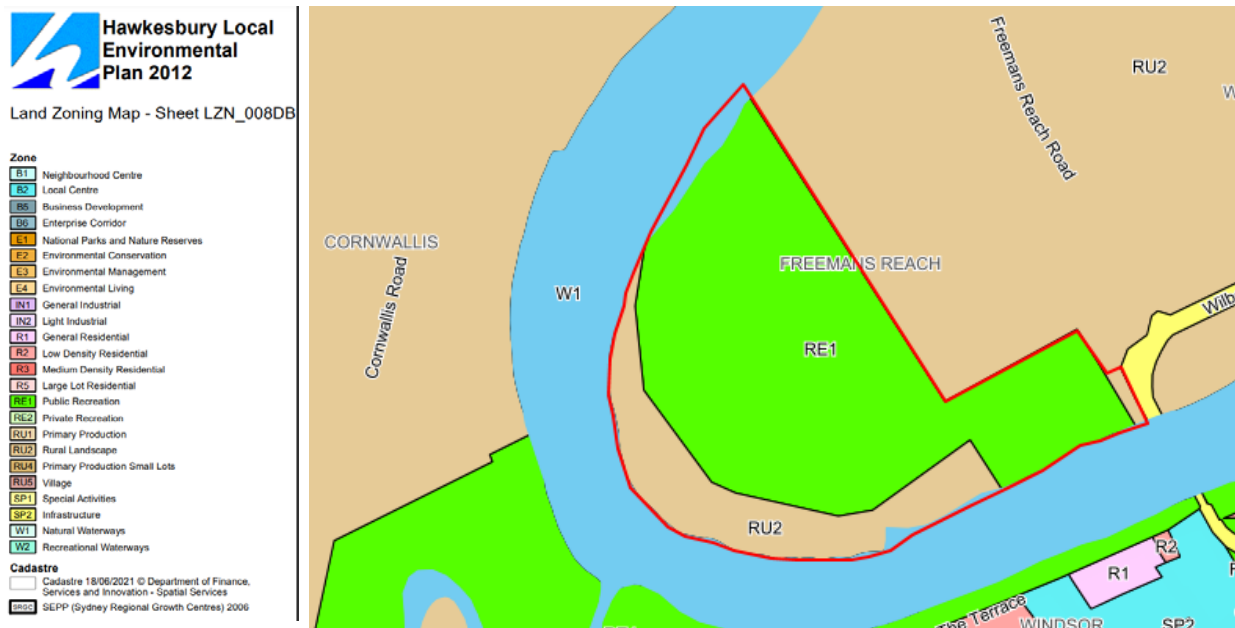
Community Outcomes	Intent		Long term objectives	Success indicators
history	our natural and historic built environments are protected and enhanced in culturally sensitive ways for the current community and for future generations.		Aboriginal and non-Aboriginal history	take active steps to protect and enhance them
		2.2	Value, protect and enhance our natural land-based environment with an emphasis on using local resources and key partnerships	We value our waterways and wetlands and our land-based natural environments and take active steps to protect and enhance them
		2.5	Value, protect and enhance our waterways and wetlands with an emphasis on using local resources and key partnerships	
Strong economy	Be a place that is vibrant, attractive and welcoming to residents and visitors, and which treasures and celebrates our shared history, environment, local economy and lifestyle	3.3	Promote our community as the place to visit, work and invest	
		3.5	Celebrate our creativity and cultural expression	
Reliable Council	Be a respected civic leader through consistent, transparent and engaged decision making the community can understand	4.8	Facilitate the delivery of infrastructure through relevant agencies and Council's own works	The delivery of services to the community is of the highest quality Our assets will be managed effectively to ensure ongoing sustainability

3.5.3 Hawkesbury Local Environmental Plan 2012

Zoning

Macquarie Park is zoned as RE1 – Public Recreation and RU2 - Rural Landscape as shown in Figure 7. Lot B DP 386334 (Lot 1 DP 883806 and Lot 2 DP 883806) and Lot 1 DP 606535 are zoned RE1 Public Recreation. Lot 7008 DP 1032358 and Lot 1 DP 226141 are zoned RU2 Rural Landscape.

Figure 7 Zoning of Macquarie Park



To varying degrees, both these zones permit use of the land for recreation and conservation purposes. It is recommended that the RU2 zoned land be rezoned as RE1 to permit the full use of the land as intended when reserved for public recreation.

The zone objectives are in Section 4 and permissible landuses are in Section 5 of this plan.

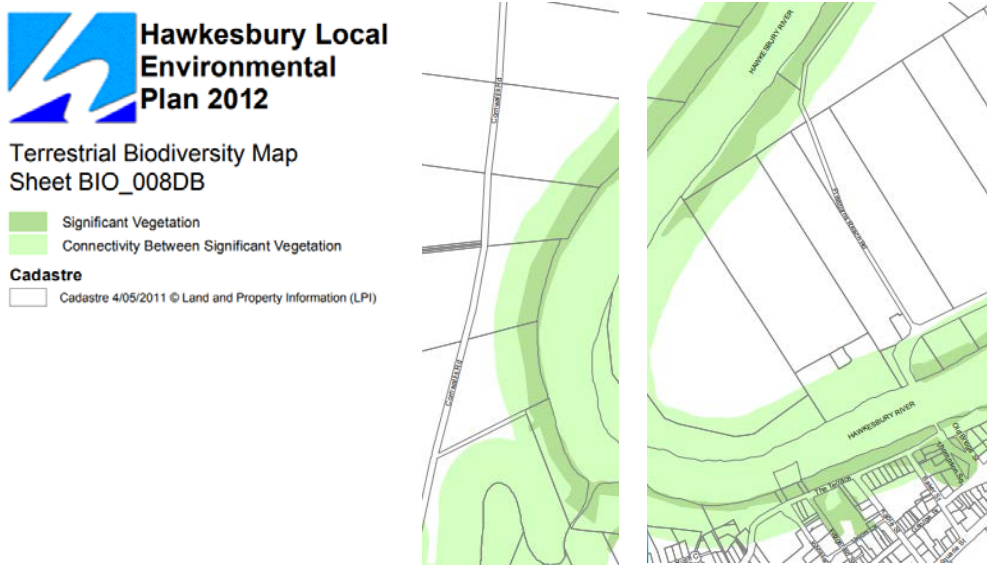
Acid sulfate soils

Macquarie Park is underlain by Class 4 acid sulfate soils. Class 4 areas require a plan for works beyond 2 metres below natural ground surface or for works by which the water table is likely to be lowered beyond 2 metres below natural ground surface.

Terrestrial biodiversity

Most of the land area of Macquarie Park is identified as being important to form connectivity between significant vegetation.

Figure 8 Terrestrial biodiversity in Macquarie Park



Flooding

Macquarie Park is affected by frequent floods, so Clause 6.3 – Flood Planning of the Hawkesbury Local Environmental Plan 2012 and Council's Development of Flood Liable Land Policy will apply to future development in the park.

Council considers that the proposed use of the park for informal recreational use and environmental protection are compatible with the flood affectation of the land, including the flood hazard classification.

3.5.4 Open space plans

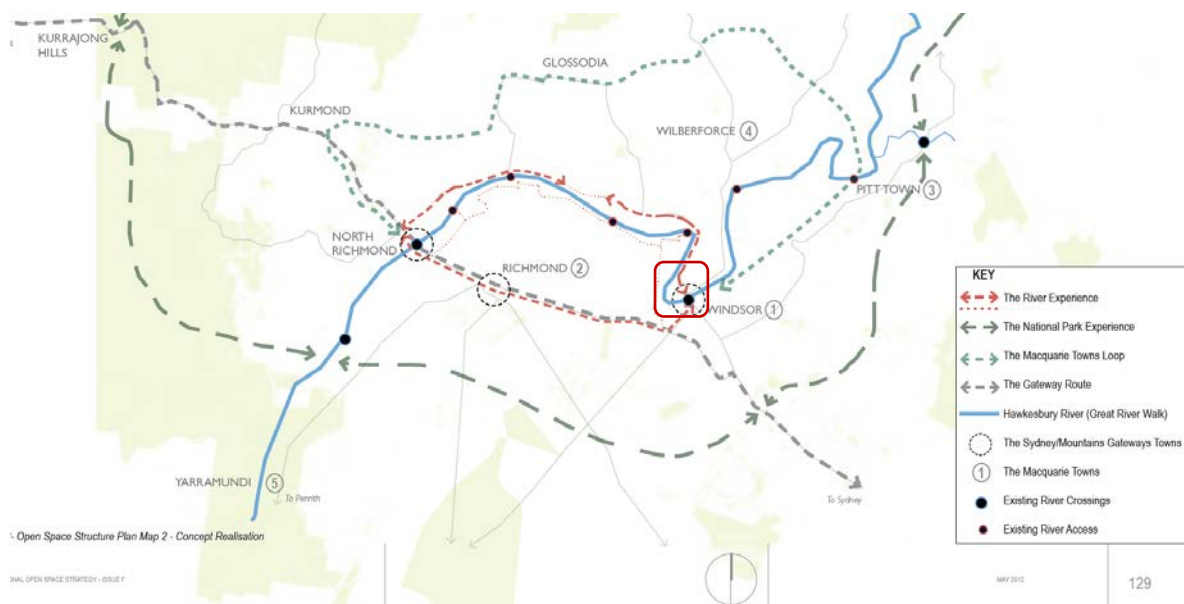
Hawkesbury Regional Open Space Strategy 2013

The broader objectives of the Hawkesbury Regional Open Space Strategy are to:

- improve the open space provision in terms of quality, quantity, accessibility and safety
- improve linkages within and between the open space networks
- ensure open space meets the needs of the Hawkesbury community and promotes greater social inclusion
- ensure open spaces enhance the quality of the local environment
- provide a clear framework for investment priorities and actions.

Macquarie Park has the potential to be a destination on the proposed River Experience route on the northern side of the Hawkesbury River across Windsor Bridge to Windsor, as shown on the Hawkesbury Open Space Structure Plan in Figure 9.

Figure 9 Hawkesbury Open Space Structure Plan



Source: *Hawkesbury Regional Open Space Strategy (Clouston Associates and OneEighty, 2013)*

The Implementation Plan for the HROSS provides recommended actions to enhance the City's recreation and open space qualities and opportunities. The core threads of the Implementation Plan include:

- **Focusing on the basics first:**
 - providing more shade, seating, paths, planting and play
 - providing for basic kickabout in local parks
 - ensuring that sports parks also provide for passive recreation and spectator amenity
 - meeting changing trends in sport by greater facility flexibility and adaptability
 - addressing flood and climate change impacts through design and planning

- focusing on enhanced environmental health.

Improving access and connectivity:

- better connecting residential areas to the park system by cycle and walking routes
- improving universal access for all ages
- promoting more walking and cycling through enhanced off road facilities.

Making more of what's there:

- reviewing all open space for opportunities to consolidate, acquire and rationalise all with the focus on improved recreation access, quality and diversity

Drawing on the City's unique character, identity and heritage:

- enhancing natural health of the landscape as part of recreational upgrades (creeks, foreshores, bushland)
- link the historic towns and cemeteries through the recreational network

Developing partnerships:

- supporting community interests, programs and volunteering.

The Planning and Design Guidelines which follow on from the HROSS set out desirable requirements for the planning and design of the setting types Passive Parklands, Outdoor Sports, Natural and Cultural Heritage, River and Creek Foreshore (regional, district and local).

3.5.5 Natural area plans

Hawkesbury Bush Fire Prone Land Map 2017

An extract from the Hawkesbury Bush Fire Prone Land Map 2017 in Figure 10 shows that the vegetation on the western side of Macquarie Park is rated as Vegetation Category 1, which is considered to be the highest risk for bush fire and is given a 100 metre buffer. This vegetation category has the highest combustibility and likelihood of forming fully developed fires including heavy ember production.

The open grassed areas of Macquarie Park are Vegetation Category 2, so a 30 metre buffer from Vegetation Category 1 is required due to lower combustibility and/or limited potential fire size.

Figure 10 Hawkesbury Bush Fire Prone Land Map 2016



3.5.6 Access plans

Hawkesbury Access and Inclusion Plan 2014-2017

The Hawkesbury Access and Inclusion Committee found that the main barriers to inclusion within the City of Hawkesbury relate to transport and physical access, particularly the lack of footpaths, appropriate signage and accessible public toilets/amenities and sporting and recreation facilities.

3.5.7 Council Policies

Relevant Hawkesbury City Council policies are:

- Access
- Access and Inclusion
- Asset Management
- Authority to Launch/Land Hot Air Balloon
- Community Buildings, Provision, Management and Use
- Development of Flood Liable Land
- Emergency Helicopters – Use of Council Land
- Filming Application
- Flood Policy 2020
- Interpretive Signage and Public Art.

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Part 4: BASIS FOR MANAGEMENT

4.1 Introduction

In determining how Macquarie Park will continue to be used, managed and developed for public recreation and conservation, it is important to establish what the community currently value about the park, council's broad strategic goals and objectives for parks and reserves, and any opportunities and inherent restrictions on the management of the park.

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

Hawkesbury City Council intends to manage its community land consistent with: community and intrinsic values, significance and future roles of the land

NSW government objectives for management of public land, including the Local Government Act guidelines and core objectives for the categories of community land and Crown land management principles
assigned categorisation of community land
restrictions on management of Crown land and community land
the Council's strategic objectives and priorities
development and use of the land outlined in Section 6 of the Local Government Act (refer to Section 5 of this plan).

4.2 Community and stakeholder engagement

4.2.1 Introduction

Hawkesbury City Council promotes an open, transparent approach to community engagement, providing opportunities for stakeholders and members of the community to contribute comments and submissions or to discuss specific issues.

A summary of feedback received from the community during preparation of this plan is provided below.

4.2.2 Process of community engagement

Community and stakeholder engagement for this Plan of Management was undertaken in two stages:

1. Information gathering in Stage 1 in December 2020-February 2021.
2. Public exhibition of the Draft Plan of Management in **months** 2022-23.

Council sought community feedback by various means including:

posting a project page on *Your Hawkesbury Your Say* including background information and an online community survey from 14 December 2020 to 15 February 2021, with 102 responses received
discussions with the restaurant lessee and representatives from the Windsor Paddlesports Club.

Further opportunities for engagement with the community will be undertaken through public exhibition of the Draft Plan of Management, at which time members of the community are invited to provide further comment and submissions.

4.2.3 Outcomes of community engagement

Refer to Appendix B for detailed results of the online community survey.

Liked aspects of Macquarie Park

The liked aspects of Macquarie Park are in Table 12.

Table 12 Liked aspects of Macquarie Park

The most liked aspects of Macquarie Park are:

Recreation (91 mentions)	Natural (48 mentions)	Access (42 mentions)	Open space (22 mentions)
Playground (31) Café/restaurant (27) Toilets/amenities (8) Dog friendly (5) Social opportunities (4) Barbecues (3) Shelters/sheltered seating (2)	Beach (13) Visual (11) Peaceful, quiet (9) River/water (6) Trees and shade (2) Bush (2)	Easy/plenty of parking (8) Close to river (8) Close to Windsor (6) Location (5) Close to home (4) Access to beach/river (3)	Space/open space (8) Large open space (5) Large green space (4) Space for activities (2)

Values of Macquarie Park

The value statement for Macquarie Park is:

Macquarie Park is valued by the local and broader regional community as a place that offers a diverse range of passive and active recreation opportunities and hosts community events that contribute to the social fabric of the Hawkesbury.

The Hawkesbury River is a critical element, providing direct recreational value as well as overall amenity. Macquarie Park is one of only a few places in the Hawkesbury that offers easy public access to the river for non-motorised boating activities, swimming and fishing.

The broad expanse of parkland is highly valued for family gatherings, picnics, larger social events, markets and field days. The combination of a restaurant/kiosk, playground and toilets in an easily accessible park, on a quiet, peaceful, picturesque river is the key factor that makes the park so popular.

It is a place for families to be able to come together, or it can be a place for an individual to just come to walk their dog by the edge of the water. Events that draw people included birthday parties, family picnics, mother's groups, church picnics, car rallies, RFS field days, weddings and kayak races.

Due to its size, the range of recreation opportunities on offer, and the volume of visitors from outside the local government area that the park attracts, Macquarie Park is a park of regional significance. The management objectives and maintenance standards adopted must reflect this role.

Key values identified by the community include:

- Place for a variety of gatherings and events
- The River is a major draw for leisure and recreation, particularly for paddle boats and swimming
- Restaurant/café is a drawcard and facilitates a longer stay
- Important area for RFS field days and RAFT training events
- Proximity to the Windsor Township
- Aboriginal bush tucker garden and monument commemorating the meeting of Aboriginal people with early explorers
- Vegetation assists in riverbank stability and prevention of erosion
- Vegetation provides valuable habitat for terrestrial and aquatic species
- Vegetation and the River provides high visual quality
- Large event space

Issues raised and how they are addressed in this Plan

The issues that the community, stakeholders and Council have raised, and how their suggestions to address those issues are addressed in this Plan, are briefly set out below.

Table 13 Community issues about use and management of Macquarie Park

Issues	Suggestions to resolve needs/issues	How issue is addressed in this Plan
Recreation		
Playground is largely for young children with limited equipment	Larger/better playground for younger and older children of all abilities, with new/ upgraded equipment and nature theme Complete the kids bike track around the play equipment	Upgrade the playground to include play opportunities for all ages, and using the River as the theme.
Playground is partially fenced	Fully fenced playground	Fencing will be provided adjacent to roads and car parking areas but will remain open to the general picnic area
Playground is not shaded	More shade for playground – whole or partial shading, shade structure	Shade will be provided in upgrade works
Bark chip softfall in playground	Replace the bark chips with another surface	The playground will have a mixture of bark chip and rubber surfaces. Given the park is in a flood area, the bark chip is easiest and cheapest to replace after flood.
Opportunity for water play	Water play/splash park Inflatable water park on the river	Council will investigate further however splash parks are not recommended in flood areas due to significant costs to repair. There is a splash pad in Governor Phillip Park nearby. Council will consider applications from private operators for an inflatable water park provided all safety precautions and other approvals are satisfied.
Limited shade and shelter	More shade and shelter	Additional tree planting on grassed areas
Poor appearance of exterior and interior of restaurant/café building	Renovate/modernise the restaurant/ café Use the upstairs area for functions Replace the existing restaurant/café	Part of the tender for lease
Desire for more dining options	Additional cafes and restaurants	At this stage, no additional cafes or restaurants will be considered on this site
Insufficient shaded picnic facilities and barbecues to meet demand Demand for picnic shelters for large groups	More covered/shaded picnic tables/ facilities in and near the playground, at picnic areas and at the beach More barbecues – near the bush, on grassed area near the beach Large and small picnic shelters Ability to book shelters and barbecues to ensure availability	Additional flood resistant barbecue shelters on grassed park areas Could consider a booking system for barbecues, if rangers become available to police usage.

Issues	Suggestions to resolve needs/issues	How issue is addressed in this Plan
Rubbish left by park visitors	More rubbish bins, including closer to the beach Clean up rubbish on weekends More rangers	Install additional rubbish bins closer to the beach area
Toilets	Better/upgraded toilets	Toilets were upgraded in 2019 and are in very good condition.
Irregular/poor cleaning of facilities	Clean tables Clean toilets regularly	The park is cleaned daily
No adventure play opportunities for older children/adults	Skate park Bike tracks – pump track, mountain bike track	Skate and bike facilities are located in other parks
Desire for boat/watercraft launching/berthing facilities	Boat launching/berthing facilities – wharf, boat ramp, floating pontoon Improve the kayak ramp with rollers	Launching facilities for non-motorised boats is provided. A boat ramp is located nearby at Governor Phillip Park which caters for small and large vessels and a wharf is located opposite the park. It is not feasible to duplicate this infrastructure in Macquarie Park
Desire for live music	Space for live music on Sundays, food trucks, pop-up bars	Proposed amphitheatre, temporary dome/stage
Desire for gardens	Gardens – edible, themed, wedding photo setting, native	Gardens will be included in various locations in the park
Desire for more community events	Casual hire of the grassed areas for special interest and community activities, functions, markets, car shows etc.	'The Big Lawn' for play, functions, outdoor fairs and markets
Poor water safety signage	Locate updated water safety signage closer to the beach	Signage to be updated
Dangerous swimming area due to water quality and currents	Safe enclosed swimming area	Enclosing the swim area is not practical will not make the area safer. Life Buoys are provided.
No fitness equipment	More gym equipment	Gym equipment is provided in Howe Park on the other side of the river.
No wash facilities at the beach	Wash facility (tap, shower) near the beach	Provision is made for installation of taps/shower near the swim area
Desire for more toilets	More toilet facilities including closer to the playground	Potential facilities near the proposed Paddle Sports Clubhouse
Screening of the new paddle sports clubhouse	Screen the paddle sports clubhouse with vegetation for privacy and security to discourage vandalism	Landscaping around the clubhouse is required.
No shade at the beach	Shade/cabanos at the beach	Investigate options to install shade/cabanos near the beach subject to flood suitability of the designs
Restrict off leash dogs	More policing of off-leash dogs	Designated off leash area may be considered away from the popular picnic areas and appropriately sign

Issues	Suggestions to resolve needs/issues	How issue is addressed in this Plan
		posted
Allow off-leash dogs	Dog park Allow off leash for dogs including the beach outside peak times	As above. A fenced dog off leash area is not recommended in this flood prone area. A fenced dog off leash area is proposed across the river at Deerubbin Park
Dog waste	Install dog waste bag dispensers and bins – near the beach	Include in Action Plan
Desire for camping opportunities	Overnight stay area on grassed area near the beach More camping area along the river banks	Not appropriate in this location due to flood risk
Riverbanks are overgrown preventing people sitting on the banks	Maintenance of the riverbanks	River bank stabilisation
No lighting	Improve lighting	Improve lighting
Natural		
The bush area is untidy	Clean up the bush area by: <ul style="list-style-type: none"> - removing weeds and rehabilitating with endemic natives - removing waste 	Bush regeneration and weed management
Weed management	Manage weeds by reviewing the mowing program, and funding/supporting Landcare groups to clear weeds around the river bend	Bush regeneration and weed management
Access		
Demand for parking on weekends particularly near the playground and restaurant	More/better parking <ul style="list-style-type: none"> - towards Ben's Point 	New parking area between the park entrance and café
Walking opportunities	River walk/cycle circuit connecting Macquarie Park, Deerubbin Park via Windsor Bridge Walking tracks to/through the bush area	Upgraded path along the river to a shared pathway Potential nature walking trail through bush area
Poor access to the beach	Better path/boardwalk access to the beach	Path/boardwalk along the foreshore and beach
Unsatisfactory access road Safety of people crossing the road between the café and playground	Better access road Better paving for walkers from the park entrance Pedestrian crossing, speed humps on the entrance road at the café and playground	New parking area between the park entrance and café
Park entrance	Upgrade the park entrance – repair entrance walls, signage	Included in Action Plan

Issues	Suggestions to resolve needs/issues	How issue is addressed in this Plan
Paths	Better internal paths – to the toilets	Include in Action Plan
Unauthorised vehicle access to grassed areas	Install CCTV	Barriers to be repaired in a timely manner if breached
Vegetation on the peninsular has been a fire hazard concern, particularly when homeless people were living there.	Improved emergency vehicle access to the bush area on the peninsula	Include in Action Plan
Open space		
Unightly open grassed areas	Better use of grassed areas – northern field/vacant area next to the restaurant used as a sportsground or playground Repair divots in the grass Weed control Better mowing	Prepare a landscape plan that addresses this area.

4.3 State government objectives for public land management

4.3.1 Core objectives for community land management

Macquarie Park will be managed according to the core objectives under the *Local Government Act 1993* for each category of community land assigned to the park (as shown in Figure 6), as set out in Section 6.

4.3.2 Crown Land 2031

The Crown Land 2031 vision is “Crown land supports resilient, sustainable and prosperous communities across NSW.”

Overarching priorities that will be central to all decision-making about Crown land are:

- Strengthen community connections with Crown land
- Accelerate economic progress in regional and rural NSW
- Accelerate the realisation of Aboriginal land rights and native title in partnership with Aboriginal people
- Protect cultural heritage on Crown land
- Protect environmental assets, improve and expand green space and build climate change resilience.

4.3.3 Principles of Crown land management

The principles of Crown land management are that:

- a) environmental protection principles be observed in relation to the management and administration of Crown land, and
- b) the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- c) public use and enjoyment of appropriate Crown land be encouraged, and
- d) where appropriate, multiple use of Crown land be encouraged, and

- e) where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- f) Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.

4.3.4 NSW government vision for open space and parklands

The Draft 50-Year Vision for Greater Sydney's Open Space and Parklands in the next 50 years is:

a living and breathing city of parks for people to connect, exercise, reflect and celebrate
 a city of immense natural beauty, with incredible parklands, open spaces and waterways within its landscape

a place where people are custodians and wholeheartedly embrace and care for open space and parklands

cool, connected and community-focused through the Greater Sydney Green and Blue Grid

a city where open spaces and parklands are accessible, meaningful and sustainable, reflecting the stories of the city's ancient and recent past, and enhancing unique landscapes for stories yet to be told

a place where open spaces and parklands are fundamental to everyday life, nurturing people while supporting a vibrant ecology and providing a home for a rich diversity of flora and fauna in the city and its neighbourhoods

as much a parkland city as it is a harbour and river city, where people share access to diverse types of open space and parklands.

Strategic directions that underpin the 50-year vision for Greater Sydney's open space and parklands are:

Growing a city of parks for people
 Connecting neighbourhoods to parks
 Keeping Sydney green and captivating
 Being smart and resilient.

4.3.5 Coastal management

Under the *Coastal Management Act 2016* the management objectives for the coastal environment area are as follows to:

- a) protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity,
- b) reduce threats to and improve the resilience of coastal waters, estuaries, coastal lakes and coastal lagoons, including in response to climate change,
- c) maintain and improve water quality and estuary health,
- d) support the social and cultural values of coastal waters, estuaries, coastal lakes and coastal lagoons,
- e) maintain the presence of beaches, dunes and the natural features of foreshores, taking into account the beach system operating at the relevant place,
- f) maintain and, where practicable, improve public access, amenity and use of beaches, foreshores, headlands and rock platforms.

4.3.6 Hawkesbury-Nepean River

Relevant planning policies and strategies set out in the SEPP (Biodiversity and Conservation) are set out in Table 14.

Table 14 Planning policies and strategies for the Hawkesbury-Nepean River

	Policy	Strategies
(1) Total catchment management	Total catchment management is to be integrated with environmental planning for the catchment.	<ul style="list-style-type: none"> • Refer the application or other proposal for comment to the councils of each adjacent or downstream local government area which is likely to suffer a significant adverse environmental effect from the proposal. • Consider the impact of the development concerned on the catchment. • Consider the cumulative environmental impact of development proposals on the catchment.
(2) Environmentally sensitive areas in the Hawkesbury-Nepean catchment are: the river, riparian land, escarpments and other scenic areas, conservation area sub-catchments, national parks and nature reserves, wetlands, other significant floral and faunal habitats and corridors, and known and potential acid sulphate soils.	The environmental quality of environmentally sensitive areas must be protected and enhanced through careful control of future land use changes and through management and (where necessary) remediation of existing uses.	<ul style="list-style-type: none"> • Rehabilitate parts of the riverine corridor from which sand, gravel or soil are extracted so that attached aquatic plant beds are replaced and water quality and faunal habitats improved. • Minimise adverse impacts on water quality, aquatic habitats, riverine vegetation and bank stability. • Minimise direct and indirect adverse impacts on land reserved or dedicated under the <i>National Parks and Wildlife Act 1974</i> or the <i>Forestry Act 1916</i> and conservation area sub-catchments in order to protect water quality and biodiversity. • Protect wetlands (including upland wetlands) from future development and from the impacts of land use within their catchments. • Consideration should be given to the impact of the development concerned on the water table and the formation of acid sulphate soils.
(3) Water quality	Future development must not prejudice the achievement of the goals of use of the river for primary contact recreation (being recreational activities involving direct water contact, such as swimming) and aquatic ecosystem protection in the river system. If the quality of the receiving waters does not currently	<ul style="list-style-type: none"> • Quantify, and assess the likely impact of, any predicted increase in pollutant loads on receiving waters. • Consider the need to ensure that water quality goals for primary contact recreation and aquatic ecosystem protection are achieved and monitored. • Approve development involving primary contact recreation or the withdrawal of water from the river for human contact (not involving water treatment), such as showers, only in locations where water quality is suitable (regardless of water temperature). • Do not carry out development involving on-site disposal of sewage effluent if it will adversely affect the water quality of the river or groundwater. Have due regard to the nature and size of the site. • Develop in accordance with the land capability of the site and do not cause land degradation. • Consider the need for an Erosion and Sediment

Policy	Strategies
	<p>allow these uses, the current water quality must be maintained, or improved, so as not to jeopardise the achievement of the goals in the future. When water quality goals are set by the Government these are to be the goals to be achieved under this policy.</p> <ul style="list-style-type: none"> • Control Plan (to be in place at the commencement of development) where the development concerned involves the disturbance of soil. • Minimise or eliminate point source and diffuse source pollution by the use of best management practices. • Site and orientate development appropriately to ensure bank stability. Plant appropriate native vegetation along banks of the river and tributaries of the river, but not so as to prevent or inhibit the growth of aquatic plants in the river, and consider the need for a buffer of native vegetation. • Consider the impact of the removal of water from the river or from groundwater sources associated with the development concerned. • Protect the habitat of native aquatic plants.
<p>(4) Water quantity</p>	<p>Aquatic ecosystems must not be adversely affected by development which changes the flow characteristics of surface or groundwater in the catchment.</p> <ul style="list-style-type: none"> • Future development must be consistent with the interim or final river flow objectives that are set for the time being by the Government. • Ensure the amount of stormwater run-off from a site and the rate at which it leaves the site does not significantly increase as a result of development. Encourage on-site stormwater retention, infiltration and (if appropriate) reuse. • Consider the need for restricting or controlling development requiring the withdrawal or impoundment of water because of the effect on the total water budget of the river. • Consider the impact of development on the level and quality of the water table.
<p>(5) Cultural heritage</p>	<p>The importance of the river in contributing to the significance of items and places of cultural heritage significance should be recognised, and these items and places should be protected and sensitively managed and, if appropriate, enhanced.</p> <ul style="list-style-type: none"> • Encourage development which facilitates the conservation of heritage items if it does not detract from the significance of the items. • Protect Aboriginal sites and places of significance. • Consider an Aboriginal site survey where predictive models or current knowledge indicate the potential for Aboriginal sites and the development concerned would involve significant site disturbance. • Consider the extent to which heritage items (either identified in other environmental planning instruments affecting the subject land or listed in Schedule 2) derive their heritage significance from the river.
<p>(6) Flora and fauna</p>	<p>Manage flora and fauna communities so that the diversity of species and genetics within the catchment is</p> <ul style="list-style-type: none"> • Conserve and, where appropriate, enhance flora and fauna communities, particularly threatened species, populations and ecological communities, aquatic habitats, wetland flora, rare flora and fauna, riverine flora, flora with heritage value, habitats for indigenous and migratory species of fauna, and existing or potential fauna corridors.

	Policy	Strategies
	conserved and enhanced.	<ul style="list-style-type: none"> • Locate structures where possible in areas which are already cleared or disturbed instead of clearing or disturbing further land. • Minimise adverse environmental impacts, protect existing habitat and, where appropriate, restore habitat values by the use of management practices. • Consider the impact on ecological processes, such as waste assimilation and nutrient cycling. • Consider the range of flora and fauna inhabiting the site of the development concerned and the surrounding land, including threatened species and migratory species, and the impact of the proposal on the survival of threatened species, populations and ecological communities, both in the short and longer terms. • Consider the need to provide and manage buffers, adequate fire radiation zones and building setbacks from significant flora and fauna habitat areas. • Consider the need to control access to flora and fauna habitat areas. • Consider the need to maintain corridors for fish passage, and protect spawning grounds and gravel beds.
(7) Riverine scenic quality	The scenic quality of the riverine corridor must be protected.	<ul style="list-style-type: none"> • Maintain areas of extensive, prominent or significant vegetation to protect the character of the river. • Ensure proposed development is consistent with the landscape character as described in the Scenic Quality Study. • Consider the siting, setback, orientation, size, bulk and scale of and the use of unobtrusive, non-reflective material on any proposed building or work, the need to retain existing vegetation, especially along river banks, slopes visible from the river and its banks and along the skyline, and the need to carry out new planting of trees, and shrubs, particularly locally indigenous plants. • Consider the need for a buffer between new development and scenic areas of the riverine corridor shown on the map as being of significance beyond the region (which are also scenic areas of significance for the region) or so shown as being of regional significance only. • Consider the need for controls or conditions to protect those scenic areas. • Consider opportunities to improve riverine scenic quality.
(11) Recreation and tourism	The value of the riverine corridor as a significant recreational and tourist asset must be protected.	<ul style="list-style-type: none"> • Provide a wide range of recreational opportunities along the river which are consistent with conserving the river's natural values and character. • Plan and manage recreational and tourist developments, and associated access points, cycleways and footpaths, so as to minimise any adverse environmental impacts on the river. Locate

Policy	Strategies
	<p>them where river banks are stable, away from river shallows, major beds of attached aquatic plants or fish breeding areas, where the proposed activities do not conflict with surrounding recreational activities and where significant flora and fauna habitats will not be adversely affected. The upgrading of existing public access to the river is to be preferred over the creation of new access points.</p> <ul style="list-style-type: none"> • Minimise conflicts between recreational uses. • Consider the availability of, or need to provide, land for vehicle parking and for suitable access (including access for cars and buses), for boat service areas and for water, electricity and sewage disposal. • Consider the environmental impact of ancillary services for recreation and tourist developments, such as amenities blocks and vehicle parking. • Consider the visual impact of development on the surrounding area.

4.4 Council policy and objectives

4.4.1 Vision for Hawkesbury City

Council's vision for Hawkesbury City is outlined in the Hawkesbury Community Strategic Plan 2022-2042. It captures the vision of where our community as a whole would like to be 20 years from now:

We see the Hawkesbury as a vibrant and collaborative community living in harmony with our history and environment, whilst valuing our diversity, striving for innovation, a strong economy and retaining our lifestyle and identity.

4.4.2 Land use objectives

The zoning of Macquarie Park as RE1 – Public Recreation is appropriate for Macquarie Park, but the RU2 - Rural Landscape zone is not consistent with the natural physical characteristics and recreational uses of the riverbank, or the reserve purposes of Public Recreation and Conservation.

The objectives of the Hawkesbury Local Environmental Plan 2012 for the RE1 Public Recreation zone are to:

- enable land to be used for public open space or recreational purposes
- provide a range of recreational settings and activities and compatible land uses
- protect and enhance the natural environment for recreational purposes
- protect and enhance the natural environment for environmental purposes
- restrict development on land required for future open space purposes.

The objectives of the Hawkesbury Local Environmental Plan 2012 for the RU2 Rural Landscape zone are to:

- encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- maintain the rural landscape character of the land.
- provide for a range of compatible land uses, including extensive agriculture.
- minimise the fragmentation and alienation of resource lands.
- minimise conflict between land uses in the zone and land uses in adjoining zones.

- ensure that development occurs in a way that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as waterways.

4.4.3 Objectives for open space in Hawkesbury City

The broader objectives of the Hawkesbury Regional Open Space Strategy 2013 are to:
improve the open space provision in terms of quality, quantity, accessibility and safety
improve linkages within and between the open space networks
ensure open space meets the needs of the Hawkesbury community and promotes greater social inclusion
ensure open spaces enhance the quality of the local environment
provide a clear framework for investment priorities and action.

4.5 Vision for Macquarie Park

Following on from Council's vision for Hawkesbury City, and consistent with the values and roles of Macquarie Park, the vision for it is:

Macquarie Park is an easily accessible place for the Hawkesbury community and visitors to come together to enjoy the riverside, parkland and bushland settings for a wide range of land and water based recreational, active and social activities.

The vision and management direction for Macquarie Park is reflected in the Concept Plan in Section 5.

Part 5: FUTURE USE AND DEVELOPMENT

5.1 Introduction

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Hawkesbury. The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

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

The use of community land is often supported by appropriate ancillary development such as playground equipment, amenity blocks or food kiosks.

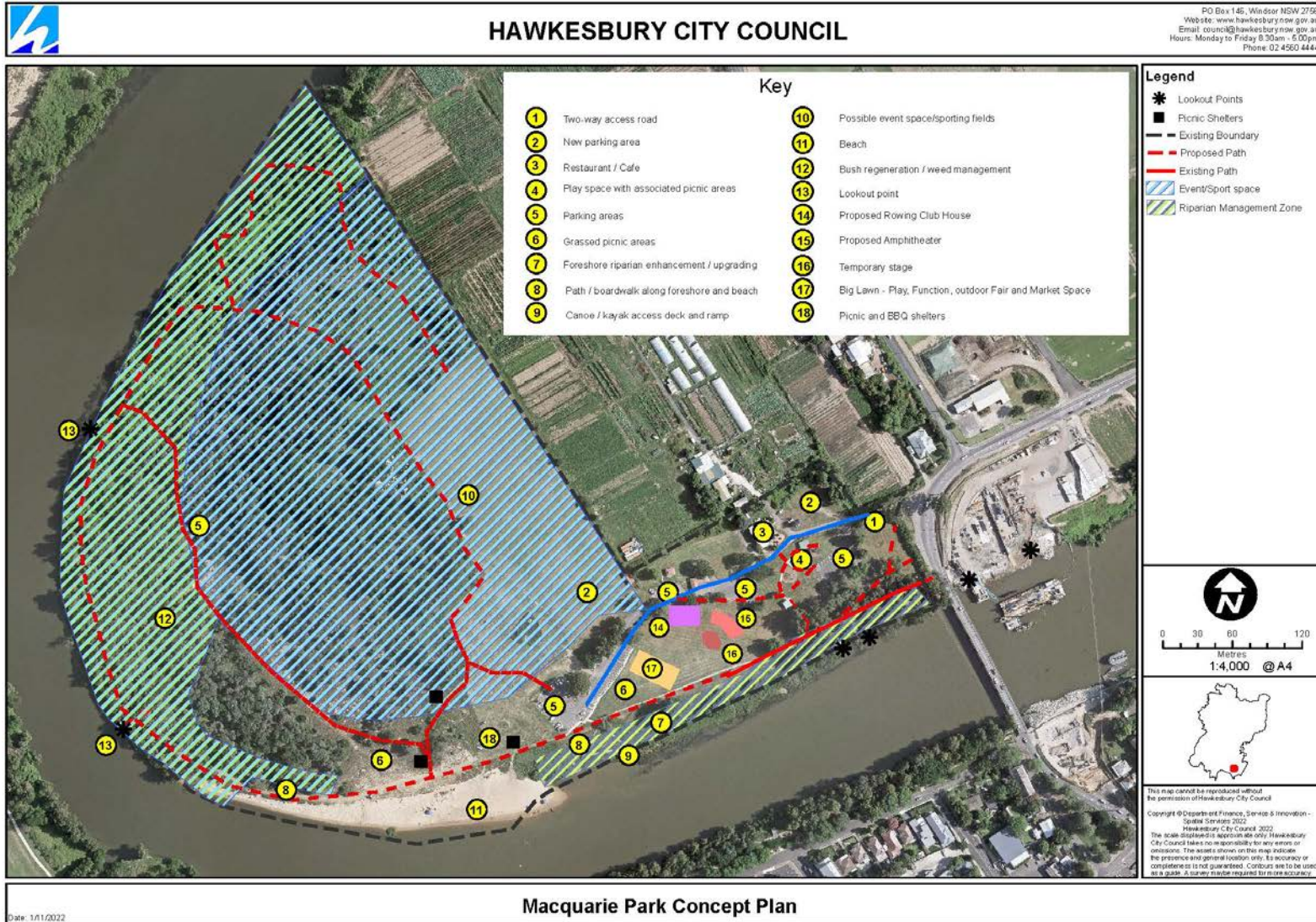
The general types of uses which may occur on community land in Macquarie Park categorised as Park, General Community Use and Natural Area, and the forms of development generally associated with those uses, are set out in tables in Section 6 of this plan.

5.2 Concept plan for Macquarie Park

Proposed future uses and developments are shown on the Concept Plan for Macquarie Park in Figure 11. Proposed changes to Macquarie Park include:

- rowing club house
- upgrade to the eastern grassed park and leisure area “The Big Lawn” for play, functions, outdoor fairs and markets, with a facilities building, amphitheatre and temporary stage
- upgrade to the western grassed park and leisure area for play and sunbaking, with flood-resistant barbecue shelters and paths
- two new car parks, trailer parking, and overflow parking
- paddleboat drop-off and ramp to the river
- riverbank stabilisation
- path/boardwalk along the foreshore and beach
- lookout points to the river
- potential nature walking trails through the vegetated area on the western side.

Figure 11 Macquarie Park Concept Plan



5.3 Permissible uses and developments

5.3.1 Legislative requirements

Introduction

Permissible uses and developments at Macquarie Park must be in accordance with relevant legislation, particularly:

- *Crown Land Management Act 2016*:
 - reserve purposes
 - any interests and rights granted under the *Crown Land Management Act 2016*.
- *Native Title Act 1993*
 - future acts and public works
- *Aboriginal Land Rights Act 1983*
 - the inchoate interests of Aboriginal people where an undetermined Aboriginal Land Claim exists
- *Local Government Act 1993*:
 - guidelines for and core objectives of the relevant categories of community land under the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.
- SEPP (Transport and Infrastructure) 2021
- SEPP (Biodiversity and Conservation)
- *Hawkesbury Local Environmental Plan 2012*: zoning
- uses for which leases, licences and other estates may be granted on community and Crown land under the *Local Government Act 1993*, *Crown Land Management Act 2016*, and the *Crown Land Management Regulation 2018*.
- Commonwealth legislation.
- any interests held on title.

Native Title Act 1993

Native title rights and interests must be considered on Crown land unless native title has been extinguished or surrendered, or determined by a court to no longer exist.

When proposing any act that may affect native title on Crown land or Crown reserves the act must be authorised through Part 2 Division 3 of the *Native Title Act 1993*.

Examples of acts which may affect native title on Crown land or reserves managed by Council include:

- construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbecues
- construction of extensions to existing buildings
- construction of new roads or tracks
- installation of infrastructure such as powerlines, sewerage pipes, etc.
- creation of an easement
- issue of a lease or licence
- undertaking of major earthworks.

Table 15 sets out permissible and excluded future acts over D.500060 and R.81510.

Table 15 Permissible and excluded future acts over D.500060 and R.81510

Permissible activities and structures	Excluded activities and structures
<p>Subdivision H Management of water and airspace of the <i>Native Title Act 1993</i> Section 24HA(2) permits the granting of a lease, licence or permit or authority that relates to the management or regulation of:</p> <ul style="list-style-type: none"> (a) surface and subterranean water; or (b) living aquatic resources; or (c) airspace. <p>In this subsection, <i>water</i> means water in all its forms and <i>management or regulation</i> of water includes granting access to water, or taking water.</p> <p>Subdivision K Facilities for services to the public of the <i>Native Title Act 1993</i> Section 24KA(2) permits the following construction:</p> <ul style="list-style-type: none"> (a) a road, railway, bridge or other transport facility (other than an airport or port); (b) a jetty or wharf; (c) a navigation marker or other navigational facility; (d) an electricity transmission or distribution facility; (e) lighting of streets or other public places; (f) a gas transmission or distribution facility; (g) a well, or a bore, for obtaining water; (h) a pipeline or other water supply or reticulation facility; (i) a drainage facility, or a levee or other device for management of water flows; (j) an irrigation channel or other irrigation facility; (k) a sewerage facility, other than a treatment facility; (l) a cable, antenna, tower or other communication facility; (la) an automatic weather station; (m) any other thing that is similar to any one or more of the things mentioned in the paragraphs above. 	<p>Subdivision L Low impact future acts of the <i>Native Title Act 1993</i> Section 24LA(1)(b) restricts activities to exclude:</p> <ul style="list-style-type: none"> (i) the grant of a freehold estate in any of the land or waters; or (ii) the grant of a lease over any of the land or waters; or (iii) the conferral of a right of exclusive possession over any of the land or waters; (iv) the excavation or clearing of any of the land or waters; or (v) mining (other than fossicking by using hand-held implements); or (vi) the construction or placing on the land, or in the waters, of any building, structure, or other thing (other than fencing or a gate), that is a fixture; or (vii) the disposal or storing, on the land or in the waters, of any garbage or any poisonous, toxic or hazardous substance.

Proposed public works and where they are to be built are listed below and shown on the Concept Plan in Figure 11.

Where it is proposed to construct or establish a public work on reserved or dedicated Crown land, where native title is not extinguished, and that work is not shown on the Concept Plan in Figure 12, prior to approval Council will notify and give an opportunity to comment any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the reservation or lease as required under the *Native Title Act 1993*.

Further details about public works and future acts are in Table 16.

Table 16 Use and management of Crown land in Macquarie Park

Crown land use and management provisions of the <i>Crown Land Management Act 2016</i>	
Be consistent with the purpose for which the land was dedicated or reserved under the <i>Crown Land Management Act 2016</i>	The purpose of R.81510 is for Public Recreation. The purpose of D.500060 is for Public Recreation. No additional reserve purposes are proposed.
Consider native title rights and interests and be consistent with the provisions of the <i>Commonwealth Native Title Act 1993</i> , in particular regarding public works on Crown land, and future acts	<p>The Native Title Act defines a public work as:</p> <p>(a) any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:</p> <ul style="list-style-type: none"> (i) a building, or other structure (including a memorial), that is a fixture; or (ii) a road, railway or bridge; or (ia) where the expression is used in or for the purposes of Division 2 or A of Part 2-a stock-route; or (iii) a well, or bore, for obtaining water; or (iv) any major earthworks, defined as earthworks (other than in the course of mining) whose construction causes major disturbance to the land, or to the bed or subsoil under waters. <p>(b) a building that is constructed with the authority of the Crown, other than on a lease.</p> <p>Where it is proposed to construct or establish a public work on reserved or dedicated Crown land, where native title is not extinguished, and that work is not shown on the landscape concept plan, prior to approval Council will notify and give an opportunity to comment any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the reservation or lease as required under the <i>Native Title Act 1993</i>.</p> <p>Future acts</p> <p>To undertake a future act (including the adoption of a Plan of Management) on Crown land, Council must comply with the future act provisions of the <i>Native Title Act 1993</i> and meet the requirements of Section 8.7 of the <i>Crown Land Management Act 2016</i>. Generally, Section 24JA of the <i>Native Title Act 1993</i> allows most actions that a Council would want to undertake on Crown land, and under Section 24JA the reservation must have been validly created prior to 23 December 1996.</p> <p>As Reserves D.500466 and R.81510 were gazetted prior to 23 December 1996, Council will be able to utilise Subdivision J for future acts over Reserves D.500466 and R.81510.</p> <p>This means that to enable Council to undertake acts, including the issue of leases and licences and to construct public works generally set out in this Plan of Management, Council will need to:</p> <ul style="list-style-type: none"> i. limit the activities to be undertaken on the reserve under future act subdivisions H, K (facilities for services to the public) and L (low impact activities). In general, Council would be able to use the land but not construct buildings (and some other fixtures) or issue tenures. Section 6 sets out permissible and excluded activities under Subdivisions H, K

Crown land use and management provisions of the *Crown Land Management Act 2016*

- and L.
- ii. lodge a non-claimant application with the Federal Court of Australia for a determination under Section 24FA of the *Native Title Act 1993* that:
 - (a) native title does not exist, or
 - (b) seek future act protection; or
 - iii. compulsorily acquire the land under the *Local Government Act 1993*, including any native title rights and interests; or
 - iv. seek a native title certificate from the Minister for Water, Property and Housing under Section 8.4 of the *Crown Land Management Act 2016* and form an opinion that native title has been extinguished over parts of the land.
 - v. a combination of the above.

Consider the inchoate interests of Aboriginal people where an undetermined Aboriginal Land Claim exists	No Aboriginal land claim has been made under the <i>Aboriginal Land Rights Act 1983</i>
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Consider and not be in conflict with any interests and rights held on title and granted under the <i>Crown Land Management Act 2016</i> .	No conflicts confirmed by Native Title Manager
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Any restriction, covenant, trust, etc. applying to the land.	No
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Whether the use or management of the land is subject to any condition imposed by the owner (s.37).	No conditions imposed by the owner
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Local Government Act 1993

According to the *Local Government Act 1993*, uses and developments on land classified as community land must be consistent with the guidelines for each relevant category and the core objectives of the relevant category. The guidelines and core objectives for the Park, General Community Use and Natural Area-Watercourse categories which apply to Macquarie Park are outlined above.

All activities which are consistent with the guidelines for categorisation as Park, General Community Use and Natural Area-Watercourse which meet the core objectives of those categorisations, are expressly authorised by this Plan.

Crown Land Management Act 2016

Hawkesbury City Council is the Crown land manager of the Crown reserves described in this Plan of Management in accordance with the legislation and conditions imposed by the Minister administering the *Crown Land Management Act 2016*.

The use and management of the Crown land comprising Macquarie Park described in this Plan of Management must be consistent with the following requirements.

Hawkesbury Local Environmental Plan 2012

The Hawkesbury Local Environmental Plan 2012 sets out in general terms what types of developments are permissible within the RE1 and RU2 zones.

All proposed uses, development and building works in this Plan of Management should be permissible under the applicable zoning in the Hawkesbury Local Environmental Plan 2012, and assessed if required through a Development and Building Application process consistent with the *Environmental Planning and Assessment Act 1979*.

Works and activities permitted under the RE1 and RU2 zones in Hawkesbury City are listed in Table 17.

Table 17 Permissible activities in the RE1 Public Recreation and RU2 Rural Landscape zones in Hawkesbury City

Permitted without consent	Permitted with consent		Prohibited
RE1 Public Recreation			
Environmental protection works	Aquaculture Boat sheds Centre-based child care facilities Charter and tourism boating facilities Community facilities Environmental facilities Extensive agriculture Farm buildings Flood mitigation works Food and drink premises Forestry Helipads Information and education facilities Jetties	Kiosks Markets Moorings Public administration buildings Recreation areas Recreation facilities (indoor) Recreation facilities (major) Recreation facilities (outdoor) Respite day care centres Roads Signage Water recreation structures Water storage facilities	Any other development
RU2 Rural Landscape			
Environmental protection works Extensive agriculture Home occupations	Agriculture Animal boarding or training establishments Aquaculture Bed and breakfast accommodation Boat sheds Building identification signs Business identification signs Cemeteries Charter and tourism boating facilities Crematoria Dual occupancies (attached)	Forestry Funeral homes Helipads Home-based child care Home industries Jetties Landscaping material supplies Moorings Places of public worship Plant nurseries Recreation areas Restaurants or cafes	Any other development

	Dwelling houses Eco-tourist facilities Educational establishments Entertainment facilities Environmental facilities Farm buildings Farm stay accommodation Flood mitigation works	Roads Roadside stalls Rural industries Rural supplies Rural workers' dwellings Veterinary hospitals Water recreation structures Water storage facilities	
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State Environmental Planning Policy (Transport and Infrastructure) 2021

Division 12 of SEPP (Transport and Infrastructure) 2021 lists exempt development and developments permitted without consent on parks and other public reserves.

SEPP (Biodiversity and Conservation)

Clause 9.9 of the SEPP (Biodiversity and Conservation) set out development controls for various land uses applicable to Macquarie Park as set out in Table 18.

Table 18 Development controls for relevant land uses to Macquarie Park

Land use	Definition		Additional matters for consideration by the consent authority
Recreational facilities	Development for the purpose of a building, work or place used (whether or not for commercial gain) for sporting activities, recreation or leisure activities, being a building, work or place that is situated within the river or on land— (a) - that adjoins the river or a tributary of the river, or (b) - that is flood prone land.	Consent required	
Land uses in or near the river	All uses in the river or a tributary of the river, or within 40 metres of the high water mark of the river or a tributary of the river where it is tidal or within 40 metres of the bank where it is non-tidal. This includes clearing and the construction and use of piers, wharves, boat sheds or other structures which have direct structural connection to the bank or bed of the river or a tributary of the river.	Consent required	The need to locate access points where riverbanks are stable, away from river shallows and major beds of attached aquatic plants, away from fishing grounds and fish breeding areas, where the proposed activities do not conflict with surrounding recreational activities, and where significant fauna and wetland habitats will not be adversely affected. The need to require remedial works, such as the re-establishment of flora and fauna habitats. The potential for use of the land as a buffer to filter water entering the river. The need for an Erosion and Sediment Control Plan. The need for a Vegetation Management Plan.

Commonwealth legislation

Council recognises that under the *Telecommunications Act 1997* Macquarie Park may be a desirable location for the location of a telecommunications installation. 'Low impact' telecommunications

installations are permissible on community land without authorisation in a Plan of Management and without Council approval.

5.3.2 Authorised uses and development at Macquarie Park

Introduction

Macquarie Park is intended to be used for outdoor informal and active recreation, indoor dining, community/social/cultural activities, and other compatible activities. Developments and structures are limited to those which support the desired activities.

This Plan of Management expressly authorises development of new buildings and structures, and future redevelopment/refurbishment of buildings and structures, which support the desired uses of Macquarie Park for informal and active land and water based recreation, indoor and outdoor dining, community/ social/cultural activities, and other compatible activities.

Permitted uses and developments must support and enhance the other values of Macquarie Park including river access, open space, sport, recreation, and the natural environment.

Any use or development that would further encroach on the open space of Macquarie Park should be minimised, unless it can be shown that the proposed use or development is:

- a more efficient use of the space
- has a community benefit
- is consistent with the objectives of this Plan of Management.

Permissible uses and developments in each category are listed in Section 6.

5.3.3 Scale and intensity of future uses and development

Introduction

In accordance with Section 36(3A) of the *Local Government Act 1993* a Plan of Management for community land must set out the scale and intensity of future uses and developments.

The scale and intensity of future uses and development at Macquarie Park is dependent on:

- the nature of the approved future uses and developments
- the carrying capacity of facilities and spaces at Macquarie Park
- impact on adjoining residents and land uses in terms of noise, lighting, traffic and vehicle parking
- consistency with the reserve purposes and categorisation.
- flooding
- acid sulfate soils.

Any proposal to use buildings, structures and spaces at Macquarie Park will be considered on merit and balanced against physical constraints and the amenity of adjoining residents and land uses.

The benchmarks for the scale and intensity of future uses and developments permissible at Macquarie Park will be physical disturbance and damage to facilities and spaces. The physical impacts of activities and uses on facilities and spaces should be regularly monitored. Review of permissible activities and developments will occur if site monitoring shows any deterioration from the present condition of Macquarie Park resulting from those activities or developments.

Activities at Macquarie Park which may attract high numbers of people include community events and river activities on a hot summer day. The intensity of use, multiple activities/uses, and real or perceived crowding/congestion or competition for space across the open space of Macquarie Park will be managed so as not to unreasonably compromise the amenity of users and the community. The number of people attending events at Macquarie Park is limited by available parking, however visitors can park in Windsor and walk across the bridge to Macquarie Park. At some point potential visitors would be deterred from visiting by the lack of vehicle parking and a long walk to recreation areas in the park from their vehicle. The scale and intensity of recreational use will also be managed by Council's booking process and by conditions of use.

At times, such as during the COVID-19 pandemic, Council is required to implement public health directives to ensure social distancing at public open spaces and facilities, which may involve temporarily preventing or limiting access to specific spaces and facilities.

Conversely, the response to a pandemic or similar situation would increase demand for walking and other outdoor informal recreation opportunities. Macquarie Park is ideally placed to offer local outdoor open space and exercise opportunities.

Macquarie Park is closed to public access at night from 8pm to 6am. Council may also close the park to public access for reasons including flooding.

Scale and intensity of development

Proposed developments and physical changes to Macquarie Park are shown on the Concept Plan in Figure 11.

Any works undertaken at Macquarie Park shall be undertaken to minimise disturbance to the site. Such measures include:

- using materials which are visually sympathetic to the natural environment.
- incorporating pollution control measures into drainage systems to minimise debris, nutrients and other chemicals entering waterways.
- using and retaining on-site resources wherever possible.
- leaving acid sulfate soils undisturbed wherever possible.
- disposing of waste material off site and in a manner not affecting the natural vegetation or that encourages the spread of weeds.
- restoring areas following works to the maximum extent.

Proposed maintenance works

The proposed maintenance works are expected to be similar to the maintenance works that are currently undertaken.

5.3.4 Restricted and prohibited activities

Table 19 Restricted and prohibited activities in Macquarie Park

Objective	Restricted activities	Prohibited activities
Minimise further instability, erosion damage, turbidity and loss of river bank, wetland, and aquatic vegetation	Activities that could cause erosion and interruption of natural hydrological processes Activities that could adversely impact on threatened species and endangered ecological communities	Dredging or excavation for sand or gravel
Restrict recreational activities which may cause loss of vegetation and erosion	Pedestrian access River access Unleashed dog exercise	Horse riding Off-road recreational vehicles (four-wheel drives, trailbikes) beyond access roads and formed carparks
	Temporary stockpiling of materials for restoration works in progress	Dumping of waste materials

Activities that are prohibited or restricted at Macquarie Park include, but are not limited to:

breaking or leaving any bottle, glass, syringe or other objects likely to endanger the safety of any person
camping or staying overnight
consumption of alcoholic liquor
depositing rubbish
discharging of rifles or firearms
dogs off leash (except in any designated off leash dog area)
fireworks
flying of model aeroplanes and drones
any game or activity likely to damage property, injure, endanger or cause nuisance to any other person
helicopter landings, except in emergencies
interfering with or damaging any Council building, equipment, furniture, landscaping, tree, plant or flora
leaving of dogs faeces (removal and proper disposal is required)
lighting of fires, except in any Council constructed fireplaces or portable barbecues
practising of golf or archery
remote control vehicles including cars
taking of unauthorised motor vehicles or motorised bikes, except in constructed carpark and driveways.
Conduct which is prohibited in dedicated or reserved Crown land is listed in Clause 9 of the *Crown Land Management Regulation 2018*.

Activities that can be prohibited on Crown land by direction or notice under Part 9 of the *Crown Land Management Act 2016* are listed in Clause 13 of the Regulation.

Certain activities at Macquarie Park are prohibited by the land zoning. Hawkesbury City Council may also prohibit certain activities in the reserves from time to time by signage.

5.4 Use agreements

5.4.1 What are use agreements?

Under section 46(1)(b) of the LG Act, use agreements including leases, licences and other estates (such as easements) formalise the use of community land. Leases and licences may also be granted over Crown land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities, or people providing facilities and/or services for public use.

A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short-term licence or hire agreement will be issued to allow shared use of the park.

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

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the community land itself and the local area to support the activity.

5.4.2 Authorisation of current use agreement

This plan authorises the current lease over Lot 1 DP 883806 (restaurant and immediate surrounds) by Wayne Edwards Holdings for a kiosk/bistro/takeaway until 31 December 2022.

This plan authorises any future leases or extension of the current lease for the operation of the kiosk/bistro/takeaway service.

5.4.3 Tenures on Crown land

The *Crown Land Management Act 2016* sets out requirements for granting leases, licences, permits, easements or right of way including secondary interests on dedicated or reserved Crown land. On Crown land where Council is Crown Land Manager, Council is empowered to grant leases, licences and other permits on Crown land.

The *Crown Land Management Act 2016* has additional requirements for leases and licences over dedicated or reserved Crown land as follows.

Table 20 Leases and licences over dedicated or reserved Crown land

Section of Crown Land Management Act 2016	Lease and licence requirements
3.22 Functions of Council as Crown Land Manager	As Crown Land Manager, Council must manage the land as if it were community land under the <i>Local Government Act 1993</i> . Council as Crown Land Manager can exercise all the functions that a local Council has under that Act in relation to community land, including in relation to leasing and licensing of community land.
8.77 Advice of Native Title Manager required to grant interests	Where Council is Crown Land Manager, a native title report must be prepared prior to granting a lease, license or other permit, in accordance with Native Title legislation. This requirement also extends to capital works on Crown reserves. All proposed activities and capital works identified in this PoM have been addressed by the Native Title Manager in a Native Title Report. New proposals would require additional reports.
2.20 & 3.17 and <i>Crown Land Regulation 2018</i> Section 31 Short term licenses over dedicated or reserved Crown land	<p>The Minister or Council may, regardless of dedication and reserve purpose, issue short term licenses for a maximum term of one year for:</p> <ul style="list-style-type: none"> - Access through a reserve - Advertising - Camping using a tent, caravan or otherwise - Catering - Community, training or education - Emergency occupation - Entertainment - Environmental protection, conservation or restoration or environmental studies - Equestrian events - Exhibitions - Filming (as defined by the <i>Local Government Act 1993</i>) - Functions - Grazing - Hiring of equipment - Holiday accommodation - Markets - Meetings - Military exercises - Mooring of boats to wharves or other structures - Sales - Shows - Site investigations - Sporting and organised recreational activities - Stabling of horses - Storage.

**Section of
Crown
Land
Management Act
2016** **Lease and licence requirements**

2.19, 3.17 Secondary interests over dedicated or reserved Crown land	The Minister or Council may issue a secondary interest where they are satisfied it is in the public interest and would not be likely to materially harm use of the land for the purposes for which it is dedicated or reserved.
2.18 Special provisions relating to Minister's powers over dedicated or reserved Crown land	The Minister may grant a lease, licence, permit, easement or right of way over dedicated or reserved Crown land for a facility or infrastructure, or any other purpose the Minister thinks fit. Before doing so, the Minister must consult the Crown land manager or the relevant government agency if the land is used, occupied or administered by an agency or the Minister to whom that agency is responsible. If the land is to be used or occupied under the relevant interest for any purpose except a purpose for which it is currently dedicated or reserved, a notice is to be published specifying the purposes for which the land is to be used or occupied under the relevant interest, and be satisfied that it is in the public interest to grant the relevant interest.

5.4.4 Native title and Aboriginal land rights considerations in relation to leases, licences and other estates

A lease, licence or permit over Crown land may affect native title rights and interests.

When planning to grant a lease or licence on Crown reserves, Hawkesbury City Council must comply with the requirements of the Commonwealth *Native Title Act 1993* (NT Act) and have regard for any existing claims made on the land under the NSW *Aboriginal Land Rights Act 1983*.

It is the role of the Council's Native Title Manager to provide written advice in certain circumstances to advise if the proposed activities and dealings are valid under the Native Title Act. Prior to approval, any lease, licence or other estate on Crown land will require written advice from Council's Native Title Manager under the *Crown Land Management Act 2016* and the *Native Title Act 1993*.

Any lease, licence or permit issued on Crown land must be issued in accordance with the provisions of the *Native Title Act 1993* and in accordance with Part 8 of the *Crown Land Management Act 2016* unless native title is extinguished. For Crown land which is not excluded land, this will require written advice from Council's Native Title Manager that it complies with any applicable provisions of the native title legislation.

Where Crown land is not excluded land, then no lease is permitted, and the issue of a licence or permit is restricted subject to assessment and agreement under the legislation.

Subject to the *Native Title Act 1993*, any secondary interest or short term licence over Crown land described in Sections 2.19 and 2.20 of the *Crown Land Management Act 2016* may be issued (refer to Table 19).

The granting of easements over Crown land will be subject to the provisions of the *Native Title Act 1993* and Division 8.7 of the *Crown Land Management Act 2016*.

5.4.5 Express authorisation of leases and licences and other estates

This plan of management **expressly authorises** the issue of leases, licences and other estates over the land covered by the plan of management, provided that:

- the purpose is consistent with the purpose for which it was dedicated or reserved
- the purpose is consistent with the core objectives for the category of the land
- the lease, licence or other estate is for a permitted purpose listed in the *Local Government Act 1993* or the *Local Government (General) Regulation 2021*
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the *Native Title Act 1993* (Cth)
- where the land is subject to a claim under the *Aboriginal Land Rights Act 1983* the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- the lease, licence or other estate is granted and notified in accordance with the provisions of the *Local Government Act 1993* or the *Local Government (General) Regulation 2021*
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Tables in the relevant category sections in Section 6 of this Plan of Management further identify the purposes for which leases and licences may be issued over land in the Park, General Community Use and Natural Area-Watercourse categories.

5.4.5 Other estates

This Plan of Management expressly authorises Council to grant ‘an estate’ over Crown and community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the *Local Government Act 1993*. The granting of easements of over Crown land will also be subject to the provisions of the *Native Title Act 1993*, Division 8.7 of the *Crown Land Management Act 2016*, and other applicable legislation.

This Plan of Management authorises the construction of structures for the purposes of stormwater management, treatment and/or retention as prescribed in Section 28 of the *Local Government (General) Regulation 2021*. This Plan authorises the continued use of drains, channels and easements, and the creation of new drains, channels and easements.

This Plan of Management expressly authorises the granting of easements over community land at Macquarie Park for public utilities, providing pipes, conduits or other connections under the ground surface. This is limited to easements which connect premises adjoining community land to an existing water, sewer, drainage or electricity facility of Council or another public utility provider that is situated on the land. Such easements are authorised provided that:

- there is no feasible alternative to connecting to a facility on the community land
- there is no significant impact on the condition or use of the community land
- in all cases, the applicant is to be responsible for all costs incurred by Council in the creation of the easement.

Granting of easements for public utilities and stormwater management at Macquarie Park is subject to conditions as required to ensure the protection of reserve assets, values and uses; and demonstration of a community and/or environmental benefit. Council will oppose the creation of any additional (foreign) services or utility installations, or easements, in or through Macquarie Park unless there is an advantage for Macquarie Park and its management, or an overriding community or environmental benefit.

Granting of easements above or on the surface of community land is not within the authority of this Plan of Management. These easements include, but are not limited to, piping to a natural watercourse, piping from a facility on community land to a facility on private land, and private vehicular or pedestrian access.

5.4.6 Leases and licences by tender

Section 46A of the *Local Government Act 1993* requires that Plans of Management for community land must specify purposes for which a lease, licence or other estate over community land may be granted only by tender. Under Section 46A, a lease or licence for a term exceeding five years may be

granted only by tender, unless it is granted to a non-profit organisation. However, Council may apply a tender process in respect to granting any particular lease, licence or estate.

Council may invite public competitive tenders for:

a lease or licence for a term exceeding five years, unless it is granted to a non-profit organisation any commercial activity where a competitive tender process may be beneficial to achieving the best outcome for the park and its use, subject to development consent.

5.4.7 Approvals and conditions of use

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

Any approval for leases or licences must include, but not be limited to, the following provisions:
no significant damage to the area is anticipated as a result of the proposed activity.

a bond or agreement to undertake repairs in respect of potential damage is held by Council.

the activity is permissible under the objective identified for the applicable category of community land.

the use or occupation does not involve the erection of any building or structure of a permanent nature.

there is anticipated to be no significant disturbance to adjacent property owners.

there is no interference with other users.

proof of suitable insurances is obtained by Council.

payment of the relevant fee is made or a payment plan is established.

all litter is removed.

5.4.8 Short-term licences

Short-term licences and bookings may be used to allow the council to program different uses of community land at different times, allowing multiple uses.

All short-term casual hire will be in accordance with the *Local Government (General) Regulation 2021*. To be considered as casual hire, activities must not:

- involve the erection of any building or structure of a permanent nature.
- continue for more than three consecutive days.
- continue to recur for a period of more than 12 months in the case of uses occurring more than once. Each occurrence must be no more than 3 consecutive days, not including Saturday and Sunday.

Short term temporary occupation of Crown land is subject to Native Title Manager advice and approval in the PoM.

Short-term casual uses and occupation will be in accordance with Council's event management plans and policies and other relevant policies or guidelines.

Short-term licences are authorised for the purpose of:

- a) the playing of a musical instrument, or singing, for fee or reward
- b) engaging in a trade or business
- c) the playing of a lawful game or sport
- d) the delivery of a public address
- e) commercial photographic sessions
- f) picnics and private celebrations such as weddings and family gatherings
- g) filming sessions

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

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Part 6: MANAGEMENT OF LAND BY CATEGORY

6.1 Park

Guidelines for categorisation

The Park category is defined in clause 104 of the *Local Government (General) Regulation 2021* as land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others.

Physical environment

The extent of the Park category in Macquarie Park is shown in Figure 6.

Land within Macquarie Park that is categorised as Park includes all mown parkland areas used for informal recreation activities such as picnics, treed areas, the partially fenced play space, picnic and barbecue facilities, walking tracks, bush tucker garden, internal road and vehicle parking areas, and toilets/amenities block.

The proposed clubhouse for paddlesports is situated within the Park category.

Activities undertaken

- Children's play
- Picnics and barbecues
- Walking/walking the dog
- Bike riding
- Gatherings/parties for family and friends
- Community and special interest group events
- Rural Fire Service field days
- Car rallies
- Markets
- Weddings
- Professional photography

Current use agreements

No leases or licences apply to this area.

Short term licences are issued for activities such as field days, large gatherings, car rallies, markets.

Key issues

Community issues

- Small, limited playground. Requests for playground with new/upgraded equipment for all ages – more preschool play, equipment for older children
- Uneven ground around the play equipment
- Requests for nature-themed playground for all ages
- Request for second playground
- Replace the bark chip softfall in the playground
- Playground is only partially fenced and adjacent to a driveway, carpark and the river
- Complete the bike/scooter path
- Requests for a water play/splash park
- Requests for a skate park
- Requests for pump/mountain and larger bike track for older children
- Request for fitness equipment
- Limited shade and shelter in general. More trees
- Lack of shading of the playground
- Insufficient seating and tables of varying sizes

- Insufficient barbecues – at bush end
- Insufficient covered/shaded picnic/barbecue facilities – in playground, spread out, near beach
- not enough large shelters to accommodate large groups
- Implement a booking system for large groups to use barbecues
- Requests for gardens – edible, themed, formal for wedding photos, native
- Requests for more community events
- Requests for live music and food trucks/pop-up bars
- Request for casual hire of the grassed area for small community and group activities
- Request to screen the new paddle clubhouse with vegetation and ensure security to discourage vandalism
- Requests for overnight camping on grassed area close to the river
- More restrictions on off-leash dogs
- Request for dog park and off-leash areas
- Insufficient rubbish bins
- No rubbish removal on weekends? More rangers
- Requests for more toilets – closer to playground
- Upgrade the toilets
- More regular cleaning of tables and toilets
- Poor appearance of the entrance walls and signage
- Unsatisfactory road access and internal road
- Insufficient parking to cater for demand on busy days
- Opportunities for a connected river walk/cycle path between Macquarie Park, Windsor Bridge and Deerubbin Park
- Poor walking access between the entrance to the rest of the park, from carparks to the beach, and to the toilets
- Unsafe access between the restaurant/café and the playground – crossing, speed bumps
- More parking towards Ben’s Point
- Weeds (bindii, khaki weed) in the grass

Management issues

- Poor quality, slippery walking paths
- Safety of pedestrians walking on the edge of the internal road
- Poor linkage to new works adjacent to the new Windsor Bridge
- Maintenance

Core objectives for Park category

The core objectives for the Park category, as outlined in Section 36G of the LG Act, are to:

- encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities
- provide for passive recreational activities or pastimes and for the casual playing of games
- improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

Permissible future uses and developments

The general types of uses which may occur on community land categorised as Park and the forms of development generally associated with those uses, are set out in detail in Table 21. The facilities on community land may change over time, reflecting the needs of the community.

Table 21 Permissible use and development of community land categorised as Park

Purpose/Use	Development to facilitate uses
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Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Active and passive recreation including children’s play, walking, running/jogging, cycling, informal games • Advertising • Agistment of stock in emergencies • Art, including painting, sculpture • Arts and cultural purposes, including concerts, dramatic productions • Busking • Car rallies • Community gardening including bush tucker gardening • Dog exercise: prohibited within 10 metres of playground and restaurant/café, on-leash elsewhere, off-leash only in designated and signposted areas • Earthworks, including filling, levelling and drainage of land • Eating and drinking in a relaxed setting • Education (environmental and the like) • Emergency purposes, including field days and training • Environmental management and monitoring • Environmental protection works • Festivals, parades, markets, fairs, exhibitions, ceremonies, and similar public events and gatherings • Filming and photographic projects • Fitness training – personal, group • Flora, fauna, archaeological surveys • Group recreational use, such as picnics, barbecues and private celebrations • Helicopter landings/take-offs in emergencies only • Interpretation of natural and cultural heritage • Landscaping and landscape maintenance • Low-intensity commercial activities (for example recreational equipment hire) • Nature study • Pest control (vertebrate, invertebrate) • Private ceremonies and celebrations such as weddings and birthday parties • Public address (speeches) • Revegetation activities • Vehicle access outside carparks and away from internal roads for maintenance and 	<ul style="list-style-type: none"> • Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ○ relate to approved uses/activities ○ are discreet and temporary ○ are approved by the council • Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, barbecues, sheltered seating, shade structures • Bike track (pump, mountain bike) • Bins and other waste receptacles • Café or refreshment areas (kiosks/ restaurants) including external seating • Clubhouse for the Windsor Paddle Boat Club, providing meeting room, amenities and storage areas • Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment • Community gardens including bush tucker gardens • Development to improve access to/within the park, for example paths, steps, ramps • Development to facilitate/support active recreation such as play equipment with softfall and shade structures, fitness/ exercise equipment, bike racks • Drainage and irrigation structures and systems • Energy-saving initiatives such as solar lights, solar panels and batteries • Environmental facilities • Fences, gates • Flagpoles, banners, smart poles • Flood mitigation works • Food preparation and related facilities • Gardens • Information boards, kiosks and other facilities • Landscaped areas – hard and soft structures, features • Lighting: where essential for public safety and protection of assets while minimising light spill and impact on nocturnal animal habitat • Mobile food/refreshment vending such as ice cream vans, “coffee carts”, food trucks • Public art – temporary, permanent • Recreation facilities (outdoor) • Retaining walls • Roads and car parks • Seating

Purpose/Use	Development to facilitate uses
<p>emergency purposes only</p> <ul style="list-style-type: none"> • Weed management <p>Note: Some of the uses listed above require a permit or development approval from the council.</p>	<ul style="list-style-type: none"> • Security measures such as lighting and CCTV • Shelters and shade structures • Showers and taps – outdoor • Signage (fixed, portable electronic) - locational, directional, regulatory, warning and interpretive • Storage facilities • Ticket machines • Toilets, change and rest rooms – accessible • Vehicle access, parking and loading areas • Vehicle barriers • Viewing area/platform (less than 100m²) • Walking tracks and paths, boardwalks • Watercraft storage • Water play park • Water-saving initiatives such as stormwater harvesting, storage and treatment systems, rain gardens and swales, sediment traps • Work sheds or storage required for maintenance of the land

Express authorisation of leases, licences and other estates - Park

This plan of management **expressly authorises** the issue of leases, licences and other estates over the land categorised as Park, listed in Table 22.

Table 22 Leases, licences and other estates and purposes for which they may be granted for community land categorised as Park

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	21 years, or 30 years with approval from Minister	<ul style="list-style-type: none"> • Paddle Sports clubhouse/storage • Management of clubhouse • Restaurant/function centre, with or without liquor licence • Café/kiosk for refreshment purposes, including outdoor seating and tables, with or without liquor licence • Hire or sale of recreational equipment
Licence	Depending on activity and agreement with Council	<ul style="list-style-type: none"> • Café/kiosk, including outdoor seating and tables • Hire or sale of recreational equipment
Short-term licence	Depending on activity and agreement with Council	<p>Including but not limited to:</p> <ul style="list-style-type: none"> • Access through a reserve • Advertising • Agistment of stock • Catering • Coaching clinics such as for sport

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
		<ul style="list-style-type: none"> • Community events and festivals of up to 15,000 people in the Event/Sport space (30,000m²/2 metres² per person) • Community services and activities • Community training or education • Commercial photographic sessions • Delivering a public address • Emergency training and occupation • Engaging in an appropriate trade or business • Entertainment • Environmental protection, conservation, rehabilitation, or restoration • Environmental and scientific studies • Equestrian events • Exhibitions • Fairs, markets • Filming (as defined by the <i>Local Government Act 1993</i>), including for cinema/ television including temporary erection or use of buildings or structures necessary to enable a filming project to be carried out • Fitness training – personal, group • Functions – community, corporate • Helicopter and hot air balloon take-off/ landing • Hire or sale of recreational equipment • Meetings, seminars and presentations, educational programs • Military exercises • Mobile food and beverage vans • Outdoor cinema • Photography (still, commercial) • Picnics and private celebrations such as weddings, family gatherings • Playing a musical instrument, or singing for fee or reward • Playing of a lawful game or sport • Public performances • Scientific studies, surveys • Shows • Site investigations • Sporting and organised recreational activities • Storage
Other estates		<p>This PoM allows the council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the LG Act.</p>

Action Plan – Park

Enhance opportunities for a balance of organised and unstructured recreational use of park land.

Provide opportunities for all kinds of activity in open space for people of all ages, abilities and cultural backgrounds.

Table 23 Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Park

Management Issues	Objectives and Performance Targets	Means of achievement of objectives	Manner of assessment of performance
Recreation			
Paddle sports clubhouse	Provide storage and facilities for Paddle Sport Club members	Construct the Windsor Paddle Sports Clubhouse	Club house built
		Screen/landscape the new paddle clubhouse with vegetation and ensure security to discourage vandalism	Club house screened
Playground	Cater for the play needs of all ages	Expand and upgrade the playground with accessible play elements for pre-schoolers and older children/teens, with a river theme	Increase in satisfaction and positive feedback from playground users and carers
	Ensure play spaces are as safe as possible	Fence the playground adjacent to roads and car parking areas	Minimal injuries reported to Council
		Provide shade to the playground in upgrade works	
Provide softfall as appropriate with bark chip and rubber surfaces			
Shade and shelter	Provide shade and shelter for park users	Plant trees on grassed areas	Increase in number of trees on grassed areas
Picnic and barbecue facilities	Encourage picnics and barbecues for social gatherings	Provide flood resistant picnic and barbecue facilities and shelters near the river	Numbers of people using picnic and barbecue facilities
		Consider a booking system for large groups to use barbecues	Options for a booking system considered
Grassed areas	Encourage use of grassed areas for recreation and events	Upgrade the western grassed park and leisure area "Big Lawn" for play, functions, outdoor fairs and markets	Upgrade of the Big Lawn completed
Community events	Provide improved facilities for event usage so that they may be accommodated without adversely affecting the values and character of the park	Construct an amphitheatre	Amphitheatre constructed.
		Install a temporary dome/ stage for community events	Temporary dome/stage installed as required

Management Issues	Objectives and Performance Targets	Means of achievement of objectives	Manner of assessment of performance
Gardens	Improve the visual amenity of the park	Include gardens in various locations in the park	Gardens established and thriving
		Identify the bush tucker garden with interpretive signage	Signage installed
Off-leash dog exercise	Provide well-managed off-leash areas with signage if appropriate.	Consider a designated off-leash dog exercise area away from popular picnic areas	Off-leash dog exercise area established if appropriate
Access			
Park entry	Ensure a welcoming park entrance	Upgrade the appearance of the park entrance walls and entry signage	Completion of park entry upgrade works
Walking/cycling paths	Optimise public access to all areas of the park	Provide shared paths from the park entrance to the path/boardwalk along the foreshore and beach	Paths complete
		Provide additional paths around the play space	Paths complete
Vehicle access and parking	Provide for vehicle access and parking while not taking up valuable open space	Designate a new vehicle parking area between the park entrance and the café	Area used for vehicle parking
Right of way	Provide access from Lot 1 DP 226141 to the adjoining property Lot A DP 386334	Formalise the right of way of variable width from Lot 1 DP 226141 to the adjoining property Lot A DP 386334	Access between Lot 1 DP 226141 and Lot A DP 386334
Open space			
Maintenance	Ensure quality open space for recreational and community use	Continue daily cleaning of the park and other maintenance tasks	Positive community feedback
		Remove weeds (bindii, khaki weed) in the grass	Reduction in weeds in grass
Natural			
-	-	-	-

6.2 General Community Use

Guidelines for categorisation

General community use land is defined in clause 106 of the *Local Government (General) Regulation 2021* as land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.

Physical environment

The extent of the General Community Use category in Macquarie Park is shown in Figure 6.

Land categorised as General Community Use in Macquarie Park includes:

- the building that hosts the restaurant and café/kiosk and its immediate surrounds
- the large northern paddock that is used for events, and houses containers to store watercraft

Activities undertaken

- Outdoor and indoor dining and functions
- Events
- Rural Fire Service field days
- Informal recreation

Current use agreements

A lease for kiosk/bistro/takeaway is held over Lot 1 DP 883806.

Event agreements

Key issues

Community issues

- Poor external and internal appearance of the restaurant building
- Requests to upgrade/replace restaurant building, with function centre
- Requests for more restaurants/bars
- The northern grassed area is unused space which could be used for another playground, sports ground
- Unauthorised vehicle access to the paddock area
- Insufficient rubbish bins
- Weeds (bindii, khaki weed) in the grass

Management issues

- Dumped/excess sandstone in the middle of the grassed area
- Shipping containers used to store watercraft
- Maintenance
- Poor delineation of the park boundary with adjoining farm

Core objectives for General Community Use category

The core objectives for community land categorised as general community use, as outlined in Section 36I of the LG Act, are to:

- promote, encourage and provide for the use of the land
- 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, 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).

Permissible future uses and developments

The general types of uses which may occur on community land categorised as General Community Use, and the forms of development generally associated with those uses, are set out in detail in Table 24. The facilities on community land may change over time, reflecting the needs of the community.

Table 24 Permissible use and development of community land categorised as General Community Use

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Active and passive recreation including children’s play, walking, running/jogging, cycling, informal games • Advertising • Agistment of stock in emergencies • Art, including painting, sculpture • Arts and cultural purposes, including concerts, dramatic productions • Busking • Car rallies • Camping – overnight only • child care or vacation care activities • Dog exercise: prohibited within 10 metres of restaurant/café, on-leash elsewhere, off-leash only in designated and signposted areas • Earthworks, including filling, levelling and drainage of land • Eating and drinking in a relaxed setting • Education (environmental and the like) • Emergency purposes, including field days and training • Environmental management and monitoring • Environmental protection works • Festivals, parades, markets, fairs, exhibitions, ceremonies, and similar public events and gatherings • Filming and photographic projects • Fitness training – personal, group • Flora, fauna, archaeological surveys • Group recreational use, such as picnics, barbecues • Helicopter landings/takeoffs in emergencies only • Interpretation of natural and cultural heritage • Landscaping and landscape maintenance • Low-intensity commercial activities (for example recreational equipment hire) • Pest control (vertebrate, invertebrate) 	<ul style="list-style-type: none"> • Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ○ relate to approved uses/activities ○ are discreet and temporary ○ are approved by the council • Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, barbecues, sheltered seating, shade structures • Bike track (pump, mountain bike) • Bins and other waste receptacles • Café or refreshment areas (kiosks/ restaurants) including external seating • Development to improve access to/within the park, for example paths, steps, ramps • Development to facilitate/support active recreation such as play equipment with softfall and shade structures, fitness/exercise equipment, bike racks • Drainage and irrigation structures and systems • Energy-saving initiatives such as solar lights, solar panels and batteries • Environmental facilities • Fences, gates • Flagpoles, banners, smart poles • Flood mitigation works • Food preparation and related facilities • Gardens • Information boards, kiosks and other facilities • Landscaped areas – hard and soft structures, features • Lighting: where essential for public safety and protection of assets while minimising light spill and impact on nocturnal animal habitat • Mobile food/refreshment vending such as ice cream vans, “coffee carts”, food trucks • Public art – temporary, permanent • Recreation facilities (outdoor) • Retaining walls • Roads

<ul style="list-style-type: none"> • Private ceremonies and celebrations such as weddings and birthday parties • Public address (speeches) • Revegetation activities • Sale of alcohol according to liquor licence • Vehicle access outside car parks and away from internal roads for maintenance and emergency purposes only • Weed management <p>Note: Some of the uses listed above require a permit from the council.</p>	<ul style="list-style-type: none"> • Seating • Security measures such as lighting and CCTV • Shelters and shade structures • Showers and taps – outdoor • Signage (fixed, portable electronic) - locational, directional, regulatory, warning and interpretive • Storage facilities • Toilets, change and rest rooms – accessible • Vehicle access, parking and loading areas • Vehicle barriers • Walking tracks and paths, boardwalks • Watercraft storage • Water play park • Water-saving initiatives such as stormwater harvesting, storage and treatment systems, rain gardens and swales, sediment traps • Work sheds or storage required for maintenance of the land
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Express authorisation of leases, licences and other estates – General Community Use

This plan of management **expressly authorises** the issue of leases, licences and other estates over the land categorised as General Community Use, listed in Table 25.

Table 25 Leases, licences and other estates and purposes for which they may be granted for community land categorised as General Community Use

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	21 years, or 30 years with approval from Minister	<ul style="list-style-type: none"> • café/kiosk for refreshment purposes, including outdoor seating and tables, with or without liquor licence • restaurant/function centre, with or without liquor licence • commercial retail uses associated with the facility (e.g. sale or hire of recreation/sports goods and equipment)
Licence	Depending on activity and agreement with Council	<ul style="list-style-type: none"> • café/kiosk, including outdoor seating and tables • fitness training – personal, group • recreational purposes, including fitness classes, dance classes • sale/hire of goods or services that are ancillary to community land use and reserve purpose
Short-term licence	Depending on activity and agreement with Council	<p>Including but not limited to:</p> <ul style="list-style-type: none"> • Access through a reserve • Advertising • Agistment of stock • Broadcasts associated with any event, concert, public speech • Catering • child care or vacation care activities <ul style="list-style-type: none"> • community events and festivals of up to 15,000 people in the

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
		<p>Event/Sport space (30,000m²/2 metres² per person)</p> <ul style="list-style-type: none"> • Community services and activities • Community training or education • Commercial photographic sessions • Delivering a public address • Emergency training and occupation • engaging in an appropriate trade or business • Entertainment • Environmental protection, conservation, rehabilitation, or restoration • Environmental and scientific studies • Equestrian events • Exhibitions • Fairs, markets • Filming (as defined by the <i>Local Government Act 1993</i>), including for cinema/television including temporary erection or use of buildings or structures necessary to enable a filming project to be carried out • Fitness training – personal, group • Functions – community, corporate • Helicopter and hot air balloon takeoff/ landing • Hire or sale of recreational equipment • Meetings, seminars and presentations, including educational programs • Military exercises • Mobile food and beverage vans • Outdoor cinema • Photography (still, commercial) • Picnics and private celebrations: weddings, family gatherings • playing a musical instrument, or singing for fee or reward • Playing of a lawful game or sport • public performances • Sales, auctions and similar activities • Scientific studies, surveys • Shows • Site investigations • Sporting and organised recreational activities • Storage
Other estates		<p>This PoM allows the council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the LG Act.</p>

Action Plan – General Community Use

Table 26 Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as General Community Use

Management Issues	Objectives and Performance Targets	Means of achievement of objectives	Manner of assessment of performance
Recreation			
Zoning	Ensure that zoning reflects the purpose of Crown land and the categorisation of community land	Rezone the part of the Macquarie Park zoned RU2 and categorised as Park to RE1 Public Recreation.	RU2 Rural Landscape rezoned to RE1 Public Recreation
Restaurant/ café lease	Provide opportunities for indoor and outdoor dining and refreshments in the park	Invite tenders for the restaurant lease prior to expiry. Council to work with tenants to renovate to improve the external and internal appearance of the building.	Lease agreement in place
Northern grassed area	Increase opportunities for use of the northern grassed area	Publicise the availability of the northern grassed area for suitable activities requiring a large, flat space such as events, sporting activities	Increased use of the northern grassed area
Off-leash dog exercise	Provide well-managed off-leash areas with signage if appropriate.	Consider a designated off-leash dog exercise area away from popular picnic areas	Off-leash dog exercise area established if appropriate
Waste management	Minimise waste	Provide rubbish bins in the northern grassed area	Rubbish bins in place
Access			
Unauthorised vehicle access to the northern grassed area	Minimise unauthorised vehicle access to the northern grassed area	Construct/designate a new parking area in the south-east corner of the northern grassed area with a suitable vehicle restriction method	No unauthorised vehicles on the northern grassed area
Open space			
Northern grassed area	Increase opportunities for use of the northern grassed area	Remove dumped/excess sandstone in the middle of the grassed area	Sandstone removed
		Remove containers used to store watercraft	Containers removed
Maintenance	Ensure quality open space for recreational and community use	Continue daily cleaning of the park and other maintenance tasks	Positive community feedback
		Remove weeds (bindii, khaki weed) in the grass	Reduction in weeds in grass
Park boundary	Improve separation of the park from adjoining land uses	Liaise with the adjoining farm owner(s) to better delineate the north-eastern boundary of the park with adjoining farmland	Boundary between the park and farmland is clear
Natural			
-	-	-	-

6.3 Natural Area – Watercourse

Guidelines for categorisation

Natural areas are defined in clause 102 of the *Local Government (General) Regulation 2021* as land possessing a significant feature that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore.

Watercourses are further defined in clause 110 of the *Local Government (General) Regulation 2021* as any stream of water, perennial or intermittent, in a natural or artificial channel, and associated riparian land or vegetation.

Physical environment

The extent of the Natural Area-Watercourse category in Macquarie Park is shown in Figure 6.

Land categorised as Natural Area in Macquarie Park includes the land immediately adjacent and within 20 metres of the Hawkesbury River including “Windsor Beach” and Ben’s Point, as well as regrowth vegetation that does not meet the guideline for categorisation as Natural Area-Bushland.

The land categorised as Natural Area-Watercourse in Macquarie Park is frequently inundated by floods with erosion of the river bank.

Current use agreements

Events such as the Hawkesbury Canoe Classic

Activities undertaken

- Swimming
- Dog swimming
- Walking and dog walking in the bush area
- Sunbaking
- Launching of canoes and other paddlecraft
- Community events such as Hawkesbury Canoe Classic
- Picnics
- Camping (unauthorised)

Key issues

Community issues

- Poor water safety signage
- Safe/designated swimming area
- Request for tap/wash down facility near the beach
- Requests for watercraft berthing/launching facilities such as wharf, boat ramp, floating pontoon
- Add an extended path down the side of the ramp as this always washes away in heavy rain
- Request for a seasonal inflatable water park on the river
- Insufficient rubbish bins
- Clean up beach area
- No shade at the beach – shade structures
- Requests for dog access to the beach
- No dog waste bag dispensers and bins near the beach
- Improve the kayak ramp with rollers
- the riverbank slopes are overgrown. Maintain for sitting and viewing
- the bush area is overgrown with weeds – rehabilitate with natives
- the bush area is used for unauthorised camping
- Request to extend the boardwalk to the beach area (Ben’s Point)
- Requests for more walking tracks through the bush

Management issues

- Inundation of land during and after floods
- Erosion of river banks after floods

- Damage to fixed structures after floods
- The “bushland” area has been a fire hazard concern in the past, particularly when homeless were living there. The RFS frequently attends to put fires out. Greater access to this area would be welcome and ensure that there is gate access for fire trucks.

Core objectives for Natural Area-Watercourse category

The core objectives for management of natural areas, as outlined in Section 36E of the LG Act, are 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
- maintain the land, or that feature or habitat, in its natural state and setting
- provide for the restoration and regeneration of the land
- 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
- assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*.

The core objectives for watercourses, as outlined in Section 36M of the LG Act, are 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
- manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability
- restore degraded watercourses
- promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

Permissible future uses and development

The general types of uses which may occur on community land categorised as Natural Area – Watercourse, and the forms of development generally associated with those uses, are set out in detail in Table 27. The facilities on community land may change over time, reflecting the needs of the community.

Table 27 Permissible use and development of community land categorised as Natural Area-Watercourse

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Active and passive recreation including children’s play, walking, running/ jogging, cycling, informal games • Aquatic habitat rehabilitation • Bush fire hazard reduction • Bush regeneration and rehabilitation works • Bushwalks – guided, self-guided • Dog exercise: on-leash, off-leash only in designated and signposted areas • Dredging – <i>Fisheries Management Act 1994</i>: Section 200 permit from DPE • Earthworks, including filling, levelling and drainage of land • Education (environmental and the like) • Emergency purposes, including field days 	<ul style="list-style-type: none"> • Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, barbecues, sheltered seating, shade structures • Bike track (pump, mountain bike) • Bins and other waste receptacles • Café or refreshment areas (kiosks/ restaurants) including external seating • Commercial development that is sympathetic to and supports use in the area, for example hire of watercraft and other recreation equipment • Development to improve access to/within the park, for example paths, steps, ramps • Drainage and irrigation structures and systems

Purpose/Use	Development to facilitate uses
<p>and training</p> <ul style="list-style-type: none"> • Environmental and scientific study • Environmental management and monitoring • Environmental protection, conservation and/or rehabilitation, for example foreshore stabilisation, eradication of noxious weeds or land regeneration • Festivals, parades, markets, fairs, exhibitions, ceremonies, and similar public events and gatherings • Filming and photographic projects • Fishing • Fitness training – personal, group • Flora, fauna, archaeological surveys • Group recreational use, such as picnics, barbecues and private celebrations • Interpretation of natural and cultural heritage • Landscaping and landscape maintenance • Low-intensity commercial activities (for example recreational equipment hire) • Nature study • Pest control (vertebrate, invertebrate) • Private ceremonies and celebrations such as weddings and birthday parties • Public address (speeches) • Revegetation activities • Riparian bank management and stabilisation • Riparian corridor management • Swimming, including use of inflatable devices • Vehicle access outside carparks and away from internal roads for maintenance and emergency purposes only • Water recreation activities using non-motorised watercraft including canoeing, kayaking, stand-up paddleboarding • Water testing and monitoring • Weed management (land and aquatic) <p>Note: Some of the uses listed above require a permit from the council.</p>	<ul style="list-style-type: none"> • Energy-saving initiatives such as solar lights, solar panels and batteries • Environmental facilities • Flood depth markers • Flood mitigation works, such as detention basins, realignment of water flows and banks, installation of pipes, culverts and other structures to assist in control of flood waters. • In-stream works to maintain/restore environmental or tide flows for ecological purposes • Landscaped areas – hard and soft structures, features • Life buoys/"angel rings" • Lighting: where essential for public safety and protection of assets while minimising light spill and impact on nocturnal animal habitat • Over water pedestrian structures such as bridges, observation platforms, jetties • Raised paths, including boardwalks • Recreation facilities (outdoor) • Security measures such as lighting and CCTV • Shelters and shade structures • Showers and taps – outdoor • Signage (fixed) - locational, directional, regulatory, warning and interpretive • Vehicle barriers • Viewing area/platform (less than 100m²) • Walking tracks and paths, boardwalks (low impact) • Watercraft launching facilities – ramps, steps, pontoons • Watercraft storage • Water play park – inflatable • Water-saving initiatives such as stormwater harvesting, storage and treatment systems, rain gardens and swales, sediment traps

Express authorisation of leases, licences and other estates - Natural Area – Watercourse

This plan of management **expressly authorises** the issue of leases, licences and other estates over the land categorised as Natural Area – Watercourse, listed in Table 28.

Table 28 Leases, licences and other estates and purposes for which they may be granted for community land categorised as Natural Area – Watercourse

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	21 years, or 30 years with approval from Minister	-
Licence	Depending on activity and agreement with Council	<ul style="list-style-type: none"> • Mobile kiosk selling light refreshments (but not restaurants) • Bicycle/boat hire or similar • temporary erection or use of any building or structure necessary to enable a filming project to be carried out, subject to conditions including the building or structure must be temporary, such buildings and structures must be removed, any damage to the land must be made good, and the land must be restored as nearly as possible to its condition at the time of granting the use agreement at the expense of the lessee/licensee.
Short-term licence	Depending on activity and agreement with Council	<ul style="list-style-type: none"> • scientific studies and surveys or similar • bicycle/boat hire or similar • temporary erection or use of any building or structure necessary to enable a filming project to be carried out
Other estates		<ul style="list-style-type: none"> • This PoM allows the council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the LG Act.

Action Plan – Natural Area-Watercourse

Table 29 Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Natural Area – Watercourse

Management Issues	Objectives and Performance Targets	Means of achievement of objectives	Manner of assessment of performance
Recreation			
Zoning	Ensure that zoning reflects the purpose of Crown land and the categorisation of community land	Rezone the part of the Macquarie Park zoned RU2 and categorised as Park to RE1 Public Recreation.	RU2 Rural Landscape rezoned to RE1 Public Recreation
Safe swimming area	Ensure the swimming area is as safe as possible	Update water safety signage. Install water safety signage closer to the beach and kayak ramp	Updated water safety signage installed close to river entry points

Management Issues	Objectives and Performance Targets	Means of achievement of objectives	Manner of assessment of performance
Water recreation opportunities	Facilitate a seasonal inflatable water park on the river subject to interest from water park providers	Enter into a licence agreement with a water park operator depending on interest	Provision of water recreation opportunities
Shade at the beach	Provide additional shade at the beach area	Investigate options to install shade/cabanas near the beach subject to flood suitability of the designs.	Increase in shade cover at the beach
Washing facilities	Provide washing/rinse off facilities at the swimming area	Install a tap/shower near the swimming area	Washing and rinsing facilities available at the swimming area
Waste management	Reduce waste left at the beach and swimming area	Install additional rubbish bins and dog waste dispensers and bins near the beach	Reduction in waste left on the beach
Access			
Pathways – foreshore	Upgrade the path along the river to a shared pathway	Construct a path/boardwalk along the foreshore and beach	Access along the foreshore and beach
Pathways – bushland	Improve access to the vegetated area to the west	Provide additional walking paths through the vegetated area	Access through the vegetated area
Emergency vehicle access	Improve access for emergency vehicles to the bushland area on the peninsula	Provide gate access to the vegetated area for fire trucks	Access for fire trucks to the vegetated area
Natural			
Riverbanks	Provide opportunities for people to sit and view the river on the riverbanks while ensuring that riverbanks are as stable as possible especially after floods	Undertake riverbank stabilisation	Increase in stability of riverbanks during and after floods
		Clear weeds from around the river bend in partnership with Landcare	
		Rehabilitate the riverbank with appropriate native plant species	
Bushland	Improve the quality and biodiversity of the bushland area	Undertake bush regeneration and weed management	Reduction in weeds

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Part 7: IMPLEMENTATION AND REVIEW

7.1 Management

Macquarie Park will continue to be managed by Hawkesbury City Council, as owner of community land and Council Crown land manager, in terms of facility management, use, improvements and maintenance.

Council will have oversight of any use agreements for activities in the park. Day-to-day management of leased and licensed areas will be the responsibility of any lease or licence holder according to the terms of the lease or licence agreement.

Allocation of staff for maintenance and capital works will be monitored by Council on an ongoing basis to ensure that standards are maintained. If new facilities or extensive works are required then the need for additional staff will be assessed.

Development of new facilities will be carried out by Council staff or by contractors engaged by Council. Council may also engage contractors to assist with the maintenance of Macquarie Park.

7.2 Implementation

Once a Plan of Management for a Crown reserve has been approved and adopted by the Minister, the Crown land manager must carry out and give effect to the plan. Once Hawkesbury City Council adopts this Plan of Management it is Council's responsibility to implement this Plan of Management.

Council must only allow uses or developments that are in accordance with the Plan of Management.

It should be recognised that commencement and completion of the recommended actions in this Plan of Management depends on available Council resources, funding, and Council's priorities in its annual works program. The priority of each action should be reassessed annually to determine if the stated priority is still relevant.

Implementation of this Plan of Management will be monitored at least annually with the preparation of capital works programs and budgets. Performance standards and works programs for administration, maintenance and upgrading works are revised each year to meet allocated budgets and works priorities determined in Council's Resourcing Plan.

7.3 Maintenance

Hawkesbury City Council would be responsible for maintaining Macquarie Park according to maintenance service agreements with their staff/contractors consistent with the maintenance works set out in the Asset Management Policy and Plan, and detailed service agreements.

Maintenance may be undertaken on a contract basis where this is efficient, cost-effective and delivers outcomes that meet Council's specified standards and the requirements of this Plan of Management.

Adequate Council staff and contractor resources should be allocated to maintain the reserves in a safe, usable and presentable condition through programmed monitoring, maintenance and replacement, supported by responsive and opportunistic maintenance works as required.

Maintenance requirements and performance standards will also be included in any lease and licence agreements where applicable.

7.4 Monitoring

Implementation of actions in this Plan of Management according to their assigned priorities will be regularly monitored by Council as land owner and Crown land manager through the preparation of annual performance reports, budgets, and capital works programs. This will involve staff supervision to check that actions are undertaken, regular site inspections, collection of data, and review of Council's financial statements. The results of this monitoring will be measured against the intended outcomes of this Plan of Management in order to assess the overall success of the implementation.

Commencement and completion of the recommended actions in this Plan of Management depends on available Council resources, funding, and Council's priorities in its annual works program. The priority of each action will be reassessed annually to determine if the stated priority is still relevant.

If the proposals set out in the plan are not being met, Council would consider either devoting more resources to its implementation, or where this is not feasible, proposing certain amendments to the plan with the permission of the Minister.

7.5 Funding

This Plan of Management and Master Plan is not a commitment by Hawkesbury City Council for funding.

It is not anticipated that the list of actions in the Action Plan would be completed in the short to medium term.

Provision of funding would be guided through Council's annual Operational Plan and priorities as they arise.

Council has limited funds, and as such may rely on developer contributions, external grants, partnerships with user groups, and other sources of funding for future management of and improvements to Macquarie Park. Such funding will be sought from a range of government, Council, corporate, user groups and community sources on an ongoing basis as required.

Commonwealth and State government grants available to assist with capital works and improvement project costs at Macquarie Park include the Crown Reserves Improvement Fund and Metropolitan Greenspace Program. Council considers submitting applications for grants as relevant funding opportunities from various agencies arise.

7.6 Reporting

Achievement of actions listed in this Plan of Management will be reported using Council's Integrated Planning and Reporting Framework.

Achievement of major actions in constructing the park will be reported in Hawkesbury City Council's Annual Report and community newsletters.

Income, expenditure and achieved actions regarding Macquarie Park will be reported to Council in each financial year.

Council will report on the progress of implementing this Plan of Management in the following ways:

within Council's Integrated Planning and Reporting framework.

including achieved and proposed actions in its quarterly and annual reports.

Listing income and expenditure in the annual financial audit.

when preparing capital works and maintenance budgets.

engaging with the general community.

providing information flyers and newsletters to adjoining residents and other stakeholders.

7.7 Change and review of this Plan of Management

This Plan of Management will require regular review in order to align with community values and changing community needs, and to reflect changes in Council priorities. Council has determined that it will review the Plan of Management within 10 years of its adoption. However, the action plans and performance of this PoM will be reviewed on a yearly basis to ensure that the park is being managed in accordance with the PoM, is well maintained, and provides a safe environment for public enjoyment.

Council may continue to acquire or divest land for the benefit of the community. Land may also come into Council's ownership by dedication of land for open space. The appendices to this Plan of

Management may be updated from time to time, reflecting significant changes to the condition of the community land, or to reflect new acquisitions or dedications of land.

The community will have an opportunity to participate in reviews of this Plan of Management.

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APPENDIX A – LEGISLATION RELEVANT TO MACQUARIE PARK

A.1 State government legislation

A.1.1 Environmental Planning and Assessment Act 1979

Introduction

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

This Act is the enabling legislation for planning policies which may have a direct influence on open space management as follows:

state-wide level: State Environmental Planning Policies (SEPPs)

local level: Local Environmental Plans (LEPs) and Development Control Plans (DCPs).

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

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 contains:

- provisions seeking to protect and preserve bushland within public open space zones and reservations. *Bushland* means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation
- provisions to protect the environment of the Hawkesbury-Nepean River system.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The SEPP (Transport and Infrastructure) 2021 assists local Councils and communities by simplifying the process for providing essential infrastructure and enabling greater flexibility in the location, development and maintenance of infrastructure and service facilities. It includes specific planning provisions and development controls for a range of infrastructure works or facilities including parks and other public reserves, roads, emergency services, electricity delivery, and telecommunications networks. The clauses relevant to permissible works in Macquarie Park are in Section 5 of this plan.

State Environmental Planning Policy (Coastal Management) 2018

The SEPP (Coastal Management) 2018 gives effect to the objectives of the *Coastal Management Act 2016* from a land use planning perspective, by specifying how development proposals are to be assessed if they fall within the coastal zone. It spatially defines four coastal management areas prescribed by the Act through detailed mapping and specifies assessment criteria applicable for each coastal management area for Councils and other consent authorities to apply when assessing development proposals within a respective zone/zones (as mapped).

Macquarie Park is within the Coastal Environment Area as shown in the figure below. Management objectives for the Coastal Environment Area are in Section 4.

Extent of the Coastal Environment Area in Macquarie Park

Coastal Viewer Legend

Coastal Wetlands and Littoral Rainforest Area Map

Coastal Wetlands

Proximity Area for Coastal Wetlands

Littoral Rainforests

Proximity Area for Littoral Rainforests

Coastal Vulnerability Area Map (Note: No map at this time)

Coastal Environment Area Map

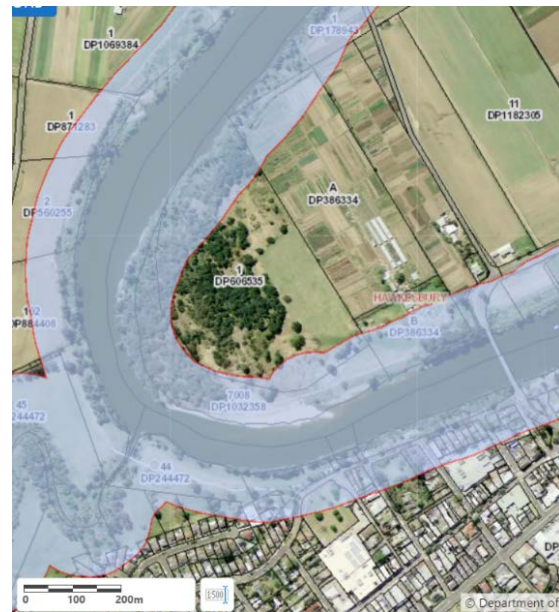
Coastal Use Area Map

Land Application Map

Local Government Area

Land Zoning

Administrative Boundaries



A.1.2 Other state legislation

In addition to the requirements of the acts and environmental planning policies listed above, any future decisions made in relation to the use, management and development of Macquarie Park should be in keeping with this Plan of Management and consider the requirements and obligations in other relevant plans or policies. Consideration should be given, but not be limited, to the following:

- *Biodiversity Conservation Act 2016*
- *Biosecurity Act 2015* addresses the control of declared noxious weeds, environmental weeds and pests
- *Catchment Management Authorities Act 2003*
- *Coastal Management Act 2016*
- *Companion Animals Act 1998* provides for the declaration of Wildlife Protection Areas, requires environmental initiatives by Councils to promote responsible animal ownership, provides for owners to have effective control of dogs and cats in public places, and prohibits dogs within 10 metres of a playground and food preparation/consumption areas and some recreation areas
- *Disability Inclusion Act 2014* provides for the provision of services for, and inclusion of, people with a disability
- *Fire Brigades Act 1989* and *Rural Fires Act 1997* address fire and bushfire risk and safety issues, risk reduction and management (including local council responsibility for the construction and maintenance of fire trails on public lands they manage). The *Rural Fires Act 1997* also contains provisions for the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone lands.
- *Fisheries Management Act 1994* includes provisions for the management of state fisheries, including the conservation of fish habitats, threatened species, populations and ecological communities of fish and marine vegetation and management of the riparian zone, waterways and threatened marine/freshwater aquatic species. This relates to community land categorised as natural area (foreshore, watercourse or wetland).
- *Heritage Act 1977*
- *Local Land Services Act 2013* addresses land, water, natural resources and biosecurity management
- *Pesticides Act 1999*
- *Protection of the Environment Operations Act 1997* addresses environmental offences, air quality, water quality, pollution control and noise control
- *Smoke-free Environment Act 2000* and *Smoke-free Environment Regulation 2016*
- *Soil Conservation Act 1938* addresses the mitigation of erosion and conservation of soil

- resources
- *Water Management Act 2000.*

A.2 Greater Sydney, District and regional plans

A.2.1 Strategic landuse plans

The *Greater Sydney Region Plan: A Metropolis of Three Cities* outlines a vision for a metropolis of three cities where the people of Greater Sydney live within 30 minutes of their jobs, education and health facilities, services and great places.

Public open space is identified across several directions of the Greater Sydney Region Plan. The following directions for Liveability and Sustainability of Greater Sydney, and the objectives and strategies which flow on from them, are set out below. Actions relating to each strategy are derived from the Western City District Plan which follows on from 'A Metropolis of Three Cities'.

Table 30 Directions, planning priorities, objectives, strategies and actions for Greater Sydney and the Western City District

Directions	Planning Priority	Objectives	Strategies / actions	
Sustainability				
A city in its landscape: Valuing green spaces and landscape	W12	Protecting and improving the health and enjoyment of the District's waterways	25 The coast and waterways are protected and healthier	67 Protect environmentally sensitive areas of waterways.
				68 Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water-based transport.
				69 Improve the health of catchments and waterways through a risk-based approach to managing the cumulative impacts of development, including co-ordinated monitoring of outcomes.
	W14	Protecting and enhancing bushland and biodiversity	27 Biodiversity is protected, urban bushland and remnant vegetation is enhanced	72 Protect and enhance biodiversity by: <ul style="list-style-type: none"> - supporting landscape-scale biodiversity conservation and the restoration of bushland corridors - managing urban bushland and remnant vegetation as green infrastructure - managing urban development and urban bushland to reduce edge-effect impacts.
	W15	Increasing urban tree canopy cover and delivering Green Grid connections	30 Urban tree canopy cover is increased	73 Expand urban tree canopy in the public realm.
			32 The Green Grid links	74 Progressively refine the detailed design and delivery of:

Directions	Planning Priority	Objectives	Objectives	Strategies / actions
			parks, open spaces, bushland and walking and cycling paths	<ul style="list-style-type: none"> - Greater Sydney Green Grid priority corridors and projects important to the District - opportunities for connections that form the long-term vision of the network - walking and cycling links for transport as well as leisure and recreational trips.
	W16	Protecting and enhancing scenic and cultural landscapes	28 Scenic and cultural landscapes are protected	76 Identify and protect ridgelines, scenic and cultural landscapes 77 Enhance and protect views of scenic and cultural landscapes from the public realm
	W18	Delivering high quality open space	31 Public open space is accessible, protected and enhanced	80 Maximise the use of existing open space and protect, enhance and expand open space by: <ul style="list-style-type: none"> - providing opportunities to expand a network of diverse, accessible, high quality open spaces that respond to the needs and values of communities as populations grow. - providing walking and cycling links for transport as well as leisure and recreation trips
A resilient city: Adapting to a changing world	W20	Adapting to the impacts of urban and natural hazards and climate change	37 Exposure to natural and urban hazards is reduced	87 Support initiatives that respond to the impacts of climate change.

A.2.2 Green Grid plans

Macquarie Park is part of the Greater Sydney Green Grid, a network of high quality green spaces connecting streets, parks, waterways and bushland to public transport, centres, and public spaces. The relevant components and objectives of the Sydney Green Grid include:

Recreation Grid:

- Increase access to open space
- Create a high quality and active public realm

Ecological Grid

- Conserve the natural environment
- Adapt to climate extremes
- Increase urban greening
- Improve management, maintenance and sustainable greenspace design

Blue (Hydrological) Grid

- Increase environmental quality
- Reveal the unique character of Sydney's waterscapes
- Reframe waterways as connectors not barriers.

A.2.3 Recreation plans

Greater Sydney Outdoors Survey

The NSW Office of Open Space and Parklands (Department of Planning, Industry and Environment) completed the Greater Sydney Outdoors Survey into the recreation needs of Greater Sydney in 2019. Through the study they learnt what Sydneysiders like to do outdoors:

They love experiencing the outdoors on foot, going for runs, enjoying long hikes and taking in the view on leisurely strolls.

Water is important to everyone, whether it's swimming at the beach or picnicking by a river you really love being around it.

Connections matter, a lot of Sydneysiders spend time in Sydney's open spaces together with friends, family and your dogs.

Compared to Greater Sydney as a whole, West District residents participate generally less in outdoor recreation activities, except for walking the dog.

80% of Western City District residents agree with "Having good outdoor recreation areas and waterways is a great way to bring the community together."

Western City residents (57%) were less likely than All Sydney residents (67%) to agree with "I have good access to outdoor recreation areas in the area where I live."

81% of Western City District residents travel by car to outdoor recreation areas, with an average travel time of 30 minutes. Similarly 83% of Western City District residents travel by car to waterways, with an average travel time of 50 minutes. Therefore easy access to outdoor recreation areas, particularly waterways, is important to Western City District residents.

DPE learnt that Western City District residents would like to see:

- more open spaces in the local area, to help increase participation in outdoor recreation
- open spaces that assist in building a greater sense of community
- higher quality parks, with good facilities
- improvements to walking and cycling networks, to help get to outdoor recreation areas without a car
- protection of existing open spaces and other recreational areas for future communities
- more opportunities for swimming and water-based activities in the local area
- open spaces that feel safe and provide for multiple uses.

The results are intended to assist local Councils with their recreation planning. Many of these desired outcomes are or can be accommodated in Macquarie Park.

A.2.4 Hawkesbury River plans

Hawkesbury Nepean Flood Risk Management Strategy

The *Resilient Valley, Resilient Communities: the Hawkesbury-Nepean Valley Flood Risk Management Strategy* is a long-term plan for the NSW Government, local councils, businesses and the community working together to manage the risk posed by regional floods in the Hawkesbury-Nepean Valley. It aims to reduce the potential flood risk to life, the community and the economy.

APPENDIX B COMMUNITY ENGAGEMENT OUTCOMES

This kind of space brings families from the Hawkesbury and beyond out to eat and enjoy the river surrounds

Its location is walking distance from Windsor cbd which is popular with tourists. The open space and riverside location is relatively unique to North West Sydney and it highlights what the Hawkesbury is proud to offer

Many families use it as a meeting place for reunions and get together as it suits adults and children.

A local river with sand is a rare gem

It is a great place to spend with the kids or even to enjoy and relax

This park has so much to offer our community and has so much potential. The restaurant is a bonus when you don't want to bring your own food

Provides a place for people to enjoy and also brings people in to support the local small business that serves food

Any park with river access and shelter is important

Kids use this park all the time

It's important there is money invested in family friendly spaces

It's a great park and the food is delicious
Very well used

There are no other parks with restaurants

Lots of parks around Windsor, less in other areas. Everyone has to drive to this park

These parks are vital for our community, it gives children a safe space to explore and socialize as well as supports family wellbeing and mental health being outdoors and connecting with others.

Such a nice area to relax and enjoy the serenity

The park has huge potential. It is already heavily used

Its the entry to our local beach

Great place for mums to get together plus I always see retirement and special needs groups utilising the park

Families love using the beach

It adds to Windsor's character

The park is such a great area by the river facilities and a cafe restaurant

Community would be at a loss without it close to the town centre. Has facilities. Has disabled access to river

It wouldn't be the same without it. The Hawkesbury needs to embrace and utilise spaces by the river

Parks are a great learning experience for young children and also a escape for parents to get out of house

We need parks, we get so many tourist and ski people in the area, parks are so busy

It's great to have beautiful clean parks to enjoy
I find it so beautiful

Fresh air = sanity

improvements over recent times and the cafe being run well, have made this a very much a more used location

It is the only park i visit in the Hawkesbury as the kids can have fun and enjoy a great lunch

It's a great community space. With the previous upgrades it's made it more user and family friendly

its there to be used like other places

Great for the whole community

Should remain open to public and be free

It's very important esp during covid

I think it's quite important to our area as it makes a nice spot for families to come and gather with great food a place for the kids to play and a beautiful park it's a great little spot

It's a really well looked after playground

It has the potential to become significantly important

It is important but not as know as other parks

Used well by locals and visitors

Go there often enough find it pleasant and not too far from home

It is a feature of the Hawkesbury. Not everyone uses it but it is a great asset.

Especially because we live far from the ocean, it's a place to go that is similar but close

It's just a park

It should be more utilised by the council, business and locals

It is a great place as it is

There are more important places such as the mall at Windsor or the river walk as it is more accessible to the invalid due to its concrete pathways

It is close to the main town area, and has the potential to be a great point of attraction to locals and visitors alike

Close to top end of Windsor, easily accessed, relaxed atmosphere

Events people attend

Events attended by visitors to Macquarie Park are mostly birthday parties and family

- The interior of the restaurant needs a face lift. At present it looks like a school canteen. Lucky the food is nice
- The restaurant building is disgusting and turns me off eating there
- Emu Hall is a good example

More covered/shaded picnic tables/facilities (15)

- More tables and chairs with trees for shade
- More picnic tables/ sheltered seating
- More covered picnic shelters in/near the playground. In summer it gets so hot sitting in the sun especially if the children want to play for an hour or more. You have got to be quick especially on weekends to grab a under cover seat.
- More under cover seating /picnic seating
- Additional trees for shade and tables for picnics.
- more shelters and picnic tables
- Spread out, further away from river, shaded by solar roofs

More rubbish bins (6)

- Shame to find it full of rubbish and empty bottles from teenagers partying, renting there.
- Somehow improve the bins or rubbish situation closer to the river as rubbish always left on the beach and only picked up by volunteer locals
- a bin or bins closer to beach area to encourage people to take rubbish
- more bins and attention to park areas by cleaning up rubbish left, instead of weekdays only.

Play equipment for younger and older children (6)

- A play area for toddlers and separate area for older children.
- Fenced playground area that caters to all age groups of children
- include an area for the younger ones
- More preschool play things in the park, most is for older children
- spaces for all aged children

Play equipment for older children (3)

- My children have sadly outgrown the playground. We'd love to see a giant flying fox

- More equipment for older aged children to use.
- The large climbing pyramid already in place is great and could remain

Remove bark chip softfall (5)

- Bark chips are a nightmare in crawling babies pants and even walking kids
- not so much wood chip/bark surfaces
- The softfall degrades over time and the bark chip gets everywhere.

Better/upgraded toilets (4)

- they have a reputation as an 'undesirable area' because of certain men's activities

Improve cleaning of the park (2)

Clean up beach area (2)

The tables are never cleaned and the toilets aren't much better.

Bike/scooter track for young kids (4)

- Possible kiddie scooter area.
- It would be great if the path around the play equipment was a loop so kids riding their scooters etc can keep going round and round rather than stop at dead ends.
- Better bike track

Skate park (3) for the older children.

Bike tracks for older children/adults (4)

- Pump track (1)
- Mountain bike track (1)
- a large bike track for the kids
- Maybe something for older kids even a bike track

Additional cafes and eateries (6)

- to turn it into more of a destination
- Develop restaurant and bars along the rivers edges
- Would be nice to see more restaurants there
- pull down the restaurant building and build some new restaurants there. Something like the restaurants at the Nepean river.

Boat launching/berthing facility (3)

- Wharf (1) to berth larger boats and bring additional income to Windsor
- Boat ramp (1)
- Floating pontoon (1). If the pontoon is to be refurbished it should be a floating pontoon which moves with the tide height. A static pontoon is not usable. The current 'ramp' style pontoon is ok.

Nature themed playground (2)

- nature inspired playground like timber elevated bridges connecting platforms and slides/climbing wall/tunnels etc that is functional for both small children and older children. The less plastic that quickly fades and looks dated, the better.
- Modernise playground but keep with the nature theme (similar to new Parramatta Park playground)

Secondary playground down the back

the ground around the play equipment is very uneven I have seen little ones fall

More/improved tables/seating (5)

more picnic tables and seating
 more picnic spots along the riverbanks
 more tables
 Improve seating/tables
 Large and small picnic shelters

Space for live music (2)

- Brisbane riverside set up have got it perfectly right!
- Sundays a band playing and food trucks and pop up bar to sit and relax with the family.

Gardens (4)

- edible gardens (1)
- themed garden area to walk through (like Hunter Valley Gardens storybook section or Fagan Park countries and regions)
- update gardens around cafe for wedding photos
- native gardens

More community events there (2)

- Would be nice to see more concerts there

- Casual hire of the grassed flat area for dog training or small functions markets or food trucks, car shows etc

Function space (2)

- Not sure why the space upstairs isn't used
- Update restaurant area to include an event centre for hire for weddings etc

More barbecue areas (8)

- Covered picnic areas with additional BBQ spaces.
- Provide more BBQ shelter/BBQs so more people can feel confident to obtain one when visiting.
- install bbq shelters/amenities at the bushland end to stop the messy 'camping' that goes on in that area.
- Perhaps more picnic shelters past the car park to spread groups out. With bbqs
- Provide a picnic shelter and barbecue near the beach
- free electric BBQ space

Fix the broken barbecue (1)

Booking system for barbecues (1)

- might be good to make some bookable with payment for larger groups/events. With residents getting 1 or 2 free per year and non residents having to pay.

Safety signage (1) to warn people about the dangers of the river currents etc. So many people and kids think they can swim across. The signage is nowhere near the beach and is out of date. People are drowning here - do something about it

Safe swimming area (2)

- like Redleaf Pool in Double Bay - more families would come.
- designated swimming area

More gym equipment (1)

Wash facility near beach (1)

- Somewhere to wash your sandy feet

Clean, maintained area for swimming (1)

More toilet facilities (1)

Toilets cleaned regularly (1)

Bathrooms closer to the playground.
Magpie near toilets to be 'taken care of' ☹️

Clean up rubbish (1)

More rangers to patrol and manage the rubbish left behind by visitors (1). Currently is a tip after the weekends

Support for new clubhouse (2)

The proposed community building for paddle sports will be an asset to the public and water sports enthusiasts will have a base to grow the sport

If a rowing clubhouse is to be built, could it be screened with a suitable natural belt of vegetation, and the appropriate security supported to discourage vandalism.

Off-leash dogs

- More policing of off-lead dogs

Shade at the beach (2)

- Some kind of shaded area to sit and be able to watch the kids at the beach would be good; it is very hot and very easy to get burnt at the beach
- More shade cabanas down near beach area

Camping (2)

- A travellers rest overnight stay created in the open area near beach area at a small cost
- more camping spots along the riverbanks.

Dog park would be great

there is lots of open area and a nice long bush walks where we can take the dogs for a walk

Allow off leash for dogs

I believe the beach should be available to dog owners either early mornings or late afternoons during peak times (say before 8am and after 5pm, during summer and before 9am and after 4pm during the shoulder months) and all day during the winter months.

a dog poo bag dispenser at a couple of locations

Install dog waste bag dispensers and bins near the beach

Improve the kayak ramp with rollers

Maintenance on sloped area from car park to the river to allow people to sit on the banks and enjoy the view. Maintained well on the flat top area but slopes become overgrown and neglected.

Improve lighting

More things to do closer to the water

Natural

Clean up the bush area (5) to make it nice to walk through instead of a place where vagrants get drunk, take drugs and defecate, and people dump cars.

- Under-scrub the bush land area
- remove weeds
- rehabilitate with endemic natives
- Please clean up the bushy areas, poo, and squatters with dogs

Manage the weeds (2)

- mowing program just spreads weeds around the district
- More funding or support for local landcare groups to clear noxious weeds and shrubs/trees around the bend of the park and into the revegetated sand land area.

Access

More/better parking (7)

- more parking around the restaurant on weekends very busy.

River walk (4)

- a river walk would draw in a lot of users
- We would love to see a pedestrian bridge connecting the end of Macquarie Park with Deerubbin Park - this would enable to great walking/cycling loop and better flow for the large number of people who enjoy recreational exercise along the river and across the bridge - much like the Great Riverwalk in Penrith.
- I have a vision of Macquarie Park being linked to the walk on the other side of the river at both ends to create a circuit walking track, similar to the river walk in Penrith. We need more safe and interesting places for the community to be able to walk and exercise. Where I live on Comleroy Road, it is not safe to walk as there are no pathways so we need to drive to other locations. I think this would be a huge attraction for our community.

Walking and bicycle paths (4) from new bridge

- to ride a bike all the way from the new bridge to the beach area
- A path from the new bridge and up to the playground would mean people could walk/ride there more easily from Windsor side

Better access road (2)

- the current road access past the cafe is very unsatisfactory.
- The entrance road needs attention

Better access to the beach (3)

- Better walkways to the beach area
- Extend the board walk to the beach area (Ben's Point)

Entrance walls and signage repair, upgrade, or even better replaced with sandstone block wall.

Better paving for walkers from park entrance (old brick paving with suitable concrete base) please.

A walking path to the toilets (1) would be good for better access

Stop unauthorised vehicle access into the paddock area (1) maybe install some cctv.

More accessible play area (1)

A crossing, speed humps coming off play area gate to restaurant. It's dangerous for kids.

Better sealed access to the car park

Additional formal parking towards Ben's Point

a few tracks further along the river opened up for bush walking

More defined walking paths from end of carpark along bush area above river.

More paths

Add an extended path down the side of the ramp as this always washes away in heavy rain.

Open space

Better use of grassed areas (2)

- The top field is wasted space

- The vacant reserve area next to the restaurant building could be cleaned up and converted into a sports ground or playground area. It is untidy and unsightly as it is.

Fix all the divots in the grassed area (1) from the morons who have torn it up in their cars

More weed control in the open grassed areas, bindis and khaki weed is rife in our parks

Better maintained, up keep, mowing

Very underdeveloped

Open it up a bit.

Other

Better advertising, online, social media etc.

I was hoping the old bridge was retained as a safer and quieter access to the park.

New park

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