



Plan of Management

Finley Senior Citizens Hall

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1. Introduction

1.1. Legislative requirement

Section 36 of the *Local Government Act 1993* (the Act) requires the Council to prepare a Plan of Management for all community land it holds.

1.2. Other plans and documents

In preparing this plan, Council has endeavored to ensure compatibility with Council's suite of plans and policies, which include:

- Berrigan Shire Council Local Environmental Plan 2013
- Berrigan Shire 2032 (Community Strategic Plan)
- Berrigan Shire Council Asset Management Strategy
- Berrigan Shire Council Corporate and Community Asset Management Plan
- Berrigan Shire Disability, Access and Inclusion Plan

1.3. Link to Delivery Program

This Plan of Management is developed to assist the Council with Delivery Program Objective 3.2.1:

Provide opportunities for life-long learning, culture, and recreation.

1.4. Proposed future use of the land

This plan provides specifically for further development of the land to provide a space for Finley Arts Network Inc. to provide cultural and social opportunities for a diverse group across Berrigan Shire.

The plan outline strategies for the ongoing management of the land detailing Council's expectations in relation to matters such as:

- general condition and useability,
- suitability for all people regardless of physical ability,
- health and safety concerns,
- environmental concerns and
- cost effectiveness.

Council's focus in this plan of management is to:

- improve accessibility to arts and culture for people of all ages and levels of ability,
- avoid the need to construct a new facility,
- maintain the standard of amenities provided,
- address health and safety issues and

- address environmental issues.

2. Property details

2.1. Land subject to this plan

This Plan of Management applies specifically to the Finley Senior Citizens Hall, described as Lot 21 DP 584045, with a street address of 78 Denison St.

The parcel is 1,017ha (i.e., a “quarter-acre” block)



2.2. Description of the land at the time of the preparation of the plan

The land is a level block situated in a transition zone from the commercial precinct on Murray Street to the surrounding residential area. It is adjacent to the Finley Local Court, across the rear lane from the Finley Library and close to the Finley TAFE campus and Rotary Park. Opposite on Denison Street, is residential housing.

The land contains a building constructed from fibrous cement sheet (fibro). On the street side of the building is a basic, low maintenance garden. Behind the building is an area covered in

road aggregate used as car parking with access from Foundry Lane. A small chain-link cage sits behind the building.

The building is connected to water and sewer services. Electricity and NBN connections are available.

2.3. Land status and ownership

The land is freehold land owned by Berrigan Shire Council.

2.4. Land classification

The land is classified as “community” land under the Act.

2.5. Current management regime

Council currently directly manages the land. The building is occupied by Finley Arts Network Inc. under an informal occupancy agreement.

2.6. Condition of the land and structures on adoption of the plan

The land and buildings are in fair condition. The garden is basic and functional. The exterior of the building is neat. The interior of the building is dated but functional.

2.7. Condition of the land and structures on adoption of the plan

The building is used by Finley Arts Network Inc. to provide a workspace for local artists and an area for local arts event, workshops and exhibitions.

3. Management issues

3.1. Council’s purpose statement

We lead and empower our Council team to build a better future for our community.

3.2. Berrigan Shire 2032

The community of Berrigan Shire has adopted this preferred vision for the future.

In 2032 we will be recognised as a Shire that builds on and promotes our natural assets and advantages to create employment and economic activity to attract residents, families, and tourists.

Comprehensively reviewed with our communities in 2016 through street stalls and an online survey the vision reflects the top 3 preferred futures of our communities that:

1. families with young children will want to live in or come to the area,
2. people will be more concerned about their health and wellbeing and

3. tourists will go out of their way to come to the area.

4. Management objectives

4.1. Land categorisation

Council is required to categorise the land according to its use type and to manage it to achieve the core objectives for the land categories.

The Act provides guidelines for choosing the category, or categories, to be applied. A parcel may be categorised as one or more separate categories according to its use and the characteristics of the land.

Council proposes to manage the Finley Senior Citizens Hall land as an “area of general community use” reflecting its current use.

4.2. General community use

Section 36I of the *Local Government Act 1993* states:

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public--

- a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, 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).*

4.3. Threatened species

The land is previously developed urban land. Use of the land is not expected to impact on native wildlife.

4.4. Future use and development of the land

The Council proposes to continue to use the area categorised as for “general community use” for community purposes. The plans permit alterations to the existing facilities to accommodate community services providers and the provision of new facilities to meet additional demand.

Council proposes to issue a lease over the land for its use as a community arts hub.

Attached as **Appendix 2** is a schedule in terms of Section 36(3A)(b) specifying the purposes for which the land and any existing buildings or improvements will be permitted to be used, the purposes for which any further development of the land will be permitted whether under lease or licence or otherwise and the scale and intensity of any such permitted use or intensity.

Council has prepared strategies to enable it to effectively manage this land and has established some means of measuring its performance. The strategy plan is attached as **Appendix 3**.

4.5. Leases, licences and other estates

The Plan expressly authorises the lease or licensing of all or part of the land and buildings or the granting of any other estate over the land subject to the provisions of sections 45 and 46 of the *Local Government Act 1993*. Applications for a lease, licence or grant of an estate will be considered by Council on their merit.

Any lease or licence will need to be for the purpose of meeting the core objectives for the land.

A lease or licence for a term exceeding 5 years may be granted only by tender in accordance with Division 1 of Part 3 of the Act unless it is granted to a non-profit organisation. The Council may however apply a tender process in respect of the grant of any particular licence or estate over the land.

4.6. Approvals

Berrigan Shire Council Local Environmental Plan 2013

The land is zoned RU5 (Village)

Any development on the land must be in accordance with the objectives and permitted works applying to that zone.

Within that zone, development is subject to development consent.

Activities Requiring Council Approval (s68 of the Act)

The Act provides the following activities on community land will be permitted only with the prior approval of the Council in writing:

- Engage in a trade or business.
- Direct or procure a theatrical, musical or other entertainment for the public.
- Construct a temporary enclosure for the purpose of entertainment.
- For fee or reward, play a musical instrument or sing.
- Set up, operate or use a loudspeaker or sound amplifying device.
- Deliver a public address or hold a religious service or public meeting.

Note: the erection of an advertising sign is considered to be engaging in a trade or business.

Advertising and signage

The erection or display of advertising and signage within New South Wales is subject to State Environmental Policy No 64 – Advertising and Signage.

(1) This Policy applies to all signage:

- (a) that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent; and

(b) is visible from any public place or public reserve, except as provided by this Policy.

Prohibited activities

This plan prohibits the following activities on the land:

- Any activity that interferes with the public's use and enjoyment of the premises (including littering, breaking glass, writing graffiti on structures or intentionally damaging the grounds or structures).
- Any activity that interferes with adjoining property owners' quiet enjoyment of their own properties.

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5. Appendices

Appendix 1 – Pictures of Finley Senior Citizens Hall



Appendix 2 – Permitted uses and development

Purposes for which the land and any existing buildings or improvements will be permitted to be used.(Sec 36(3A)(b)(i))	Purposes for which any further development of the land will be permitted whether under lease or licence or otherwise.(Sec 36(3A)(b)(ii))	The scale and intensity of any such permitted use or development. (Sec 36(3A)(b)(iii))
Land for general community use		
Community centre building used to accommodate community groups delivering education, recreation, cultural, health and community services.	<ul style="list-style-type: none"> • Amenity lighting, fencing and landscaping • Storage facilities associated with use of the land. • Car parking and access 	The maximum scale and intensity permitted under the LEP or any Development Control Plan affecting the land.

Appendix 3 – Action plan

Outcome	3. Supported and engaged communities		
Delivery Plan action: 3.2.1 Provide opportunities for life-long learning, culture, and recreation			
Item	What will we do?	What will be the result?	How will we know if we succeeded?
1	Maintain building to an acceptable standard to permit continued occupation	The building will be able to safely deliver services at its agreed service level	Building is occupied and delivering services safely and effectively
2	Act promptly upon any requests for repairs to or maintenance of any facility or infrastructure on the land.	Repairs and maintenance are promptly addressed.	Building is free from defects affecting service delivery.
3	Minimise the cost of grounds maintenance by ensuring any new landscape design and construction includes where practicable: <ul style="list-style-type: none"> • low maintenance plants and • reduced lawn areas to minimise irrigation and mowing costs 	The grounds can be kept neat and tidy without excessive water consumption or staff and volunteer labour.	Grounds are kept neat and tidy
4	Provide for future management of all or parts of the community building by community-based organisations such as a committee of management, licensees, or lessees, subject to the requirements of the <i>Local Government Act 1993</i> and subject to continued operation of the land for general community use in accordance with the Plan.	A lease or licence is in place that complies with legislation and this Plan of Management.	The building is occupied under an instrument that complies with all legal obligations.
5	Conditions of Hire or Use Agreements provide adequately for use of the premises at levels that will not disturb the neighbouring residents or attract the attention of the Council's Compliance Officers or the Police.	Usage agreements for the building will clearly specify prohibited use of the facility.	Complaints from neighbouring residents can be dealt with an efficient and effective manner to the satisfaction of all parties.