

# **1. INTRODUCTION**

## **1.1 What is a Plan of Management?**

A plan of management provides the framework for managing public land. Warringah Council has designated Brookvale Park as a Specific Area in recognition of the value that the community has placed on the Park as well as the important sporting role the Park plays within Warringah.

It is a legislative requirement for Council to prepare plans of management for all land classified as Community Land. This classification means that the land is owned by Council and is managed for use by the community. The plans are to be consistent with the Local Government Act 1993 and other relevant legislation.

## **1.2 What are the aims of this Plan of Management?**

This Plan of Management aims to provide a clear, concise and practical framework for the management of Brookvale Park. It aims to be performance oriented in order to contribute towards Council achieving its strategic goals, vision and mission. As a means of achieving these aims, the Plan uses a values-based approach to land planning and management. This approach facilitates strategies which will protect and enhance the values, whilst identifying the issues which may pose a threat to these values.

The primary purpose of this Plan is to provide the community, users and Warringah Council with a clear statement on the future use and management of Brookvale Park. The efficient and appropriate management of this land is essential if its value to the community is to be maintained and enhanced.

In accordance with Council's broader goals and objectives, the Plan aims to:

- Identify and assess the Park's values and uses;
- Define the Park's role within the Warringah Local Government Area and regional context;
- Identify and assess key issues affecting the Park;
- Set a vision for the Park spanning the next 10 years;
- Establish management strategies and their relevant actions; and
- Develop a Master Plan.

### **1.3 Legislative Requirements**

All of Brookvale Park is Community Land and must be managed in accordance with the Local Government Act 1993. The Act requires that Council classify public land as Operational or Community and that plans of management be prepared for Community Land. The ways in which Community Land can be used and managed are strictly governed in accordance with an adopted plan of management and any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land.

Section 36(4) of the Local Government Act provides detail on the requirements of Community Land management, dealings a council can have in Community Land and information regarding the granting of a lease, licence or other estate.

Under the Local Government Act 1993 councils must prepare and adopt plans of management for all Community Land. A plan may apply to one or more areas of Community Land, providing all the Act's requirements are fulfilled.

The Act states that the plan must identify the following:

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

As this is a Specific Area Plan of Management it must also:

- Include 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;
- Include a description of the use of the land and any such buildings or improvements as at the date of adoption of the Plan;
- Specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used;
- Specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise; and
- Describe the scale and intensity of any such permitted use or development.

### **1.4 What Dealings Can a Council Have on Community Land?**

- Council has no power to sell, exchange or otherwise dispose of Community Land, except for the purpose of enabling that land to become, or to be added to, a Crown Reserve or land reserved or dedicated under the National Parks and Wildlife Act 1974.

- Council may grant a lease or licence on Community Land, but only in accordance with the Local Government Act 1993.
- Council may grant any other estate in Community Land to the extent permitted by the Local Government Act 1993.

The granting of leases, licences and other estates at Brookvale Park are detailed within Section 7.

## 1.5 How does this Plan relate to Council Strategic Planning and Documents?

In accordance with the requirements of the Local Government Act 1993, Warringah Council has adopted a coordinated approach to planning. This involves development of a number of linked strategic documents under the guidance of the Warringah PLAN 2002–2005. This Management Plan highlights Council’s commitment to protecting Warringah’s identity, high quality of life and enhancement of natural environmental, aesthetic, cultural, heritage and recreational values. Table 1 illustrates the framework for planning and this Plan’s relationship to other strategic documents which share the same guiding principles.

**Table 1: Warringah Council’s Strategic Planning Documents Flow Chart**



### 1.5.1 Strategic documents used in the preparation of this plan

The following Council documents have been used to assist and guide the strategic outcomes of this Plan, ensuring consistency in values, principles and policies:

- Environmental Strategy 2001;
- Recreation Strategy Plan 1999;

- Warringah Local Environment Plan 2000;
- Warringah PLAN 2002– 2005;

### **1.5.2 Other relevant Legislation and Policies**

The Plan must also be in accordance with the provisions contained within relevant legislation and policy guidelines, including but not limited to the following:

- Australian Heritage Commission Act 1975;
- Building Code of Australia;
- Catchment Management Act 1989;
- Design for Access and Mobility, Australian Standard 1428 (Parts 1-4) – 2001;
- Disability Discrimination Act 1992;
- Environmental Planning and Assessment Act 1979;
- Local Government Act 1993;
- Physical Access Policy, 1998;
- NSW Heritage Act 1997;
- State Environmental Planning Policy No. 64 – Advertising and Signage 2001; and
- Warringah Council Social Plan 2000 - 2004.