





Rappville Reserve Plan of Management (2020)

Prepared by Infrastructure and Environment Department June 2020

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Richmond Valley Council recognises the people of the Bundjalung nations as custodians and traditional owners of this land. We value and appreciate their unique role in the life of this region in the past, present and future.

GLOSSARY OF TERMS

Community land	Land that is set aside for use by the general public for community use. This includes land such as neighbourhood parks, sportsgrounds, bushland, wetlands, foreshores or watercourses.	
LG Act	Local Government Act 1993	
LG Regulation	Local Government (General) Regulation 2005	
LGA	Local Government Area	
РоМ	Plan of Management	
RVC	Richmond Valley Council	
Richmond Valley Made 2030 Community Strategic Plan (CSP)	· ·	
Richmond Valley Council Resourcing Strategy 2015-2025	The Resourcing Strategy focuses on the resources (time, money, assets and people) to achieve the goals of the CSP. The Resourcing Strategy consists of the Long Term Financial Plan, Organisational Development Plan, and Asset Management Plan. https://richmondvalley.nsw.gov.au/wp-content/uploads/2018/09/220198 Resourcing Strategy 2015-2025.pdf	

Introduction

Background

The Rappville Reserve is owned by Richmond Valley Council and is community land under the *Local Government Act 1993 (LG Act)*.

This plan of management has been prepared in accordance with the provisions of Part 2, Division 2, of Chapter 6 of the *LG Act*.

This specific plan has been developed for the use and management of the Rappville Reserve.

Aims and objectives

The plan of management aims to provide direction and continuity for the planning, resource management, maintenance, operation and programming of Rappville Reserve. It enables Council to proceed in an efficient and sustainable manner, helps reconcile competing interests, identifies priorities for the allocation of available resources, and facilitates public understanding.

Periodic revision of the plan enables changing social, economic and ecological conditions to be considered as they arise and, where necessary, be amended to reflect these changes.

The Rappville Reserve plan of management has been developed to meet the requirements of the *LG Act* specifically and to inform the public generally.

The plan will provide details of the use and management of the land and will identify the following:

- (a) the category of the land;
- (b) the objectives and performance targets of the plan with respect to the land;
- (c) the means by which Council proposes to achieve the plan's objectives and performance targets; and
- (d) the manner in which Council proposes to assess its performance with respect to the plan's objectives and performance targets.

Location and regional setting

The Richmond Valley Council local government area comprises an area of 3051 km² in the Northern Rivers region of NSW (figure 1.1). Consisting of the six town and village areas of Casino, Broadwater, Coraki, Evans Head, Woodburn, Rappville, numerous rural locations, with a combined population of 23,181 in 2016. This area encompasses a broad range of environments including coastal, riverine, urban, rural and natural settings.

Rappville is a small village located 35km south of Casino (figure 1.2). The village was originally known for the thriving timber industry, cattle grazing and dairy industries, and is located on the Sydney-Brisbane train line, however, the station has long closed. The most prominent building in the village is still the Commercial Hotel, also known as the Rappville Pub. The village also contains a post office, an Anglican Church, tennis courts and a primary school.

In October 2019 the village was devastated by a destructive bushfire which raced through the residential area leading to the loss of 10 houses, a sawmill, telephone exchange and community hall.



Figure 1.1: Locality Map of Richmond Valley Local Government Area – Regional Context



Figure 1.2: Rappville township

Land covered by this plan of management

This plan of management applies to Lot 1 DP 1155620, known as Rappville Reserve. The area of the land is approximately 6.116 ha. This plan was created under old system with limited folio creation, and as such the boundaries have not been investigated by the Registrar General.

Some of the Rappville Reserve facilities appear to encroach into Pearse Street road reserve (figure 1.3), however, the boundaries are undefined due to the lack of survey in this area. These facilities and the land, which form part of Rappville Reserve, are included in this plan of management.

Rappville Reserve is addressed as 9 Pearse Street, Rappville NSW 2469.



Figure 1.3: Rappville Reserve

History and significance

This land has been used for community involvement over many years, being the site for activities such as working dog trials, rodeo, camp draft, horse-drawn carriage training, overnight camping as part of a motorbike rally (planned stopover), Australia Day celebrations, community markets. Part of the land has been consistently leased for grazing.

Land zoning

Rappville Reserve is located on the north east corner of the intersection of Pearse Street. The parcel of land is approximately 6.116ha. The land is zoned RE1 – Public Recreation under Richmond Valley Council Local Environmental Plan 2012 (figure 1.4).

Adjacent land

The land uses to the north, east, and west are zoned RU1 - Primary Production and are characteristics of this zoning, comprising of a combination of rural dwellings, vacant underutilised land, bushland, and rural grazing land. South of Pearse Street the land zoning changes to RU5 - Village, this land uses incorporate dwellings, community facilities, and sparse distribution of small paddocks (figure 1.4).



Figure 1.4: Rappville Reserve, Richmond Valley Council Local Environmental Plan 2012 (LZN) Zoning Map

Ownership of the land

The land was vested to Council on the 17 June 1977.

Torrens Title for Council's ownership was established on 28 September 2011.

Categorisation of the land

Section 36 of the *LG Act* requires that 'community land' is to be categorised into one or more of the following categories:

- (a) a natural area
- (b) a sportsground
- (c) a park
- (d) an area of cultural significance
- (e) general community use

The land covered by this plan is classified as a 'sportsground', and 'general community use' (figure 1.5).

Clauses 102 - 111 of Division 1 of Part 4 of the LG Regulation provides guidelines and the purpose of land categorisations categorisation processes. They are as follows:

General community use

Land should be categorised as general community use under Section 36(4) of the Act if the land:

- (a) may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public; and
- (b) is not required to be categorised as a natural area under section 36A, 36B or 36C of the *LG Act* and does not satisfy the guidelines under clauses 102–105 for categorisation as a natural area, a sportsground, a park or an area of cultural significance.

The land does not contain any known recorded habitat of endangered or threatened species.

The land does not contain any known areas of natural or cultural significance.

Sportsground

Land should be categorised as a sportsground under Section 36(4) of the Act if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.



Figure 1.5: Rappville Reserve, categorisations of the Land

Other applicable legislation and plans

Under Section 35 of the *LG Act*, community land is required to be used and managed in accordance with a plan of management and any law permitting the use of land for a specific purpose. Table 1 sets out the legislation (other than the *LG Act*) which applies, or potentially may apply, to management and use of Rappville Reserve.

Table 1 – Main legislation applicable to Rappville Reserve

Legislation	Application to Rappville Reserve
Environmental Planning and Assessment Act 1979 (NSW)	This Act provides environmental planning instruments for development control at the State, regional and local levels. While this plan determines permitted uses in the Rappville Reserve specific activity or development, proposals will require assessments through a development application (DA) process under Part 4 of this Act. Where a proposal is likely to have a significant impact on the environment an environmental impact assessment (EIA) must be conducted under Part 5 of the Act. Where applicable, the DA and EIA processes consider and provide the public with information on the environmental, social, cultural and economic impacts of the proposed activity or development and enable members of the public to comment on the proposal. State Environmental Planning Policy (Infrastructure) 2007, Clause 65 permits specific development upon a public reserve without consent.
National Parks and Wildlife Act 1974 (NSW)	Under Part 6 of this Act, it is an offence to knowingly disturb an Aboriginal object or site without a consent permit issued by the Office of Environment and Heritage. Traditional Aboriginal cultural activities, conservation works, and emergency activities are exempt from this provision.
Heritage Act 1977 (NSW)	This Act covers the protection and management of non-Aboriginal heritage. It provides for listing of significant sites on the State Heritage Register or under local environmental plans.
Biodiversity Conservation Act 2016 (NSW)	This Act provides for the management of biodiversity conservation and native vegetation, including through a Biodiversity Offsets Scheme, declaration of Areas of Outstanding Biodiversity Value and protection of threatened species. It provides for the listing and protection of threatened flora and fauna species and ecological communities and the management of threatening processes. Any developments will need to demonstrate compliance with this Act.
Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)	This Commonwealth legislation provides for the protection of nationally significant threatened species and cultural heritage. There were no nationally significant matters under this Act within Rappville Reserve at the time of writing this plan. However, compliance with this Act should be demonstrated in consideration of future developments.
Biosecurity Act 2015 (NSW)	This Act provides for the management of animal and plant pests, diseases and contaminants which threaten the environment, biodiversity, the economy and the community. Regulations, policies and procedures for are being developed. This Act replaces a range of legislation including the <i>Noxious Weeds Act 1993</i> .

Rural Fires Act 1997 (NSW)

Under Section 63 of this Act public authorities have a duty to take steps to prevent the occurrence of bush fires on their land and minimise the danger of the spread of bush fires from that land.

Compliance with this Act may also need to be demonstrated for any future developments as areas of Rappville Reserve are identified as bush-fire prone land.

Richmond Valley Made 2030 Community Strategic Plan (CSP)

Richmond Valley Council Community Strategic plan 2030, *Richmond Valley Made 2030*, was adopted by Council in June 2017. This CSP sets out strategies to achieve Council's vision:

A great community with a relaxed lifestyle, beautiful environment and vibrant economy

Council's priority, *Connecting People and Places*, is about providing and maintaining amenities and open spaces which service the needs of the diverse community. To be able to create happy and healthy communities whom enjoy living and working together. Strategies relevant to this plan include:

- providing clean and well-maintained public recreation and sporting facilities, and outdoor spaces which are accessible and safe for everyone; and
- to create and provide and promote community places and spaces which encourage the community to participate in healthy active lifestyles.

Councils priority, *Growing our Economy*, is about providing an environment which allows the economy to flourish now and into the future. Strategies relevant to this plan include:

• increasing tourism for visitors and residents.

Richmond Valley Council Resourcing Strategy 2015-2025

Richmond Valley Council's *Resourcing Strategy 2015-2025* outlines the relationship between finance, people and assets as resources to deliver on services for the community. This incorporates asset management plans, Organisational Development Strategy and the Long Term Financial Plan.

This strategy is relevant to the plan through maintaining, renewal, rehabilitation and disposal of infrastructure assets at the Rappville Reserve. This is to ensure site infrastructure is managed in the most cost-effective manner ensuring financial sustainability whilst having the organisational resources to implement, support and provide ongoing maintenance and management of these facilities.

Rebuilding the Richmond Valley Community Revitalisation Plan from 2019 Bushfires

On 8 October 2019 the rural township of Rappville was devastated by fire which burned through the township and surrounding areas. Of the 30 homes in the village, 10 were destroyed by fire and a further six damaged.

The revitalisation plan aims to help the impacted community to recover, rebuild, grow and thrive. The Rappville village master plan, identified in the revitalisation plan, specifically identifies renewing site infrastructure including:

- Fire-damaged cattle yards and arena fencing
- Rural fencing
- Enhancing canteen, toilets and washroom facilities

The revitalisation plan identifies the need for telecommunication improvements, improved tourism opportunities such as camping, festival and sporting events, and community facilities which are relevant to this plan of management.

Existing uses and structures

Section 36 (3A ai - biii) of the *LG Act* requires that a plan of management is to include a description of the condition of the land and any buildings or other improvements on the land and their use as of the date of adoption of the plan.

Public use

The area identified 'general community use' comprises an area of approximately 3.415 ha. The area identified 'sportsground' has an area of approximately 2.78 ha. The sportsground oval consists of 1.28 ha includes open, mowed and fenced areas. The surrounding public facilities are maintained on grounds of approximately 1.5ha.

The Rappville Reserve is actively managed by Rappville Sporting Facilities Committee, exercised from Part 1, Section 355, of Chapter 12 of the *LG Act*. This committee acts on behalf of Council and manages this resource for the community.

This land is currently used for community events including Australia Day celebrations, a bull ride, and annual dog trials. Part of the land has a current lease for grazing (see Appendix C for current leased area).

Site infrastructure

Rappville Reserve currently has several public facilities, buildings and land improvements which include (figure 1.6).

- Buildings (announcers box, bar/display area, canteen, amenities)
- BBQ area with wood BBQ
- Fencing around oval, septic and portable fencing
- 3x table and seats with Colourbond roof
- Lighting
- 2x 10lt water tanks
- Effluent treatment (septic)

The photographs and condition assessment were performed as part of an asset revaluation on 10 February 2020 (see *Table 3*). The condition has been rated as per the following classification in *Table 2*.

Table 2 - Condition description

Table 2 – Condition description		
Condition Rating ()	Description	
0	Excellent –new asset	
0.5	Excellent – used but in excellent condition	
1	Very Good – no signs of defects	
1.5	Very Good – minimal signs of defects	
2	Good – some signs of wear and tear – no immediate intervention required	
2.5	Good – minor routine maintenance	
3	Average – minor to moderate routine maintenance	
3.5	Average – moderate routine maintenance	
4	Significant renewal – poor condition with extensive wear and tear or defects	
4.5	Significant renewal – severe defects requiring replacement or reconstruction	
5	Very poor – no longer providing acceptable level of service. If action is not taken, asset will need to be closed or decommissioned	

Table 3 – Current condition assessment of building, structures and land improvements

Building - bar/display area

Structural shell constructed of weatherboard cladding of good condition (2). Roof constructed of metal of good condition (2).





Building - amenities

Structural shell constructed of concrete block cladding of good condition (2.5). Roof constructed of metal of good condition (2).





Building - announcers box

Structural shell constructed of weatherboard cladding of very good condition (1.5). Roof constructed of metal of very good condition (1.5).



Building - canteen

Structural shell constructed of weatherboard cladding of good condition (2). Roof constructed of metal of good condition (2).





Building - BBQ area

Structural shell constructed of timber and weatherboard cladding of very good condition (1.5). Roof constructed of metal of very good condition (1.5).



Other structures – septic tank and enclosure fencing

Concrete septic effluent treatment tank of good condition (2). Enclosure fence 19m x 1mH galv steel post & two rails of very good condition (1.5).





Other structures – tables and seats

Three units of basic pipe frame, Colourbond roof. Timber table and seats of good condition (2-2.5)



Other structures – fencing

1.4m high timber post oval fencing and three rails require significant renewal condition (4).



Other structures - BBQ

Concrete block timber fuel BBQ of poor condition requiring significant renewal (4).



Other structures - water tanks

10kL concrete water tank of good condition (2.5), 10kL Polyethylene water tank of good condition (2).





Land improvement – footpath

1.2m wide concrete footpath of good condition (2).



Other structures – lights

Two floodlights on short roof mounted pole of average condition (3).



Land improvement – access road
Reserve access and internal road approximately 2.5m wide mostly of natural formation. Construction of gravel in very good condition (1.5)





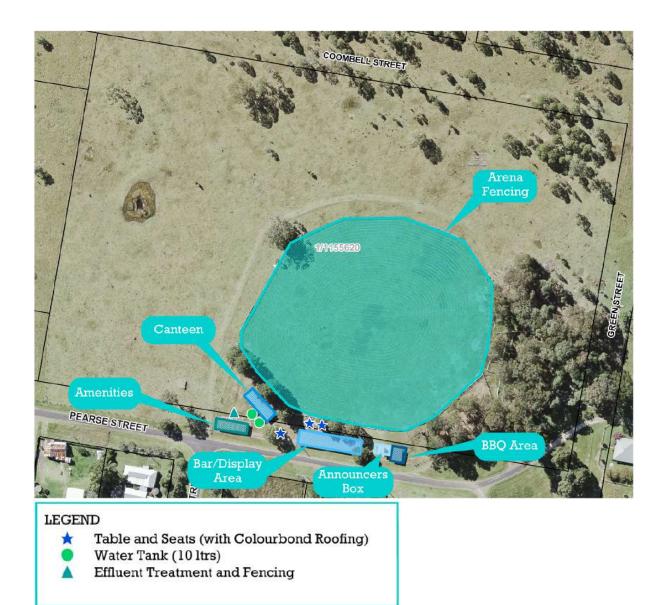


Figure 1.6: Rappville Reserve, location of site infrastructure

Management and future use

Core objectives for management of land

Section 36I of the *LG Act* outlines the core objectives for management of community land categorised as **general community use**:

- to encourage, promote 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:
 - (1) In relation to public recreation and physical, cultural, social and intellectual welfare or development of individual members of the public; and
 - (2) 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).

Section 36F of the LG Act outlines the core objectives for management of community land categorised as a **sportsground**:

- to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games; and
- to ensure that such activities are managed having regard to any adverse impact on nearby residences.

Permitted Uses

Based on *Richmond Valley Council Local Environmental Plan 2012* land use table for Zone RE1-Public Recreation and the legislative core objectives in the *LG Act*, the uses which may be permitted on community land categorised as 'general community use and 'sportsground' are:

Table 3 – Permissible Uses

Permitted Uses	General Community Use	Sportsground
Passive recreation and the construction of facilities to cater for these activities.	~	~
The playing of organised sporting activities and the construction and/or the use of facilities to cater for these activities.	×	~
The construction of community facilities which will enhance individuals and groups to come together for social, community, educational, cultural, leisure and welfare activities, such as community halls, community/neighbourhood centres, senior citizens, youth and children's centres and museums.	~	~
Construction of emergency services facilities.	~	~
Establishment of flood mitigation and water control works.	~	~
Establishment of environmental factors to provide shade around playing areas, a windbreak, enhanced scenic value or visual screening, habitat for native wildlife and a suitable buffer for the protection of water quality and ecological processes in neighbouring watercourses or wetlands.	\	~
Lease, license or the grant of another estate for: the connection of premises adjoining the community land to a facility of the Council or other public utility provider situated on the community land the playing of organised and informal sporting and recreational activities short-term casual purpose as prescribed by the LG Regulation Clause 116 refreshment kiosks and restaurants community activities car parking biodiversity stewardship agreements to conserve land of high biodiversity value such as, but not limited to, land containing endangered ecological communities		

Future uses

It is expected the Rappville Reserve will continue with existing uses which includes:

- Australia Day celebrations
- Bull ride
- Working dog trials
- Grazing lease

With the implementation of the Community Revitalisation Plan from the 2019 bushfires the additional future use of the Rappville Reserve is proposed to include:

- RV-friendly overnight camping
- Telecommunication mobile tower capabilities
- Rodeo
- Equestrian endurance events
- Camp drafting events
- Additional community facilities/shed/buildings

The proposed development areas are shown on Figure 1.7.

A suitable location for the telecommunication mobile tower is currently being investigated with consideration of the location to be on the Rappville Reserve site.



Figure 1.6: Rappville Reserve, Location of Proposed Future Development Area

Management issues

Management issues are matters which arise periodically and generally impact on the areas of community land and public facilities.

Issue: Facilities/Activities

Discussion: What facilities are currently being provided for general community use and

sporting facilities? Are these facilities adequate? Are there plans to introduce

more or newer facilities?

Issue: Maintenance

Discussion: What level of maintenance is required to maintain the facility to a satisfactory

standard? Who is responsible for undertaking various aspects of maintenance? Has a maintenance program been setup or introduced to distinguish between Councils responsibilities and each relevant committee?

Issue: Community Involvement

Discussion: Council has identified the need for community and user involvement in

maintained, preparing and contributing to the use of the community land.

Issue: Future Planning

Discussion: Are there plans to upgrade the area, expand, or improve facilities?

Issue: Financial Resources

Discussion: This issue relates to the provision of funds and/or labour to ensure the

maintenance and improvements of the facilities being provided.

Policy and framework for management

Table 4 – Action Plan

Management Issue	Objectives and Performance Targets	Means of achievement	Manner of assessment
Facilities/Activities	Maximise opportunities for community access to facilities and services. Identify opportunities for new community facilities	Involve all stakeholders and the general community in the planning processes for new community facilities and future use.	Level of community satisfaction and participation in the provision of community facilities and services.
	and services. Ensure that management committees manage community facilities in accordance with Council's policies and licence agreement.	Undertake feasibility study and provide for funding through corporate planning process. Promote facilities.	Level of demand for new recreational facilities. Increase in number of people/groups using the facilities.

Management	Objectives and	Means of	Manner of
Issue	Performance Targets	achievement	assessment
Maintenance	To maintain the facilities which meet the expectation of the community and visitors. Optimise quality and opportunity of recreational experience for the facility users.	Support Rappville Sporting Facilities Committee for maintenance via financial assistance, advice, and grant applications. Continue grazing opportunities to partnership the maintenance activities with lease holder. Development with community groups to assist with future use and maintenance of the facilities and surrounding grounds. Invite the committee to include submission through Council's annual maintenance plans. Maintenance program revised with facility improvements in	Number of maintenance request reported. Number of complaints received regarding the maintenance of facilities and grounds. Level of user acceptance.
Community Involvement	Facilitate and encourage range of community-based activities to optimise the use of the facilities. Encourage community user groups to participate in the management of the facilities. Encourage for community committees to strive for self-sustainability.	Council's Operational Asset Plan. Engage with the Rappville Sporting Facilities Committee for involvement with this plan and future vision of the facilities. Partner with the Rappville Action Group as part of the future plans and revitalisation of Rappville Reserve facilities since the 2019 bushfires. Invite public comment on this plan and to consider amendments as part of the process of producing a final plan.	Number of community groups requesting use of Council's community facilities and the number of groups able to be accommodated. Level of community input. Level of user satisfaction.

Management Issue	Objectives and Performance Targets	Means of achievement	Manner of assessment
Future Planning	Facilities are expanded and improved to support the rebuilding and revitalisation	Capital works incorporated as part of revitalisation Council's	Completion of future works
	of Rappville.	facilities programs.	Satisfaction standard of facilities provided.
		Resources and funding opportunities identified for opportunities for future planning.	Positive community feedback.
Financial Resources	Encourage and partner with the community to pursue	Encourage committee to be as self-sufficient as	Level of funds obtained.
	government funding to assist in	possible.	Number of groups funded.
	maintenance/improvement of the facilities.	Finances collected from RV camping hire will help cover the day-to-day expense of maintenance.	Level of funding raised from committee ventures.
		Utilise finances receive from grazing towards maintenance of the facilities.	

Leases, licences and other estates

Legislative requirements

Sections 45-47AA of the *LG Act* establishes the restrictions and requirements for Council in relation to granting leases, licences and other estates on 'community land'. These requirements and restrictions include:

- The plan of management must expressly authorise the lease or licence and must be consistent with the core objectives for the category in which the land is issued.
- The lease, licence or other estate may be granted if the goods, services, facilities or activities are appropriate to the current and future needs within the local community and of the wider public, in relation to public recreation.
- The lease, licence or other estate may be granted for the provisions of public utilities, public roads or providing connections under the surface of the ground for the connection of adjoining community facilities.

Section 46(3) of the *LG Act* states the maximum period for any lease or licence is 30 years (including any renew option). If a lease, licence or other estate is proposed, under the provisions of Section 47-47A of the *LG Act*, Council must:

- Provide public notification of the proposed lease, licence or other estate (including on Council's website)
- Give notice of the proposal to landowners or occupiers of the land adjoining the subject 'community land'
- Be open to submissions from the general public regarding the proposal
- If a lease or licence exceeds 21 years Council must seek approval from the Minister

Clause 116 of the LG Regulations provides the purposes in which Council may grant a short-term (five years or less) lease, licence or other estate, prescribed only if the use or occupation does not involve the erection of any building or structure of a permanent nature. These include:

- The playing of a musical instrument, or singing, for fee or reward
- Engaging in a trade or business
- The playing of a lawful game or sport
- The delivery of a public address
- Commercial photographic sessions
- Picnics and private celebrations such as weddings and family gatherings
- Filming sessions
- The agistment of stock

For the purposes of Section 46(1)(b)(iii) of the *LG Act*, the use of any existing road or fire trail on community land to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on land adjoining the community land, or to remove waste that is consequential on such work, is prescribed as a short-term, casual purpose.

For the purposes of Section 46(1)(b)(iii) of the *LG Act*, the use of any community land that does not have an existing road or fire trail to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on land adjoining the community land, or to remove waste that is consequential on such work, is prescribed as a short-term, casual purpose if such work is for a purpose referred to in section 46(4)(a)(ii) of the Act.

Future leases, licences and other estates

Sections 45-47AA of the *LG Act* establishes the restrictions and requirements on Council in relations to granting new leases, licences and other estates of 'Community Land'.

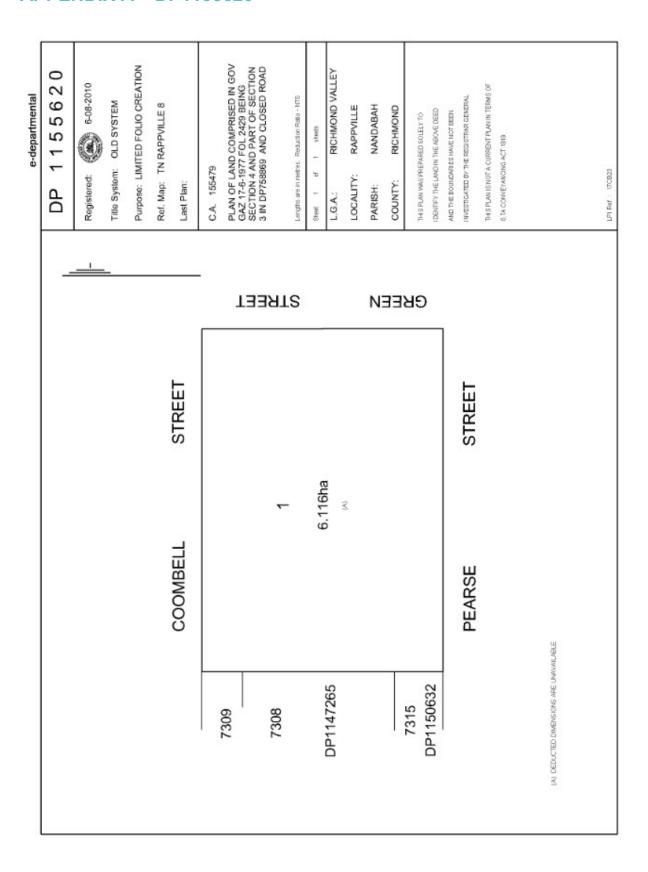
All existing leases, licences and other estates remain valid until renewal and they will not be terminated or become invalid because of the adoption of this new plan of management. They will be reassessed as part of any renewal, to comply with the current plan at that time.

This plan expressly authorises the issue of leases, licences and other estates over Rappville Reserve, provided:

- The purpose of the lease, licence or other estate is consistent with the core objectives of the categories in which the land is issued.
- The lease, licence or other estate is consistent with the permitted purposes listed in the *LG Act* or the LG Regulation.
- The lease, licence or other estate is granted and notified in accordance with the provisions of the *LG Act* and the *LG Regulation*.
- The issue of the lease, licence or other estate will not materially harm the use of the land for any of the core objectives of which it has been categorised.

Appendices

APPENDIX A - DP1155620



APPENDIX B – Current Grazing Lease Area

