

ITEM NO: 2**SUBJECT: MEGALONG RESERVE PLAN OF MANAGEMENT - ADOPTION****FILE NO: F03185**

Recommendations:

1. *That the Council adopts the Megalong Reserve Plan of Management and uses it to guide the management and development of Megalong Reserve.*
 2. *That key stakeholder groups consulted prior to, and preceding the adoption of the Megalong Reserve Draft Plan of Management, are provided with a final copy of the adopted Megalong Reserve Plan of Management.*
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Report by Acting Group Manager, Community and Corporate:

At its ordinary meeting of 30 January 2007 Council resolved:

- “1. *That the Council adopts the Draft Plan of Management for Megalong Reserve for the purpose of public exhibition in accordance with the provisions of the NSW Crown Lands Act 1989.*
2. *That the exhibition of the draft Plan be widely advertised and promoted and be for a period of not less than six (6) weeks.*
3. *That a report come back to the Council following the public exhibition.”*

(Minute No. 253, 18/09/07)

This report outlines the outcomes of the public exhibition and recommends that the Council adopts the Plan of Management and begins implementation.

Report Summary

The purpose of the report is to present the final draft of the Plan of Management (PoM) for Megalong Reserve and request that the Council adopt the Plan.

This report summarises the following:

- Background to the Plan of Management and Public Exhibition period;
- Summary of the Action Plan; and
- Sustainability, Legal and Risk management assessment; and
- The resource implications as a result of adopting this draft PoM.

The PoM is enclosed separately for the information of the Councillors.

Background

Council staff prepared a draft Plan of Management (PoM) for Megalong Reserve in Megalong Valley. The Plan has been prepared as required under the Crown Lands Act and refers to the Local Government Act and other relevant legislation also. Some of the main issues include:

- Continued facilitation by Council of appropriate social and recreational opportunities in the Reserve;
- Management of current and future activities to ensure they are sustainable and do not result in an impact upon the environment; and
- Protection of significant natural heritage values of the Reserve;

During the public exhibition period, Council advertised the Draft PoM exhibition in the Blue Mountains Gazette on four separate occasions, in the Megalong and Blackheath Public Schools newsletter, and on the Megalong Valley and Blackheath Community Notice Boards. Copies of the plan were available at Council's Business Centres, Katoomba and Springwood Libraries, Council's website and Megalong Valley Tea Rooms. Copies were also sent to key stakeholders for comment.

Results of the exhibition

During the exhibition phase of the Megalong Reserve PoM stakeholder submissions were received from the Department of Lands and Megalong Valley Hall Management Committee. Department of Lands provided general suggestions on the content of the Management Plan as well as some minor amendments to Management Actions associated with administration of the Reserve. The Megalong Valley Hall Management Committee suggested the sportsground could be used for a range of emergency purposes and raised concerns over the potential safety implications arising from shared use of the Reserve by horse and bike riders.

Discussion

The PoM is enclosed for the information of Councillors. The Council has carefully considered the submissions received and some minor amendments have been made to the content and Management Actions associated with administration of the Reserve in line with recommendations made by the Department of Lands.

The PoM contains several actions relating to shared use by horse and mountain bikers that limit the extent of the shared areas and allows for future review of the situation and further conditions to limit conflict and improve safety if the need arises (see S.4.8 Horseriding, Cycling, Bushwalking and Trail Management). These existing actions will ensure safety and limit conflict, therefore, no additional actions relating to shared use are included in the PoM.

Further Management Actions relating to the development of an evacuation point, helipad or emergency refuge zone have not been included in the PoM following consultation with Council's Bushfire and Emergency Management staff. Such actions are not consistent with the City's Disaster Plan or standard operating procedures for helicopter evacuation, which do not specifically designate sites. During emergency incidents, including helicopter evacuations, sites are chosen on merit and according to the prevailing situation. In addition, the Sportsground is not considered suitable for a designated helipad due to surrounding obstacles and the loose and dusty ground surface. Other more suitable locations are available nearby.

The extent of the proposed changes to the PoM is not considered significant and the PoM does not need to be re-exhibited if adopted with these minor amendments.

Action Plan

The PoM sets the future direction for the use and management of Megalong Reserve and contains actions to achieve the objectives. The main components of the Action Plan and the resources of these are shown in the table below:

ACTION	Funding	Source
TENURE AND MANAGEMENT STRATEGY		
Reassess the status of one parcel currently gazetted as Crown Land Reserved from Sale to Recreation Reserve and form a single trust over all four reserves.	Staff Time	BMCC
Council and Department of Lands should consider formalising a single Council managed reserve trust to oversee all three parcels of land.	Staff Time	BMCC
FACILITIES AT MEGALONG SPORTSGROUND		
Develop joint management and maintenance with stakeholders	Staff Time	BMCC
Continue required maintenance levels to achieve safe and functioning facilities.	\$5,000 (existing)	BMCC
The upgrade of any facilities will adhere to Council’s Access & Equity Policy, and any statutory obligation under the NSW EPA Act 1979, NSW <i>Crown Lands Act</i> 1989, and LEP 1991.	N/A	-
CULTURAL HERITAGE		
Review current usage or management actions to ensure they do not impact upon cultural values.	Staff Time	BMCC
Before any new development occurs within the Reserve a systematic archaeological assessment of the Reserve should be undertaken.	\$1,000- \$10,000	BMCC Grants
NATURAL HERITAGE		
Establish a fauna and flora monitoring program that includes the establishment of permanent photo points.	Staff Time	BMCC
Signage should identify that fauna and flora are protected and that firewood is not to be collected within the reserve.	\$5,000	BMCC Grants
Make the vertebrate fauna and flora lists associated with this PoM available to the public via Council’s web site and develop other support material.	Staff Time	BMCC
HORSERIDING, CYCLING, BUSHWALKING		
The areas available for private and commercial horse riding and mountain biking should be restricted to improve management and protection of the environment.	Staff Time	BMCC
Restrict commercial horse riding to primary trails for a defined period in response to fire and rain.	Staff Time	BMCC
Rationalise the trail network, which will include closure of tracks that are degraded, unnecessary or duplicate.	\$7,000	BMCC
Decommissioned and degraded trails should be remediated. Costs will be dependant upon the outcome of the trail rationalisation.	tbd	BMCC User
Signage should be erected identifying to users the areas available for their activity.	\$2,500	BMCC Grants

BUSHFIRE MANAGEMENT		
A Bushfire Asset Protection Zone should be established and maintained around buildings and assets of significant value in the Reserve.	Staff Time	BMCC
Hazard Reduction burning should achieve a mosaic of different age classes and comply to minimum and maximum fire intervals and other biodiversity protection principles.	Staff Time	BMCC
Emergency management at the reserve should be improved including trail improvement, development of bushfire refuge and contractor protocols.	\$1,500	BMCC
Within a area burnt, intensive activities such as commercial horse riding should be restricted for a defined period.	Staff Time	BMCC
LICENSING AND BOOKINGS		
Council should require the licensing and/or bookings for all specialised or commercial activities that will use the Reserve & licenses should be for a defined area/time.	Staff Time	BMCC
Licenses should only be granted where they are consistent with the purpose of the Reserve and where they can achieve compliance with the objectives and management actions of this PoM.	Staff Time	BMCC

Sustainability Assessment

The below table provides a summary of the Environmental, Social and Economic factors relating to the PoM.

Factor	Positive	Negative
Environmental	The PoM addresses many environmental issues and provides a way forward for improving these areas of concern eg: Soil erosion from trail network, bushfire management, fauna and flora management. The actions within the PoM ensure the Blue Mountains natural environment is protected and conserved.	None.
Social	The PoM provides actions to improve user amenity and recreation facilities in the area. It has considered issues raised by all stakeholder groups and has provided a solution to currently existing issues. The PoM manages the issues whilst maintaining the Valley's and Reserve's strong sense of local identity and focus of equine recreation.	None.
Economic	The PoM will ensure the sustainability of recreational activities within the Reserve and the contribution made by the participants to the local economy. The PoM will result in no additional financial cost to Council.	None.

Financial Implications

The Megalong PoM is estimated to cost the Council \$30,000-40,000 to implement over 5 years and these costs are currently budgeted for in existing work programs. The Management Actions include three unfunded actions. These actions require further investigation prior to costing or are only required if further development of the site was realised. The three unfunded actions are likely to involve partnerships with the community and will be externally funded. Consequently, the implementation of the Megalong PoM will not result in any known additional cost to the Council.

Legal and Risk Management Issues

The PoM contains some actions that are required to address both legal and risk management issues, please refer to the below table:

Risk Management Action	Issue
4.8.7 If mountain biking increases then consideration to be given to restricting users to avoid conflict.	High levels of biking and horseriding has the potential to reduce safety. PoM Actions will maintain or improve the safety of users.
4.8.11 Maintain primary trails to permit 4WD passage for emergency purposes.	Degradation of primary trails reduces emergency services response capacity. Actions included to maintain trafficability.
4.9.1 APZ to be maintained around assets.	Improved or maintained bushfire protection.
4.9.5 Consider establishment of a bushfire refuge east of Back Creek	Improved user safety achieved.
Legal Management Action	Issue
4.1.1 Council and Dept. Lands should formalise a single reserve trust for all 4 reserves and appoint Council as trustee	Council accepts the responsibility to manage the reserve as trustee. A single land manager will be more efficient and reduce costs.
4.4.1-3 Fauna and flora monitoring, protection of habitat and promotion of ecological research.	Existing management regime did not consider threatened species. PoM Actions will adequately protect biodiversity values.
4.8.5, 4.10.1-5 Licensing of commercial operators and prescriptive conditioning.	These actions will improve compliance with Crown Lands Act, equity between users and environmental management on the Reserve.

Consultation

In developing the PoM, Council carried out extensive research and consultation including:

- Reviewing background files / studies;
- Consultation with internal staff members;
- Preparing a detailed environmental assessment (completed by Council’s Environmental Scientist);
- Consultation with Department of Lands;
- Direct consultation with key stakeholder groups including;
 - Blue Mountains Pony Club;
 - A commercial nature based recreation operator using Megalong Reserve;
 - Megalong Valley Landowners Association;
 - Megalong Valley Hall Management Committee; and
 - Blue Mountains City Council staff.
- During the exhibition period copies of the Draft PoM were provided to:
 - Key stakeholders;
 - Affected lease/license holders; and
 - Megalong Valley and Blackheath Public Schools.

Council would like to take this opportunity to thank key stakeholders for their time and effort in providing input and comment into this PoM.

Conclusion

The development of the Megalong Reserve PoM involved comprehensive research and public consultation. Issues raised by external stakeholders in reference to the management actions included safety concerns and emergency arrangements. Other comments were made on the PoM’s overall content. The issues raised by stakeholders during the consultation were carefully considered by Council staff, and changes were made to the PoM to reflect these. These changes were minor and, if the PoM is adopted, will not need to be re-exhibited.

It is recommended that the Megalong Reserve Plan of Management be adopted.

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