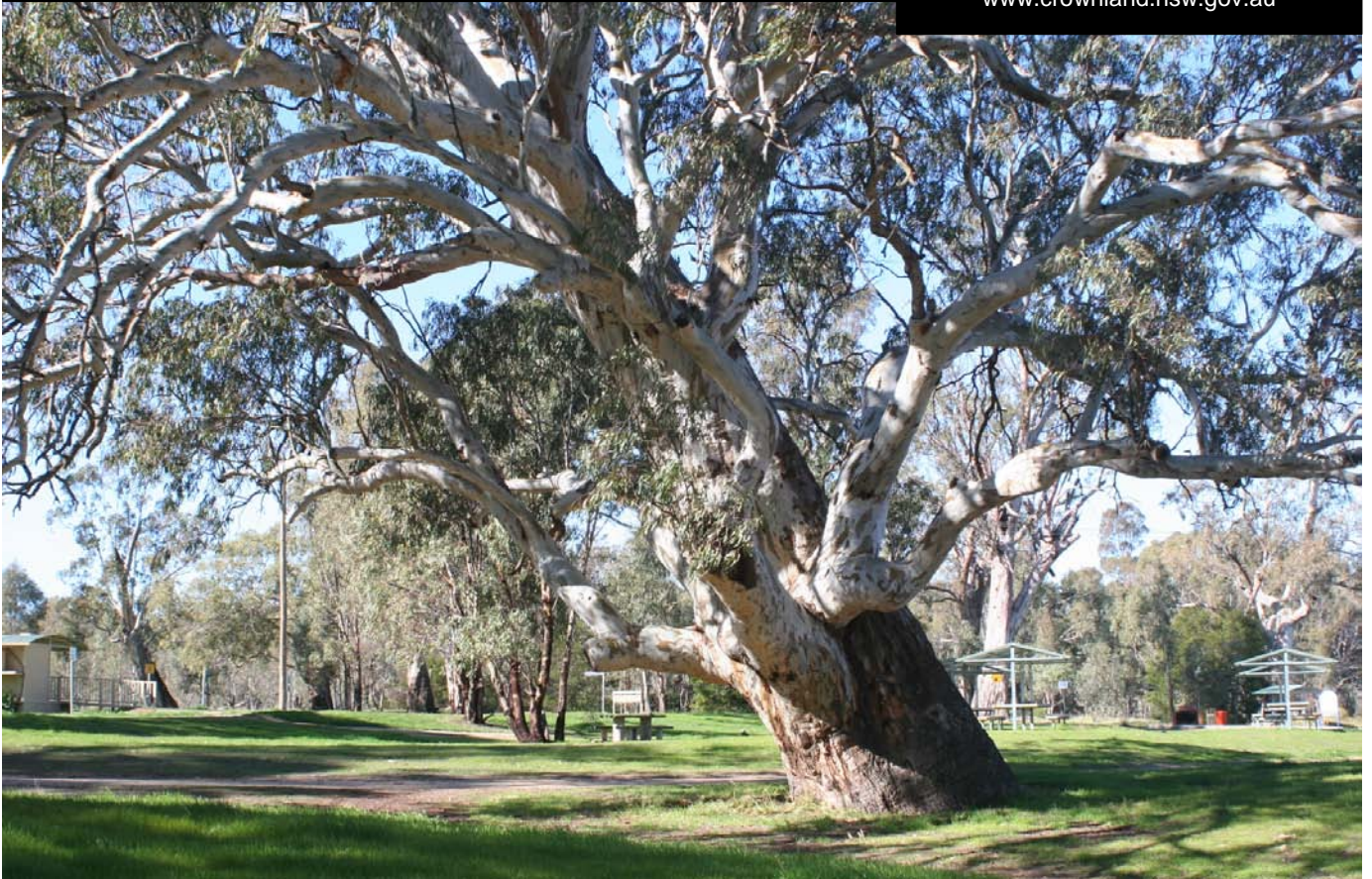




Crown Lands Division



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CROWN LANDS DIVISION DEPARTMENT OF PRIMARY INDUSTRIES

BUSHY BEND & SANDY POINT RESERVES PLAN OF MANAGEMENT

ADOPTED 3 AUGUST 2011



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1. Introduction

This Plan of Management extends for five years and describes the physical attributes of the Bushy Bend/Sandy Point Reserves and why these sites are of significance. It highlights a number of management issues and objectives and details the proposed manner in which the issues will be addressed or the objectives achieved.

It is envisaged that the Trust Manager (Hay Shire Council) will establish strategic rolling plans for both capital and conservation works and that it will undertake the task of reviewing and updating such plans at least annually. This task will be subject to the public consultation processes required under the Local Government Act, 1993.

A full revision of the Plan would be necessary if there was a major change in either the public's need, or the State Government's direction to the management of Crown reserves.

The Plan covers an extensive area of Crown Reserves with a history dating back over 150 years.

The Plan will not come into force until approved by the Minister for Lands and it is intended to seek his approval once any comments received are fully considered.

2. History

Aboriginal communities in the western Riverina were traditionally concentrated in the more habitable river corridors and amongst the reed beds of the region. The district surrounding Hay was occupied by at least three separate aboriginal groups at the time of European settler expansion into their lands. The area around the present township appears to have been a site of interaction between the Nari-Nari people of the Lower Murrumbidgee and the Wiradjuri who inhabited a vast region in the central-western inland of New South Wales.

The noted explorer, Charles Sturt, passed through the area during his exploration of the Murray and Murrumbidgee Rivers in 1829-30. At the same time stockholders were edging westward along the western flowing rivers, including the Murrumbidgee River. By 1839 all of the river frontages in the vicinity of present day Hay were occupied by squatters.

By the mid 1850s pastoral runs in the western Riverina were well established and prosperous with the nearby Victorian gold rushes providing an expanding market for stock. The prime fattening country of the Riverina became a sort of holding centre, from where the Victorian market could be supplied as required. One of the popular routes (known as the "Great North Road") established in the mid 1850s crossed the Murrumbidgee River at Lang's Crossing place. It was named after three brothers named Lang who were leaseholders on the Southern side of the river.

In 1856-7 Captain Francis Cadell, a pioneer of steam navigation on the Murray River, placed a manager at Lang's Crossing place with the task of establishing a store (initially in a tent). In December 1857 Thomas Simpson re-located from Deniliquin to establish a blacksmith's shop and residence at Lang's Crossing place. Six months later the Canadian shipwright Henry Leonard arrived. He commenced building a hotel and house near Simpson's buildings and launched a punt on the river. In August 1858 steamers owned by rival owners, Francis Cadell and William Randell, successfully travelled up the

Murrumbidgee River as far as Lang's Crossing place (with Cadell's steamer *Albury* continuing up-river to Gundagai).

Henry Jefferies, the leaseholder of "Illilawa" station (which included Lang's Crossing place at its western extremity), was vehemently opposed to Henry Leonard's operations and threats against his punt caused Leonard to stand guard with a loaded gun. An attempt by Jefferies to pull down Leonard's hotel as it was being constructed caused an outcry from those advocating a settlement at the location. As a consequence the NSW Government sent a surveyor to map out a new township. By mid 1859 the Department of Lands had proclaimed reservations on either side of the river at Lang's crossing place and a Police Magistrate was appointed.

By October 1859 the township had been named "Hay" after John Hay (later Sir John), a wealthy squatter from the upper Murray, member of the NSW Legislative Assembly and former Secretary of Lands and Works. Later the same month successful land sales were held. Since then the town has grown to be the centre of a prosperous and productive agricultural district on the wide Hay plains with reserves on both sides of the river at 'Lang's Crossing' still existing.

3. Land covered by this Plan

This Plan applies to the contiguous parcels of land that are commonly referred to as Bushy Bend, Sandy Point, Lions Park and the adjacent tennis court complex. The land consists of two Crown Reserves under the care, control and management of Hay Shire Council as Trustee.

The land is illustrated on the map attached to and forming part of this Plan.

The Bushy Bend Reserve (Reserve Number 89063) includes:

Lot 7311 DP 1139134, Lot 7109 DP756755, Lot 7312 DP 1139134, Lot 7025 DP 1023962, Lot 2 DP 1046-016, Lot 216 DP 756755, Lot 1 DP 1046018 and Lot 7023 DP 1059902.

The Sandy Point Reserve (Reserve Number 88803) includes:

Lot 7019 DP 1026734, Lots 217 and 218 DP 756755, Lot 185 DP 756756, Lot 7020 DP 1026736.

The parcel of land described as Lot 209 DP 756755 (water supply towers) is not included in this plan.

4. Description and Location of the land.

The land is located within the township of Hay and immediately north of and adjoining the Murrumbidgee River. The river forms a natural barrier for the reserves on its western, southern and eastern boundaries.

The land is bisected by the Cobb Highway with the land to the east known as Bushy Bend and the land to the west, or at least part of the land to the west, commonly known as Sandy Point.

The Bushy Bend area has an unsealed road that generally runs in a circular direction following the alignment of the Murrumbidgee River. Road signs indicate that the road is to be traversed in a clockwise fashion and that a speed limit of 40kph is to apply.

This road is a dry weather road only and forms part of the Hay Hiking and Walking Trail that was an initiative of the Hay Rotary Club.

The road provides access to the aboriginal murals painted on the supports underneath the bridge across the river and to a number of river locations that are often used by swimmers during the summer season.

Immediately adjacent to the left of the road as it leaves the Cobb Highway is an interpretative panel forming part of the Long Paddock promotion. There is a parking adjacent to the panel that can accommodate a number of vehicles.

A number of informal picnic areas are located around the track, between the road and the river and consisting of modern covered metal tables and seats and a rubbish bin.

There are a number of items of historical significance in the Bushy Bend area including a survey tree blaze marking the first town survey in 1868, an historical survey mark, several canoe trees and the turning mechanism and turntable for the swinging bridge that previously crossed the river nearby. Three metal sculptures have recently been placed in separate locations alongside the access road.

Much of the interior of the Bushy Bend area is covered by natural vegetation, mainly native grasses and river gums.

The Lions Park of around one hectare in area is situated in the north western corner of the Bushy Bend side of the reserve and contains public toilets, a children's playground, electric barbeques, a barbeque shelter and picnic tables and a large grassed area which is used for recreation, the playing of casual sports, market days and the like.

A tennis complex consisting of a clubhouse and courts is situated on the north side of Lions Park. This land has only recently been added to the Reserve.

The Sandy Point or western portion of the reserve is much larger in area.

It has an access road roughly of a "U" shape with access off Bruncker Street, heading towards the river then running parallel to the river to Sandy Point before heading north to Water Street. The road is an unsealed, dry weather road.

The historic remains of the original sewerage treatment works (completed 1904) are located near the north-eastern corner of this Reserve.

A wetland has been constructed in the south-eastern corner of this side of the reserve and it is possible that the scope of this wetland could be expanded at some time in the future.

The interior contains a significant number of native trees and native grasses. It also contains the remnants of horse-jumps and other structures that indicate the area has been used by a pony club or the like. A number of Aboriginal scarred or canoe trees are located in this area.

The Sandy Point beach area has been developed for recreational purposes. Facilities include:

- A concrete boat ramp
- A wood-fired and several electric barbeques
- Public toilets connected to the town sewerage system
- Water supply
- A large number of picnic shelters
- A level area for camping
- A swimming beach

Overhead electricity is supplied to this area.

A flood levee bank runs from the river in the north east corner of the reserve, forms the southern boundary of the Lions Park, then forms part of the highway and Brunner Street before continuing in a generally north-eastern direction to join Water Street. The levee bank is the subject of ongoing investigation with the likely outcome being that it will be upgraded and augmented in some manner.

Two water reservoirs forming part of the town's reticulated supply are located adjacent to the reserve in proximity to the junction of Brunner and Pine Streets. This area is excluded from this plan

A skateboard recreational facility has recently been constructed in the area adjacent to the Cobb Highway and Brunner Street with vehicle access limited to Brunner Street.

Travelling stock use the Reserve when travelling either north or south across the adjacent bridge to or from the saleyards etc.

The area is subject to periodic flooding and in major floods almost all of the Reserves are inundated with water.

The area is not considered to have a high risk of fire.

5. Aims of the Plan

This Plan aims to:

- Encourage the sustainable public use and enjoyment of the land it covers;
- Conserve its natural and built resources;
- Observe environmental protection principles
- To recognise and respect Aboriginal and European cultural values within the Reserve

6. Purpose and values of the land

This area is the site of the original European settlement in the region and is also an area that has been in continuous use by aboriginal people for an unknown period of time. Significant artefacts remain testifying to its occupation and use.

It is also an area that has been in use for recreational and other community purposes since the commencement of European settlement. It is proposed to continue these uses consistent with legislative requirements and the aims of this Plan

Particular values include:

Natural Heritage Values

The Murrumbidgee River, its water, sandbars and river bends, riverine forest and native vegetation, wildlife such as birds, reptiles and fish.

Cultural Heritage Values

European heritage – possible archaeological sites from early European settlers and Aboriginal artefacts = scarred trees, ring tree, midden sites.

Recreation Values

Picnic areas, walking and cycling opportunities, dog walking, horse riding, fishing, scenic areas, photographic opportunities, bird watching, canoeing and boating.

7. Community Consultation

It is proposed to consult with the Department of Lands and other government agencies as well as the Aboriginal Land Council on this draft plan. Community consultation will also be carried out by way of direct contact with known user groups and by public display. Public display will be for a period of at least 28 days while comments will be sought for at least a 42 day period.

8. Legislative and policy requirements

8.1 Legislation and Plans

Legislation affecting this Plan includes the Crown Lands Act, 1989, the Local Government Act, 1993 and the Local Government (Manufactured Home Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Hay Shire Council's Local Environmental Plan and the Murrumbidgee Catchment Action Plan also cover the land in question.

8.2 Principles of Crown Land management

The principles are:

- That environmental protection principles be observed in relation to the management and administration of crown land;

- That the natural resources of crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible;
- That public use and enjoyment of appropriate Crown land be encouraged;
- That, where appropriate, multiple use of Crown land be encouraged;
- That, 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
- That Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.

9. Management and Performance targets

9.1 Management Issues

- Interface conflicts with pedestrian and vehicular traffic on the Bushy Bend track given its use by cyclists, pedestrians, joggers, family groups, people exercising or walking dogs, etc. The road forms part of the Hay Hiking and Walking Trail.
- Conflict between dogs and other users of the reserve including cyclists, pedestrians, joggers and swimmers.
- Management of camping to ensure the compliance with regulations relating to littering, duration of stay, location of camp, etc.
- Risk management including the safety of swimmers, damage or injury to campers from falling branches/trees, fire control and safety issues associated with the skateboard facility. The future of this facility needs to be further considered.
- Managing the spread of introduced plant life and encouraging and preserving native vegetation in the areas identified for this to happen
- Management of travelling stock
- The protection of areas of historical significance including Aboriginal artefacts.
- Maintenance and enhancement of suitable public amenities
- Control of the use of the roads by irresponsible drivers, particularly when the roads are wet.
- There may be need for increased carparking areas in some locations. For example the Long Paddock interpretative panels are proving to be a significant attraction for tourists including caravaners and the drivers of mobile homes
- The needs of persons with sensory or physical impairments
- The conservation of items of environmental or cultural significance
- The variety of uses of the land and the potential for conflict
- Education opportunities have not been fully explored

- The need to ensure all structures etc will not be adversely affected by, or impede, flood waters
- Bank erosion and vegetation in the riparian zone
- The future ownership of the tennis complex

9.2 Means of Assessing these Issues

- Consult with the public and interested parties on these issues;
- Regularly undertake surveys of users, vehicle counts and review complaints to assist in determining if issues need addressing; and
- Meet legislative requirements, such as the need for PVP's to be prepared, prior to addressing issues.

9.3 Performance targets

- Following public consultation, implement annual works programs consistent with available resources
- Assess usage of the reserve on a regular basis
- Maintain a record of complaints received by Council relating to the use of or condition of the land or its facilities
- Quarterly assessment of maintenance works and facilities by comparison with adopted works programs and minimum standards identified elsewhere in this plan of management.
- Ensuring that the children's playground equipment is kept in a safe condition and in compliance with Australian Standards (AS).
- Ensuring that the Lions Park is watered, mown and maintained to an acceptable standard having regard to its status, prominent position and climatic and seasonal conditions.
- No successful public claims against the Council on the basis that it has not acted reasonably in the mitigation of safety risks.
- Litter will be collected from Sandy Point on a regular basis having regard to the demand and seasonal fluctuations in its usage. The standard of the service will be assessed periodically and any complaints scrutinised.
- Conduct risk assessments on at least an annual basis
- Take into consideration the needs of persons with sensory or physical impairments and flooding when considering any developments, including interpretative signs.
- Implement appropriate works to avoid conflicts between various users such as pedestrians and vehicles
- Review the need to undertake conservation programs to protect environmentally sensitive areas or items of cultural significance.
- Consider the establishment of a Bushy Bend/Sandy Point Advisory Committee incorporating representatives of as many stakeholders as possible
- Consult with local schools on available educational opportunities

- Consider the future of the skateboard facility.
- Noxious weeds are adequately controlled and native plantings encouraged.
- Review the means and resources available to provide enhancements to the riparian zone.
- Review options for the future of the tennis complex, including the excise of the land on which it is situated and transfer to the tennis Club and some form of licensing arrangement.

10. Current condition of the land and structures

10.1 Lions Park

The park is in the north-east corner of the Bushy Bend Reserve and covers an area of approximately one hectare. It is roughly triangular in shape and has frontage of about 80 metres onto Lachlan Street and tapers off to the east where it adjoins the Murrumbidgee River.

The park has a barbeque area with electric barbeques and a shelter equipped with picnic tables and chairs. The barbeque shelter and the adjoining picnic area are in a fair condition.

There are several picnic tables dispersed throughout the park and these are in a fair condition.

The park contains a children's' playground and the playground and the equipment is in a good condition

The park contains public toilets with separate facilities for males, females and disabled persons. The toilets are in a good condition.

The Lions Park has a relatively large grassed playing area suitable for the staging of non-competitive sports and games.

10.2 Bushy Bend

The picnic spots in Bushy Bend are basic. They consist of five separate sets of metal covered tables and seats with garbage bins located nearby. The BMX track is in a barely satisfactory state.

Appropriate tourist and traffic signage has been erected and all are in a good condition. The newly erected sculptures are in excellent condition and add a further dimension to the visitor experience. Further sculptures or other art works would add to this experience.

Consideration needs to be given to updating the unsatisfactory parking facilities in the area of the long paddock display

10.3 Sandy Point

There is a wooden pedestrian bridge across the stormwater drain in the south-eastern corner of this section and the bridge is in good condition. The bridge forms part of the Hay Walking Trail and the stormwater drain is part of the recent wetlands development.

A successful tree-planting project was carried out on the river foreshore in 1990 between the footbridge and the Sandy Point beach. In addition, a successful project involving the planting of Phragmites along an eroding section of bank from Cemetery Bend to downstream of Sandy Point was carried out in 2007. This project involved the Hay Trees on Plains Landcare Group, the Murrumbidgee Catchment Management Authority, local schools, fishing club and skiers.

A brick constructed, wood-fired barbecue is located adjacent to the boat ramp at Sandy Point and the barbecue is in poor condition.

There are thirteen picnic shelters consisting of metal huts, tables and seats at Sandy Point beach and these are all in a good condition.

The concrete boat ramp at Sandy Point is in a good condition.

There are public toilets at Sandy Point connected to the town sewerage system. The toilets are new and in good condition although not large enough to accommodate the large crowds associated with special events.

A satisfactory water supply is connected to Sandy Point.

Appropriate signage exists within the Sandy Point area and the signs are of a good condition.

10.4 Tennis Complex

The complex consists of eleven courts. Seven are covered with synthetic material and the other four compacted material. Seven of the courts have floodlights for night time games while the clubhouse is of an older style weatherboard construction.

The synthetic courts are in good condition, while some of the other courts need minor repairs to nets etc. The clubhouse is in a satisfactory condition.

11. Current use of the land

11.1 Lions Park

Lions Park is well used by visitors, including coach travellers, as a stop-off point, to have a picnic lunch and/or use the public toilets.

The ground is often used by groups for community events such as fund raising activities and public markets.

The grassed park area is not used for any organised sporting activities but it is not uncommon for it to be used for an impromptu game by people using the barbecue and playground facilities.

The barbeque facilities are well used by local residents and visitors to Hay.

11.2 Bushy Bend

The road circumnavigating Bushy Bend is a popular location for people to visit by vehicle, walk, jog, cycle and/or exercise a dog.

The road provides access to a number of locations on the river that are used for fishing, swimming or picnicking.

The Bushy Bend side of the reserve is more heavily vegetated with native vegetation and this fact, together with the shade provided by the trees adjoining the road, tends to make it more popular for pedestrian traffic than the Sandy Point side.

Use of the BMX bicycle track has fallen since the construction of the more popular skateboard facility.

11.3 Sandy Point

Although the Sandy Point area generally was once used for equestrian events (and evidence of this usage remains), the current use tends to be focused on activities at the Sandy Point beach site, although it is still suitable for equestrian related uses.

The activities at the beach site include the launching of boats for water skiing and fishing, swimming, picnicking and kayaking. Not unexpectedly these activities are more concentrated during the summer months. A sign posted off leash area for dogs exists near the beach.

Primitive camping is permitted in this area and indications are that camping has occurred at Sandy Point since the earliest days of Hay's settlement.

The land is used intermittently as a travelling stock route.

The area also contains a well used skateboard facility.

11.4 Tennis Complex

The clubhouse is not a licensed premises and the sole use of the complex is for playing tennis and associated activities.

12. Future use/development of the land

It is proposed to continue the current usage of the land as detailed in this Plan. It is also proposed to progressively develop the land as a tourism and recreational precinct by providing new or replacement facilities such as parking areas, roads, walking tracks, barbeques, shelters, public toilets, signage, art works etc, designed to encourage sustainable use of the area.

Priority for future developments include an extensive upgrading of the existing (or a new) levee bank, further enhancements to the wetlands area and improvements to roads and parking facilities. All are subject to the availability of funds.

Consideration will be given to the planting of native species to complement any future development and to appropriate interpretative signage being incorporated into the development.

This plan of management permits the further development of the Reserves in accordance with the general outline above and authorises the development of other similar public facilities in accordance with its objectives. Where appropriate and required by regulation etc, a development application is to be lodged by the Trustee with, and approved by, Hay Shire Council prior to any significant development taking place.

13. Leases, licences and other estates.

Except for the tennis complex, it is not Council's intention to consider granting long-term leases, licences and other estates over the land.

Council may from time to time grant a short-term, casual lease or licence for an individual or organisation in connection with part of the land covered by this management plan. Such a lease or licence will generally be limited to not-for-profit organisations in conjunction with the conduct of community events on or adjacent to the land.

Council may consider the granting of a lease or licence for business purposes to other than a not-for-profit organisation where it is considered such to be of benefit to the other users of the Reserves. Depending on the scope and extent of any proposed business purpose, any such leases, licences and other estates granted will generally only be granted after a tender process in accordance with the Local Government Act 1993.

Licences may be granted where intermittent or short-term occupation or control of parts of an area is proposed. A number of licences can apply to the same site at the same time, provided that there is no conflict of interest. Licences can be granted for:

- Advertising.
- Entertainment.
- Exhibitions.
- Markets.
- Meetings.
- Shows.
- Sale of food, drinks and other acceptable goods
- Any other use that is considered acceptable to Council.

The natural values of the area will be considered prior to the issue of any lease or licence.

14. Approvals for activities on the land

A person may carry out an activity specified in the following table only with the prior approval of the council, except insofar as the Local Government Act, 1993, the regulations or a local policy adopted under Part 3 of the Act allows the activity to be carried out without that approval:

- Engage in a trade or business
- Direct or procure theatrical, musical or other entertainment for the public
- Construct a temporary enclosure for the purpose of entertainment

- Play a musical instrument or sing for fee or reward
- Set up, operate or use a loudspeaker or sound amplifying device
- Deliver a public address or hold a religious service or public meeting

14.1 Lighting of Fires

The lighting of fires is not permitted in the Reserves other than in designated fire places and in keeping with any fire restrictions in force at the time.

14.2 Speed Restriction

The speed of vehicles travelling on roads within the Reserves is limited to a maximum speed 40kph.

14.3 Control of Dogs

The owners of dogs are to observe the provisions of the Companion Animals Act, 1987 relating to the control of dogs in a public place. The following regulations apply to dogs within the Reserves, are in accordance with the Companion Animals Act and are aimed to minimise inconvenience and danger to other users of the Reserves:

- Dogs are to be maintained on an adequate chain, cord or leash and under the control of a competent person whilst within the eastern (Bushy Bend) area of the Reserves.
- Dogs may be exercised leash free in the designated western (Sandy Point) area of the Reserves but are still required to be under the control of a competent person.
- The swimming beach at Sandy Point is to be a dog-free zone.
- Persons camping at Sandy Point are required to keep dogs enclosed or on a chain at night and at other times when not under the direct control of a competent person.

To comply with the provisions of the Companion Animals Act, a person must be of the age of sixteen years or over to be deemed to be a competent person.

14.4 Camping

Camping is not permitted at any location on the land covered by this plan other than at the designated area at Sandy Point.

Camping is permitted in the designated area at Sandy Point without seeking the approval of the Council subject to the camping not exceeding three day's duration and to it meeting the other requirements of the relevant Regulation. Camping includes a campervan, tent or caravan.

No fee is payable or proposed for camping at Sandy Point.

15. Maintenance Standards

The Reserves shall be inspected weekly to ensure that they are maintained in an acceptable condition and that there are no obvious risk hazards.

Signage shall be inspected fortnightly during the swimming seasons and monthly throughout the remainder of the year.

The public toilets at Sandy Point will be inspected and cleaned weekly.

Adequate garbage bins are to be supplied and maintained, and the dumping of household rubbish is prohibited. Garbage bins will be emptied at least weekly.

Council will carry out maintenance works in accordance with Council's safety and risk management programs and available resources.

Appropriate signage will be erected and maintained to provide adequate warning of potential safety risks in the area. Such notices may inform the general public of appropriate use and behaviour, in particular information concerning acceptable access, littering, dogs, uses and cautions. Advice may also be given as to fines that may be levied as a result of failure to comply with the relevant notices.

Adequate parking will be maintained on site and new parking areas will be constructed according to demand and available resources.

Internal roads will be maintained to an acceptable standard however their usage will be discouraged in periods of wet weather. When resources are available appropriate works designed to alleviate conflict between users such as vehicles and pedestrians will be carried out.

Depending on the availability of resources, Council shall endeavour to keep the area free of noxious weeds and encourage the regrowth of native plants in bushland areas.

Natural bush areas will normally be left without any programmed maintenance. The extent of the management and preservation of riverbank vegetation and riparian corridors is restricted by the availability of resources, volunteers and donated services.

The children's playground equipment shall be inspected regularly and maintained so as to comply with Australian Standards (AS).

Adequate garbage bins will be supplied and emptied at least weekly and more often when their usage justifies such action.

Community groups and clubs are to be encouraged to take on improvements of individual parks as projects.

An inspection and weed control program is to be formulated and documented.

16. Specific Issues affecting Lions Park

Council provides free electric barbeques, enclosed in a shelter with additional seating, tables and shelter adjoining. These facilities are freely available to the general public and no bookings are required or taken.

The large lawn area is suitable for the playing of non-competition sport, picnics and family gatherings. Whenever the area is to be used for any function of a commercial nature

(concert, markets, car display, carnival, fair, etc), it is a requirement that the prior approval of Hay Shire Council be obtained and a booking made.

The children's playground is fitted with equipment that meets all appropriate standards and has the required soft-fall fill. The playground is regularly inspected and maintained by Council staff.

The adjacent toilets are inspected and cleaned on a daily basis.

17. Finance and resources

It is intended that a rolling works program will be established by the Hay Shire Council on an annual basis and that this plan be the subject of review at the same time. Other works may be carried out from time to time when resources (volunteers, grants etc) become available.

Day to day requirements such as garbage collection and cleaning will be carried out by the Hay Shire Council.

18. Acknowledgements

For the history of the area:

Hay, New South Wales – Wikipedia, the free encyclopedia;

Hay Historical Society (www.users.tpg.com.au/hayhist)