



General Manager, Mayor and Councillors
Cobar Shire Council
PO Box 223
COBAR NSW 2835

Dear Sir, Madam and Councillors

Free Camping at the Newey Reserve, Cobar

For your information, Newey Reserve is Crown land being Dedication 630023 for the purpose of 'Public Recreation and Community Purposes'. The Cobar Showground Reserve Trust is the gazetted Trust Manager, with Cobar Shire Council being appointed to manage the affairs of the Trust.

It is the department's understanding that Council (at the Ordinary Meeting held on 27 July 2017) in part resolved that (a) Council and the community support free camping and appreciate the business that this activity brings to Cobar, and (b) Council develop a Plan of Management for the Newey Reserve, which should include a section to facilitate the use by campers and for this process to commence immediately.

In this regard, Council recently approached the department to discuss the desired direction set by Council for future use of the Newey Reserve, and to seek the department's view on a planning proposal to amend the *Cobar Local Environmental Plan 2012* (Cobar LEP) to make camping a permissible use.

The department advised Council that, while it is not in opposition to the proposal, it must ensure (including documentation) that free camping at the Newey Reserve is consistent with the Principles of Crown land management and is in the public interest. Furthermore:

- Formal community consultation is required as part of development of a Plan of Management for the Reserve, including evidence that submissions have been appropriately considered and dealt with; and
- Gazettal of additional reserve purpose(s) must be requested by Council to ensure that free camping (if appropriate) remains consistent with the gazetted reserve purpose.

Please note that Council must comply with all other relevant legislation in regards to permitting free camping, inclusive of (but not limited to) the Cobar LEP and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*. This may include additional requirements for community consultation.

If you have any queries in relation to this matter, please contact me on 02 6883 5441 or via email cedelia.duke@crownland.nsw.gov.au.

Yours sincerely,

Cedelia Duke
Property Management Project Officer

Date: 01 December 2017

Good morning,

Further to my email below, I wish to confirm the following action required by Council to facilitate free camping at Newey Reserve, Cobar:

1. Gazettal of additional reserve purpose(s) must be requested by Council to ensure that free camping (if appropriate) remains consistent with the gazetted reserve purpose (Section 121A of the *Crown Lands Act 1989*).
2. Council obtain approval to operate a caravan park and/or a camping ground under Section 68 of the *Local Government Act 1993*, in compliance with the relevant provisions of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*. This may include additional requirements for community consultation.
3. Council must ensure (including documentation) that free camping is consistent with the Principles of Crown land management (Section 11 of the *Crown Lands Act 1989*) and is in the public interest.
4. Formal community consultation is required as part of development of a Plan of Management for the Reserve, including evidence that submissions have been appropriately considered and dealt with.

Council as Trust Manager has been advised, and have acknowledged, that their support of unauthorised free camping at the Newey Reserve is in breach of the above mentioned Acts and Regulation.

Council should commence immediate action to ensure compliance with the relevant provisions of the *Crown Lands Act 1989*, the *Local Government Act 1993* and the *Local Government Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*.

If you have any queries in relation to this matter, please contact me on (02) 6883 5441 or via email cedelia.duke@crownland.nsw.gov.au

Regards

Cedelia Duke | Property Management Project Officer

West Region | Regional Services

NSW Department of Industry - Crown Lands and Water

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On 1 December 2017 at 15:56, Cedelia Duke <cedelia.duke@crownland.nsw.gov.au> wrote:

Good morning,

The attached letter refers and is forwarded for the information of Cobar Shire Council General Manager, Mayor and Councillors.

If you have any queries in relation to this matter, please contact me on (02) 6883 5441 or via email cedelia.duke@crownland.nsw.gov.au

Regards