



Scenic Hill User Group

Monday, 5 February 2024

ATTACHMENTS UNDER SEPARATE COVER

- CL02 Committee Members Induction – Mandatory**
(a) **Code of Conduct Slides - Committee Members/Delegates**
(b) **Code of Conduct at a Glance - Committee Members & Delegates**
- CL04 Scenic Hill (Zone 3) - Natural Areas Plan of Management**
(a) **Scenic Hill (Zone 3) - Natural Areas Plan of Management**
(b) **Scenic Hill POM - Zone 3 - Map Scenic Hill**



ATTACHMENTS UNDER SEPARATE COVER

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Model Code of Conduct Training

Committee Members and Delegates






Overview

- General conduct
- Submitting returns of interest
- Conflicts of interest
- Gifts and benefits
- Use of council information and resources
- Code of conduct complaints





What is the code of conduct?

- A council's code of conduct sets the minimum standards of conduct for all council officials.
- Every council and joint organisation must adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.
- It is important that the local community has confidence in the council and you.



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General Conduct





You must:

- act lawfully and honestly and exercise care and diligence
- consider matters consistently, promptly and fairly and in accordance with procedures
- ensure regulatory decisions are properly made and that all parties are dealt with fairly
- take care of your own and others' health and safety



You **must not** conduct yourself in a way that:

- will bring the council into disrepute
- is contrary to law and council policies
- is improper, unethical or an abuse of power
- involves misuse of your position for personal benefit
- constitutes harassment or bullying or is unlawfully discriminatory
- is intimidating or verbally abusive.



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Returns of Interests





Returns of interests

disclosures by “designated persons”

- People who exercise council functions that may give rise to conflicts of interest (ie “designated persons”) are required to disclose their personal interests in publicly available returns of interests.
- “Designated persons” must complete and submit returns of their interests to the general manager.
- A return of interest must be submitted:
 - within 3 months of appointment and then annually
 - within 3 months of becoming aware of any new interest.



Returns of interests

What interests do I need to disclose?

A designated person is required to disclose:

- interests in real property
- gifts
- contributions to travel
- interests and positions in corporations
- whether you are a property developer or a close associate of a property developer
- positions in trade unions and professional or business associations
- dispositions of real property
- sources of income
- debts



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Conflicts of Interest





Conflicts of Interest

- There are two types of conflicts of interest:
 - pecuniary and
 - non-pecuniary.
- Your obligations to disclose and manage conflicts of interest will depend on what type of conflict of interest you have.





You will have a **pecuniary interest** in a matter where there is a reasonable likelihood or expectation that you or a related person will gain or lose financially as a result of any decision made in relation to that matter.





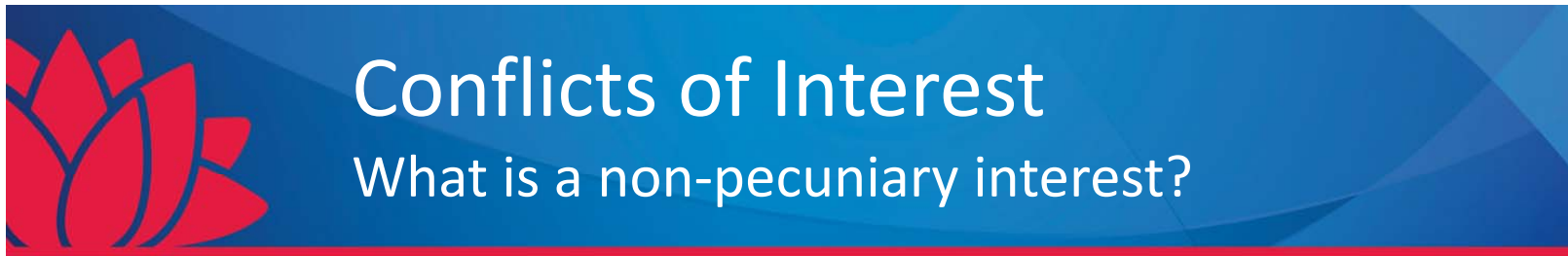
Conflicts of interest

managing pecuniary interests

- Where you have a pecuniary interest in a matter you are dealing with, you must disclose it as soon as you become aware of it in writing to the general manager.
- The general manager will decide how the matter will be dealt with.
- If you are a member of a committee, you must disclose any pecuniary interest you have in any matter being dealt with by the committee at each committee meeting that the matter arises and leave the meeting while it is being considered and voted on.



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- **Non-pecuniary interests** are private or personal interests that are not pecuniary interests.
- You will have a non-pecuniary conflict of interest in a matter you are dealing with if a reasonable and informed person would perceive that you could be influenced by a private interest that you have in that matter.
- How you deal with a non-pecuniary conflict of interest will depend on whether it is **significant**.



Conflicts of Interest

significant non-pecuniary conflicts of interest

You will have a **significant non-pecuniary conflict of interest** in a matter where you have:

- a close relationship (including a business relationship) with a person who will be affected by a decision
- a strong affiliation with an organisation that will be affected by a decision
- a financial interest in the matter that is not a pecuniary interest, or you otherwise stand to gain or lose a personal benefit as a result of a decision



Conflicts of Interest

managing significant non-pecuniary conflicts of interest

- Disclose it in writing to the general manager as soon as possible,
- disclose it on each occasion the matter arises, and
- do not participate in any consideration of the matter.
- If you are a member of a council committee you must also disclose your interest at each committee meeting that the matter arises and leave the meeting while the matter is being considered and voted on.



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Conflicts of Interest

managing non-pecuniary conflicts of interest that are not significant

- A **non-pecuniary conflict of interest will not be significant** where it arises from a relationship or affiliation that is not particularly strong.
- You must still disclose your interest in writing to the general manager as soon as possible and explain why you believe it is not significant. They will help you decide how to manage it.
- If you are a member of a committee, you must also disclose your interest at each committee meeting the matter arises and explain why you believe it is not significant and no further action is necessary to manage it.



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- The onus is on you to identify and disclose any potential conflict of interest you may have in a matter you are dealing with and to manage it appropriately.
- If you are not sure, always err on the side of caution. Disclose the interest in writing to the general manager and discuss it with them.



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Conflicts of Interest

dealing with council as a resident

- You should deal with the council in the same way as other members of the public.
- You should not expect or seek any preferential treatment.
- You must not use your position to obtain a private benefit for yourself or for someone else or to influence others to obtain a private benefit for yourself or for someone else.



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Gifts and Benefits





Gifts and Benefits

- **A gift or benefit** is something offered to or received by you, or someone closely associated with you, for personal use or enjoyment.
- Key principles:
 - You must not benefit personally from your work other than through the remuneration and any other benefits you receive as a delegate or committee member.
 - You must not be influenced or be seen to be influenced as a result of the receipt of a gift or personal benefit.



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Gifts and benefits **do not** include:

- items with a value of \$10 or less
- a gift or benefit provided to the council as part of a cultural exchange or sister city relationship
- attendance at a work-related event for the purpose of undertaking your council duties
- meals, beverages or refreshments that are provided to you while you are carrying out your council duties.



Gifts and Benefits

you must not...

You **must not**:

- seek or accept bribes
- seek gifts or benefits of any kind
- accept any gift or benefit that may create a sense of obligation, or that may be perceived as intended or likely to influence you
- accept any gift or benefit that is worth more than \$100
- accept tickets to major sporting or cultural events with a ticket value of over \$100 or corporate hospitality at such events
- accept cash or cash-like gifts of any amount
- participate in competitions for prizes where eligibility is based on the council being a customer of the competition organiser
- personally benefit from reward points programs when purchasing on behalf of council.



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If you are offered a gift or benefit that is worth more than \$100 that cannot be reasonably refused, you must surrender it to the council.





Gifts and Benefits

What you can accept?

- You can accept gifts valued under \$100.
- **But**, if the same person, or someone associated with them, offers you another gift in the next 12 months, which, if added to the value of the first gift, has a value that exceeds \$100, you must refuse to accept the additional gift.
- You must promptly disclose any gift of any value over \$10 to the general manager in writing for entry into council's gift register.



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Use of Council Resources





Use of Council Resources

- Council resources are public resources.
- You must use council resources ethically, effectively, efficiently and carefully when performing your duties.
- You must not use council resources for private purposes, or convert council property for your own use unless you are authorised to do so.



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Use of Council Resources

What records should be kept?

- All information created, sent or received in your official capacity and any information stored on council resources is considered to be a council record and must be kept in accordance with the *State Records Act 1998* and the council's records management policy.
- Do not destroy, alter or dispose of records unless authorised to do so.



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Use of Council Resources

using council information

- You can only access and use council information for council business.
- You must not use council information for private purposes.
- You must not seek to privately benefit from any council information you have obtained in your role.
- You must only release council information in accordance with council policies and procedures and in compliance with relevant legislation.



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Use of Council Resources

protecting council information

You must maintain the integrity and security of any confidential or personal information you have access to. In particular, **you must**:

- only access confidential or personal information that you have been authorised to access and only for the purposes of performing your functions
- protect confidential and personal information
- only use confidential or personal information for the purpose for which it is intended to be used
- only release confidential or personal information if authorised



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Use of Council Resources

protecting council information

You must not:

- use confidential or personal information to obtain a private benefit for you or for someone else
- use confidential or personal information to cause harm to the council or anyone else
- disclose confidential information discussed during a closed session of a council or committee meeting or any other confidential forum.



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Use of Council Resources

using council devices

You **must not** use council's computer or mobile devices to access, download or communicate any material that is:

- offensive
- obscene
- pornographic
- threatening
- abusive or defamatory
- could lead to civil or criminal liability and/or damage council's reputation.



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Code of Conduct Complaints



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Code of Conduct Complaints

- The council's code of conduct is the key mechanism for promoting and enforcing ethical and behavioural standards.
- It is important that the council's code of conduct is correctly used and that code of conduct processes are respected and complied with.





Code of Conduct Complaints

How are code of conduct complaints made?

To be dealt with under the code of conduct, complaints must:

- be made in writing to the general manager, or if about the general manager, to the mayor
- be made within 3 months
- show conduct that would constitute a breach of the council's code of conduct if proven



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Code of Conduct Complaints

What is not a code of conduct complaint?

Complaints about the following **are not** “code of conduct complaints” and should not be dealt with under the council’s code of conduct:

- the standard or level of service provided by the council
- the merits of a decision
- policies or procedures of the council
- conduct in good faith, that would not otherwise constitute a breach of the council’s code of conduct.



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Code of Conduct Complaints

How are complaints about delegates and committee members dealt with?

- The general manager is responsible for dealing with code of conduct complaints about committee members and delegates.
- The general manager may determine to take no action, to resolve the complaint informally or to take disciplinary action.
- Prior to taking disciplinary action, the general manager must comply with certain procedural fairness requirements.



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Code of Conduct Complaints

How are complaints about delegates and committee members dealt with?

Where proven, code of conduct complaints about delegates and members of committees may result in:

- censure
- requirement for an apology
- prosecution for any breach of the law
- removal or restriction of a delegation
- removal from membership of a committee



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You **must not**:

- make code of conduct complaints for an improper purpose
- take reprisal action for making or dealing with a code of conduct complaint
- disclose any information about a code of conduct complaint
- impede or disrupt the consideration of a code of conduct complaint and comply with any reasonable and lawful requests



Questions?



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MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW

'AT A GLANCE' GUIDE FOR COUNCIL COMMITTEE MEMBERS AND DELEGATES



Introduction

This guide summarises the key elements of the *Model Code of Conduct for Local Councils in NSW* that apply to committee members and delegates of councils and joint organisations.

The Model Code of Conduct is available at www.olg.nsw.gov.au.

Each council's and joint organisation's code of conduct must reflect the requirements of the Model Code of Conduct and may contain additional requirements.

While this guide refers to "councils" for simplicity, all references in it to "councils" are to be taken as including local and county councils and joint organisations.

Committee members and delegates should familiarise themselves with their council's code of conduct and understand their obligations and the obligations of others.

Who is a committee member?

A council committee member is any person (other than a councillor or council staff member) who is a member of a council committee that exercises functions of the council under delegation. It may also include members of advisory committees if your council has extended the application of its code of conduct to members of advisory committees.

Who is a delegate?

A delegate of a council is any person (other than a councillor or council staff member) who exercises a council function under delegation.

General Conduct

It is important that the local community has confidence in the council and those that serve it, whether as elected representatives, members of staff or as delegates or committee members.

As a committee member or a delegate of the council, you must ensure that your conduct and behaviour towards others meets the high standards that the community is entitled to expect of all council officials.

What conduct is expected of council committee members and delegates?

(Clauses 3.1 - 3.21)

You **must**:

- act lawfully and honestly and exercise care and diligence in undertaking your functions
- consider matters consistently, promptly and fairly and in accordance with established procedures
- ensure land use planning, development assessment and other regulatory decisions are properly made and that all parties are dealt with fairly, and
- comply with your duties under the *Work Health and Safety Act 2011* and take care of your own and others' health and safety.

You **must not** conduct yourself in a way that:

- will bring the council into disrepute
- is contrary to law and council policies
- is improper, unethical or an abuse of power
- involves misuse of your position for personal benefit
- constitutes harassment or bullying or is unlawfully discriminatory, or
- is intimidating or verbally abusive.

Submitting returns of interests

Delegates of councils or members of committees that exercise functions of the council that may give rise to conflicts of interest are required to disclose their personal interests in publicly available returns of interests.

These operate as a key transparency mechanism for promoting community confidence in council decision making, whether by councillors or by staff or others under delegation.

Do I need to submit a written return of interests?

(Clauses 4.8 – 4.10)

Delegates or committee members who are “designated persons” must complete and submit returns of their interests to the general manager.

When do I need to submit a written return of interests?

(Clause 4.21)

If you are a designated person, you must submit a return of interests within three months of your appointment and submit a new return annually (within three months of the start of each financial year).

If you become aware of any new interest that needs to be disclosed in the return, you must submit a new return within three months of becoming aware of the interest.

What interests do I need to disclose?

(Schedule 1)

If you are a designated person you will be required to disclose, among other things, the following types of interests in your return:

- interests in real property
- gifts
- contributions to travel
- interests and positions in corporations
- whether you are a property developer or a close associate of a property developer
- positions in trade unions and professional or business associations
- dispositions of real property
- sources of income, and
- debts.

Conflicts of interest

As a member of the local community, it is inevitable that at some point you will have a conflict of interest in a matter that you are dealing with. What is important is that you are able to identify that you have a conflict of interest and that you disclose and manage it appropriately.

There are two types of conflicts of interest – pecuniary and non-pecuniary. Your obligations to disclose and manage conflicts of interest will depend on what type of conflict of interest you have.

What is a pecuniary conflict of interest?

(Clauses 4.1 – 4.5)

You will have a pecuniary interest in a matter you are dealing with where there is a reasonable likelihood or expectation that you or a related person (eg a relative, your employer or business partner or a company you hold shares in), will gain or lose financially appreciably as a result of any decision made in relation to the matter.

How do I manage pecuniary conflicts of interest that I have in matters I am dealing with?

(Clauses 4.10, 4.12 and 4.18)

You must disclose in writing any pecuniary interest you may have in a matter you are dealing with as soon as you become aware of it.

The general manager will decide how the matter will be dealt with.

If you are a member of a committee, you must disclose any pecuniary interest you have in any matter being dealt with by the committee at each committee meeting that the matter arises and leave the meeting while the matter is being considered and voted on.

What is a non-pecuniary conflict of interest?

(Clauses 5.1, 5.2 and 5.8)

Non-pecuniary interests are private or personal interests that are not pecuniary interests.

You will have a non-pecuniary conflict of interest in a matter you are dealing with if a reasonable and informed person would perceive that you could be influenced by a private interest that you have in that matter. This is also known as the "pub test".

How you deal with a non-pecuniary conflict of interest will depend on whether it is significant.

How do I know if I have a significant non-pecuniary conflict of interest in a matter I am dealing with?

(Clause 5.9)

You will have a significant non-pecuniary conflict of interest in a matter you are dealing with where you have a:

- close relationship (including a business relationship) with a person who will be affected by any decision made in relation to the matter
- strong affiliation with an organisation that will be affected by any decision made in relation to the matter, or
- financial interest in the matter that is not a pecuniary interest, or you otherwise stand to gain or lose a personal benefit as a result of a decision made in relation to that matter.

How do I manage significant non-pecuniary conflicts of interest that I have in matters I am dealing with?

(Clauses 5.9 and 5.10)

If you have a significant non-pecuniary conflict of interest in a matter you are dealing with, you must:

- disclose it in writing to the general manager
- disclose it on each occasion the matter arises, and
- not participate in any consideration of the matter.

If you are a member of a council committee you must also disclose your interest at each committee meeting that the matter arises and leave the meeting while the matter is being considered or voted on.

How do I manage non-pecuniary conflicts of interest that are not significant?

(Clauses 5.6, 5.7 and 5.11)

If you believe that you have a non-pecuniary conflict of interest in a matter you are dealing with that is not significant and that does not require further action, you must still disclose your interest in writing to the general manager as soon as possible and explain why you believe it is not significant.

The general manager will help you decide how to manage your interest.

If you are a member of a committee, you must also disclose your interest at each committee meeting the matter arises and explain why you believe it is not significant and no further action is necessary to manage it.

What if I am not sure?

(Clause 5.4)

Remember, no one knows your personal circumstances better than you and for that reason, the onus is on you to identify and disclose any potential conflict of interest you may have in a matter you are dealing with and to manage it appropriately.

If you are not sure whether you have a conflict of interest in a matter you are dealing with or what type of conflict of interest it is, always err on the side of caution. Disclose the interest in writing to the general manager and discuss with them whether you should continue to deal with the matter.

How do I deal with council in my private capacity as a resident or ratepayer?

(Clauses 5.28 and 5.29)

As a member of the community, it is inevitable that you will need to deal with your council in your private capacity. Where this occurs, you should deal with the council in the same way as other members of the public. You should not expect or seek any preferential treatment.

You must not use your position to obtain a private benefit for yourself or for someone else or to influence others in the performance of their functions to obtain a private benefit for yourself or for someone else.

Gifts and benefits

In the course of performing your duties you may be offered a gift or a personal benefit. There are strict rules that govern what gifts or benefits you may accept and those that you must refuse.

These rules are informed by the following principles:

- you must not benefit personally from the performance of your duties on behalf of the council other than through the remuneration and any other benefits you receive as a delegate or committee member, and
- you must not be influenced or be seen to be influenced in the performance of your duties as a result of the receipt of a gift or personal benefit.

What is a gift or benefit?

(Clauses 6.1 and 6.2)

A gift or benefit is something offered to or received by you or someone closely associated with you for personal use or enjoyment.

Gifts and benefits do not include:

- items with a value of \$10 or less
- a gift or benefit provided to the council as part of a cultural exchange or sister city relationship (provided it is not used for your personal use and enjoyment)
- attendance at a work-related event or function for the purpose of undertaking your council duties, or
- meals, beverages or refreshments that are provided to you while you are carrying out your council duties.

What gifts or benefits must I refuse?

(Clause 6.5)

You **must not**:

- seek or accept bribes
- seek gifts or benefits of any kind
- accept any gift or benefit that may create a sense of obligation, or that may be perceived as intended or likely to influence you in undertaking your duties
- accept any gift or benefit that is worth more than \$100
- accept tickets to major sporting or cultural events with a ticket value of over \$100 or corporate hospitality at such events
- accept cash or cash-like gifts (such as gift vouchers, credit cards, debit cards with credit on them, phone or internet credit, lottery tickets etc) of any amount
- participate in competitions for prizes where eligibility is based on the council being a customer of the competition organiser, or
- personally benefit from reward points programs when purchasing on behalf of council.

What if I can't refuse a gift or benefit?

(Clause 6.7)

If you are offered a gift or benefit that is worth more than \$100 that cannot be reasonably refused, you must surrender it to the council.

What gifts can I accept and who must I report this to?

(Clauses 6.6, 6.8 and 6.11)

You may accept gifts with a value of under \$100. However, if you receive further gifts from the same person or another person associated with them in the next 12 months with a value which, when combined with the value of the first gift exceeds \$100, you must refuse to accept the additional gifts.

If you accept a gift of any value above \$10, you must disclose this promptly to the general manager in writing. The following details must be recorded in the council's gift register:

- the nature of the gift or benefit
- the estimated monetary value of the gift or benefit
- the name of the person who provided the gift or benefit, and
- the date on which the gift or benefit was received.

Use of council information and resources

Council resources (including council information) are public resources. You must use council resources ethically, effectively, efficiently and carefully when performing your duties.

You must not use council resources for private purposes, or convert council property for your own use unless you are authorised to do so.

What records should I keep?

(Clauses 8.21 – 8.24)

All information created, sent or received in your official capacity (whether or not stored on a council device or a council email account) and any information stored in either soft or hard copy on council resources is considered to be a council record and must be kept in accordance with the *State Records Act 1998* and your council's records management policy.

Do not destroy, alter or dispose of records unless authorised to do so.

What are my obligations in relation to the use of council information?

(Clauses 8.9 – 8.11)

You can only access and use council information for council business. You must not use council information for private purposes and you must not seek to privately benefit from any council information you have obtained in your role as a delegate or committee member.

You must only release council information in accordance with established council policies and procedures and in compliance with relevant legislation (including privacy legislation).

You must maintain the integrity and security of any confidential or personal information you have access to. In particular, you must:

- only access confidential or personal information that you have been authorised to access and only for the purposes of performing your duties
- protect confidential and personal information
- only release confidential or personal information if authorised to do so
- only use confidential or personal information for the purpose for which it is intended to be used
- not use confidential or personal information to obtain a private benefit for you or for someone else
- not use confidential or personal information to cause harm to the council or anyone else, and
- not disclose confidential information discussed during a closed session of a council or committee meeting or any other confidential forum (such as councillor workshops or briefing sessions).

What are my obligations when using my council computer or mobile device?

(Clause 8.20)

You must not use council's computer or mobile devices to access, download or communicate any material that is offensive, obscene, pornographic, threatening, abusive or defamatory or could lead to civil or criminal liability and/or damage council's reputation.

Making code of conduct complaints

Your council's code of conduct is the key mechanism for promoting and enforcing the ethical and behavioural standards the community rightly expects of those who serve the council.

For this reason, it is important that your council's code of conduct is correctly used and that code of conduct processes are respected and complied with.

How do I make a code of conduct complaint?

(Part 4 of the Procedures)

Complaints alleging breaches of the code of conduct must be made in writing to the general manager. Complaints about the general manager must be made in writing to the mayor. Complaints must be made within 3 months of the conduct occurring or you becoming aware of the conduct.

To be dealt with under the council's code of conduct, a complaint must show or tend to show conduct by a member of staff, a councillor or a person exercising council functions under delegation or who is otherwise subject to the council's code of conduct in connection with their official role or the exercise of their official functions that would constitute a breach of the council's code of conduct if proven.

The following types of complaints must not be dealt with under a council's code of conduct and should instead be dealt with under the council's routine complaints management processes:

- complaints about the standard or level of service provided by the council or a council official
- complaints that relate solely to the merits of a decision made by the council or a council official or the exercise of a discretion by the council or a council official
- complaints about the policies or procedures of the council, and
- complaints about the conduct of a council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the council's code of conduct.

What happens if a code of conduct complaint is made about me?

(Clauses 5.10 – 5.17 of the Procedures)

The general manager (or another member of staff authorised by the general manager) is responsible for dealing with code of conduct complaints about committee members and delegates.

In dealing with a complaint, the general manager may determine to take no action, to resolve it informally or to take disciplinary action. Prior to taking disciplinary action, the general manager must comply with certain procedural fairness requirements.

Where proven, code of conduct complaints may result in:

- censure
- requirement for an apology
- prosecution for any breach of the law
- removal or restriction of a delegation, and/or
- removal from membership of a committee

What are my responsibilities in relation to code of conduct complaints?

(Clauses 9.1 – 9.7, and 9.13)

You have certain obligations in relation to any code of conduct complaints that you make or that are made about you. These obligations are designed to safeguard the integrity of your council's code of conduct and the processes for investigating and dealing with alleged breaches by ensuring code of conduct matters are dealt with in a manner that is robust, fair and confidential. Breaches of these obligations may themselves constitute a breach of your council's code of conduct.

In particular you must not:

- make code of conduct complaints for an improper purpose
- take or cause reprisal action to be taken against someone for making or dealing with a code of conduct complaint
- disclose any information about a code of conduct complaint you have made or that has been made about you except for the purpose of seeking legal advice, or
- impede or disrupt the consideration of a code of conduct complaint and you must comply with any reasonable and lawful requests.



SCENIC HILL RESERVE - ZONE 3 – NATURAL AREAS

**CROWN RESERVE 56353 AND
COUNCIL OWNED COMMUNITY LAND**

DRAFT PLAN OF MANAGEMENT



Draft Plan of Management Report prepared by
Melva Robb
Consultant
Griffith City Council
GRIFFITH NSW 2680

March 2023
Photos by Melva Robb unless otherwise stated

GRIFFITH CITY COUNCIL – SCENIC HILL – ZONE 3 –
NATURAL AREAS DRAFT POM

1

RESPONSIBLE OFFICER					
REVIEWED BY:					
DATE ADOPTED:					
RESOLUTION NO: (IF RELEVANT)					
REVIEW DUE DATE:					
REVISION NUMBER					
PREVIOUS VERSIONS:		DESCRIPTION OF AMENDMENTS	AUTHOR/ EDITOR	REVIEW/ SIGN OFF	MINUTE NO (IF RELEVANT)

Griffith is in the heart of the Wiradjuri Nation – the largest nation of Aboriginal and Torres Strait Islander people in Australia. Griffith City Council recognises Aboriginal people in the history and growth of Griffith and its surrounding villages. As such, Council acknowledges the Wiradjuri people as the traditional owners of the land and pays respect to Wiradjuri Elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and their ongoing relationship with the land for people living today.

Griffith City Council also acknowledges the contribution made to this community by the many and diverse cultural groups that have greatly contributed to the social and economic wealth of this region.

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1.0 EXECUTIVE SUMMARY

Scenic Hill together with McFadzean's Lease are valuable natural resources to the City of Griffith and the broader community providing a range of formal recreational use areas, cultural experiences, natural areas, and significant visual quality. The areas collectively comprise an area of approximately 560.65 hectares (Scenic Hill Reserve 536 ha and McFadzean's Lease 23.65 ha). The areas were a valuable resource for the people of the Wiradjuri Nation prior to the development of the area for irrigation and remains an important connection to country in today's social and physical landscape.

Scenic Hill is located at the southernmost part of MacPherson Range thereby providing a visual backdrop to Griffith's relatively flat landscape. McFadzean's Lease lies west of Scenic Hill and is separated by Wyangan Avenue and Abattoir Road and an irrigation channel owned by Murrumbidgee Irrigation and provides connectivity to adjacent bushland areas.

Griffith Built & Natural Environment Group prepared a Plan of Management for Scenic Hill (1996-2000), predominantly including the land within the "Natural Area" referred to below as well as other vacant Crown land situated north-east of Wood Road and Wyangan Avenue and land north of the Hill bounded by the Aerodrome.

It is noted that the abovementioned Plan of Management, was not prepared under the *Local Government Act 1993* or the *Crown Lands Act 1989* and that changes to management of Crown Reserves and legislation have occurred since that time. Council's Local Environmental Plan (LEP) and local policies have also been updated.

Accordingly, the Plan of Management (prepared in 2000) (the information of which is formally acknowledged), has been used as a reference only to the current Plan of Management that is required in accordance with Section 3.23 of the *Crown Land Management Act 2016* and Section 36 of the *Local Government Act 1993*.

For the purposes of preparation of Plans of Management, Scenic Hill has been broken into 3 specific zones comprising:

- Zone 1 – Formal Recreational Areas
- Zone 2 – Pioneer Park
- **Zone 3 – Natural Area**

This Plan of Management (PoM) comprises both a Council Managed Crown Reserve and Council Owned Community Land described fully in Table 1 and being: -

Council Managed Crown Reserve

- Part of Scenic Hill (Natural Areas) – Crown Reserve 56353 of multiple Lots/DPs described in Table 1) – an area predominantly bounded by residential land to the east and south/south-west and to its north by Griffith Airport and primary production small area Lots.

Council Owned Community Land

- Known as McFadzean's Lease - An area bounded by Abattoir Road, Mitchell Lane; freehold rural residential Lots and Crown Land reserved for the purpose of Public Recreation and Environmental Protection (referred to in Table 2).

Other areas of Scenic Hill have more expressly been described in the above-mentioned Zones and previously prepared Plans of Management.

The broader Scenic Hill area is valued by individual and various user groups of the local community together with visitors to the area, and is also a source of recreational and tourist opportunity providing for bushwalking, cross-country running, cultural experiences, environmental study, mountain bike riding and photography. McFadzean's Lease is less utilised by the general public however is also used for bushwalking, mountain bike riding and environmental study. Other uses include unauthorised motorbike riding at both areas that will be referred to later in this PoM. Refer Map Annexure 1 (pg. 66).

Scenic Hill Reserve is more specifically referred to in Annexure 2 of this PoM describing the area's various infrastructure. (Refer pg. 67).

The PoM examines the current character, current use and future needs of the reserve and their relationship to the surrounding lands and communities within which they are located. The Plan also considers the historical use of the land and the various features that remain current within the landscape of Scenic Hill and McFadzean's Lease that add to the social value of the lands to the community.

This PoM also considers the negative impacts that have historically and are currently causing degradation to the natural areas, in particular, Scenic Hill, and how these impacts might be negated. However, Council as Crown Land Manager is required to manage the reserve for its gazetted purposes of 'Preservation and Growth of Timber' and 'Public Recreation' in line with other impacting legislation. This influences Council's capacity to undertake permissible development and to provide and meet continued financial commitment towards maintenance.

Additionally, although Scenic Drive is a sealed road for all intent and purpose, from its intersection with Remembrance Driveway, it is a 'track in use' and has no legal status as a road.

This Plan highlights complex issues surrounding future use, management and development of Scenic Hill being a Crown Reserve and managed by Council, with a further *Management Plan* necessary to look at activities that have historically taken place which have negative impacts.

This PoM assists Council in establishing further planning and resource management that accord with the current Reserve purpose of 'Preservation and Growth of Timber'. Following a request by Griffith City Council, DPE – Crown Lands has added the purpose of 'Public Recreation' to the Reserve to validate the historical uses that have and continue to provide for 'passive recreational use' across the natural areas of Scenic Hill (referred to in Table 1).

The Council Managed Crown Reserve and Council Owned Community Land are categorised in this PoM, as being: -

- **Natural Area – Bushland**

The categorisation of the land is consistent with Reserve 56353 (comprising multiple Lots) and its gazetted purpose of Preservation of Growth and Timber. Recreational use is interspersed within the landscape with previously built infrastructure to support tourism, i.e., handrails and interpretive signage of Sir Dudley de Chair Lookout; and other signage that supports exploration of the various walking trails scattered throughout the site.

The addition of a 'Public Recreation' purpose will not alter the overall existing purpose of the land. There is also an extensive network of fire trails maintained for access and mitigation against grass fires. Many of these fire trails are co-used for bushwalking, jogging and mountain bike riding.

Although perceived as part of Scenic Hill, the construction of "Rotary Lookout" is situated on part of Lot 7012 DP 1024031 which is a Trigonometrical Reserve (R.34177) managed by The Minister. The Department of Planning & Environment (DPE) – Crown Lands has authorised the removal of this piece of infrastructure.

The area of McFadzean's Lease has been approved by Council for Environmental Conservation.

The development of a secondary document, a Management Plan, is likely to consider further development of the land in consideration of other usage and impacts identified by this PoM and may seek further consultation with the indigenous community and various user groups to provide outcomes through joint funding initiatives.

Council has budgetary limitations and the PoM highlights the ongoing financial obligation that is required to maintain Scenic Hill to meet acceptable levels and community expectations. Revenue is not generated from activities on Scenic Hill as it is natural bushland. Therefore, funding is required through Council's yearly budget allocations or successful grant funding opportunities.

The area of the Hermit's Cave is currently incorporated in the Plan and categorised as Natural Area – Bushland as part of the overall natural area of Scenic Hill. Hermits Cave complex requires significant improvement to encourage visitation to the site. As the site is heritage listed, a qualified professional within this area of expertise may be required to undertake restoration works.

Review of the area of Hermit's Cave categorisation to i.e., Area of Cultural Significance may be a consideration in the future.

2.0 Introduction

Griffith City is a thriving regional capital located in the Murrumbidgee Irrigation Area with a vibrant lifestyle and diverse economy; embracing community, heritage, cultural traditions, and the environment. The estimated population of Griffith City Council in 2020 was 27,155.

Located in the Riverina, Griffith is 584km from Sydney, 458 km from Melbourne and 358km from Canberra; and is the largest regional centre in the Western Riverina region. Griffith is located in the heart of Wiradjuri Nation – the largest nation of Aboriginal and Torres Strait Islander people in Australia.

Griffith City Council is responsible for the care and control of many parcels of community land. With the introduction of the *CLMA 2016* on 1 July 2018, Council as the appointed Crown Land Manager will generally now manage Crown Reserves under the provisions of the *LGA 1993*.

Figure 1 – Locality diagram

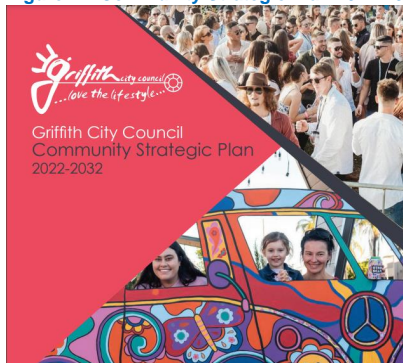


2.1 Corporate Objectives

Griffith City Council (GCC) has a positive future being acknowledged as a predominant major regional centre. Council's Mission Statement is –

1. To respond to the needs of the community and deliver in an economical manner those services which are the responsibility of Local Government.
2. To provide Local Government administration that is dedicated, accountable and committed to the improvement of the quality of life and the economic well-being of the citizens of the City of Griffith.

Figure 2 – Community Strategic Plan 2022-2032



The [Community Strategic Plan 2022-2032](#) endorsed on 22 March 2022 identifies the community's priorities and aspirations for the future and provides strategies for achieving these themes. The community vision for Griffith adopted in 2017 is:

“Griffith is a thriving and innovative regional capital with a vibrant lifestyle and diverse economy. We embrace our community, heritage, culture, and environment.”

The current Community Strategic Plan (CSP) is a result of review following Local Government elections held in 2021.

The CSP is made up of four themes and those identified as being relevant to this PoM are identified in Figure 3 as being:

Figure 3 – Community Strategic Plan – Themes

- | |
|--|
| <ol style="list-style-type: none"> 1. Leadership – <ol style="list-style-type: none"> a. Providing clear, accessible, relevant information; and actively engaging with and seeking direction from our community and stakeholder to provide for an engaged and informed community. b. Developing and maintaining partnerships with the community, government and non-government agencies to provide community benefit; maximising opportunities to secure external funding for partnerships, projects and programs; and the Mayor and Councillors who provide strong, proactive leadership in their representation of the community providing for goals to be achieved. c. Council undertaking its activities within a clear framework of strategic planning, policies, procedures and service standards; and ensuring Council's financial sustainability through transparency and accountability to lead with good governance. 2. Loving our Lifestyle – <ol style="list-style-type: none"> a. Griffith is a great place to live through providing a safer community; encouraging inclusivity and celebration of this social and cultural diversity; providing and promoting accessibility to its services; providing a range of cultural facilities, programs and events; the promotion of reconciliation and the embracing of our Wiradjuri heritage and culture; providing a range of sporting and recreational facilities; and improving the public realm and aesthetic of the City. 3. Growing our city – <ol style="list-style-type: none"> a. Griffith's economy is grown through strategic land use planning and management to encourage investment in the region; and promotion of Griffith as a desirable visitor destination. b. Providing and managing assets and services; and mitigating the impact of natural disasters. 4. Valuing our Environment <ol style="list-style-type: none"> a. Enhancing the natural and built environment through encouraging respectful planning; the delivery of projects to protect and improve biodiversity, biosecurity and sustainability; and improving sustainable land use. b. Using and managing our resources wisely through the reduction of energy consumption and greenhouse gas emissions; and the implementation of programs to improve sustainability. |
|--|

2.2 Land to Which this Plan Applies

This PoM covers various parcels of land being Council managed Crown Reserve as shown in Table 1 below. A more detailed list indicating infrastructure is shown in Annexure 2 (refer pg. 67). The Crown Reserve is predominantly a significant area of remnant vegetation within a highly modified setting however is also used for a range of recreational uses by individuals or formalised groups, with the area also providing tourist opportunities.

Table 1 – Land included in this PoM

Manage't Type	Res No.	Name	Purpose	Date of Gazette # Trustee appointment	Lot/DP	Area	Land Category
Crown Reserve	56353	Scenic Hill Reserve	Preservation and Growth of Timber	31/08/1923 # 13/05/1948	1081, 1274 & 1305/751709; 7021/1024372; 7022/1024374; 7024/1024377; 7032/1076174; 7020/1076175; 7039/1114833; 7300/1133143 (all Parish Jondaryan); and 7006/1023976; 7007/1024033; 7008/1024076; 7013/1114835 (Parish Wyangan)	537ha	Natural Area - Bushland
			Public Recreation (Additional Purpose)	16/09/2022			
Council Owned Community Land	N/A	Known as McFadzean's Lease	Environmental Conservation		2/1030170	23.65ha	

2.3 Lands excluded from the Plan

The following Table identifies land that has been excluded from this PoM.

Table 2 – Lands excluded from this PoM

Reserve No.	Name	Lot/DP	Purpose	Comments
34177 & 87129	Trig Reserve (R.87129 – Part Pioneer Park Museum)	Whole 7012/1024031 (Trig Reserve) and north of Scenic Drive - Part 7012/1024031 part of Pioneer Park Museum)	Trigonometrical Reserve (R.34177) & Botanic Gardens, Museum, Promotion of the Study of Native Flora & Fauna (R.87129)	Trig Reserve Managed by the Minister and Pioneer Park managed by Griffith City Council
N/A		1/90054	-	Freehold held by Air Services Australia

N/A		53/914622		Water reservoir – Council owned operational land
N/A		1/914631		Water storage – Council owned operational land
N/A		1/712654		Freehold -
N/A		1/640685		Water reservoir – Crown owned operational land
N/A		1/1171600		Water reservoir – Council owned operational land
N/A		641/751743		Former MTN 9/2RG studio
N/A		1/986774		Freehold - Former garbage depot – Council owned operational land
N/A		1/1146897		Griffith airport - Council owned operational land
N/A		1/232976		Site of proposed Easement for Access in DP 232976 Gov. Gaz. 12.1.1967 (Folio 113). Crown undertaking investigation as to ownership and/or tenure.
N/A		1/1030170		Freehold – The Scout Association of Australia, New South Wales Branch

Other areas of Scenic Hill have previously been included in respective Plans of Management being:

- Scenic Hill (Zone 1) – Formal Recreational Areas (R. 83029 – Clay Target Club; R.83393 – Dalton Park Racecourse; R. 83394 – Griffith Gun Club; R.83395 – Griffith Golf Course; R. 83396 – Griffith Motorcycle Sports Club; and R. 88420 – Rodeo Ground). (Adopted at Council meeting of 14 June 2022); and
- Scenic Hill (Zone 2) – Pioneer Park (R. 87945 – Part Pioneer Park Museum; and R. 87129 – Part Pioneer Park Museum). (Referred to DPE – Crown Lands for approval on 15 June 2022).

The 2000 Plan of Management identified additional parcels of Crown land that could be added to 'Scenic Hill' to reduce the negative impact of external influences and improve its integrity (Refer Figure 5 pg. (22)).

The areas now identified as Lot 7013 DP 1114835 and Lot 7039 DP 1114833; are part of the overall Scenic Hill Reserve 56353.

Lot 2 DP 1030170 is Council owned community land for environmental conservation and has been included in this PoM and referenced in Table 1 above.

The areas of Lot 7306 DP 1157775 and Lot 2 DP 1206224 are held under Reserve and managed directly by DPE – Crown Lands for the purpose of 'Environmental Protection and Public Recreation'.

2.4 Owner of the Land

This PoM incorporates land that is owned by the State of New South Wales (as Crown land) and managed by Griffith City Council under the *CLMA 2016* together with Council Owned Community Land as identified in Table 1 above.

The Council of the Shire of Wade was initially gazetted as Trust Manager of Reserve 56353. Council of the Shire of Griffith was further proclaimed as City of Griffith (Griffith City Council) by Government Gazette of 1 July 1987. Griffith City Council was reappointed Trustee of Reserve 56353 on 16 December 1994.

The management and use of Scenic Hill Reserve – Zone 3 (specifically in relation to the various Lots/DP's within Reserve 56353) and comprising of the natural areas, is subject to the provisions of the *CLMA 2016*, and is not subject to any condition, restriction or covenant imposed by the owner.

The management and use of McFadzean's Lease being Council managed community land and comprising Lot 2 DP 1030170, is subject to the provisions of the *Local Government Act 1993*.

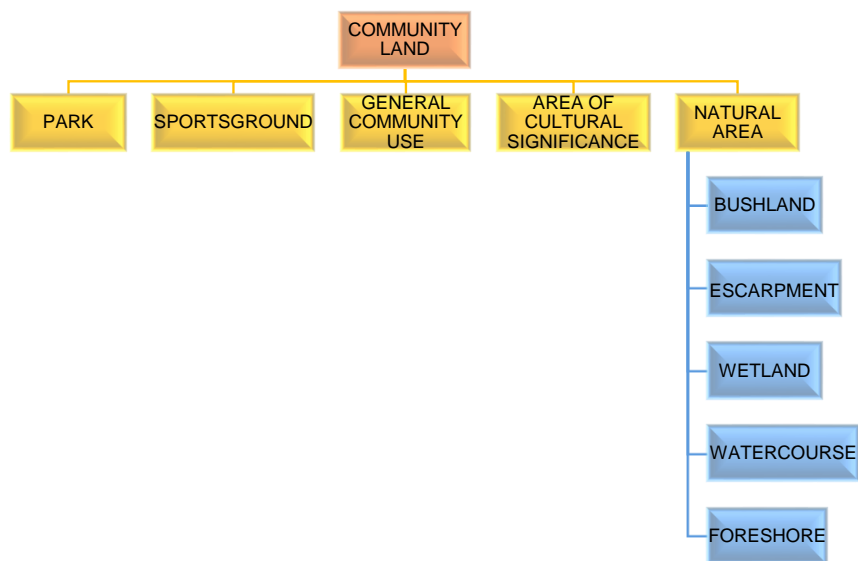
2.5 Categorisation of Reserves

All community land is required to be categorised as one or more of the following categories.

Section 36 of the Local Government Act defines five categories of community land referred to in Figure 4 below and described more broadly as:

- **Park** – for areas primarily used for passive recreation.
- **Sportsground** – for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- **General community use** – for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.
- **Cultural significance** – for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- **Natural area** – for all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories.

Figure 4 – Prescribed categories of Community Land



With the introduction of the *CLMA 2016*, Council is to manage dedicated or reserved Crown land held under their management control as community land under section 3.21 of the Act.

Under section 3.23(2) of the *CLMA 2016*, Council Crown Land Managers must assign to all Crown land under their management, one or more initial categories of 'Community Land' referred to above. The category is to relate most closely to the purpose(s) for which the land is dedicated or reserved.

For the purpose of section 3.23 of the *CLMA 2016*, the PoM for "Scenic Hill Zone 3 – Natural Areas", is a 'first Plan'.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land as Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with the land.

Both the *Aboriginal Land Rights Act (ALR) 1983* and the *Commonwealth Native Title Act (NTA (C'th)) 1993* recognises the intent of the original reserve purpose of the land so that a complying activity can be considered lawful or validated.

On Crown land, Native Title rights and interest must be considered unless:

- Native Title has been extinguished; or
- Native Title has been surrendered; or
- Determined by a court to no longer exist.

Examples of acts which may affect Native title on Crown land reserves managed by Council include: -

- The construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbeques,

- The construction of extensions to existing buildings,
- The construction of new roads or tracks,
- Installation of infrastructure such as powerlines, sewerage pipes, etc.,
- The issue of a lease or licence,
- The undertaking of earthworks.

Council applied for the categorisation of the Council Managed Crown Reserve as:

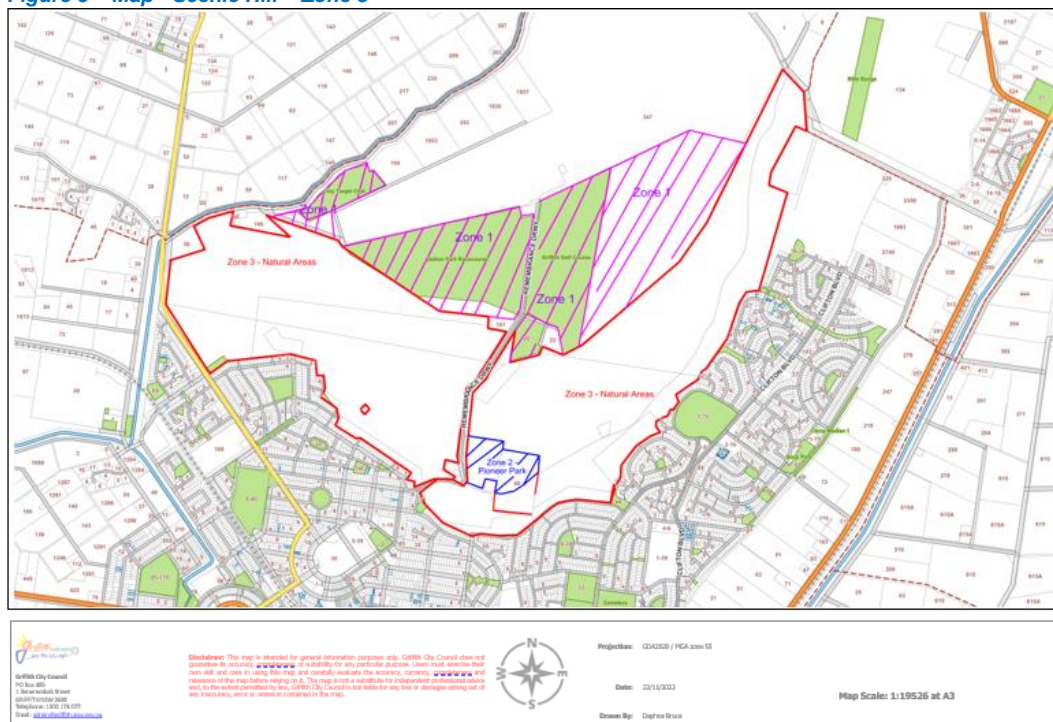
➤ ***'Natural Area - Bushland';***

The above category closely relates to the reserves' purposes of 'Preservation and Growth of Timber' and is depicted in Figure 5 below.

The category was approved by the Minister administering the *CLMA 2016* in relation to the reserve, and although Council does not propose to alter the category by this Plan of Management an additional purpose of 'Public Recreation' was added via Government Gazette of 16 September 2022. The additional purpose validates the historical passive recreational uses incorporating tourism of Scenic Hill that have occurred since settlement and the pre-settlement uses by the Wiradjuri people including hunting and food gathering, conducting of ceremonies, and camping.

The area of Scenic Hill's Zone 3 Natural Area – Bushland is shown in Figure 5 (edged red).

Figure 5 – Map - Scenic Hill – Zone 3

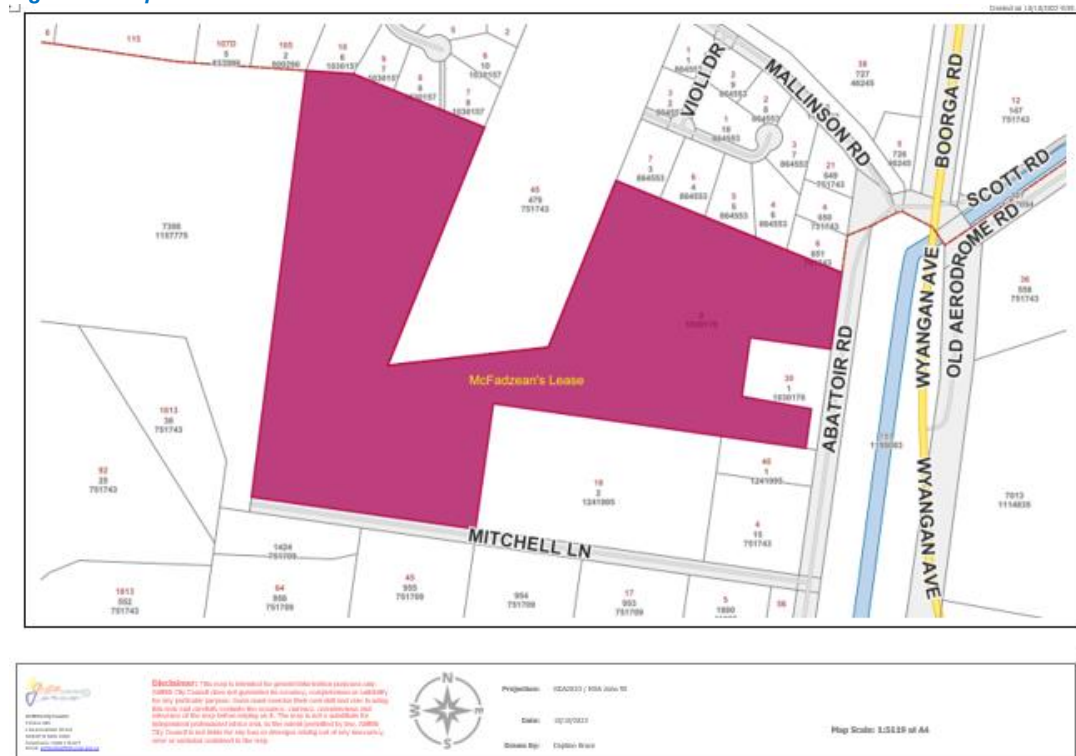


Activities on this Reserve will need to reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation, including

assessment of the activity under the *NTA 1993* (C'th) and registered claims under the *ALRA 1983*.

The area of McFadzean's Lease is shown in Figure 6 below by solid colour.

Figure 6 – Map - McFadzean's Lease



2.6 Purpose of this Plan of Management

The purpose of this PoM is to:

- Develop a Plan of Management to provide a strategic framework for Council to guide suitable land use and management of community lands contained within the Scenic Hill (Zone 3) – Natural Areas (Crown Reserve 56353 and Council owned community land of 'McFadzean's Lease).
- Develop a Plan of Management that provides consideration of the significant cultural aspects of Scenic Hill incorporating both Indigenous and European cultures.
- Develop a Management Plan for day-to-day management, operation and budgetary requirements
- Ensure consistent management that supports a unified approach to meeting the varied needs and expectations of the community.
- Ensure that passive recreational uses and tourist opportunities co-exist within the natural environment and heritage areas without negatively impacting on the landscape.
- Ensure that the development of any “non-passive recreational uses” are strategically planned and contained so as not to negatively impact on the biodiversity of the area and

its connectivity to other strategic natural areas; or negatively impact on the cultural significance of Scenic Hill; or impact on other passive recreational uses.

- Meet and contribute to Council's broader strategic goals and vision as set out in GCC's Community Strategic Plan 2022-2032.

2.7 Process of Preparing this Plan of Management

The process for preparing a PoM for Council managed Crown reserves is shown in Figure 7 (below) "[Flowchart for Consultation and Approval of an Initial Plan of Management](#)".

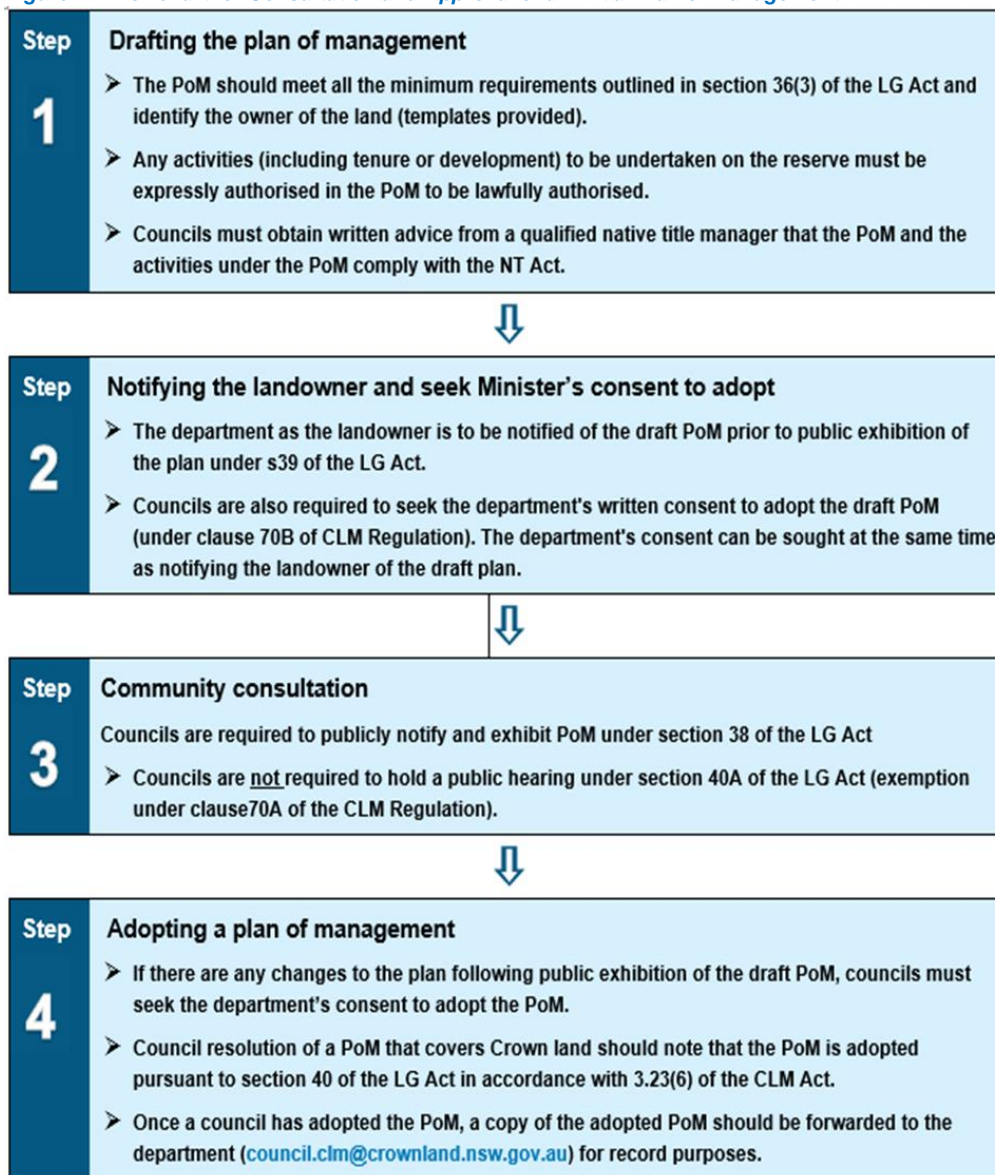
Council is required to submit the draft PoM to NSW Department of Planning, Industry & Environment, as representative of the owner of the land under section 39 of the *LGA 1993*. This process occurs prior to a public exhibition and community consultation of the Plan of Management.

If after public consultation there is no change to the categorisation and no additional purpose or only minor changes, no additional ministerial consent is required. Council can then proceed to adopt the PoM under 70B of the *Crown Land Management Regulation 2018*.

If Council proposes a change in the categorisation of the land or an additional purpose or major changes to the PoM following public consultation, the plan must be referred again to the Minister administering the *CLMA 2016* for consent to adopt the PoM.

The purpose of this Plan of Management is **not** to change the categorisation to the Crown Reserve as it currently stands.

Figure 7 – Flowchart for Consultation and Approval of an Initial Plan of Management



2.8 Change and Review of Plan of Management

The use and management of the various parcels of land listed in Table 1 and in the Schedule of Lands in Annexure 2 (refer pgs. 67-68), are regulated by this PoM.

This PoM will require regular review in order to align with community values and expectations and to reflect changes in Council priorities.

Whilst the guidelines and principles outlined in the Plan may be suitable at present, the Plan should be reviewed from time to time to confirm its relevance.

Council has determined that it will review the PoM within 5 years of its adoption. It may be relevant at that point in time to also review the inclusion of the Hermit's Cave precinct in the current categorisation.

The community will have an opportunity to participate in reviews of this PoM.

2.9 Community Consultation

Consultation with the community is an important part of the preparation of this PoM.

Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the land to which this PoM applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.

In preparation of the initial Draft PoM, consultation was undertaken with individuals and representatives of the following organisations/user groups: -

- Department of Planning & Environment (DPE) – Crown Lands, South West Management
- Griffith Local Aboriginal Land Council (GLALC) (Stephen Young, CEO)
- Griffith Mountain Bike Users representatives (Allan Jones, Michael Ryan, Dick Hoare, and James Scremin) and Griffith Cycle Club (Craig Tilston)
- Members of the former Griffith Built & Natural Environment Group of Griffith City Council (Rhonda Miranda and Phoebe Harrison)
- Murrumbidgee Field Naturalists (MFN) (Eric Whiting, Max O'Sullivan, and Neil Palframan)
- NSW TAFE (Carolyn White, Teacher, Career Pathways, Aboriginal Languages and Employability Skills)
- National Parks and Wildlife Service (NPWS) Riverina Area, West Branch, Griffith (Gary Currey, Aboriginal Joint Management Co-ordinator)
- NSW Rural Fire Service (RFS) – Murrumbidgee Irrigation Area Bush Fire Management Committee (BFMC) (Deanne Bailey, Operations Officer, MIA District)
- Riverina Local Land Services (Riverina LLS) (Anna Wilson, Senior Land Services Officer-NRM)
- Timothy Ellis, University of Western Sydney Hawkesbury (historical study of Scenic Hill)

Tim Ellis in his 1998 study, described a "Systemic Analysis of a Landscape Management System" that identified a range of emergent themes and issues including: -

1. *Private properties encroaching onto Vacant Crown land, Scenic Hill Reserves and Council owned land;*
2. *Effects from new housing estates;*
3. *Development of housing estates (Wyangan Avenue and Wood Road area);*
4. *Loss of rare and endangered species;*
5. *Increased numbers of introduced weeds / lawn / plants from encroachments and dumping lawn clippings;*
6. *Loss of fire trails;*
7. *Water metres may effect areas which have grassed areas, leading to neglect;*
8. *Increase in the feral cat / fox population;*
9. *Stronger influence on community awareness;*
10. *Changing opinions of governing bodies;*
11. *Soil structure disturbed to a greater extent;*
12. *Vandalism of historic features;*
13. *Extension of the Scenic Hill Reserve boundaries to include other areas of remnant vegetation;*
14. *Development of communication towers / antennas.”*

Many of these factors continue to be a source of concern for Council as Crown Land Manager, the local community, and visitors to the area. The survey results mentioned below, together with the [Section 6 - Management Framework for Category of Land](#) further allude to these continuing issues.

In February 2022, Griffith City Council undertook a survey in consideration of a proposed Mountain Bike Park, as part of a grant application under the NSW Government's "Open Spaces Program: Places to Play 2021/22". This proposal followed previous consultation during Council's preparation of its Community Strategic Plan identifying a need to improve and create additional outdoor recreational spaces. This funding program aimed to support the creation of innovative and inclusive adventure, water, and nature playscapes for people of all ages and abilities.

A subsequent survey was undertaken during August 2022 to assess the community's value of the environmental, cultural, and social significance that Scenic Hill portray. The outcome of the survey was to seek community input as to current and perceived use(s), value and interest of the area and to gauge the frequency and demographic of its users.

The survey was posted to each adjoining residence of Scenic Hill; and advertised in Council's weekly newsletter – "Council Catchup"; placed on Council's website; and also advertised through word of mouth and at a meeting with Stephen Young of the Griffith Aboriginal Land Council for further distribution to Aboriginal networks.

The survey ran for a period of 6 weeks concluding on 18 August 2022 and resulted in 445 respondents. Key points to note include:

- Respondent age groups of greatest use were – 31-40yrs (21.35%); 41-50yrs (20.90%); 51-60yrs (20.45%); and 20-30yrs (12.36%). The lowest number of demographics represented from the survey was Under 20yrs (4.04%) however this is unlikely a true indication of their use with school-aged children often sighted riding their push-bikes.
- Frequency of use – Every day (25.62%); Once a week (21.80%); Periodically (2-3 times a year) (21.12%); and Monthly (18.65%) with only 1.12% indicating that Scenic Hill was never used
- Purpose of Use – Bushwalking (64.52%); General mental and physical wellbeing (62.67%); Exercise only (47.24%); 32.26% of respondents indicating the sole purpose was to travel to Griffith Airport; and School uses such as orienteering, cross country running or education (4.61%). Although School uses reflected a low percentage of overall

use, the number of users in this category is likely to be high given the 'school-group' usage of students at a single time.

- 78.34% of respondents were not associated with any specific recreational group; whereas other groups included Feral Joggers (10.14%); Another bike user (individual or group) (9.45%); and members of Murrumbidgee Field Naturalists (2.07%)

Primary concerns of respondents which have been further identified and addressed in [Section 6 – Management Framework for Category of Land](#) (pgs. 46-62) are as follows: -

- Illegal rubbish dumping (88.53%);
- Vandalism (73.62%);
- Damage to cultural/heritage sites (48.17%);
- Impacts on native vegetation, i.e., removal of trees, loss of habitat, erosion, drainage, climate change, etc. (35.09%) and
- Grass fires (34.63%)
- No concerns (2.06%)

One-hundred and one (101) of the total number of respondents further indicated their interest in being directly contacted for potential involvement in a community working group(s).

Further information relating to the survey can be sought directly from Griffith City Council.

All stakeholders and identified Council Departments are given the opportunity to express their opinions and provide relevant information in relation to the planned management of the land, however as the land is Crown land, final approval for the PoM rests with the Minister administering the *Crown Land Management Act 2016* as owner of the land.

Further community consultation is also offered as a result of the development application process in line with Council's Griffith Community Participation Plan of 16 December 2019 (in response to Section 2.23 of the *Environmental Planning and Assessment Act 1979*).

Figure 8 – Vegetation - Sida and Senna species



3.0 LEGISLATIVE FRAMEWORK

This section describes the legislative framework applying to the land covered under this PoM.

3.1 Local Government Act 1993

Community land must be managed according to the provisions of the *Local Government Act 1993* and the *Local Government (General) Regulations 2021 (LG Regulations)*.

The Local Government Act 1993 requires all Council owned land to be classified as either Operational or Community land. Community land is defined as land that must be kept for the use of the general community and must not be sold. Under the *Local Government Act 1993*, Community land is required to be managed in accordance with a PoM and any other laws regulating the use of the land.

This PoM has been prepared in accordance with the *Local Government Act 1993* using the land categories approved by the Minister administering the *CLMA 2016* where lands are Council Managed Crown Reserves. The Plan of Management has further been prepared in accordance with the *Local Government Act 1993* solely where lands are Council Owned Community Lands.

Council must also consider the guidelines under Clause 101 of the *Local Government (General) Regulations 2021* for categorisation of community land when preparing PoMs.

Clause 107 states that –

“Guidelines for categorisation of land as bushland

- 1) Land that is categorised as a natural area should be further categorised as bushland under Section 36(5) of the Act if the land contains primarily native vegetation and that vegetation –
 - (a) Is the natural vegetation or a remainder of the natural vegetation of the land, or
 - (b) Although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.
- 2) Such land includes –
 - (a) Bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, trees, hollows and leaf litter), or
 - (b) Moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or
 - (c) Highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.”

The minimum requirements for a Plan of Management for community land is set out in Section 36(3) of the *Local Government Act 1993* and must 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 the council proposes to achieve the plan's objectives and performance targets,
- (d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and may require the prior approval of the council to the carrying out of any specified activity on the land.

3.2 Crown Land Management Act 2016

Crown reserves are Crown land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the *CLMA 2016*, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the *CLMA 2016*, as Council Crown land managers, Councils manage Crown land as if it were public land under the *Local Government Act 1993*. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of 'environmental protection' cannot be used in a way that compromises its environmental integrity.

Division 3.4 of the *CLMA 2016* specifically relates to Crown land managed by Councils and **Division 3.6** of the said Act, refers to Plans of Management and other plans.

Council's must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the *CLMA 2016* and set out below. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses. Section 1.4 of the *CLMA 2016* states:

"For the purposes of this Act, **the principles of Crown land management** are –

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land, and
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- (c) that public use and enjoyment of appropriate Crown land be encouraged, and
- (d) that, where appropriate, multiple use of Crown land be encouraged, and
- (e) 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
- (f) that Crown land be occupied, used, sold, leased, licenced or otherwise dealt with in the best interests of the State consistent with the above principles."

Crown land management compliance

In addition to management and use of Crown reserves that are aligned with the purpose of the reserve, there are other influences over Council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or Councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

3.3 Zoning and Planning Controls

The *Environmental Planning and Assessment Act 1979 (EPA Act)* establishes the statutory framework for environmental and land use planning in NSW.

The Griffith City Council Local Environmental Plan 2014 (GLEP) is the current planning instrument. Refer to the website = <https://pp.planningportal.nsw.gov.au/publications/environmental-planning-instruments/griffith-local-environmental-plan-2014>

Under the current *GLEP (2014)*, the various parcels of land are zoned as C2 – Environmental Conservation. The zoning of the land fits the current uses of the land contained within this PoM for Natural Area – Bushland, i.e., both the areas of Scenic Hill and McFadzean's Lease.

A number of respondents to Council's survey conducted during July/August 2022 provided suggestions for improvements and developments to Scenic Hill. Any proposed development must comply with current *GLEP (2014)* zoning requirements and will be assessed accordingly (together with other legislative requirements and available funding).

Refer to the *GLEP (2014)* for permissible and prohibited development in this zone.

Parts of Lot 7008 PD 1024076, Lot 7020 DP 1076175 and Lot 1305 DP 751709 are also identified in *GLEP (2014)* Heritage Map (Sheet HER_003) as Archaeological Heritage, i.e., the area of Hermit's Cave. Areas were notified under the Heritage Act 1997 in the Gazette of 12 January 2007. Refer Annexure 3 (pg. 69).

3.3.1 State Environmental Planning Policy (Transport & Infrastructure) 2021

This Policy – *SEPP (Transport & Infrastructure) 2021* – commenced on 1 March 2021 and provides that certain types of works do not require development consent by a public authority, other agencies or authorised person.

Division 12 of the *SEPP (Transport & Infrastructure) 2021* defines parks and public reserves which this Policy covers, i.e., Crown land within the meaning of the *CLMA 2016* including a public reserve but not including a reserve that is dedicated or reserved for a public cemetery.

Section 2.73 (2)(c) of the Policy provides that in respect of land reserved within the meaning of the *CLMA 2016*, development for any purpose can be carried out without consent by or on behalf of the Secretary, a Crown land manager of the land, the Ministerial Corporation or the Minister

administering the CLMA 2016, if the development is for the purposes of implementing a PoM adopted for the land under the CLMA 2016 in to such land or in accordance with the Local Government Act 1993 in relation to Crown land managed by a Council.

The types of development that may comply with the provisions of Section 2.73 (2)(c) of *SEPP (Transport & Infrastructure) 2021* are set out in Table 5 (pg. 45).

Section 2.73 (3) of the Policy provides for a range of construction or maintenance works that are applicable under this Policy which may be carried out by or on behalf of a public authority in connection with a public reserve.

3.3.2 Other Relevant Legislation and Policies

In addition to the requirements of the *CLMA 2016* and the Local Government Act 1993, further pieces of legislation and Government Policies that are relevant to the ongoing management of the respective Crown reserves and Council owned community lands including:

- *Aboriginal Land Rights Act 1983 (ALRA 1983);*
- *Biodiversity Conservation Act 2016;*
- *Companion Animals Act 2016;*
- *Environmental Planning and Assessment Act 1979 (EP&A Act 1979);*
- *Local Land Services Act 2013;*
- *National Parks & Wildlife Act 1974*
- *Native Title Act 1993 (NTA 1993 (C'th));*
- *Pesticides Act 1999;*
- *Protection of the Environment Operations Act 1997;*
- *Roads Act 1993;*
- *Rural Fires Act 1997;*
- *State Environmental Planning Policies (SEPPs); and*
- *Telecommunications Act 1997.*

3.3.3 Council Plans and Policies

As Council Policies may change from time to time, refer to Griffith City Council's website for relevant Plans and Policies impacting on the Reserves –

<https://www.griffith.nsw.gov.au/council-policies>

4.0 DEVELOPMENT AND USE

4.1 Overview

Scenic Hill has continued to provide a range of qualities to the liveability of Griffith residents and its visitors. It has historically provided cultural, heritage and ecological values and continues to provide a visual backdrop to the city bringing educational, tourist, environmental and recreational benefits to those who visit. McFadzean's Lease while providing a visual backdrop to Griffith, has featured less in tourist and recreational benefits to the City.

Peter Kabalia's "Griffith Heritage" (2005) writes about Walter Burley Griffin's design statement *The City Plan of Griffith* and how he viewed the combination of both landscape with a civic centre referring to the wild reserve of Ridge Park, the now Scenic Hill as –

"A crescent-shaped, sharply-defined ridge known as the Macpherson Range, rising here to 250ft. above the level of the Australian plateau which from this side stretches almost flat, indefinitely into the distance. Situated in a central position on the main irrigation canal, 91 miles from the Murrumbidgee River. Surrounded by grassy plains, the slopes of this virgin site are openly wooded, chiefly with blue-green cypress-like Callitris trees interspersed with small eucalypts: Mallee and Yarran...."

...Ridge Park naturally withheld from other development, will be embraced. The 20% proportion of the site in public parks by no means gives a true conception of the permanent wild reserve that will be available to the residents for outings; the whole wooded rocky ridge extending for miles being contiguous with the Ridge Park that lies within the mile and a quarter radius."

The Griffith Built & Natural Environment Group 2000 PoM indicates the significance of Scenic Hill "as essentially the remains of one of few local examples of remnant vegetation prior to European settlement. The Hill's predisposition for fire events and extent of disturbed areas means that there is a somewhat altered vegetation regime." Timber was sourced from Scenic Hill for building purposes and gravel cuttings were also prevalent from the area.

The abovementioned PoM further describes the Hill as "having evidence of old quarry pits and crusher foundations ...containing significant archaeological relics of cultural significance including these quarries, the Berry's Brickworks site and the Hermit's Cave."

Detailed records of the development of Scenic Hill have only been detailed since 1971 following the formation of a Council Advisory Committee. Wade Shire Council (as then existed) resolved that an "an investigation committee be formed to plan and advise Council on matters relating to the development and recreational use of the Hill" and it is from this stage, that the reliable documentation of activities on Scenic Hill have been determined.

4.2 History of Use – Scenic Hill

4.2.1 Cultural Use by the Wiradjuri People

Scenic Hill has provided a place of cultural uses for people of the Wiradjuri nation prior to colonisation, settlement, and the subsequent development of the area generally for the Murrumbidgee Irrigation Area in the early 1900's.

Scenic Hill provided a place of camping and rest, food, shelter, and medicine as they seasonally passed through the area heading to nearby wetlands or the hills of Cocopara Range. Scenic Hill is also considered to have been a telecommunication point due to its elevation and is known to have been a place of ceremony (secret men's business) (**Pers. Comment** – Stephen Young, Griffith LALC). Although much is written about the Hermit of Scenic Hill and Valerio Ricetti's use of a cave system as his residence, Wiradjuri nation peoples are likely to have used various cave systems also for seasonal shelter.

Peter Kabalia's *Griffith Heritage* provides much detail about Wiradjuri Country with considerable reference to Aboriginal life along the Murrumbidgee River extending from Gundagai to beyond Hay, and traditional settlement prior to the establishment of camps and the development of Warangesda Mission. Brad Montgomery's CSU Summer Research Scholarship titled "A Study on the Relationship between Wiradjuri People and the "Non-Indigenous Colonisers of Wagga Wagga 1830-1900" (2010-11), also mentions the existence of mutual relationships between early settlers and the Wiradjuri people and references Kabalia's book, i.e.,

"The erection of bark huts may be an example of local squatters exploiting a Wiradjuri skill set that would inevitably have led to an exchange of skills between cultures."

"Material gains, particularly food, would have been attractive to some Wiradjuri people as the ever increasing livestock numbers diminished traditional food stocks after 1830 (Kabalia, 2011)".

Kabalia also noted that *"there were a series of small, shifting camps around the edges of Griffith. Most were absorbed and relocated as the town grew, leaving no trace. Only Frogs Hollow became a large community camp. Three Ways became the Aboriginal housing area."*

Kabalia also noted that two camp sites existed on Scenic Hill (although noted that many camps had been identified around Griffith); -

- One located at the Old Tip, located at the northern extremity of Collina, next to the former Council tip at the junction of Rifle Range Road with Clifton Boulevard; and
- A second located on the foot slopes between what is now McNabb Crescent and Scenic Drive.

Several families were reported to have moved to Griffith for seasonal fruit picking along with many other itinerant workers of various nationalities. Along with Kabalia's writings, this is also commented on by Auntie Gloria Goolagong in the booklet by E Bradshaw, H Charles and T Sloane, Griffith North Public School, titled 'Wiradjuri Land, Then and Now' (2016).

The *Aboriginal Sites Decision Support Tool* (ASDS) produced by Department of Environment & Climate Change (NSW) (2009) was developed to provide a whole-of-landscape data describing

regional Aboriginal site issues. The document was produced to meet a critical need in regional planning.

The document describes the pre1750 models as –

“a set of raster GIS layers describing the relative likelihood of Aboriginal site features occurring across the landscape. They have been derived using AHIMS data, and a set of spatial variables describing the landscape as it is estimated to have been prior to European settlement.

The pre1750 models do not take into account the level of destruction of sites in the land intervening period (for instance from agriculture, mining or urbanisation); nor the detectability of different site features (ie whether locating them would require excavation), or natural conditions that may lead to the lack of a feature being preserved. They are therefore not meant to convey where sites are likely to be in the present landscape or how easily they could be located.”

“What the pre1750 models do describe is the relative likelihood of finding a particular type of Aboriginal site feature in the Pre1750 landscape (eg scarred tree or stone artefact). They are therefore a baseline for site potential in the landscape. The legend for each layer is scaled from white (low likelihood) to black (high likelihood)”. “When looking at any pre1750 layer, the darker it is, the higher the likelihood that that feature could be found there 200 years ago, according to the predictions made by the model.”

“Black does not guarantee that the feature would have occurred there, or would still be there today. It represents an area where the model predicts that likelihood of that feature is highest relative to all over areas of the landscape. Similarly, white areas do not indicate an absolute absence of that feature, but the lowest likelihood that was resolved by the model.”

The ASDST map shown at Annexure 4 (pg. 70) provides predictive mapping for the Griffith City local government area and the likelihood of an Aboriginal site feature(s) being found in the landscape 200 years ago. An interpretation of this map would suggest a high likelihood of Aboriginal features in and around Scenic Hill (the southernmost part of McPherson’s Range), Ballingall Slopes including the area of McFadzean’s Lease and the greater area of McPherson’s Range northwards of Griffith City’s development.

Searches of the Aboriginal Heritage Information Management System (AHIMS) registered on the NSW Environment website does not confirm any existing Aboriginal sites recorded on or near any of the Lots within Scenic Hill Reserve or McFadzean’s Lease with a buffer of 50m zone for each Lot.

It is noted that several Cultural Heritage Assessments have previously been undertaken prior to construction of pipelines and reservoirs (mid 2000’s) within the Scenic Hill landscape. Advice provided by Gary Currey suggests ‘site cards’ have been registered on the AHIMS website and will require review and assessment to confirm the location of artefacts prior to any further development or works being proposed.

Information sourced from NGH Pty Ltd Aboriginal Cultural Heritage Assessment of Cocoparra National Park & Cocoparra Nature Reserve (May 2021), also suggests that scar trees are likely to occur on Eucalyptus species *populnea* (Bimble Box) and *melliodora* (Yellow Box).

4.2.2 Post Settlement

Early development and historical use have been detailed extensively in '*The Griffith Built & Natural Environment Group 2000 PoM*' and Peter Kabalia's book '*Griffith Heritage*' (2005), however is briefly outlined below particularly as the 'Hermit's Cave' is now a source of both cultural historical value and tourist value with development of part of Scenic Hill surrounding this aspect of former use.

Berry's Brickworks

The former Berry's Brickworks site was located off Remembrance Drive and to the rear of what is now Pioneer Park Museum. This brickworks site was the first machine-made brick manufacturing business in Griffith established by Thomas Berry who arrived in Griffith in 1924.

The brickworks ceased operation only twice before its final closure in 1948 when Thomas Berry passed away. The first cessation of operation was during the Great Depression and secondly, during World War II when both of Thomas Berry's sons had enlisted in the military forces. Following Thomas' death, the family sold all their locally held properties and left the district.

Through the preparation of the 2000 Plan of Management, Kelly Tyson and Enid Atkinson visited various sites with Harold Berry, son of Thomas who recalled many aspects of both the brickwork's operations and of those who it employed.

Although foundations and remains of the kilns are evident (as a local twentieth century archaeological site) together with its associated dam (likely to be of mid-twentieth century construction), there have not been any further archaeological surveys of Scenic Hill. It was further noted that although timber was sourced from Scenic Hill for building construction, the timber used for the firing of the brickwork's kilns, was sourced from the Tabbita district.

Further details of the manufacturing and firing of bricks at Berry's Brickworks have been detailed in Peter Kabalia's book title '*Griffith Heritage*' (2005).

During 1971, the brickworks site was considered by the Water Resources Commission for development. A Public Works grant subsequently assisted in the provisions of amenities (the building of which have been decommissioned by Griffith City Council and will be removed from site) and drainage works at the site, with the design of walking tracks on Scenic Hill proposed to beautify the area east of Remembrance Drive.

Fill was required between the two excavation sites together with construction of a drain to allow for a firm drainage course. While concrete was proposed to be dumped into hollows, the residue of Berry's Brickworks was to remain undisturbed to preserve its historical value. A waterfall was also proposed between the dam and Pioneer Park.

The dam has however over years, been a source for dumping of tyres, rocks, and steel. With the dam retaining water, growth of cumbungi is prevalent providing a water source for various bird species. In times of drought, this site provides a unique source of water for various species.

Figure 9 - Site of Berry's Brickworks and dam



Quarrying on Scenic Hill

Quarrying on Scenic Hill at what is now Pioneer Park Museum, took place between 1931-34 as recalled by Ted and Neville White, sons of Teddy and Esther White who held the contract for the Scenic Hill gravel pit. Gravel was not screened at Scenic Hill as it was from the Lakeview (Lake Wyangan) gravel pit. The quarrying operations were operated by Ted (Snr.), Esther and their five sons.

Gravel from Scenic Hill Quarry was used for concrete, roads, bricks, and other constructions in the area.

Like Berry's Brickworks, the quarry is also an example of a twentieth century archaeological site. While the rock cliffs forming the sides of the quarry and remnants from the loading dock are reported to be evident, other features are hard to interpret with no subsequent archaeological studies having been undertaken of the former operations.

Old photographs of the quarry workings are held at Griffith City Library which verify the extent of the quarrying operation at that time.

Hermit's Cave

Valerio Ricetti, a recluse, made a series of caves on Scenic Hill's eastern escarpment, his living quarters for about 30 years following his arrival in Griffith in 1929. Known locally as the 'Hermit's Caves,' Peter Kabalia describes the hermit's caves as -

"an interesting historical archaeological complex that includes rock shelters, stone structures, gardens, water well and inscriptions...The site is significant as one of very few known examples of a hermit dwelling in NSW".

It was further suggested that a program be developed for restoration be set in place with Council's curator actively being involved in any restoration project.

As mentioned previously, a more detailed account of the life of Mr Ricetti can be found in Peter Kabalia's '*Griffith Heritage*' (2005) including a sketch of the Hermit's Cave and the series of developments made.

This area is now the location of Sir Dudley de Chair's Lookout, associated parking area and interpretive signage providing a tourist trail of information of Mr Ricetti's dwellings and life story and access to the caves.

Figure 10 - Hermits Cave and Signage at Sir Dudley de Chair's Lookout



The photo shown above left of the Hermit's Kitchen was taken in October 2020. The sign has since been removed from its post with various elements of vandalism (i.e., graffiti, defacing of various signage and rubbish dumping) present in the vicinity of this area.

Sir Dudley de Chair Lookout

The primary Lookout at Griffith provides an aesthetic view of Griffith and its extensive residential development particularly since the 1980's, together with "*its landscape of green, of vineyards and orchards, created by the artificial phenomenon of river irrigation*" as described by Peter Kabalia.

As Scenic Hill provides the only elevated site at Griffith, its natural landscape and southern extension of McPherson's Range is iconic to Griffith, providing a mosaic picture of farmland bounded by irrigation channels and roads, general development, and expansion of the City of Griffith, together with the distant views of the Cocoparra National Park. And it also houses the Hermit's Cave's remnants of habitation, also iconic to Griffith as described above.

The Lookout is named as a result of the former Governor of NSW, Sir Dudley de Chair having visited Griffith to open the annual Griffith Agricultural Show on 20 October 1926. The short visit to Griffith by Sir Dudley de Chair, his wife Lady de Chair and daughter Miss Elaine following the Show opening, Show Ball, and luncheon, included a brief stopover to view Griffith from the lookout at Scenic Hill. Timothy Ellis' study in 1998 (a *Description and Multi-perspective Analysis of the Scenic Hill area*) notes that "*Scenic Road, which follows the crest of Scenic Hill, was constructed and opened*" i.e., in the same year as Sir Dudley de Chair's visit.

The Lookout appears to have been 'locally' named Sir Dudley de Chair Lookout during the mid-1970's although appears not to have been officially recorded with the Geographical Names Board of NSW. Refer to [Table 7 Section 6.2 Plan Implementation](#) (pg. 58). An inspection in January 2023 indicates that fencing along the railing has been vandalised.

Figure 11 - View of Sir Dudley de Chair Lookout and car park**Former Rubbish Tip**

The site of the former rubbish depot and previously a quarry (Ellis) is noted as having existed on Lot 1305 DP 751709 (on the slopes and crest above what now comprises the residences of Lawford Crescent). An article from the Area News dated 20 August 1976 at Appendix 14 of Ellis' Report, advises of *"tree plantings having been undertaken on the old rubbish dump site on Scenic Hill... Mr. Brown said that this area had also been grassed and supplied with safety fencing and underground watering with grant money under the last R.E.D. Scheme."*

While the eastern slopes have been vegetated, the top of the escarpment shows barrier fencing in poor quality with the area generally used as a lookout point. The photo below left was taken during an inspection in September 2021 however the photo below right in August 2022 shows evidence of an unwelcome abandoned and burnt-out vehicle caught between parts of the broken barrier fencing.

Figure12 - Broken barrier fencing at unnamed Lookout and burnt-out vehicle**4.3 History and Use – McFadzean's Lease**

The area known as "*McFadzean's Lease*" was originally owned by Reginald Victor McFadzean (son of Horace and Flo McFadzean who founded Chex Cannery on Oakes Road later being the site of Area Pre-Mix) comprising of Lot 587, Parish of Wyangan.

The land was resumed by Griffith City Council on 25 January 1974 for 'industrial' purposes.

On 17 November 1981 Griffith Abattoirs Pty Ltd purchased an area of approximately 2.2 hectares of McFadzean's Lease that adjoined their freehold property. The common seal of Council was affixed to the Transfer documents later that month following a resolution by Council to sell the land (however the Sale was not finalised until 1988). Portion 587 was subsequently subdivided into Lots 1 and 2 DP 627584 as a result of the Sale of land to Griffith Abattoirs with the balance of McFadzean's Lease retaining Lot 2 DP 627584.

Subdivision Application 978057 and Development Application 978231 was lodged on 7 July 1988 in respect of McFadzean's Lease (Lot 2 DP 627584) for a proposed Scout Hall. Objections to the sale were received by Council on 13 June 1989.

Under Section 25 of the *Local Government Act 1993*, Council was required to classify all public land as either community or operational land, with Council classifying Lot 2 DP 627584 as 'operational land' on 28 June 1994.

A letter from Scouts Association 2nd Griffith was lodged with Council on 2 August 1996 making formal application to purchase an area of 12.5 hectares at McFadzean's Lease. *(The original Scouts was established at the corner of Wayeela Street and Kooringal Avenue in 1936. Scouting activities were held in bushland north of the railway line in the Palla Street area. In 1946, the then present building was established in Kooba Street, being the new 'outskirts of Town' with the area to the north being natural bushland used for scouting activities. However, as Griffith developed, the Scout Hall became located within residential areas, i.e., corner of Probert Avenue and Hickey Crescent). An area at the northern end of Lake Wyangan (now the picnic area) was used by the Scouts for camping and the Scouts developed the facility including the jetty. As the picnic area became more utilised, the ability of the Scouts to use the area was reduced and the Scouts subsequently relocated to the Sailing Club at Lake Wyangan. The need to upgrade the facilities led the Scout Committee to investigate alternate locations, namely the area at McFadzean's Lease).*

The proposed Sale required further subdivision resulting in Lots 1 and 2 DP 1030170. On 27 September 1996, Council placed a notice in the Area News regarding the Sale of Land (Lot 1 DP 103017 comprising an area of 5 hectares) to the Scout Association. Council did receive objections and subsequently, Council resolved to agree to sell an area of 1 hectare requiring construction to minimise impact on the native bushland and not to impact on neighbouring Griffith Abattoir. The associated Statement of Environmental Effects indicated that Lot 1 was part of a revegetation quarry site dating back to the 1940's with Lot 2, McFadzean's Lease being used for plant propagation.

With the resulting sale of land, Council re-classified the balance of McFadzean's Lease now comprising Lot 2 DP 1030170 as "community land".

4.4 The Natural Landscape

The values of remnant vegetation within a highly modified landscape aid in the prevention and amelioration of dryland salinity; minimising soil loss; conserving and maintaining biodiversity including habitat for native wildlife; provides a natural pest control measure; shade and shelter; economic values (primarily in areas of amenity, tourism, education, and native seed banks); aesthetic and other values (including education, recreational and scientific values); and maintaining genetic diversity.

The Plan of Management for Scenic Hill (prepared in 2000) provides detailed information relating to the 'biophysical environment', i.e., biotic, and abiotic factors that affect living organisms and the functioning of eco-systems.

Soil

Soil samples taken at that time were identified in Appendix 2 of the abovementioned document (a copy of which can be sourced from Griffith City Council and Griffith's Library). The document noted that –

"The mod-high permeability of the soil has implications for plant growth. The semi-arid climate and low rainfall events means that the soils have little chance of retaining water for long times for plant use. Because of the extreme permeability of the sandy horizons, most of the water from rainfall events is leached downwards through the profile where it is transported laterally along the bedrock to the groundwater systems."

"The site's proximity to the urban area is significant."

"Natural waters contain a wide range of dissolved and suspended substances such as salts, sediment, and bacteria. Human activities in the catchment result in changes to the concentrations of these substances and or addition of other such as pollutants."

The removal of bush rock can also cause soil compaction, increased water runoff and turbidity, and sedimentation of water courses. It may also cause loss of plants and the reduction of seed germination, introduction of exotic seeds, soil erosion, and the reduction in shelter sites for fauna.

Vegetation

The value of Scenic Hill and McFadzean's Lease continue as few local examples of remnant vegetation within a highly modified environment prior to European settlement, that exists before the Hay Plains (the Great Riverine Plain) to the west.

The abovementioned Plan provided significant detail about the vegetation types existing on Scenic Hill being classified as –

"an open Woodland of Bimble Box (Eucalyptus populnea) and White Cypress Pine (Callitris columellaris) association indicating a projective foliage cover as less than 10%. Scenic Hill is a relatively harsh environment for plants, due to the shallow and rocky nature of the terrain and high soil permeability."

"The steeper slopes and hillcrest support a Dwyers Gum (Eucalyptus dwyeri) and Currawang (Acacia doratoxylon) association, while the gentler slopes support a Bimble Box and White Cypress pine association."

"Tree cover occurs over about 50% of the hill and shrub species occur in small dense patches over about 20% of the hill. The predominant species include: Sticky Hopbush (Dodonaea viscosa), Senna (Cassia nemophila var. platypoda). Narrow-leafed Hopbush (Dodonaea attenuate), Emu Bush (Eremophila longifolia), Gargaloo (Parsonia eucalyptophylla) and Australian Indigo (Indigofera australis)."

On the western end of the Hill and along the roadsides there is a more pronounced substratum comprising such shrubs as needlewood, Hopbush, emergent of Bulloak because of the fire regime, Currawang and Wallowa (Acacia calamifolia) dominate the slopes in association with Pine and Wonga Vine and Hill Indigo occur on rocky ridges.”

The Native Vegetation Guide for the Riverina describes the key habitat components of native vegetation to include the following attributes, all of which present themselves at both Scenic Hill Reserve and McFadzean's Lease –

- Nectar – the production of nectar and pollen by native plants is integral to the survival of many birds, particularly honeyeaters, parrots, and lorikeets;
- Rocky outcrops – these provide valuable areas for basking and the shelter of reptiles; and the crevices of rocks also provide shelter for reptiles and smaller animals together with allowing succulent native plants to survive;
- Understorey (shrubs) – provide additional opportunities for wildlife to shelter, rest, nest, and feed. 'The South West Slopes Revegetation Guide' states that “*the loss of shrubs, due to their palatability and relatively short life spans (less than 50 years) has greatly reduced wildlife diversity in Cypress Pine / Box woodlands and Riverine forests*”.
- Groundcover – comprising of grass and forbs on more fertile sites with smaller shrubs becoming more common on steeper rocky sites.
- Large hollow-bearing trees – hollow-bearing trees can take over 100 years to form. Their loss without replacement greatly reduces local wildlife opportunities.
- Dead trees – together with living trees, dead trees also provide valuable habitat for nesting and resting for wildlife. Reptiles, bats as well as some species of birds utilise dead trees for habitat. Dead trees may stand for over fifty years before falling, where they continue to provide habitat for wildlife, particularly reptiles.
- Litter layer – fallen timber and sticks under trees provide many forms of wildlife with food and shelter and ground dwelling birds and reptiles are particularly susceptible to the removal or disturbance of this layer. However, this layer can build up to be a fuel source for grass fires and may also need disturbance to destroy pest animal warren or dens, e.g., rabbits and foxes.

The value of the natural landscape has been confirmed through Scenic Hill's winning of awards by the Keep Australia Beautiful Council and Tidy Towns Program. In consecutive years from 1983 – 1985, Scenic Hill won awards in Keep Australia Beautiful Awards - Category E for Best Native – Bushland Area. Under the Tidy Towns Program, awards (one 1st placing and two 3rd placings) were given to Category E in respect of Native Bushland Area (Ellis) (1998).

The Griffith Natural Heritage and Landcare Advisory Committee for Griffith City Council, appointed in 1995, was established as a Section 355(c) committee under the LGA 1993 replacing the previous Griffith City Council Scenic Hill Landcare Management Committee. The objectives of the Committee were to: -

1. Protect and facilitate the natural remnant vegetation within the Griffith City local government area (LGA); and
2. Protect flora and fauna habitats with the Griffith City LGA.

The local Landcare Network was very active during the early 2000's and was able to source funding for Envirofund Projects with two specific projects being undertaken in 2003 and 2004 primarily to improve Glossy Black Cockatoo Habitat on Scenic Hill –

- Project 1 (2003) – a Griffith City Council project including replanting of Hill Oakes (with limited success) and the placement of 4 boom gates on fire trails that the local RFS had identified as high traffic areas used by the public attempting to reduce rubbish dumping and the unlawful lighting of fires (prevalently occurring at that time). Placement of large rocks was also established as a means of reducing access.
- Project 2 (2004) – a second site for replanting of Hill Oakes (*Allo Casuarina*) and other species; together with the removal of rubbish.

The photos (courtesy of Anna Wilson, Riverina LLS) and shown in Figure 13 below, highlight the community involvement in revegetation works and the associated ageing signage.

The beforementioned Plan (2000) shows the vegetation communities of Scenic Hill at Figure 3 (pg. 14) and includes mapping of vegetation through the areas of Pioneer Park Museum, Dalton Park, and the Golf Course.

Tim Ellis in his Report (Document 2) also described a rare species of wattle having been discovered on McFadzean's Lease (Streaked Wattle – *Acacia lineata*) and a rare and endangered plant found and extensively seen on Scenic Hill (Iron Grass – *Lomandra patens*).

Figure 13 – Environmental Project works



Drought through the early-mid 2000's had a big effect on the vegetation with parts of Scenic Hill looking as if it had been burnt out when in fact it was a result of 'dry death', not fire. However, the vegetation recovers very quickly after rain (**Pers. Comment** – Neil Palframan (MFN)). This has been noted with good autumn, winter, and spring rainfalls over the 2021-2022 seasons.

Inspections during autumn 2022 have noted defoliation of many Kurrajong (*Brachychiton populneus*) trees of varying maturity. This defoliation has been caused by the Kurrajong Leaf-tier

(*Dichocrosis clytusalis*), the Kurrajong bag moth which lays its eggs on the foliage, the young larvae matting the leaves together with silken threads and living inside, sometimes with several pupae in the one bag. Although the larvae cause serious defoliation during some seasons, the trees will recover quickly.

Figure 14 - Kurrajong affected by Kurrajong Leaf-tier



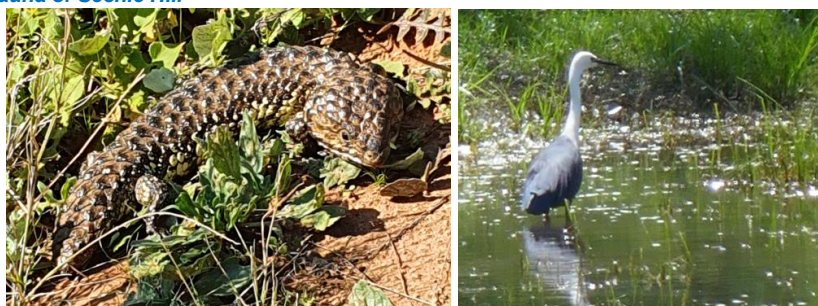
A comprehensive Flora Species list is provided for Scenic Hill at Annexure 5 (pgs. 71-75) which identifies a total of 71 plant families having been sited totalling 186 species. Initial sightings were undertaken in 2000 by Eric Whiting and Enid Atkinson (MFN) and subsequent sightings have been noted during compilation of this PoM. To a lesser extent, vegetation at McFadzean's Lease has also been noted following walk-overs of the area. Further detailed transect survey's may also be valuable across seasons and climatic conditions to better gauge resilience of species.

Fauna

Scenic Hill's rocky landscape provides a range of habitat for many species including, the provision of shelter, to hide from predators, find food, avoid extreme weather, and escape bushfires. As well as providing a habitat for many different plants, mosses, liverworts and lichens, bush rock can also provide egg-laying sites for various reptile species.

Although the Plan of Management (2000) noted that there had been no fauna survey or sampling transects undertaken to verify fauna present, it was further noted that regular sightings included Western Grey Kangaroo, Brush Tail Possums, Echidnas, Lizards and Snakes. The Plan included a list of animals and bird species *thought* to be in the vicinity of the Hill and included as Appendix 5 of the document. Figure 15 below pictures a Shingleback (photo courtesy of Jenny Bamford) and a White-necked Heron sighted at Berry's Brickworks dam.

Figure 15 – Fauna of Scenic Hill



Neil Palframan (MFN) has provided a detailed bird species list noted over a considerable time-frame and includes sightings at McFadzean's Lease and various parts of Scenic Hill including the Golf Course. The comprehensive bird species list is shown at Annexure 6 (pgs. 76-77) and identifies 92 species occurring across the sites. It is also noted that the dam at Berry's Brickworks provides a permanent water supply and subsequently a variety of water bird species can be sighted here (e.g., Ballion's Crake and Yellow-billed Spoonbill), particularly during drier seasons (**Pers. Comment** – Neil Palframan (MFN)).

4.5 Current Use of Land & Structures on adoption of Plan

A description of the current land uses is detailed below with structures shown more specifically in Annexure 2 (pgs. 67-68).

Scenic Hill

There is a range of current land uses and structures interspersed throughout the broader landscape of Scenic Hill that includes –

- Track and trail networks that are used as recreational walking and bike trails;
- Authorised and formal road networks linking Griffith businesses and residents to other strategic infrastructure, i.e., access along Remembrance Drive to Pines Speedway, Griffith Golf Club, Dalton Park, and the Airport; and Scenic Drive linking Griffith to Beelbangera across Scenic Hill's ridgeline and to other historical / cultural and tourist sites, i.e., to Pioneer Park Museum, Sir Dudley de Chair Lookout and Hermit's Cave. There are many examples of unauthorised accesses to the rear of residential properties.
- Fire trails used for asset protection measures;
- Tourist infrastructure including Sir Dudley de Chair Lookout and associated railings, signage, picnic table / seating, barrier fencing at other informal lookout areas, and garbage bins at major points of interest and adjacent to some walking trails.
- Sealed car park and rock bollards at Sir Dudley de Chair Lookout. The car park at Rotary Lookout has not been included as it is on another Crown reserve not managed by Council.
- Other infrastructure including wooden shelter, toilet facility (now decommissioned for removal), locational marker, Memorial for Feral Joggers, unauthorised bike ramps, interpretive signage.

The Trailforks website has identified 118 current bike trails; and 15 running trails used by the local Feral Joggers. Although Trail usage has been noted on the website, it may not be a true reflection of over-all usage by bike riders (local or visitors). Current statistics show rides per year in 2020 – 424; 2021 – 327; and 2022 – 361 (to-date) with the greatest demographic being in the 40-50yr age bracket. No figures are shown in the <30yr age bracket however, children to younger adults are often sighted bike riding throughout Scenic Hill.

While current rear residential access is evident in several areas adjoining the Scenic Hill Reserve (and possibly McFadzean's Lease), these accesses are not legal road networks and should not be construed as a formal means of access. Council does not encourage the creation of further rear residential land accesses either adjacent to Scenic Hill or McFadzean's Lease and may be required in the future, to take action to prevent or remove accesses.

Figure 16 – Scenic Hill - bike and joggers' tracks

Representatives of the Feral Joggers Inc. indicated that 5 major courses are used comprising of the 'Bacchus' Long (6km), Short (3.3km) and Extended (9km); 'Hotfoot' Long (6.1km) and Short (3.1km); 'Winter' Long (6.1km) and Short (3.3km); 'Surfer' Long (6km), Short (3.3k) and Extended (7.6km); 'Arsova' Long (5.4km) and Short (3.3km). These courses comprise a blend of Fire trails and other well-worn animal and bike tracks, that are rotated through an eight-week cycle to prevent erosion and reduce the need for minor works. Current race courses can be sourced at <https://www.griffithferals.org.au/feral-maps>

Any maintenance and issues (e.g., rubbish dumping) is referred to Council and the Joggers carry out rubbish removal throughout the year. With membership currently numbering approximately 200 (adults and children), weekly races cater for 50-80 regular joggers.

Figure17 – Feral Joggers' Memorial

Both mountain bike users and Feral Joggers have suggested opportunities for improved signage that contains maps identifying time / distance with potential for QR coding. Signage could be placed strategically at main entry points of Scenic Hill (and potentially McFadzean's Lease) with other information available from Griffith's Tourist Information Hub (referred to in [Section 6.2 - Plan Implementation](#)).

McFadzean's Lease

McFadzean's Lease is generally utilised for mountain-bike riding and walking with several clear tracks evident throughout the area (shown in Figure 18 below). Infrastructure is currently generally contained to comprising of fire trails and remnant fencing. However, there is evidence of both encroachments by adjoining rural residential lands, isolated dumping of both garden and other refuse and motor-bike tracks.

Figure 18 -- Bike and joggers' tracks throughout McFadzean's Lease

4.6 Permissible and Future Uses

Community land is valued for its important role in the social, intellectual, spiritual, and physical enrichment of residents, workers, and visitors to the Griffith City Council area.

Griffith City Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate.

The natural areas of Scenic Hill referred to in Table 1, currently provide for a mix of passive recreational uses, historic and cultural opportunities as shown by the existing tourist values of the area and there are further opportunities to grow these areas through improved cultural and interpretive signage. Other recognised improvements are to the Sir Dudley de Chair Lookout to improve visitor safety and reduce damage to the natural environment; and installation of strategic boardwalks to prevent compaction of sensitive areas have been noted. The area of the unnamed lookout has potential to be a secondary site for visitors to access however this will require significant improvement to the existing rails and fencing for visitor safety.

Also identified, by Council and local user group(s) is a proposed mountain bike track (site yet to be confirmed). Mountain bike users have a network of bike tracks including existing and old Fire Trail networks and created tracks as noted on the Trailforks website. It is envisaged that a site-specific mountain bike track would contain usage and prevent the creation of new tracks, other than what is developed as part of the initial project, that further impact on the native vegetation of the area although current tracks are unlikely to cease being utilised.

The additional purpose of 'Public Recreation' validates past "passive recreational" uses, i.e., bushwalking, mountain bike riding, jogging, tourist opportunities that took place prior to the introduction of the *NTA 1993*.

McFadzean's Lease being Council owned community land also currently provides for passive recreational uses, predominantly bushwalking, jogging, mountain-bike riding (to a lesser extent than Scenic Hill).

While future development of the natural bushland areas of Scenic Hill Zone 3 are limited due to requirements of Council to comply with Native Title legislation and any existing ALC's affecting the area; future development of both areas will require compliance to Council's current zoning requirements and should ensure that native vegetation is not negatively impacted.

The existence of motor-bike riding and 4WD use is not supported at either site due to impacts of erosion and disturbance to the natural environments.

The anticipated uses and associated development identified in Table 3 below, are intended to provide a general guide. The terminology used is not intended to impose an exact meaning.

Table 3 - Use and development of land categorised as Natural Area - Bushland

Natural Area - Bushland	
Purpose/Use such as... <ul style="list-style-type: none"> • Preservation of the council's natural heritage including the identified endangered ecological communities • Preservation of biological diversity and habitat • Providing a location for relaxation and passive informal recreation • Walking and cycling • Guided bushwalks • Environmental and scientific study • Bush regeneration works • Carbon sequestration • Bio-banking 	Development to facilitate uses, such as... <ul style="list-style-type: none"> • Picnic tables • BBQs • Sheltered seating areas • Lighting • Low impact carparks • Low impact walking trails • Interpretive signage • Water saving initiatives such as rain gardens, swales and • Sediment traps • Energy saving initiatives such as solar lights and solar panels • Observation platforms, signs • Information kiosks • Refreshment kiosks (but not restaurants) • Work sheds or storage sheds required in connection with the maintenance of the land • Bicycle hire or similar • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out • Locational, directional, and regulatory signage

4.7 Express authorisation of leases, licences, and other estates

Under section 46(1)(b) of the LG Act, leases, licences, and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations, and government authorities.

The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the community land itself and the local area to support the activity.

A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short-term licence or hire agreement will be issued.

This plan of management **expressly authorises** the issue of leases, licences and other estates over the land covered by the plan of management, in accordance with section 46(1)(b) of the LG Act, provided that:

- the purpose is consistent with the purposes Preservation and Growth of Timber and Public Recreation

- the purpose is consistent with the core objectives prescribed by Section 36J (categorisation of Natural Area - Bushland)
- the lease, licence or other estate is for a permitted purpose listed in the *Local Government Act 1993* or the *Local Government (General) Regulation 2021*
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the *Native Title Act 1993* (C'th)
- where the land is subject to a claim under the *Aboriginal Land Rights Act 1983* the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.
- a tender process may be considered, for terms exceeding 5 years, unless it is granted to a non-profit organisation.

This PoM also allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the *LGA 1993*.

Section 3.17 refers to special provisions of Crown Land Managers (i.e., extending to leases, licences, permits, easements, or rights of way) that may be granted with reference to Section 2.19 (Secondary interests in dedicated or reserved Crown land); and Section 2.20 (Short-term licences over dedicated or reserved Crown land).

Short-term licences may be authorised for the purpose of:

- (a) the playing of a musical instrument, or singing, for fee or reward
- (b) engaging in a trade or business
- (c) the playing of a lawful game or sport
- (d) the delivery of a public address
- (e) commercial photographic sessions
- (f) picnics and private celebrations such as weddings and family gatherings
- (g) filming sessions
- (h) the agistment of stock.

Fees for short-term casual bookings will be charged in accordance with the council's adopted fees and charges at the time.

Direction of Funds

Any income produced from the Reserve, i.e., as per the approved Tenure, will be distributed to manage other community land in a fashion determined by Council.

There is no current Licence in place in respect of either Scenic Hill or McFadzean's Lease and it is likely that 'short-term' Licences would be issued for purposes including tree-planting / surveys, education studies, or construction of works (e.g., a small shelter used by members of the Feral Joggers Inc.), or similar.

4.8 Easements

Various Easements affect parcels of land within the Scenic Hill Reserve as follows:

Table 4 – Easements affecting Scenic Hill Reserve and McFadzean's Lease

	Lot/DP	Description of Easement
Scenic Hill Reserve	1305/751709	<ul style="list-style-type: none"> Easement for Water Supply 5 (m) wide affecting part DP 640685 Vide Gazette 24/06/1994 Folio 3191
	7021/1024372	<ul style="list-style-type: none"> Easement for Water Supply purposes 5 (m) wide affecting part DP 640685 Vide Gazette 23/10/1992 Folio 7920 Easement now Vested in Griffith City Council Vide Gazette 24/06/1994 Folio 3191
	7032/1076174	<ul style="list-style-type: none"> Easement for Water Supply purposes 5 (m) wide affecting part DP 640685 Vide Gazette 24/06/1994 Folio 3191 Easement now Vested in Griffith City Council Vide Gazette 24/06/1994 Folio 3191
	7300/1133143	<ul style="list-style-type: none"> Proposed Easement for Access affecting part DP 232976 Vide Commonwealth Gazette 12/01/1967 Page 113 Easement for Water Supply 5 (m) affecting part DP 640685 Vide Gazette 23/10/1992 Folio 7920 Easement now Vested in Griffith City Council Gazette 24/06/1994 Folio 3191 Easement for Access 10 (m) wide affecting part in DP 712654 Gazette 4/10/1985 Folio 5261
	7012/1024031	<ul style="list-style-type: none"> The Trigonometrical Station and Survey Marks located on this parcel are subject to the provisions of the Surveying and Spatial Information Act 2002 Trigonometrical Reserve 34177
McFadzean's Lease	Lot 1 DP 103017 (owned by The Scout Association of Australia, New South Wales Branch)	<ul style="list-style-type: none"> Right of access, 10 wide benefiting Lot 2 DP 1030170 (McFadzean's Lease).

4.9 Native Title Assessment

Further to [Section 2.5 – Categorisation of Reserves](#) and reference to Native Title Assessment, Council is required under the provisions of the *CLMA 2016*, to undertake steps to identify whether the activity proposed on Crown land will affect Native Title. Council must further consider what provisions of the *NTA 1993 (C'th)* will validate the activity; and what procedures should be taken in relation to a particular activity prior to its commencement. Council must also have regard for any existing claims made on the land under the *NSW Aboriginal Land Rights Act 1983 (ALR Act)*.

The activity must be authorised through *Part 2 Division 3 of the NTA 1993 (C'th)*. Council must obtain written advice from its Native Title Manager in relation to certain activities and acts carried out on Crown land where the land is not excluded land, in accordance with native title legislation and applicable to works and activities to be undertaken on Scenic Hill.

4.10 Aboriginal Land Claims

There are several Aboriginal Land Claims across the broader Scenic Hill area. Any future activities will need to consider any current or future Claim(s) that may subsequently be lodged to ensure that development does not cause negative impacts should any Claim be determined by the relevant Minister.

In addition to compliance of the *NTA 1993* and *ALRA 1983*, and previously referred to in [Section 4.2.1 – Cultural Use by the Wiradjuri People](#), Council will also be required to comply with legislation under the *National Parks and Wildlife Act (NPW Act) 1974*. Further Aboriginal Cultural Heritage Assessments will be required should any proposed works be outside areas of previous assessment and where necessary, an Aboriginal Heritage Impact Permit (AHIP) under Section 87 of the *NPW Act 1974* will be required. Completion of AHIMS site cards will be required should any further sites be located during any heritage surveys.

5.0 BASIS OF MANAGEMENT

Griffith City Council intends to manage its community land to meet:

- assigned categorisation of community land
- the *LG Act* guidelines and core objectives for community land set out in Table 5 in *Section 5.1* below
- the council's strategic objectives and priorities
- development and use of the land outlined in Section 6 of the *LG Act*.

5.1 Core Objectives for management of Community land

The management of community land is governed by the categorisation of the land, its purpose, and the core objectives of the category.

For the purpose of this PoM, the category of **Natural Area - Bushland** are defined in the *Local Government Regulations 2021, Part 4 Division 1* – Guidelines for the categorisation of community land and referred in Table 5 (below) as:

Table 5 – Category of land as defined in Section 107 of the Local Government (General) Regulation 2021

Guidelines – from the Local Government (General) Regulation 2021	Core objectives – from the Local Government Act 1993
<p>Clause 107 – Bushland</p> <p>(1) Land should be categorised as a natural area under section 36(5) of the Act if the land, if the land contains primarily native vegetation and that vegetation –</p> <ul style="list-style-type: none"> (a) is the natural vegetation or a remainder of the natural vegetation of the land; or (b) although not the natural vegetation of the land, is still representative of the structure of floristics, or structure, of the natural vegetation in the locality. <p>(2) The land includes –</p> <ul style="list-style-type: none"> (a) Bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or (b) Moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or (c) Highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated. 	<p>Category Natural Area (Section 36J):</p> <ul style="list-style-type: none"> • to ensure ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and • to protect the aesthetic, heritage, recreational, educational, and scientific values of the land, and • to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion; and • to restore degraded bushland, and • to protect existing landforms such as natural drainage lines, watercourses and foreshores, and • to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and • to protect bushland as a natural stabiliser of the soil surface.

6.0 MANAGEMENT FRAMEWORK FOR CATEGORY OF LAND

6.1 Management Issues

As long ago as the mid 1970's members of the community have expressed concern about the management of Scenic Hill.

The Griffith Built & Natural Environment Group PoM (2000) states that –

“Historically, the major threat to Scenic Hill has been fire and the management of the hazard remains the most significant challenge in terms of management objectives today. Another concern, is the long-term risk of fragmentation as a result of indiscriminate resumption, and acquisitions, inappropriate land use approvals, subdivision and development of utility infrastructure which has the potential to adversely impact on the ecological and aesthetic values of the Hill. The need to maintain the integrity of the Hill as a natural system and its function as a wildlife and native vegetation corridor and so preserve its visual and scenic qualities is a responsibility and challenge for Griffith City Council.”

Management of the lands takes into consideration the reserve's purposes and the purpose for which the lands are classified and categorised.

While fire and the management of the hazards remains a significant challenge for Council, pest and weeds, dumping of rubbish, unauthorised activities and vandalism continue to be a contributing factor to the management and health of the natural environment of Scenic Hill and to a lesser extent, McFadzean's Lease.

Council continues to recognise the importance of Scenic Hill Reserve in providing a range of open space for passive recreational activities and its aesthetic natural landscape that are valued by the local community, its users, and visitors to the Griffith City area.

Protection measures are required to ensure the long-term value and sustainability of this natural landscape to withstand the contemporary uses of recreation, heritage and eco-tourism expected by community, are maintained. McFadzean's Lease provides an extension of remnant vegetation within a mosaic of development which is further supported in providing a vegetation corridor in conjunction with adjacent DPE – Crown land managed Reserves for 'Environmental Protection and Public Recreation.'

Management and prospective Licencees therefore need to consider the natural environmental value of the landscape generally and its connectivity to other strategic natural areas in a landscape that have been highly modified through the area's agricultural uses; it's heritage value; it's value as a place for passive recreational pursuits to provide and support its users' physical and emotional well-being; and the area's subsequent benefit for eco-tourism and education.

Table 6 below provides Council's current management issues and guidelines.

Table 6 – Management Issues and Guidelines

Maintenance / removal of existing infrastructure	As required following routine inspections by Council and / or visitors and users of Scenic Hill Reserve and McFadzean's Lease. As detailed under Native Title Assessment (Section 4.7) and Plan Implementation (Section 6.2), a determination will be required prior to any further construction / excavation in respect of lands within Scenic Hill Reserve 56353. Infrastructure deemed unsafe for public's use will be removed.
Vandalism	Vandalism will be addressed at the time of occurrence and Council should be notified at that time. Vandalism may include issues such as unauthorised vehicle access; damage to infrastructure; or other damage resultant from unauthorised activities referred to in PG-

	CP-301 "Prohibited Activities on Council Active & Passive Recreation Areas". Council's Vandalism, Graffiti and Rubbish Dumping Policy GC-CP-314 may also apply.
Car Park	Car-parking areas are provided to accommodate visitation and access to cultural features and passive recreational areas of Scenic Hill, i.e., Sir Dudley de Chair Lookout / Hermit's Cave and walking tracks; or as may be required to McFadzean's Lease.
Unauthorised uses/activities	Motorbike riding is a prohibited activity on Crown land unless in accordance with the Reserve purpose (i.e., Pines Circuit Motor Sports Club – R.83396 (Lot 1275 DP 751709)). Motorbike riding is also a prohibited activity on Crown Reserves managed by Council and Council owned community land for environmental conservation. Dumping of garden refuse and other rubbish is also a prohibited activity.
Fire Hazards	Management of bush and grass fires will be undertaken in conjunction with the Rural Fire Service, required asset protection activities and maintenance of Fire Trails within Scenic Hill and McFadzean's Lease.
Encroachments	Adjoining landholders are not permitted to build infrastructure extending from their freehold properties onto Scenic Hill or McFadzean's Lease without Consent. Council, may at its discretion, request the removal of such infrastructure or enter into a Licence agreement with the adjoining landholder.
Weeds	Weed management practices will be undertaken by Council staff in accordance with guidelines to ensure amenability and that invasive weed species do not impact on the natural bushland areas of Scenic Hill Reserve or McFadzean's Lease.
Pests	Pest management is the responsibility of Council staff in accordance with Council guidelines. Other authorities may provide pest management actions as necessary i.e., removal of feral goats.
Trees and Roadside Vegetation	Council's Tree Preservation Order PG-CP-401 applies to all natural bushland areas of Scenic Hill and McFadzean's Lease and in accordance with the Reserve purpose of 'Preservation and Growth of Timber' (i.e., Scenic Hill Reserve 56353). Council's Roadside Reserve Vegetation Management Policy EH-CP-205 also applies to roads within and adjacent to Scenic Hill.
Signage	Directional signage is poor on Scenic Hill Reserve; and interpretive signage does not appear to withstand harsh weather conditions and / or is easily vandalised. Signage at McFadzean's Lease is currently restricted to regulatory signage.
Drainage	Impacts of drainage may be a consideration to future developments within Scenic Hill Reserve and McFadzean's Lease, or in relation to development proposals on adjoining lands however any works on Crown land must comply with requirements of the <i>CLMA 2016</i> , the <i>NTA 1993</i> and <i>ALR Act 1983</i> .
Scenic Drive	Formal status of Scenic Drive to be legalised.
Erosion	Erosion resulting from vegetation loss; soil erodibility; human activities; and heavy storm events following previous years of drought.
Financial Obligations	Council annual budgetary constraints will impact on the ability to manage the respective areas.

6.1.1 Financial Obligations

Council's capacity to manage Scenic Hill is limited by budgetary, zoning and Native Title constraints. Primarily, Scenic Hill due to the nature of its use and gazetted purposes, has limited to no capacity to generate income that can be applied to the ongoing maintenance of the reserve.

Respondents to the survey have identified the importance of Scenic Hill to the community. Therefore, there is an expectation of Council to manage the reserve in the best interest of the community.

This PoM has highlighted the issues impacting on the reserve whereby a Management Plan will be required to consider the day-to-day operations and budgetary requirements needed to facilitate actions. For example, vandalism, rubbish dumping, upgrading signage, pest and weed management will require considerable on-going budget allocations.

Additionally, formalising the status of Scenic Drive as a road is likely to require a one-off budget allocation to formalise access to connecting road networks and facilitate tourism to Scenic Hill (Hermit's Cave and Sir Dudley de Chair Lookout).

Consultation with the DPE-Crown Lands for potential cost sharing and a surveyor to ascertain legal requirements and indicative pricing will be necessary.

6.1.2 Maintenance of existing structures and vandalism

Signage, which is associated with the Hermit's Cave complex, is constantly subject to vandalism. The signage has been defaced and is generally illegible.

A Rotunda structure has been built north of Ortella Street of variable stability and requiring repairs to ensure user-safety (shown in Figure 19 below left). Use of the area is evident by the amount of rubbish left in the vicinity.

The steel platform referred to as 'Rotary Lookout' situated on the Trig. Reserve, is being removed by DPE – Crown Lands (shown in Figure 1 below right).

Figure 19 - Unsafe shelter structure and Rotary Lookout



The toilet block located north of the Pioneer Park perimeter and adjacent to Berry's Brickworks dam (shown in Figure 20 below) has now been decommissioned by Council and is to be demolished shortly.

Figure 20 - Obsolete toilet block near Berry's Brickworks dam



Other structures are those that have been man-made including the creation of jumps for bike riding shown in Figure 21 below, some of which appear to be abandoned once no longer useable. These pose a safety hazard and require removal.

Figure 21 - Existing bike jumps of varying safety



Figure 22 below, shows a locational marker and one of Griffith's town water reservoirs located on Scenic Hill, the area of which has been revoked from Scenic Hill Reserve. 'Urban expansion and competing land uses' was an issue raised in the 2000 Management Plan and has been discussed throughout this PoM.

Figure 22 - Locational marker and a Griffith water reservoir



6.1.3 Car Parks and Scenic Drive

The parking area located at the Rotary Lookout although maintained by Council is not situated on Council managed land, however is maintained by Council as it sits adjacent to Scenic Drive. The carparking area adjacent to Sir Dudley de Chair Lookout is maintained by Council and has been enhanced with rock and wood bollards, Sulo rubbish bin, picnic table and seats and interpretive signage.

The status of Scenic Drive is a more complex issue as although it was constructed (date unknown), it has not been surveyed or opened in accordance with the *Roads Act 1993*. Survey will require both costing and budgeting with a Plan of Survey requiring registration at the Land Titles Office (LTO). This action may not be completed during the term of this PoM and is likely to be both lengthy in time and costly. Refer to [Table Section 6.2 Plan Implementation \(Infrastructure\)](#) (pg. 59).

6.1.4 Unauthorised activities and encroachments

As indicated in the Executive Summary, motorbike riding is an unauthorised activity, is both evident and prevalent throughout Scenic Hill, aside from within Reserve 83396 (Lot 1275 DP 751709) which is designated for the purpose of Public Recreation and managed by Pines Circuit Motor Sports Club. Motorbike riding is not an accepted use by Griffith City Council or DPE – Crown Lands on Scenic Hill although is difficult to manage. New tracks have been created throughout the Hill thereby disturbing areas of vegetation and adding to issues of both soil compaction, erosion, and drainage impacts.

Due to the open access for fire trails, access is also available to 4WDs that tend to access the area following rain events, thereby creating additional erosion, turbidity, and sedimentation of water courses, particularly adjacent to Berry's Dam.

Other unauthorised activities include the dumping of general household rubbish, building waste and garden refuse, the latter of which also adds to environmental degradation through the naturalisation of weed species. This further impacts on the environment and vulnerability of Scenic Hill's native plant species.

In other sections of Scenic Hill, adjoining residential landholders have extended their gardens beyond the perimeter of their surveyed boundaries, creating new garden beds of exotic species, and building small garden structures. While the mowing of grasses may be an acceptable habit, the greater extension of gardens is not supported or encouraged as exotic species naturalise in the bushland setting.

6.1.5 Fire Hazards

The Bush Fire Council provided input to the former Plan of Management (Section 4. Issues and Prescriptions for Management). The NSW Rural Fire Service is now represented locally by the Murrumbidgee Irrigation Area Bush Fire Management Committee (BFMC) which has provided updated information for the purpose of this PoM.

"Scenic Hill remains a significant area of Vegetation that has a large Urban Interface which wraps around the foot hills ranging from West to East. The predominate Vegetation type is Inland Rocky Hill Woodlands which consists of Callitris glaucophylla (White Cyprus Pine) grows with Eucalyptus dwyeri (Dwyer's Red Gum) and Eucalyptus populnea (Bimble Box).

Appendix 6 of the former document (pg. 59) provided previous mapping and details about fire history from 01/10/1990 to 31/03/1991 with the highest cause of fire at that time being 'arson' at 40% followed by 'lightening' at 20%. The lowest cause of fires was as a result of 'power transmission lines' at 5%. An updated list of causes of fire events on Scenic Hill over the period between 01/07/2000 and 14/06/2022 with a total number of 87 incidents have been identified as:

- "26% Undetermined
- 13% Suspicious
- 13% Arson
- 11% Miscellaneous / Other
- 10% No Cause Identified

- 6% Debris Burning
- 5% Incendiary
- 5% Juvenile (fire play)
- 3% Campfires
- 1% Escaped pile burn
- 1% Accidental
- 1% Burning off 'Illegal'
- 1% Lightening
- 1% Motor Vehicle"

Figure 23 below (provided by the RFS) identifies the location of various fire incidents in and around Scenic Hill since 2011 up to June 2022.

Figure 23 - Fire History location on Scenic Hill



The impacts of fire cannot be underestimated and can cause damage to property, infrastructure, native flora, and fauna and potentially to human life. Over the summer of 2022/2023 and specifically in early January 2023, several spot fires were attended to by the local MIA RFS. Although the fires were brought under control quickly and a significant amount of vegetation was impacted, nearby homes and other infrastructure located on Scenic Hill were spared from damage. Figure 24 below shows an aerial view of the locations of fire across the Hill (photo courtesy of MIA RFS) and damage at ground-level.

Figure 24 – Aerial view of fires and close-up damage

“In accordance with Section 52 of the Rural Fires Act 1997, there are a number of options to manage fire on Scenic Hill and they consist of:

- A. Reducing vegetation by the means of Low Intensity Hazard Reduction Burning, Grazing or the use of Chemical Application*
- B. Maintaining Fire Trails (FT) in accordance with the Fire Access and Fire Trail Plan (FAFT) and to the NSW RFS Fire Trail Standard*
- C. Maintain Asset Protection Zones (APZ) in accordance with the Bush Fire Risk Management Plan (BFRMP) which can be undertaken by Slashing, Mowing, Chemical Application and or Grazing.”*

Fire Trails

“Fire Trails on Scenic Hill are to provide appropriate means of Accessing land to prevent, fight, manage or contain bushfires, and in particular may do so by identifying or providing for the identification of suitable existing proposed Fire Trails (S54A Rural Fires Amendment Act 2016).

The objective of the Fire Trails on Scenic Hill is to establish a network of strategic fire trails which meet the minimum standards and allow standard off-road capable firefighting vehicles to safely and effectively traverse the landscape”.

The proposal identified in the former Plan of Management indicated a network of 30 Fire Trails (FTs) of approximately 23 kms both traversing and around the perimeter of Scenic Hill. It was further identified that the number of FT's was to be reduced to 16, providing seven zones, each bounded by a FT. The remaining 14 FTs were to be barricaded to provide for regeneration and reduce overall unauthorised access in an around Scenic Hill. Figure 25 below, shows the historical FT markers and new improved signage following the FT review and subsequent reduction. Removal of the obsolete FT markers may be warranted.

The Fire Trail Access Map shown at Annexure 7 (pg. 78) details the various FTs throughout Scenic Hill by way of type of trail and what appliance each FT is suited for, i.e., the FTs shown in purple are strategic trails and those shown in yellow are tactical and used for Firefighting purposes only.

FT signage at McFadzean's Lease (shown far right below) clearly states that no unauthorised vehicle access is permitted although 4WD and trail bikes are seen using the various FTs particularly in and around Scenic Hill.

Figure 25 - Historic and Current Fire Trail signage

It has been noted that while some of the FTs were gated following the reduction in numbers, some have been left open or damaged due to the extensive use of the Hill. In some instances, the gates are intact and the FT has regenerated, however in other circumstances, unauthorised vehicle access has been made around the structure as shown by the photos below.

Figure 26 - RFS gated barricades

6.1.6 Pests and Weeds

Feral goats have been an obvious impact on the natural landscape and while they may help to reduce weeds, they are indiscriminate grazers foraging on weeds, native grasses, and damaging trees; and they also have potential to damage the heritage areas of Hermit's Cave which has previously been used for camping by the herd.

Removal of feral goats was undertaken in November 2021 however new herds seem to re-emerge over time and subsequent management is both highly likely and necessary to protect the native vegetation and reduce impacts. The photo below was taken just prior to the herd's removal in November 2021.

Less obvious pests are foxes, rabbits, feral and domestic cats and dogs that impact on the native fauna (birds, reptiles, and smaller mammals such as echidnas) of the reserve resulting in decline of both species numbers and type.

Figure 27 - Feral Goats

Weeds throughout the reserve have potential to impact on the extent and health of native species as they become naturalised in the environment; have an effect on soil, water regime, chemistry and stability of the environment; and also reduce the visual quality and amenability of the area by users and visitors alike.

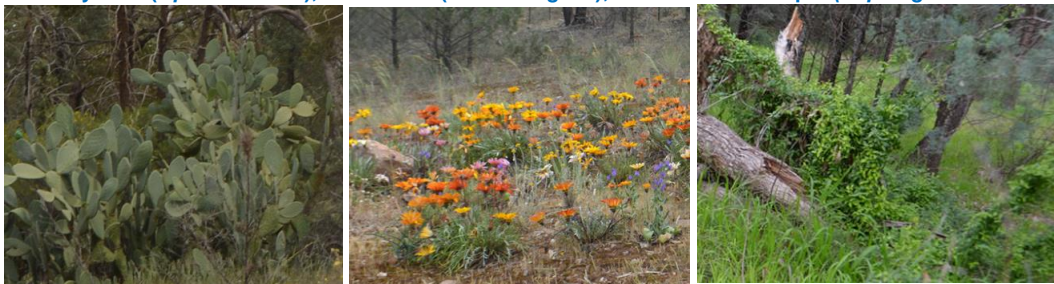
The most obvious weeds species to have an effect are various Prickly Pear species (*Opuntias*) (shown in photo below), African Boxthorn (*Lycium ferocissimum*), Bridal veil Creeper (*Asparagus declinatus*), Gazania (*Gazania rigens*), Patterson's Curse (*Echium plantagineum*), Common Olive (*Olea europea*), Perennial Caltrop / Cat-Head (*Tribulus occidentalis*) and Common Onion Weed (*Asphodelus fistulosus*). Some of these species are listed as Weeds of National Significance (WoNS) including the Common Prickly Pear and African Boxthorn while others are species of concern, i.e., Cat-Head.

Some areas of Scenic Hill, particularly adjacent to McNabb Crescent, have been purposefully planted with Gazania's and while providing some beauty and soil stabilisation, contribute to habitat loss; is spreading further upslope from initial plantings and out-competing native species. Bridal veil Creeper is prevalent adjacent to Fire trail (FT1) behind the residences of Wood Road.

Weeds more prevalent at McFadzean's Lease include Prickly Pear species (*Opuntias*), African Boxthorn (*Lycium ferocissimum*) and Common Onion Weed (*Asphodelus fistulosus*).

Figure 28 - Weeds species of Scenic Hill

L: Pricky Pear (*Opuntia stricta*); M: Gazania (*Gazania rigens*); R: Bridal veil Creeper (*Asparagus declinatus*)



6.1.7 Trees and roadside vegetation

Scenic Hill's Gazetted purpose of 'Preservation and Growth of Timber' and McFadzean's Lease zoning of Environmental Conservation is further supported by Council's Tree Preservation Order PG-CP-401 applying to all natural bushland areas within the respective landscapes. Evidence of indiscriminate tree removal has been noted along some of the motorbike tracks.

Roadsides by their nature are generally very narrow strips and subsequently, the remnant native vegetation is highly vulnerable to adverse processes (introduced species, maintenance of roads, public utilities along road reserves, bordering fence lines and public use (or misuse, i.e., rubbish dumping and uncontrolled fire), that threaten their sustainability.

A vegetation survey prepared by Eric Whiting (February 2006) under the 'Saving our Corridors' Project commissioned by the NSW Roadside Environment Committee, included an assessment of roadside vegetation along parts of Old Aerodrome Road located on the northern boundary of Scenic Hill. This was one of three roadside areas representative of the best examples of vegetation communities occurring in the Griffith area (at that time) as selected by the Built and Natural Environment Committee, a sub-committee of Griffith City Council.

The assessment indicated that sections of roadside adjacent to Dalton Park Racecourse and the Airport, were either degraded and with very narrow verges or greatly altered and considered of low conservation value. An exception was identified at the south-west corner of the intersection with Remembrance Drive where there was considered to be a 'fine stand' of 'high conservation value' of White Cypress Pine with Bimble Box and Wilga. This area equated to only .2ha of a total of 13ha covered by the survey.

The value of this section of roadside vegetation was such that suggestions for management included refraining from road widening activities at the intersection of Old Aerodrome Road with Remembrance Drive to protect the Cypress Pines at the corner, with one tree estimated to have been approximately 200 years old.

While pressures to improve roads generally is a priority for both Council and the community, roadside vegetation assessments particularly within the natural landscapes of Scenic Hill and McFadzean's Lease should be considered before undertaking any adverse activities.

6.1.8 Drainage and Erosion

Drainage from Scenic Hill has been raised as an issue particularly following heavy rainfall events. Significant rainfall throughout the flood event years of 2012 and 2016 together with heavy rainstorm occasions throughout early 2022 have created flooding to neighbouring residential properties particularly in the East Griffith / Collina areas. While mentioned an issue for Council, it is a matter which may need further consideration outside the parameters of this PoM.

Other drainage and erosion impacts have been indicated by the RFS along its fire trails and other internal walking and bike trails that also show evidence of drainage impacts (**Pers. Comment** – Ron Anson, Feral Joggers). In instances, members of the Griffith Feral Joggers have placed gravel along the tracks to divert rainfall runoff, which in turn, causes drainage impacts further downslope where groundcover is absent.

The removal or relocation of bush rock can also cause soil compaction, increased water runoff and turbidity, and sedimentation of Scenic Hill's natural water courses.

Figure 29 – Drainage and erosion issues



6.1.9 Signage

Existing signage is scattered across Scenic Hill and is both regulatory, directional, and interpretive. Signage is representative of Council activities (regulatory i.e., illegal dumping of rubbish; directional i.e., Lookout / Airport etc., and interpretive i.e., Hermit's Cave tourist information); user group activities (i.e., directional signage for Feral Jogger's tracks); other Authorities (i.e., RFS Fire trails) and other discretionary signage including community tree planting areas and information about the Glossy Black Cockatoo.

Walking track signage shown in Figure 30, was removed in 2021 at the request of the Griffith LALC as it was not reflective of the local Wiradjuri language of the area (**Pers. Comment** – Stephen Young, GLALC).

The Griffith Visitor Information Centre has received various feedback over recent years relating to: -

- Poor directional markers to Hermit's Cave;
- Vandalism of existing 'tourist' signage;
- Poor signage to Lookout (visitors stop at the Rotary Lookout as no distance provided on sign to Sir Dudley de Chair Lookout at the Scenic Drive / Remembrance Drive intersection).

Figure 30 - Various types of signage

(Illegible Hermit's Cave signage; Feral Jogger directional signage; Illegal dumping combined with historical Fire Trail signage and former walking track signage)



6.1.10 Vandalism

Vandalism is evident throughout Scenic Hill and more notable in the highly visible tourist areas of Hermit's Cave (as shown below) and discreet access tracks where the dumping of rubbish (garden / building and other household waste) is dumped. Other small parking areas adjacent to Scenic Drive contain rubbish predominantly comprising take-away refuse. Some signage has been completely defaced or knocked over. While Council has installed rubbish bins in strategic locations adjacent to Scenic Drive's more prominent tourist access points, rubbish is inevitably left behind. Installation of more bins will not necessarily reduce dumping of rubbish unless a proactive education and enforcement program is undertaken. Given that much of the rubbish dumping is undertaken at weekends or at night, this type of vandalism is likely to continue.

Other examples of vandalism are the relocation, removal or collection of bush rock which is considered a key threatening process and is accordingly listed in the *Biodiversity Conservation Act 2016*. Collection or removal of bush rock from Crown land is prohibited. As well as removal of bush rock for use in garden landscaping, bush rocks should not be relocated for the purposes of use as cairns, seats, jumps (for pushbike or motorbikes), or for any other purpose. The removal of bush rock can also cause loss of plant species and the reduction of seed germination, the

introduction of exotic seeds, soil erosion and most obviously, the reduction in habitats for the various species of Scenic Hill.

While minimal impact for recreation is desirable and sustainable, there is greater evidence of impacts from relocation of bush rock on Scenic Hill for bike jumps and building of cairns.

Figure 31 - Various forms of vandalism



6.2 Plan Implementation

The following action plan sets out the requirements under Section 36 of the *LGA 1993* with respect to:

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

Table 7 below sets out key objectives and performance targets for management of the land.

Responsibility: Griffith City Council (GCC)

Table 7 - Objectives and performance targets of this Plan of Management

Performance Target	Actions	Priority	Performance Indicator
LEGISLATIVE			
To ensure that relevant legislation is complied with in relation to preparation of the PoM.	1. The Plan is prepared in accordance with Native Title Manager advice, the <i>LGA 1993</i> , the <i>CLMA 2016</i> , <i>NTA 1993 (C'th)</i> and <i>ALRA 1983</i> (as applicable)	High	<ul style="list-style-type: none"> The Plan is reviewed by Council's Native Title Manager and approved by Department of Industry – Crown Lands. Council exhibits and adopts the PoM subject to community comments being addressed. (Where significant changes to the PoM are required, the PoM will be re-referred to Council and the Department).
That future development complies with all relevant legislation	2. Council undertakes any proposed development(s) / improvements in consideration of <i>LGA</i> , <i>NTA</i> , <i>ALR</i> and <i>CLMA</i> legislative requirements (as applicable)	High	<ul style="list-style-type: none"> Council seeks all necessary approvals and / or complies with relevant legislative requirements prior to undertaking any development and / or works identified in this PoM.
MANAGEMENT			
Provide quality passive recreational and tourist opportunities within a natural environment that meets administrative requirements and community expectations.	3. Develop a 'Management Plan' to provide targeted operational mechanisms for respective areas of use activities within Zone 3 (native vegetation / weed management; passive recreational use and appropriate development; cultural opportunities / maintenance; tourist opportunities / development etc.)	High	<ul style="list-style-type: none"> Community consultation in regards to meeting future community needs in line with legislative requirements. Review of existing infrastructure and undertake necessary removal / improvement / education (as necessary and relevant) in accordance with prescribed Council standards and community expectations. Approvals where necessary for erection / removal of infrastructure, is provided in a timely manner.
Ensure an Asset Management Plan is in place to maintain and enhance respective areas.	4. Review existing infrastructure and useability and where necessary take appropriate action to improve and / or remove infrastructure for community safety	On-going	<ul style="list-style-type: none"> Council to liaise with respective user groups / other agencies / community members in accordance with the Management Plan.
INFRASTRUCTURE			
Council to legalise Scenic Drive	5. Council investigates actions required to formalise Scenic Drive	Medium	<ul style="list-style-type: none"> Budget and plan for necessary action to formalise Scenic Drive under the <i>Roads Act 1993</i>. <i>Est. 2023 \$30-\$40,000 for subdivision + acquisition cost.</i>

Council to review existing infrastructure and determine public safety	6. Ensure on-going inspection and assessment of all infrastructure (as appropriate). 7. Removal of unsafe infrastructure 8. Installation of new Lookout viewing platform at Sir Dudley de Chair Lookout (<i>and consideration of additional local Wiradjuri reference refer to Use of Reserves – Signs</i>) 9. Repairs to existing fencing at Sir Dudley de Chair Lookout 10. Installation of new barrier fencing along eastern escarpment of unnamed Lookout (above Lawford / Doolan Crescents). 11. Installation of fencing where necessary to restrict activity for protection of natural areas.	On-going	<ul style="list-style-type: none"> Future upgrades are carried out in accordance with the PoM and required development and approval processes (where necessary). Unauthorised infrastructure may be removed as determined by Council. Pursue funding opportunities Feedback from community is positive and negative feedback acted upon as necessary.
Council to formerly name Sir Dudley de Chair Lookout	12. Take steps to register Scenic Hill's Lookout with the Geographical Names Board of NSW	Low	<ul style="list-style-type: none"> Council to resolve to lodge a formal Application and register Sir Dudley de Chair Lookout with the Geographical Names Board of NSW on its Register (GNR).
Scenic Hill and McFadzean's Lease continue to provide for passive recreational uses	13. Recreational uses cause no negative impacts to the natural area 14. Installation of small board walks (where necessary) to protect native vegetation 15. Liaise with relevant parties for consideration of local indigenous names of walking tracks and features 16. Installation of track-counters to monitor use numbers of walking tracks (promotion and potential installation of seating etc.) 17. Installation of interpretive and cultural signage 18. Development of mountain-bike track	On-going	<ul style="list-style-type: none"> User groups are monitored to ensure that respective activities do not negatively impact on the area or neighbouring lands. Installation of small board walks preventing compaction and disturbance of identified areas. Council complies with Native Title legislation prior to any development being approved / undertaken. Council seeks necessary approvals and DPE – Crown Lands consent (as appropriate). Any development provides vegetation offsets Feedback from visitors and the community is positive and negative feedback acted upon as necessary.
ENVIRONMENT			
Preservation of the natural environment	19. Ensure that natural areas are protected from unauthorised development and activity and are not negatively impacted 20. Monitor and remove rubbish. 21. Support studies of native flora and fauna and undertake rehabilitation works 22. Support studies and assessment of current flora and fauna habitat including	High	<ul style="list-style-type: none"> Monitor unlawful removal of natural vegetation and other unauthorised activities. Monitor recreational activities to contain negative impacts. Consider and source funding for future revegetation programs in conjunction with user activity impacts. Council engages in 'Remove Illegal Dumping' or other

	<p>assessment of roadside vegetation</p> <p>23. Support education programs including installation of interpretive / cultural signage</p>		<p>related programs and sources relevant funding.</p> <ul style="list-style-type: none"> Develop education programs to prevent dumping of garden waste to reduce the spread of invasive weed and other introduced flora species (i.e., via Council Catch-up Newsletters; newspaper articles, signage, MFN Field trips etc.)
Installation of new improvements and removal of unauthorised structures	<p>24. Council to undertake an inventory of existing infrastructure and determine public safety / useability.</p> <p>25. In consultation with the community, consider and plan for future needs and relevant use requirements, appropriate infrastructure, parking / or landscaping utilising native species as necessary.</p>	On-going	<ul style="list-style-type: none"> Facilities, e.g., access / carparking / viewing platform / shelters etc.) are maintained to meet service levels and continue to comply with Australian Standards and meet community needs. Community feedback is positive and negative feedback acted upon as necessary.
Reduce impacts of noxious weeds and feral animals	<p>26. Ensure Council seeks funding from relevant sources to implement annual weed and feral animal management programs.</p> <p>27. Control existing populations of noxious weeds particularly Prickly Pear and African Boxthorn species (Scenic Hill and McFadzean's Lease).</p>	On-going	<ul style="list-style-type: none"> Inspections are undertaken on a regular basis and / or community feedback is considered for necessary action. Council staff or qualified contractors are used when undertaking weed management programs or feral animal removal / eradication. No unauthorised use of facilities. Feedback from visitors and the community is positive and negative feedback is acted upon where necessary.
USE OF THE RESERVES			
Signs	<p>28. Review signs and follow guidelines provided by Statewide Mutual Signs as Remote Supervision.</p> <p>29. Removal of damaged and / or inappropriate signage.</p> <p>30. Use-specific signage is up-to-date in accordance with relevant industry standards.</p> <p>31. Upgrade interpretive and cultural signage and install appropriate educational signage in conjunction with proposed works identified in the PoM</p> <p>32. Include local Wiradjuri name and information at Sir Dudley de Chair Lookout and other strategic areas (as necessary).</p>	On-going	<ul style="list-style-type: none"> Continually monitor all signs are legible and current. Upgrade interpretive signage at Sir Dudley de Chair Lookout. Install suitable directional signage for visitation to Sir Dudley de Chair Lookout. Remove unnecessary and obsolete signage in conjunction with MIA RFS (as necessary). Feedback from visitors and the community is positive and negative feedback is acted upon where necessary.
Access and Parking	<p>33. Ensure that access and parking meet visitor and user requirements to accommodate recreational and tourist use.</p>	On-going	<ul style="list-style-type: none"> Continue to monitor that access and parking requirements meet the needs of all users.

	34. Installation of appropriate facilities within and congruent to Scenic Hill and McFadzean's Lease (as appropriate), i.e., rubbish bins.		<ul style="list-style-type: none"> Continued liaison with NSW RFS in regards to use and maintenance of Fire Trails. Regular collection of rubbish bins and removal of rubbish as identified by the community. Community feedback is positive and negative feedback acted upon as necessary.
Unlawful use of land	35. Monitor unlawful use(s), access and encroachment that does not impact on the aesthetic qualities and natural environment (and where necessary, take appropriate action). 36. Install appropriate signage and undertake an education / public awareness program.	On-going	<ul style="list-style-type: none"> Investigate unauthorised structures and discuss appropriate options with users (i.e., removal, authorisation, rehabilitation etc.). Remove abandoned and unsafe infrastructure. Remove abandoned and burnt-out vehicles. Install additional use activity signage in accordance with DPE – Crown Lands standards. Restrict bike riding along the Hermit's Cave (State Heritage Listed) area. Community education programs introduced through various means (Council Catch-up Newsletters, media communications etc).
Rubbish	37. Removal of unauthorised dumping of rubbish	On-going	<ul style="list-style-type: none"> Removal of dumped rubbish (as appropriate). Regular monitoring and empty strategically placed rubbish bins. Installation of additional 'Report Illegal Dumping' signage (when funding is available). Engaging community in 'Clean-up Campaigns'.

Figure 32 - View of Scenic Hill Dwyer Mallee Gum and Currawang Communities



Figure 33 – Inland Wonga Vine



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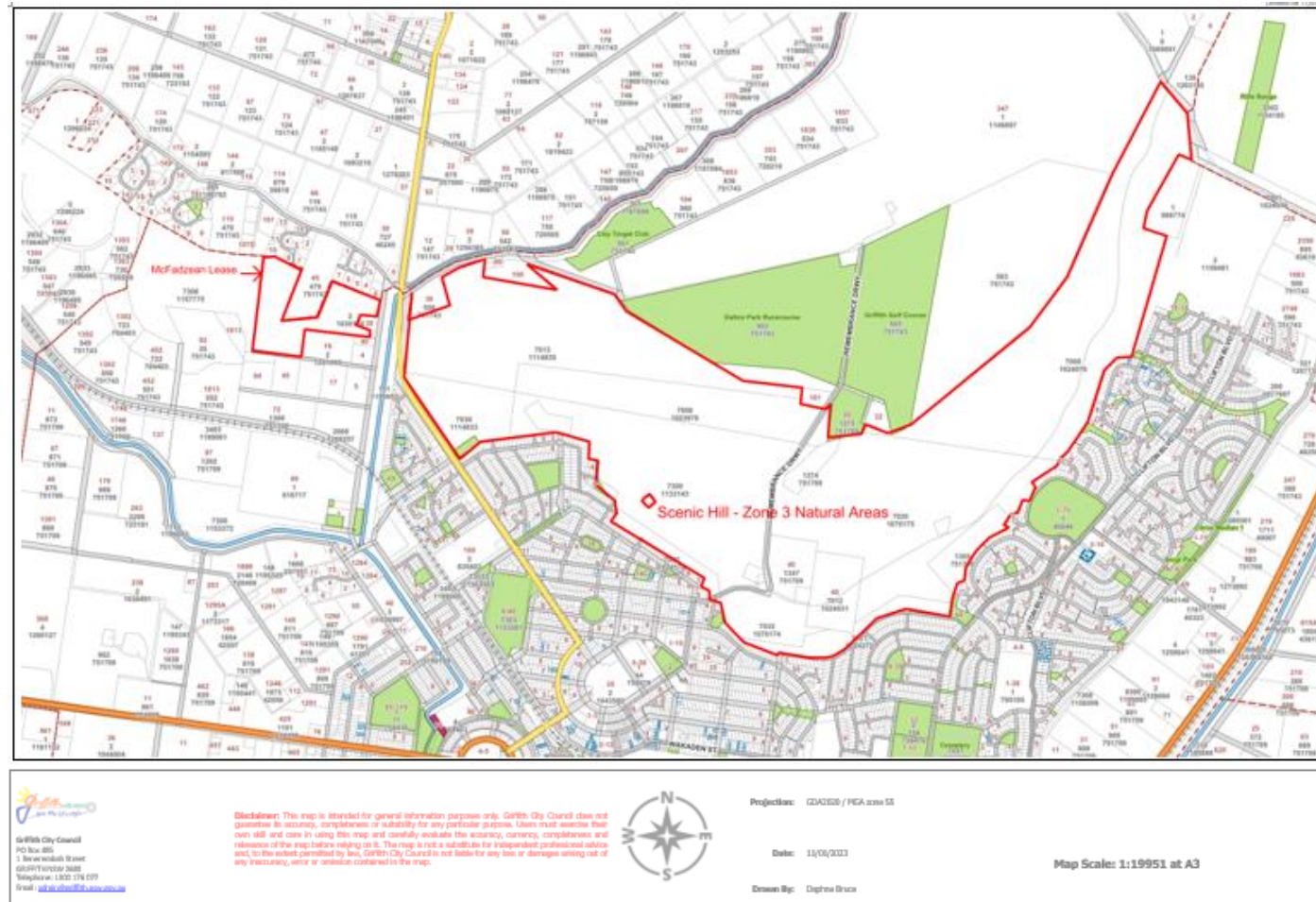
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8.0 ANNEXURES

- 1) Map - Scenic Hill & McFadzean's Lease – Zone 3 – Natural Areas
- 2) Schedule of Land & Infrastructure - Scenic Hill & McFadzean's Lease– Zone 3 – Natural Areas
- 3) Heritage Notice - Government Gazette 12 January 2007
- 4) ASDST – Predictive Mapping of Griffith City LGA
- 5) Flora Species List of Scenic Hill and McFadzean's – Zone 3 – Natural Areas
- 6) Bird Species List of Scenic Hill & McFadzean's Lease – Zone 3 – Natural Areas
- 7) Fire Trail Access Map

ANNEXURE 1 – Map – Scenic Hill & McFadzean’s Lease – ZONE 3 – Natural Areas



GRIFFITH CITY COUNCIL – SCENIC HILL – ZONE 3 –
NATURAL AREAS DRAFT POM

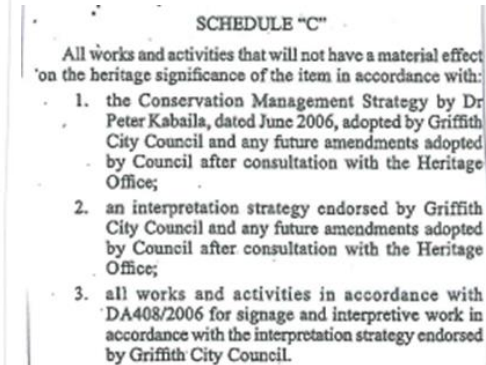
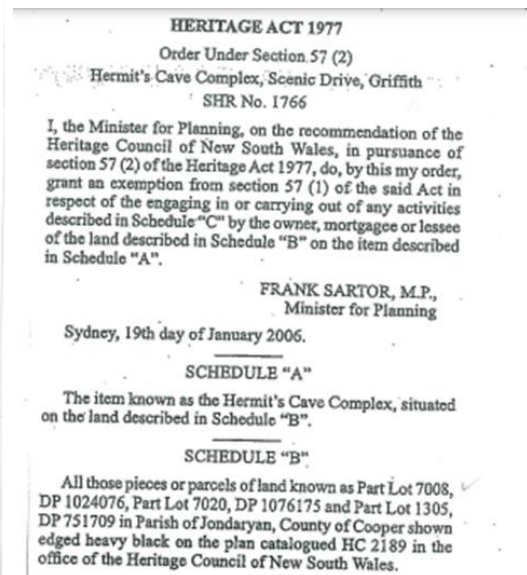
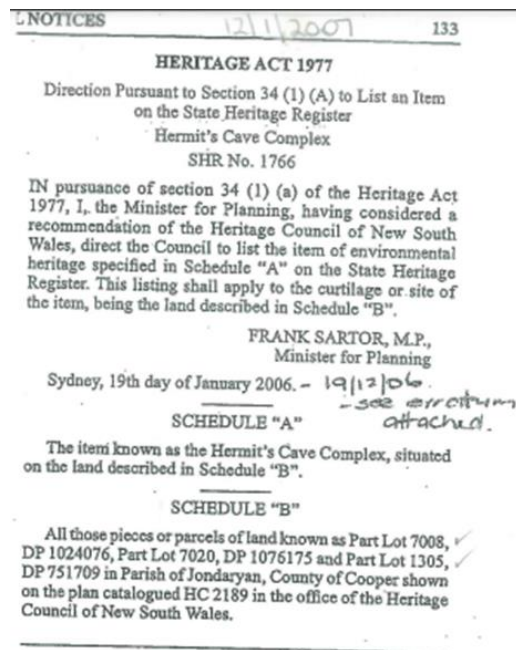
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ANNEXURE 2 - Schedule of Lands & Infrastructure – Scenic Hill & McFadzean's Lease – Zone 3 – Natural Areas

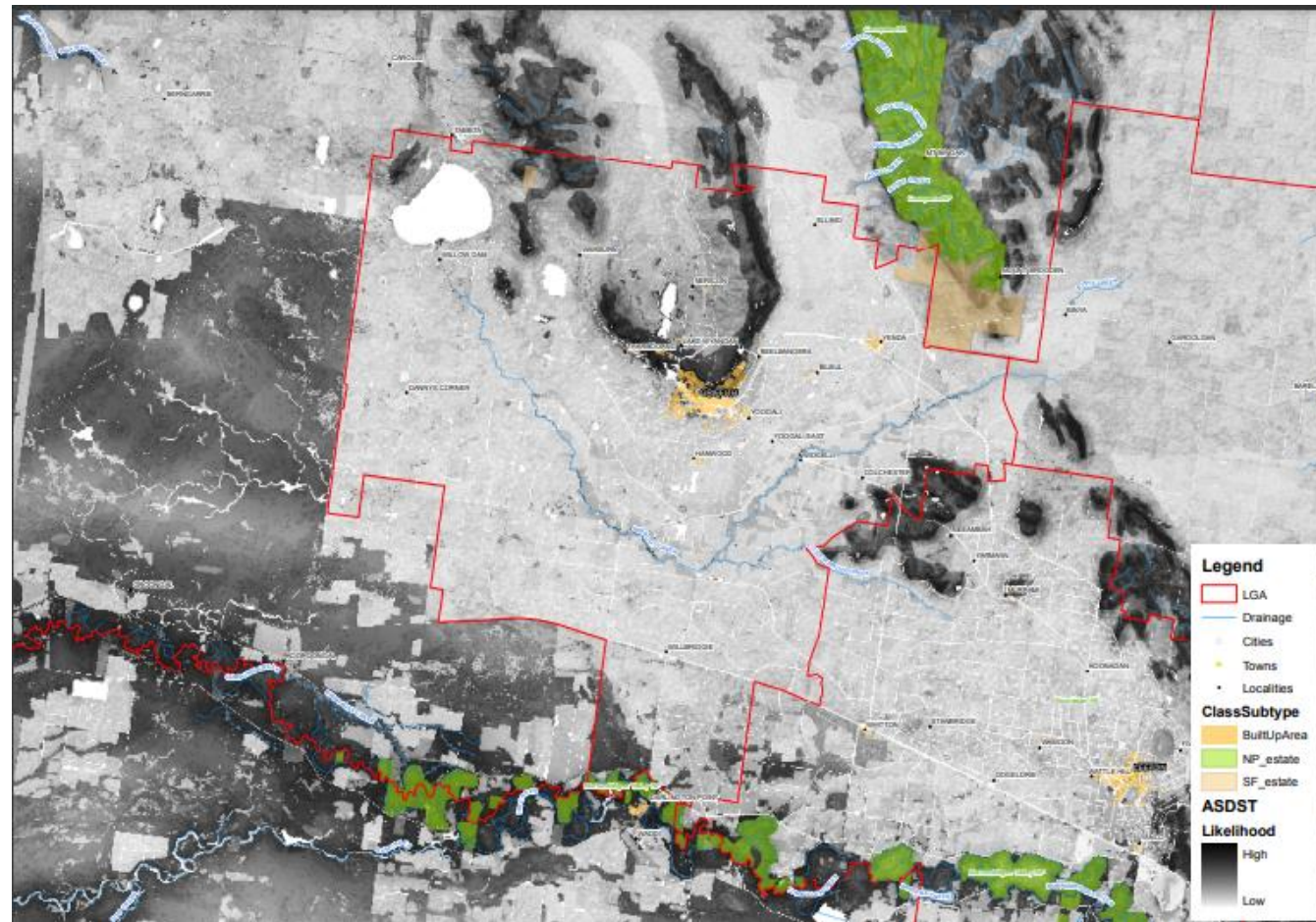
	A	B	C	D	E	F	G	H	I
1	SCHEDULE OF LAND & INFRASTRUCTURE - SCENIC HILL ZONE 3 - NATURAL AREAS PoM								
2									
3	RESERVE NO.	RESERVE NAME	CROWN	DATE OF GAZETTE	PURPOSE	CATEGORY	LOT/DP	AREA	COMMENTS/INFRASTRUCTURE
4	56353	Part Scenic Hill Reserve	Crown	31/08/1923	Preservation and Growth of Timber	Natural Area - Bushland	1081/751709	Approx. 3.050 ha	Firetrail (#), walking tracks
5							1274/751709	Approx. 4.474 ha	Remains of Berry's Brickworks and dam
6							1305/751709 (Adj. Lawford Cres)	9.471 ha	Firetrail (#), walking tracks; and steel post and mesh railing
7							1/232976 (within 7300/1133143 near Dare Street)	Approx. 2133 m2	
8							7021/1024372 (Adjoins McIvor Park and adj. to McNabb Cres. & eastern pt. Macarthur St. to prolongation with Barellan St.)	Approx. 11.37 ha	Firetrail (#), walking tracks; and unauthorised rear access to residence in Macarthur St.
9							7022/1024374 (from Mallison St and adj. to rear of residences from Ortella St. extending to Dare St.	Approx. 6.394 ha	Firetrail (#), walking tracks; garden encroachments and unauthorised rear access to residence in Ortella St.
10							7024/1024377 (extending from prolongation of Dare St. to Youll St. to rear of residences in Messner St. and Thorby Cres.	Approx. 8858 m2	Walking tracks; extended lawn areas from rear of residences; community park maintained by local residents and not formally designated as a Park.
11							7032/1076174 (bounded by Remembrance Dr. and rear residences of Mallinson and Macarthur St., incl part Scenic Drive adj. to Pioneer Park Museum to 7021/1024372 adj. McNabb Cres.)	Approx. 14.88 ha	Part Scenic Drive from intersection with Remembrance Drive to eastern bdy. of freehold owned by Air Services Australia; Firetrail (#) and walking tracks
12							7020/1076175 (bounded by Pioneer Park Museum, Trig Reserve, Remembrance Dr. and 1305/751709) and extending in part to Doolan Cres.	Approx. 104.76 ha	Part Scenic Drive; Firetrail (#) and walking tracks; decommissioned toilet block; garden encroachments
13							7039/1114833 (Adj. to Wyangan Avenue and rear residences of Wood Road to prolongation of Thompson St.)	Approx. 20.72 ha	Firetrail (#); walking tracks; garden encroachments from rear residences; community park behind residences of Wood Road off Wyangan Avenue, maintained by local residents and not formally designated as a Park.
14							7300/1133143 (Extending west from Remembrance Dr., rear of residences of Thorby Cres. And Wood Rd to prolongation of Thompson St.)	Approx. 93.14 ha	Firetrail (#); walking tracks; garden encroachments; unauthorised rear access to residences

15					7006/1023976 (Adj. Remembrance Dr. opposite Griffith Motorcycle Sports Club)	Approx. 41.69 ha	Firetrail (#); walking tracks
16					7007/1024003 (East of Remembrance Dr. and bounded by Griffith Motorcycle Sports Club)	1.733 ha	Walking track
17					7008/1024076 (Adj. Collina residential subdivision to prolongation of Harnett Pl)		Part Scenic Drive; Sir Dudley de Chair Lookout, carpark, Hermit's Cave precinct; various walking tracks; garden encroachments
18					7013/1114835 (Adj. to Dalton Park and bounded by Old Aerodrome and pt. Scott Roads and Wyangan Ave.)	Approx. 95.04 ha	Rodeo Ground infrastructure (arena, fencing, toilets)
19							
20	McFadzean's Lease	Council			2/1030170	23.65 ha	Firetrail (#); Walking tracks

ANNEXURE 3 – Heritage Notice – Gazette 12 January 2007



ANNEXURE 4 – ASDST Predictive Mapping of Griffith City LGA



GRIFFITH CITY COUNCIL – SCENIC HILL – ZONE 3 –
NATURAL AREAS DRAFT POM

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ANNEXURE 5 – Flora Species List of Scenic Hill & McFadzean's Lease – Zone 3 – Natural Areas

	A	B	C	D	E	F	G	H	I	J	K	L
1	PLANT SPECIES LIST - SCENIC HILL (ZONE 3) NATURAL AREAS & McFADZEAN'S LEASE											
2	Noted by Eric Whiting (EW) and Enid Atkinson (EA) (abt. 2000); Melva Robb (MR) (12 & 17/09/2020; 2/10/2020; 25/05/2022); MR & Cathy Semmler (CS) (25/05/2022); MR & Daphne Bruce (DB) 17/11/2022											
3	DIVISION	FAMILY	SCIENTIFICA NAME	COMMON NAME	Introduced Species	EW & EA 2000	EW 2006	MR 12 & 17/09/2020 & 2/10/2020	MR & CS 25/05/2022	MR & DB McFadzean's Lease 17/11/2022	MR 10/01/2023	COMMENT Ref: Priority Weeds of the Murray and Riverina Regions (Local Land Services (2015))
4	PTERIDOPHYTES											
5	(Ferns)	Ophioglossaceae	Ophioglossum lusitanicum	Adders Tongue		✓						
6		Adiantaceae	Cheilanthes tenuifolia ssp. sieberi	Mulga Fern		✓	✓		✓	✓		
7		Aspleniaceae	Pleurosaurus rutifolius	Blanket Fern		✓						
8	GYMNOSPERMS	Cupressaceae	Callitris glaucophylla	White Cypress Pine		✓	✓	✓	✓	✓	✓	
9	ANGIOSPERMS - MONOCOTS	Agavaceae	Agave sp.	Century Plant	#	✓		✓			✓	
10		Amaryllidaceae	Calostemma purpureum	Wilcania Lily		✓						
11		Asparagaceae	Asparagus asparagoides	Bridal Creeper					✓			
12		Asphodelaceae	Aloe sp.								✓	
13		Hypoxidaceae	Hypoxis glabella	Tiny Star		✓						
14		Juncaceae	Juncus usitatus	Common Rush			✓				✓	
15		Liliaceae	Bulbinopsis bulbosa	Native Leek		✓						
16			Bulbinopsis semibarbata	Leek Lily		✓						
17			Dianella longifolia	Smooth Flax Lily		✓		✓			✓	
18			Dichopogon strictus	Chocolate-Lily						✓		
19			Thysanotus patersonii	Twining Fringe Lily		✓						
20		Phormiaceae	Arthropodium minus	Small Vanilla Lily		✓						
21		Poaceae	Agropyron scabrum	Common Wheatgrass			✓				✓	
22			Aristida behriana	Brush Wiregrass		✓	✓					
23			Aristida jerichoensis	No. 9 Wiregrass		✓	✓			✓		
24			Avena barbata	Bearded Oat		✓						
25			Avena fatua	Wild Oats	#	✓	✓	✓		✓	✓	
26			Briza maxima	Quaking Grass							✓	
27			Bromus diandrus	Great Brome	#		✓					
28			Bromus rubens	Red Brome	#	✓		✓		✓		
29			Chloris truncata	Windmill Grass	#	✓	✓	✓			✓	
30			Danthonia caespitose	White top		✓	✓	✓			✓	
31			Danthonia monticola	Smooth Flowered Wallaby Grass		✓						
32			Ehrharta longiflora	Annual Veldt Grass	#	✓						
33			Enneapogon nigricans	Niggerheads		✓						
34			Enteropogon acicularis	Curly Windmill Grass			✓					

34		<i>Hordeum leporinum</i>	Common Barley Grass	#	✓		✓				
35		<i>Lamarckia aurea</i>	Golden-top		✓		✓		✓		
36		<i>Lolium perenne</i>	Perennial Rye Grass	#	✓						
37		<i>Lolium rigidum</i>	Wimmera Ryegrass	#		✓					
38		<i>Paspalum constrictum</i>	Box Grass		✓					✓	
39		<i>Poa annua</i>	Annual Grass	#	✓		✓				
40		<i>Polypogon monspeliensis</i>	Annual Beardgrass	#	✓						
41		<i>Stipa densiflora</i>	Foxtail Speargrass		✓				✓		
42		<i>Stipa scabra</i> var. <i>scabra</i>	Rough Speargrass		✓	✓	✓		✓	✓	
43		<i>Themeda australis</i>	Kangaroo Grass				✓				
44		<i>Thyridolepis mitchelliana</i>	Mulga Grass		✓		✓		✓	✓	
45		<i>Vulpia myuros</i>	Rat's-tail Fescue	#	✓	✓					
46	Orchidaceae	<i>Caledonia tentaculata</i>	Green-combe Spider Orchid		✓						
47		<i>Diuris pardina</i>	Leopard Orchid		✓						
48		<i>Microtis unifolia</i>	Common Onion Orchid		✓						
49		<i>Pterostylis mutica</i>	Midget Greenhood		✓						
50		<i>Pterostylis nana</i>	Dwarf Greenhood		✓						
51	ANGIOSPERMS - DICOTS										
52	Amaranthaceae	<i>Ptilotus exaltatus</i>	Fox-tails						✓		
53		<i>Ptilotus spathulatus</i>	Pussy-tails				✓	✓			
54	Anacardiaceae	<i>Schinus areira</i>	Pepper Tree	#	✓	✓					
55	Apiaceae	<i>Daucus glochidiatus</i>	Australian Carrot		✓		✓				
56		<i>Foeniculum vulgare</i>	Fennel	#		✓					
57	Apocynaceae	<i>Parsonia eucalyptophylla</i>	Gargaloo		✓	✓	✓	✓	✓	✓	
58	Asteraceae	<i>Actinobole uliginosum</i>	Flannel Cudweed		✓	✓	✓		✓		
59		<i>Arctotheca calendula</i>	Capeweed	#	✓		✓		✓		
60		<i>Bracteantha bracteata</i>	Golden Everlasting		✓				✓	✓	
61		<i>Bracteantha viscosa</i>	Sticky Everlasting		✓	✓					
62		<i>Bidens subalternans</i>	Cobbler's Peg	#	✓						
63		<i>Calocephalus sonderi</i>	Pale Beauty-Heads/Yellow poverty-weed				✓				
64		<i>Calotis hispidula</i>	Bogan Flea		✓						
65		<i>Carthamus lanatus</i>	Saffron Thistle	#	✓						
66		<i>Chondrilla juncea</i>	Skeleton Weed	#		✓					
67		<i>Chrysocephalum apiculatum</i>	Common Everlasting/Yellow Buttons		✓		✓		✓		
68		<i>Chrysocephalum semipapposum</i>	Clustered Everlasting		✓				✓		

69		<i>Chthonocephalus pseudevax</i>	Ground Heads		✓				✓		
70		<i>Cichorium intybus</i>	Chicory							✓	
71		<i>Cirsium vulgare</i>	Spear Thistle	#	✓						
72		<i>Conyza bonariensis</i>	Flax-Leaf Fleabane	#	✓	✓				✓	
73		<i>Gazania rigens</i>	Gazania	#			✓	✓	✓		
74		<i>Helichrysum semipapposum</i>	Clustered Everlasting		✓				✓	✓	
75		<i>Hyalosperma semisterile</i>	Orange Sunray		✓						
76		<i>Hypochaeris glabra</i>	Smooth Catsear	#	✓						
77		<i>Isoetopsis graminifolia</i>	Grass Cushions		✓						
78		<i>Lactuca serriola</i>	Prickly Lettuce	#	✓				✓	✓	
79		<i>Millotia myosotidifolia</i>	Broad-leaf Millotia		✓				✓		
80		<i>Olearia pimeleoides</i>	Showy Daisy Bush		✓						
81		<i>Rhodanthe diffusa</i>	Ascending Sunray		✓		✓				
82		<i>Rhodanthe pygmaea</i>	Pigmy Sunray		✓						
83		<i>Sclerolaena diacantha</i>	Grey Copper Burr		✓						
84		<i>Sonchus asper</i>	Prickly Sowthistle	#		✓					
85		<i>Sonchus oleraceus</i>	Common Sowthistle	#	✓	✓			✓		
86		<i>Sturartina muelleri</i>	Spoon Cudweed		✓						
87		<i>Tragopogon porrifolius</i>	Salsify	#	✓						
88		<i>Triptilodiscus pygmaeus</i>	Common Sunray		✓						
89		<i>Vittadinia cuneata</i>	Fuzzweed		✓	✓	✓		✓		
90		<i>Xanthium spinosum</i>	Bathurst Burr	#	✓						
91	Bignoniaceae	<i>Pandorea pandorana</i>	Wonga Vine		✓						
92	Boraginaceae	<i>Echium plantagineum</i>	Paterson's Curse	#	✓	✓			✓	✓	
93	Brassicaceae	<i>Brassica tournefortii</i>	Wild Turnip	#	✓				✓		
94		<i>Hamsiodoxa blennodioides</i>	Hairy-pod Cress		✓						
95		<i>Lepidium africanum</i>	Peppercress		✓						
96		<i>Sisymbrium irio</i>	London Rocket	#	✓						
97		<i>Sisymbrium erysimoides</i>	Smooth Mustard	#		✓					
98		<i>Sisymbrium orientale</i>	Hedge Mustard	#	✓	✓					
99	Cactaceae	<i>Cylindropuntia imbricata</i>	Devil's Rope	#	✓						
100		<i>Opuntia ficus-indica</i>	Indian Fig	#					✓		
101		<i>Opuntia stricta</i>	Common Prickly Pear	#	✓	✓	✓	✓	✓	✓	Weed - national significance
102	Campanulaceae	<i>Wahlenbergia communis</i>	Tufted Bluebell		✓						
103		<i>Wahlenbergia gracilenta</i>	Annual Bluebell		✓				✓		
104		<i>Wahlenbergia stricta</i>	Tall Bluebell		✓		✓	✓	✓	✓	
105	Caryophyllaceae	<i>Petrorhagia nanteuillii</i>	Proliferous Pink	#	✓						
106	Casuarinaceae	<i>Casuarina stricta</i>	Drooping She-oak				✓				
107	Chenopodiaceae	<i>Atriplex semibaccata</i>	Creeping Saltbush					✓	✓	✓	
108		<i>Einadia nutans</i>	Climbing Saltbush		✓	✓	✓	✓			
109		<i>Enchylaena tomentosa</i>	Ruby Saltbush					✓		✓	

110		<i>Maireana brevifolia</i>	Yanga Bush					✓		✓	✓	
111		<i>Salsola kali</i>	Buckbush							✓		
112	Convolvulaceae	<i>Convolvulus erebescens</i>	Australian Bindweed	#	✓					✓		
113		<i>Dichondra repens</i>	Kidneyweed						✓			
114	Crassulaceae	<i>Crassula colorata</i>	Dense Stonecrop		✓			✓				
115		<i>Crassula decumbens</i>	Rufous Stonecrop/Spreading Crassula		✓							
116	Cyperaceae	<i>Cyperus eragrostis</i>	Umbrella Sedge						✓			
117		<i>Crassula sieberana</i>	Australian Stonecrop		✓					✓		
118	Droseraceae	<i>Drosera peltata</i>	Pale Sundew		✓					✓		
119	Euphorbiaceae	<i>Chamaesyce drummondii</i>	Caustic Weed		✓						✓	
120		<i>Ricinus communis</i>	Castor-oil Plant	#	✓							
121	Fabaceae	<i>Glycine canescens</i>	Silky Glycine		✓							
122		<i>Glycine clandestine</i>	Twining Glycine		✓			✓	✓	✓		
123		<i>Indigofera australis</i>	Hill Indigo		✓			✓	✓	✓	✓	
124		<i>Senna artemisoides</i> var. <i>zygophylla</i>	Puntly Bush				✓		✓		✓	
125		<i>Trifolium angustifolium</i>	Narrow-leaf Clover	#			✓					
126		<i>Trifolium arvense</i>	Haresfoot Clover	#			✓				✓	
127	Fumariaceae	<i>Fumaria barstardii</i>	Bastard Fumitory	#	✓							
128		<i>Fumaria capriolata</i>	White-flowered Fumitory	#	✓			✓				
129		<i>Fumaria densiflora</i>	Dense-flowered Fumitory	#	✓							
130	Geraniaceae	<i>Erodium crinitum</i>	Blue Crowfoot		✓							
131	Goodeniaceae	<i>Goodenia heteromera</i>	Spreading Goodenia							✓		
132		<i>Goodenia glabra</i>	Smooth Goodenia						✓	✓		
133		<i>Velleia paradoxa</i>	Spur Velleia		✓			✓				
134	Haloragaceae	<i>Gonocarpus elatus</i>	Hill Raspwort		✓					✓		
135	Lamiaceae	<i>Marrubium vulgare</i>	Horehound	#	✓			✓		✓		
136		<i>Salvia verbenaca</i>	Wild Sage	#	✓							
137	Liliaceae	<i>Asphodelus fistulosus</i>	Onion Weed	#						✓		
138		<i>Dichopogon fimbriatus</i>	Nodding Chocolate Lily		✓							
139	Linaceae	<i>Linum marginale</i>	Wild Flax						✓			
140	Lobeliaceae	<i>Isotoma axillaris</i>	Rock Isotome		✓							
141	Loganiaceae	<i>Mitrasacme paradoxa</i>	Wiry Mitrewort		✓							
142	Loranthaceae	<i>Amyema miquelii</i>	Box Mistletoe		✓							
143	Malvaceae	<i>Abutilon otocarpum</i>	Desert Chinese Lantern	#	✓							
144		<i>Sida cunninghamii</i>	Ridge Sida					✓				
145		<i>Sida corrugata</i>	Corrugated Sida		✓	✓						
146		<i>Sida petrophila</i>	Rock Sida		✓			✓	✓		✓	
147	Meliaceae	<i>Melia azedarach</i>	White Cedar	#			✓					
148		<i>Sida trichopoda</i>	High Sida		✓							
149	Mimosaceae	<i>Acacia calamifolia</i>	Wallowa		✓				✓			
150		<i>Acacia doratoxylon</i>	Currawang		✓				✓		✓	

151		Myrtaceae	Eucalyptus dwyerii	Dwyer's Mallee Gum		✓		✓	✓	✓	✓	
152			Eucalyptus populnea	Bimble Box		✓		✓	✓	✓	✓	
153		Myoporaceae	Eremophila longifolia	Emu Bush		✓		✓	✓			
154		Oleaceae	Olea europea	Common Olive	#	✓		✓			✓	
155		Onagraceae	Oenothera stricta	Common Evening Primrose	#	✓						
156		Oxalidaceae	Oxalis pes-caprae	Sour sob	#	✓		✓	✓			
157		Papaveraceae	Papaver hybridum	Rough Poppy		✓						
158		Portulacaceae	Calandrinia eremaea	Small Purslane	#	✓						
159		Plantaginaceae	Plantago lanceolata	Ribwort	#	✓	✓					
160		Polygonaceae	Polygonum arenastrum	Wireweed								✓
161		Proteaceae	Hakea tephrosperma	Hooked Needlewood		✓		✓	✓	✓	✓	
162		Ranunculaceae	Ranunculus sessiflorus	Small-flowered Australian Buttercup		✓						
163		Rubiaceae	Galium gaudichaudii	Rough Bedstraw		✓						
164		Rutaceae	Crowea exalata	Small Crowea								✓
165			Eriostemon myoporoides	Long-leaf Waxflower		✓						
166			Geijera parviflora	Wilga		✓	✓					
167		Sapindaceae	Dodoneae viscosa var. angustissima	Narrow-leaf Hopbush			✓		✓			
168			Dodoneae attenuate	Narrow-leaf Hopbush		✓		✓	✓	✓	✓	
169			Dodoneae boronifolia	Fern-leaf Hopbush		✓		✓				
170			Dodoneae cuneata	Wedge-leaf Hopbush					✓			
171			Dodoneae viscosa var. arborescens	Board-leaf Hopbush						✓	✓	
172			Dodoneae viscosa var. mucronata		#	✓		✓		✓		
173		Solanaceae	Lycium ferocissimum	African Boxthorn	#	✓		✓	✓	✓		Weed - National Significance
174			Solanum elaeagnifolium	Silverleaf Nightshade	#	✓					✓	
175			Solanum esuriale	Quena			✓					
176			Solanum nigrum	Blackberry Nightshade	#	✓						
177		Stackhousiaceae	Stackhousia monogyna	Creamy Candles		✓		✓				
178		Sterculiaceae	Boerhavia dominii	Tar-vine		✓						
179			Brachychiton populneus	Kurrajong		✓	✓	✓			✓	
180		Thymelaceae	Pimelea curviflora	Curved Rice-flower		✓						
181		Urticaceae	Parietaria debilis	Smooth Nettle		✓						
182			Urtica urens	Small Nettle	#	✓						
183		Xanthorrhoeaceae	Lomandra patens	Irongrass		✓						
184		Zygophyllaceae	Tribulus occidentalis	Perennial Caltrop/Cat-Head		✓	✓				✓	Species of Concern
185	FUNGI	Agaricomycetes	Paxillus involutes	Brown Roll					✓			
186			Tricholoma clitocybeae						✓			
187		Lycoperdaceae	Calvatia craniiformis	Brain/Skull Mushroom					✓			
188												
189		Parmeliaceae	Flavoparmelia caperata	Common Greenshield Lichen					✓			
190		Teloschistaceae	Xanthoria parietina	Common Sunburst Lichen					✓			
191												

ANNEXURE 6 - Bird Species List of Scenic Hill and McFadzean's Lease

BIRD SURVEY - SCENIC HILL & MCFADZEAN'S LEASE

Observers: Neil Palfreman (MFM)

SPECIES NAME		Berry's Brickwork 30/10/20 20/05/22	Golf Course (Airport) 4/04/201 5	Golf Course (Airport) 19/07/20 16	Golf Course (Airport) 13/06/20 17; 22/09/20 17 21/04/201 7; 6 &	Golf Course (Airport) 29/09/20 18	Golf Course (Airport) 23/04/20 191 & 5/05/201 9; 31/07/20 19; 7/08/201	Golf Course (Airport) 10/06/20 20; 21 27/11/20 20	Golf Course (Airport) 5/04/202 1 23/11/20 21	Course (Airport) 2- 3/01/202 2; 19, 22 & 31/03/20 22; 22/04/20 22 &	Hermit' s Cave 8 & 3/06/20 14	Hermit' s Cave 24/09/2 017 & 1/10/201 7	Hermit' s Cave 6/10/20 19	Hermit' s Cave 18/08/2 020	Hermit' s Cave 31/01/20 21 25/02/2 021 & 13/03/20 21	McFadze an's Lease 20/05/20 22	Scenic Hill 27/07/2 008	Scenic Hill 24/09/2 017	Scenic Hill 6/05/201 8 11/10/201 8	Scenic Hill 24/04/2 019	Scenic Hill - Zone 3 - Natural Areas and McFadze an's Lease 17/07/20	Scenic Hill 22 & 23/11/20 21	Scenic Hill 19/03/20 22 & 20/05/2 022
1	Apostlebird	<i>Struthidea cinerea</i>								✓						✓					✓		
2	Australian Hobby	<i>Falco longipennis</i>									✓												
3	Australian Magpie	<i>Cracticus (Gymnorhina) tibicen</i>								✓						✓							✓
4	Australian Pelican	<i>Pelecanus conspicillatus</i>									✓												
5	Australian Raven	<i>Corvus coraxoides</i>							✓									✓	✓				
6	Australian Ringneck	<i>Bandirolia zosteris</i>								✓							✓	✓					✓
7	Australian White Ibis	<i>Threskiornis molucca</i>								✓				✓									
8	Australian Wood Duck	<i>Chenonetta jubata</i>			✓																		
9	Ballion's Crane	<i>Pezomachus</i>																					✓
10	Black Kite	<i>Milvus migrans</i>					✓									✓							
11	Black-faced Cuckoo-shrike	<i>Coracina novaehollandiae</i>							✓	✓						✓							✓
12	Black-shouldered Kite	<i>Elaenia alaudaris</i>														✓							✓
13	Bluebonnet	<i>Northiella haematogaster</i>								✓						✓				✓			
14	Blue-faced Honeyeater	<i>Entomygon cyanotis</i>					✓			✓		✓						✓					✓
15	Brown Goshawk	<i>Accipiter fasciatus</i>					✓																✓
16	Bluebonnet	<i>Northiella haematogaster</i>								✓						✓				✓			
17	Blue-faced Honeyeater	<i>Entomygon cyanotis</i>					✓			✓		✓						✓					✓
18	Brown Goshawk	<i>Accipiter fasciatus</i>					✓																
19	Bull-rumped Thornbill	<i>Acanthiza reguloides</i>																		✓			
20	Chestnut-rumped Thornbill	<i>Acanthiza uropygialis</i>							✓								✓			✓			
21	Cookatui	<i>Nymphicus hollandicus</i>					✓						✓										
22	Collared Sparrowhawk	<i>Accipiter cirrocephalus</i>			✓															✓			
23	Common Blackbird	<i>Turdus merula</i>			✓									✓									
24	Common Bronzewing	<i>Phaps chalcoptera</i>							✓							✓							✓
25	Common Starling	<i>Sturnus vulgaris</i>							✓				✓						✓				
26	Crested Pidgeon	<i>Ocyropsis lophotes</i>								✓						✓						✓	
27	Double-barred Finch	<i>Taeniopygia bichenovii</i>					✓																
28	Eastern Rosella	<i>Platycercus eximius</i>								✓								✓					
29	Eastern Yellow Robin	<i>Eopsaltria australis</i>					✓									✓				✓			
30	Emu	<i>Dromaius novaehollandiae</i>											✓										
31	Fan-tailed Cuckoo	<i>Cacomantis (Cuculus) flabelliformis</i>										✓										✓	
32	Galah	<i>Eolophus roseicapillus</i>								✓					✓					✓			
33	Grey Butcherbird	<i>Cracticus torquatus</i>								✓						✓							
34	Grey Fantail	<i>Rhipidura albicollis</i>					✓							✓			✓	✓					
35	Grey Shrike-Thrush	<i>Colluricincla harmonica</i>			✓															✓			✓
36	Grey-crowned Babbler	<i>Pomatosternus temporalis</i>							✓	✓										✓			
37	Hoary-headed Grebe	<i>Poliocephalus poliocephalus</i>	✓																				
38	House Sparrow	<i>Passer domesticus</i>				✓						✓											
39	Inland Thornbill	<i>Acanthiza apicalis</i>			✓											✓							
40	Jacky Winter	<i>Microeca fascians</i>			✓																		

CL04 Attachment (a) Scenic Hill (Zone 3) - Natural Areas Plan of Management

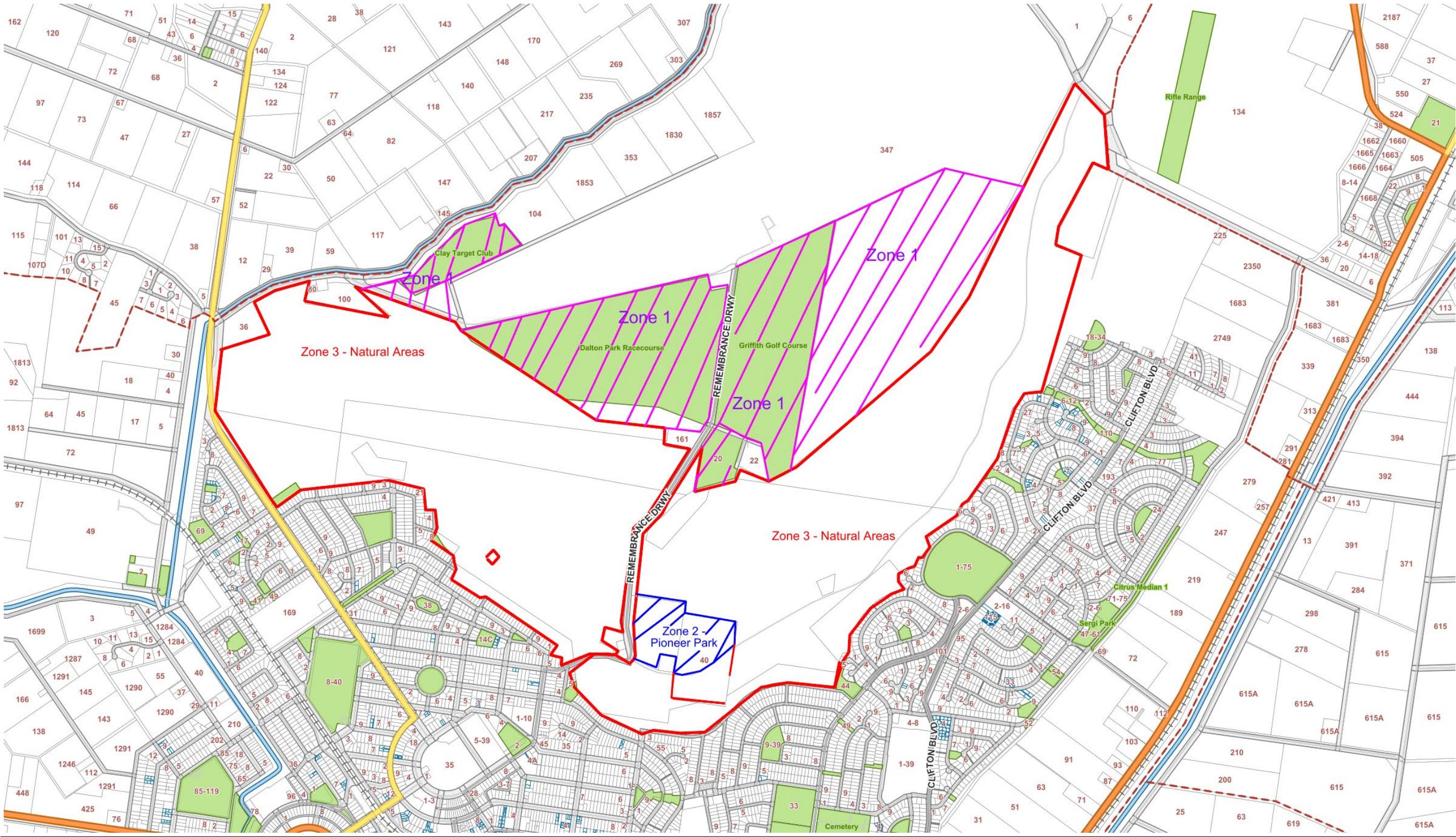
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ANNEXURE 7 – Fire Trail Access Map



GRIFFITH CITY COUNCIL – SCENIC HILL – ZONE 3 –
NATURAL AREAS DRAFT POM

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Disclaimer: This map is intended for general information purposes only. Griffith City Council does not guarantee its accuracy, completeness or suitability for any particular purpose. Users must exercise their own skill and care in using this map and carefully evaluate the accuracy, currency, completeness and relevance of the map before relying on it. The map is not a substitute for independent professional advice and, to the extent permitted by law, Griffith City Council is not liable for any loss or damages arising out of any inaccuracy, error or omission contained in the map.



Projection: GDA2020 / MGA zone 55

Date: 22/11/2022

Drawn By: Daphne Bruce

Map Scale: 1:19526 at A3