

POLICY	Private Recreation, Community Events and Commercial Uses on Operational Land		
OVERVIEW	To set out the approach to be adopted for the management of private recreation, community events and commercial uses at Rous Water-operational land at water source locations.		
AUTHORISED BY COUNCIL	ROUS	RRCC	FNCW
	20/06/2012	N/A	N/A
REVIEW DATE	June 2014		
FILE	172	843	1294

BACKGROUND

Introduction

Rous Water has responsibility for the control, care and management of operational land at all water source locations within its area of operations, and therefore owes a duty of care to all persons entering that operational land, as well as to the consumers of the Rous Water drinking water supply. The policy identifies: (a) operational land that Rous Water makes available for private recreation, community events and commercial use; (b) the appropriate range of uses permitted in these locations; (c) how Rous Water shall manage these uses; and (d) application of fees and charges.

Objective

- (i) To protect the public drinking water supply and public health.
- (ii) To allow an appropriate range of private, community and commercial use of Rous Water property, subject to acceptable risk management outcomes.
- (iii) To regulate and manage approved private recreation, community events and commercial uses.

Methodology for determining appropriate uses

All activities contain an element of risk. The purpose of the Rous Water risk management system is to ensure that risks associated with any proposed activity are assessed, understood, and that appropriate risk management steps are put in place to address the identified issues. In establishing the appropriate range of multiple uses permitted in these locations, Rous Water considers a range of key types of risks including the following:

- raw water quality
- drinking water quality
- water quantity
- workplace health and safety (and visitor health and safety)
- legal/regulatory
- environmental
- financial
- public relations/reputation.

Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:

Definitions

Application Guidelines

Conditions required to be met for the application for a Commercial Activities Licence.

Commercial Activities Licence

The approval containing consent for the operation of a commercial activity on Rous Water operational land.

Council

Rous Water.

Licence

Refers to a Commercial Activities Licence.

POLICY

Scope

The locations that are the subject of this policy are as follows:

- Converys Lane groundwater location
- Proposed Dunoon Dam site
- Emigrant Creek Dam
- Lumley Park groundwater location
- Rocky Creek Dam
- Wilsons River Source (Howards Grass)
- Woodburn groundwater location.

Rous Water operational lands that are subject to prohibited access

Based on site characteristics, risk assessment and risk management considerations, Rous Water does not allow any private recreation, community events or commercial uses at the following water sources:

- Converys Lane groundwater location
- Lumley Park groundwater location
- Woodburn groundwater location.

Operational lands that Rous Water makes available for private, community and commercial use

Based on site characteristics, risk assessment and risk management considerations, Rous Water allows conditional private, community and commercial use at the following operational lands:

- Rocky Creek Dam:* Rous Water owns a total of 396.6ha at Rocky Creek Dam – the extent of this land is illustrated in Map 1 (Schedule 1). Rous Water makes part of this area available for use by the public - this area is also shown in Map 1.
- Proposed Dunoon Dam site (excluding Whian Whian Falls area):* Rous Water owns a total of 198.1ha that has been acquired as part of the project planning for a possible future dam (the Proposed Dunoon Dam site) – the extent of this land is illustrated in Map 2 (Schedule 1). With the exception of Whian Whian Falls, Rous Water does not permit any access to this area by the general public. Limited commercial uses are permitted.

Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:

- (iii) *Whian Whian Falls:* A key feature of the Rous Water lands at the Proposed Dunoon Dam site is Whian Whian Falls. Rous Water owns a number of properties in this vicinity that form part of this 198.1ha land holding at this location. Map 3 (Schedule 1) shows the extent of Rous Water land at Whian Whian Falls. Rous Water makes part of this area available for use by the public - this area is also shown in Map 3. Limited commercial uses are permitted.
- (iv) *Howards Grass (Wilson's River source):* Rous Water owns a total of 42.2ha at Bangalow Road, Howards Grass (refer Map 4 (Schedule 1)). Limited commercial uses are permitted. No commercial use is permitted within the 15.1ha buffer zone established for the Wilson's River source.
- (v) *Emigrant Creek Dam:* Rous Water owns a total of 44.9ha at Emigrant Creek Dam (including an estimated 21.4 ha of vegetated buffer zone) – the extent of this land is illustrated in Map 5 (Schedule 1). Rous Water makes part of this area available for use by the public - this area is also shown in Map 5.

Permitted and prohibited activities

Permissible private recreation, community events and commercial uses at the identified locations are specified in Schedule 2.

Activities requiring a commercial activities licence

A Commercial Activities Licence is required to be obtained if it is intended to carry out commercial activities on Rous Water operational land (Schedule 2).

Activities not requiring a commercial activities licence but requiring other approvals

Approval from Rous Water may be required to carry out other private, community and commercial activities (Schedule 2).

Determination of fees and charges

The fees and charges payable in relation to the activities prescribed in this policy, are set out in the Operational Plan.

- (i) Activities that shall be subject to the payment of fees are shown in Schedule 2.
- (ii) Fees will be determined taking into account, and not limited to, the following:
 - nature of the activity
 - scale of its operation
 - use and impact on the public access area
 - impact on the community both beneficial and detrimental
 - consistency with Rous Water management objectives
 - level of administration/regulatory effort required by Council
 - level of impact of the activity.

PROCEDURES

Commercial Activities Licensing and Approvals Procedure
Wedding Bookings and Approvals Procedure

LEGISLATION

- *Local Government Act 1993*
- *National Parks and Wildlife Act 1974*
- *National Parks (Fauna Protection) Regulation 1994*
- *Threatened Species and Conservation Act 1985*

Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:

RELATED DOCUMENTS

- *Application Guidelines - Private, Community and Commercial Access to Rous Water Operational Land*
- Lismore Local Environmental Plan 2000
- Ballina Local Environmental Plan 1987

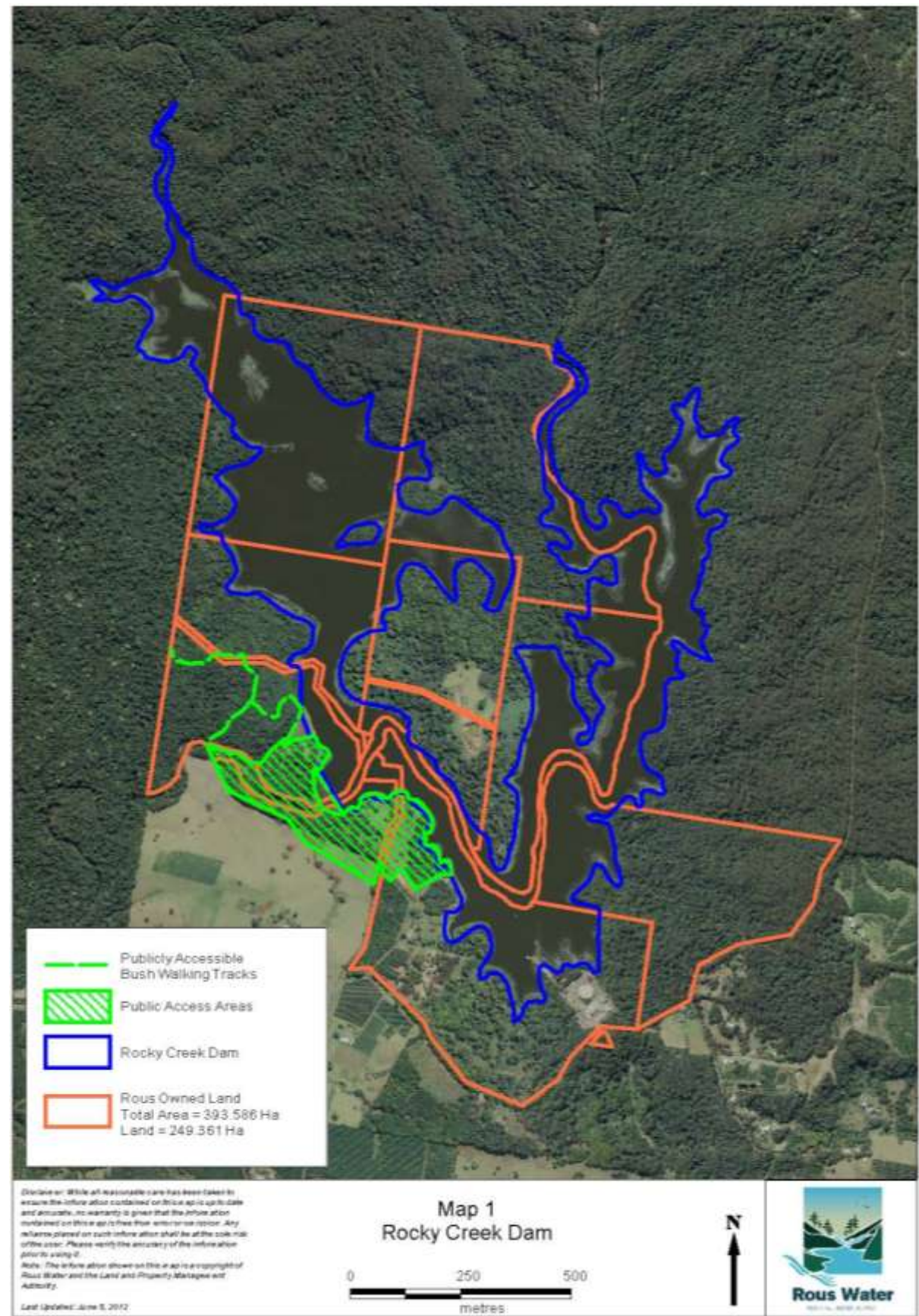
CONTACT OFFICER

Catchment Assets Manager.

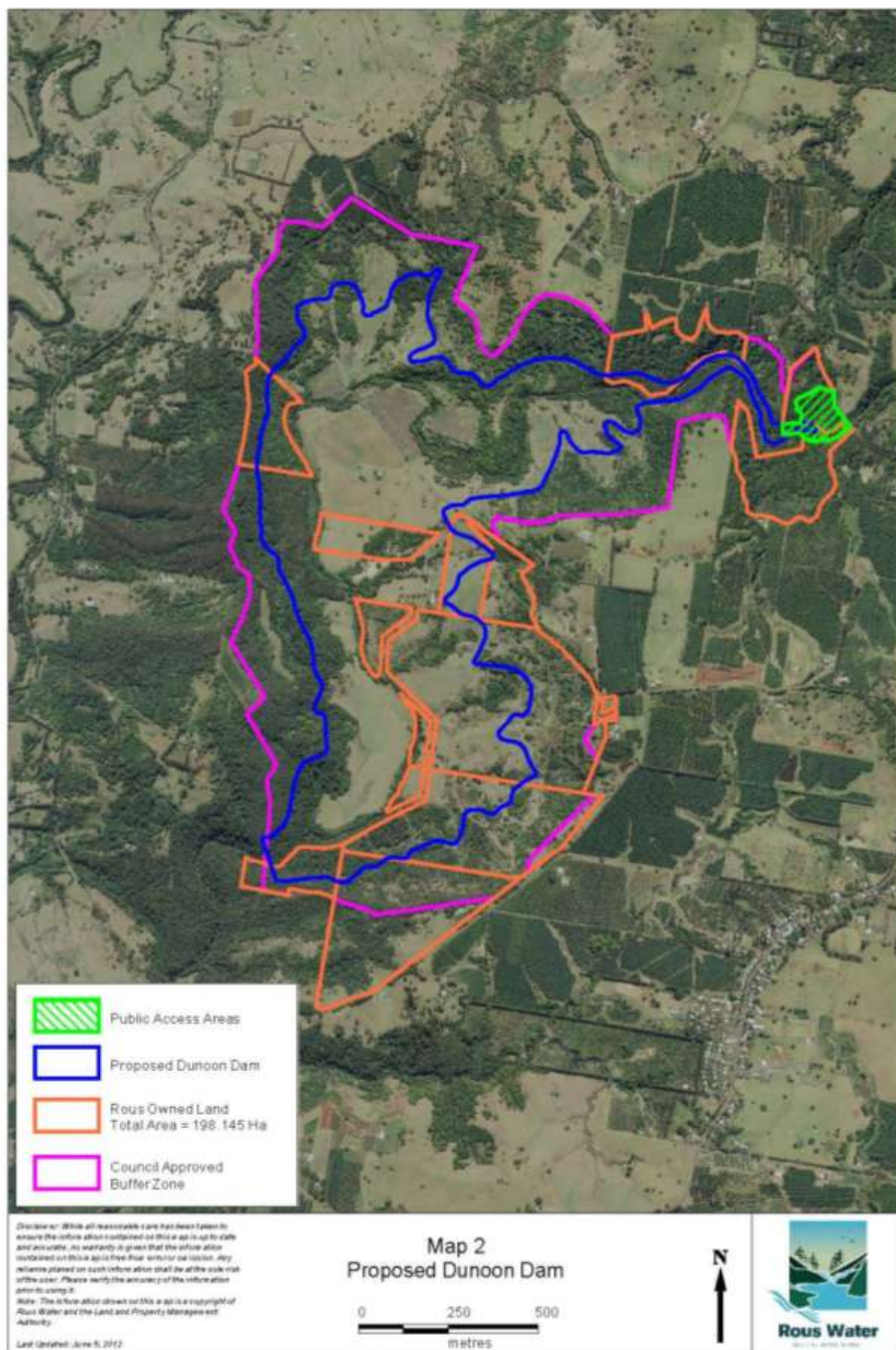
Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:

SCHEDULE 1

MAPS



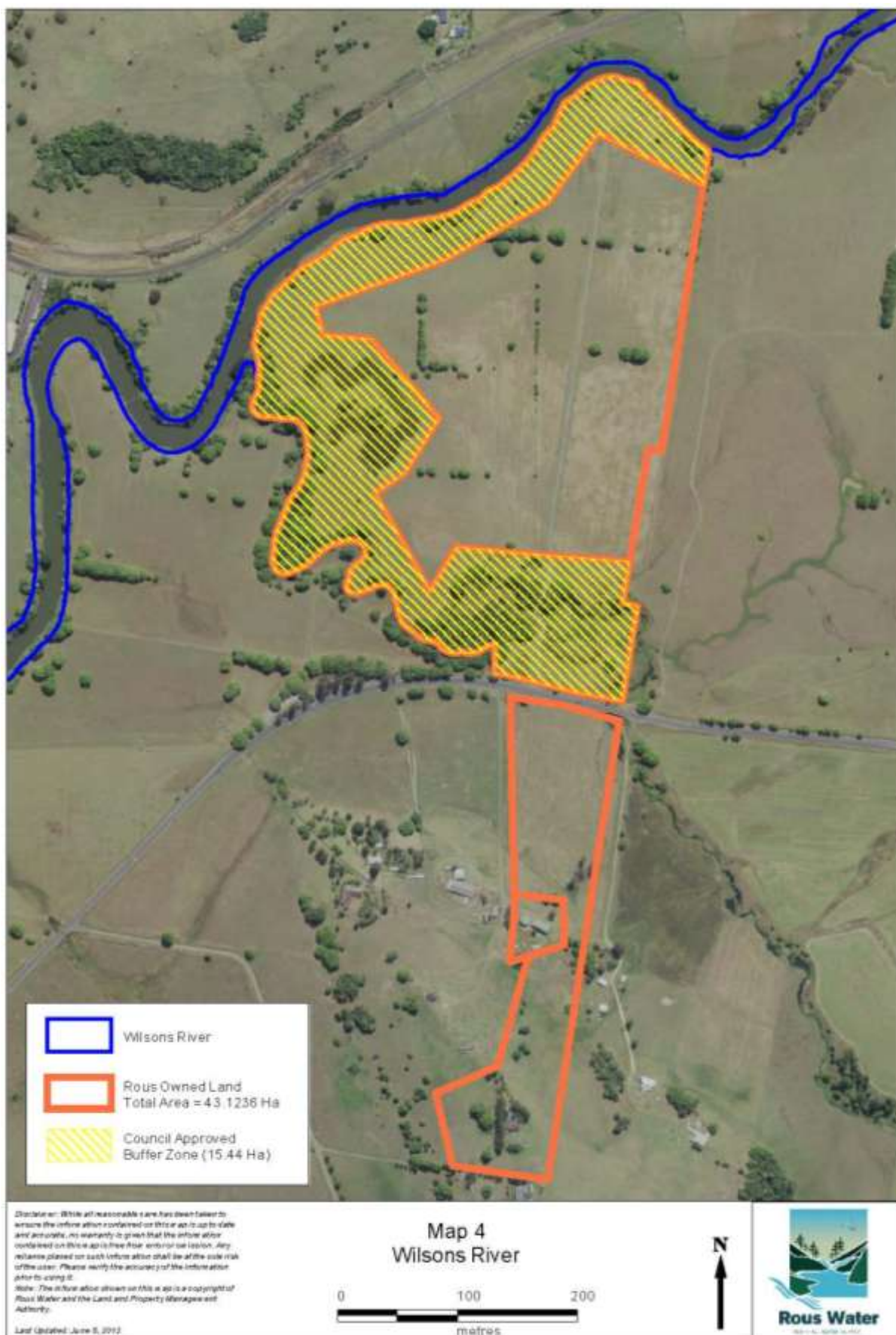
Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:



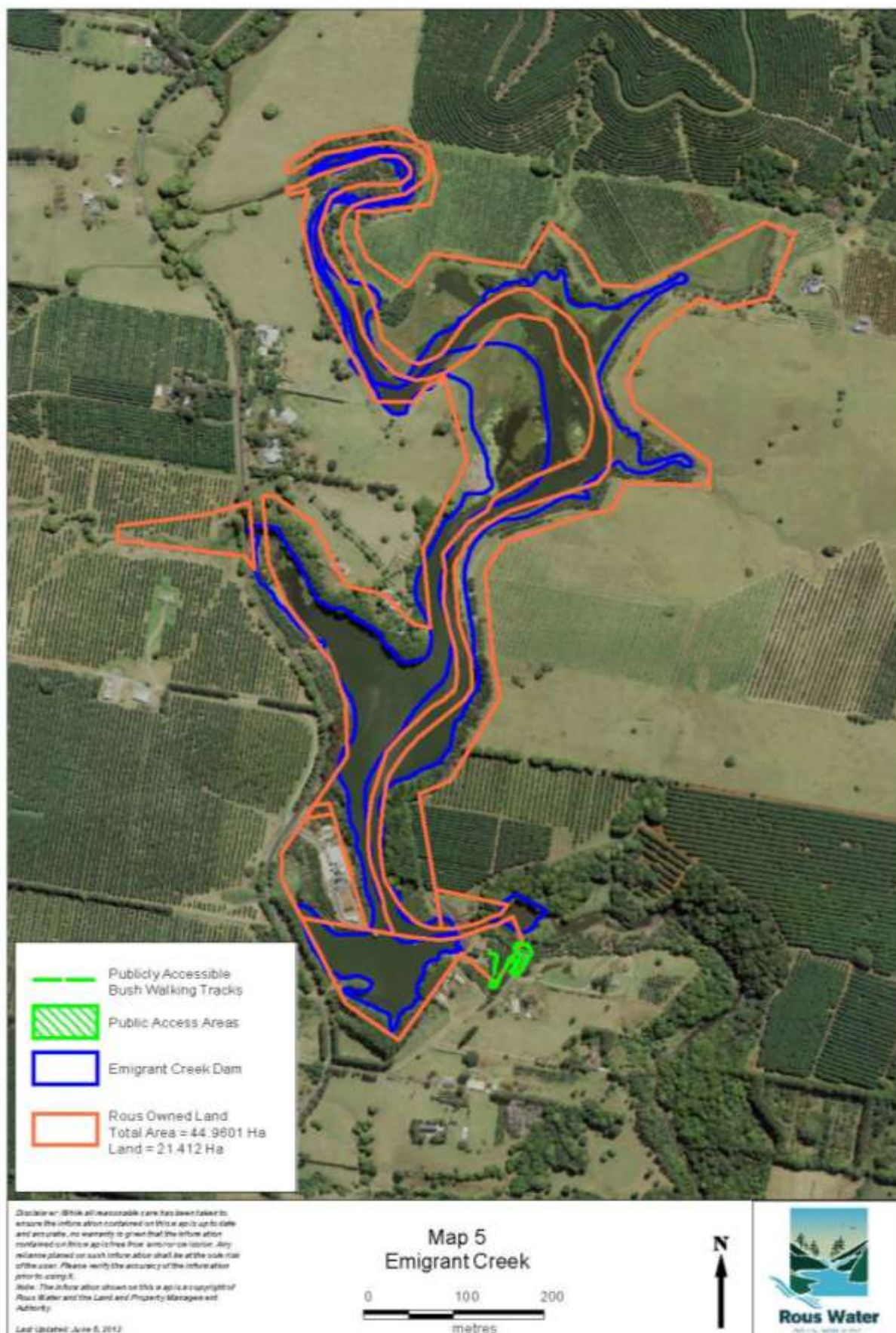
Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:



Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:



Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:



Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:

SCHEDULE 2

PERMITTED AND PROHIBITED ACTIVITIES

**Table 1: Permitted and prohibited activities:
Rocky Creek Dam**

Category of Use	Location	Activity	Permitted	Licence required	Approval required	Fee Charged
Private Recreation	Land Based	Picnics	✓			
		Bushwalking	✓			
		Camping				
		Playground	✓			
		Horseriding				
		Mountain biking				
		Trail bike (motor cycle)				
	Water Based	Swimming				
		Fishing				
		Powered boating (electric)				
		Powered boating (fuel)				
		Non-powered boating (sailing, kayaking)				
Community Event	Land Based	Wedding ceremonies	✓		✓	✓
		Formal wedding receptions/parties (tents, organised catering, amplified music)				
		Group visits (community groups, clubs, organised groups); Field days	✓		✓	
	Water Based	Group visits (clubs, organised groups)				
Commercial Use	Land Based	Promotional events				
		Filming/photography	✓	✓		✓
		Ecotourism	✓	✓		✓
		Exercise and fitness training	✓	✓		✓
		Landing of helicopters				
		Seed collection	✓	✓		✓
		Leasing/agistment of property				
	Water Based	Eel harvesting/commercial fishing				

Note: Any activity that is not shown as being permitted in the above table is prohibited.

Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:

**Table 2: Permitted and prohibited activities:
Proposed Dunoon Dam (excluding Whian Whian Falls area)**

Category of Use	Location	Activity	Permitted	Licence required	Approval required	Fee charged
Private Recreation	Land Based	Picnics				
		Bushwalking				
		Camping				
		Playground				
		Horseriding				
		Mountain biking				
		Trail bike (motor cycle)				
	Water Based	Swimming				
		Fishing				
		Powered boating (electric)				
		Powered boating (fuel)				
		Non-powered boating (sailing, kayaking)				
Community Event	Land Based	Wedding ceremonies				
		Formal wedding receptions/parties (tents, organised catering, amplified music)				
		Group visits (community groups, clubs, organised groups); Field days				
	Water Based	Group visits (clubs, organised groups)				
Commercial Use	Land Based	Promotional events				
		Filming/photography				
		Ecotourism				
		Exercise and fitness training				
		Landing of helicopters				
		Seed collection				
		Leasing/agistment of property	✓	✓		✓
	Water Based	Eel harvesting/commercial fishing				

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Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:

**Table 3: Permitted and prohibited activities:
Whian Whian Falls area**

Category of Use	Location	Activity	Permitted	Licence required	Approval required	Fee charged
Private Recreation	Land Based	Picnics	✓			
		Bushwalking	✓			
		Camping				
		Playground				
		Horseriding				
		Mountain biking				
		Trail bike (motor cycle)				
	Water Based	Swimming	✓			
		Fishing				
		Powered boating (electric)				
		Powered boating (fuel)				
		Non-powered boating (sailing,				
Community Event	Land Based	Wedding ceremonies				
		Formal wedding receptions/parties (tents, organised catering, amplified music)				
		Group visits (community groups, clubs, organised groups); Field days				
	Water Based	Group visits (clubs, organised groups)	✓			
Commercial Use	Land Based	Promotional events				
		Filming/photography	✓	✓		✓
		Ecotourism				
		Exercise and fitness training				
		Landing of helicopters				
		Seed collection				
		Leasing/agistment of property				
	Water Based	Eel harvesting/commercial fishing				

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Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
Authorised Council: 20/06/2012	Authorised Council:	Authorised Council:

**Table 4: Permitted and prohibited activities:
Wilson's River Source (Howards Grass)**

Category of Use	Location	Activity	Permitted	Licence required	Approval required	Fee charged
Private Recreation	Land Based	Picnics				
		Bushwalking				
		Camping				
		Playground				
		Horseriding				
		Mountain biking				
		Trail bike (motor cycle)				
	Water Based	Swimming				
		Fishing				
		Powered boating (electric)				
		Powered boating (fuel)				
		Non-powered boating (sailing, kayaking)				
Community Event	Land Based	Wedding ceremonies				
		Formal wedding receptions/parties (tents, organised catering, amplified music)				
		Group visits (community groups, clubs, organised groups); Field days				
	Water Based	Group visits (clubs, organised groups)				
Commercial Use	Land Based	Promotional events				
		Filming/photography				
		Ecotourism				
		Exercise and fitness training				
		Landing of helicopters				
		Seed collection				
		Leasing/agistment of property	✓	✓		✓
	Water Based	Eel harvesting/commercial fishing				

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Secretarial use only	Policy History	Version 2.0 07/06/2012
Rous Policy	RRCC Policy	FNCW Policy
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**Table 5: Permitted and prohibited activities:
Emigrant Creek Dam**

Category of Use	Location	Activity	Permitted	Licence required	Approval required	Fee charged
Private Recreation	Land Based	Picnics	✓			
		Bushwalking	✓			
		Camping				
		Playground				
		Horseriding				
		Mountain biking				
		Trail bike (motor cycle)				
	Water Based	Swimming				
		Fishing				
		Powered boating (electric)				
		Powered boating (fuel)				
		Non-powered boating (sailing, kayaking)				
Community Event	Land Based	Wedding ceremonies				
		Formal wedding receptions/parties (tents, organised catering, amplified music)				
		Group visits (community groups, clubs, organised groups); Field days	✓		✓	
	Water Based	Group visits (clubs, organised groups)				
Commercial Use	Land Based	Promotional events				
		Filming/photography	✓	✓		✓
		Ecotourism	✓	✓		✓
		Exercise and fitness training				
		Landing of helicopters				
		Seed collection				
		Leasing/agistment of property				
	Water Based	Eel harvesting/commercial fishing				

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