

**AMENDMENTS TO THE
ROYAL NATIONAL PARK, HEATHCOTE NATIONAL PARK
AND GARAWARRA STATE CONSERVATION AREA
PLAN OF MANAGEMENT 2000
in relation to leases and licences**

NSW National Parks and Wildlife Service

Part of the Department of Environment, Climate Change and Water

September 2010

The *Royal National Park, Heathcote National Park and Garawarra State Conservation Area Plan of Management* was adopted by the Minister for the Environment in 2000. The Minister for Climate Change and the Environment adopted these amendments to the plan on 15th September 2010.

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BACKGROUND

New provisions were introduced to the *National Parks and Wildlife Act 1974* (NPW Act) in 2001 to ensure a consistent and well-defined approach to commercial uses in national parks so that any commercial use will not detract from public use of the park, will not become the main focus of the park and will not impact on the integrity of the park. A key requirement is that the Minister is not allowed to grant a lease or licence for a purpose listed in Section 151B unless the purpose and location of the proposed lease have been identified in the plan of management for the park.

Royal National Park contains a number of buildings and other structures which are not needed solely for management or related purposes, and which present an opportunity to enhance visitor experience of the reserve through adaptive re-use. Under the NPW Act, adaptive re-use of a building or structure means the modification of the building or structure and its curtilage to suit an existing or proposed use, and that use of the building or structure, but only if:

- (a) the modification and use is carried out in a sustainable manner, and
- (b) the modification and use are not inconsistent with the conservation of the natural and cultural values of the land, and
- (c) in the case of a building or structure of cultural significance, the modification is compatible with the retention of the cultural significance of the building or structure.

Short term licences for use of a specific area or existing building in a park may be issued for activities such as weddings, group picnics, and fun runs. Such licences are only issued for a term not exceeding 3 consecutive days, and for land which is a "modified natural area". A modified natural area is defined in the NPW Act as "an area of land where the native vegetation cover has been substantially modified or removed by human activity (other than activity relating to bushfire management or wildfire) and that is identified in a plan of management as not being appropriate for or capable of restoration".

Filming approvals in the park are issued under the *Filming Approval Act 2004*. Locations for filming in Royal National Park, Heathcote National Park and Garawarra State Conservation Area are currently considered on a case by case basis. Identification of modified natural areas will allow NPWS and filming applicants to more readily identify locations which are appropriate in terms of safety, public access, impact on cultural and natural values, and demands on NPWS resources. Proposals for filming in natural areas, buildings and structures may still be considered outside of defined modified natural areas in accordance with NPWS policy and the *Filming Approval Act 2004*.

AMENDMENTS

Amendments to allow adaptive re-use of Audley Dance Hall and other buildings in Royal NP and short-term licences for modified natural areas

- a) Amend the second paragraph under Commercial Activities in section 4.3.2 Recreation Opportunities, as follows (new text is shown in italics)::

4.3.2 Recreation opportunities – Commercial Activities

Kiosks are considered an appropriate facility in a park with high visitation and provide a service which the Service is unable to provide. *It is proposed to adapt the lower floor of the Audley Dance Hall for use as a kiosk (see section 4.3.5), following which the existing kiosk building on Pavilion Flat will be demolished.*

- (b) Add the following new action before the current action under Commercial Activities in the plan:

- The existing kiosk building on Pavilion Flat, Audley in Royal National Park will be demolished following development of a kiosk facility in the Audley Dance Hall.

- (c) Insert a new section under section 4.3 Use of the Three Areas, as follows:

4.3.5 Use of Land, Buildings, Structures and Modified Natural Areas

Adaptive reuse of buildings and structures will be permitted provided any proposed modification and use is carried out in a sustainable manner, is consistent with the conservation of the natural and cultural values of the land, and is compatible with the retention of the cultural significance of the buildings and structures. A range of uses for historic buildings and structures is considered appropriate in providing greater diversity and flexibility of use, improved public access and to ensure conservation outcomes for buildings and structures.

All proposals to issue leases under Section 151B in the three areas will be subject to environmental impact assessment in accordance with the *Environmental Planning and Assessment Act 1979* and the referral and licensing procedures contained in Section 151B.

The following places in Royal NP may be considered for leasing for the purpose of adaptive re-use under Section 151B(2) of the National Parks and Wildlife Act:

Ironbark Flat, Audley (Audley Dance Hall, and Commonwealth Pavilion within the area shown on Map1):

- Restaurant, cafe, kiosk and other food outlet
- Facilities and amenities for visitors, including information / booking centre
- Facilities for conferences and functions.

Allambie Ridge (Old Audley Post Office within the area shown on Map 1);

- Educational facilities for natural heritage, cultural heritage, park management or fire management;
- Research facilities for natural heritage (including natural phenomena) and cultural heritage;
- Residential accommodation.

Allambie Flat (Audley Boatshed within the area shown on Map 1):

- Art Gallery (eastern part of boatshed only).

Bonnie Vale (Cottage on the site of the former Simpsons Hotel, Bonnie Vale, as shown on Map 2):

- Educational facilities for natural heritage, cultural heritage, park management or fire management
- Research facilities for natural heritage (including natural phenomena) and cultural heritage
- Facilities for conferences and functions
- Facilities in relation to Aboriginal culture and Aboriginal cultural activities.

The following place in Royal NP may be leased or licensed in accordance with section 151 of the National Parks and Wildlife Act for those purposes as stated:

Garie Surf Safety Centre (as shown on Map 4):

- Provision of services and facilities in connection with surf life saving, first aid and visitor safety; and
- Residential accommodation (for a caretaker only, to facilitate the maintenance and security of the buildings and associated area)
- Educational facilities for natural heritage, cultural heritage, park management or fire management
- Research facilities for natural heritage (including natural phenomena) and cultural heritage
- Facilities for conferences and functions
- Facilities in relation to Aboriginal culture and Aboriginal cultural activities.

Areas in the park are often requested for short-term uses such as community events, private functions (eg. weddings), group picnics and cultural events. Licences may be granted to use land, buildings and structures in the park provided the land is a modified natural area and the licence is granted for a period of not more than three consecutive days.

The following places in Royal National Park are considered as modified natural areas for short-term licences under Section 151B(3) of the National Parks and Wildlife Act:

- Ironbark Flat, Audley (Audley Dance Hall and Commonwealth Pavilion and the modified natural area within the area shown on Map1);
- Allambie Flat (Audley Boatshed and the modified natural area within the area shown on Map 1);
- Wattle Forest Flat, Reid's Flat, Pool Flat, Bus Stop Flat, Currawong Flat and Willow Tree Flat modified natural areas at Audley (refer Map 1);
- Former Simpson's Hotel and the modified natural area at Bonnie Vale (refer Map 2);
- Wattamolla (modified natural areas as shown on Map 3);
- Garie Surf Safety Centre and Picnic Areas (refer Map 4);
- Warumbul Picnic Area (as shown on Map 5).
- Waterfall Flat and Gunjulla Flat modified natural areas (refer Map 6); and
- Upper Causeway and Red Cedar Flat Picnic Areas (refer Map 7).

The following activities in Royal National Park may be considered for the granting of short-term licences under Section 151B of the National Parks and Wildlife Act:

- Community events;
- Sporting events;
- Group picnics;

- Private functions;
- Cultural events;
- Military and Emergency Services activities;
- Commercial activities including safari style camping at Providential Point; and
- Filming activities within modified natural areas (see Maps 1-7).

(d) Add the following Policies after the above text:

- Leases for adaptive reuse for the purposes listed in this plan may be issued for the buildings, structures and modified natural areas shown on Maps 1-7.
- Short-term licences for the purposes listed in this plan may be issued for the buildings, structures and modified natural areas shown on Maps 1-7.
- No leases and licences will be granted where there are potentially unacceptable impacts on the natural or cultural values or inappropriate impacts on other visitors.
- In considering applications for leasing and licensing, consideration will be given to issues such as safety, public access, scale, impact on natural and cultural values, and demands on NPWS resources.

(e) Amend the fifth paragraph under Commercial Activities in section 4.3.2 Recreation Opportunities, as follows:

Use of Land and Modified Natural Areas under the *Filming Approval Act 2004*

Examples of this activity are filming of documentaries, advertisements and feature films, and tours and guided walks conducted by private companies. Filming approvals in the parks are issued under the *Filming Approval Act 2004*. Locations for filming in Royal National Park, Heathcote National Park and Garawarra State Conservation Area are considered on a case by case basis. Modified natural areas have been identified which will allow NPWS and filming applicants to more readily identify locations which are appropriate in terms of safety, public access, impact on cultural and natural values, and demands on NPWS resources (refer to Maps 1-7 and Section 4.3.5). Proposals for filming may still be considered outside of defined modified natural areas in accordance with NPWS policy and the *Filming Approval Act 2004*.

(f) Add the following Policy after the above text:

- Proposals for filming outside of modified natural areas will be assessed on a case by case basis in accordance with NPWS Policy and the *Filming Approvals Act 2004*.