

8.14. Draft Plan of Management for Neighbourhood Parks

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ATTACHMENTS:

1. Draft Plan of Management [8.14.1 - 70 pages]
2. Native Title Manager Advice [8.14.2 - 8 pages]

PURPOSE:

To undertake the processes required by the *Crown Land Management Act 2016* to enable the new draft Plan of Management for Neighbourhood Parks to be put on public exhibition for community information and comment.

EXECUTIVE SUMMARY:

Section 3.23(6) & (7) of the *Crown Land Management Act 2016* requires all NSW Councils to adopt Plans of Management for all reserves for which they are the appointed Crown Land Manager by 30 June 2021. The new Plans of Management must meet both the requirements of the *Crown Land Management Act 2016* and the *Local Government Act 1993*.

The new draft PoM for Neighbourhood Parks is the third Crown land Plan of Management to be prepared for North Sydney. When adopted, it will supersede Council's Neighbourhood Parks Plan of Management 2010.

As part of the development process, Council must attest that it has considered Native Title Manager advice in relation to the draft Plan of Management. Council must also refer the draft Plan of Management to the Department of Planning, Industry and Environment – Crown Lands and seek endorsement to place it on public exhibition.

Preparation of a new draft Plan of Management for Neighbourhood Parks is now complete, and the draft Plan of Management is ready to be referred to the Department.

FINANCIAL IMPLICATIONS:

Nil.

RECOMMENDATION:

1. THAT Council attests that it has considered Native Title Manager advice in relation to the draft Plan of Management for Neighbourhood Parks.

2. THAT Council requests approval from the Department of Planning, Industry and Environment – Crown Lands to publicly exhibit the attached draft Plan of Management for Neighbourhood Parks.

3. THAT upon receipt of approval from the Department, Council amends the draft Plan of Management, as and if required by the Department, and places it on public exhibition as per Section 38 of the *Local Government Act 1993*.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

1. Our Living Environment
 - 1.3 Quality urban greenspaces
 - 1.4 Public open space and recreation facilities and services meet community needs

BACKGROUND

In accordance with the *Local Government Act 1993 (LG Act)*, Council has adopted 14 Plans of Management (PoMs) for community lands. These strategic documents also include Crown reserves and they provide a holistic guide to the use, development and management of all public open space in North Sydney.

The new *Crown Land Management Act 2016 (CLM Act)* was enacted on 1 July 2018. It imposes various requirements on Councils in NSW, including that Councils must categorise, and adopt PoMs for all Crown reserves for which they are the appointed Crown Land Manager.

The requirements are such that Council's existing PoMs that include Crown land do not comply with the *CLM Act*.

Council staff have commenced preparation of a new suite of PoMs that address relevant Crown reserves. Some of the required Plans will be entirely new while others will replace existing Council PoMs. The new draft PoM for Neighbourhood Parks will replace Council's existing PoM for Neighbourhood Parks 2010.

Stage 1

Under Section 3.23 of the *CLM Act*, Council's must initially assign a category or categories of use that they consider to be most closely related to the purpose/s for which each Crown reserve is dedicated or reserved. The Department of Planning, Industry and Environment – Crown Lands must accept Council's category/categories before the required new PoMs can be prepared.

The category 'Park' was proposed for all the land covered by the Plan of Management for Neighbourhood Parks. This category was deemed to best reflect the use of the land and its zoning as RE1 Public Recreation.

Stage 2

Division 3.6 of the *CLM Act* deals with the requirements that Council must meet in relation to PoMs for Council-managed Crown land such as preparation, community engagement, adoption, alteration and publication of PoMs and the need to seek and receive nominated Native Title Manager advice.

The new draft PoM for Neighbourhood Parks has been prepared using Crown land guidelines and taking into consideration the format suggested by the former Department of Industry – Crown Lands and the Office of Local Government. Advice has been received from Council’s nominated Native Title Manager that the draft PoM is compliant with the *CLM Act* and with the applicable provisions of the *Native Title Act (Cwlth) 1993 (NT Act)*. The draft PoM has been broadly drafted to enable flexibility of use of the neighbourhood parks by Council and the community.

A copy of the draft PoM for Neighbourhood Parks is included as Attachment 1.

CONSULTATION REQUIREMENTS

Community engagement is not required.

DETAIL

1. Draft Plan of Management (PoM) for Neighbourhood Parks

Neighbourhood parks are an essential part of North Sydney’s green and leafy environment. Typically, they function as the community backyard and are predominantly used by nearby residents for relaxing, picnicking and children’s play. Neighbourhood parks in North Sydney’s commercial areas cater for people shopping and the business community and offer a welcome respite from the indoor, office environment.

Neighbourhood Parks offer some of life’s small but essential pleasures; a pleasant spot to read a book in the shade of a tree, a respite from the office, a glimpse of the harbour or a small playground to entertain children. Public art, filtered harbour views, and aromatic and flowering plants are just some of the rewards for those who stop to explore these small but vital open spaces.

The draft PoM for Neighbourhood Parks provides an overall framework for management of these small but significant areas of public open space. It examines the broad range of issues associated with the neighbourhood parks in a comprehensive and holistic manner, identifying clear objectives for management, maintenance, and future development.

The new draft PoM incorporates the findings and recommendations of the Recreation Needs Study 2015. It will replace Council’s existing PoM for Neighbourhood Parks 2010, which is due for a major review.

The draft PoM for Neighbourhood Parks has been prepared specifically to:

- Meet Council’s obligations regarding public land management under the requirements of Section 36 of the *LG Act* and the *CLM Act*;
- Ensure the requirements of the NT Act for the management of Crown land are addressed; and
- Enable Council to renegotiate or enter into leases, licences and other use agreements.

2. Approval and Community Consultation Process

Council is required to submit the draft PoM for Neighbourhood Parks for approval to the Department of Planning, Industry and Environment – Crown Lands, as the representative of the owner of the land, as per the requirements of Section 39 of the *LG Act*. This approval process must occur prior to any public exhibition and community consultation.

The Department will review the draft PoM and will advise Council of any properly required provisions or revisions that need to be included. Council must then amend the draft PoM prior to placing it on public exhibition under Section 38 of the *LG Act*.

If the community consultation period does not result in significant changes to the draft PoM being required, Council may then proceed to adoption. However, if community consultation does result in significant alterations being required, the PoM must again be referred to the Native Title Manager for an assessment report which must be considered by Council, and the PoM must again be referred to the Department for approval before it can be adopted by Council.

3. Native Title Requirements

PoMs for Crown Reserves must be compliant with the statutory requirements in relation to native title prescribed by both the *CLM Act* and the *LG Act*.

The CLM Act requires Councils to engage a qualified ‘native title manager’ to oversee and approve dealings and actions on Crown land that may affect native title. Council cannot adopt a PoM until it has obtained written advice from its nominated Native Title Manager that the PoM complies with any applicable provisions of Commonwealth Native Title legislation.

The Department of Planning, Industry and Environment – Crown Lands advises that Native Title Manager engagement and native title consideration should start from the beginning of drafting the PoM, even though formal advice is not required until later in the process. The Department will not process a draft PoM received from a Council unless the Council attests that it has considered Native Title Manager advice.

Native title has been considered in the preparation of the draft PoM for Neighbourhood Parks and Council’s nominated Native Title Manager, Robert Emerson, has concluded that:

1. The proposed act (preparation of the draft PoM for Neighbourhood Parks) will affect native title; however, it complies with the applicable provisions of the *NT Act*, being a valid future act under Subdivision J of the future acts regime;
2. The draft PoM authorises activities that could be considered as future acts within the meaning of Section 233 of the *NT Act*;
3. The draft PoM guidelines provide that only activities that are in accordance with the reserve purpose are authorised; and
4. Activities that are consistent with the reserve purpose may be validated under the future acts regime of the *NT Act*.

Activities that cannot be validated have not been included in the draft PoM.

A copy of the Native Title Manager Advice is included as Attachment 2.

4. Next Steps

1. Council attests that it has considered Native Title Manager advice in relation to the draft PoM for Neighbourhood Parks and resolves to refer the draft PoM to the Department of Planning, Industry and Environment – Crown Lands.
2. The Department reviews the draft PoM and advises Council of any changes required.
3. Required amendments are made and draft PoM goes on public exhibition for not less than 42 days.
4. Community feedback is received and reported to Council:
 - a. If only minor changes are required:
 - i. PoM may be adopted by Council.
 - b. If significant changes are required:
 - i. PoM is amended and referred to Council’s Native Title Manager for an assessment report;
 - ii. Assessment report is considered by Council; and
 - iii. PoM is again referred to the Department for approval prior to adoption by Council.

The timeframe for review of draft PoMs by the Department is unknown. Although the *CLM Act* currently requires completion of compliant PoMs dealing with Crown land by 30 June 2021, this deadline is currently being reviewed by the Department as the workload and complexities involved (for both Councils and the Department) are proving to be significantly greater than anticipated.

5. Conclusion

The new draft PoM for Neighbourhood Parks will guide the ongoing management, use and enhancement of these small but important public open spaces, ensuring that they continue to meet the identified recreation needs of the community. The draft PoM identifies land management issues, sets out objectives, identifies and prioritises required

works and actions and nominates performance indicators, as required by the LG Act, and is consistent with the requirements of the *CLM Act*.

Referral of the draft POM to the Department of Planning, Industry and Environment – Crown Lands is the next step in the process towards adoption of the required new PoM for this important park as Departmental approval will enable Council to publicly exhibit the draft PoM.



DRAFT

Neighbourhood Parks



PLAN OF MANAGEMENT

NORTH SYDNEY COUNCIL

November 2020

NEIGHBOURHOOD PARKS PLAN OF MANAGEMENT

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Introduction

Plans of Management provide clear guidelines for the effective short and long-term management of all land owned by Council or under Council's control. The Neighbourhood Parks Plan of Management examines the broad range of issues associated with these small areas of public open space in North Sydney in a comprehensive and holistic manner and identifies clear objectives for management and maintenance. The Plan of Management clarifies management policy and direction, both for Council staff and the community.

Neighbourhood parks are an essential part of North Sydney's green and leafy environment. They offer some of life's small but essential pleasures; a pleasant spot to read a book in the shade of a tree, a respite from the office, a glimpse of the harbour or a small playground to entertain children. Public art, filtered harbour views, and aromatic and flowering plants are just some of the rewards for those who stop to explore these small but beautiful open spaces.

Two of this Plan of Management's strongest themes are continuing to involve local residents in the co-operative management and maintenance of neighbourhood parks (mainly through the Streets Alive program) and exploring economically sustainable ways in which Council can provide additional public open space for our community in areas where it is most needed. The Neighbourhood Parks Plan of Management sets out Council's strategies to achieve these aims over the next 5 - 10 years.

Land affected by this Plan of Management is a combination of Council-owned land and Crown land owned by the NSW State Government. As such, it is managed under the *Local Government Act 1993* and the *Crown Land Management Act 2016*.

Council's Playgrounds Plan of Management should also be referred to when reading this document, as some of North Sydney's playgrounds are in Neighbourhood Parks. This document supersedes Council's Neighbourhood Park Plan of Management 2010.

This Plan of Management draws on information contained in relevant Acts, planning documents and studies, including:

- *Local Government Act 1993 (LG Act)*
- *Crown Land Management Act 2016 (CLM Act)*
- *Native Title Act (Cwlth) 1993 (NT Act)*
- The North Sydney Community Strategic Plan 2018 – 2028
- Local Environmental Plan 2013 (LEP), North Sydney Council
- Recreation Needs Study 2015

A major review of the Neighbourhood Parks Plan of Management will take place every 5 – 10 years to allow policy and planning issues to be revisited and updated. Implementation of the actions listed in the Plan will be reviewed regularly.

1.0 Management Framework

1.1 Structure of the Plan of Management

The Neighbourhood Parks Plan of Management is divided into 6 parts:

Part 1 examines what a Plan of Management is, outlines the scope of this Plan, the legislative framework that drives and guides it, its purpose and its core objectives. It explains the link between this Plan of Management and Council's land management goals and details the importance of community engagement. It also examines the issue of leases, licences, permits and other estates

Part 2 provides a general description of North Sydney's neighbourhood parks, their physical makeup and existing site features

Part 3 identifies and examines the major planning issues essential to understanding the overall directions of the document and discusses current management practices

Part 4 sets out the core values and management objectives, as determined by Council and the community through previous studies such as the Recreation Needs Study 2015. These objectives have been used as the basis for formulation of the implementation plan

Part 5 is the implementation and performance component of the Plan of Management. A matrix sets out the objectives, proposed actions and performance indicators and anticipated timing for each issue and action. An indicative works program further details the staging of all discrete works and actions

Part 6 is the Appendices, including maps of North Sydney's neighbourhood parks

1.2 Purpose of the Plan of Management

This Plan of Management provides an overall framework for management of North Sydney's neighbourhood parks in coming years. Specifically, it has been prepared to:

- Meet Council's obligations regarding public land management under the requirements of Section 36 of the *LG Act* and the *CLM Act*
- Ensure the requirements of the *NT Act* for the management of Crown land are addressed
- Enable Council to renegotiate or enter into leases, licences and other use agreements

The production of this Plan of Management is closely linked with Council's overall land management objectives, as set out in the North Sydney Community Strategic Plan 2018 – 2028. The following information has been taken from the Community Strategic Plan:

Council's goals regarding neighbourhood parks (encompassed in the Community Strategic Plan under Direction 1 – 'Our Living Environment') are:

1.3 'Quality Urban Greenspaces'

The following objective is derived from this goal:

1.3.2 Encourage community gardening and rooftop and hard surface greening, incorporating native vegetation planting where possible

1.4 'Public Open Space and Recreational Facilities and Services Meet Community Needs'

The following objective is derived from that goal:

- 1.4.1 Maximise use of existing, and protect, enhance and expand public open space

1.3 Legislative Framework

The *LG Act* requires that Plans of Management must be prepared for Council-owned community land. Plans of Management for Crown land were previously adopted under the *Crown Lands Act 1989*; however, the *CLM Act* requires Council's to prepare Plans of Management for Crown reserves as per the requirements of the *LG Act*.

North Sydney's neighbourhood parks are located on a combination of Council-owned and Crown land and are zoned RE1 Public Recreation under Council's Local Environmental Plan 2013. (Refer **Appendix 4 – Zoning of Neighbourhood Parks**).

1.3.1 *NSW Local Government Act 1993 (LG Act)*

The *LG Act* provides the legislative framework for Council's day to day operations. It identifies a Council's responsibility to actively manage land and to involve the community in developing a strategy for management.

The *LG Act* requires all community lands to be covered by a Plan of Management that identifies:

- The category of the land
- Objectives and outcomes for the land
- How Council proposes to achieve objectives and outcomes
- The way by which Council proposes to assess its performance
- Expressly authorise any leases, licences or other estates

The nature and use of community land may not change without an adopted Plan of Management.

1.3.2 *Crown Land Management Act 2016 (CLM Act)*

The *CLM Act* assigns certain functions to Council managers. As a crown land manager, Council is authorised to classify and manage its dedicated or reserved Crown land as if it were public land within the meaning of the *LG Act*. Dedicated or reserved Crown land may be used only for the following purposes:

- The purposes for which it is dedicated or reserved, or
- Any purpose incidental or ancillary to a purpose for which it is dedicated or reserved, or
- Any purpose specified in a plan of management for the land, or
- Any other purposes authorised by an Act.

Council, as Crown Land Manager, may issue leases and licences over Crown land in line with the *LG Act*, as per the assigned category and with consideration of the reserve purpose.

Generally, when managing dedicated or reserved Crown land, and for the purposes of this Plan of Management, Council:

- a) must manage the land as if it were community land under the *LG Act*, and
- b) has for that purpose all the functions that a local council has under that Act in relation to community land (including in relation to the leasing and licensing of community land)

Objectives of the Crown Land Management Act

The Objectives of the *CLM Act* are to ensure that Crown land is managed for the benefit of the people of New South Wales, and in particular:

- To provide for the ownership, use and management of the Crown land of NSW, and
- To provide clarity concerning the law applicable to Crown land, and
- To require environmental, social, cultural heritage and economic considerations to be taken into account in decision-making about Crown land, and
- To provide for the consistent, efficient, fair and transparent management of Crown land for the benefit of the people of NSW, and
- To facilitate the use of Crown land by the Aboriginal people of NSW because of the spiritual, social, cultural and economic importance of land to Aboriginal people, and, where appropriate, to enable the co-management of dedicated or reserved Crown land, and
- To provide for the management of Crown land having regard to the principles of Crown land management.

Principles of Crown land management

- Observe environmental protection principles in relation to the management and administration of Crown land
- To conserve the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) wherever possible
- Encourage public use and enjoyment of appropriate Crown land
- Encourage multiple use of Crown land, where appropriate
- Use and manage Crown land in such a way that both the land and its resources are sustained in perpetuity, where appropriate
- Occupy, use, sell, lease, licence or otherwise deal with Crown land in the best interests of the State, consistent with the above principles

The *CLM Act* provides a new regime for the management of Crown land, and Council is now responsible for compliance with native title legislation for the Crown land that it manages.

1.3.3 *Native Title Act 1993 (Commonwealth) (NT Act)*

Native title is the legal recognition of the individual or communal rights and interests which Aboriginal people have in land and water, where Aboriginal people have continued to exercise their rights and interests in accordance with traditional law and custom since before the British asserted sovereignty over Australia. Native title rights and interests are formally recognised under the *NT Act*.

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

- Native title has been extinguished, or

- Native title has been surrendered, or
- Determined by a court to no longer exist

Council must manage Crown land in accordance with Part 8 of the *CLM Act* in relation to native title and ensure the requirements of the *NT Act* for the management of Crown land are addressed.

All activities on Crown land included in this Plan of Management (refer **Appendix 1 – Schedule of Public Land**) must address the issue of native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation under the future act procedures in Division 3 of the *NT Act* by Council’s Native Title Manager.

The *NT Act* sets out procedures for notification and opportunity to comment which must be followed in certain circumstances (for example if the proposed activity/act is a ‘public work’ as defined in Section 253 of the Act).

1.4 Land Categorisation and Core Objectives

Section 3.21 of the *CLM Act* states that dedicated or reserved Crown land may be classified and managed as if it were public (community or operational) land within the meaning of the *LG Act*. Section 3.23(2) of the *CLM Act* requires Crown land to be categorised consistent with the *LG Act*.

North Sydney’s neighbourhood parks are located on a combination of Council-owned and Crown land. All are classified as community land and are categorised as ‘park’. with the exception of Green Park which includes an area of land categorised as ‘General Community Use’.

According to the *LG Act 1993*, land should be categorised as ‘park’ under section 36(4) of the Act if the land:

is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

Land Category	Core Objectives
Park (LGA 1993 - Section 36G)	<p>(a) <i>to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and</i></p> <p>(b) <i>to provide for passive recreational activities or pastimes and for the casual playing of games, and</i></p> <p>(c) <i>to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.</i></p>

According to the *LG Act 1993*, land should be categorised as ‘general community use’ under section 36(4) of the Act if the land:

- (a) *may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and*
- (b) *is not required to be categorised as a natural area under section 36A, 36B or 36 C of the Act and does not satisfy the guidelines under clauses 102 – 105 for categorisation as a natural area, a sportsground, a park or an area of cultural significance*

Land Category	Core Objectives
General Community Use (LGA 1993 - Section 36I)	<p><i>The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and the wider public</i></p> <ul style="list-style-type: none"> (a) <i>in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and</i> (b) <i>in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).</i>

1.5 Leases, Licences, Permits and Other Estates

A lease, license or permit is a contract between a land owner and another entity, granting that entity a right to occupy an area for a specific period. Leases, licenses and permits formalise the use of community land by groups such as sporting clubs, community groups and schools, or by commercial organisations and individuals providing facilities or services for public use.

A lease is typically required where exclusive use or control of all or part of a park or reserve is required. The terms and conditions of a lease should ensure that the lessee undertakes proper management of the facility such that it is maintained in a safe and visually pleasing condition, and that the interests of Council and the public are protected.

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of a park or reserve is proposed. Several licences for different users can apply to the same area at the same time, provided there is no conflict of interest.

Under the *CLM Act*, Councils are authorised to manage Crown land as if it were community land within the meaning of the *LG Act*. This enables Councils to issue licences, leases, permits and other estates for Crown land reserves in the same way they do for any Council-owned public land, with consideration of the reserve purpose. Essentially, the process for issuing tenures will depend on the classification and categorisation of the land, as well as its applicable planning controls associated with the land zoning.

This Plan of Management expressly authorises the issue of leases, licences, permits or other estates over the areas of neighbourhood parks categorised as Park and General Community Use provided that:

- The purpose is consistent with the reserve purpose of the land
- The purpose is consistent with the community land classification and the core objectives for the category of the land
- The purpose is consistent with the zoning of the land under North Sydney LEP 2013
- The lease, licence, permit or other estate is for a permitted purpose listed in the *LG Act* or the Local Government Regulations 2005
- The issue of the lease, licence, permit or other estate and their respective provisions can be validated by the provisions of the *NT Act* (for relevant Crown reserves)
- The land is not subject to a claim under the *Aboriginal Land Rights Act 1983*
- The lease, licence, permit or other estate is granted and notified in accordance with the provisions of the *LG Act* or the Local Government Regulations 2005
- The issue of the lease, licence, permit or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved
- The purpose is consistent with the core values and management objectives listed in Section 4.1 of this Plan of Management
- Sub-leases are only allowable for the same purpose as the original lease in accordance with the requirements of Section 47C (1) (a) of the *LG Act*

Community land must not be leased or licenced for more than 21 years, or 30 years with the consent of the Minister for Local Government. Any lease or licence for more than 21 years must have prior public notice according to the requirements of Sections 47 and 47A of the *LG Act*, and if an objection is made to the tenure because of the notice, the Minister for Local Government's consent is required.

Licenses for short term casual use or occupation of land included in this Plan of Management for a range of uses may be granted in accordance with Section 46(1)(b)(ii) for the purposes specified in Section 116 of the Local Government (General) Regulation 2005. All short-term casual uses and occupations are subject to Council's standard conditions of hire, approval processes and booking fees, as well as to native title manager advice (for relevant Crown reserves).

1.5.1 *Rail Corp Leases*

There are several small parcels of RailCorp-owned land in North Sydney that are now publicly accessible, and that Council manages as neighbourhood parks via beautification leases which are renewed annually. These are listed in **Appendix 2 – Other Land Managed by Council as Neighbourhood Parks**.

1.6 **Community Consultation**

Community consultation plays an important role in the production of Plans of Management, providing Council with a sound understanding of issues from people who

are familiar with and use the relevant parks and reserves. To a large degree, the views expressed by the community guide Council's management of the land.

Public engagement also generates an understanding of Council's land management aims, combats misinformation and misunderstanding, and fosters support for Council's programs and policies. The consent and co-operation of the users of open space facilitates management and lends weight to the status of this Plan of Management.

Since the adoption of the previous Neighbourhood Parks Plan of Management in 2010, Council has developed the North Sydney Recreation Needs Study 2015. Prepared with a high degree of community and stakeholder involvement, this Study provides information regarding recreation needs in neighbourhood parks that have been considered in this document.

Prior to general public exhibition of a new Crown land draft Plan of Management, Council is required to submit the draft Plan of Management to the appropriate representative of the owner of the land under section 39 of the *LG Act* (Currently the NSW Department of Planning, Industry and Environment – Crown Lands). The Department reviews the draft Plan of Management and advises Council of any properly required provisions to including in the Plan of Management. Council then amends the draft Plan of Management (if required), and places it on public exhibition (under section 38 of the *LG Act*).

Exhibition of the draft Neighbourhood Parks Plan of Management for a 28-day period, followed by a 14-day period to receive submissions allows interested parties to comment on and have input into the final document. The following steps will generate widespread awareness of the draft Plan of Management:

- Posting the draft document on Council's website for information and comment, and providing details of how to make a submission
- Providing the opportunity to comment in accordance with sections 24JB(6) and 24KA(7) of the *NT Act*
- Notifying all Precincts, Council's Sport and Recreation Reference Group and other known stakeholders that a new draft Plan is on display, and inviting comments
- Providing hard copies of the draft document to stakeholders, upon request
- Making hard copies of the draft document available for viewing at Council's Customer Service Centre, upon request

Writing a Submission

Submissions give stakeholders an opportunity to express their opinions, provide information and suggest alternatives to Council's proposed management strategies.

To ensure submissions are as effective as possible:

- (1) List all points according to the section and page number in the Plan of Management
- (2) Briefly describe each subject or issue you wish to discuss
- (3) State which strategies you agree or disagree with and give reasons

- (4) Suggest alternatives to deal with any issue with which you disagree

Written submissions should be sent to:

The General Manager
North Sydney Council
P O Box 12
NORTH SYDNEY NSW 2059

Attention: Landscape Planner

Email: council@northsydney.nsw.gov.au

Comments regarding this or any other adopted Plan of Management may be submitted at any time. All Plans of Management are reviewed regularly, and at the time of the review new issues and actions can be incorporated and existing actions amended. All adopted Plans of Management are available on Council's website: www.northsydney.nsw.gov.au.

Note:

This Plan of Management requires that for any activity/action specified in it, a native title assessment and validation under the *NT Act* be carried out by Council's Native Title Manager prior to the commencement or approval of that activity. NTS Corp and the Metropolitan Local Aboriginal Land Council will be notified of the preparation of the draft Playgrounds Plan of Management, and invited to comment, in accordance with the Native Title (Notices) Determination 2011 (No. 1).

2.0 **Characteristics & Resources**

2.1 **Significance of the Neighbourhood Parks**

This Plan of Management applies to all neighbourhood parks in the North Sydney Council area. Typically, neighbourhood parks are small parcels of open space predominantly used by nearby residents for relaxing, picnicking and children's play. Neighbourhood parks generally consist of landscaping, grassed areas and paths, and items of park furniture including seats, picnic tables, drinking fountains and sometimes play equipment. Neighbourhood parks in commercial areas, including plazas and other civic spaces, cater for the needs of the business community and often contain hard-wearing elements such as paving to withstand high levels of use.

The definition of neighbourhood parks also encompasses public garden areas which have limited recreational value due to their shape and size. These areas may only contain a seat or a path, but they contribute to the area's visual amenity and improve the overall quality of the North Sydney landscape.

In areas of high residential density such as North Sydney, neighbourhood parks play an important role, breaking up the rigid form of the urban landscape, adding greenery to the environment and providing habitat for wildlife. They are often used as the community backyard, affording residents who live in units convenient and accessible outdoor spaces for recreation. Neighbourhood parks in North Sydney's commercial areas cater for people shopping and the business community and offer a welcome respite from the indoor, office environment. North Sydney's harbourside location means that some neighbourhood parks act as lookout; affording excellent views of the harbour and city.

The comprehensive network of neighbourhood parks in North Sydney complements other elements of the open space network and helps give North Sydney its distinctive, leafy character. As the amount of medium density housing and other development in North Sydney grows, greater pressure is put on the existing neighbourhood parks to service the outdoor recreational needs of the community, and the value of the neighbourhood parks in the social make-up of the area increases. The maintenance and enhancement of North Sydney's existing neighbourhood parks is an ongoing commitment for Council.

Appendix 1 – Schedule of Public Land details the location, categorisation, zoning and ownership of all neighbourhood parks in the North Sydney area. Lot and DP information is also included, where applicable. **Appendix 3 - Maps** contains Maps that locate all the neighbourhood parks.

Note: Small parks and reserves located on the harbour foreshore are included in Council's Foreshore Parks & Reserves Plan of Management.

3.0 **Planning Issues**

3.1 **Landscape Character and Amenity**

The landscape character of North Sydney's neighbourhood parks varies depending on their location, size, topography, function and development history.

Although generally small, the neighbourhood parks have a high visual impact on the amenity of the Council area due to their frequency and distribution and they are an important part of the experience of walking, jogging, cycling or driving through North Sydney.

3.1.1 *Landscaping and Amenity*

Trees, shrubs and groundcovers not only contribute to the visual character of the parks, but appropriate vegetation creates habitat for wildlife, helping to attract native birds and animals to urban areas. Trees create pleasant, shady spaces picnic spots, while plants with interesting textures, attractive flowers, foliage colours and pleasant aromas contribute to the community's enjoyment and appreciation of the neighbourhood parks.

Future planting in neighbourhood parks should consider:

- Character of existing planting
- Historical and cultural significant and value of the site
- Potential to create wildlife corridors and havens for wildlife
- Provision of shade
- Aesthetics
- Safety
- Views into and out of the site

3.1.2 *Park Furniture and Other Structures*

Council's Recreation Needs Study 2015 confirmed that the most used (and desired) facilities in Council's parks and reserves were seats, picnic tables, drinking fountains and refill stations, barbecues, shelters, amenity blocks and playground equipment. The Study highlighted the importance of maintaining green space and minimising the footprint of parks structures. This Plan of Management aims to ensure adequate facilities are provided to meet identified community needs as well as considering the aesthetics of all park furniture and structures.

Council considers the placement, appearance and function of any new park furniture or other structures. New elements must be accessible, attractive, consistent with Council's corporate image and sympathetic to the character of the individual neighbourhood park.

The Recreation Needs Study identified the importance of creating 'social/family spaces' in North Sydney. These are areas catering for people of all ages and all abilities. Facilities found in social/family spaces could typically include playgrounds, fitness equipment, seats, picnic tables, barbecues, water fountains, amenities blocks, basketball hoops, shade, shelter and pathways. Providing some or all these additional facilities in appropriate neighbourhood parks (for example Green Park and Brennan Park) enhances the appeal of the park, making it a social hub for the local community.

Installing public art in Council's neighbourhood parks add richness and texture to the urban fabric. Some of the small delights in the North Sydney landscape include a sandstone blue-tongue lizard in Gannura Reserve, a possum and a banksia in Belmont

Lane, a fairy ring in Grasmere Children's Park, a mural in Cahill Playground and a variety of sculptures in Clark Park and along the Lavender Bay foreshore. Art in parks ranges from items commissioned for specific locations to existing artworks that find a home in an appropriate Council park. Art in public open space provides a point of interest, stimulates discussion and adds to public appreciation and enjoyment of North Sydney's parks.

3.2 Use

North Sydney's neighbourhood parks are primarily used by the local community. This Plan of Management provides guidelines to ensure that our neighbourhood parks are attractive and inviting, and that they provide recreational opportunities that meet identified community needs.

Neighbourhood parks are used by people picnicking, walking, dog walking, reading and enjoying nature and for general relaxation. They are meeting places for people of all ages. In areas where population density is high and private open space is limited, many neighbourhood parks act as the community backyard. Most attract residents with 'insider knowledge' of their location and facilities, although some neighbourhood parks contain additional facilities. WH Brothers Memorial Reserve and Lloyd Rees Lookout offer spectacular views and are popular as lookouts, while the neighbourhood parks listed below contain local playgrounds:

- Brennan Park
- Cahill Park
- Euroka Street Playground
- Fred Hutley Reserve
- Civic Centre Park (fitness equipment)
- Grasmere Children's Park
- Grasmere Reserve
- Green Park (senior & junior playgrounds, fitness equipment)
- Hodgson's Lookout
- Ilbery Reserve
- Lodge Road Playground
- Mary French Reserve
- Phillips Street Playground
- Prior Avenue Reserve
- Sirius Street Playground
- Victoria Street Playground
- WH Brothers Memorial Reserve
- Warringa Park
- Wollstonecraft Railway Station Park

Note: these local playgrounds generally cater for residents within walking distance; they are not designed to attract users from much further afield. They are intended for shorter stays, and as such, tend not include facilities such as public amenities.

While most activities are of a 'low-key' nature, informal sports and games are popular in some of the larger parks. Use of these parks by groups of under 60 people is on a first-come-first-served basis; no fees are charged, and no bookings are taken. Parts of some of the larger neighbourhood parks such as Brennan Park and Green Park may be used for private functions and special events. Permission is at Council's discretion, with

factors including the size of the proposed function, the area still available for general public use, the likely impact of the event on the park and the likely impact on neighbours all being considered. Information on how to make a booking and other associated information is available on Council's website: '*Parks & Reserves Hire & Fees*'.

Use of parks in North Sydney by fitness trainers continues to increase, reflecting a nationwide trend. An '*Outdoor Fitness Code of Conduct*', available on Council's website, outlines common sense guidelines to ensure that fitness trainers and others involved in these activities do not have a significant negative impact on other park users and neighbours. If issues arise with fitness trainers or with any other park users, Council staff communicate directly with the relevant group.

Other common functions of neighbourhood parks are as pedestrian links and thoroughfares; connecting residential areas to shops and transport hubs (St Peters Park, Shirley Road Pedestrian Link and Wakelin Reserve), and urban plazas (Cremorne Garden Plaza and Langley Place in Cremorne, Brett Whitley Place in the North Sydney CBD and Ernest Place in Crows Nest). These relatively small but important civic spaces located in commercial centres cater for the surrounding office and commercial populations, offering respite from the hustle and bustle with facilities including seating, shelter, shade, landscaping and public art.

Consultation with users and the general community indicate that North Sydney's network of parks and reserves is generally highly regarded, however there are opportunities to optimise and enhance existing open spaces, particularly given the comparatively low level of provision of open space and parkland relative to the area's population. These include:

- Maintaining a watching brief on the strategic acquisition of land parcels to establish continuous recreational trails
- Reviewing the current location and standard of seating, tables, picnic and barbecue facilities and bubblers with a view to installing additional or replacement facilities that are accessible to all as required
- Continuing to install exercise equipment in appropriate parks and reserves
- Improving basic maintenance standards for ancillary facilities including seating, tables, playground equipment and public amenity blocks
- Continuing to upgrade playgrounds, and to provide equipment and facilities accessible to all
- Creating social/family recreation spaces in some of Council's larger neighbourhood parks

North Sydney's neighbourhood parks are well-used and highly valued; they provide a vital recreational and aesthetic resource for the community. Management strategies within this Plan of Management must consider the significance of these areas to the community and be flexible enough to provide for changing recreational needs as they arise.

3.2.1 *Recreation Needs Study 2015*

Council's Recreation Needs Study 2015 (RNS) identifies the current and future recreation needs of the North Sydney community by assessing existing supply against demonstrated needs in order to identify shortfalls of provision. The RNS found that

while there is a good range of recreation facilities in the North Sydney, maintaining an adequate supply, quality and diversity of opportunities will be an ongoing challenge due to increasing density of development and an increasing residential, student and worker population.

The RNS identified 5 key goals to guide provision of new facilities and services:

1. Increased participation in physical and social opportunities
2. Enhanced use of existing resources, whilst minimising overuse
3. A diversity of recreation opportunities for the widest range of the population, now and in future
4. Maintenance of the green nature and character of the North Sydney LGA
5. Co-operative, effective and sustainable service delivery

The RNS identified 5 key issues that provide the framework for all recommendations:

1. Off road trails for walking and recreational cycling
2. Water-based recreation
3. Social/family recreation space and protection of open space
4. Sport
5. Open space

Key RNS recommendations and strategies relating to neighbourhood parks are:

- Continue to develop and extend a network of off-road trails around and through the Council area to link open spaces
- Incrementally develop selected play spaces into social/family recreation parks, suitable for people of all ages and abilities
- Seek to enhance the distribution of social/family recreation spaces to provide one within approximately 500m of every dwelling
- Continue to protect the character of existing open spaces and trees on public land
- Incrementally improve the accessibility of parks, to expand the number of people who can be included in public life

Future projects derived from these strategies are included in section 3.6 Improvement Works.

3.2.2 *Dogs in Neighbourhood Parks*

With numerous parks where dogs can be exercised off-leash, North Sydney is a dog-friendly area. However, there are some restrictions. Under Section 14 of the *Companion Animals Act 1998* dogs are prohibited in the following public places:

- In or within 10m of any children's play areas;
- Food preparation and/or consumption areas (unless it is a public thoroughfare such as a road, footpath or pathway);
- Recreation areas where dogs are declared prohibited;
- Public bathing areas where dogs are declared prohibited;
- School grounds (unless with the permission of the person controlling the grounds);
- Childcare centres (unless with the permission of the person controlling the centre);

- Shopping areas where dogs are prohibited (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a vet or pet shop); and
- Wildlife protection areas.

North Sydney's 'Local Companion Animal Management Plan' imposes some additional restrictions. All Council parks and public reserves are off-leash areas except for:

- St Leonard's Oval (No. 1 and 2)
- All playing fields whilst organised sporting events are in progress
- All bushland areas
- Cremorne Reserve, Clark Park and Ancrum Street Park
- The Coal Loader Centre for Sustainability

All dogs in public places must be under the control of a competent person. As per the *Companion Animals Act*, the maximum number of dogs that a person is permitted to handle in a public place is 4. Council is required by the State Government to enforce the laws concerning dogs, and Council Rangers may issue on-the-spot fines for infringements.

3.3 Access

Whilst general vehicle access to North Sydney's neighbourhood parks is prohibited, adequate access for service and emergency vehicles is provided at some of the larger neighbourhood parks where this is possible. Vehicular access to and through any neighbourhood park is only permitted for appropriate purposes, consistent with each area's zoning as RE1 Public Recreation, and consistent with its use as an area for public recreation. At Council's discretion, permission for a private vehicle requiring one-off access through a park (due to lack of other ways to access their property) may be granted.

Although all neighbourhood parks are public open space, and thus theoretically accessible, in practice some are not usable for recreation, and are only partially accessible. Some areas are too steep, the planting is too dense, or the location is too awkward. Paths and flights of steps are the only means of traversing several neighbourhood parks including Margaret Street Road Reserve and Lambert Street Gardens while access to others including Miller Street Gardens and Sinclair Street Rose Garden is not provided; these parks simply add to the visual amenity of the area.

3.3.1 Getting There

The size, location and facilities generally determine not only the capacity of a neighbourhood park to attract users, but how visitors get there. Although some attract users from a wider catchment area by virtue of their special facilities such as larger playgrounds (Brennan Park), memorials (Anzac and Clark Parks), historic plantings (Watt Park) or the presence of harbour views (Brothers Memorial Park), most neighbourhood parks serve the local community, and users primarily arrive on foot. Car parking is limited to neighbouring streets.

The RNS highlighted the need to increase the accessibility of open space, and to create links between existing areas by constructing pedestrian crossings, pram ramps and footpaths in appropriate locations. Accessibility within the neighbourhood parks is an ongoing issue, and works have been carried out in some of Council's more significant

neighbourhood parks over the past 10 years (Ernest Place, Cremorne Garden Plaza, May Gibbs Place) to improve access for all.

3.3.2 Circulation

Provision of convenient access both to and through neighbourhood parks should be considered when any future upgrading works are planned. People using the neighbourhood parks may move directly through them (cyclists and pedestrians in transit) or circulate more randomly (people visiting for recreation and leisure).

3.3.3 Barriers to Access

Due to the steep and often uneven terrain that characterises much of North Sydney, making all Council's neighbourhood parks accessible to all is difficult. Often neighbourhood parks have been created in areas where embankments and other topographical features have prevented the construction of through roads. Neighbourhood parks including Clifton Street Road Reserve and Johnston Avenue Road Reserve contain steep sets of stairs which allow physically able pedestrians to connect to adjoining streets.

3.4 Management

While Council owns most neighbourhood parks in North Sydney, some are located on Crown land, and several others are leased from various State government authorities. This Plan of Management seeks to establish a clear management direction and to achieve an holistic approach to the ongoing stewardship of all neighbourhood parks in the North Sydney area. Council Playgrounds Plans of Management provides additional information that guides Council's operations in neighbourhood parks that contain playgrounds.

Current management concentrates on maintaining neighbourhood parks as clean and attractive facilities. Council's ability to maintain all neighbourhood parks to a high standard is subject to budget limitations. Maintenance regimes are cyclical, with frequency depending upon the profile of the park; the higher the profile of the park, the more frequently it is maintained. Plazas in commercial areas such as Mount Street Plaza and Ernest Place receive high levels of visitation and are maintained on a daily or weekly basis, while other high-profile areas are maintained on a 2-week cycle. Most neighbourhood parks are maintained on a 10-week cycle, while lower-profile parks are maintained on a 20-week cycle.

Parks Department staff carry out general maintenance including weeding, planting and mulching in the neighbourhood parks. Council's specialist tree management staff assess the health and condition of all trees in neighbourhood parks on a regular basis and carry out work as required. Grass mowing occurs throughout the year, with more cuts occurring during the summer growing season.

3.4.1 Encroachments

This Plan of Management aims to ensure that any current or future encroachments onto neighbourhood parks in public ownership are dealt with consistently, appropriately and in the best interests of the public.

Council's Encroachment Management Policy defines an encroachment as: *'the intrusion of a structure or other object onto land owned or controlled by Council'*. Encroachments

typically include fences, steps, paths, paved areas, seating, small buildings such as sheds and vegetation planted to imply a boundary. Encroachments alienate public land and prevent the public from using public open space. Private encroachments onto parks and reserves in public ownership are not permitted.

In accordance with the *LG Act*, Council-owned neighbourhood parks are classified as 'community land' and are further categorised as a 'park', as per Section 1.4 Land Categorisation and Core Objectives.

Community land cannot be sold and is subject to strict restrictions to ensure its long term retention for public use. Encroachments onto community land are not permitted unless authorised by a lease or licence in accordance with the *LG Act*. The Act provides that Council may lease or licence community land where it is expressly authorised to do so under a Plan of Management, and where the purpose for which the lease or licence is issued is consistent with the core objectives for the area of community land in question. If the purpose of the lease or licence is not consistent with these core objectives, a Plan of Management authorising it is rendered invalid.

Encroachments onto Crown land are not permitted unless authorised by a lease or licence in accordance with the *CLM Act* and the *LG Act*. Refer Section 1.5 – Leases, Licences, Permits and Other Estates for further details.

3.4.2 Provision of New Open Space

Council's Open Space Provision Strategy 2009 (OSPS) allows staff to assess opportunities to provide new open space and recreation areas in a clear and accountable manner. It identifies areas where new public open space is most needed to cater for the recreational needs of the current and future North Sydney population and allows Council to evaluate the suitability of parcels of land in these areas for acquisition as open space as opportunities arise.

Although Council continues to levy funds for open space acquisition and embellishment through its Section 94 development contributions plan, existing funds are unlikely to cover the purchase of much open space given the value of land in North Sydney. While the acquisition of land to create new parks and reserves or civic spaces is important, it is not the only way to provide the community with new opportunities for recreation. The OSPS provides realistic alternative strategies for providing new public open space that do not involve significant financial outlay.

New open space may be acquired via either planned or opportunistic acquisition. Planned acquisition involves prioritising areas of land that Council has previously identified as desirable as public open space. Targeting desirable sites and negotiating their acquisition (via purchase) is an example of planned acquisition.

Opportunistic acquisition involves the detailed and rigorous evaluation of individual parcels of land for possible acquisition as opportunities arise. Priority sites will be those in areas of identified shortfall, with a high potential to meet the open space and recreation needs of the new population while also meeting the needs of the existing population.

Ways to provide land for public open space at little financial cost to Council include:

- Land swap arrangements

- Leasing vacant areas of land from Government instrumentalities such as RailCorp or other landowners such as schools
- Donations/bequests
- Grants
- Naming rights/sponsorship
- Partnering with neighbouring Councils
- Working with developers to obtain contributions of open space in desirable locations
- Dual use of land not dedicated as public open space

Acquisition of even small areas of land can have significant public benefits. Council's 2007 Foreshore Access Strategy highlights the importance of creating links between existing areas of foreshore open space, reasoning that each foreshore area serves a wider purpose once it has been linked to other areas. Creating links between existing neighbourhood parks is intrinsically challenging in the densely populated and developed North Sydney area.

3.5 Community Involvement

Involvement in managing and maintaining Council's network of neighbourhood parks through programs such as Streets Alive and community gardens is one way in which the community can be involved in creating and maintaining an attractive urban environment. Council encourages and supports initiatives by residents to upgrade their local neighbourhood parks; this work is not only a vital supplement to Council resources and an important part of Council's management of public open space, but it creates a sense of community along the way.

3.5.1 Streets Alive Program

Commenced in 1999, North Sydney Council's Streets Alive program involves the community in the design, planting and maintenance of areas of public land in North Sydney including street verges, neighbourhood parks and in discrete sections of larger parks. Streets Alive draws on the time, skills and commitment of volunteers to enhance the beauty of North Sydney. By nature, Streets Alive Projects are ongoing and, once a new landscaped area is created, regular maintenance, including occasional community working bees, is required.

Streets Alive ensures that residents who help maintain public gardens near or adjacent to their property are recognised for their work and provided with the support and resources they need. Working in co-operation with Council, groups of interested community volunteers have created many attractive new landscaped areas in North Sydney. Council provides materials including plants, soil and mulch as well as training for volunteers as specialist services such as arborists, carpenters and stone masons. Council also loans equipment to volunteers and may arrange working bees, on request.

Streets Alive also offers gardening opportunities for those who don't have a garden of their own. It fosters community stewardship of public open space and encourages participation in gardening as a recreational activity.

Council's website contains detailed information about the Streets Alive program.

3.5.2 *Community Gardens*

Community Gardens are not-for-profit, community-based enterprises producing food primarily for the consumption of the gardeners who work in them.

Community Gardens in North Sydney's parks and reserves are places for sharing and learning about sustainable living practices, and for actively building community. Council recognises community gardening as a valuable recreational activity that contributes to the health and well-being of the whole community and provides a wide range of environmental, social and educational benefits. Gardens can be located on public open space owned or managed by Council (such as public parks) or private lands (such as schools, churches and community centres).

Generally initiated by residents and developed with the assistance of Council's Streets Alive Co-ordinator, community gardens are partnerships between the community and Council. Council staff provide technical expertise, advice and other assistance as required. They are a valid and important use of land in Council's open space network. For a community garden to be viable, there must be enough participants with a high level of commitment to the project. Participants must be willing and able not only to construct and establish the garden, but to manage and maintain it on an ongoing basis.

Council encourages community gardens consistent with our strategic objectives to provide open space and recreational facilities which meet the needs of the community, and to promote appropriate use of open space for the well-being of the community. Community gardens have positive social, nutritional and educational benefits for participants. It can also improve the amenity, safety and patronage of the surrounding area.

Opened in March 2019, the Anzac Park Community Garden is in Anzac Park, a large neighbourhood park in Cammeray. This community garden brings locals and visitors together to grow an assortment of fruit and vegetables using organic gardening methods. The design of the garden represents the Australian Army's Rising Sun badge.

Other community gardens in North Sydney are located at Milson Park, Forsyth Park, Kurraba Point and The Coal Loader Centre for Sustainability (Coal Loader Cottage Community Garden, and the Platform Community Gardens & Allotment Gardens).

Council's website contains detailed information about the Community Gardens program.

3.5.3 *North Shore Railway Corridor Project*

Also operating under the auspices of Council's Streets Alive Program is the North Shore Railway Corridor Project. Since 2001, Council has negotiated beautification leases with the State Rail Authority to landscape portions of railway land that are not of operational use to State Rail, but which could be used as additional public open space. Tenure for all Council's RailCorp beautification leases is for a 12-month period, renewed annually by mutual consent. (The noted exception to this is Wendy's Secret Garden in Lavender Bay for which a 30 + 30-year lease was negotiated). The following sites have beautification leases in place:

- Russell Street, Wollstonecraft

- Carlyle Lane, Wollstonecraft
- Union Street/ Commodore Crescent, Waverton
- Lithgow Street, Crows Nest
- Wendy's Secret Garden, Lavender Bay
- Bay Street Park, Waverton
- Gas Works Road, Wollstonecraft (this site is a bushland regeneration project)

3.6 Improvement Works

Since the previous Neighbourhood Park Plan of Management was adopted in 2010, many identified projects and tasks have been implemented. Completing the projects listed below has directly and significantly contributed to the improved condition of the neighbourhood parks apparent today:

- Playground Upgrading Projects

Playgrounds upgrading projects in neighbourhood parks since 2010 include:

- *Wollstonecraft Railway Station Park, Wollstonecraft (2012)*
Located on State Rail land in an area with few other playgrounds nearby, Council created a new playground suitable for younger children.
- *Cremorne Reserve, Cremorne Point (2012)*
This popular playground near Robertsons Point was upgraded with new custom-designed playground and exercise equipment with a nautical theme and colour scheme.
- *Green Park (Junior Playground), Cammeray (2014)*
This well-worn playground located near the childcare centre was replaced by a new playground offering similar items, in accordance with user feedback.
- *Ilbery Reserve, Neutral Bay (2015)*
Existing items were refurbished, and new play items were added in this popular playground which is surrounded by numerous residential units.
- *Watt Park, Lavender Bay (2016)*
This playground was significantly refurbished due to age and high levels of wear. New items complement the playground's 'historic/maritime' theme.
- *Hodgson Lookout, Neutral Bay (2017)*
This playground was showing signs of age and wear and tear. Existing items were refurbished, and new play items were added.
- *Brennan Park, Waverton (2018)*
Existing play equipment and gardens were refurbished, and the play space was expanded with new play items and more pathways and gardens consistent with the existing playground theme.
- *Warringa Park, North Sydney (2019)*
Upgrading improved accessibility for all and provided new and refurbished items of play equipment in this playground which enjoys shade cast by large canopy trees.
- *Sirius Street Reserve, Cremorne Point (2020)*

The new custom-designed play space is best suited to younger children and has many accessible features. The maritime theme is expressed in the colour scheme and the use of genuine items including a ship's bollard and a marine pier. An elegant sandstone pelican is a visual highlight.

Other projects undertaken in neighbourhood parks since 2010 include:

- The Anzac Park Community Garden (2019)
This Community Garden has brought locals and visitors together in a place that not only produces an abundance of organically grown food, but also looks beautiful. The garden has cooking facilities and fruit and vegetables are harvested, cooked and shared during the weekend working bees.
- Crows Nest Uniting Church Park (2012)
Council leased a portion of the Church's land near the Crows Nest/St Leonards commercial hub to create an area of public open space for residents and workers. The site is surrounded by units.
- Smoothey Park Lighting Upgrade (2014)
This work improved lighting along the main pedestrian path through the park.
- Green Park Fitness Equipment Stations Installation (2015)
Following receipt of a State government grant, fitness equipment was installed in Green Park, in a location chosen by the community.
- Ilbery Reserve Fencing (2015)
Community feedback received during the upgrading of Ilbery Reserve Playground led Council to install a fence and gates along park boundaries that adjoin roads.
- Civic Centre Park, Fountain Restoration (2016)
The Queen Victoria Jubilee Memorial Fountain was erected in 1899 in St Leonards Park and moved to Civic Centre Park in 1982. Restoration work aimed to conserve its structural and heritage integrity and to improve its aesthetics.
- Wollstonecraft Village Railway Precinct Improvements (2016)
Work involved constructing raised garden beds, installing planting medium and plants and minor associated works.
- Civic Centre Park Irrigation Upgrade (2018)
This project involved installing upgraded irrigation infrastructure in all areas of Civic Park and around the Council Chambers building in North Sydney.
- Watt Park Stairs (2018)
This project involved upgrading the badly dilapidated stair access connecting Waiwera Street with Lavender Crescent in Watt Park. The project increased public safety, while preserving the existing character of the stairway and the surrounding significant trees.
- Streets Alive Projects
Numerous Streets Alive Projects have commenced and/or continued to take place throughout North Sydney

Upcoming projects are detailed in section 5.1 – Matrix. Section 5.2 - Indicative Works Program contains specific scheduling details for the planned projects and other works.

Note: It is likely that new Streets Alive and community garden projects will commence in neighbourhood parks during the life of this Plan of Management. However, because these types of projects are initiated by the community, they cannot be identified in this Plan of Management. Council is committed to supporting these projects as they emerge.

4.0 Basis for Management

The Neighbourhood Parks Plan of Management guides the future use, development and management of these small but significant public open spaces. It seeks to ensure that our neighbourhood parks are suitably maintained, that they cater for a range of recreational activities, that conflicts between user groups are minimised and that any future developments are appropriate and sympathetic to the established character.

4.1 Core Values and Management Objectives

4.1.1 Core Values

The following core values describe the most important qualities of North Sydney's neighbourhood parks. They must be considered when future management objectives, strategies and actions are developed, to ensure their protection.

Visual Qualities

- Council's neighbourhood parks form a green network that contrasts with the surrounding urban environment and makes a significant contribution to North Sydney's visual amenity and its leafy, green character

Cultural Heritage

- Neighbourhood parks may contain items and/or sites of Aboriginal and/or European heritage significance. These elements can help visitors understand and appreciate the past use of the land and they must be protected and conserved

Social/Recreational

- Neighbourhood parks are an essential recreational resource for the local community, many of whom do not have access to private open space. They are commonly used for picnicking, dog walking, relaxing, socialising and informal, active play
- The large number and wide distribution of North Sydney's neighbourhood parks means they are easily accessible to all members of the community, and they often function as the community backyard
- In North Sydney's commercial centers, neighbourhood parks take the form of urban plazas, providing respite for shoppers and office workers
- Some small open spaces support organised community activities including Streets Alive and community garden projects; Council encourages and supports community involvement in the management, maintenance and beautification of neighbourhood parks

4.1.2 Management Objectives

The following broad management objectives are based on:

- Legislative requirements
- The values and assets of the neighbourhood parks
- Identified community needs and expectations
- To manage neighbourhood parks in accordance with the North Sydney Community Strategic Plan 2018-2028, the *LG Act*, the *CLM Act* and the *NT Act*;
- To ensure all use of neighbourhood parks is appropriate; that the uses comply with the purpose of the land reservation, and accord with its zoning under LEP 2013, and with its categorisation under the *LG Act*;
- To maintain and enhance the recreational, scenic and cultural values of the neighbourhood parks;
- To encourage and facilitate community involvement in the management and guardianship of the neighbourhood parks through Council's existing programs including 'Streets Alive' and community gardens;
- To encourage a range of appropriate recreational activities in neighbourhood parks;
- To provide appropriate recreational facilities for the community;
- To provide ancillary facilities that complement recreational activities and add to user enjoyment and experience;
- To provide for public safety;
- To make neighbourhood parks accessible to all, where practical within the physical constraints of the individual parks;
- To pursue opportunities to create new neighbourhood parks in North Sydney;
- To ensure the conservation and appropriate management of items and sites of cultural heritage significance (both Aboriginal and European);
- To manage playgrounds in neighbourhood parks as per Council's Playgrounds Plan of Management;
- To ensure this Plan of Management is flexible and able to evolve with changing community needs and attitudes.

These objectives have been used in the subsequent management issues to guide policy development and formulation of the action plan.

5.0 **Policy, Implementation and Performance**

The policies established in this document provide a management framework that is consistent with the anticipated availability of resources and anticipated community trends. The priority ratings outlined on the following pages may be modified if special circumstances arise.

Codes used to define priorities in the following matrix:

ST	(Short Term)	-	Action completed within 3 years
MT	(Medium Term)	-	Action completed within 3-5 years
LT	(Long Term)	-	Action commenced after 5 years
O	(Ongoing)	-	Action is carried out on a regular basis for the life of this Plan of Management
C	(Commenced)	-	Action has commenced
CP	(Completed)	-	Action has been carried out

5.1 **Matrix**

Note: the generic Playgrounds Plan of Management provides additional information regarding Council's management of playgrounds in neighbourhood parks.

LANDSCAPE CHARACTER AND AMENITY

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Landscape and Vegetation	To use planting to complement and enhance the character of the neighbourhood parks	Select, plant and establish suitable species of trees, shrubs and groundcovers	Consider factors including character of existing planting, aesthetic appeal and impacts on views	O	Planting objectives achieved	
	To manage existing vegetation using best-practice horticultural techniques	Carry out regular ongoing maintenance works as required to conserve existing appropriate vegetation in good health	Refer Issue 'Maintenance'	O	Vegetation maintained in healthy condition	
		Control any activities that may harm existing trees	Potentially harmful activities include tree climbing and digging around roots	O	Trees maintained in a healthy condition	
		Remove unsuitable species and replace with more appropriate species where practical	The suitability of a given species depends on its location, but may include coral trees, self-sown date palms, brush boxes or African olives	O	Inappropriate species removed and replaced where practical	
		Remove species reaching the end of their useful lives and replace with new trees/ shrubs/ groundcovers where practical	Consider health and safety, but also ensure that removals do not have significant adverse effects on existing habitat	O	Over-mature species removed and replaced where practical	
	To consider the effects of new plantings on views out of the parks	Consider existing views out when siting new planting and structures in neighbourhood parks	While views are considered, Council does not aim to provide unobstructed views out from all neighbourhood parks	O	All new work considers impacts on views	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Consider requests for trimming of trees in neighbourhood parks for views on a case-by-case basis	Only work that is horticulturally sound and appropriate is approved All work on public land is at the expense of the person/s requesting the work	O	All requests are assessed, and only work deemed appropriate is approved	
	To ensure neighbourhood parks have a high amenity value	Continue to encourage and support 'Streets Alive' projects in appropriate neighbourhood parks	These projects involve Council and the community working co-operatively to upgrade small park and garden areas	O	Council assesses community-identified projects; where feasible, these are pursued	
		Continue to site art in appropriate neighbourhood parks	Sandstone sculptures and other types of public art add detail, texture and interest to North Sydney's small urban spaces	O	Appropriate projects implemented when opportunities arise	
		Provide advice and assistance to individual residents working in neighbourhood parks		O	Ongoing advice and assistance provided as required	
		Assess all new landscape proposals for neighbourhood parks to ensure all work is sympathetic to the park's existing or desired landscape character		O	All landscape proposals are assessed for suitability	
	To control biosecurity and environmental weeds in neighbourhood parks	Undertake weed removal programs when and where required	Weed removal is a standard component of Council's maintenance operations	O	Reduction in weed levels in neighbourhood parks	
		Implement the Biosecurity Act consistently and effectively		O	Biosecurity Act implemented by staff	<i>Biosecurity Act 2015</i>

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Issue Notices to properties adjoining neighbourhood parks that contain biosecurity weeds	Notices require property owners to remove or manage the biosecurity weeds within a set time to prevent their spread	O	Notices issued as required	<i>Biosecurity Act 2015</i>
		Provide information to interested residents and to owners of properties known to contain biosecurity or environmental weeds	A brochure (available from Council upon request) is automatically distributed with biosecurity weeds Notices	O	Educational brochures provided to relevant property owners	
	To protect existing trees and other vegetation in North Sydney from illegal activities	Enforce controls set out in DCP 2013 – Tree and Vegetation Management, and pursue appropriate action where vegetation is illegally cleared or damaged	Council’s Tree Vandalism Policy sets out actions to be taken by Council against tree vandalism on public land	O	Tree Preservation Order enforced, and appropriate action taken if required	Tree & Vegetation Vandalism Policy 2018 NSC North Sydney Development Control Plan 2013 – Tree & Vegetation Management

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Conservation and Recognition of Heritage Items and Sites	To recognise and protect items and sites of Aboriginal and/or European heritage significance	Manage any items and sites of Aboriginal heritage significance in accordance with relevant conservation management practices	Sites and items may include shell middens and rock art or engravings	O	Items and sites protected and preserved	<i>National Parks and Wildlife Act 1974</i> North Sydney Aboriginal Sites Management Report 2011 AHO
		Manage any items and sites of European heritage significance in accordance with relevant conservation management practices	Sites and items may include natural rock outcrops, ornamental gardens, original tree plantings and depression-era stone fencing	O	Items and sites protected and preserved	Local Environmental Plan 2013 NSC <i>NSW Heritage Act 1977</i>
		Carry out work necessary to maintain items and sites in good condition		O	Heritage items and sites well maintained	
		Install innovative and thoughtful interpretive material to highlight appropriate items and sites of historical significance and interest	Methods for presenting information include signage panels, words set into paving, murals, sculpture, lighting etc	O	Interpretive material installed in appropriate locations	

ACCESS AND CIRCULATION

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Access	To encourage the community to discover North Sydney's network of neighbourhood parks on foot or by bicycle	Provide information about North Sydney's neighbourhood parks and how to access them to the community	Information for pedestrians and cyclists on Council's website includes 'Walk North Sydney' maps and brochures	O	Information is readily accessible	
	To provide safe and convenient access to the neighbourhood parks	Consider opportunities to improve access, where practical, as they are identified	The need for additional pram ramps, footpaths, steps etc are considered when issues arise	O	Opportunities to improve access identified and appropriate work scheduled	AS 1428
	To control vehicular access into and through all neighbourhood parks	Prohibit and prevent general vehicular access into neighbourhood parks	Permission for a private vehicle requiring one-off access through a park (due to lack of other ways to access a property) may be granted upon request	O	General vehicular access to neighbourhood parks prevented	
		Allow service and emergency vehicles to enter neighbourhood parks	Removable bollards and gates allow access for maintenance and other permissible activities	O	Ease of entry for service and emergency vehicles	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Circulation & Connections	To create a safe and attractive system of pathways in neighbourhood parks	Continue to construct new pathways with appropriate gradients where a need is identified, and the work is viable	All new pathways consider the needs of people with impaired mobility	O	Appropriate works undertaken as required	AS 1428
		Assess the feasibility of improving existing circulation routes for people with impaired mobility as opportunities are identified and schedule viable work		O	Feasibility assessments carried out and works scheduled	
		Upgrade the main pedestrian pathway through Smoothery Park	The main path links Wollstonecraft Railway Station to Russell Street	ST	Pathway upgraded on time and to budget	
	To publicise connections between neighbourhood parks and other public open spaces	Provide relevant information to enable the community to enjoy North Sydney's open space network	Information on Council's website includes: - 'Walk North Sydney' maps and brochures - 'North Sydney Circle Walks' - 'Bike Map'	O	Relevant information easily accessible	

USE OF NEIGHBOURHOOD PARKS

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Use of Neighbourhood Parks	To provide a range of recreational opportunities to meet the needs of a variety of users, within the carrying capacity of the neighbourhood parks	Ensure all activities occurring in neighbourhood parks are consistent with Council's management goals and objectives as per Section 4.1	Neighbourhood parks primarily cater for the recreational needs of the local community who live within walking distance	O	Reduction in complaints received regarding inappropriate use of neighbourhood parks	
		Ensure all activities occurring in the neighbourhood parks are consistent with the zoning, classification and categorisation of the land	All neighbourhood parks in North Sydney are zoned 'RE1 Public Recreation'	O	Reduction in complaints regarding inappropriate park use	LEP 2013 NSC <i>Crown Land Management Act 2016</i> <i>Local Government Act 1993</i>
		Cater for activities such as picnicking, relaxing, socialising and walking dogs, as well as for informal sports and games, where feasible	Neighbourhood parks generally cater to low-key, passive pursuits	O	Reduction in complaints regarding inappropriate park use	Appendix 5 - Definitions: Organised Sport & Informal Sport and Games
	To encourage use of neighbourhood parks for appropriate activities	Permit groups to use neighbourhood parks for social gathering and for informal sports and games	There is no charge for social gatherings of less than 60 people Space is available on a first-come-first-served basis. No bookings are required Note that only some neighbourhood parks are large enough to accommodate gatherings	O	Neighbourhood parks maintained in good condition	Appendix 5 - Definitions: Organised Sport & Informal Sport and Games

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Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Permit groups to hire sections of larger neighbourhood parks for appropriate private functions and special events	Permission for functions is at Council's discretion considering: - Size of proposed event - Area of park still available for public use - Likely impact on neighbours and the rest of the park	O	Neighbourhood parks maintained in good condition	Annual Parks & Reserves Hire Fees and Charges NSC
		Patrol the parks to ensure compliance with the above actions	Patrols are carried out by Council Rangers	O	Regular Ranger patrols carried out	
		Enforce Council's Fitness Training Code of Conduct as required	The Code provides fitness trainers with common sense guidelines to ensure their activities have minimal impact on park condition, on other park users and on neighbours	O	Rangers carry out patrols and respond to complaints	Outdoor Fitness Training Code of Conduct NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Dogs in Neighbourhood Parks	To accommodate dogs in neighbourhood parks	Allow dog-walking in neighbourhood parks in accordance with the Companion Animals Act and with the North Sydney Local Companion Animals Management Plan	Dogs are not permitted within 10 metres of children's play equipment All Council neighbourhood parks are off-leash areas with the exception of Ancrum Street Park and Clark Park	O	Reduction in the annual number of complaints	<i>Companion Animals Act 1998 (S14)</i> North Sydney Local Companion Animals Management Plan 2004
		Patrol the Park to ensure compliance with above action	Council Rangers carry out patrols	O	Regular Ranger patrols carried out	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Playgrounds	To provide playgrounds in neighbourhood parks that meet the needs of local users, and that are safe, attractive and fun	Continue the cyclical program of upgrading North Sydney's playgrounds in priority order as determined in Council's Playgrounds Methodology Document and the Playgrounds Plan of Management (PoM)	Playgrounds in North Sydney complement the character of the park in which they are situated. Playgrounds in neighbourhood parks are designed to meet the needs of the local community who can walk to them	O		Playgrounds Methodology 2015 NSC Playgrounds Plan of Management 2016 NSC
		Upgrade the existing playground in Grasmere Children's Park, Cremorne	Existing equipment will be refurbished, and new equipment, suitable for older children, will be installed	ST	Playground refurbished on time and budget	
		Upgrade the existing playground in Fred Hutley Reserve, Cammeray	Existing equipment will be refurbished, and new equipment, will be added	ST	Playground refurbished on time and budget	
		Upgrade the existing playground in Prior Avenue Reserve, Cremorne Point	Existing equipment will be refurbished at this unique playground, suitable for younger children	MT	Playground refurbished on time and budget	
		Upgrade the existing playground in Cahill Park, Crows Nest		MT	Playground refurbished on time and budget	
		Upgrade the existing playground in Lodge Road Playground, Cremorne	Refurbishment will give a new lease of life to this popular playground	MT	Playground refurbished on time and budget	
		Upgrade the existing playground in Grasmere Reserve, Cremorne	This small playground will be refurbished as a 'teen facility', best suited to older children	MT	Playground refurbished on time and budget	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Upgrade the existing playground in Phillips Street Playground, Neutral Bay	This small park is well shaded by liquidambar.	LT	Playground refurbished on time and budget	
		Upgrade the existing playground in Euroka Street Playground, Waverton		LT	Playground refurbished on time and budget	
		Upgrade the existing playground in Victoria Street Playground, McMahons Point		LT	Playground refurbished on time and budget	
		Upgrade the existing playground in Mary French Reserve, McMahons Point	Refurbishment will respect the peaceful nature of this small park	LT	Playground refurbished on time and budget	
		Upgrade the existing playground in WH Brothers Memorial Reserve, Cremorne	Refurbishment will retain the garden character of this park and playground	LT	Playground refurbished on time and budget	
		Prioritise identified accessibility improvement projects and schedule work		MT-LT	Works prioritised and implementation commenced	
		Upgrade the existing senior playground in Green Park, Cammeray	The unique items in this small, senior playground require refurbishment and/or replacement	LT	New playground constructed on time and to budget	
		Manage and maintain play equipment and surrounds in neighbourhood parks as per Council's Playgrounds PoM		O	Playgrounds managed as per Playgrounds Plan of Management	Playgrounds Plan of Management 2016 NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Park Furniture and Other Structures	To provide park furniture and other structures to meet the identified needs of park users	Install park furniture and other structures in neighbourhood parks as per Council's RNS	Council's RNS identified the need to install new park furniture and other items to create more usable 'social/family' spaces in some parks and to accommodate people of all ages and abilities	O	New park furniture and other structures installed to meet user needs	Recreation Needs Study 2015 NSC
		Assess the need for additional park furniture and other structures on a case-by-case basis and program installation	Additional needs not identified in the RNS may be brought to Council's attention by stakeholders at any time	O	Need assessed and installation programmed	
		Install fitness equipment in Brennan Park	The community identified the need for fitness equipment in 2018 when the playground was upgraded	ST-MT	Fitness equipment installed in Brennan Park	Recreation Needs Study 2015 NSC
		Install bike racks in Smoothey Park, near Wollstonecraft Railway Station	A desire for bike racks was identified by the community when the Wollstonecraft Railway Station playground was constructed in 2012	MT	Bike racks installed in Smoothey Park	
		Continue to install new name signs in neighbourhood parks that do not currently have them		O	New park name signs installed as required	
		Remove old-style park furniture as they reach the end of their life and replace with furniture from Council's corporate palette	Removal and replacement of park furniture is an ongoing process	O	Older park furniture removed and replaced	Public Domain Style Manual & Design Codes 2019 NSC

LANDUSE PLANNING AND MANAGEMENT

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Native Title Obligations	To ensure Council meets its obligations under the <i>CLM Act</i> and the <i>NT Act</i> regarding the management of Crown land	Carry out a native title assessment and validation under the <i>NT Act</i> as part of the terms of authorisation for the commencement of any building, development or infrastructure activity (act) on neighbourhood parks that are Crown reserves	Assessment is carried out by Council's Native Title Manager	O	Native title assessment and validation carried out prior to commencement of all relevant activities	<i>Native Title (Cwlth) Act 1993</i> <i>Crown Land Management Act 2016</i>
		Carry out appropriate notification and 'opportunity to comment' procedures if the proposed act (above) is a 'public work' as defined in Section 253 of the <i>NT Act</i>	Council will notify NTS Corp and the Metropolitan Local Aboriginal Land Council of the proposed act and provide the opportunity to comment (at least 30 days)	O	Appropriate notification and opportunity to comment provided as required	<i>Native Title (Cwlth) Act 1993</i>

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Leases, Licences, Permits and Other Estates	To facilitate the use of neighbourhood parks for a range of appropriate recreational and cultural activities	Grant leases, licences, permits and other estates to recreational and cultural organisations and other groups to formalise use of parts of the neighbourhood parks for appropriate activities	Applicable legislative and other planning controls governing leases, licences, permits and other estates are described in Section 1.5 of this PoM	O	Appropriate leases, licences, permits and other estates issued	<i>Local Government Act 1993</i> <i>Crown Land Management Act 2016</i> LEP 2013 NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Maintenance	To maintain the neighbourhood parks to meet community needs and expectations, commensurate with Council resources	Carry out regular maintenance to appropriate standards in all neighbourhood parks	Frequency of maintenance depends on the neighbourhood park's location and profile. (Eg urban plazas are maintained most frequently)	O	Maintenance programs implemented on time and to budget	
		Undertake emergency repairs as required	Council staff are pro-active; identifying problem areas and responding to public requests	O	Expenditure/revenue ratio achieved	
		Monitor the cost of maintenance work so that adequate resources can be allocated, and future problems prevented		O	Cost data recorded and monitored	
		Use appropriate materials and techniques to conserve and restore heritage assets	These include plaques, signage, ornamental gardens, original tree plantings, stone fencing etc	O	Heritage assets maintained in good condition	
	To ensure playgrounds in neighbourhood parks are functional, safe and attractive	Manage and maintain playgrounds and fitness equipment in neighbourhood parks as per Council's Playgrounds PoM		O	Playgrounds managed as per Playgrounds Plan of Management	Playgrounds Plan of Management 2016 NSC
	To ensure built structures in neighbourhood parks are functional, safe and attractive	Maintain built structures in neighbourhood parks as per Council's ACRMP (Amenities Condition Report)	The following amenities blocks will require minor works over the next 8 years: - Brennan Park - Civic Park - Green Park	O	Amenities and facilities maintained as per the ACRMP	Amenities Condition Report & 10-Year Major Maintenance Plan 2018 NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Safety and Risk Management	To minimise Council exposure to complaints, compensation claims and litigation	Continue to carry out an inspection program to identify and eliminate potential hazards in a timely manner	Refer Issue 'Maintenance'. The regular maintenance inspections also function as risk assessment inspections	O	Inspection program regularly carried out	
	To minimise vandalism in neighbourhood parks	Patrol the parks regularly	Council Rangers carry out patrols	O	Decrease in annual number of incidents reported	
		Remove all graffiti as soon as practicable	Removing graffiti quickly sends the message that Council facilities are well-cared for	O	Speed of graffiti removal	Graffiti Management Policy 2018 NSC
		Repair vandalised park furniture and play equipment as soon as practicable or remove if damaged beyond repair	Park users are encouraged to alert Council to any vandalism as soon as it is noticed	O	Speed of removal or repair work	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Private Encroachments	To manage private encroachments onto public land covered by this Plan of Management consistently	Assess any private encroachments (for example fences, paths, buildings or vegetation) onto public land (neighbourhood parks) when they are identified and take appropriate action	A lease or licence may be issued if the encroachment is assessed as being for a purpose consistent with the core objectives for 'parks' and is authorised by a Plan of Management Otherwise Council may direct the encroaching owner to remove the encroachment	O	Impact assessment carried out and appropriate action taken when possible encroachments are identified	<i>Local Government Act 1993</i> <i>Crown Land Management Act 2016</i> Encroachment Management Policy 2019 NSC
	To prevent future private encroachments onto neighbourhood parks	Ensure staff working in neighbourhood parks are aware of property boundaries	When property boundaries are known, new encroachments can be easily identified	O	Council staff working in neighbourhood parks remain vigilant	
		Ensure DA's submitted for properties bordering the neighbourhood parks do not propose encroachments onto the adjacent public open space		O	New developments comply with North Sydney Council's LEP	LEP 2013 NSC
		Refuse DA's that propose encroachments onto public open space	New private encroachments onto public open space are prohibited	O	No new private encroachments onto public open space	LEP 2013 NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Provision of New Open Space	To extend the existing network of neighbourhood parks	Pursue opportunities to create new neighbourhood parks as they arise	The most likely way in which new land may be acquired is by purchase at market price although this is often a prohibitively expensive option	O	Thorough assessment carried out to determine desirability and suitability of proposed site	Open Space Provision Strategy 2009 NSC
		Pursue innovative and co-operative options to provide land for public open space at minimal financial cost to Council as per Council's Open Space Provision Strategy (OSPS)	Options include: - Development negotiation - Land swap arrangements - Leasing unused railway land - Leasing facilities from schools - Donations/bequests - Grants - Naming rights/sponsorship - Partnering with neighbouring Councils - Dual use of land not dedicated as public open space	O	Opportunities to acquire new neighbourhood parks pursued	Open Space Provision Strategy 2009 NSC
		Give priority to acquiring sites with the highest potential to meet the open space needs of the current and future population	The value of individual sites for acquisition can be assessed using the methodology set out in Council's OSPS	O	Sites assessed using the OSPS and priorities determined	Open Space Provision Strategy 2009 NSC
		Continue to lease appropriate sites that can be used for public open space from RailCorp	Tenure for all Council's RailCorp beautification leases is for 12 months, renewed annually by mutual consent (The exception is Wendy Whitley's Secret Garden which has a 30 + 30-year lease)	O	State Rail Authority annual leases continue	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Stakeholder Involvement	To provide opportunities for public involvement in the development and implementation of this Plan of Management	Actively seek public input by widely publicising the draft Plan of Management (PoM)	In addition to general public notification, known stakeholder groups and individuals are notified directly and invited to comment when the draft Plan is on public exhibition	O	Public exhibition of draft Plan of Management widely publicised	
		Carry out consultation as required by the <i>NT Act</i>	Refer Issue 'Native Title Obligations'	O	Obligations under the NT Act fulfilled	<i>Native Title (Cwlth) Act 1993</i>
		Encourage stakeholders to provide written submissions to Council regarding the draft PoM	Council considers all submissions and appropriate information and comments are incorporated into the final PoM	O	Review of draft PoM appropriately considers all public submissions	
		Ensure that both the draft and the final PoM are easily accessible to the community and stakeholders	All adopted PoM's are available on Council's website	O	Plan of Management available on Council's website	
	To increase community participation in Council's existing programs	Encourage participation in Council's Streets Alive and community garden programs by publicising and promoting them widely	Utilise community noticeboards, Council's Customer Services Centre, Stanton Library, public events such as the Crows Nest fair and information posted on Council's website	O	Level of participation in Council's community programs continue to increase	Streets Alive Guidelines and Brochure Community Gardens Guidelines NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Assist residents wanting to undertake 'Streets Alive' projects in appropriate neighbourhood parks	These projects involve the community and Council working co-operatively to upgrade small park and garden areas Council assists with planting plans and organising working bees and provides technical advice, and resources such as landscape supplies and tools	O	Appropriate assistance provided to the community for 'Streets Alive' projects	
		Assist residents wanting to undertake community garden projects in appropriate neighbourhood parks	Council's website contains a 'Guidelines' document, as well as other useful information about community gardens in North Sydney Council provides supporting resources including knowledge, labour, tools and equipment	O	Appropriate assistance provided to residents for community garden projects	Community Gardens Guidelines NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Monitoring of Management Systems	To review and update the Neighbourhood Parks PoM regularly	Review the Neighbourhood Parks PoM regularly, and comprehensively update the Plan after 5-10 years to conserve, maintain and enhance the values and character of the parks		O	PoM objectives and actions implemented. Relevance of the Plan of Management	

5.2 Implementing the Indicative Works Program

Council's Plans of Management identify clear objectives and directions for planning, resource management and maintenance of public open space. They inform the community about upcoming projects and works; clarifying what will be happening, explaining why, and assigning priorities.

However, Plans of Management also need to be flexible enough to respond to new opportunities and to changed circumstances and community needs. While significant shifts in policy or planning issues during the life of a Plan of Management are unlikely, it is possible that specific works or the order in which works are undertaken may vary.

New Opportunities

Whenever possible, Council makes application for grant funding from relevant state and federal organisations. If an application is successful, Council may need to bring forward a project. There may also be instances where particular projects need to be delayed.

Changed Circumstances and Community Needs

The process of reviewing and revising Council's Plans of Management is cyclical, and other significant studies completed 'between Plans' may identify actions and works that can appropriately jump ahead of existing Plan of Management actions. This is particularly appropriate when the study in question (for example a Recreation Needs Study) has been prepared with a very high level of community involvement. If the fast-tracked action is consistent with the core values and stated management objectives expressed in the relevant Plan of Management, this is justified.

5.3 INDICATIVE WORKS PROGRAM

WORKS/ACTION	ST 2020 – 2023	MT 2023 – 2025	LT 2026 onwards
Upgrade the main pedestrian pathway through Smoothey Park	██████████		
Upgrade the playground in Grasmere Children’s Park, Cremorne	██████████		
Upgrade the playground in Fred Hutley Reserve, Cammeray		██████████	
Upgrade the playground in Prior Avenue Reserve, Cremorne Point		██████████	
Upgrade the playground in Lodge Road Playground, Cremorne		██████████	
Upgrade the playground in Grasmere Reserve, Cremorne		██████████	
Upgrade the senior playground in Green Park, Cammeray		██████████	
Continue to upgrade playgrounds in accordance with Council’s Playgrounds Methodology Document			██████████ →
Carry out an audit of all playgrounds to determine the need for accessibility improvements		██████████	
Prioritise identified playground accessibility improvement projects and schedule work			██████████
Upgrade the existing senior playground in Green Park, Cammeray			██████████
Install fitness equipment in Brennan Park		██████████	
Install bike racks in Smoothey Park, near Wollstonecraft Railway Station		██████████	
Review the Neighbourhood Parks Plan of Management regularly			●

6.0 Appendices & Supporting Material

6.1 Appendix 1 - Schedule of Public Land

The following parcels of land are covered by the Neighbourhood Parks Plan of Management.

	Description	Street Address	Owner-ship	Land Category (LG Act 1993)	Zoning (NSC LEP 2013)	Lot & DP Information (where applicable)
1	Ancrum Street Reserve	Ancrum Street, Waverton	NSC	Park	RE1	Lot 1 DP 432318
2	Anderson Street Road Closure	Anderson Street, Neutral Bay	NSC	Park	RE1	NA
3	Anzac Avenue Reserve	Anzac & Cammeray Avenues, Cammeray	NSC	Park	RE1	Lot 615 DP 752067
4	Anzac Park	Anzac Avenue, Cammeray	Crown & NSC	Park	RE1	Lot 600 DP 752067 (NSC land) Lot 7096 DP 106019 (Crown land - R.87861) Lots 607-612 DP 1060619 (Crown land R. 752067)
5	Bank Reserve	Bank Street, Waverton	NSC	Park	RE1	Lot 4 SEC 6 DP 418
6	Barry Street Road Reserve	Barry Street, Neutral Bay	NSC	Park	RE1	NA
7	Bay Road Reserve	Bay Road, Waverton	NSC	Park	RE1	NA
8	Bellevue Park	Anzac Avenue, Cammeray	Minister for Education	Park	RE1	Lot 600-606 DP 752067
9	Bellevue Street Reserve	Cnr Bellevue & Pine Streets, Cammeray	NSC	Park	RE1	NA
10	Bernard Lane Road Closure	Bernard Lane, Crows Nest	NSC	Park	RE1	NA
11	Boyle Street Road Closure	Boyle Street, Cremorne	NSC	Park	RE1	NA
12	Brennan Park	King Street, Wollstonecraft	Crown & NSC	Park	RE1	Lots 1-15 SEC 7 DP 4038 (NSC land) Lot 7042 DP 1059448 (Crown land - R.100182)
13	Brett Whitely Place	Mount Street Plaza, North Sydney	NSC	Park	RE1	NA

	Description	Street Address	Owner-ship	Land Category (LG Act 1993)	Zoning (NSC LEP 2013)	Lot & DP Information (where applicable)
14	Bromley Avenue Road Reserve	Bromley Avenue, Cremorne	NSC	Park	RE1	NA
15	Brothers Memorial Reserve	Fifth Avenue, Cremorne	NSC	Park	RE1	Lot 1 DP 956185
16	Browns Lane Road Reserve	Browns Lane, Crows Nest	NSC	Park	RE1	NA
17	Bydown Street Road Reserve	Bydown Street, Neutral Bay	NSC	Park	RE1	NA
18	Cahill Playground	Sophia Street, Crows Nest	NSC	Park	RE1	Lot 2 DP 342920
19	Carlyle Lane Open Space	Carlyle Lane, (adjoins Railcorp land, connects to Balfour St)	NSC	Park	RE1	Lot 31 SEC 9 DP 4319
20	Cheal Park	Watson Street, Neutral Bay	NSC	Park	RE1	Lot 1 DP 626140
21	Christie Street Reserve	Christie Street, Crows Nest	NSC	Park	RE1	Lot 3 DP 733528
22	Clark Park	Lavender Street, Milsons Point	NSC & Crown	Park	RE1	Lot 62 DP 3756 (NSC land) Lot 1 DP 917865 (Crown land – R500346) Lot 1-3 DP 931990, Lot 11 DP 1165235 (Crown land – R500349)
23	Clark Road Island	Cnr Clark Road & Kurraba Road, Neutral Bay	NSC	Park	RE1	NA
24	Clifton Street Road Reserve	Clifton Street, Waverton	NSC	Park	RE1	NA
25	Colin Street Road Reserve	Cnr Colin & Pine Streets, Cammeray	NSC	Park	RE1	NA
26	Colindia Avenue Road Reserve	Between Colindia Ave & Holdsworth Street, Neutral Bay	NSC	Park	RE1	NA
26A	Cremorne Garden Plaza	Intersection of Paling Street & Military Road, Cremorne	Crown	Park	RE1	Lot 7034 DP 93725 (Crown land – R89390)
27	Darby Gardens	Morden Street, Cammeray	NSC	Park	RE1	NA
28	David Earle Reserve	Commodore Crescent, Waverton	NSC	Park	RE1	Lot 1182 DP 824044
29	Doris Fitton Park	Arthur Street, North Sydney	NSC	Park	RE1	Lot 2 DP 788579
30	Doris Street Reserve	Doris Street, North Sydney	NSC	Park	RE1	Lot A DP 369716
31	East Avenue Road Reserve	Cnr East Avenue & Rowilson Parade, Cammeray	NSC	Park	RE1	NA

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	Description	Street Address	Owner-ship	Land Category (LG Act 1993)	Zoning (NSC LEP 2013)	Lot & DP Information (where applicable)
32	East Crescent Street Lookout	Cnr East Crescent Street & Warung Street, McMahons Point	NSC	Park	RE1	NA
33	Echo Street Reserve	Cnr Echo & Carter Streets, Cammeray	NSC	Park	RE1	NA
34	Ellis Lookout	Cnr Cairo & Pine Streets, Cammeray	NSC	Park	RE1	NA
35	Ernest Place	Willoughby Road, Crows Nest	NSC	Park	RE1	NA
36	Euroka Street Playground	Euroka Street, Waverton	NSC	Park	RE1	Lot 100 DP 736798
37	Four Figs Park	Cnr Palmer & West Streets, Cammeray	NSC	Park	RE1	NA
38	Fred Hutley Reserve	Hamilton Avenue, Cammeray	NSC	Park	RE1	Lot 1 DP 449845
39	French Street Reserve	French Street, McMahons Point	NSC	Park	RE1	Lot 12 DP 223657
40	Gannura Reserve	Cnr Bank Street & Bank Lane, Waverton	NSC	Park	RE1	Lot 1 DP 726072
41	Glenferrie Avenue Road Reserve	Glenferrie Road, Cremorne	NSC	Park	RE1	NA
42	Grasmere Children's Park	Young Street, Cremorne	NSC	Park	RE1	Lot 27 SEC 9 DP 975498
43	Grasmere Reserve	Little Young Street, Cremorne	NSC	Park	RE1	Lot 10 DP 873927
44	Green Park	Warwick Avenue, Cammeray	Crown	Park/ Sportsground** /General Community Use	RE1	Lot 7138 DP 93723 (R.500179)
45	Guthrie Avenue Road Reserve	Guthrie Avenue, Cremorne	NSC	Park	RE1	NA
46	Hamilton Reserve	Vale Street, Cammeray	NSC	Park	RE1	Lot 1 DP 119749
47	Harriette Street Road Closure	Harriette Street, Neutral Bay	NSC	Park	RE1	NA
48	Harry Howard Reserve (part of)	Newlands Lane, Wollstonecraft	NSC	Park/ (Natural Area – Bushland) *	RE1/ (E2)	Lot 2 DP 710558, Lot 1 SP 4277 (part lot)
49	Hayberry Street Road Closure	Hayberry Street, Crows Nest	NSC	Park	RE1	NA

Draft Neighbourhood Parks Plan of Management - 2020

(MW – OSE)

	Description	Street Address	Owner-ship	Land Category (LG Act 1993)	Zoning (NSC LEP 2013)	Lot & DP Information (where applicable)
50	Highview Avenue Pedestrian Link	Intersection Highview Ave & Ben Boyd Road, Neutral Bay	NSC	Park	RE1	NA
51	Holdsworth Road Reserve	Cnr Holdsworth Road & Holdsworth Street, Neutral Bay	NSC	Park	RE1	NA
52	Honda Road Reserve	Honda Road, Neutral Bay	NSC	Park	RE1	NA
53	Hopkins Park	Paul Street, Milsons Point	NSC	Park	RE1	Lot 102 DP 854064
54	Hume Street Park	Hume Street, Crows Nest	NSC	Park	RE1	Lot 1 DP 627992, Lot 32 SEC 4 DP 2872, Lot 30 DP 667133, Lot 2 DP 33062, Lot 11 SEC 4 DP 2872
55	Ilbery Park	Barry Street, Neutral Bay	NSC	Park	RE1	Lot 1 DP 691162
56	Jeaffreson Jackson Reserve	Moodie Lane, Cammeray	NSC	Park	RE1	Lot 6 DP 828726
57	Johnston Avenue Road Reserve	Johnston Avenue, Cammeray	NSC	Park	RE1	NA
58	Judith Ambler Reserve	Pine Street, Cammeray	NSC	Park/ (Natural Area-Bushland)*	RE1/ (E2)	NA
59	Kenneth Bolton Lookout	Bent Street, Neutral Bay	NSC	Park	RE1	NA
60	Lambert Street Gardens	Cnr Lambert Street & Cammeray Road, Cammeray	NSC	Park	RE1	NA
61	Langley Place	Langley Avenue, Cremorne	NSC	Park	RE1	NA
62	Lithgow Street Road Closure	Lithgow Street, Wollstonecraft	NSC	Park	RE1	NA
63	Little Young Street Road Closure	Intersection Little Young St & Bennelong Rd, Cremorne	NSC	Park	RE1	NA
64	Lloyd Avenue Reserve	Lloyd Avenue, Cremorne	NSC	Park	RE1	NA
65	Lloyd Rees Lookout	Cnr Middle & Warung Streets, McMahons Point	NSC	Park	RE1	NA
66	Lodge Road Island	Cnr Lodge & Wonga Roads, Cremorne	NSC	Park	RE1	NA
67	Lodge Road Playground	Cnr Lodge & Ellalong Roads, Cremorne	NSC	Park	RE1	Lots 19-22 DP 10291

	Description	Street Address	Owner-ship	Land Category (LG Act 1993)	Zoning (NSC LEP 2013)	Lot & DP Information (where applicable)
68	Lodge Road Road Reserve	Intersection Lodge & Ellalong Roads, Cremorne	NSC	Park	RE1	NA
69	Lord Street Road Reserve	Lord Street, Waverton	NSC	Park	RE1	NA
70	Lower Spofforth Walk Reserve	Intersection Spofforth Walk & Kareela Road, Cremorne Pt	NSC	Park	RE1	NA
71	Manns Avenue Road Reserve	Manns Avenue, Neutral Bay	NSC	Park	RE1	NA
72	Margaret Street Road Reserve	Margaret Street, North Sydney	NSC	Park	RE1	NA
73	Mary French Reserve	Mil Mil Street, McMahons Point	NSC	Park	RE1	Lot 1 DP 775884
74	Mater Gardens	Pacific Highway, Crows Nest	NSC	Park	RE1	Lot 101 DP 841550
75	May Gibbs Place	Intersection Barry Street & Military Road, Neutral Bay	NSC	Park	RE1	NA
76	McIntosh Lane Reserve	McIntosh Lane, Neutral Bay	NSC	Park	RE1	NA
77	Merlin Street Reserve	Merlin Street, Neutral Bay	NSC	Park	RE1	Lot 20 DP 250372
78	Mil Mil Street Road Reserve	Mil Mil Street, McMahons Point	NSC	Park	RE1	NA
79	Miller Street Gardens	Cnr Miller & Pine Streets, Cammeray	NSC	Park	RE1	NA
80	Miss Gladys Carey Reserve	Between High Street & Bradly Avenue, Neutral Bay	Crown	Park	RE1	Lot 7332 DP 1158203 (R.500219)
81	Mitchell Street Park	Mitchell Street, McMahons Point	NSC	Park	RE1	Lots 1-3 DP 707320
82	Mitchell Street Plaza	Mitchell Street, Crows Nest	NSC	Park	RE1	NA
83	Morton Lane Road Reserve	Morton Lane, Wollstonecraft	NSC	Park	RE1	NA
84	Neutral Street Road Reserve	Cnr Neutral Street & Kurraba Road, North Sydney	NSC	Park	RE1	NA
85	Nicholson Street Road Closure	Nicholson Street, Wollstonecraft	NSC	Park	RE1	NA
86	North Avenue Road Reserve	North Avenue, Cammeray	NSC	Park	RE1	NA
87	North Sydney Civic Centre Park	Miller Street, North Sydney	NSC	Park	RE1	Lot 3 DP 1101847 (part of)
88	Nottingham Street Reserve	Nottingham Street, McMahons Point	NSC	Park	RE1	NA

Draft Neighbourhood Parks Plan of Management - 2020

(MW – OSE)

	Description	Street Address	Owner-ship	Land Category (LG Act 1993)	Zoning (NSC LEP 2013)	Lot & DP Information (where applicable)
89	O'Brien's Gardens	Cnr Webb & Victoria Streets, McMahons Point	NSC	Park	RE1	Lot 1 DP 685536
90	Olympic Park	Olympic Drive, Milsons Point	NSC	Park	RE1	Part Lot 100 DP 875048
91	Paling Street Road Closure	Cnr Paling & Gerard Streets, Cremorne	NSC	Park	RE1	NA
92	Phillips Street Playground	Phillips Street, Neutral Bay	NSC	Park	RE1	NA
93	Pine Street/Arkland Street Reserve	Pine Street, Cammeray	NSC	Park	RE1	NA
94	Powell Street Open Space	Powell Street, Neutral Bay	NSC	Park	RE1	NA
95	Prior Avenue Reserve	Prior Avenue, Cremorne	NSC	Park	RE1	Lot 1 DP 134111
96	Prospect Avenue Road Reserve	Prospect Avenue, Cremorne	NSC	Park	RE1	NA
97	Reserve Street Road Reserve	Reserve Street, Neutral Bay	NSC	Park	RE1	NA
98	Richmond/Tobruk Pedestrian Link	Links Richmond & Tobruk Avenues, Cremorne	NSC	Park	RE1	NA
99	Ridge Street Road Closure	Eastern end of Ridge Street, North Sydney	NSC	Park	RE1	NA
100	Riley Street Road Closure	Riley Street, Waverton	NSC	Park	RE1	NA
101	River Road Pedestrian Link	River Road/Milner Crescent, Wollstonecraft	NSC	Park	RE1	NA
102	Robertson Lane Road Closure	Robertson Lane, Kirribilli	NSC	Park	RE1	NA
103	Rose Avenue Reserve	Rose Avenue, Neutral Bay	NSC	Park	RE1	Lot 26 DP 250372, Lot 7 DP 1129475
104	Ryries Parade Road Closure	Ryries Parade, Cremorne	NSC	Park	RE1	NA
105	Samora Avenue Road Closure	Samora Avenue, Cremorne	NSC	Park	RE1	NA
106	Shirley Road Pedestrian Link	Shirley Road to Belmont Avenue, Wollstonecraft	NSC	Park	RE1	NA
107	Sinclair Street Pedestrian Link	Links Sinclair St & Hazelbank Road, Wollstonecraft	NSC	Park	RE1	NA

Draft Neighbourhood Parks Plan of Management - 2020

(MW – OSE)

	Description	Street Address	Owner-ship	Land Category (LG Act 1993)	Zoning (NSC LEP 2013)	Lot & DP Information (where applicable)
108	Sinclair Street Rose Garden	Sinclair Street, Wollstonecraft	NSC	Park	RE1	NA
109	Sirius Street Playground	Cnr Milson Road & Sirius Street, Cremorne Point	NSC	Park	RE1	NA
110	Spruson Street Road Reserve	Spruson Street, Neutral Bay	NSC	Park	RE1	NA
111	St Peters Park	Cnr Blues Point Road & Blue Street, McMahons Point	NSC	Park	RE1	NA
112	Stanton Lookout	Kirribilli Avenue, Kirribilli	NSC	Park	RE1	Lot 1 DP 1140865
113	Tiley Street Road Closure	Tiley Street, Cammeray	NSC	Park	RE1	NA
114	Tobruk Avenue Lookout	Cnr Tobruk & Samora Avenues, Cremorne	NSC	Park/ (Natural Area-Bushland)*	RE1/ E2	Part Lot 5 DP 1169982
115	Toongarah Road Road Reserve	Toongarah Road, Waverton	NSC	Park	RE1	NA
116	Tye Park	Ancrum Street, Waverton	NSC	Park	RE1	Lot 1 DP 515707
117	Upper Pitt St Pedestrian Link	Upper Pitt Street, Kirribilli	NSC	Park	RE1	NA
118	Victoria/Mitchell Street Junction	Cnr Victoria & Mitchell Streets, McMahons Point	NSC	Park	RE1	NA
119	Victoria Street Playground	Victoria Street, McMahons Point	NSC	Park	RE1	Lot 1 DP 85190
120	Walker Street Road Reserve	Lavender Street, Lavender Bay	NSC	Park	RE1	NA
121	Warringa Park	Cnr Kurraba Road & Rawson Street, Neutral Bay	Crown	Park	RE1	Lot 7361 DP 1168049 (R.500352)
122	Warringa Road Road Closure	Warringa Road, Cammeray	NSC	Park	RE1	NA
123	Watersleigh Park	End of Waters Road, Cremorne	NSC	Park	RE1	NA
124	Watt Park	Lavender Crescent, Lavender Bay	NSC & Crown	Park	RE1	Lot 1-2 DP 108816, Lot 1 DP 1118270 Lot 7011 DP 93713 (Crown land – R96693)
125	Weaver Park	Murdoch Street, Neutral Bay	NSC	Park	RE1	Lot 2 DP 527020

	Description	Street Address	Owner-ship	Land Category (LG Act 1993)	Zoning (NSC LEP 2013)	Lot & DP Information (where applicable)
126	Weringa Avenue Road Reserve	Cnr Weringa Avenue & Stratford Street, Cammeray	NSC	Park	RE1	NA
127	Westleigh Lane Road Closure	Westleigh Lane, Neutral Bay	NSC	Park	RE1	NA
128	Westleigh Street Road Closure	Westleigh Street, Neutral Bay	NSC	Park	RE1	NA
129	Whatmore Lane Reserve	Whatmore Lane, Waverton	NSC	Park	RE1	NA
130	Will Ashton Lookout (part of)	Larkin Street, Waverton	NSC	Park	RE1	NA
131	Willow Tree Park	Nook Avenue, North Sydney	NSC	Park	RE1	NA
132	Wilson Street Road Closure	Wilson Street, Cammeray	NSC	Park	RE1	NA
133	Winnie Street Laneway Reserve	Rear of Parraween Street, Cremorne	NSC	Park	RE1	NA
134	Winslow Lane Road Closure	Winslow Lane, Kirribilli	NSC	Park	RE1	NA
135	Winslow Street Road Closure	Cnr Winslow & McDougall Streets, Kirribilli	NSC	Park	RE1	NA
136	Woolcott Avenue Open Space	Woolcott Avenue, Waverton	NSC	Park	RE1	NA
137	Wyagdon/Alfred Street North Reserve	Cnr Wyagdon Street & Alfred Street North, Neutral Bay	NSC	Park	RE1	NA
138	Wyagdon Street Reserve	Wyagdon Street, Neutral Bay	NSC	Park	RE1	Lot 19 DP 250372
139	Wyong Road Open Space	Wyong Road, Cremorne	NSC	Park	RE1	NA
140	Young Street/Earle Street Island	Cnr Young & Earle Streets, Cremorne	NSC	Park	RE1	NA

* Section of the Reserve zoned E2 and categorised as Natural Area – Bushland is addressed in Council's Bushland Plan of Management

**Section of the Park categorised as Sportsground is addressed in Council's Sportsgrounds Plan of Management

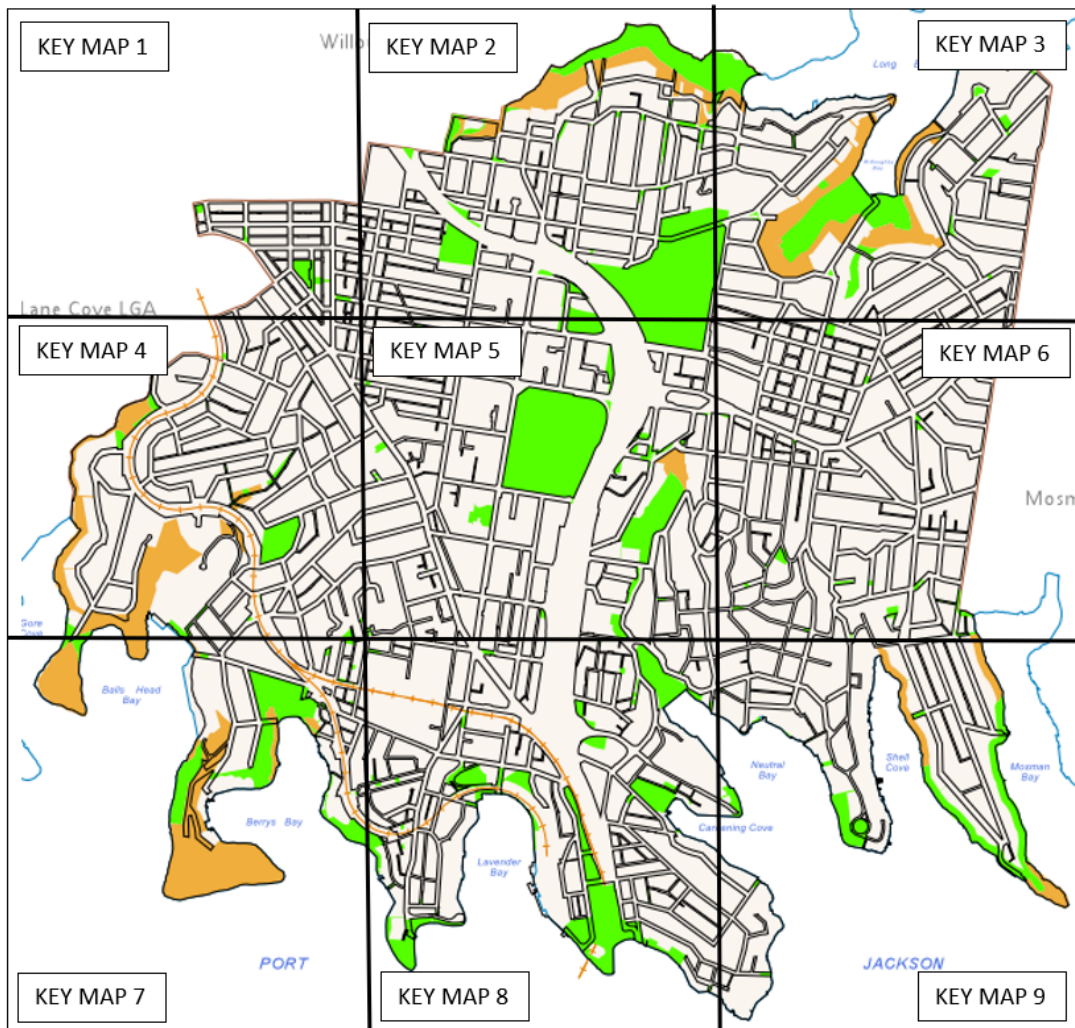
6.2 Appendix 2 – Other Land Managed by Council as Neighbourhood Parks

In addition to the areas of land listed so far, which are Council-owned or Crown land and are zoned RE1, the following areas of land are also managed by Council in accordance with the Neighbourhood Parks Plan of Management. None are zoned RE1, however, they are all maintained by Council, and are available to the community to use for recreation.

New	Description	Street Address	Owner-ship	Zoning (LEP 2013)	Lots
A	Balfour Street Park	Adjoins Balfour St & North Shore Railway Line, Wollstonecraft	SRA	SP2 Railway	NA
B	Bay Street Park	Adjoins Bay Rd Reserve & North Shore Railway Line, Waverton	RailCorp NSW	SP2 Railway	NA
C	Crows Nest Uniting Church	Shirley Rd & Nicholson St, Crows Nest	Crows Nest Uniting Church	SP2 Place of Public Worship	Lot 3 SEC 34DP 4320
D	Don Bank Museum Gardens	Oak Street, North Sydney	NSC	R2	Lot 9 DP 4120
E	High Street Reserve	High Street, North Sydney	RTA	RE1	Lot 15 DP 816476, Lot 40 DP 828060
F	Union Street/ Commodore Crescent, Waverton	Adjoins Union St & North Shore Railway Line, McMahons Point	SRA	SP2 Railway	NA
G	Wakelin Reserve	Adjoins Bay Road & North Shore Railway Line, Waverton	RailCorp NSW	SP2 Railway	NA
H	Wendy's Secret Garden, Lavender Bay	Adjoins Clark Park & North Shore Railway Line, Lavender Bay	RailCorp NSW	SP2 Railway	Lot 1 DP 1220077
I	Wollstonecraft Railway Station Park	Adjoins Shirley Rd & North Shore Railway Line, Wollstonecraft	RailCorp NSW	SP2 Railway	NA

6.3 Appendix 3 – Maps: Location of Neighbourhood Parks in North Sydney

Note: The Neighbourhood Parks listed in Appendices 1 & 2 are shown on the following series of Maps 1 - 9, and are numbered accordingly



■ E2 Environmental Conservation
 ■ RE1 Public Recreation
 ■ Crown Land



MAP 1 – Neighbourhood Parks in North Sydney – North West Area

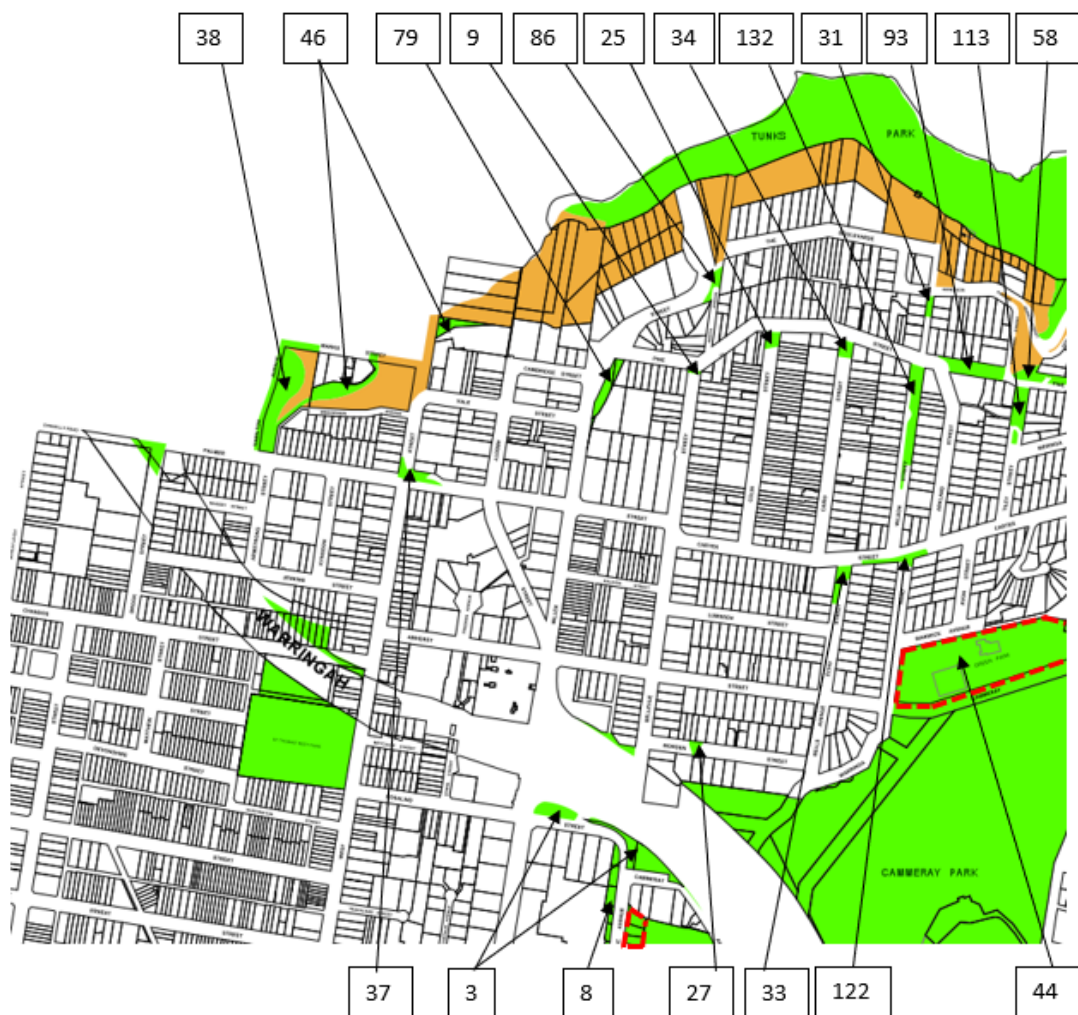


■ E2 Environmental Conservation ■ RE1 Public Recreation ■ Crown Land



KEY MAP 2

MAP 2 – Neighbourhood Parks in North Sydney – North Central Area

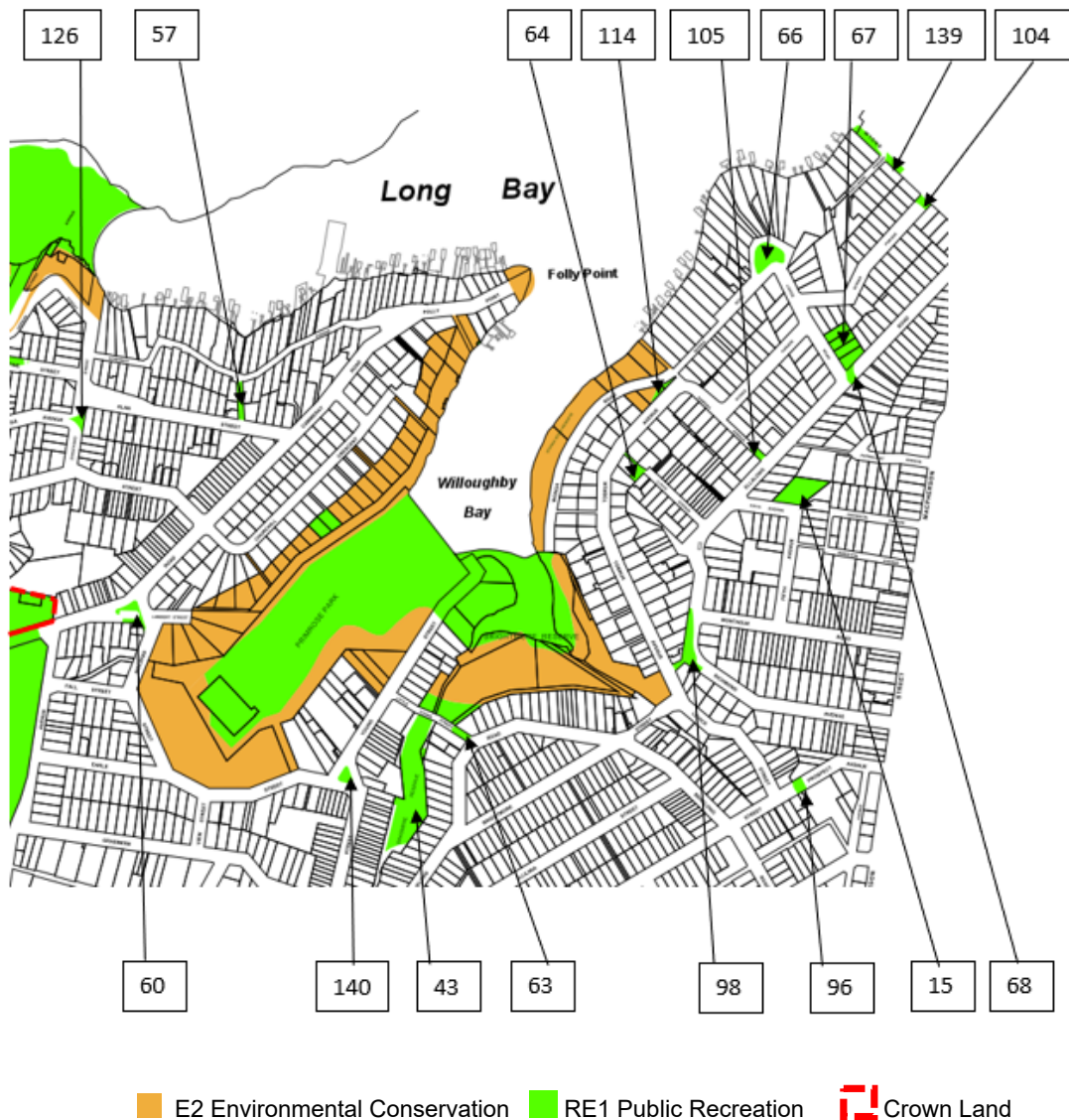


■ E2 Environmental Conservation
 ■ RE1 Public Recreation
 ■ Crown Land



KEY MAP 3

MAP 3 – Neighbourhood Parks in North Sydney – North East Area





KEY MAP 4

MAP 4 – Neighbourhood Parks in North Sydney – Central West Area



E2 Environmental Conservation
 RE1 Public Recreation
 Crown Land



KEY MAP 5

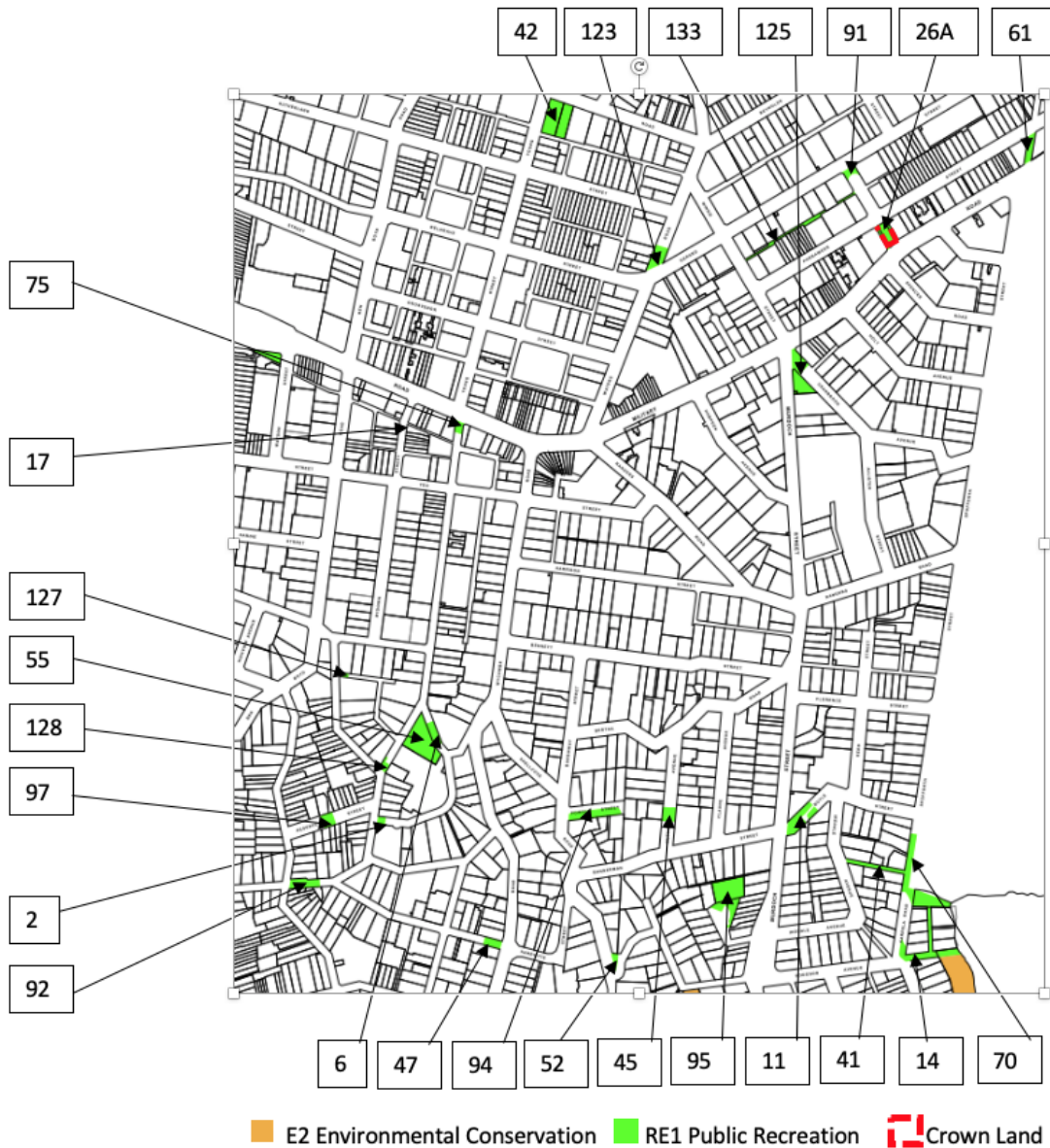
MAP 5 – Neighbourhood Parks in North Sydney – Central Area



■ E2 Environmental Conservation
 ■ RE1 Public Recreation
 Crown Land



MAP 6 – Neighbourhood Parks in North Sydney – Central East Area

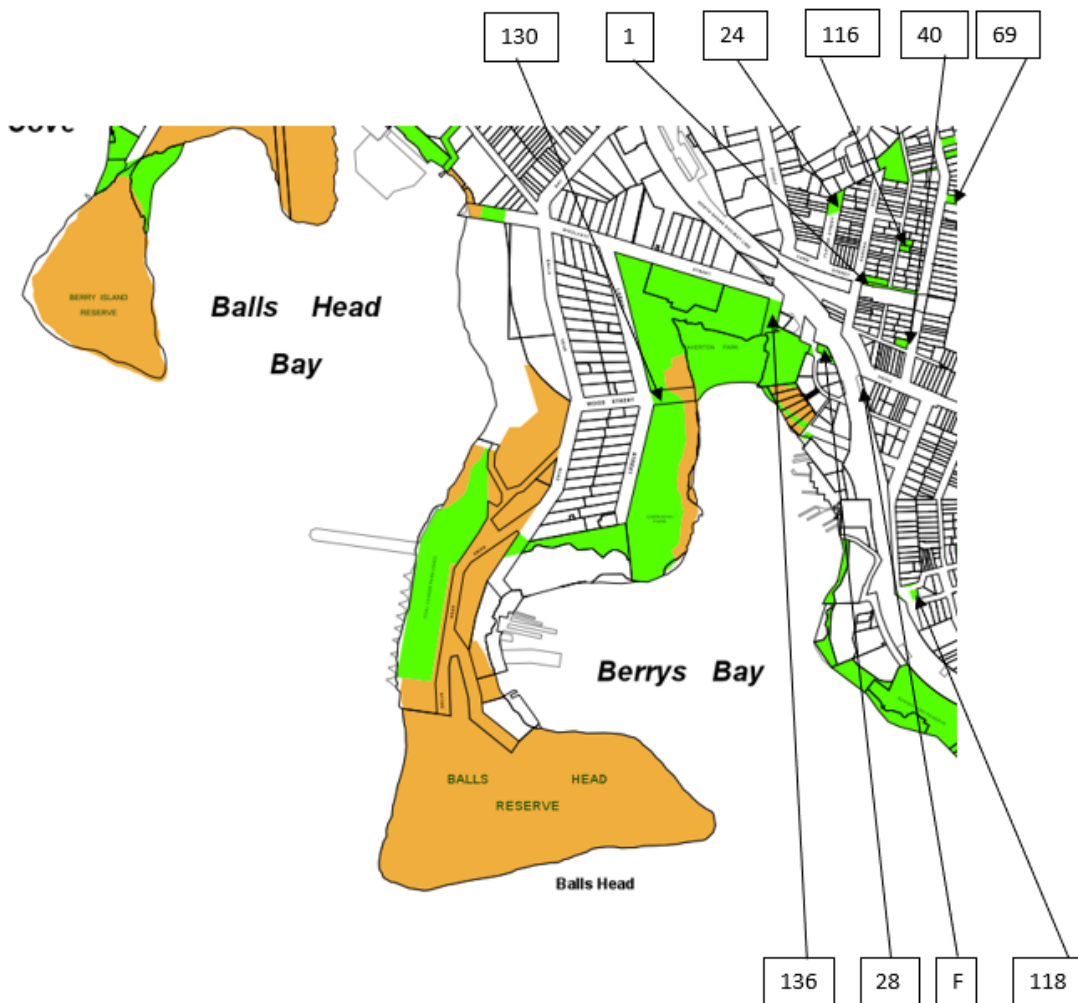


■ E2 Environmental Conservation
 ■ RE1 Public Recreation
 ■ Crown Land



KEY MAP 7

MAP 7 – Neighbourhood Parks in North Sydney – South West Area



■ E2 Environmental Conservation
 ■ RE1 Public Recreation
 ■ Crown Land



KEY MAP 8

MAP 8 – Neighbourhood Parks in North Sydney – South Central Area



■ E2 Environmental Conservation
 ■ RE1 Public Recreation
 ■ Crown Land



KEY MAP 9

MAP 9 – Neighbourhood Parks in North Sydney – South East Area



■ E2 Environmental Conservation ■ RE1 Public Recreation ■ Crown Land

6.4 Appendix 4 – Zoning of Neighbourhood Parks

Zone RE1 Public Recreation

1. Objectives of the Zone

The particular objectives of this zone are to:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To ensure sufficient public recreation areas are available for the benefit and use of residents of, and visitors to, North Sydney.

2. Permitted without consent

Environmental protection works.

3. Permitted with consent

Building identification signs; Business identification signs; Community facilities; Environmental facilities; Information and education facilities; Kiosks; Recreation areas; Recreation facilities (outdoor); Roads; Water recreation structures.

4. Prohibited

Any development not specified in item 2 or 3.

Source: North Sydney Local Environmental Plan 2013

6.5 Appendix 5 - Definitions: Organised Sport & Informal Sport and Games

Organised Sport

Organised sport describes sporting activities that are played on a permanently marked or designated playing surface provided and maintained by Council. These playing surfaces include grassed sportsgrounds (accommodating cricket, rugby, soccer, ALF, touch etc), basketball, netball and tennis courts, cricket wickets and hockey fields. Fees are charged for use of all organised sporting facilities, and bookings must be made through Council's Customer Services Department.

Informal Sport and Games

Informal sports and games are those that do not require use of a marked or designated playing surface. They may be played within Council's parks and reserves free of charge, on a first-come-first-served basis, if they comply with the requirements of the relevant Council Plan of Management, and do not significantly compromise the amenity of other park users.



Draft Plan of Management for Neighbourhood Parks Native Title Manager Advice

The *Crown Land Management Act 2016* – Section 8.7 (1) requires that Council as Crown Land Manager obtain written advice from its Native Title Manager prior to its approval or submission for approval of a Plan of Management for the land that authorises or permits any kinds of dealings referred to in Section 8.7.

Summary of Native Title Manager Advice

A. Proposed Act

Draft Plan of Management for Neighbourhood Parks

B. Relevant Land

Anzac Park R.87861. Lot 7096 DP 106019 & R.752067. Lots 607-612 DP 1060619
 Brennan Park R.100182. Lot 7042 DP 1059448
 Clark Park R.500346. Lot 1 DP 917865
 Clark Park R.500349. Lots 1-3 DP 931990, Lot 11 DP 1165235, Lot 7325 DP 1165248
 Cremorne Garden Plaza R.89390
 Green Park R.500179. Lot 7138 DP 93723
 Miss Gladys Carey Reserve R.500219. Lot 7332 DP 1158203
 Warringa Park R.500352. Lot 7361 DP 1168049
 Watt Park R.96693. Lot 7011 DP 93713
 West Crescent Street Road Reserve R.96739. Lot 2 DP 48224, Lot 7352 DP 1157191

C. Advice

In my opinion the proposed act will affect native title, however it complies with the applicable provisions of the *Native Title Act (Cwlth) 1993* being a valid future act under Subdivision J of the future acts regime. The proposed act meets the requirements for validity under Subdivision J that relate to areas that are subject to a reservation in accordance with Section 24JA of the *Native Title Act (Cwlth) 1993*.

As the draft Plan of Management for St Neighbourhood Parks authorises activities that could be considered to be future acts within the meaning of Section 233 of the *Native Title Act (Cwlth) 1993*, there are notification requirements.

Should native title be determined to exist, at some future date, Council may be liable for compensation under the provisions of the *Native Title Act (Cwlth) 1993* and the *Crown Land Management Act 2016*, for the impact on native title rights and interests by the proposed act.

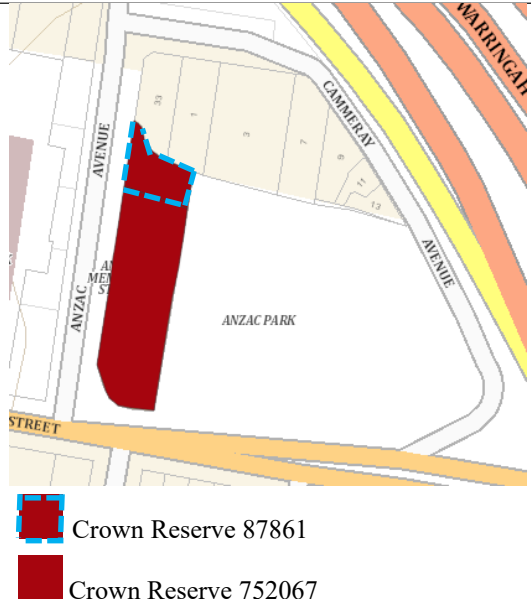
Robert Emerson
 Native Title Manager
 North Sydney Council

1. Description, Location and Status of the Land



The draft Neighbourhood Parks Plan of Management applies to the following Crown Reserves:



	Crown Reserve	Lot/DP Information	Common Name	Suburb
1.	R.87861 & R.752067	Lot 7096 DP 106019 & Lots 607-612 DP 1060619	Anzac Park	Cammeray
2.	R.100182	Lot 7042 DP 1059448	Brennan Park	Wollstonecraft
3.	R.500346	Lot 1 DP 917865	Clark Park	Lavender Bay
4.	R.500349	Lots 1-3 DP 931990, Lot 11 DP 1165235, Lot 7325 DP 1165248	Clark Park	Lavender Bay
5.	R.89390	NA	Cremorne Garden Plaza	Cremorne
6.	R.500179	Lot 7138 DP 93723	Green Park	Cammeray
7.	R.500219	Lot 7332 DP 1158203	Miss Gladys Carey Reserve	Kirribilli
8.	R.500352	Lot 7361 DP 1168049	Warringa Park	Neutral Bay
9.	R.96693	Lot 7011 DP 93713	Watt Park	Lavender Bay

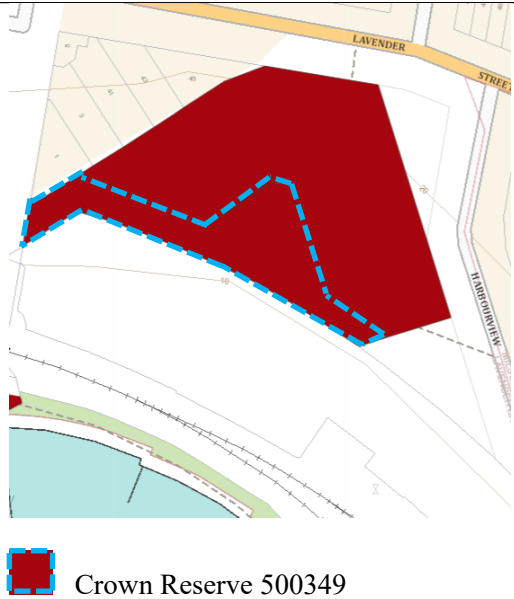
While the Crown is the owner of the land, North Sydney Council is the Crown Land Manager. The management and use of the land is subject to the provisions contained in the *Crown Land Management Act 2016*.

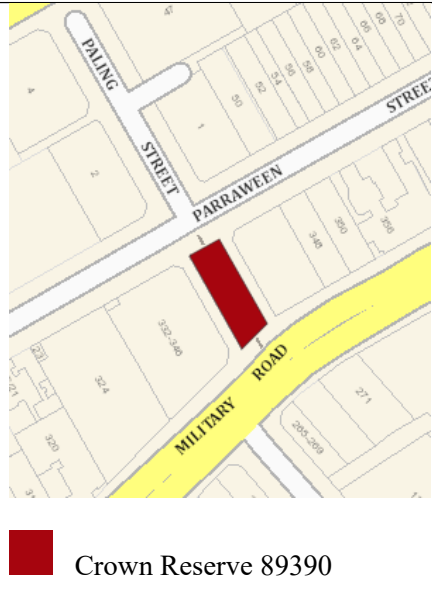
1. Crown Reserves 87861 & 752067 (Anzac Park) Council Crown Land Manager	
 <p> ■ Crown Reserve 87861 ■ Crown Reserve 752067 </p>	<p>The status of Crown Reserves 87861 & 752067 is:</p> <p>a) <u>Not excluded land</u> A search of the National Native Title Register on 20/12/2019 determined that there are:</p> <ul style="list-style-type: none"> - no native title claims - no ILUAs - no native title determinations <p>b) <u>Relevant land</u> R.87861 - Reserve Purpose: Public Recreation (gazette date 17/07/1970) R. 752067 – Reserve Purpose: Public Recreation (gazette date 18/11/1914) Managed by North Sydney Council as crown land manager</p> <p>c) <u>Not Past Act</u> No current authority over the affected land was issued before 1994</p>

	The proposed act will affect native title and Native Title Manager advice is required.
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2. Crown Reserve 100182 (Brennan Park) Council Crown Land Manager	
 <p data-bbox="248 968 570 1020">  Crown Reserve 100182 </p>	<p data-bbox="792 443 1252 474">The status of Crown Reserve 100182 is:</p> <p data-bbox="792 478 1049 510">a) <u>Not excluded land</u></p> <p data-bbox="792 514 1360 575">A search of the National Native Title Register on 20/12/2019 determined that there are:</p> <ul data-bbox="792 579 1146 674" style="list-style-type: none"> - no native title claims - no ILUAs - no native title determinations <p data-bbox="792 678 997 709">b) <u>Relevant land</u></p> <p data-bbox="792 714 1360 774">Reserve Purpose: Public Recreation (gazette date 19/05/1989)</p> <p data-bbox="792 779 1369 840">Managed by North Sydney Council as crown land manager</p> <p data-bbox="792 844 992 875">c) <u>Not Past Act</u></p> <p data-bbox="792 879 1336 940">No current authority over the affected land was issued before 1994</p> <p data-bbox="792 957 1294 1018">The proposed act will affect native title and Native Title Manager advice is required.</p>

3. Crown Reserve 500346 (Clark Park) Council Crown Land Manager	
 <p data-bbox="248 1734 586 1772">  Crown Reserve 500346 </p>	<p data-bbox="792 1188 1235 1220">The status of Crown Reserve 500346 is:</p> <p data-bbox="792 1224 1019 1255">a) <u>Not excluded land</u></p> <p data-bbox="792 1260 1341 1320">A search of the National Native Title Register on 20/12/2019 determined that there are:</p> <ul data-bbox="792 1325 1127 1419" style="list-style-type: none"> - no native title claims - no ILUAs - no native title determinations <p data-bbox="792 1423 971 1455">b) <u>Relevant land</u></p> <p data-bbox="792 1459 1365 1520">Reserve Purpose: Public Recreation, Baths (gazette date 19/05/1868)</p> <p data-bbox="792 1524 1349 1585">Managed by North Sydney Council as crown land manager</p> <p data-bbox="792 1589 956 1621">c) <u>Not Past Act</u></p> <p data-bbox="792 1625 1317 1686">No current authority over the affected land was issued before 1994</p> <p data-bbox="792 1703 1357 1764">The proposed act will affect native title and Native Title Manager advice is required.</p>

<p>4. Crown Reserve 500349 (Clark Park) Council Crown Land Manager</p>	
	<p>The status of Crown Reserve 500349 is:</p> <p>a Not excluded land A search of the National Native Title Register on 20/12/2019 determined that there are:</p> <ul style="list-style-type: none"> - no native title claims - no ILUAs - no native title determinations <p>b Relevant land Reserve Purpose: Public Recreation, Baths (gazette date 04/11/1908) Managed by North Sydney Council as crown land manager</p> <p>c Not Past Act No current authority over the affected land was issued before 1994</p> <p>The proposed act will affect native title and Native Title Manager advice is required.</p>

<p>5. Crown Reserve 89390 (Cremorne Garden Plaza) Council Crown Land Manager</p>	
	<p>The status of Crown Reserve 89390 is:</p> <p>a Not excluded land A search of the National Native Title Register on 20/12/2019 determined that there are:</p> <ul style="list-style-type: none"> - no native title claims - no ILUAs - no native title determinations <p>b Relevant land Reserve Purpose: Public Recreation (gazette date 28/02/1975) Managed by North Sydney Council as crown land manager</p> <p>c Not Past Act No current authority over the affected land was issued before 1994</p> <p>The proposed act will affect native title and Native Title Manager advice is required.</p>

6. Crown Reserve 500179 (Green Park) Council Crown Land Manager
Note: Green Park is the area north of Cammeray Road only



The status of Crown Reserve 500179 is:

a Not excluded land
 A search of the National Native Title Register on 20/12/2019 determined that there are:


- no native title claims
- no ILUAs
- no native title determinations

b Relevant land
 Reserve Purpose: Public Recreation (gazette date 12/02/1869)
 Managed by North Sydney Council as crown land manager

c Not Past Act
 No current authority over the affected land was issued before 1994

The proposed act will affect native title and Native Title Manager advice is required.

7. Crown Reserve 500219 (Miss Gladys Carey Reserve) Council Crown Land Manager



The status of Crown Reserve 500219 is:


a Not excluded land
 A search of the National Native Title Register on 20/12/2019 determined that there are:

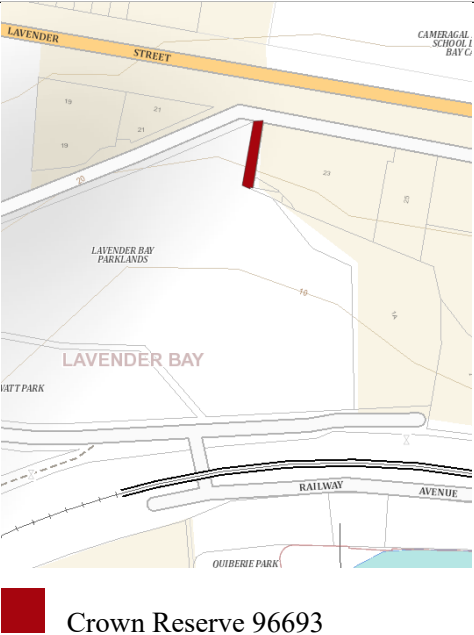
- no native title claims
- no ILUAs
- no native title determinations

b Relevant land
 Reserve Purpose: Public Recreation (gazette date 17/09/1920)
 Managed by North Sydney Council as crown land manager

c Not Past Act
 No current authority over the affected land was issued before 1994

The proposed act will affect native title and Native Title Manager advice is required.

<p>8. Crown Reserve 500352 (Warringa Park) Council Crown Land Manager</p>	
	<p>The status of Crown Reserve 500352 is:</p> <p>a Not excluded land A search of the National Native Title Register on 20/12/2019 determined that there are:</p> <ul style="list-style-type: none"> - no native title claims - no ILUAs - no native title determinations <p>b Relevant land Reserve Purpose: Public Recreation (gazette date 08/10/1898) Managed by North Sydney Council as crown land manager</p> <p>c Not Past Act No current authority over the affected land was issued before 1994</p> <p>The proposed act will affect native title and Native Title Manager advice is required.</p>

<p>9. Crown Reserve 96693 (Watt Park) Council Crown Land Manager</p>	
	<p>The status of Crown Reserve 96693 is:</p> <p>a Not excluded land A search of the National Native Title Register on 20/12/2019 determined that there are:</p> <ul style="list-style-type: none"> - no native title claims - no ILUAs - no native title determinations <p>b Relevant land Reserve Purpose: Public Recreation, Baths (gazette date 08/04/1983) Managed by North Sydney Council as crown land manager</p> <p>c Not Past Act No current authority over the affected land was issued before 1994</p> <p>The proposed act will affect native title and Native Title Manager advice is required.</p>

3. Details of Activity on Crown Land

The draft Plan of Management for Neighbourhood Parks has been prepared by North Sydney Council to provide for the effective management of these small but important areas of open space over the next 5-10 years. It examines the relevant issues in a comprehensive and holistic manner, identifies clear objectives for management, maintenance, and future development of the land. It clarifies management policy and direction for Council staff and the general public.

The Plan of Management is required in accordance with Section 3.23 of the *Crown Land Management Act 2016* and Section 36 of the *Local Government Act 1993*.

The Plan of Management outlines the way in which the neighbourhood parks will be used and managed and provides the framework for Council to follow in relation to the leasing, licencing and permit processes for the land.

4. Is the Activity a Future Act?

The Plan of Management for Neighbourhood Parks provides authorisation for the granting of leases, licences, permits and other estates over the land, and the granting of easements and further development of the land, buildings and infrastructure on the land. These activities could be considered to be ‘future acts’ within the meaning of Section 233 of the *Native Title Act (Cwlth) 1993*.

5. Validating Future Acts under the Native Title Act 1993

The Plan of Management provides strict guidelines such that each activity requires a Native Title Assessment and validation under the *Native Title Act (Cwlth) 1993* to be carried out by Council’s Native Title Manager prior to the commencement or approval of that activity.

The Plan of Management is clear that the management of those activities that could be considered to be a future act must take into account the reserve purpose for the land.

The Plan of Management does not provide authorisation for any activity that is not in accordance with the reserve purpose of the land.

Accordingly, the activities authorised under the draft Neighbourhood Parks Plan of Management could be validated under Subdivision J of the *Native Title Act (Cwlth) 1993*.

Subdivision J – Checklist

Requirements for validity of future acts under Subdivision J that relate to areas that are subject to a reservation

Requirement	Section 24JA	Requirement Satisfied
The reservation was created on or before 23 December 1996	(1)(a)	Yes
The reservation was valid	(1)(b)	Yes
The creation of the reservation was done by the Crown (the Commonwealth or State)	(1)(c)	Yes

The whole or part of any land or waters under the reservation was to be used for a particular purpose	(1)(d)	Yes
The future act (later act) is done in good faith under: <ul style="list-style-type: none"> • (i) under or in accordance with the reservation • (ii) in the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any act that could be done under or in accordance with the reservation of the land 	(1)(e)	Yes

Note: Prior to validation under Subdivision J, Subdivisions B – JA were all considered but found not to be applicable.

6. Notification and Opportunity to Comment

The Plan of Management provides strict guidelines such that each activity requires a Native Title Assessment and validation under the *Native Title Act (Cwlth) 1993* to be carried out by Council's Native Title Manager prior to the commencement or approval of that activity.

Notification will be assessed on a case-by-case basis, and parties will be notified when an activity is assessed. The Native Title (Notices) Determination 2011 (No. 1) (Cwlth) prescribes how notification must occur.

Where Subdivision J validates the act, the following compliance actions are required to comply with the *Native Title Act (Cwlth) 1993* where the future act is a 'public work' as defined in Section 253 of the *Native Title Act (Cwlth) 1993*.

Subdivision J	
Procedure	Requirements (for future acts that are public works)
Notification of proposed act	Yes
Provide opportunity to comment	Yes
Consult with NT holders/ claimants	No
Reporting	No
Other	No

As the draft Neighbourhood Parks Plan of Management authorises activities that could be considered to be future acts within the meaning of Section 233 of the *Native Title Act (Cwlth) 1993*, Council will notify NTS Corp and the Metropolitan Local Aboriginal Land Council prior to the adoption of the Plan of Management. A minimum of 30 days will be allowed to receive comments.