

8.16. Draft Plan of Management for Cremorne Reserve

AUTHOR: Megan White, Landscape Planner/Architect

ENDORSED BY: Rob Emerson, Director Open Space and Environmental Services

ATTACHMENTS:

1. Draft Plan of Management [**8.16.1** - 74 pages]
2. Native Title Manager Advice [**8.16.2** - 5 pages]

PURPOSE:

To undertake the processes required by the Crown Land Management Act 2016 to enable the new draft Plan of Management for Cremorne Reserve 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 Cremorne Reserve is the fourth Crown land Plan of Management to be prepared for North Sydney. When adopted, it will supersede Council's Cremorne Reserve Plan of Management 2013.

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 Cremorne Reserve 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 Cremorne Reserve.
- 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 Cremorne Reserve.
- 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 are now preparing 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 Cremorne Reserve will replace Council's existing PoM for Cremorne Reserve 2013.

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 categories of 'Park' and 'Natural Area - Bushland' were proposed for R.39677 – Cremorne Reserve. These categories were deemed to best reflect the purpose of the reservation (Public Recreation) and the use of the reserve. They also reflect the zoning of the reserve as part RE1 Public Recreation and part E2 Environmental Conservation. These categories were approved by the Department in December 2019.

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 Cremorne Reserve 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 2016* 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 reserve by Council and the community.

A copy of the draft PoM for Cremorne Reserve is included as Attachment 1.

CONSULTATION REQUIREMENTS

Community engagement is not required.

DETAIL

1. Draft Plan of Management (PoM) for Cremorne Reserve

Cremorne Reserve is one of North Sydney’s premier reserves; it has considerable recreational, social, scenic, historical and environmental significance. The popular, linear parkland fringes the Cremorne Point peninsula. It is characterised by an ‘English Garden’ ambience combined with areas of natural bushland. Unique reserve features include Lex and Ruby Graham Gardens and harbourside Maccallum Pool.

The draft PoM provides an overall framework for management of Cremorne Reserve in coming years. It examines the broad range of issues associated with the reserve in a comprehensive and holistic manner, identifying clear objectives for management, maintenance, and future development. The new draft PoM will replace Council’s existing PoM for Cremorne Reserve 2013, which is due for a major review.

The draft PoM for Cremorne Reserve 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
- 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 Cremorne Reserve 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 Cremorne Reserve and Council’s nominated Native Title Manager, Robert Emerson, has concluded that:

1. The proposed act (preparation of the draft PoM for Cremorne Reserve) 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 authorized; 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 Cremorne Reserve 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 Cremorne Reserve will guide the use, development and management of this significant public open space. 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 Cremorne Reserve, as Departmental approval will enable Council to publicly exhibit the draft PoM.



DRAFT

Cremorne Reserve



PLAN OF MANAGEMENT

NORTH SYDNEY COUNCIL

November 2020

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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 Cremorne Reserve Plan of Management examines the broad range of issues associated with this significant park in a comprehensive and holistic manner. It identifies clear objectives for park management, maintenance, and future development. The Plan of Management clarifies management policy and direction, both for Council staff and the community.

Cremorne Reserve is an attractive, linear parkland fringing the Cremorne Point peninsula. It is a popular recreation area with social, scenic and environmental significance, and it is listed as a heritage item in Council's Local Environmental Plan 2013. The Reserve is characterised by an 'English Garden' ambience combined with areas of natural bushland. Unique features include Lex and Ruby Graham Gardens and harbourside Maccallum Pool.

Land affected by this Plan of Management is Crown land owned by the NSW State Government. It is managed under the *Local Government Act 1993* and the *Crown Land Management Act 2016*.

This Plan of Management draws on information contained in relevant 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, North Sydney Council
- Recreation Needs Study 2015
- Foreshore Access Strategy 2007
- Bushland Rehabilitation Plans 2019-29
- North Sydney Natural Area Survey 2010
- Urban Forest Strategy 2018

Council's generic Bushland, Foreshore Parks & Reserves and Playgrounds Plans of Management should also be referred to when reading this document, as specific features of the Reserve including its foreshore situation, the areas zoned E2 Environmental Conservation and the playground at Robertsons Point are also discussed in these documents. This Plan of Management supersedes the Plan of Management for Cremorne Reserve 2013.

A major review of the Cremorne Reserve 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 Cremorne Reserve Plan of Management is divided into 5 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 Cremorne Reserve, its physical makeup and existing site features.
- Part 3 identifies and examines the major planning issues essential to an understanding of 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 Cremorne Reserve Landscape Masterplan, the Recreation Needs Study and the Bushland Rehabilitation Plans. 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 5 is the Appendices, including maps of the reserve.

1.2 Purpose of the Plan of Management

This Plan of Management provides an overall framework for management of Cremorne Reserve 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, relevant to Cremorne Reserve, comes from this Plan.

Council's goal regarding areas of the Reserve that are zoned RE1 Public Recreation (encompassed in the Community Strategic Plan under Direction 1 – 'Our Living Environment') is:

1.4 Public open space and recreational facilities and services meet community needs'

The following objective is derived from this goal:

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

Council's goal regarding areas of the Reserve that are zoned E2 Environmental Conservation (encompassed in the Community Strategic Plan under Direction 1 – 'Our Living Environment') is:

1.1 'Protected and enhanced natural environment and biodiversity'

The following objectives are derived from this goal:

1.1.1 Rehabilitate bushland areas

1.1.2 Implement community education programs regarding protection and enhancement of the natural environment

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 new *CLM Act* requires Council's to prepare Plans of Management for Crown reserves as per the requirements of the *LG Act*.

Cremorne Reserve is located on Crown land and is zoned RE1 Public Recreation and E2 Environmental Conservation under Council's Local Environmental Plan 2013. (Refer **Appendix 1**).

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 must identify:

- 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 only be used 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 *CLM 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 (Commonwealth) 1993 (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 the Crown land included in this Plan of Management 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*.

Cremorne Reserve is located on Crown land, and is classified as community land, (i.e. land that must be kept for the use of the general community). The categories of 'Park' and 'Natural Area - Bushland' have been approved for the reserve by the Department of Planning, Industry and Environment – Crown Lands.

Map 3 in **Appendix 2 – Maps** indicates the boundaries between those parts of the Reserve categorised as 'park' and those categorised as 'bushland'.

According to *LG Act*, land should be categorised as a 'park' 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)	<ul style="list-style-type: none"> • To encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and • To provide for passive recreational activities or pastimes and for the casual playing of games, and

	<ul style="list-style-type: none"> To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management
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According to *LG Act 1993*, land should be categorised as ‘natural area - bushland’ if:

The land contains primarily native vegetation and that vegetation:

- (a) *is the natural vegetation or a remainder of the natural vegetation of the land, or*
- (b) *although not the natural vegetation of the land, is still representative of the structure or floristics or structure and floristics of the natural vegetation*

Such land includes:

- (c) *bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and which contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or*
- (d) *moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees or even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or*
- (e) *highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.*

Land Category	Core Objectives
Bushland (LGA 1993 - Section 36G)	<ul style="list-style-type: none"> (a) <i>to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and</i> (b) <i>to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and</i> (c) <i>to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and</i> (d) <i>to restore degraded bushland, and</i> (e) <i>to protect existing landforms such as natural drainage lines, watercourses and foreshores, and</i> (f) <i>to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and</i> (g) <i>to protect bushland as a natural stabiliser of the soil surface.</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 Cremorne Reserve that are categorised as either 'Park' or 'Natural Area – Bushland', 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 ('park' or 'natural area – bushland')
- The purpose is consistent with the zoning of the land under North Sydney LEP 2013 (RE1 Public Recreation or E2 Environmental Conservation)
- 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*
- 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 in Cremorne Reserve 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.

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 Plan of Management for Cremorne Reserve in 2013, Council's Recreation Needs Study 2015 (RNS) has been adopted. Prepared with a high degree of community and stakeholder involvement, the RNS provides information regarding recreation needs in Cremorne Reserve that have been included in this Plan.

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 Plan of Management for Cremorne Reserve 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 stakeholders including local Precincts, Council's Sport and Recreation Reference Group and local Bushcare groups 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.

Implementation of this Plan of Management will require ongoing engagement between Council and relevant stakeholders in ensure the recommended actions continue to reflect the community's changing needs.

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 Reserve Characteristics and Resources

2.1 Cremorne Reserve – Crown Reserve Details

Reserve Number	39677
Reserve Type	Reserve
Reserve Name	Cremorne Reserve
Gazetted Date	16/09/1905
Management Type	Council Crown Land Manager
Manager	North Sydney Council
Purpose	Public Recreation
Lots	Lot 1128 DP 752067, Lot 1 DP 911147, Lot 1 DP 911459, Lots 7337-7341 DP 1139892
Parish	Willoughby
LGA	North Sydney
Council	North Sydney
Suburb	North Sydney
Area	76,045.80

2.2 Location, General Description and Significance

Cremorne Reserve is an unique, high profile green space that provides an appealing land-water interface on Cremorne Point, a narrow peninsula on the northern foreshore of Sydney Harbour, situated between Mosman Bay and Shell Cove. The Reserve extends inland from the harbour an average distance of 30 metres (100 ft) and comprises approximately 3 kilometres of water frontage. Refer **Appendix 2 - Maps**.

The foreshore location and linear character, together with the lighthouse at the tip of Robertsons Point, make Cremorne Reserve an important harbour landmark. From Robertsons Point, the view stretches from North Head and Bradleys Head in the northeast, all the way around the eastern suburbs, to the city and Harbour Bridge in the west.

Cremorne Reserve is a significant public open space for locals and the wider Sydney community. Recreational facilities include a playground with fitness equipment and Maccallum Pool, a public harbour swimming pool operated by North Sydney Council. Other features include an interpretive signage trail that follows the main foreshore pathway, areas of urban bushland and English-style garden areas that are popular with walkers and picnickers. The foreshore pathway connects the North Sydney Council area with the Mosman Council area; it is well-used by people walking and jogging for exercise, as well as by commuters arriving at one of the two ferry wharves. These ferry wharves make the Reserve easily accessible from the southern side of the harbour, and a popular destination for day-trippers.

Unique features of Cremorne Reserve include Lex and Ruby Graham Gardens and Maccallum Pool. Parts of the Reserve have a bushland character, precious in an urban, foreshore environment, and there is evidence of the original Aboriginal inhabitants including middens and rock shelters. Other parts of the Reserve have an attractive and highly valued 'English Garden' ambience, characterised by areas of lawn and exotic plantings. Many of the adjacent residences are of architectural interest and importance.

In addition to its recreational, social, scenic and environmental value, Cremorne Reserve has considerable heritage significance and is listed as a heritage item in Council's Local Environmental Plan 2013. The inventory sheet in Council's Heritage Database describes its significance as: (an)

'important harbourside foreshore reserve and the most substantial example in the municipality of the imposition of the 100ft Reservation applied from 1828. Associated with early public and government action to preserve this reservation and a Parliamentary Inquiry and Court action in the 1890s. Contains site of early Pleasure Garden and Excursion destination from 1856'.

Individual heritage items in and adjoining Cremorne Reserve are Maccallum Pool, Robertsons Point Lighthouse, Site of Cremorne Smelter and Old Cremorne Wharf.

2.3 Site History

As with much of the harbour foreshore, Cremorne Point was a significant area for the Cammeraygal, the Aboriginal clan of the area. The nature of the site as a topographical vantage point and its close proximity to bountiful seafood supplies would have ensured it was well used. The existence of shell middens, rock engravings, axe sharpening grooves and rock art in the Reserve confirm the site's use as a hunting and camping ground and a place where families came together for thousands of years. The Cammeraygal people skilfully used fire to maintain open spaces, to hunt, and to nurture and promote certain bush tucker plants. The Aboriginal name for the Point is 'Wulworra jeung'.

The mooring of the First Fleet in Farm Cove directly opposite Cremorne Point in 1788 heralded the area's transformation. While the initial focus of development was on the southern side of the harbour, settlements soon spread to encompass small outposts on the northern foreshore. The original Cremorne Point land grant of 1823 was further subdivided in the 1890s into allotments of consistent size and orientation. This subdivision pattern remains largely intact.

In 1823, 86 acres of Cremorne Point was granted to Scottish watchmaker James Robertson. In 1853 the land was sold to James Milson, and 3 years later 22 acres was leased to J R Clarke and his partner Woolcott who turned the area into an amusement park called Cremorne Gardens, based on a similar pleasure garden in London. The Gardens closed after 6 years, and in 1891 the land was sold for housing, with the exception of a narrow strip of foreshore land 100 feet wide, above the high-water mark.

In 1894 Rev WB Clarke discovered a 10ft coal seam at a depth of nearly 3000m under the harbour and proposed to mine it from Cremorne. However, conservation-minded residents successfully opposing the mining proposal, and the Point remained relatively unscathed until the first residential subdivision in 1903. Cremorne Reserve was officially gazetted in 1905.

With the opening of the Sydney Harbour Bridge in 1932, the North Sydney area changed rapidly. In particular, foreshore land came under strong pressure for housing development. Most of the fine buildings in Cremorne Point date from the Federation housing period through to the 1920s and 1930s. A number of large guesthouses were established on the Point in the 1920s as Cremorne became a tourist destination.

As subdivisions grew, so too did the pressure on available recreation areas. Clearing was initially carried out at Cremorne Reserve to recreate the English parkland atmosphere characterised by exotic trees in well-maintained lawns. Subsequent works included the construction of Maccallum Pool in the 1930s, the upgrading of pathways, drainage reticulation and the development of grassed picnic areas. Paralleling improvements carried out by government was the embellishment of sections of the Reserve by local

residents. The development of Lex and Ruby Graham Gardens has been an integral part of the history of the Reserve, since its inception in 1962.

Contract bush regenerators first commenced work in the Reserve in the 1990s and Bushcare Groups have been active in the Reserve since 1993. Since 2005, participants in Council's Adopt-a-Plot program have also been working to improve the quality of the bushland areas of Cremorne Reserve.

2.4 Physical Characteristics

2.4.1 Geomorphology

Cremorne Point is located in the Sydney Basin, a geological province characterised by sedimentary rocks, with some localised igneous activity. Metamorphic rocks are generally rare, with minor occurrences towards the edges of the basin. Overlying the deep Permian rock strata are the Triassic sediments. These dominate the geology of the basin and include (in chronological order of deposition) the Narrabeen, Hawkesbury and Wianamatta rock groupings. Hawkesbury sandstone is the principal rock underlying the Cremorne Peninsula and can be seen outcropping in numerous areas in the Reserve.

Hawkesbury sandstone is usually found in massive units with the occasional thin layer of shale or siltstone. Generally softer than the surrounding sandstone material, the shale or siltstone erodes more rapidly leaving characteristic channels or grooves, a distinctive feature of Hawkesbury sandstone. A gradual process of chemical and physical weathering has sculpted the massive units that characterise Cremorne Point today.

2.4.2 Soils and Hydrology

The endemic soils of Cremorne Point relate to the underlying sandstone geology. The nature of the Hawkesbury sandstone parent material produces poorly developed soil with a high sand component and low organic matter. The free-draining nature of sandy soil combined with the relatively high rainfall of the Sydney coastal area results in a strong leaching action. This loss of nutrients combined with the low nutrient status of the parent material produces a soil with low fertility. Soil surveys of the Reserve have also noted the presence of small lenses of an infertile yellow clay material, characteristic of Hawkesbury sandstone geology, such a lens occurs near Old Cremorne Wharf.

Over time, human presence in the Cremorne Point area has modified the naturally occurring soil profile. The dumping of rubbish and construction debris and installation of underground services also contributed to disturbance of the natural soil profile.

All surface water drains off the peninsula directly into Sydney Harbour. The natural hydrology has been extensively altered in areas where surface water and stormwater from adjoining residential developments flow onto the Reserve. Along with sewer leaks, this continues to cause problems, particularly in bushland areas. Soil tests indicate abnormal levels of phosphates, increased salinity, altered pH and high concentrations of metals in the vicinity of stormwater drain outfalls.

2.4.3 Vegetation

Prior to European settlement, Cremorne Point was, like much of Sydney Harbour's sandstone foreshores, covered with a mix of open forest, gully forest and heath plant communities. The irregular nature of the sandstone bedrock would have provided a variety of habitats for the original native plant communities to colonise.

The history of European settlement and development has impacted heavily on the native vegetation of Cremorne Point, and the majority of plant communities have been disturbed to some degree. In the mid-1800s, native vegetation was cleared, and exotic species were introduced in an attempt to recreate the Park-like environment of England.

Today Cremorne Reserve consists of a mix of native and exotic vegetation. Areas of introduced lawn grasses and exotic plantings reminiscent of European parkland areas are interspersed with areas of remnant bushland. Many of the large residences adjoining the Reserve have significant ornamental gardens which contribute to the aesthetic appeal of the area.

The following plant communities can be found in the areas of Cremorne Reserve zoned E2 Environmental Conservation:

- Angophora Foreshore Forest - an open forest with *Angophora costata* as the dominant tree species found along the foreshore
- Disclimax Sandstone Scrub – an altered community of open to closed scrub, or a forest of mixed and variable composition due to disturbance and lack of fire

Standing dead trees and fallen wood are retained on site, particularly in the bushland sections of the Reserve. They provide important habitat for native fauna as they contain nesting hollows and perform other ecological roles essential to bushland function

Weeds

Due to its narrow linear character, both bushland areas and the more formal garden areas are constantly under threat from weed invasion. The spread of weed species is closely linked to the residential development adjoining the Reserve.

Weed varieties in Cremorne Reserve include common perennial species such as Asparagus Fern, Madeira Vine, Asthma Weed, Morning Glory, Balloon Vine, Ochna, Cobbler's Peg, Crofton Weed, Fishbone Fern, and Tradescantia (particular in locations where stormwater enters the Reserve). Larger woody weeds include Lantana and Small-leaved Privet. Exotic tree species with weed status include Chinese Celtis, Camphor Laurel, Coral trees and Large-leaved Privet.

Although weeds remain an issue in the Reserve, in recent years a mix of Bushcare volunteers, local residents (through the 'Adopt a Plot' Program), contract bush regenerators and Council's garden maintenance staff have reclaimed and transformed many formerly weed-infested areas.

The need to preserve fauna habitat means that weeds must be temporarily retained in some areas of the Reserve until alternative native habitat can be created through the bushland rehabilitation program. Dense weed thickets can provide habitat refuges for sensitive native wildlife such as the White-browed Scrubwren.

2.5 Fauna

The present fauna communities bear little resemblance to those existing prior to European occupation. Council's Bushland Rehabilitation Plans 2019 note that diversity of fauna species has declined in the North Sydney area since European settlement, due to factors including land clearing and loss of hollow-bearing trees, urbanisation, the introduction of pets, feral animals and weeds, degradation of bushland remnants, and, most importantly, bushland fragmentation. Today, the most commonly occurring animal

species in Cremorne Reserve are those that have adapted to live in close proximity to human settlement, such as foxes, cats, dogs, rats and mice.

However, Cremorne Reserve still provides a diverse range of habitat including open forest and open and closed scrub, rocky outcrops and foreshore, and dense weed. The Reserve is part of an important habitat link to nearby bushland areas that are situated along the foreshore of Sydney Harbor and its tributaries, including Reid Park in Mosman.

The Reserve is within range for many wildlife species that move between reserves such as the Common Brushtail (*Trichosurus vulpecula*) and Ringtail possums (*Pseudocheirus peregrinus*), bats, woodland and water birds (some of which are migratory). Over the past 10 years, wildlife such as the Australian Brush Turkey (*Alectura lathami*) and Eastern Water Dragons have naturally re-colonised the Reserve.

A small number of dense weed thickets in Cremorne Reserve provide important habitat for small birds such as wrens. Larger birds including the Pied Currawong and the Australian Magpie are common in Cremorne Reserve due to the altered state of bushland structure/diversity and its interconnectedness with open space lawn areas. Airborne migratory bird species such as the Channel-billed Cuckoo and the Common Koel are also found in the Reserve. Frogmouths nest in the area annually, and the Grey-headed Flying Fox is often seen passing overhead.

Water birds including the Great Cormorant and Silver Gull are also frequently seen along the foreshore areas, and a small group of Little Penguins (*Eudyptula minor*) from the endangered population at Manly Point occasionally feed in Mosman Bay. A Leopard seal (*Hydrurga leptonyx*) and Southern elephant seal (*Mirounga leonina*) have also been sighted in the waters off the Reserve.

2.6 Reserve Features

Cremorne Reserve contains many interesting cultural and historical features. The most significant of these are discussed here.

2.6.1 Maccallum Pool

Located on the western side of the peninsula, Maccallum Pool is a unique harbourside pool with heritage character and superb views. It is described in the North Sydney Heritage Study Review 1993 as: '*One of the last remaining municipal harbourside pools on the north side of the harbour*'. The pool was originally just a rock pool created by local residents to form a safe harbour swimming hole. From the 1920s, North Sydney Council and residents worked to beautify the pool site, and in 1930 Council took over the bathing pool, renaming it Maccallum Pool in recognition of the valuable work carried out there by Mr Maccallum, a local resident. The architectural style of the current pool dates back to the 1920s.

2.6.2 Robertsons Point Lighthouse

A small, active lighthouse located at Robertsons Point is a major visual feature of Cremorne Point, particularly when the peninsula is viewed from the Harbour. The sibling of the lighthouse at Bradleys Head, the Robertsons Point lighthouse is mounted on a rock and connected to shore by a footbridge. The light is operated by the Sydney Ports Corporation, while the site is managed by North Sydney Council as part of Cremorne Reserve. The site is open and publicly accessible however the tower is closed.

2.6.3 *Lex and Ruby Graham Gardens*

This National Trust listed garden is an outstanding example of beautification and embellishment of publicly owned land by local residents. Lovingly created over many years by Lex and Ruby Graham, the Garden can be reached via the public walkway between Nos. 31 and 33 Cremorne Road.

The Garden started in 1959, when a bulb from an 'elephant ear' plant that washed up in a rock pool was retrieved and planted by Lex. Ruby and Lex worked together pulling out lantana and removing the old bottles, washing machines and other rubbish that their weeding exposed. They created a network of pathways and terraces and kept planting until they had created a magnificent garden of both native and exotic species. The Garden is visited by walking groups and garden lovers and is used by children as an adventure playground. The original 'elephant ear' is still there.

2.6.4 *Foreshore Pathway and Interpretive Walk*

The 3 km Cremorne Point Foreshore Walk is one of Council's most highly-prized assets and one of the area's most popular walks. Overlooking Mosman Bay on the east side and Shell Cove on the west, the walk offers magnificent panoramic views of Sydney Harbour, the Harbour Bridge and the City.

The Walk is an almost-loop track, which can be started at any of the three main entrances to the Reserve: Bogota Avenue, at the bottom of the steps at the eastern end of Hodgson Avenue, or above Cremorne Wharf. Trackhead signs with maps and general information are located at each entrance. A series of interpretative signs placed along the foreshore walk encourage pedestrians to delve into the rich history of Cremorne Point, and to gain a better understanding of its present and the future.

The interpretative signs convey information about the original Aboriginal inhabitants, the early Cremorne Gardens, the architectural heritage of buildings adjoining the Reserve, the impact of development on the Reserve's flora and fauna and the work being done to bring back the bush. The walk continues around the shores of Mosman Bay and into the adjacent Mosman Council area.

Benches are located at intervals along the pathway, and bags and bins for dog waste are provided at the Bogota Avenue and Robertson Point ends of the Reserve.

2.6.5 *Playground*

Located at its southernmost tip, at the junction of two major pathways, Robertsons Point is the hub of Cremorne Reserve and the halfway point for anyone walking the loop track around the Reserve. The playground is situated here, close to both ferry and bus terminals. There is also an amenities block, a bubbler with bottle refill station, benches and picnic tables. The area features a mix of formal plantings, lawn and bushland, and it offers spectacular harbour views.

The playground and associated exercise equipment have a style and character that complements the Reserve and its harbour foreshore location. The maritime theme and colour scheme help make this playground attractive and visually low-key. The playground accommodates many users in a relatively small space and offers a broad range of activities. It capitalises on shade provided by existing trees.

2.6.6 Other Reserve Features

Scattered remains of smelting slag and coke are visible on the foreshore in front of no. 5 Green Street. These are the remains of a former copper smelting works established in the 1840s in a site that took advantage of the convenient water access. The area is significant as the site of one of Sydney's early industrial enterprises.

Old Cremorne Wharf continues nearly a century of use as a commuter ferry landing. It is a relic of the early residential development of Cremorne Point and an important element in the history of the harbour-based transport system. Located near Robertsons Point, the more recent Cremorne Wharf is now the Reserve's primary ferry stop.

A cluster of features located in the Robertsons Point area include an accessible public amenities block, a small stone shed, the playground and associated exercise equipment, lawn area and picnic tables. An Aboriginal shelter is also located in the Reserve.

The adjacent Cremorne Point residential area features a mix of single-family dwellings, residential flat buildings, hostels and hotels of varied and interesting architectural character. There are well-preserved examples of Federation style architecture as well as dwellings from the interwar period along with a number of more recent constructions.

2.7 Activities in the Reserve

Cremorne Reserve is one of North Sydney's most visited reserves, attracting locals and visitors from further afield. Popular activities include walking, jogging, relaxing, socialising, photography, exercising, on-leash dog walking and viewing the harbour and city. Gently sloping lawns cater for activities such as picnicking, while the rugged, bushland character of much of the Reserve provides opportunities for education and activities such as bushwalking, bird watching and nature appreciation.

Located on the western side of Cremorne Point, on the harbour's edge, Maccallum pool is a popular spot for swimming, and its waterside timber deck affords superb views of the harbour and city. The water's edge is also associated with activities including small boat storage, mooring access and fishing.

Many visitors come to enjoy the well-kept gardens both adjacent to and within the Reserve, in particular Lex and Ruby's Garden on the eastern side of the peninsula. The main foreshore pathway with its interpretive signage trail is well-used by people walking for exercise and by commuters. The children's playground at Robertsons Point is popular, and the associated exercise equipment is used by parents, carers and others exercising in the Reserve.

Since 1993 the Cremorne Point Bushcare Group has worked in the bushland sections of the Reserve; carrying out bush regeneration, revegetation and erosion control under the supervision of qualified Council bush regenerators or contractors. The Group meets on a monthly basis from February to November and works on sites at Robertsons Point and on the Shell Cove side of the Reserve, near Bogota Avenue.

Commencing in 2005, Council's Adopt-a-Plot program provides locals with the opportunity to 'adopt' a section of bushland and to work one-on-one with a Council bush regenerator to rehabilitate the area. Alternately, time-poor residents can elect to co-fund the cost of employing a professional bush regenerator to work their 'plot'.

In addition to staff from Council's Bushland Management Team, Bushcare volunteers and Adopt-a-Plot participants, Council also employs professional bush regeneration contractors to undertake bushland rehabilitation works in the Reserve.

3.0 Planning Issues

3.1 Background

The popularity of Cremorne Reserve means that it is subject to many pressures. The following information examines some of the issues that affect the Reserve, and that this Plan of Management seek to address.

3.2 Landscape Character

The Reserve's landscape character has evolved in response to various physical and social influences, and these variables continue to affect its development. By identifying and analysing these variables, those contributing to desirable landscape quality can be encouraged, and those which do not can be addressed.

Vegetation is a major variable influencing landscape character, and the older, cultural landscapes typified by exotic shrubs and specimen trees in rolling lawns are one of the best-loved features of Cremorne Reserve. Other areas are more natural in character, native vegetation (bushland) predominates, and bush regeneration activities continue to improve the quality of the bushland.

The types of plants used in adjacent private gardens also have a significant visual impact on the landscape character of Cremorne Reserve. The larger tree and shrub species act as backdrops, screening residences from the Reserve, although taller vegetation is often avoided to maintain views.

3.3 Views

View out of the Reserve, into the Reserve and within the Reserve all contribute to the visual character and appeal of this harbourside landscape. Cremorne Reserve is popular with both locals and visitors who come to watch boats and other maritime activities on the harbour, and view the city, both by day and by night.

Any new planting schemes or other works proposed for Cremorne Reserve must consider the existing landscape character as well as the possible effects on views out of and within the Reserve. Council seeks to strike a balance between providing harbour views and retaining a viable foreshore green belt. The aim of managing parks and reserves on the harbour foreshore, especially those that contain remnant bushland, is not to provide unrestricted views from all areas, but to provide a variety of viewing experiences. The appearance and 'green character' of the Reserve from the water must also be considered.

The sporadic illegal poisoning of trees (both in the Reserve and on adjoining private property) that are impeding views illustrates the importance of views to some.

Council manages the issue of views and vegetation in Cremorne Reserve differently, according to the zoning of the area in question. Land zoned E2 Environmental Conservation is managed only to offer sporadic vantage points, as would have naturally been available through the Reserve's original vegetation. Land zoned RE1 Public Recreation, with its traditional lawns, specimen plantings and formal gardens, offers more views out to maintain the heritage character and the traditional function of Cremorne Point Reserve as a location from which to enjoy views across Sydney Harbour.

3.4 Structures

Significant structures in Cremorne Reserve include the small lighthouse at Robertsons Point, harbourside Maccallum Pool, a playground with adjacent exercise equipment and an amenities block. Other structures include the foreshore pathway system featuring interpretive and directional signage and lighting, seats, picnic tables and bubblers, as well as a small stone shed used by Council maintenance workers. The Sydney Amateur Sailing Club is located on the foreshore, adjoining the Reserve at Green Street, and 2 public ferry wharves; Cremorne Wharf and Old Cremorne Wharf connect the Reserve to Sydney Harbour.

The North Sydney Council Amenities Condition Report 2018 assessed the condition of various structures in Cremorne Reserve, including Maccallum Pool and the associated pump shed, the amenities block, and the Council storage shed. The report set out maintenance and capital works required over the next 10 years and includes projected budgets. Most of these works are now complete; the remaining capital works are included in the Matrix section of this Plan.

The provision of new structures and facilities in Cremorne Reserve is based on identified community need, and the last 20 years has seen the staged implementation of the Cremorne Reserve Masterplan. Prepared in 1998, the Masterplan identified required works to upgrade and improve the Reserve. These works have been undertaken according to community-determined priorities; starting with the Reserve lighting system and finishing in 2020 with the upgrade of the lookout at Robertstons Point.

The North Sydney Recreation Needs Study 2015 (RNS) identified the significance of Cremorne Reserve as a harbourside green space providing access to the foreshore and connecting to the Mosman Council area. The RNS also highlighted:

- The opportunity to increase participation in water-based recreation and sport, by:
 - Providing sites to store small water craft (dinghies and kayaks)
 - Encouraging a wider range of activities provided through water-based clubs
 - Working with clubs to facilitate water sports development programs for juniors, schools and social water-based recreation opportunities to enhance the sustainability of existing clubs
 - Providing additional access points to the harbour
- The need to continue developing and extending the network of off-road trails (paths) throughout the Council area and beyond
- The need to protect the character of the Reserve, the urban forest, natural areas and trees on public and (adjacent) private land
- The need to improve accessibility and address physical barriers to access into parks, between public open space and along trails
- The need to provide interpretation about the history and other aspects of Council's open space

Public art can add interest, enjoyment and new layers of meaning to a place, and Council pursues opportunities where appropriate. A Public Art Guide and Walking Map available on Council's website provides information about various pieces of public art located around North Sydney. Public art projects range from items commissioned for specific projects to existing artworks which may be suitably placed in one of Council's parks.

3.5 Access and Circulation

Council encourages the use of public transport to reduce the impact of cars on the environment, and to reduce problems with traffic congestion and parking. Public transport options for Cremorne Reserve include 2 public ferry wharves; Cremorne Wharf and Old Cremorne Wharf, and bus services.

The linear nature of Cremorne Reserve, its position on the harbour foreshore and its connectivity to open space in the adjoining Mosman Council area all mean that there are many potential access points to the Reserve for pedestrians.

Whilst general vehicular access to the Reserve is prohibited, adequate access for vehicles servicing the Reserve and emergency vehicles needs to be provided. Vehicular access to and through Cremorne Reserve is only permitted for appropriate purposes, consistent with the Reserve's zoning as RE1 Public Recreation and E2 Environmental Conservation, and consistent with its purpose as a recreation reserve.

The Reserve's internal circulation system (main foreshore pathway) is a very important component of the overall recreational experience, and it is an important component of wider, regional recreational trails. The pathway forms part of the Bondi to Manly coastal walk, and the North Sydney Circle Walk (Segment 5 – Cremorne Junction to Shell Cove) and is used by commuters and people walking for pleasure and exercise. Numerous directional signs assist with navigation. The main pathway is in good condition as a result of major upgrading and improvement works carried out under the auspices of the Cremorne Reserve Masterplan.

Secondary paths lead to special features in the Reserve such as Maccallum Pool, the lighthouse and the Sydney Amateur Sailing Club. Other paths lead to adjacent residences and foreshore areas. Informal and unofficial walking tracks in the bushland section of the Reserve contribute to environmental damage through erosion and the spread of weeds. The Robertsons Point area is particularly vulnerable to this form of degradation.

All new developments in Cremorne Reserve must consider providing access for all users. Significant new design work for which a Development Application is required necessitates an access audit to ensure the proposed work meets Australian Standards.

3.6 Reserve Use

Cremorne Reserve is an important recreation resource for the local and wider community; it is well-used and well-loved due to its beauty, its prominent location and its accessibility. This Plan of Management aims to ensure that the Reserve continues to be a high-quality recreation facility and an attractive visual amenity.

The extensive linear form, varied topography and distribution of open and vegetated areas make Cremorne Reserve well suited to a variety of activities including walking, jogging, (on leash) dog-walking, picnicking and relaxing. The formal pathway follows the entire Cremorne Point foreshore and continues into the Mosman Council area. Directional and interpretive signage along the foreshore pathway assists navigation and provides information about the Reserve's past and present. Open grassy spaces dotted with trees afford casual reserve users pleasant spots to sit in both the sun and the shade.

The Reserve's harbourside peninsula location means it is a popular lookout; people visit the Reserve to enjoy the harbour setting and take in the excellent views relax. Swimming

in Maccallum pool and visiting the lighthouse at Robertsons Point as well as the children's playground are other common activities.

Cremorne Reserve's popularity, coupled with its linear character, can result in competition between users for available open space. Conflicts may arise between groups in areas of concentrated activity, such as adjacent to the ferry terminal and along the main foreshore pathway. Bike riding is not permitted on pathways through the Reserve for this reason. Use of the open lawn areas 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 the Reserve can be used for private functions and special events. Permission is granted 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 Reserve 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 and reserve users and on neighbours. If issues arise with fitness trainers or with any other park users, Council staff communicate directly with the relevant group.

New Year's Eve is the busiest night of the year in Cremorne Reserve, with large numbers of people visiting to view the fireworks. Council works closely with the NSW Police and other agencies to ensure the event is safe for residents and visitors. Alcohol is prohibited in the Reserve, and 2 banks of portable toilets are available near the Cremorne Point Wharf – one on the lower level and one on the upper level. There are also various road closures and special event clearways in place. Relevant information about New Year's Eve is posted on Council's website in December each year and is distributed to affected households.

3.6.1 Dogs in Parks and Reserves

With numerous parks where dogs can be exercised off-leash, North Sydney is a dog friendly area. However, there are some restrictions. Under the 'Companion Animals Act 1998 (Section 14)', 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);
- Child care centers (unless with the permission of the person controlling the center);
- 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);
- Wildlife Protection Areas where dogs are declared prohibited

As per North Sydney's 'Local Companion Animal Management Plan', all Council parks and public reserves are off-leash areas except for:

- St Leonard's Park 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. Council is required by the State Government to enforce the laws concerning dogs, and Rangers may issue on-the-spot fines for infringements of the regulations listed above.

More information about dogs in North Sydney is available on Council's website.

3.6.2 *Small Water Craft Storage in Cremorne Reserve*

Council's Small Water Craft Storage Strategy 2018 (SWCSS) identifies 2 sites in Cremorne Reserve where small water craft are currently stored informally. Both sites are in the part of the Reserve zoned E2 Environmental Conservation.

Storage of water craft in foreshore areas zoned E2 Environmental Conservation is usually inappropriate, and in most areas it is prohibited by Council, as it can result not only in a degraded foreshore environment, but in degraded access paths and the creation of informal tracks through bushland. Council will assess the suitability of retaining either or both of these sites for formal storage of small water craft, and if appropriate, will carry out works to improve access (to the sites and to and from the water) in a way that increases safety and minimises negative environmental impacts.

The SWCSS recommends that strict conditions of use be imposed on water craft storage sites in bushland, and that these must be signed-off on by potential hirers. Storage must be undertaken in as sustainable a manner as possible, and it must have minimal impact on the natural environment. The number of Permits issued for foreshore bushland sites will also be carefully limited.

The following factors will be considered by Bushland Management staff prior to permitting storage of small water craft in areas of Cremorne Reserve zoned E2 Environmental Conservation:

- The location of sensitive foreshore native vegetation
- The presence of highly erodible soils
- Steep topography coupled with difficult and unstable access
- The potential presence of Coastal Saltmarsh (an Endangered Ecological Community)
- Proximity to known and potential Aboriginal heritage sites and items

3.7 **Vegetation Management**

Council's Urban Forest Strategy 2018 sets out the scientifically proven and quantified benefits that trees (also known as green infrastructure) can provide in an urban environment. These include energy conservation, reduction of atmospheric

contaminants, enhanced property values, reduction in storm water run-off, and increases in health and social well-being.

Objectives of Council's Urban Forest Strategy relevant to Cremorne Reserve include:

- To value and manage the urban forest as an integral and essential component of urban infrastructure
- To plant a diverse range of both native and exotic species to reflect both the local indigenous landscape and our cultural heritage of exotic plantings, so that the existing character is maintained
- To ensure continuous canopy cover by providing a range of age classes within the urban forest tree population
- To maximise the health and longevity of all canopy trees through management practices that meet industry best practice standards
- To manage urban forest in a manner that maintains tree risk at an acceptable level
- To ensure that all trees that have to be removed are replaced wherever feasible
- To plant the largest growing and longest-lived species of tree possible for the given growing conditions and site constraints taking into consideration such issues as soils, climate, physical access, existing vegetation, scenic views and solar access

All new planting in Cremorne Reserve should be sympathetic to the existing established landscape character of the various sections of the Reserve. By striving to improve the quality of vegetation in Cremorne Reserve, Council is helping to increase biodiversity in the area. By carefully selecting species based on mature size, foliage density, growth habit and branching structure in the vicinity of popular vantage points, scenic views can be maintained.

In accordance with Council's Urban Forest Strategy, Council is aiming for 100% canopy cover in the bushland zoned areas and at least 50% cover in the open space zoned sections of Cremorne Reserve, in line with available tree maintenance resources. New trees will be sited taking access, sightlines, solar access, spacings and mature tree dimensions into account.

3.7.1 Maintenance of Trees on Public Land

Essential Pruning

Council only prunes trees where the pruning is essential to maintain the health of the tree or to ensure safety of persons or protect property. Council prunes in accordance with the Australian Standard for Pruning of Amenity Trees and will generally only prune for the following reasons:

- To provide clearance for traffic, and vision of essential traffic signage
- To allow pedestrian access
- To provide safety clearances around buildings and services
- To train young trees to an appropriate form
- To maintain a safe tree crown (ie remove dead or damaged branches)

Council does not prune privately owned trees however where private trees are encroaching into target clearance spaces, Council may issue a notice to the tree's legal owners requiring them to prune the tree.

Cosmetic Pruning

Cosmetic pruning encompasses pruning practices that are not essential to public safety or the health of the tree. Examples include:

- Thinning for views or light penetration
- Shaping for aesthetic reasons
- Removal of overhanging branches beyond Council's target clearances
- Shaping or selective pruning to improve visibility of advertising or other 'non-traffic' signage

Council does not carry out cosmetic pruning, but Council policy allows residents to make application to Council to carry out cosmetic pruning at their own expense. Permission may be granted where such work will not compromise the health, safety or integrity of the tree or adversely affect public amenity. The work must be carried out by a qualified arborist under Council supervision with all costs to be borne by the applicant.

Council does not allow cosmetic pruning of any vegetation located on land zoned E2 Environmental Conservation.

3.7.2 Vegetation Management in E2 Environmental Conservation areas

Bushland management aims, objectives and implementation strategies for the parts of Cremorne Reserve zoned E2 Environmental Conservation (in Council's LEP 2013) are set out in Council's Bushland Rehabilitation Plans 2019-29. Goals include:

- a) Maintain and enhance biodiversity and habitat for long term ecosystem resilience and function
- b) Conserve all threatened, and regionally significant flora and fauna species known or likely to occur in / naturally colonise the reserve
- c) Strategically restore bushland (prioritise areas of highest resilience)
- d) Enhance habitat connectivity
- e) Preserve genetic integrity of the vegetation community
- f) Manage the impacts of stormwater pollution and urban runoff on bushland and creek water quality
- g) Conserve the natural landscape and heritage values
- h) Provide for ecologically sustainable recreation needs of the community
- i) Implement the strategic fire hazard reduction program and manage fuel loads to protect life, property and endemic biodiversity

3.7.3 Removal of exotic trees from areas zoned E2 Environmental Conservation

Council only removes exotic trees from bushland areas for reasons of safety, or where they are identified in Council's Bushland Rehabilitation Plans. Removal of exotic trees occurs gradually, over time, to ensure there is no significant loss of canopy cover. Replanting of appropriate native species takes place in association with the removal work.

In Cremorne Reserve, Coral Trees (*Erythrina sp.*) are being gradually removed from areas zoned E2 Environmental Conservation and replaced with indigenous canopy

species, such as Sydney Red Gums (*Angophora costata*). Coral Trees have a deleterious impact on bushland biodiversity by out-competing native species and simplifying the structural complexity of habitat layers within a bushland ecosystem. They prevent the germination and establishment of native species underneath their canopy, reducing the habitat value of bushland areas for native fauna. For every Coral Tree removed, many more native grasses, shrubs and canopy species either regenerate naturally or are planted to compensate for the removal.

Mature Coral Trees in ‘non-bushland’ parts of Cremorne Reserve are retained until they reach their safe life expectancy. These trees have value as a food source for birds including Rainbow Lorikeets. Self-sown Coral Trees in all areas will be managed to prevent future establishment. Before any exotic tree is removed, its potential habitat value (presence of hollows etc) is assessed.

More detailed information regarding the management of vegetation in areas of the Reserve zoned E2 Environmental Conservation can be found in Council’s Bushland Plan of Management and the Bushland Rehabilitation Plans.

3.7.4 Fire as a Bushland Management Tool

Fire is a valuable ecological management tool required to sustain the plant communities of Cremorne Reserve bushland. Burning helps maintain diversity and stimulates the seed of species which may have senesced over time, no longer occurring above the ground.

Council uses managed burning to meet both ecological objectives of bush regeneration and hazard reduction to adjoining residential housing. While the risk of wildfire damaging property or threatening life is relatively low in North Sydney, hazard reduction activities including modifying vegetation structure, creating fire management access zones, manual fuel reduction, pile burning and broad area burning are carried out as and when necessary.

Council, in cooperation with the NSW Fire Brigades and the Mosman-North Sydney-Willoughby Bushfire Management Committee, implements controlled hazard reduction burns in relevant bushland reserves in North Sydney. The burns are approved under the region’s annual Bushfire Hazard Reduction Program. The last managed burn in Cremorne Reserve took place in 2010, in the area below 55-57 Kareela Road. 2 small managed burns are earmarked for the western side of the Reserve over the next 5 years, however exact timing is dependent on the Bushfire Management Committee priorities.

3.8 Pollution

On its landward side, Cremorne Reserve is bordered by residential properties, and the long thin nature of the Reserve makes it vulnerable to weed invasion from private gardens. While litter levels in the Reserve are generally low, the Reserve is negatively affected by stormwater runoff and failing sewer pipes. Dumping of garden refuse and household rubbish into the Reserve also still occurs, although the frequency and amount of this has decreased in recent years.

3.8.1 Urban Runoff and Stormwater

Stormwater drains are the major contributor to bushland degradation in North Sydney. Cremorne Reserve is particularly vulnerable to urban runoff and sewerage contamination due to the high number of stormwater outlets servicing adjacent roads and residences.

Most nutrients enter Cremorne Reserve via stormwater, household runoff, dumped soil/green waste and sewerage leaks. The Reserve's aging sewer services often prove inadequate, and blocked pipes are prone to surcharging, particularly during wet weather. The resultant increase in moisture and nutrients encourages the growth of weed species as these are often better suited to the moist, nutrient-rich conditions than endemic species.

Over the past 20 years, Council has undertaken numerous projects to counter the effects of stormwater entering the Reserve, adopting a Total Catchment Management approach using Water Sensitive Urban Design (WSUD) principles, complemented by community education, developments controls and enforcement of pollution control regulations.

The installation of gross pollutant traps, sedimentation basins and wetland filters have all helped remove nutrients from the Reserve. Rehabilitation and mitigation works have also included armouring drainage outlets with sandstone boulders and planting native species able to cope with wet drainage areas to stabilise the areas, reduce erosion potential, soak up excess nutrients and reduce the potential for weed infestation. Diverting urban stormwater away from bushland areas is another effective method of minimising the damaging effects of nutrients entering the Reserve

Future work to mitigate the impacts of urban runoff and stormwater on Cremorne Reserve will be carried out as per Council's Bushland Rehabilitation Plans 2019-29.

3.8.2 Weeds

The presence of weed species in Cremorne Reserve is due to many factors. The long, thin shape of the Reserve, past clearing, soil disturbance, lack of fire, tree-poisoning, and the presence of stormwater outlets in the Reserve all contribute to weed infestation. Weed stocks are continually replenished via agents such as wind, water, birds and other animals as well as through the movement of people, illegal dumping of garden waste and escapes from neighbouring private gardens

Most weeds in Cremorne Reserve are concentrated in the understorey. Pellitory (*Parietaria judaica*), Morning Glory (*Ipomoea indica*), Balloon Vine (*Cardiospermum grandiflorum*), Ochna (*Ochna serrulata*), Asparagus fern (*Protoasparagus aethiopicus*), Wandering Trad (*Tradescantia fluminensis*), Fishbone fern (*Nephrolepis cordifolia*), PanicVelt Grass (*Ehrharta erecta*) and exotic species from adjacent gardens are common in all areas.

Weeds in Cremorne Reserve require ongoing management. Council's Garden maintenance staff attend to weeds in those parts of the Reserve zoned RE1 Public Recreation, while Council's Bushland Management Team, Bushcare volunteers and Adopt-a-Plot participants deal with weeds as part of bush regeneration activities carried out in areas of the Reserve zoned E2 Environmental Conservation. Weeds in bushland are managed and controlled in accordance with the *Biosecurity Act 2015* and best-practice natural area restoration principles expressed in the Bushland Rehabilitation Plans 2019-2029. Notices requiring the control of weeds on private property are sent to properties adjoining the Reserve as required.

Some weed areas are deliberately retained to provide and preserve habitat. The identification and protection of dense weed thickets critical to the survival of small bush birds was a recommendation of Council's 2007 Continuing Bird Survey report. These areas were subsequently identified in several bushland reserves, including Cremorne Reserve, and were designated 'Dense Weedy Habitat Zones'.

These Dense Weedy Habitat Zones generally contain very little or no natural resilience and are dominated by exotic weed species forming a dense, structurally complex vegetation community. They should be retained and contained, and the physical spread of weeds from these areas into adjoining bushland rehabilitation areas should be prevented. Rehabilitation of these Zones is a long-term objective for Council.

3.9 Encroachments

This Plan of Management aims to ensure that any current or future encroachments onto Cremorne Reserve 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 people from using public open space.

In accordance with the *LG Act*, Cremorne Reserve is classified as 'community land'. It is further categorised as 'park' and 'natural area – bushland', 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.

3.10 Community Involvement

Incorporating community participation into the management of Cremorne Reserve is important, and all new projects undertaken in the Reserve will have opportunities for community involvement.

Preparation of the Cremorne Reserve Masterplan was an example of successfully involving the community in the process of planning for the landscape upgrading of the Reserve. Interested stakeholders had input into Council's proposals, and projects identified in the Masterplan were subsequently implemented in order of community priority. Precinct involvement in upgrading the Cremorne Reserve Playground resulted in a well-designed facility that meets the needs of children of all ages and abilities and is closely integrated into the surrounding landscape.

Other community programs currently operating in Cremorne Reserve are described below. Opportunities to expand these programs should be pursued, as a sense of community ownership can lead to a reduction in anti-social activities such as dumping and tree vandalism. These programs clearly show how the local community can participate in the management of the Reserve.

3.10.1 Bushcare

Commencing in 1993, Council's Bushcare program aims to increase community awareness of bushland issues in the local area by facilitating active community participation in bushland management. The program involves community volunteers working with Council to conserve and rehabilitate publicly owned natural bushland in the North Sydney area, including Cremorne Reserve. The Cremorne Point Bushcare group was formed in 1993. The group works at 2 sites in the Reserve; near the playground at Robertsons Point, and near the Bogota Avenue entrance.

3.10.2 Wildlife Watch

Participants in Council's Wildlife Watch program send records of fauna sightings to Council. This provides Council with valuable information regarding wildlife in the North Sydney area, and is also a good starting point for a range of more detailed fauna studies. Council's Wildlife Watch reports are sent through to NSW National Parks and Wildlife Service and the 'Atlas of Living Australia' on a regular basis.

3.10.3 Adopt-a-Plot

Council's 'Adopt a Plot' program involves participants teaming up with one of Council's qualified bush regenerators to care for a 'plot' in Cremorne Reserve near their home. There are currently over 20 plots in the Reserve being rehabilitated by a combination of volunteers and professional bush regenerators under the auspices of the 'Adopt a Plot' program. The program has significantly improved the quality of bushland in the Reserve.

3.10.4 Streets Alive

Council's 'Streets Alive' initiative involves local residents in the design, planting and maintenance of various neighbourhood parks and other small public green spaces in North Sydney. There are currently several locations where residents whose properties back on to Cremorne Reserve look after public open space under the 'Streets Alive' program.

3.11 Management and Maintenance

Management of Cremorne Reserve focuses on meeting a range of identified recreational needs, on maintaining an appropriate landscape character sympathetic to the Reserve's dual status as an area of European parkland-style gardens and remnant bushland, and on maintaining the Reserve in a clean and attractive condition. This Plan of Management seeks to establish a clear management direction for to the ongoing stewardship of the Reserve.

Management practices focus on maintaining Cremorne Reserve in a clean and attractive condition. Staffing levels and budgets for management and maintenance may change over time as community needs and priorities change and as new issues become relevant. Structures and park furniture in the Reserve are generally well maintained, and vandalised structures are repaired, and graffiti is removed as quickly as possible as experience has shown that this discourages further incidents in the long term.

Staff employed to maintain Cremorne Reserve currently undertake tasks including general maintenance, weeding of garden areas as well as new planting and mulching. Grass mowing by contractors is a major maintenance activity in the Reserve, particularly during the summer months.

Maintenance of the bushland areas of Cremorne Reserve is carried out by a combination of qualified Council staff and contractors and trained volunteers. The process of bushland rehabilitation involves a range of activities that seek to protect areas of remnant bushland, improving their condition, structure and species diversity over a sustained period of time. In keeping with contemporary best practice principals, bushland rehabilitation work is concentrated in the healthiest parts of the Reserve first and then toward the more degraded areas. Other bushland maintenance activities include soil stabilising, ecological burning and canopy replenishment.

3.12 Landscape Improvements

Since the previous Plan of Management for Cremorne Reserve was adopted in 2013, many of the identified projects and tasks have been implemented. Completing these projects and has directly and significantly contributed to improvements in the appearance and the quality of the bushland and the exotic parkland areas of the Reserve.

The Cremorne Reserve Landscape Masterplan 1998 advocated subtle and sympathetic upgrading works to maintain and enhance the existing character of the Reserve, while maximising public appreciation and opportunities for enjoyment. Work priorities were determined by the community, and in 2020 the penultimate project identified in the Masterplan, upgrading the Robertsons Point lookout area, was completed. The final project; provision of storage areas for small water craft, is scheduled for implementation during the life of this Plan of Management.

	Masterplan Project	Pre- 2013	2013 – 2020*
1	New Reserve Lighting System	Complete	
2	Pathway Improvements	Stage 1 - complete	Stage 2 – complete Stage 3 – complete Pathway works were staged over 3 years due to budgetary issues
3	Upgrade Reserve Signage (trackhead & directional), and install interpretive signs along the main pathway	Complete	Complete Note: new trackhead and interpretive signs were installed in 2019 as the originals had become hard to read
4	Refurbish Toilet Block	Complete	
5	Upgrade Playground		Complete
6	Upgrade Park Furniture	Complete	Complete/Ongoing
7	Upgrade Pedestrian Intersection at Robertsons Pt		Complete
8	Upgrade Reserve ‘Gateway’ Entrances: - Bogota Avenue - Milson Road - Mosman Bay		Complete
9	Upgrade Robertsons Point Lookout		Complete

* These works have been completed since the adoption of previous Cremorne Reserve Plan of Management in 2013.

In addition to the works listed in the previous Table, the significant works have also been undertaken since the preparation of the previous Cremorne Reserve Plan of Management:

- Ongoing program of removing Coral trees, self-sown date palms, Phoenix palms and camphor laurels from the Reserve
- Ongoing program of bushland rehabilitation in the Reserve
- Continuation of the 'Adopt a Plot' and 'Wildlife Watch' programs
- Ecological burns carried out by Council staff and/or NSW Fire & Rescue at Bushcare sites within the Reserve to reduce hazard and stimulate new growth from the seed bank
- Extensive planting of native trees and shrubs in bushland areas on the eastern side of the Reserve to gradually increase the Reserve's canopy cover
- Ongoing Native Haven Program which offers free assistance to residents who wish to help the environment by using local indigenous plants in their garden to increase habitat
- Improved management of Aboriginal sites through ongoing process of liaison with the Metropolitan Local Aboriginal Land Council and the Aboriginal Heritage Office
- Ongoing community education and information under the auspices of Council's Bushcare Workshops & Events Program
- Maccallum Pool works (as per the North Sydney Council Amenities Condition Report 2018) 2020, including:
 - Major structural repairs to decking. Modwood decking has new Plastiwood fencing also its length, and new Plastiwood inner rope bollards
 - Professional repainting of the pool (carried out while pool was closed for decking works)
 - Repair works to pump shed

4.0 Basis for Management

4.1 Philosophical Basis for the Plan of Management

The Cremorne Reserve Plan of Management guides the future use, development and management of this important urban green space. Careful management ensures that the Reserve is appropriately maintained, that it caters for a range of activities, that conflicts between user groups are minimised and that any future work complements the established landscape character of the various areas of the Reserve; bushland or parkland.

The Plan of Management is flexible to respond to the changing needs of the community and to incorporate future requirements as they arise.

4.2 Core Values and Management Objectives

4.2.1 Core Values

The following core values summarise the qualities that make Cremorne Reserve important to the community. They must be considered when future management objectives, strategies and actions are developed, to ensure their protection.

Landscape Character & Aesthetics

- The Reserve contributes to North Sydney's identity and sense of place; the narrow, linear form of the Reserve and the lighthouse on the tip of Robertsons Point make it an important harbour landmark
- The Reserve has high scenic value; it forms an attractive land-water interface on the northern foreshore of Sydney harbour
- Parts of the Reserve preserve remnant bushland, precious in an urban, foreshore environment, while other parts have an attractive 'English Garden' character
- There are excellent views from a variety of locations in the Reserve. From the tip of Robertsons Point, the view stretches from North Head and Bradleys Head in the northeast to the city and Harbour Bridge in the west

Cultural Heritage

- The Reserve contains remnants of the original Aboriginal inhabitants including middens and rock shelters
- Items of European heritage significance include the remains of Copper smelting works and the Cremorne Pleasure gardens
- Lex and Ruby Graham Gardens is a unique example of private embellishment of public land, and a major drawcard for visitors A maze of paths wind down through lush foliage to the water's edge
- Harbourside Maccallum Pool; restored in to reflect its original 1920s style, is North Sydney's last remaining harbour pool
- The 'English Garden' character of large sections of the Reserve reflects the site's history as a 'Pleasure Ground' for Sydneysiders
- The architectural heritage of adjacent residences visible from the Reserve, especially the Federation Arts and Crafts style contributes significantly to the area's unique character

Social/Recreational

- The Reserve facilitates social interaction; as the population increases, the value of Cremorne Reserve as a community meeting place also increases

- The Reserve caters for the unstructured recreational needs of the community, including picnickers, joggers, walkers, dog walkers, swimmers, as well as for people fishing, relaxing, socialising and viewing the harbour and city
- The Reserve's accessibility makes it a popular destination for day-trippers
- A variety of organised community activities (including Bushcare) take place in the bushland sections of the Reserve
- Access to public open space supports community mental health and well-being

4.2.2 Management Objectives

The following broad management objectives are based on:

- legislative requirements
- the values and assets of Cremorne Reserve
- identified community needs and expectations
- To manage Cremorne Reserve in accordance with the North Sydney Community Strategic Plan 2018-2028, the *LG Act*, the *CLM Act* and the *NT Act*;
- To ensure all uses of the Reserve are appropriate; that they comply with the purpose of the land reservation (public recreation), and accord with its zoning under LEP 2013 (RE1 Public Recreation and E2 Environmental Conservation), and with its categorisation under the *LG Act*;
- To allow use of the Reserve by groups, and for appropriate special events;
- To provide appropriate recreational facilities for the community;
- To provide ancillary facilities that complement recreational activities and add to user enjoyment and experience;
- To minimise conflict between different user groups;
- To ensure that management of the Reserve is socially environmentally, and economically sustainable, and that all new work considers sustainable principles;
- To protect and enhance the cultural, recreational, heritage, scientific and natural qualities and values of the Reserve;
- To ensure the conservation and appropriate management of items of cultural heritage (both Aboriginal and European);
- To manage the bushland sections of the Reserve as per Council's Bushland Plan of Management and Council's Bushland Rehabilitation Plans 2019-29;
- To maintain the Reserve to a standard commensurate with its high public profile;
- To manage stormwater in accordance with Total Catchment Management principles;
- To encourage community involvement in management of the Reserve;
- To provide access to the water;
- To provide for public safety;
- To ensure the Reserve is accessible to the general community;
- 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 management framework outlined in this document 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 'Priority' section of the Matrix:

ST	Action completed within 2 years
MT	Action completed in 2 – 4 years
LT	Action completed after 4 years
O	(Ongoing) – Action will occur throughout the life of the Plan of Management
C	(Commenced) – Action has started

5.1 Matrix

Note: Council's Playgrounds, Bushland and Foreshore Parks & Reserves Plans of Management all provide more information about Council's management of these aspects of Cremorne Reserve. They are available on Council's website.

LANDSCAPE CHARACTER AND HERITAGE

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Landscape Amenity and Aesthetics	To use planting to enhance the character of the parkland areas of Cremorne Reserve and to improve the quality of the bushland areas	Preserve and enhance the 'parkland' areas of the Reserve by selecting, planting and establishing suitable species of trees, shrubs and ground covers	The parkland areas of the Reserve (zoned RE1 Public Recreation) have an English Garden character, and they comprise lawns, ornamental gardens and specimen trees	O	All new plantings complement existing landscape character	Local Environmental Plan 2013 NSC
		Use best-practice ecological restoration techniques to improve bushland areas where the potential for natural regeneration is absent or limited	Council's Bushland Rehabilitation Plans provide details of how the Bushland areas of the Reserve (zoned E2 Environmental Conservation) will be managed	O	All new plantings are appropriate	Bushland Rehabilitation Plans 2019-29 NSC Local Environmental Plan 2013 NSC
	To retain and enhance the high amenity value of Cremorne Reserve	Consider the impact on significant Reserve features, and views and vistas when siting new park furniture or other structures in the Reserve	Significant features include: - Major entry points - Maccallum Pool - Lighthouse - Main foreshore pathway - Heritage items and sites - Lex and Ruby Graham's Garden, etc	O	All new work considers impacts on significant Reserve features and on views and vistas	
Consider the impact on existing views and vistas when siting new planting in the Reserve		While views are considered, the Reserve does not offer unobstructed views, particularly from bushland areas	O	All new work considers impacts on views and vistas		

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Consider requests for trimming trees for views in areas zoned RE1 Public Recreation on a case-by-case basis	Only horticulturally sound and appropriate work is approved All work on public land is at the expense of the person/s requesting it Cosmetic pruning is not permitted on land zoned E2 Environmental Conservation	O	All requests are considered, and trimming is carried out only if appropriate	'Managing Trees in North Sydney' brochure NSC
		Assess all landscape proposals to ensure all new work will be appropriate, attractive and sympathetic to the existing landscape character of the Reserve		O	All landscape proposals are assessed for suitability	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Vegetation Management	Manage trees in Cremorne Reserve as per Council's Urban Forest Strategy	Continue to plant new trees to ensure canopy cover targets are reached	The canopy cover targets for Cremorne Reserve are: - 100% cover in areas zoned Environmental Conservation - 50% cover in areas zoned Public Recreation	O	Canopy cover percentage increasing as determined from aerial photographs	Urban Forest Strategy 2019 NSC
		Locate all new trees to maximise benefits to the environment and to the community	Consider access, sight lines, solar access, spacing, mature tree dimensions etc	O	Number of complaints received regarding new tree plantings	Urban Forest Strategy 2012/9 NSC
		Replace any trees removed from the Reserve with appropriate new trees, wherever there is enough space	Replacement should occur in a timely manner	O	New trees installed to replace lost trees	Urban Forest Strategy 2019 NSC
		Carry out appropriate community engagement regarding tree work in the Reserve	Appropriate engagement, clarifying what is happening, and why, will increase community understanding of and appreciation for the complex issues involved in tree management	O	Community satisfaction with Council's engagement processes	Urban Forest Strategy 2019 NSC
	To manage existing vegetation in areas zoned RE1 Public Recreation using best-practice horticultural techniques	Carry out regular ongoing maintenance work as required to conserve appropriate existing vegetation in good health	Vegetation in the open parkland areas of the Reserve is a mix of exotic and native species	O	Vegetation is maintained in a healthy condition	
		Control any activities that may harm existing trees and other vegetation	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	For example, self-sown date palms less than 5ms in height are regularly removed	O	Inappropriate species removed and replaced where practical	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Remove species reaching the end of their useful lives and replace with new trees/ shrubs/ groundcovers where practical	Consider the effect of removals on existing habitat	O	Over-mature species removed and replaced where practical	
		Preserve specimen Coral trees (<i>Erythrina x sykesii</i>) in lawn areas until they reach the end of their safe life	As the health of these trees decline, they will be removed and replaced with more suitable species, and further colonisation will be prevented	O	Health and vigour of specimen trees No new Coral trees in the Reserve	
		Preserve Camphor laurels (<i>Cinnamomun camphora</i>) specimens above 5 metres high in lawn areas as ornamental specimens	5 metres distinguishes between well-established, purpose planted specimens and newer, self-sown trees	O	Health and vigour of specimen trees No new self-sown Camphor laurels in the Reserve	
		Gradually phase out Camphor laurels below 5 metres in height in lawn areas	Work is gradual, to minimise the visual impact on the 'green' character of the Reserve, and to minimise the impact on fauna habitat	O	Ongoing removal of self-sown Camphor laurels	
	To manage vegetation in areas zoned E2 Environmental Conservation using best-practice ecological restoration techniques	Conserve desirable endemic species when they occur as a result of natural regeneration	In areas zoned E2 Environmental Conservation these species will be conserved regardless of impact on views	O	Increase in the amount of natural regeneration in the Reserve	
		Continue to remove inappropriate species including Coral trees and Camphor laurels from bushland, in conjunction with natural regeneration or planting of replacement indigenous trees	Work should be carried out over a number of years to minimise the visual impact on the 'green' character of the Reserve, and to minimise the impact on fauna habitat	O	Ongoing removal of inappropriate species and replacement with suitable species	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Implement Council's Bushland Rehabilitation Plans in areas of the Reserve zoned E2 Environmental Conservation	Bushland rehabilitation is sustainable, ecologically sound and adheres to strategic objectives	O	Bushland Rehabilitation Plans implemented	Bushland Rehabilitation Plans 2019-29 NSC
	To protect existing trees and other vegetation in Cremorne Reserve 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 which is applicable to Cremorne Reserve	O	Tree Management Order enforced, and appropriate action taken if required	Tree & Vegetation Vandalism Policy 2018 NSC North Sydney DCP 2013 – Tree & Vegetation Management

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Weed Management	To control biosecurity and environmental weeds in Cremorne Reserve	Undertake weed removal programs when and where required	Potential erosion problems if too much vegetation is removed at one time, and loss of habitat are considered	O	Reduction in weed levels in the Reserve	<i>Biosecurity Act 2015</i>
		Undertake all weed removal in a target-specific and sensitive manner, so as not to compromise wildlife habitat	Delay weed control in Habitat Protection Zones until alternative habitat is established and being utilised by target wildlife species	O	Weed control does not result in loss of significant fauna species	
		Implement the Biosecurity Act consistently and effectively	In bushland areas, implement the Act in association with bushland management practices	O	Biosecurity Act implemented by staff and contractors	<i>Biosecurity Act 2015</i>
		Co-ordinate biosecurity weed control with adjoining land managers and residents		O	Biosecurity weed control co-ordinated on a regional basis	Greater Sydney Regional Strategic Weed Management Plan 2017–22
		Provide information to interested residents and to owners of properties known to contain biosecurity or environmental weeds	A brochure (also available from Council upon request) is automatically distributed with biosecurity weeds Notices	O	Educational brochures provided to relevant property owners	
		Issue Notices to properties adjoining the Reserve 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	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Fauna	To maintain and enhance the range of fauna habitats and conserve the remaining species in Cremorne Reserve	Implement strategies and actions listed in Council's Bushland Rehabilitation Plans	Work includes installing nesting boxes, creating hollows and embellishing wildlife corridors	O	All work carried out in accordance with the relevant BRPs	Bushland Rehabilitation Plans 2019-29 NSC
		Preserve, maintain and enhance existing habitat for native fauna	Maintain Dense Weedy Habitat zones as both native and exotic species can provide fauna habitat	O	Results of regular fauna surveys	
		Select and plant appropriate new trees, shrubs and ground covers to provide habitat for key/vulnerable native wildlife species in appropriate locations	Priority is given to significant and/or vulnerable habitat sensitive species	O	Appropriate species selected and planted	
		Encourage residents to report fauna sightings through Council's Wildlife Watch program	Information about the program is available on Council's website	O	Wildlife Watch program operates effectively	
	To reduce the impact of feral and domestic animals on the Reserve	Continue to build public awareness on responsibilities of domestic animal ownership and their potential impact on the environment	A Responsible Pet Ownership booklet is available from Council	O	Reduction in number of infringements	'Owning Cats and Dogs in North Sydney' brochure NSC
		Continue to monitor, assess and address the impacts of feral animal species on the Reserve	The current main problem animals are dogs and cats	O	Results of regular fauna surveys monitored	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Control and restrict dogs in Cremorne Reserve as per relevant Council policies and legislation	Relevant information is provided at major Reserve entrances Dogs must be on-leash in the Reserve	O	Reduction in the annual number of complaints	NSC Local Companion Animal Management Plan 2004 <i>Companion Animals Act 1998</i>
		Patrol the Reserve to ensure compliance with the above actions	Patrols are carried out by Council Rangers	O	Regular Ranger patrols carried out	
		Provide dog tidy bags at key entrances to the Reserve		O	Dog tidy bags available	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Conservation and Recognition of Heritage Items and Sites	To protect and conserve all identified items and sites of Aboriginal and/or European heritage significance in Cremorne Reserve	Manage all Aboriginal heritage sites as per Council's Aboriginal Sites Management Report	Aboriginal sites include shell middens, rock art and rock shelters	O	Management of Aboriginal sites complies with Management Report	North Sydney Aboriginal Sites Management Report 2011 AHO
		Consult relevant organisations regarding Aboriginal sites management and fulfil the requirements of the <i>NP&W Act</i>	- the MLALC, - the AHO, and - the Department of Planning, Industry & Environment	O	Co-ordinated and effective management of Aboriginal sites	<i>National Parks and Wildlife Act 1974</i>
		Keep the location of Aboriginal sites confidential where necessary to prevent damage		O	Condition of confidential sites	
		Manage sites of European heritage significance as per the Heritage Provisions in Council's LEP	Sites and items include ornamental gardens, early tree plantings and depression-era stone fencing	O	Items and sites protected and preserved	Local Environmental Plan 2013 NSC
		Consult relevant organisations re management of European heritage sites and items and fulfil the requirements of the <i>NSW Heritage Act</i>	- the Department of Planning, Industry & Environment, and - the National Trust	O	Co-ordinated and effective management of heritage sites and items	<i>NSW Heritage Act 1977</i>
		Carry out work necessary to maintain all heritage items and sites in good condition		O	Heritage items and sites well maintained	
		Take appropriate measures to protect heritage items and sites that are vulnerable to damage	For example, walking tracks can be redirected away from heritage items or sites	O	No damage to heritage items and sites	Local Environmental Plan 2013 NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
	To recognise and interpret the cultural and natural heritage of Cremorne Reserve	Maintain the existing interpretive signage trail in good condition	Last upgraded in 2019 (the signs had become hard to read), the series of signs along the main foreshore pathway assist visitors to interpret the natural and cultural (Aboriginal and European) history of the Reserve, and to understand Council's current activities	O	Interpretive signage maintained in good condition	
		Consider installing innovative interpretive material to complement the signage trail and highlight other items and sites of historical significance and interest	Other ways to present information include words set into paving, murals, sculpture, lighting etc	O	Interpretive material considered and installed, if appropriate	

PARK FURNITURE AND OTHER STRUCTURES

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Park Furniture and Other Structures	To provide park furniture and other structures to meet identified user needs	Assess the need for additional park furniture and other structures and ancillary facilities as they are identified	Council's Recreation Needs Study identified the need for additional and upgraded park furniture in Cremorne Reserve	O	Appropriate new items installed as required	Recreation Needs Study 2015 NSC
		Remove aged park furniture and replace with furniture from Council's corporate palette	Removal and replacement of older items is ongoing New items should complement the Reserve and be consistent with Council's Style Manual	O	Older park furniture removed and replaced	Public Domain Style Manual & Design Codes 2019 NSC
		Repair and refurbish structures in the Reserve as per Council's Amenities Condition Report recommendations	Refer Issue 'Maintenance' for more details	O	Work undertaken on time and to budget	North Sydney Council Amenities Condition Report 2018
		Consider accessibility for people of all abilities when installing new park furniture and other structures		O	Appropriate structures only installed	
		Consult with the community and stakeholders prior to starting significant new work		O	Satisfaction with consultation process	LEP 2013 NSC
		Assess the feasibility and level of community support for erecting a flagpole in the Reserve (Robertsons Point)		MT	Assessment made and recommendations produced	
	To encourage appropriate public art projects in Cremorne Reserve	Investigate opportunities to place public art in the Reserve if and when they arise		O	Opportunities to place public art pursued	

ACCESS AND CIRCULATION

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Access	To encourage visitors to walk, cycle or use public transport to get to Cremorne Reserve	Provide information to enable visitors to get to the Reserve without using a car	The Reserve is accessible by bus or ferry; car parking is limited 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 Cremorne Reserve	Consider opportunities to improve access, where practical, as they are identified	Although major Reserve entranceways were upgraded recently, the need for additional improvements at minor public entrances will be considered	O	Opportunities to improve access identified and appropriate work scheduled	Australian Standard 1428
	To control vehicular access into and within Cremorne Reserve	Prohibit and prevent inappropriate vehicular access into and within the Reserve	Permission for a private vehicle requiring one-off access through a Council park or reserve (due to lack of other ways to access a property) may be granted upon request	O	General vehicular access to the Reserve prevented	
		Allow service and emergency vehicles to enter Cremorne Reserve	Removable bollards and gates allow access for Reserve 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 provide a safe, secure and convenient circulation system for pedestrians in Cremorne Reserve	Continue to upgrade existing pathways where a need is identified	Major upgrading to the central pathway system has occurred in recent years, however, the need for improvements to secondary pathways may be identified	O	Appropriate works undertaken as required Access for all provided where feasible	Australian Standard 1428
		Ensure gates and other barriers to vehicular access allow pedestrians to enter the Reserve		O	Access for all provided	
		Prohibit and prevent bike riding within the Reserve	Signs are located at all major entrances and patrols are carried out by Council Rangers	O	Decrease in complaints	
	To facilitate access to the water from selected locations around Cremorne Reserve	Continue to provide pedestrian access to the water's edge in Mosman Bay and Shell Cove	2 ferry wharves provide access to the water, and Maccallum Pool is on the water's edge There are small water craft stored on the foreshore in 2 locations below Milson Road (Refer Issue 'Small Boat Storage' for further details)	O	Safe and convenient pedestrian access to the foreshore provided	Recreation Needs Study 2015 Small Water Craft Storage Strategy 2018 NSC
To publicise links between Cremorne Reserve and other nearby public open spaces, and between the Reserve and public transport nodes	Provide relevant information to enable the community to enjoy North Sydney's open space network, including Cremorne Reserve	Information on Council's website includes: - 'Walk North Sydney' maps and brochures - 'North Sydney Circle Walks' - 'Bike Map'	O	Relevant information easily accessible		

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Other Pathways	To ensure pathways leading from private properties into Cremorne Reserve are safe and do not impede public use of the Reserve	Address any potentially unsafe pathways leading from private properties into the Reserve when they are identified	Council will liaise with the adjacent property owner in the first instance	O	Appropriate measures taken to ensure public safety and public access	
		Disallow construction of any new pathways leading from private properties into the Reserve		O	No new private pathways in the Reserve	
	To protect the bushland areas of the reserve	Remove informal/unauthorised tracks in bushland areas of the reserve as they are identified	This measure protects sensitive native vegetation and highly erodible soils	O	Informal and unauthorised tracks in bushland removed when identified	

USE

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Use of Cremorne Reserve	To provide a range of recreational opportunities to meet the needs of a variety of users, within the carrying capacity of the Reserve	Ensure all activities occurring in the Reserve are appropriate and are consistent with Council's management goals and objectives and with the purpose of the reservation (public recreation)	The Reserve caters primarily for low-key activities such as picnicking, relaxing, viewing the harbour, socialising, exercising and walking dogs, as well as children's play and swimming	O	Reduced number of complaints received regarding inappropriate use of the Reserve	<i>Crown Land Management Act 2016</i>
		Ensure all activities occurring in the Reserve are consistent with the relevant zoning	Parts of Cremorne Reserve are zoned RE1 Public Recreation while other parts are zoned E2 Environmental Conservation	O	Reduced number of complaints received regarding inappropriate use of the Reserve	Appendix 1 – Zoning of Cremorne Reserve Local Environmental Plan 2013 NSC
		Ensure all activities occurring in Cremorne Reserve are consistent with the Reserve's classification and categorisation	Cremorne Reserve is classified as 'community' land and is categorised 'park' and 'natural area – bushland'	O	Reduction in complaints regarding inappropriate park use	<i>Crown Land Management Act 2016</i> <i>Local Government Act 1993</i>
	To encourage the use of Cremorne Reserve for appropriate recreational activities	Permit groups to use the open parkland areas for social gatherings and 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 taken, and no structures may be erected	O	Cremorne Reserve maintained in good condition	Appendix 3 – Definitions: Organised Sports and Informal Sports and Games

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Permit groups to hire sections of Cremorne Reserve for appropriate special events	Bookings are taken and fees are charged by groups of 60+ wanting to use part the Reserve for a special event Permission for functions is at Council's discretion, considering: - Size of proposed event - Area of reserve still available for public use - Likely impact on neighbours and the rest of the Reserve	O	Cremorne Reserve maintained in good condition	Annual Parks & Reserves Hire Fees and Charges NSC
		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 reserve condition, on other reserve users and on neighbours	O	Rangers carry out patrols and respond to complaints	Outdoor Fitness Training Code of Conduct NSC
		Liaise directly with individuals or groups if complaints are received regarding inappropriate Reserve use	All user groups should be courteous and considerate toward other users	O	Reduction in the annual number of complaints received	
		Manage recreational activities that may have negative environmental impacts carefully to minimise impacts	Activities such as walking dogs, fitness training and fishing can have a negative environmental impact, particularly in bushland areas	O	General condition of bushland in the Reserve	
	To acknowledge and promote the Reserve as a focal point and community hub	Provide relevant information to the community on Council's website and via social media	Urban parks play an important role in the social life of the local community, and have health and well-being benefits	O	Relevant information about the Reserve is readily accessible	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Dog Walking in Cremorne Reserve	To accommodate dogs in the Reserve	Allow dog-walking in the Reserve in accordance with the Companion Animals Act and with the North Sydney Local Companion Animals Management Plan	Dogs are not permitted in or within 10 metres of children's play equipment Dogs must be on a leash at all times in all parts of Cremorne Reserve	O	Reduction in the annual number of complaints	<i>Companion Animals Act 1998</i> North Sydney Local Companion Animals Management Plan 2004
		Patrol Reserve to ensure compliance	Council Rangers carry out patrols	O	Regular Ranger patrols carried out	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Playground	To ensure that the Cremorne Reserve playground meets the needs of the community and is safe and attractive	Manage and maintain play equipment and surrounds as per Council's Playgrounds Plan of Management	The playground and associated exercise equipment are located in the Reserve hub, near Robertsons Point	O	Playground managed and maintained as per Playgrounds Plan of Management.	Playgrounds Plan of Management NSC
		Refurbish the playground in Cremorne Reserve when it reaches the end of its useful life	Council's playgrounds are upgraded every 15 years or so, in order of need determined by Council's Playgrounds Methodology Document The existing Cremorne Reserve playground was refurbished in 2012; taking wear and tear into account, the next refurbishment is likely to occur around 2025-7	LT	Playground refurbished based on need	Playgrounds Methodology 2015 NSC Playgrounds Plan of Management NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Maccallum Pool	To maintain historic Maccallum Pool as a safe and appealing public swimming facility	Carry out weekly maintenance; empty, clean and refill the pool	The pool closes for cleaning for approximately 9 hours each week, coinciding with low tide (Closures vary according to tides and weather conditions; times are displayed at the pool and on Council's website)	O	Pool maintained in good condition	
		Undertake regular water quality inspections	Council staff carry out inspections	O	Inspections occur every 3 weeks and after heavy rain	
		Carry out ongoing maintenance activities as specified in the Amenities Condition Report		O	Condition of pool and surrounds	North Sydney Council Amenities Condition Report 2018
		Carry out unscheduled additional maintenance activities as required	Issues may occur due to the age of the pool and surrounds	O	Unscheduled maintenance occurs as required	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Small Water Craft Storage	To provide storage for small water craft in Cremorne Reserve	Identify potential locations where formal storage facilities for small water craft could be located on the foreshore in Cremorne Reserve	The SMCSS notes that small water craft (primarily dinghies) are currently stored informally at 2 locations on the western side of the Reserve: - below 136 Milson Rd - below 100-102 Milson Rd	C	Potential locations identified	Small Water Craft Storage Strategy 2018 NSC
		Investigate feasibility of constructing formal storage facilities at either one or both of the existing informal storage areas in Cremorne Reserve	The SWCSS outlines an assessment method that considers numerous factors including ease of access, visual amenity, presence of heritage items and sites etc	MT	Feasibility investigations complete	Small Water Craft Storage Strategy 2018 NSC
		Carry out additional on-ground investigations to confirm the suitability of these sites due to their location on land zoned E2	The SWCSS prohibits storage in most areas zoned E2, however there are some exceptions, including these sites in Cremorne Reserve	MT	Additional investigations carried out	Small Water Craft Storage Strategy 2018 NSC
		Apply strict conditions of use if either or both sites are determined to be suitable for small water craft storage	As per the SWCSS; the aim is to minimise environmental degradation Potential hirers must sign off on conditions of use	MT	Appropriate conditions imposed	Small Water Craft Storage Strategy 2018 NSC
		Limit the number of Permits issued for either/both sites based on the constraints of each site	Limits will be determined in consultation with Council's Bushland Management Co-ordinator	MT	Appropriate limits imposed and adhered to	Small Water Craft Storage Strategy 2018 NSC
		Undertake consultation prior to installing new formal storage facilities and consider all feedback	Notify owners of small water craft currently stored in the Reserve by affixing stickers to all water craft	MT-LT	Satisfaction with the consultation process	Small Water Craft Storage Strategy 2018 NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Construct new formal storage facilities at either or both of the identified locations, if feasible and appropriate	Part of the project will be to upgrade access to the sites from the main pathway, and to the water from the sites	MT - LT	New facilities constructed on time and to budget, if feasible	Small Water Craft Storage Strategy 2018 NSC
		Provide a designated area for informal storage at either or both of the sites if formal storage facilities are determined not to be feasible	As above	MT - LT	Improved informal storage provided (if formal storage is not feasible)	Small Water Craft Storage Strategy 2018 NSC
		Provide safe access to future formal or informal small water craft storage sites	Maintain access tracks to storage sites and to the water in good condition, and carry out repairs as required	MT - LT	Improvements made to site access	Small Water Craft Storage Strategy 2018 NSC
		Carry out a regular audit and remove abandoned and unregistered water craft from the Cremorne Reserve waterfront through the notification and impounding process	Impounding abandoned and unregistered water craft reduces visual clutter and environmental damage	O	Reduced number of abandoned and unregistered small water craft on the foreshore	Small Water Craft Storage Strategy 2018 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) in Cremorne Reserve	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 Cremorne Reserve 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 Cremorne Reserve 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 All lessees/licensees should provide facilities or services for public use and enjoyment and should ensure the leased area is safe and attractive and that the interests of Council and the public are protected	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
Landscape Masterplan	To upgrade the amenity and appearance of the Reserve by implementing the Cremorne Reserve Masterplan	Implement remaining works identified in the Masterplan	Projects identified in the 1998 Landscape Masterplan have been implemented in stages, since 1999, in accordance with community-determined priorities	O	Improvement in Reserve facilities and appearance	Cremorne Reserve Masterplan 1998 NSC
		Provide a dedicated water access point and storage area for small water craft including dinghies and kayaks	Refer Issue 'Small Water Craft Storage'	MT-LT	Most appropriate location selected, and new facility designed	Cremorne Reserve Masterplan 1998 NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Community Involvement	To provide opportunities for community involvement in the development and implementation of this Plan of Management	Actively seek public input by widely publicising the draft Plan of Management	In addition to general public notification, known stakeholders 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 Plan of Management (PoM)	Council considers all submissions and appropriate information and comments are incorporated into the final PoM	O	Review of draft PoM appropriately considers all 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 various volunteer programs operating in and around Cremorne Reserve by publicising and promoting them	<p>Current programs include:</p> <ul style="list-style-type: none"> • Bushcare • Adopt a Plot • Wildlife Watch • Bushcare Workshops and Events • Native Havens <p>Programs are publicised via social media and Council's Newsletters</p>	O	Level of participation in Council's community programs continue to increase	
	To provide opportunities for community involvement in new developments in Cremorne Reserve	Consult with stakeholders prior to and during the development of new proposals for the Reserve and consider comments	New work must be consistent with the values and objectives of this Plan of Management	O	Satisfaction with the consultation process as gauged from feedback	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
		Lodge Development Applications where required for works occurring in Cremorne Reserve	Community consultation is an important part of the Development Application process	O	Development Applications lodged for relevant work	Local Environmental Plan 2013 NSC
	To raise community awareness on activities detrimental to the conservation of bushland in Cremorne Reserve	Continue to provide information and advice to people living close to the bushland areas of the Reserve		O	Information and advice provided upon request	Bushland Plan of Management NSC
		Continue to provide information to the public regarding Council's bushland management program and the opportunities offered for community participation	Council's Coal Loader Centre for Sustainability is a hub for information dissemination	O	Opportunities to provide information acted upon	Bushland Plan of Management NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References	
Private Encroachments onto Cremorne Reserve	To take a consistent approach to the management of private encroachments onto Cremorne Reserve	Assess private encroachments onto Cremorne Reserve when they are identified	Encroachments can include structures such as fences, steps, paths or buildings, or planting that implies a boundary	O	Impact assessment carried out when possible private encroachments are identified	<i>LG Act 1993</i> <i>CLM Act 2016</i>	
	To manage private encroachments onto Crown land in accordance with the <i>CLM Act and the LG Act</i>	If the encroachment is assessed as being consistent with the purpose for which the Cremorne Reserve was dedicated ('public recreation'), and is in the public interest, Council may lease or licence the land to the encroaching owner	The encroachment should also be for a purpose consistent with the core objectives for the relevant part of the Reserve; 'natural area-bushland' or 'park' (The core objectives are set out in Section 1.4) A Plan of Management must authorise the lease or licence	O	Lease or licence entered into if appropriate and desirable	<i>CLM Act 2016</i> <i>LGA Act 1993</i> Encroachment Management Policy 2019 NSC	
		If the encroachment is assessed as inconsistent with the purpose for which the land was dedicated and not in the public interest, Council will liaise directly with the encroaching owner to remove it	In this situation a lease or licence cannot be entered into, a Plan of Management so authorising a lease or licence would be invalid	O	Encroachment removed	<i>CLM Act 2016</i> <i>LGA Act 1993</i> Encroachment Management Policy 2019 NSC	
	To prevent future private encroachments onto Cremorne Reserve	Ensure staff and contractors working in the Reserve are aware of property boundaries so that new encroachments can be easily identified			O	Council staff and contractors working in Cremorne Reserve remain vigilant	
		Refuse DAs that propose encroachments onto the Reserve		Council's LEP outlines work for which Development Consent is required New private encroachments on public open space prohibited	O	No new private encroachments onto Cremorne Reserve	Local Environmental Plan 2013 NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Urban Runoff	To adopt a Total Catchment Management approach using Water Sensitive Urban Design principles to manage stormwater in the Reserve	Continue to carry out appropriate mitigation works	Works include armouring drainage outlets with boulders and planting native wetland plants at outlets to reduce erosion	O	Ongoing program of mitigation works	Bushland Rehabilitation Plans 2019-29 NSC
		Continue to educate the community about the impacts of illegal and broken stormwater systems on Cremorne Reserve		O	Continued distribution of education leaflets	
		Ensure developments adjacent to Reserve incorporate WSUD principles and meet relevant DA conditions		O	Level of compliance with DA conditions	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Sewer Line Deterioration and Rupture	To minimise the effects of sewer pollution on Cremorne Reserve	Monitor public and private sewer lines for leakages	Ongoing monitoring is carried out by Council staff working in the Reserve and Council's Environmental Health officers	O	Reduction in impact of sewer leaks on the Reserve.	
		Advise Sydney Water of any leaks occurring in the Reserve	The community and/or Council staff can report leaks directly to Sydney Water	O	Leaks reported to Sydney Water in a timely manner	
		Notify owners of private properties adjacent to Reserve of identified sewer leaks affecting the Reserve, and encourage remediation works		O	Property owners notified in a timely manner	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Maintenance	To maintain Cremorne Reserve to meet community needs and expectations, commensurate with Council resources	Carry out regular maintenance in the Reserve to a high standard; befitting the status of the Reserve as one of Council's most significant public open spaces	Council staff are permanently stationed in Cremorne Reserve	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 cost of maintenance and replacement work	This allows ongoing provision of adequate resources to facilitate the required work and prevents future problems	O	Cost data recorded and monitored	
		Respond to public suggestions, attend to public enquiries promptly and provide accurate and useful information to the community as required		O	Community satisfaction gauged from feedback	
	To ensure the Reserve's playground is functional, safe and attractive	Maintain the playground (and associated fitness equipment) as per Council's Playgrounds Plan of Management		O	Playground maintained as per Playgrounds Plan of Management	Playgrounds Plan of Management 2016 NSC
	To ensure other built structures in Cremorne Reserve are functional, safe and attractive	Maintain built structures in the Reserve as per Council's ACRMP (Amenities Condition Report & Maintenance Plan)	Maccallum Pool, the associated pump shed, the amenities block, and the stone shed are all addressed in the ACRMP	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
	To ensure all bushland in Cremorne Reserve is managed appropriately	Manage and maintain areas of the Reserve zoned 'E2 Environmental Conservation as per Council's Bushland Plan of Management and the Bushland Rehabilitation Plans 2019-29		O	Condition of bushland areas in the Reserve	Bushland Plan of Management NSC Bushland Rehabilitation Plans 2019-29 NSC
	To ensure the foreshore areas of the Reserve are managed and maintained appropriately	Manage and maintain the foreshore areas of the Reserve as per Council's Foreshore Parks and Reserves Plan of Management		O	Condition of foreshore areas	Foreshore Parks and Reserves Plan of Management NSC

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Lex and Ruby Graham Gardens	To maintain a high standard of presentation in the Gardens	Provide assistance where required to help with the upkeep of this unique, resident-maintained section of Cremorne Reserve	The Gardens are a popular, much-loved and culturally important feature of the Reserve	O	Condition of Gardens	
	To plan for future maintenance of the Gardens	Allocate funding to provide hard landscaping, tree maintenance, mulch, plant material and labour as required to maintain the Gardens to a high presentation standard	The National Trust listing recognises the significance of and the need to protect the Gardens	O	Future funding adequate to maintain Gardens commensurate with public expectations	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Fire Management	To protect people and property from bushfire and incorporate fire as a management tool to maintain the biodiversity of the bushland in Cremorne Reserve	Carry out 2 small managed burns on the western side of the Reserve, in accordance with the Mosman North Sydney Willoughby Bushfire Risk Management Plan (BFRMP)	Controlled hazard reduction burns are implemented by Council in cooperation with the NSW Fire Brigades and the Manly-Mosman-North Sydney-Willoughby Bushfire Management Committee	ST-LT	Hazard reduction burns carried out as necessary	Mosman North Sydney Willoughby Bushfire Risk Management Plan

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	
		Carry out maintenance and risk mitigation as required		O	Required work carried out	
	To minimise the vandalism in Cremorne Reserve	Patrol the Reserve regularly	Council Rangers carry out patrols	O	Decrease in annual number of incidents reported	
		Remove all graffiti as soon as practicable	This sends the message that Council facilities are well maintained and cared for	O	Speed of graffiti removal	Graffiti Management Policy 2018 NSC
		Repair vandalised structures as soon as practicable or remove if damaged beyond repair	Reserve users are encouraged to alert Council to vandalism as soon as it is noticed	O	Speed of repair work or removal	
		Consider visibility and avoid hidden sites when siting any new structures, park furniture or play equipment		O	Visibility assessed and concealed sites avoided	

Issue	Objective	Action	Comments	Priority	Performance Indicators	References
Monitoring of Management Systems	To review and update the Cremorne Reserve Plan of Management regularly	Review this Plan of Management regularly, and comprehensively update the Plan after 5-10 years to conserve, maintain and enhance the values and character of the Reserve		LT-O	Plan 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

Note: Works listed in the following table are proposed new projects only. Actions designated as ‘Ongoing’ in the Matrix section of this Plan are not listed here.

WORKS/ACTION	ST 2021 – 2022	MT 2023 – 2025	LT 2026 onwards
Assess the feasibility and level of community support for erecting a flagpole in the Reserve (Robertsons Point)		_____	
Refurbish the playground in Cremorne Reserve when it reaches the end of its useful life			_____
Investigate feasibility of constructing formal storage facilities for small water craft and safe access to/from the water at either one or both of the existing informal storage areas in Cremorne Reserve		_____	
Apply strict conditions of use if either or both sites are determined to be suitable for small water craft storage (due to their location on land zoned E2)		_____	
Limit the number of permits issued for either/both sites based on the constraints of each site (due to their location on land zoned E2)		_____	
Undertake consultation prior to installing new formal storage facilities for small water craft and consider all feedback			_____
Construct new formal storage facilities for small water craft at either or both of the identified locations, if feasible and appropriate		_____	_____
Provide a designated area for informal storage at either or both of the sites if formal storage facilities are determined not to be feasible		_____	_____
Provide safe access to future formal or informal small water craft storage sites		_____	_____
Carry out 2 small managed burns on the western side of the Reserve, in accordance with the Mosman North Sydney Willoughby Bushfire Risk Management Plan (exact timing to be determined)	_____		
Review the Cremorne Reserve Plan of Management regularly			●

6.0 Appendices and Supporting Material

6.1 Appendix 1 - Explanation of Relevant Zones

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect and preserve bushland to provide representation of the natural state and to enable existing animal and plant communities to survive in the long term.
- To allow, where appropriate, for low-impact recreational opportunities, which will protect the value of bushland.

2 Permitted without consent

Environmental Conservation works

3 Permitted with consent

Environmental facilities; Roads

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- 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.

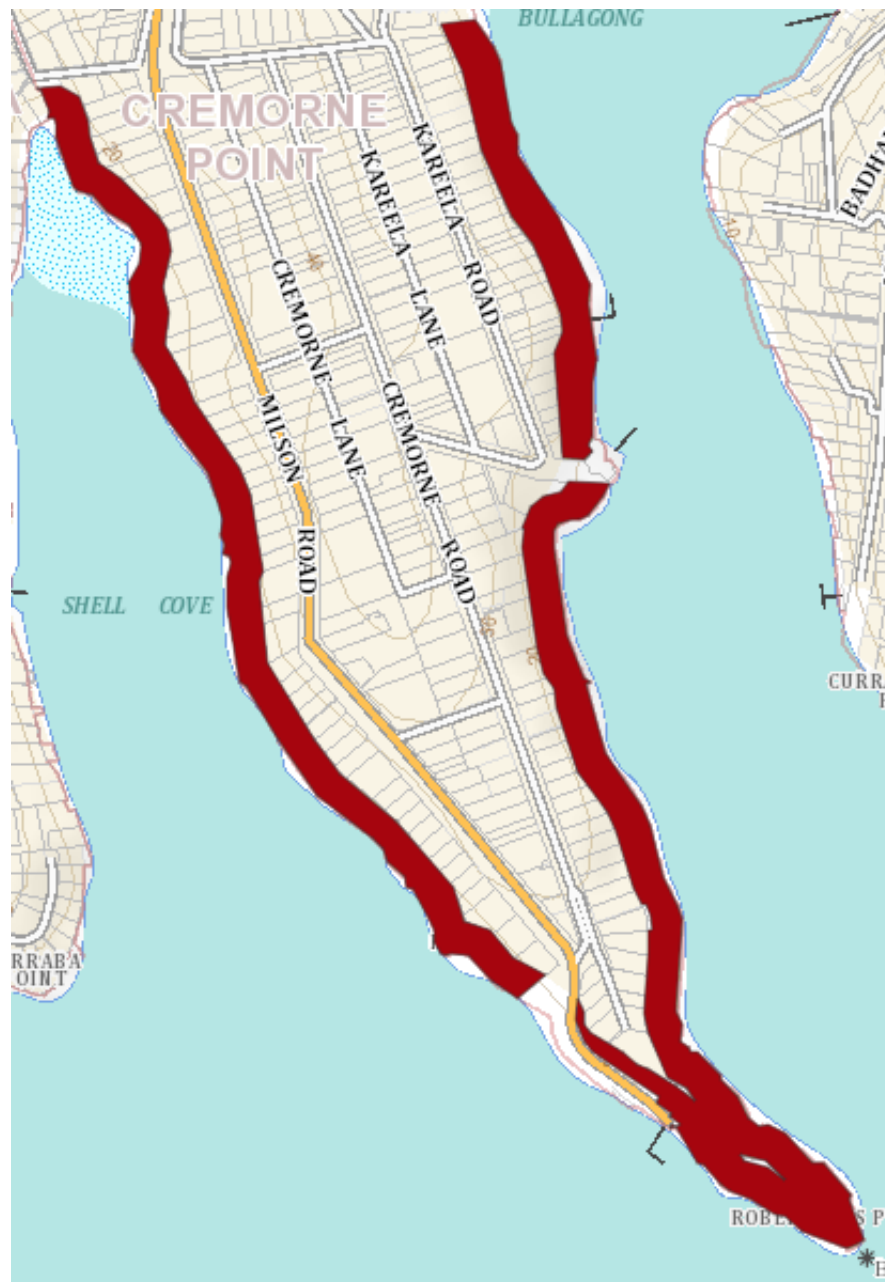
Source: *North Sydney Local Environmental Plan 2013*

6.2 Appendix 2 - Maps

Map 1 – Aerial Photograph of Cremorne Reserve 2020

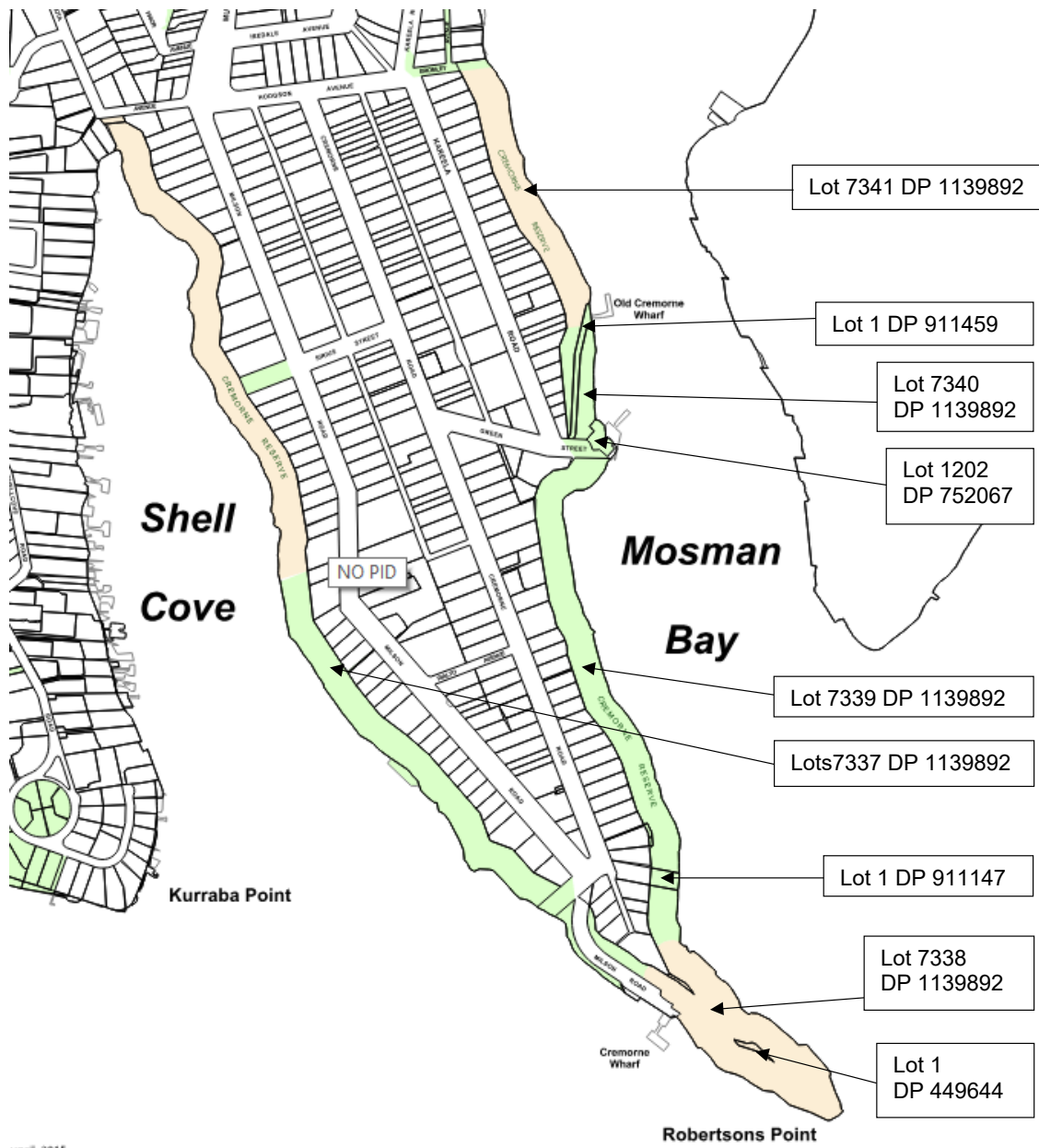


Map 2 – Extent of R. 39677 Cremorne Reserve



Source: Crown Lands Portal Maps

Map 3 – Cremore Reserve - Lot and DP Information & Approved Category Boundaries



uncil, 2015

Category Boundaries		Zoning
	Park	RE1 Public Recreation
	Natural Area Bushland	E2 Environmental Conservation

6.3 Appendix 3 - Definitions

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, AFL, touch football 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, as long as 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 Cremorne Reserve 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 Cremorne Reserve

B. Relevant Land

Cremorne Reserve R. 39677. Lot 1128 DP 752067, Lot 1 DP 911147, Lot 1 DP 911459, Lots 7337-7341 DP 1139892.

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 Cremorne Reserve 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.

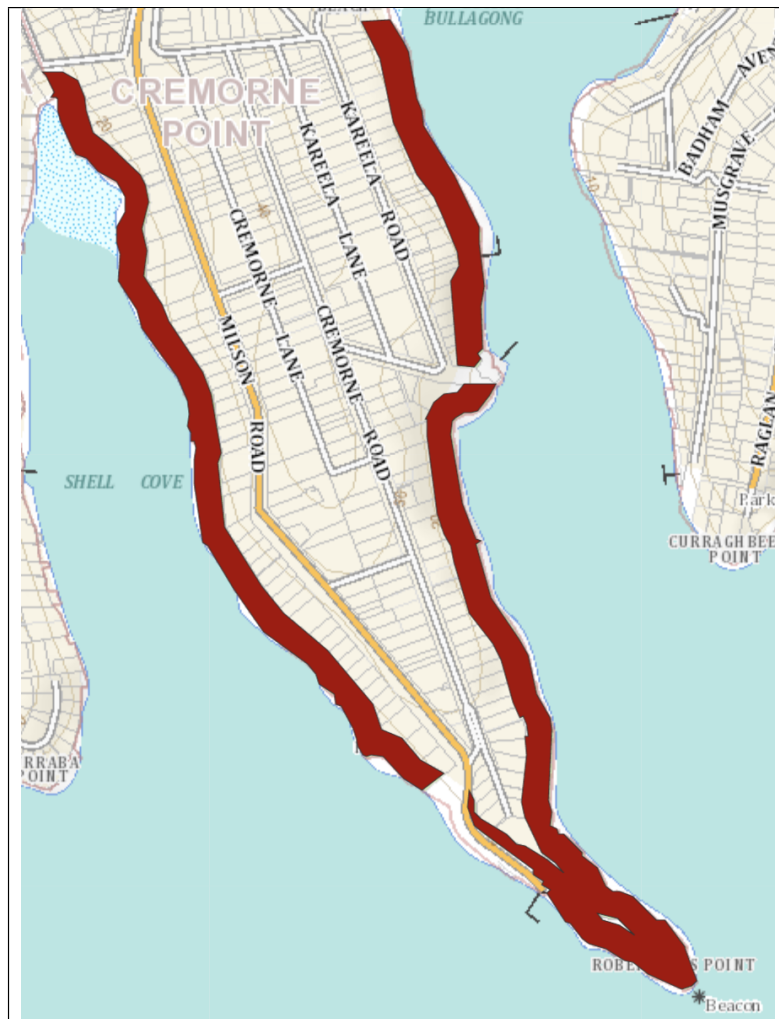
Robert Emerson

Native Title Manager
North Sydney Council

1. Description and Location of the Land

The land to which the draft Plan of Management for Cremorne Reserve applies is Crown Reserve 39677. It is contained in Lot 1128 DP 752067, Lot 1 DP 911147, Lot 1 DP 911459, Lots 7337-7341 DP 1139892. The land is known as Cremorne Reserve. The Reserve occupies an area of 76,045.8 m2 in the suburb of Cremorne Point. The Crown is the owner of the land.

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



Crown Reserve 39677 (Cremorne Reserve) Council Crown Land Manager

2. Land Status

The status of Crown Reserve 39677 is as follows:

a) Not excluded land

A search of the National Native Title Register on 22/07/2020 determined that there are:

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

b) Relevant land

Reserve Purpose: Public Recreation (gazette date 16/09/1905)

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.

3. Details of Activity on Crown Land

The draft Plan of Management for Cremorne Reserve has been prepared by North Sydney Council to provide for the effective management of this significant 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 Cremorne Reserve 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 Cremorne Reserve 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 Plan of Management for Cremorne Reserve 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 Plan of Management for Cremorne Reserve 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.