

Executive Summary

The City of Kogarah has 56 local park sites in its direct ownership three of which also consist of parcels of Crown Reserve land that Council has been appointed Trustee. There is also one site that includes land managed by the Sydney Water Corporation which is administered by that authority rather than Council. However, because this land is located within a high profile area and is incorporated into the surround Community Land in Council's ownership it has been included in this plan to enable consistency in its management.

The Kogarah City Council Local Parks & Reserves Plan of Management has been prepared in accordance with the provisions of the *Local Government Act, 1993* and the *Crown Lands Act, 1989* with the assistance and in consultation with the following organisations who own land that is the subject of this plan of management:

- Department of Lands, and
- Sydney Water Corporation.

The spirit of the plan and the recommendations, policies, strategies and actions within are founded on both the public's identified need for improved recreational facilities and ancillary facilities such as public toilets, landscaping, natural areas, park maintenance, park furniture, fixtures and fittings as well as addresses Council's Mission Statement which states:

- To build on the diversity of our community,
- To improve our natural and built environment, and
- To respond to changing community needs and expectations.

Over recent years Council has engaged the community in a number of recreation related surveys and public consultation to determine how the community value and use or would like to use their parks and reserves. These studies have included the *St George Region Leisure & Recreation Strategy Plan 2005*, *Kogarah Council Leisure & Recreation Strategy Action Plan 2005*, *Kogarah Recreation Survey Report 2008*, *Hogben Park & Youth Recreational Needs Study 2009* and as part of the public consultation for the preparation of Council's Community Strategic Plan, *Bright Future, Better Lifestyle: Kogarah 2020* to be released in 2010.

From these studies as well as the outcomes from previous consultation in preparing a range of other plans of management Council has a definitive picture of what facilities the community would like to see to improve their recreational choices, what they currently like and dislike about their parks and reserves, who our parks are catering for and who are missing out, the changing trends in recreation that are a result of changes to our demographics and how the public view Council's performance in developing, planning and managing its parks and reserves.

Based on these findings and the public and State Authorities consultation associated with the preparation of this plan the principal recommendations of are:

- Firstly, the plan acknowledges the previous original owners of the land the Bediagal People of the Eora Nation occupied the land prior to European settlement and the need to preserve both Aboriginal and European heritage.

- Categorise the Community Land within Local Parks to provide direction in the management of the land through the application of the core objectives associated with the designated land category as described in the *Local Government Act, 1993*.
- Council to manage the Crown Reserve land it has been appointed Trusteeship in accordance with the provisions of the *Crown Lands Act, 1989*.
- Set aside, for future use, selected portions of Community Land within Local Parks for the development of existing and future community facilities including but not limited to indoor recreation centres, childcare centres, emergency services, arts and crafts centres or other similar facilities permissible in accordance with the provisions of the *Kogarah Local Environmental Plan*.
- Grants authorisation to enter into lease or licence agreements for the use of Community Land categorised *General Community Use* for a community benefit or service.
- Grants Authorisation to enter into temporary licensing agreements for the use of Community Land other than land categorised Natural Area for temporary use and enjoyment by the public for events, social activities and alike.
- Provision has been made for a Playground Policy that incorporates the principles of Article 31 of the *United Nations Convention on the Rights of the Child* through the modernisation of playground equipment and enhanced playground environments.
- In consultation with the Local Community, provide improved design for Local Parks so as to improve facilities and settings for children, youth, aged persons, persons with a disability and persons of varying cultural background.
- Incorporate art, history and cultural elements into Local Parks so as to continue to address the City's cultural diversity.
- Address the possible impacts of Climate Change by recommending a Climate Change Policy be prepared addressing foreshore recreational assets and infrastructure renewal options for parks potentially affected by sea level rises.
- Provision is made in the plan for an economic strategy for playground renewals, total park refurbishments and public toilet replacement as well as locating and providing for a range of youth recreational facilities.

In summary, the plan provides for the future direction, planning, development and management of the City of Kogarah's Local Parks. However, it should be noted that the implementation of the strategies and actions herein, whether wholly undertaken in one attempt or staged over an extended period of time, will be dependent on the demands made on Council, its preferred priorities in any one financial year and the availability of resources, including grants and alike, each financial year.

This plan is subject to change and should be reviewed annually and renewed if not before then in 2018 to ensure its relevance to a changing community.

Introduction

WHAT IS A PLAN OF MANAGEMENT?

A plan of management is a document that identifies issues, proposes developments or changes of use for public parks classified as *Community Land*. A plan of management can also be prepared for State owned Crown land under Council's care, control and management that has been reserved or dedicated for a public purpose and Council appointed Trustee. The purpose of a plan of management is to ensure that the land is managed in the best interest of the public and as part of the process the public are informed of the proposals outlined in the plan and are invited to make written submissions on those proposals and to participate in a public hearing.

PREPARING A PLAN OF MANAGEMENT

Community Land

With reference to s.36 of the *Local Government Act, 1993* a Council must prepare a plan of management for *Community Land*. The plan can apply to one or more sites of *Community Land* except as provided by the relevant provisions of the *Local Government Act, 1993*. A plan of management for *Community Land* must identify the following:

- The category of land,
- The objectives and performance targets of the plan with respect to the land,
- The means by which the council proposed to achieve the plan's objectives and performance targets,
- The manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and
- May require the prior approval of the council to carry out any specific activity on the land.

Under s.38 of the *Local Government Act, 1993* a plan of management for *Community Land* must be publicly exhibited and the public invited to make written submissions on the proposals outlined in the draft plan. The public exhibition period must be for a minimum of 28 days but Council is required to receive written submissions for a further 14 days after the date of public notice of the exhibition.

Prior to public exhibition Council must notify and forward a copy of the draft plan of management to other owners of land within the public reserves that are the subject of a plan of management.

With reference to s.40A of the *Local Government Act, 1993* Council must hold a public hearing to categorise or re-categorise *Community Land* in accordance with one or more of the provisions outlined in s.36 (4) or (5) of the Act.

Crown Land

Where public reserves are entirely or partly made up of parcels of land that are Crown reserve land then under Division 6, s.112, of the *Crown Lands Act, 1989* entitled *Plans of Management* the Minister administering the Act can direct that a plan of management be prepared for the Crown reserve. However, a Trustee to the land can, with the Minister's consent, prepare a draft plan. The Minister may require inclusions or amendment to a draft plan prepared by a Trust. The Minister may refer a copy of the draft plan (s.113) to a third party, such as the NSW Fisheries, for their consideration.

A plan of management that includes Crown land must be placed on public exhibition for a period of not less than 28 days (s.113 (2)). Under s.113 (3) The Minister can consider any representation before adopting the plan. However, the Minister may adopt a plan of management without it being amended or can have it amended as the Minister thinks is appropriate (s.114).

Legislative Compliance

To ensure legislative compliance where the land consists of both *Community Land* and Crown land or land in the ownership of any other third party Council will consult with and forward a copy of the draft plan to the Minister administering the *Crown Lands Act, 1989*. Any other Minister or party that owns land within the parkland where Council has been appointed to have care, control and management will be invited to make submissions on the proposals in the draft prior to public exhibition.

With the respective Ministers approval and that of other land stakeholders Council will implement the provisions under s.38 of the *Local Government Act, 1993* and will place the plan on public exhibition for 28 days in accordance with the provisions of the Act.

Under s114 of the *Crown Lands Act, 1989* once a plan of management for Crown land is adopted then the Trust must implement the strategies and actions in accordance with the requirements of the adopted plan of management.

PRINCIPAL OBJECTIVES OF THIS GENERIC PLAN OF MANAGEMENT

This generic plan of management takes a holistic approach to the planning, management, development and conservation of, in this case, Local Parks and Reserves within the Kogarah Local Government Area (LGA). The principal objectives of the plan are to:

- Fulfil the requirements of the respective legislation governing the use of the land that is the subject of this generic plan of management.
- Engage in public consultation to ensure public concerns, issues and preferences are given due consideration throughout the planning process including the utilisation of findings from the Community Strategic Plan public consultation process, park surveys, Regional and City wide recreation surveys.
- Resolve issues relative to the proposals and recommendations identified during the planning process.
- Identify and reflect community values, visions and aspirations ascribed to the land by the community as a whole.
- Ensure that the existing and future use of the land is for a public benefit.

- Provide the mechanisms to authorise the licensing and leasing of the land or portions thereof for a public benefit and in the best interest of the community.
- Provide appropriate and achievable policies, strategies and actions that complement the identified community values and visions for the parks that are the subject of this plan.
- Address the public's expectations to provide a diversity of quality recreational opportunities and landscape settings that are accessible to and for all age and ethnic groups, genders, socio-economic groups and persons with varying degrees of disability.
- Ensure the financial feasibility and resource availability to implement, manage and maintain any of the proposals adopted in the plan by considering Council's existing and future obligations.

WHAT IS A PUBLIC PARK OR RESERVE?

This generic plan of management encompasses a number of parks and public reserves distributed through out the Kogarah LGA. Land portions within some of the public parks that are the subject of this plan are owned by State Government authorities. The main agencies are the Department of Land & Property Management Authority and the Sydney Water Corporation; however Council is the principal landowner.

A public park is defined to mean land that is open space used for public recreation that has been vested in or under the care, control and management of Council and classified as *Community Land* under the provisions of the *Local Government Act, 1993*. The definition in the Act excludes bushland as Public Park. Public land does not include a public road, land to which the *Crown Lands Act 1989* applies, a common, lands under either the *Trustees of School of Arts Enabling Act 1902* or *National Parks & Wildlife Act, 1974*.

In accordance with s.36 of the *Local Government Act, 1993* Councils must prepare a plan of management for land it has classified as *Community Land*. This obligation does not apply to the alternative land category *Operational Land*. The former classification is to identify land in Council's ownership that is to be kept accessible to and for the use of the general public. Land classified as *Community Land* cannot be sold unless it is reclassified as *Operational Land* through the appropriate procedures outlined in Part 2, Division 1, entitled *Classification and reclassification of public land, Local Government Act, 1993*. Only *Operational Land* can be put to any purpose as well as being sold.

Lands in the ownership of other State Government Authorities that are accessible to the public, such as Sydney Water Corporation land within this generic plan are administered through various Acts, policies or directives from the respective Ministers administering those Acts that control the use and development of the land.

Public reserves also include Crown Reserves defined under s.78 of the *Crown Lands Act, 1989* to mean land that has been dedicated or reserved for a public purpose under s.80 and s.87 of the *Crown Lands Act, 1989*. Under s.95, Council has been appointed the Trust manager of a number of Crown Reserves within the LGA. Relative to s.92 of the *Crown Lands Act, 1989* a reserve trust is charged with the care, control and management of any reserve (or any part of a reserve) of which it is appointed by the Minister administering the *Crown Lands Act, 1989* as trustee. This

also includes land vested in Council and declared to be a public reserve under Section 76 of the *Crown Lands Act, 1989*.

Furthermore, the term reserve also applies to but has a different meaning with regards to land declared to be a public road reserve that is under Council's care, control and management. These road reserves include those portions of a road that are unmade roads and have been developed as green space. These unmade road reserves have generally been created by the formation of cul-de-sacs, nature strips, etc that remain part of a public road and have been transformed into public green space generally to enhance the streetscape and control traffic movement. The definition of public land excludes the inclusion of public roads.

Road reserves fall within the provisions of either the *State Roads Act, 1986* or the *Roads Act, 1993*. In this sense the term reserve means the reservation of the land for a public road even if it has been developed as "public open space" its reservation and purpose remains as a public road. To differentiate road reserves from *Community Land* and Crown reserve land Table 1, lists those publically accessible open space areas that are unmade road reserves or non-classified unzoned land adjoining road reservations.

Table 1.

OPEN SPACE ROAD RESERVATIONS & UNZONED LAND				
Park / Reserve	Lot	Sec	DP	Zoning
NORTH WARD OPEN SPACE ROAD RESERVES				
Bonney Street Reserve				Unzoned Land
Elizabeth Corry Reserve				Unzoned Land
Endeavour Street Reserve				Unzoned Land
Gray Street Reserve				Unzoned Land
Ocean Street Road Reserve				Unzoned Land
Park Road Reserve				Open Space 6(a) Open Space (Public) Zone
Plimsoll Street Road Reserve				Unzoned Land
Souter Street Road Reserve				Unzoned Land
The Boulevard				Unzoned Land
Wharf Road Reserve				Unzoned Land
EAST WARD OPEN SPACE ROAD RESERVES				
Elizabeth Street Road Reserve				Road Reservation 9(a) (Local)
Derwent Street Road Reserve				Unzoned Land
George Street Road Reserve				Unzoned Land
MIDDLE WARD OPEN SPACE ROAD RESERVES				
Lynwood Street Road Reserve				Unzoned Land
Orana Crescent Road Reserve				Unzoned Land
WEST WARD OPEN SPACE ROAD RESERVES				
Charles Street Reserve (West)				Unzoned Land
Charles Street Reserve (East)				Unzoned Land
Ellen Subway				Unzoned Land
Parkview Road Reserve				Unzoned Land
(Formerly Panorama Street Reserve)				

Reference: Kogarah City Council Department Strategic Planning

Those parcels of land outlined in Table 1 are either road reserves or unzoned land and therefore have not been classified *Community Land*. In addition, other sites such as H V Evatt Reserve, Kogarah, Hardiman Reserve, Hurstville and parts of Ellen Subway are in the ownership of RailCorp and fall under the *Transport Administration Act, 1988*. These parcels of land are managed and maintained by Council through their respective legislation or agreements as well as the provisions of Council's *Infrastructure Asset Service Levels Maintenance Plan* and the *Kogarah City Council Open Space Policy*. As they are not defined as public land they are subsequently not classified as Community Land and are excluded from this plan of management.

TYPES OF PARKS INCLUDED IN THE GENERIC PLAN OF MANAGEMENT?

Parks and reserves within the Kogarah LGA are classified and categorised in accordance with the *Local Government Act, 1993* but Council has also designated rankings for its parks as either Local, District or Regional Open Space Areas. Rankings are dependent on the following factors:

- Park size,
- Market Catchment Area,
- Degree of existing or potential sport and recreational facility development,
- Degree of existing or potential land use(s), and
- Primary function.

Local Parks are generally the smaller parks and reserves that have principally been set aside for use by local children, youth and adults as places to relax in pleasant surroundings. They may consist of ornamental green spaces designed to enhance a particular streetscape or local civic area or accommodate a small or medium sized playground for local use. Generally, because of their limited size, configuration or topography these parks are not designed for or can accommodate organised team sports activities, nor are they major event venues or provide for other large scale community recreational uses or events.

Local Parks are principally designed to provide a local community with a common open space area where neighbours can meet on a casual day to day basis. They may also be parcels land occupied by a community building such as a Community Hall. Unlike District parks and reserves which service a number of suburbs across the LGA or Regional parks that provide facilities that attract people from the St George Region and beyond Local Parks are primarily created to serve the local neighbourhood.

Parks ranked Local Parks are not considered to be primary destination points from within a District or Region. They generally attract local residents who live within walking distance from approximately a 200 to 500 metre radius. Local Parks throughout the Kogarah LGA are the subject of this plan of management. Reference is made to Appendix 1-4 that provides a comprehensive list of Local Parks in each Council Ward as well as aerial and site photographs and detailed information relative to the land parcels and the recreational facilities and natural features on that land.

WHAT RESERVES ARE THE SUBJECT OF THIS PLAN OF MANAGEMENT?

Table 2, list the parks and reserves that are the subject of this plan of management.

Table 2.

HECTARES of LOCAL PARKS & RESERVES				
Park Name	W	Address	Suburb	Hectares
Anderson Park	N	75 Vista Street	Sans Souci	0.240
Anglo Square Reserve	N	Anglo Square	Carlton	0.480
Buckley Street Reserve	N	356 Railway Parade	Carlton	0.026
Burgess Street Reserve	N	22R Targo Road	Beverley Park	0.033
Hogben Park	N	1 Harrow Road	Kogarah	1.300
Leighton Park	N	26A Lacey Street	Beverley Park	0.654
Len Reynolds Reserve	N	255 The Promenade	Sans Souci	0.270
Montgomery Street Res	N	61-61A Montgomery St	Kogarah	0.066
Moore Park	N	33 Lobb St / 22A Ferry St	Beverley Park	0.602
Northcote Street Res	N	Northcote Street	Sans Souci	0.123
Spooner Park	N	56A Jubilee Avenue	Beverley Park	0.896
Stevens Park	N	348 Battye Avenue	Beverley Park	0.275
The Boulevarde	N	The Boulevarde	Sans Souci	0.446
			North Ward	5.411
Augusta Park	E	19 & 22 Augusta / 1 Park Road	Allawah	0.250
Elizabeth Street Reserve	E	Crn Elizabeth & Norman Streets	Allawah	0.101
Empress Street Reserve	E	6 George Street	Hurstville	0.540
Grosvenor/Tavistock Res	E	2 Grosvenor Street	Sth Hurstville	0.190
Joffre Street Reserve	E	27 Joffre Street	Sth Hurstville	0.061
Joy Mead Reserve	E	8-10 Barsby Avenue	Carlton	0.179
Lower West Street Res	E	177 Bellevue Parade	Carlton	0.499
Ma An Shan Friendship Pk	E	143-147 West Street	Sth Hurstville	0.177
Meade Park	E	92 Woids Avenue	Allawah	0.342
P J Ferry Reserve	E	147B Bellevue Parade	Allawah	0.189
St Georges Parade Res	E	19 St Georges Parade	Hurstville	0.100
Taunton Street Reserve	E	203 Woniora Road	Blakehurst	0.200
Tilley Reserve	E	4 Andover Street	Carlton	0.052
West Street Reserve	E	212A West Street	Blakehurst	0.164
Woniora Gardens	E	588 Woniora Parade	Hurstville	0.059
			East Ward	3.102
Centre Street Reserve	M	17A Centre Street	Blakehurst	0.160
Church Street Reserve	M	1R Orana Crescent	Blakehurst	0.845
Condor Street Reserve	M	124 Connells Point Road	Connells Point	0.293
Connells Point Reserve	M	290 Connells Point Road	Connells Point	0.842
Connells Point Foreshore	M	237A Connells Point Road	Connells Point	0.091
Connells Point Foreshore	M	243A Connells Point Road	Connells Point	0.365
Connells Point Foreshore	M	233A Connells Point Road	Connells Point	0.045
Coxhead Gardens	M	294A Princes Highway	Cars Park	0.152
Duggan Park	M	83-85 Greenacre Road	Connells Point	0.296
East Street Reserve	M	37 East Street	Blakehurst	0.166
Pogson Park	M	56 Halstead Street	Sth Hurstville	0.024
Queens Road Reserve	M	21A Queens Road	Connells Point	0.056

HECTARES of LOCAL PARKS & RESERVES

Park Name	W	Address	Suburb	Hectares
Queens Road Reserve	M	Unknown	Connells Point	0.172
Raleigh Street Reserve	M	Raleigh Street (South)	Blakehurst	0.134
Stuart Street Reserve	M	18A Stuart Street	Blakehurst	0.845
Terry St/Prairevale Res	M	49 Terry Street	Blakehurst	1.269
Young Place Reserve	M	2A Young Street	Sth Hurstville	0.337
Middle Ward				6.093
Arrowsmith Park	W	740 King Georges Road	Hurstville	0.800
Colebourne Street Res	W	107 Railway Parade	Mortdale	0.045
Denman Street Reserve	W	49 Hurstville Road	Hurstville	0.125
Ellen Subway	W	Ellen Subway	Penshurst	0.133
Grove Reserve	W	131A Laycock Road	Hurstville Grove	0.403
Lapham Reserve	W	2A Beverley Crescent	Penshurst	0.036
McRaes Reserve	W	18 Grove Avenue	Penshurst	1.091
Seymour Street Reserve	W	63 Seymour Street	Hurstville Grove	1.533
Sunnyhurst Reserve	W	2A Laycock Road	Penshurst	0.074
Whitfield Parade Reserve	W	56 Whitfield Parade	Hurstville Grove	0.145
Wyong Street Reserve	W	8A Wyong Street	Oatley	0.058
West Ward				4.443
Total Hectares				19.049

W* - Council Electoral Ward – N North Ward – E East Ward – M Middle Ward – W – West Ward

With reference to Table 2, there are 56 open space sites listed with a total area of 19.049 hectares or 10.58% of the total 180 hectares of available public open space within the Kogarah LGA.

Anglo Square, Carlton

Council records indicate that there is uncertainty as to the ownership of Anglo Square, Carlton formerly Westbourne Park Reserve.

Reference is made to Council records and legal advice which states that in 1853 the land in question was part of a 69 acre grant to William Barton. Then in 1885 it was conveyed to the Anglo Australian Investment Finance & Land Company Ltd who sold it in 1890 under the provisions of the *Real Property Act (Torrens Title)* by Primary Application 7786. The plan on which that application was issued (FP 57786) which is reflected in the plan forming part of the Certificate of Title issued on Primary Application (Volume 988 Folio 15) shows land to be divided into Sections A-I inclusive with Westbourne Park Reserve (renamed Anglo Square in 2005) shown on the plan. A search of the Lands Title Office indicates that there was no subdivision of the land although in that period sub-division was not controlled as it is today.

Council commenced proceedings for possessory title in 2005 but for reasons that are not explained these procedures did not reach a conclusion. As the land has been historically managed by Council, this plan recommends that it proceed to determine if it can acquire the land in fee simple. Subject to Council taking appropriate action to establish ownership of Anglo Square in fee simple the recommendations in this plan relative to Anglo Square would come into force.

Governance

WHAT GOVERNS THE USE AND MANAGEMENT OF PARKS AND RESERVES?

Subject to the ownership of the land within this plan the land must be used and managed in accordance with the following:

- The plan of management applying to the land,
- Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land including the *Kogarah Council Local Environmental Plan, 1998*.
- *Local Government Act, 1993* for those land parcels that are *Community Land*.
- *Crown Lands Act, 1989* and policies for those land parcels that are *Crown Reserves* dedicated or reserved for a public purpose for which Council has been appointed Trustee.
- *Sydney Water Corporations Act 2004* and policies for those parcels of land that are owned by the Sydney Water Corporation and are accessible for public use.

In accordance with s.39 of the *Local Government Act, 1993* Council has the obligation to notify and provide a copy of the draft plan to the owners or administrators of lands that are the subject of this plan. Furthermore, it must include in the draft any provisions that may be required by the authority or administrator who owns or controls the land.

Community Land Classification

In accordance with the *Local Government Act, 1993* Council has classified particular public open space areas in its ownership as *Community Land*. The purpose of this classification is to identify land to be kept for use by the general public.

Community Land Categorisation

The various landscapes that can make up a single park, such as bushland, foreshores, landscaped areas need to be managed differently so as to preserve their purpose, individual character, amenity, recreational, social, cultural and environmental values. Subsequently, each different land portion is ascribed a land management category that provides specific core management objectives. The categories ascribed to the different portions of land within each park are based on the lands principal attributes and its current or preferred future use. The land categories listed under s.36 of the *Local Government Act, 1993* are:

- General Community Use,
- Sportsground,
- Park,
- Natural Area – Watercourse,
- Natural Area – Wetland
- Natural Area – Escarpment
- Natural Area - Foreshore
- Natural Area – Bushland, and
- Area of Cultural Significance.

Of the above land categories Sportsground, Natural Area – Wetland and Natural Area – Escarpment are not allocated to any Local Parks as none of these have any sportsgrounds, or any natural features relevant to the excluded categories.

Table 3 list the preferred *Community Land* categories for the various parks and reserves that are further identified and explained in various sections of the plan. The following provides the management objectives as provided in the *Local Government Act 1993* for each land category listed in Table 3.

- **General Community Use**

The core objectives for the management of this category focuses on promoting, encouraging and providing for the use of the land, and to provide facilities on the land, to meet the current and future needs of the general community in relation to:

- a. public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public; and
- b. the purposes for which a lease, license or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities (LGA: 1993).

- **Park**

The core objectives for the management of community land categorised as *Park* are:

- a. to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities;
- b. to provide for passive recreational activities or pastimes and for the casual playing of games; and
- c. to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management (LGA:1993)

- **Cultural Significance**

The core objectives for the management of community land categorised as Cultural Significance are:

To retain and enhance the cultural significance of the area (namely its aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods (LGA: 1993).

- **Natural Area - Bushland**

The core objectives for management of community land categorised as a Natural Area - Bushland are:

- a. to ensure the ongoing ecological viability of the land by protecting its ecological values in terms of its biodiversity and habitat, the flora and fauna, (including invertebrates, fungi and micro-organisms) of the land;

- b. to protect the aesthetic, heritage, recreational, educational and scientific values of the land;
- c. 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;
- d. to restore degraded bushland;
- e. to protect existing landforms such as exposed sandstone ridges, boulders, natural drainage lines, watercourses and foreshores;
- f. 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
- g. to protect bushland as a natural stabiliser of the soil surface (LGA: 1993)

- **Natural Areas – Foreshore**

With reference to the core objectives for management of community land categorised as a Natural Area – Foreshore these are cited as:

- a. to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all the functions associated with the foreshore's role as a transition area, and
- b. to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use (LGA: 1993).

- **Natural Areas – Watercourse**

The core objectives for management of community land categorized as watercourse are:

- a. to manage watercourses so as to protect the biodiversity and ecological values of the in stream environment, particularly in relation to water quality and water flows
- b. to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability,
- c. to restore degraded watercourses, and
- d. to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category (LGA: 1993).

Planning for a Changing Community

With reference to Table 3, a number of parks and reserves have been designated dual or multiple land categories. As an example, Church Street Reserve where the park is categorised "Park", "General Community Use" and "Natural Area-Bushland". However, where a park has additional land categories such as any of the *Natural Area* categories then this category is specific only to those portions of a park that contain the natural feature, for example native bushland.

In many respects the categories such as *Park* and *General Community Use* are compatible in that the same parcel of land can be used and managed without conflict to the objectives of either land category. The latter permits licensing of the land for a community use such as public events. However, if the land consists of the category for example *Cultural Heritage* then the objectives of this land category has precedence over the former land categories at a particular site in that the heritage of the park must be protected and conserved as a first priority. Multiple land categories permit a Council to maximise the current and potential future use of the land by allowing it to be simultaneously used for various compatible uses as long as there is no conflict with the core objectives for the management of that land.

These benefits may be existing or future and include provision for a community hall, youth centre, swimming facility, indoor recreation centre or other similar types of public facilities or public events that has a community benefit and purpose. Some parks already have leased buildings on them such as Scout Halls, Community Halls, Senior Citizen Centres etc that are leased to non-profit local organisations. The dual or multiple categorisation of parkland is not always appropriate but where it is it will build into the plan a flexibility to address future community needs.

Table 3.

LAND CATEGORIES for COMMUNITY LAND

Ref	Park Name	Community Land Category(ies)	
NORTH WARD PARKS			
1	Anderson Park	Park	Natural Area - Foreshore
2	Anglo Square Reserve	Park	
3	Buckley Street Reserve	Park	
4	Burgess Street Reserve	Park	
5	Hogben Park	Park	General Community Use Cultural Significance
6	Leighton Park	Park	
7	Len Reynolds Reserve	Park	Natural Area - Foreshore
8	Montgomery Street Res	Park	
9	Moore Park	Park	Natural Area - Waterway
10	Northcote Street Res	Park	Natural Area - Foreshore
11	Spooner Park	Park	
12	Stevens Park	Park	
13	The Boulevarde	Park	
EAST WARD PARKS			
1	Augusta Park	Park	
2	Elizabeth Street Reserve	Park	
3	Empress Street Reserve	Park	General Community Use
4	Derwent Street Reserve	Park	
5	Grosvenor/Tavistock Res	Park	
6	Joffre Street Reserve		General Community Use
7	Joy Mead Reserve	Park	
8	Lower West Street Res	Park	
9	Ma An Shan Friendship Pk	Park	
10	Meade Park	Park	General Community Use
11	P J Ferry Reserve	Park	General Community Use
12	St Georges Parade Res	Park	
13	Taunton Street Reserve	Park	General Community Use
14	Tilley Reserve	Park	
15	West Street Reserve	Park	
16	Woniora Gardens	Park	
MIDDLE WARD PARKS			
1	Centre Street Reserve	Park	
2	Church Street Reserve	Park	General Community Use Natural Area - Bushland
3	Condor Street Reserve	Park	
4	Connells Point Reserve	Park	Natural Area - Foreshore
5	233A Connells Pt Rd Res		Natural Area - Foreshore
6	237A Connells Pt Rd Res		Natural Area - Foreshore
7	243A Connells Pt Rd Res		Natural Area - Foreshore
8	Coxhead Gardens	Park	
9	Duggan Park	Park	
10	East Street Reserve	Park	
11	Pogson Park	Park	
12	21A Queens Rd Res		Natural Area - Foreshore
13	Queens Rd Reserve		Natural Area - Foreshore

LAND CATEGORIES for COMMUNITY LAND

Ref	Park Name	Community Land Category(ies)	
14	Raleigh Street Reserve	Park	
15	Stuart Street Reserve	Park	Natural Area - Bushland
16	Terry St/Pairievale Res	Park	General Community Use
17	Young Place Reserve	Park	
WEST WARD PARKS			
1	Arrowsmith Park	Park	Natural Area - Bushland
2	Colebourne Ave Res	Park	
3	Denman Street Reserve	Park	
4	Ellen Street Reserve	Park	
5	Grove Reserve	Park	
6	Lapham Reserve	Park	
7	McRae Reserve	Park	General Community Use
8	Seymour Street Reserve	Park	
9	Sunnyhurst Reserve	Park	
10	Whitfield Parade Res	Park	
11	Wyong Street Reserve	Park	

Note: Under the provisions of the Local Government Act, 1993 land in the ownership of the Department of Lands and Sydney Water Corporation are exempt from land Categorisation.

Note:

Refer to relevant Sections in the plan for additional details and photographs of those parks with multiple land categories to identify the affected land to which the various categories apply within a given park.

Because of the number of parks involved in this plan where the whole of a park is categorised "Park" no additional information, such as photographs are included in the main body of the document. However, further information and photographs are provided in the Appendices. Appendix 1 provides additional information on North Ward Local Parks and Reserves, Appendix 2 for East Ward Local Parks and Reserves, Appendix 3 for information on Middle Ward Parks and Reserves and finally Appendix 4 for West Ward Parks and Reserves.

CROWN RESERVES

As Crown Reserves form a major component of land under the care, control and management of Kogarah City Council it is appropriate to review the requirements and obligations that Council has relative to the administration of Crown Reserves.

Under s.95 of the *Crown Lands Act, 1989* the Minister responsible for administering the Crown Lands Act may appoint Council to manage a reserve trust. A Trustee must manage Crown Reserves principally through the provisions of the *Crown Lands Act, 1989* and the *Local Government Act, 1993*. Where there are inconsistencies between the two Acts then with reference to s.98 (2) of the *Crown Lands Act, 1989* this Act has precedence.

Relative to these limitations, under s.98 (1A) of the *Crown Lands Act, 1989* a Council that has been appointed a Reserve Trust Manager has no powers to classify Crown Reserve land as either *Community* or *Operational Land* as would be the requirement under s.36 of the *Local Government Act, 1993* for land in Council's ownership.

The management of Crown Reserves, although similar in many respects, does differ particularly with regard to leasing and licensing and the types of development permitted on Crown Reserves as opposed to what may be permissible on *Community Land*.

Crown Land Reserve Trust Management

Under the provisions of the *Crown Lands Act 1989* (s.92) the Minister has appointed Council Reserve Trust Manager of those reserves listed in Table 4. As reserve trust manager Council is responsible for the affairs of the Trust and is answerable to the Minister.

Table 4.

CROWN RESERVES SUBJECT TO THE GENERIC PLAN OF MANAGEMENT

Reserve Name	Address	Reserve No.	Gazettal Date	Management	Trustee	Purpose
Anderson Park	Sans Souci	D500320	28/04/72	Reserve Trust	KCC	PRec
Len Reynolds Reserve	Sans Souci	R100135	17/05/40	Reserve Trust	KCC	PRec
Raleigh Street Reserve	Blakehurst	R88950	11/07/77	Reserve Trust	KCC	PRec

Note: KCC Kogarah City Council - PRec Public Recreation

The following aerial photographs 1 to 3 identify those portions of Crown Land marked **Blue** within the Local Parks listed in Table 4.

Photograph 1



Anderson Park, Sans Souci,
Crown Reserve D500300 marked **BLUE**

Photograph 2



Len Reynolds Reserve, Sans Souci,
Crown Reserve R100135 marked **BLUE**

Photograph 3



Raleigh Street Reserve, Blakehurst,
Crown Reserve R88950 marked **BLUE**

A Reserve Trust has the functions conferred on it under the provisions of the *Crown Lands Act, 1989* and has responsibility for the daily care, control and management of the reserves. The Minister cannot direct the Trust as to how it is to manage the reserves, unless the Trust exceeds its powers (*acts ultra vires*). The Minister can only suggest or make representation to the Trust on the question of management.

Objectives and Principles of Crown Land Management

The *Crown Lands Act, 1989* sets out the objectives and principals for Crown land management in ss.10 and 11 of the Act.

The Objectives for the management of Crown Reserves are stated in s.10 of the Act and are to ensure they are managed for the benefit of the people of New South Wales and specifically for:

- a) a proper assessment of Crown land,
- b) the management of Crown land having regard to the principles of Crown land management contained in [the] Act.
- c) the proper development and conservation of Crown land having regard to those principles,
- d) the regulation of the conditions under which Crown land is permitted to be occupied, used, sold, leased, licensed or otherwise dealt with,
- e) the reservation or dedication of Crown land for public purposes and the management and use of the reserved or dedicated land, and
- f) the collection, recording and dissemination of information in relation to Crown land.

Section 11 of the *Crown Lands Act, 1989* sets out the Principles for Crown land management referred to in the Objectives of the legislation which states:

- a) that the environmental protection principles be observed in relation to the management and administration of Crown land,
- b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,
- c) that public use and enjoyment of appropriate Crown land be encouraged,
- d) that, where appropriate, multiple use of Crown land be encouraged,
- e) that where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity; and
- f) that Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interest of the State consistent with the above principles.

Table 5, outlines Council's management initiatives for the Crown land that is the subject of this plan of management relative to the Principles of Crown land

Table 5.

STATEMENTS ADDRESSING PRINCIPLES FOR CROWN LAND MANAGEMENT	
Crown Land Principal	Council Initiative
That environmental protection principles be observed in relation to the management of Crown land.	To conserve, protect and where appropriate rehabilitate the parks & reserves ecological systems and biodiversity. Also to preserve the historical significance of the land its character, social, economic and environmental benefits.
That natural resources of the Crown land be conserved wherever possible.	To retain, conserve and rehabilitate the natural landscape to ensure the future representation of the character of the land is retained in perpetuity.
That public use and enjoyment of appropriate Crown land be encouraged.	The strategies and actions in the plan will ensure greater public access for persons of varying degrees of physical and mental ability to enjoy the benefits that the land provides.
That where appropriate, multiple use of Crown land be encouraged.	The strategies and actions in the plan will ensure that the land is available for multiple uses as sites for passive recreation, social interaction, education and cultural integration.
That Crown land be used and managed in such a way that both its resources are sustained in perpetuity	That the land that is the subject of this plan of management is to be used and managed for the benefit of current and future generations by retaining its public purpose for a public benefit.
That the land be managed in the best interest of the State and be consistent with the Principles of Crown land management.	The strategies and actions in the plan comply with the Principles of the Crown land management by ensuring that the use of the land is appropriate to its reservation or dedication and its ascribed public purpose.

Vision Statement & Values

One of the major differences in the management of Crown land and *Community Land* is that the latter is based on the core objectives outlined in one or more of the land categories ascribed to the land as depicted in s.36 of *Local Government Act, 1993*. Crown land, as previously noted, is managed by the Aims, Objectives and Principles of the *Crown Lands Act, 1989* which are further supplemented by Vision and Values Statements that are specific to the land that is the subject of a plan of management.

These complementary Statements provide direction for the management of the land in question while the values identify the significant policies, social, economic, environmental and governance attributes that are to underpin specific policies,

strategies, actions and guidelines included in the plan. These Statements further assist in the decision making process for the management of the land.

Vision Statement

To plan, develop and manage public parks and reserves in a manner that fulfils the community's preferences for a diversity of quality recreational opportunities in a variety of environmental settings both natural and man-made.

Value Statement

Table 6 outlines the community values that have been ascribed to the land and its resources. These values establish those qualities sought to be preserved to achieve environmental sustainability and to further ensure that the management of the land provides for intergenerational equity.

Table 6.

VALUE STATEMENTS FOR CROWN LANDS

Value	Value Statement
Recreation	Ensure the local hinterland, foreshore and urban parklands of the Kogarah LGA that are reserved Crown land are preserved as places providing a diversity of high quality passive and active recreational experiences, benefits and opportunities to the diverse community within the City of Kogarah.
Social	The reserved Crown land that is the subject of this plan are valued for the opportunities they provides as a meeting place, a place to interact, socialize and celebrate with others by providing a venue capable of fulfilling individual and group needs for affiliation and the sharing of common interest whether it be recreation, appreciation of the natural environment, the scenic quality or any other leisure or ancillary activity.
Cultural	The Crown land that is the subject of this plan of management is valued as a place of cultural and historical value in terms of both Aboriginal & European culture and defines the relationship between people, place, activity and the environment. The land is valued because it creates a strong sense of identity and cohesion within the local community and throughout the surrounding neighbourhood and across the City.
Natural	The Crown land that is the subject of this plan of management is valued as a place that provides native and indigenous flora & fauna habitat as well as a corridor for the movement of native fauna between the terrestrial open space and marine environments along the Georges Rives and hinterland, intertidal, estuary areas and riparian zones.
Location	The Crown land that is the subject of this plan of management is valued as open space that provides a buffer between the natural and built environment and improves the visual and scenic amenity from the surrounding urban fabric.
Access	Crown land is valued as accessible land that provides equal opportunity to the public, regardless of any physical limitations, capabilities, ethnicity, religion or other factors, to use and enjoy for recreation and socialization.
Environment	The Crown land that is the subject of this plan of management is valued as a site for conserving, rehabilitating and protecting the natural environment to ensure biodiversity, ecological sustainability and inter-generational equity.
Management	The management of reserved Crown land has been undertaken by Council because it values the opportunity to improve the environmental, social & recreation opportunities that can be provided to the community and for each of the reserves own intrinsic values as a functioning ecological system.

Case Law

The Department of Land & Property Management Authority has advised of other considerations that need to be taken into account in the management of Crown land. These considerations include judgments derived from case law concerning public recreation as well as provide guidance for Council's who are appointed as Trustees of Crown land. As an example these are:

- Where Crown land has been reserved or dedicated for a public purpose then any development or improvements must be ancillary to the public purpose of the reservation.
- A Trust may impose reasonable entry fees.
- Access to cross Crown land should be freely available as of right.
- The use of reserved Crown land must be consistent with the public purpose e.g. activities or uses that are supportive of the recreational use of land reserved for public recreation.
- The terms and conditions of use outlined in a lease or license must be consistent with the public purpose of the reserved land.

Where Council has been appointed Trustee it is obliged to take into consideration judgments arising from case law that may in the future impact on the management of land.

SYDNEY WATER CORPORATION LAND

There is one parcel of Sydney Water Corporation land within one of the parks listed in this plan of management. Raleigh Street Reserve comprises a portion of land in the ownership of the Sydney Water Corporation (Marked **Dark Blue** in photograph 4). Kogarah City Council does not have jurisdiction regarding the control and management of those portions of land occupied by the Corporation. This mainly includes sites where underground sewage pumping stations are located. Council may maintain the grassed surface areas around these sites as they are accessible to the public and form part of public reserves (Refer to Table 7).

Table 7.

SYDNEY WATER CORPORATION LAND WITHIN COMMUNITY LAND				
Park Name	Location	Lot	DP	Function
Raleigh Street Reserve	Blakehurst	1	215910	Sewage Pumping Station

However, the Corporation's land is managed in accordance with the objectives and principles of the *Sydney Water Act, 1994*, *Sydney Water Corporations Act 2004* and the *Sydney Water Catchment Act, 1998*, s.14 in part states:

- a) to ensure that the catchment and the catchment infrastructure works are managed and protected so as to promote water quality, the protection of public health and public safety and the protection of the environment.

Council has no jurisdiction over the management of such land and must confer with and comply with Sydney Water Corporations policy, directives and guidelines in accordance with the respective governing Acts.

Photograph 4



Raleigh Street Reserve, Sydney Water Land
Lot 1 DP 215910 marked **Dark Blue**

LEASING & LICENSING

Categorising Land for Existing & Future Community Facilities

To ensure that the plan is best able to address the future needs of the community provision has been made to allocate those parks listed in Table 8 as possible future sites for indoor recreational or community service facilities by categorising areas within these parks for *General Community Use*. The land category *General Community Use* will permit the leasing or licensing of that portion of the park or reserve identified in the plan for community facility development while preserving and protecting the lands other assets such as heritage and natural resources.

Table 8.

COMMUNITY LAND FOR FUTURE LEASE OR LICENSING FOR COMMUNITY FACILITIES			
Park Name	Community Land Category(ies)		
NORTH WARD PARKS			
Hogben Park	Park	General Community Use	Cultural Significance
EAST WARD PARKS			
Empress Street Reserve	Park	General Community Use	
Joffre Street Reserve		General Community Use	
Meade Park	Park	General Community Use	
P J Ferry Reserve	Park	General Community Use	
Taunton Street Reserve	Park	General Community Use	
MIDDLE WARD PARKS			
Church Street Reserve	Park	General Community Use	Natural Area – Bushland
Terry St/Pairievale Res	Park	General Community Use	
WEST WARD PARKS			
McRae's Reserve	Park	General Community Use	Cultural Significance

Proposed Lease & Licence Sites

Photographs 5-13 mark in **Red** those portions of land within the parks listed in Table 8 to be Categorised *General Community Use*. This land category permits the licensing and leasing of these sites for a range of uses including community services facilities, indoor recreational venues, community halls, senior citizen centres, youth centres, leisure and craft centres, community emergency centres, playground centres etc. These sites have been nominated to be categorised *General Community Use* to address present and future needs. The actual type of development on any one site will be subject to the *Kogarah Local Environmental Plan*, the outcome of any proposed development assessment under the provisions of the *Environmental Planning & Assessment Act, 1979* and any *State Environmental Planning Policy* that may apply now or in the future and the public consultation process that is required as part of the assessment of a Development Application.

Some of the sites listed in Table 8 and in the following photographs indicating the proposed land parcels to be categorised *General Community Use* already have existing community facilities. Others have the potential to provide community facilities owing to their overall size being able to accommodate community buildings. Whether a nominated park is used and developed for a community facility will ultimately depend on the community demand for such a facility at any of the nominated locations.

Hogben Park, Kogarah

Hogben Park, Kogarah at 1 Harrow Road Kogarah is the largest open space area closest to the Kogarah CBD and has been listed as a place of Local Heritage Significance. The park has the potential for greater use especially for youth activities and for children. There are three schools located in the immediate area of the park, which is also opposite medium density housing units. The park once was the site of a Scout Hall building. It has the potential for the siting of a future community building such as an indoor recreation venue, arts and craft centre or other similar activities to service the needs of CBD residents. It is proposed to Categorise that area of parkland in photograph 5 marked **RED**, being Lot 9 Sec 23 DP 1680 and Lot 10, Sec 23 DP 1680 *General Community Use*.

Photograph 5



Hogben Park, Kogarah
Category General Community Use marked **RED**

Empress Street Reserve, Hurstville

Empress Street Reserve at 6 George Street, Hurstville is a high use park with significant potential for providing a range of facilities including an indoor recreation centre. Currently, the park is a high use youth venue with basketball court, soccer practice area and open space recreational area playground and BBQ facilities. The site marked in red in photograph 6 was once the site of a community hall that had fallen into disrepair and subsequently demolished.

It is proposed to set this area aside for possible future development for recreation by Categorising that area marked in **RED** in photograph 6, being part of Lot B, DP 363355, Lot 72, DP 627321 and Lot 8, DP 368515 *General Community Use*. The park is located adjacent medium density housing making it a potential future site for an appropriate indoor recreational facility.

Photograph 6



Empress Street Reserve, Hurstville
Category General Community Use marked **RED**

Joffre Street Reserve, South Hurstville

Council's property at 27 Joffre Street, South Hurstville (Photograph 7) is a converted residential property already used for community activities by the Kogarah Community Services Group who provide a range of community activities including Aged Services, Home visitations, holiday activities for children, HECC programs etc.

Photograph 7



27 Joffre Street, South Hurstville,
Category General Community Use marked **RED**

Nearby is the South Hurstville shopping centre, Council's South Hurstville Branch of the Kogarah Library and commercial shopping facilities and hotel. The Joffre Street site offers potential development for further use by the local community for a range of leisure, recreational or community service activities. It is proposed to categorise this parcel of land, being Lot 61, DP 4607, *General Community Use*.

Meade Park, Allawah

Meade Park, is located at 92 Woids Avenue, Allawah and is sited within an area of medium density housing and has the potential to provide a diversity of recreational opportunities. The proposed land being part Lot 2 DP 207374 marked **RED** in photograph 8 to be categorised *General Community Use* for future development for a community centre or indoor recreational venue. Upgrade and relocate the playground.

Photograph 8



Meade Park, Allawah
Category General Community Use marked **RED**

P J Ferry Reserve, Allawah

P J Ferry Reserve is located at 147B Bellevue Parade, Allawah. Currently there is a Senior Citizens building located at P J Ferry Reserve, Allawah. Council has recently upgraded the building at a cost of \$94,000. It is proposed that Lot 38 SEC 5 DP 2792 and Lot 36 SEC 5 DP 2792 (Marked **RED** in photograph 9) be categorise *General Community Use* and leased or licensed to interested third parties.

Photograph 9



P J Ferry Reserve, Allawah
Category General Community Use marked **RED**

Taunton Street Reserve, Blakehurst

Taunton Street Reserve, 203 Woniara Road, Blakehurst (Refer to photograph 10) is a large Local Park covering an area of 2004.21m². The reserve is capable of providing both indoor and outdoor recreational opportunities to the local community. Subject to changing recreation and leisure needs the site offers exceptional potential in this regard. Located nearby is both Blakehurst High School, Blakehurst Public School and St Raphael's Primary School. It is proposed to set aside an area of the park for future use for the construction of an indoor community or recreation facility. It is proposed to Categorise that area of parkland identified as part of Lot 25, SEC 2, DP 7754, marked in **RED** in photograph 10, *General Community Use*.

Photograph 10



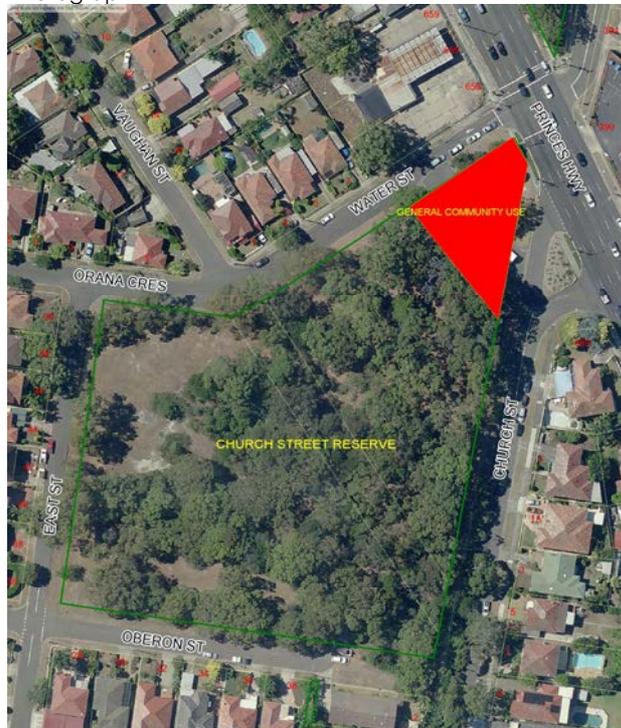
Taunton Street Reserve, Blakehurst
Category General Community Use marked **RED**

Church Street Reserve, Blakehurst

Church Street Reserve is located at 2 Water Street, Blakehurst. There is a low use public carpark located at the front of Church Street Reserve, Blakehurst that fronts the Princes Highway (Refer to photograph 11). The site has the potential for a number of alternative uses including a community service or recreational facility. The site has good exposure and access to the main arterial roads that lead throughout the City. The site is adjacent a small commercial area at the intersection of the Princes Highway and King Georges Road, Blakehurst. There are nearby bus stops and a small to medium sized public carpark off nearby Stuart Street at the rear of the western side commercial centre.

It is proposed to categorise that area of the park being part Lot 2 DP 112924, marked **RED** in photograph 11, *General Community Use* to permit the site to be used for the purpose of community services, recreational facility or other uses as permitted under the *Kogarah Local Environmental Plan*.

Photograph 11

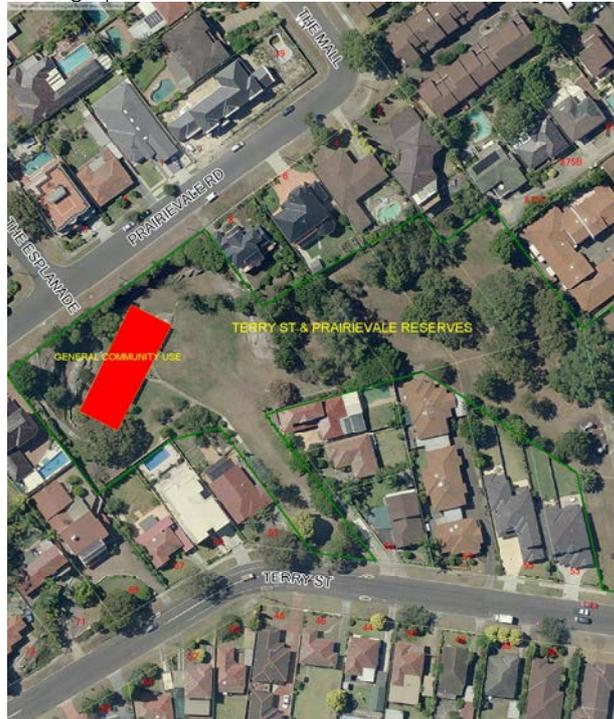


Church Street Reserve, Blakehurst
Category General Community Use marked **RED**

Terry Street Reserve & Prairievale Reserve, South Hurstville

Terry Street Reserve is located at 49 Terry Street, Blakehurst. This plan of management proposes to categorise the land that is occupied by the existing building in Terry Street Reserve used by the Scout and Girl Guide Association being part Lot 4, DP 362520, *General Community Use* as depicted **RED** in photograph 12. The plan encourages the continued use of the land for this type of community benefit.

Photograph 12



Terry Street & Prairievale Reserve, Blakehurst
Category General Community Use marked **RED**

McRae's Reserve, Penshurst

McRae's Reserve is located at 18 Grove Street, Penshurst (Refer to photograph 13) and is the largest reserve in the Penshurst area. The park has been listed under the Kogarah Local Environmental Plan as being of Local Heritage Significance.

Photograph 13



McRae's Reserve, Penshurst
Category General Community Use marked **RED**

It is intended to categorise that portion of the Reserve identified as Lot 179, DP 12296, marked in **RED** in photograph 13, *General Community Use*.

There is a lack of public open space and recreational facilities in Penshurst for children and youth. McRae's Reserve is a substantial size park that provides the opportunity for a greater diversity of leisure and recreational opportunities to service the Penshurst area.

The sites listed in Table 8 will be subject to further civil and traffic engineering investigations to determine what types of facilities are appropriate for the use of the land and if a particular site is indeed appropriate for building development.

PRINCIPLES FOR LEASING, LICENSING & OTHER ESTATES FOR COMMUNITY LAND

This Plan of Management expressly authorises the issuing of leasing, licensing and other estates for the use of *Community Land* subject to the general and specific conditions and uses set out in this plan. The most important characteristic of a lease is the legal right to exclusive possession. Conversely, where it is intended to offer a licence or other estates it should not provide the means to a right of exclusive possession. What determines whether the occupant is a lessee or licensee is not the labelling of the document but the definition of their respective rights, the nature of the user and the nature of the premises that are factors of significance.

There are restrictions placed on Community Land relative to the granting of leases, licenses or other estates. For example, under the provisions of the *Local Government Act, 1993* Council may grant a lease, licence or other estate for a period up to 21 years for Community Land categorised *General Community Use*. In addition, the lease, licence or other estate must be consistent with the core objectives of the nominated land category in which an agreement is confined. The intention to enter into a lease, licence or other estate must be publicly advertised in accordance with the Act.

Under s.47 of the *Local Government Act, 1993* if Council considers entering into a lease, licence or other estate for the use of *Community Land* for a period greater than 5 years (including an option) it has to give public notice by way of advertisement in the local media of the proposed agreement and exhibit a notice of the proposal on the land where the proposal relates, give notice to adjoining owners and other key stakeholders. Any person can make a submission (s.47 (3)) in writing to Council up to 28 days after the public notice (s.47 (2)) or as specified in the public notice but this must not be less than 28 days. A Council must consider all submissions (s.47 (4)) prior to granting a lease or licence or other estate over Community Land.

It is Council's preference to maintain and where feasible enhance the environmental and recreational values and services to the community that local parks currently provide. To this end, Council has previously entered into lease and licence agreements with local community organisations, such Scout Groups, Senior Citizen Clubs, State Emergency Services, Childcare facilities etc that have provided a variety of recreational opportunities or community services to the residents of the City. This plan requires the entering into formal lease agreements for any substantiated long-term occupation or alternatively licence agreements where long-term occupation may not be appropriate or desirable for the use of any buildings by third parties located on *Community Land*.

Further, in accordance with s.47B of the *Local Government Act, 1993* a lease, licence or other estate cannot be granted over *Community Land* categorized Natural Area for a building or structure that is not a building or structure prescribed by the Act or Regulations. It is the intention of this plan of management not to permit leasing of any natural area of local parks but seeks the protection and conservation of these areas for future generations.

Table 9, identifies those sites where leases or licenses have been entered into with Council for the use of *Community Land*.

Table 9.

LEASED & LICENSED FACILITIES ON COMMUNITY LAND				
Park Name	Location	Type of Facility	Agreement Type	Expiry Date
Terry Street Reserve	South Hurstville	Girl Guide Hall	Lease	15/08/2004
Prairievale Reserve	South Hurstville	Scout Hall	Lease	31/12/2000
P J Ferry Reserve	Allawah	Senior Citizens Centre	Nil	To be leased

With reference to Table 9, several of the leases have expired some time ago and will require renewal with the respective lessee or alternatively be advertised seeking interested parties wanting to use the facility.

The Senior Citizens Centre at PJ Ferry Reserve, Allawah is currently under utilised and is in need of major repairs. After refurbishment the building should be considered for leasing or licensing to interested third parties.

Table 10 outlines the governing Principles for licensing and leasing parkland and public buildings within the parkland that is the subject of this plan of management.

Table 10.

PRINCIPLES FOR LEASING & LICENSING	
Item	Principles
Lease Agreements	Subject to the termination of any current lease agreement for the use of any of the existing built structures within local parks and reserves, either by default or voluntary surrender of the existing licence or lease by the licensee or lessee, any future permit, licence or lease agreement for the use of land or existing or new built structures are to adopt the following principles.
Occupied Buildings on Community Land	Council is to enter into lease or licence agreements for any buildings constructed on Community Land occupied by a third party.
Lease or Licence Area	As agreed between Council and the potential lessee or licensee but exclude those portions of land within the land categories Natural Area.
Development	(i) Any proposed building development is to demonstrate how it achieves the Ecological Sustainable Development principles outlined in this plan. (ii) Council should strive to rationalise the number of buildings by limiting future new separate building development where appropriate, seek multiple use of existing facilities and amenities by means, if necessary, by permitting alterations and additions to existing structures or replacing existing structures. (iii) Key scenic corridors should be maintained across local parks and reserves. (iv) Permit development in accordance with the Kogarah Local Environmental Plan.
Development Conditions	Approved development will be subject to the terms and conditions of development consent, this plan of management and the core objectives of the land category.
Development Costs	Where appropriate development costs for new development or embellishment, alterations and additions to an existing built structure the subject of a licence or lease is to be at the lessee's costs or as agreed between participating parties.
Aesthetics	Future built form should relate to the scale and character of the parkland as established by the existing buildings and surrounds. The design of built structures must consider the proposed building mass, form, roof pitch and shape, materials, detailing and colour and their impact on the parkland, its users, existing park buildings, vistas to the park and the surrounding residential area. Lessee and licensees must notify and obtain consent in writing from Council prior to erecting, placing, fixing or attaching or otherwise any product advertising, promotional material, lights or otherwise to the buildings or surrounding grounds, fixtures or fittings.
Maintenance	Lessees shall be responsible for the maintenance and good appearance of the building(s) and surrounding parkland within the boundary of their leased area.
Permitted Uses	This plan authorises activities associated with passive or active recreational activities, social, cultural, educational, community and ancillary services as permitted under the Kogarah Local Environmental Plan, <i>Local Government Act, 1993</i> , as determined by Council in respect of the objectives of the assigned land category, the purpose of reservation or dedication and this plan of management.

PRINCIPLES FOR LEASING & LICENSING

Item	Principles
Private Access to the Parkland.	<p>The plan authorises the issuing of a temporary licence at a fee for private access to cross or transport materials or equipment for private construction, excavation, demolition, building or waste removal or other engineering or maintenance works to be carried out on adjoining private properties to the parkland. However, access is restricted to those premises that have no other means of vehicle access off a public road into the property and where it is determined that the use of cranes, other lifting devices or alternative engineering means could not otherwise provide safe and reasonable access. Access will not be permitted where it would result in any impact on or removal of any native vegetation within the park.</p> <p>Access will be permitted where Council determines that a hazard on private property poses a direct threat to public health, safety or private property.</p> <p>In accordance with the provisions of the respective legislation access will be permitted to construct, connect, maintain or any other works required to any essential public utility services located or to be created in the parkland or emergency services.</p> <p>Where access is approved to an adjoining private property owner access will be conditional and subject to appropriate terms and conditions of the permit and the payment of all fees and charges as imposed by Council in accordance with its Management Plan.</p>
Storage of Private Property	<p>It is prohibited to store private property of any kind on Community Land the subject of this plan of management. Temporary storage of materials by authorised essential services is permitted subject to terms and conditions for restoration of the site.</p>
Intensity of Use	<p>Council permits a diversity of recreational, social, educational and cultural events to take place in the local parks and reserves. However, the use of these venues and their facilities are to be managed in a manner that will avoid detriment to public assets being exposed to excessive wear and tear, the natural environment or results in unreasonable inconvenience to adjoining residents and other park users.</p> <p>Council is to consult with local residents when an application for any event that is proposed that has the potential to result in high traffic volumes and an excessive overflow of vehicles parking in the adjoining surrounding residential areas.</p>
Hours of Use Buildings Parks and reserve	<p>Hours of use of buildings and facilities in local parks and reserves will be subject to the outcome of negotiations between the Council, licensee or lessee or as approved under any Development Application or as restricted by this plan of management.</p> <p>Restrict the use of local parks and reserves for small group private cultural or social gatherings from 8.30am to sunset. Public events as determined by Council.</p>
Lease Term	<p>(i) Agreed negotiated period between Council and the lessee up to 21 years where the land is "Community Land" and categorized "General Community Use".</p> <p>(ii) Where the land is Crown Land reserved for public recreation and Council has been appointed Trustee then although a lease may extend beyond 21 years this plan limits the leasing of Crown Land reserved for recreation to a period not greater than 21 years to be in accordance with the provisions of the <i>Crown Lands Act 1989</i>. It is a Department of Land & Property Management Authority policy for lease and licence agreements to offer shorter terms to allow for economic consideration, rental redetermination.</p> <p>(iii) Where the land is Crown Land reserved for environmental protection then the appointed Trustee is not permitted to lease or licence this reserve land.</p> <p>(iv) Where the land is in the ownership of another State Government Authority and Council has care, control and management a lease or licence will be subject to the policies and directions of that Authority.</p> <p>(v) Where Council occupies RailCorp land at H E Evatt Reserve Council to adhere to the terms and conditions of Lease Agreement 90.0324.</p> <p>(vi) Other than leases entered into under Item (i), at the conclusion or at such time as the current lessee or Council terminates a lease for whatever reason, future leases are to be generally restricted to 5 years.</p> <p>(ii) Leases exceeding 5 years are only to be offered where the total investment capital to be expended by the lessee for new capital works (excluding maintenance works) within the lease period exceeds \$50,000 Sydney CPI adjusted annually from 2009.</p> <p>(iii) Leases extending beyond 5 years are to be conditional on the</p>

PRINCIPLES FOR LEASING & LICENSING

Item	Principles
	<p>commencement of the new capital works within 12 months of the lease commencement and the completion of the proposed works within an agreed timeframe between Council and the lessee. Any development is to be ancillary to the purpose of the park as a venue for public recreation and permitted under the Kogarah Local Environmental Plan.</p> <p>(v) Licenses generally should not exceed 5 years unless associated with new capital improvement works.</p> <p>(vi) Seasonal licenses or permits are authorised where applicable.</p> <p>(vii) Daily, weekly or monthly permits are authorised to be offered at Council's discretion.</p> <p>(viii) It is mandatory for all lessees and licensees of built structures and organisational users of the local parks provide Council with accurate usage and participation data and any other data requested in writing by Council.</p>
Rent	<p><i>Commercial Activity</i> No private commercial activities are permitted in local park and reserves that are the subject of this plan of management.</p> <p><i>Community Activity</i> All lease or licence agreements with community groups or associations are to comply with Council's policy entitled "Leasing of Community Land and Buildings" adopted 27 August, 2001 and are also to be based on an independent valuation.</p> <p><i>Periodic Rent Review</i> Part 2(c) of Council's policy entitled "Leasing of Community Land and Buildings" makes provisions for periodic rent reviews. This condition should be extended to lease agreements for facilities and amenities that operate on a commercial basis and are profit orientated. Minimal rent increases should be based on the annual Sydney Consumer Price Index.</p> <p><i>Subsidised Rents</i> Any agreement that results in Council subsidising a commercial activity or service then that amount is to be compared with similar full commercial rates and the level of annual subsidisation as well as for the term of the agreement is to be reported to Council.</p> <p>Lease and licensing fees and charges are to be expended by Council at its discretion for the benefit of the community.</p>
Reporting	<p>To ensure Council's accountability and transparency in the management of a public built asset any new lease or license agreement is to ensure that Council is provided with an annual report and other reports as required by this plan and those included in any license or lease agreement.</p>
Insurance	<p>Lessees and licensees annually must provide Council with copies of their Certificates of Currency for their Public Risk Liability Insurance that must to be the sum as stipulated in their lease or licence agreements.</p> <p>Where a lessee or licensee has public risk liability insurance protection by their affiliation with an Association then they are required to provide proof of cover by way of a letter from their Governing Association that they are included in the Association's current policy.</p> <p>The lessee/s of community buildings must have appropriate fire indemnity insurance in the joint names of the lessee/s and Council.</p>

LEASING & LICENSING CROWN RESERVE LAND

The licensing and leasing of Crown Reserve's must be in accordance with the objectives and principles for Crown land management as specified under ss. 10 and 11 of the *Crown Lands Act, 1989*. Section 10, entitled *Objects* for the management of Crown reserve land in part stated as:

- ...b. the management of Crown land having regard to the principles of the Crown land management contained in the Act,
- c. the proper development and conservation of Crown land having regard to those principles...
- e. the reservation or dedication of Crown land for public purposes and the management and use of the reserved or dedicated land...

While section 11 of the Act entitled *Principles of Crown land management* in part states:

- a. that environmental protection principles be observed in relation to the management and administration of Crown land;
- b. that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible;
- c. that the public use and enjoyment of appropriate Crown land be encouraged...

Furthermore, with reference to s.102 of the *Crown Lands Act 1989* a Council if it is appointed reserve trustee cannot sell, lease or mortgage land or grant an easement or a licence except a temporary licence over any part of Crown Reserve land without the Minister's responsible for administering the *Crown Lands Act 1989* consent. The trustee may not give consent for a licence or lease for a term exceeding 5 years or a lease for a term that by the exercise of an option exceeds five years without advertising and obtaining prior written consent from the Minister. As part of the consent the Minister may choose to impose terms and conditions within the proposed lease agreement. Under s.108, of the *Crown Lands Act 1989* a reserve trustee may issue a temporary licence for all or any part of a reserve for a prescribed purpose that is in accordance with the reservation or public purpose of the land.

Reserve Trust Land

The Crown Reserves listed in Table 11 consists of small individual parcels of land that form part of the park. These parcels, in most cases are too small to offer licence or lease usage or to develop in any substantial way. These sites are generally freely available to the public at all times. There are no lease agreements with third parties for the use of any of the reserves listed in Table 11.

Table 11.

CROWN RESERVES TRUST FINANCIAL REPORT				
Reserve Name	Address	Reserve No.	Licence or Lease	2008/2009 Income
Anderson Park	Sans Souci	D500320	No	Nil
Len Reynolds Reserve	Sans Souci	R100135	No	Nil
Raleigh Street Reserve	Blakehurst	R88950	No	Nil

Exclusive use can be obtained by way of Council issuing a temporary licence. Council's records indicate that temporary licenses have been issued for charity events and community social events for those Crown Reserves listed in Table 12 which have been free of charge to the public. A damage deposit may be required in accordance with Council's Management Plan if the event will attract a large number

of people. This deposit may be waived by Council's General Manager if requested by the applicant in writing stating their reasons for exemption.

Proceeds Derived From Trust Crown Reserves

Proceeds generated from lease or licence agreements from those Crown Reserves listed in Table 11 must be spent within the reserves from which the lease or licence applies. Council as the Reserve Trust Manager must separately account for all the proceeds from activities on the reserve. The Minister (and the community) may request such information at any time.

Under Section 106 of the *Crown Lands Act, 1989*, net proceeds from a sale, lease, easement or licence (including a temporary licence) on any of the reserves will apply in accordance with any directions given by the Minister for Lands. This may include but not be limited to:

- a. Direction that proceeds are to be paid to another reserve trust to be applied to the care, control and management of another trust's reserve.
- b. Direction to Consolidated Funds or to the Public Reserve Management Fund under the *Public Reserves Management Act, 1987*. In the absence of a direction from the Minister the proceeds from any of the Crown Reserves listed in Table 4 shall be invested or applied for the general purpose of the Reserve Trust. Under Section 122 of the *Crown Lands Act, 1989* reserve trust must report on their activities on the reserves as detailed in Clause 33 of the Act.

LEASING & LICENSING SYDNEY WATER CORPORATION LAND

Generally, where a parcel of land is the ownership of the Sydney Water Corporation and that land is accessible to the public it is managed by that Corporation's legislative responsibilities, policies and directives. Council has no jurisdiction over Sydney Water Corporation land even if it adjoins or is within a public reserve.

PRINCIPAL GOVERNING LEGISLATION, POLICIES & GUIDELINES

The following applies to all public accessible land within the plan:

- *Environmental Planning & Assessment, Act 1979.*
- *Kogarah Council Local Environmental Plan, 1998*
- *Heritage Act 1977.*
- *National Parks & Wildlife Act 1974.*
- *Fisheries Management Act 1994.*
- *Aboriginal Land Rights, Act 1983 (NSW).*
- *Native Title, Act 1998 (Commonwealth).*
- *Companion Animals, Act 1998.*
- *Dividing Fences Act, 1991.*
- *Disability Discrimination Act 1992 (Commonwealth).*
- *Anti-Discrimination Act 1984 (NSW).*
- *Threatened Species Conservation, Act 1975.*
- *Anti-Discrimination Act 1984 (NSW).*
- *State Environmental Planning Policy 19 Bushland in Urban Areas.*
- *State Environmental Planning Policy (INFRASTRUCTURE) 2007.*
- *State Environmental Planning Policy (Exempt & Complying Development) 2008*
- *Southern Sydney Catchment Blueprint Policy.*
- *Kogarah Open Space Policy.*

The above list identifies the most significant legislation and policies affecting the management of the land. The following provides an overview of some of the legislation and policies. Others can be referenced via the internet on www.austlii.edu.au/databases.html.

NATIVE TITLE

Native Title Act 1998 (Cwlth)

As part of the study area is reserved Crown land and because of the potential presence of Aboriginal artefacts on the land it is necessary to give consideration to the possible impact of native title on this land. The rights of native title are conferred through the determination made by the Federal Court, High Court or possibly by some State and Territorial Courts. Native title may exist in places where native and indigenous people continue to follow their traditional laws and customs and have maintained a link with their country, and where it has not been extinguished (refused recognition) because of acts done, or allowed, by government. Areas where native title may exist include:

- Vacant Crown land,
- Some reserve lands,
- Some types of pastoral leases,
- Some land held by or for Aboriginal people or Torres Strait Islanders,
- Beaches, oceans, seas, reefs, rivers, creeks, swamps and other waters that are not privately owned.

Some of the Items above may be relevant to the reserved Crown land at this site. The *Native Title Act, 1998 (Cwlth)* recognises native title rights and provides a process by which native title rights can be established and compensation determined, and by which determinations can be made as to whether future grants can be made or acts done over native title land and waters.

Table 12, outlines the past and current Native Title Claims as of January 1994 to October 2009 in the Kogarah Local Government Area and the status of those claims to that date.

Table 12.

FEDERAL - NATIVE TITLE TRIBUNAL ABORIGINAL LAND CLAIMS						
Date Filed	Application Name	Application Type	Status	Tribunal File No.	Federal File No.	Court
13/06/1995	NSW Government #5	Non-claimant application	Finalised Dismissed	NN95/11		Not applicable
5/01/1996	NSW Government #18	Non-claimant application	Finalised Dismissed	NN96/1		Not applicable
26/06/1996	Gundungura	Claimant application	Finalised Rejected	NC96/21		Not applicable
12/05/1997	Darug Tribal Aboriginal Corporation	Claimant application	Active	NC97/8		NSD6061/98
1/05/06	Eora People	Claimant application	Finalised dismissed	NC98/10		NSD6099/98

With reference to Table 12, the Darug Tribal Aboriginal Corporation originally filed a claim for Crown lands across the Sydney region on 12th May 1997. Council has been advised that the claim, which includes Crown land within the City of Kogarah has yet to be determined by the Native Title Tribunal and, therefore, remains active and

requires consideration as to the future use of lands that may be claimed under the provisions of the Act.

Native title is deemed to exist on Crown land unless it has been extinguished by an extinguishing action. Where a development is proposed native title should be investigated prior to the proposal being brought forward.

Aboriginal Land Rights Act 1983 (NSW)

The NSW Government has introduced the *Aboriginal Land Rights Act 1983*. Section 36 *Claims to Crown lands* sets out the provisions for a NSW Aboriginal Land Council to make a claim for land within its jurisdiction or, with the approval of the Register, outside its area or jurisdiction. The Act was established to provide a mechanism for compensating Aboriginal peoples for the loss of their land. Unlike Native Title, land rights are a grant created by the NSW State Government rather than the Courts. The assessment of a claim is fundamentally based on whether the Minister administering the *Aboriginal Land Rights Act 1983* determines that the lands are needed, or likely to be needed for an essential public purpose at the time the claim is made, if the whole of the lands claimed is claimable Crown lands or only part of the lands is claimable.

The Department of Land & Property Management Authority advised on 23 November 2006 that there is currently only one Aboriginal land claim affecting the Kogarah LGA. The claim and status are listed in Table 13 that notes the claim is incomplete at the time of the preparation of this plan.

Table 13.

STATE ABORIGINAL LAND CLAIMS AFFECTING KOGARAH LGA

Claim No.	Affected Lands/Waters	Lodgement Date	Aboriginal Land Council	Parish	County	Status
6735	Georges River Cooks River Wooko Creek Muddy Creek	19/6/ 2002	Metropolitan	St Peters	Cumberland	Incomplete

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

Local Environmental Plans (LEP's) and Development Control Plans (DCP's) are prepared by Council in accordance with Division 4 of the *Environmental Planning & Assessment Act, 1979*. LEP's provide a guide to Council in its planning decisions for the LGA it administers. Through the provision of planning zones and development controls Council manages the way land is developed within the various planning zones. However, there are anomalies in the application of planning zones that apply to some of the parks included in this plan in that the ascribed planning zone does not complement the classification as *Community Land* and therefore the purpose and use of the land for public recreation.

Briefly the following land use zones have relevance to the management of *Community Land*, Crown Reserves the subject of this plan:

Open Space 6(a) – Open Space (Public) Zone

The majority of local parks and reserves are either zoned Open Space 6(a) (Public) Zone or Open Space 6(b) (Regional Open Space Reservation). Relative to the former the objectives of this zone are:

- a) to recognise publicly owned land used or capable of being used for local public recreation, and
- b) to identify and protect land intended to be acquired for local public open space.

In accordance with the zoning the following activities do not require development consent:

Drainage, minor works and structures such as fencing, playground equipment, reticulation, lighting, signage, seating/shelter sheds, barbecues, and buildings not more than 40 m² in area, roads, works (but not buildings) used for gardening, landscaping and bushfire hazard reduction, exempt development.

Only with development consent can the following activities be carried out on the land that is the subject of this plan of management:

Buildings used for gardening, landscaping and bushfire hazard reduction, centre based child care services, community facilities, public parking, public utility installations, recreation areas, refreshment rooms.

Any other development is prohibited. The zone is identified on the land use map as those areas shaded green.

Local Parks & Reserves Planning Zone Anomalies

Table 14 identifies a number of parks and reserves within the Kogarah LGA that have been classified as *Community Land* in accordance with the provisions of s.25 of the *Local Government Act, 1993* but their current planning zones contradict the purpose of that classification.

The purpose of the classification of *Community Land* is that it must be set aside for a community purpose such as public recreation, community building or other community uses. To bring this into affect the planning zone on the land use map should complement the purpose for which the land has been set aside.

In addition, the land use map identifies the parcel of land at 233A Connells Point Road, Connells Point being Lot 11 DP 566423 as zoned Open Space 6(b) Open Space (Regional Open Space Reservation) Zone. The purpose of this zone is to permit future acquisition of the land for Regional Open Space. However, Council's GIS indicates that the land is already in Council's ownership.

Table 14.

PARKS & RESERVES PLANNING ZONE ANOMALIES				
Park / Reserve	Lot	Sec / Part	DP	Zoning
NORTH WARD CONFLICTING OPEN SPACE PLANNING ZONES				
Burgess Street Reserve	C		360949	Residential 2(a) (Low Density)
EAST WARD CONFLICTING OPEN SPACE PLANNING ZONES				
Buckley Street Reserve	3		9225	Business 3(a) Local Centre
Lower West Street Res	20		217221	Industrial 4(a) Light
Ma An Shan Friendship Pk	1		206385	Residential 2(a) (Low Density)
	2		206385	Residential 2(a) (Low Density)
	58	2	5453	Residential 2(a) (Low Density)
St Georges Parade Res	14	2	2751	Residential 2(a) (Low Density)
Tilley Reserve	108		1916	Residential 2(b) (Medium Density)
West Street Reserve	D		16495	Residential 2(a) (Low Density)
	E		16495	Residential 2(a) (Low Density)
	2		547806	Residential 2(a) (Low Density)
Woniora Gardens		P2	880679	Business 3(b) Town Centre
MIDDLE WARD CONFLICTING OPEN SPACE PLANNING ZONES				
Raleigh Street Reserve	1		215910	Residential 2(a) (Low Density)
	7040		1127029	Residential 2(a) (Low Density)
Crown Reserve				Residential 2(a) (Low Density)
Duggan Park	47		591227	Residential 2(b) (Medium Density)
	48		6840	Residential 2(b) (Medium Density)
	49		6840	Residential 2(b) (Medium Density)
	52		598002	Residential 2(b) (Medium Density)
Young Place Reserve	14		30822	Residential 2(a) (Low Density)
WEST WARD CONFLICTING OPEN SPACE PLANNING ZONES				
Lapham Reserve	1		243743	Residential 2(a) (Low Density)
Wyong Street Reserve	15		746853	Residential 2(a) (Low Density)

Environmental Protection 7(a) – Environmental Protection (Waterways) Zone

The objectives of this zone is to ensure any development on land below the mean high water mark, in this case intertidal areas that adjoins a public reserve, is carried out in an environmentally sensitive manner, having particular regard to the nature and function of the waterways. Under the provisions of the zoning no development may be carried out without development consent. This includes boatsheds, enclosed tidal swimming areas, watercraft launching and landing facilities, etc.

Who Can Make a Development Application for the Use of Public Land?

Under the provisions Section 49 of the *Environmental Planning & Assessment Regulation 2000* a development application can be made by the owner of the land to which the development application applies (s.49(1)(a)), that is land owned by either Kogarah City Council, the appointed Trustee under the *Crown Lands Act, 1989*, Department of Land & Property Management Authority or the Sydney Water

Corporation who are the principal owners of various parcels of land within this plan of management.

A development application can also be made by a person, with the written consent of the land owner (s. 49(1) (b)). In this case Kogarah City Council may permit a community group or club to develop parkland for a public benefit. However, s.49 (2) Subclause (1)(b) does not require the consent in writing of the owner of the land for a development application made by a public authority if before making the application the public authority, such as the Sydney Water Corporation, serves a copy of the application to the owner.

Relative to the Crown land a development application made by a lessee of Crown land, such as a community club leasing Crown land can only be made with the written consent of the Minister administering the *Crown Lands Act 1989*. If a Council is appointed Trustee of Crown land then it must forward a copy of the development application to the Department of Land & Property Management Authority 14 days prior to the application being lodged.

Under the provisions of the Kogarah Local Environmental Plan 1998 in considering a development application for any proposed development on Open Space 6(a) Zone is that Council must take into consideration as to whether the proposed development is consistent with any plan of management adopted by Council.

Assessment Criteria Kogarah Local Environmental Plan

Council considers development applications for its parks and reserves with reference to the Kogarah Local Environmental Plan, 1998 (KLEP) and the development assessment criteria within that plan and the provisions of the *Environmental Planning & Assessment Act, 1979*, Clause 21 of the KLEP requires Council, as the consent authority, must not grant its consent to the carrying out of development on land zoned Open Space 6(a) unless it has considered the following assessment criteria:

- a. the need for the proposed development on that land;
- b. whether the proposed development promotes or is related to the use of the land;
- c. the impact of the proposed development on the existing or likely future use of the land; and
- d. the need to retain the land for its existing or likely future use.
- e. whether the proposed development is compatible with uses on adjacent land in relation to its height, bulk, noise generation, traffic generation, and any other aspects that might conflict with surrounding land uses.
- f. whether the proposed development is consistent with any plan of management adopted by Council.
- g. whether the height of any proposed building or structure is visually sympathetic to existing vegetation and topography.

Furthermore, consideration also needs to be given to:

- the total area to be affected by a proposed development is to be a relevant factor in assessing the appropriateness of that development. Where a development proposal results in a permanent loss of a substantial area of open space parkland, then the total area to be alienated is to be weighted against the impact on the existing use, purpose, enjoyment and amenity of the reserves open space.
- the incorporation and use of ecological sustainable development building and management practices.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The *State Environmental Planning Policy (Infrastructure) 2007* (SEPP (Infrastructure) 2007) applies to Crown Reserve land that Council has been appointed Trustee under the provisions of s92 of the *Crown Lands Act, 1989*.

The principal aims of SEPP (Infrastructure) 2007 are:

Facilitate the effective delivery of infrastructure across the State by:

For example:

- (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services,
- (b) providing greater flexibility in the location of infrastructure and service facilities...
- (d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development)...
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing (SEPP (Infrastructure) 2007).

Conditionally, SEPP (Infrastructure) 2007 has precedence over any other environmental planning instruments.

Development Permitted Without Consent

Division 12 entitled *Parks and other reserves*, Clause 65(d) of SEPP (Infrastructure) 2008 states that development for any purpose may be carried out without consent if the land is a reserve within the meaning of Part 5 of the *Crown Lands Act, 1989*, by or on the behalf of the Director General of the Department of Lands and an appointed trustee of a reserve under s92 of the *Crown Lands Act, 1989*. Council is the appointed Trustee of the Crown reserves cited within this plan of management. The policy also states that if the development is for the purpose of implementing a plan of management adopted for the land under the Act then Clause 65(d) also applies.

Clause 65, Part 3 permits development for any of the following purposes may be carried out or on behalf of a Council without consent on a public reserve under the control of or vested in the Council:

- (a) roads, cycleways, single storey car parks, ticketing facilities and viewing platforms,
- (b) outdoor recreational facilities, including playing fields, but not including grandstands,
- (c) information facilities such as visitors' centres and information boards,
- (d) lighting, if light spill and artificial sky glow is minimised in accordance with AS/NZ 1158:2007, *Lighting for Roads and Public Spaces*,
- (e) landscaping, including irrigation schemes (whether they use recycled or other water),
- (f) amenity facilities,
- (g) maintenance depots,
- (h) environmental management works (SEPP (Infrastructure) 2007).

Exempt Development

Clause 66 of the policy entitled *Exempt development* states that development for any of the following purposes is exempt development if it is carried out by or on behalf of a public authority, such as Council, in connection with a public reserve or on land referred to in Clause 65 (1) and if it complies with Clause 20 (2) (Exempt development) of then the policy states that:

- (a) construction, maintenance and repair of:
 - i. walking tracks, boardwalks and raised walking paths, ramps, minor pedestrian bridges, stairways, gates, seats. Barbecues, shelters and shade structures,
 - ii. viewing platforms with an area not exceeding 100m², or
 - iii. sporting facilities, including goal post, sight screens and fences, if the visual impact of the development on the surrounding land uses is minimal, or
 - iv. play equipment where adequate safety provisions (including soft landing surfaces) are provided, but only if any structure is at least 1.2m away from any fence.
 - (b) routine maintenance (including earthworks associated with playing field regrading or landscaping and maintenance of existing access roads).
- (2) Development of a kind referred to in subclause (1) is exempt development if it is carried out on land referred to in Clause 65(2) by or on behalf of Council if the development:
- (a) complies with clause 20(2) (Exempt development), and
 - (b) involves no greater disturbance of native vegetation than necessary, and
 - (c) does not result in an increase in stormwater run-off or erosion, and
 - (d) for the purpose of implementing a plan of management adopted for the land under the *Crown Lands Act, 1989*(SEPP (Infrastructure) 2007).

When considering specific development on Crown Reserve land that Council has been appointed trustee under s92 of the *Crown Lands Act, 1989* and where a plan of management has been adopted under s143 of the cited Act then relative to SEPP (Infrastructure) 2007 such development may be permitted without development consent or may be exempt development.

Further reference will need to be made to SEPP (Infrastructure) 2007 for other specific development proposals that may take place in public reserves such as stormwater management systems, etc. Further reference needs to be made to the policy when Council is considering development works on Crown Reserve land that it has been appointed Trustee.

STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT & COMPLYING DEVELOPMENT CODES) 2008

The *State Environmental Planning Policy (Exempt and complying development codes) 2008* (SEPP (E&CDC) 2008) applies to both Crown Reserve and dedicated land that Council has been appointed Trustee under the provisions of s92 of the *Crown Lands Act, 1989* and *Community Land*. The policy aims to streamline the assessment process for development that complies with specified development standards.

Currently, to avoid confusion between Council's Development Control Plan No.26 – *Exempt & Complying Development* (DCP) Council has amended and is currently exhibiting the amended DCP which excludes all of those provisions addressed in SEPP

(E&CDC) 2008. The latter has precedence over the provisions of the DCP. The DCP will retain only those developments of an exempt and complying nature that are not included in SEPP (E&CDC) 2008.

Some of the principal aims of SEPP (E&CDC) 2008 that are relevant to parks are:

- (a) providing exempt and complying development codes that have State-wide application, and
- (b) identifying, in General Exempt Development Codes the types of development that are of minimal environmental impact that may be carried out without the need for development consent...(SEPP (E&CDC) 2008).

To be exempt or complying development the proposed development must not be carried out on land that is an environmentally sensitive area. Relative to parks and reserves *environmentally sensitive* would apply, for example, to land that has high Aboriginal cultural significance or high biodiversity significance as well as land reserved or dedicated under the *Crown Lands Act, 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes.

Exempt Development

Exempt development is development that, subject to satisfying pre-specified standards such as the Building Code of Australia or the Development standards outlined in Subdivision 24 of SEPP (E&CDC) 2008, does not require development consent.

Relative to parks, exempt development includes for example items such as access ramps (Subdivision 1 SEPP (E&CDC) 2008), BBQs (Subdivision 24 SEPP (E&CDC) 2008), landscape structures (Subdivision 24 SEPP (E&CDC) 2008), minor building alterations (Internal / External) (Subdivision 26 & 27 SEPP (E&CDC) 2008), rainwater tanks (Subdivision 32 & 33 SEPP (E&CDC) 2008). For reasons of clarification, further reference should be made to SEPP (E&CDC) 2008,

Complying Development

SEPP (E&CDC) 2008 allows for development for a purpose which is of minor environmental significance that must meet specific standards. The cited SEPP states that for a development to be a complying development it must not:

- (a) be designated development, or
- (b) be exempt development under the terms of SEPP (E&CDC) 2008,
- (c) be carried out on land that is less than the minimum lot size for the erection of a dwelling house under an environmental planning instrument applying to that land, or
- (d) be development that requires concurrence (except a concurrence of the Director-General of the Department of Environment & Climate Change in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act, 1995*) SEPP (E&CDC) 2008.

Clause 1.17 of SEPP (E&CDC) 2008 entitled General requirements for complying development states that for a development to be comply development it must:

- (a) be permissible, with consent, in the land use zone in which it is carried out, and
- (b) meet the relevant provisions of Building Codes Australia, and
- (c) have prior approval, if required by the Local Government Act, 1993 for example for an on-site stormwater drainage system... SEPP (E&CDC) 2008.

HERITAGE CONSERVATION

Local Heritage Significance refers to a place, site, item or thing of heritage value to the local community in terms of its aesthetic, historic, scientific, cultural, social, archaeological, natural or aesthetic value for present and future generations.

Section 17 of the *Kogarah LEP, 1998* makes provision for the conservation of both non-Aboriginal and Aboriginal significant heritage sites within the Kogarah LGA. The LEP lists four specific sites that are the subject of this plan of management as places of Local Heritage Significance. None of the four sites listed herein are known to be sites of Aboriginal Heritage significance. However, the LEP makes provision for consideration of potential sites of Aboriginal Heritage significance.

- **Connells Point Reserve**, 290 Connells Point Rd, Blakehurst.

Connells Point Reserve is named after John Connell who was a major land owner in the St George Region. In 1801 John Connell (Senior), widowed in England, came to Australia with his two children, Margaret and John as a free settler. He married Catherine Sullivan in 1798. He purchased significant land holdings in the St George area in 1830 from Dr Robert Townson. The acquired land assumed the name Connell's Bush. Connell died in 1849 and his Estate was transferred to his only remaining child John (Junior).

The Kogarah Heritage Inventory Statement of Heritage Significance states:

Connells Point Reserve is historically significant as it contains many mature native and introduced species which reflects the area development overlays. It is socially significant for its continued use [since 1890] as a public reserve along the foreshore [of the Georges River].

- **Hogben Park**, 1 Harrow Road, Kogarah.

The Statement of Heritage Significances states that Hogben Park is locally significant as it represents a section of the Ocean View Estate subdivision which was established in 1883 and extended across the railway line. The establishment of the railway severed this area from the rest of the Estate. Plantings include Moreton Bay figs, avenue plantings of Bush Box along Railway Parade, Jacarandas along Harrow Road, mature specimens of Kurrajong, Port Jackson fig, Peppercorn tree, Cottonwood, Lemon Scented gum, Coral Tree and Willows along the canal. The first plantings took place in 1896.

The park is named after the first Mayor of Kogarah Municipal Council, Alderman Edward Hogben who resided as Mayor from Council's inception in 1886 to 1888.

As the land has been listed as a site of Local Heritage Significance it is proposed to categorise all of the land *Cultural Heritage* and set aside a portion of the land under the dual categories *Cultural Heritage* and *General Community Use* (Refer to Photograph 14).

Photograph 14.



Hogben Park Dual Categories
General Community Use & Cultural Heritage marked
RED & Cultural Heritage marked **INDIGO**.

- **McRae's Reserve, 2-18 Grove Avenue, Penshurst.**

McRae's Reserve is named after Myles McRae an entrepreneur and land speculator who was an alderman of the inaugural Councils of both Kogarah and Hurstville. McRae was elected Mayor of Kogarah Municipal Council in 1888 serving in this position to 1889 and then again from 1894 to 1895 and 1896-1897. McRae's Estate was first subdivided in 1904 and again in 1922. McRae died at Kintail in 1926 (KHI : 2002).

Kogarah City Council's Heritage Inventory Statement of Significance states as follows:

The creation of the reserve is a later overlay within McRae's Station Estate that demonstrates the continuing suburbanisation of the Penshurst area in the twentieth century and the growing interest in greening of the community in response to the rapid development. Council was forced to purchase the land for public use as residential subdivisions did not incorporate such public lands. It is significant for meeting the recreational needs of the developing community. The reserve was created for drainage purposes and later developed for recreational purposes. Some aesthetic value but primarily amenity value for the local community. Representative of small suburban parks developed during the twentieth century in response to the lack of planned parkland within earlier residential subdivisions.

- **Aboriginal Heritage**

The traditional owners of the land that is the subject of this plan of management were the Bediagal People of the Eora Nation who occupied land between the northern shores of the Georges River to the Cooks River to the north. They were of the Dharug and Dharawal language groups being two of the major language groups occupying the Sydney Basin area.

Subsequently, on the 1st January 1988 Reconciliation Week Council issued a Statement of Commitment which in part states that it acknowledges the Indigenous Australians who occupied the land that comprises the Kogarah City Council area and that the Dharug and Dharawal were the first people of this land and that they have survived European settlement for more than two centuries. The statement goes on to acknowledge with regret the loss of their traditional culture and lands and commits itself to respecting, recognising and preserving Aboriginal sacred sites and special places (KCC, 1988 Statement of Commitment).

Section 17D of the Kogarah LEP 1998 entitled *Development Affecting Places or Sites of Known or Potential Aboriginal Heritage Significance* ensures that prior to the granting of consent for development that is likely to have an impact on a place of Aboriginal heritage significance or a potential place of Aboriginal heritage significance, or that will be carried out on an archaeological site of a relic that has Aboriginal significance the Council must consider the impact on the site by preparing a heritage impact statement. In addition, other than for integrated development, it must notify the local Aboriginal communities and the Director-General of the National Parks & Wildlife of its intentions to carry out a proposed development and take into consideration any comments received in response within 28 days after notification was sent.

Registered European or Aboriginal Heritage sites and any potential heritage sites will need to be managed in accordance with the provisions of the *Environmental Planning & Assessment Act, 1979* and subsequent local heritage policies for the protection of sites of heritage significance.

DIVIDING FENCES ACT, 1991

Under the provisions of the *Dividing Fences Act, 1991*, Section 25(1) all Councils are exempt from the payment of a contribution towards the installation or replacement of a fence on private land that adjoins public property in Council's ownership, care, control and management.

Subsequently at the Council meeting of 25th February 2005 Council rescinded its previous policy on dividing fence contributions stating:

That Council not contribute to dividing fences between public reserve land and private land in accordance with section 25(1) of the Dividing Fences Act, 1991.

The legislation and subsequent Council policy arose because of the large number of private fences that adjoin Council land would impose unreasonable financial hardship on any Council's financial resources. Thus the State Government relinquished Local Government's obligations relative to making financial contributions to replace fences adjoining its property.

COMPANION ANIMALS ACT, 1998

Council recognises the importance of residents having pets, in particular dogs, and the benefits they can provide to their owners and has prepared a *Companion Animal Management Plan for the City of Kogarah*. The plan recognises the rights of pets themselves to a healthy existence and has made provisions for their exercise off the leash in designated areas within a number of its Regional, District and Local Parks.

Table 15 list those Local Parks where dogs are permitted to exercise off the leash. At the time of preparing this plan none of these facilities are fenced off and Council will need to give consideration to fencing off some of these locations as more demands are placed on parks through urban consolidation.

Table 15.

LOCAL PARKS WITH PROVISION FOR OFF LEASH DOG EXERCISE AREAS				
Park Name	Street	Suburb	Times	Restrictions
Arrowsmith Park	King Georges Road	Hurstville	24 hours	Nil
Hogben Park	Railway Parade	Kogarah	24 hours	Not permitted within 10 metres of playgrounds and exercise areas
Moore Park	Ferry Street	Beverley Park	24 hours	Nil

Relative to Local Parks under the provisions of the *Companion Animals Act, 1998* dogs are prohibited in the following public places:

- Within 10 metres of any children's play area.
- In areas where food is being prepared or consumed unless it is a public thoroughfare such as a road, pedestrian pathway etc.
- Recreation areas where dogs are declared prohibited.
- Public bathing areas where dogs are declared prohibited.
- Wildlife protected areas.

Council can elect to prohibit dogs from particular areas if there is concern from the community about their presence in a specific public area.

In addition, under the provisions of the *Companion Animals Act, 1998* owners of pets incur a number of responsibilities when exercising their pets in public parks. Section 3A, of the Act entitled *Principal objective of the Act* states that it has been implemented so as to provide the means for the effective and responsible management of companion animals. Section 13 of the cited Act list the responsibilities of the owner when they take their dog into a public area and states that unless the dog is in a designated dog off leash exercise area then:

- (1) *A dog that is in a public place must be under the effective control of some competent person by means of an adequate chain, cord or leash that is attached to the dog and that is being held by (or secured to) the person.*

Dog owners must also ensure that their dog wears a collar and tag showing the name of the dog and the address and telephone number of the owner of the dog (s.12). In reference to s.25 of the Act the owner of a dog incurs all liability in damages for injury to persons or property incurred by the dog(s). While under s.20 the owner also has the responsibility for immediately removing the dog's faeces and properly disposing of it in an appropriate receptacle.

RELEVANT COUNCIL POLICIES

Kogarah Open Space Policy

On 23 September 2002 Council adopted the Kogarah Council Open Space Policy. The policy applies to all public open space regardless of its classification as *Community Land*, Crown Reserve or other land as long as it is in Council's care control and management and that it is currently open to and accessible to the public for their use and enjoyment.

The purpose of the policy states:

- *To ensure accountability in the management and short term temporary use of public open space under Council's care, control and management.*
- *To provide park visitors with appropriate recreational opportunities in a safe environment.*
- *To ensure protection of the natural and cultural environment.*

The policy sets out the terms and conditions of use of public open space as well as the management of that use.

Youth Recreational Facilities Policy

The purpose of Council's *Youth Recreational Facilities Policy* is to ensure that there is acknowledged commitment by Council in providing a diversity of recreational opportunities for youth within the City. Specifically, it addresses the need for Council to provide equitable opportunities for those youth within the community who by personal preference, physical limitations, culture or otherwise seek alternative recreational opportunities other than those traditionally provided by sports and recreation organisations. The policy states:

- *To provide accessible recreational facilities for youth that are indicative and representative of identified youth needs irrespective of their gender, culture or physical abilities.*
- *To provide recreational facilities that promotes health, social interaction, peer support and individual identity.*

The policy states that Council is to involve youth in determining their needs and aspirations by engaging with them to identify specific public open space areas that can be set aside to cater especially for their needs. It is envisaged that such areas will contribute to their sense of social, psychological and physical inclusion to the surrounding environment and the activities that take place there (KCCYRFP: 2002).

It is a purpose of this plan of management to ensure that appropriate strategies and actions are in place to address the inequitable provision of recreational opportunities for those individuals who seek self expression and creativity by engaging in alternative recreational activities other than team sports that will enhance their self esteem, health and integration into the larger community of Kogarah.

Public Art & Design Policy

On July 28 2008 Council adopted a Public Art & Design Policy the policy acknowledges the role that creative and imaginative art can provide to the public by its power to enchant, inspire and for its role in humanising urban environments (KCCPADP : 2008). The policy goes on to state that art is viewed as having a central role in establishing a community's culture being recognised for its own sake and for its intrinsic value. The objectives of the policy are to:

- Express local identity and distinctiveness,
- Develop community spirit and culture,
- Improve and enhance the built and natural environment,
- Develop the local economy,
- Foster a whole of council practice.

The stated planning principles are based on Council's 2007 adopted Cultural Sustainability Principals and include:

- Respect for identity and sense of place,
- Equity of access,
- Commitment to consultation and communication with the community,
- Capacity building,
- Creativity and innovation, and
- Developing sustainable public art and design assets.

Relative to this plan of management and the locating of public art the policy identifies community open space including river foreshore beaches, reserves, gardens, playgrounds, walkways, cycle paths, shared pathways and parks as ideal places to locate and promote public awareness and appreciation for public art.

This plan encourages the use of those parks and reserves listed in the plan as sites for the inclusion of works of public art. The plan takes the position that art a complementary element that would enhance the recreational experience by substantially adding to the visual amenity of a site and provide a sense of identity with the location.

Procurement Policy

Council's *Procurement Policy* makes provision for consideration of Ecological Sustainable Development (ESD) by initiating Life Cycle Management assessment of proposed purchases of goods and services. The policy states that:

Any purchase of a product or service will consider all aspects of environmental sustainability and the sustainable use of the resource prior to making any purchase.

It is the responsibility of Council officers to weigh the costs and benefits associated with any purchase for recreational equipment, park furniture, fixtures, fittings or services for parks that are the subject of this plan of management against their potential short term or accumulative negative impacts on the environment and public health.

It is Council's preference to purchase Australian made, recycled and environmentally friendly products and services where they are deemed to perform satisfactorily, meet the required needs and are reasonably priced against other suitable products.

When considering a purchase for parks that are included in this plan of management consideration needs to be given to the following when compiling specifications and assessing quotations or tenders whether:

- The goods contain recyclable materials or can be reused, or remanufactured.
- The products and materials to be used have high energy ratings and efficiency features.
- The products will degrade and release toxins or other pollutant materials into the terrestrial or marine environment over their lifecycle.
- The organisations that are to supply the product or service can demonstrate their policies and practices their commitment to ESD principles.
- The product and materials have minimum packaging (KCCPPolicy: 2007)

There is a need to ensure that the parks within the City of Kogarah are protected from any adverse impact from hazardous or toxic materials. Therefore as part of Council's risk management the purchase of goods and services for these parks needs to consider the composition and materials that products and goods are composed of to avoid detriment to the environment and public health.

Need for a Playground Policy

A playground policy is required to provide Council with the necessary framework to:

- Ensure the rights of children to quality, safe and accessible play in accordance with Article 31 of the United Nations *Convention on the Rights of the Child*.
- Guide the planning, design and financial planning for the City's playground assets to prevent an opportunistic ad hoc approach to playground asset replacement.
- Address changes in playground safety regulations, best practice safety management and the expressed community expectations for safe and modern, age relevant play equipment and complementary environments.

The historical planning of the City has resulted in pre-established locations for Local Parks that does not necessarily site them in ideal locations within or near medium density housing or in areas where the demographics indicate a high number of young children. However, the cost of purchasing private property within or near these areas to convert to Local Parks is prohibitive. Because of this situation playgrounds in Local Parks must be of a quality and design that addresses local needs and complements the experiences the local community desires to derive from visitations to these parks.

As playgrounds age and become less attractive they become neglected because they fail to meet the community's needs. Playground equipment generally has a marketable life-span of 8-12 years after which they can have negligible use.

The community's expectations for safe, inspiring play equipment and landscaped settings is increasing and demands are being placed on Council to respond with an adequate modernisation program. Playground modernisation is not limited to just playground equipment but must take in the surrounding environment in which play is to take place.

Relative to playground safety, changes are being partly driven by society becoming more litigious and the need to ensure that playground equipment is designed and installed to meet the very latest Australian Standards and industry best practice.

Request from the community about playgrounds centre around:

- The modernisation of playgrounds to provide a stimulating and challenging play environment suitable to the various user age groups abilities and needs.
- Providing safe playground equipment including fencing off of some sites.
- Providing unique environmental settings that complement the design theme of the play equipment and setting of the Local Park.
- Ensuring playgrounds are accessible to those with prams/strollers and for those with various kinds of disabilities.
- Cater for carers needs in terms of park furniture, fixtures and fittings.
- Where feasible, shade cover over playgrounds and seating areas.

MANAGEMENT INITIATIVES

Asset Management

It is important that Council continues to monitor and report on its assets and ageing infrastructure. The information provides the means for Council to evaluate and make decisions relative to the allocation of scarce resources and the need for repairing, renewing, replacing or disposing of an asset. The process allows for budget and service planning relative to the expenditure required to retain the quantity and/or quality of service to be provided to a particular asset.

Council has considerable investment in its assets within its parks and reserves. Some of the most significant assets are its buildings, native bushland, playgrounds, park furniture, fixtures and fittings etc. Based on the information contained in its asset registrar and with consideration to public expectations, regulatory requirements and trends in the expected future growth and demand Council should proceed to prepare an asset management plan for each of its Local Parks and Reserves (Refer to Appendices 1-4).

Risk Management

Standards Australia notes that:

“Risk management is recognised as an integral part of good management practice”. (AS/NZS 4360:2004)

Risk management is a systematic method for establishing the context, identification, analysis, evaluation, treatment, monitoring and communication of risks (AS/NZS 4360:2004). Council will need to prepare a hazard identification and risk management plan for its Local Parks. These sites could contain a number of potential unidentified environmental, health and safety risks. The risk management plan should be prepared by an appropriately qualified person and in accordance with Australian Standard AS/NZS 4360:2004.

Park Asset Service Levels

In the latter half of 2008 Council prepared and publically exhibited the *Kogarah Council Infrastructure Assets Service Levels* which specified the maintenance service levels that would apply across all of Council's capital and natural resource assets. Public submission closed on the 19th December 2008. Subsequently at the Council

meeting of 23rd February 2009 the plan was adopted by Council. Although there are a range of assets within parks and reserves this plan briefly reviews three of the most significant maintenance issues relevant to Local Parks. Further reference should be made to the *Kogarah Council Infrastructure Assets Service Levels* plan for a comprehensive review of maintenance and service level to be provided for each asset class.

- **Parks & Reserves General**

For parks and reserves general the plan states as the principal objectives in managing Kogarah's Parks & Reserves as:

- To implement Council's Vision and Mission Statement for the health and safety of its citizens through best practice management of its landscaped, sports and recreational assets,
- To provide a diversity of safe sports and recreational environments,
- To meet the community's expectations in the management of parks and recreational assets.

Table 16 outlines the service levels and timeframes for each park and reserve category.

Table 16.

PARKS & RESERVES		
Category 1	Category 2	Category 3
Market Catchment predominately described as Regional or District	Market Catchment predominately described as District or Local	Market Catchment predominately described as Local
The lands physical and environmental condition offers a high diversity of recreational opportunities.	The lands physical and environmental condition offers the potential to offer a diversity of recreational opportunities.	The lands physical and environmental condition limits the potential to offer a diversity of recreational opportunities.
Generally has access to nearby public transport and provision for off street visitor parking.	Generally has access to nearby public transport and limited or no off street visitor parking.	Generally has low access to public transport and limited or no off street visitor parking.
Response Extreme / High Risk 24-48 hours Substantial / Medium Risk 7 days – 3 months Moderate to Low Risk 6 months to 12 months	Response Extreme / High Risk 24-48 hours Substantial / Medium Risk 7 days – 3 months Moderate to Low Risk 6 months to 12 months	Response Extreme / High Risk 24-48 hours Substantial / Medium Risk 7 days – 3 months Moderate to Low Risk 6 months to 12 months

Council's parks maintenance teams maintain the lawns and park vegetation on fortnightly visits and report any hazards to the Park Supervisor who instigates actions in accordance with the above schedule.

- **Playgrounds**

Service levels for playgrounds are based on the following principal objectives:

- Ensure playgrounds are maintained in a safe condition,
- Provide a diverse range of activities and accessible play experiences,
- Provide for the physical and social development of children,
- Meet the recreational needs of both local and visiting families,
- Enhance the recreational amenity of parkland and its facilities,
- Reduce the incident and impact of undesirable activities associated with playgrounds.

Table 17 provides the service levels and timeframes for each playground category.

Table 17.

PLAYGROUNDS		
Category 1	Category 2	Category 3
Market Catchment predominately described as Regional or District	Market Catchment predominately described as District or Local	Market Catchment predominately described as Local
High Usage	Medium Usage	Low Usage
Generally has access to nearby public transport and provision for off street visitor parking.	Generally has access to nearby public transport and limited or no off street visitor parking.	Generally has low access to public transport and limited or no off street visitor parking.
Response Extreme / High Risk 24-48 hours Substantial / Medium Risk 7 days Moderate to Low Risk 6 months.	Response Extreme / High Risk 24-48 hours Substantial / Medium Risk 7 days to 3 months Moderate to Low Risk 6 months.	Response Extreme / High Risk 24-48 hours Substantial / Medium Risk 3 months Moderate to Low Risk 12 months.

Council's playgrounds are independently inspected by safety contractors every 6 months and fortnightly by Council's parks general maintenance and playground repair team. The Parks Supervisor instigates the appropriate action to address any identified hazard within the allotted timeframes listed in Table 18.

- **Public Trees**

The provision for public tree maintenance is founded on following principal objectives stated as in the document as:

- To implement Council's Vision and Mission Statement for the management and conservation of the Kogarah [City] Council's biodiversity and urban amenity,
- To ensure the health and safety of public trees,
- To meet the community's expectations in the management of trees on public land.

Table 18 cites the service levels and timeframes for the management and maintenance of public trees.

Table 18.

PUBLIC TREES		
Category 1	Category 2	Category 3
Extreme / High Risk	Substantial / Medium Risk	Moderate / Low Risk
High potential for litigation and public health issues.	Medium potential for litigation and public health issues.	Low potential for litigation and public health issues.
Response 24 – 48 hours	Response 7 days – 3 months	Response 6 months – 12 months
Action Close area and secure or remove hazard.	Action Secure or remove hazard and schedule action.	Action Schedule action.

As previously stated further reference for specific items such as buildings, seawalls, foreshore structures, car parks bush areas etc should be made to the cited document *Kogarah City Council Infrastructure Assets Service Levels*.

Natural Resource Management

Ecosystem processes have been altered since European settlement of Australia with the development of urban areas and agricultural lands (Hazell *et al* 2003; Hamer & McDonnell 2008; McKinney 2006, 2008). These changes in land use have resulted in

altered ecosystem conditions which have led to changed vegetation species composition and structure by allowing the emergence of invasive plant species (Hamer & McDonnell 2008, McKinney 2006; Maerz *et al* 2009). These invasive species infest large areas and reduce native flora cover and diversity within an urban system (Hamer & McDonnell 2008). They have significant impacts on smaller areas of native vegetation found within Local Parks as recovery is low after disturbance.

As the native fauna and fauna of the region have developed alongside each other they become dependant on the other for survival including food, shelter, seed dispersal, germination and pollination. The changes that have been made to the natural environment through the development of urban areas disrupted the balance of natural systems which inturn threatens the survival of the species found within the parks other natural areas.

Natural areas, whether large or small in Local Parks provide one of the only remaining habitats for many of our native plants and animals within urban areas. Many of our existing urban reserves play an important role in providing habitat and refuges for permanent and migrating fauna such as the White-faced Heron, Great Egret and the Royal Spoonbill within the Kogarah LGA. They provide a crucial link to the pre European state of our environment and are a source of local genetics for both flora and fauna.

These natural assets need to be actively managed and dealing with the source of the disturbance is the key issue. Elements such as excess water and nutrients, dumping of waste, removal of tree and vegetation for personal gain, invasion of exotic and feral flora and fauna and vegetation fragmentation are some of the main elements that degrade the habitat potential and existing biodiversity within these reserves. Activities that remove the source of the disturbance are preferable followed by minimising the effects of the disturbance such as restricting water flow and minimising its effects on the surrounding soil and vegetation.

Care needs to be taken that natural systems are understood as some disturbances are a natural process and are crucial for ecosystem health. Some natural disturbances such as fire and the accumulation of leaf litter and logs for habitat have been seen as 'untidy and unnecessary' in the past and due to this the systems have suffered. Natural resource management programs need to be built on an understanding of each individual system and provide the means for this system to be self functioning. This method is beneficial for both the environment and the managing authority as without human disturbances ecosystem are able to care for themselves and require little financial input.

Governance Policies, Strategies & Actions

Proposed Playground Policy

Title:	Kogarah City Council Playground Policy
Program:	Health and Safety
Sub Program:	Recreation
Review Details:	As Required
Responsible Officer:	Manager Recreation & Urban Landscapes

Purpose of the Policy

To incorporate the principles of Article 31 of the United Nations resolution 44/25, *Convention on the Rights of the Child* that states:

1. Parties shall recognise the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate opportunities for cultural, artistic, recreational and leisure activities.

Objectives

To provide accessible, safe, modern, stimulating playground equipment that is suited to each targeted child's age group, gender, physical and psychological abilities including those with disabilities.

To provide complementary environmental settings that induces discovery and creativity in play and enhances the visual amenity of the play environment.

To provide appropriate facilities for accompanying parents and carers of children who visit public playgrounds.

To provide a schedule of disposal and renewal of children's playground equipment and their settings that keeps pace and relevance with the changes in the community's expectations for modern safe yet stimulating play environments.

To maximise the use of limited resources yet gain the maximum benefit.

Definitions:

Child: A young person aged not older than 16 years.

Innovation: The act of providing new and different opportunities for children to discover themselves and their environment by engaging in new ways to freely express individual or

group creativity through their participation in new and imaginative ways to play.

- Parent or Carer:** A father, mother, protector or guardian of a child.
- Persons with a Disability:** Has the same meaning as defined in the *Commonwealth Disability Discrimination Act, 1992*.
- Playground Access:** Compliance with Australia Standard AS 1428 *Design access and mobility*.
- Playground Environment:** The surrounding landscape setting and facilities that complements the adopted theme or setting of the playground equipment.
- Playground Equipment:** Engineered structures, artworks or individual made pieces or natural elements that together create a play or theatrical theme or setting that is used to complement, stimulate and encourage imaginative play.

Playground Equipment Categories:

Category 1 - Playground Equipment

The supply and installation of playground equipment that costs \$35,000 - \$60,000 at 2010 prices adjusted annually by the Sydney CPI.

Category 2 – Playground Equipment

The supply and installation of playground equipment that costs \$70,000 - \$100,000 at 2010 prices adjusted annually by the Sydney CPI.

Category 3 – Playground Equipment

The supply and installation of playground equipment that costs in excess of \$100,000 at 2010 prices adjusted annually by the Sydney CPI.

- Playground:** For the purpose of this policy an area within public open space consisting of playground equipment used by the community as a place for social or independent unstructured recreation and leisure activities.

- Play Group Categories:**
- Child Group A:** 0 to 3 years
 - Child Group B:** over 3 years to 5 years
 - Child Group C:** over 5 years to 8 years
 - Child Group D:** over 8 years to 11 years
 - Child Group E:** over 11 years to 13 years
 - Child Group F:** over 13 years to 16 years

- Playground Hierarchy:**
- Local Playground:** has a market catchment area generally from within a neighbourhood.

District Playground: has a market catchment area generally from two or more suburbs.

Regional Playground: has a market catchment area that principally extends across the St George Region but may attract visitors beyond this boundary.

Playground Safety: Freedom from unreasonable hazards and risk that could result in death or injury from playground equipment or, disease within the playground environment.

Playground Life-cycle Management:

- **Playground Acquisition:**
Compliance with Council's policy entitled *Procurement Policy*.
- **Playground Renewal:**
The process of removing and replacing existing playground equipment with new innovative modern playground equipment or natural elements that are suitable for the nominated targeted play group(s) within nominated timeframes and costs.
- **Playground Disposal:** The process of removing existing aged or damaged playground equipment within scheduled timeframes and costs.
- **Disposal of Unsafe Playground Equipment or Parts Thereof:**
Compliance with the adopted recommendations for playgrounds in Council's document entitled *Kogarah Council Infrastructure Assets Service Levels*.

Public Consultation: Compliance with Level 3 of Council's policy entitled *Community Consultation Policy*.

Public Notification: Compliance with Level 1 of Council's policy entitled *Community Consultation Policy* to also include a statement in the notification the reason(s) for the removal or repair(s) and if applicable the replacement date.

Periodic Renewal Rate: Is a 10 to 12 year cycle from new installation to disposal.

POLICY

1. That Kogarah City Council establishes, maintains and implements by appropriate funding a children's playground equipment life cycle management plan to be based on a systematic periodic renewal rate for each playground hierarchy and playground equipment category.
2. Council will monitor the changes to the demographics of the City in relation to identifying the dominant play group categories within each playground hierarchy to formulate a distribution and cost effective provision strategy.
3. Subject to the constraints of the physical attributes of the playground site, proximity of residential housing and relevant demographic composition of the existing potential play group category(ies) Council, in public consultation with the community, will determine the dominant target play group category(ies) and establish the preferred playground equipment and playground environment that best suits the selected play group category(ies) and available budgets.

4. Safety, innovation, cost and relevance to the selected playground category(ies) will be the keystone attributes in the planning and design of playground environments and the acquisition of playground equipment.
5. Playground safety will include the fencing off of either the playground area within a park or the boundary of a park where:
 - a. The playground is located within 30 metres from a seawall or riverbank and where there is no obstruction between the playground area and the seawall or riverbank that would otherwise inhibit direct access to the riverbank.
 - b. The playground is located within 30 metres of an arterial road or sub-arterial road where there is no obstruction between the playground area and the roadway that would otherwise inhibit direct access to the roadway.
 - c. The playground is located within 30 metres of a local road Council will install or create obstructions between the playground and the roadway including the option of fencing, landscape works including low level vegetation growth garden beds, earth mounding or other suitable barriers.
6. District and Regional playground equipment will be provided with sunshade protection. Owing to financial constraints relative to supply cost and maintenance issues local playgrounds will be assessed on an as need basis. The criteria to be based on the statistical mean usage patterns correlated with the demographics of the targeted play group category(ies) within the market catchment area. Subject to the findings other options, including the planting of trees to provide future shade, may be instigated.
7. Playground equipment and playground environments will be continuously inspected for hazards and risk in accordance with *Kogarah Council Infrastructure Assets Service Levels*.
8. Playground environments, their furniture, fixtures and fittings will provide for the needs of persons with a disability, parents and carers of children.
9. Playground equipment and playground environments will meet appropriate safety and access standards including those for persons with a disability.
10. Council will instigate appropriate public consultation prior to the renewal of playground equipment and the playground environment.
11. Council will instigate appropriate public notification prior to the closing down of a playground for repairs and the removal and disposal of playground equipment and or a playground environment.

Governance Policies, Strategies & Actions

Governance strategies and actions include the undertaking of research or specific studies to provide relevant information that would further enhance management decision-making and assist in implementing best practice park management. Table 19 lists appropriate policies, strategies and actions for all Local Parks.

Table 19.

Governance, Policies, Strategies & Actions		
Policies, Strategies & Actions	Objectives	Performance Measures
CROWN RESERVE LAND		
The Crown Reserve land identified in Table 4, p.17 and Photographs 1 & 2, p.18 & Photograph 3, p.19 are to be managed by the Trust in accordance with the provisions of the Crown Lands Act, 1989, Regulations and Department of Land's policies and directions of the Minister administering the Crown Lands Act, 1989.	To comply with the provisions of the Crown Lands Act, 1989, Regulations and Department of Land & Property Management Authority policies and directions of the Minister administering the Crown Lands Act, 1989.	Compliance with the provisions of the Crown Lands Act, 1989, Regulations and Department of Land's policies and directions of the Minister administering the Crown Lands Act, 1989.
Continue to provide high level maintenance to the Crown Reserve land and its infrastructure.	To integrate the maintenance of these areas to the same level as that of the adjoining Community Land.	Well maintained Crown Reserve land. No noxious or invasive weeds.
SYDNEY WATER CORPORATION LAND		
Land in the ownership of the Sydney Water Corporation identified in Table 7, p.23 and Photograph 4, p.23 is to be managed by the Corporation in accordance with the provisions of the Sydney Water Act, 1994, Regulations and Sydney Water Corporation policies and directions.	To liaise and comply with the directions of the Sydney Water Corporation relative to the provisions of the Sydney Water Act, 1994, Regulations and Sydney Water Corporation policies and directions.	Compliance with the directions of the Sydney Water Corporation relative to the provisions of the Sydney Water Act, 1994, Regulations and Sydney Water Corporation policies and directions.
Continue to provide high level maintenance to the Sydney Water Corporation land.	To integrate the maintenance of these areas to the same level as that of the adjoining Community Land.	Well maintained Sydney Water Corporation land. No noxious or invasive weeds.
COMMUNITY LAND CATEGORY – PARK		
Council to apply the single Land Category "Park" to all of the Community Land that comprises all of the parkland of those parks in North Ward reference numbers 2,3,4,6,8,11,12 &13 in Table 3, p.15.	To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.	Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.
Council to apply the single Land Category "Park" to all of the Community Land that comprises all of the parkland of those parks in East Ward reference numbers 1,2,4,5,7,8,9,12,14,15 &16 in Table 3, p.15.	To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.	Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.
Council to apply the single Land Category "Park" to all of the	To comply with the provisions of the Local Government Act, 1993	Council compliance with the provisions of the Local

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Community Land that comprises all of the parkland of those parks in Middle Ward reference numbers 1,3,8,9,10,11,14 &17 in Table 3, p.15-16.	<p>for the categorisation of Community Land.</p> <p>To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>	<p>Government Act, 1993 for the categorisation of Community Land.</p> <p>Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>
Council to apply the single Land Category "Park" to all of the Community Land that comprises all of the parkland of those parks in West Ward reference numbers 2,3,4,5,6,8,9,10 &11 in Table 3 p.16.	<p>To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>	<p>Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>
COMMUNITY LAND CATEGORY – GENERAL COMMUNITY USE		
Council to apply the single Land Category "General Community Use" to all the Community Land that comprises Joffre Street Reserve, South Hurstville all of the parkland of those parks in East Ward reference number 6 in Table 3 p.15 (Refer to Photograph 7, p.27).	<p>To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>	<p>Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>
DUAL COMMUNITY LAND CATEGORIES – PARK & GENERAL COMMUNITY USE		
Council to apply the dual Land Categories "Park" & "General Community Use" to those parts of the Community Land in those parks in East Ward reference numbers 3,10,11&13 in Table 3, p.15 (Refer to Photographs 6, 8, 9 &10 pp.27-29).	<p>To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>	<p>Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>
Council to apply the dual Land Categories "Park" & "General Community Use" to those parts of the Community Land in McRae's Reserve in West Ward reference number 7 in Table 3, p.16 (Refer to Photograph 13, p.33).	<p>To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>	<p>Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.</p>
DUAL COMMUNITY LAND CATEGORIES – PARK & NATURAL AREA –BUSHLAND		
Council to apply the dual Land Categories "Park" & "Natural Area-Bushland" to those parts of the Community Land that comprise Arrowsmith Park in West Ward reference number 1 in Table 3, p.16 (Refer to Section entitled "Environmental", p.95, Photograph 18, p.100).	<p>To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>To adhere to the core objectives of the category and the provisions in this plan of management relevant to the</p>	<p>Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>Council adhering to the core objectives of the category and the provisions in this plan of</p>

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Policies, Strategies & Actions	Objectives	Performance Measures
	land category.	management relevant to the land category.
Council to apply the dual Land Categories "Park" & "Natural Area-Bushland" to those parts of the Community Land that comprise Stuart Street Reserve in Middle Ward reference number 15 in Table 3, p.15 (Refer to Section entitled "Environmental", p.101, Photograph 20).	To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.	Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.
DUAL COMMUNITY LAND CATEGORIES – PARK & NATURAL AREA -FORESHORE		
Council to apply the dual Land Categories "Park" & "Natural Area-Foreshore" to those parts of the Community Land that comprises those parks in North Ward reference numbers 1,7 & 10 in Table 3, p.15 (Refer to Section entitled "Environmental", Table 31, p.102, Photographs 21, 22 & 23 pp.103-104).	To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.	Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.
Council to apply the dual Land Categories "Park" & "Natural Area-Foreshore" to those parts of the Community Land that comprises Connells Point Reserve in Middle Ward reference numbers 4,5,6,7,12 & 13 in Table 3, p.15 (Refer to Section entitled "Environmental", Table 31, p.102, Photographs 24-27, pp.105-107).	To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.	Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.
DUAL COMMUNITY LAND CATEGORIES – PARK & NATURAL AREA -WATERWAY		
Council to apply the dual Land Categories "Park" & "Natural Area-Waterway" to those parts of the Community Land that comprise Moore Park in North Ward reference number 9 in Table 3, p.15 (Refer to Section entitled "Environmental", p.95, Photograph 28, p.108).	To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.	Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.
MULTIPLE COMMUNITY LAND CATEGORIES		
Council to apply the multiple Land Categories "Park", "General Community Use" & "Cultural Significance" to those parts of the Community Land in Hogben Park in North Ward reference number 5 in Table 3, p.15 (Photograph 14, p.49).	To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. To adhere to the core objectives of the category and the provisions in this plan of management relevant to the land category.	Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. Council adhering to the core objectives of the category and the provisions in this plan of management relevant to the land category.
Council to apply the multiple Land Categories "Park", "General Community Use" & "Natural Area - Bushland" to those parts of the Community Land in Church Street Reserve in Middle Ward reference number 2 in Table 3, p.15 (Refer to Section	To comply with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. To adhere to the core objectives of the category and the provisions in this plan of	Council compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land. Council adhering to the core objectives of the category and

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Policies, Strategies & Actions	Objectives	Performance Measures
entitled "Environment" p.95, Photograph 19, p.100).	management relevant to the land category.	the provisions in this plan of management relevant to the land category.
LICENSING & LEASING		
The plan authorises Council to enter into lease, licence and other estates for those portions of Community Land Categorised "General Community Use".	<p>Council to comply with the provisions of the Local Government Act, 1993 for the licensing and leasing of Community Land.</p> <p>Council to enact the Principles of Licensing & Leasing of Community Land as outlined in Table 10, p.35 of the plan.</p>	<p>Compliance with the provisions of the Local Government Act, 1993 for the categorisation of Community Land.</p> <p>Compliance with the core objectives of the category and the provisions in this plan of management relevant to the land category.</p> <p>Where feasible avoid duplication of existing facilities and amenities.</p> <p>Shared use of facilities and amenities.</p>
Apply the Principles of Leasing and Licensing outlined in Table 10, p.35 to Community Land and existing buildings Categorised "General Community Use".	Council to enact the Principles of Licensing & Leasing of Community Land as outlined in Table 10, p.35 of the plan.	Enactment and enforcement of the Principles of Licensing & Leasing of Community Land as outlined in Table 10, p.35 of the plan.
The plan authorises Council to enter into temporary licence agreement for those portions of Community Land Categorised "Park" for social and community events.	<p>Council to comply with the provisions of the Local Government Act, 1993 for the licensing and leasing of Community Land.</p> <p>Council to enact the Principles of Licensing & Leasing of Community Land as outlined in Table 10, p.35 of the plan.</p>	Number of temporary licence agreements issued for those portions of Community Land Categorised "Park" for social and community events.
<p>Permit low impact passive events & activities in that area of parkland categorised "Park" as determined by the core objectives for the land category, Council & this plan of management.</p> <p>Authorise the licensing of low impact community and special events, social, recreational, educational & cultural activities.</p>	<p>To provide a venue for community social, cultural and educational events.</p> <p>To promote, develop and support our local community & groups.</p>	<p>Promote a range of suitable low impact community activities that are not detrimental to the parkland & nearby residents.</p> <p>Monitor the number of complaints & introduce effective management procedures to address concerns.</p>
The plan prohibits the leasing or licensing of parkland categorised "Natural Area".	To preserve the biodiversity, habitat of terrestrial and marine environments.	No leases or licenses issued for land categorised "Natural Area".
Prohibit the leasing or licensing of Land Categorised "Natural Area – Bushland", "Natural Area – Watercourse" and "Natural Area – Foreshore".	<p>To protect and conserve the natural environment.</p> <p>To provide the opportunity to increase biodiversity and habitat.</p>	No leasing or licensing of any areas with Land Categorised "Natural Area – Bushland", "Natural Area – Watercourse" and "Natural Area – Foreshore".
With the consent of the Minister administering the Crown Lands Act, 1989 Council may apply to enter into a licence or lease agreement with a third party for the use of the Crown Reserve land listed in Table 11, p.38 in accordance with the provisions of the Crown Lands Act, 1989.	Council as Trustee of Crown Reserve Land to comply with the provisions of the Crown Lands Act, 1989 and directions of the Minister administering the Act.	Compliance with the provisions of the Crown Lands Act, 1989 and directions of the Minister administering the Act.
Council is prohibited from leasing or licensing Sydney Water Corporation Land.	No leasing or licensing of Sydney Water Corporation land.	No leasing or licensing of Sydney Water Corporation land.

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Policies, Strategies & Actions	Objectives	Performance Measures
DEVELOPMENT IN LOCAL PARKS		
<p>The plan permits development of those portions of Community Land Categorised "General Community Use" that is ancillary to the purpose, use and enjoyment of the parkland in accordance with identified local community recreational needs and the provisions of Kogarah Local Environmental Plan, the Land Category and this plan of management.</p>	<p>Council to comply with the provisions of the Local Government Act, 1993 for the licensing and leasing of Community Land.</p> <p>Council to enact the Principles of Licensing & Leasing of Community Land as outlined in Table 10, p.35 of the plan.</p>	<p>Development of those portions of Local Parks categorised "General Community Use" in accordance with identified local community recreational needs and the provisions of the Kogarah Local Environmental Plan, the core objectives of the Land Category and this plan of management.</p>
<p>Council to prepare Architectural Design Guidelines (ADG) for any future buildings that may be proposed for the park based on sustainable design principles and where appropriate with consideration to site's heritage significance.</p> <p>Where feasible, introduce sustainable energy and water saving features into existing buildings.</p>	<p>To adopt sustainable architectural design principles for buildings based on the following:</p> <ul style="list-style-type: none"> • Flexible designs to enhance multiple uses and building longevity. • Utilise strategies that protect and restore water resources. • Improve energy efficiency while ensuring thermal comfort. • Reduce environmental impacts related to energy use. • Promote Occupational Health and Safety in the indoor and outdoor environments. • Conserve water and consider water reuse systems. • Use environmentally preferable building materials such as uncertified rainforest woods, reclaimed woods, and other renewable resources. • Use appropriate plant materials. • Plan for recycling during construction, demolition and occupancy" (Mendler & Odell : 2000). <p>To ensure building fixtures and fittings aesthetically complement the parkland environment and its surrounds.</p> <p>To ensure quality in building fixtures and fittings relative to their design, form, colour, texture and construction materials.</p> <p>To improve and maintain the amenity of the parkland and its resources.</p>	<p>Compliance with the criteria within the Council approved Architectural Design Guidelines and Landscape Design Guidelines.</p>
<p>In accordance with the objectives of each of the prescribed land category avoid excessive building development within those land categories where such development is permitted.</p>	<p>To retain and preserve public open space, improve asset management, avoid duplication of existing building facilities and amenities, encourage the maximisation and use of existing assets.</p>	<p>Avoidance of duplication of existing facilities and amenities.</p> <p>Shared community use of facilities and amenities.</p>
GOVERNANCE & ASSET MANAGEMENT		
<p>Council to amend the Kogarah Local Environmental Plan and change the land Zones of those</p>	<p>Council amendment of the Kogarah Local Environmental Plan changing the land Zones of</p>	<p>Kogarah Local Environmental Plan amended to change the land Zones of those parks listed in</p>

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Policies, Strategies & Actions	Objectives	Performance Measures
<p>parks listed in Table 14, p.43 to Open Space 6(a) – Open Space (Public) Zone.</p>	<p>those parks listed in Table 14, p.43 to Open Space 6(a) – Open Space (Public) Zone.</p>	<p>Table 14, p.43 to Open Space 6(a) – Open Space (Public) Zone.</p>
<p>Council to enforce and comply with the principal governing legislation, policies and guidelines and Ministerial directions of the principal land owner to improve the planning, development and management of its Local Parks.</p>	<p>To comply with the principal governing legislation, policies, guidelines and Ministerial directions for land in the ownership of Crown Land or Sydney Water Corporation Land.</p>	<p>Council compliance with the principal governing legislation, policies, guidelines and Ministerial directions for land in the ownership of Crown Land or Sydney Water Corporation Land.</p>
<p>Council to ensure compliance with the Kogarah Open Space Policy, Youth Recreational Policy, Procurement Policy and Pesticides Control Policy to Local Parks.</p>	<p>To ensure compliance with the Kogarah Open Space Policy, Youth Recreational Policy, Procurement Policy and Pesticides Control Policy to Local Parks.</p>	<p>Compliance with the Kogarah Open Space Policy, Youth Recreational Policy, Procurement Policy and Pesticides Control Policy to Local Parks.</p>
<p>Council to adopt the Kogarah City Council Playground Policy</p>	<p>To provide accessible, safe, modern, stimulating playground equipment that is suited to each targeted child's age group, gender, physical and psychological abilities including those with disabilities.</p> <p>To provide complementary environmental settings that induces discovery and creativity in play and enhances the visual amenity of the play environment.</p> <p>To provide appropriate facilities for accompanying parents and carers of children who visit public playgrounds.</p> <p>To provide a schedule of disposal and renewal of children's playground equipment and their settings that keeps pace and relevance with the changes in the community's expectations for modern safe yet stimulating play environments.</p> <p>To maximise the use of limited resources yet gain the maximum benefit.</p>	<p>Council adopts and implements the Kogarah City Council Playground Policy.</p>
<p>Council to keep up to date its Local Park Asset Management Inventory.</p>	<p>To ensure the Local Parks Asset Inventory is relevant and kept up to date.</p>	<p>The Local Parks Asset Inventory is relevant and up to date.</p>
<p>Council to monitor the condition and use of its assets and infrastructure and natural resources and maintain its Local Parks inventory.</p>	<p>To ensure accountability in the management of Council assets and infrastructure.</p> <p>To ensure appropriate service and maintenance levels relative to reasonable user demands on park infrastructure and natural resources.</p> <p>To adhere to health and safety regulations to ensure the protection of park visitors.</p> <p>To retain the visual amenity of the parkland and its resources.</p>	<p>Compliance with health and safety regulations.</p> <p>No adverse incidents to visitors or the parklands natural resources.</p> <p>Well maintain build structures, fixtures and fittings.</p> <p>Up to date Local Parks Asset Inventory.</p> <p>Protection and conservation of natural resources.</p>
<p>Where appropriate, Council to prepare a detailed structural</p>	<p>To implement life cycle property asset management and</p>	<p>Implementation of the recommendations of the</p>

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Policies, Strategies & Actions	Objectives	Performance Measures
design engineers Dilapidation & Risk Assessment Report on the condition of any existing buildings their structural integrity, fixtures and fittings prior to issuing any lease agreement.	<p>maintenance practices.</p> <p>To provide cost-benefits analysis (depreciation rates, remaining life span, major repair and replacement costs, social costs and benefits, etc) of assets and services for decision making purposes.</p> <p>To comply with occupational health and safety regulations</p>	<p>Dilapidation Report.</p> <p>Compliance with requirements of AAS27, Workcover, Occupational, Health and Safety regulations, Building Codes of Australia and access requirements in accordance with AS1428.1</p>
Council to prepare a Local Parks Hazard & Risk Assessment Plan.	To prepare Local Parks Hazard & Risk Assessment Plan in accordance with AS 4360:2004.	<p>Local Parks Hazard & Risk Assessment Plan prepared in accordance with AS 4360:2004.</p> <p>A record of monitoring and addressing Local Parks Hazards & Risk.</p> <p>Low to zero hazards in Local Parks.</p>
Council to monitor complaints about the maintenance and appearance of Local Parks.	To assess the effectiveness of Council's maintenance plan and cleaning schedules.	60% community satisfaction with the appearance and cleanliness of a Local Park
Council to triennially survey Local Park users and residents assessing their use and reasons for non-use of Local Parks	To assess the relevance of Local Park recreational opportunities, facilities in relation to changing recreational needs and trends.	Implementation of triennial Local Parks surveys and actions to address survey findings.
Instigate investigations to determine if Council can legally acquire Anglo Square in fee simple.	To acquire unclaimed land for a public benefit.	Lands acquired by Council or ownership determined.

Social

DEMOGRAPHIC & SOCIO-ECONOMIC ANALYSIS OF THE KOGARAH LGA

The Kogarah City Council area is located in the southern suburbs of the Sydney Metropolitan Area approximately 15 kilometres from the Central Business District. The Council covers an area of approximately 20 square miles and is bounded by Hurstville City in the northwest, Rockdale City in the northeast and is sited on the northern foreshore of the Georges River on its southern boundary.

The suburbs in the Kogarah LGA include part Allawah, Beverley Park, Blakehurst, part Carlton, Carss Park, Connell's Point, part Hurstville, Hurstville Grove, part Kogarah, Kogarah Bay, Kyle Bay, part Mortdale, Oatley, Penshurst and Sans Souci and South Hurstville.

The Kogarah LGA is predominantly residential with some limited commercial and industrial areas. The Council area includes waterways, Kogarah Bay, Shipwrights Bay, Neverfail Bay, Kyle Bay, Oatley Bay and Connells Bay. There are large Regional and District parks and reserves such as Carss Bush Park and Beverley Park Golf Course and in the latter group Poulton Park and Moore Reserve. In addition there are several Local Parks poorly distributed across the LGA that service the needs of their local community.

Population

With reference to the Australian Bureau of Statistics (ABS) on 30 June 2006 the estimated resident population of the Kogarah LGA was 55,650. This was an increase over the previous period by 1.35%. Kogarah's population is projected to be 56,210 by 2031.

Those suburbs that experienced the highest increase in population between 1996 and 2006 were Hurstville (52%) and Kogarah (35%). This increase was principally owing to multi-unit development in these suburbs.

Place of Birth

In 2006, 37.4% of the population of the Kogarah LGA were born overseas and 32.5% were from non-English speaking backgrounds. The dominant non-English speaking countries of birth were from China representing 10% of the population, followed by Greece 2.6%.

Age Structure

Table 20 cites the 2006 ABS for Kogarah stating that there are 53,000 people living in the Kogarah LGA of which 21.5% were aged between 0 -17 years of age and 19.7% were aged 60 years and over. Of the various age groups the LGA has a larger percentage of 70 – 84 year olds and a smaller portion of 25-34 year olds compared to other Sydney Statistical Divisions.

In summary, there are fewer children in the 0-14 years of age and adults in the 18-64 age groups residing in the LGA. However, the Kogarah LGA has a greater proportion

of people in the 65 years and over age group compared with the Sydney Statistical Division average.

Table 20, provides an overview of the changes that have occurred in the Kogarah LGA within the various age groups from 2001 to 2006.

Table 20.

CITY OF KOGARAH POPULATION AGE STRUCTURE			
Age Group in Years	Number 2001	Number 2006	Change 2001 to 2006
0 to 4 years of Age	3,101	3,067	-34
5 to 11	4,311	4,508	197
12 to 17	3,626	3,808	182
18 to 24	4,598	5,149	551
25 to 34	7,262	7,363	101
35 to 49	11,360	11,986	626
50 to 59	5,792	6,452	660
60 to 69	4,004	4,434	430
70 to 84	4,796	4,706	-90
85 and Over	1,035	1,278	243
Totals	49,885	52,751	2,866

Housing & Family Types

The household and family structure of the Kogarah LGA listed in Table 21 is an indicator of an area's residential role and function relative to the types of housing markets attracted to the area. It is indicative of the area's era of settlement and provides key insights into the level of demand for services and facilities.

In comparison with the Sydney Statistical Division the LGA had a higher proportion of residents owning their own homes (37.7% compare to 30.1%). Kogarah had a slightly less proportion of people who were purchasing their own homes (29% compared to 31.1%) while 24.2% rented compared to the Sydney Statistical Division rate of 24.6%. Those in public housing accounted for 1% of the population compared to 4.5% for the Sydney Statistical Division.

Within the Kogarah LGA 53.8% of residential properties are separate houses, 15.8% are semi-detached, row terrace and townhouses while 22.7% are apartments and the remainder 0.4% consist of caravan dwellings, shop top housing and other.

Within the LGA 50.9% of total families were couple families with child(ren), 13.8% were one parent families. The largest change in family types in the LGA between 2001 and 2006 were couples with child(ren) and increase of 285 persons, couples with children over 15 years and under increased by 185 persons, one parent families with child(ren) 15 years and under also increased by 123 and one parent families with child(ren) over 15 years resulted in an increase of 102 persons (ABS:2006). Table 16 provides a comparative overview of household and family types from 2001 to 2006.

In comparison to the Sydney Statistical Division in 2006 the Kogarah LGA has a larger proportion of Family households but a smaller portion of one person households (ABS : 2006). Family households accounted for 72% of total households in the area while one person households comprised 20.6%. Between 2001 and 2006 there was an increase in the Family households of 740 and an increase in lone person households by 130 and there was also an increase in group households by 30 (ABS : 2006).

Table 21.

KOGARAH CITY COUNCIL AREA HOUSEHOLD TYPES			
Household Types (households) Enumerated Data	Number 2001	Number 2006	Change 2001 to 2006
Couples with child(ren) <=15 years	4,378	4,563	185
Couples with child(ren) >15 years	2,580	2,668	88
Total Couples with Children	6,958	7,231	273
One parent families with child(ren) <=15 years	713	836	123
One parent families with child(ren) >15 years	1,025	1,127	102
Total one parent families	1,738	1,963	225
Couples without child(ren)	4,411	4,696	285
Other families	303	311	8
Total families	13,410	14,201	791
One family households	12,622	13,313	691
Two or more family households	389	438	49
Total family households	13,011	13,751	740
Lone person households	3,798	3,928	130
Group households	638	668	30
Other not classifiable households	700	760	60
Total households	18,147	19,107	960

Socio-Economic Disadvantaged

The ABS Index of Relative Socio-Economic Disadvantage is derived from attributes such as low income, low educational attainment, high unemployment, jobs relative to unskilled occupations and variables that reflect disadvantage rather than measure specific aspects of disadvantaged such as divorce etc (ABS:2006). High scores on the Index occur when the area has few families of low income and few people with little training and in unskilled occupations. High scores indicate lack of disadvantage rather than high advantage. The Kogarah LGA Index of Relative Socio-Economic Disadvantaged for 2006 was 1045.0 indicating a lack of disadvantage in the Kogarah LGA (ABS:2006).

The median weekly individual income for workers in the LGA for 2006 was \$514 per week. This is comparative to the Sydney Statistical Division median of \$518.

SOCIAL ISSUES RELEVANT TO PARKS & RECREATION

Throughout 2009 Council has been engaging with the community as part of the development of its *Community Strategic Plan, Bright Future, Better Lifestyle Kogarah 2020*. During the process the community has informed Council of the importance of the City's parks and reserves to them and that they should be maintained and preserved for current and future generations. The following provides a summary of their identified needs as well as the challenges and implications that need to be considered.

Parks & Recreational Needs

- Provide more children's playground equipment that is sheltered from the sun.
- Increase the number of public BBQs, seating and tables in our parks and recreation areas;
- Provide more pet friendly open spaces that are fenced off and safe for everyone;
- Maintain our parks and open spaces to ensure they are clean and safe;
- Provide more well maintained public amenities;
- Increase the number of trees and gardens within the City;
- Provide recreational facilities for all age groups within our community;
- Continually improve and increase local public infrastructure.

Challenges & Implications

- *Identify and implementing new funding opportunities for maintaining and upgrading existing play areas and facilities across the City;*
- *Identifying and implementing funding opportunities to provide additional open space, recreational areas and foreshore access across the City;*
- *Advocating the State Government for the facilitation of foreshore access, where appropriate;*
- *Maintaining access to open spaces, bushland reserves and foreshore areas which cater to the needs of residents;*
- *Locating an appropriate site within the City to provide a youth specific recreational facility;*
- *Establishing a system of cycleways and pedestrian paths to provide links between major recreational resources.*

DISTRIBUTION OF LOCAL PARKS WITHIN THE KOGARAH LGA

In studies of the distribution of parks in the Kogarah LGA it has been found that there is a poor distribution of public open space especially in those areas of the city that have extensive areas zoned Residential 2(b) (Medium Density). In particular, the suburbs of Carlton, Allawah, Hurstville, South Hurstville but also Penshurst and Mortdale have relatively few Local parks and reserves. These suburbs have become reliant on the larger District Parks situated to the south and south east on the foreshore of the Georges River to satisfy their outdoor recreational needs.

Map 1 entitled *Kogarah Parks Map* identifies the distribution of all parks and reserves in the Kogarah LGA.

ASSESSING OPEN SPACE POTENTIAL & NEEDS

Council's Section 94 Plan sets out factors that need to be considered when determining appropriate open space and recreation requirements whether it is to embellish or redesign existing parks, providing additional open space to existing parks or acquiring additional strategically located parks in the Kogarah LGA. These factors include:

- The proximity and prominence of the open space in relation to the existing and projected future populations.
- The potential of specific parks and reserves to increase their serviceability and market potential to the community by having the capacity and scope in terms of infrastructure and facilities to provide a diversity of complementary recreational opportunities and settings to address future demand.
- The group identity as either Local, District or Regional of each of the parks and reserves within the Precinct, their distribution, facilities and prominence in the local area to attract and cater to current and future needs.
- The need to provide as far as possible equity in the provision of recreational opportunities for existing and future socio-economic, age, gender, ethnic, minority and physically impaired groups.
- Current usage patterns, degree and ease of access to parks and reserves and their recreational facilities and amenities for new and existing residents with various fine and gross motor skills or physical abilities.

- Council's financial capability to embellish and/or acquire additional public open space in order to make provision for current and future needs and demands.
- The identification of any physical, environmental, social or economic constraints that would inhibit the development of any preferred site as a multipurpose recreation venue catering for future population needs.
- The changes in sporting and recreational needs of the existing and future populations.

In the future planning of public open space and the provision of recreational facilities at the Local level it will be necessary to give consideration to these factors together with the locations threshold of use, the limitations of existing infrastructure, the impact of competition for limited resources as well as changing trends in recreational activities. This in addition to the impact on and the adequacy of the existing open space area of a park and the design of the recreational equipment and facilities in the park as well as the impact on the natural environment and these factors relevance in a changing community.

DISTRIBUTION & ASSESSMENT OF CHILDRENS' PLAYGROUNDS

Because the Local Parks in the City of Kogarah are unevenly distributed across the City with most located along the Georges River Foreshore the placement of playgrounds does not always align well with the population distribution of young children, youth or families in lower socio-economic groups within the City. In addition, this distribution is subject to changes over time as areas transform from an ageing population to one consisting of more young families or vice-versa. It is because of the permanency of location of Local Parks that their level of use can be subject to changes in time as the characteristics of the local population change. Because of their size and location, many Local Parks are single residential size blocks sandwiched between residential housing which can be restricted to the type of active recreational opportunities that they can provide. This does not diminish their importance. However, the acquisition of additional land for new or to add to existing Local Parks is prohibitive and less likely in times of high acquisition cost.

As the development of new parks are unlikely what becomes important in developing the existing parks is the need to clearly identify the local community's recreational preferences, changing trends and latent demands for these assets. This becomes imperative if Council is to successfully address the local recreational needs of local community. Local Parks need to stay relevant to these community preferences in the types of recreational facilities that they provide. Where the recreational facilities of a Local Park are left to age beyond their relevance to the community they serve then these parks will inevitably be neglected.

Table 22 list all the 53 playground sites within the City of Kogarah. The average age of the playground equipment is 10.7 years. However, this average is skewed by more recent installations and removals weighing one end of the scale and at the other several playgrounds are over 17 years old.

Table 22.

KOGARAH CITY COUNCIL PLAYGROUND SITES					
	Park Name	Suburb	WARD	Equip Age Yrs	Market Catchment Ranking
1	Anderson Park	Sans Souci	NORTH	4	District
2	Anglo Square Reserve	Carlton	NORTH	16	Local
3	Claydon Reserve	Sans Souci	NORTH	15	District
4	Hogben Park	Kogarah	NORTH	16	Local
5	Kogarah Park	Carlton	NORTH	1	District
6	Leighton Park	Beverley Park	NORTH	1	Local
7	Len Reynolds Reserve	Sans Souci	NORTH	13	Local
8	Moore Park	Beverley Park	NORTH	0	Local
9	Northcote Street Res	Sans Souci	NORTH	9	Local
10	Sans Souci Park	Sans Souci	NORTH	0	Regional
11	Stevens Park	Beverley Park	NORTH	1	Local
12	The Boulevarde	Sans Souci	NORTH	4	Local
1	Augusta Park	Allawah	EAST	9	Local
2	Empress Street Reserve	Hurstville	EAST	2	Local
3	Grosvenor/Tavistock Res	Sth Hurstville	EAST	5	Local
4	Joy Mead Reserve	Carlton	EAST	14	Local
5	Lower West Street Res	Carlton	EAST	0	Local
6	Ma An Shan Friendship Pk	Sth Hurstville	EAST	0	Local

KOGARAH CITY COUNCIL PLAYGROUND SITES

	Park Name	Suburb	WARD	Equip Age Yrs	Market Catchment Ranking
7	Meade Park	Allawah	EAST	12	Local
8	P J Ferry Reserve	Allawah	EAST	0	Local
9	Taunton Street Reserve	Blakehurst	EAST	9	Local
10	West Street Reserve	Blakehurst	EAST	0	Local
11	Woniara Gardens	Hurstville	EAST	10	Local
1	Carss Bush Park (Senior)	Carss Park	MIDDLE	8	Regional
2	Carss Bush Park (Junior)	Carss Park	MIDDLE	0	Regional
3	Carss Bush Park (Beach St)	Carss Park	MIDDLE	20	Regional
4	Centre Street Reserve	Blakehurst	MIDDLE	0	Local
5	Condor Street Reserve	Connells Point	MIDDLE	39	Local
6	Connells Point Reserve	Connells Point	MIDDLE	9	Local
7	Donnelly Park	Connells Point	MIDDLE	20	District
8	Dover Park (East)	Blakehurst	MIDDLE	17	Regional
9	Duggan Park	Connells Point	MIDDLE	21	Local
10	Harold Fraser Oval	Kogarah Bay	MIDDLE	24	District
11	Poulton Park	Hurstville Grove	MIDDLE	1	District
12	Redin Place	Connells Point	MIDDLE	31	Local
13	Stuart Street Reserve	Blakehurst	MIDDLE	12	Local
14	Todd Park	Carss Park	MIDDLE	17	District
15	The Green Reserve	Kyle Bay	MIDDLE	13	District
16	Terry St/Prairevale Res	Blakehurst	MIDDLE	16	Local
1	Bell Park	Hurstville Grove	WEST	0	Local
2	Charles Street Reserve	Oatley	WEST	16	Local
3	Denman Street Reserve	Hurstville	WEST	39	Local
4	Grove Reserve	Hurstville Grove	WEST	0	Local
5	McRae's Reserve	Penshurst	WEST	6	Local
6	Moore Reserve	Oatley	WEST	0	District
7	Oatley Memorial Gardens (S)	Oatley	WEST	10	District
8	Oatley Memorial Gardens (N)	Oatley	WEST	14	District
9	Oatley Pleasure Grounds	Oatley	WEST	33	Local
10	Oatley Point Reserve	Oatley	WEST	1	Local
11	Quarry Reserve (North)	Hurstville Grove	WEST	17	Local
12	Renown Park	Oatley	WEST	14	District
13	Seymour Street Reserve	Hurstville Grove	WEST	13	Local
14	Whitfield Parade Reserve	Hurstville Grove	WEST	14	Local
15	Wyong Street Reserve	Oatley	WEST	0	Local
	Note: Bold Print these sites are the subject of site specific Plans of Management - Excluded from this Plan		Av Yrs	10.67925	

There are 11 playgrounds between 17 and 39 years of age. This represents 6% of the total number of play units. This equipment is well beyond its use by date and there is on site evidence of its lack of use by the community. There are another 14 playgrounds representing 7% of the total available playgrounds over 10 years old. In all there are 25 playgrounds in need of modernisation within the City of Kogarah.

DESIGNING CHILDREN'S PLAYSPACE IN LOCAL PARKS

Demographic Analysis

Table 23 provides an overview of the population component for children 0-11 years of age within each suburb across the Kogarah LGA. With reference to the Table the suburb of Blakehurst has a total of 820 children in this age group making it the most densely populated for this age category. The suburb of Blakehurst is followed by the suburbs of Hurstville with 797, Carlton 784 and Oatley-Mortdale with 684 children in this age category. At the time of the 2006 ABS Census there were a total of 7,569 children from 0-11 reported in the Kogarah LGA .

Table 23.

KOGARAH LGA SUBURBS – PERCENTAGE OF POPULATION 0-11 YEARS OF AGE					
Suburb	ABS 2006 Population	0 to 4 years	%	5 to 11 years	%
Allawah	4,972	275	5.5	381	7.7
Beverley Park & Ramsgate	1,939	115	5.9	171	8.8
Blakehurst	5,731	284	5.0	536	9.3
Carlton	5,054	385	7.6	399	7.9
Connells Point & Kyle Bay	3,593	182	5.1	359	10.0
Hurstville	6,093	342	5.6	455	7.5
Hurstville Grove	2,241	121	5.4	200	8.9
Kogarah	4,998	348	7.0	303	6.1
Kogarah Bay & Carss Park	3,162	192	6.1	301	9.5
Sans Souci	2,440	141	5.8	275	11.3
South Hurstville	4,376	253	5.8	392	9.0
Oatley & Mortdale	5,046	286	5.7	398	7.9
Penshurst	3,073	162	5.3	313	10.2
Total	52,718	3,086	5.9	4,483	8.5

Reference: ABS 2006 – Kogarah Community Strategy 2009

It should be noted that both Hurstville and Carlton have significant areas zoned Residential 2(b) Medium Density and this has an impact on the available open space within these suburbs.

Stages of Children's' Play

Play for children is a way of learning a number of physical, psychological and social skills. A good play design should be designed so as to provide a range of settings carefully layered on the landscape. The *Play for All Guidelines* states:

The design of a good play environment requires an interdisciplinary understanding of human development, and how that development can be stimulated by both natural and manufactured settings.

Local parks in the LGA are principally visited by young children in the company of mature adults. Therefore the design of these venues needs to consider the different types of play that children engage in from their early years up to age 12 years as well as the needs of accompanying adults. The contemporary perspective on play emphasises both the cognitive and social aspects of play. Five types of play have been identified these are listed in Table 24.

Table 24.

TYPES & STAGES OF PLAY		
Play Type	General Description	Age Group
Sensorimotor / Practice Play	Sensorimotor play is practice play involves repetition of behaviour when new skills are being learned or when physical or mental mastery and coordination of skills is required for games or sports. Practice play continues throughout life.	0 -12 months years
Pretence / Symbolic Play	Pretence play occurs when children transform the environment into a symbol. Children increase their use of objects in symbolic play. It can be dramatic or sociodramatic in nature.	9 months to 4-6 years
Social Play	Involves social interaction with peers. A specific type of social play is rough-and-tumble play. Group pretence or sociodramatic play is also social play.	Pre-school
Constructive Play	Constructive play combines sensorimotor /practice, repetitive activity with symbolic representation of objects and ideas. Construction play occurs when children engage in self-regulated creation or construction of a product or problem solution. It is the most frequent type of play through the pre and primary school years.	Pre-school to Early Primary School
Games	Games are activities engaged in for pleasure that includes rules and often competition with other individuals. Social games may involve simple rules of reciprocity but take on a more salient role in children's lives in Primary School and beyond.	8-12 years of age

Reference: Bergin, D. (1998) Stages of play development in D.Bergin (Ed) Play as a medium for learning and development, Portsmouth, NH: Heinemann.

As Local parks are principally used by younger children the design of playspaces within these parks should target the dominate age groups indentified in the local area and provide play opportunities relevant to their stages of development.

Further consideration needs to be given to the following principals identified by the *Play Alliance Group* when designing and managing playspace for children:

- All children have a right to play. Play is a process by which children learn. Good quality play opportunities have significant impact on a child's development.
- The type, quality and diversity of children's physical settings (play value) directly affect the type, quality, and diversity of children's play.
- The type, quality, and diversity of the social setting directly affects play value in terms of engaging children in creative interaction with each other and their surroundings.
- Children with physical, mental, emotional and social disabilities have an equal right to play opportunities.
- Integration of children with different abilities is based on the concept of accessibility which relates to both the physical and social environments.
- Risk management strategies and management policies should be developed to protect the quality and value of children's play settings.

In addition to:

- Provision of appropriate shade cover for high use playgrounds.
- The development of a playground fencing policy should be developed for all local playgrounds located close to roadways or foreshore areas or alternatively for smaller parks with playgrounds whole of park fencing to permit the safe use of all of the park by children.

DESIGNING SPECIFIC LOCAL PARKS ESPECIALLY FOR YOUTH

Demographic Analysis

The total population of Kogarah City is 52,718 of this total 3,856 (7.3%) are aged between 12 and 17 years of age (Refer to Table 27). There are 5,136 (9.7%) persons aged between 18 and 24 years of age (ABS: 2006). In total there are 8,992 persons between 12 and 24 years of age in Kogarah City. This represents 17% of the total population.

The suburb of Hurstville has the highest proportion of young people per percentage of between the ages of 12 and 24 at 21% (1,299). Hurstville also has the highest number of young people in this age group followed by Blakehurst with 1,068, Allawah with 917 and Oatley Mortdale with 812 persons in this age category.

Table 25.

KOGARAH LGA SUBURBS – PERCENTAGE OF POPULATION 12-24 YEARS OF AGE					
Suburb	ABS 2006 Population	12 to 17 years	%	18 to 24 years	%
Allawah	4,972	381	7.7	536	10.8
Beverley Park & Ramsgate	1,939	129	6.7	108	5.6
Blakehurst	5,731	522	9.1	546	9.5
Carlton	5,054	295	5.8	379	7.5
Connells Point & Kyle Bay	3,593	307	8.6	324	9.0
Hurstville	6,093	307	5.0	992	16.3
Hurstville Grove	2,241	204	9.1	230	10.3
Kogarah	4,998	247	5.0	452	9.0
Kogarah Bay & Carss Park	3,162	255	8.1	266	8.4
Sans Souci	2,440	190	7.8	164	6.7
South Hurstville	4,376	373	8.5	409	9.4
Oatley & Mortdale	5,046	363	7.2	449	8.9
Penshurst	3,073	283	9.2	281	9.1
Total	52,718	3,856	7.3	5,136	9.7

Reference: ABS 2006 – Kogarah Community Strategy 2009

With reference to the age group 12 to 17 years of age, Blakehurst has is the most densely populated with 522 young people in this age group followed by Allawah with 381 and South Hurstville with 373 young people. Referring to the ABS 2006 statistics it was reported that the greatest increase in this age group category was in the 18 to 24 years of age with an increase from 2001 of 551 persons.

In relation to the demographics of the 12 to 17 and 18 to 24 years of age groups it is proposed that specific parks be developed to address youth needs in the Kogarah LGA.

Youth Recreation & Leisure Facilities

In response to Council's adopted *Youth Recreational Facilities Policy* it is proposed that this plan of management propose a program for Local Parks that will include provision for a range of recreation and leisure facilities for youth in the LGA. The guiding principle of this program is to ensure increased involvement by young people in the design and management of facilities and youth services. The proposed facilities outlined in Table 28 are derived from previous studies carried out by Council such as the *Hogben Park & Youth Recreational Needs Study 2009*, the *2007 St George Region Leisure & Recreation Strategy Plan* and the *Kogarah Social Plan 2004*.

The *Kogarah Social Plan 2004* identified the need for a drop in youth centre as the most predominately needed youth facility. In addition, the *2007 St George Region Leisure & Recreation Strategy Plan* identified the need for a skatepark as the most sought after active recreational facility.

The recently completed *Hogben Park & Youth Recreational Needs Study 2009* canvassed the views of high school and primary school students as well as those attending special needs schools and young people who were not attending school in the Kogarah CBD area. It is well to keep in mind that the Hogben Park survey was site specific to that park and may not be representative of young peoples views elsewhere. The findings this survey indicated that the most popular requested recreational facilities for Hogben Park were in order of priority:

- A shared pedestrian/bicycle track,
- Basketball facilities,
- Space to socialise,
- Skateable "Plaza" and
- Exercise fitness circuit.

In addition, as sense of safety, well maintained facilities, clean toilets and a diversity of recreational facilities and settings for young people were the most important criteria for the future development of this park.

The *Kogarah Council Section 94 Plan 2007* makes provision for \$250,000 to be set aside towards the construction of a civic plaza at Hogben Park. Subject to the final design as well as ancillary park furniture, fixtures and fittings this sum would highly likely need to be substantially supplemented by additional funds from Grants or other means. However, if the additional funds are not forthcoming Council may wish to use the available funds to commence development of the park by constructing other desired facilities.

Various types of recreational facilities suggested in previous studies and requested from youth are outlined in Table 26. These proposed sites and facilities would be subject to further public consultation with both local youth and residents.

Table 26.

PROPOSED DESIGNATED LOCAL PARKS FOR YOUTH FACILITIES	
Park Name	Examples of Types of Youth Facilities
NORTH WARD PARKS	
Hogben Park	Basketball Court / Exercise Equipment / Share Bike / Pedestrian pathways / Youth Art / Civic Plaza
EAST WARD PARKS	
Empress Street Reserve	Exercise Equipment / Youth Art
Meade Park	Basketball Hoop / Exercise Equipment / Youth Art
MIDDLE WARD PARKS	
Stuart Street Reserve	Upgrade Exercise Equipment
Terry St/Pairievale Res	Basketball / Netball Court / Youth Art
WEST WARD PARKS	
McRae's Reserve	Exercise Equipment

DESIGN FOR AN AGING POPULATION & PERSONS WITH A DISABILITY

Demographic Analysis

With reference to Table 27 of the total population of 52,718 in the Kogarah LGA 15,656 are aged between 50 and 84 years of age. Those in the age group 50-59 years of age comprise 12.3% (6,509 persons) of the total population while those in the 60-69 years of age group represent 8.3% (4,393) and those in the 70 to 84 year of age 9.0% (4,754 persons) (ABS:2006). Persons over 84 years of age are fewer in number and generally less active in outdoor recreation, however, the provisions in this plan for aged persons takes into consideration the different physical abilities of all persons and age groups.

Table 27.

KOGARAH LGA SUBURBS – PERCENTAGE OF POPULATION 50-84 YEARS OF AGE							
Suburb	ABS 2006 Population	50-59 years	%	60-69 years	%	70-84 years	%
Allawah	4,972	623	12.5	348	7.0	297	6.0
Beverley Park & Ramsgate	1,939	241	12.5	197	10.2	256	13.2
Blakehurst	5,731	858	15.0	459	8.0	572	10.0
Carlton	5,054	632	12.5	423	8.4	402	7.9
Connells Point & Kyle Bay	3,593	486	13.5	379	10.6	382	10.6
Hurstville	6,093	511	8.4	347	5.7	342	5.6
Hurstville Grove	2,241	282	12.6	250	11.2	206	9.2
Kogarah	4,998	478	9.6	410	8.2	531	10.6
Kogarah Bay & Carss Park	3,162	410	13.0	322	10.2	329	10.4
Sans Souci	2,440	313	12.8	257	10.5	253	10.4
South Hurstville	4,376	490	11.2	327	7.5	393	9.0
Oatley & Mortdale	5,046	718	14.2	431	8.5	561	11.1
Penshurst	3,073	467	15.2	243	7.9	230	7.5
Total	52,718	6,509	12.3	4,393	8.3	4,754	9.0

Reference: ABS 2006 – Kogarah Community Strategy 2009

There are more people aged over 50 years in the suburb of Blakehurst with 1,889 persons in the age bracket. This is followed by Oatley – Mortdale with 1,710, then Carlton 1,457 and Kogarah with 1,419.

Of those in age group 60 years or more most live in the suburbs Blakehurst with 1,031 in this age group followed by Oatley-Mortdale (992), Kogarah (941) then Carlton (825). When taking into account the total area of each suburb South Hurstville has the most concentrated number of persons in this age group with 720 persons.

Design Considerations

As Local Parks have higher visitation rates of older residents from within a local area then the design of the parks demands sensitivity to the spatial requirements, preferences, needs and concerns that are relevant to an ageing population. As residents' age they are subject to age related changes to their sensory systems, cognitive functions and physical abilities. Carstens (1993) states that these affect the way older people perceive and negotiate the environment. In preparing designs for specific Local Parks it will be necessary to take these changes into consideration and facilitate a general design response to accommodate older persons changing needs.

The key design considerations to address these changing needs are:

- Orientation and wayfinding within the environment.

- Predictability of a space to reduce confusion and conflicts over appropriate uses.
- Socializing, mastering and claiming of a space.
- Sensory stimulation and environmental comprehension
- Safe & Secure Environment
- Ease of Access & Transition for Physical & Psychological Comfort (Carstens:1993).

1. **Orientation and Wayfinding**

Objective

To design Local Parks so as to facilitate clarity in orientation and wayfinding.

Rationale

Age related losses in sensory systems, cognitive functions and physical abilities may exasperate the ability to orientate the environment by reducing the number and strength of sensory clues that are able to be comprehended by elderly persons (DeLong:1970).

The site-planning scheme to be developed for each individual Local Park must be easy to recognise and identify with. The detailed Landscape Master Plan must complement the objectives of easy orientation and wayfinding. Reference should be made to the appropriate Australian Standards.

2. **Predictability of Space & Control**

Objective

To ensure that the design of Local Parks defines the types of uses within the park, who those uses are intended for in terms of certain age groups, group or individual use, passive or active use.

Rationale

Undefined open space creates the potential for confusion and social conflict over perceived rights to and intended use of the available space. This creates a sense of a lack of ownership and control especially for older people as well as younger people who may be discouraged from entering Local Parks. Providing specifically defined spaces for particular uses and groups encourages ownership of an area. The inclusion of connections between areas also provides a sense of safety, security and involvement for older persons who enjoy the role of spectator of others activities while at the same time being seen and feeling part of the social process of a local community.

3. **Spatial Preferences**

Objective

To design Local Parks so as to support social interaction and encourage residents to claim social areas within a park.

Rationale

In addition to the need to clearly define the various uses of open space in Local Parks Pastalan (1971) identified the need for smaller spaces which are

considered more appropriate for socialising and these areas are sought out by elderly people.

Smaller spaces are more easily negotiated and more easily claimed and mastered, particularly by the less able, who may have difficulty defending a larger space (Pastalan:1971).

Marcus & Frances (1990) contend that relative to their studies most people actually visit parks for social contact. This contact can be either in the form of overt or covert socialising.

Overt socialising is defined as those visitations to parks either in the company of others or coming to the park in the hope to meet people that they expect to see there. Covert socialising is the act of visiting a park to watch people without the intention of meeting them or conversing with them. Many elderly people engage in this type of activity to fulfil their day to feel part of the local community. Therefore these social pockets should not be isolated from other activities in the park and should be connected to ensure their intended use of enhancing socialisation.

4. Sensory Stimulation & Environmental Comprehension

Objective

To design the environment of a Local Park so that it is loaded with elements that enhances sensory stimulation and facilitates environmental comprehension.

Rationale

Overloading the environment with elements that stimulate sensory factors can provide a means to compensate for age related or physical disability that result in sensory losses. By incorporating heightened factors into the park design that are able to enhance visual, auditory and tactual sensory stimulation elderly people are better able to comprehend the environment, increase their ease of use and confidence, reduce frustration and encourage greater participation in outdoor recreation (Carstens:1993).

5. Safe & Secure Environments

Objective

To ensure that the landscape plan and design of a Local Park promotes real and perceived security and safety.

Rationale

The most prominent issue for non-participation in outdoor recreation in public parks for elderly people is the fear of crime against them, their frailty, their lack of defence and their not being seen or assisted (Lawton:1980). Park design must give consideration to appropriate safety measures, including visual surveillance from nearby residential housing and along the connections to various spatial areas, the elimination of "blind spots" or potential hiding places, clear transition from the streetscape into and from the park. These considerations in the planning and design of Local Parks will assist in reassuring and promoting participation in outdoor recreation by the elderly.

6. Ease of Access & Transition for Physical & Psychological Comfort

Objective

To ensure comfortable and easy access into and from as well as within and between the various destinations within the park and includes comfort with park furniture within a Local Park.

To comply with the appropriate Australian Standards to assist persons with a disability so as to provide ease of access, transition and assist with the provisions of appropriate fixtures and fittings.

Rationale

Elderly people or persons with a disability, because of decline in their physical and psychological abilities, require ease of access and transition within Local Parks. A perception by them of a high expenditure rate in effort to negotiate within open space areas may detract them from using those areas.

In addition, there is a need to ensure that the elderly and persons with various disabilities are able to access park furniture. The selection of park furniture such as picnic tables seating arrangements, bubbler access should make provision for persons with varying degrees of disability in particular for those confined to wheelchairs. Council is to ensure appropriate compliance to relevant Australian Standards for addressing the needs for persons with a disability.

DISABILITY DISCRIMINATION PLAN - ACCESS AUDIT

Council has prepared a disability access audit for the City of Kogarah to address the provisions of the *Disability Discrimination Act, 1992* to ensure equitable access to public facilities for persons with a disability. The plan states that 3.9% of the population of the City of Kogarah are in need of assistance with core activities. The report also notes that the City has an aging population and that it is expected that this number will continue to increase in the foreseeable future. It is reported that 1 in 5 Australians over 60 has a disability and by 2030 25% of the adults in Australia will be aged over 65 years. In addition to this number within the City there are a number of nursing homes, hospitals and nearby schools for children with a disability. The principal objectives of the plan are:

- To comply with the requirements of the *Disability Discrimination Act, 1992* and Australian Standard 1428 *Design access & mobility*. The Standard includes AS 1428.1-2001 General Requirements for access – New buildings, AS 1428.2-1992 Enhanced and additional requirements – Buildings and facilities, AS 1428.3-1992 Requirements for children and adolescents with physical disabilities and AS / NZS 1428.4-2002 Design for access and mobility – Tactile indicators. These Standards are to be referred to when designing new or updating existing facilities.
- To provide recommendations to improve the accessibility of Council's buildings and facilities to comply with the *Disability Discrimination Act, 1992* and AS 1428.
- To prioritise future building works, and
- To provide approximate costing.

The plan makes a number of recommendations relevant to the following Local Parks:

- Hogben Park, Kogarah
- Moore Park, Beverley Park

General issues concern provision for vehicle parking for persons with a disability, pathway gradients and linkages, toilet access, design and facilities, access from the streets into the parks to meet the provisions of AS 1428. Further reference should be made to the Kogarah City Council DDA Access Audit Report Volumes 1 & 2.

DESIGNING LOCAL PARKS FOR CULTURAL DIVERSITY

Demographic Analysis

Kogarah City consists of a diverse population in terms of those born overseas and those born in Australia. This brings to the LGA a cosmopolitan culture that enriches life for all within the City. Table 28 provides an overview of the dominant cultures that are influencing life in each of the suburbs and across the LGA. These are by no means the only ethnic groups that reside in the LGA.

Table 28.

KOGARAH LGA – PERCENTAGE OF POPULATION PER SUBURB BORN OVERSEAS					
Suburb	ABS 2006 Population	Overseas Born	%	Dominate Overseas Born	%
Allawah	4,972	2,550	51.5	China	17.7
Beverley Park & Ramsgate	1,939	625	32.2	Greece	5.8
Blakehurst	5,731	1,557	27.2	China	2.9
Carlton	5,054	1,976	39.1	China	7.0
Connells Point & Kyle Bay	3,593	861	24.0	UK	3.0
Hurstville	6,093	4,029	66.1	China	37.7
Hurstville Grove	2,241	646	28.9	China	4.1
Kogarah	4,998	2,430	48.6	China	10.5
Kogarah Bay & Carss Park	3,162	832	26.3	Greece	5.1
Sans Souci	2,440	622	25.5	Greece	4.7
South Hurstville	4,376	1,695	38.7	China	9.2
Oatley & Mortdale	5,046	1,136	22.5	UK	3.8
Penshurst	3,073	784	25.5	China	4.8
Total	52,718	19,743	37.45		

Reference: ABS 2006 – Kogarah Community Strategy 2009

The Kogarah LGA has a population that is comprised of 37.4% people born overseas and of that number 32.5% are from a non-English speaking background, compared with 31.8% and 24% respectively for the Sydney SD. Those born in China and Hong Kong represent 12.2% while those from Greece a further 2.6%. Indigenous people represent 0.4% of the Kogarah population (ABS: 2006). In addition to those dominant groups outlined in Table 28 other groups within the Kogarah LGA that comprise part of the total population of 52,718 residents consist of 2.6% persons from the United Kingdom, 2.2% from Hong Kong, 2.2%, 1.6% from New Zealand, those from the former Yugoslav Republic of Macedonia 1.4%, Lebanon 1.4%, Italy 1.2%, India 1.1% and Egypt 0.9%.

The diversity of cultures provides reason to give greater consideration to public consultation to ensure the incorporation of cultural aspects into the planning and design of local parks.

Cultural Vision & Principals

The Kogarah Cultural Plan 2007-2012 states as its vision for the Kogarah LGA that it is:

...recognised for its cultural vitality, its distinctive and diverse suburbs and for the strength of its cultural networks and partnerships with the community (KCP:2007).

It is an LGA with a commitment to valuing its history and heritage, the natural environment and the diversity and creativity of its people.

The Plan states as its Cultural Sustainability Principles:

1. Respect

Council respects the diversity in our area – in both people and places. Indigenous culture and people from diverse ethnic, religious and language backgrounds are supported and valued in order to foster social and cultural harmony for future generations.

2. Equity of Access

Kogarah's cultural assets, resources and programs accommodate the diverse needs of the local community, including being supportive to the full range of cultural and social groups.

3. Commitment to Community Consultation

Council has a commitment to developing an informed, well-connected community.

4. Capacity Building

Council works with the community to foster and develop networks of artist, individuals, arts and cultural groups and businesses that contribute to social capital and building strong, safe and vibrant communities.

5. Creativity and Innovation

Creativity and the development and exchange of new ideas foster human expression and nurtures education, skills development and encourage shared understanding and develop insights into the diversity of ways of life.

A PLACE FOR ART, HISTORY & CULTURE

As previously stated Council's Public Art & Design Policy 2008 makes provision for the use of Local Parks as sites for the inclusion of public art works to be incorporated into their landscape to enliven, facilitate and integrate art as an expression of the distinctive cultural diversity of the City and its unity, its heritage, history and character. Public art provides the opportunity to enhance the quality of public open space and improve its visual amenity, enhance the meaning of a sense of place as well as provides an opportunity to awaken the public's appreciation and awareness of indigenous, traditional, contemporary and other forms of artistic expression and its contribution to the City's cultural development.

The City of Kogarah has some fine examples of civic mural art but has a limited number of three-dimensional artworks and interactive artworks. Those that it does have in its Local Parks are at sites such as Seymour Street Reserve, Hurstville Grove, and Ma'anshan Friendship Park, South Hurstville which is the most recent. The former being an expression of contemporary art while the latter expresses the bond between two peoples, their respective cities and their cultures.

Photograph 15.



Ma'anshan Friendship Park, South Hurstville – Statue of Chinese Poet Li Bai

Public art may be controversial and instigate debate in the community as to what is public art and as to what form of expression that it takes. Such debates enrich the City and its ongoing evolution towards the cultural maturity of its times.

Photograph 16.



Seymour Street Reserve, Hurstville Grove, Fish relief.

Photograph 17.



Seymour Street Reserve, Hurstville Grove – Fish Sculpture.

Local Park's that have high priority as places for art are those situated in or near civic centres or have high exposure to main roads or intersections. Those parks that are highly visible or have significantly high visitation rates are opportunities for the inclusion of artworks in their design.

In accordance with Council's Public Art & Design Policy this plan encourages the use of Local Parks, especially in civic areas, key highly visible open space sites even if they are relatively small areas and selected youth designated Local Parks such as Hogben Park, Kogarah as preferred places for public art.

GIVING LOCAL PARKS CULTURAL MEANING BY NAME

Of the 56 Local Parks listed in Table 2, p.8, 34 58% take the name of the street that they are situated on. There is the opportunity to give at least some of these parks meaningful names that will enhance the culture and sense of history and place within the City of Kogarah.

Larger Local Parks such as Stuart Street Reserve, Blakehurst, Empress Street Reserve, Hurstville Terry Street / Prairevale Reserve, Blakehurst and others that are highly developed parks that provide a range of recreational opportunities could be given more meaningful names. For example, there are no parks in the City of Kogarah that celebrate the original landowners, women and children, science and technology, more recent individual achievements by significance residents as well as the early pioneer women who helped establish Kogarah as a place.

Consideration should be given researching and where feasible to nominating some of these Local Parks to be given names to celebrate Kogarah's history and provide a physical reminder of its history and development overtime.

Social Policies, Strategies & Actions

SOCIAL POLICIES, STRATEGIES & ACTIONS

Social policies, strategies and actions include the undertaking of research or specific studies to provide relevant information that would further enhance management decision-making and assist in implementing best practice park management. Table 29 lists appropriate policies, strategies and actions for all Local Parks.

Table 29

Social, Policies, Strategies & Actions

Policies, Strategies & Actions	Objectives	Performance Measures
The design of new or upgrading of children's playgrounds is to consider the targeted age group(s) stages of play as defined in Table 24, p.80 to assist in determination of the appropriate playground equipment and playground environment.	To address the needs of children through their various stages of physical and psychological development.	Playground equipment and playground environments designed and installed to suit the dominant targeted age group(s)
Address youth needs by designating those Local Parks listed in Table 26, p.82 as parks that will predominately provide appropriate facilities for youth recreation and leisure. Consult youth to establish their local recreational needs and provide a strategy to meet those needs.	To ensure that the youth of the City have an equal opportunity in the provision of recreational opportunities in Local Parks by providing specific parks that will predominately cater for their unstructured recreational and leisure needs and preferences. To identify local youth recreational needs and facilities for Local Parks.	Youth facilities installed in the nominated Youth Specific Local Parks listed in Table 26, p.82. Identification and listing of other Local Park for inclusion of youth facilities and the types of desired recreational facilities.
The design of new or the upgrading of Local Parks is to provide for the needs for aged persons and those with a disability by addressing the following factors: <ul style="list-style-type: none"> ▪ Ease of orientation and wayfinding. ▪ Environmental predictability. ▪ Opportunities for socialising, mastering the environment and the ability to claim space. ▪ Infusing a sense of safety and security in the design. ▪ Providing ease of access and transition. 	To provide the following: <ul style="list-style-type: none"> ▪ Ease of orientation and wayfinding. ▪ Environmental predictability. ▪ Opportunities for socialising, mastering the environment and the ability to claim space. ▪ Infusing a sense of safety and security in the design. ▪ Providing ease of access and transition. Meet the requirements of Standard Australia AS 1428 entitled <i>Design for access and mobility</i> .	Installation of facilities and amenities, furniture, fixtures and fittings that provide: <ul style="list-style-type: none"> ▪ Ease of orientation and wayfinding. ▪ Environmental predictability. ▪ Opportunities for socialising, mastering the environment and the ability to claim space. ▪ Infusing a sense of safety and security in the design. ▪ Providing ease of access and transition. Compliance with the requirements of Standard Australia AS 1428 entitled <i>Design for access and mobility</i> .
Implement the finding of the Disability Discrimination Plan Access Audit 2009.	To meet the requirements of Standard Australia AS 1428 entitled <i>Design for access and mobility</i> . To address issues raised in the Disability Discrimination Plan	Completion of the required works identified in the Disability Discrimination Plan Access Audit 2009.

Social, Policies, Strategies & Actions

Policies, Strategies & Actions	Objectives	Performance Measures
	Access Audit 2009	
In the design of new parks or upgrading ensure provisions are made to support identified local culturally specific recreational and leisure needs by consulting with diverse cultural groups.	<p>To consult with various relevant cultural groups to identify and address their specific recreational needs.</p> <p>To include cultural elements and opportunities for cultural expression in Local Parks.</p>	Cultural orientated recreational opportunities provided in Local Parks.
Where feasible implement the Public Art & Design Policy 2008 by incorporating art into Local Park design and upgrades to express and interpret the cultural diversity of the City, its historical past and its promise of the future.	<p>To implement Council's Public Art & Design Policy 2008.</p> <p>To incorporate artworks into the design and upgrading of specific Local Parks.</p>	Installation of artworks is specific high profile Local Parks.
Where feasible undertake research to establish a list of appropriate names that could be considered to apply to some of the unnamed Local Parks in the City to create a sense of place and history.	<p>To provide selected Local Parks with relevant park names other than their adopted Street name.</p> <p>To provide a sense of place.</p> <p>To contribute to the history of the City of Kogarah.</p>	The naming of some Local Parks to provide a sense of place and history to the culture of the City of Kogarah.



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