KOGARAH CITY COUNCIL

Asset and Services Directorate
Recreation and Urban Landscapes Department

SANS SOUCI PARK PLAN OF MANAGEMENT

FINAL

Adopted 25th July 2011

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EXECUTIVE SUMMARY

This Plan of Management was prepared to provide future direction and policy for the planning, management and development of Sans Souci Park at Sans Souci.

Land Ownership

This Plan of Management applies to Crown Reserve R88909, as well as land owned by the Roads and Traffic Authority and Kogarah City Council within Sans Souci Park.

Council invited quotations from consultants to prepare the Plan of Management and Master Plan for Sans Souci Park. The total cost to prepare the Plan of Management was $25,000, funded entirely from Section 94 contributions. This included landscape architects, planning and design consultants, and a solicitor to chair the public hearing. Ancillary costs to this were necessary to independently advertise the public meetings, print draft and final documents, and for postage.

The community had an opportunity to comment on the Draft Plan of Management during the public exhibition period of up to 42 days, and to comment on the proposed categorisation of community land at a public hearing held during the public exhibition period.

The principal recommendations of this Plan of Management are to continue existing activities, and implement the following actions. Spatial actions are shown in the concept plan on the next page.

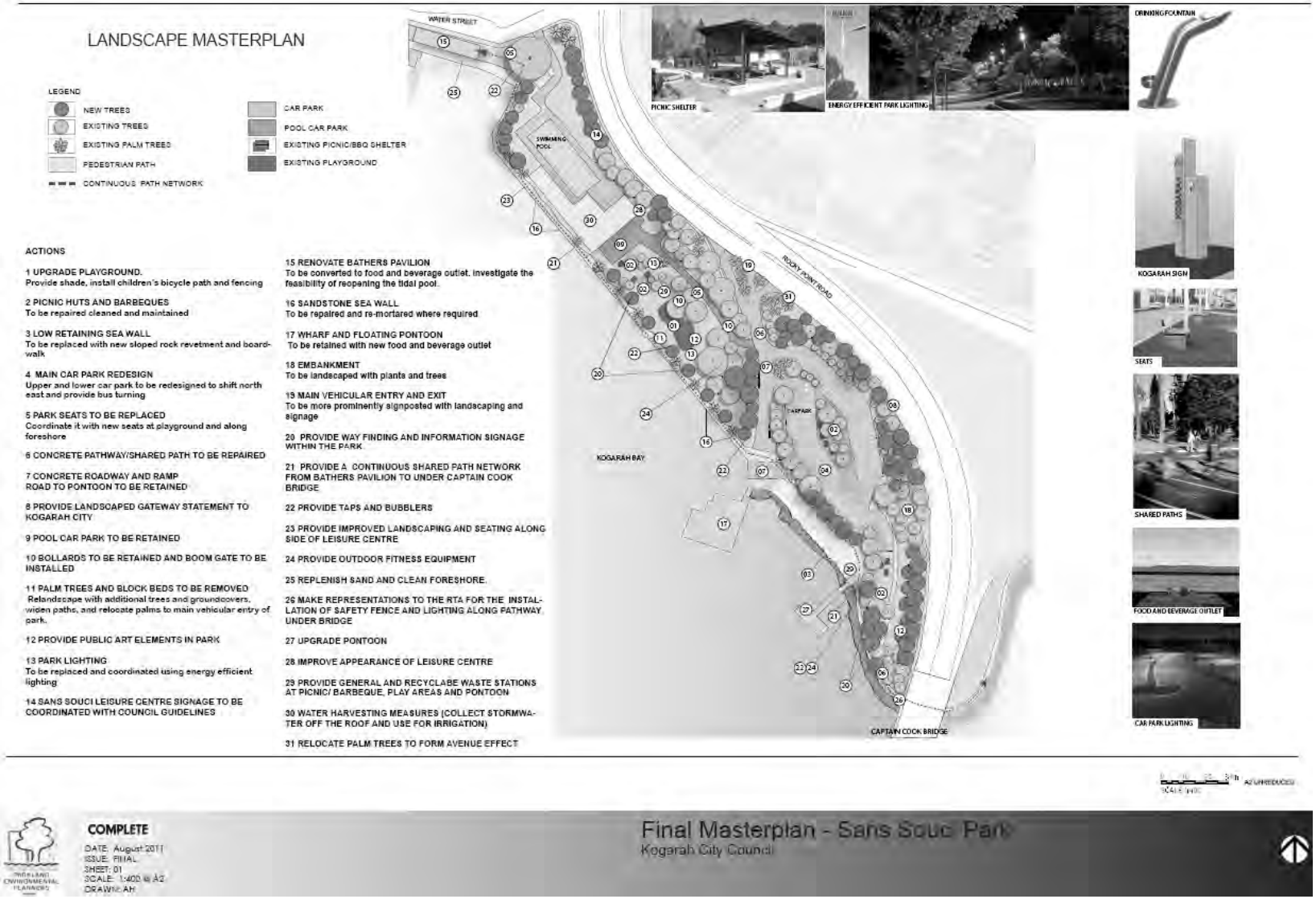
Priority	Action	Responsibility[(1)]
1	Enter into an agreement to redevelop the Bathers Pavilion and operate it as a food and beverage facility.	PS
	Replace park seats. To be co-ordinated with new seats at playground and along foreshore.	R&UL
	Provide a continuous shared path network from Bathers Pavilion to under the Captain Cook Bridge.	R&UL
	Repair concrete pathways.	R&UL
	Remove palm trees and block beds. Re-landscape with additional trees and groundcovers, widen the foreshore path, and relocate palms.	R&UL
	Replace and co-ordinate park lighting using energy efficient lighting.	R&UL
	Repair and re-mortar the sandstone sea wall where required.	C&W
	Liaise with RTA to install a safety fence and lighting along the pathway under the bridge.	R&UL
	Provide general and recyclable waste stations at picnic/barbecue and play areas, and at the pontoon.	R&UL
	Upgrade the playground with shade, children's bicycle path and fencing.	R&UL
2	Repair, clean and maintain picnic huts and barbecues.	R&UL
	Provide taps and bubblers.	R&UL
	Provide outdoor fitness equipment.	R&UL
	Improve landscaping (low shrubs/groundcovers) on western side of leisure centre.	R&UL
	Improve the appearance of the southern side of the leisure centre.	R&UL
	Provide clear signposting and landscaping at main vehicular entry/exit.	R&UL
	Provide way-finding and information signage within the park.	R&UL

Priority	Action	Responsibility[(1)]
2 (cont.)	Landscape the southern embankment adjoining Rocky Point Road with plants and trees.	R&UL
	Upgrade / repair the pontoon.	C&W
	Install boom gate at entrance to the pool driveway.	R&UL
	Implement water harvesting measures at the leisure centre.	R&UL
	Provide a landscaped gateway statement to Kogarah City.	R&UL
	Replenish sand and clean foreshore in front of Bathers Pavilion.	R&UL
3	Provide public art elements in the park.	R&UL
	Co-ordinate Sans Souci Leisure Centre signage with Council guidelines.	R&UL
	Redesign the upper and lower main carpark to shift north-east to allow better foreshore pedestrian access. Design carpark to allow for bus turning.	R&T
	Replace the low retaining sea wall with a new sloped rock revetment and boardwalk.	C&W
	Investigate the feasibility of reopening the tidal pool as part of the redevelopment of the Bathers Pavilion.	C&W

(1) Property Services Department of the Governance Directorate
(2) Recreation & Urban Landscapes Department of the Assets and Services Directorate.
(3) Catchment & Waterways Department of the Assets and Services Directorate
(4) Roads & Traffic Department of the Assets and Services Directorate

However, it should be noted that the implementation of the recommended strategies, whether wholly undertaken in one attempt or staged over an extended period of time, will be dependent on the demands placed on Council, its preferred priorities in any one financial year, and the availability of resources each financial year.

Landscape Masterplan



1 INTRODUCTION

1.1 WHAT IS A PLAN OF MANAGEMENT?

A Plan of Management is a document that identifies issues affecting public open space, and outlines how a park or reserve and its facilities will be used, improved, maintained and managed in the future. A Plan of Management is typically accompanied by a landscape plan that shows proposed on-the-ground changes to that open space.

1.2 BACKGROUND

This is the first Plan of Management that has been prepared specifically for Sans Souci Park. The impetus to prepare this Plan of Management is to resolve several use and management issues, particularly the redevelopment and use of the Bathers Pavilion, and to upgrade the park to make it more attractive for public recreation.

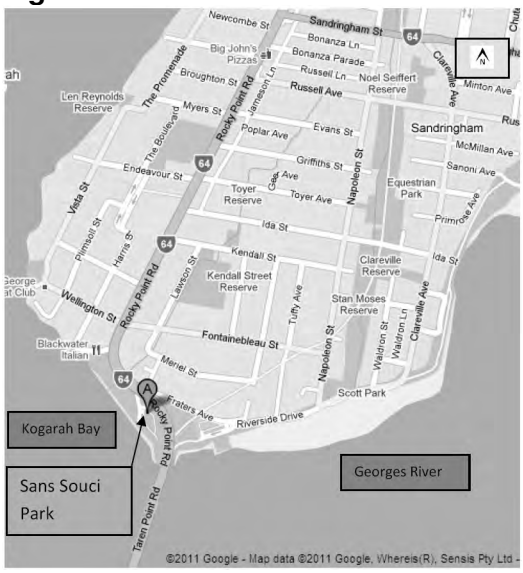
Sans Souci Park includes Crown land owned by the State of NSW, land owned by the Roads and Traffic Authority, and community land owned by Kogarah City Council. As such this Plan of Management has been prepared and structured according to the requirements of the *Crown Lands Act 1989*and*Local Government Act 1993*. Community and Crown land must be used and managed in accordance with a Plan of Management applying to the land.

A small part of Sans Souci Park is classified as community land under the *Local Government Act 1993*. Section 36 of the Act requires that all community land must have a Plan of Management prepared for it, and the land must be categorised. In recognition of the importance of the park to the Sans Souci, Kogarah Bay and wider community, the community land in the park is categorised as Park. As well as being a requirement of the Act, the preparation of this Plan of Management is an important step in defining and providing a level of certainty for the future use and development of the park.

1.3 SCOPE OF THIS PLAN OF MANAGEMENT

Figure 1.1 shows the boundaries of Sans Souci Park.

Figure 1.1 Location of Sans Souci Park



1.4 OBJECTIVES OF THIS PLAN OF MANAGEMENT

This Plan takes a holistic approach to the planning, management and future of Sans Souci Park. This Plan explores the character of the area in terms of past and present influences in order to preserve those that enhance its unique qualities.

The key objectives of this Plan of Management are to:

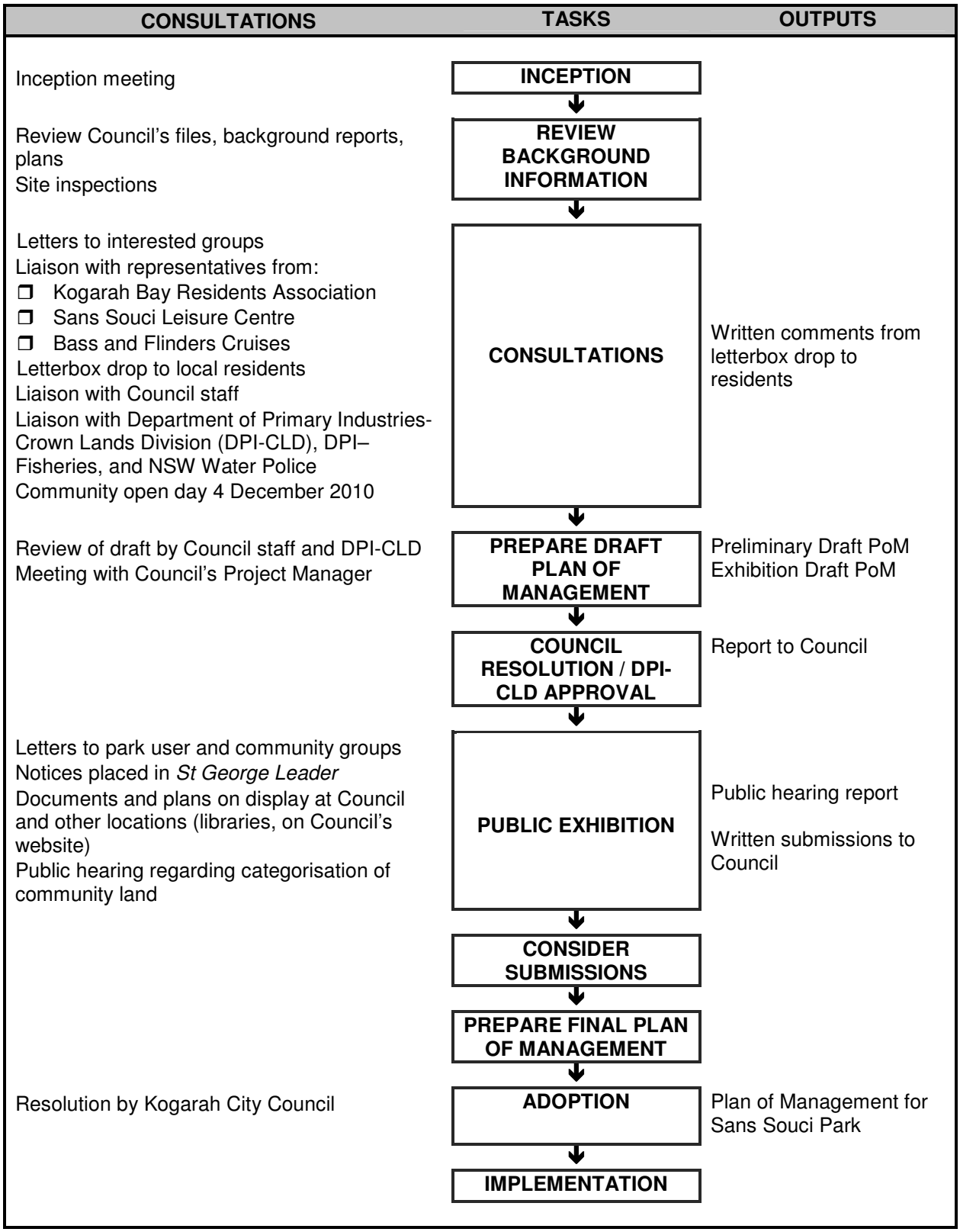
- engage the public in consultation to identify their issues and preferences, and to resolve, where feasible, conflicts of interest between any party relative to the proposed planning, management and development of the parkland.
- protect and enhance the community values for the land.
- reflect community visions and aspirations for the use of the land.
- ensure the environmental conservation of the park's natural resources, particularly its foreshore areas.
- provide for ongoing use of the land for a range of appropriate community uses.
- meet legislative requirements for use and management of Crown and community land.
- provide the community, park users and Kogarah City Council with a clear direction on the future use and management of the park.
- base the plan's goals and objectives, recommendations, policies and/or strategies on the broader community's agreed values and vision for the parkland.
- provide a framework to guide short- and medium-term management of the reserve that reflects community needs and expectations, and adds to the quality of life of the local community.
- permit the land, or parts of the land, to be leased or licensed in the best interests of the community.
- provide a strategy for future maintenance, capital works and appropriate infrastructure.
- address the management and use of the park within available resources.
- ensure the financial viability and feasibility of any proposals by considering Council's existing and future obligations.

1.5 PROCESS OF PREPARING THE PLANOF MANAGEMENT

1.5.1 Introduction

The process of preparing this Plan of Management is outlined in **Figure 1.2**.Preparation of this draft Plan of Management has taken into account input from land owners, comments made at meetings with user groups and the community, and submissions from local residents regarding the public exhibition and the public hearing into the proposed categorisation of community land.

Figure 1.2 Process of preparing this Plan of Management



1.5.2 Crown Lands Act

The process required by the Department of Primary Industries-Crown Lands Division under Sections 112 to 115 of the *Crown Lands Act 1989* and the *Crown Lands Regulation 2006* for preparing a Plan of Management applying to Crown land is to:

- prepare a draft Plan of Management (Section 112 of the Act). The Minister may cause or direct a draft Plan of Management to be prepared; or a Reserve Trust may, with the Minister's consent, prepare a draft Plan of Management for the reserve.
- Department of Primary Industries-Crown Lands Division give their consent in writing for preparation of a draft Plan of Management. Such consent may include issues for inclusion on the draft plan.
- refer the draft Plan of Management to the Department of Primary Industries-Crown Lands Division for review and for consideration of notification of public exhibition under Sections 112 and 113 of the Act.
- place a public notice in the NSW Government Gazette and in local newspapers advising the public of the public exhibition (Section 113 of the Act, Clause 35 of the Regulation)
- exhibit the draft Plan of Management to the public for not less than 28 days to allow for submissions to be made to Council.
- refer public submissions and any comments submitted by other government agencies regarding the draft Plan of Management to the Minister for Lands and Council as Trust Manager for review.
- prepare a summary of submissions and any proposed changes to the draft plan to the Department of Primary Industries-Crown Lands Division.
- make any alterations to the Plan of Management as required by the Minister as a result of public submissions under Section 114 of the *Crown Lands Act 1989*.
- Council to adopt the Plan of Management.
- submit the Plan to the Minister with a recommendation for adoption under Section 114 of the *Crown Lands Act 1989*.
- "carry out and give effect to" the Plan of Management pursuant to Section 114 of the *Crown Lands Act 1989*. The Reserve Trust may not allow any operations (activities, uses and developments) that are not in accordance with the Plan of Management.

1.5.3 Local Government Act

The *Local Government Act 1993* requires that draft Plans of Management are placed on public exhibition for a minimum of 28 days, with a further 14 days allowed for written comments. Submissions received during the public hearing into the proposed categorisation of community land and the public exhibition of the draft Plan of Management were considered when finalising the Plan of Management.

After Kogarah City Council adopts this Plan of Management, it is obliged to follow its directions. Council may not undertake or approve any activities, uses or facilities that are not provided for in, or consistent with the intent of, this Plan of Management.

1.6 STRUCTURE OF THE PLAN OF MANAGEMENT

This Plan of Management is structured in a manner that first presents the overall strategies relative to the whole of the reserve, and then presents strategies for the land owned by the Crown and Kogarah City Council.

This Plan of Management is divided into the following sections, as outlined in **Table 1.1**.

Table 1.1 Structure of this Plan of Management

Section		What does it include?
1	Introduction	What is a Plan of Management?, background, objectives, process, structure
2	Description of Sans Souci Park	History, location and setting, land tenure, uses, use agreements, maintenance, insurance
3	Whole of park strategies	Legislation, values, vision, management goals and performance targets, permissible uses and structures, management structure, future leases and licences
4	Planning and management of Crown land	Management and use guidelines, strategies, actions, performance measures to address issues
5	Land classification and categories	Classification and categorisation under the Local Government Act
6	Land Category: Park	Background, strategies, actions, performance measures to address issues
7	Planning and management of Roads and Traffic Authority land	Management and use guidelines, strategies, actions, performance measures to address issues
8	Funding and schedule of works	Funding sources, schedule of strategies and actions
	Appendices	
A	History of Sans Souci Park	
B	Planning and development – planning controls, proposed uses and developments	
C	Land assessment – natural and man-made resources in the park	
D	Results of consultations	
E	Comments from user groups and residents	
F	Public exhibition submissions	
G	Public hearing report into proposed categorisation of community land	
H	Amendments to the Sans Souci Park Plan of Management arising from the public exhibition	

Requirements of the Local Government Act for the contents of a Plan of Management, and where they can be found in this Plan, are listed in **Table 1.2**.

Table 1.2 Contents of a Plan of Management for community land

Requirement of the Local Government Act	How this plan meets the Act
A description of the condition of the land, and of any buildings or other improvements on the land as at the date of adoption of the Plan of Management	Appendix C
A description of the use of the land and any such buildings or improvements as at the date of adoption of the Plan of Management.	Appendix C
Categorisation of community land	Sections 5, 6
Core objectives for management of the land.	Section6

Requirement of the Local Government Act	How this plan meets the Act
Purposes for which the land, and any buildings or improvements, will be permitted to be used.	Sections 2-6 Appendix B
Purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise.	Sections 2-6 Appendix B
A description of the scale and intensity of any such permitted use or development.	Sections 2-6
Authorisation of leases, licences or other estates over community land.	Sections 2-6
Performance targets.	Sections 3-6
Means of assessing achievement of objectives and performance targets.	Sections 3-6

The objectives of the Crown Lands Act in Section 10 and the principles of Crown land management in Section 11 of the Act ensure that Crown land is managed for the benefit of the people of NSW. This Plan of Management has been prepared according to the requirements of Part 5 Division 6 – Plans of Management of the *Crown Lands Act 1989*. A Plan of Management will satisfy the *Crown Lands Act 1989* if the points in **Table 1.3** are addressed.

Table 1.3 Contents of a Plan of Management consistent with the Crown Lands Act

A Plan of Management satisfies the Crown Lands Act if:	How this plan satisfies the Act
The objects of the Act (Section 10) are included.	Section 4
The Plan of Management and its outcomes incorporate and satisfy the principles of Crown land management (Section 11).	Section 4
Any proposed uses, developments and management practices recommended in the Plan of Management must be ancillary to or supportive of the public purpose for the reserved or dedicated land, and with any policies of the Department of Primary Industries-Crown Lands Division applying to Crown reserves (Section 87).	Section 4
The role and functions of the Reserve Trust (Sections 92-95).	Section 4
Provisions of the Act for sale, lease, or mortgage of Crown land, or granting an easement or a licence are outlined (Section 102).	Section 4
Uses for which temporary licences may be granted (Section 108) are outlined.	Section 4
Requirements for referral of draft plans (Section 113) are met.	Section 1
The Plan of Management is prepared by the Reserve Trust under Section 112 of the Act.	The Plan of Management is prepared by Kogarah City Council as Trust Manager of Crown Land in Sans Souci Park under Section 48 of the Crown Lands Act.
The Plan of Management must address any matters required by the Minister responsible for Crown lands (Section 112).	No such requirements have been received by the Minister.
If the Reserve Trust proposes that a reserve is to be used for an additional purpose (Section 112), the draft plan must specify or deal with these matters: ❒ the condition of the reserve, and any buildings or other improvements on the reserve. ❒ existing use of the reserve, and of any buildings or other improvements on the reserve. ❒ the nature and scale of the proposed additional purpose. ❒ the nature, scale and term of any lease, licence or other	No additional purposes are proposed.

A Plan of Management satisfies the Crown Lands Act if:	How this plan satisfies the Act
arrangement that is intended to be granted or entered into in relation to the additional purpose. ❒ any submissions made in relation to the draft plan as a result of the consultation process and public exhibition requirements under Section 113.	
The requirements of reports by Reserve Trusts are outlined (Section 122, and Clause 32 of the Crown Lands Regulation 2006).	Section 4

2 DESCRIPTION OF SANS SOUCI PARK

2.1 SITE HISTORY

Key events in the history of Sans Souci Park are set out below in **Table 2.1**. A more comprehensive historical account is in **Appendix A**.

Table 2.1 Brief history of Sans Souci Park

Year	Event
Pre-1770	Indigenous people occupied the Tom Uglys Point peninsula.
1770	The Sans Souci Peninsula was first seen by Europeans when Captain Cook briefly looked around Botany Bay.
1788	The First Fleet sailed into Botany Bay. King, and later Captain John Hunter in 1789 further explored the Georges River.
1830	Catherine Cooper (nee Rutter) was granted 100 acres of land on the tip of the Sans Souci Peninsula named Charlotte Point.
Mid-1830s	Catherine and her husband Robert built their home 'Rocky Point House' on their land.
1840	Rocky Point Road was built to link the Cooper's house to Tempe/St Peters.
1853	Thomas Holt leased Rocky Point House and renamed it 'Sans Souci'.
1863	W.E. Rust purchases Sans Souci House and converts the building into the Sans Souci Hotel, which became a pleasure grounds and a destination for picnickers from Sydney. The pleasure gardens and hotel were still popular until closure of the hotel in 1911.
1887	The Sans Souci Steam Tram began operation between Kogarah railway station and Sandringham, via Riverside Drive at Rocky Point.
1891	Kogarah Council proposed municipal baths somewhere in the Sans Souci area.
1897	The Sans Souci swimming baths began operation.
1903	A steam passenger launch operated by Georges Hughes and son provided a link between Sans Souci and Taren Point.
1912	The reserve leading up to Rocky Point was secured for public thoroughfare, handed over to the Cook Park Trustees, and declared a recreation reserve.
1915	Hughes' boat service was replaced by the passenger launch *Sandringham*.
1916	Rocky Point Road was extended through the Sans Souci pleasure grounds to join the ramp giving access to the new Sans Souci-Taren Point steam-driven vehicular ferry. William Harvey introduced continental bathing at the swimming baths. The motor cruiser Gannet took picnic parties from Sans Souci up the Georges River.
1930-31	The dilapidated swimming baths were demolished and rebuilt with a sharkproof swimming enclosure, art deco baths, dressing sheds and diving boards. Material dredged from the Georges River was used to reclaim an area of Sans Souci Park, which was bounded by a sea wall.
1933	Sans Souci Park was dedicated for Public Recreation. A new bathing pavilion and dressing rooms were constructed. Council carried out land reclamation, constructed a promenade, sea wall, retaining walls, and steps in the vicinity of the pavilion.
1954	The original punt was replaced by a 26-vehicle punt.
1965	Increasing queues of vehicles waiting for the punt resulted in Captain Cook Bridge being built over the Georges River. Due to pollution in the Georges River, Kogarah Council replaced the tidal pool with a 50-metre Olympic pool. The tidal baths continued to be used until the early 1980s.
1968	A footway was built under the Captain Cook Bridge to link Sans Souci Park with foreshore parkland east of the bridge.
1990	A lease of the tourist cruise facility by Bass and Flinders was entered into.
1994-95	Improvements to Sans Souci Park, including the carpark, wharf, landscaping, picnic shelters and barbecues, accessible ramp, waterfront walkway, retaining wall, and seating were completed with grant funding.

Year	Event
2002	Council called for Expressions of Interest to redevelop the former bathers pavilion into a restaurant. Tenders were called in 2004.
2008	Sans Souci Olympic Pool was upgraded with an indoor lap pool, hydrotherapy/ teaching pool, and a fitness facility.
2010	Council approves a Development Application by Bass and Flinders to construct a marina for berthing vessels including a restaurant and office facilities.

2.2 STUDY AREA

The study area is Sans Souci Park. A detailed description of the study area is outlined in **Appendix C**.

2.3 PROPERTY DETAILS

Sans Souci Park has a total area of 3.276 hectares of open space.

The Crown, Roads and Traffic Authority (RTA), and Kogarah City Council are the owners of land within Sans Souci Park. The land parcels that comprise the reserve are listed in **Table 2.2** and are shown in **Figure 2.1**.

Management of the lots owned by the RTA is being discussed between Council and the RTA.

Figure 2.1 Land ownership

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KOGARAH COUNCIL
SANS SOUCI PARK

SCALE 1 : 1400 @ A3

Crown Land
RTA
Kogarah City Council

Table 2.2 Land status in Sans Souci Park

Lot	DP	Owner	Purpose / categorisation	Manager	Areas/facilities included	Use agreements
519	752056	Crown R88909 notified 4/5/73	Public Recreation	Sans Souci Park (R88909) Reserve Trust	Bathers Pavilion Beach Former tidal baths Part of government marina	Negotiations pending for redevelopment of the Bathers Pavilion
1	133955	Kogarah City Council	-	Kogarah City Council	Garden bed, grassed verge Driveway	-
2	133955	Kogarah City Council	-	Kogarah City Council	Grassed verge Driveway	-
7046	93515	Crown R88909 notified 4/5/73	Public Recreation	Sans Souci Park (R88909) Reserve Trust	Sans Souci Leisure Centre Parking area Seawall Picnic area Playground Shared pathway	Lease: Sans Souci Leisure Centre
1	562054	Roads and Traffic Authority. Dedicated under Main Roads Act. Gazetted 8 March 1974	Public reserve	Kogarah City Council	Carpark Picnic area Landscaping	-
2	562054	Roads and Traffic Authority	-	Roads and Traffic Authority	Grassed bank Picnic facilities	-
3	562054	Roads and Traffic Authority	-	Kogarah City Council	Picnic facilities Pathway Grass and trees	-
15	Crown Plan 3558-3000	Crown	-	Kogarah City Council	Ramp to wharf Foreshore land behind old ferry wharf	-
530	752056	Crown	-	Kogarah City Council	Part of foreshore	-
1	534982	Roads and Traffic Authority	-	Kogarah City Council	Pathway Grass and trees	-
-	-	Crown	-	Crown	Tourist cruise wharf	Licence: Cojo Pty Ltd
-	-	Kogarah City Council	-	Kogarah City Council	Pontoon	-
-	-	Roadway was resumed in the Government Gazette of 6 November 1981.	Public Road	Kogarah City Council	Riverside Drive Part of the main carpark	

(1) State of NSW as Crown land administered by the Department of Primary Industries-Crown Lands Division under the Crown Lands Act 1989.

2.4 LEGISLATIONAND STANDARDS

Management, use and operation of Sans Souci Park should meet the requirements of the following legislation and standards:

- Crown Lands Act 1989.
- Local Government Act 1993.
- Environmental Planning and Assessment Act 1979.
- State Environmental Planning Policy No. 64 – Advertising and Signage.
- State Environmental Planning Policy (Infrastructure) 2007.
- State Environmental Planning Policy (Exempt and Complying Development) 2008.
- Kogarah Local Environmental Plan.
- Kogarah Open Space Policy.
- Aboriginal Land Rights Act 1983.
- Native Title Act 1998.
- Heritage Act 1977.
- Coastal Protection Act 1979.
- Coastal Protection and Other Legislation Amendment Act 2010.
- Fisheries Management Act 1994.
- Companion Animals Act 1998.
- Dividing Fences Act 1991.
- Disability Discrimination Act 1992 (Commonwealth) and Kogarah City Council's Disability Discrimination Act 1992 – Action Plan.
- Anti-Discrimination Act 1984.
- Protection of the Environment Operations Act 1997.
- Southern Sydney Catchment Blueprint Policy.
- Building Code of Australia.
- Applicable Australian Standards.

More details of key legislation applying to Sans Souci Park is in **Appendix B**.

2.5 VALUES

The value or importance of a park to the community is important in formulating an appropriate management structure and management objectives for the park. The features of Sans Souci Park that are most liked and important to residents and park users are in **Table 2.3**. Further detail on aspects of the park that local residents and users like is in **Appendix E**.

These values reflect the importance of the reserve to users and the local community, but also that current uses serve a wider population catchment than just the immediate locality of Sans Souci and Kogarah Bay. The range of issues encompassed by the values indicates the importance of retaining the park, and ensuring that while current uses are retained and enhanced, appropriate opportunities are provided for broadening use by the community.

Table 2.3 Important features and values of Sans Souci Park

Value	Valued aspects	Significance		
		Local	District	Regional
Walking and cycling opportunities	The paths in Sans Souci Park, particularly the promenade along the waterfront, and the path linking Sans Souci Park with foreshore reserves on the eastern side of the Captain Cook Bridge, are popular for walking and cycling by people of all ages.	✓	✓	✓
View and scenery	The lovely outlook of the water and scenery of Kogarah Bay and the Georges River and their surroundings are enjoyed from the park, particularly from the pontoon, wharf and foreshore paths.	✓	✓	
Swimming facilities	The outdoor and indoor swimming opportunities provided by the Sans Souci Leisure Centre.	✓	✓	
Close to water	The reserve is at the head of Kogarah Bay and on the waterfront, providing easy access to water.	✓	✓	
Children's play	An upgraded play area for children is a popular place for local people and park users to take their children and grandchildren to play.	✓	✓	
Opportunities for fishing	The pontoon and foreshore areas in the park facilitate fishing.	✓	✓	
Open space, grassed and treed areas, gardens	The park is a spacious, green, grassed open space area for multi-purpose recreation. The trees (particularly the palms) and other plantings in the park are valued.	✓	✓	
Picnic and barbecue areas	A great place for picnics and barbecues, with sheltered tables and chairs close to the waterfront.	✓	✓	

Values of the lower Kogarah Bay estuary, which adjoins Sans Souci Park, that were identified by Kogarah Council (1999) are as follows.

Table 2.4 Values of the lower Kogarah Bay estuary

Value	Rating			
	Nil	Low	Medium	High
Boating	✓	✓	✓	✓
Aquatic plants	✓	✓	✓	
Water associated wildlife	✓	✓	✓	
Riparian	✓	✓	✓	
Education	✓	✓	✓	
Seafood	✓	✓	✓	
Appearance	✓	✓	✓	
Swimming	✓	✓		
Aquatic animals	✓			
Access	✓			

2.6 VISION

This Plan of Management adopts its key directions from those identified in the Kogarah Community Strategic Plan *Bright Future, Better Lifestyle: Kogarah 2020*. These directions include the vision for Kogarah, which is:

A viable and sustainable future in partnership with our community.

Council's mission is to:

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

Among Council's Strategic Directions and Outcomes to guide Council and the Kogarah community towards achieving the vision and mission are six key strategic directions:

- a clean, green and sustainable city.
- a liveable and connected city.
- a thriving and prosperous city.
- a vibrant, safe and inclusive city.
- an active and healthy city.
- an innovative and efficient Council.

These key strategic directions are supported by relevant key goals to guide Kogarah for the next 10 years. Refer to **Appendix B** for more information.

Sans Souci Park is a significant land and water-based recreational, tourist and social focal point. The vision for Sans Souci Park is:

Sans Souci Park is a multi-purpose park catering for a range of land- and water-based recreational activities for all age groups and accessible to all in the community. Settings within the park range from built recreational and tourist structures, food and beverage outlets, open grassland and landscaped areas, to natural foreshore. Park settings are linked within and to other open spaces by walking and cycling tracks. Underlying all aspects of Sans Souci Park is the valued scenic outlook to Kogarah Bay and the Georges River.

2.7 MANAGEMENT GOALS AND PERFORMANCE TARGETS

In managing Sans Souci Park there is a range of responsibilities in providing good management to achieve the vision, values, objectives and performance targets of this Plan of Management. Council is responsible for achieving these goals.

Table 2.5 Management goals and performance targets

Goal	Performance targets
Range of uses	❒ Improve the park as a quality informal recreation area. ❒ Ensure that the park provides for a range of appropriate activities. ❒ Maintain the usage currently enjoyed. ❒ Monitor and manage the mix of uses to minimise conflicts and operational difficulties. ❒ Maximise community enjoyment of the park.
Access	❒ Provide for formalised vehicle parking. ❒ Enhance access by pedestrians and cyclists. ❒ Provide adequate access for people with mobility difficulties.
Safety and security	❒ Maintain adequate security and insurance measures to ensure the safety of park users. ❒ Reduce exposure of park users to safety hazards. ❒ Maximise the safety and amenity of nearby residents and property associated with use of the park. ❒ Undertake and regularly update risk management processes. ❒ Ensure Occupational Health and Safety guidelines are implemented.
Sustainability	❒ Encourage use of renewable resources in the use of water, energy and materials.
Maintenance	❒ Ensure the park is well maintained and cleaned to acceptable standards at all times. ❒ Improve the neighbourhood amenity. ❒ Improve the landscaping of the park.
Communication	❒ Improve communication and reporting between Council, park users, and adjoining residents.
Financial viability	❒ Ensure sound, ongoing, accountable financial management of the park. ❒ Seek government and private funding to assist in the operation, upgrading and improvement of the park.

2.8 PERMISSIBLE USES

The *Local Government Act 1993* and *Crown Lands Act 1989* require Councils to consider what activities may require granting of a lease, licence or other estate during the life of a Plan of Management. Development and uses of community land must also be in accordance with the *Local Government Act 1993*, *Environmental Planning and Assessment Act 1979*, and the Kogarah Local Environmental Plan.

Permissible activities will be consistent with:

- ❒ the objectives of this Plan of Management.
- ❒ the objectives for management of the park.
- ❒ relevant legislation, particularly the *Crown Lands Act 1989* and *Local Government Act 1993*.
- ❒ the classification and categorisation of community land, and the public purpose of Crown land.
- ❒ the zoning under the Kogarah Local Environmental Plan.

- ❒ community values of the park.
- ❒ the future roles of the park.

Primary uses of Sans Souci Park will be for land- and water-based informal recreational and tourist activities. Examples of permitted uses of the park are in **Table 2.6**.

Table 2.6 Examples of permissible uses in Sans Souci Park

Examples of purposes for which the land and any such buildings or improvements will be permitted to be used	
Present uses and activities	Habitat creation
Bush regeneration	Informal ball games
Ceremonies	Markets
Children's play	Mobile food and beverage vending
Commercial activities	Nature appreciation
Community use	Non-motorised water activities
Community events	Passive recreation
Concerts (music, theatre)	Personal training
Corporate promotions	Picnics and barbecues
Cycling	Photography / filming
Development permitted without development consent – SEPP (Infrastructure) 2007	Running
	Sailing and boating
Dog exercise (leashed only)	Sporting activities (informal)
Emergency aircraft landing	Tai chi, yoga and similar activities
Environmental education	Boat trailer parking
Fishing	Vehicle parking
Fitness classes (personal, group)	Walking
Food and beverage consumption	
Functions	

Prohibited uses of the reserve include:

- ❒ consumption of alcohol.
- ❒ fireworks.
- ❒ noisy activities.
- ❒ hard ball games.
- ❒ golf practice.
- ❒ offensive trade.
- ❒ illegal activities.

The scale and intensity of activities taking place in Sans Souci Park at any one time is limited by the number of people and vehicles that can occupy the park safely, without conflict between park users, the capacity of the parking area, causing no damage to the reserve, and without impacting on surrounding residents. Council is to determine the scale, intensity and frequency of use when issuing any lease or licence agreements.

2.9 PERMISSIBLE STRUCTURES

Permissible structures, and their scale and intensity, will be governed by:

- the categorisation of community land and public purpose of Crown land.
- *State Environmental Planning Policy (Infrastructure) 2007*.
- the zoning of the land in the Kogarah Local Environmental Plan.
- provisions of applicable Development Control Plans.
- the development approval processes in the Environmental Planning and Assessment Act 1979.
- the character of existing and surrounding structures.

Table 2.7 Examples of permissible developments

Examples of purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise		**Scale and intensity of any such permitted use or development**
Access for people with disabilities Amenities (toilets, change facilities etc.) Barbecues Boat ramp Carparks (single storey) Children's play equipment Community facilities Cycleways / shared paths Decking Drainage, irrigation, stormwater management systems Earthworks Environmental management works Exempt and complying development – SEPP (Infrastructure) 2007, and SEPP (Exempt and Complying Development) 2008 Food and beverage outlet Hardstand for event structures Information, education, interpretive facilities Jetty / wharf / pontoon Landscaping, landscape structures Lighting Maintenance depots Minor building alterations	Park furniture Park maintenance staff amenities Park materials storage Picnic shelters Planting Play equipment Public utility installations Recreation areas Recreation facilities (indoors) Recreation facilities (outdoors) Roads Sculpture / public art Sea wall Seats Shelters, shade structures Signage Sporting structures (practice) Temporary advertising Ticketing facilities Platforms – viewing, fishing Walking tracks, boardwalks, raised walking paths, access ramps, minor pedestrian bridges, stairways, gates Water harvesting structures such as rainwater tanks Water pollution control devices (trash racks, gross pollutant traps)	Refer to the Landscape Master Plan. Monitor physical impacts on the reserve.

3 WHOLE OF PARK STRATEGIES

3.1 INTRODUCTION

The following whole-of-park strategies apply across the entire parkland of Sans Souci Park, and includes Crown land, community land, and land owned by the Roads and Traffic Authority. These strategies should not conflict with the principles of the *Crown Lands Act 1989* for Crown land, or the core objectives of the respective community land categories.

COMPLETE

KOGARAH COUNCIL
SAN SOUCI PARK

Park Boundary

SCALE 1 : 1400 @ A3

3.2 LEASES AND LICENCES

3.2.1 Introduction

There are restrictions on community land relative to the granting of licences or leases. For example, under the provisions of the *Local Government Act 1993* Council may grant a lease or licence for a period of up to 21 years. In addition, the lease or licence must be consistent with the core objectives for each of the nominated land categories to which the lease or licence applies.

It is Council's preference to maintain the recreational and environmental value and service to the community provided by the park and its sporting and recreational facilities. To this end, Council has entered into lease or licence agreements with local community organisations and commercial operators who provide a variety of recreational opportunities to the community.

3.2.2 Current use agreements

Agreements between Council and user groups for use of Sans Souci Park are:

- ❒ lease for exclusive use and operation of the Sans Souci Leisure Centre.
- ❒ licence to operate the Bass and Flinders tourist wharf.
- ❒ temporary licenses, which are issued for use of the park by large groups, and if reserving sections of the reserve are required.

Table 3.1 Current leases in Sans Souci Park

	Sans Souci Swimming Centre	**Sans Souci Park Wharf**
Lease / licence	Lease	Licence
Lessor / Licensor	Sans Souci Park (R88909) Reserve Trust	Minister for Lands / Department of Primary Industries-Crown Lands Division
Lessee / licensee	Hinarni Pty Ltd	Cojo Pty Ltd
Facility	Swimming and fitness centre	Commercial business incorporating office, restaurant, tourist and berthing facilities
Permitted use(s)	Swimming and fitness centre	Access, boating facility/activity, tourism.
Term	10 years commencing on 1 June 2007 until 31 May 2017, with a further 10 year option until 31 May 2027.	Commencing 1 January 2010. First market rent review 1 January 2013.
Lessor / licensor responsibilities	❑ Upgrade power distribution and control panel. ❑ Repair tiles and expansion joints in the pools.	❑ Management of the licence.
Lessee / licensee responsibilities	❑ Operating costs.	❑ Repair and maintain improvements. ❑ Allow the public to have access to the foreshore below mean high water mark.

Council understands there may be a permissive occupancy agreement between Council and the Department of Primary Industries-Crown Lands Division for foreshore land in the vicinity of the fishing pontoon. Further details are being sought from the Department of Primary Industries-Crown Lands Division. The land subject to the permissive occupancy would be managed consistent with the adjoining Crown land.

3.2.3 Leasing and licensing principles

It is Council's preference to ensure the provision of quality recreational opportunities as well as to provide a diversity of ancillary services that complement those opportunities. This can be achieved by the Trust Manager and Council offering short and long term leases and/or licenses for the use of or the management and operation of facilities and amenities on Crown and community land. Sans Souci Park can be used to provide a range of services and opportunities that complement:

- current park visitor services and opportunities.
- any future approved structures permitted under the land category, public purpose, Kogarah City Council's local plans, and this Plan of Management.

This Plan of Management permits the Trust Manager and Council to offer to third parties short or long term lease and licence agreements for any approved purpose, such as the management and operation and/or the general use of any facilities and amenities that are located on community land. This also includes the use and management of any approved future facilities that complement and enhance the sporting, social, and recreational use of community land in the reserve. Determination of the appropriateness of any proposed future facility will also depend on the criteria outlined in this Plan of Management, permissible uses relative to the relevant community land category, and through due process in assessing Development Applications where development is proposed.

The Department of Primary Industries-Crown Lands Division emphasise equity of public access to Crown land. To that end, short-term lease or licence agreements are recommended. Another objective of the Department is equitable access to Crown land by both male and females.

Table 3.1 cites the principles to be adopted for leasing and licensing within all of the appropriate community land categories. The principles apply to those facilities or amenities being considered for future lease or licence agreements. The principles do not apply where they may contravene any current lease or licence agreements, but in any case would come into effect at the termination of these agreements or when they are to be considered for renewal or a new agreement is entered into with a third party. It is Council's intention to apply these principles should it be appointed Trustee of the unreserved Crown land in the park or have such land vested in Council. These principles should be implemented in conjunction with Council's Leasing of Community Land and Buildings Policy.

Table 3.2 Principles for leasing and licensing of community land and buildings

Item	Principles
Lease Agreements	Subject to the termination of any current lease agreement for use of any existing built structures located on community land 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 Area	As agreed between Council, the Minister administering the Crown Lands Act (where the land is Crown Reserve), and the potential lessee, but excluding those portions of land in the immediate foreshore area.
Permitted Uses	Activities associated with passive or active sporting, recreational, social, cultural, educational, community and ancillary activities and services as permitted under the Kogarah Local Environmental Plan, *Local Government Act 1993*, as determined by Council in respect of the objectives of the assigned land category, and this Plan of Management.
Intensity of Use	Council permits a diversity of recreational, educational and cultural events to take place in the park. However, use of the park and its facilities is to be managed in a manner that will avoid detriment to the natural environment, and to public assets excessive to general wear and tear. Use of the park should also not result in unreasonable inconvenience to adjoining residents and other park users. Council is to consult with local residents when an application for any major event is proposed that has the potential to result in high traffic volumes and an excessive overflow of vehicles parking in the surrounding residential areas.
Hours of Use	Hours of use of buildings or parkland and facilities will be subject to the outcome of negotiations between the Council, lessee or licensee, or as approved under any Development Application, or as restricted by this Plan of Management.
Private Access to the Parkland	This plan, under conditions of access, 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. 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 access. Access will not be permitted where it would result in any impact on or removal of any native vegetation within the reserve. Access may be permitted where Council determines that a hazard on private property poses a direct threat to public health, safety or private property. 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. 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.
Development	Any proposed development is to demonstrate how it achieves the Ecologically Sustainable Development principles outlined in this Plan of Management. Council should strive to rationalise the number and extent of buildings and structures on community land by limiting future new separate building development or, where

Item	Principles
	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. Key view corridors should be maintained. Development will be permitted in accordance with the Kogarah Local Environmental Plan.
Development conditions	Approved development will be subject to the terms and conditions of development consent and this Plan of Management.
Development Costs	Where appropriate, development costs for new development or embellishment, alterations and additions to an existing built structure which is the subject of a lease or licence is to be at the lessee's expense or as agreed between participating parties.
Maintenance	Lessees shall be responsible for the maintenance and good appearance of the parkland and building(s) within the boundary of their leased or licensed area.
Aesthetics	Future built form should relate to the scale and character of the parkland as established by the existing buildings. 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. Lessees 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 and fittings.
Lease Term	(i) Agreed negotiated period between Council and the lessee up to 21 years where the land is 'community land' and categorised 'General Community Use', 'Park', or 'Sportsground'. (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 in accordance with the provisions of the *Crown Lands Act 1989*. It is a Department of Primary Industries-Crown Lands Division policy for lease and licence agreements to offer shorter terms to allow for economic consideration and rental redetermination. (iii) Other than leases entered into under Item (i), at the conclusion or at such time as the current lessee or Council terminate a lease for whatever reason, future leases are to be generally restricted to 5 years. (iv) 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 2008. (v) Leases extending beyond 5 years are to be conditional on the 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 Sans Souci Parkas a venue for public recreation and permitted under the Kogarah Local Environmental Plan. (vi) Licenses generally should not exceed 5 years. (vii) Seasonal licences or permits should be offered where applicable. (viii) Daily, weekly or monthly permits authorised to be offered at Council's discretion. It is mandatory for all lessees and licensees of built structures and organisational users of the parkland provide Council with accurate usage and participation data and any other data requested in writing by Council.

Item	Principles
Rent	*Commercial Activity* Where a licence or lease permits a commercial activity, preference is to be given to commercial rental rates or a percentage thereof based on an independent valuation. *Community Activity* 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. *Periodic Rent Review* Part 2(g) of Council's policy entitled 'Leasing of Community Land and Buildings' makes provision 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. *Subsidised Rents* If any agreement results in Council subsidising the activity or service that amount will be compared with similar full commercial rates. The level of annual subsidy as well as the term of the agreement is to be reported to Council.
Reporting	To ensure Council's accountability in the management of a public asset, any new lease or licence agreement is to ensure that Council is provided with an annual report and other reports as required by this Plan of Management and the lease or licence agreement.
Insurance	A lessee / licensee is required to have public risk liability insurance to the sum of not less than $10 million, or as specified by Council for the duration of their agreement. Lessees / licensees are to provide Council with a copy of their certificate of currency for public risk liability insurance each and every year of their agreement with Council. Alternatively, where the lessee / licensee's public risk liability insurance is under the umbrella insurance of their governing association, the lessee / licensee is to provide Council with a letter from the governing association verifying that the lessee / licensee's insurance is included in the governing association's current public risk liability insurance plan.
Building safety	Building safety inspections should be carried out by lessees / licensees and reported to Council in an annual report.
Policies	The general use of the park and its facilities is to comply with Kogarah City Council's Open Space Policy and other policies relating to open space.

3.2.4 Authorisation of leases and licences

General

This Plan of Management expressly authorises current leases and use agreements until the end of their current terms, without exercise of an option. A review of usage patterns and conditions of the use agreement should be undertaken before expiry if an extension of the agreed period is sought.

Food and beverage outlets

This Plan of Management authorises a lease of the Sans Souci Bathers Pavilion or another suitable part of Sans Souci Park as a food and beverage outlet consistent with DIP-CLD Food and Beverage Outlets on Crown Reserves Policy.

Relevant guidelines for food and beverage outlets on Crown land were prepared by the Department of Lands (2004). A food and beverage outlet, such as a kiosk or restaurant, is an acceptable land use activity on reserved or dedicated Crown reserves if it is:

- an acceptable use within the scope of the public purpose nominated for the reserve under the *Crown Lands Act 1989*. A food and beverage outlet is an acceptable use ancillary to a Public Recreation reserve.
- permissible under the relevant environmental planning instruments made under the *Environmental Planning and Assessment Act 1979*. The Kogarah Local Environmental Plan allows 'refreshment rooms' with development consent in a 6(a) Open Space zone.
- an identified use for the park in a Plan of Management under the *Crown Lands Act 1989*.

A food and beverage outlet on Crown land must:

- enhance the public use of the reserve.
- not be the main focus or attraction of the reserve, rather the facility must be ancillary to and supportive of the reserve.
- cater for recreation reserve users only, not passing trade.
- cater for a broad range of dining options.
- be affordable and accessible to general reserve users.
- operate at profitable times and at other times to allow maximum public access.
- cater for the public generally rather than an exclusive group.
- not set aside areas for exclusive functions.
- not serve alcohol in areas of the facility (such as bars) that will limit access by under 18 year olds to that area.
- preserve the integrity of the reserve in terms of its public purpose and environmental qualities.
- consider parking, circulation in the reserve, and access to the water.

Food and beverage outlets that are acceptable on public purpose reserves where they are ancillary and supportive of the use of the reserve include:

- kiosks that provide snacks, packaged and prepared light foods with non-alcoholic beverages to take away.
- refreshment rooms, cafes and coffee shops that serve snacks, light meals and beverages to take away or to be consumed on the premises.
- a bistro, brasserie or restaurant that serves light to substantial meals with beverages to be consumed on the premises.

Food and beverage outlets that may not be acceptable on Crown reserves include:

- major fast food operations that dominate a reserve and/or essentially service a passing trade rather than reserve users.
- restaurants that serve only substantial meals, contain a bar area that precludes the under 18 age group, or essentially service a passing trade rather than reserve users.
- outlets that contain separate function rooms for private use.

Any lease or licence for food and beverage outlets that comply with the public purpose of the reserve must sufficiently protect the public in their right to use the land for the public purpose of the reserve. Expressions of Interest should be called for the leasing or licensing of new food and beverage outlets on Crown reserves. The consent of the Minister for Lands is required to grant any lease or licence for food and beverage outlets on Crown land.

3.3 INTENSITY OF USE

Sans Souci Park is generally intended to be used for informal and passive recreation, and social and cultural events.

Purposes for which any further development of Sans Souci Park will be permitted (under lease, licence or otherwise) are outlined in this Plan of Management, consistent with the public purpose of Crown land and categorisation of community land, any approved Development Application, and any provision of an applicable development control plan for exempt and complying development.

Any use or development that would encroach on the reserve's open space should be prevented.

The scale and intensity of future uses and development is dependent on:

- ❒ the nature of the approved future uses.
- ❒ the Landscape Masterplan for the reserve.
- ❒ the carrying capacity of the parkland and its facilities.
- ❒ approved Development Applications.

3.4 GENERAL MANAGEMENT STRATEGIES

General management strategies for Sans Souci Park include the undertaking of research or specific studies to provide relevant information that would unreasonably enhance management decision-making and assist in implementing best practice park management. **Table 3.2** lists those strategies applicable to the whole of the parkland.

Table 3.3 Whole of reserve planning, management and development strategies

Strategy	Objectives	Performance measures
Landscape architecture Council to prepare a Landscape Master Plan that is to include a Schedule of Works and Maintenance Plan for the reserve. Council is to ensure public consultation in preparing the Landscape Master Plan.	• Synthesise the landscape development of the reserve. • Incorporate sustainable design principles. • Maximise the reserve's potential as a diverse recreational resource. • Ensure public input into the design process.	65% community acceptance of the Landscape Master Plan. Landscape design in accordance with the requirements of this plan and ecologically sustainable design principles.
Planning and development Permit development that is ancillary to the purpose, use and enjoyment of the park as determined by the land category, public purpose, and	• Maximise the use of public land for a public benefit in terms of providing appropriate recreational opportunities and experiences.	Compliance with the current Kogarah Local Environmental Plan and this Plan of Management.

Strategy	Objectives	Performance measures
as permitted under the Kogarah Local Environmental Plan and Council's open space policies.		
Prepare a Water Management Plan for the landscaped and grassed areas and buildings within the park.	• Improve efficiency in water use for sporting, cultural and recreational activities within the park. • Reduce water use and costs.	Reduction in the total number of litres of water used at each specific facility. Reduce reliance on reticulated (town) water and increase the use of alternative water resources.
Where feasible, Council to avoid excessive building development in the park.	• Retain and preserve public open space. • Improve asset management. • Avoid duplication of existing facilities and amenities. • Maximise use of existing assets.	Retain, or alternatively increase, the existing total area of available open space.
Design guidelines Council to prepare Landscape Design Guidelines for park furniture, fixtures and fittings based on sustainable design principles.	• Provide a quality standard for park furniture, fixtures, fittings, form, colour, texture and construction materials that aesthetically complements the parkland's environment and its surrounds. • Improve and maintain the quality and amenity of the parkland and its resources.	65% community satisfaction with the Landscape Design Guidelines. Compliance with the criteria within the Council-approved Landscape Design Guidelines.
Ensure a consistent style of seating and other park furniture.	• Gradually replace park furniture with furniture in a style that is appropriate for a waterfront informal park.	Seating installed. Positive feedback from users.
Access and signage The Plan of Management to comply with Kogarah City Council's Open Space Policy, however this Plan has precedence over the policy and permits motorised vehicles used by persons with a disability as defined by the *Disability Discrimination Act 1992* to use motorised scooters within the reserve.	• Ensure ease in environmental negotiability to, in and around facilities for aged people and people with a disability. • Provide ease of interpretation of signage by using international symbols where appropriate. • Adhere to the legislative requirements of the *Disability Discrimination Act 1992*.	Adhere to appropriate Australian Standards for public access and signage for people with or without a physical disability. Compliance with *Disability Discrimination Act 1992* and Council's Disability Discrimination Act 1992 – Action Plan.
Park directional signage to incorporate Council's logo and that of The Great Kai'mia Way walking track that circumnavigates the entire Georges River catchment.	• Provide ease of directional interpretation relative to The Great Kai'mia Way walking and bicycle route that passes through Sans Souci Park.	Council's and The Great Kai'mia Way logos on parkland and directional signage.
Apply the principles of leasing and licensing to community land and buildings.	• Ensure consistency in the management of Council assets.	Principles of leasing and licensing are incorporated in legal agreements for the use of park assets.
Initiate park visitor and resident surveys using and combination of	• Monitor the use of the park and its impact on the surrounding	Completion of five-yearly surveys.

Strategy	Objectives	Performance measures
staff, student and voluntary assistance.	residential area. • Monitor changing recreational trends for various age, cultural and gender groups.	Response rate > 65%.
Implement the strategies relevant to the State Government's *Southern Sydney Catchment Blueprint*.	• Contribute to and assist in achieving an ecologically healthy and productive catchment. • Contribute to and assist in achieving the objectives of the Southern Sydney Catchment Blueprint.	Compliance with the Southern Sydney Catchment Blueprint. Record of the implementation of those actions outlined in the Blueprint that are applicable to the site and are Council's responsibility.
Control activities that have the potential to cause adverse impacts on the bank, waters, shore, river bed and foreshore of Kogarah Bay.	• Protect the foreshore of Kogarah Bay.	Liaison and consultation with the Department of Primary Industries-Crown Lands Division, NSW Fisheries, and Department of Planning.
Council to prepare Architectural Design Guidelines for built structures within the park, based on sustainable design principles.	• Adopt sustainable architectural design principles for buildings based on: - flexible designs to enhance multiple use and building life. - utilising strategies that protect and restore water resources. - improving energy efficiency while ensuring thermal comfort. - reducing environmental impacts related to energy use. - promoting occupational health and safety in the indoor and outdoor environments. - conserving water and consider water re-use systems. - using environmentally preferable building materials such as uncertified rainforest woods, reclaimed woods, and other renewable resources. - using appropriate plant materials. - planning for recycling during construction, demolition and occupancy. • Ensure building fixtures and firings aesthetically complement the parkland environment and its surrounds. • Ensure quality in building fixtures and fittings relative to their design, form, colour, texture and construction materials. • Improve and maintain the amenity	Compliance with the criteria within the Council approved Architectural Design Guidelines and Landscape Design Guidelines. 65% visitor and resident satisfaction with any building proposal.

Strategy	Objectives	Performance measures
	of the parkland and its resources.	
Prepare a Marketing Plan With the assistance of the community and organisations such as local schools prepare a range of promotional and educational material.	• Promote the regional and district significance of the park as a destination for quality recreation. • Promote the educational value of the park by providing marketing material for the study area.	Completion and community distribution of a range of educational and promotional material. Preparation of a marketing plan.
Park assets Council to prepare and maintain a five-year Asset Management and Maintenance Plan for the park. Council to frequently monitor the condition and use of its assets and infrastructure.	• Ensure accountability in the management of Council assets. • Ensure appropriate service levels relative to reasonable user demands and the historical significance of built structures and natural assets. • Adhere to health and safety regulations to ensure the protection of park visitors. • Retain the visual amenity of the parkland and its resources.	Compliance with health and safety regulations. Preparation of Asset Management / Maintenance Plan for the park. Greater than 65% visitor satisfaction with appearance and, where relevant, the function and reliability of assets within the park.
Improve direction and transition by providing appropriate standardised signage throughout the park. Where appropriate, incorporate the use of international symbols that meet Australian standards for signage. Use signage to provide and improve directions, information, environmental and heritage interpretation, advise on regulations, and other matters.	• Improve overall park visitor information. • Provide educational information on cultural and heritage resources as well as environmental issues including the natural environment, flora, fauna and ecological and hydrological systems operating within the reserve. • Assist in enforcing regulations and provide emergency contact information. • Direct visitors to park services and amenities. • Place signs in appropriate and highly visible and accessible locations. • Consolidate and reduce the number of regulatory signs throughout the reserve.	Ease of interpretation of signage for a variety of ethnic groups. Installation of signage to assist visitors to find services and facilities, become aware of regulations and their responsibilities, understand the cultural and heritage value of the park and its resources. Adhere to the adopted Design Guidelines for the parkland.
Environmental management Council to prepare an Environmental Audit, Hazard and Risk Assessment Plan for the park and its facilities.	• Ensure best practice environmental management of the parkland and its surrounds.	Compliance with appropriate environmental legislation, regulatory and policy requirements.
Where appropriate, Council to prepare a detailed structural design engineers Dilapidation and Risk Assessment Report on the condition of the buildings, their structural integrity, fixtures and fittings before issuing any lease agreement.	• Implement life cycle property asset management and maintenance practices. • Provide cost-benefit analysis (depreciation rates, remaining life span, major repair and replacement costs, social costs and benefits, etc.) of assets and services for	Implementation of the recommendations of the Dilapidation Report. Compliance with the requirements of AAS27, WorkCover, Occupational Health and Safety regulations,

Strategy	Objectives	Performance measures
As part of the above report, prepare a five-year maintenance plan for buildings and structures in the reserve.	decision-making purposes. • Comply with occupational health and safety regulations.	Building Codes of Australia, and access requirements in accordance with AS1428.1.
Council to undertake an Energy Audit of buildings, outdoor lighting systems, and other energy uses within the parkland.	• Minimise the use of fossil fuels. • Increase the use of sustainable energy resources. • Achieve savings in energy consumption costs. • Establish a fair and equitable user pays pricing system. • Identify Council's level of subsidisation of energy used by third parties within the parkland.	Compliance with appropriate environmental legislation, regulatory and policy requirements. Increase in use of alternative and renewable energy. Reduction in energy costs and greenhouse gas emissions.
Undertake a lighting audit and implement any recommendations of the audit. Repair or replace faulty lighting.	• Increase reliability and functionality of lighting in the park. • Increase the energy-efficiency of lighting in the park. • Increased use of the park in the evenings for recreational activities. • Improved security lighting near the leisure centre and along paths.	Lighting audit results. Lighting in the park is part of an integrated lighting system. Reduction in reports of faulty or broken lighting. Improvement in actual and perceived security when using the park.
Address the problems with the capacity of the electrical system in the park. Augment the electricity supply in the park to handle peak power needs of the leisure centre.	• Ensure continuous operation of the electrical supply to the park.	Inspections of electrical system. No breakdowns in the power supply.
Before undertaking any major excavation within the park, carry out a Geotechnical Investigation of the proposed development site to assess impacts of proposed developments on the water table and the possible presence of acid sulfate soils.	• Assess the health and safety risk of the site with regard to its proposed use. • Assess if acid sulfate soils are present at the proposed site. • Assess the stability of the site as well as the chemical composition of the landfill and groundwater, and the presence of any toxic gases or materials.	Compliance with appropriate environmental legislation, regulatory and policy requirements.
Council to monitor and apply for capital assistance grants through the provision of State and Federal government grants or other opportunities.	• Provide capital assistance to undertake works to improve the amenity and environmental quality of the parkland. • Provide additional sport and recreation and recreational resources in the study area for the community's benefit. • Protect, conserve, and manage the reserve's natural resources. • Protect the foreshore area from	Acquisition of capital assistance for a range of projects outlined in the Plan of Management and recommended in appropriate studies outlined in the plan.

Strategy	Objectives	Performance measures
	erosion.	
Initiate Green Web strategies by creating native vegetation and fauna habitat along the foreshore and hinterland in and around Sans Souci Park. Provide Green Web links to nearby parkland and via streetscapes.	• Facilitate the migration of wildlife. • Create habitat for native fauna. • Increase food sources for fauna. • Provide green link corridors.	Implementation of Green Web strategies. Record, measure and monitor outcomes by: - Species list - Number of tree plantings - Total area of land that has been revegetated.
Ordinance Officers and Rangers to monitor the use and activities in the park and to liaise and co-ordinate with local police on matters of vandalism, and other anti-social behaviour detrimental to the public's enjoyment of the reserve, public and/or nearby private property.	• Ensure public safety and order. • Assist in protecting public and private property assets.	Reduction in the number and type of reported incidents in the park per annum.
Park Events Management Policy Develop a policy for the use of public open space, such as large group picnics, events (theatrical, cultural, music), wedding ceremonies and photographs, and filming. The policy should address issues such as occupational health and safety, public health and safety, emergency procedures, financial objectives.	• Improve public safety and reduce potential hazardous risk. • Avoid litigation. • Ensure the realisation of a duty of care and responsibility in the proper management of events and gatherings. • Ensure a reasonable return from open space areas for park maintenance and upkeep. • Avoid conflicts between reserve users.	Implementation and compliance with the policy. Council support in enforcing the policy.
Prepare a Safety Hazard and Risk Management Plan for the park's facilities, structures, amenities and services based on Australian Standard AS/NZS 4360:1999.	• Manage or eliminate potential hazards and risk within the parkland.	Elimination of identified hazards. Introduction of risk management regime. Compliance with occupational health and safety standards.
Improve the cover and wear tolerance of grass.	• Provide a safe surface for recreational activities. • Retain the visual amenity of the reserve.	Consistent grass cover over 70% of the reserve.
Ensure dog owners comply with the Companion Animals Act 1998 in terms of the behaviour of their dog, and removal of waste. Assist dog owners to meet their responsibilities by erecting information signs in the park.	• Minimise conflicts between dogs and other park users. • Provide infrastructure such as dog waste bag dispensers and bins.	Number of fines issued. No dog-related incidents reported to Council.
Plant additional trees and low ground covers around the park boundaries and edges.	• Reinforce the edge of the park. • Allow views into and out of the park. • Minimise the impacts of tree	Positive feedback from park users and neighbours.

Strategy	Objectives	Performance measures
Plant additional trees within the park.	planting on the views of surrounding residents. • Provide wind breaks and shade to park users.	
Trees are regularly inspected and maintained to ensure public safety.	• Manage the public risk liability of trees.	Regular inspections of trees. No injuries to or insurance claims by park users.
Road signage Liaise with the RTA to improve visibility and legibility of signage to the park from Rocky Point Road.	• Increase use of the park.	Increased visibility and awareness of the location of the park.
Formalise and landscape the vehicle entrypoint at the corner of Rocky Point Road and Riverside Drive, including installing a new park sign. Trim, remove and replace trees at the entrance to / egress from Riverside Drive as appropriate.	• Provide a clear, formal, attractive, safe and accessible entry point to the park. • Improve access for vehicular, pedestrian and cycling traffic. • Improve traffic flow. • Improve visual amenity by providing a formal gateway into the park. • Provide a statement to define the point of entry.	Positive feedback from park users and neighbours. No pedestrian/cyclist and vehicle conflicts at the corner of Rocky Point Road and Riverside Drive. Public safety rated >75%. Access improved for vehicular traffic, pedestrians and bicycles. No traffic congestion. Visual amenity improved >70%. Public satisfaction rating for improved amenity greater than 65%.
Liaise with the RTA to implement a landscaped gateway statement to Kogarah City in the park on the western side of Rocky Point Road.	• Install a landscaped gateway statement in the park on the western side of Rocky Point Road. • Improve the visual appearance of the eastern verge of the park.	Positive feedback from Kogarah City residents. Increased community awareness of the boundaries of Kogarah City.
Repair the sea wall by: • replacing corroded steelwork in the vicinity of the north-west corner of the pool. • placing mortar between blocks along the former baths. • constructing a sloped rock revetment east of the Bass and Flinders wharf and north of the pontoon.	• Protect the park from marine influences. • Ensure a stable park-water interface.	Regular inspections and condition reports show the sea wall is in good condition.
Construct a continuous shared path network through the park linking the Bathers Pavilion and under the Captain Cook Bridge. Investigate potential cycle paths to link with existing pedestrian and	• Facilitate pedestrian and cycle access through and around the park. • Extend pedestrian and bicycle linkages through local streets in Sans Souci and towards Cook Park	Increased use of paths, especially by people with disabilities and carers of young children. Paths meet requirements of Disability Discrimination Act.

Strategy	Objectives	Performance measures
cycle links in the park.	in Rockdale local government area.	Paths are consistent with Kogarah and Rockdale bicycle plans. Positive feedback from park users.
Install energy efficient park lighting along main pedestrian and vehicle routes in the park.	• Improve opportunities for use of the foreshore path, especially at night. • Reduce greenhouse gas emissions. • Reduce energy and maintenance costs of lighting.	Installation of energy efficient lighting. Reduction in greenhouse gas emissions. Reduction in energy and maintenance costs. Improved lighting and amenity. Increased pedestrian use of the main foreshore path.
Implement water harvesting measures to reduce the reliance on potable water.	Install water tanks to store water for irrigating part of the park and for reuse of water in the park.	Reduction in use of potable water.
Install seating at regular intervals along paths and at informal recreation settings (at the playground, under trees).	• Provide seating for park users. • Provide opportunities to rest and enjoy views over Kogarah Bay.	Seating installed. Use of seating through observation and wear-and-tear.
Provide taps and bubblers throughout the park.	• Provide drinking water for reserve users.	Use of taps and bubblers. Positive feedback from reserve users.
Interpretation Install signage to interpret the rich history of the park, including elements such as transport links and the evolution of swimming facilities in the park.	• Increase community awareness and appreciation of the rich history of the park.	Positive feedback from park users and interested people.
Consistent with Council's Public Art Policy integrate opportunities for public art works into the public domain in foreshore reserves, including landscaping, furniture and amenity design.	• Install appropriate public art (temporary, permanent, ephemeral) in Sans Souci Park.	Positive feedback from park users.
Ensure adequate vehicle parking in the park to accommodate park users without encroaching further on parkland or impacting on local residents and businesses. Redesign the carpark to shift it north-east into the road verge slope. Design of the carpark will accommodate a bus turning area and separation of pedestrians and	• Minimal conflict of parking by park users on local residents and businesses. • No further encroachment of parking areas on parkland. • Improve access to the natural foreshore on the western side of the carpark. • Improve manoeuvrability of large vehicles within the carpark.	No complaints to Council from local residents and businesses about parking by park users.

Strategy	Objectives	Performance measures
vehicles.	• Regular turnover of parking spaces.	
Provide level access between accessible parking spaces, buildings, picnic and barbecue areas, leisure centre, and waterfront recreation facilities. Such access is to consider the quality of concreting and other surfacing for the safety of cyclists and pedestrians.	• Increase use of the park and its facilities by people with mobility difficulties. • Level access between the accessible parking spaces in the carpark, the picnic and barbecue area, and the leisure centre. • Level access to the ramp to the pontoon in response to demand.	Positive feedback from people with disabilities and carers with young children specifically, and park users in general. .
Provide additional barbecues and picnic tables.	• Increase opportunities for social interaction in the park. • Improve informal recreational facilities in the park.	Increased use of informal recreation facilities in the park.
Provide additional recreation opportunities such as fitness equipment.	• Increase opportunities for additional recreation and physical fitness opportunities in the park.	Observed use of the fitness equipment.
Manage litter generated by park users, particularly by fishers on the pontoon, and people using the picnic and barbecue area on weekends.	• Provide additional general and recyclable waste stations particularly at the picnic, barbecue and play areas, and at the pontoon. • Increase the frequency of rubbish collection on weekends.	Reduction in the volume of rubbish left in the park. Increase in the proportion of recyclable waste in the total waste stream.
Improve treatment of gross pollutants in the park: • Regularly clean rubbish from the natural sandy beaches and the edge of the water, particularly in front of the Bathers Pavilion, in the vicinity of the tourist wharf, and under the Captain Cook Bridge.	• Improved water quality in Kogarah Bay. • Improved visual attractiveness of the foreshore. • Improved safety of beach users.	Reduction in the volume of rubbish accumulating on the foreshore. Reduction in gross pollutants entering Kogarah Bay and the Georges River.

4 PLANNING AND MANAGEMENT OF CROWN LAND

4.1 LAND COVERED BY THIS SECTION

Crown land in Sans Souci Park is set out below.

Table 4.1 Crown land in Sans Souci Park

Lot	DP	Owner	Public purpose	Manager	Areas/facilities included	Use agreements
519	752056	Crown R89909 notified 4/5/73	Public Recreation	Sans Souci Park (R88909) Reserve Trust	Bathers Pavilion Beach Former tidal baths Part of government marina	Negotiations pending for redevelopment of the Bathers Pavilion
7046	93515	Crown R88909 notified 4/5/73	Public Recreation	Sans Souci Park (R88909) Reserve Trust	Sans Souci Leisure Centre Parking area Seawall Picnic area Playground Foreshore path	Lease: Sans Souci Leisure Centre
15	Crown Plan 3558-3000	Crown	-	Kogarah City Council	Ramp to wharf Foreshore land behind old ferry wharf	-
530	752056	Crown	-	Kogarah City Council	Part of foreshore	-
-	-	Crown	-	Crown	Tourist cruise wharf	Licence: Cojo Pty Ltd

(1) State of NSW as Crown land administered by the Department of Primary Industries-Crown Lands Division under the Crown Lands Act 1989.

Crown land in Sans Souci Park also forms part of the waterway below Mean High Water Mark. The waterway is also subject to management by the Department of Primary Industries-Crown Lands Division. However, Kogarah City Council owns and manages the pontoon.

The Sutherland Regional Crown Reserve (R1012708) has been designated over the waters of the Georges River west of Captain Cook Bridge at Taren Point. The Reserve is for the public purposes of access and public requirements, tourism purposes, and environmental and heritage conservation.

4.2 MANAGEMENT GUIDELINES FOR CROWN LAND

4.2.1 Introduction

As Sans Souci Park incorporates Crown land and reserves, the *Crown Lands Act* 1989 applies to its management.

The *Crown Lands Act 1989* governs the planning, management and use of Crown land, including reservation or dedication for a range of public purposes, and leasing and licensing. The Department

of Primary Industries-Crown Lands Division, together with Reserve Trusts appointed by the Minister, are responsible for management of the Crown reserve system throughout New South Wales to ensure that Crown land is managed for the benefit of the people of New South Wales, and having regard for the principles of Crown land management.

A Reserve Trust is a corporation established and appointed to manage a Crown reserve. Trusts are nominated by the Minister for Lands (Section 92 of the Crown Lands Act 1989). Under Section 92 of the Act, the Minister appointed the Sans Souci Park (R91016) Reserve Trust and the Sans Souci Park (R88909) Reserve Trust as trustees of those Crown reserves. Those Reserve Trusts are responsible for the care, control and management of the reserve. Kogarah City Council manages the affairs of the Reserve Trusts under Sections 92-95 of the *Crown Lands Act 1989*.

A Trust Board has functions conferred on it under the *Crown Lands Act 1989*. The Trust has care, control and management of the reserve in its everyday operation. The Minister cannot direct the Trust as to how it manages the reserve, unless the Trust exceeds its powers. The Minister can suggest or make representations to the Trust regarding management.

4.2.2 Proceeds from Trust Lease or Licences

Proceeds generated by trust lease or licence must be spent within the reserve. The reserve trust manager must separately account for all proceeds from activities of 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 the reserve shall be in accordance with directions (if any) given by the Minister for Lands.

4.2.3 Accountability

The *Crown Lands Act Regulation 2000* specifies the accountability of the reserve trust in terms of the management of the reserve. Clause 33 directs that reserve trust reports must be prepared annually detailing the income, expenditure, assets, liabilities and improvements of the reserve as well as the details of any leases or licences granted by the Trust. Clause 34 directs that the Trust must keep the following records as detailed in Schedule 4 of the Regulation:

> "Where a reserve trust is managed by a Council as defined in the *Local Government Act 1993*, the council is required to keep separate records to permit analysis of monetary details for each reserve, and list all leases and licences granted or in force."

A Reserve Trust report for the prior financial year as per Section 122 of the *Crown Lands Act 1989* and Clause 12 of the *Crown Lands Act Regulation 2006*will be provided to the Department of Primary Industries-Crown Lands Division.

4.2.4 Contribution to the Public Reserve Management Fund

The Department of Primary Industries-Crown Lands Division has informed the Trusts that the NSW State Treasury has advised that it will no longer supplement the Public Reserve Management Fund (PRMF) and that this fund must now be self sustaining. The PRMF is a source of loan and grant funding available to the reserve trust. Although it is limited it does provide for the equitable distribution of funds within the Crown reserve system on a statewide basis. As a response to Treasury's decision, a direction has been given by the Minister responsible for the *Crown Lands Act 1989* pursuant to Section 106, Part 2(c), which states:

"The directions which the Minister may give include the following:

… a direction that the proceeds [such as income from rents] be paid to the Consolidated Fund or to the Public Reserves Management Fund constituted under the *Public Reserves Management Fund Act 1989*."

As a consequence, and subject to certain criteria, the Department has determined that an amount of 15% from any proceeds received from leases or licenses granted by Reserve Trusts are to be directed to the PRMF. This is in accord with a whole-of-Government initiative to address inequalities between coastal and regional centres and is seen as a step towards addressing the imbalance of opportunities between different centres.

Council as the Trustee of Crown Reserves 91016 and 88909 has been advised that the Authority would seek an appropriate contribution from any rents derived from the leasing or licensing of the reserve land to third parties. This contribution would be put towards the PRMF program for Crown reserves.

4.2.5 Use and management of Crown land

The use and management of Crown land is determined or influenced by:

- **the objects of the Crown Lands Act** (Section 10)**,** particularly that Crown lands are managed for the benefit of the people of NSW.
- the **principles of Crown land management** (Section 11 of the Act).
- **the public purpose(s) of the land** (Sections 80 and 87). Crown land is reserved or dedicated for a public purpose(s), which means the reserve must provide a public benefit. Uses, activities, developments and agreements in a Crown reserve are defined by the public purpose(s) of the reserve. All uses of Crown reserves must be acceptable according to their public purpose(s). An additional purpose may be proposed in a draft Plan of Management under Section 112 of the Act.
- **Department of Primary Industries-Crown Lands Division' policies**, such as the Food and Beverage Outlets on Crown Reserves Policy Position 2004.
- **native title legislation**. However, native title over Crown land in Sans Souci Park has been extinguished.
- **rental from leases or licences**. 15% of the rental received from new leases and/or licences of Crown land (rental over $2,000) is placed in the Public Reserve Management Fund. This fund is a State government initiative that raises funds to assist Reserve Trusts in NSW.
- **case law judgements**, which influence the policy and practice of the Department of Primary Industries-Crown Lands Division and Trust managers.

- **any conditions and provisions within the zoning** in the Council's Local Environmental Plan. However, the applicable Public Purpose of Public Recreation defined by State government legislation overrides the local zoning.
- an adopted Plan of Management, a contractual agreement (lease or licence), or a combination of both to more specifically define the permitted uses.

The Reserve Trust must consider certain issues when deciding whether a particular land use or development on Crown land is appropriate, including the:

- compatibility of the proposal with the notified purpose of the reserve.
- impact on the existing use of the reserve.
- compatibility with the vision and management objectives established for the reserve.
- need for the proposal and whether it will promote and be ancillary to the use and enjoyment of the reserve, as distinct from satisfying a requirement generated by an adjoining property or by an independent or collateral community need.
- advantage and benefit that the development would bring to the normal reserve user.
- management responsibility and public availability of the development to reserve users.
- need for a lease and its draft terms, conditions and rental that would apply.

Any proposed use or development of Sans Souci Park must be in the first instance ancillary to and supportive of the public purpose. Proposed uses or developments must also accord with the principles of Crown land management, case law (for the public purpose of Public Recreation), policies, and requirements for leasing and licensing outlined below.

The Reserve Trust will have the ongoing responsibility to provide care, control and management of Crown Land in this reserve in accordance with the *Crown Lands Act 1989*. It is important that all parcels of Crown Reserve are managed according to the *Crown Lands Act 1989*, as well as within the broader context of all land under Council's control.

4.2.6 Objects of the Crown Lands Act

The objects of the *Crown Lands Act 1989* (Section 10) are to ensure that Crown land is managed for the benefit of the people of New South Wales and in particular to provide for:

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

4.2.7 Principles of Crown land management

The objectives of the Department of Primary Industries-Crown Lands Division regarding land management directly relate to the principles of Crown land management listed in Section 11 of the *Crown Lands Act 1989*. These principles, and how this Plan is consistent with those principles, are outlined below.

Table 4.2 Principles of Crown land management

Principle of Crown land management	How this Plan is consistent with the principles
Observe environmental protection principles in relation to the management and administration of Crown land.	This plan is supportive of protecting the natural foreshore and plantings in the reserve.
Conserve the natural resources of Crown land (including water, soil, flora, fauna, and scenic quality) wherever possible.	As above
Encourage public use and enjoyment of appropriate Crown land.	Recommendations in the Plan encourage public use and enjoyment of the park for a wide range of recreational, social and cultural activities, while recognising and implementing strategies to manage conflicts between activities.
Encourage multiple use of Crown land, where appropriate.	Recommendations in the Plan would continue multiple uses of the reserve.
Use and manage Crown land in such a way that both the land and its resources are sustained in perpetuity, where appropriate	The Plan contains proposed actions which would help sustain the land and resources, such as managing the type and extent of activities and developments within the reserve; and incorporating ecologically sustainable development (ESD) measures such as water harvesting and solar lighting.
Occupy, use, sell, lease, license, or otherwise deal with Crown land in the best interests of the State, consistent with the above principles.	This Plan contains prescriptions that would ensure that land owners, managers, lessees and licensees deal with the reserve in the best interests of the State.

4.2.8 Public purpose

Any proposed use, developments and management practices on Crown land must conform to the public purpose for the reserve or dedicated land. Some of Sans Souci Park is Crown land that is reserved for the public purpose of Public Recreation. The uses, activities, developments and agreements for its use are determined by what is “acceptable” under the public purpose. The public purpose overrides the permissible uses under the zoning and other provisions in the Kogarah Local Environmental Plan. The permitted land uses are then more specifically identified by either a statutory mechanism (Plan of Management), contractual agreement (lease or licence), or a combination of both. Planning controls in the Kogarah Local Environmental Plan provide a mechanism to consider the appropriateness of the development.

The Department of Primary Industries-Crown Lands Division has stated that the definition of a public purpose is to be determined in a Plan of Management. Public Recreation in Sans Souci Park is thus defined as ‘organised, informal, passive and active recreational, social and cultural activities’.

4.2.9 Case law

Case law judgements influence the policy and practice of the Department of Primary Industries-Crown Lands Division, and Kogarah City Council as the manager of the Reserve Trusts, to assist in defining acceptable uses and activities on Crown reserves.

Principles established by case law are:

- use of the reserve must be consistent with the public purpose for which the land is dedicated or reserved. This includes uses ancillary to or supportive of the reserve purpose.
- improvements and developments to land which is reserved or dedicated are confined to those which support, or are ancillary to, the public purpose of the reservation. Such improvements and developments would include a kiosk on a reserve for Public Recreation.
- a reserve cannot be used for a purpose relating to an activity that is occurring off the reserve and that is not consistent with the reserve purpose. For example, car parking on a Crown reserve for Public Recreation that serves an adjoining land use would not be acceptable.
- land reserved or dedicated for public recreation must be open to the public generally as a right. Exclusive use of the reserve should be minimised to avoid sections of the community becoming alienated from using the reserve. The public may only be restricted from access to parts of the reserve and buildings if it is necessary for the public's enjoyment of the reserve or for health and safety reasons to be excluded, for example from a workshop, equipment storage or operational facilities.
- access as of right does not mean entirely free access. Reasonable entry fees and charges may be imposed, as well as other legal constraints to entry such as those relating to health and safety for example.
- a lease or licence must be consistent with the reason or purpose of the land's reservation or dedication.

4.2.10 Policies

Uses of Crown land must also be consistent with any relevant policies relating to Crown lands, such as the Food and Beverage Policy that is applicable to restaurants, kiosks and the like.

4.2.11 Leases and licences

All tenures over part or all of a Crown reserve are subject to the relevant provisions in Sections 102 and 108 of the *Crown Lands Act 1989*. All leases and licences made between the Reserve Trust and the lessee / licensee are subject to the provisions of the *Crown Lands Act 1989*. Lease agreements are modelled on the standard Crown lease conditions applying to the leasing of Crown land under Section 34 of the *Crown Lands Act 1989*.

A lease or licence over a Crown public reserve should only be used where there is a genuine and identified benefit to the community, for example where an organisation has installed infrastructure and it is maintained by the club or association for the benefit of the community.

Leases and licences over Crown land must be consistent with the purpose of the land's reservation or dedication. As such, any lease or licence granted over Crown land in Sans Souci Park must be consistent with the definition of Public Recreation, and guidelines for use of Crown reserves. Otherwise, the Minister cannot approve any leases or licences granted by the reserve trust. Recent amendments to the *Crown Lands Act 1989* allows reserve trusts some flexibility in approving leases and licences for uses not acceptable under the declared public purpose.

Under any lease, the construction of facilities on Crown land will be permitted, provided the lessee obtains the consent of both the Minister and the Reserve Trust for any development applications or proposals for activity to enable construction of the premises. Development by Council requires the development application to be served on the owner pursuant to Clause 49(2) of the *Environmental Planning and Assessment Regulation 2000*.

A temporary licence can be granted only for the purposes prescribed under the Crown Lands Regulation 2006, which includes activities such as grazing, advertising, camping, catering, hiring of equipment, entertainment, equestrian events, exhibition functions, markets, meetings, sales, shows, sporting activities and stabling of horses. A temporary licence does not require the Minister's consent, but can only be granted for a maximum period of one year.

The Reserve Trust has the power to lease or license uses within a reserve. Leases and licenses can be established by the Council for public or private purposes, providing they are consistent with the major objectives of this Plan of Management, and that the residential and environmental amenity of these areas is maintained. Any lease or licence must be in accordance with the reserve purpose and the lessee must not provide any facilities that create any barriers to entry or other facilities within the reserve.

The Trust Manager has a responsibility to notify the Department of Primary Industries-Crown Lands Division of any leases. Consent must be obtained from the Minister for Lands before any long term licence on Crown land is granted. Leases greater than 5 years are required to be advertised under Clause 34 of the *Crown Lands Act 1989*. Licence agreements of less than 1 year (temporary licences) do not require the consent of the Minister and may be approved and issued by the Trust.

Other leases and licences may be considered during the life of this Plan and will be assessed against the reserve purpose, other legislation and planning documents, and this Plan. Any proposed use of the Park that requires consent from Council will be subject to a Development Application or Activity Approval with appropriate conditions imposed.

Section 102 of the Act states in part that the Minister may not give consent under Part 2 for a lease for a term exceeding 5 years, or a lease for a term that, by the exercise of an option, could exceed 5 years.

4.2.12 Development application requirements

Reserve Trusts are "public authorities" as defined in the *Environmental Planning and Assessment Act 1979.* Under Clause 49 of the *Environmental Planning and Assessment Regulation 2000*, consent in writing of the owner of the land for a development application is not required when a public authority, before making the application, serves a copy of the application on the owner.

4.3 STRATEGIES

Table 4.3 outlines the preferred strategies and objectives for the Crown land in Sans Souci Park.

Table 4.3 Planning, management and development strategies for Crown land

Strategies	Objectives	Performance measures
Prepare a report on the Trust's activities for the previous financial year, consistent with the contents of such reports in Clause 32(2) of the *Crown Lands Regulation 2006*.	• Meet the reporting requirements of the *Crown Lands Act 1989*.	Report completed every year.
Council will seek the approval of the Minister responsible for the *Crown Lands Act 1989*if Council wishes to enter into any lease or licence arrangement on Crown land in Sans Souci Park.	• Make provision for the future investment in the site by a lessee. • Develop and manage the site relevant to the purpose of a public park. • Consolidate the management of the various parcels of land with consideration to the respective legislative requirements, policies, regulations and case law that influences the use and development of the land.	Adherence to the provisions and principles of the *Crown Lands Act 1989*. Adherence to the policies and directions of the Minister responsible for the administration of the *Crown Lands Act 1989*.
Unless otherwise exempted by the Minister for Lands, the Sans Souci Park (R91016) and Sans Souci Park (R88909) Reserve Trusts will contribute to the Public Reserves Management Fund.	• Adhere to the directive from the Minister responsible for the *Crown Lands Act, 1989* to contribute a percentage of the lease rental income derived from the Crown Reserves 91016 and 88909 located in Sans Souci Park to the PRMF.	Annual financial contribution to the PRMF and a record of the Trust contribution in its annual financial statement.
Facilitate appropriate commercial uses of the park.	• Broaden the range of recreational opportunities available to park users. • Ensure leased and licensed facilities and uses are consistent with the requirements and conditions of the use agreement.	Lease and licence holders meet conditions of the use agreement. Audits and inspections by the lessor / licensor.
Facilitate lease arrangements for the redevelopment of Sans Souci Bathers Pavilion. Authorise lease of the Bathers Pavilion as a food and beverage outlet consistent with the DPI-CLD Food and Beverage Outlets on Crown Land Policy.	• Secure a preferred tenderer to redevelop and operate the Bathers Pavilion as a food and beverage facility.	Appropriate adaptive reuse of the Bathers Pavilion. Public use of the Bathers Pavilion. Terms and conditions of the lease are consistent with DPI-CLD Food and Beverage Policy.
Prepare a management plan for operation of the Bathers Pavilion as a condition of development consent. Such a	• Ensure that operation of the Bathers Pavilion meets Council requirements.	Management plan completed.

Strategies	Objectives	Performance measures
plan should include security, service vehicle delivery, waste and recycling, and other considerations.		
Conserve the Bathers Pavilion according to its Conservation Management Plan. Works should be carried out in accordance with a recognised cultural conservation methodology such as that of the Australia ICOMOS Burra Charter, the Building Code of Australia and the Disability Discrimination Act.	• Conserve the Bathers Pavilion. • Interpret the significance of the site to visitors.	Conservation work complete.
Resolve any issues regarding encroachment of the Water Police facility on Crown Reserve R88909.	• Ensure use and management of R88909 is not affected by encroachment of the Water Police facility.	Resolution of any encroachment issues. Written notification from Department of Primary Industries-Crown Lands Division.
Investigate the feasibility of dredging the former tidal pool (part of Lot 519 752056). As part of the redevelopment of the Bathers Pavilion investigate the feasibility of reopening the tidal pool.	• Increase depth of water in the former tidal pool. • Reduce siltation of the former tidal pool. • Reopen the tidal pool for swimming if appropriate.	Investigation of feasibility of dredging and reopening the tidal pool is complete, and a decision is made.
Provide level access between the carparks, picnic and barbecue areas, the wharf and pontoon, and to the Bathers Pavilion.	• Provide universal access between key nodes in the park.	Increase in people with disabilities, carers with young children and other similar groups using the park.
Improve access between the tourist wharf and the carpark via the stairs by: • evening out the height of the stairs. • tidying up the area at the bottom of the stairs.	• Increase use of the stairs between the tourist wharf and the carpark.	No conflicts between pedestrians and vehicles in the carpark and on Riverside Drive.
Improve the picnic and barbecue area by additional planting and replacing barbecues. Provide taps / water fountains in the barbecue / playground area. Permit the use of portable and heat bead barbecues in the barbecue area. Make provision for the cooling and disposal of used heat beads and for the	• Improve the ambience, capacity and functionality of the picnic and barbecue area. • Reduce conflict between park user groups. • Reduce the impacts of noise, odour and smoke on nearby residences. • Ensure public safety by disposal of burnt barbecue waste material.	Increased use of the picnic and barbecue area. Level of user satisfaction greater than 65%. Picnic tables are shaded. Installation of regulatory and information signs. Appropriate and safe disposal of burnt waste material.

Strategies	Objectives	Performance measures
cleaning of private barbecue appliances and units. Police the illegal dumping of burnt barbecue waste in the parkland. Install regulatory signs to govern use of public and private barbecue facilities in the park.	• Regulate the use of portable barbecues in the park.	No public risk liability claims.
Install planter boxes and/or planting bays or similar at the entrance to the leisure centre.	• Improved appearance of the front (southern side) of the Sans Souci Leisure Centre.	Positive feedback from leisure centre and general park users.
Landscape the narrow strip of land between the leisure centre and the foreshore path with appropriate low plantings.	• Improve the visual attractiveness of the strip of land between the leisure centre and the foreshore path.	Views to the water from the leisure centre gym are maintained. Positive feedback from leisure centre and general park users.
Landscape within the leisure centre, including a picnic area with tables and seating, and shade.	• Improved recreational setting for leisure centre patrons.	Survey of leisure centre patrons shows >65% support.
Remove block beds and the palms and replace with a wider shared path, groundcover and shade landscaping, and seating. Relocate the palm trees.	• Improve access on the foreshore path for pedestrians and cyclists. • Reduction in conflicts between pedestrians, cyclists and fishers.	Observations. Positive feedback from park users.
Provide a path and steps from Water Street to the front of the Bathers Pavilion.	• Improved access from Water Street to the park.	Observations of increased use by pedestrians entering the park from Water Street.
Level and repair sections of the foreshore path next to the leisure centre.	• Ensure a safe pathway along the foreshore.	No complaints to Council from people tripping and falling on the path.
Construct a boardwalk / walk-way between the pontoon and the Bass and Flinders Wharf.	• Extend the foreshore walkway. • Increase access to the natural foreshore.	Increase in park users using the natural foreshore between the pontoon and the wharf.
Widen and repair the foreshore pathway.	• Reduce conflict between fishers, pedestrians and cyclists on the foreshore pathway.	Observations.
Install a boom gate or similar access for authorised vehicles at the internal driveway.	• Manage pedestrian and vehicle access on the internal driveway. • Minimise conflicts between vehicles and pedestrians on the internal driveway. • Reduction in unauthorised vehicle parking in front of the leisure centre.	No reports of conflicts between vehicles and pedestrians on the internal driveway.
Install a shade structure over the playground. Construct a children's bicycle track around the playground.	• Extend opportunities for children's play to all age groups. • Ensure the safety of children using the playground. • Reduce the risk of children accessing the driveway and Rocky	Compliance of equipment with Australian standards. Shade cover with a UV rating within Cancer Council guidelines.

Strategies	Objectives	Performance measures
Install fencing on the eastern side of the playground.	Point Road. • Reduce exposure of users to ultraviolet light. • Provide a safe area for children to ride bikes and scooters.	
Improve the general service maintenance of the public toilet facilities.	• Improve access to and serviceability of the toilets.	70% users satisfaction with condition and maintenance of toilet facilities. Compliance with the provisions of the *Disability Discrimination Act 1992*.
Undertake repairs of and regularly maintain the swimming pools in the Sans Souci Leisure Centre.	• Ensure the swimming pools are safe to swim in.	Water quality in the swimming pools meets relevant standards.
Investigate the dual water meters currently operating the park.	• Resolve use of and payment for water used in the park.	Water use records.
Regularly maintain trees along the footpath between the leisure centre and Rocky Point Road.	• Ensure safety of pedestrians walking along the Rocky Point Road footpath.	No complaints to Council about trees overhanging the Rocky Point Road footpath.
Repair the pontoon (pile rubbing and guides).	• Ensure the safety and functionality of the pontoon.	Repairs to the pontoon completed. Regular inspections undertaken.

Once Council adopts this Plan of Management and the Department of Primary Industries-Crown Lands Division approves it, it is incumbent on the Reserve Trust to "carry out and give effect to it" (Section 114 of the *Crown Lands Act 1989*). The Trust must only allow operations or development that is in accordance with the Plan of Management.

5 LAND CLASSIFICATION AND CATEGORIES

5.1 LAND CLASSIFICATION

The *Local Government Act 1993* requires the classification of Council-owned land as 'community' or 'operational' land. Under the provisions of the *Local Government Act 1993*, Council has resolved to classify the land in its ownership as 'community' land. Essentially the purpose of this classification is to identify land that should be kept for use by the general public (the community), and that should not be sold.

A Plan of Management must be prepared for community land. The ways in which community land can be used and managed are governed strictly in accordance with an adopted Plan of Management, and any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land.

5.2 LAND CATEGORISATION

Sans Souci Park is a multi-functional recreational venue serving a wide variety of recreational, community and sporting interests. Council-owned community land in Sans Souci Park currently includes two small parcels of land (Lots 1 and 2 DP 133955) in the north-eastern corner of the park.

The Local Government Act requires that all community land is categorised. The purpose of classifying the land 'community land' and then proceeding to categorise the land is to assign core objectives to provide clear direction for the management of various types of landscapes and uses in the park. The various landscapes of the park should be managed differently to sustain and complement the purpose, function, quality and different types of land resources to preserve its character and amenity. Because there are a number of land attributes that comprise the park, there is a need, for the purpose of introducing best land management, to delineate these into their appropriate categories.

The 'Park' category assigned to the land is based on the land's principal attributes, and its current and preferred future uses. **Figure 5.1** identifies the extent of the 'Park' category of community land within Sans Souci Park.

Table 5.1 provides the reasoning for the selected community land category for the various parcels of land in the park which are in Council ownership. This table assists in addressing the requirements of the *Local Government Act 1993*.

Table 5.1 Land category assessment

Category	Assessment
Park	The category 'Park' applies to that area of the park in Council's ownership that is marked 'Park' on **Figure 5.1** and generally includes a grassed verge and driveway adjoining a fig tree. Relative to the attributes of the land, its current use and infrastructure having principally been set aside for informal recreation, no other category is considered valid.

Figure 5.1 Proposed extent of category of community land in Sans Souci Park

The Crown land within Sans Souci Park is administered by the *Crown Lands Act 1989*, and therefore classification and categorisation does not apply to those portions of land. Because Crown land is administered by different legislation to that for community land, the management of Crown land is addressed separately in this plan. The public purpose of the Crown land in Sans Souci Park is Public Recreation, which is consistent with the proposed category of community land as Park. While giving due consideration to the specific legislation governing the various portions of land in the park, every effort has been made to integrate and consolidate the planning, management and development of the parkland by adopting a holistic approach.

6 LAND CATEGORY – PARK

6.1 LAND WITHIN THIS CATEGORY

That portion of parkland categorised as 'Park' includes a garden bed with palms, grassed verge and driveway.

6.2 CORE OBJECTIVES

Land should be categorised as 'Park' under Section 36 of the *Local Government Act 1993* if the land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

The core objectives for management of community land categorised as 'Park' are to:

(a) encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and

(b) provide for passive recreational activities or pastimes and for the casual playing of games, and

(c) improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

6.3 STRATEGIES

The strategies or actions outlined in **Table 6.1** are for that land categorised as Park and are intended to provide a system of management by objectives. The following objectives supplement the core objectives in directing the management, planning and development of the parkland. These are formulated so that it is possible to apply assessment criteria to measure the implementation of the

plan. It is this element of measurability that makes the objectives valuable in determining accountability.

Table 6.1 Strategies for the land category Park

Strategies	Objectives	Performance measures
Maintain the garden area at the corner of Water Street and Rocky Point Road.	• Increase the attractiveness of the most visible corner of the park from Rocky Point Road.	Regular inspection of garden bed area.
Regularly inspect the health of the palms as branches fall in string winds, and trim / maintain as necessary.	• Ensure the safety of park users. • Maintain tree health.	Trees declared safe in an arborists' report. No injury to park users from falling branches.
Provide more waste bins in and regularly clean up rubbish from the area around the palm trees.	• Reduce rubbish in the area around the palm trees.	Reduction in volume of rubbish near the palm trees.

7 PLANNING AND MANAGEMENT OF RTA LAND

7.1 DESCRIPTION OF RTA LAND

The Roads and Traffic Authority (RTA) owns three parcels of land in Sans Souci Park as follows.

Table 7.1 Land owned by Roads and Traffic Authority in Sans Souci Park

Lot	DP	Owner	Purpose / categorisation	Manager	Areas/facilities included
1	562054	Roads and Traffic Authority. Dedicated under Main Roads Act. Gazetted 8 March 1974	Public reserve	Kogarah City Council	Carpark Picnic area Landscaping
2	562054	Roads and Traffic Authority	-	Roads and Traffic Authority	Grassed bank Picnic facilities
3	562054	Roads and Traffic Authority	-	Kogarah City Council	Picnic facilities Pathway Grass and trees
1	534982	Roads and Traffic Authority	-	Kogarah City Council	Pathway Grass and trees

7.2 MANAGEMENT OF RTA LAND

Kogarah City Council maintains the grassed surface areas comprising the RTA-owned land in Sans Souci Park (refer to **Figure 2.1**) because they are part of the public park and are accessible to the public.

7.3 STRATEGIES

Table 7.2 outlines the preferred strategies and objectives for the Roads and Traffic Authority land in Sans Souci Park.

Table 7.2 Planning, management and development strategies for RTA land

Strategies	Objectives	Performance measures
Ensure consistent management of Roads and Traffic Authority-owned land in the park.	• Liaise with RTA regarding management of RTA owned land in the park.	Written agreement between Council and RTA regarding management of RTA-owned land in the park.
Landscape with plantings and mulch, and maintain the grassed verge between the carpark and Rocky Point Road.	• Reduce the intensive maintenance required on the verge. • Reduction in traffic noise from Rocky Point Road. • Ensure maintenance of the verge is carried out according to occupational health and safety guidelines. • Improved visual appearance of the verge area.	Reduction in frequency of maintenance of the verge required. No occupational health and safety issues.
Provide improved linkages under Captain Cook Bridge, through to Cooks Park to the east, and other existing trails such as the Botany Bay Trail.	• Link pathways in Sans Souci Park to district and regional pedestrian and cycle routes.	Increase in pedestrians and cyclists using Sans Souci Park.
Install a safety fence and lighting along the pathway under the Captain Cook bridge.	• Improve actual and perceived safety of pedestrians and cyclists along the pathway under the bridge.	No reports of accidents to pedestrians and cyclists on the pathway under the bridge.
Replace the cracked surface of the pathway near the southern picnic area.	• Level the path surface to reduce the risk of accidents.	No reports of accidents to pedestrians and cyclists on the southern pathway of the park.

8 FUNDING AND SCHEDULE OF WORKS

8.1 SOURCES OF FUNDING

Implementation of those strategies and actions outlined in this Plan of Management, whether wholly undertaken in one attempt or staged over a period of time, will depend on the demands made on Council, its preferred priorities in any one financial year, and the availability of resources each financial year.

Table 8.1 outlines possible external sources of funding to assist Council in its undertaking of capital works associated with this Plan of Management.

Table 8.1 Possible sources of external funding

Grant	Organisation	Purpose
Commonwealth		
Community Infrastructure Program – Strategic Projects	Department of Infrastructure, Transport, Regional Development and Local Government	Funding for local government to build and renew local infrastructure, such as sporting facilities and parks.
Public Art Program	Ministry for the Arts	Grants of up to $4,000 are available to assist in commissioning of concept proposals by artists. Matching grants of up to $20,000 are available for commissioning public art.
Australia Council for the Arts	Australia Council	Community cultural development, visual arts / crafts, theatre, dance, music
Community Water Grants	Department of Environment and Heritage	Offers grants to help local community organisations to save, recycle or improve the health of their local water resources. Grants are available for projects related to water saving and efficiency, water recycling, and water treatment to improve surface and groundwater health.
State		
Public Reserve Management Fund	Department of Primary Industries-Crown Lands Division	Assists Crown Reserve Trusts in the management, planning and development of Crown reserves.
Metropolitan Greenspace Program	Department of Planning	Planning and improvement of regionally significant open space in Sydney.
Capital Assistance Program	Department of the Arts, Sport and Recreation	Community-oriented sporting and / or recreational facilities.
Environmental Trust: Integrated Environmental Program	Department of Environment, Climate Change and Water	Environmental restoration and rehabilitation to prevent or reduce pollution, waste or other environmental degradation.
Estuary Management Program	Department of Environment, Climate Change and Water	Management and restoration of rivers and lakes.
Waterways Asset Development and Management Program	NSW Maritime	Provide waterways infrastructure (foreshore improvements, construction of boat ramps and jetties, foreshore access) for boating users.
Community Develop-ment and Support Expenditure Scheme	NSW Office of Liquor, Gaming and Racing	Encourages larger registered clubs in NSW to contribute to the provision of front-line services and community projects.
Estuary Management Program	Sydney Catchment Management Authority	Stormwater upgrade projects.

These external grants are available annually, but may vary as to the sum of capital assistance available and the criteria for preferred projects being promoted by the funding body. It should be noted that grants are not available to contribute towards maintenance works. These remain the responsibility of Council. In addition, grants are available only for a limited time, and are not always available every year. The availability of grants can be limited to only 12 months or may be available for a set period, for example grant funding may available over a three year period for a specific staged project that requires, owing to the extent of the project, extensive financial assistance. Financial assistance from grants is generally confined to a dollar-for-dollar contribution. This requires Council to contribute 50% of the costs of the project, and the funding body contributing the other 50%.

The total amount and number of grant funds that are available from any one source at any one time is very limited. The availability of grant funding is also competitive. Therefore, Council cannot rely on grants to commence and supplement a project. However, Council should apply to any grant body for assistance where any of its projects comply with the grant criteria. This Plan of Management can assist Council in the preparation of appropriate applications.

In addition, the State and Federal Governments periodically introduce new grant programs. These may address a specific social, economic or environmental issue. Council will need to monitor these grants as they are introduced.

As previously noted, grants are not available to assist in financing maintenance of parks and reserves. Unless balanced by the introduction of new efficiency measures, reduction in existing maintenance expenditure to supplement new capital works should be avoided. The consequence of a failure to adequately maintain valuable assets is the necessity to bring that asset back online at a later date. This is usually at a higher financial cost to the community. Further consequences result in a loss of public credibility and accountability in asset management as well as a reduction in asset service value. The adage “prevention is better than cure” has significant relevance in the management of valuable community assets. In addition, it should be noted that where monitoring of works is required then this too would incur additional costs.

The ongoing maintenance of existing assets such as buildings, equipment and furniture should be the preferred course of action where that asset has high community value and use. However, if the rate of deterioration of assets has exceeded reasonable ongoing maintenance and expenditure, repair or replacement costs then Council will need to consider asset disposal and divert funding to supplement new development or improved maintenance of other assets.

8.2 RANKING

The following section outlines the schedule to implement the strategies outlined in this Plan of Management. Implementation of some strategies are dependent on or may be affected by the outcome of another strategy which may identify additional works that need to be undertaken before the recommended works nominated in **Table 8.3**.

The suggested rankings are also subject to other factors requiring a change but there is nothing to prevent all or a limited number of strategies within this Plan of Management being implemented at any one time, or lower-priority items being implemented first. The cited priorities may be subject to other changes to accommodate a program of works that best achieves a consistent means of development relative to available funding and resources. However, where changes are proposed prior

consideration needs to be given to the impact of any proposed undertaking on other future works to avoid unnecessary expenditure, duplication or inconvenience.

The schedule of works listed in the plan has been prioritised in a hierarchy expressed by:

1. First Order Priority.
2. Second Order Priority.
3. Third Order Priority.

These priorities are explained in **Table 8.2**.

Table 8.2 Priority Order Key

Priority	Description
1 First Order Priority	Items allocated "1" are the preferred first items to be addressed in implementing the plan.
2 Second Order Priority	Items allocated "2" are the preferred secondary items to be addressed in implementing the plan, but can be upgraded or downgraded.
3 Third Order Priority	Items allocated "3" are the preferred third order items to be addressed in implementing the plan and should be implemented after items "1" and "2" have been initiated. Items in this category may be upgraded to second order priorities.

8.3 SCHEDULE OF STRATEGIES AND ACTIONS

Table 8.3 presents a schedule for implementing the strategies outlined in this Plan of Management. The table indicates the strategy and the preferred priority for each of the actions. The schedule of actions forms part of the overall strategies for the management of Sans Souci Park. The tabled strategies are listed in the order of preferred priority.

Table 8.3 Schedule of Strategies and Actions

Priority	Action	Responsibility(1)
1	Enter into an agreement to redevelop the Bathers Pavilion and operate it as a food and beverage facility.	PS
	Replace park seats. To be co-ordinated with new seats at playground and along foreshore.	R&UL
	Provide a continuous shared path network from Bathers Pavilion to under the Captain Cook Bridge.	R&UL
	Repair concrete pathways.	R&UL
	Remove palm trees and block beds. Re-landscape with additional trees and groundcovers, widen the foreshore path, and relocate palms.	R&UL
	Replace and co-ordinate park lighting using energy efficient lighting.	R&UL
	Repair and re-mortar the sandstone sea wall where required.	C&W
	Liaise with RTA to install a safety fence and lighting along the pathway under the bridge.	R&UL
	Provide general and recyclable waste stations at picnic/barbecue and play areas, and at the pontoon.	R&UL
	Upgrade the playground with shade, children's bicycle path and fencing.	R&UL

Priority	Action	Responsibility[1]
2	Repair, clean and maintain picnic huts and barbecues.	R&UL
	Provide taps and bubblers.	R&UL
	Provide outdoor fitness equipment.	R&UL
	Improve landscaping (low shrubs/groundcovers) on western side of leisure centre.	R&UL
	Improve the appearance of the southern side of the leisure centre.	R&UL
	Provide clear signposting and landscaping at main vehicular entry/exit.	R&UL
	Provide way-finding and information signage within the park.	R&UL
	Landscape the southern embankment adjoining Rocky Point Road with plants and trees.	R&UL
	Upgrade / repair the pontoon.	C&W
	Install boom gate at entrance to the pool driveway.	R&UL
	Implement water harvesting measures at the leisure centre.	R&UL
	Provide a landscaped gateway statement to Kogarah City.	R&UL
	Replenish sand and clean foreshore in front of Bathers Pavilion.	R&UL
3	Provide public art elements in the park.	R&UL
	Co-ordinate Sans Souci Leisure Centre signage with Council guidelines.	R&UL
	Redesign the upper and lower main carpark to shift north-east to allow better foreshore pedestrian access. Design carpark to allow for bus turning.	R&T
	Replace the low retaining sea wall with a new sloped rock revetment and boardwalk.	C&W
	Investigate the feasibility of reopening the tidal pool as part of the redevelopment of the Bathers Pavilion.	C&W

(1) Property Services Department of the Governance Directorate
(2) Recreation & Urban Landscapes Department of the Assets and Services Directorate.
(3) Catchment & Waterways Department of the Assets and Services Directorate
(4) Roads & Traffic Department of the Assets and Services Directorate

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APPENDIX A HISTORY OF SANS SOUCI PARK

INDIGENOUS HISTORY

Prior to European settlement Sans Souci Park was in the ownership of the Bediagal Aboriginal Peoples who were part of the greater Dharug language group who together with the Kurringai and Dharawal groups occupied the Sydney Basin area. There are various registered Aboriginal sites known within the Kogarah local government area, but none have been recorded in Sans Souci Park[1].

As a comprehensive Aboriginal site survey has not been undertaken in Sans Souci Park, such sites may become evident with further investigation or during the course of carrying out works in the reserve. Due care will be taken not to disturb any such sites.

From the small amount of written evidence available, the Botany Bay Aborigines at the time of European settlement were described by Captain James Cook.

EUROPEAN HISTORY

Table A.1 Timetable of events relating to Sans Souci Park

Year	Event
	Local legend has it that the first Europeans to have contact with the aborigines of the Sans Souci Peninsula were escaped convicts from the settlement at Sydney Cove, but there is no documentary evidence to support this claim.
1770	Captain James Cook entered Botany Bay and briefly looked around the bay. From Cook's map of *Botany Bay and Georges River, 1770* it is doubtful that Cook did more than look through his telescope at the area of the Georges River near the Sans Souci peninsula. Cook described the 'green meadows' of Botany Bay, and sailed away.
1788	The First Fleet, led by Captain Arthur Phillip, sailed into Botany Bay. Phillip found the 'green meadows' to be swamps that were not good for either grazing or cropping. Phillip discounted Botany Bay as a suitable site for a settlement for several reasons, including the bay was too exposed and shallow, although the Georges River offered ample protected anchorage. Phillip disliked what he saw, and later sailed up the coast to explore and he established a colony on Sydney Harbour. While Phillip was looking for a better place for a settlement than Botany Bay, Lt William Bradley noted in his diary that Mr King had followed the course of a river on the southern side of Botany Bay, up about five miles, finding better country but no fresh water. French explorer La Perouse enters Botany Bay and records exploring the southern regions of the Bay.
1789	Captain John Hunter spent ten days surveying Botany Bay during which he examined the Georges and Cooks Rivers. Hunter named the Georges River.
1795	George Bass and Matthew Flinders together with William Martin (Bass' servant boy) explored and mapped the upper reaches of Botany Bay in *Tom Thumb*, a small 8-foot long sailing boat. They traced the Georges River to its source, sailing past the Sans Souci peninsula. They also made notes on the countryside, soil and vegetation along the length of the river in a report to Captain Hunter.

[1] Department of Environment, Climate Change and Water: Aboriginal Heritage Information Management System (AHIMS).

Year	Event
Early 1800s	The difficulty of crossing the Cooks River resulted in the area south of the river being slow to be settled. Native tribesmen were often hostile to white people. Later, escaped convicts and bushrangers discouraged the spread of settlement beyond the northern bank of the Cooks River. A poor opinion of Botany Bay at first meant that few colonists wanted land grants in the area.
1812	Patrick Moore receives a land grant of 60 hectares on the peninsula.
1830	Catherine Rutter, daughter of Charlotte Flower and William Rutter, married Robert Cooper jnr. in St James Church in Sydney. Robert Cooper jnr was one of 28 children fathered by Robert Cooper snr. from three marriages and who had amassed a fortune in dubious ventures including innkeeper, distiller, brewer, auctioneer, and horse dealer. It was the practice at the time for the Governor, Sir Ralph Darling, to grant 100 acres of land to each respectable woman when she married as security against anything happening to her husband and she being left destitute. As Catherine was only 18 years old at the time of her marriage, her land grant was registered in the names of her husband and Thomas Chapman as trustees holding the land on her behalf. Those 100 acres were on the tip of the peninsula at Charlotte Point, which Catherine named in memory of her mother. Today the area is bounded by Brantwood Street, Kendall Street, and a straight line through the Kogarah Municipality to Kogarah Bay.
Mid 1830s	The Coopers built their home 'Rocky Point House' on their land, which was well in character with the nature of the rocky outcrop. From that time the end of the Sans Souci Peninsula became known as Rocky Point. The easiest way for the Coopers to travel to Sydney was to ride along the beach from Rocky Point to near the mouth of the Cooks River, then strike inland through the swampland bordering the river, cross over the Cooks River Dam, then pick up the Newtown Road to Sydney.
1839	Thomas Walker purchases land on the peninsula.
1840	The Governor, Sir George Cripps, reproved Cooper for not regularly attending the closest church to the Coopers at St Peters Church of England. Cooper explained that the lack of a road made it difficult to attend church. The Governor immediately authorised cutting a track from the dam to Cooper's house at Rocky Point. The work was carried out by convicts and became Rocky Point Road from Tempe to Rocky Point at Sans Souci.
1843	Rocky Point Road was surveyed.
1847	Robert Cooper was insolvent at the time of his death in 1847.
1851	Catherine Cooper married the other trustee of her land, Thomas Chapman.
1850s-1860s	After the gold rushes many of the Chinese who came to Australia to find their fortunes remained in the country and turned to market gardening for a living. Market gardens became a landmark of the Sans Souci area. The Sans Souci area was subdivided Between 1852 and 1854, aided by the construction of Rocky Point Road.
1853	Thomas Holt leased Rocky Point House and renamed it Sans Souci in honour of Frederick the Great's summer palace in his wife's birthplace of Potsdam.
1858	Governor Sir William Denison visits Sans Souci.
1860	Catherine Chapman (nee Cooper) died. Her land grant passed to her eldest daughter Charlotte Rutter Cooper, and her nephew William Rutter Kendall.
1860s	Construction of Sans Souci Park began.
1861-1869	Sydney had suffered from a severe shortage of water. A Commission of Enquiry considered a scheme by Seven Mile Beach land owner Thomas Holt to dam the Georges River at Rocky Point and to pump the upstream water by navigable canal through Patmore's Swamp to the Cooks River, and to the city via Shea's Creek. The Chief Engineer for Public Works dismissed the proposition as impractical.
1863	W.E. Rust purchases Sans Souci House, and obtains a licence and converts the building into the Sans Souci Hotel. Under the management of William Edward Rust, the hotel became a destination for picnickers on excursions from Sydney. Rust laid out pleasure grounds and constructed a wharf. Robert Gannon of Cooks River won the first contract for delivery and collection of mail which he carried out on horseback three times a week from the post office at Cooks River to Rocky Point. Gannon's wife continued the service after her husband died in 1866.

Year	Event
1865	An article in the *Sydney Mail* describes Sans Souci thus: *The countryside on either side of Rocky Point Road bears all the resemblance of bushland in the County of Cumberland, eucalypt, flowering shrubs, beautiful ferns, oaks, with here and there knotted and gnarled trees of primeval forest, some still standing, but most laid low by enterprising, horny handed men, who are fast converting the wilderness into fruitful fields and market gardens.*
1867	Rust purchases land at Sans Souci.
1868	First Prince of Wales Hotel was built.
1870	Prince Alfred, Duke of Edinburgh, shoots pigeons at Sans Souci.
1871	Some of Catherine Cooper's land was included in the Municipal District of West Botany when it was incorporated.
1877	The first residential subdivision occurred in Sans Souci.
1879	James Frederick Fitzharding acquired land from Charlotte Rutter Cooper and William Rutter Kendall.
1882	Fitzharding sold the land to the Haymarket Land and Building Society in February. The portion west of Rocky Point Road was offered for sale as the St Kilda Estate in September, but it did not sell well. The land on the western side of Rocky Point Road was heavily timbered and lacked a reliable supply of fresh water, so its potential for cultivation was limited.
1885	Sans Souci Park was a popular leisure destination for day trips and weekend parties.
Uncertain date	An early scheme for a railway to Wollongong planned its route from the Cooks River crossing to Sans Souci where it would cross the Georges River by bridge to Taren Point and then down the coast. Thomas Holt fixed the price for his land so high that that this scheme was economically unviable and an alternative route was sought.
1887	The Sans Souci Steam Tram began operation between Kogarah railway station and Sandringham, passing along Rocky Point Road to the now Fraters Avenue and Riverside Drive at Rocky Point. The tram carried both passengers and goods. The tram encouraged people to settle along the peninsula. The Sans Souci Hotel continued to be a popular local attraction, and a bowling green and dance pavilion were added to the hotel grounds.
1891	Kogarah Council accepted the idea of municipal baths somewhere in the Sans Souci area.
Early 1890s	Gas was provided along Rocky Point Road, with reticulated water soon after.
1896	The 1896 amendment to the *Municipalities Act of 1867* gave Councils the right to lease land below the high water mark. Kogarah Council resolved 'that a site situated between the Government Wharf and Hughes Boatshed at Sans Souci be selected as it is the best available position for the erection of baths'. Council applied for a lease of Crown land extending beyond the high water mark.
1897	A private contractor erected and began operating Sans Souci Baths with Council approval. Sans Souci Public School used the pool for swimming lessons. Plans to operate a six vehicle punt between Sans Souci and Taren Point failed to eventuate. St George Sailing Club was formed on the eastern side of Sans Souci peninsula.
1900	Serious flooding occurred along the Sans Souci peninsula.
Early 1900s	The reaction of the aborigines who lived along the Sans Souci Peninsula to the alienation of their land is not recorded. As the pressure of European civilisation increased their traditional hunting grounds disappeared and their numbers declined. Most of the survivors moved further up the Georges River. Even so aborigines were still living in the Sans Souci area until the early years of the 20th century. In the early 20th century the Sans Souci Hotel advertised itself as a 'health resort', emphasising its seaside pleasure grounds, as well as outdoor activities such as fishing, boating and cricket.
1903	A steam passenger launch operated by enterprising local resident George Hughes and one of his sons provided a link between Sans Souci and Taren Point.
1906	An ambitious Sans Souci Progress Association called on Kogarah Council for support in obtaining a

Year	Event
	punt, if not a bridge, to what they called 'Tareel Point' and others called 'Taren Point'.
1911	The 'Local Option' was introduced in a political atmosphere of temperance, giving local ratepayers the power to determine the number of liquor licences in their area. As a result the Sans Souci Hotel was forced to close because the building could not meet the minimum standards for accommodation set out in the legislation.
1912	A reserve leading up to Rocky Point was secured for public thoroughfare and handed over to the Cook Park Trustees and declared a recreation reserve.
Pre 1915	Sans Souci swimming club was formed.
1914	In December the Mayor of Kogarah, Alderman Pritchard, reported that Council had written to the Lands Department asking if the reserve at the end of Rocky Point Road, which was reportedly under the control of the Cook Park Trustees who drew £12 rental per annum from boatsheds in the park, could be placed under the control of the Council so it could use that revenue to keep the Sans Souci Wharf in repair.
1915	Hughes' boat service was replaced by the passenger launch *Sandringham*.
1916	Rocky Point Road was extended through the Sans Souci pleasure grounds to join up with the ramp giving access to the new Sans Souci-Taren Point steam-driven vehicular ferry introduced in March. This provided a reasonable service for the next 40 years, except during weekends in summer when picnickers and swimmers returning from the beach at Cronulla lined up in their cars, sometimes for an hour or more, to cross. The longer alternative route across Tom Uglys Bridge was generally equally as congested. Delaney's boatshed, a landmark for three-quarters of a century, was located east of the punt. William Harvey held the baths site under Special Lease from the Lands Department, which expired on 31 December. Harvey's Sans Souci Baths adjacent to Hughes's boat shed introduced 'continental bathing' during which men and women bathe in the same enclosure at the same time, which occurred each Monday and Wednesday evenings at a cost of threepence per person. The fifty horsepower motor cruiser *Gannet* began taking picnic parties and making moonlight excursions from Sand Souci up the Georges River. John Collis built a boatshed and refreshment rooms in Water Street. He also operated a steam launch which conveyed picnic parties up the Georges River. The intersection of water street and rocky point road became known as Collis's Corner.
1917	William Harvey died. The baths continued to operate under the management of a Mr. Kelling.
1920	St George Motor Boat Club was formed.
1923	Kogarah Bay Progress Association was asked for the provision of a dressing shed at the bottom of Wharf Road. Council wanted to gain control of a portion of Cook Park within Kogarah Municipality to respect a certain tenancy and to take over a permissive occupancy.
1925	As at 1 January the tenancies of G. Hughes, R. Humphries (for boatshed), and S.M. Harvey were continued for the time being at the same rental as charged by the Cook Park Trust. The dilapidated state of the baths was brought to the attention of the Lands Department. Transfer of the lease of the baths to Mr. Henry Alexander would be approved only if Mr Alexander made arrangements for the baths to be placed in a reasonable condition of repair. Council made an application to the Lands Department for a special lease of a strip of land 150 yards in width, skirting the foreshores of the park, for reclamation and improvement purposes.
1926	A proposal to reclaim an area below high water mark of 120 feet wide by 600 feet long extending from Hughes' boatshed to Silkman's Star boatshed. A concrete wall was proposed to be built along the edge of the existing rock shelf which is about a foot above low water mark. A dredge could provide filling from the bay.
1927	The baths were still in poor condition and were unsuitable for mixed bathing because of their

Year	Event
	primitive dressing rooms. Council's engineer recommended their demolition and replacement by modern baths.
1929	Kogarah Council seeks a £90,000 loan to rebuild the baths. Mr S.W. Lucas was appointed temporary Architectural Draftsman to design the new baths. Steps were proposed to be taken to acquire the buildings and permissive occupancies of Hughes, Humphrey and Silkman along the waterfront of Sans Souci Park from the Government wharf to Taren Point.
1930	Due to their poor state, improvements to Sans Souci baths could be put off no longer. Council took over the baths by purchasing Mr. Hellings' interest in the Sans Souci baths' permissive occupancy and demolished the old baths. The Sans Souci Amateur Swimming Club wanted to use both ladies and gents club rooms at the proposed new baths at Sans Souci. The club was advised to renew its application when the baths have been constructed. The Cook Park Baths Syndicate applied for a lease of the foreshores of Cook Park to build a swimming pool. In December Council and Mr. W. T. McLeod agreed to a lease of the Sans Souci swimming baths. Charges for admission to the baths were one penny for children 11 years and under, two pence for children 12 to 14 years, and three pence for people over 14 years.
1931	Works on the baths was halted due to dredging works at the entrance to the Georges River. Dredged material was used for filling the reclamation area adjacent to Sans Souci Park. Captain Palmer from the Navigation Department advised in September that the design of the baths needed to protect the baths and the wharf from vessels. Tenders were called for the construction of a shark-proof fence for the tidal pool at a cost of £1,000. John and Walter Stanley Baily Contractor was appointed to construct the shark-proof fence in September. Progress was being made with dredging of the shark-proof enclosure and rock clearing and removal on the baths site in October. Mogler and Mason Pty Ltd construct change rooms sheds at a cost of £30. Council erected a new sharkproof swimming enclosure, art deco baths and dressing sheds for ladies and gentlemen for just under £1,100. This amount included a high diving tower and three springboards. The Sans Souci Swimming Baths were officially opened by His Worship the Mayor on 19 December. Swimming races and diving displays were held.
1931-1934	Material from the Georges River was dredged for reclamation of the area bounded by the sea wall in the course of construction at Sans Souci. Council erected a stone sea wall and reclaimed the rocky foreshore to form the flat area of the park. The reclaimed foreshore adjacent to the baths was turfed. Broad-crowned fig trees were planted beside Rocky Point Road. Hughes' boatshed was demolished during reclamation work for Sans Souci Park.
1933	Sans Souci Park was dedicated for Public Recreation on 13 January. Kogarah Council expressed the pressing need to upgrade the bathing shed facilities at Sans Souci in advance of the 1933 bathing season. Encountering difficulty securing the necessary £5,000 grant for the work from the Department of Public Works, a deputation from Council called on the Unemployment Relief Fund to request an advance of the money at 3% interest.

Year	Event
	New dressing sheds at Sans Souci baths were financed by auctioning the existing sheds in July so the site could be cleared in preparation for construction of the new pavilion. The two sheds and platform sold for over £38. Charles Frederick Gage of Kogarah constructed the substantial pavilion and dressing rooms for Council using £5,000 granted under the Emergency Relief Work Scheme. The Sans Souci Bathing Pavilion was officially opened on Saturday 25 November. The pavilion included dressing rooms, lockers, and a casualty room. It was operated by lessees who were given the right to install additional lockers, to hire out towels and costumes, and to seel cool drinks, sweets, cigarettes and biscuits. As part of works on the pavilion, Council carried out land reclamation and improvements in the vicinity of Sans Souci Park, including construction of a promenade, sea wall and 'end steps', alteration of centre steps, kerbing and guttering in Water Street, and retaining walls to Water Street. The Sans Souci Amateur Swimming and Life Saving Club had its headquarters at Sans Souci Baths, and various other organisations such as the St George League Swimming Club and the Sans Souci Life Saving Society made use of the pavilion.
1935	Council invited tenders for the lease of the baths from the completion of the pavilion. Mr. J.E. Tyerman was the only tenderer to lease the Sans Souci Baths at £4 per week for the period 30 September 1935 to 31 March 1936. He operated the baths until at least 1940. Council resolved to draw the attention of the Education Department to the Olympic standard and availability for swimming of the Sans Souci baths for school children in the St George district. The Jubilee Souvenir produced for Kogarah Council's Jubilee year in 1935 described Sans Souci Park: *"Sans Souci Park is situated on the foreshores of George's River. It has summerhouses, well cut lawns, flower beds, and the municipal swimming baths adjoining … To provide this park the Council reclaimed 3 ¼ acres of the bay between the Taren Point ferry and the site of the Old Sans Souci bath. The original baths (which will awaken many happy memories of school days and the horsedrawn bus trip on swimming days from Newtown) were demolished and in place thereof the Council erected a shark-proof enclosure of stone. To complete the scheme a dressing shed was erected in 1933, fitted with all the necessary facilities such as lockers, dressing cubicles, showers and a casualty room."*
1936	A person drowned at the Sans Souci baths on 26 January.
1937	The Tramway Department replaced the steam tram between Kogarah and Sans Souci along Rocky Point Road by a trolley bus on 4 July. Up to 90,000 people flocked to Kogarah to witness the last stem tram run. The trolley bus, while it required overhead wires, did not need a rail line and caused less disruption to other traffic.
1940	Mayor J. E. Tyerman invited the alderman and their wives to the opening of the baths on 21 September at 3.00pm.
1942	A boom net was placed across the entrance to the Georges River after it was thought the midget submarines which attacked Sydney Harbour were seen two days previously in Shipwrights Bay.
1943	In September the boom across the entrance to the Georges River was taken down and the net used to fill the land off Riverside Drive, and the barbed wire along the beachfront was dismantled.
1946	Stanley Gordon Millham managed the baths. He made improvements to the value of £200 as a requirement of his lease.
1949	Lighting repairs were undertaken, and additional concrete seats were placed at the Taren Point end of the park.
1950	The Sans Souci peninsula was again flooded.
1953	The government bus route no. 302-3 Central Railway to Dolls Point was extended to Sans Souci.
1954	The original 1916 punt was replaced by a larger one capable of carrying 26 vehicles. The first ferry masters were George Matterson, William Watson and Richard Hale, the first two having learnt their

Year	Event
	trade on the Tom Uglys Point run.
1957	In September, Rockdale Council engaged E.S. Rowe and Fulloon Consulting Engineers and Town Planners to redesign the Sans Souci Drainage Scheme. They recommended the Number Three Drain under their scheme, which extended from Bonanza Parade to the Georges River through Sans Souci Park, be given priority as it would pick up all the water that flowed into the system from the Kogarah side of Rocky Point Road.
1958	In March heavy rains flooded the area, resulting in road closures and market gardens being swept away. Rockdale Council decided to raise a special loan of £60,000 to construct the outlet of Number Three Drain under Rocky Point Road and Sans Souci Park. Because of existing loan borrowings, the Bank refused to lend the Council more than £30,000 so the project could not proceed. Meanwhile Rockdale had approached Kogarah Council for permission to excavate through Sans Souci Park and to construct the important outlet valve. Kogarah Council agreed to co-operate, provided the park was fully restored, there would be no pollution to the Sans Souci Baths, and the work was carried out during the winter season when the Baths were not in use. Delays in acquiring necessary easements and land delayed the start of any work until June 1960. Unsuccessful approaches for funding construction were made to the Metropolitan Water, Sewerage and Drainage Board and the Minister for Public Works. The first home units were built on the Sans Souci peninsula. Floods again strike the peninsula.
1959	In July the government announced that because of the expense of maintaining the trolleys, the trolley buses were to be replaced by diesel buses. The trolley bus service closed on 29 August. The lease of the Sans Souci Boatshed was for 2 years from 30 April.
1962	Kogarah Council decided to replace the tidal pools at Sans Souci and Carss Park, which often had to be closed because of rising pollution levels along the Georges River, with Olympic pools. In July Council raised a loan of £15,000 towards the cost of constructing the Sans Souci pool, and approached Rockdale Council for a contribution. As 80% of the patrons of the pool were likely to be Rockdale residents, the Council felt a donation of £5,000 was a good investment. In the 1960s the punt was making over 40 trips to transport 1,000 vehicles a day. The delays during peak hour, on Sunday afternoons in summer, and on public holidays, were becoming unbearable. The decision was made to erect a replacement bridge. The pressure of traffic on the three-lane Tom Gully's bridge and the 24-vehicle car ferry crossing the Georges River at Taren Point increased to a point where long lines of cars and trucks stretching back several miles on both sides of the river became the daily norm. The Government committed itself to build a second bridge across the Georges River. Work began on the Captain Cook Bridge in July. Building of the bridge removed the last remaining aboriginal rock carvings (two kangaroos, two fish and a landscape featuring a seagull) from Rocky Point.
1963	In August tenders for the Sand Souci pool were called. The historic Prince of Wales Hotel was demolished.
1964	The Captain Cook Bridge was joined in October 1964.
1965	The bridge was built at a cost of $4 million including the approach ways. It was opened to traffic in May just prior to the last run of the punt. Construction of the bridge resulted in increases in traffic down the Sans Souci peninsula and across the bridge, with Sans Souci becoming a major thoroughfare. Rocky Point Road was re-aligned in connection with the building of the Captain Cook Bridge. By July the Sans Souci pool had still not been completed and concern was expressed it would not be ready for the opening of the swimming season later that year. Strenuous efforts were employed to complete the first Olympic-sized pool in the district. The Sans Souci Olympic Pool was opened on

Year	Event
	18 September by the mayor of Kogarah Alderman G.H. Neal, and named in honour of Alderman Bill Saville, the principal advocate for its construction. It was a fitting memorial for Mr Saville who died shortly afterwards at the early age of 49. The pool complex included new dressing sheds, a 50 metre outdoor swimming pool, children's wading pool, and a kiosk.
1966	In March the Department of Main Roads demolished and removed the viewer's platform in the park adjacent to the bridge. The ferry waiting shed was in poor condition due to vandalism and because the ferry service had ceased. The DMR suggested the shed should also be removed.
1968	In January use of the vehicular ferry ramp as a boat launching ramp with parking area was proposed. After several attempts for assistance with the Sans Souci drainage project, Kogarah Council had accumulated sufficient funding to proceed with construction of the outlet to the Georges River and 770 feet of piped drain back as far as Meriel Street. It was necessary to tunnel under Rocky Point Road following construction of the Captain Cook Bridge. Work was completed in 1969. Over the next 10 years the Number Three Drain was constructed in sections. The NSW Government Gazette of 11 October announced that 13 acres was transferred from Rockdale Municipality (part of Cook Park) to Kogarah to follow the new route of Rocky Point Road. This extended the area of Sans Souci Park, and permitted a footway under the bridge. The Sans Souci Boatshed was located on this land.
1971	Council-owned land in the park was resumed to the Department of Main Roads for the northern approach to the Captain Cook Bridge. The DMR transferred the balance of the DMR land in Kogarah LGA alongside the bridge to Council for public recreation.
1972	The Sans Souci Boatshed was vacated at the end of the year because Council wanted to convert the site to parkland.
1973	The Sans Souci Water Police base was opened in October.
1978	Kogarah Council agreed to occupation of a portion of the former Sans Souci tidal baths by a government marina including the Water Police, Maritime Services Board and Fisheries.
1980s	The tidal baths were used until the early 1980s because they became an unsuitable location for swimming owing to deterioration of the water quality of the Georges River, and the location of nearby boat mooring facilities.
1982	Degradation of the sea wall was recognised by the Department of Public Works between Water Street, the swimming pool and the government facilities complex.
1984	Proposals for development of tourist facilities or a marina at Sans Souci.
1989	A survey reveals large areas of the peninsula are vulnerable to global warming. A Development Application was submitted for a floating tourist facility on vacant Crown tidal lands. Sans Souci Swimming Club installed gas heating for year-round swimming in the two outdoor pools.
1990	Sans Souci Amateur Swimming Club enters into a lease for Sans Souci Olympic Swimming Pool that includes the Bathers Pavilion. A five-year sub-lease of the tourist facility was entered into between Kogarah Council and Cojo Pty Ltd.
1991	A Development Application was approved in September for reconstruction of the existing wharf, addition of a pontoon, new carpark, new footpath, and new bus shelter.
1992	The tender to design and construct the public wharf was won by Cojo Pty Ltd at a cost of $85,000.
1993	Part of Reserve 88909 was notified for public recreation on 4 May.
1994	The pool entrance was relocated from Water Street at the western end of the complex to the eastern end of the site. Sans Souci Carpark and Wharf (Stages 1 and 2) were completed in August at a cost of $324,750 under the Waterways Infrastructure Program (Department of Public Works and Services). Carpark

Year	Event
	works included a carpark, landscaping, street lighting, picnic shelters, barbecues, garden benches, bins, turfing, advanced trees, small trees and plants, and ancillary works. Wharf works included a 12 metre fixed wharf structure, installation of a pontoon structure, and a bridge/ramp connecting the fixed wharf to the pontoon, and lighting.
1995	Bass and Flinders started operations. Greg Rogers becomes sub-lessee of Sans Souci Olympic Swimming Pool. Council received $57,500 from the Department of Public Works and Services' Coastal Management Program for Sans Souci Waterfront Stage 3, comprising carparking improvements, wheelchair access ramp, waterfront walkway, retaining wall (Boral Keystone), landscaping and seating. A Building Application for a walkway and wheelchair ramp was approved in September.
2000	Council received a Development Application from Cojo Pty Ltd, trading as Riverboat Cruises, to continue use of the tourist wharf facility.
2001	The Darug people made a native title claim over land including the Bathers Pavilion.
2002	Council called for Expressions of Interest to redevelop the former Sans Souci baths dressing sheds into a restaurant using both levels. Council resolved to proceed with the proposal involving the preferred joint venture parties.
2003	Greg Rogers proposed a $500,000 multi-purpose indoor 25 metre pool facility within the confines of Sans Souci Park Olympic Pool in November. The pool would comprise a 3 metre x 25 metre lap pool, a hydrotherapy/teaching pool, access for people with disabilities, landscaping of the forecourt area near the entry, fitness facilities, childminding, and plant rooms. Rogers sought a transfer of the existing lease of the pool, including the Bathers Pavilion, with Sans Souci Amateur Swimming Club which expired in 2009, to his company. The Sans Souci Amateur Swimming Club Inc. partially surrendered the lease of the pool subject to redevelopment of the pool by Hinarni Pty Ltd for a multi-purpose indoor heated pool. Cojo Pty Ltd wanted to replace the existing floating structures because they were at the end of their economic and practical life. Cojo also wanted security of tenure over the site. A Draft Land Use Plan for the Bathers Pavilion was prepared by Council for public comment. Council proposed to permit the refurbishment and lease of the disused Sans Souci Bathers Pavilion into a licensed restaurant/refreshment facility with seating for approximately 190 patrons (102 seats on top floor, 88 seats lower floor). Functions would not be permitted. Council proposed to close Riverside Drive. Objections were received from Sydney Water (water main affected), Energy Australia and Agility (gas main affected).
2004	A Development Application was submitted by Mr Rogers to upgrade Sans Souci Olympic Swimming Pool. Council invites tenders for the redevelopment of Sans Souci Bathers Pavilion.
2006	A Conservation Management Plan was prepared for the Sans Souci Bathers Pavilion as part of the wider planning for adaptive reuse of the Bathing Pavilion.
2007	Council approved the Development Application to upgrade Sans Souci Olympic Swimming Pool in June. A Deed of Variation of the pool lease was issued in favour of the lessor Hinarni Pty Ltd and the lessee Mr Rogers, and excludes the Bathers Pavilion, which is returned to the Department of Lands. The lease commenced on 7 June 2007 for a period of 10 years. 30 August: a Deed of Variation of Lease between Sans Souci Park (R88909 Reserve Trust) and Hinarni Pty Ltd was executed to lease the pool for 10 years commencing on 1 July 2006. Council approved a Development Application by Hinarni Pty Ltd to construct a new indoor swimming

Year	Event
	pool and additions to amenities facilities (increase size of the gym, and structural alterations) within the swimming pool centre in December. Negotiations were under way between Council and organisations interested in redeveloping the Sans Souci Bathers Pavilion. Delays in negotiating an agreement led to delays in redevelopment of the pavilion.
2008	Council were still requiring further information from one of the organisations interested in redeveloping the Sans Souci Bathers Pavilion. September: Bass and Flinders want to constructed new facilities and continue use of the tourist facility.
2009	Council was satisfied with the proposed design for the Bathers Pavilion. Council proposed closing Riverside Drive, but was refused by DPI-CLD because access to the permissive occupancy is required.
2010	Council approves a development application by Bass and Flinders for the construction of a marina for berthing vessels including a restaurant and office facilities.

Sources: Kogarah Council, Fletcher, J. and Kingston, D. (1996); Rathbone (2002).

APPENDIX B PLANNING AND DEVELOPMENT

The following section outlines a number of planning instruments and considerations that will influence and guide use and development of Sans Souci Park.

B.1 STATE GOVERNMENT LEGISLATION AND PLANNING CONSIDERATIONS

Environmental Planning and Assessment Act 1979

Introduction

The Environmental Planning and Assessment Act 1979 (EPA Act) establishes the statutory planning framework for environmental and land use planning in NSW through State Environmental Planning Policies (SEPPs), Regional Environmental Plans (REPs) and Local Environmental Plans (LEPs). The EPA Act also sets out processes for approving development applications for structures and works on public and private land as set out in the Kogarah LEP.

SEPP 64 – Advertising and Signage

State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64) aims to ensure that signage (including advertising) is compatible with the desired amenity and visual character of the area, provides effective communication in suitable locations, and is of high quality design and finish.

SEPP 64 prohibits display of advertisements other than business identification signs in environmentally sensitive areas, heritage areas, natural or other conservation areas, open space (except sponsorship advertising at sporting facilities), waterways, and scenic protection areas.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 facilitates delivery of infrastructure in NSW by improving regulatory certainty and efficiency, and provides greater flexibility in the location of infrastructure and services by identifying a broad range of zones where types of infrastructure (such as parks and other reserves) are permitted.

Under certain conditions the SEPP (Infrastructure) 2007 has precedence over any other environmental planning instrument.

The SEPP has significant implications for the management and development of Crown reserves. It provides for a range of development exemptions, including:

- additional uses to be undertaken on certain land where it would otherwise be prohibited under an LEP if those uses are compatible with surrounding land uses.
- prescribed low-impact development by the Department of Primary Industries-Crown Lands Division or any other authority.
- certain development on Crown reserves where Council is the manager.

- ❒ certain development for waterway or foreshore management activities by or on behalf of a public authority.
- ❒ for any purpose relating to implementing a Plan of Management adopted under the *Crown Lands Act 1989*.

These provisions do not apply to State land reserved for conservation or other environmental protection purposes, or in Council areas where a new principal local environmental plan is in place.

Development without consent

Clause 65(d) of the SEPP (Infrastructure) 2007 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*, or by or on behalf of the Director-General of the Department of Lands and appointed trustee of a reserve under Section 92 of the *Crown Lands Act 1989*. The policy also states if the development is for a purpose of implementing a Plan of Management adopted for the land under the *Crown Lands Act 1989* then Clause 65(d) also applies.

Clause 65 Part 3 permits development for any of the following purposes which may be carried out by 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 minimise din 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.

Consistent with Clause 65(2)(d) of the SEPP (Infrastructure) 2007 any proposed development without consent, by or on behalf of the Reserve Trust for the purpose of implementing the adopted Plan of Management under the *Crown Lands Act 1989* should be listed in the Plan of Management.

Exempt development

Clause 66 of the SEPP (Infrastructure) 2007 states that development for any of the following purposes is exempt development if it is carried out by on behalf of a public authority in connection with a public reserve or on land referred to in Clause 65(1) and if it complies with Clause 20(2):

(1)
(a) Construction, maintenance and repair of:
- walking tracks, boardwalks and raised walking paths, ramps, minor pedestrian bridges, stairways, gates, seats, barbecues, shelters and shade structures.
- Viewing platforms with an area not exceeding 100m^2.
- Sporting facilities, including goal posts, sight screens and fences, if the visual impact of the development on the surrounding land uses is minimal.

- Play equipment where adequate safety provisions (including soft landing surfaces are provided, but only if any structure is at least 1.2 metres 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.

(b) involves no greater disturbance of native vegetation than necessary.

(c) does not result in an increase in stormwater runoff or erosion.

(d) for the purpose of implementing a plan of management adopted for the land under the *Crown Lands Act 1989*.

When considering specific development on Crown reserves where Council has been appointed trustee under Section 92 of the Crown Lands Act 1989 and where a plan of management has been adopted under Section 143 of the Act then relative to SEPP (Infrastructure) 2007 such development may be permitted without development consent or may be exempt development.

SEPP (Temporary Structures and Places of Public Entertainment) 2007

The *Environmental Planning and Assessment Act 1979* also regulates the erection of temporary structures (such as tents, marquees and mobile structures) and the use of buildings or temporary structures as a place of public entertainment (POPE). POPEs include public halls used for public entertainment.

SEPP (Temporary Structures and Places of Public Entertainment) 2007 and associated amendments to the *Environmental Planning and Assessment Regulation 2000* contains regulatory requirements and other provisions relating to temporary structures and POPEs. The SEPP provides that erection of a temporary structure or use of a building as a POPE requires development consent, except as otherwise provided for in the SEPP, or is exempt or complying development, or is prohibited, or is in another environmental planning instrument.

SEPP (Exempt and Complying Development Codes) 2008

This SEPP (ECDC) 2008 was designed to provide consistency of exempt and complying development controls state-wide, with allowances for some local variations. This SEPP replaces exempt and complying controls previously included in Council's Local Environmental Plan and Development Control Plan No. 26 - Exempt and Complying Development. The SEPP aims to streamline the assessment process for development that complies with specified development standards.

The SEPP (ECDC) 2008 applies to both Crown reserves and dedicated land that Council has been appointed Trustee under the provisions of Section 92 of the *Crown Lands Act 1989* and community land.

Coastal Protection Act 1979

The *Coastal Protection Act 1979* now applies to the Georges River because a 'Coastal Council' are those adjoining the tidal waters of Sydney Harbour, Hawkesbury River, Botany Bay and their tributaries.

State Environmental Planning Policy No. 71 – Coastal Protection

SEPP No. 71 was made under the *Environmental Planning and Assessment Act 1979* to:

- foster a strategic and consistent approach to coastal planning and management.
- ensure that the NSW coastal zone is protected in accordance with the principles of ecologically sustainable development.
- facilitate the assessment of development proposals, and assess each proposal on its individual merits.

Under SEPP 71, development comprising the erection of a building that is 2 or more storeys in height on land within a sensitive coastal location ie. within 100 metres above mean high water mark of the sea is considered significant coastal development. As such, Council must refer any development applications to the Director-General of Planning.

Coastal Protection and Other Legislation Amendment Act 2010

The *Coastal Protection and Other Legislation Amendment Act 2010*outlines amendments to the *Environmental Planning and Assessment Act 1979* and its Regulation 2000, and State Environmental Planning Policy (Infrastructure) 2007, which relate to:

- considering the provisions of any coastal zone management plan in determining a development application.
- assessing the impact of an activity on coastal processes and coastal hazards, including those under projected climate change conditions.
- coastal protection works by public authorities, and by or on behalf of private land owners.

Guidance on considering sea level rise under Part 4 and Part 5 of the Environmental Planning and Assessment Act 1979 is outlined in the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Native Title Act 1993

Native title may exist in places where native and indigenous people continue to follow their traditional laws and customs and have maintained a link to their country, and where it has not been extinguished or refused recognition because of acts done or allowed by government.
Native title may exist on:

- vacant Crown land.

- beaches, oceans, seas, reefs, rivers, creeks, swamps and other waters that are not privately owned.

The Darug Tribal Aboriginal Corporation filed a claim for Crown lands across the Sydney region on 12 May 1997. That claim, which includes Crown land in the City of Kogarah, has yet to be determined by the Native Title Tribunal, and remains active.

Native title is deemed to exist on Crown land unless it has been extinguished by a distinguishing action. Where a development is proposed native title should be investigated before the proposal proceeds.

This Act provides for the recognition and protection of native title, and establishes a mechanism for determining claims for native title.

Companion Animals Act 1998

The *Companion Animals Act 1998* aims to promote responsible animal ownership in NSW. Under the Act, dogs in public places must be on a lead under the effective control of a competent person, except in a declared off-leash area. Dogs are prohibited within 10 metres of children's play areas, food preparation / consumption areas (except a public thoroughfare such as a road or footpath), recreation areas where dogs are prohibited by the local authority, public bathing areas where dogs are declared prohibited, and wildlife protection areas. If a dog defecates in a public place, the dog owner must remove and dispose of it in a rubbish receptacle.

Council has prepared a Companion Animal Management Plan for the City of Kogarah which designates areas for unleashed dog exercise.

Disability Discrimination Act 1992

The *Disability Discrimination Act 1992* is a Commonwealth Act that aims to eliminate, as far as possible, discrimination against people with disabilities in many areas, including access to premises. The Act also aims to promote recognition and acceptance in the community that people with disabilities have the same fundamental rights as the rest of the community.

The Act covers a range of areas including sport and recreation, and access to premises. The Act requires that people be able to access any building which the public is entitled to enter or use through the primary entrance used by the general public. It further requires that people should have access to any services and facilities provided in those buildings.

The NSW *Anti-Discrimination Act 1997* also makes it unlawful to discriminate on the ground of disability.

Threatened Species Conservation Act 1995

The *Threatened Species Conservation Act 1995*aims to protect all threatened plants and animals (with the exception of fish and marine plants) that are native to NSW. The Act provides for the identification, conservation and recovery of threatened species and their populations and communities. It also aims to reduce the threats faced by those species.

Species can be listed in the Act as presumed extinct, endangered or vulnerable. Populations and ecological communities can be listed as endangered.

Protection of the Environment Operations Act 1997

This act aims to protect the environment from air, water and noise pollution through implementation of policies, licences, audits, notices and conditions.

Fisheries Management Act 1994

The objects of this Act are to conserve, develop and share the fishery resources of the State for the benefit of present and future generations. Following on, the objects of this Act include to promote quality recreational fishing opportunities.

Heritage Act 1977

The NSW *Heritage Act 1977* aims to conserve the environmental heritage of NSW. Proposed changes affecting sites on the State Heritage Register, and the management of archaeological and maritime archaeological sites, are covered by this Act. The Heritage Act also applies in managing excavation that may affect archaeological relics.

Certain works require both an integrated development application from Council and separate Heritage Council approval under Section 57(1) of the Heritage Act.

Buildings and structures

Numerous other Acts and Regulations relate to the planning and management of open space and recreation facilities. These cover the quality of buildings and structures such as Australian standards for children's play equipment and softfall, and the Building Code of Australia.

B.2 METROPOLITAN AND SUB-REGIONAL STRATEGIES

Metropolitan and sub-regional strategies

The Department of Planning's Metropolitan Strategy for parks and public spaces in Sydney specifies that actions to be pursued are to:

- improve access to quality parks and public spaces.
- provide a diverse mix of parks and public places.

The Draft South Subregional Strategy (Department of Planning, 2007) sets out the following key directions for parks, public places and culture in the subregion to:

- ensure open space areas and facilities are managed sustainably to cater for residents and visitors to the sub-region.
- recognise diversity across the sub-region.

The relevant objective of the draft Subregional Strategy is to improve the quality of local open space. Following on from this objective is a call for Councils to embellish and improve existing open space areas and facilities to serve the needs of existing and future residents of the South Subregion.

B.3 GEORGES RIVER CATCHMENT

Greater Metropolitan Regional Environmental Plan (deemed SEPP) No. 2 – Georges River Catchment

The Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment outlines objectives for the catchment that relate to environmental protection, water quality, river flows and land use.

Certain general and specific planning principles must be taken into account when a Council prepares a Local Environmental Plan, a consent authority determines a development application, or a development or activity is proposed that has the potential to adversely affect the Georges River and its catchment.

Planning controls and specific matters for consideration relating to various types of developments are also set out in the deemed SEPP.

Southern Sydney Catchment Blueprint

The Southern Sydney Catchment Blueprint (2002) sets out an action plan to improve the catchments of southern Sydney, including the Georges River catchment. This Blueprint will be incorporated into the Catchment Action Plan being prepared by the Sydney Metropolitan Catchment Management Authority.

The vision for catchment management in the Blueprint is:

“A sustainable Southern Sydney Catchment which recognises cultural and heritage values and is the responsibility of the whole community.”

The objectives of the Blueprint are:

- remediation and protection of terrestrial and aquatic environments to levels where they will be ecologically sustainable.
- Management of urban and rural areas with economic, social and physical infrastructures that promote sustainable communities with good quality of life.
- Management of the Board area by participation of the whole community, including Aboriginal people in recognition of their historical occupation and care of the country.

- Recognition and appropriate preservation of the Board area's cultural heritage.
- Integration and co-ordination of all spheres of government, business and the community to achieve a sustainable and productive Board area.

The Blueprint outlines a number of strategies to achieve a healthy, productive and diverse catchment, and measurable targets to be achieved by Councils, other government agencies and other groups.

The catchment targets are:

- Improve management of the natural environment in the catchment.
- Regional environmental plans and other plans for the Board area are consistent with the Blueprint.
- Catchment management plans and programs give consideration and support to the cultural values and needs of the indigenous and other cultural groups in the Board area.
- By 2012 achieving a co-ordinating, representative and participative integrated system, including the capacity to integrate research and information systems, and oversee the implementation of the provisions of the Blueprint.

B.4 GREEN WEB - SYDNEY

Green Web – Sydney is a Sydney-wide initiative to establish a green web of native vegetation and habitat corridors to provide links between fragmented sections of urban native bushland as well as to protect, conserve and enhance the remaining bushland in the Sydney region (Seidlich, 1997). Large open space areas, such as parklands, can make a significant contribution to these ideals without undue impact on their existing use or conflict with core objectives for such use.

With reference to the Green Web – Sydney scheme, Sans Souci Parkis within the Habitat Reinforcement Area designated by Council. As a consequence, Council requires the planting of native trees and vegetation to establish a green web link to provide for migrating birds and habitat opportunities around the foreshore areas of the Georges River.

B.5 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Ecologically sustainable development (ESD) seeks to provide economic, social and environmental benefits in the long term. The Commonwealth Government defines it as:

> "…using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained and the total quality of life, now and in the future, can be increased".

Essentially, this means that any activity carried out now should meet current sustainability requirements so that the activity should not degrade or deplete the environment so much that a society or community will not be able to meet their needs in the future (Beder, 1996). These core principles should form the basis for guiding any future development, alteration or addition to the built environment as well as landscape works that may take place within the study area.
A summary of these principles that are to be adopted as guiding principles in this Plan of Management are set out below.

Table B.1 ESD principles

ESD Principle	Application to Sans Souci Park
Conservation of energy	Any new building or landscape works should be constructed to minimise the reliance on fossil fuels and promote renewable energy alternatives.
Use of ecological systems	Buildings or landscape works are to be designed to work with the seasonal climatic conditions, natural energy sources, and other ecological systems.
Minimisation of new resources	Buildings and landscape works are to be designed to minimise the use of new resources. Existing resources at the end of their useful life in one form, where feasible, to be incorporated into new works.
Integrating user needs while ensuring ecologically sustainable practices	Buildings and landscape works are to be designed relative to the principal user purpose and needs with least impact on the environment. Works associated with the landscape are to consider the inclusion of endemic vegetation and the creation of habitat opportunities for native species and furthering life supporting ecological systems.
Consideration of the site and its ecological systems	Works associated with buildings or landscape and their use are to give consideration to the site and impacts on ecological systems, such as wildlife habitat and water quality.
Adopting a holistic approach	The above principles are to be embodied in a holistic approach to the built and landscaped environment within parkland.

B.6 KOGARAH COUNCIL PLANNING DOCUMENTS

Kogarah Community Strategic Plan

The Kogarah-2020 Community Strategic Plan is a 10-year plan that sits above the 4-year Delivery Program and the annual Operational Plan. Relevant strategic directions and goals are set out below.

Table B.2 Strategic directions and goals for Kogarah City

	Strategic directions		Goals
1	A Clean, Green and Sustainable City	1.1	Kogarah's natural areas, including our waterways, atmosphere, bushland and foreshore areas are protected and enhanced.
		1.2	Kogarah City residents live in a clean and environmentally sustainable community.
2	A Liveable and Connected City	2.3	Kogarah City residents can get to where they need to go in a way that is accessible, safe, environmentally friendly and efficient.
		2.4	Kogarah City residents are able to walk and cycle safely and conveniently throughout the City.
3	A Thriving and Prosperous City	-	
4	A Vibrant, Safe and Inclusive City	-	
5	An Active and Healthy City	5.1	Kogarah City has a variety of safe and well maintained sporting fields, recreation areas and facilities to meet the recreational needs of all age groups in our community.
		5.2	Kogarah City residents have access to a range of services and facilities that are relevant and responsive to health and wellbeing.
		5.3	Parks and open spaces in Kogarah City are designed and managed for long term sustainability.
6	An Innovative and Efficient Council	6.1	Kogarah City Council is a leading, responsive, innovative, efficient and accountable organisation that effectively manages its finances and assets.

	Strategic directions		Goals
		6.2	Kogarah City residents are kept informed and are encouraged to engage in the decision making processes of Council.

Local Environmental Plan

Zoning of Sans Souci Park

Sans Souci Parkis zoned 6(a) Open Space (Public) in the Kogarah Local Environmental Plan (LEP) 1998. The objectives of the 6(a) Open Space (Public) zoning are to:

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

The LEP allows specific types of development with and without consent. Development within the zoning for the site must be ancillary to or promote the use and enjoyment of parkland.

Clause 16 of the LEP states that Council wish to ensure that ecological sustainability is considered as part of the development assessment process, in terms of:

- conserving natural resources.
- optimising the use of natural features.
- optimising energy efficiency.
- maintaining or improving air, water and soil quality.
- reducing car dependence.
- avoiding and minimising waste.

Clause 21 of the LEP is intended to ensure that development within the 6(a) Open Space (Public) and Special Uses 5(a) zones are compatible with the existing and future use of the land and will not conflict with the use of surrounding land. Council must not grant consent to the carrying out of development on publicly owned land within the 5(a) Special Uses zone or 6(a) Open Space zone unless it has taken several matters into consideration, including whether the proposed development is consistent with any plan of management adopted by the Council.

The reserve is within the Waterfront Scenic Protection Area which applies only to private development.

Zoning table

Table B.3 Zoning table

Without development consent	With development consent	Prohibited
6(a) Open Space (Public)		
Drainage Minor works and structures such as fencing, playground equipment, reticulation, lighting, seating / shelter sheds, barbecues, and buildings not more than 40m^2 in area Roads Works (but not buildings) used for gardening, landscaping and bushfire hazard reduction Exempt development	Buildings used for gardening, landscaping and bushfire hazard reduction Centre-based child care services Community facilities Public parking Public utility installations Recreation areas: - children's playground - area used for sporting activities or sporting facilities. - area used to provide facilities for recreational activities which promote the physical, cultural or intellectual welfare of persons within the community being facilities provided by the Council or a body of persons associated for the purposes of promoting the physical, cultural or intellectual welfare of persons within the community. - include golf courses, tennis courts and bowling greens and any ancillary club buildings and showgrounds. Refreshment rooms (restaurant, café, tea room, eating house or the like).	Any other development

Development assessment criteria

Council considers development applications for its parks and reserves with reference to its Local Environmental Plan (LEP) and the development assessment criteria within that plan. The LEP states that the Council as the consent authority should not grant its consent to development on land zoned Open Space 6(a) unless it has considered the following assessment criteria:

- the need for the proposed development on that land.
- whether the proposed development promotes or is related to the use and enjoyment of the land.
- the impact of the proposed development on the existing or likely future use of the land.
- the need to retain the land for its existing or likely future use.

Furthermore, when assessing whether a particular use or development on a public reserve is appropriate at this site, then:

- 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 weighed against the impact on the purpose, enjoyment and amenity of the reserve.

- the incorporation and use of ecological sustainable development building and management practices are also to be a relevant factor in assessing the appropriateness of a proposed development within a public reserve.

Development consent may not be required if any proposed development complies with Council's Development Control Plan for Exempt and Complying Development.

Residential design guidelines

The Kogarah Residential Design Guidelines (Kogarah Municipal Council, 2005) outline controls on residential development along the foreshore. Despite not strictly applying to Sans Souci Park, Council's objectives for the land-water interface in the vicinity of Sans Souci Park are to improve the scenic quality of the foreshore by:

- maintaining and protecting existing native vegetation close to the water's edge and below the foreshore building line.
- retaining and protecting the natural landform, particularly the sandstone foreshore and rock formations.
- encouraging suitable landscaping below the foreshore building line.
- ensuring that any development close to the water's edge is suitably designed and treated to minimise its impact when viewed from the water.

APPENDIX C LAND ASSESSMENT

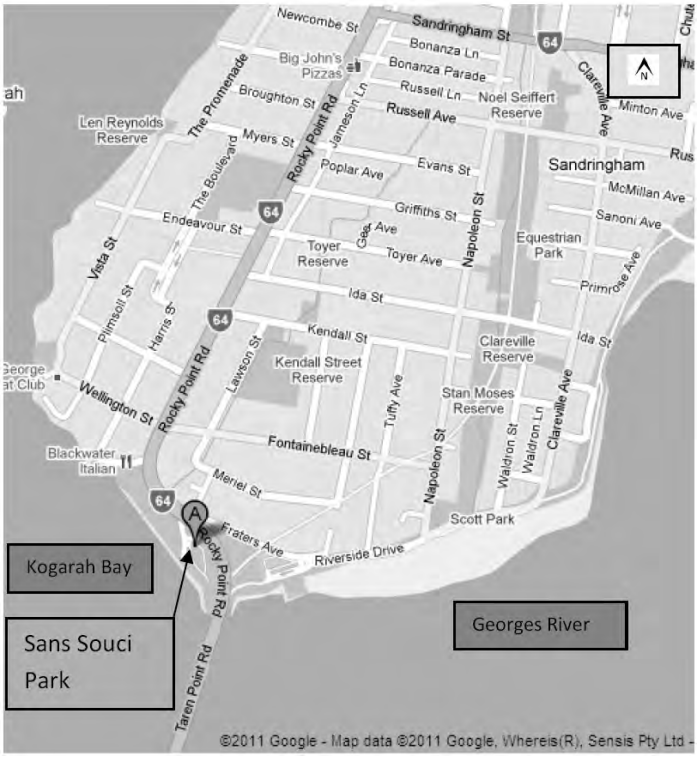
C.1 INTRODUCTION

The primary function for describing and assessing the assets and resources of Sans Souci Park is to identify the principal attributes of the land, determine the condition of the buildings, and identify constraints. The process provides the basis for assigning appropriate land categories, identifying land management issues, determining objectives to supplement the core objectives for each category of land, and for determining the appropriate action plan and performance measures as required by the *Local Government Act 1993*.

C.2 LOCATIONAL CONTEXT

Refer to Figure C.1 for the locational context of Sans Souci Park.

Figure C.1 Location of Sans Souci Park



Sans Souci Park is located in the local government area of Kogarah on the south-western extremity of the Sans Souci peninsula.

It is bounded by Rocky Point Road to the east and north-east as it joins with the approach to the Captain Cook Bridge to the south. Rocky Point Road is a State-classified six-lane road which is a key

arterial connection between the St George region and Sutherland Shire. Vehicle access to the park is available off Rocky Point Road into Riverside Drive to the carparks.

The south-western boundary is Kogarah Bay to the south-east and the Georges River that runs along the far southern edge.

Sans Souci Park is a longitudinal park that runs north-west to south-east with an irregular sandstone seawall and unformed frontage to Kogarah Bay on the south west frontage.

The dominant features of the park are the large open grassed areas, a large irregular shaped car park with space for in excess of 115 cars, access roads that also lead to the original punt ramp, now the departure point for the charter boat facility. An access point is available for the pontoon on the southern section.

At the far northern end is what is left of the original swimming enclosure and a mostly derelict swimming pavilion, with the Water Police facility forming the north-western boundary of the park. The Water Police and Department of Fisheries headquarters and a mixed residential/commercial building adjoin the park to the north-west.

Towards the northern end of the park there is the Sans Souci Leisure Centre that has an access road and some limited parking for some 14 vehicles.

A large new playground has recently been constructed in the central section, at the lower level near the seawall.

A number of picnic shelters, seats and barbecues are available spread throughout the park.

Some sections of pathways exist that mainly join with the access under the abutments of the Taren Point Bridge.

A variety of trees adorn the park, some native, some exotic. The main exotic species are the eleven palm trees planted in planter boxes at regular spacing along the south western seawall. A substantial Fig tree sits between the aquatic centre and the previous swimming enclosure.

The surrounding area is characterised by a mix of residential, commercial and recreational uses. Adjoining land uses include residential shop-top housing and local businesses such as a restaurant, and takeaway food and specialty shops on the corner of Water Street and Rocky Point Road to the north of the Park.

On the opposite side of Rocky Point Road a number of home units overlook Sans Souci Park. However due to the park being at a lower level than Rocky Point Road much of the park would be unseen from the home units. Pedestrian access across the six-lane Rocky Point Road from the east is difficult.

Apart from some grassed open space on the opposite side of Rocky Point Road to the east, the surrounding land use is predominantly medium to higher density residential, comprising mainly home units merging to detached dwellings on large blocks further to the east and all in the Rockdale City Council area.

C.3 CLIMATIC CONDITIONS

The climatic conditions impacting on Sans Souci Park are typical Sydney moderate temperate conditions (Bureau of Meteorology, 2006), characterised by:

- average maximum daytime temperature of 22.1°C, with an increasing number of hot days above 30°C. Temperatures in Sydney in the last 7 years have been above average.
- the historic annual average rainfall at Observatory Hill is 1,217mm, with an average of 138 rain days.
- winds are predominantly from the south-east in winter and north-east in summer.

Sans Souci Park is set on the south-eastern side of Kogarah Bay on the north side of the Georges River and has a strong south-westerly aspect.

C.4 DESCRIPTION OF THE LAND

Landform and topography

Sans Souci Parkis similar to many other urban foreshore parks in the way it has been developed for recreational use. As with other shallow bays in the region it has been previously filled and a sandstone ballast sea wall has been constructed to separate the park from the water's edge in some sections.

The park is highest on the Rocky Point Road side, levelling down to the foreshore.

Geology and soils

The Reserve is located near the junction of two different geological regions, being Hawkesbury Sandstone and Mittagong Foundation. Soils for these regions are typically Yellow soils, including Yellow Podzolic, Yellow Soloth and Yellow Earths. Other Earth soils are also common. These soils are generally low in fertility, subject to erosion and lack the ability to retain water. This site has been extensively filled (considered 'Disturbed'), much of these original soil types have been replaced with varying types of fill (Chapman and Murphy, 1989). According to information from Kogarah City Council, fill material is believed to incorporate silt and other material dredged from Kogarah Bay to build up the banks of the foreshore.

The Kogarah Local Environmental Plan 1998 (Amendment No. 17) Acid Sulfate Soil Planning Map shows that Sans Souci Parkis largely situated on potential Class 2 Acid Sulfate Soils. Consent from Council is required for works below natural ground surface, and works by which the water table is likely to be lowered.

Hydrology and drainage

A large stormwater outlet enters Kogarah Bay just to the north of the old punt ramp which drains the underground Gooman Creek. This stormwater culvert is the main stormwater outlet for a large portion

of the southern section of the Sans Souci Peninsula, primarily the Rockdale City Council area to the east of Rocky Point Road.

Flora and fauna

Flora

Reclamation of land to form Sans Souci Park means there is no remnant vegetation within Sans Souci Park.

Broad-crowned Fig trees grow beside Rocky Point Road. A grove of Paperbarks lines the eastern side of the picnic and play area in the centre of the park.

Block work planter boxes were installed in 1997-98 around the existing palm trees and filled with garden mix. As the palms have grown roots have been sent out into the soil. Palm root balls, rain and vandals have damaged the footings, sandstone block garden beds, and pathways. The block beds have been repaired several times over the last few years.

Nearby Carss Park provides some clue to the type of vegetation that would have existed prior to settlement. Original vegetation to this area would have included a variety of eucalypts (including

Eucalyptus pilularis and *Eucalyptus robusta*), *Angophora* and turpentine as part of the Turpentine-IronbarkForest community. Shrub species such as *Platysacelinearifolia* 'Carrot Tops' would also have been present. The Gosford Wattle (*Acacia prominens*) can also be found within Carss Park and is listed as an 'endangered population'. The turpentine (*Syncarpiaglomulifera*) is presently a threatened species and Kogarah City Council is making an effort to help re-introduce this species back into the area. The Turpentine-Ironbark forest has been ostensibly logged and cleared to make way for suburban development, as the original soils within the Kogarah region were unsuitable for agriculture (Benson and Howell, 1990).

Other plant communities would have included heathland and low eucalypt woodland, and mangrove to the margins of Kogarah Bay. This would have included tree species such as the Shrub She-oak (*Allocasuarinadistyla*) and Heath Banksia (*Banksia ericifolia*), and flowering shrub species such as spider flowers (*Grevillea* spp.) (Chapman and Murphy, 1989). A recommendation has been made within the Kogarah Bay Estuary Management Plan (JWP, 2005) to potentially reintroduce two species of mangrove (*Avicennia marina* and *Aegicerascorniculatum*) into the mudflat areas along Kogarah Bay.

Fauna

There are no formal records of fauna for Sans Souci Park due to its urbanised nature. The park is habitat for mammals (such as rodents) and birds.

Within Kogarah there are a number of species listed as threatened, including the Major Mitchell's and Gang-gang Cockatoo species, and mammal species including Koalas and Grey-headed Flying-foxes.

A benthic invertebrate study was completed as part of the draft Kogarah Bay Estuary Management Plan 2005. This study identified that there is a low number of macrobenthic species including molluscs and polycheate worms. Benthic decapods such as prawns and shrimp were also found as part of the study. It identified that there has been a reduction in the number of large filter feeders within the bay due to elevated levels of toxic sediment.

Other research confirmed that there are a number of fish species within Kogarah Bay. With commercial fishing prohibited as of 2002, recreational fishing has become increasingly popular. While there are no fish species listed as threatened within Kogarah Bay, species diversity is low.

C.5 VISUAL ASSESSMENT

The dominant visual element of Sans Souci Parkis the extensive water views over Kogarah Bay and the Georges River. From the water the key visual elements of the park are the Bathers Pavilion, Leisure Centre, and the cruise facility, which are interspersed with smaller structures and landscaping.

C.6 ACCESS AND CIRCULATION

Access to the Park

Access to Sans Souci Parkis primarily by private vehicle. The main entry from Rocky Point Road is via Riverside Drive which leads into the 115-space carpark which is in two parts divided by a landscaped area. 14 parking spaces for authorised vehicles are available via a driveway near the Sans Souci Leisure Centre.

On-street parking is not permitted along Rocky Point Road, however some park users park vehicles along Water Street.

A footpath along Rocky Point Road facilitates pedestrian and cycle access to Sans Souci Park. Key pedestrian and cycle entry points are via Water Street, Riverside Drive and the pathway under the Captain Cook Bridge. Bike parking facilities are provided at the leisure centre.

Several bus routes operate along Rocky Point Road, linking Kogarah, Sans Souci and Miranda.

No residences have direct access onto the Park.

Sans Souci Parkis part of the Great Kai'mia Way around Kogarah Bay.

Circulation within the Park

Pedestrian and cycle access is available on the sealed path network within the park. The most frequently used path is the foreshore promenade between the tourist boat wharf and the Bathers Pavilion building, and the pathway between the carpark and the Captain Cook bridge.

Several steps and ramps enable pedestrian access between the lower and upper sections of the park.

A redundant stone staircase is located along the foreshore promenade.

C.7 CULTURAL HERITAGE

Indigenous heritage

There are likely to be no Aboriginal heritage items in Sans Souci Park, due to its relatively recent infilling and development.

Post-European heritage

Background

The former Bathers Pavilion is the only heritage item in Sans Souci Park.

The Bathers Pavilion covers an area of 560m^2 (ground floor 385m^2 and an open concrete platform roof 175m^2).

In 1996 N Tonkin Consulting Structural Engineers assessed the building and noted that considerable repairs were necessary to bring the building back into use, but that it could be repaired and used for other purposes for many years. Major findings were that use of unwashed beach sand in construction had caused the reinforcement steel to be subject to a dangerously high level of corrosion. Water passes under the floor slab and has caused the northern wall of the building to crack and subside, which requires underpinning. The consultant recommended major rectification works to restore the pavilion.

The building currently has an unsightly appearance and reflects lost recreational opportunities.

Council are currently awaiting a Development Application to redevelop the pavilion.

Redevelopment works should be carried out in accordance with a recognised cultural conservation methodology such as that of the Australia ICOMOS Burra Charter, the Building Code of Australia and the Disability Discrimination Act.

Heritage framework

Register of the National Estate

The Sans Souci Bathing Pavilion is included in the 'Sans Souci Baths Remnants' listing on the Register of the National Estate. It is listed as an 'Indicative Place' which means data has been entered into the database, but a formal nomination has not been made.

National Trust of Australia (New South Wales)

Sans Souci Park and the remnants of the baths are included in the Register of the National Trust (NSW). It is likely this listing includes the Bathing Pavilion. Inclusion on the Register does not have any legal effect, but the register is widely recognised as an authoritative statement on the significance of a place. (Clive Lucas, Stapleton and Partners, 2006).

State Heritage Inventory: SHI No. 1870628

Sans Souci Park and Public Baths has local heritage significance.

The Statement of Significance states that Sans Souci Park and Public Baths is historically significant as it was a popular leisure destination for day trips and weekend parties c. 1885 and it continues to be an important recreational venue for trips and parties. There are many important elements that reflect its earlier development overlays.

The Art deco baths and dressing sheds. Year completed: 1860.

Kogarah Local Environmental Plan

Clause 17A of the LEP sets out guidelines for protection of heritage items and heritage conservation areas.

Schedule 3 Heritage Items of the LEP states that Sans Souci Park Reserve and Public Baths has Regional heritage significance.

As such Council must consider heritage issues when assessing development applications to listed items. Councils can usually require submission of a heritage impact statement and in some cases a conservation management plan with a development application for LEP-listed heritage items.

Statement of Significance

Clive Lucas, Stapleton and Partners Pty Ltd (2006) prepared a Summary Statement of Significance for the Sans Souci Bathing Pavilion:

"The Sans Souci Bathing Pavilion, completed in 1933 and associated with the bathing enclosure completed in 1931, is locally significant for its role in the long history of recreational uses of the peninsula foreshore for recreation. A reasonably good, if not intact, example of Modern architecture, the pavilion is associated with Depression-era relief work, and is one of several local examples of such pavilions constructed in the Sans Souci peninsula at the time."

The significance of the pavilion is set out in Table C.1 below.

Table C.1 Significance of the Sans Souci Bathers Pavilion

	Criterion	Statement
(a)	Historical Significance	The Sans Souci Bathing Pavilion is of local historic significance as part of a long-running history of recreational uses of the river foreshores of the Sans Souci peninsula, continuing from the 1860s to the present. The Sans Souci Bathing Pavilion is of local historic significance as a public work carried out under the Emergency Relief Work Scheme.
(b)	Associational significance	The Sans Souci Bathing Pavilion is significant to the municipality of Kogarah for its association with the Council at the time of its centenary. Additionally, the construction of the pavilion is associated with workers from the Kogarah Government Labour Exchange, and representatives of the Depression-era works carried out by labourers under government relief schemes.
(c)	Aesthetic/Creative Significance	Although not highly intact, the Sans Souci Bathing Pavilion is a reasonably good example of the use of Moderne architecture, a style which is often used in beach pavilions and holiday houses of the period. The placement of the pavilion within the landscape is a significant aspect of its modern design which contributes greatly to the conceptual success of the pavilion as a terraced gateway to the tidal baths and promenade. The austerity of the building is as significant as a reflection of the circumstances of its construction during the Depression. Although visually impinged upon by the Water Police building adjacent, the Sans Souci Bathing Pavilion features strongly in the view of the Georges River from the prominent point in Rocky Point Road where the roadway nears the tip of the peninsula before turning toward the Captain Cook bridge.
(d)	Social/Community Esteem	The Sans Souci Bathing Pavilion is held in high regard by members of the local community and visitors who recall its heyday as a centre for waterside recreation. This esteem is evidenced today by the public's expectations for the care of the building and its inclusion on Council's schedule of heritage items.
(e)	Research Significance	The pavilion is considered to have no significance under this criterion at this time.
(e) (f)	Rarity/ Representativeness	The Sans Souci Bathing Pavilion is representative of a large number of seaside, riverside, and harbourside bathing pavilions of the period, many of them constructed under municipal government auspices.

Source: Clive Lucas, Stapleton and Partners Pty Ltd (2006)

C.8 PARK ASSETS

Assets and condition

Sans Souci Park contains a variety of capital assets that contribute to the general enjoyment of the parkland for generally passive and informal recreation. These assets extend the range of opportunities from land and water-based recreational social functions to tourism opportunities. However, there have been no comprehensive valuation studies to determine individual asset values.

Government marina facilities

Sans Souci Bathers Pavilion

Land adjoining Water Street

Foreshore path

Sans Souci Leisure Centre entrance

Sans Souci Leisure Centre

Picnic area

Playground

Foreshore path in centre of park

Driveway to Sans Souci Leisure Centre

Palms in garden beds

Paperbarks in central area

Bass and Flinders wharf

Natural foreshore

Verge to Rocky Point Road and picnic / barbecue area

Vehicle parking area

Southern picnic area and bridge

Fishing pontoon

Figure C.7 Location of built structures in Sans Souci Park

The table below provides an overview of the condition of the assets in Sans Souci Park. These assets are generally in an adequate to good condition, with the exception of the playground which was installed in December 2010.

Table C.2 Description and condition of assets in Sans Souci Park

No.	Item / Structure	Description	Condition
1	Playground	Swings, slides, climbing ropes with bark softfall	New, excellent
2	Picnic Huts	Treated pine with roof	Fair
3	Electric barbecue, with roof		Good
4	Small low retaining seawall south side.	Sandstone dimension stone	Poor, crumbling in places. (Refer to Foreshore Management Study and Plan, February 2009)
5	Main Car Park (Upper and Lower)	Asphalt paving, kerb and gutter surround.	Good
6	Park Seats	Timber, concrete, steel	Condition range: Good to Poor
7	Concrete Pathway/shared path	1.2 to 1.5 metres wide	Fair to poor
8	Concrete roadway and ramp	Mass Concrete	Good
9	Road to Pool	Patterned Concrete	Good
10	Pool car park	Patterned Concrete	Good
11	Bollards	Timber and steel	Fair
12	Palm Tree surrounds	Sandstone Besser Block	Poor
13	Grassed Area (North)		Good
14	Solar Lighting		Good to fair
15	Grassed (Area South)		Good
16	Olympic Pool		Good
17	Swimming Pavilion		Poor. Significant concrete cancer throughout the structure. Movement in the various slabs which has created substantial cracking in the walls.
18	Sandstone Retaining Wall	Sandstone dimension stone	Good to Fair
19	Wharf and Floating Pontoon	Steel and concrete	Good

WMAwater (2009) carried out an audit and assessment of sea walls in Kogarah City. Their finding for the sea walls in Sans Souci Park are set out below.

Table C.3 Description of sea wall assets in Sans Souci Park

Description	Condition	Action	Priority	Cost
seawall 38 to 44 The foreshore is 588 metres long, some 300 metres of which is a sandstone block seawall with sandstone parapet around 3.7 metres high.	All in good condition.	Replace corroded steelwork in vicinity of the NW corner of the pool.	Very high – within 1 year	$30,100

Description	Condition	Action	Priority	Cost
The remainder of the foreshore is either sand beach with sandstone block back walls or sandstone rock revetment.	The wall is in poor condition with significant gaps between blocks and an irregular weathered crest. Works are required to fill the gaps and even out the wall crest.	Mortar between blocks along former baths to corner.	Moderate – within 5 years	$18,300
		Construct sloped rock revetment east of Bass and Flinders wharf and north of pontoon.	Very high – within 1 year	$48,800
Stairs are disconnected from the wall.	Stairs do not require repairs.	-	-	-

C.9 SERVICES AND INFRASTRUCTURE

Electricity, water, gas, sewage, and drainage connections are available in the Park.

The electrical capacity in the area exceeds supply. The Sans Souci Leisure Centre pool draws on the electricity supply to the park, affecting supply to other park assets such as the barbecues.

Energy Australia and Kogarah City Council own lighting in the park as follows:

- street lighting: along Riverside Drive.
- solar lighting: along foreshore path in the parkland and along pontoon.
- bollard lighting: along foreshore path adjacent to the pool.
- 125 watt lighting in the carpark.

Lighting is ad-hoc, which has resulted in poor and unreliable park lighting. Major corrosion is evident in nearly all solar lighting poles. Diffusers on carpark lights are broken.

C.10 ASSET MANAGEMENT

Council has prepared an asset management system. As the number of assets Council has in its possession increases, and as other assets age, it is important to monitor their condition. Monitoring is undertaken to asses each stage of the assets life cycle from new to eventual disposal. 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 also 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 at Sans Souci Park, including the playground and picnic facilities, based on the information contained in its Assets Register. With consideration for public expectations, regulatory requirements and growth in demand, assets in Sans Souci Park will be managed according to the Council-wide Asset Management System. This Plan of Management, the proposed Landscape Master Plan, and other studies that address management issues as they are completed will inform the Asset Management System.

C.11 RISK MANAGEMENT

Standards Australia note that risk management is recognised as an integral part of good management practice (AS/NZS 4360:1999). Risk management is a systematic method for establishing the context, identification, analysis, evaluation, treatment, monitoring and communication of risks (AS/NZS 4360:1999). Council will need to prepare a hazard identification and risk management plan for the park, which could contain a number of potential unidentified environmental, health and safety risks. Risk may arise from the inappropriate use of the park, and unsafe use of equipment, tools, maintenance or work practices. The risk management plan should be prepared by an appropriately qualified person in accordance with Australian Standard AS/NZS 4360.

C.12 USE OF SANS SOUCI PARK

Catchment

Kogarah Council (2003) has identified the market user catchment area for Sans Souci Park as 10% local, 50% district and 40% regional.

Permissible uses

Sans Souci Park is open to users arriving by vehicle or on foot year-round with unsecured entry to the carpark and several pedestrian entry points.

Sans Souci Parkis a regional multi-purpose park that caters for:

- ❒ informal recreation, including walking, walking the dog, cycling (local and regional), sightseeing, exercising, jogging, children's play, sitting, reading, and relaxing.
- ❒ consuming food and beverages purchased from outlets in the park (Sans Souci Leisure Centre kiosk, and the Wharf Café), and informal picnics and barbecues.
- ❒ recreational fishing, walking and exploring rocks at the water's edge.
- ❒ swimming (learn to swim, squad, school carnivals, lap swimming, aquaerobics), hydrotherapy/rehabilitation, and gym activities in the Sans Souci Leisure Centre. The leisure centre also caters for children's birthday parties and dance lessons.
- ❒ passenger cruises of the Georges River and Botany Bay on four vessels operated by Bass and Flinders Cruises. Scheduled cruises operate over seven days and week for morning tea, lunch and dinner cruises; for social occasions and ceremonies; and for sightseeing cruises at certain times of the year such as for whale watching and Christmas parties. The wharf café is open daily.

Use of facilities in the park are set out below.

Table C.4 Use of facilities in Sans Souci Park

Facility	Use
Whole park	Sightseeing
Bathers Pavilion	Unused
Sans Souci Leisure Centre	Social and competitive swimming Fitness activities
Public toilets	Amenities
Picnic shelters and tables	Picnics
Children's playground	Children's play
Wharf	Day and evening sightseeing cruises, function cruises of the Georges River and Botany Bay
Wharf café	Enjoying food and beverages
Jetty	Fishing Sightseeing
Parking area	Vehicle parking
Barbecues and picnic shelters	Picnics and barbecues
Various park furniture and fixtures (seating, lighting)	Sitting, relaxing
Landscaped areas	Sitting, relaxing
Pathways	Walking Cycling Recreational fishing

Prohibited activities

Prohibited activities within the Reserve as listed on Council's Ordinance signage include consumption of alcohol, depositing rubbish, breaking glass, and camping or staying overnight.

Intensity of use

An overview of the intensity of use of the various facilities and settings in the park is set out below.

Table C.5 Intensity of use of Sans Souci Park

Facility / setting	Purpose	Intensity of use	Comment
Sans Souci Leisure Centre: ❒ Olympic 50m outdoor heated swimming pool ❒ Multi-use indoor heated pool ❒ Gymnasium ❒ Café/kiosk	Swimming, gym activities	High-medium	Centre opening hours: 5am-9pm Mon-Fri (summer) 5am-8pm Mon-Fri (winter) 7am-6pm Sat-Sun Use highest in early mornings (5 to 7am) and on hot days. November to March are the busiest months.
Tourist wharf and café	Cruise boat berthing, passengers getting on and off boats, office	Medium	Highest use in the middle of the day.
Wharf	Fishing	Low	Mostly used on weekends
Toilet block	Public toilets	Medium-low	As required

Facility / setting	Purpose	Intensity of use	Comment
Bathers Pavilion	Original bathers pavilion. Building is being considered as a food and beverage facility after renovation.	No use	Future use is being determined
Picnic / barbecue areas	Picnics, barbecues, social gatherings	Medium	Seasonal – high in summer and on weekends, low in winter and during the week
Children's playground	Children's play	Medium	High in summer, on weekends and fine days. Medium in winter and on weekdays. Low on rainy days.
Flat grassed area	Informal games, walking, fitness	Medium-low	
Carpark	Vehicle parking	Medium	Seasonal – high in summer (boating) and winter (soccer) weekends.
Foreshore path	Walking, cycling	Medium	Popular on weekends and weekday afternoons and evenings throughout the year.

C.13 MAINTENANCE

Sans Souci Park is maintained by Kogarah City Council Works (KCW).

In February 2009 Council adopted 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. The plan identifies three of the most significant maintenance issues relevant to Local Parks as Parks and Reserves General, Playgrounds, and Public Trees.

The current service levels for Parks and Reserves with a market catchment predominantly described as Regional or District (Category 1) are:

- extreme / high risk response: 24 - 48 Hours.
- substantial / medium risk: 7 days – 3 months.
- moderate / low risk: 6 months – 12 months.

APPENDIX D RESULTS OF CONSULTATIONS

This Plan of Management was prepared in close consultation with groups that use Sans Souci Park, Council staff, and local residents.

Consultation activities undertaken during the preparation of the Plan of Management are outlined below.

1 Representatives of user groups

Meetings and telephone conversations were held with representatives of the Sans Souci Leisure Centre and Bass and Flinders Cruises. Followup telephone calls to representatives of these organisations were made for further information if required.

Sans Souci Public School was contacted by letter. Attempts were made to contact the Sans Souci Sea Devils Swimming Club by telephone.

2 Residents

Comments sheets were distributed by a letterbox drop of a comments sheet to residences and businesses within an area bounded by Water Street, Rocky Point Road, Nelson Street, Vista Street, Wellington Street and Harris Street, and including a section of Plimsoll Street, in November 2010. Comments received are outlined in **Appendix E**.

A community "open day" was held on Saturday 4 December 2010in Sans Souci Park. Nine people/groups were able to contribute their views and ideas about the park to Council staff and the consultants during the three-hour session. Proposed solutions to issues and suggested improvements raised earlier in the residents' survey were discussed. Comments from the open day assisted in preparing the draft Plan of Management for public exhibition.

3 Council staff

Council staff accompanied the consultants on a site inspection at the beginning of the project. Council staff in the Recreation and Urban Landscapes and Property Services Departments of Council were consulted regarding available background information. Relevant staff provided comments on drafts.

4 Public exhibition

Public submissions are outlined in **Appendix F**.

5 Public hearing

The public hearing report is in **Appendix G**.

APPENDIX E COMMENTS FROM RESIDENTS

PLAN OF MANAGEMENT FOR SANS SOUCI PARK

KOGARAH CITY COUNCIL

LOCAL RESIDENT and BUSINESS SURVEY

Have your say about the future use and management of Sans Souci Park

Kogarah City Council are preparing a Plan of Management and Landscape Masterplan for Sans Souci Park. The park includes (from north to south) the Sans Souci Bathers Pavilion, Sans Souci Leisure Centre, grassed and treed picnic and children's play area, Bass and Flinders cruise jetty, a pontoon, carpark, and a grassed picnic area to the Captain Cook Bridge.

The playground is proposed to be upgraded in late 2010.

You are invited to an 'Open Day' to discuss the Plan of Management and your views and ideas for Sans Souci Park.

Council staff and the project team will be in Sans Souci Park, in the picnic and playground area outside the Sans Souci Leisure Centre, on Saturday 4 December 2010 from 9.00am – 12 noon.

Your answers to the questions on the next page would be appreciated.

QUESTIONS FOR RESIDENTS AND BUSINESSES

Optional: Name …… Address: ……..

Total responses: 17

1 Do you use Sans Souci Park?
If so, how often? For what activities?

Yes 11
Walking (6)
Walking dogs (2)
Walk through the park along the pathway (2)
Cycling / bike riding (2)
Family picnics (2)
Kids play (2)
Swimming
Jogging
No 1

2 What features of the park do you like or are important to you?

Views (2)
Water
Lovely
Walking opportunities (3)
Walking
Pathway along the bay (2) and great walk along Botany Bay.
Close proximity of water (2)

The pool (2)
An asset

Other
Breezes
Fishing
Trees as a barrier to the main road
Gardens
On leash dog walking
Children's play areas
Well maintained landscaped areas
Maintenance of vegetation
Trees and palms
Picnic area
Cleanliness
Ease of egress
Maintenance of vegetation
Shade sheds
None – they are all badly kept.

3 Can you suggest any improvements that should be made to the park?

Keep the park clean (11)
More bins (3) for rubbish.
Keep it clean all the time
Pick up rubbish which attracts rats.
Tidy up.
People pick up their rubbish.
Council to attend to appearance like RC.
Waste management plan
Clean up rubbish washed up beside the Water Police / Bathers Pavilion – plastic bags, bottles, detritus from boats etc.

Upgrade children's playground (7)
Update playground
Safety improvements to children's play equipment.
Upgrade the play equipment with a fence for safety and gated kids area due to traffic on Rocky Point Road.
More monkey bars.
Put a rubber underlay in the kids area. Child got injured falling on to bark.
A bike riding track in the kids area.
Put shade over the play area.

More seating (5)
More seating
More seating for the general public.

More seating in front of the kids playground.

More benches

Repair garden beds (4)

Palms and planters in need of attention.

Fix broken garden beds.

Non maintenance of garden beds.

Replace the palms and garden beds.

Improve walking opportunities (4)

Restore boardwalk

Widen the walking path as it becomes blocked with fishermen on weekends.

Improve pathways access via Captain Cook Bridge and old baths.

Make the path continuous.

Gardens (4)

Maintain the garden area at the corner of Water Street and Rocky Point Road.

More gardens.

The garden around the pool on the pathway to the park needs a good overhaul and to be looked after, as that part of the pathway is used frequently and can only add to the beauty of the park.

Refurbish the gardens around the outside of the leisure centre.

Check the large Morton Bay fig as branches fall in strong winds.

Clean beach areas (2)

Clean the area around the pavilion, including the water.

Maintain the beach in front of the old baths as a considerable amount of rubbish is washed up on the sand.

Clean up under the bridge (2)

Tidy up the rocky area under Taren Point bridge. It is very dirty with rubbish. This could be improved with signs regarding fines.

Encourage the RTA to clean up around and under the bridge.

Other

More water fountains.

More gazebos for picnics.

More barbecues.

Clear growth blocking the footpath along Rocky Point Road alongside the Leisure Centre.

Maintain the edges of the path to the southern end of the leisure centre when the grass is mown in the park.

Level some panels in the path next to the leisure centre.

Remove weeds from the hillside from Rocky Point Road to the footpath.

Require people to bring portable barbecues. The electric barbecue is always left dirty.

Even the height of the steps leading from the carpark to the road. Tidy up the area at the bottom of the steps.

Remove redundant temporary work barricades.

Create ‘zones’ for activities.

Fix the dilapidated entrance to the old baths.

Redevelop the Bathers Pavilion into a waterside restuarant/bar/café.

Do up the old swimming enclosure for family use like the old days. We swam there every day as kids. It’s a fabulous sport which has been sadly neglected.

Fishing detritus.

Clean up the polluted beach area beside Bass and Flinders. Overhaul and refurbishment of Bass and Flinders can only be a big plus as this area has become a bit of an eyesore.

4 What uses and activities should be allowed in the park?

Current activities

It’s all the same

As is

Broad mix of activities and citizens.

Family oriented.

Family picnics (5)

Unleashed dog exercise (3)

Pet friendly on leash

Children’s play areas (2)

Other

Bar/restaurant/café

Walking via pathways

Fishing

Barbecue

Cycling

Outdoor concerts

Cultural festivals

Passive activities as space is limited.

Exercises

5 What uses and activities should not be allowed in the park? Why?

Ball games (2)

Bike riding (2) dangerous when people walking along path and children playing.

Skateboarding (2)

Cricket

Fishing off the pathway

Shops

Dog training

Games that destroy the grassed area.

Barbecues as rubbish is left afterwards.

Signs regarding fines for littering as there are plenty of bins about.

6 Are there any issues with use of the park that affect you as a resident or business?

Yes 5

Parking

Rubbish is tossed into residents' property.

The constant litter in the park area. Park rangers should patrol the park during peak weekend times to ensure patrons are disposing of their rubbish properly.

Groups using the park and leaving their disgusting rubbish everywhere. Ban all forms of barbecues including the charcoal ones they use.

Not really 2

No 7

7 What are your thoughts about these suggestions for use of the park?:

(a) Refurbishment of the Bathers Pavilion and use as a food and beverage outlet

Agree 13

It is an eyesore as it is. Could be great for a fish and chip restaurant like Doyles at Watsons Bay.

A café/restaurant may be a suitable use with walkers stopping for coffee, but parking needs to be considered as parking spaces are a premium in summer.

Marvellous idea as it is quite an eyesore. Use as a food and beverage outlet is really needed around that area.

Lovely wine bar/restaurant to liven up the area and take advantage of the views.

At present it's a disgrace.

Excellent idea – it's been an eyesore for ages.

It is an eyesore.

Convenience

Better use of facilities.

Disagree 4

The pavilion needs to be removed. It is beyond repair and should be replaced with landscaping. We have plenty of food and café shops. Don't spoil the area. Leave it open for quiet public space. Shops bring traffic and parking problems in an area that is already congested.

These facilities are already there.

No food or beverage outlet. Shop is available close by for these items.

The area is derelict and needs restoration as a landmark opportunity for the right vendor.

As a coffee shop only. There is little parking available especially when the restaurant is open.

Complete lack of parking. Rubbish in gardens.

(b) A continuous foreshore pathway/ boardwalk

Agree 15

But more parking is needed.

Fix the fence as it is rusted, unsafe and dangerous.

Allow access to public space.

Would bring more people to the area.

More exercise for seniors.

We all need exercise.

Very good idea. Many residents and visitors would make good use of it.

Should be accessible to all.

Beautiful part of the area that needs easy access to all public. No shops.

Lets us enjoy our surroundings.

Encourage enjoyment of the foreshore area and associated activities.

To facilitate continuous walking round to the bridge.

(c) Repairing the garden beds containing the palm trees

Agree 15

The park is becoming very run down.

Palm trees give a nice feel to the park.

Rats reside there.

They are lovely.

It can only add to the beauty of the area.

It would attract more families to use the park.

Develop a broader landscape plan with a boardwalk that allows people to fish near the shoreline and walkers and cyclists to use bypass route to avoid fishing lines and safety hazard.

They are in appalling condition. Palms shed fronds and fruit could cause potential trip factor.

Neutral 1

Nice to have, but not important for me.

Disagree 2

Takes up more ground. This park is not that big.

Get rid of the palm trees.

8 Do you have any other comments about Sans Souci Park?

Dredge the waterway in front of the pavilion

Remove oyster rocks to improve it

In the 60s and 70s our children had a wonderful childhood with the ferry, the old tidal baths and the little wharf for fishing where the boats came in. Please leave the park for future generations to enjoy.

Restore this area to a Kogarah Council premium park.

Family has been here since 1947. Please restore to former glory. Former Council staff maintained perfectly.

The old pavilion is in appalling condition. Little has been done to maintain the structure since 2000. It should be restored and used i.e. coffee shop with an arts and craft store.

The graffiti should be photographed, placed on the Graffiti Register, then removed. This assists police in identifying the perpetrators from their tags.

The lack of parking in the surrounding area has been raised previously when the restaurant and units were built with only 8 parking spaces. Residents have difficulty parking or accessing their properties when the restaurant is open. If parking is not addressed there is little to gain by developing the pavilion. Residents will greatly patronize a coffee shop as there is nothing of its kind in this area.

I support any improvements to the Sans Souci Park.

Over the past 30 years the trees have been removed and not replaced, such as parking bays which are necessary. The actual grounds need more trees. No more reduction in green space areas for passive enjoyment.

The pavilion could be a historical museum for the area.

Give Sans Souci the attention you give to Carss Park.

Lovely park that is in desperate need of improvement to the Bathers Pavilion.

The park should remain a place for families and children to just enjoy the space and environment.

Thank you for your comments.

Please return this completed form or your comments on a separate page by Monday 29 November 2010 to:

The General Manager
Kogarah City Council
Locked Bag 8
KOGARAH NSW 2217
Attention: Gary Eastman

Fax:
9330 9561
Attention: Gary Eastman

Email:
gary.eastman@kogarah.nsw.gov.au

APPENDIX F SUBMISSIONS FROM PUBLIC EXHIBITION

The draft Plan of Management for Sans Souci Park was placed on public exhibition for comment for 42 days until 3 June 2011 as required under the *Local Government Act 1993*. This public exhibition period also included the 28 days required for draft Plans of Management under the *Crown Lands Act 1989*.

Notification of the public exhibition was placed in the *St George and Sutherland Shire Leader* and in the NSW Government Gazette. The Draft Plan of Management was on display at Council's Customer Service Centre; libraries at Kogarah Town Square, Oatley, and South Hurstville; and on Council's website.

Two written submissions were received as a result of the public exhibition. These submissions are outlined below. Amendments to the Plan of Management made as a result of the public submissions are in Appendix H.

Re Sans Souci Park Plan Of Management.

Submission 2011
I appreciate all the work that has gone into the draft plan for the park and its beautiful foreshore area
I believe the park should be left for passive recreation in as natural state as possible with minimal signage -our lives are already inundated with signs -16 at the corner of my street, The Promenade and Ramsgate Rd
-No formal gateway into the park – recent construction into Carss Park entrance is not Attractive
-Maintain grassed areas and trees, keep established palms, although not native, still very beautiful
-No more structures, sculptures, fountains etc and use the trees for shade
-Fitness equipment already adequate
-No more BBQ's always left filthy- people bring their own portables and mostly
Sit on rugs on the grass, as do school classes on excursion. Children today do not
get the opportunity to feel the grass underfoot- they live in a concrete jungle.
Present benches are sufficient and fishing should be allowed against the wall ,it is not offensive and enjoyed by many
Pedestrians can cross Rocky Pt Rd 100 metres north of the park – no extra crossings needed
-No more fences needed or we will be like children in public schools (fenced in like prisoners)
- Sloped wall revetment north of Bass & Flinders not required –the only natural part of the foreshore left.
-Restore Bathers Pavilion, there is inadequate parking for food and beverage outlet.
- Keep two established palm trees on the corner of Rocky Pt Rd and Water St- area needs to be maintained, because people drop refuse from take- away there.
-In short, keep the park simple and uncluttered for all to enjoy.

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AUSTRALIA POST

Sans Souci Park Plan Of Management 2011

Comments in form of points for sections .
Table 2.3.
The Tourist value of the wharfs is not included. These two wharfs are the only access to the Georges River and Botany Bay on the northern side and are the focus of large numbers and groups to visit the area.

2.6
Add Cruise facilities
Table 2.5
Access to provide facilities for more boating activities. Moor and eat .take -out food.
Table2.6
Add tourist and cruise facilities.

3.3
Generally ,the park should be kept more open . It is a concentrated park between a highway and Bay and signs, fitness equipment, bbq s and tables should be minimized. The car park should be moved to the highway side and the land near the water restored to park. This should be a first priority. No more park should go to car park especially parts of the swimming pool enclosure at the western end near the shops and bathers pavilion. Vehicle access to the pool and parking near it should be limited to delivery and the disabled only with no other traffic in the park. A parking fee is not required as the use within the park allows a spread with fishing cruises and swimmers from 5am till noon. Cruise patrons from retirement villages and homes and school excursions arrive by bus from 9.30 to2 pm. Squad training from 4 pm to 6.30 and then cruise patrons later in the evening . T here is no need to limit parking by a charge as it is a public park and should stay so.

4.2.1
The structure and operations of the Reserve Trust should be more open and transparent as it appears that it is the body to carry out the Management Plan.

APPENDIX G PUBLIC HEARING REPORT

REPORT ON THE PUBLIC MEETING TO CONSIDER THE DRAFT PLAN OF MANAGEMENT TO CATEGORISE COMMUNITY LAND

SANS SOUCI PARK PLAN OF MANAGEMENT

Contents:

1. **Introduction**
2. **Background materials**
3. **Purpose of this report**
4. **Author of this report**
5. **The land that forms Sans Souci Park**
6. **Whole of park strategies**
7. **Community input**
8. **Assignment of Land Category**
9. **Summary**

1.Introduction

At the public hearing which took place at the Carss Park Hall on 14th June, 2011 a document explaining the purpose of the public hearing was available to members of the public who attended that meeting, a copy of which is attached (attachment 1). That document sets out the process of the public hearing. Fundamentally, it is an opportunity for members of the public to voice their opinions on the Draft Plan of Management in an open public forum.

2. Background materials

In preparing this report, the following documents were taken into consideration:

1. Draft Plan of Management for Community Land at Sans Souci Park dated March, 2011 prepared by Parkland Environmental Planners and Complete urban with support from Kogarah City Council. (attachment 2).
2. Submissions by members of the public who attended the meeting (a record of attendances is now contained on the council file).

3. Written submissions (attachment 3).

3. Purpose of this report

This report is intended to assist the Councillors in making their decision on how Sans Souci Park is to be categorised and managed in the future.

It is a report back to the Councillors on the feelings of people who made representations.

4. Author of this report

This report has been prepared by Michael McMahon who is a solicitor with specialist accreditation by the Law Society in Local Government and Town Planning. He is completely independent of Kogarah Council and he has been given freedom on the preparation of this report. He visited the park and the surrounding area on the afternoon prior to the public hearing.

5. The land that forms Sans Souci Park

The legal status of the land is set out in Table 2.2 on page 12.

Page 11 of Attachment 2 contains a Land ownership map which is an aerial photograph with lines and colours which have been added to set out the land that will be subject to the Plan of Management (the land). The map reveals that the blue land that makes up the majority of the waterfront land is crown land and the land that is close to the Captains Cook Bridge is mauve and it is owned by the Roads and Traffic Authority. At the time of the public hearing the map contained an area of land that had a yellow colour attached to it being of "unknown" ownership. That land is mainly used for carparking and it has subsequently been established that it is owned by the Roads and Traffic Authority. The land with a green colour consists of two parcels adjoining Water Street near the intersection with Rocky Point Road. That land also has a red colouring on Figure 5.1 on page 48 showing the proposed extent of category of community land in Sans Souci Park. Kogarah Council is the registered proprietor of the community land and it has the care, control and management of the Crown Land.

6. Whole of park strategies

Page 19 of Attachment 2 explains that "The following whole-of-park strategies apply across the entire parkland of Sans Souci Park, and includes Crown land, community land, and land owned by the Roads and Traffic Authority. These strategies should not conflict with the

principles of the *Crown Lands Act 1989* for Crown land, or the core objectives of the respective community land categories."

7. Community input.

1. This public hearing took place on a wet and windy night and the names of the people who attended have been sent to council. There was early criticism of the open day which took place on 4 December, 2010 which was another day when there was inclement weather but I was satisfied there was ample opportunity for input as noted on pages 104-109 of Attachment 2.
2. The lack of regular cleaning of the park was the strongest complaint. The residents referred to Rockdale Council's parks as being of a more acceptable level of cleanliness.
3. At the same time they asked me to record that there is a caretaker called Ron who looks after the Carrs Park Reserve whom they say is revered and well respected for the results he achieves and they believe that it will be difficult to find another caretaker with the same virtues.
4. It is noted that the "unknown land" mystery has been solved and it will be referred to as being owned by the Roads and Traffic Authority in the final draft.
5. The Palm trees were not appreciated in the park, particularly the ones in the block beds. It was claimed that they are not native, their spikes are dangerous and they harbour rats. Lillipillis and native plants were suggested as replacements. Questions were asked about the future of the disliked block beds. It is noted the Action in Priority 1 is: "Remove palm trees and block beds. Re-landscape with additional trees and groundcovers, widen the foreshore path, and relocate palms."
6. Concerns were raised about the possible future use of the council owned land, in particular there was a fear that it may be converted to parking. This was consistent with both the written submissions and the people who attended the public hearing.
7. The second written submission raised concerns about possible alienation of the public domain by sectional interests. These concerns may or may not be justified depending upon the policy council adopts in the way council implements the Plan of Management.

8. There were two aspects of the Crown Land that have unanswered questions:

1: Figure 2.1 has blue colouring into the water near the pavilion Q: What is going to happen to this area? It seems that this will arise during separate procedures that are undertaken to decide the future of the Sans Souci Bathers Pavilion.

2: When is the Bass and Flinders wharf (Pictured on page 93) going to be finished? It seems that negotiations are continuing involving the lease but that is outside the scope of this report.

8. Assignment of Land Category

The Draft Plan of Management was prepared after a community consultation and survey, the results of which are set out in appendix E to Attachment 2. The proposed categorization of the Community Land owned by the council is Park.

In the circumstances here, having visited the land, reviewed the draft plan and listened to the community input in the public meeting I consider that the categorization of park as referred to on pages 49-50 in the draft plan of management to be appropriate.

10. Summary

The Draft Plan of Management for Community Land at Sans Souci Park relates to a small area of community land owned by the council and it is proposed to categorise that land as park. The Draft Plan also applies to Crown Reserve R91016, as well as land owned by the Roads and Traffic Authority and I find that the proposals in relation to the crown land are consistent with the Crown Lands Act and I find the draft is generally suitable for adoption as it appropriately categorizes the community land land as Park. The strategies in the plan are consistent with the community expectations and are also appropriate for adoption.

Michael McMahon

ATTACHMENT 3

1. "I find most of the "strategies" interesting, and B and D excellent and long overdue.
BUT number A is dreadful!!!

- Renovating the former Bathers' Pavilion: this afternoon I hope to look at the plan in detail, as I do not understand what the word "renovate" entails. Only a complete removal and the building of a suitable SMALL structure to fill the space left is worthy of consideration, as the original structure, neglected for decades could hardly be "renewed."
- A "food & beverage" facility" must mean a restaurant or "snack bar" type pf thing.
- ANOTHER FOOD PLACE IS TOTALLY UNNECESSARY! Right over the (small, narrow) road from the Bathers' Pavilion are THREE establishments selling meals and/or snacks, viz. a long - established Chinese restaurant (eat-in and takeaway) , a fish & chip & chook shop, also long established, and a newish,restaurant of the more formal kind. Two short blocks away there is the Motor-Boat Club, with well-established restaurant facilities.

- The little Sans Souci shopping centre on Rocky Point Road has a lot of restaurants of varying types and they do not all have many customers.
- There are MORE THAN ENOUGH "f.&b. facilities".

There is far too little space for car-parking nearby. Many people would never consider using public transport or (oh horror!) walking a distance from their car or bus stop. Long-term residents of the area cannot even now enjoy a stroll down to
What is left of our originally beautiful **natural environment should be protected and kept. The Sans Souci & Dolls Point area is low-lying, and in this period of incipient climatic change buildings so close to the river are not a good idea,** a "backward step".
The area needs to be revegetated, with suitable indigenous trees & shrubs, as Nature's protection(the original rocks,or small rocky cliff behind the Bathers' Pavilion) were removed /cut back years ago, unfortunately.
About point C, pathways , concrete & signage do not add to the charm and comfort of a park. Why must everything look like a road?
About point E, more carparks = more cars coming to fill them"

2. " In general terms, I welcome a clean-up and upgrade of the Sans Souci Park. However I have the following comments and concerns in relation to the draft plan of management:
1. I am concerned that many features of this plan indicate an intention to make the park available for event hire, possibly on a large scale, turning the park into a commercial money making venture rather than for local residents to use freely. I object to this. Such references in the plan include the following examples:
a. The permitted uses contemplate concerts, functions, corporate promotions and ceremonies;
b. The permissible developmentsinclude ticketing facilities and hardstand for event structures, and short term lease or licence agreements;
c. Table 3.2 refers to the need to consult with local residents where there is an application for a major event with potentially high traffic volumes;
d. Table 3.3 refers to functions (theatrical, cultural and musical) and to a "park events management policy", and the need to ensure a "reasonable return";
e. Table 4.3 refers to the idea of broadening the range of recreational opportunities available to park users.

What can we expect? – concerts; festivals; a circus in the park perhaps? This is far too open-ended. The park should remain for playground and picnicking.

2. It is clear that Council is contemplating imposing parking fees. See for example:

a. The plan refers to 'boom gates' at the driveway entrance.

b. Table 3.3 (p34) states that the council will 'consider paid parking in the park'.

c. Table 4.2.9 raises the proposition that "access as a right does not mean entirely free access".

All of this is setting up for imposition of parking fees for the park.

Council ratepayers already pay for the park - their council rates should be adequate without paying more to use the car park.

3. Table 3.2 contemplates the development of new buildings on the community land. The only buildings that should be permitted are those necessarily incidental to use of the park as a playground and picnic area (e.g. amenity blocks and picnic facilities).

4. Table 4.2 mentions the possibility that Crown land can be sold. NO part of the park should ever be sold to private owners.

5. In regard to the Bathers' Pavilion:

a. In light of the time elapsed since the last request for tenders, and the proposed revamp of the park, and to ensure transparency, a new request for tenders should be issued before finalising any agreement with one preferred party in regard to the Bathers' Pavilion.

b. It is not clear from the plan whether swimming will be permitted/encouraged in the Georges River in front of the Bathers' Pavilion and how this will fit with the adjacent water-police facility which appears to encroach on the old baths.

c. The plan requires an undertaking to preserve the heritage features of the Bathers' Pavilion given that it is featured on 2 heritage lists. The entries on those lists also indicate the remnant baths and the external sandstone walls.

d. I note the proposal to re-categorise the corner area of the park (near the large fig tree) as part of the Park. The plan indicates it as parkland. I would be concerned if this area becomes parking for the upgraded Bathers' Pavilion.

I do not believe that these aspects of the draft plan as set out in this email are widely known in the local community. Including them within a draft plan of more than 100 pages does not mean these things are known in the community generally and does not constitute genuine consultation."

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APPENDIX H AMENDMENTS ARISING FROM PUBLIC EXHIBITION AND PUBLIC HEARING

Council considered the written submissions to the public exhibition of the Draft Plan of Management, and verbal and written submissions to the public hearing. Council adopted the Plan of Management with the following amendments to be made to the final Plan of Management.

Table H.1 Amendments for the final Plan of Management

Page no.	Section	Comments/Amendments
-	Front cover	Delete "DRAFT". Insert "Adopted 25th July 2011"
22	Table 3.2 "Lease Area'	Insert "..but excluding those portions of land in the immediate foreshore area."
42	Table 4.3	Insert "As part of the redevelopment of the Bathers Pavilion investigate the feasibility of reopening the tidal pool."