

**ITEM 8.7 ADOPTION OF CROWN LAND PLAN OF MANAGEMENT
2023 AND APPLICATION TO THE MINISTER**

REPORT BY: CREATIVE & COMMUNITY SERVICES
**CONTACT: EXECUTIVE DIRECTOR CREATIVE & COMMUNITY
SERVICES / EXECUTIVE MANAGER COMMUNITY &
RECREATION**

PURPOSE

To adopt the Crown Land Plan of Management 2023 (CLPoM) following public exhibition and endorsement by Crown Lands, and to make an application to the Minister for Local Government for consent to grant a lease as per the Local Government Act following the CEO's decision to award a tender.

RECOMMENDATION

That Council:

Part A:

- 1 Adopts the City of Newcastle Crown Land Plan of Management 2023 (CLPoM) pursuant to section 40 of the Local Government Act in accordance with 3.23(6) of the Crown Land Management Act 2016. **(Attachment A).**

Part B:

- 2 Notes that as part of any application to the Minister seeking consent of a proposed lease, a Crown Land Plan of Management must first be adopted by the Council.
- 3 Notes on 21 September 2023 City of Newcastle (CN) wrote to the Minister for Local Government seeking consent to grant the lease to enable the operation of CN's five inland pools in accordance with Section 47(5) of the LG Act following an earlier delegated decision by the CEO.
- 4 Notes that 13 submissions were received from the public objecting to a proposed lease over community land described as Beresfield Swimming Centre (230 Anderson Drive, Beresfield), Wallsend Memorial Swimming Centre (6 Frances St, Wallsend), Mayfield Swimming Centre (21a Maitland Rd, Mayfield), Lambton Park War Memorial Swimming Centre (50 Howe St, Lambton), Stockton War Memorial Swimming Centre (49 Pitt St, Stockton).
- 5 Notes that section 47(5) of the LG Act requires an application to be made to the Minister for consent when submissions are received objecting to a proposed lease, and thus requiring the Minister to provide consent to grant a lease.
- 6 Makes an application to the Minister for Local Government seeking consent to grant the proposed lease over the community land described as Beresfield Swimming Centre (230 Anderson Drive, Beresfield), Wallsend Memorial

Swimming Centre (6 Frances St, Wallsend), Mayfield Swimming Centre (21a Maitland Rd, Mayfield), Lambton Park War Memorial Swimming Centre (50 Howe St, Lambton), Stockton War Memorial Swimming Centre (49 Pitt St, Stockton) to BlueFit Pty Ltd (ABN 74 127 508 230) for a term of 7 years plus two possible 7 year options for the purpose of operation of inland swimming pools under section 46(b)(i) of the Local Government Act 1993.

- 7 Notes the application to the Minister is on terms consistent with the CEO's delegated decision and the lease is subject to a \$5 million contribution to capital works being delivered within the initial 7 year lease period.

KEY ISSUES

- 8 The Crown Lands Management Act 2016 (CLM Act) commenced on 1 July 2018. The CLM Act requires City of Newcastle (CN) to manage Crown Land as if it was community land under the Local Government Act 1993 (LG Act). This requires Plans of Management (PoM) to be prepared for all Crown Land managed by CN.
- 9 The purpose of the CLPoM is to outline the key values of the land and guide how it will be managed, used or developed.
- 10 CN, as the Council Crown Land Manager, is required to obtain the Minister's consent before adopting a CLPoM.
- 11 On 11 November 2022 Crown Lands provided consent to adopt the draft CLPoM under clause 70B of the Crown Land Management Regulation 2018, following public exhibition.
- 12 The draft CLPoM was then placed on public exhibition from 30 November 2022 to 31 January 2023.
- 13 The following amendments were made to the draft CLPoM post public exhibition and subsequently accepted by Crown Lands.
 - i) Reference to Rawson Reserve included which clarifies CN's responsibilities for managing the Reserve, and accounting for its finances, are in accordance with the Crown Land Management Act.
 - ii) Appendix 2 and 3 amended to clarify ancillary uses (associated Emergency Service operations as authorised uses).
 - iii) Additional action relating to strengthening CN's advocacy role with state and federal governments.
 - iv) Additional action included for CN to prepare a leases and licensing policy. It is noted that there will be community consultation as part of the preparation of this policy.
 - v) General updates to ensure consistency with other CN strategies, policies and relevant legislation.
- 14 CN has received advice from Crown Lands that it, as delegate to the Minister for Lands and Property, consent for CN to adopt the CLPoM under Clause 70B of the Crown Land Management Regulation 2018.

- 15 Section 46 (1)(b) of the LG Act provides that a lease, licence or other estate in respect of community land may be granted, in accordance with an express authorisation in the plan of management and such provisions of the plan of management as apply to the granting of the lease, licence or other estate. Section 47(5) of the LG Act requires an application to be made to the Minister for consent if any submissions are received objecting to the proposed lease.
- 16 On 13 October 2023, the Office of Local Government advised that a Council resolution is required to make an application to the Minister in accordance with Section 377(1)(s) of the LG Act. This was in response to the application to the Minister for Local Government submitted by CN on 21 September 2023 seeking consent to grant the lease for CN's five inland pools in accordance with Section 47(5) of the LG Act, as a small number of submissions objecting to the proposed lease were received during the statutory notification period.
- 17 Councillors are being asked to support an application to the Minister in circumstances where the CEO has already made the decision to award the tender. The single reason the matter is coming before Council is because of the statutory requirement for a resolution to support the application to the Minister. Therefore the role of Councillors is not to make a decision about leasing or operation of the pools. The final decision to grant the lease rests solely with the Minister for Local Government in accordance with the LG Act.

FINANCIAL IMPACT

- 18 Adoption of the CLPoM does not have a financial impact. Any future priorities identified as part of the PoM will be considered through CN's delivery program and operational plan process. The NSW Government does not financially compensate CN for the management of Crown Land.

NEWCASTLE 2040 ALIGNMENT

- 19 The CLPoM aligns with the priorities of Newcastle 2040, in particular:

Liveable

- 1.1 Enriched neighbourhoods and places
- 1.2 Connected and fair communities

Achieving Together

- 4.1 Inclusive and integrated planning

IMPLEMENTATION PLAN/IMPLICATIONS

- 20 The CLPoM is consistent with CN's responsibilities under the LG Act and the CLM Act. The CLPoM provides a consistent approach to management of community land and allows management decisions to be made appropriate to the category of land.

RISK ASSESSMENT AND MITIGATION

- 21 There is no risk in adopting the CLPoM. The adoption enables CN to comply with legislative requirements of the LG Act and the CLM Act.
- 22 Existing leases and licenses on Crown Land managed by CN will not be affected by the adoption of the CLPoM.

RELATED PREVIOUS DECISIONS

- 23 At the 24 November 2020 Ordinary Council Meeting Council resolved to submit the draft Community Land PoM to Crown Lands seeking approval to place the PoM on public exhibition.
- 24 On 22 February 2022 the Council resolved to approve the making of an application to the Minister for Local Government seeking consent for City of Newcastle to enter into a lease with Sunnyboy Kiosk Pty Ltd for Dixon Park Kiosk, in accordance with section 377(s) of the *Local Government Act 1993* which was subsequently approved by the Minister for Local Government.

CONSULTATION

- 25 The draft CLPoM was placed on public exhibition from 30 November 2022 to 31 January 2023.
- 26 Amendments have been made to the draft CLPoM in response to submissions regarding the draft CLPoM, resulting in the amendments noted in paragraph 8.
- 27 In March 2023 proposed amendments to the draft CLPoM (post exhibition) were referred back to Crown Lands for consent to adopt in accordance with the requirement to resubmit the draft for Minister's consent if the draft PoM is amended after public exhibition (except for minor editorial and formatting changes).
- 28 The CLPoM has been developed in consultation with Crown Lands to identify and mitigate key issues.

BACKGROUND

- 29 In June 2021, the Crown Land Management Amendment (Plan of Management) Regulation 2021 (CLM Regulation 2021) removed a requirement for councils to complete PoMs by 1 July 2021, however councils were still required to submit land categorisations and draft PoMs as soon as practicable.
- 30 Since this time CN has been liaising with Crown Lands on the preparation of a Crown Lands PoM.

OPTIONS

Option 1

31 The recommendation as at Paragraph 1, 2, 3, 4, 5, 6 and 7. This is the recommended option.

Option 2

32 Council resolves not to support paragraphs 1, 2, 3, 4, 5, 6 and 7. This is not the recommended option.

Option 3

33 Council resolves to support Part A but not Part B. Rejecting the application to the Minister to grant consent to the lease obligates ratepayers to an additional \$39 million in costs over the next 21 years associated with the operation of the five inland pools and denies a \$5 million capital contribution from BlueFit to make Lambton Swimming Centre a year round facility.

REFERENCES

ATTACHMENTS

Attachment A: City of Newcastle Crown Land Plan of Management 2023

Attachment A distributed under separate cover

2023

Crown Land Plan of Management



newcastle.nsw.gov.au



City of
Newcastle

Acknowledgment of Awabakal and Worimi Peoples

City of Newcastle (CN) acknowledges the traditional country of the Awabakal and Worimi peoples. We recognise and respect their cultural heritage, beliefs and continuing relationship with the land, and that they are the proud survivors of more than two hundred years of dispossession. CN reiterates its commitment to addressing disadvantages and attaining justice for Aboriginal and Torres Strait Islander peoples of this community.

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A. General



1.0 Introduction

The City of Newcastle is located approximately 160 kilometres north of Sydney. The city is predominantly urban, with an estimated population of around 171,316 recorded in 2022. Newcastle sits in the regionally recognised blue-green corridor that includes the Internationally and State significant, Lower Hunter Wetlands.

The Awabakal and Worimi Aboriginal people are acknowledged as the traditional custodians of the land and the waters of Newcastle. Novocastrians are a proud community and our culture is shaped collectively by our history as a penal settlement and the birthplace of the Australian coal industry. European settlement introduced a range of activities from farming to coal mining and industry. While the industrial sector continues to play an important employment role, a substantial and growing portion of our economy is now based around the service sectors.

City of Newcastle (CN) is responsible for managing a range of community and recreation facilities, including recreation parks, sportsgrounds, swimming pools, ocean baths, beaches, bicycle and shared pathways, community facilities, skate parks, playgrounds, dog exercise areas and community gardens. Our culture and lifestyle are inextricably linked to and revolve around these community assets. CN has a number of Plans and Strategies that guide the planning, investment and provision of open spaces and facilities for current and future communities.

1.1 Background

The *Local Government Act 1993 (LG Act)* requires a Plan of Management (PoM) to be prepared for all public land that is classified as 'community land' under that LG Act.

A PoM provides the framework for and guides the management of public land that is owned or managed by a Council. It identifies issues affecting public land and sets out how that land is intended to be used, managed, maintained and enhanced in the future.

City of Newcastle (CN) currently has five separate Generic Plans of Management (PoMs) that govern community land. They are:

Sportlands PoM

Neighbourhood Parks PoM

General Community Use PoM

Playground PoM

Bushland PoM

The *Crown Land Management Act 2016 (CLM Act)* authorises local councils appointed to manage dedicated or reserved Crown land, to manage that land as if it were public land under the *Local Government Act 1993 (LG Act)*. CN manages this land as if it were community land.

For this reason, a review of the PoMs has been undertaken and a separate Crown Land PoM has been prepared for all Council managed Crown land to ensure their management remain consistent with the current and future needs of the community and the *CLM Act*.

Any Crown land identified in the generic PoMs have been included in this Crown land PoM.

The Generic PoMs remain in place for all community land.

CN also has adopted Site Specific PoMs. These sites have their own PoM due to the significance of the sites and the large number and variety of users of these spaces.

This PoM will override any site specific PoM relating to Crown Land including:

Newcastle Coastal Plan of Management 2015

Foreshore Plan of Management 2015

1.2 Corporate Objectives

CN's corporate strategic direction and community objectives are outlined in the City of Newcastle 2040 Community Strategic Plan. The items that apply to this Plan of Management include the Sustainable Development Goals 13, 14 and 15 and the following:

Themes City of Newcastle	CSP Strategic Priorities that apply to this PoM
<p>Liveable Our public places bring people together for active living and social connection. We plan for areas of identified growth and change</p>	<p>1.1 Enriched neighbourhoods and places 1.2 Connected and fair communities 1.3 Safe, active and linked movement across the city</p>
<p>Sustainable We protect, enhance and connect our green and blue networks, and we're transforming our city through circular economy solutions.</p>	<p>2.1 Action on climate change 2.2 Nature-based solutions</p>
<p>Creative Our city is vibrant, inclusive and creative. Newcastle is a destination known for its culture, heritage, entertainment and innovative ideas.</p>	<p>3.1 Vibrant and creative city 3.3 Celebrating culture</p>
<p>Achieving Together Our strength is growing our capability to manage community and customer expectations and continuously improve our service delivery.</p>	<p>4.1 Inclusive and integrated planning 4.2 Trust and transparency 4.3 Collaborative and innovative approach</p>

1.3 Land to which this plan applies

This Plan of Management is a generic plan which covers all Crown land where CN is the appointed Crown land Manager (CLM). The land is categorised as Park, Sportsground, General Community Use and Natural Area. 'Natural Area' is further categorised into either bushland, wetland, escarpment, watercourse and foreshore.

Refer to *Appendix 1* for a full list of all Crown reserves covered in this PoM. Maps showing the land and what it is categorised is outlined in *Appendix 11*.

Unless specified otherwise, where this document refers to community land, this reference will apply to the crown reserves where CN is the CLM.

There are several reserves that are entirely or partially devolved Crown land and are not required to be included in a Plan of Management. The devolved land parcels not included in this PoM are:

Allowah Street Playground, Waratah West

General Cemetery, Wallsend

100C Creek Road, Maryland

51A Maitland Road, Sandgate

General Cemetery, Stockton

Four drainage reserves located in the Adamstown, Lambton and New Lambton area

Braye Park, Waratah

Any Crown land that is a public reserve for the purposes of the *LG Act* with no appointed Crown land manager or that is not held under lease from the Crown will continue to devolve to council management in accordance with section 48 of the *LG Act*.

1.4 Structure of Plan of Management

The components of this PoM comprise:

this main document with separate chapters for each category of land;

a schedule of land (**Appendix 1**);

a set of maps identifying each parcel of land, its category and natural areas further categorisation. (**Appendix 11 - Maps - Land Categorisation and Restricted Use**); and

other appendices

2.0 Relevant legislation, policies and procedures

When Councils use and manage public land, they are required to comply with legislative, policy, and procedural requirements.

2.1 Local Government Act 1993

The *LG Act* (as amended), requires councils to prepare PoMs for all public land classified as Community Land. Public land is any land (including a public reserve) vested in or under the control of the council, but does not include –

- a) a public road, or
- b) land to which the *Crown Land Management Act 2016* applies*, or
- c) a common, or
- d) a regional park under the *National Parks and Wildlife Act 1974*.

All public land is required to be classified as either 'community land' or 'operational land' by a resolution of Council or a Local Environmental Plan.

Community land is land, which is kept for use by the general public (community). Community land would ordinarily comprise land such as a public park whereas operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public such as a works depot or council garage.

The *LG Act* requires that community land also be categorised into one or more of the following categories:

Natural Area

Sportsground

Park

General Community Use

Area of Cultural Significance

Natural areas are further categorised as:

Bushland

Wetland

Escarpment

Watercourse

Foreshore

a category prescribed by the regulation

An individual land parcel may comprise two or more categories (e.g. Natural Area and Sportsground).

Schedule of Land

This PoM has been prepared in accordance with the *LG Act*, using the land categories mentioned.

To identify the location and the categories of specific community land parcels refer to **Appendix 1 – Schedule of Land**, and the maps accompanying this document (**Appendix 11 – Land Categorisation and Restricted Use**). For each parcel, each area is to be managed under the relevant provisions of the category assigned to that area.

2.1.1 Requirements under the Local Government Act 1993

The *LG Act* specifies the core objectives for the management of each category of community land. The PoM outlines the use and management of the land according to its categorisation. PoMs do not replace other existing legislation, policies or procedures relating to the approval of activities or development on the land.

* However, the *CLMA 2016* requires that a CLM is authorised to classify and manage dedicated or reserved land as if it were public land within the meaning of the *LG Act* where Council is the appointed Crown land manager.

2.2 Crown Land Management Act 2016

In NSW Crown land is managed under the *CLM Act*.

As the land in this PoM is Crown land where Council is CLM, the requirements of the *CLM Act* have been considered in preparing this PoM.

Section 1.3 says that the objects of the *CLM Act* are:

- a) To provide for the ownership, use and management of the Crown land of New South Wales,
- b) To provide clarity concerning the law applicable to Crown land,
- c) To require environmental, social, cultural heritage and economic considerations to be considered in decision-making about Crown land,
- d) To provide for the consistent, efficient, fair and transparent management of Crown land for the benefit of the people of New South Wales,
- e) To facilitate the use of Crown land by the Aboriginal people of New South Wales because of the spiritual, social, cultural and economic importance of land to Aboriginal people and, where appropriate, to enable the co-management of dedicated or reserved Crown land, and
- f) To provide for the management of Crown land having regard to the principles of Crown land management.

Section 3.21 of the *CLM Act* provides that a council manager (a Council Crown land manager) is authorised to classify and manage its dedicated or reserved Crown land as if it were public land within the meaning of the *LG Act* (but subject to the Division 3.4 of the *CLM Act*)

This PoM is consistent with the requirements of the *CLM Act*, as amended.

2.2.1 Classification, Categorisation and Management

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

Section 3.22 requires a council manager to manage the land as if it were community land under the *LG Act* unless it has the written consent of the Minister administering the *CLM Act*, to manage the land as operational land under the *LG Act*.

Section 3.23(2) of the *CLM Act* requires that Crown land managed by a Council manager as community land is to be categorised consistent with the *LG Act*. The categorisation of Crown land where CN is Crown Land Manager (CLM) is set out in **Appendix 1 - Schedule of Land**.

2.2.2 Authorised Uses of Crown Reserves

Under Division 2.4 of the *CLM Act*, future development and use of dedicated or reserved Crown Land is restricted to:

the purposes for which is dedicated or reserved purposes incidental or ancillary to a purpose for which is dedicated or reserved

other purposes authorised by the *CLM Act* or another Act.

Under section 46 of the *LG Act*, leases, licences and other estates formalise the use of community land.

Sec. 3.17 of the *CLM Act* authorises Council as CLM to issue a tenure under Sec. 2.19 or 2.20 of the Act.

Section 2.19 authorises Council to grant a secondary interest over Crown land where it is in the public interest and would not materially harm the reserve purpose for which it has been dedicated.

Under Section 2.20 of the *CLM Act* and Section 31 of the *Crown Land Management Regulation 2018*, Council as the Crown land manager, can grant temporary licenses for up to one year for any prescribed purpose including:

- access through a reserve
- advertising
- camping using a tent, caravan or otherwise
- catering
- community, training or education
- emergency occupation
- entertainments
- environmental protection, conservation or restoration or environmental studies
- equestrian events
- exhibitions
- filming (*as defined in the LG Act*)
- functions
- grazing
- hiring of equipment
- holiday accommodation
- markets
- meetings
- military exercises
- mooring of boats to wharves or other structures
- sales
- shows
- site investigations
- sporting and organised recreational activities
- stabling of horses
- storage

2.2.3 Native Title

Native title describes the communal, group or individual bundle of rights and interests held by Aboriginal or Torres Strait Islander peoples. Matters relating to native title fall within the Commonwealth jurisdiction of the *Commonwealth Native Title Act 1993 (CNT Act)*.

The *CNT Act* sets out how native title rights are to be recognised and protected, making provisions for Aboriginal and Torres Strait Islanders establishing the existence of native title, lodging native title claims, determining and validating the extinguishment of native title, and dealing with land and waters where native title may not have been extinguished.

On Crown land native title rights and interests must be considered unless native title has been extinguished, surrendered, or determined by a court to no longer exist.

Dealings in land or water that affect (impair or extinguish) native title are referred to as 'future acts' and these acts must be done in compliance with the *CNT Act*. The *CNT Act* specifies procedures that must be followed before future acts can be done legally.

Some examples of acts which may affect native title on Crown land or Crown reserves managed by Council include:

- the construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbecues,
- the construction of extensions to existing buildings,
- the construction of new roads or tracks,
- installation of infrastructure such as powerlines, sewerage pipes, etc.,
- the creation of an easement,
- the issue of a lease or licence,
- the undertaking of major earthworks.

On Crown land, a future act undertaken by Council, which is not covered by one of the Future Act subdivisions of the *CNT Act* will be invalid.

2.3 Other Legislation and Statutory Controls

This PoM is subject to other legislation that also applies to the management of community land. Other legislation and policies to be considered in the management process include, but are not limited to the:

Environmental Planning and Assessment Act 1979

Biodiversity Conservation Act 2016

Coastal Management Act 2016

Water Management Act 2000

Marine Estate Management Act 2014

Fisheries Management Act 1994

Biosecurity Act 2015

Public Works and Procurement Act 1912

Roads Act 1993

Companion Animals Act 1998

Rural Fires Act 1997

National Parks and Wildlife Act 1974

Pesticides Act 1999

State Environmental Planning Policies (SEPP)

Aboriginal Land Rights Act 1983

Land Acquisition (Just Terms Compensation) Act 1991

A full list of legislation and policies to be considered in the management process can be found in

Appendix 8 – Legislation and Statutory Controls.

2.3.1 SEPP (Transport and Infrastructure) 2021

Section 2.73(2) of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* provides that:

Development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted for the land in accordance with the LGA

Development may be carried out by or on behalf of a council for various purposes listed in subsection (3)

Section 2.73(3) of the SEPP provides the circumstances where some recreational facilities are exempt from development consent on a public reserve or Crown managed land.

2.3.2 Newcastle Local Environmental Plan 2012

The Newcastle Local Environmental Plan 2012 (Newcastle LEP), as amended, aims to encourage the proper management, development and conservation of natural and man-made resources, to promote the social and economic welfare of the community and to provide a better environment.

Activities that are considered permissible under the Newcastle LEP, as amended, may be permissible on community land depending upon the categorisation of the land. Land categorised as natural area has more restrictive objectives for management than land categorised as park, sportsground or general community use.

2.3.3 Council Plans, Strategies, Policies and Procedures

This PoM is to be used in conjunction with the appropriate Council plans, policies and procedures that govern the use and management of community land and any facilities located on such land. A list of these key supporting documents (Council plans, policies, masterplans) can be found in **Appendix 9–References and Supporting Documents.**

2.4 Land comprising habitat of threatened or endangered species

CN has land parcels that comprise habitat of significant species. Many of these land parcels are captured in a Specific PoM i.e. Blackbutt Reserve PoM or a specific CN Vegetation Management Plan.

A full list of threatened or endangered species for the LGA can be sourced through the NSW Department of Planning and Environment Threatened Species website.

2.5 Heritage Significance

Aboriginal archaeological record today is a fragment of the original evidence. The recorded sites and the Newcastle coastline landscape are important to the Awabakal and Worimi communities and provide an opportunity to educate the general public regarding Aboriginal culture and history in the area.

Australia's First Peoples require access to Crown land in order to exercise their native title rights and also more broadly to care for Country and undertaken cultural practices.

Any development must comply with the scheme contained in the *National Parks and Wildlife Act 1974* for the protection of Aboriginal cultural heritage.

CN is rich in Indigenous and European heritage. Prior to the arrival of the first European settlers, the area had a significant Aboriginal population whose presence is evident in archaeological sites as well as present day Aboriginal communities.

There is a strong local interest and pride in the heritage of the city and conservation and enhancement of the city's environment is essential.

Schedule 5 of the Newcastle LEP 2012 lists sites in Newcastle containing items of non-indigenous and potential items of indigenous heritage. Whilst most of the entries relate to privately owned items, a number are located on crown reserves where CN is the CLM.

The objectives of Heritage conservation (clause 5.10 Newcastle LEP 2012) include:

To conserve the environmental heritage of the CN,

To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

To conserve archaeological sites,

To conserve Aboriginal objects and Aboriginal Places of heritage significance.

CN strives to make economic and cultural planning and development decisions based on the principle that heritage places are integral to the city's identity and contribute a rich resource with which to shape the future.

Some reserves have already been categorised as areas of Cultural Significance in the Heritage Places Strategic Plan and Plan of Management (Heritage PoM) 2000. These reserves are located on community land and have their own site specific Plan of Management adopted by CN.

The following Crown reserves are of State significance under the *Heritage Act 1977* and have potential to be categorised as areas of cultural significance. This will require further review and a report to Council prior to them being declared by Council as areas of Cultural Significance under the *LG Act*.

These reserves include:

King Edward Park

Shepherds Hill Defence Group Military Installations

2.5.1 Conservation Management Plans

Conservation Management Plans (CMP) are the main guiding document for the conservation and management of State listed heritage places under the *Heritage Act 1977*. It is a document which sets out what is significant about a place and consequently what polices are appropriate which enable that significance to be retained in its future use and development. For most places it deals with the management of change, and if endorsed by the Heritage Council of NSW, provides additional site-specific exemptions from *Heritage Act 1977* approval.

CN managed Crown land with a CMP in place subject to this PoM includes Shepherds Hill Defence Site Military Installations.

2.5.2 Heritage Conservation Areas

Our city has a rich portfolio of dedicated heritage conservation areas that are recognised for their character and heritage significance. We manage them to reinforce our Novocastrian cultural identity and our sense of pride in our heritage places. The Heritage Conservation Areas can be found in the Newcastle LEP 2012.

2.6 Reclassification

Reclassification of Crown land can only be undertaken with the written consent of the Minister administering the *CLM Act*.

2.7 Community Consultation

In accordance with section 39 of the *LG Act*, prior to being placed on public exhibition, the draft PoM was referred to the Department of Planning, Industry and Environment – Crown Lands, as representative of the state of NSW. CN has included in the plan any provisions that have been required by Department of Planning and Environment – Crown Lands.

This PoM was placed on public exhibition from 30 November 2022 to 31 January 2022, in accordance with the requirements of section 38 of the *LG Act*. A total of 7 submissions were received. CN and Crown Lands considered these submissions before adopting the PoM.

2.8 Implementation and Review of this Plan

This PoM provides the overarching guidelines for use and management of crown land where CN is the CLM over the next 10 years. Whilst these guidelines are suitable at present, the PoM will be reviewed periodically to confirm its continuing relevance. The review will take place within 4–5 years of the adoption of the PoM.

Requirements relating to reporting and plans of management, including for Crown land, will be as provided by the *LG Act*.

The Implementation of this PoM will commence when adopted with a resolution of Council under Section 40 of the *LG Act*.



3.0 Development and Maintenance

3.1 Maintenance of Open Space

The service levels for maintenance of open space across the Newcastle LGA are aligned with CN's annual budget. Service levels are regularly reviewed considering asset hierarchies, community expectations and budget allocations.

Maintenance programs for natural assets are based on principles of environmental sustainability, particularly in relation to improving estuarine quality. Riparian zones directly along watercourses are important, as vegetation provides an effective natural stormwater filtration medium. Such areas will be considered for replanting with appropriate native vegetation to enhance the filtration effect.

Maintenance schedules are also developed and delivered for built assets on community land, based on asset management requirements aligned to budget allocations.

3.2 Development and Maintenance of Community Facilities and Infrastructure

CN is committed to a program of asset renewal and enhancement of facilities and infrastructure to appropriate standards aligned to financial resources. The implementation of actions identified in this PoM will be reviewed and considered as part of CN's Integrated Planning & Reporting framework (10 Year Community Strategic Plan, 4 Year Delivery Program, and Annual Operational Plan and Budget).

CN funds new works on community land from a number of sources including rates, revenue, loans, federal and state government grants, and for some locations from developer contributions. Commercial sponsorship also contributes to the funding of some projects.

CN is the CLM of the Rawson Crown Land Reserve at Stockton. CN's responsibilities for managing the Reserve, and accounting for its finances, are carried out in accordance with the CLM Act.

CN may construct or approve construction by others of a variety of facilities on community land subject to native title advice. Native Title Manager advice also needs to be sought for all future developments and tenures on the Crown Reserves. The purpose of any facilities provided shall be to support activities and uses which align with the reserve purpose and are consistent with the core objectives for the land category. Facilities that may be approved on Community Land are listed in **Appendix 5 – Permitted Development.**

Projects proposed by sporting and other community groups must be in line with CN strategic plans and/or facility specific plans. Works must be approved by CN taking into consideration full lifecycle costings and with CN supervision and management.

Dependant on the scope of works, the project may require approval through either a Development Consent or a State Environmental Planning Policy (SEPP).

CN will continue to seek opportunities to obtain grant funding towards the development of new facilities and upgrade of existing facilities consistent with the reserve purpose.

The development of community land may include the improvement of the land; drainage, irrigation, and plantings; or the improvement of existing facilities or provision of new facilities located on the land.

The construction of public infrastructure and facilities must meet the requirements of all the legislation listed in Section 2. Specifically, for Crown land parcels, native title rights and interests must be considered unless:

Native title has been extinguished; or

Native title has been surrendered; or

Determined by a court to no longer exist

Where it is proposed to construct or establish a public work¹ on reserved or dedicated Crown land, where Native title is not extinguished, prior to approval, Council will notify and give an opportunity for comment from any representative Aboriginal/Torres Strait Islander bodies, registered Native title bodies corporate and registered Native title claimants in relation to the land or waters covered by the reservation or lease as required under the *Native Title Act 1993*.

Where a proposed update of an existing masterplan, capital works program, facilities asset management plan or any other plan is the approving documentation for a public work on Crown land, that approval will not be given unless the requirements of the *Native Title Act 1993* have been addressed including the notification and opportunity to comment noted above

No development of public works are permitted on the following parcels of land, given the parcels do not meet the requirements of Section 24JA of the *Native Title Act 1993*, unless the public works satisfy the requirements of Section 24KA or Section 24LA of the *Native Title Act 1993*.

Lot 7343 in DP 755247 being part of The Foreshore (R.170017)

Lot 3285 in DP 1049501 and Lot 1 in DP 1151421 being part of the Helicopter Site (R.170178)

Lot 541 in DP 1176076 being part of Fullerton Street Reserve (R.52223)

Lot 100 in DP 1130581 being in Jefferson Park – Surf House (R.56681)

Lot 3182 in DP257283 being part of Islington Park (D.570020).

Lot 1 DP178933, Lot 7315 DP1165287, Lot 1 Section 41 DP758929, Lot 1 Section 42 DP758929 & unidentified closed roads being part of Lynn Oval and Caravan Park (R.79066).

The above sites are identified in **Appendix 11 – Maps – Land Categorisation and Restricted Use**.

¹ A public work is defined as:

- (a) Any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:
 - (i) a building, or other structure (including a memorial), that is a fixture; or
 - (ii) a road, railway or bridge; or
 - (iii) where the expression is used in or for the purposes of Division 2 or 2A of Part 2—a stock-route; or
 - (iv) a well, or bore, for obtaining water; or
 - (v) any major earthworks; or
- (b) A building that is constructed with the authority of the Crown, other than on a lease.

Major earthworks are defined as: *Earthworks (other than in the course of mining) whose construction causes major disturbance to the land, or to the bed or subsoil under waters.*

4.0 Basis for Management

4.1 Service Asset Plans

A Service Asset Plan is a tool to form rational and coordinated decision making about levels of services where resources, funding, people and assets are used through clear links to long term financial planning. A Service Asset Plan has been developed for each of the asset based services CN provides.

Each Plan:

Identifies the needs of the community and is clear about the services provided by CN to its present and future customers;

Recognises that the management of the asset is directed at providing services to the community;

Defines measurable levels of service;

Promotes good quality decision making on service provision;

Details the financial impacts of the services provided now and in the future;

Promotes and demonstrates financial sustainability and good management practice;

Applies full lifecycle analysis and costing;

Captures the condition and extent of asset providing these services;

Ensures appropriate asset use and functionality of assets within the plan;

Optimises service potential (and potential decline in service);

Defines clear responsibilities for all elements of the assets within the plan including accountability and reporting; and

Outlines an improvement program.

The Service Asset Plans contribute to Capital Works Programs and the delivery of Operational Plans. They integrate with other CN Plans and Strategies and meet the requirements of Integrated Planning and Reporting.

4.2 Development on adjoining land

Land adjoining community land may have a variety of zonings. CN's development control practices recognise and endeavour to minimise the impacts upon adjoining land parcels. Equally, CN will consider the impacts that activities carried out on adjoining land has and how that may impact community land.

4.3 Road Dedications on Community Land

CN has identified a large number of constructed roads across the LGA which pass through or partially over Crown land parcels reserved for public recreation.

Constructed roads referred to here are currently used by the public for through vehicle access and generally contain, kerb and gutter, footpaths, streetlighting, utilities and operate as a road. Historical roadworks or reserve allocations have not formally accounted for this use or encroachment which can be significant or small such as a corner of a reserve.

CN has previously completed a Road Dedication Project across Wards 1 to 4 between 2007 and 2012 which identified some roads which passed through Crown land reserves and resolved by Council Resolution to seek dedications as public road. These will be included as part of the management actions for this plan and involve some key road connections for example, Memorial Drive Bar Beach through Empire Park, Reserve Road, The Hill through the King Edward Park and Obelisk Reserve. An example of a significant road dedication that has been completed through reserve is Shortland Esplanade Newcastle and Newcastle East.

Within natural areas, there are multiple unconstructed roads that may require a formal process of extinguishing the road reserve to allow for reclassification as community land to ensure the sustainable functioning of bushland, wetland and watercourse assets.

Road dedication is not intended for the purpose of internal park roads contained with reserves for which the function is park access and do not provide through public access as would be conveyed by a formally constructed road.

Dedication of road and lanes allows CN to:

Meet its statutory function as a Road Authority;

Improve the management of assets;

Simplify public liability issues;

Confirm powers of enforcement and regulation including parking;

Streamline and reduce resources required in addressing road/lane status request; and

Minimise the cost of dedication that is increasing over time as the process becomes more onerous.

The process to formally dedicate Crown land as public roads is via the acquisition process.

4.4 Temporary Access over Community Land

In specific circumstances CN will permit access over community land to allow residents or contractors to gain temporary entry to a residential or commercial property where access cannot be gained through other entry points, e.g., from the front street access. The purpose of this access can include upgrades to essential infrastructure, the installation of swimming pools, construction of extensions, sheds, retaining walls, fences or other developments. This access is strictly for a limited period of time dependent upon the works being undertaken. An application form, insurances and relevant fees and charges and bonds are required before final approval will be given. Permanent access over community land for private benefit, i.e. rear or side vehicle access to private property, is not be permitted.

Access for utility works, including Ausgrid, Transport for NSW and Hunter Water, also requires an application to be completed for information purposes and insurances provided.

A permit will be issued if access is permitted and the permit must be held on site and produced upon request by a CN Officer.

The *Community Land – Temporary Access Over Community Land* form can be found on CN's website.

4.5 Leases and Licences and Other Estates

Under the *LG Act* and *CLM Act*, a lease, licence, other estate or easement (use agreement) may be granted over all or part of community land when in consideration with the gazetted reserve purpose. Leases and licences are a way of formalising the use of community land. Leases and licences may be held by groups such as sporting clubs and schools, or by private/commercial organisations or people providing facilities and/or services for public use.

A lease will be typically required where exclusive use or control of all or part of community land is desirable for effective management. A lease may also be required due to the scale of investment in facilities, the necessity for security measures, or where the relationship between a major user and facilities on community land justifies such security of tenure.

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

Section 46 (1)(b) of the *LG Act* provides that a lease, licence or other estate in respect of community land may be granted, in accordance with an express authorisation in the plan of management and such provisions of the plan of management as apply to the granting of the lease, licence or other estate:

for a purpose prescribed by subsection (4)*, or for a purpose prescribed by any of sections 36E to 36N as a core objective of the categorisation of the land concerned, or

for a purpose prescribed by the regulations, if the plan of management applies to several areas of community land, or

for a short-term, casual purpose prescribed by the regulations,

*Subsection (4) prescribes the following purposes: The provision of goods, services and facilities, and the carrying out of activities, appropriate to the current and future needs within the local community and of the wider public in relation to any of the following:

- public recreation,
- the physical, cultural, social and intellectual welfare or development of persons, or

The provision of public roads.

CN may consider the granting of leases or licences over community land in accordance with Section 46, 46A, 47, 47A, through to 47F of the *LG Act* which apply to all tenures.

Sections 46, 47, 47a of the *LG Act* dictate the process for entering into leases, licenses and other estates on community land, including the provision for when calls for tenders are required (terms greater than 5 years, excluding Non-Profit organisations).

A use agreement on Crown land may impact native title rights and interests. A use agreement issued on Crown land must be issued in accordance with future act provisions of the *Native Title Act 1993*, and in accordance with Part 8 of the *CLM Act* unless native title is extinguished. For Crown land, which is not excluded land, this will require written advice from Council's Native Title Manager that it complies with any applicable provisions of the Native Title legislation.

No lease, licence or other estate is permitted on the following parcels of land unless the lease, licence or other estate satisfy the requirements of Section 24H(2), Section 24IC or Section 24LA² of the *Native Title Act 1993* or the land becomes excluded land as defined in Section 8.1 of the *CLM Act*:

Lot 7343 in DP 755247 being part of The Foreshore (R.170017)

Lot 3285 in DP 1049501 and Lot 1 in DP 1151421 being part of the Helicopter Site (R170178)

Lot 541 in DP 1176076 being part of Fullerton Street Reserve (R.52223)

Lot 100 in DP 1130581 being in Jefferson Park – Surf House (R.56681)

Lot 3182 in DP 257283 being part of Islington Park (D.570020)

Lot 1 DP 178933, Lot 7315 DP 1165287, Lot 1 Section 41 DP 758929, Lot 1 Section 42 DP 758929 & unidentified closed roads being part of Lynn Oval & Caravan Park (R.79066)

The above sites are mapped in **Appendix 11 Maps – Land Categorisation and Restricted Use**.

Any future act authorised under Section 24LA of the *Native Title Act 1993* will terminate after, an approved determination of native title is made in relation to the land or waters, if the determination is that native title exists.

2 Any future act authorised under Section 24LA of the *Native Title Act 1993* will terminate after, an approved determination of native title is made in relation to the land or waters, if the determination is that native title exists.

Any estate issued under this section will not involve:

- (i) the grant of a freehold estate in any of the land or water; or
- (ii) the grant of a lease over any of the land or waters; or
- (iii) the conferral of a right of exclusive possession over any of the land or waters; or
- (iv) the excavation or clearing of any of the land or waters; or
- (v) mining (other than fossicking by using hand-held implements); or
- (vi) the construction or placing on the land, or in the waters, of any building, structure, or other thing (other than fencing or a gate), that is a fixture; or
- (vii) the disposal or storing, on the land or in the waters, or any garbage or any poisonous, toxic or hazardous substance.

All existing leases and licenses remain valid until renewal and they will not be terminated or become invalid because of the adoption of this new PoM. They will all be reassessed as part of any renewal, to comply with the current PoM at that time.

Existing leases and licences expressly authorised in this PoM can be found in **Appendix 2 – Existing Leases and Licences**.

Section 47(8AA) of the *LG Act* specifies that Council must not grant a lease or licence for a period (including any period for which the lease or licence could be renewed by the exercise of an option) exceeding 21 years, up to 30 years with the Minister's consent.

All leases and licenses must be issued in line with the reserve purpose. Purposes for which leases and licences which are expressly authorised by this PoM to be granted in the short term (less than 1 year) and long term (more than 1 year) are set out in **Appendix 3 – Authorised Purposes for Leases and Licences**.

4.6 Fees and Charges/ Conditions of Use

CN sets annual fees and charges for the seasonal and casual use and hire of CN facilities on community land. Fees and charges are reviewed annually and incorporated and exhibited through Council's Operational Plan and Budget.

Fees and charges are set to ensure fairness and equity in allocation, maximise opportunities for use and contribute to cost recovery. The fees and charges are applied by CN to all users of CN facilities.

CN manages the allocation and approval processes for facilities on community land. Failure to comply with user conditions may result in a club or user forfeiting the opportunity for future use of CN facilities.

In the instance of a group or organisation being approved for an exclusive lease of a CN facility, then these fees and charges may not be applied, and in place a separate negotiated, and CN approved rental will be charged.

Annual fees and charges are available on CN's website.

4.7 Volunteers

CN defines volunteering as time willingly given for the common good and without financial gain. CN requires that our volunteers have a primary relationship with the Council and participate in recognised volunteer roles. Volunteers are required to be fully compliant with CN's Volunteer Management Framework.

Community working bees such as clean-ups, the care and maintenance of newly planted trees by Landcare (including regular weeding of those areas) and the construction of community gardens give the community a sense of pride and common ownership of community land. A Full list of Landcare groups and project sites is found in **Appendix 4 – Landcare Sites**.

4.8 Grants

Clubs, associations and other groups wishing to apply for a grant from an external source for the improvement of community land or existing or new infrastructure; or for funding for a special event, is required to gain approval from CN prior to lodging an application. CN will assess these applications and determine if support and approval will be provided, as CLM of the land, to the applying organisation and the grant provider.

4.9 Events and Group Activities

An event is an organised group activity of a temporary nature. Events may be open to the public such as a market or festival or be a private function such as a wedding ceremony or family reunion. Events can vary in scale and purpose, and range from a small private engagement, to a local community gathering, to multi-day major events that attract a national and/or international audience.

Public or private events may be approved on community land if they are a permitted activity of the category of land and obtain the required licence approvals from CN as the authorising body for public gatherings. CN will consider all applications on a case by case basis, dependent upon the type of event, compliance with licence conditions, level of impact, proposed location, and impact on public safety and amenity. Some events may require a Development Application and/or will require approval from other public stakeholders such as NSW Police, SafeWork NSW, Fire and Rescue NSW and NSW Health. CN will consider all applications for use and will coordinate with all required stakeholders to determine the suitability and compliance with all applicable legislation and statutory requirements.

All approved licences will be accompanied by conditions, fee, and a bond may apply to ensure any necessary restoration works are undertaken.

Events and activities hosted on Community Land (parks, beaches and sportsgrounds) by a business, organisation or other entity require approval regardless of the number of people attending. Events and activities may be commercial, community-based or private and will be classified as either low, medium or high impact dependent on the nature and requirements of the event. CN will give due consideration to applications for the use of specific areas of parks for special events or uses. Special uses include and are not limited to activities such as community or commercial classes (e.g. exercise, tai-chi, boot camps), carnivals, concerts or sideshows. For some events a Development Application may be required. Any approvals may be accompanied by conditions. A fee or bond may apply to ensure any necessary restoration works are undertaken.

4.9.1 Commercial Operators - Personal Training

CN supports a range of activities across the city's parks, sportsgrounds and beaches. This includes personal training, group fitness and boot camp classes. CN regulates these activities by issuing a license permitting this use.

Consent to undertake these activities is required and is managed through Personal Training Licence Agreements. Agreements are allocated on a quarterly basis. Trainers must ensure activities are conducted in approved areas. The suitable areas for licensing of personal training, group fitness and boot camp classes are managed in consideration of high activity areas and/or areas of cultural, environmental or natural significance.

4.9.2 Commercial Operators - Stand Up Paddle/Learn to Surf

CN recognises the important role that access to foreshore public open space plays in enhancing the health and lifestyle of our community. CN acknowledges that there is demand for commercial surf school activities to improve surf related knowledge and skills to visitors and residents.

Consent to undertake these activities is required and licensing of these activities is managed through advertisement applications for Stand-Up Paddle / Learn to Surf Agreements. Agreements are allocated on an annual basis.

4.9.3 Markets

Markets occur at several sites throughout the city. The establishment of ongoing markets is done through a tender process and applications are invited from established and new operators and advertised for through CN's website and the Newcastle Herald.

4.9.4 Filming and Photography

Screen Hunter is the first point of connection between film makers and the Hunter region. Free support and advice on all aspects of filming in the Hunter is provided and they hold the delegated authority to approve filming permits.

4.10 Specific Use Areas

Conflicts may arise between recreational activities on community land. These conflicts can be resolved by designating specific areas for certain recreational pursuits. Other activities that may not be compatible in these areas may also be prohibited. CN may resolve to designate any area on a parcel of community land for a specific use in order to protect the users and/or the public space.

4.11 Alcohol Free Areas and Sale of Alcohol

CN has several areas that are Alcohol Free Zones (AFZ) or Alcohol Prohibited Areas (APA). AFZ can be declared on public roads, car parks and adjoining footpaths and nature strips, while APA can be declared on parks and reserves. AFZ can be declared for a period of up to 4 years, while APA can be time unlimited. Both AFZ and APA can only be established in locations where antisocial behaviour or crime can be linked to the consumption of alcohol. The majority of APA are time restricted from 8pm – 8am, however there are several locations that are prohibited 24 hours a day.

The sale and consumption of alcohol on any community land requires a limited license to be obtained from Liquor and Gaming NSW. Written notification must be provided to CN advising that a limited licence application has been made or granted for community land, in accord with current statutory processes.

Sale of alcohol is not encouraged within areas of community land however there may be special events (e.g. at food and wine events) in which sale of alcohol may be considered for the duration of the event.

Sale of alcohol requires approval of NSW Police Department through issue of a Functions Licence. When making application for use of an area where sale of alcohol is intended, a function licence must

be produced for CN in each instance. Applicants are required to comply with any conditions of Licensing Board or Court of NSW and CN.

CN may also prohibit the consumption of alcohol for the duration of an event in a park or reserve at the request of the organiser.

4.12 Signage

Signage applies to signage erected on the community land included within this PoM. Permissible signage includes those erected by CN to provide information, e.g. naming and directional signage and regulatory signage. Signs are erected according to Section 632 of the LG Act. All other signage requires CN approval.

The erection of outdoor advertising and signage on community land is regulated by CN's Development Control Plan (DCP). The relevant sections of the DCP provide objectives and controls for outdoor advertising signage generally, with more specific controls for those in recreation zones and for signs on heritage items or in heritage conservation areas. Approval of outdoor signage for both permanent and temporary signage on community land will only be granted if the controls in relevant sections of the DCP are met.

Temporary signs would include items such as banners used by sporting clubs. This plan authorises the erection of temporary signs directly relating to the recreational use of the reserve that are in place for no more than two weeks prior to an event, that are erected wholly within the reserve, that do not restrict pedestrian access and do not restrict vehicle sight distance around corners or along streets. Temporary signs must be removed immediately following the event. Some large temporary signs may still require CN approval.

4.13 Dogs

Open spaces for dogs are a priority in the Newcastle LGA.

The *NSW Companion Animal Act 1998* prohibits dogs in some public spaces which must be adhered to including:

Playgrounds and play spaces (within 10 metres)

Food preparation areas for humans (within 10 metres)

Recreation and sport areas defined as prohibited by the local authority

Places used for bathing (including beaches) defined as prohibited by the local authority

Places set aside by the local authority for the protection of wildlife.

Formalised dog off leash areas enable people to take their dogs to a place where dogs can legally run free, exert energy and socialise with or dogs. Off leash areas also provide people with a meeting place and an opportunity to connect with others in community.

This PoM recommends that dogs remain on leash at sportsgrounds. Dogs have the potential to impact on the quality of field surfaces, there are safety issues associated with dogs around people playing sport and some dog owners do not pick up after their dog, which raises health concerns. This has been highlighted through community engagement as well as in industry information.

A list of existing Dog Off Leash Areas on Crown land can be found in **Appendix 7 – Dog Exercise Areas**.

Further information about Dogs on Community Land can be found in the *Dogs in Open Space Plan* on CN's website.

4.14 Smoking

Smoking and using e-cigarettes are banned in all enclosed public areas and certain outdoor public areas, under the Smoke-free Environment Act 2000 and the Smoke-free Environment Regulations 2016. These bans protect people from harmful second-hand tobacco smoke. There is no safe level of exposure to second-hand smoke.

This includes all of CN's buildings and places as well as shopping centres, cinemas and public transport.

In outdoor public areas smoking and using e-cigarettes are banned in the following public areas:

Within 10 metres of children's play equipment in outdoor public places;

Public swimming pools;

Spectator areas at sports grounds or other recreational areas used for organised sporting events;

Public transport stops and platforms, including ferry wharves and taxi ranks;

Within 4 metres of a pedestrian access point to a public building; and

Commercial outdoor dining areas.

Further information is available on the NSW Health website.

4.15 Parking

CN facilities provide car parking to assist in catering for needs of visitors. Generally, car parking areas should not occupy valuable parkland, but be positioned to minimise the impact on the area they serve. Carparks should be located a reasonable distance from children's play areas due to potential safety issues.

Parking on any CN reserve, apart from in designated parking areas is not permitted.

Emergency and maintenance vehicles and vehicles involved in the delivery of goods for an event are generally the only vehicles permitted access into parks, however CN can approve parking on grassed areas that are not a designated carparking area for special events and other needs.

The requirements for parking near or on community land can vary dependant on the level of use, the connections surrounding the site (shared pathways, footpaths, public transport), and the location (inner suburb or a more isolated site). Parking can include on street parking and off-street parking in designated car parks.

4.16 Camping

Camping on community land is not generally permitted. Exceptions may be made with associated with an approved event on Council owned or managed public land and a strong case can be made on the need for camping. All requests for camping will be assessed on individual merit and include an impact assessment.

4.17 Naming of Community Land after a Person

Requests are received on occasion by the community to name or rename a parcel of community land after a person. In line with the Geographical Naming Board's *Placename and Commemorative Naming* requirements, the naming of features or places such as sportsgrounds, and parks after a person will normally only be considered posthumously. The person put forward will have made a contribution of outstanding benefit to the local community, over their lifetime. Normally only the surname of the person will be considered for naming.

Where a name already exists for a sportsground or park, then CN would generally not consider renaming. Where the original name is of Aboriginal origin, or of historical importance, then CN would consider either renaming or dual naming.

Naming a park or sportsground after a living person will not be considered by CN. Naming a facility within the park or sportsground, such as a building, may be considered only in exceptional circumstances where there is significant support from the surrounding community and a direct relationship and history between the person and the facility can be demonstrated.

Any public proposal for the naming or dual naming of a sportsground or park as described above requires a resolution of Council following a public exhibition period and consideration of public submissions regarding the proposal.

5.0 Management Framework for the Community Land Categories

The Management Framework presents a range of management considerations and related actions/means of assessment, that will be pursued over the next 5 to 10 years.

A management action table is included for each category of land and includes the following items:



Consideration: the broad area or aspect of community land management around which strategies and actions have been grouped.



Objectives and Performance Targets: the means by which CN proposes to achieve the key management objectives of the PoM.



Means of Achievement: how the related performance targets, or strategies will be achieved. The management actions described include both specific on-ground or tangible actions as well as directions of a policy, guideline or procedural nature. Each action has its own unique number for ease of reference.



Manner of Assessment: outlines the means by which CN will evaluate or gauge the effectiveness of the actions in achieving their performance targets.



Priority: gives an indication of the relative importance and preferred timing of each action defined as follows.

High – essential to achievement of the management objectives and warranting funding consideration until achieved. Ideally the action will be undertaken within 1 to 3 years of the Plan’s adoption.

Medium – desirable to enhance achievement of the management objectives and should be undertaken within 3 to 5 years (and ideally implemented within the life of this Plan).

Low – useful for the overall management of the area or address issues that have longer-term impacts and should commence within 5 to 10 years although completion may take longer than this timeframe.

Ongoing – actions that will be carried out on a regular basis, or as required, for the duration of this Plan.

6.0 Management Framework – Plan Administration and Management

The Management Framework presents a range of management considerations and their Actions/Means of Assessment, that will be pursued over the next 10 years.

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Plan Administration and Review	Review of Plan of Management (PoM)	PoM will be reviewed at least every 4-5 years to ensure that it continues to satisfy legislative, administrative, environmental and community needs	PoM reviewed, exhibited, public hearing held, PoM revised as necessary, and adopted by Council	Ongoing
	Implement the Heritage Strategy 2020	Implementation of the Heritage Strategy Review (2020)	Heritage Strategy implemented and actions addressed	Medium
		Investigate State significant items for categorisation as Cultural Significant	State significant items assessed for categorisation of Cultural Significance	High
	Ensure that all Licences and Leases over community land are current and agreements are in place	Continue to review all licences and leases of activities on Community Land	All licences and leases are current	Ongoing
	Ensure fees and charges are reviewed annually	Undertake annual review of fees and charges	Fees and charges reviewed annually and adopted by Council	Ongoing
	To ensure leases are issued in line with the LG Act and the terms and conditions of a lease protects the interests of Council and the public	Prepare a Leasing and Licensing Policy	Leasing and Licensing Policy adopted by Council	High

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority	
Community Land Classification, Categorisation, Zoning and Native Title	Ensure that land classifications and categorisations are current, and all community land information is captured in GIS mapping layers	Review of current mapping layers is undertaken. Information including cycleways, road dedications is captured	Information around ownership and care and management are reviewed and amended on mapping layers as required	Ongoing	
		Public hearing/s are conducted in accordance with the <i>LG Act</i> to propose categorisation of newly acquired community land parcels at least once during each term of Council	Public hearings completed, outcomes reported to Council, and land parcels incorporated into PoMs		
		Ensure that Native Title Assessment is undertaken prior to any development of Public Works or Lease, Licence or Other Estate on Crown land where CN is designated CLM	Ensure Native Title assessments in place	High	
		Ensure appropriate land zoning is applied to community land	Review land zoning and change to RE1 Public Recreation where appropriate under the Newcastle Local Environmental Plan 2012	Appropriate Land zoning applied for community land	Medium
		Identify all roads which would be intended for dedication within Crown land parcels	Process to formally dedicate crown land as public roads is through the aquisition process.	Road aquisition process undertaken	Medium
Levels of Service for Community Land	Service Asset Plans are implemented to guide levels of service for long-term financial planning of people and assets	Community Land is being managed as per the Service Asset Plans that have been developed	Service Asset Plans are utilised	High	
Advocacy	Develop strong consultation and cooperation with relevant government agencies	Effective and collaboration between CN and relevant government agencies	Long term benefits of enhanced environment protection, amenity, management and use of Crown land is achieved	Ongoing	
Funding Opportunities	Seek additional funding for development of community land	Identify grants, sponsorship, and other funding opportunities to enhance the development of community land	Additional funding obtained and projects completed over the life of the Plan	Ongoing	

B. Natural Areas



1.0 Introduction

1.1 Categorisation of the Land

This chapter provides specific detail including values, key issues and objectives, management direction and action tables for land parcels categorised as 'Natural Areas' under S36E of the LG Act.

These parcels are then further categorised as one or more of the following:

Bushland

Wetland

Escarpment

Watercourse

Foreshore

Refer to **Appendix 1 – Schedule of Land** for the categorisation of land parcels classified as Community Land. Refer to **Appendix 11 – Maps – Land Categorisation and Restricted Use**.

1.2 Core Objectives

Community land is required to be categorised according to Part 4 of the *Local Government (General) Regulation 2021* and managed in accordance with the core objectives applying to relevant land category as prescribed by the *LG Act* and outlined in the table below.

Category	Guidelines	Core Objectives
Natural Areas	<p>Land should be categorised as a natural area if the land:</p> <ol style="list-style-type: none"> i. whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore. ii. has been declared a critical habitat, iii. which is directly affected by a recovery plan or threat abatement plan under the Threatened Species Conservation Act 1995³ or the Fisheries Management Act 1994. iv. is the site of a known natural, geological, geomorphological, scenic or other feature that is considered by the Council to warrant protection or special management considerations, or that is the site of a wildlife corridor, must be categorised as a natural area. 	<ul style="list-style-type: none"> • to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as natural area, and • to maintain the land, or that feature or habitat, in its natural state and setting, and • to provide for the restoration and regeneration of the land, and • to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and • to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.

Category	Guidelines	Core Objectives
Natural Areas - Bushland	<p>Land should be further categorised as a bushland if the land contains primarily native vegetation and that vegetation:</p> <p>(a) is the natural vegetation or a remainder of the natural vegetation of the land, or</p> <p>(b) although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.</p> <p>Such land includes:</p> <p>(a) bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or</p> <p>(b) moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or</p> <p>(c) highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.</p>	<ul style="list-style-type: none"> • to ensure the on-going ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and • to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and • to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and • to restore degraded bushland, and • to protect existing landforms such as natural drainage lines, watercourses and foreshores, and • to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and • to protect bushland as a natural stabiliser of the soil surface.
Natural Areas - Wetland	<p>Land should be further categorised as wetland if the land includes: marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a waterbody that is inundated cyclically, intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationary.</p>	<ul style="list-style-type: none"> • to protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and • to restore and regenerate degraded wetlands, and • to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.

³ The *Threatened Species Conservation Act 1995* was repealed, and the relevant provisions are now in the *Biodiversity Conservation Act 2016*

Category	Guidelines	Core Objectives
Natural Areas - Escarpment	<p>Land should be further categorised as bushland if the land includes:</p> <p>(a) such features as a long cliff-like ridge or rock, and</p> <p>(b) significant or unusual geological, geomorphological or scenic qualities.</p>	<ul style="list-style-type: none"> to protect any important geological, geomorphological or scenic features of the escarpment, and to facilitate safe community use and enjoyment of the escarpment.
Natural Areas - Watercourse	<p>Land should be further categorised as watercourse if the land includes:</p> <p>(a) any stream of water, whether perennial or intermittent, flowing in a natural channel, or in a natural channel that has been artificially improved, or in an artificial channel that has changed the course of the stream of water, and any other stream of water into or from which the stream of water flows, and</p> <p>(b) associated riparian land or vegetation, including land that is protected land for the purposes of the Rivers and Foreshores Improvement Act 1948⁴ or State protected land identified in an order under section 7 of the Native Vegetation Conservation Act 1997⁵.</p>	<ul style="list-style-type: none"> to manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and to restore degraded watercourses, and to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.
Natural Areas - Foreshore	<p>Land should be further categorised as foreshore if the land is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.</p>	<ul style="list-style-type: none"> to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.

⁴ The *Rivers and Foreshore Improvement Act 1948* was repealed, and the relevant provisions are now in the *Water Management Act 2000*

⁵ The *Native Vegetation Conservation Act 1997* was repealed, and the relevant provisions are now in the *Local Land Services Act 2016*

1.3 Purpose of Natural Areas

Assessing the significance or conservation status of an area is a complex process, as not every natural area has the same significance. The significance of an area can depend on the size of that ecosystem, or how common that ecosystem is in the CN area. For example, an ecosystem or species at the geographical edge of its normal distribution can be quite significant.

Natural areas may be significant because of their strategic location rather than the ecosystem. A small parcel of natural area may be a critical link between larger natural areas, or on a ridgeline, or enhance the visual significance of the area by maintaining a dominant presence in a suburban setting, especially in an area dominated by such a large natural feature. The specific species composition and habitat also influences significance. If rare (threatened and endangered) species are present or the area supports habitat for rare species, it assumes greater significance.

Some reserves are smaller and narrower and often require more active and sustained management/intervention to improve and maintain their condition and structure, however they serve to sustain flora biodiversity and more mobile species such as birds and bats, and in some instances smaller arboreal mammals such as gliders. The linking of reserves by natural corridors can assist by facilitating movement of wildlife and plant distribution between reserves. The contribution that natural infrastructure in the context of a changing climate provides, cannot be understated. Natural infrastructure provides a valuable role in carbon sequestration, temperature to counter urban heat island effect and assists in air and water quality.

1.4 Values associated with Natural Areas

1.4.1 Landscape Amenity

Our natural landscape is distinctive and recognisable as part of our natural and cultural heritage. CN is unique not only in the amount of bushland retained in its urban area, but also in the spatial relationship between ridgetops and estuarine environments. An extensive coastline with a predominantly natural foreshore, escarpment, wetlands waterways and bushland forms a landscape of high aesthetic appeal for both residents and visitors to the City. The aesthetic benefits associated with these areas are evident and form a landscape of high scenic quality.

1.4.2 Natural Resources

Natural areas assist in the preservation of habitat for local flora and fauna. A network of Natural areas often inter-weaves residential areas, offering residents vegetated habitat within close proximity to their neighbourhood. While the size of most urban reserves precludes the survival of larger animals, many species of birds and small animals are able to survive in urban areas by utilising the food and shelter provided by native vegetation.

Escarpments form pockets of remnant vegetation, or natural vegetation fragments, with relatively few impacts from development. Due to the nature of escarpments and associated areas with steep slopes, these remnant vegetation pockets are examples of rare ecosystems, often forming rainforest environments. These areas also offer a refuge for wildlife, as they are often inaccessible to humans.

CN contains an endangered ecological community called 'Themeda' grassland. The Themeda EEC is only found in small patches at Strzelecki Headland, King Edward Park and The Obelisk within the Newcastle LGA. CN also manages another coastal Endangered Ecological Community of 'littoral rainforest' within Lloyd Street Reserve, Merewether.

Wetland areas form a large source of the biodiversity of the CN region due to the variation in wetland composition. Wetlands sustain a set of species and ecological processes that do not occur in other land units. Wetlands within CN LGA consist of the following vegetation communities:

Brackish and Freshwater swamps

Saltmarsh

Saltwater and Freshwater Wetlands

Mangrove

Swamp Oak

Coastal floodplains

Rivers/estuaries

Freshwater reed swamps

The Hunter Estuary, which is RAMSAR listed wetlands adjacent to the Newcastle coastline. RAMSAR wetlands are wetlands of international importance. The Hunter Estuary has the largest area of mangroves in NSW, covering 19,217km² and the fourth largest area of saltmarsh in NSW, covering 5,204km². Both mangroves and saltmarsh provide valuable food and habitat for a range of animals, especially fish and birds (including migratory shorebirds).

1.4.3 Environmental/Scientific Education

Natural Areas offers an area of scientific research through the range of habitats and impacts. The Australian landscape is ancient and complex. In the rich mosaic of communities found in the lower Hunter region, the system of remnant bushland reserves represent the original sclerophyll plant associations common to the south-eastern seaboard. Many of the ecological aspects of natural areas and species that occur within them, are poorly studied and understood. Natural areas offer the opportunity to view the natural interaction between terrestrial and aquatic systems, habitats and human impacts.

Environmental education through programs such as 'Creeks Alive', 'Roof to Creeks' and 'Natural Connection' have played a role in influencing environmental knowledge and behaviour and continues to be an important tool to stop pollution at its source, protect and enhance the condition and develop a greater understanding and appreciation for CN natural areas.

1.4.4 Cultural/Historical Resources

Remnant native flora and fauna can exemplify the natural history of an urban area. Habitats are the result of thousands of years of evolution and adaptation to the characteristics and conditions particular to an area.

The land was originally inhabited by the Awabakal and Worimi Clans who used the Hunter River foreshore and coastline as a source of food and shelter. Campsites and shell middens would have extended along the banks of the Hunter River and sections of the coast, but very few remnants of Aboriginal occupation remain today. By far the greatest influence on the landscape came with European settlement of the area 200 years ago. Collectively, natural areas constitute a repository for artefacts and relics illustrating occupation over many centuries. Some reserves may have heritage values, which are either linked to indigenous occupation, early development in Newcastle or are landscaped or built features of the parks. Some of the significant Aboriginal site types include open camp sites, middens, axe grinding grooves, scarred or carved trees, quarries, ceremonial sites, post-contact sites and burials.

1.4.5 Economic Lifestyle

The lifestyle of CN and its status as an attractive city can be directly related to the natural areas. CN extracts a financial and non-financial benefit through endless business and recreational opportunities, provided by these areas.

Natural areas form a backdrop and buffer zone between the developed and undeveloped environments of the city. Without a high-quality natural environment, the attractiveness of the city would decline and so would economic investment, and property values.

The Hunter River provides for a lucrative commercial fishing industry for area, containing in excess of 15 species of commercially important fish, crustacea and molluscs, including mullet, jewfish, prawn and oyster. Although this is a lucrative industry that injects considerable monies into the economy, the industry has struggled over the past with stock poisoning from runoff and disease.

1.4.6 Recreation

The recreational opportunities offered by natural areas are being increasingly recognised. Activities include passive and more active recreation including fishing, walking, picnicking, meditation, photography, jogging, walking, or cycling, bird/animal watching, rowing and canoeing, abseiling and hand gliding. This is also serving the growing ecotourism market and compliments other facilities that are associated with various ecosystems throughout CN and the Hunter Region.

The range of recreational opportunities and the qualities of such experiences are dependent upon the condition of natural area. Recreational activities also impact upon the ecological values of area therefore, the use must be balanced with the type or impact of the recreation use.

1.5 Status of Natural Areas

Across our LGA, CN is responsible for effectively managing the following environmental assets to meet community service levels:

89 bushland parcels covering 570 hectares

Over 60 kilometres of natural creeks

89 kilometres of concrete channels

64 wetlands covering 210 hectares

Over 200 water quality improvement devices

130 recreational parks

8 kilometres of river walls

11 kilometres of beach, Stockton in the north to Merewether in the south.

4.5 kilometres of dune and dune sand fencing.

105,000 individual street and park public trees.

1.5.1 Topography

The landform and natural drainage patterns of the city result from two major influences. Firstly, the Hunter River and associated flat, poorly drained alluvial and estuarine deposits and secondly, the outcrop of sedimentary rocks forming a series of ridges and spurs primarily along the southern sector of the LGA boundary.

Notable features include:

A series of steep-sided ridges and spurs with well-defined drainage lines along the southern sector;

Undulating landform generally in the central sector, extending from Jesmond to Shortland and Waratah with defined natural drainage lines generally modified;

Isolated hills formed by sedimentary outcrops immediately south of Newcastle Central Business District (CBD), these include Obelisk Hill and Shepherd's Hill;

Flat low-lying landforms, including reclaimed swamp areas and estuarine deposits to the west and south-west of Newcastle CBD, with extensive man-made drainage channels;

Flat areas of Stockton Peninsula formed by levelling coastal sand dunes;

Flat low-lying alluvial deposits forming Hexham Swamp; and

Undulating landform on sedimentary rocks along the western sector of the LGA.

The rate of soil loss through erosion is related to the soil type and vegetation cover in addition to slope gradient and incursions e.g. tracks and trails

1.5.2 Geology

The geographical and geological nature of the Newcastle LGA changes dramatically from sea to the ridge lines. Underlying geology and associated soil landscapes directly influence vegetation type, species and composition and landform, as well as being predictive for erosion, waterlogging and flooding risks. The geology of the Newcastle LGA consists of Permian Coal Measures on the southern and western hills, alluvial flats in the lower Hunter and the coastal sand deposits of Stockton, Nobbys and the southern beaches.

Species adapted to one type of environment tend to group together and gradually the species change to the environment. To ensure levels of service for the community are maintained in the long-term, CN's activity needs to preserve the largest number of species, for the longest time. Considering climate change projections and the fact that Newcastle LGA is highly modified, conservation planning will be required along the whole environmental gradient i.e. from sea to ridgeline.

1.5.3 Hydrology

The dominant hydrological feature of the area is the Hunter River. The Hunter River is the most important estuary in NSW for shorebirds and is internationally recognised as a home to a range of threatened and migratory species and wetlands.

The Hunter Estuary is a "internationally significant wetland listed under the Ramsar Convention. The Hunter Estuary is the most important estuary along the NSW coast for bird species.

CN has seven key catchment areas, namely Ironbark Creek, Throsby Creek, Cottage Creek, Purgatory Creek, Greenway Creek, the lower Hunter Estuary and a number of small Coastal catchments. Stormwater pollution has impacted the natural environment and the community in many ways. Extensive areas of habitat and native species of flora and fauna have been lost to current generations. Creek systems such as Throsby Creek have become choked in the lower reaches with contaminated sediments that have poisoned marine species and impacted the economic viability of recreational and commercial fishing. Plastics, styrene and other rubbish litter the mangrove forests of the Hunter estuaries detracting from the natural and spiritual values of these places for the community. In addition to pollutants, natural creek lines throughout the city experience erosion and sedimentation impact as a consequence of increased frequency of erosive flows due to roof, roads, paths etc. built in our city.

The natural processes that shaped the estuary morphology and hydrology over the millennia have also been altered by a range of human activities implemented over the past 200 years of European settlement. These activities include the clearing of the fertile river flats and catchment areas for timber, primarily Red Cedar; agriculture use; grazing of the riparian zone; construction of the entrance groynes for navigation; construction of levees for flood mitigation; dredging of sand and gravel from the upper estuary and river for building materials; dredging of the lower estuary for port infrastructure; construction of floodgates and drainage channels to convert low-lying

waterlogged lands to agricultural use; construction of bank stabilisation works to protect assets, reduce bank erosion and maintain a constant channel alignment; and urban development.

Changes to the Newcastle landscape over this time, through natural and human activities, has seen the estuary filled, creating Kooragang and Ash Islands, Stockton and Carrington, and drained to manage the low-lying environment on which most of Newcastle is built. Natural creeks were formalised into large concrete channels and bushland and native grasslands were removed to develop housing and industry. There is current recognition that the historic management of natural areas and landscapes has left a legacy that will require many years to repair. Climate change now compounds the issue with projected increases in frequency and severity of storm events and temperature change, while increased urbanisation continues to put pressure on Newcastle's natural assets from coastal and estuarine habitats to urban waterways and bushland areas.

1.5.4 Ecology

The vegetation of the Newcastle coastline consists of two broad units; coastal and terrestrial vegetation. Coastal is able to adapt and grow in exposed sites and poor sandy soils. It is important as it acts as a beach stabiliser, a protection barrier for vegetation/structures inland, it provides a habitat for native fauna and has substantial scenic and educational values. Where conditions are more favourable for plant growth, such as where protection is offered by landforms or surrounding coastal vegetation, less hardy terrestrial vegetation including eucalypt and wetland species are able to grow.

Coastal Vegetation

The ecological integrity of the Newcastle coastline is greatly reduced due to the increasing pressure on the coastline from urbanisation and the dominance of the introduced species Bitou Bush (*Crysanthemoides monilifera*). Bitou Bush has displaced natural vegetation communities and reduced the terrestrial fauna habitat of the Newcastle coastline. Bitou Bush also, through its growth form, results in modified dune erosion patterns further reducing the potential for native communities to re-establish.

Beach Spinifex (*Spinifex sericeus*) dominates the strandline zone in front of the foredune, in all Newcastle beaches, with American Sea Rocket (*Cakile edentula*) and American Pennywort (*Hydrocotyl bonariensis*) occurring in some areas. The foredune vegetation is dominated almost exclusively by Bitou Bush (*Crysanthemoides monilifera*), with *Acacia sophorae* occurring in regeneration areas at Stockton Beach and the Merewether Beach to Dixon Park stretch. Other species commonly found on the foredune include the sedge *Isolepis nodosa* and Beach Primrose (*Oenothera drummondii*) with the endemic species' *Banksia integrifolia*, *Casuarina eqisitifolia*, *Leptospermum laevigatum*, *Wetringia fruticose* and *Lomandra longifolia* occurring in rehabilitated areas at Bar Beach.

Hind dune vegetation is lacking on all Newcastle beaches due primarily to urban development and associated infrastructure. Hind dune vegetation at Stockton Bight includes Coastal Tea Tree (*Leptospermum laevigatum*) and Coastal Banksia (*Banksia integrifolia*) with some *Acacia longifolia*. *Themeda Australia* grasslands are visible at Shepherds Hill and within the Glenrock State Recreation Area, whilst sheltered areas display coastal shrubland associations dominated by *Acacia longifolia*, *Leptospermum levigatum* and *Lomandra longifolia*. This grassland community is considered significant as it has not been devastated by Bitou invasion and is considered representative of headland associations existing prior to the introduction of Bitou Bush and other invasive species.

Habitat Trees

For many fauna species, a component of their life cycle is associated with the use of hollows in trees for nesting or refuge sites. The physical characteristics of each tree hollow will influence the usage by particular fauna species. To accommodate the various sizes of fauna species, hollows must range in size from very small (tree frogs, arboreal skinks, microchiroptean bats) through to large bodied vertebrates such as reptiles (lace Monitor) and birds (large forest owls, cockatoos).

Currently, CN manages a number of habitat trees throughout the city within bushland reserves, neighbourhood parks and street scapes. These trees represent a very significant resource for tree hollow dependent fauna species, ranging from threatened large forest owls (Powerful Owl and Masked Owl), Squirrel Glider, to the very small microchiropteran bats. Tree hollows are also important habitat for plant species such as arboreal orchids.

The habitat tree network extends across city's green corridors, within natural areas, sports grounds, and neighbourhood parks as well as within the road network, providing essential connectivity options for many native fauna. Habitat tree attributes including species, hollow number and type are audited and mapped by CN to monitor the city's capacity to provide effective shelter for our wildlife. Our habitat trees are predominantly Eucalyptus spp, however there are also extensive numbers of Spotted Gums (*Corymbia maculata*) as well as Phoenix Palms and Ficus Hilli, with the latter two mainly street trees.

The loss of hollow bearing trees has been identified as a key threatening process due to such losses adversely affecting threatened species, populations and ecological communities, as well as the potential of such losses to cause species, populations or ecological communities that are not threatened to become threatened.

Conservation of our existing hollow bearing trees through appropriate land use planning and development assessment processes, on-ground works and maintenance, is essential. Ecological

assessments should be undertaken ahead of any maintenance or other activity to assess potential faunal impacts.

CN is committed to the retention of our hollow bearing trees and proactively planting species to ensure habitat into the future by targeting specific reserves within local biodiversity corridors. Given the time scale required for hollow formation, CN continues to explore and implement options to meet habitat requirements, be it methodologies that expediate hollow formation in appropriate settings or the installation of artificial nest boxes to supplement natural hollows.

A full list of 'vulnerable' species or potentially threatened flora species in the LGA can be located through the NSW Department of Planning and Environment Threatened Species website.

1.5.5 Fauna

Fragmentation of numerous CN natural areas and the small size of the remnants have meant the decline of abundance and spatial distribution of many species. Fragmentation of habitat has been identified as a Key Threatening Process under the Biodiversity Conservation Act 2016 and measures have been outlined in Priority Action Statements (PAS) to prevent further fragmentation of habitat, and also provide opportunities for restoration of corridor linkages. For particular groups such as microchiropteran bats, the PAS identifies a number of broad strategies to help threatened bats recover in New South Wales, actions and strategies that need to inform our management of our natural areas.

The impacts of clearing native vegetation has accounted for significant and sometimes complete loss of some species from the city. Feral and domestic animals have also had a detrimental effect upon native species in natural areas.

Supplementary habitat provision to compliment bush regeneration and habitat restoration across the city's blue/green corridors re-establishment as faunal corridors, includes the installation of nest boxes. Nest boxes have been installed as compensatory habitat, as a requirement of major infrastructure projects and western division

subdivision development approval in approximately 300 park and street trees. The squirrel glider is one of several different species recorded utilising nest boxes throughout the LGA. Other species recorded utilising our nesting boxes include sugar gliders, brown antechinus, feathertail gliders, common ringtail and brushtail possums and *Tetragonula carbonaria* (native beehives).

A full list of 'vulnerable' species or potentially threatened flora species in the LGA can be located through the NSW Department of Planning, Industry and Environment Threatened Species website.

1.5.6 Bushfire

The CN is a member of the Newcastle Bush Fire Management Committee which is overseen by NSW Fire and Rescue. The Committee comprises a number of key agencies and organisations responsible for management of public and private lands throughout the Newcastle LGA.

Given the Newcastle LGA is potentially affected by bush fires, the Bush Fire Management Committee is required to prepare a Bush Fire Risk Management Plan. A Bush Fire Risk Management Plan is a strategic document which identifies community assets at risk from bush fire and sets out a five year program of coordinated multi-agency treatments to reduce the risk from bush fire. Treatments may include asset protection zones, hazard reduction burning, community education and fire trail maintenance.

The Newcastle Bush Fire Risk Management Plan identifies key bushland reserves and land where CN implements identified treatments. Many of the larger bushland reserves throughout the Newcastle LGA have asset protection zones identified around the interface with developed areas. The larger areas also include prescribed burns and fire trails as treatments including for Blackbutt Reserve and Jesmond Complex.

Due to their value as strategic assets, site specific bush fire management plans have been prepared for Blackbutt Reserve and Summerhill Waste Management Facility. These site specific plans contain more detail regarding bush fire control treatments and mitigation for each site.

1.5.7 Climate

In the LGA, there is a clear difference between the coastal fringe and that of the western suburbs. The coastal fringe generally experiences cool and humid conditions whilst there is an obvious shift to the hotter and drier environment to the north-west at Beresfield and west at Minmi. The western areas towards Maitland and Cessnock also experience significantly lower annual rainfall, lower minimum temperatures and higher maximum temperatures than in Newcastle. Climatic limitations to plant growth are minimal in the south-east with moisture deficiencies being the main limiting factor experienced during some summers. On the western edge of the LGA, the moisture-deficient periods during some summers are longer and more severe and there is a significant incidence of frost in the winters. In terms of asset management, rainfall variation between years and within years is of importance for potential fire and erosion risk.

1.5.8 Flooding

CN has a long history of flooding, given that much of the city has been developed on old swamp lands and floodplains. Of the 58,000 developed properties within the CN, approximately 22,000 properties, or about 1 in 3 lots, are potentially affected by flooding. The low-lying suburbs of Maryville, Wickham, Carrington and parts of Islington and Stockton are particularly vulnerable to flooding, as it is difficult for these areas to drain freely to the harbour. The area around Hexham are also of concern, as this area becomes a very deep floodway during large Hunter River floods.

Flooding can occur as a result of (and combinations thereof):

- a) Flash flooding as a result of intense rainfall within the local catchments;
- b) River flooding as a result of backwater inundation from the adjacent Hunter River, and Oceanic inundation, as a result of high ocean tides, storm surge etc. (e.g. King tides) Channelisation and the filling of adjacent low-lying areas to maximise developable land, has further exacerbated the problem. The construction and the subsequent one-way

operation of floodgates over time at the confluence of Ironbark Creek and the Hunter River has resulted in major environmental and land use change. The floodgates at Ironbark Creek and the Hunter River have been of benefit in reducing the likelihood of Hunter River floods inundating Hexham Swamp, but unfortunately due to the severely limited tidal exchange it has created, and the fact that they have remained lowered even when the Hunter River is not in flood, has caused the estuarine ecosystem associated with the Creek to be degraded. A freshwater system with reduced areas of inundation has largely replaced the previous extensive mangrove and saltmarsh plant communities. This has also reduced the nursery areas of fish, prawns and other marine organisms.

The nature and extent of flooding has also been altered by the process of urbanisation. Flooding from local run-off has become worse as urbanisation increases the extent of 'hard surfaces' (concrete, roads, roofs, paved areas) in upland areas, creating much greater and faster downhill flows. In more recent years many developments have been required to control their runoff to arrest this process. Previous planning practice did not allow the full consideration of the flood environment, resulting in the development of areas that today would be considered inappropriate. Many flooding problems have now been 'locked in' to the catchment, which has made the management of these problems very difficult.

The City-wide Floodplain Risk Management Study and Plans describes ways to manage and live with the various flooding types that may unexpectedly arise at any time and place.

2.0 Key Issues

A range of threatening processes challenges will continue to impact our natural areas on natural area land. These issues influence how the land should be managed to meet the core objectives for each land category, as well as increasing community needs and expectations.

The key community land management issues have been identified as follows:

2.1 Biodiversity Conservation

A variety of ecosystems, containing a diverse range of native flora and faunas are found in natural areas. Vegetation clearing for human settlement has caused native vegetation and wildlife to be concentrated within Council managed land. This has resulted in relatively small and/or isolated populations and a decreased diversity of species. Climate change, conflicting land uses, removal of habitat structures such as bushrock, logs and dead trees with hollows, and changes in fire regimes (frequency, intensity and seasonality) are exacerbating impacts on local biodiversity.

Many of the ecosystems and species found here either permanently or episodically, are considered endangered or threatened under the *Biodiversity Conservation Act 2016*, *Fisheries Management Act 1994* and the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999*. The majority are highly mobile such as birds and bats, but other groups are also represented including frogs, marine reptiles and mammals, terrestrial mammals, several threatened flora species and endangered ecological communities. Many of the migratory bird species are protected under the Japan-Australia Migratory Bird Agreement (JAMBA) and the China-Australia Migratory Bird Agreement (CAMBA).

The expansion of habitat and corridor links, and provision of appropriate habitat, breeding sites and food sources for native wildlife is essential for the conservation and protection of local biodiversity.

2.2 Climate Change and Adaptation

Climate Change is a significant issue for Australian communities. Even with international action to reduce greenhouse gas emissions, the global climate is projected to undergo significant change, creating both risks to communities and the environment as well as opportunities to improve our processes, behaviours and technologies.

Key changes in climate likely to influence the Hunter region and potential impacts associated with these include:

Sea Level Rise – flooding and inundation of low-lying coastal areas, coastal recession and erosion, asset damage, loss of coastal and estuarine ecosystems;

Increases in average and extreme temperatures – human and livestock health, changes to bushfire behaviour and seasonality, increased building operational costs and asset deterioration;

Extreme rainfall, flooding and storms – flash floods and catchment flooding, increased need for emergency response and recovery, damage to infrastructure, buildings and facilities, community anxiety, damage to natural assets;

Rainfall and water availability – fluctuations in water supply for drinking, irrigation and industrial use, as well as more pronounced flooding and drying cycles; and

Affecting biodiversity by changing the size of populations and the distribution of species, modifying species composition and altering the geographical extent of habitats and ecosystems.

2.3 Cultural Heritage

A diversity of both Aboriginal and non-Aboriginal heritage sites and relics are located within community land. The abundance of these cultural places and items is due to the relatively minor level of disturbance of community land in comparison to other land following settlement and urbanisation. A strong connection and importance is placed on cultural heritage by the community and accordingly they are protected by both Commonwealth and State legislation.

The management and maintenance of community land needs to ensure the preservation, protection and interpretation (where appropriate) of identified cultural heritage. This will ensure their continued survival as a reminder to future generations of our history.

2.4 Biosecurity

Weeds are one of the major threats to Australia's natural environment. Major weed invasions change the natural diversity and balance of ecological communities. These changes threaten the survival of many plants and animals because the weeds compete with native plants for space, nutrients and sunlight.

The Department of Primary Industries has determined a list of both terrestrial and aquatic weed species that are considered a 'priority' in terms of eradication or control in NSW. Of this list, there are a significant number of these that CN has identified as being a priority for the Newcastle local government area.

Domestic pets such as cats and dogs have the potential to significantly impact upon the use of community land and the native fauna for which it provides important habitat. Both domestic and feral introduced animals are highly effective predators that can devastate populations of native wildlife and destroy the vegetation which provide their natural habitat.

Feral animals such as foxes, rabbits, and other introduced animals are particularly destructive to native wildlife populations and cause significant negative impacts through vegetation destruction, soil disturbance, competition for food and native fauna predation. Council is responsible for implementing actions in relevant adopted Threat Abatement Plans such as fox control and monitoring.

2.5 Erosion and Stormwater

Stormwater flows from urban development running into waterways often results in increased water nutrient levels and also facilitates erosion, increased sediment levels, nutrient and chemical pollution, as well as high peak flows and increased water velocities which scour watercourses and aquatic organism mortality rates. This reduced water quality and erosion is being exacerbated by increased urban densities which are accumulating the extent of impervious surfaces and water usage.

Protection of riparian vegetation is essential to maintain suitable water quality, reduce erosion and sedimentation. This vegetation increases soil infiltration and stabilises soil to prevent erosion through slowing water velocities allowing for the even deposit of sediments along the length of watercourses versus at the point of entry into a larger water body.

2.6 Fire Management

As the traditional custodians of community land, Aboriginal people managed and maintained the health of native vegetation with fire for thousands of years. However, the ecological benefits of a regular fire regime very depending upon the vegetation community, season, intensity and frequency of fires. Too frequent fires may result in native flora not having had the time required to reproduce and replenish the seedbank, and this can alter the vegetation communities as well as localised extinction of species. Contrastingly the infrequency or exclusion of an appropriate fire regime can have a detrimental effect to the essential regeneration of particular species and allows fuel loads to accumulate thereby potentially creating a hazard to adjoining properties.

2.7 Recreational Uses and Conflicting land uses

Natural Areas land should be accessible to all of the community without impacting the ecological values of the area. Uncontrolled and unrestricted vehicular access by cars, motor and other bikes into and through natural areas, results in erosion, wildlife disturbance and damage to both surfaces and vegetation. Lack of formal and defined trails results in visitors creating their own paths.

An important core function of Council is the maintenance of community land, which is undertaken by both Council staff and professional contractors. The frequency and intensity of required maintenance required varies significantly depending on the category of the land and its level of use. Service standards have been developed for all areas of community land to ensure the safety of all users of community land. Maintenance of community land generally consists of mowing, weed removal, rubbish collection and the repair of amenities and facilities. Development and maintenance of community land needs to consider vegetation and habitat protection and conservation to avoid potentially adverse impacts.

Natural areas are particularly susceptible to littering and dumping of rubbish and materials. These illegal activities are often due to poor passive surveillance through their isolated location and / or dense vegetation. It creates significant visual impacts and can result in soil and water pollution as well as impacts on local fauna and the growth and invasion of both aquatic and terrestrial weeds.

2.8 Community Education and Participation

Members of the community provide a significant contribution towards the ongoing management and maintenance of community land. Volunteer groups provide opportunities for community involvement in caring for land through undertaking activities such as planting, weeding, surveillance and monitoring. These groups facilitate a sense of community ownership and strengthen relationships between the community and Council.

Community education promoting the benefits of natural areas is also important ensuring the managing and conservation of these area.

3.0 Development and Use

3.1 Infrastructure and Facilities

The use and development of natural areas must be in accordance with the provisions of applicable legislation, environmental planning instruments and core objectives of the respective land category. The scale and intensity of development and activities must be appropriate for the land category and capacity of the land.

Subject to the site and budgetary constraints, Council may construct or approve construction by others of a variety of facilities on this land subject to Native Title Manager advice. Any facilities provided will be consistent with the reserve purpose and the objectives for managing land categorised as bushland and be designed and constructed to avoid negative ecological impact and key natural values of the site. Approved facilities are listed **Appendix 5 – Permitted Development.**

3.2 Permitted and Prohibited Activities

For this land category, this PoM identifies activities that are permitted without approval, activities that may be permitted with approval, subject to Native Title Manager advice and activities that are prohibited on this land.

Individuals and community organisations wishing to undertake activities on community land must obtain specific Council approval before commencing that activity. Some approvals/refusals will be straightforward, however, other activities, such as special events, may require Council approval of an event management plan and traffic management plan.

Activities that may be considered are listed in **Appendix 6 – Permitted Uses.**

4.0 Management

4.1 Maintenance

Natural areas require different levels of maintenance, risk management and resources due to their diversity in land use.

In order to maintain natural areas efficiently and within budget, CN will review maintenance standards and priorities on an ongoing basis in conjunction with the relevant Operating Committee.

4.2 Leases, Licences and Other Estates

CN may consider the granting of a lease, licence or other estate over community land categorised as a natural area in accordance with Section 46, 46A, 47, 47A & 47B of the *LG Act*. However, in accordance with Section 47B of the *LG Act*, CN may only grant a lease or licence in respect of a natural area authorising the erection or use of a structure or/ building of a kind or purpose prescribed by Section 47B(4) and (5) of the *LG Act* or the regulations.

In addition to those purposes identified in the *LG Act*, CN is expressly authorised by this plan of management to issue a lease, license or other estate, subject to Native Title Manager advice which is in line with the reserve purpose of Crown land categorised as natural area and is outlined in **Appendix 3 – Authorised Purposes for Leases and Licences**.

4.2.1 Establishment of Biodiversity Stewardship sites

CN will continue to collaborate with state government departments (e.g. DPE, LLS) neighbouring Councils and the Biodiversity Conservation Trust to investigate reserves eligible for priority investment under conservation and grant funding agreements.

As well as a licence fee, a bond may be required as a condition of any licence.

For crown reserves, where CN is the appointed Crown land manager, and the use is authorised under this PoM, Council can consider granting of a lease or licence under the *LG Act*.

A biodiversity agreement issued on Crown land must be issued in accordance with future act provisions of the *Native Title Act 1993*, and in accordance with Part 8 of the *CLM Act* unless native title is extinguished. For Crown land, which is not excluded land, this will require written advice from CN's Native Title Manager that it complies with any applicable provisions of the Native Title legislation.

5.0 Management Framework

5.1. Bushland

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Biodiversity Conservation	Protect the biodiversity and ecological values of bushland.	Manage CNs bushland parcels such that the ecological values of the lands are preserved in line with relevant legislation.	Area of remnant vegetation retained	Ongoing
			Area of remnant vegetation restored/ revegetated.	Ongoing
		Undertake vegetation surveys.	Surveys show no loss and/or improved biodiversity and integrity of the bushland reserves.	Ongoing
		Identify and map all remnant native vegetation and threatened species habitat.	Native vegetation and threatened species habitat mapped	Ongoing
		Maintain an indigenous seedbank through local seed collections and propagation	Number of locally indigenous flora propagated	Ongoing
		Utilise locally indigenous species when undertaking planting or re-vegetation	Area of locally indigenous revegetation planted and reported annually.	Ongoing
	Develop, implement and review masterplans and site specific plans of managements for significant community land.	Identify high priority areas requiring specific Plan of management	Site Specific Masterplans and Plans of Management prepared and adopted as required.	Ongoing

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority	
Biodiversity Conservation (continued)	Retain and increase bushland in parcels of a size and configuration improve biodiversity and connectivity.	During the mapping of the Blue Green Grid, identify potential land parcels for acquisition. Take advantage of any land acquisition opportunity that becomes available and proactively seek land to augment the Blue Green Grid and CN's natural asset portfolio.	Review of asset register and reporting in Service Asset Plans	Ongoing	
		Maintain and expand vegetation planting in riparian corridors to provide a buffer zone to improve stream health and increase fauna habitat and movement	Area of riparian vegetation planted – reported annually	Ongoing	
		Undertake city-wide identification of biodiversity corridors for protection and enhancement of biodiversity. Corridors will be incorporated into Blue Green Grid.	Biodiversity corridor mapping is updated regularly to ensure protection and enhancement of biodiversity.	High	
		Continue to program and implement annual program of works at prioritised bushland reserves and lands supporting structure and function of biodiversity corridors. Public bushland assets are categorised as bushland and managed in accordance with this PoM.	Complete identified priority bushland projects in Environment Program Annual Delivery Plan.	Ongoing	
			CN Bushland Asset register identifies all relevant parcels appropriately.	High	
		Ensure bushland is protected by appropriate zoning and categorisation	Rezone bushland as environmental zone where appropriate.	CN Bushland Asset register identifies all parcels appropriately zoned and reporting in Service Asset Plans.	High
		Protect, manage and enhance littoral rainforest.	Undertake environmental protection works on land identified as littoral rainforest under the Coastal Management SEPP. The works should be undertaken in accordance with relevant legislation, management studies, and/or plans.	Littoral rainforests are protected and enhanced.	Ongoing
Bushfire	Minimise the threat of fire to life, property and bushland areas.	Bushfire management is carried out in accordance with Newcastle Bushfire Risk Management Plan and Committee.	Consider ecological processes when implementing fire management.	Medium	
		Implement fire regimes in accordance with a CN Bushfire Implementation Plan, bushfire management standards and ecological requirements to maximise health and diversity in line with cultural connections.	Training and appropriate fire regimes conducted for CN staff.	High	

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Weeds and Pests	Manage weeds and pests to protect the ecological value of the bushland.	Identify and respond to the occurrence of weed species which pose a threat to bushland areas in accordance with relevant Vegetation Management Plans and legislation.	Reduction in the frequency and spread of declared priority weeds.	Ongoing
		Undertake pest management in accordance with CN Pest and Weed Action Plan.	Reported annually.	Ongoing
		Ensuring hygiene practices are implemented throughout our reserves (contractors etc) &/or adopted process for monitoring and responding to outbreaks (myrtle rust etc) is established.	All relevant CN staff trained in biosecurity techniques as per the Natural Areas Technical Manual.	Medium
		Liaise with the community and adjoining properties to undertake coordinated weed control and mitigation.	Area of priority weeds removed.	Ongoing
Restoration and Rehabilitation and Adaptation	Ensure bushland reserves resilient to ongoing pressures associated with fragmentation, urban encroachment, population growth & changes in climate Minimise the environmental impacts of development adjoining.	Undertake regular maintenance, condition audit, research and environmental protection works as identified in Environmental Program, Bushland Services Operational Plan and the relevant Service Asset Plans.	Improvement in the quality of bushland areas. Assessment via bushland condition audit and reported annually.	Ongoing
		Development and maintenance of adjoining areas including parks and sportsgrounds are consistent with objective to protect and enhance biodiversity.	Reduction in encroachments and modification of bushland at reserve boundaries. Adjoining development to be conditioned to minimise negative impact upon ecological values for bushlands.	Medium
		Encourage the use of Water Sensitive Urban Design (WSUD) in adjoining development to improve the quality and reduce the quantity of stormwater entering and moving through any bushland asset.	Application of standard drawings and regulatory framework.	Ongoing
		Ensure that developments adjoining community land are carried out in accordance with the water and soil management provisions of CNs environmental planning controls.	Number of development issues referred to asset services for review.	High

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Restoration and Rehabilitation and Adaptation (continued)	Delineate bushland areas and recreation and urban areas to restrict incompatible uses and regenerate areas where appropriate.	Provide buffer zones between other uses and bushland using appropriate techniques such as leaf mulch and intensive planting	Mowing operators provided with a copy of the category boundaries	Ongoing
	Address Urban Heat Impacts implications for the city.	Implement Urban Forest planting program within targeted priority bushland sites	Extent of urban forest planted per annum	Ongoing
		Integrate tree planting in adjoining areas which reflect habitat vegetation and join blue/green grid.	Increased Urban Forest canopy cover on Public Land. Reported annually.	Ongoing
Recreation and Access	Promote the use and access of the land in a manner that protects ecological values, while facilitating public enjoyment of the land.	Ensure all maintenance on community land complies with applicable Australian Standards, legislation and best practice techniques	Reduction in impacts to bushland from inappropriate uses.	High
		Manage community use to detect and stop any damaging uses or overuse.	Reduction in impacts to bushland from inappropriate uses.	Ongoing
		Identify, maintain and enhance links between areas of community land through tree planting, signage, tracks, pedestrian/cycle pathways.	Number of links between areas of community land.	Medium
Community Participation and Education	Increase community understanding of bushland values and management	Continue to develop and provide educational material and resources for the community and educational establishments including workshops, information sessions, citizen science programs, signage and brochures.	Provision of information material to a range of community groups.	Ongoing
	Bushland is managed in partnership with the community	Promote and support community involvement in bushcare and volunteer activities.	Increase in the number of volunteers and community participation in engagement activities.	Ongoing
		Citizen science programs developed and supported (eg promotion of activities like Backyard bird counts etc)	High satisfaction levels of volunteers and participants.	Ongoing
	Encourage the sustainable use of bushland areas for scientific research.	Encourage and promote research projects and grant funding that contribute to the future of bushland areas.	Increase in up to date ecosystem information from research that can be utilised by CN to better understand and manage bushland	Ongoing
CN to liaise with educational and research institutions to assist with addressing information gaps identified in CN strategic documents and action plans.		Increase in up to date ecosystem information from research that can be utilised by CN to better understand and manage bushland	Ongoing	

5.2 Escarpment

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Biodiversity Conservation	Protect the biodiversity and ecological values associated with coastal and inland escarpments.	Investigate the establishment of a buffer zone around significant escarpments to reduce the impact upon these unique ecosystems.	Review buffer zones around escarpment areas on lands under CN care and control within the escarpment (cliffline) asset registers.	Medium
Protection of Escarpment Values	Protect any important geological, geomorphological or scenic features of the escarpment.	Protect habitat and vegetation linkages through appropriate protective zoning in the Newcastle LEP and/or DCP.	The natural vegetation associated with the escarpment is zoned appropriately to offer greater protection.	Ongoing
		Include effective landslide risk assessments in all project development.	Risk assessments completed and incorporated in the design process of all projects.	Medium
		Developments upon adjoining parcels are to consider the conservation/protection measures associated with escarpments	Conservation/protection of escarpments are considered in the development process for adjoining areas.	High
		CN projects within escarpment areas are consider the conservation / protection measures and cultural heritage values associated with escarpments.	CN projects consider the recognition and inclusion of aboriginal cultural heritage protection and the conservation and protection of environmental and natural values of the escarpment.	High
		Actively engage with Aboriginal community in identifying, protecting and managing aboriginal cultural heritage.		

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Restoration and Rehabilitation	Restore and regenerate degraded escarpment areas.	Rehabilitate areas that have been damaged e.g. by informal paths or the removal of natural vegetation.	Improvement in condition of the escarpment features captured in CN natural asset register for inland and coastal clifflines eg expansion of good quality vegetation coverage.	Ongoing
		Undertake slope stability/ hazard assessment and provide condition rating to inform scope of rehabilitation works.	Stabilisation works undertaken. Works are prioritised in accordance with asset condition assessments and risk rating and appropriate planning frameworks.	Ongoing
		Ensure monitoring program undertaken on regular basis.		
		Increase appropriate vegetation cover to improve slope stability.	CN asset register incorporates vegetation coverage and is reported in Service Asset Plans.	
	Reduce potential for erosion and associated escarpment instability.	Design and construct tracks and roads, stormwater and all other infrastructure within the escarpment zones to minimise any adverse impacts.	Reports of escarpment instability is reduced.	Ongoing
		Conduct regular site inspections and load data capture to natural asset register.	Asset register updated.	High
Community Access and Education	Facilitate safe community use and enjoyment of the escarpment.	Provision of controlled and safe walking trails to access escarpment areas where appropriate. Utilise existing guidelines for track and other facility construction e.g. NPWS guidelines.	Formal walking trails are established and utilised by the public that add value to the escarpment assets. Guidelines are considered when constructing new tracks. Community participation rates monitored and reported.	Ongoing
		Assist in development and promotion of community engagement activities such as NSW Geoscience -Newcastle Geotrail.		
		Installation of handrails and interpretative initiatives that effectively engage community in raising awareness and knowledge of escarpment ecology, geology and cultural heritage.		
		Utilise existing viewing platforms and tracks to promote conservation and protection of escarpment areas and the benefits and values they represent.	Community participation and satisfaction rating for the CN virtual and on ground activities.	Ongoing
	Facilitate the knowledge, understanding and values of the escarpment natural assets in inland and coastal settings.	Deliver community engagement programs that will increase knowledge, awareness and understanding of the value and benefits of inland and coastal escarpment areas.	Community engagement activities involving escarpments are included in Annual Operational plan – Environment program.	Medium

5.3 Foreshore

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Protection of Foreshore Values	Maintain the foreshore as a transition area between the aquatic and the terrestrial environment and to protect and enhance all functions associated with the foreshore's role as a transitional area.	Identification of community service levels and asset condition and function within the CN Coast, Estuary and Wetland Service Asset Plan (SAP).	Regular update of CN Coast, Estuary and Wetland Service Asset Plan (SAP) – currently 2019.	Ongoing
		Consider extending the coverage of native foreshore vegetation in certain low-use areas to increase filtering and buffering capacity. Include foreshore vegetation in CN asset management system.	Review the increase in foreshore vegetation following the works included in the Annual Operational plan.	Ongoing
		Ensure weed removal is undertaken in accordance with relevant technical manuals and established regeneration techniques.	Annual reporting on the extent of weed removal	Ongoing
		All CN works produce positive outcomes for foreshore environments	Adoption of objectives for project delivery in accordance with CN coastal management programs and plans	The production of closure reports for all CN works within the foreshore.
Management of Foreshores	Management of all works and activities within the foreshore extent will be in accordance with CN coast and estuary planning and program framework.	All definition and delivery of coastal and estuarine works are in accordance with the objectives of CN's coast and estuary management plans and programs.	Annual reporting on CN strategic framework for coast and estuary extents.	Ongoing
Protection of Endangered Ecological Communities	Protect and enhance identified habitat of threatened species and ecologically endangered communities (EEC) within the foreshore zone. eg Littoral Rainforest.	CN Monitoring and coastal protection works program delivered annually.	The production of closure reports for all CN works within the foreshore.	Ongoing

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Restoration and Rehabilitation	Restore and regenerate degraded foreshore areas in accordance with the priorities in CN Coastal Management Programs and Plans.	Identify areas of serious erosion and re-establish native aquatic and fringing vegetation using regeneration techniques, mulch areas for tree regeneration.	Annual reporting on the extent of foreshore rehabilitation.	Ongoing
		Facilitate community involvement in the rehabilitation and weed removal of selected sites.	Landcare participation rates in the rehabilitation and management of selected foreshore areas.	Ongoing
		Complete all coastal protection works in accordance with the CN adopted applicable coastal management programs and plans.	Annual reporting of the Coastal Management Program and Plans.	High
Community Engagement and Access	Facilitate the ecologically sustainable use of the foreshore and to mitigate negative impacts on the foreshore by community use.	Undertake community engagement program, which raises the level of awareness of foreshore issues.	Utilise existing community surveys to provide an annual report on levels of awareness.	Ongoing
		Bridges and pathways are used to control access in a manner that does not compromise the integrity of the foreshore ecosystem and does not cause erosion.	Access to certain foreshore areas are effectively managed.	High

C. Sportsground



1.0 Introduction

This Section has been prepared in accordance with the *LG Act* and *CLM Act*.

Refer to **Appendix 1- Schedule of Land** for categorisation details of individual land parcels.

1.1 Categorisation of the Land

This section applies to community land categorised as Sportsground under S.36 (F) of the *LG Act*.

1.2 Core Objectives

The *LG Act* core objects for the Sportsground category are:

- a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.

The *Local Government (General) Regulation 2021* guideline (103) states that community land should be categorised as sportsground if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.

1.3 Purpose of Sportsgrounds

Sportsgrounds are an integral part of CN's open space network by providing recreation and sporting opportunities. This includes the provision of administration, planning, management and the coordination of sporting facilities. These are delivered in the form of multi-functional areas providing formal and informal sporting, recreational and social experiences that are accessible to the community across a wide range of interests, age groups, competition level and abilities. The benefits of sportsgrounds include:

Improving the physical and mental health of residents

Strengthening our communities and social connection

Economic benefits associated with events

Makes Newcastle a more attractive place to live, work, visit and play

1.4 Values associated with Sportsgrounds

CN has adopted a value-based approach to preparing and reviewing PoMs for community land. Values are what make a place important and they are identified so that they can be protected and enhanced. A number of values have been identified for sportsgrounds. They are:

Sport and Organised Recreation: diversity in sporting and recreation options; cater for varying skill levels; multi-purpose sportsgrounds; opportunity for social interaction and inclusive community; helps maintain healthy lifestyle; and opportunity for school use.

Unstructured Recreation: large open space for informal and unstructured leisure and recreation, community cohesion and connectivity.

Landscape and Access: provision of shade for spectators; visual relief in urban settings; connectivity to other leisure opportunities within the same park area; opportunities for all abilities; access to services, toilets, changerooms, floodlights, canteen, and water.

Structured Recreation and Special Events: opportunities for special events provide for wider cross section of community to enjoy sportsgrounds; economic benefits for the community through expenditure on local services such as accommodation and food; diversity of use and promotion.

Environmental: Sportsgrounds support pockets of remnant native vegetation and significant trees, providing habitat, connectivity and improving local biodiversity outcomes.

Heritage: achieving balance by maintaining heritage significance, whilst still focusing on the importance of public leisure and sport activity.

1.5 Status of Sportsgrounds

Sporting facilities, in particular Regional and District level complexes, perform an important role in facilitating higher level participation in sport, sports tourism and local spectator sports opportunities. The service supports informal recreation, exercise, relaxation, sports competition and training, commercial activities such as fitness training, social gatherings, community and commercial events – both large and small scale. Sporting facilities are heavily utilised by the local community and visitors to the region. As an example, sportsgrounds support a variety of sporting codes including AFL, Cricket, Rugby League, Rugby Union, Tennis, Football, Touch, Austtag and Netball. In 2016 a review of sportsgrounds bookings indicated that over 170,000 sports participants utilised facilities in the Newcastle area.

CN has adopted the Strategic Sports Plan 2020 (SSP) to guide the provision of sporting assets over the next ten years. The Strategic Sports Plan informs future facility hierarchy and use, levels of service, new assets, and asset renewal and upgrades.

There is a wide spectrum of recreational and sporting interests within the community. The type and distribution of facilities should be provided to ensure that the needs of the whole community are met. Facilities have been classified as Regional, District or Local in accordance with the SSP:

Regional – Regional facilities attract visitors from across the LGA and beyond. They tend to cater for large numbers of people or elite sporting teams due to their uniqueness, opportunity offered or the scale of events that may be staged. They are of a high standard and receive the highest levels of service.

District – District facilities are well developed spaces that support the higher grades of competition. They are built and maintained to a high standard however they do not have the level of infrastructure that a regional facility has. These spaces receive the second highest level of service.

Local – Local facilities are defined spaces which primarily serve a local population. They provide a limited range of facilities to support recreational pursuits and receive the lowest level of service.

2.0 Key Issues

Key considerations have been identified through the PoM preparation process and through community and staff feedback received over recent years.

They have been grouped under the following broad themes:

2.1 Type and Distribution of Facilities

Regional and district sporting facilities also provide an important role in facilitating sports tourism and spectator sports opportunities that local facilities are not able to provide. The functional hierarchy influences levels of service in relation to provision, development, operation and maintenance.

Although facilities should be provided to ensure that the needs of the whole community are met, it is also important that:

there is equitable allocation of use for games and training

recognition of club involvement in development of sportsground, while still maintaining equitable access to other user groups

encouraging shared/multiple use of facilities

ensuring that sporting clubs/users are licenced to use the facility

2.2 Impact on Local Residents

Reserves which provide sporting facilities, have both positive and negative impacts on local residents. Positive impacts are living in close proximity to a large open space area providing greenery and enhanced amenity of the otherwise urban environment. Other positive impacts include the planned development of facilities close to home, the opportunities for children to become players and the opportunities for parents to become involved in the management of a particular facility through the operating committee or incorporated club. Potential negative impacts may include large numbers of users on the reserve at particular times, increased noise, increased rubbish, parking problems, loss of privacy, glare from floodlighting and a potential increased level of vandalism directed at sporting facilities.

2.3 Use of land categorised as Sportsground for Community Facilities

The provision of community facilities within sporting areas may restrict the potential expansion of the existing sporting areas and every attempt should be made to accommodate community facilities on operational land or other community land.

In a sporting area, the allocation of a portion of the land for the exclusive use of a community group should only be permitted in special circumstances. For instance, if the activity enhances or promotes the provision of sporting and recreational opportunities or is ancillary to the use and enjoyment of the area as a park for public recreation.

2.4 Infrastructure

Our sports facilities contain a significant amount of infrastructure. Sports facilities and amenities require capital improvements over time with changes in demand and depreciation of these assets.

2.5 Service Standards and maintenance

Sports facilities require an agreed level of maintenance standards to ensure they can be safely and appropriately used by the community. Issues which need to be addressed as part of maintenance of facilities include drainage, irrigation, waste management, drought and water restrictions, security and vandalism, after hours service, lighting, playing surface conditions, and risk and safety management.

2.6 Administration

The administration of our sports facilities can be complex. CN manages leases, licences, permanent and casual facility hire, bookings and management. CN also administers fees and charges, unbooked and unpaid usage, facility operating hours and any disruption of use.

2.7 Finance

Managing and maintaining CNs sports facilities can be costly. A balance needs to be struck to ameliorate this financial impact on Council, without reducing community access and maintaining the facilities at an acceptable condition through the impact of higher fees and charges.

3.0 Development and Use

3.1 Infrastructure and Facilities

Subject to the site and budgetary constraints, CN may construct or approve construction by others of a variety of facilities on this land subject to Native Title Manager advice. The purpose of any facilities provided, shall be to support activities and uses that are consistent with the the reserve purpose and the core objectives for this land category. Facilities that may be approved on community land are listed in **Appendix 5 – Permitted Development**.

Projects proposed by sporting/community groups must be in line with CN and/or facility strategic plans. Depending on the scope of the project, CN will request that a written proposal be submitted outlining a description of the project and proposed location, estimated costs, scaled plans, justification for the proposed works, future maintenance requirements and other elements relevant to the project.

Approval for works on community land will be in writing by CN on every occasion. The built infrastructure/asset will become the ownership of CN.

3.2 Permitted and Prohibited Activities

This PoM identifies activities that are permitted without approval, activities that may be permitted with approval, subject to Native Title Manager advice, and activities that are prohibited on this land.

Individuals and organisations wishing to undertake activities that require approval must obtain written CN approval before commencing that activity. Some approvals/refusals will be straightforward. Other large-scale activities, such as exhibitions, concerts, circuses, markets, car boot sales, may require submission of extensive event management plans.

These activities are listed in **Appendix 6 – Permitted Uses**.

3.3 Buildings

3.3.1 Multiple Use

A number of clubs or sporting codes use CN sporting facilities (except where leased). Over time, use arrangements may change. Increasing female participation in a number of traditional male sports may necessitate changes in use patterns. Amenity buildings should be designed to facilitate multiple use e.g. change rooms are suitable for both males and females and canteens that have secure storage for more than one user group.

3.3.2 Temporary Storage

Sporting groups or community organisations may obtain CN approval to locate a temporary structure on the land for a short-term period. The period will be determined in the consent, and the purpose for storage of sporting or maintenance equipment will only be permitted on the assumption that an approved permanent structure will be forthcoming. The temporary storage structure must be painted in a colour to blend with either the reserve, or the adjacent amenity building.

4.0 Management

4.1 Management of Playing Fields or Courts

A seasonal Sportsground Information Booklet is available to access on the CN Website. The purpose of this booklet is to provide the procedures and conditions for the use of CN sportsgrounds for sporting clubs and associations. Additionally, it helps provide answers to many of the frequently asked questions raised throughout the season.

CN tennis court facilities are under licence with an associated Tennis Club. Enquiries on availability and bookings for tennis courts are available on the CN Website.

4.2 Allocation of Playing Fields

The allocation of sportsgrounds to sporting codes and then to clubs can be a difficult and much debated issue. Many sporting organisations are seeking CN commitments to provide additional fields and upgrade existing facilities.

The current allocations are largely historic in nature, having evolved from local clubs largely developing the facilities with voluntary labour and fund raising, supplemented to varying degrees with Council, developer contribution funds and grant funds.

The CN Strategic Sports Plan will identify the changing participation trends and facilities in the city and assist CN to assign priorities for future works.

4.3 Booking of Facilities

All seasonal and casual bookings are to be made on CN's official application forms and the appropriate fees and charges applied. Users will be issued a Sporting Licence Agreement to associations and clubs which will detail the sportsground booked including a map of the defined area of use, financials, days and times of use and schedule of conditions for the use of the sportsground.

4.4 Maintenance

In order to maintain sporting areas efficiently and within budget, CN will review maintenance standards and priorities on an ongoing basis.

Sporting and community groups allocated management of a facility will assume responsibility for works such as line marking, cleaning, litter, grounds and minor building maintenance. To optimise the use of water, fertilisers, pesticides and herbicides, fees and charges set by CN may be utilised to undertake maintenance and minor improvements approved by CN and in accordance with this PoM.

4.5 Sportsground Closure

CN reserves the right to prohibit the use of any sportsground in the event of heavy rain, times of drought, or where damage is likely to be caused. Wet weather refers to a rainfall event which may affect the characteristics of a sportsground and subsequent use of the sportsground is likely to cause damage to the playing surface and/or player injury.

Sportsground closures, as a result of wet weather are determined by CN from Monday to Friday 6am – midnight inclusive for local, district and regional sportsgrounds. On Saturday, Sunday and Public Holidays, sportsground closures are the responsibility of the Licensee with sportsgrounds to be assessed by the Licensee against the Ground Information App.

Should wet weather conditions develop, inspections should be carried out throughout the licenced period to ascertain if there is any deterioration to the condition of the sportsground. If excessive damage is noticed, it is the responsibility of the Licensee to cancel further games and/or training with the Licensee to update our Ground Information App.

For further information refer to the CN Website.

4.6 Leases, Licences and Other Estates

In addition to those purposes identified in the *LG Act*, CN is expressly authorised by this plan of management to issue a lease, license or other estate in line with the reserve purpose and subject to Native Title Manager advice in respect to Crown land categorised as sportsground for those purposes set out in **Appendix 3 – Authorised Purposes for Leases and Licences**.

5.0 Management Framework

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority	
Recreational Use of Sportsgrounds	Encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games.	CN will encourage close liaison with sporting groups wishing to undertake improvements and development work to ensure work undertaken is in accordance with Council's overall plan for the area.	A close relationship is developed between community groups and Council.	Ongoing	
		CN to act as mediator to resolve user group conflicts.	Resolution of conflict relating to the successful shared use of the sporting facility.	Ongoing	
		Ensure all new and modified facilities incorporate access for people with disabilities.	"Access for all" incorporated into site design, plans and construction drawings.	High	
		Implement the recommendations of CN's Strategic Sports Plan.	Funding allocated in Council's 4-Year Delivery Program.	Individual projects completed in a timely manner.	Ongoing
		Implement the recommendations from the Strategic Sport Plan.	Review the relevant actions in the Strategic Sports Plan for sportsgrounds and implement.	Actions implemented.	Ongoing
Identify formal sportsgrounds that can be utilised as passive park areas as per the Strategic Sports Plan.	Consider redesignating areas to recreation space based on low usage and low functionality for sport.	The areas are identified and reclassified to recreational use.	Medium		
Connectivity and Access	Provide facilities to encourage alternative modes of transportation to sportsgrounds, to ease the reliance on cars.	Provide end of trip facilities where appropriate including bicycle racks, water stations.	Installation of end of trip facilities on various sites.	Low	
Landscape	Provide shade for spectators where appropriate.	Plant shade trees in grassed spectator areas where the use of the sportsground is not impacted.	Increase of shade provision.	Ongoing	

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Management of Sportsgrounds	Investigate smart access options to sporting amenities.	Review existing access and provide recommendation for a smart access options for sportsgrounds.	Improved access for both security and provision.	Medium
	Ensure that such activities are managed having regard to any adverse impact on nearby residences.	Development and upgrading of sporting facilities must consider the impacts, i.e. Visual, noise, lighting and the impact of additional usage, on the neighbouring properties.	Impacts on neighbouring residents are considered in any development proposal and Service Asset Plan.	High
	Review and Implement leases/licences on sportsgrounds where required.	Review and update all licences/ leases on community land.	Leases updated.	High
	Provide equitable access and use of Council sportsgrounds.	Develop criteria for the seasonal allocation of sportsgrounds.	Criteria developed and use for seasonal allocations.	High
		Standardise licences for the use of community land.	Standardised licence finalised.	High
		Develop a procedure for managing commercial fitness operators.	Commercial fitness operator procedure completed and implemented.	Medium
Environment	Protect and enhance remnant vegetation including significant trees	Public Tree Management needs to be in accordance with CN procedures including the Urban Forest Technical Manual.	Significant trees and remnant vegetation protected and managed.	Ongoing

D. Parks



1.0 Introduction

This Section has been prepared in accordance with the *LG Act* and the *CLM Act*.

Refer to **Appendix 1 – Schedule of Land** for categorisation details of individual land parcels.

1.1 Categorisation of the Land

This section applies to community land categorised as park under S.36 (G) of the *LG Act*.

1.2 Core Objectives

The *LG Act* core objects of the **park** category are:

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

The *Local Government (General) Regulation 2021* guideline (104) states that community land should be categorised as park if the land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

1.3 Purpose of Parks

Parks are an integral part of CN's open space network. They provide opportunities for families, friends, larger groups and the general community to come together for recreation, relaxation and the celebration of special events. They help build social capital and a sense of place and assist in improving the health and wellbeing of the community. The benefits of park provisions include:

Improving the physical and mental health of residents

Strengthening our communities and social connection

Providing economic benefits associated with events

Providing a cooling effect and a contrast to the built environment

Improving the liveability of Newcastle as an attractive place to live, work, visit and play

1.4 Values Associated with Parks

Parks are generally highly valued areas, enjoyed by people of all ages and demographics. The visual amenity of the park may be enjoyed without even entering the park. Parks have an intrinsic appeal and provide an atmosphere of peace and tranquillity. Their open nature, usually feathered by shades of green and blue, provide a distinct contrast to the urban communities of the residential areas. They provide a haven where people can escape from the hectic routine of everyday life. Parks also contribute the fabric of the community by providing opportunities for social interaction and casual recreation. CN has adopted a value-based approach to preparing and reviewing PoMs for community land. Values are what make a place important and they are identified so that they can be protected and enhanced. A number of values have been identified for parks.

They are:

Scenic: Provide green space in an urban environment; trees and landscaped gardens provide shade and visual amenity.

Recreation: Open space and grassed areas for social interaction, picnic, playground visits, relaxation and exercise; pathways to walk, cycle, jog and access surrounding areas.

Accessibility: Connections within and to surrounding areas; all abilities access; access to services including toilets and water.

Community Use and Events: Local community access, occasional markets, and smaller scale community events; larger community events including Christmas Carols.

Environmental: Parks support pockets of remnant native vegetation and significant trees, providing habitat, connectivity and improving local biodiversity outcomes.

Heritage: achieving balance by maintaining heritage significance, whilst still focusing on the importance of public leisure and informal recreation.

1.5 Status of Parks

The Service Asset Plans for Parks, identifies approximately 240 local parks in the LGA.

These parks are located in a variety of spaces including:

dedicated public reserves

the periphery of sports fields

road reserves

drainage reserves.

Our culture and lifestyle are inextricably linked to and revolve around these community assets. CN has adopted the Parkland and Recreation Strategy 2014 to guide the provision of parkland and recreation facilities for current and future communities. Parks supports informal recreation, exercise, relaxation, commercial activities such as fitness training, social gatherings, community and commercial events - both large and small scale.

Parks are heavily utilised by the community and visitors to the region and a functional hierarchy has been developed to guide the delivery of Newcastle parks. Parks have been classified as Regional, District or Local in accordance with the CN's Parkland and Recreation Strategy.

Regional facilities/parks attract visitors from across the LGA and beyond. They tend to cater for large numbers of people due to their uniqueness, opportunity offered or the scale of events that may be staged. They are of a high standard and receive the highest levels of service. They are generally long-stay places due to the variety and complexity of opportunities available. The Regional Parks are: Foreshore Park and Blackbutt Reserve.

District facilities/parks are well developed spaces of substantial size that offer a broad range of quality recreation opportunities. They attract visitors from across a number of suburbs, however they do not have the level of infrastructure that a regional facility has. These spaces receive the second highest level of service. The Crown land District parks are: Islington Park, Lambton Park, King Edward Park and Empire Park.

Local park are defined spaces which primarily serve a local population. They provide a limited range of facilities to support recreational pursuits and receive the lowest level of service. These spaces are generally designed and managed for shorter visitor stays.

2.0 Key Issues

Key issues have been identified through the PoM preparation process and through community and staff feedback received over recent years.

They have been grouped under the following broad themes:

2.1 Park Distribution

An examination of the existing parks and their population catchments, in relation to the population densities, will determine any inequities in the existing level of provision throughout the city. An equitable distribution of local, neighbourhood and district parks would be the optimum. In many cases, this is not possible, due to topographical and environmental constraints, availability of suitable land and future acquisition and development costs. Where there is an identified under-provision within a population catchment and land is available without constraints, its change of use to a parkland area may be warranted.

2.2 Park Development

Urban parks have varying degrees of development from semi-natural parkland areas that may be just mown grassed areas, to the more formal developed parks that provide a range of facilities.

2.3 Equity in Access

Physical Access

Access in parks by the elderly or by the differently abled is an issue that needs due consideration. It involves a range of measures that when considered in combination, makes access to a park manageable.

Some items to be considered in future park design are:

Designated parking close to the park which also provides for mini-bus parking

A path leading from the carpark into the park to appropriate seating and to the toilet

Ramps where possible to replace steps

Handrails where appropriate

Braille incorporated into interpretive signage

Accessible toilet facilities in close proximity to seating and carpark

Picnic tables to accommodate wheelchairs

Some park benches to include arm rests

The provision of shade or shelter over accessible picnic area

Accessible picnic area should take advantage of any an outlook, vista or tranquil setting

A unisex accessible public toilet in large park areas

Fencing

Many parks have a variety of these facilities, but other necessary components may be missing. By providing access for wheelchairs, CN also provides access for people pushing strollers and prams. The combination of these two user groups comprises a significant percentage of the total users of parks.

Equity of Use

It is essential that parks ensure equity through:

limiting facilities including shade shelters being booked and not available for general community use, particularly in coastal locations;

regulating unlicensed events and unauthorised users of the parks; and

increasing provision for sites to undertake markets

2.4 Linkages

The key characteristics of Parks means that the parks are accessible, easy to get to “you don’t have to cross busy roads, you can cycle there” and they are perceived to be safe because they are generally visible.

Parks are often located adjacent to or in close proximity to natural areas, sportsgrounds and other community land however, linkages between such areas are not always satisfactory. In recent years there has been a greater emphasis placed on the linkage between open space areas. These open space linkages provide greater movement-oriented recreation as more and more people are now cycling or walking for pleasure. Cycleways and walkways can be provided on existing public reserves, wildlife corridors, drainage reserves, transmission line easements, road reserves and disused railway corridors may be utilised. Linkages and cycleways may also be used to connect parks, areas of interest such as heritage items, commercial centres and schools.

The *Newcastle Cycling Plan 2021 - 2030* sets out the future direction of the cycle network in the city. Refer to CN’s website for future plans and provisions.

3.0 Development and Use

3.1 Infrastructure and Facilities

Subject to the site and budgetary constraints, CN may construct or approve construction by others of a variety of facilities on this land subject to Native Title Manager advice. The purpose of any facilities provided, shall be to support activities and uses that are consistent with the reserve purpose and the core objectives for this land category. Approved facilities are listed in **Appendix 5 – Permitted development**.

Committees that wish to explore infrastructure improvements should ensure that prior to the sourcing of funding approval from CN is obtained. It is also important to note that infrastructure that is built becomes the property of CN.

3.2 Permitted and Prohibited Activities

This PoM identifies activities that are permitted without approval, activities that may be permitted with approval, subject to Native Title Manager advice, and activities that are prohibited on this land.

Individuals and organisations wishing to undertake activities that require approval must obtain written CN approval before commencing that activity. Some approvals/refusals will be straightforward. Other large-scale activities, such as exhibitions, concerts, circuses, markets, car boot sales, will require the submission of an extensive event management plan, insurances and depending on the size, may require a traffic management plan and development approval.

These activities are listed in **Appendix 6 – Permitted Uses**.

3.3 Planting in Parks

Any community organisation seeking to plant or revegetate an area of community land categorised as park and currently a mown grassed area, must obtain written consent of CN prior to undertaking the work. The request should be in writing and accompanied by a plan drawn to scale indicating the proposed planting area, the species list and the weeding program.

Any proposed plantings in parks are to consider safety by design principles and to provide adequate sight lines into and through the park area.

The continued and ongoing maintenance is to be considered in any planting proposal. A planned weeding program is required, including how the weeding will be undertaken, the frequency per year and a commitment to continue weeding the area/bed for 3 to 5 years. This planned program is essential as it will assist in addressing the concerns of nearby neighbours that planted areas become weed infested, are planted and then left unmaintained and can be regarded as visually obtrusive.

3.3.1 Community Gardens

Community gardens are places where people come together to grow food, foster good health and green urban environments, support life-long learning and cultivate vibrant communities. A full list of Community Gardens is found on the CN Website.

Any new community garden proposals require written approval by CN. Any proposal should be discussed with the appropriate CN Officer in the early stages of the project to understand the CNs requirements and the possible time taken for approval.

4.0 Management

4.1 Booking a Park

A variety of parks and reserves are available for the community to use. Dependent on the use, a booking may be required. A list of available parks and reserves, the criteria of where a booking is required, and the applicable booking process are found on the CN Website.

4.2 Maintenance

A major management issue is the on-going maintenance of parks and the task facing CN in maintaining appropriate standards whilst facing ever-increasing workloads. Current management practices are largely concerned with maintaining the existing parks as clean and attractive facilities within the budget allocation. When planning future parks, emphasis should be placed on low maintenance facilities.

On some occasions, parks may not be mown for some time. This may be due to a number of factors including, plant equipment may be unable to access some areas due to prolonged periods of wet weather due to soil consistency and poor drainage. Maintenance of the facilities is an essential consideration when designing parks. Poor access for maintenance purposes could prove costly in the long run. The frequency of inspection of facilities like play and BBQ equipment is dependent upon the budget allocation which will vary from year to year.

4.3 Leases, Licences and Other Estates

In addition to those purposes identified in the *LG Act*, CN is expressly authorised by this plan of management to issue a lease, license or other estate in line with the reserve purpose in respect of Crown land categorised as Park for those purposes set out in **Appendix 3 – Authorised Purposes for Leases and Licences**.

5.0 Management Framework Park

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Recreational Use of Parks	Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities.	Identify the number and types of parks required to serve the growing population.	Review and update CNs Parkland and Recreation Strategy.	Medium
		Events arranged in parks which promote recreation and social activities.	Number of events organised.	Ongoing
		Review and maintain where required, relevant policies for the management of CN parks.	Policies reviewed and adopted incl. Parks Booking Policy.	Ongoing
Passive Recreational Use	Provide for passive recreational activities or pastimes and for the casual playing of games.	Investigate opportunities to redevelop selected parks to increase the range of facilities they provide.	Increase level of use and user satisfaction with redeveloped area and new facilities.	Ongoing
		Provide a range of play areas, including all ability friendly equipment for young people and inclusive playspaces. Skate parks and cycle tracks, and tracks and fitness equipment.	Higher levels of use by all children including those with disabilities. CN receives unsolicited positive feedback from the community.	High
Connectivity and Access	Provide facilities to encourage alternative modes of transportation to parks, to ease the reliance on cars.	Provide end of trip facilities where appropriate including bicycle racks, water stations.	Installation of end of trip facilities on various sites	Low
		Improve access to parks for all abilities.	Furniture and amenity accessible for all abilities.	Ongoing
		Provide equitable use of CN parks.	Limiting facilities and standardising licences for the use of community land by ensuring that shade and formalised seating is available for general community use, particularly in coastal locations.	Standardised licence finalised and reviews of appropriate facilities for park bookings.

Improve Parks	Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.	Implement the recommendations and review the relevant actions from the Parkland and Recreation Strategy	Actions implemented.	Ongoing
		Prepare Masterplans for CN District level parks to guide their future management	Masterplans for all CN District level parks are developed and adopted by CN for implementation.	Medium-High
		The installation of public toilets, paths, lighting, seats, picnic tables, BBQ's, bins, shade structures, pathways/cycleways, landscaping, rotundas, according to works schedule and budget allocation.	Increased public use of and acceptance of a variety of activities in parks.	Ongoing
		Plants are selected according to suitability, life span, aesthetic appeal, maintenance, safety by design and consider incorporating edible plants in parks.	Landscaping undertaken when funding becomes available to enhance specific park areas.	Ongoing
		Support community garden groups to establish and maintain community gardens in parkland areas.	Community groups area developed and are managed in accordance with CN requirements.	Low
		Identify parks that lack shade and lighting provisions. Plant shade trees near seating and in other suitable locations.	Shade trees planted. Landscape Masterplans adopted by CN.	Ongoing
		Undertake Playground Audits as per specified schedule.	Playground Audit undertaken by consultant to ensure safety of users.	High
		Consider signage, memorials and public art and update CNs policies to reflect this.	Landscape Masterplans adopted by Council. CN Policies updated.	Low
	Identify potential and manage dog off leash areas and fenced facilities.	Implement the Dogs in Open Space Plan (2019)	Review against the actions of the Dogs in Open Space Plan (2019)	Ongoing
Management of Parks	Investigate smart city access options to sporting amenities.	Review existing access and provide recommendation for a smart access options for sportsgrounds.	Improve access for both security and provision.	Medium
	Review and implement leases/licences on parks where required.	Review and update all licences/leases on community land.	Updated licences/leases.	Ongoing
	Provide equitable access and use of CN Parks.	Standardise licences for the use of community land.	Standardise licence finalised.	Medium
Environment	Protect and enhance remnant vegetation including significant trees.	Public Tree Management needs to be in accordance with CN procedures including the Urban Forest Technical Manual.	Significant trees and remnant vegetation protected and managed.	Ongoing

E. General Community Use Areas



1.0 Introduction

This Section has been prepared in accordance with the *LG Act* and the *CLM Act*.

Refer to **Appendix 1 Schedule of Land** for categorisation details of individual land parcels.

1.1 Categorisation of the Land

This section applies to community land categorised as General Community Use under S.36 (l) of the *LG Act*.

1.2 Core Objectives

The *LG Act* core objects of the general community use category are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

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

The *Local Government (General) Regulation 2021* guideline (106) states that community land should be categorised as general community use if the land:

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

1.3 Purpose of General Community Use Areas

General Community Use (GCU) land provides opportunities for people to access recreation, sporting and various community facilities and services on land that, for various reasons, is not suitable to be categorised as another category. Typically, GCU land can include community hubs, centres and halls, child-care centres, kiosks/cafes, caravan parks, surf clubs, bowling clubs, girl guide and scout halls, swimming centres or land used as drainage reserves, containing transmission lines, or small parcels of land not suitable as park. These land parcels tend to be alongside roads or parts of larger road medians or is residual land previously associated with road or parts of larger road medians or space and cannot have the uses or facilities generally associated with parks. However, it is likely to be grassed and have tree planting and it often performs the function of a roadside buffer and/or walking area as well as providing visual amenity.

Similar to parks, GCU land can provide opportunities for families, friends, larger groups and the general community to come together for recreation, social inclusion and assist in improving the health and wellbeing of the community.

1.4 Values associated with General Community Use Areas

CN has adopted a value-based approach to preparing and reviewing PoMs for community land. Values are what make a place important and they are identified so that they can be protected and enhanced. A number of values have been identified for general community use areas. They are:

Recreation: Facilities for community use and enjoyment; a place that people can enjoy activities together and share experiences; multi-purpose facilities that appeal to a variety of community members.

Accessibility: Connections to surrounding areas; all abilities access to facilities; access to services including toilets.

Community Use: Local community access; provision of community services; volunteers that contribute time and skills in the management of community facilities; a place to belong.

Life-long learning: Playgroups, before and after school care, independent living, small business and career courses, workplace training, arts and craft and support services.

Heritage: The ocean baths are listed as heritage items of local significance in Schedule 5 of the Newcastle Local Environmental Plan 2012.

1.5 Status of General Community Use Areas

For the purpose of this Plan, Community Halls, Surf Life Saving Club facilities (including kiosks) and Swimming Pools (including Ocean Baths) are categorised as GCU.

The city provides a number of swimming complexes that are able to be utilised by the community. These include:

Swimming centres

Stockton

Mayfield

Lambton

CN swimming centres provide opportunities for recreational swimming, coaching/training, swimming lessons and school carnivals/competitions. Management arrangements are reviewed regularly in line with conditions of contract and service reviews.

Ocean Baths

Merewether

Newcastle

The Newcastle Ocean Baths were opened in 1922 and Merewether Ocean Baths in 1935. Merewether Ocean Baths are the largest in the Southern hemisphere. The ocean baths are listed as heritage items of local significance in Schedule 5 of the Newcastle Local Environmental Plan 2012. These baths are patrolled facilities that contribute to local and regional tourism, coastal amenity and the promotion of healthy lifestyles.

Surf Lifesaving Club Facilities (SLSC)

Stockton SLSC

Cooks Hill SLSC

Nobbys SLSC

Newcastle SLSC

CN provides surf lifesaving club facilities from Merewether in the south to Stockton in the north. These facilities provide clubs a venue to operate from in providing valuable volunteer patrols and education to the general community.

Community Centres

Carrington Community Centre

2.0 Key Issues

Major issues identified for users of facilities located within this category of Community Land include:

2.1 User Safety

Public safety is the utmost importance in the management and maintenance of GCU areas. Human misuse (especially vandalism) or overuse of these areas is another factor in user management that costs CN money in repairs and maintenance each year.

Urban development (usually residential) borders a large number of GCU areas. The impact of the use on neighbours is an important ongoing issue.

2.2 Land Management

Nutrient loading and sedimentation associated with urban run-off requires attention, preferably at the source.

Sensitive land use that is required where GCU areas border on natural areas or form part of a natural area linkage, to manage edge effects.

The visual quality and amenity of the GCU area must be managed. Special conditions may be required where the area is the subject of a lease.

2.3 Aging infrastructure

Facilities categorised as General Community Use vary in age, construction and condition.

They range from modern multi-purpose buildings to older style community centres and halls.

There have been extensive upgrades made to some facilities, e.g. Merewether Ocean Baths, that have addressed safety concerns and re-invigorated a space that is valuable to the general community.

There are a number of facilities that are being addressed for upgrades including Newcastle Ocean Baths.

3.0 Development and Use

Activities that are considered permissible under the Newcastle LEP 2012 and Newcastle DCP's may be permissible on GCU areas under this PoM, subject to any exclusions identified in this Section. Some of those activities may be permissible without development consent, but other activities may require consent.

3.1 Infrastructure and Facilities

Subject to the site and budgetary constraints, CN may construct or approve construction by others of a variety of facilities on this subject to Native Title Manager advice. The purpose of any facilities provided shall be to support activities and uses that are consistent with the reserve purpose and the core objectives for this land category. Facilities that may be approved on community land are listed in **Appendix 5 – Permitted Development**.

3.2 Permitted and Prohibited Activities

For this land category, this PoM identifies activities that are permitted without approval, activities that may be permitted with subject to Native Title Manager advice, and activities that are prohibited on this land.

Individuals and organisations wishing to undertake activities that require approval must obtain specific CN approval before commencing that activity. Some approvals/refusals will be straightforward. These activities are listed in **Appendix 6- Permitted Uses**.

4.0 Management

4.1 Maintenance

GCU areas require different levels of maintenance, risk management and resources due to their diversity in land use. Their status ranges from poorly maintained to highly maintained facilities. Those areas that are leased exclusively to a group or organisation may be required to be maintained by the lessee.

4.2 Leases, Licences and Other Estates

In addition to those purposes identified in the *LG Act*, CN is expressly authorised by this plan of management to issue a lease, license or other estate in line with the reserve purpose and subject to Native Title Manager advice in respect of Crown land categorised as General Community Use for those purposes set out in **Appendix 3 – Authorised Purposes for Leases and Licences**.

CN uses casual or seasonal licences to formalise the use of Community Land by some groups such as sporting clubs, community organisations, schools or individuals who provide facilities or services for public use.

5.0 Management Framework General Community Use

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Provide Facilities to meet Community Needs	Provide a framework for improving community based facilities in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public.	Develop asset maintenance and renewal plans to identify uses, needs, feasibility and priorities for each facility and to be used as internal asset management tool.	Asset maintenance and renewal plans are developed and endorsed by stakeholders.	Medium
		Identify sites that may be suitable to accommodate compatible social infrastructure that could benefit the local and broader communities.	Sites identified for future development.	Medium
	Ensure any proposed developments are sensitive to the environment, provide for commercial and tourism opportunities and key views from public spaces are retained and enhanced.	Identify and allow flexibility of community facilities to be utilised as hireable spaces.	Lease/Licence agreements are addressed, and Landscape Masterplans and Public Domain Plans are adopted.	Ongoing
	Provide facilities using Crime Prevention Through Environmental Design (CPTED) principles.	Include CPTED design principles in the design brief and use CPTED principles in the public domain planning process.	CPTED assessment undertaken and improvements to safety in all areas.	Ongoing
	Undertake CPTED review of all CN infrastructure.		Ongoing	
Connectivity and Access	Provide facilities to encourage alternative modes of transportation to facilities, to ease the reliance on cars	Provide end of trip facilities where appropriate including bicycle racks, water stations.	Installation of end of trip facilities on various sites	Low
	Improve access to facilities for all abilities	Review all abilities access to facilities and program works required.	All abilities access included	Ongoing

Consideration	Objectives & Performance Targets	Means of Achievement	Manner of Assessment	Priority
Purposes for Lease, Licence and Other Estates	In relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).	New leases/licences to be entered into for purposes authorised by this PoM and subject to CN approval.	Lease/licence agreements receive CN approval.	High
	The future use of Shepherds Hill Cottage is established.	Future use of the Shepherds Hill Cottage be in accordance with the endorsed Conservation Management Plan.	Works are undertaken as per the Shepherds Hill Cottage Conservation Management Plan and a lease/licence agreement is addressed and approved by Council.	Ongoing
Classification and Categorisation of Reserves	Formally establish Merewether Ocean Baths within a notified Crown Reserve.	Add Merewether Ocean Baths to the nearby Reserve R56681 for Public Recreation, categorisation.	Merewether Ocean Baths transferred to Reserve.	High
Management of GCU	Provide equitable access and use of Council facilities.	Standardise licences for the use of community land.	Standardised licence finalised.	Medium
Environment	Protect and enhance remnant vegetation including significant trees.	Public Tree Management needs to be in accordance with CN procedures including the Urban Forest Technical Manual.	Significant trees and remnant vegetation protected and managed.	Ongoing

F. Appendices



Appendix 1 – Schedule of Land

Note: Native Title – no development of Public Works or Licence, lease or other estate permitted.

Reserve/Park Name	Class. No	Address	Suburb	Lot	Section	DP	Artificial ID	Crown Reserve No.	Gazette Date	Crown Reserve Purpose	CL Category	Natural Areas Category	Map ID
Adamstown Long Day Care Centre	CR3	210 Gosford Road	Adamstown	3262		DP822183		170151	5/2/1993	Community Purposes	GCU		1
Adamstown Park	CR1	506 Glebe Road	Adamstown	391		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1779		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1780		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1781		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1782		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1969		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1970		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1971		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1972		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1973		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1974		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1975		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1976		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	1977		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	3156		DP755247		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	7027		DP1052831		570017	9/10/1891	Public Recreation	Sportsground		2
	CR1	506 Glebe Road	Adamstown	7028		DP1052826		570017	9/10/1891	Public Recreation	Sportsground		2
CR1	506 Glebe Road	Adamstown	7029		DP1052825		570017	9/10/1891	Public Recreation	Sportsground		2	
CR1	506 Glebe Road	Adamstown	7310		DP1144733		570017	9/10/1891	Public Recreation	Sportsground		2	
West Park	CR2	1 Dora Street	Adamstown	7312		DP1144999		52096	16/03/1917	Public Recreation	Park		3
Bar Beach Public Bathing Area	CR5	1 Bar Beach Avenue	Bar Beach	7057		DP1077026		570018	13/10/1909	Public Baths	Park		4
	CR5	1 Bar Beach Avenue	Bar Beach	7058		DP1077026		570018	13/10/1909	Public Baths	Park/ Natural Area	Escarpment/ Foreshore	4

Reserve/Park Name	Class. No	Address	Suburb	Lot	Section	DP	Artificial ID	Crown Reserve No.	Gazette Date	Crown Reserve Purpose	CL Category	Natural Areas Category	Map ID
Empire Park	CR4	1 Kilgour Avenue	Bar Beach	258		DP755247		83849	1/6/1962	Public Recreation	Sportsground/ GCU/Natural Area	Foreshore	5
Bar Beach	-	111 Memorial Drive	Bar Beach	7013		DP1052618		45343	8/6/1910	Public Recreation	Natural Area	Foreshore	6
District Park	CR7	50 Denney Street	Broadmeadow	3286		DP1049501		68749	27/10/1939	Public Recreation	Sportsground		7
	CR7	50 Denney Street	Broadmeadow	7026		DP1065197		68749	27/10/1939	Public Recreation	Sportsground		7
	CR7	50 Denney Street	Broadmeadow	7024		DP1070096		68749	27/10/1939	Public Recreation	Sportsground		7
	CR7	50 Denney Street	Broadmeadow	7318		DP147086		68749	27/10/1939	Public Recreation	Sportsground		7
Helicopter Site	CR61	10 Bavin Road	Broadmeadow	2692		DP755247		170178	25/10/1996	Community Purposes	GCU		8
	CR61	10 Bavin Road	Broadmeadow	3285		DP1049501		170178	25/10/1996	Community Purposes	GCU		8
	CR61	10 Bavin Road	Broadmeadow	1		DP151421		170178	25/10/1996	Community Purposes	GCU		8
Carrington Community Centre	CR59	1A Hargrave Street	Carrington	1	51	DP758233		97363	3/8/1984	Community Centre	GCU		9
Parker Street Reserve	CR10	7 Parker Street	Carrington	3251		DP821174		170140	20/3/1992	Public Recreation	Natural Area	Bushland	10
Pat Jordan Oval	CR9	1 Cowper Street Nth	Carrington	55		DP1127940		85125	27/11/1964	Public Recreation	Sportsground		11
Young Street Reserve	CR1549	1A Young Street	Carrington	2	51	DP758233		570080	14/11/1903	Public Recreation	Park		12
Islington Park	CR11	151A Maitland Road	Islington	3182		DP257283		570020	9/10/1901	Public Recreation	Park		13
	CR11	151A Maitland Road	Islington	7067		DP1077048		570020	9/10/1901	Public Recreation	Park		13
	CR11	151A Maitland Road	Islington	7068		DP1077048		570020	9/10/1901	Public Recreation	Park		13
	CR11	151A Maitland Road	Islington	7304		DP1444460		570020	9/10/1901	Public Recreation	Park/GCU		13
	CR11	151A Maitland Road	Islington	7305		DP1444460		570020	9/10/1901	Public Recreation	Park		13
Lambton Park	CR13	50 Howe Street	Lambton	7050		DP115474		570039	21/5/1887	Public Recreation	Park		14
	CR13	50 Howe Street	Lambton	7051		DP115474		570039	21/5/1887	Public Recreation	Park		14
	CR13	50 Howe Street	Lambton	7052		DP120463		570039	21/5/1887	Public Recreation	Park		14
	CR13	50 Howe Street	Lambton	7077		DP120464		570039	21/5/1887	Public Recreation	GCU		14
	CR13	50 Howe Street	Lambton	7049		DP112321		570039	21/5/1887	Public Recreation	Park		14
	CR13	50 Howe Street	Lambton	7075		DP122324		570039	21/5/1887	Public Recreation	Park/GCU		14
	CR13	50 Howe Street	Lambton	7076		DP122324		570039	21/5/1887	Public Recreation	Park		14
	CR13	50 Howe Street	Lambton	7079		DP1123383		570039	21/5/1887	Public Recreation	Park/GCU		14
	CR13	50 Howe Street	Lambton	7053		DP109607		570039	21/5/1887	Public Recreation	Park		14
Dangar Park	CR15	21A Maitland Road	Mayfield	1		DP1162089		570093	30/8/1918	Public Recreation	Park/GCU/ Sportsground		15
Nile Street Reserve	CR16	21a Nile Street	Mayfield	7064		DP93979		570094	18/10/1935	Public Recreation	Park		16

Reserve/Park Name	Class. No	Address	Suburb	Lot	Section	DP	Artificial ID	Crown Reserve No.	Gazette Date	Crown Reserve Purpose	CL Category	Natural Areas Category	Map ID
Jefferson Park	CR18	80 Watkins Street	Merewether	10		DPT129519		56681	21/12/1923 14/11/2008	Public Recreation/ Recreation Facilities and Service	Park/ Natural Area	Escarpment	17
	CR18	80 Watkins Street	Merewether	12		DPT129519		56681	21/12/1923 14/11/2008	Public Recreation/ Recreation Facilities and Service	Park		17
	CR18	80 Watkins Street	Merewether	100		DPT130581		56681	21/12/1923 14/11/2008	Public Recreation/ Recreation Facilities and Service	GCU		17
	CR18	80 Watkins Street	Merewether	101		DPT130581		56681	21/12/1923 14/11/2008	Public Recreation/ Recreation Facilities and Service	Park		17
Merewether Beach	CR1543	3A Ocean Street	Merewether	7021		DPT128695		570089	12/6/1912	Public Recreation	Park/ Natural Area	Foreshore/ Escarpment	18
Mitchell Park	CR17	24 Mitchell Street	Merewether	7022		DP914672		1000348	2/9/1938	Public Recreation	Sportsground		19
	CR17	24 Mitchell Street	Merewether	7023		DP914673		570091	8/12/1916	Public Recreation	Sportsground		19
Wallarrah Park	CR19	24 Wallarah Road	New Lambton	3255		DP821022		72941	7/1/1949	Public Recreation	Sportsground		20
	CR19	24 Wallarah Road	New Lambton	2379		DP755247		72941	7/1/1949	Public Recreation	Sportsground		20
	CR19	24 Wallarah Road	New Lambton	2380		DP755247		72941	7/1/1949	Public Recreation	Sportsground		20
	CR19	24 Wallarah Road	New Lambton	2378		DP755247		72941	7/1/1949	Public Recreation	Sportsground		20
	CR19	24 Wallarah Road	New Lambton				7034/ 755247	72941	7/1/1949	Public Recreation	Sportsground		20
Regent Park	CR19	2 Monash Road	New Lambton	2377		DP755247		72941	7/1/1949	Public Recreation	Sportsground		20
	C306	8A Regent Street	New Lambton	3	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	4	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	5	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	6	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	7	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	8	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	9	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	10	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	18	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	19	U	DP1949		570082	6/5/1905	Public Recreation	Park		21

Reserve/Park Name	Class. No	Address	Suburb	Lot	Section	DP	Artificial ID	Crown Reserve No.	Gazette Date	Crown Reserve Purpose	CL Category	Natural Areas Category	Map ID
	C306	8A Regent Street	New Lambton	20	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	21	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	22	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	23	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	24	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
	C306	8A Regent Street	New Lambton	25	U	DP1949		570082	6/5/1905	Public Recreation	Park		21
Enterprise Park	CR28	104 Scott Street	Newcastle	1		DP706760		97943	4/10/1985	Public Recreation	Park		22
Fletcher Park	CR25	75 Watt Street	Newcastle	7059		DP1116454		570019	31/8/1910	Public Baths; Public Recreation	Park/ Natural Area	Escarpment	23
Shepherds Hill Cottage	CR56	41 The Terrace	Newcastle	3116		DP 755247		170100	17/3/1989	Community Purposes; Public Recreation	Park/GCU		24
Newcastle Beach, Newcastle Baths, Esplanade	CR26	30-50 Shortland Esplanade	Newcastle East	7061		DP118737		570019	31/08/1910	Public Baths; Public Recreation	Park/GCU/ Natural Area	Foreshore	25
	CR33	35 Nobbys Road	Newcastle East	7060		DP118739		570019	31/08/1910	Public Baths; Public Recreation	Natural Area	Foreshore	25
	CR60	25 Shortland Esplanade	Newcastle East	7061		DP1053970		570019	31/8/1910	Public Baths; Public Recreation	Park		25
	CR33	35 Nobbys Road	Newcastle East	7005		DP1057119		88721	22/9/1972	Public Recreation	GCU/Park		26
	CR33	35 Nobbys Road	Newcastle East	7006		DP1057119		88721	22/9/1972	Public Recreation	Park/GCU/ Natural Area	Foreshore	26
	CR33	35 Nobbys Road	Newcastle East				7345/ 755247	88721	22/9/1972	Public Recreation	Park/ GCU/ Natural Area	Foreshore	26
The Foreshore	CR34	32 Wharf Road	Newcastle	1		729028		170017	3/10/1986	Public Recreation	Park		27
	CR34	32 Wharf Road	Newcastle	2		720672		170017	3/10/1986	Public Recreation	Park		27
	CR34	32 Wharf Road	Newcastle	3		720672		170017	3/10/1986	Public Recreation	Park		27
	CR34	32 Wharf Road	Newcastle	7		720672		170017	3/10/1986	Public Recreation	Park		27
	CR34	32 Wharf Road	Newcastle	10		720672		170017	3/10/1986	Public Recreation	Park		27
	CR34	32 Wharf Road	Newcastle	11		720672		170017	3/10/1986	Public Recreation	Park		27
	CR34	32 Wharf Road	Newcastle	13		720672		170017	3/10/1986	Public Recreation	Park		27
	CR34	32 Wharf Road	Newcastle	7308		1149708		170017	3/10/1986	Public Recreation	Park		27
CR34		32 Wharf Road	Newcastle				7343/ 755247	170017	3/10/1986	Public Recreation	Park		27

Reserve/Park Name	Class. No	Address	Suburb	Lot	Section	DP	Artificial ID	Crown Reserve No.	Gazette Date	Crown Reserve Purpose	CL Category	Natural Areas Category	Map ID
Hillview Playground	CR35	10 Spruce Street	North Lambton	3176		DP755247		170013	15/8/1986	Public Recreation	Park		28
Fullerton Street Reserve	CR40	197 Fullerton Street	Stockton	22		DP753191		52223	25/5/1917	Public Recreation	Park/ Natural Area	Foreshore	29
Fullerton Street Reserve	CR40	197 Fullerton Street	Stockton	23		DP753191		52223	25/5/1917	Public Recreation	Park/ Natural Area	Foreshore	29
	CR40	197 Fullerton Street	Stockton	24		DP753191		52223	25/5/1917	Public Recreation	Park/ Natural Area	Foreshore	29
	CR40	197 Fullerton Street	Stockton	36		DP753191		52223	25/5/1917	Public Recreation	Park		29
	CR40	197 Fullerton Street	Stockton	7307		DP1157637		52223	25/5/1917	Public Recreation	Park/ Natural Area	Foreshore	29
	CR40	197 Fullerton Street	Stockton	7309		DP1157637		52223	25/5/1917	Public Recreation	Park/ Natural Area	Foreshore	29
	CR40	197 Fullerton Street	Stockton	7310		DP1157637		52223	25/5/1917	Public Recreation	Park/ Natural Area	Foreshore	29
	CR40	197 Fullerton Street	Stockton	541		DP1176076		52223	25/5/1917	Public Recreation	Park		29
Griffith Park + Ballast Park	CR37	5A Hunter Street	Stockton	106		DP720719		63408	24/6/1932	Public Recreation	Park		30
	CR37	5A Hunter Street	Stockton	1		DP753191		63408	24/6/1932	Public Recreation	Park		30
	CR37	5A Hunter Street	Stockton	39		DP753191		63408	24/6/1932	Public Recreation	Park/ Natural Area	Foreshore	30
	CR37	5 Hunter Street	Stockton	64		DP753191		63408	24/6/1932	Public Recreation	Park		30
	CR37	5 Hunter Street	Stockton	67		DP753191		63408	24/6/1932	Public Recreation	Park		30
	CR37	5A Hunter Street	Stockton	68		DP753191		63408	24/6/1932	Public Recreation	Park		30
	CR37	5A Hunter Street	Stockton	69		DP753191		63408	24/6/1932	Public Recreation	Park		30
	CR37	5A Hunter Street	Stockton	70		DP753191		63408	24/6/1932	Public Recreation	Park		30
	CR40	5A Hunter Street	Stockton	74		DP753191		63408	24/6/1932	Public Recreation	Park		30
	CR39	5A Hunter Street	Stockton	7017		DP117480		63408	24/6/1932	Public Recreation	Park		30
	CR39	5 Hunter Street	Stockton	7033		DP117482		63408	24/6/1932	Public Recreation	Park		30
	CR39	5 Hunter Street	Stockton	7303		DP1167630		63408	24/6/1932	Public Recreation	Park/Natural Area	Foreshore	30
	CR37	5 Hunter Street	Stockton				7320/ 1164949	63408	24/6/1932	Public Recreation	Park/ Natural Area	Foreshore	30
	CR37, CR41	3C Hunter Street	Stockton	7304		DP1167630		63408	24/6/1932	Public Recreation	Park		30

Reserve/Park Name	Class. No	Address	Suburb	Lot	Section	DP	Artificial ID	Crown Reserve No.	Gazette Date	Crown Reserve Purpose	CL Category	Natural Areas Category	Map ID
	CR37	3A Hunter Street	Stockton	1		DP566199		63408	24/6/1932	Public Recreation	Park/Natural Area	Foreshore	30
	CR37	71 Clyde Street	Stockton	7318		DP1164949		63408	24/6/1932	Public Recreation	Park/ Natural Area	Foreshore	30
Lynn Oval	CR51	31 Eames Avenue	Stockton	1		DP178933		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Park/Natural Area	Foreshore	31
	CR51	21 Pitt Street	Stockton	43		DP753191		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services		Natural Area	31
	CR51	21 Pitt Street	Stockton				7319/ 753191	79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Sportsground/ Natural Area	Foreshore	31
	CR38	31 Eames Avenue	Stockton	1	41	DP758929		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Natural Area	Foreshore	31
	CR38	31 Eames Avenue	Stockton	1	42	DP758929		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Natural Area	Foreshore	31
	CR38	31 Eames Avenue	Stockton	1		DP914681		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Park	Foreshore	31
	CR38	21 Pitt Street	Stockton	7009		DP1057467		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Park/ Natural Area	Foreshore	31
	CR38	290A Mitchell Street	Stockton	7020		DP1121042		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Natural Area	Foreshore	31
	CR38	260A Mitchell Street	Stockton	7300		DP1146198		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Natural Area	Foreshore	31
	CR38	298A Mitchell Street	Stockton	7315		DP1165287		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Sportsground/ Natural Area	Foreshore	31
	CR31	3 Pitt Street	Stockton	1		DP1249904		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	GCU	Foreshore	31
	CR31	3 Pitt Street	Stockton	Part Lot 2		DP1249904		79066	9/11/1956 11/4/2014	Public Recreation/ Port Facilities and Services	Park/GCU/ Natural Area/ Sportsground	Foreshore	31

Reserve/Park Name	Class. No	Address	Suburb	Lot	Section	DP	Artificial ID	Crown Reserve No.	Gazette Date	Crown Reserve Purpose	CL Category	Natural Areas Category	Map ID
Stockton Ferry Parking	CR39	3A Hunter Street	Stockton	Part Lot 1		DP566199		95526	31/7/1981	Parking	Park/GCU		32
	CR39	3A Hunter Street	Stockton				7023/ 1086075	95526	31/7/1981	Parking	Park		32
King Edward Park/ Arcadia Park	CR27	3 Ordnance Street	The Hill	7003		DP1077043		570075	10/3/1894	Public Recreation	Natural Area	Bushland	33
	CR27, CR29	3 Ordnance Street	The Hill	7004		DP1077043		570075	10/3/1894	Public Recreation	Park/ Natural Area	Bushland	33
Rotunda Park	CR62	8 Regent Street	Wallsend	56		DPT138843		570061	30/10/1885	Public Recreation	Park		34
	CR62	8 Regent Street	Wallsend	7303		DPT144098		570061	30/10/1885	Public Recreation	Park		34
Wallsend Park	CR57	99 Cowper Street	Wallsend	10		DPT180846		570033	18/12/1985	Public Recreation	Park/ Sportsground		35
Federal Park	CR46	2 Boscawen Street	Wallsend	7010		DP1053001		570062	25/1/1902	Public Recreation	Sportsground		36
Waratah Park	CR1544	2A Young Street	Waratah	3189		DP44990		1022068	18/1/1884/ 14/5/2010	Public Recreation/ Access and Urban Services	Park		37
	CR1544	2A Young Street	Waratah	3190		DP44990		570072	18/1/1884/ 14/5/2010	Public Recreation/ Access and Urban Services	Sportsground		37
	CR1544	2A Young Street	Waratah	3191		DP44990		570072	18/1/1884/ 14/5/2010	Public Recreation/ Access and Urban Services	Sportsground		37
Passmore Oval	CR50	22 Albert Street	Wickham	7048		DP93012		570026	3/10/1958	Public Recreation	Sportsground		38
	CR50	22 Albert Street	Wickham	7313		DPT145640		570026	3/10/1958	Public Recreation	Sportsground		38

Appendix 2 – Leases and Licences

*Any lease or licence where the terminating date has passed has tenure on a month to month holdover basis

Facility	Crown Reserve No	Address	Suburb	Lot	Section	DP	Licence/Lease	Authorised Term of Lease/Licence	Crown Reserve Purpose	Comment	Expire	Authorised Purpose
Adamstown Tennis Courts- Adamstown Park	570017	506 Glebe Road	Adamstown	3156		DP755247	Licence	1yr	Public Recreation	1/7/18	30/6/19	Tennis
Adamstown Childcare Centre	170151	210 Gosford Road	Adamstown	3262		DP822183	Lease	5yr	Community Purposes	1/7/14	30/6/19	Child Care
Bar Beach Kiosk	83849	107 Memorial Drive	Bar Beach	258		DP755247	Lease	5yr	Public Recreation	27/9/17	26/9/22	Kiosk/Café
Cooks Hill Surf Club	83849	109 Memorial Drive	Bar Beach	258		DP755247	83849	2yr	Public Recreation	1/1/11	31/12/12	Aquatics
Empire Park Tennis Courts	83849	1 Kilgour Avenue	Bar Beach	258		DP755247	Licence	1yr	Public Recreation	1/7/18	30/6/19	Tennis
District Park - Helicopter Site	170178	10 Bavin Road	Broadmeadow	2692		DP755247	Lease	10yr	Community Purposes	1/6/17	31/5/27	Operation of Helicopter Emergency and Aeromedical Retrieval Service Facility including administration, engineering, training and related activities
	170178	10 Bavin Road	Broadmeadow	3285		DPT049501	Lease	10yr				
	170178	10 Bavin Road	Broadmeadow	1		DPT151421	Lease	10yr				
Newcastle Outrigger Canoe Club Inc	85125	1A Cowper Street North	Carrington	55		DPT127940	Licence	1 year	Public Recreation	1/1/22	31/12/22	Canoe Club
Newcastle Paddlers Incorporated	85125	1A Cowper Street North	Carrington	55		DPT127940	Licence	1 year	Public Recreation	1/1/22	31/12/22	Paddling Club
Islington Park - Residential	570020	151A Maitland Road	Islington	7304		DPT144460	Lease	5 months	Public Recreation	8/3/17	7/8/17	Residential'
Lambton Park Tennis Courts	570039	50 Howe Street	Lambton	7075		DPT122324	Licence	1yr	Public Recreation	1/7/18	30/6/19	Tennis
Lambton Swimming Centre	570039	50 Howe Street	Lambton	7077		DPT120464	Lease	1yr		1/7/22	30/6/23	Aquatics
Lambton Tea Rooms	570039	50 Howe Street	Lambton	7052		DPT120463	Lease	5yr		29/9/16	28/9/21	Kiosk/Café

Note: 1 - Any future tenure will include caretaker duties

Mayfield Swimming Centre	570093	21A Maitland Road	Mayfield	1	DPI162089	Lease	1yr	Public Recreation	1/7/22	30/6/23	Aquatics
Merewether Surf House	56681	5 Henderson Parade	Merewether	100	DPI130581	Lease	25yrs	Public Recreation/ Recreation Facilities and Services	28/10/11	27/10/36	Cafe/ Restaurant/ Function Centre
Mitchell Park – Merewether Carlton Rugby Union – Green Room	1000348	24 Mitchell Street	Merewether	7022	DP914672	Licence	1yr	Public Recreation	13/7/21	12/7/22	Sport/Function Room
Newcastle Beach Kiosk	570019	40 Shortland Esplanade	Newcastle	7061	DPI118737	Lease	6yrs 10 days	Public Baths; Public Recreation	19/9/16	26/9/22	Kiosk
Newcastle Ocean Baths Kiosk	570019	30 Shortland Esplanade	Newcastle			Lease	3yr	Public Baths; Public Recreation	27/9/17	26/9/20	Kiosk
Newcastle Surf Club	570019	42 Shortland Esplanade	Newcastle			Lease	1yr	Public Baths; Public Recreation	29/10/20	28/10/21	Aquatics
Nobbys Beach Kiosk	88721	35 Nobbys Road	Newcastle East	7005	DPI057119	Lease	5yr	Public Baths; Public Recreation	27/9/17	26/9/22	Kiosk
Nobbys Beach Surf Club	88721	35 Nobbys Road	Newcastle East	7005	DPI057119	Lease	20yr	Public Baths; Public Recreation	5/10/17	4/10/37	Aquatics
Ballast Ground Scout Hall	63408	71 Clyde Street	Stockton	7318	DPI164949	Lease	5yr	Public Recreation	9/3/08	8/3/13	Scout Hall
Stockton Beach Kiosk	79066	128 Mitchell Street	Stockton	2	DP1249904	Lease	5yr	Public Recreation	1/3/09	28/2/19	Kiosk
Stockton Surf Club	79066	4 Mitchell Street	Stockton	1	DP1249904	Lease	2yr	Public Recreation	1/1/11	31/12/12	Aquatics
Stockton Swimming Centre	79066	124 Mitchell Street	Stockton	1	DP1249904	Lease	1yr	Public Recreation	1/7/22	30/6/23	Aquatics
Stockton Tennis Courts – Rawson Park	79066	Mitchell Street	Stockton	2	DP1249904	Licence	1yr	Public Recreation	1/7/18	30/6/19	Tennis
Ballast Park – Kiosk	63408	3A Hunter Street	Stockton	1	DP753191	Licence	1 year	Public Recreation	23/12/20	22/12/21	Food & Beverage
Port of Newcastle	79066	3 Pitt Street	Stockton	2	DP1249904	Lease	98Y 04M 29D	Public Recreation	1/1/14	31/5/112	Navigational Light
Newcastle Hill Tennis Courts	570075	3 Orphanance Street	The Hill	7003	DPI077043	Licence	1yr	Public Recreation	1/7/18	30/6/19	Tennis

Appendix 3 – Authorised Purposes for Leases and Licences

Table 1

Purpose	Natural Areas			Other		
	Nb	Ne	Nf	S	P	GCU
Short term lease/ license						
Community events and festivals				✓	✓	✓
Cultural events and public performances				✓	✓	✓
Sporting fixtures, events and promotions such as gala days and club meetings				✓		✓
Personal and group fitness classes				✓	✓	✓
Broadcasting of filming of sporting fixtures				✓		✓
School hiring for sport and recreational use	✓	✓	✓	✓	✓	✓
School hiring for education or well being uses	✓	✓	✓	✓	✓	✓
Private celebrations such as picnics, weddings and family gatherings	✓		✓	✓	✓	✓
Filming and photography	✓	✓	✓	✓	✓	✓
Public speeches, meetings, presentations and performances				✓	✓	✓
Approved commercial or trade business				✓	✓	✓
Rural Fire Service and Fire and Rescue NSW operations	✓	✓	✓	✓	✓	✓
Fairs, markets and similar activities				✓	✓	✓
Educational or environmental awareness, demonstrations and appreciation uses or events	✓	✓	✓	✓	✓	✓
Nature based leisure, recreation or tourism	✓	✓	✓	✓	✓	✓
Scientific research, surveys or similar	✓	✓	✓	✓	✓	✓
Seed or soil collection	✓	✓	✓	✓	✓	✓
Organised nature based outdoor sports or competitive events	✓	✓	✓	✓	✓	✓
Organised outdoor leisure, recreation or community activities such as scouts or girl guide activities	✓	✓	✓	✓	✓	✓
Mobile food and refreshment vending	✓		✓	✓	✓	✓
Temporary access for site compounds associated with works on adjoining land	✓		✓	✓	✓	✓
Temporary erection or use of any building or structure necessary to enable a filming project to be carried out	✓	✓	✓	✓	✓	✓
Coastal Protection works			✓			
Long term lease/ license						
Recreational pursuits such as sports, dance, games and fitness clubs				✓	✓	✓
Sporting fixtures, events and promotions such as gala days and club meetings				✓		✓
Structured and non structured sports activities such as ball sports				✓	✓	
Rural Fire Service and Fire and Rescue NSW operations	✓	✓	✓	✓	✓	✓
Kiosk	✓			✓	✓	✓
Café areas including seating and tables				✓	✓	✓
Restaurants						✓
Community Gardens	✓			✓	✓	✓
Management of facilities				✓	✓	✓
Sale or hire of sports goods					✓	

Purpose	Natural Areas			Other		
	Nb	Ne	Nf	S	P	GCU
Public Utilities and/or works including telecommunication towers and operations				✓	✓	✓
Organised outdoor leisure, recreation or community activities such as scouts or girl guide activities	✓	✓	✓	✓	✓	✓
Children's Services (Childcare/pre-school centre/playgroups/before and after school care!)						✓
Educational uses such as libraries, classes and workshops						✓
Community events and festivals				✓	✓	✓
Cultural uses such as concerts, theatres, galleries						✓
Sporting uses developed/operated by a private operator				✓		✓
Community and Social purposes				✓		✓
Scientific research, surveys or similar	✓	✓	✓	✓	✓	✓
Nature based leisure, recreation or tourism	✓	✓	✓	✓	✓	✓
Educational or environmental awareness, demonstration and appreciation uses or events	✓	✓	✓	✓	✓	✓
Organised nature based or sports or recreational pursuits	✓	✓	✓	✓	✓	✓
Car Park				✓	✓	✓
Community based interest groups for a range of physical, cultural, social and intellectual welfare or development of persons (eg youth, aged, disability services)				✓	✓	✓
Emergency Service operations including ancillary activities - including helicopter rescue, Marine Rescue NSW, SES	✓		✓	✓	✓	✓
Licensed community/ sports club facility (such as bowling, golf, sailing, surf club) - may include a public restaurant and/or bar/				✓		✓
Maintenance of memorial, heritage item	✓	✓	✓	✓	✓	✓
Stock agistment				✓	✓	✓
Coastal Protection works			✓			
Other Estates						
This PoM allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the Local Government Act 1993 (new)	✓	✓	✓	✓	✓	✓
Estates may also be granted across community Land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the Council or other public utility provider community land situated on community land (new)	✓	✓	✓	✓	✓	✓
Biodiversity Stewardship Agreements or other offset projects	✓	✓	✓			
Carbon farming/sequestration projects	✓					

Codes: Nb - Bushland, Ne - Escarpment, Nf - Foreshore, S - Sportsground, P - Park, GCU - General Community Use

Table 2 – Proposed future leases and licenses

Facility	Crown Reserve No	Address	Suburb	Lot	DP	Licence/ Lease	Authorised Term of Lease/ Licence	Crown Reserve Purpose	Authorised Purpose
Mitchell Park – Merewether Carlton Rugby Union – Green Room	1000348/ 570091	24 Mitchell Street	Merewether	7022	914672	Lease	up to 21 years	Public Recreation	Community Facility including gymnasium, fitness and training area, dry store and coolroom, storage, multi user Clubroom and bar and all uses ancillary to these
Shepherds Hill Cottage	170100	41 The Terrace	Newcastle	3116	755247	Lease	up to 21 years	Community Purposes; Public Recreation	a) Low key café/kiosk in association with community rooms/local artists b) Community organisation c) Museum and Art Space d) any other permitted use under the Conservation Management Plan
Passmore Oval – Hamilton Hawks Rugby Union	570026	22 Albert Street	Wickham	7313	1145640	Lease	up to 21 years	Public Recreation	Community facility including clubroom, bar and associated ancillary facilities
South Newcastle Beach Kiosk	570019	30-50 Shortland Esplanade	Newcastle East	Part 7061	1118737	Lease	up to 21 years	Public Baths; Public Recreation	Food and drink premises

Appendix 4 - Landcare Sites

Suburb	Site Name/s	Sub Catchment
Henderson Parade, Merewether	Merewether Foreshore Landcare	Cottage Creek
Nobbys Road, Newcastle East	Nobbys Horseshoe Beach Landcare	Cottage Creek
Eames Avenue, Stockton	Stockton Landcare	Hunter Estuary

Appendix 5 – Facilities that may be approved on Community Land

Development that may be approved on community land	Natural Areas			Other		
	Nb	Ne	Nf	S	P	GCU
Locational, directional and regulatory signage	✓	✓	✓	✓	✓	✓
Stormwater, water saving and water quality control management and devices.	✓	✓	✓	✓	✓	✓
Construction and maintenance of public utilities including telecommunications infrastructure	✓	✓	✓	✓	✓	✓
Environmental Facilities and Management Works including erosion control, stabilisation and remediation works	✓	✓	✓	✓	✓	✓
Flood mitigation works, such as detention basins, realignment of water flows and banks, installation of pipes, culverts and other structures to assist in control of flood waters.	✓	✓	✓	✓	✓	✓
Heritage and Cultural Interpretation such as signs, memorials, public art of appropriate style and scale.	✓	✓	✓	✓	✓	✓
Work sheds or storage sheds required in connection with the maintenance of the land	✓	✓	✓	✓	✓	✓
Temporary erection or use of any building or structure necessary to enable a filming project to be carried out	✓	✓	✓	✓	✓	✓
Pathways, shared paths, trails, boardwalks, bridges, steps & handrails, viewing platforms, lookouts	✓	✓	✓	✓	✓	✓
Management, service and emergency access tracks	✓	✓	✓	✓	✓	✓
Establishment and maintenance of approved formal asset protection zones and other fire fighting management and facilities	✓	✓	✓	✓	✓	✓
Bushland, weed control, tree planting, landscape establishment, habitat management and maintenance works	✓	✓	✓	✓	✓	✓
BMX and mountain bike tracks or circuits/down hill	✓	✓	✓		✓	
Water recreation structures, Jetties (including community jetties), wharves, boat launching ramps, and fish cleaning tables	✓		✓		✓	✓
Construction of facilities for activities such as rock climbing and abseiling	✓	✓	✓			
Car parking, loading areas and access roads (associated with the use of the site)	✓			✓	✓	✓
Adventure playgrounds	✓				✓	
Refreshment kiosks	✓			✓	✓	✓
Community Gardens and City Farm	✓			✓	✓	✓
Amenities to facilitate the safe use and enjoyment of the land such as childrens play equipment, toilets, lighting, BBQs, seating, shelters)	✓			✓	✓	✓
Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment or professional rooms for hire				✓	✓	✓
Development for the purposes of improving access, amenity and visual character of the land.				✓	✓	✓

Codes: **Nb** - Bushland, **Ne** - Escarpment, **Nf** - Foreshore, **S** - Sportsground, **P** - Park, **GCU** - General Community Use

Development that may be approved on community land	Natural Areas			Other		
	Nb	Ne	Nf	S	P	GCU
Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts				√	√	√
Ancillary buildings and areas including meeting rooms/staff areas, change rooms and storage areas				√	√	√
Leisure and aquatic facilities and indoor sports centres				√	√	√
Development (particularly within buildings) for the purposes of addressing the needs of a particular group (for example, a stage)				√	√	√
Floodlighting for sporting activities or security				√	√	√
Cafes including outdoor dining				√	√	√
Hard and soft landscape areas				√	√	√
Storage facilities ancillary to recreational uses, community events or gatherings, and public meetings				√	√	√
Advertising structures and signage that relate to approved uses/ activities				√	√	√
Development for the purposes of conducting and facilitating organised sport (both professional and amateur)				√		√
Licensed community/ sports club facility (such as bowling, golf, sailing, surf club) – may include a public restaurant and/or bar/				√		√
Promotion of organised or unstructured recreation activities				√	√	
Facilities for sports training				√	√	
Road widening of a minor nature				√	√	
Sports fields and marked courts				√		
Dog Exercise Areas					√	
Community facilities or buildings for a range of social, cultural, entertainment, recreational or educational purposes (senior citizens, childcare, youth, neighbourhood, community centres, kindergartens, preschools, scout and guide halls etc.)						√
Emergency services facilities						√
Restaurants						√
Camping grounds						√

Codes: Nb - Bushland, Ne - Escarpment, Nf - Foreshore, S - Sportsground, P - Park, GCU - General Community Use

Enquiries regarding facilities on community land or crown reserves should be directed initially to Council's Customer Service Centre - ph (02) 4974 2000

Note: Council does not favour removal of native vegetation or fauna habitat within any land categorised as 'Natural Area' in order to construct any of the activities above.

Appendix 6 – Permitted activities and uses

	Natural Areas			Other		
	Nb	Ne	Nf	S	P	GCU
Passive recreation consistent with the nature of the land	✓		✓	✓	✓	✓
Cycling and mountain bike riding on approved routes and trails.	✓		✓	✓	✓	✓
Environmental and scientific study, knowledge sharing activities, events and demonstrations.	✓		✓	✓	✓	✓
Environmental management works	✓	✓	✓	✓	✓	✓
Active recreation consistent with the nature of the land				✓	✓	✓
Group recreational use, such as picnics and private celebrations	✓			✓	✓	✓
Active and passive sporting activities compatible with the facilities and the nature of the land				✓	✓	
Festivals, parades, markets, fairs, exhibitions and similar events and gatherings				✓	✓	✓
Exhibitions	✓			✓	✓	✓
Low-intensity commercial activities such as recreational equipment hire				✓	✓	✓
Filming and photographic projects	✓	✓	✓	✓	✓	✓
Public address (speeches)	✓		✓	✓	✓	✓
Community gardening	✓		✓	✓	✓	✓
Commercial uses associated with sports facilities				✓	✓	
Meetings (including for social, recreational, educational or cultural purposes)				✓	✓	✓
Leisure or training classes				✓	✓	✓
Child care services						✓
Abseiling, rock climbing	✓	✓			✓	
Hang-gliding	✓	✓			✓	
Orienteering, Trail runs and rogaining, mountain bike and downhill events	✓		✓	✓	✓	✓
Organised outdoor leisure, recreation and community activities such as scouting or girl guide activities	✓		✓	✓	✓	✓
Provisions, operation and maintenance of public utilities and/or infrastructure and access - including stormwater management	✓	✓	✓	✓	✓	✓
Bushland, weed control, tree planting, landscape establishment, habitat management and maintenance works	✓	✓	✓	✓	✓	✓
school use - for educational, fitness or well being activities	✓			✓	✓	✓
Fire hazard reduction works and formal APZ management by a fire management authority, or by Council	✓	✓	✓	✓	✓	✓
Landcare activities, (bridges, boardwalks, viewing platforms, tracks, steps, seating, planting in parks and natural areas)	✓	✓	✓	✓	✓	✓

Codes: **Nb** - Bushland, **Ne** - Escarpment, **Nf** - Foreshore, **S** - Sportsground, **P** - Park, **GCU** - General Community Use

	Natural Areas			Other		
	Nb	Ne	Nf	S	P	GCU
Seed collection (with appropriate approvals) and soil seedbank translocation	✓	✓	✓	✓	✓	✓
On leash and off leash dog walking in designated areas only					✓	
Kisok uses	✓			✓	✓	✓
cafes uses				✓	✓	✓
Horse riding on designated equestrian trails or equestrian grounds	✓			✓	✓	✓
Registered vehicles, under supervision of officials in association with sporting or special events	✓			✓	✓	✓
Ancillary areas and uses including amenities, storage, meeting spaces				✓	✓	✓
Commercial activities and uses which are sympathetic to and support use in the area and are of appropriate scale				✓	✓	✓
The gathering of community based interest groups for a range of social, cultural, entertainment, recreational or educational purposes				✓	✓	✓
Helicopter landings as part of an approved filming project, or for emergency purposes (eg. Repair of nearby properties)	✓	✓	✓	✓	✓	✓
Camping (directly relating to providing security for an event)	✓			✓	✓	✓
Camping by an approved community group (eg. Scouts, Guides)	✓			✓	✓	✓
Coastal Protection Works			✓			

Codes: Nb - Bushland, Ne - Escarpment, Nf - Foreshore, S - Sportsground, P - Park, GCU - General Community Use

Note: Council does not favour removal of native vegetation or fauna habitat within any land categorised as 'Natural Area' in order to construct any of the activities above.

Note: Some of the uses listed above require a permit or approval from the council.

Appendix 7 – Dog Exercise Areas

Council has allocated a number of parks and reserves in the CN LGA that can be used to exercise dogs off the leash.

Signs at each site identify the section of each park or reserve than can be used, and whether time restrictions apply. At the time of preparation of this PoM, the current Dog Off Leash Areas include:

Suburb	Location	Available times
Islington	Islington Park (east of Throsby Creek)	All times
Stockton	Ballast Ground	All times
Stockton	Rawson Reserve	All times
The Hill	King Edward Park	All times
Wallsend	Upper Reserve	All times

Council will review the Dogs in Open Space Plan, which may lead to deletions from, or additions to this list, or to the allowable times.

Appendix 8 – Legislative Framework

The primary legislation that impacts on how community land is managed or used is briefly described below. You can find further information regarding these acts at www.legislation.nsw.gov.au.

Local Government Act 1993

Section 35 of the LG Act provides that community land can only be **used** in accordance with:

the plan of management applying to that area of community land, and

any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and

the provisions of Division 2 of Chapter 6 of the Act.

Section 36 of the Act provides that a plan of management for community land must identify the following:

- a) the category of the land,
- b) the objectives and performance **targets** of the plan with respect to the land,
- c) the means by which the council proposes to **achieve** the plan's objectives and performance targets,
- d) the manner in which the council proposes to **assess its performance** with respect to the plan's objectives and performance targets,

and may require the prior approval of the council to the carrying out of any specified activity on the land.

A plan of management that applies to just one area of community land:

- a) must include a description of:
 - i. 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, and
 - ii. the use of the land and any such buildings or improvements as at that date, and

b) must:

- i. specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
- ii. specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
- iii. describe the scale and intensity of any such permitted use or development.

Land is to be categorised as one or more of the following:

- a) a natural area
- b) a sportsground
- c) a park
- d) an area of cultural significance
- e) general community use.

Land that is categorised as a natural area is to be further categorised as one or more of the following:

- a) bushland
- b) wetland
- c) escarpment
- d) watercourse
- e) foreshore
- f) a category prescribed by the regulations.

Additionally, under section 36 of the *Local Government Act 1993* (LG Act), a site-specific PoM must be made for land declared:

as critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws (sections 36A(2) and 36B(3))

by council to contain significant natural features (section 36C(2))

by council to be of cultural significance (section 36D(2)).

Classification of public land

The LG Act requires classification of public land into either 'community' or 'operational' land (Section 26). The classification is generally made for council-owned public land by the council's Local Environmental Plan (LEP) or in some circumstances by a resolution of the council (Section 27).

Crown reserves managed by council as Crown land manager have been classified as community land upon commencement of the *Crown Land Management Act 2016* (the CLM Act). Councils may manage these Crown reserves as operational land if written consent is obtained from the Minister administering the CLM Act.

Classification of land has a direct effect on the council's ability to dispose of or alienate land by sale, leasing, licensing or some other means. Under the LG Act, community land must not be sold (except for scheduled purposes), exchanged or otherwise disposed of by the council, and the land must be used and managed in accordance with an adopted PoM. In addition, community land is subject to strict controls relating to leases and licences (sections 45, 46, 46A and 47) of the LG Act.

By comparison, no such restrictions apply to operational land that is owned by councils. For example, operational land can be sold, disposed, exchanged or leased including exclusive use over the land, unencumbered by the requirements which control the use and management of community land. Crown reserves managed by council as operational land may generally be dealt with as other operational land but may not be sold or otherwise disposed of without the written consent of the Minister administering the CLM Act.

Operational land would usually include land held as a temporary asset or an investment, land which facilitates the council carrying out its functions or land which may not be open to the general public (for example, a works depot).

The classification or reclassification of council-owned public land will generally be achieved by a Local Environmental Plan (LEP) or by a resolution of council in accordance with sections 31, 32 and 33 of the LG Act. If land is not classified by resolution within a three-month period from acquisition it automatically becomes community land, regardless of whether it satisfies the objectives for community land as outlined in the LG Act.

For Crown land, Council cannot reclassify community land as operational land without consent of the Minister administering the CLM Act.

Crown Land Management Act 2016

Crown reserves are land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the CLM Act, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the CLM Act, as Council Crown land managers, councils manage Crown land as if it were public land under the LG Act. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of 'environmental protection' cannot be used in a way that compromises its environmental integrity.

Councils must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the CLM Act. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses.

Principles of Crown land management

Environmental protection principles are to be observed in the management and administration of Crown land.

The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.

Public use and enjoyment of appropriate Crown land are to be encouraged.

Where appropriate, multiple uses of Crown land should be encouraged.

Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.

Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

Crown land management compliance

In addition to management and use of Crown reserves that is aligned with the reserve purpose(s), there are other influences over council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

Native Title Act 1993

The Commonwealth *Native Title Act 1993* (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

provide for the recognition and protection of native title

establish ways in which future dealings affecting native title may proceed and to set standards for those dealings

establish a mechanism for determining claims to native title

provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure.

Specifically, the CLM Act makes it mandatory for council to engage or employ a native title manager. This role provides advice to council as to how the council's dealings and activities on Crown land can be valid or not valid in accordance with the NT Act.

Council must obtain the written advice from an accredited native title manager that Council complies with any applicable provisions of the native title legislation when:

- a) granting leases, licences, permits, forestry rights, easements or rights of way over the land
- b) mortgaging the land or allowing it to be mortgaged
- c) imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land
- d) approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

Environmental Protection and Biodiversity Conservation Management Act 1999

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

Telecommunications Act 1997

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments which provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies which may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs) as well as Development Control Plans (DCPs).

Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) is important legislation that recognises the rights of Aboriginal people in NSW. It recognises the need of Aboriginal people for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable.

National Parks and Wildlife Act 1974

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance. This Act may affect community land categorised as cultural significance, natural area or park.

Coastal Management Act 2016

The *Coastal Management Act 2016* (the Act) establishes a strategic framework and objectives for managing coastal issues in NSW. The Act promotes strategic and integrated management, use and development of the coast for the social, cultural, and economic wellbeing of the people of NSW.

Biodiversity Conservation Act 2016

Note: *This Act repealed several pieces of legislation including the Native Vegetation Act 2003, Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001, and the animal and plant provisions of the National Parks and Wildlife Act 1974.*

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

The *Threatened Species Conservation Act 1995* has been repealed and superseded by the *Biodiversity Conservation Act 2016*. However, references to the former legislation remain in the LG Act and are therefore retained in this guideline.

The Department of Planning, Industry and Environment's Energy, Environment and Science division advises that recovery plans and threat abatement plans made under the *Threatened Species Conservation Act 1995* were repealed on the commencement of the *Biodiversity Conservation Act* in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under section 36B of the LG Act are now redundant. Councils will be advised if future amendments are made to the LG Act to enable these mechanisms.

Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned, and these control categories identify the course of action which needs to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

Fisheries Management Act 1994

The *Fisheries Management Act 1994* (FM Act) includes provisions for the management of state fisheries, including the conservation of fish habitats, threatened species, populations and ecological communities of fish and marine vegetation and management of the riparian zone, waterways and threatened marine/freshwater aquatic species. This relates to community land categorised as natural area (foreshore, watercourse or wetland).

Where an area of community land is declared to be critical habitat, or if that area is affected by a recovery plan or threat abatement plan under Part 7A of the FM Act, a site-specific plan of management will need to be undertaken.

Rural Fires Act 1997

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone lands.

Water Management Act 2000

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

the fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries has to be protected

the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land

to be properly effective, water management must be a shared responsibility between the government and the community

water management decisions must involve consideration of environmental, social, economic, cultural and heritage aspects

social and economic benefits to the state will result from the sustainable and efficient use of water.

Heritage Act 1977

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

Newcastle Local Environmental Plan 2012

Newcastle Local Environmental Plan 2012 guides planning decisions for the city through zoning and development controls, which provide a framework for the way land can be used.

State Environmental Planning Policies

State Environmental Planning Policy (Biodiversity and Conservation) 2021

This planning policy deals with vegetation in urban areas, so is applicable to PoMs for community land categorised as Natural Area– Bushland.

State Environmental Planning Policy (Transport and Infrastructure) 2021

This planning policy lists development allowed with consent or without consent on community land.

State Environmental Planning Policy (Resilience and Hazards) 2021

This policy deals with land use planning and management in the coastal zone.

Other relevant legislation

Biosecurity Act 2015

Companion Animals Act 1998

Disability Inclusion Act 2014

Local Land Services Act 2013

Pesticides Act 1999

Protection of the Environment Operations Act 1997

Retail Leases Act 1994

Soil Conservation Act 1938

The list above is not exhaustive. Depending on the nature of the land subject to a plan of management, there may be other relevant legislation that need to be considered. Further advice on this can be sought by contacting City of Newcastle.

Appendix 9 – Supporting Strategies and Plans

The following documents provide further reference detail for land contained within this Plan of Management. CNs approach to management of community land will be consistent with the principles and recommendations outlined in the following documents.

You can find further information regarding Council Strategies and Plans at: www.newcastle.nsw.gov.au

Strategies

[Newcastle 2040 – Community Strategic Plan](#)

[Newcastle Environmental Management Strategy 2013](#)

[Newcastle Local Strategic Planning Statement](#)

[Newcastle Heritage Strategy 2020 – 2030](#)

[Aboriginal Heritage Management Strategy 2018–2021](#)

[Asset Management Strategy 2022–2032](#)

[Newcastle Archaeological Management Strategy](#)

[Newcastle Biodiversity Strategy 2006](#)

[Parkland and Recreation Strategy](#)

[Draft Newcastle Social Infrastructure Strategy](#)

Plans

[NSW Invasive Species Plan 2008–2015](#)

[Dogs in Open Space Plan 2019](#)

[Hunter Estuary Coastal Zone Management Plan 2009](#)

[Newcastle Urban Forest Technical Manual 2018](#)

[Strategic Sports Plan 2020](#)

[Stockton Coastal Management Plan 2020](#)

[Newcastle Bushfire Risk Management Plan 2018 – 2023](#)

[Newcastle Stormwater Management Plan 2004](#)

The list above is not exhaustive. Depending on the nature of the land subject to a plan of management, there may be other supporting documents that need to be considered. Further advice on this can be sought by contacting Council.

Appendix 10 – Glossary

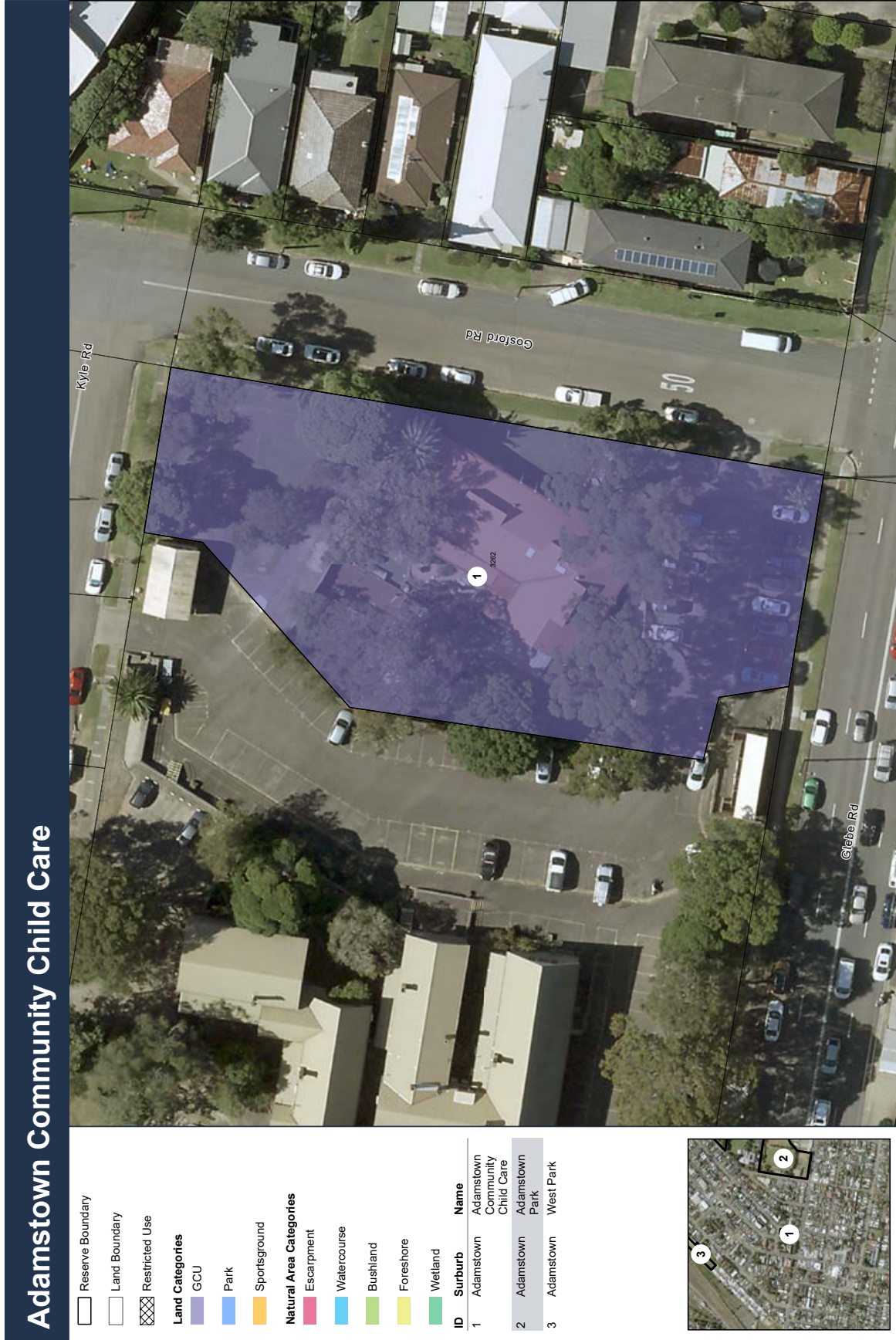
Abbreviation	Details
Algae	Simple aquatic plants, often microscopic
Amenity	Cumulative aspects that define the character of an area
Approval	Approval from the relevant Council Officer through delegated authority of Council
APZ	Asset Protection Zones
Arboreal	Living in trees
Asset Protection Zone	A formally defined fire protection zone between a bush fire hazard and physical assets – refer to NSW Rural Fire Service
Biodiversity	The variety of all life forms, comprising genetic diversity (within species), species diversity and ecosystem diversity
Catchment	The area of land from which water, stormwater or sewage drains into a specific water body (Lake, stream, lagoon, etc.)
Community Land	Land retained for public use such as a public park
Considerations	Describes the broad area or aspect of community land management around which strategies and actions have been grouped
CLM Act	NSW Crown Lands Management Act 2016 No 58 (as amended)
Degradation	Any decline in the quality of natural resources – commonly resulting from human activities
Development Control Plan (DCP)	A plan prepared by a local council to provide more detailed development controls and guidelines to accompany a local environmental plan
Devolved Land	Devolved Crown reserves are public reserves with no appointed Crown Land Manager and are not held under a lease from the Crown. They are not captured by legislative change.
Devolved Trust Manager	Several parcels of Crown reserves have been devolved to CN for management. CN requires Crown Lands consent for dealings and development.
Ecological Sustainable Development (ESD)	Development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends
Ecosystem	A community composed of plants and animals which, together with its physical environment, functions as a unit
EIS	Environmental Impact Statement

Abbreviation	Details
Endangered Species	Those likely to become extinct unless action is taken to remove the factors that threaten their survival
Environmentally Sensitive Area	Land that is subject to an environmental constraint or land that is valued because it supports an important ecosystem
EPA	Environmental Protection Agency
EP&A Act	NSW Act that governs land-use development and work
ESCP	Erosion and Sediment Control Plan
Estuary	Tidal water bodies located behind beach foredunes
Exotic Species	An introduced species
Fauna	The animals peculiar to a country, area, specified environment or period
Feral Animal	A wild exotic animal, usually a domesticated animal which has become wild
Flora	The plants peculiar to a country, area, specified environment or period
Formal Recreation	Recreation that has an organised format
Fragmentation (habitat/ecosystem)	The division of natural areas by vegetation clearance for human land use, isolating the remnants and the species within them and limiting genetic flow
Groundwater	Refers to all water which occurs within the hydrologic cycle below the land surface
Habitat	The places in which an organism lives and grows. Many marine and estuarine organisms require different habitat at different stages of their lives
Heritage	Those places, objects and indigenous languages that have aesthetic, historical, scientific or social significance or other special values for future generations as well as for the community today.
Indigenous Species	A species forming part of the natural biological diversity of a place
Informal Recreation	Recreation that has no organised format
Land Degradation	Refers to the decline of the condition or quality of land as a consequence of misuse or overuse
CN	City of Newcastle
LGA	City of Newcastle Local Government Area
Lease	Where exclusive use or control of all or part of community land is desirable
LG Act	Local Government Act 1993 (as amended)
LG Regs	Local Government (General) Regulations 2021

Abbreviation	Details
Licence	Allows multiple and non-exclusive use of an area.
Local Environmental Plan (LEP)	A plan formulated by local government relating to the local government area; it is preceded by an environmental study and it sets out the land use allowed by zones; it must be consistent with any relevant regional environmental plans (REP) and State Environmental Planning Policies (SEPPs)
Manner of Assessment performance	Means by which Council will evaluate or gauge the effectiveness of the actions in achieving their performance targets
Means of Achievement	Intended to achieve the related performance targets, or strategies.
NPWS	NSW National Parks & Wildlife Service
Objective	Statement of direction (that is specific, measurable and achievable)
Operational Land	Land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage
Performance targets	Strategies (under <i>LG Act</i>) that organise a response to values
PoM	Plan of Management
Public Land	Is any land (including public reserves) vested in or under the control of the council
Recovery Plan	Is a recovery plan under Part 4 of the Threatened Species Conservation Act 1995 or under Division 5 of Part 7A of the Fisheries Management Act 1994
Remnant Bushland	A small fragmented or isolated portion of bushland vegetation, which once covered a larger area before undergoing clearing disturbance (e.g. human land use)
Riparian	Frequenting, grown on, or living on the banks of streams or rivers
SEPP	State Environmental Planning Policy
Social Infrastructure	public places and spaces, including parks and bushland reserves beaches and swimming centres museum and gallery and libraries and community centres.

Abbreviation	Details
Stormwater	Rainwater which runs off urban and agricultural catchments, often carrying rubbish, animal droppings, sewage overflows, grass clippings and heavy metals from car exhausts. This untreated water is carried in stormwater channel and discharges directly into creeks, rivers, the harbour and the ocean.
Threat Abatement Plan	Is a threat abatement plan under Part 5 of the Threatened Species Conservation Act 1995 or under Division 5 of Part 7A of the Fisheries Management Act 1994
Wetland	Habitat where the influence of groundwater has resulted in development of plant or animal communities adapted to aquatic or intermittently wet conditions. Wetlands include tidal flats, shallow sub tidal areas, swamps, marshes, wet meadows, bogs and similar areas
Wildlife/Habitat Corridors	Corridors of vegetation linking fragmented or isolated habitat areas; providing transport linkages for fauna with home ranges extending further than their immediate remnant vegetation area

Appendix 11 Maps - Land Categorisation and Restricted Use



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Adamstown Park



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID Suburb Name

1 Adamstown

Adamstown
Community
Child Care

2 Adamstown

Adamstown
Park

3 Adamstown

West Park



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Scale: 1:2,600 at A3



West Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID

Suburb

Name

1 Adamstown

Adamstown

Community

Child Care

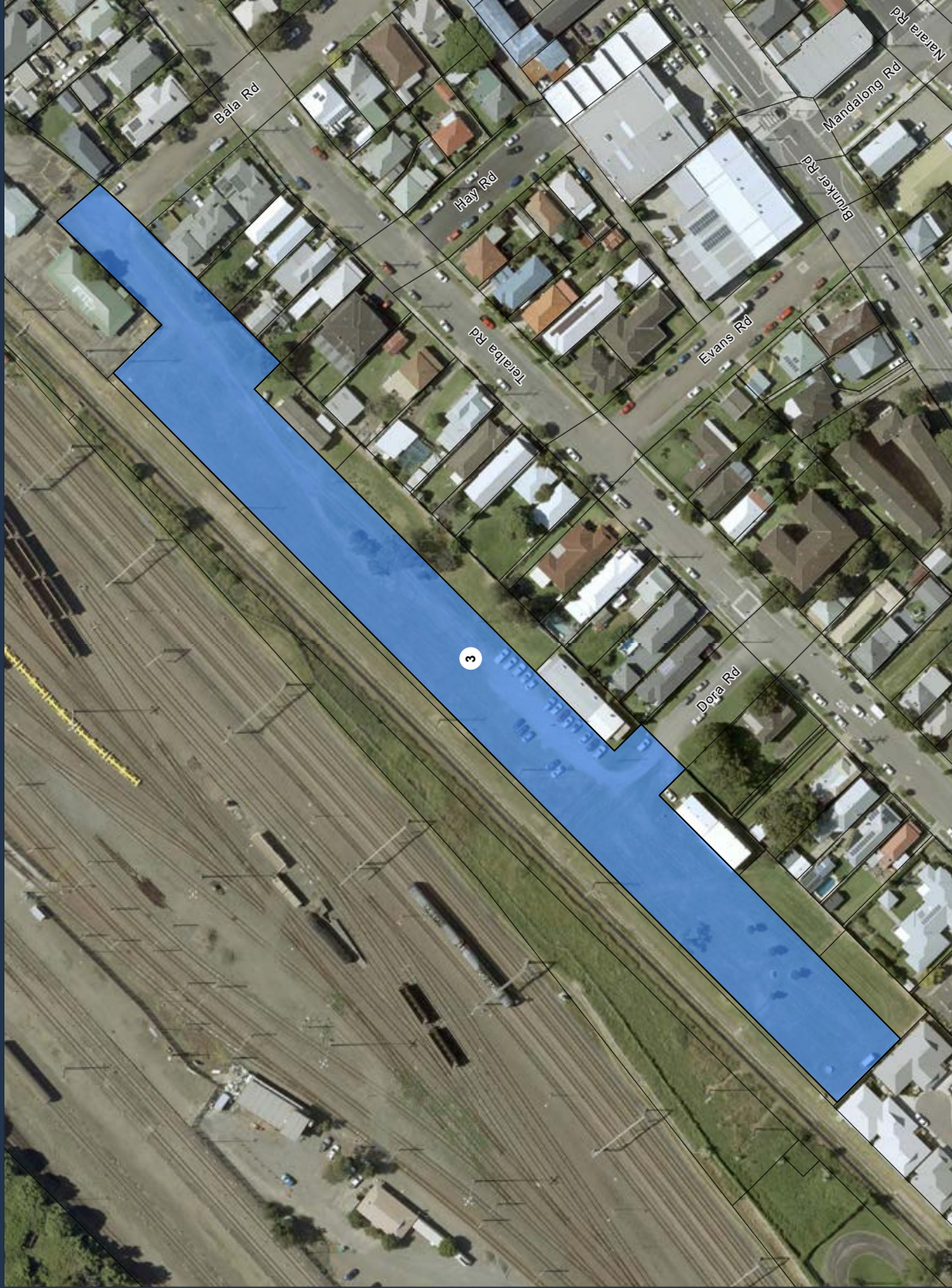
Adamstown

2 Adamstown

Park

3 Adamstown

West Park



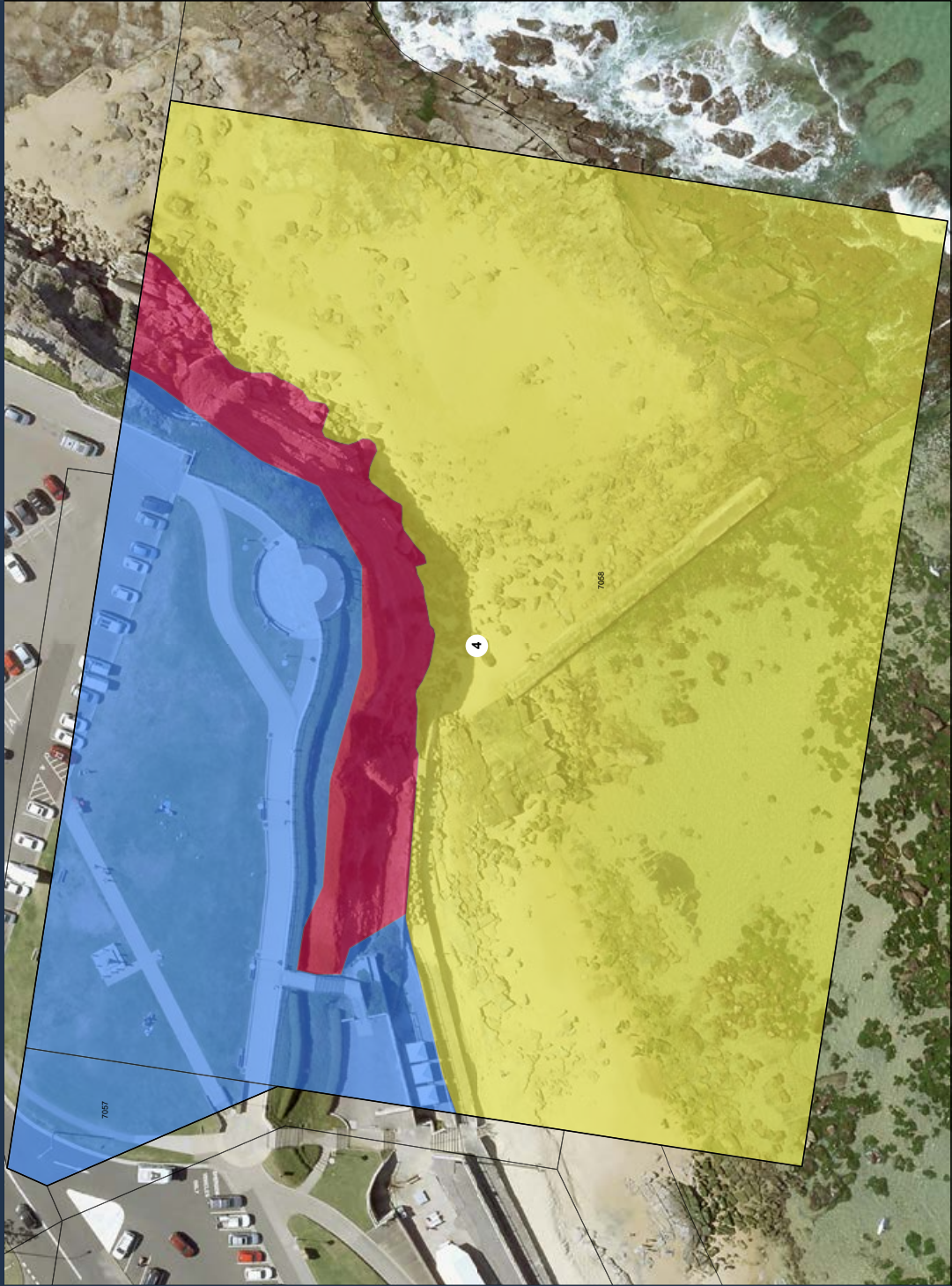
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Scale: 1:1,200 at A3



Bar Beach and Public Bathing



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
4	Bar Beach	Bar Beach and Public Bathing
5	Bar Beach	Empire Park
6	Bar Beach	Bar Beach
18	Merewether	Merewether Beach



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Scale: 1:600 at A3



Empire Park



	Reserve Boundary
	Land Boundary
	Restricted Use
Land Categories	
	GCU
	Park
	Sportsground
Natural Area Categories	
	Escarpment
	Watercourse
	Bushland
	Foreshore
	Wetland
ID	Surburb Name
4	Bar Beach and Public Bathing
5	Empire Park
6	Bar Beach
17	Merewether Jefferson Park
18	Merewether Beach
19	Merewether Mitchell Park



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Scale: 1:2,000 at A3



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Bar Beach

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Surburb	Name
4	Bar Beach	Bar Beach and Public Bathing
5	Bar Beach	Empire Park
6	Bar Beach	Bar Beach
17	Merewether	Jefferson Park
18	Merewether	Merewether Beach
19	Merewether	Mitchell Park



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Scale: 1:1,400 at A3



District Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

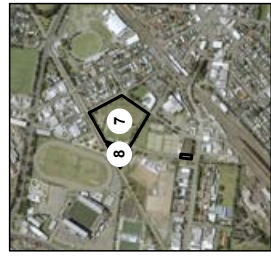
Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
7	Broadmeadow	District Park
8	Broadmeadow	Helicopter Site



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Scale: 1:2,400 at A3



Helicopter Site

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

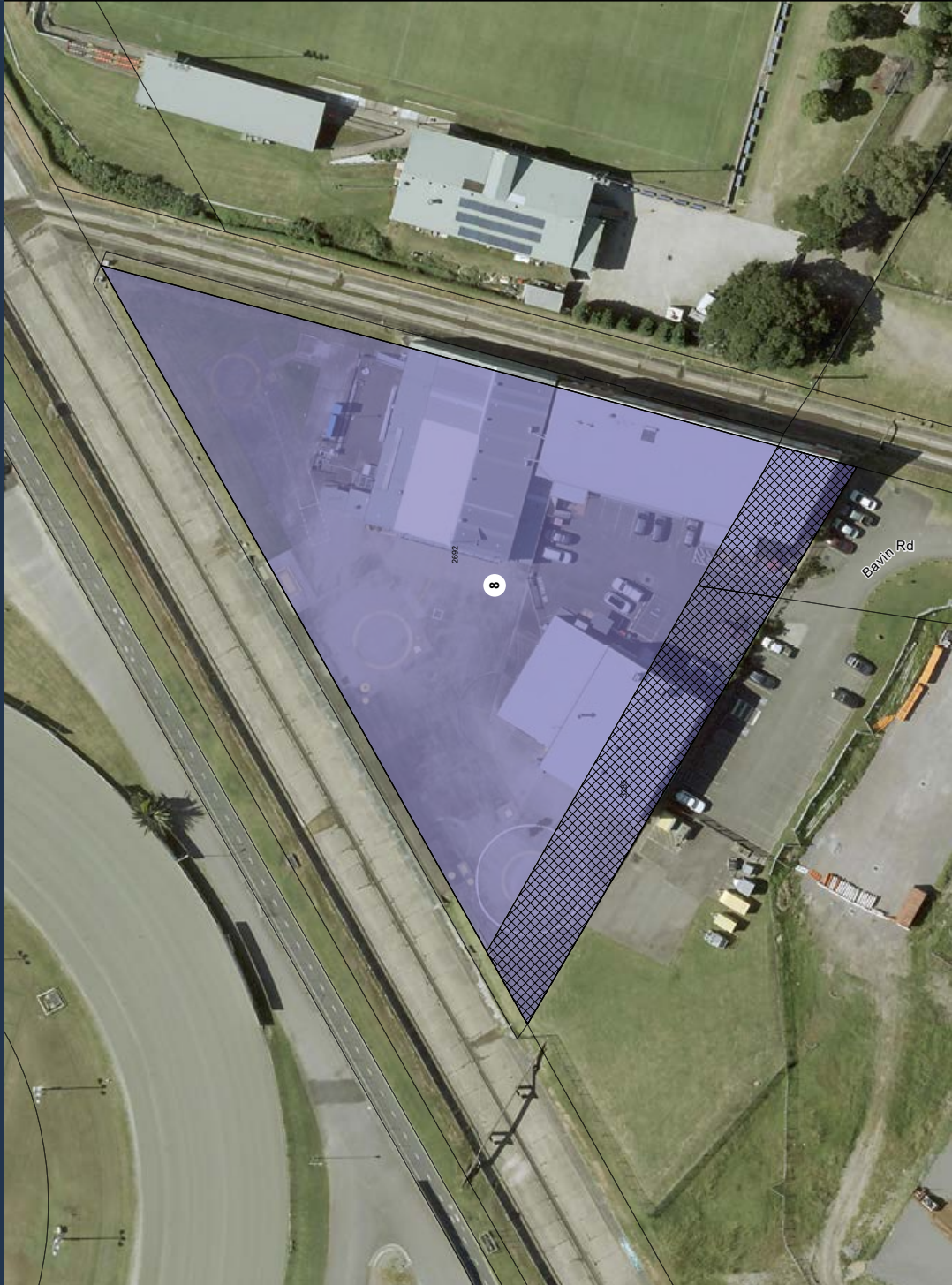
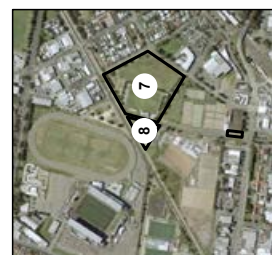
Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
7	Broadmeadow	District Park
8	Broadmeadow	Helicopter Site



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Scale: 1:600 at A3



Carrington Community Centre



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
9	Carrington	Carrington Community Centre
10	Carrington	Parker Street Reserve
12	Carrington	Young Street Reserve



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Scale: 1:200 at A3



Parker Street Reserve

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
9	Carrington	Carrington Community Centre
10	Carrington	Parker Street Reserve
12	Carrington	Young Street Reserve



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Scale: 1:400 at A3



Pat Jordan Oval

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
11	Carrington	Pat Jordan Oval



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Scale: 1:800 at A3



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Young Street Reserve

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

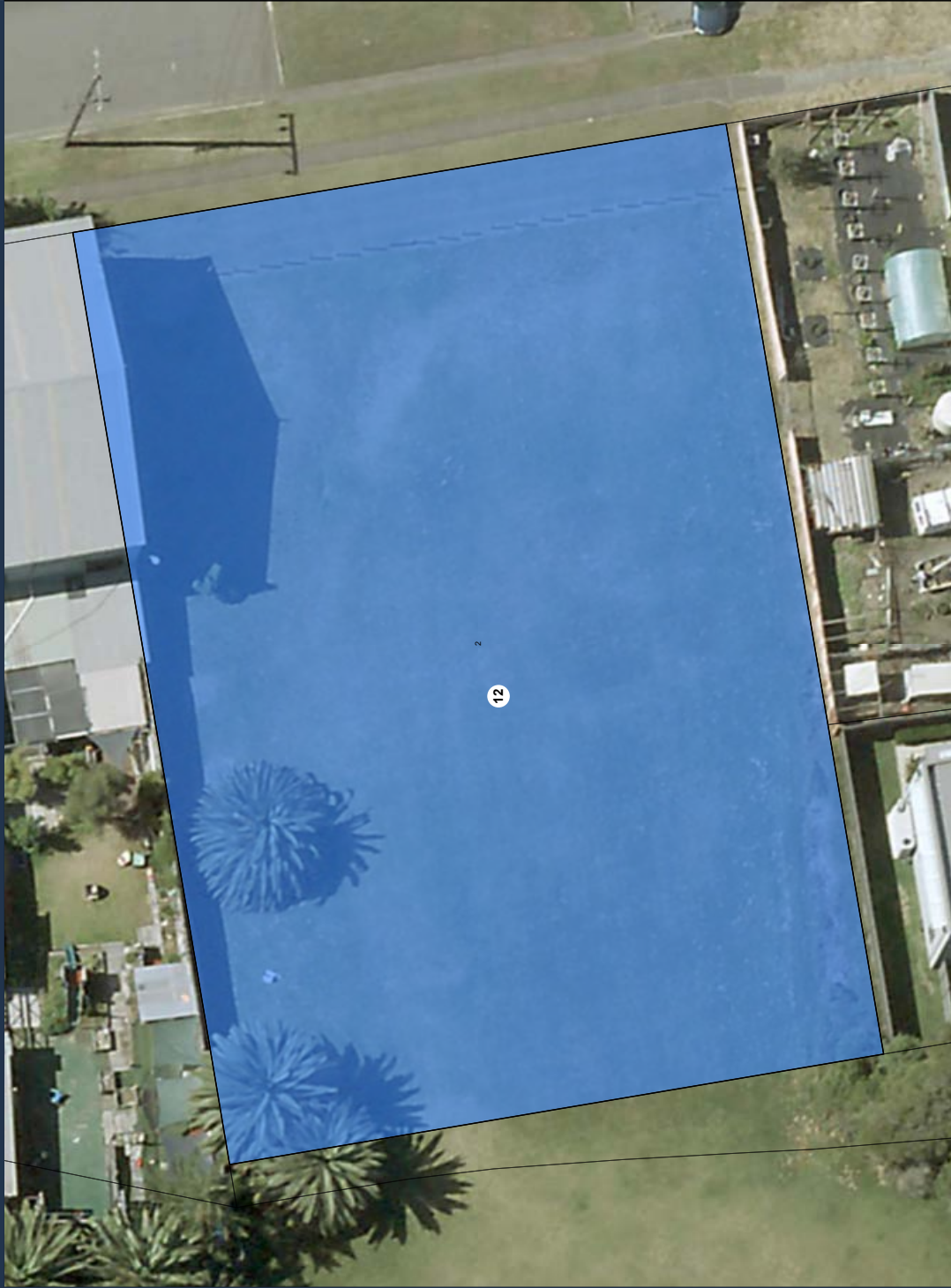
Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
9	Carrington	Carrington Community Centre
10	Carrington	Parker Street Reserve
12	Carrington	Young Street Reserve



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Scale: 1:200 at A3



Lambton Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
14	Lambton	Lambton Park



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Scale: 1:2,600 at A3



Dangar Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID Suburb Name

15	Mayfield	Dangar Park
16	Mayfield	Nile Street Reserve



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Scale: 1:1,800 at A3



Nile Street Reserve

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
16	Mayfield	Nile Street Reserve



Scale: 1:200 at A3



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Jefferson Park



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
5	Bar Beach	Empire Park
6	Bar Beach	Bar Beach
17	Merewether	Jefferson Park
18	Merewether	Merewether Beach
19	Merewether	Mitchell Park



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Scale: 1:1,000 at A3



Merewether Beach



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
4	Bar Beach	Bar Beach and Public Bathing
5	Bar Beach	Empire Park
6	Bar Beach	Bar Beach
17	Merewether	Jefferson Park
18	Merewether	Merewether Beach
19	Merewether	Mitchell Park



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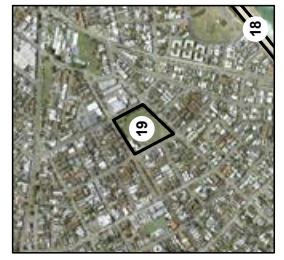
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Mitchell Park



	Reserve Boundary
	Land Boundary
	Restricted Use
Land Categories	
	GCU
	Park
	Sportsground
Natural Area Categories	
	Escarpment
	Watercourse
	Bushland
	Foreshore
	Wetland
ID	Name
18	Merewether Beach
19	Merewether Mitchell Park














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Scale: 1:1,200 at A3
 0 0.01 0.03 0.06 Kilometres

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Wallarrah Park

-  Reserve Boundary
-  Land Boundary
-  Restricted Use
- Land Categories**
-  GCU
-  Park
-  Sportsground
- Natural Area Categories**
-  Escarpment
-  Watercourse
-  Bushland
-  Foreshore
-  Wetland

ID	Suburb	Name
20	New Lambton	Wallarrah Park



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Scale: 1:1,600 at A3
 0 0.02 0.04 0.08 Kilometres



Regent Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
21	New Lambton	Regent Park



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Scale: 1:800 at A3



Enterprise Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

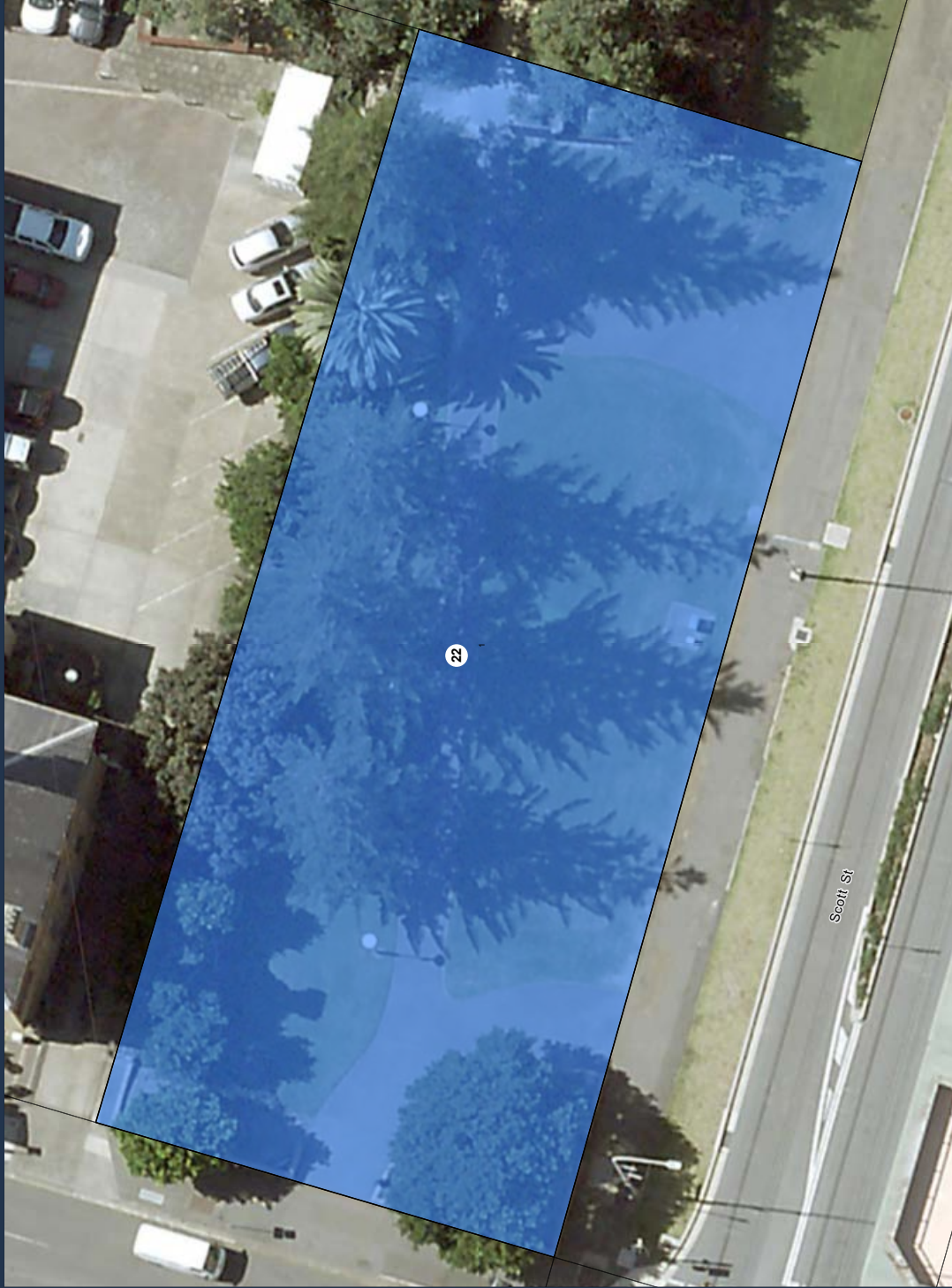
Watercourse

Bushland

Foreshore

Wetland

ID	Surburb	Name
22	Newcastle	Enterprise Park
23	Newcastle	Fletcher Park
25	Newcastle East	Newcastle Esplanade
27	Newcastle East	Newcastle Foreshore Park



Scale: 1:200 at A3



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Fletcher Park



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
22	Newcastle	Enterprise Park
23	Newcastle	Fletcher Park
24	Newcastle	Shepherds Hill Cottage
25	Newcastle East	Newcastle Esplanade
33	The Hill	King Edward Park/Arcadia Park



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Scale: 1:800 at A3



Shepherds Hill Cottage



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
23	Newcastle	Fletcher Park
24	Newcastle	Shepherds Hill Cottage
25	Newcastle East	Newcastle Esplanade
33	The Hill	King Edward Park/Arcadia Park



Scale: 1:600 at A3



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Newcastle Esplanade



	Reserve Boundary
	Land Boundary
	Restricted Use
Land Categories	
	GCU
	Park
	Sportsground
Natural Area Categories	
	Escarpment
	Watercourse
	Bushland
	Foreshore
	Wetland
ID	Name
22	Newcastle Enterprise Park
23	Newcastle Fletcher Park
24	Newcastle Shepherds Hill Cottage
25	Newcastle Newcastle Esplanade East
26	Newcastle Nobbys Beach East
27	Newcastle Foreshore Park East
30	Stockton Griffith Park + Ballast Park
31	Stockton Lynn Oval

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Nobbys Beach



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
25	Newcastle East	Newcastle Esplanade
26	Newcastle East	Nobbys Beach
27	Newcastle East	Foreshore Park
31	Stockton	Lynn Oval



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Scale: 1:3,600 at A3



Foreshore Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Surburb	Name
22	Newcastle	Enterprise Park
23	Newcastle	Fletcher Park
25	Newcastle East	Newcastle Esplanade
26	Newcastle East	Nobbys Beach
27	Newcastle East	Foreshore Park
30	Stockton	Griffith Park + Ballast Park
31	Stockton	Lynn Oval
32	Stockton	Stockton Ferry Parking



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Scale: 1:2,000 at A3



Hillview Playground

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID Surburb Name

28 North Lambton Hillview Playground



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Scale: 1:200 at A3



Fullerton Street Reserve



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID

Surburb

Name

Fullerton Street Reserve

30 Stockton Griffith Park + Reserve

31 Stockton Ballast Park Lynn Oval



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Scale: 1:11,800 at A3



Griffith Park + Ballast Park



Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
26	Newcastle East	Nobbys Beach
29	Stockton	Fullerton Street Reserve
30	Stockton	Griffith Park + Ballast Park
31	Stockton	Lynn Oval
32	Stockton	Ferry Parking



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Scale: 1:6,200 at A3



Lynn Oval

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

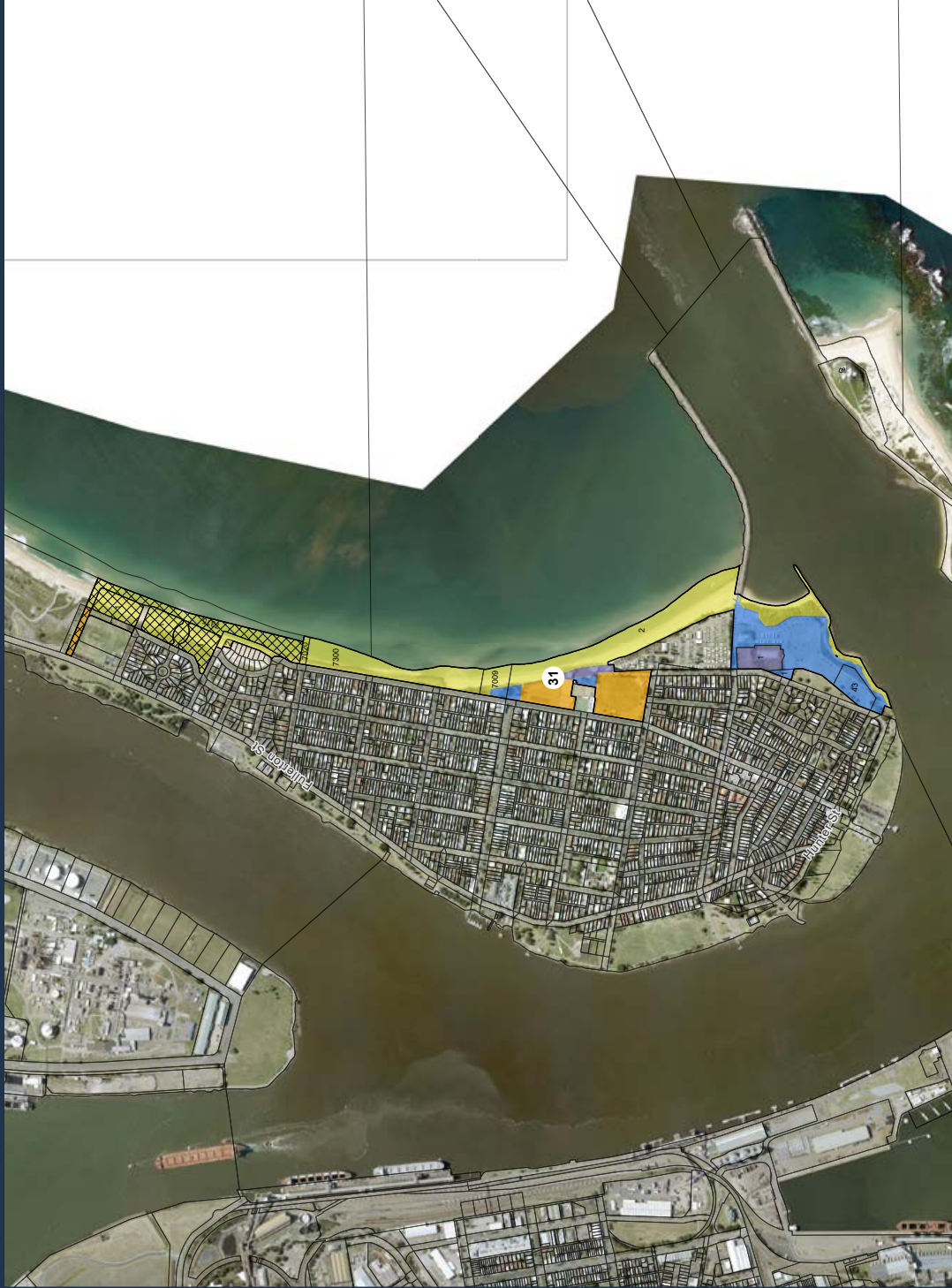
Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
26	Newcastle East	Nobbys Beach
29	Stockton	Fullerton Street Reserve
30	Stockton	Griffith Park + Ballast Park
31	Stockton	Lynn Oval
32	Stockton	Ferry Parking



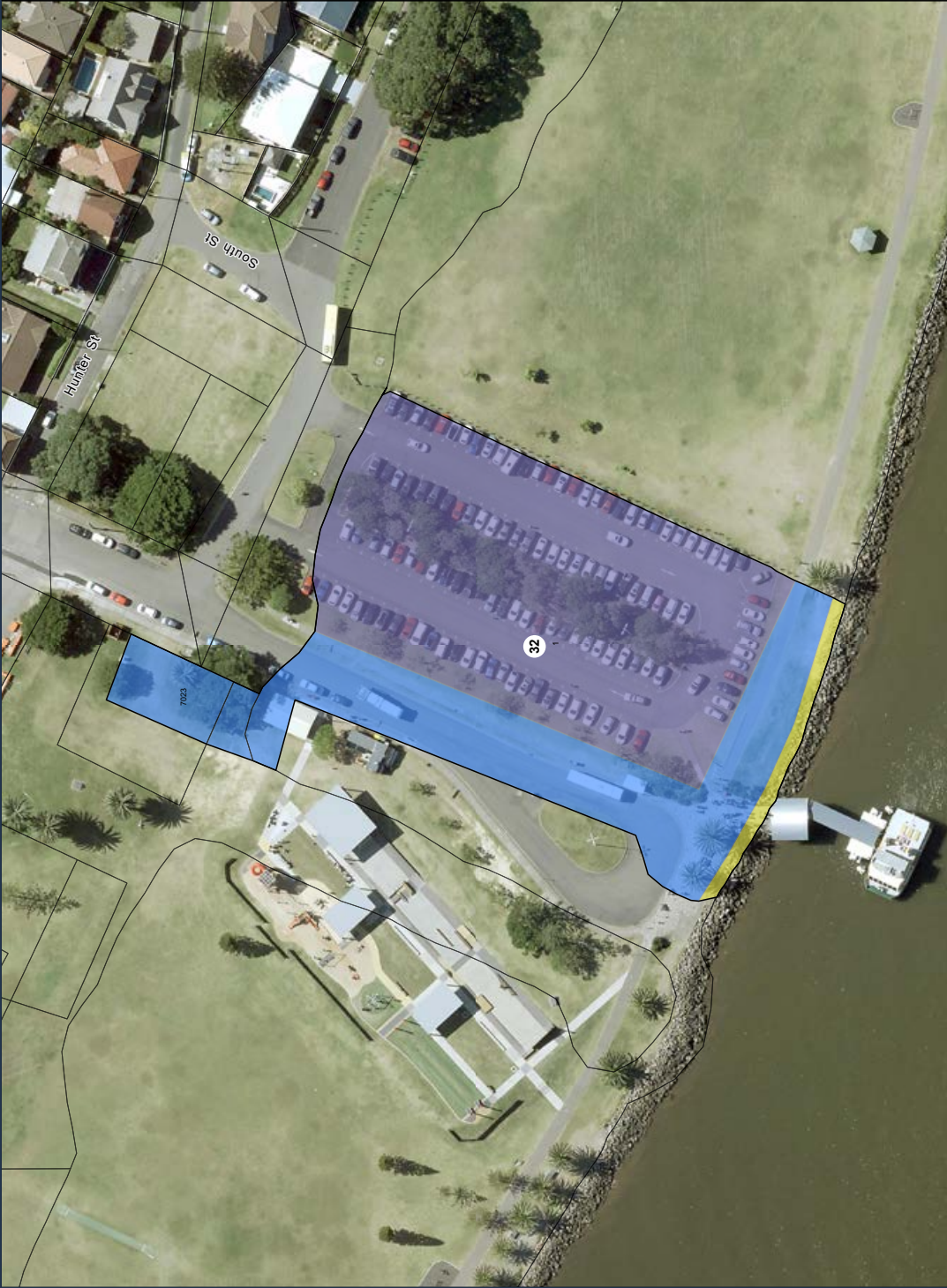
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0 0.15 0.3 0.6 Kilometres

Scale: 1:12,200 at A3

Stockton Ferry Parking



	Reserve Boundary
	Land Boundary
	Restricted Use
Land Categories	
	GCU
	Park
	Sportsground
Natural Area Categories	
	Escarpment
	Watercourse
	Bushland
	Foreshore
	Wetland
ID	Surburb Name
26	Newcastle Beach East
29	Stockton Fullerton Street Reserve
30	Stockton Griffith Park + Ballast Park
31	Stockton Lynn Oval
32	Stockton Stockton Ferry Parking



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0 0.01 0.02 0.04 Kilometres

Scale: 1:800 at A3

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King Edward Park/Arcadia Park



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Scale: 1:2,800 at A3

0 0.04 0.07 0.15 Kilometres

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Rotunda Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

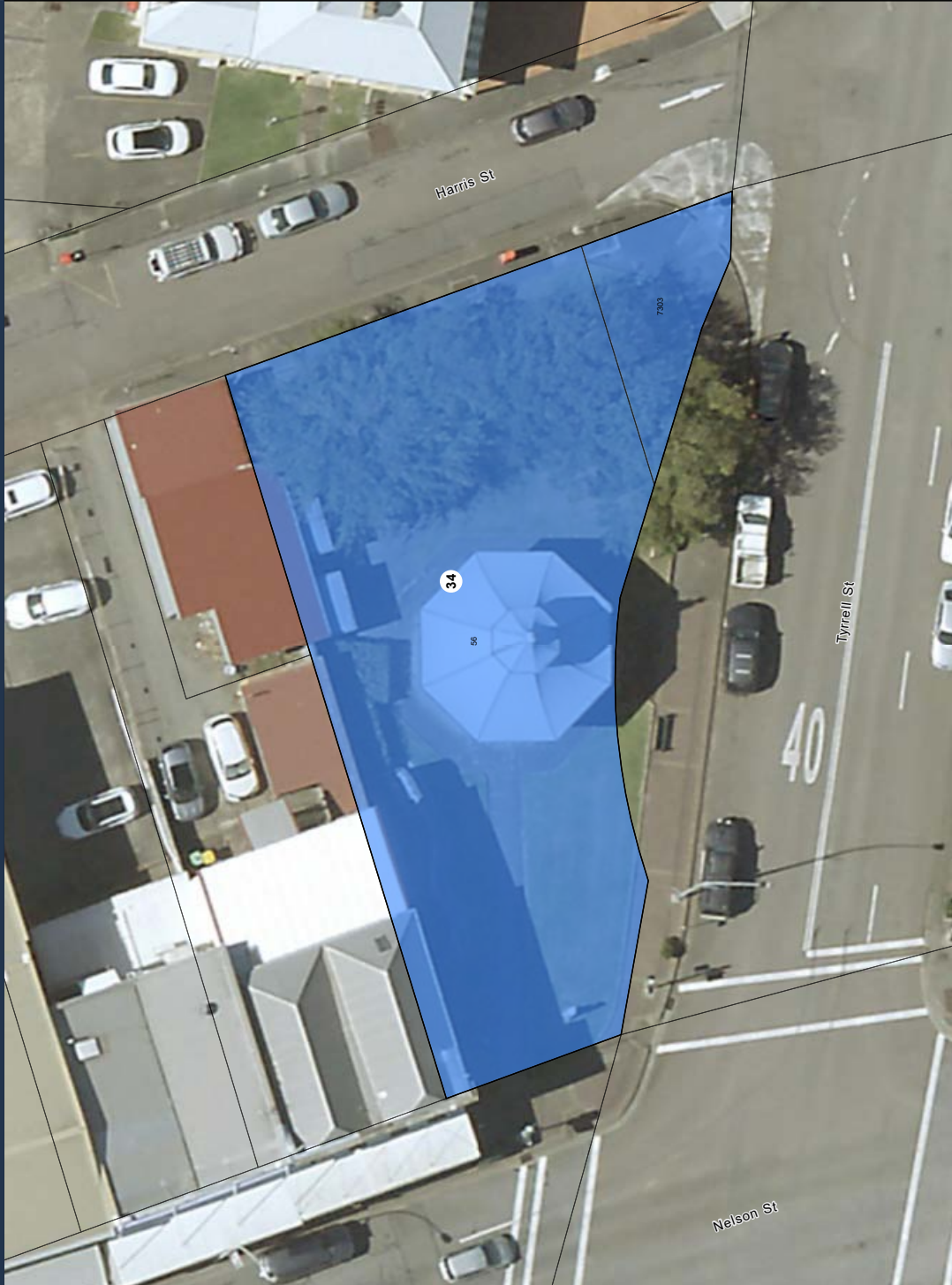
Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
34	Wallsend	Rotunda Park
35	Wallsend	Wallsend Park
36	Wallsend	Federal Park



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Scale: 1:200 at A3
0 0 0.01 0.01 Kilometres



WallSEND Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

Wetland

ID	Suburb	Name
34	WallSEND	Rotunda Park
35	WallSEND	WallSEND Park



Scale: 1:3,800 at A3



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Federal Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID

ID	Suburb	Name
34	Wallsend	Rotunda Park
36	Wallsend	Federal Park



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Scale: 1:1,800 at A3



Waratah Park

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID

Suburb

Name

Waratah

Waratah Park

37



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Scale: 1:2,000 at A3



Passmore Oval

Reserve Boundary

Land Boundary

Restricted Use

Land Categories

GCU

Park

Sportsground

Natural Area Categories

Escarpment

Watercourse

Bushland

Foreshore

Wetland

ID	Suburb	Name
13	Islington	Islington Park
38	Wickham	Passmore Oval



Scale: 1:1,400 at A3

38

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