

East Glebe Foreshore Plan of Management



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Contents

Executive Summary			
I Introduction	I	4 Future Uses and Developments	31
1.1 What is a Plan of Management?	1	4.1 Introduction	31
1.2 Why prepare a Plan of Management for East Glebe Foreshore?	1	4.2 Legislative requirements	31
1.3 Land to which this Plan of Management applies	1	4.2.1 Community land	31
1.4 Objectives of this Plan of Management	2	4.2.2 Crown land	31
1.5 Process of preparing this Plan of Management	2	4.2.3 Sydney Harbour foreshores	32
1.5.1 Legislative requirements	2	4.2.4 Land zoned open space	32
1.5.2 Consultations	2	4.3 Leases and licences	32
1.6 What is included in this Plan of Management?	4	4.3.1 What are leases and licences?	32
		4.3.2 Existing leases and licences	32
		4.3.3 Authorisation of future leases and licences	32
		4.4 Future use of the East Glebe Foreshore	34
		4.4.1 Introduction	34
		4.4.2 Bellevue and the site of the former Venetia	34
		4.4.3 Glebe incinerator	36
		4.5 Future use of parkland	37
2 Description of East Glebe Foreshore	6	5 Action Plan	39
2.1 Locational context	6	5.1 Landscape Master Plan	39
2.2 History and Cultural Heritage	6	5.1.1 Introduction	39
2.2.1 Indigenous	6	5.1.2 Glebe Foreshore Project	39
2.2.2 European	6	5.1.3 Blackwattle Bay Park North	39
2.3 Land ownership and management	9	5.1.4 Bellevue	39
2.3.1 Introduction	9	5.1.5 Blackwattle Bay Park South	39
2.3.2 Community land	9	5.2 Action Plan	41
2.3.3 Crown land	9	5.2.1 Introduction	41
2.3.4 Department of Planning	9		
2.4 Physical characteristics	9	6 Funding and Review	50
2.4.1 Microclimate	9	6.1 Financial resources	50
2.4.2 Landform and drainage	9	6.1.1 Council funding	50
2.4.3 Vegetation	12	6.1.2 Reserve Trust proceeds	50
2.5 Visual assessment	13	6.1.3 Grants	50
2.6 Access, circulation and parking	13	6.2 Review of this Plan of Management	50
2.7 Built structures	13		
2.8 Services and infrastructure	13	References	52
2.9 Use of the parks	13	Appendix A Consultation report	53
2.9.1 Current uses	13	Appendix B European history	64
2.9.2 Prohibited uses	15	Appendix C Lease and licence provisions	68
2.10 Maintenance regime	15		
2.11 Income and expenditure	16		
3 Basis for Management	17		
3.1 Planning context	17		
3.1.1 State and Commonwealth government planning context	17		
3.1.2 State government policies	23		
3.1.3 Local planning context	24		
3.2 Community values	24		
3.2.1 The Glebe community	24		
3.2.2 Community values	24		
3.3 Objectives and principles for managing East Glebe Foreshore	26		
3.3.1 State government objectives	26		
3.3.2 Regional objectives	26		
3.3.3 Local objectives	28		
3.4 Future roles of the East Glebe Foreshore	30		
3.5 Vision for East Glebe Foreshore	30		

Executive Summary

Background

The Plan of Management for East Glebe Foreshore was commissioned by the City of Sydney in June 2005. Parkland Environmental Planners prepared the Plan of Management, and acknowledges assistance from Council staff, City Plan Heritage, Godden Mackay Logan, and Mather and Associates with Anton James Design.

East Glebe Foreshore is 2.3 hectares in size. It is a linear foreshore open space that comprises Blackwattle Bay Park North (established in the early 1980s), and Blackwattle Bay Park South that was completed in 2006. Council has taken the opportunity to prepare a Plan of Management for both parks because they adjoin each other, to update the Plan of Management for Blackwattle Bay Park North, and to prepare a Plan of Management that covers the new Blackwattle Bay Park South.

Key features of the East Glebe Foreshore include:

- its location on Sydney Harbour.
- heritage items: Bellevue house and its curtilage including the potential archaeological remains of Venetia, an incinerator designed by the architect Walter Burley Griffin and associated archaeological relics, sheds that were part of the former Glebe Depot activities, and a crane that was part of a former boat-breaking operation on the site.
- public parkland and a foreshore walking and cycling path as part of the Glebe Foreshore Project.

Land within the two parks comprises:

- community land owned by City of Sydney.
- council roads owned by the City of Sydney.
- private land owned by Australand Holdings Pty Ltd that will be dedicated to the City of Sydney.
- public land owned by the Department of Planning.
- Crown land administered by the Department of Lands.

As such, the Plan of Management incorporates the requirements of the Local Government Act 1993, Roads Act 1993, Environmental Planning and Assessment Act 1979, Crown Lands Act 1989 and other relevant planning instruments.

Community consultation when preparing this Plan of Management built on consultations undertaken for the Glebe Foreshore Project, and those undertaken for the conservation of Bellevue, the Burley Griffin incinerator and associated sheds and relics. Public comments were invited by a letterbox drop of a brochure to local

residents, two community meetings in July 2005, and a public hearing into the proposed categorisation of community land in December 2005 (refer Appendix A).

The draft Plan of Management was approved by City of Sydney Council prior to public exhibition. A public exhibition period of the draft plan for 42 days in September-October 2005 allowed for submissions to be made to meet the requirements of the Local Government Act 1993. Under Clause 35 of the Crown Lands Act 1989 Regulation, a notice was placed in the NSW Government Gazette on 10th February 2006 inviting public comment over a period of 28 days. The notice referred to the two Crown reserves under the management of Council and the leased Crown Land.

Submissions made during the public exhibition and at a public hearing into categorisation of the community land in the parks were considered, and appropriate changes were made to the Plan. The final Plan of Management is required to be adopted by City of Sydney and the Minister for Lands.

Structure of the Plan of Management

This Plan of Management is divided into the following sections.

Section	What does it include?
1 Introduction	Background to the Plan of Management.
2 Description of East Glebe Foreshore	Location, history, ownership, facilities, uses, physical description, maintenance.
3 Basis for Management	State government planning legislation, local planning context, values of the community and users, vision, roles of the open space, management objectives.
4 Future uses and developments	Permitted uses and developments of the parkland and heritage items, leases and licences.
5 Action Plan	Landscape Masterplan, issues, desired outcomes, actions required to implement management strategies.
6 Implementation and review	Funding sources and review process.
Appendices	Relevant background information, including consultation report, European history, and legislation relating to leases and licenses.

Land management requirements

East Glebe Foreshore comprises community and Crown land.

Around 50% of Blackwattle Bay Park North (including Bellevue) and 80% of Blackwattle Bay South is classified as community land under the Local Government Act 1993. Community land is defined as land that must be kept for the use of the general community, and must not be sold.

The community land within the East Glebe Foreshore is primarily categorised as 'Park', which allows uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others. Bellevue is categorised as 'Area of Cultural Significance' because of its historical and social significance. Management of land in each category is required to meet core objectives for each category. Community land may be leased or licensed for uses consistent with its categorisation.

Three parcels of Crown land are incorporated in Blackwattle Bay Park South. The three parcels are anticipated to become Crown reserves managed by one Reserve Trust, with City of Sydney as Trust Manager. The three reserves allow uses ancillary to and supportive of the public purpose of Public Recreation. In the case of lot 291 DP 752049, additional public purposes are Heritage Purposes and Community Purposes. The Crown land must be managed according to the objectives of the Crown Lands Act (Section 10), principles of Crown land management (Section 11), the public purpose(s) of the land, case law, Departmental policies, and leases and licence agreements.

Provision has been made for existing and new facilities and activities in both parks to be leased and licensed to commercial operators or special interest groups under the applicable legislation.

Study area at a glance

East Glebe Foreshore	
Address	Leichhardt Street, Cook Street, Forsyth Street and Ferry Road in Glebe.
Area	2.3 hectares
Ownership	<ul style="list-style-type: none"> City of Sydney, including land classified as community land and roads (33%). Lot 4 DP 811442; Lots 45, 46 and 47 DP 100; Lot 1 DP 711483; Lot 2 DP 874134

Ownership (cont)	<ul style="list-style-type: none"> Department of Planning and managed by Council (29%). Lot 4 DP 260204
	<ul style="list-style-type: none"> Australand Holdings Limited that will be dedicated to Council as community land in 2006 (24%). Lot 106 DP 1047742. Crown land administered by the Department of Lands and that directly leased and managed by the City of Sydney Reserve Trusts (14%) Lot 291 DP 752049; Lot 591 DP 752049; Lot 626 DP 752049.
Care, control, management	City of Sydney and a Reserve Trust for Crown land will assume care, control and management of all parcels within the parks in 2006.
Zoning	Open Space - Leichhardt Local Environmental Plan 2000.
Categorisation/ Public purposes	Community land: Park and Area of Cultural Significance. Crown land: Public Recreation, Heritage Purposes and Community Purposes (proposed).
Building Structures and their condition	Crane – adequate condition, footings are unstable. Bellevue – poor condition. Barbecue – requires refurbishment. Burley Griffin incinerator – recently restored. Basement in fragile condition. Archaeological relics – fragile condition. Associated sheds – excellent condition. Benches – excellent condition. Pathways – good to excellent condition. Sea wall – poor condition (BBP North) - recently reconstructed (BBP South).
Existing uses	Walking, exercising dogs, cycling, fishing, picnics, barbecues, social gatherings, sitting / relaxing, filming, occasional group bookings, watching fireworks.

Leases / licenses	Special Lease 152293 to Australand Holdings Ltd for access to Lot 591 DP 752049.
Caveats / easements	None

Values and objectives

The community's values of Blackwattle Bay Park North apply to the East Glebe Foreshore. These values are remoteness, continuous foreshore link, natural park, wide community appeal, views, fireworks viewing venue, local park, heritage park, and fishing spot.

Objectives for management of the parks are drawn from State legislation, and state and local planning instruments. These objectives relate to promoting public access, recreational and community use, heritage conservation, environmental protection, balanced multiple use, ecological sustainability, and protecting the visual quality of the harbour and its foreshores.

Council's corporate goals, community and user values, and the desired outcomes of the community culminated in a vision for the future direction of East Glebe Foreshore. The vision is:

East Glebe Foreshore is a well-used foreshore park that links Rozelle and Blackwattle Bays, attracting people from the local area as well as from further afield to enjoy a range of informal recreation and water-based activities. The heritage items associated with Bellevue and the former Glebe incinerator are restored, used for a range of activities, and are integrated into the parkland.

Future uses and developments

Introduction

Key purposes of the Plan of Management are to update the previous Plan of Management for Blackwattle Bay Park to include Blackwattle Bay Park South, and to determine suitable future uses of Bellevue and the Burley Griffin incinerator, as well as the parkland.

The parkland and buildings are subject to the objectives and requirements of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The zoning of Open Space under the Leichhardt Local Environmental Plan 2000 also applies to all of the subject land.

Use of community land must be consistent with the categorisation and core objectives, and leasing and licensing provisions under the Local Government Act 1993. Use of Crown land must be consistent with the principles of Crown land management, the public purpose of the land, case law, relevant policies, and requirements for leases and licences on Crown reserves.

Bellevue

City of Sydney have proposed \$1.2 million of works to restore Bellevue in Stage 3 of the Glebe Foreshore Project in 2006. These works will restore the building, ready for appropriate, adaptive reuse of the building. Any future use of Bellevue should meet most, if not all, of the guidelines below, to:

- be consistent with the definition and core objectives of the 'area of cultural significance' category.
- meet the requirements of the Local Government Act 1993 regarding leases and licences.
- be consistent with the Open Space zoning and heritage provisions under the applicable adopted Local Environmental Plan.
- ensure public access.
- allow for multi-purpose use of the building.
- ensure regular use to increase security and surveillance of the building.
- ensure commercial activities such as a café/restaurant are complementary with community / cultural uses.
- ensure the conservation of the site by complying with the Conservation Management Plan, and causing no damage to the significant building or other fabric including archaeological resources within the site's curtilage.
- minimise vehicle traffic and parking in local streets by promoting pedestrian and water access.
- minimise noise experienced by local residents, especially at night.
- ensure diversity of use of Bellevue and the former incinerator building to broaden experiences available in the parks.
- complement the adjoining parkland.
- serve the needs of park users, and the local community.

Based on the above guidelines, suitable uses for Bellevue and its curtilage could include art gallery, artists / writers studio (short-term), bicycle hire, caretaker's residence (basement), exhibitions / displays, functions (occasional) with indoor / outdoor facilities, kiosk, café/restaurant, tea rooms, launches (books, products), meetings by community groups, museum, public toilets, storage of material by local community groups (limited floorspace), and watercraft hire (small-scale, recreational).

Bellevue and the site of the former Venetia is listed on the State Heritage Register. Under Section 60 of the

Heritage Act 1977, an application must be made to the NSW Heritage Council for the use of and works to an item on the State Heritage Register.

Purposes for which any further development of Bellevue and the site of the former Venetia and its curtilage will be permitted (under lease, licence or otherwise) are outlined in any approved Development Application relating to Bellevue and consistent with the Conservation Management Plan.

Under Clause 16 of the Leichhardt Local Environmental Plan 2000, Council consent is required for all development on the site of a heritage item.

The scale and intensity of future uses and development regarding Bellevue depends on approval of Development Applications, the nature of the approved future uses of the building, the criteria for future uses outlined above, and the guidelines for use and development of the building in the Conservation Management Plan.

Incinerator

Future development and interpretation works must:

- recognise the heritage significance of the site, which encompasses a range of historic, aesthetic, social and technical / research values.
- conserve and manage built elements, relics and landscape elements according to the contribution they make to the overall significance of the site, and for their individual heritage values.
- retain a sense of the waterfront industrial character of the site.
- observe the aims and planning principles of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.
- observe the objectives of the Forsyth Street Masterplan.

Future uses would:

- allow for significant fabric to be retained and maintained.
- retain the low-key industrial character of the site (similar to its recent use, light industrial, low environmental impact), such as storage, small-scale workshop etc.
- continue public access and ownership.
- co-exist with or relate to the foreshore open space.
- allow occasional access to the incinerator building for public education.
- be consistent with the applicable Local Environmental Plan, Development Control Plans, and other relevant statutory instruments.

- ensure the conservation of the exposed and buried relics on the site by adequate long term maintenance.

In addition, any future use of the Glebe incinerator should:

- be consistent with the definition of the public purposes of Heritage Purposes and Community Purposes.
- be consistent with the Open Space zoning and heritage provisions under the Leichhardt Local Environmental Plan 2000.
- comply with the principles established by case law for use of Crown land.
- ensure public access.
- encourage diverse uses.
- ensure regular use to increase security and surveillance of the building.
- ensure the conservation of the site by complying with the Conservation Management Plan, and causing no damage to the significant building or other fabric including archaeological resources within the site's curtilage.
- restrict access to the lower storey / basement to preserve the rare original stippled paint finishes.
- minimise vehicle traffic and parking in local streets by promoting pedestrian and water access.
- minimise noise experienced by local residents, especially at night.
- ensure diversity of use of Bellevue and the former incinerator building to broaden experiences available in the parks.
- serve the needs of park users, and the local community.
- relate to the use of the harbour.
- allow occasional access to the incinerator building for public education.

Examples of future uses include:

- low impact commercial uses sympathetic with the building fabric and that meet the criteria listed above. Commercial uses may include a café or kiosk that must be consistent with the Department of Lands' Food and Beverage Policy, or an office.
- storage depot or small-scale workshop.
- Council and/or local community and cultural uses, including an early childhood health centre, artist's studios (which could include ceramics, sculpture or glass, provided they have no or minimal impact

on the original fabric), exhibitions / displays, and meetings.

Council (under Section 16 of the Leichhardt Local Environmental Plan) and the Department of Lands should approve any future use of the incinerator building. Council is required to grant consent to a Development Application. The Department of Lands grants owners consent to lodgement of a Development Application with Council, or where the Reserve Trust or Council make an application under Section 49 of the Environmental Planning and Assessment Act Regulations.

Purposes for which any further development of the former incinerator building will be permitted (under lease, licence or otherwise) are outlined in any approved Development Application relating to the building and consistent with the Conservation Management Plan, and any provision of an applicable development control plan for exempt and complying development.

The scale and intensity of future uses and development regarding the former incinerator building and the associated sheds is dependent on approved Development Applications, the nature of the approved future uses of the building, the criteria for future uses outlined above, and the guidelines for use and development of the building in the Conservation Management Plan.

Parkland

Future uses of the parkland should meet legislative requirements and objectives; and be consistent with the guidelines and core objectives of the Park category for community land, and the definition of Public Recreation for the Crown land.

The principal uses of the parkland are as a social meeting place and for passive recreation. However, active recreation activities will be possible in the form of jogging and informal ball games. The parkland is not an appropriate venue for organised ball games or sporting activities suited to larger parks.

Dog walking is likely to continue being a popular activity in the parkland. Both parks are currently designated as on-leash dog exercise areas, unless Council resolves to designate all or part of the parks as an off-leash dog exercise area in the future. Due to the potential for conflicts with other uses, dogs in the park will be managed in accordance with the Companion Animals Act 1998.

A ramp / pontoon is proposed for the end of Leichhardt Street, and sea stairs allow access to the water in both parks. Permissible activities associated with these facilities include viewing, fishing, launching of non-motorised watercraft such as canoes and kayaks, and alighting to and from boats.

Based on strong community demand, it would be desirable to allow for a food and beverage outlet that serves users of both parks.

Small-scale commercial uses that support the use of the parks for passive recreation, such as bicycle and small watercraft hire, are authorised by this Plan.

Consistent with the Local Government Act and the Local Government Regulation, other uses are authorised by this Plan of Management, because they are generally consistent with the management objectives developed for the parkland. Such uses are wedding ceremonies and functions, playing of a musical instrument or singing for fee or reward, delivering a public address or speech, markets and / or temporary stalls including food stalls, commercial filming and photography, corporate functions, birthday parties and family gatherings, and other special events/ promotions provided they are on a scale appropriate to the benefit and enjoyment of the local community.

In accordance with the Local Government Regulation, the above uses are only permitted if they do not involve the erection of a building or structure of a permanent nature. All uses would be subject to Council's standard conditions, approval processes and booking fees. Motor vehicle access into the site is not permissible, with the exception of authorised Council and emergency vehicle access if required. A temporary licence would need to be issued by Council as part of the approval process prior to the park being used for these activities.

Permissible activities generally include those permissible under Council ordinance, and those that do not interfere with the use and enjoyment of the parkland by other park users.

Purposes for which any further development of the parkland of Blackwattle Bay Park North and South will be permitted (under lease, licence or otherwise) are outlined in any approved Development Application, and any provision of an applicable development control plan for exempt and complying development.

The parkland is intended to be used for informal active and passive recreation activities, and as a launching point for small-scale recreational watercraft.

Events (except New Year's Eve fireworks viewing or similar) that attract significant crowds are not appropriate and should be directed to another park. Any use or development that would encroach on the parks' open space should be prevented.

Action Plan

There are three key aspects of the concept and master planning for the East Glebe Foreshore:

- improvements to Blackwattle Bay Park North (Stage 2 of the Glebe Foreshore Project).
- renovation and adaptive reuse of Bellevue (Stage 3 of the Glebe Foreshore Project).
- the new Blackwattle Bay Park South, which is expected to be completed in 2006.

Both parks

Key high priority actions arising from the masterplans for both parks are:

- review permissible activities.

Blackwattle Bay Park North

General

- implement the planting strategy.
- implement the Interpretation Strategy.

Bellevue

- carry out alterations and conservation works to the interior and exterior of the building.
- implement landscaping works in the building curtilage.
- call for Expressions of Interest and then tenders for future use(s) of the building (subject to development consent).

Parkland

- undertake site assessments and remediate any areas of contamination that exceed guidelines.
- construct new stairs to allow access to the bathing beach and to Leichhardt Street.
- stabilise the footings of the crane.
- widen and reconstruct paths in the park to cater for walking and cycling.
- provide zones for pedestrian respite and seating along the foreshore path and at the end of Cook Street.
- widen the foreshore zone in places to create recreational settings and gathering points.
- restrict vehicle entry to Leichhardt Street.
- provide parking spaces for people with disabilities at the end of Leichhardt Street.
- construct an all-weather accessible path between the parking spaces and Bellevue.
- install a new ramp / pontoon for small watercraft

at the end of Leichhardt Street.

- remove the senescent trees on the foreshore.
- construct two stormwater bioswales (south of Leichhardt Street, and near Cook Street).
- Upgrade the barbecue area.
- upgrade the pathway to Blackwattle Bay Park South.
- replace or reconstruct sections of the sea wall to a height of 1.6 metres AHD.

Blackwattle Bay Park South

- dedicate parcels of land owned by Australand (Lots 103 and 106) to City of Sydney.
- change the reserve purpose of Lot 291 DP 752049 (D1000258) from Wharfage and Municipal Purposes to Public Recreation, Heritage Purposes and Community Purposes.
- create two reserves from R100039 for public recreation (existing) and Lot 591 DP 752049 (leased Crown land) according to the new boundary of Blackwattle Bay Park South.
- name and appoint a reserve trust over the 3 Crown reserves.
- appoint City of Sydney as Trust Manager of the two new reserves and the existing R100039.
- prepare a Maintenance Plan for the site (including relics and interpretation installations).
- determine suitable future use(s) for the incinerator building.

I Introduction

I.1 What is a Plan of Management?

A Plan of Management is a document that identifies issues affecting public open space, and outlines how that open space is intended to be used, improved, maintained and managed in the future. A Plan of Management is typically accompanied by a Landscape Masterplan that shows proposed on-the-ground changes to that open space.

I.2 Why prepare a Plan of Management for East Glebe Foreshore?

The City of Sydney prepared this Plan of Management to:

- update the 1999 Plan of Management for Blackwattle Bay Park¹ North mainly to facilitate adaptive reuse of the historic house Bellevue. A Plan of Management is required to set out the desirable uses and other requirements for future use of the building.
- include the new park Blackwattle Bay Park South that will be managed by the City of Sydney for public use from 2006.

Blackwattle Bay Park North and Blackwattle Bay Park South (together referred to as East Glebe Foreshore) adjoin each other; so Council has taken the opportunity to prepare a Plan of Management for both parks. City of Sydney commissioned Parkland Environmental Planners to prepare a Plan of Management for the East Glebe Foreshore in June 2005.

I.3 Land to which this Plan of Management applies

This Plan of Management applies to Blackwattle Bay Park North (approximately 1.4 hectares), and the adjoining Blackwattle Bay Park South (0.9 hectares).

At the time of preparing the Plan, land within the parks is owned by City of Sydney, Australand Holdings Pty Ltd, Department of Planning, and the Crown.

Consequently this Plan of Management has been prepared in accordance with the requirements of the Local Government Act 1993 and Crown Lands Act 1989.

Key features of the East Glebe Foreshore include:

- its location on Sydney Harbour.
- heritage values, including structures and their curtilages and settings, and archaeological resources. Such values include Bellevue house and its curtilage including the potential archaeological remains of Venetia, an incinerator designed by the architect Walter Burley Griffin and associated archaeological relics, sheds that were part of the Glebe Depot uses, and a crane that was part of a former boat-breaking operation on the site.
- public parkland and foreshore walking and cycling routes.



Figure I.1 Locational context

¹ EDAW Pty Ltd (April 1999).

1.4 Objectives of this Plan of Management

This Plan of Management aims to:

- establish a sound and balanced approach to the management of East Glebe Foreshore, while providing a flexible framework within which Council can respond to current needs and opportunities, as well as to future directions and pressures as demands on the parks change.
- reflect the values and expectations of the Glebe and wider community and other users for future use and enjoyment of the parks.
- meet all relevant legislative requirements.
- be consistent with Council's Corporate Plan and other strategies, plans and policies.
- reflect planning and implementation of the Glebe Foreshore Project.
- support the conservation and interpretation of the heritage values of the area.
- present a Landscape Masterplan that illustrates the actions required to implement proposed physical changes and improvements to the East Glebe Foreshore.

1.5 Process of preparing this Plan of Management

The process of preparing this Plan of Management, consultations with stakeholders, and documents produced at each stage, are shown in Figure 1.2.

1.5.1 Legislative requirements

Local Government Act

The Local Government Act 1993 requires that draft Plans of Management are placed on public exhibition for a minimum of 28 days, with a further 14 days allowed for written comments.

Crown Lands Act

The process required by the Department of Lands under Sections 112 and 115 of the Crown Lands Act 1989 and its Regulation for preparing a Plan of Management applying to Crown land is to:

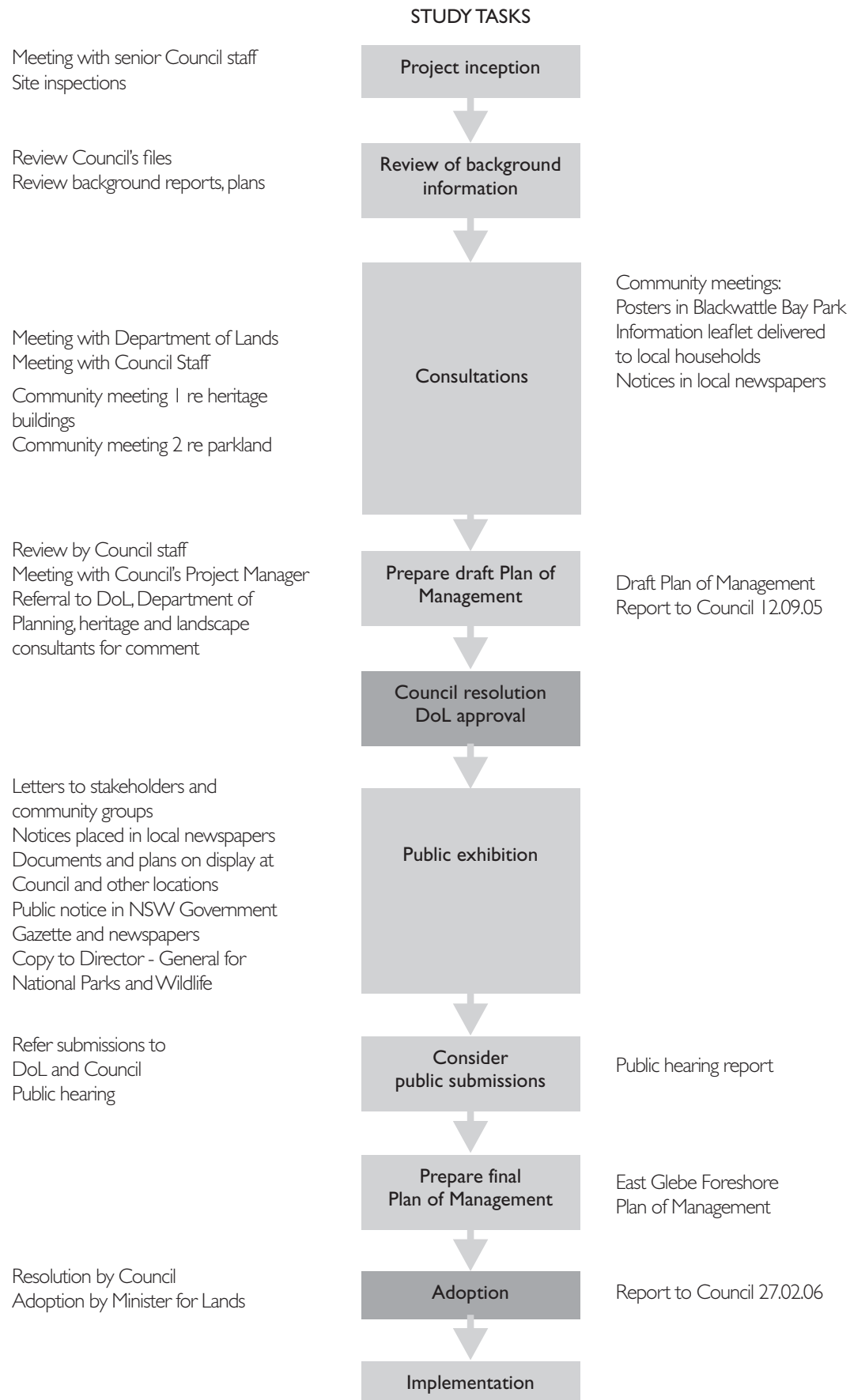
- prepare a draft Plan of Management. The Minister may cause or direct a draft Plan of Management to be prepared; or a reserve trust may, with the Minister's consent, prepare a draft Plan of Management for the reserve. In this case, there is no current reserve trust, so City of Sydney prepared the Plan of Management.
- refer the draft Plan of Management to the Department of Lands for comment prior to the public exhibition.
- place a public notice in the NSW Government Gazette and in local newspapers advising the public of the public exhibition.
- exhibit the draft Plan of Management to the public for not less than 28 days to allow for submissions to be made on the Plan of Management.
- refer public submissions regarding the draft Plan of Management to both the Minister for Lands and City of Sydney Council as Trust Manager for consideration by the Minister prior to adoption.
- make any alterations to the Plan of Management as required by the Minister under Section 114 of the Crown Lands Act 1989.
- adopt the Plan of Management by Council, and by the Minister for Lands under Section 114 of the Crown Lands Act 1989.
- follow the adopted Plan of Management, with all operations (activities, uses and developments) being in accordance with the adopted Plan.

1.5.2 Consultations

Blackwattle Bay Park North

Since 2003 when community demand initiated the Glebe Foreshore Project, City of Sydney Council have undertaken extensive consultation to provide information and updates, and to receive comments about the project. Such consultation has involved:

- release of a 'vision' document in November 2003.
- display of project details on Council's website.
- delivery of a project brochure to 20,000 local residents in February 2004.
- display of project boards at Glebe Neighbourhood Centre, Town Hall, and on Council's website.
- briefing government organisations, namely NSW Maritime Authority, Department of Planning, Sydney Water, Department of Education, and Sydney Harbour Foreshore Authority.
- briefing stakeholders including community groups, local residents and workers, members of the Glebe Society and Save Rozelle Bay Association, NSW Dragon Boats, and Bike Sydney.
- advertising in local newspapers.
- placing on-site information boards in Blackwattle Bay Park South.
- holding a community representative workshop and community forums.
- hosting site walks.

Figure 1.2 – Process of preparing the East Glebe Foreshore Plan of Management

Blackwattle Bay Park South

Since development of the former John Fletcher container terminal and Glebe depot site was proposed in 2000, various stakeholders have been consulted about the heritage aspects of the site. Such stakeholders include the Glebe Society, Walter Burley Griffin Society and the Metropolitan Aboriginal Land Council. The present form of the incinerator building and its adjacent remains are a direct result of this consultation.

The Walter Burley Griffin Society is a community-based organisation which specialises in the conservation of places, works and documents associated with Walter Burley Griffin and his architectural practice. The Society has provided active and ongoing input into the restoration, form and potential uses of the incinerator building and relics. Involvement of the Walter Burley Griffin Society in the development of plans for the incinerator and associated buildings was required as a condition of consent.

Consultation for this Plan of Management has built on this prior consultation, and been specific to preparing this Plan.

1.6 What is included in this Plan of Management?

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

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

The Crown Lands Act does not specify any requirements for the contents of a Plan of Management. However, the objectives of the Act in Section 10 and the principles of Crown Land management in Section 11 ensure Crown Land is managed for the benefit of the people of NSW. This Plan of Management has been prepared according to the requirements of Part 5 Division 6 – Plans of Management of the Crown Lands Act 1989. A Plan of Management will satisfy the Crown Lands Act 1989 if the points in Table 1.3 are addressed.

Table 1.1: Structure of this Plan of Management

Section	What does it include?
1 Introduction	Background to the Plan of Management.
2 Description of East Glebe Foreshore	Location, history, ownership, facilities, uses, physical description, maintenance.
3 Basis for Management	State government planning legislation, local planning context, values of the community and users, vision, roles of the open space, management objectives.
4 Future uses and developments	Permitted uses and developments of the parkland and heritage structures, leases and licences.
5 Action Plan	Landscape Masterplan, issues, desired outcomes, actions required to implement management strategies.
6 Implementation and review	Funding sources and review process.
Appendices	Relevant background information, including European history, and legislation

Table 1.2: Contents of a Plan of Management required under the Local Government Act

Requirement of the Local Government Act	How this plan satisfies the Act
A description of the condition of the land, and of any buildings or other improvements on the land as at the date of adoption of the Plan of Management.	Section 2.7
A description of the use of the land and any such buildings or improvements as at the date of adoption of the Plan of Management.	Section 2.9
Categorisation of community land.	Section 3.1.1
Core objectives for management of the land.	Section 3.3.1
The purposes for which the land, and any such buildings or improvements, will be permitted to be used.	Section 4
The purposes for which any further development of the land will be permitted, whether underlease or licence or otherwise.	Section 4
A description of the scale and intensity of any such permitted use or development.	Section 4
Authorisation of leases, licences or other estates over community land.	Section 4
Performance targets.	Section 5.2
A means for assessing achievement of objectives and performance targets	Section 5.2

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

A Plan of Management satisfies the Crown Lands Act if:	How this plan satisfies the Act
The Plan of Management is prepared by the Reserve Trust under Section 112 of the Act. There is no reserve trust yet appointed over the subject lands (Dedication 1000258 and Reserve 100039 are devolved, and Lot 591 is leased Crown land)	PoM prepared by City of Sydney as devolved Manager under Section 48 of the <i>Local Government Act 1993</i>
The Plan of Management and its outcomes must address the principles of Crown land management (Section 11).	Section 3.3.1
The Plan of Management must address any matters required by the Minister responsible for the Crown Lands (Section 112).	No such requirements have been received from the Minister.
Any proposed uses, developments and management practices must be ancillary or supportive of the public purpose for the reserved or dedicated land, and any policies of the Department of Lands regarding Crown reserves.	Sections 3, 4

2 Description of East Glebe Foreshore

2.1 Locational context

East Glebe Foreshore is located in the suburb of Glebe within the City of Sydney local government area.

The foreshore parkland is bounded by Blackwattle Bay to the east; Ferry Road, the Boatshed Restaurant / Sydney University Rowing Club and the Blackwattle Bay Campus of Sydney Secondary College to the south; residential dwellings to the west; and the mouth of Rozelle Bay to the north.

The parkland has frontages to Leichhardt Street, Cook Street, Forsyth Street, Griffin Place, Taylor Street, Ferry Road and Garra Lane.

The parks are located on the scenic Sydney Harbour foreshore. The East Glebe Foreshore parkland is linear, and an integral part of an envisaged 2.2 kilometre long foreshore link from Bicentennial Park in Annandale to Wentworth Park at Ultimo. An aim of the Glebe Foreshore Project is to realise this foreshore open space link to the Sydney Fish Markets on the northern side of Blackwattle Bay. This initiative is consistent with State and local government policies to improve public access to Sydney Harbour.

The site is located within a predominantly residential precinct (the Glebe Point Distinctive Neighbourhood²) comprising a wide mix of housing styles, types and densities, reflecting various phases of settlement. The mix of dwellings includes narrow fronted workers' cottages, two- and three- storey flat buildings, and the current construction of modern town houses and two- to four- storey apartments on the waterfront as part of the Glebe Harbour development. In the streets off Glebe Point Road narrow, steeply sloping carriageways with small verges and minimal street trees are common.

2.2 History and Cultural Heritage

2.2.1 Indigenous

Opinion among heritage consultants is divided as to whether Blackwattle Bay Park was originally inhabited by the Wangal or Cadigal clans. It is suggested there are no defined borders between Cadigal and Wangal country, and that the swamp at the head of Blackwattle Bay may have been the broadly-defined border land.

With mangroves, fresh water and open forest all nearby, the area would have provided an ideal site for collecting and hunting a wide range of food resources. It is likely that Aboriginal peoples occupied, passed through and visited the study area. After 1788 a combination of disease and the loss of hunting grounds and territory caused huge reductions in their numbers, and they moved further inland.

Due to extensive foreshore reclamation, dumping of fill, and former industrial uses, it is believed that no evidence of Aboriginal use of the site remains. Site inspections, consultation with the Metropolitan Local Aboriginal Land Council, and contextual archaeological analysis have not identified any Aboriginal sites or isolated cultural heritage items, areas of Potential Archaeological Deposit or Areas of Archaeological Potential.

2.2.2 European

The history of Bellevue, the Burley Griffin incinerator, the Stride's Yard crane and the parks themselves are well documented in various reports prepared by City Plan Heritage and Godden Mackay Logan.

A summary of historical events is outlined in Appendix A.

The European history of the foreshore is reflected by the following significant cultural heritage items and sites.

Blackwattle Bay Park

Blackwattle Bay Park North is located within the Glebe Conservation Area³.

Blackwattle Bay Park North is listed as a Landscape Heritage Item of Regional significance in the Leichhardt Local Environmental Plan 2000. The listing includes Strides Yard. The park is significant for its environmental amenity and public open space. The Leichhardt Heritage Study⁴ notes the park was designed by Stuart Pittendrigh and Associates in consultation with The Glebe Society and Leichhardt Municipal Council in the early 1980s.

² As described in Part A of the Leichhardt Development Control Plan.

³ As identified on the Leichhardt Local Environmental Plan 2000 Heritage Map.

⁴ Leichhardt Heritage Study Inventory Listing for Blackwattle Bay Park, Leichhardt Street, Glebe, Sheet No. L1G, from the NSW Heritage Office State Heritage Inventory Database (http://www.heritage.nsw.gov.au/07_subnav_01_2.cfm?itemid=1940259)

Stride's Yard

The crane on the western foreshore of Blackwattle Bay Park North on Rozelle Bay was an off-loading facility that was part of the shipbreaking yards belonging to the Stride family. The crane is listed as an archaeological item with a local level of significance in Schedule 2 of the Leichhardt Local Environmental Plan 2000. Stride's Yard, with its restored crane, demonstrates the remains of the heavy industry of boat-breaking in the local area ⁵.



Figure 2.1 c1970 Aerial photograph of the timber yard (Max Solling collection). Close up of location of the Venetia boatshed illustrating site disturbance.

Bellevue and the site of the former Venetia

Bellevue is a heritage site with a curtilage that includes a house of that name, and the archaeological resources of a second house, Venetia. Bellevue itself is an unoccupied heritage-listed house that is owned by the City of Sydney and situated in Blackwattle Bay Park North. The former dwelling was constructed c.1896 of rendered brick walls with decorative moulding, a hipped slate roof, bullnose iron verandahs on two sides, a small side entry porch with arches, and tall rendered chimneys. An excavated basement floor opens to one side, with a courtyard surrounded on two sides by ashlar sandstone walls.



Figure 2.2 'Vanetta', Glebe Point 1899 (Grandpa Warden in photo), (Mitchell Library, Picman Database, SSV/14). Early Photo of Bellevue showing original detail and setting with 'Venetia' in the background.

⁵ Archaeology and Heritage Pty Ltd (March 2005).

⁶ City Plan Heritage (October 2005) p. 58-60.



Figure 2.3 c1970 Aerial photograph of Vanderfield & Reid's timber yard. (Max Solling collection)

Based on an Assessment of Significance ⁶, the Statement of Cultural Significance ⁷ for Bellevue is:

"Bellevue, constructed c.1896, was designed by local architect Ambrose Thornley Junior and is a compromised example of a late Victorian dwelling with some characteristics of the Italianate style. It is one of the few surviving examples of mid to late Victorian dwellings that characterised Jarrett's Point on the Blackwattle Bay foreshore. The dwelling's form and general aesthetic character is representative of its architectural style, the late 19th century period of construction and the phase of residential development in the local area at the time. However, the comprehensive loss of detailing, joinery, and ornamentation in association with its dilapidated state has eroded the representative formal aesthetic values associated with its prominent siting on Jarrett's Point in the open space setting of Blackwattle Bay Park. The dwelling is potentially highly visible from a number of significant vantage points in the area, but is shrouded in trees. It is a significant and characteristic feature of the Glebe foreshore area. Bellevue was also the focus of the local community during the mid 1970s when it was saved from demolition by developers through the actions of ardent local residents."

Bellevue and the site of the former Venetia is listed on the State Heritage Register (SHR No. 470) on the recommendation of the Heritage Council of NSW. Bellevue and the site of the former Venetia, as identified on the State Heritage Register, includes a portion of Blackwattle Bay Park North defined by the boundary of the dwellings fronting Leichhardt Street and west of the section of Leichhardt Street that extends into the Park. The southern portion of this site includes the potential archaeological remains of the demolished Victorian dwelling Venetia.

The Statement of Significance ⁸ for Bellevue and the site of the former Venetia states that it is an important townscape element on a quiet point between Rozelle and Blackwattle Bays. It has architectural significance as one of the most visually prominent cottages at Glebe Point. Although Bellevue and the site of the former

⁷ City Plan Heritage (October 2005) p. 60.

⁸ State Heritage Inventory – Listing of Heritage Items.

Venetia is listed on the State Heritage Register; it is assessed as having only a local level of significance in regard to its historic association, and aesthetic, social and representative values ⁹. Bellevue is also listed in Schedule 2 of the Leichhardt Local Environmental Plan 2000 as a built item of State significance. It is also identified in the Leichhardt Heritage Study.

Having been left derelict since 1993, Council is now considering its future use(s). As the building is on the State Heritage Register, the NSW Heritage Council are required to approve future uses under the Heritage Act 1977.

Incinerator and former works depot sheds

The Council depot, incinerator and stone structure located at 47-53 Forsyth Street, Glebe are listed in Schedule 2 of the Leichhardt Local Environmental Plan 2000 as built heritage items of regional significance.

The Statement of Significance ¹⁰ for the incinerator, associated relics and the sheds is as follows:

The reclamation of the land on which the Glebe Incinerator is located was an important event in the development of the suburb of Glebe in the late nineteenth century.

The Glebe Incinerator site provides important evidence of twentieth-century waterfront industrial practices in the Sydney Harbour area. In particular, the Walter Burley Griffin Incinerator Building and the two sheds to its north, together with its in situ archaeological relics, demonstrate a phase of remodelling of the site for the then local council, Glebe Municipal Council. They are physical reminders of a period of waste management reform in Sydney and Melbourne in the early- to mid-twentieth century.

The incinerator, the remains of its sheds and the relics associated with the building are important physical remains recalling the former working class background of parts of Glebe and demonstrating the industrial aesthetic of the area.

The site is an important, representative and rare example of the work of the architects Walter Burley Griffin and Eric Nicholls (operating with the Reverberatory Incinerator and Engineering Co [RIECo]). It therefore has associations with a prominent architectural figure in the nation's history. It has special meaning for a part of the Australian architectural community (for example, the Walter Burley Griffin Society).

The Glebe Incinerator is one of only twelve incinerators built by the RIECo within the municipalities of Sydney and Melbourne. The Glebe Incinerator is the only remaining

incinerator site in which the associated sheds remain in situ.

By virtue of the Incinerator Building's high degree of original fabric and intactness, the design of the stepping and interlocking of cubes down the embankment face, and the classical layout of the sheds (meant to recall a columned portico), the Glebe Incinerator site is a representative and innovative example of Griffin's design.

The site is a prominent and popular local landmark.

The significance of the site is enhanced by the survival of in situ archaeological relics that demonstrate the technical operation of the building, and which are in a form and location that are readily interpretable by the public.

The site is of State significance.

Figure 2.4 A view of the Glebe Incinerator showing the western row of work shed (right) built to Walter Burley Griffin's design (c1937)



Sandstone Sea wall

The sandstone retaining wall at the parks' boundary to Blackwattle Bay also forms part of the site's significant historical fabric. The sea wall was presumably built in stages when the land was reclaimed in the 1880s and early 1890s.

2.3 Land ownership and management

2.3.1 Introduction

The ownership and management of the various parcels of land that comprise the East Glebe foreshore are shown in Figure 2.2 and detailed in Table 2.1.

Parcels of land within the parks are owned by:

- the City of Sydney, including roads and land classified as community land (33%).
- the Department of Planning and managed by

⁹ City Plan Heritage (May 2005)

¹⁰ Godden Mackay Logan (June 2005)

Council (29%).

- Australand Holdings Limited that will be dedicated to Council as community land in 2006 (24%).
- the Crown, and administered by the Department of Lands and intended to be managed by a Reserve Trust (14%).

The ends of local roads (Leichhardt and Cook Streets) that are owned by the City of Sydney are within the park boundary. Although not formally classified as community land, they are used as if they were parkland. The end of Forsyth Street is the Crown Reserve 100039 for public recreation.

NSW Maritime Authority is responsible for management of uses of and structures on the adjacent waterway of Blackwattle Bay.

2.3.2 Community land

One third of East Glebe Foreshore is currently owned by City of Sydney, and is classified as community land under the Local Government Act 1993. All land classified as community land must be managed in accordance with the Local Government Act 1993. Most of the community land in East Glebe Foreshore is categorised as 'Park', except for Bellevue house, which is categorised under the Act as 'Area of Cultural Significance'.

The land currently owned by Australand Holdings Pty Ltd that is being developed as a public park (Blackwattle Bay Park South) will be dedicated to Council by the developer according to a condition of development consent. The land will become public open space, owned in fee simple by Council, classified as community land and categorised as 'park'.

2.3.3 Crown land

The Crown land within East Glebe Foreshore is comprised of two reserves and one leased area as shown in Table 2.2.

The Crown leasehold land is directly administered by the Department of Lands. The reserved lands are usually managed by reserve trusts; but in this case management is devolved to Council under Section 48 of the Local Government Act 1993.

2.3.4 Department of Planning

One parcel of land in East Glebe Foreshore (Lot 4 DP 260204) is owned by the Department of Planning. After acquiring this parcel of land, the Department placed it under the care, control and management of Leichhardt Council in 1981. Since the recent boundary changes between Leichhardt Council and City of Sydney, the land is now managed by City of Sydney.

2.4 Physical characteristics

2.4.1 Microclimate

The parklands have a north-easterly aspect, with excellent exposure to direct sunlight throughout the year. The site is exposed, but north-east cooling breezes are experienced in summer.

2.4.2 Landform and drainage

The topography of East Glebe Foreshore is essentially flat on the foreshore itself, and rises towards Glebe Point Road. Bellevue stands on a knoll from which the ground surface slopes down to the foreshore edge.

The original foreshore of Blackwattle Bay comprised extensive mudflat areas with natural successions of mangroves, saltmarsh and brackish swamps. These areas were reclaimed by backfilling in the late 19th and early 20th centuries with a heterogeneous mix of material that included clay, demolition rubble, and ash / slag waste from the combustion of coal¹¹. Filling left only small isolated remnants of the original foreshore. Further filling of Blackwattle Bay Park North occurred after Vanderfield and Reid vacated their timber yard.

Filling has interrupted the original soil profiles in Blackwattle Bay Park North, but does not appear to have adversely affected the quality of soils for the growth of plantings. However, contaminants identified in the fill soil included polycyclic aromatic hydrocarbons (PAHs), heavy fraction petroleum hydrocarbons, copper and lead. Due to the heterogeneous nature of the fill, there are likely to be isolated "hot spots" throughout the fill at levels that exceed the Recreational and Open Space guideline levels specified in the National Environmental Protection (Assessment of Site Contamination) Measure 1999¹².

Blackwattle Bay Park South was remediated and capped with 0.5 metres of clean fill consistent with Department of Environment and Conservation¹³ guidelines as a condition of consent of the Glebe Harbour residential development.

The main path of overland flow of stormwater is from the Glebe Point Road ridge to Blackwattle Bay. Existing stormwater drainage lines extend from surrounding streets to discharge through the sea wall of Blackwattle Bay. Stormwater will be discharged into the harbour from Leichhardt Street, supported by two ponds for storage and filtration of stormwater which are proposed in Blackwattle Bay Park North. As part of the Glebe Harbour residential development, stormwater from the roofs of buildings will be collected in tanks and recycled for irrigation of landscaped areas.

¹¹ Letter from Environmental Investigation Services to Mather and Associates, 18 March 2004.

¹² NEPC guidelines.

¹³ Formerly Environmental Protection Authority (EPA).

Figure 2.2 – land ownership



Table 2.1: Ownership and management of East Glebe Foreshore

Property description	Address	Feature(s)	Owner	Manager	Applicable legislation	Categorisation / Public purpose	Area (m ²)
Blackwattle Bay Park North							
Lot 4 DP 811442	Oxley Street, Glebe	Stride's Yard crane	City of Sydney	City of Sydney	Local Government Act	Park	815
Lot 45 DP 100	55 Leichhardt Street, Glebe		City of Sydney	City of Sydney	Local Government Act	Park	4,800
Lot 46 DP 100	55 Leichhardt Street, Glebe		City of Sydney	City of Sydney	Local Government Act	Park	
Lot 47 DP 100	55 Leichhardt Street, Glebe	Bellevue	City of Sydney	City of Sydney	Local Government Act	Area of cultural significance	
	End of Leichhardt Street, Glebe	unformed public road	City of Sydney	City of Sydney	Roads Act	(2)	640
Lot 4 DP 260204	Leichhardt Street, Glebe		Department of Infrastructure, Planning and Natural Resources	City of Sydney	Local Government Act	(2)	6,546
Lot 1 DP 711483	Cook Street, Glebe		City of Sydney	City of Sydney	Local Government Act	Park	312
Lot 2 DP 874134	33 Cook Street, Glebe		City of Sydney	City of Sydney	Local Government Act	Park	580
	End of Cook St, Glebe	unformed public road	City of Sydney	City of Sydney	Roads Act	(2)	527
SUB-TOTAL							14,474
Blackwattle Bay Park South							
Lot 106DP 1047722	45-51 Forsyth Street, Glebe		Australand Holdings Pty Ltd ⁽¹⁾	City of Sydney ⁽¹⁾	Local Government Act	Park	5,706
Lot 291 DP 752049	53 Forsyth Street, Glebe	Incinerator; two sheds	Crown (Dept. of Lands)	City of Sydney	Crown Lands Act	Dedication 1000258 Wharfrage and Municipal Purposes, Heritage Purposes, Public Recreation & Community Purposes (proposed)	2,641
Lot 591 DP 752049	47 Forsyth Street, Glebe		Crown (Dept. of Lands)	Dept. of Lands	Crown Lands Act	Leased Crown Land Public Recreation (proposed)	356
Lot 626 DP 752049	Forsyth Street, Glebe		Crown (Dept. of Lands)	City of Sydney	Crown Lands Act	Reserve 100039 Public Recreation	185
	End of Forsyth Street, Glebe	unformed public road	City of Sydney	City of Sydney	Roads Act	(2)	100
SUB-TOTAL							9,052
TOTAL							23,526

Table 2.2: Crown reserve details

	Lot 591 DP 752049	Lot 291 DP 752049	Lot 626 DP 752049
Crown Reserve no.		Dedication 1000258	Reserve 100039
Area (hectares)	0.0356 ha	0.2641 ha	0.0185 ha
Easements	None	None	none
Reserved / date of gazettal	Not applicable	6 January 1933	20 February 1987
Public Purpose(s)	Currently leased Crown land for access. Proposed to be reserved for Public Recreation.	Currently Wharfage and Municipal Purposes. Proposed to be reserved for Public Recreation, Heritage Purposes and Community Purposes.	Public Recreation
Reserve Trust	The Glebe Foreshore Reserve Trust is proposed to be established and charged with care, control and management of the three reserves. City of Sydney will be appointed to manage the affairs of the Trust under Section 95 of the Crown Lands Act 1989.		
Trust Manager	Reserve Trust to be named and appointed, and City of Sydney appointed as Trust Manager.	Management is devolved on City of Sydney by the provisions of the <i>Local Government Act 1993</i> . Reserve Trust to be named and appointed, and City of Sydney appointed as Trust Manager.	Management is devolved on City of Sydney by the provisions of the <i>Local Government Act 1993</i> . Reserve Trust to be named and appointed, and City of Sydney appointed as Trust Manager.
Native Title	Considered to have been extinguished	Considered to have been extinguished	Considered to have been extinguished
Leases	Special Lease 152293 for access to Australand Holdings Ltd is current.	No	No
Licences	No	No	No

2.4.3 Vegetation

Blackwattle Bay Park North

Plantings and landscaping in Blackwattle Bay Park North date from the early 1980s when the park was created after former industrial uses of the site.

In the vicinity of Bellevue, plantings in mulched garden beds consist of native trees and shrubs, including *Casuarina glauca* (Swamp She-Oak), *Eucalyptus maculata* (Spotted Gum), *E. saligna* (Blue Gum), *E. microcoryes* (Tallwood), *E. robusta* (Swamp Gum), *Banksia integrifolia* (Coastal Banksia). Peppercom trees have been planted as feature trees alongside Bellevue. A young fig is at the end of Leichhardt Street. Shrubs include *Westringia fruticosa*, *Lomandra longifolia* (Mat Rush), and *Pittosporum undulatum*. Grasses surround Bellevue.

Culturally significant specimens of *Ficus* are along the foreshore in Blackwattle Bay Park North.

Plantings of *Angophora*, *Eucalyptus*, *Casuarina*, with a mixed understorey of native plants and grasses, are proposed.

The foreshore walk connecting Blackwattle Bay Park North to Blackwattle Bay Park South is characterised by clusters of *Casuarina* and *Eucalyptus* sp.

In mid-2005 mature trees on the foreshore between Leichhardt and Cook Streets were poisoned with herbicide. At the time of writing the City had commenced a program of staged removal and replanting of the affected endemic species.

Blackwattle Bay Park South

The foreshore open space of Blackwattle Bay Park South is predominantly grassed, with clean-trunked canopy trees.

Indigenous plant species, such as Sydney Blue Gums and Port Jackson Figs (*Ficus rubiginosa*), have been used within the park, compatible with the existing planting of adjacent open space areas.

2.5 Visual assessment

The principal views enjoyed from the site are:

- north-westerly views across Blackwattle Bay to the Anzac Bridge and Balmain ridge surmounted by the tower of St Augustine's church.
- a broad northeast sweep of the city skyline and Pyrmont.

Bellevue was a marine villa that was located on the

promontory to maximise expansive harbour views from the villa. The principal bay window on the northern façade of the building implies that when Bellevue was a private residence, a key view was directly north from the bay window. However, the northern view is now blocked by vegetation.

Inward views of the grassed and treed parkland are framed by residences among trees on the ridge.

Although the house is shrouded by trees, Bellevue is highly visible from the Anzac Bridge, the Fish Markets, Pyrmont, Rozelle Bay wharves, and the NSW Maritime Authority building at Rozelle.

The Boatshed restaurant terminates views toward southern Blackwattle Bay from the foreshore.

2.6 Access, circulation and parking

Public access to the East Glebe Foreshore is available via:

- foot and bicycle from surrounding streets and the Glebe Point foreshore to the west.
- vehicle from surrounding streets.
- public bus from Glebe Point Road.
- light rail from Glebe station, 500 metres from the southern end of the foreshore.

In future, water access will be available from a pontoon at the end of Cook Street, and harbour stairs near Bellevue and at the end of Ferry Road.

Future stages of the Glebe Foreshore Project will extend a foreshore link across the frontage of the Sydney Secondary College, Blackwattle Bay Campus Site.

Public vehicle access is not permitted within the foreshore parks. Authorised Council vehicles can access the site at Leichhardt Street, Cook Street, and the northern end of Forsyth Street. Both Council and emergency vehicles can access the northern end of Ferry Road.

Access and parking for people with disabilities is available off Ferry Road. Very limited vehicle parking is available in local streets. Bicycle parking facilities are proposed within the park as part of the Glebe Foreshore Project.

A pathway network for pedestrians and cyclists extends or is proposed along the foreshore parks. However, access to the upper level of Blackwattle Bay Park North from the foreshore is more difficult.

The Glebe Foreshore Project has been designed

in accordance with the requirements for access for people with disabilities¹⁴ to ensure equity of access to the foreshore for all the public. People with disabilities will be able to access the full length of the foreshore path, grassed areas within the two parks, and the heritage items.

The degree of public access to Bellevue and the former incinerator building have not yet been determined.

2.7 Built structures

The built structures in the East Glebe Foreshore, and their condition, are set out in Table 2.3.

2.8 Services and infrastructure

Water and sewerage, electricity, telephone and gas connections are available to the parks.

2.9 Use of the parks

2.9.1 Current uses

East Glebe Foreshore forms part of the Bicentennial Park to Wentworth Park foreshore pathway. Consequently, walking, exercising dogs (on-leash dog exercise only is permitted) and cycling are popular recreational activities to, within and from the parks. Users of the foreshore walk are predominantly local, regular users and mainly walking for relaxation or exercise¹⁵. The importance of the foreshore pathway is reflected in a recent regional recreation trails study¹⁶ (Hassell, 2005), which has designated the pathway as a sub-regional recreational trail.

People fish from the lower foreshore level of Blackwattle Bay Park North.

Barbecues, other small social gatherings and sitting / relaxing are popular on the upper levels of Blackwattle Bay Park North.

Watching fireworks over Sydney Harbour is enjoyed on special occasions such as New Year's Eve.

The City receives occasional requests for booking of park areas for group use, and for filming.

Rowing and passive water-based recreation occurs on the water adjacent to the parks.

As Blackwattle Bay Park South is a new park and use has not been established, similar informal activities are expected. After the new park is opened and work proceeds on the link around the bay to the Fish Markets, it is expected that a regional catchment of visitors will be attracted to the parks.

Uses of Bellevue and the Burley Griffin incinerator are yet to be determined.

¹⁴ Leichhardt DCP No. 32 – Design for Equity of Access.

¹⁵ Chris Thomas, City of Sydney Council, pers.comm. July 2004, cited in Godden Mackay Logan (February 2005).

¹⁶ Hassell (2005). Prepared for DIPNR as a planning component of the Metropolitan Greenspace Program. The project has mapped a regional trail network across the city, concentrating on off-road connections.

Table 2.3 Built structures

Built structure	Description	Condition
Blackwattle Bay Park North		
Crane 	A crane used as part of the former Strides Yard operation is preserved on-site.	The crane itself is in adequate condition, but the concrete footing of the crane is unstable ¹⁷ .
Bellevue 	A detailed description of the construction and architecture of <i>Bellevue</i> is in various background reports ¹⁸ . <i>Bellevue</i> has been left derelict for some years. It is currently unoccupied. A mesh and barbed wire fence surrounds the building.	The exterior of the building is in poor condition. All windows have been removed and the openings secured with steel bars. All doors have also been removed. The exterior and interior walls are heavily graffitied. The interior has been stripped and vandalised. The original roof has been replaced. Slate from the original roof covers the floor. The lower level features some asbestos ceilings and there is lead paint throughout the building. These hazardous elements are to be removed and treated under the proposed restoration works.
Barbecue	Electric	In need of refurbishment
Blackwattle Bay Park South		
Incinerator 	The incinerator building consists of a room including a kitchenette, balcony and accessible toilet on the top floor; and a basement. A seatwall in front of the incinerator is proposed.	Recently remediated and conserved / restored. However, the incinerator basement is in fragile condition and access must be carefully controlled to ensure its conservation.
Archaeological relics	<p>Archaeological relics on the eastern side of the extant incinerator building of the verandah, walls, paving and stairs that are currently exposed.</p> <p>Archaeological relics on the eastern side of the extant incinerator building of brick, concrete and metal belonging to the chimney, flue and incinerator pits, currently buried for their conservation within purpose built sand pits.</p>	<p>Good</p> <p>Fragile</p>
Sheds 	The two steel shed structures interpret the former Walter Burley Griffin incinerator sheds. At the western end of each shed structure is a D-shaped sandstone wall (the southern one being original and the northern one being a new addition interpreting a lost original), which encloses a space fitted with services which may be suitable for use as a public toilet if desired.	Excellent
Benches	Benches are located along the 3 metre wide foreshore promenade.	Excellent

¹⁷ Archaeology and Heritage Pty Ltd (March 2005).¹⁸ City Plan Heritage (May 2005).

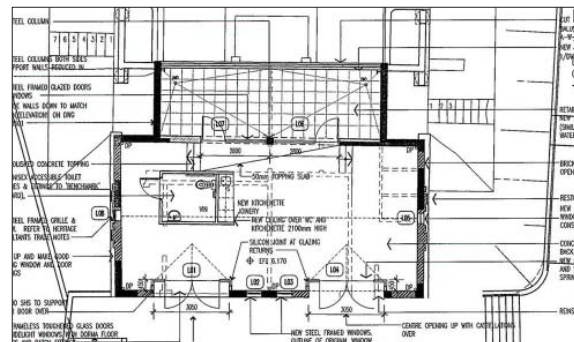
Table 2.3 (cont.)

Both parks

Sea wall	The sandstone sea wall separates the foreshore land from the harbour.	The sea wall adjoining Blackwattle Bay North is in poor condition in places, and requires replacement of displaced sandstone blocks, and reinstatement of the subsided or collapsed sea wall in places ¹⁹ . The sea wall adjoining Blackwattle Bay Park South has recently been reconstructed.
Pathways	Unmade paths, and pathways constructed from decomposed granite and bitumen, extend through the parks.	Good to excellent condition but accessibility is poor.



Bellevue elevation



Griffin incinerator floorplan

A Special Lease to Australand Holdings Ltd for access across a parcel of Crown land is the only current lease or licence applying to the East Glebe Foreshore.

2.9.2 Prohibited uses

The following activities are currently prohibited in Blackwattle Bay Park North:

- driving or parking unauthorised vehicles.
- using skateboards, in-line skates and roller skates.
- consuming or bringing alcohol into the area.
- camping or staying overnight.
- lighting fires.
- feeding pigeons.
- littering.
- sale of goods and services.
- any activity that causes damage to the area, or may cause inconvenience or injury to others.

2.10 Maintenance regime

Blackwattle Bay Park North is maintained by a contractor on behalf of the City of Sydney. Maintenance of Blackwattle Bay Park North involves lawn mowing, lawn trimming and edging, lawn irrigation, turf replacement and repair, pest control, tree trimming ²⁰, weed spraying, garbage removal, maintenance of park infrastructure

¹⁹ Northrop Consulting Engineers (March 2004).

(including signage, shelters, park furniture, barbecues and stormwater drainage systems), and cleaning and removal of debris.

City of Sydney Council will maintain Blackwattle Bay Park South after it is handed over to Council. Blackwattle Bay South will be added to the current Parks West maintenance portfolio.

The ongoing maintenance of Bellevue and the incinerator building will be managed by the City and through any arrangements made with occupants/lessees. Maintenance is to be guided by the Conservation Management Plans for both buildings, and their associated Maintenance Strategies.

2.11 Income and expenditure

Income from use of Blackwattle Bay Parks North and South will be generated from leasing / licensing Bellevue and the incinerator building, and from bookings from functions and events.

Expenditure will include management, ongoing maintenance and capital improvements to the parkland and the heritage items.

Under Section 106 of the Crown Lands Act 1989, income generated from a Crown reserve must be spent on improving that reserve or for the general

²⁰ Park Trees in this area of the City are maintained by a separate contractor.

purposes of the reserve trust, or unless the Minister makes a specific direction. Such income must not be placed in general revenue of the trust manager. After the reserve trust covering the three Crown reserves is established, any proceeds generated within the reserves, such as from use of the incinerator building, will be spent on the general purposes of the reserve trust.

3 Basis for Management

This section comprises the Basis for Management for East Glebe Foreshore. It describes the legislative and policy framework applying to the foreshore reserves, and the community's aspirations and direction for them.

3.1 Planning context

Full versions of the legislation summarised below can be found on-line at www.legislation.nsw.gov.au and www.austlii.edu.au.

3.1.1 State and Commonwealth government planning context

Introduction

A summary of the key State government legislation applying to East Glebe Foreshore is outlined below in Table 3.1.

Table 3.1 Summary of Key State Government legislation

	Applies to	Purposes related to East Glebe Foreshore	Proposed uses	Objectives and principles relate to:
Local Government Act 1993	Community land owned by City of Sydney and Australand Holdings Ltd	Requirements for contents of a Plan of Management for community land. Sets out core objectives for management of categories of community land. Leasing and licensing.	Park, Area of Cultural Significance	Recreational, cultural, social, educational activities. Cultural significance.
Crown Lands Act 1989	Crown land	Planning, management and use of Crown land (reservation or dedication for public purposes, and leasing and licensing)	Public Recreation, Heritage Purposes and Community Purposes	Environmental protection. Conservation of natural resources. Public use and enjoyment. Multiple use. Sustainability. Managing land in best interests of State.
Environmental Planning and Assessment Act 1979 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Sydney Harbour Foreshores and Waterways	Co-ordination of planning and development of land on the foreshores of Sydney Harbour and its catchment, through planning principles, Master Plans, identifying sites of strategic significance, and consultation procedures.	Permissible uses in Maritime Waters Zone are listed	Public access and use. Open space. Heritage. Visual quality. Variety of land uses. Recreation activities. Balanced multiple use. Heritage significance. Natural environment.

Local Government Act 1993

Requirements of a Plan of Management

At present, 33% of the land within East Glebe Foreshore is owned by City of Sydney. A further 24% of the East Glebe Foreshore will be dedicated to Council as community land in 2006. This land must be managed according to the provisions of the Local Government Act 1993 and the Local Government (General) Regulation 1999. The majority of Council-owned land is classified as 'community land' under the Act. Community land is defined as land that must be kept for the use of the general community, and must not be sold.

Requirements of the Local Government Act for a Plan of Management for community land are shown in Table 3.2.

Categorisation

Community land in Blackwattle Bay Park North and Blackwattle Bay Park South is categorised according to the guidelines set out in Section 11 of the Local Government (General) Regulation 1999 as 'Park' and 'Area of Cultural Significance'. Figure 3.1 shows the

land covered by these categories.

Roads owned by Council are not required to be categorised under the Local Government Act because they are not community land. However, because Council manage this land, their parkland character, and to maintain consistency of management across the entire East Glebe Foreshore, the roads within the park are categorised as 'Park' in Figure 3.1.

Land owned by the Department of Planning in Blackwattle Bay Park North is also not required to be categorised under the Local Government Act, because it is not owned by Council. However, because Council manage this land, and to maintain consistency of management across the entire East Glebe Foreshore, it is shown under the 'Park' category in Figure 3.1.

Similarly, the Crown land in Blackwattle Bay Park South is not required to be categorised under the Local Government Act. To maintain consistency, the Crown land has been shown on the following map and categorised as 'Area of Cultural Significance'. The Public Purposes of the Crown land ultimately determine acceptable uses of the land, but the Area of Cultural Significance and Park categories shown on the map are consistent with the public purposes of Public Recreation, Heritage Purposes and Community

Table 3.2: Requirements of the Local Government Act for community land management

Requirement of the Local Government Act	How this plan satisfies the Act
The Plan must describe 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.	Section 2.7
The Plan must describe use of the land and any such buildings or improvements as at the date of adoption of the Plan of Management.	Section 2.9
All community land must be categorised.	Section 3.1.1
The Plan must contain core objectives for management of the land.	Section 3.3.1
The Plan must specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used.	Section 4
The Plan must specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise	Section 4
The Plan must describe the scale and intensity of any such permitted use or development	Section 4
A Council may only grant a lease, licence or other estate over community land if it is expressly authorised in a Plan of Management	Section 4
The Plan must include performance targets	Section 5.2
The Plan must contain a means for assessing achievement of objectives and performance targets	Section 5.2
Council must exhibit the draft Plan for 28 days and give at least 42 days for the making of submissions	
Any amendments to a draft Plan must be publicly exhibited in the same way, until the Council can adopt the draft Plan without further amendment	



Figure 3.1 Categorisation

Purposes (refer to Figure 3.2).

The definition of the Park category as defined by the Regulation is:

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

Land should be categorised as an area of cultural significance under Section 36 (4) of the Act if the land is:

- a) *an area of Aboriginal significance; or*
- b) *an area of aesthetic significance, by virtue of having strong visual or sensory appeal, including a significant landmark, or having creative or technical qualities, such as architectural excellence; or*
- c) *an area of archaeological remains; or*
- d) *evidence of past human activity (for example below-ground features such as building foundations, occupation deposits, features or artifacts or above-ground features such as buildings, works, industrial structures, and relics, whether intact or ruined); or*
- e) *any other deposit, object or material that relates to the settlement of the land; or*
- f) *an area of historical significance, because of the importance of an association or position of the land in the evolving pattern of Australian cultural history;*

or

- g) *an area of technical or research significance, because of the area's contribution to an understanding of Australia's cultural history or environment; or*
- h) *an area of social significance, because of the area's association with Aboriginal life after 1788 or the area's association with a contemporary community for social, spiritual or other reasons.*

Bellevue is categorised as 'area of cultural significance'. As such, Section 36D of the Local Government Act applies, which requires the Plan of Management to categorise the land as an area of cultural significance, and identify relevant objectives and performance targets. These requirements are addressed in Sections 3 and 5 of this plan. During the public notice process, the Council must send a copy of the draft plan of management to the Director-General for National Parks and Wildlife, and incorporate any matters raised by the Director-General in relation to the area of cultural significance.

Crown Lands Act 1989

Introduction

Three parcels of land in Blackwattle Bay Park South are Crown lands, so the Crown Lands Act 1989 applies to their management.

The Crown Lands Act 1989 governs the planning, management and use of Crown land, including reservation or dedication for a range of public purposes, and leasing and licensing. The Department of Lands, together with reserve trusts appointed by



Figure 3.2 Public purposes of Crown Land in East Glebe Foreshore

the Minister; are responsible for management of the Crown reserve system throughout New South Wales to ensure that Crown land is managed for the benefit of the people of New South Wales, and having regard for the principles of Crown land management (refer to Section 3.3.1).

A Reserve Trust is a corporation established and appointed to manage a Crown reserve. Trusts are nominated by the Minister for Lands (Section 92 of the Crown Lands Act 1989). A Trust Board has functions conferred on it under the Crown Lands Act 1989, including being responsible, under the oversight of the Minister for Lands, for the care, control and management of a specific reserve consistent with the public purpose of its reservation or dedication. City of Sydney Council manages, or is intended to manage, the affairs of the trust applying to Blackwattle Bay Park South under Sections 92-95 of the Crown Lands Act 1989.

Use and management of Crown land

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

- the objectives of the Crown Lands Act, particularly that Crown lands are managed for the benefit of the people of NSW.
- the principles of Crown land management.
- the public purpose(s) of the land. Crown land is reserved or dedicated for a public purpose, which means the reserve must provide a public benefit. Uses, activities, developments and agreements in a Crown reserve are defined by the public purpose

of the reserve. All uses of Crown reserves must be acceptable according to their public purpose(s).

- Department of Lands' policies, such as the Food and Beverage Policy.
- native title legislation. However, native title has been lawfully extinguished over the three parcels of Crown Land.
- rental from leases or licences. 15% of the rental received from new leases and/or licences of Crown land (rental over \$2,000) is placed in the Public Reserve Management Fund. This fund is a State government initiative that raises funds to assist reserve trusts in NSW.
- case law judgements, which influence the policy and practice of the Department of Lands and trust managers (Section 4.2.2).
- any conditions and provisions within the zoning in the Council's Local Environmental Plan (Section 3.1.3). However, the Public Purpose overrides the zoning.
- an adopted Plan of Management, a contractual agreement (lease or licence), or a combination of both to more specifically define the permitted uses.

Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EPA Act) establishes the statutory planning framework for environmental and land use planning in NSW through State Environmental Planning Policies

(SEPPs), Regional Environmental Plans (REPs) and Local Environmental Plans (LEPs).

The EPA Act also sets out processes for approving development applications for structures and works on public and private land as set out in the Leichhardt Local Environmental Plan 2000.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 repealed State Environmental Planning Policy No.56 – Sydney Harbour Foreshores and Tributaries (SEPP 56) and Sydney Regional Environmental Plan No. 23 – Sydney and Middle Harbours (SREP 23) in September 2005. The SREP (Sydney Harbour Catchment) consolidates the provisions of SEPP 56 and SREP 23. The Development Control Plan for Sydney Harbour Foreshores and Waterways accompanies the SREP (Sydney Harbour Catchment).

Although there is reference in the SREP (Sydney Harbour Catchment) to environmental planning instruments, environmental studies and master plans for specific sites such as the former Fletchers site, there are no specific requirements for the preparation of Plans of Management.

The SREP (Sydney Harbour Catchment) controls planning and development in the Sydney Harbour catchment that includes the Parks. The objective of the SREP (Sydney Harbour Catchment) is to provide a clear set of planning principles to protect the natural assets of Sydney Harbour, ensure appropriate use of foreshore land, and maximise public access to and along the foreshores. These principles need to be considered when preparing environmental planning instruments, development control plans, environmental studies and master plans under the Environmental Planning and Assessment Act 1979.

The East Glebe Foreshore is within the Foreshores and Waterways Area designated in the SREP (Sydney Harbour Catchment). Matters applying to development decisions need to be considered by consent authorities when they assess development applications under Part 4 of the EPA Act, and by public authorities and others in carrying out proposed activities under Part 5 of the Act. The matters for consideration are aimed at ensuring better development decisions in the immediate harbour area, relating to ecological and scenic quality, built form and design, public access, and recreational and working waterfront uses.

The SREP (Sydney Harbour Catchment) includes a zoning system to suit the differing character of the waterways of the harbour and its tributaries. The waters of Blackwattle Bay are zoned WI Maritime

Waters, which accommodates commercial shipping, public water transport and maritime industrial operations, as well as passive recreational craft. Under this zoning, public water recreational facilities, public water transport facilities, and recreational facilities are permitted only with development consent.

The former John Fletcher site (now Blackwattle Bay Park South) was identified as a site of "strategic significance" under SEPP 56, and it is currently listed in SREP (Sydney Harbour Catchment). Under both instruments a Masterplan is required to be prepared for the site, and consultation procedures followed. Accordingly, a SEPP 56 Masterplan was prepared by DEM for the subject site in July 2000. The masterplan provides guidance on a range of planning, management and design issues for the site. The SEPP 56 Masterplan also proposed to rezone the John Fletcher and Glebe Depot sites from waterfront industrial to residential and open space use, which occurred in 2000.

Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005

The Sydney Harbour Foreshores and Waterways Area Development Control Plan (DCP) 2005 sets out the detailed design considerations for the use and development of land identified in the SREP (Sydney Harbour Catchment).

Objectives of the DCP include that all development should aim to:

- minimise any significant impact on views and vistas.
- ensure it complements the scenic character.
- provide high quality built and landscape design.
- contribute to the diverse character of the landscape.

The DCP identifies ecological communities and their conservation status for the areas to which it applies. Different statements of intent and performance criteria are set out for each level of conservation status. Blackwattle Bay Park North is classified as a Grassland ecological community, which has a low conservation status. The statements of intent and performance criteria for the low conservation status, terrestrial Grassland ecological community include to:

- conserve and enhance vegetation by preserving mature trees with hollows, protecting natural features, and considering incremental and cumulative effects of development.
- minimise the risk of predation on native fauna by providing fencing to contain domestic pets.
- minimise soil erosion, water siltation and pollution impacts by implementing soil erosion and

siltation measures during and after construction; preventing pollutants from entering the waterway; and ensuring any pollutants and any increase in suspended solids is temporary and does not exceed the current pollution and range of turbidity.

The DCP also sets out specific design guidelines for land-based developments located wholly above the Mean High Water Mark. Such guidelines include for foreshore access, building setbacks, signage, sea walls, landscaping, maritime activities, and community boating and water-based recreation facilities.

State Environmental Planning Policy No. 55 – Remediation of Land

East Glebe Foreshore is on reclaimed land, and Blackwattle Bay Park South has recently been remediated by capping. In terms of risk management, provision should be made for the possibility of contamination even though at present there is no such evidence.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) provides for a State-wide planning approach to the remediation of contaminated land to reduce the risk of harm to human health or the wider environment. Any development within the open space must be according to SEPP 55 to eliminate or reduce any hazard arising from land and/or the removal, dispersion, destruction or mitigation of the contaminated land. Any further investigation and remediation of East Glebe Foreshore should comply with the provisions of SEPP No. 55²¹.

Integrated development

Any proposed development or works that are within 40 metres of the harbour foreshore is 'integrated development' under Clause 91 of the Environmental Planning and Assessment Act 1979. Various approvals and permits must be obtained from NSW Maritime Authority.

Rivers and Foreshores Improvement Act 1948

Development on land within 40 metres of the harbour foreshore must be approved by NSW Maritime Authority. A permit is required from NSW Maritime under Part 3(a) of the Rivers and Foreshores Improvement Act 1948 for any excavation or removal of material from land less than 40 metres from the top of the of the bank or shore of the water.

Heritage Act 1977

The NSW Heritage Act 1977 aims to conserve the environmental heritage of NSW. The disturbance of State Heritage Register sites, such as Bellevue and the site of the former Venetia, and the management

of archaeological and maritime archaeological sites are covered by this Act. Any works affecting an item on the State Heritage Register is, depending on the significance of the item and the impact of the proposed works, either subject to approval from the Heritage Council under Section 57(1) of the Heritage Act, or endorsement of an exemption under Section 57(2) of the Heritage Act.

The Heritage Act also applies in managing excavation that may affect archaeological relics. Excavation on a State Heritage Register site requires prior permits under Section 57(1) of the Act, or an exemption from normal Heritage Council approval under Section 57(2). Any works that may disturb the archaeological relics associated with the incinerator would either need to be preceded by an application for an excavation permit under Section 139(1) of the Heritage Act, or endorsement of an exemption under Section 139(4) of the Heritage Act, depending on the significance of the archaeological remains and the impact of the proposed works.

Refer to Section 2.2 for discussion of cultural heritage items in the parks.

Water Act 1912

A permit from NSW Maritime Authority is required for any earthwork, embankment or levee that is situated or proposed to be constructed on land that is, or forms part of, the bank of Blackwattle Bay.

Companion Animals Act 1998

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

Disability Discrimination Act 1992

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

Native Title Act 1993

As a result of the High Court Mabo Decision the Commonwealth Government enacted the Commonwealth Native Title Act 1993, which

²¹ Letter from Environmental Investigation Services to Mather and Associates, 18 March 2004.

recognised the interest that indigenous Australians may still hold in some areas of Crown land. The Act makes provisions for:

- Aborigines and Torres Strait Islanders to lodge native title claims.
- the determination and validation of extinguishment of native title.
- the dealing with land and waters where native title may not have been extinguished.
- establishing the existence of native title.

The requirements of this legislation must be followed by Reserve Trusts when dealing with Crown reserves where it has not been established that any native title interest that may have existed in the land has been lawfully extinguished. Native title is considered to have been extinguished over all parcels of Crown Land within the East Glebe Foreshore.

Fisheries Management Act 1994

The Fisheries Management Act 1994 applies to all waters within NSW. Objectives of this Act include to conserve, develop and share the fishery resources of NSW for the benefit of present and future generations, conserve fish stocks and key fish habitats; conserve threatened fish and marine vegetation; promote ecologically sustainable development; promote quality recreational fishing opportunities; appropriately share fisheries resources between users; and provide social and economic benefits for NSW.

Recreational fishing is classed as a designated fishing activity under the Act. This requires the preparation of fishing management strategies, which includes the preparation of an environmental impact statement prepared in terms of Part 5, Division 5, of the Environmental Planning and Assessment Act. These fishing management strategies for recreational fishing are in preparation. Once prepared, they could influence the manner in which the parks are used or managed because they are adjacent to the fisheries management area and because some recreational fishers use the parks as their base from which to launch their lines.

Other relevant legislation

Other legislation that may address specific issues in the management of East Glebe Foreshore is listed in Table 3.3.

3.1.2 State government policies

Sharing Sydney Harbour

Sharing Sydney Harbour is the State government's vision for managing Sydney Harbour in the future.

Sydney Harbour Catchment Blueprint

The Sydney Harbour Catchment Blueprint provides the strategic direction and sets priorities for improved natural resource and environmental management until 2012. The Blueprint outlines the steps necessary to achieve the objectives for the catchment. It further defines catchment and management targets and management actions for key natural resource and environmental management issues.

Table 3.3: Other relevant legislation

Issue	Legislation	Responsible agency
Air, water and noise pollution	Protection of the Environment Operations Act 1997	Department of Environment and Conservation City of Sydney
Waste disposal	Waste Minimisation Act 1995	Department of Environment and Conservation
Building above Mean High Water Mark	<i>Local Government Act 1993</i>	City of Sydney
Building below Mean High Water Mark	Maritime Services Act 1935 (Management of Waters and Waterside Land Regulations – NSW)	NSW Maritime Authority
Dredging	Fisheries Management Act 1994	NSW Fisheries, NSW Maritime Authority

3.1.3 Local planning context

Planning framework

East Glebe Foreshore is located in the former Leichhardt local government area that was transferred to the City of Sydney on 8 May 2003. However, planning controls and policies of Leichhardt Council still apply until they are superseded by new City of Sydney planning documents prepared in the future.

City of Sydney and Leichhardt Council's planning framework guides this Plan of Management as follows:

- City of Sydney's Corporate Plan which sets overall objectives and performance targets for open space, recreation and heritage management.
- Leichhardt Local Environmental Plan 2000 ²², which governs uses and development of facilities within the parks.
- Leichhardt Development Control Plan, which sets out detailed guidelines for permissible developments and works.
- Community Lands Plan of Management (generic) prepared by Leichhardt Council.
- City of Sydney Access Policy 1992 sets out objectives and actions for improving access of people with disabilities to public spaces and facilities.
- Glebe Foreshore Project, which illustrates proposed improvements and extensions to foreshore open space (refer to Section 5.1).

Zoning and planning controls

Leichhardt Local Environmental Plan 2000

East Glebe Foreshore is zoned Open Space under the Leichhardt Local Environmental Plan 2000. The LEP allows ancillary sporting structures, open space embellishment, playgrounds and recreation areas without development consent in the Open Space zone. Development consent may be granted for clubs, community facilities, community gardens, jetties, kiosks, public amenities, public transport stops, recreation facilities, demolition and subdivision. All other developments are prohibited.

'Recreation area' is defined in the Local Environmental Plan as a:

- an area used for sporting activities or facilities.
- an area used to provide facilities for recreational activities which promote the physical, cultural or intellectual welfare of persons within the community, but does not include a club, racecourse or a showground.

'Recreation facility' means a building or place used for indoor or outdoor recreation, or a table tennis centre, squash court, swimming pool, gymnasium, health studio or bowling alley, or any other building of a like character used for recreation, whether used for the purpose of gain or not, but does not include a place of assembly.

Part 3 (Clauses 15 and 16) of the LEP deals with heritage conservation and provisions for development relating to heritage items and areas. Clause 16(6) of the LEP states that Council may grant the use of a heritage item for any purpose, provided there is no adverse impact to the significance of the item or the amenity of the area, and the use will ensure the conservation of the place.

The crane used on the former Stride's Yard, Bellevue, the incinerator and Blackwattle Bay Park are listed in the Heritage Schedule of the LEP.

Development Control Plans

The Leichhardt Development Control Plan 2001 identifies an Urban Framework Plan relating to:

- environment and open space. The foreshore area from Bicentennial Park to Blackwattle Bay Park is identified as suitable for pedestrian paths and cycleways. The natural point adjacent to Bellevue House is to be retained.
- urban character and amenity. The role of Bellevue house will be reinforced.
- urban strategy. The site is a strategic open space link.

The DCP also sets out requirements for heritage, and the public domain (lighting, parking and access).

Leichhardt DCP No. 32 – Design for Equity of Access sets out requirements for access for people with disabilities to the foreshore.

3.2 Community values

3.2.1 The Glebe community

Compared to other areas in the City of Sydney, the residents of Glebe are an eclectic mix of socio-economic groups, including public housing tenants, artists and writers, and business professionals.

3.2.2 Community values

Community research and consultation undertaken when preparing the 1999 Draft Plan of Management for Blackwattle Bay Park explored and analysed values of the local community with respect to the park. Since that time, Blackwattle Bay Park South and continuous public foreshore links to the rest have been created, and

²² <http://www.cityofsydney.nsw.gov.au/Development/Documents/PlansAndPolicies/LeichhardtLEP>

works are continuing on restoring heritage buildings ~~items~~ in the parks. These improvements will attract a wider catchment of users than the predominantly local catchment now. It is not expected that the values defined in 1999 have changed significantly since then. Core values of the park identified and adapted to accommodate current and proposed changes to East Glebe foreshore are set out in Table 3.4.

By understanding the reasons why the community values the Park, the role that the community expects the Park to play in the future may be determined. Also, as the Plan of Management is based on the community's values, management actions and outcomes that are based on these values will be recommended.

In summary, the key values can be defined as foreshore open space, access / linkage, natural environment, recreation, and heritage.

Table 3.4: Core values of East Glebe Foreshore

Value	Explanation
Remoteness	The park are valued highly for their areas of remoteness, particularly down by the water. These areas provide respite from the organised activity of adjacent parks and streets.
Continuous foreshore link	The parks are perceived as part of the wider foreshore open space system.
Natural park	The natural beauty of the parks is valued highly, particularly native vegetation and interesting terrain.
Wide community appeal	The parks should continue to play a major role in providing recreational open space for Glebe's local community that is diverse in interests, ages and values, as well as for visitors from further afield.
Views	Views to Anzac Bridge, Blackwattle Bay and the city are valued highly and add to the parks' unique setting.
Fireworks viewing venue	Crowds gather in the parks on festive occasions to view fireworks displays, especially for New Year's Eve.
Local park	The parks are perceived as local parks, tucked away for the locals. They provide open space immediately adjacent to townhouses, flats and houses.
Heritage park	Visitors value the parks for their remaining heritage elements, particularly the crane, the historic house <i>Bellevue</i> , and the former Glebe incinerator.
Fishing spot	Local fisherfolk sit in a sheltered spot along the foreshore of the parks.



Figure 3.3 Foreshore views and access are key values of the parkland

3.3 Objectives and principles for managing East Glebe Foreshore

The objectives are the desired outcomes for the East Glebe Foreshore, and explain how we want it to be in the future. They reflect the overall vision for and values of the parks.

3.3.1 State government objectives

Local Government Act

The Local Government Act 1993 establishes core objectives for all categories of community land. Council must manage the community land according to these core objectives.

Any additional Council objectives must comply with the core objectives established within the Act.

The significance of the prescribed core objectives is to ensure that any activities or uses of the land are consistent with the core objectives for that category of land.

The core objectives for land categorised as Park are to:

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

Table 3.5: Principles of Crown land management

Principle of Crown land management	How this Plan is consistent with the principles
Observe environmental protection principles in relation to the management and administration of Crown land.	Remediation of Blackwattle Bay Park South has resulted in the site now being safe for public access.
Conserve the natural resources of Crown land (including water, soil, flora, fauna, and scenic quality) wherever possible.	As above
Encourage public use and enjoyment of appropriate Crown land.	Recommendations in the Plan encourage public use and enjoyment of the park, while minimising conflicts between activities.
Encourage multiple use of Crown land, where appropriate.	Recommendations in the Plan would encourage multiple uses of the park, including for recreation and community purposes and heritage appreciation.
Use and manage Crown land in such a way that both the land and its resources are sustained in perpetuity, where appropriate	The Plan contains proposed actions which would help sustain the land and resources, such as appropriate adaptive reuse of the incinerator building.
Occupy, use, sell, lease, license, or otherwise deal with Crown land in the best interests of the State, consistent with the above principles.	This Plan contains prescriptions that would ensure that land owners, managers, lessees and licensees deal with the Crown reserves in the best interests of the State.

The core objective for management of community land categorised as an area of cultural significance is to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.

Crown Lands Act

The objectives of the Department of Lands regarding land management directly relate to the principles of Crown land management listed in Section 11 of the Crown Lands Act 1989. These principles, and how this Plan is consistent with those principles in relation to Crown land in Blackwattle Bay Park South, are outlined in Table 3.5

Council's objectives for heritage in relation to Bellevue and the former incinerator site as stated in the Local Environmental Plan and Conservation Management Plans for the buildings are consistent with the above State government objectives.

3.3.2 Regional objectives

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 sets out various planning principles. The planning principles for the Sydney Harbour Catchment include to:

- protect and improve hydrological, ecological and geomorphological processes affecting catchment health.
- maintain and, where possible, restore the natural assets of the catchment for their scenic and cultural values and their biodiversity and geodiversity.
- consider the cumulative environmental impact of development within the catchment.
- achieve the targets of the Water Quality and River Flow Interim Environmental Objectives for Sydney Harbour and Parramatta River Catchments, while being consistent with the guidelines in Australian Water Quality Guidelines for Fresh and Marine Waters.
- protect the functioning of natural drainage systems on floodplains, and comply with guidelines in the Floodplain Development Manual 2005.
- protect and enhance the visual qualities of Sydney Harbour.
- increase the number of viewing points accessible to the public.
- improve the water quality of urban runoff, reduce the quantity and frequency of urban runoff, prevent the risk of flooding, and conserve water.

- achieve the objectives and targets in the Sydney Harbour Catchment Blueprint.

The planning principles for land in the Foreshores and Waterways Area include to:

- protect, maintain and enhance the natural assets and unique environmental quality of Sydney Harbour, and its islands and foreshores.
- increase, maintain and improve public access along the foreshore, while minimising its impact on natural environments.
- increase, maintain and improve access to and from waterways for public recreational purposes.
- enhance the unique visual qualities of Sydney Harbour, its islands and foreshores.
- provide public access on foreshore land used for industrial or commercial maritime purposes where such access does not conflict with the use.
- use foreshore land so that it does not conflict with adjacent land used for commercial maritime purposes.
- encourage water-based public transport to link with land-based public transport at public spaces along the waterfront.
- encourage provision and use of public boating facilities along the waterfront.

Although Bellevue and the incinerator are not listed on the schedule of heritage items in the SREP (Sydney Harbour Catchment), the planning principles for Heritage Conservation include to:

- recognise and protect Sydney Harbour and foreshores as places of exceptional heritage significance.
- recognise and conserve the heritage significance of particular heritage items in and around Sydney Harbour.
- encourage appreciation of the role of Sydney Harbour in the history of Aboriginal and European settlement.
- protect the natural, scenic, environmental and cultural qualities of the Foreshores and Waterways Area.
- conserve significant fabric, settings, relics and views associated with the heritage significance of heritage items.
- conserve archaeological sites and places of Aboriginal heritage significance.

Sharing Sydney Harbour

The Sharing Sydney Harbour Access Strategy aims to open up the foreshore to the public, and encourage quality design.

The Sharing the Harbour Access Plan, prepared jointly by the Department of Planning and NSW Maritime Authority, aims to enhance the recreational opportunities of Sydney Harbour and its tributaries. This is to be achieved through a network of new and improved public access ways for pedestrians and cyclists, and waterways facilities for recreational watercraft.

3.3.3 Local objectives

City of Sydney's vision for the city ²³ is:

Sydney is a tolerant, diverse and prosperous "city of Villages" that provides a high quality of life and amenity for residents, businesses and visitors. Sydney's people feel a strong sense of belonging and are empowered to participate in the opportunities the City offers. We value our rich natural, cultural and urban heritage. By building on this strong foundation and through our commitment to sustainability, equity and civic collaboration, Sydney is a flourishing and outward-looking city of which its communities are justly proud.

Following on from the vision, Council has articulated key focus areas, issues, long term goals and four-year outcomes ²⁴. For the key focus area of 'Quality Urban Environment', the guiding statement is:

"The City of Sydney fosters sustainable growth and change through high quality development that respects and reinforces the natural environment, character and heritage of its CBD, villages and places."

Goals for a quality urban environment are to:

- enhance the character of local communities and villages through sustainable development.
- protect, enhance and extend Sydney's public domain.
- promote and protect Sydney's built heritage.
- inform the creation of a quality urban environment through effective public engagement.
- promote the character of the CBD, villages and places through visionary plans and controls.

The objectives of the Leichhardt Local Environmental Plan 2000 for the Open Space Zone that applies to the East Glebe Foreshore are to:

- incorporate the principles of ecologically sustainable development (ESD) into the design of parcels of open space by optimising the use and conservation of natural features and resources, and providing effective landscaping to improve air

and water quality and increase biodiversity.

- provide a diverse range of settings and recreational opportunities to meet the needs of the community.
- ensure the equitable distribution of, and access to, open space and recreation facilities.
- retain, protect and promote public access to foreshore areas, and provide links to existing open space.
- ensure development is compatible with any Parks Plan of Management, Landscape Plans and Bicycle Plan adopted by Council.
- conserve and enhance the ecological role of open space, including flora and fauna diversity, habitat corridors, and the potential of open space to cleanse air, water and soils.
- provide opportunities in open space for public art.

The general objective of the LEP for heritage is to:

- encourage the protection, conservation and enhancement of all heritage, including cultural, historic, aesthetic, social, natural, scientific, archaeological and architectural heritage within the area to:
 - enhance the character and identity of the suburbs and localities of the local government area; and
 - prevent undesirable and incremental change which reduces the heritage significance of heritage items and of a locality.

The objectives of the LEP in relation to heritage conservation are to:

- protect, conserve and enhance the cultural heritage and evidence of cultural heritage and ensure that changes to this heritage take place in a controlled manner;
- protect places, buildings, works, relics, landscapes and trees identified as having heritage significance, and provide measures for their conservation.
- enhance the character and identity of the suburbs and localities of Leichhardt by protecting the natural, scenic and cultural attributes of the bushland, skylines, streetscapes and townscapes.
- prevent undesirable incremental change to places, which reduces the heritage significance of the locality.
- protect buildings of heritage significance and elements of conservation areas, including their setting and context, from loss of significance

²³ City of Sydney Corporate Plan 2006-2009.

²⁴ City of Sydney Strategic Plan 2006-2009.

through inappropriate changes.

- prevent the demolition of buildings of heritage significance, parts of those buildings and details or other elements of those buildings.
- allow compatible and viable adaptation and reuse of the fabric of heritage significance.
- ensure the protection of places of Aboriginal cultural significance in liaison with the Aboriginal community.
- allow for the protection of buildings, works, relics, trees or places which have identified heritage significance, including potential archaeological sites and Aboriginal sites, but which are not heritage items.

Objectives derived from DCP 39 for the former John Fletcher site related to public access, landscape and open space are to:

- provide full access including walking and cycling paths along the waterfront in accord with the Bays Strategy, together with local connections into the street system.
- provide continuity of landscaping with Blackwattle Bay Park.
- use the landscaping and opportunities for public art to interpret the natural and cultural history of the sites.
- execute a landscape design for the public open space areas of the site in accord with the Griffin design and industrial character of the complex to achieve a clear edge and contrast between this site and the balance of the open space.
- provide a balance between active and passive recreation for all age groups.
- develop opportunities for water based recreation with manual and wind powered craft.
- maintain and enhance the opportunity for public views from the land to the water and from water to the land.

Objectives for the public domain of the Glebe Harbour development, including Blackwattle Bay Park South, are to:

- introduce direct public access links to the foreshore.
- create significant park along the foreshore.
- retain and enhance the public access links between existing foreshore open space including Blackwattle Bay Park North.
- integrate the Walter Burley Griffin Incinerator and

associated structures in the design of the public open space.

- increase public knowledge appreciation and enjoyment of the historic incinerator.

3.4 Future roles of the East Glebe Foreshore

Desired future roles of the East Glebe Foreshore according to the values of the parks are outlined in Table 3.6.

3.5 Vision for East Glebe Foreshore

Council's corporate goals, community and user values, and the desired outcomes of the community culminated in a vision for the future direction of East Glebe Foreshore. The vision is:

East Glebe Foreshore is a well-used and significant harbour foreshore park that recognises its unique and special settings and links Rozelle and Blackwattle Bays. The park attracts people from the local area as well as from further afield to enjoy a range of informal recreation and water-based activities. The heritage items Bellevue and the former Glebe incinerator are restored, used for a range of activities, and are integrated into the parkland.

Sections 4 and 5 outline specific management strategies and actions to achieve the above vision and objectives for the parks, consistent with the community's values.

Table 3.6: Desired roles of East Glebe Foreshore

Value	Desired role
Remoteness	The parks will continue to offer quiet areas away from surrounding developments and people.
Continuous foreshore link	The parks will continuously link with Bicentennial Park to the west and the Fish Markets to the east.
Natural park	Indigenous species will be planted in the parks.
Wide community appeal	Both parks have a potentially wider significance than just serving as a local park for the residents of Glebe.
Views	Visitors can continue to enjoy uninterrupted views across Blackwattle Bay.
Fireworks viewing venue	A pleasant public open space to view fireworks.
Local park	Significant use of the parks by Glebe residents.
Heritage park	The sites of <i>Bellevue</i> and the former <i>Venetia</i> , and the former incinerator building, are opened up to public use.
Fishing spot	Fishing and other land-water activities continue.

4 Future Uses and Developments

4.1 Introduction

It is not possible to forecast every activity, development or structure that may occur at East Glebe Foreshore in the future. New activities, developments and structures may be proposed in response to an application for use of the parks, or because funding or another opportunity becomes available, or to address a management issue that may not be evident when preparing this Plan of Management.

Guidelines for assessing the appropriateness of new activities, developments and structures in East Glebe Foreshore are outlined below.

4.2 Legislative requirements

4.2.1 Community land

Under the Local Government Act 1993, uses and developments within land categorised as community land must be consistent with the guidelines for categorisation (Section 3.1.1) and the core objectives (Section 3.3.1) of the relevant category.

Leases and licences over community land must follow the requirements of the Local Government Act 1993 for leases, licences and other estates (Appendix C).

4.2.2 Crown land

Principles of Crown land management

Crown land must be used and managed according to the principles of Crown land management under Section 11 of the Crown Lands Act 1989 (refer to Section 3.3.1).

Public purposes

Any proposed use, developments and management practices on Crown land must conform to the public purpose for the reserve or dedicated land. Part of Blackwattle Bay Park South is Crown land which will be reserved for the public purposes of Public Recreation, Heritage Purposes and Community Purposes. The uses, activities, developments and agreements for its use are determined by what is acceptable under the public purpose. The public purpose overrides the zoning and other provisions in the Local Environmental Plan. The permitted land uses are then more specifically identified by either a statutory mechanism (a Plan of Management), contractual agreement (lease or licence), or a combination of both.

The Department of Lands has stated that the definition of each public purpose is to be determined in a Plan of Management. Public recreation is thus defined as "informal, passive, low-key recreational, social and cultural activities". Heritage is defined as "conservation, adaptive reuse and interpretation of cultural heritage values, items and places". Community Purposes is defined as "community, cultural and social activities".

Case law

Case law judgements influence the policy and practice of the Department of Lands, and City of Sydney Council as the manager of the reserve trusts, to assist in defining acceptable uses and activities on Crown reserves.

Principles established by case law are:

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

Policies

Uses of Crown land must also be consistent with any relevant policies relating to Crown lands, such as the Food and Beverage policy²⁵.

Leases and licences

Refer to Appendix C and Section 4.3.3 below for requirements for leases and licences on Crown reserves.

Any proposed use or development of East Glebe Foreshore must either support or be ancillary to the above principles, public purposes, case law, policies, and requirements for leasing and licensing.

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

4.2.3 Sydney Harbour foreshores

Planning of and development on the Sydney Harbour foreshores is subject to several State and regional policies and plans. Any future uses and developments on East Glebe Foreshore are required to meet the objectives and requirements of:

- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005:
- Development Control Plan for Sydney Harbour Foreshores and Waterways Area.
- Sydney Harbour Catchment Blueprint.

4.2.4 Land zoned open space

The Leichhardt Local Environmental Plan 2000 sets out in general terms what types of developments are permissible within the Open Space zone, and provisions for conservation of heritage items. All proposed uses, development and building works in this Plan of Management need to be permissible under the applicable Local Environmental Plan, and assessed if required through a Development and Building Application process consistent with the Environment Planning and Assessment Act, 1979. This Plan of Management would be an important supporting document for the required development and building applications for the proposed works.

Any Development Applications, proposed works and major management issues will be advertised to residents for information and to invite comment.

4.3 Leases and licences

4.3.1 What are leases and licences?

A lease will be typically required where exclusive use or control of all or part of East Glebe Foreshore 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 in the

parks justify such security of tenure.

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of the parks 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.

Leases and licences can be established by Council for public or private purposes, providing they are consistent with the major objectives of this Plan of Management, and that the residential and environmental amenity of surrounding areas is maintained.

Licences and leases for the use of the subject land for activities need to be permissible under the Local Government Act 1993, Crown Lands Act 1989, the Leichhardt Local Environmental Plan 2000, this Plan of Management, and consistent with any Development Consents.

Refer to Appendix C for detailed provisions regarding leases and licences in the Local Government Act 1993, Local Government (General) Regulation 1999, and the Crown Lands Act 1989.

4.3.2 Existing leases and licences

A Special Lease 152293 to Australand Holdings Ltd for access is current. This lease is authorised until the end of its current term, which expires in 2012, after which the lease is expected to be surrendered.

4.3.3 Authorisation of future leases and licences

Community land

The Local Government Act 1993 requires that any lease or licence of community land be authorised by a Plan of Management. Leases and licences formalise the use of community land by groups and organisations. Activities must be compatible with the zoning of the land and provide benefits, services, or facilities for users of the land.

Pursuant to the provisions of Section 46 of the Local Government Act, Council may lease or licence community land in a Plan of Management for purposes consistent with the categorisation and zoning of the land.

The maximum period for licences/ leases on community land allowable under the Local Government Act is 21 years for purposes consistent with the categorisation and core objectives of the particular area of community land. Community land may only be leased or licensed if public notice is given as per the requirements of the Local Government Act.

²⁵ Department of Lands (December 2004).

Where a lease arrangement has been entered into with Council for community land, subleasing of the land must be in accordance with the requirements of section 47C of the Local Government Act.

This Plan of Management 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.

Licences over community land will be granted for casual events including, but not limited to, community events, organised fetes, festivals, parades and performances, weddings, filming and photography. The above events may generally be held within the hours of 8am and 10pm.

All short-term casual hire will be in accordance with Section 24 and 25 of the Local Government (General) Regulation 1999. To be considered as casual hire, activities must not:

- involve the erection of any building or structure of a permanent nature.
- continue for more than three consecutive days.
- continue to recur for a period of more than 12 months in the case of uses occurring more than once. Each occurrence must be no more than 3 consecutive days, not including Saturday and Sunday.

The Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Act 2001 transfers approvals formally required under Section 68 of the Local Government Act to the Environmental Planning and Assessment Act. These transferred approvals include installing temporary structures on land. Consequently casual use hire of the park may require a Development Application if the proposal includes the erection of temporary structures such as tents, booths, stage areas and mobile structures.

In assessing the suitability of the park as a venue for particular performances and events, City of Sydney should apply the following criteria that the event should:

- not result in physical damage to the park.
- be available to all sectors of the community.
- not result in a significant impact on adjoining residents or other users of the park.

Organisers of the event should be responsible for cleaning up the site and repairing any damage that may occur.

Community land may be used for emergency purposes, including training, when the need arises.

Crown land

All tenures over part or all of a Crown reserve are made between the reserve trust and the lessee / licensee, and are subject to the provisions of the Crown Lands Act 1989. Lease agreements are modelled on the standard Crown lease conditions applying to the leasing of Crown land under Section 34 of the Crown Lands Act 1989.

A lease or licence over a Crown public reserve must be consistent with the purpose of the land's reservation or dedication. As such, any lease or licence granted over Crown land in Blackwattle Bay Park South must be consistent with the definitions of Public Recreation (Lots 626 and 591, DP752049), or Public Recreation, Heritage Purposes and Community Purposes (Lot 291 DP 752049). Otherwise, the Minister cannot approve any leases or licences granted by the reserve trust. Recent amendments to the Crown Lands Act 1989²⁶ allows reserve trusts some flexibility in approving leases and licences.

Under any lease, the construction of facilities on Crown land may be permitted, provided the lessee obtains the consent of both the Minister and the Reserve Trust for any development applications or proposals for activity to enable construction of the premises.

A temporary licence can be granted only for the purposes prescribed under Clause 32 of the Crown Lands Regulation 2000, which includes activities such as grazing, advertising, camping, catering, hiring of equipment, entertainment, equestrian events, exhibition functions, markets, meetings, sales, shows, sporting activities and stabling of horses. A temporary licence does not require the Minister's consent, but can only be granted for a maximum period of one year.

Written consent must be obtained from the Minister for Lands for any lease or licence on Crown Land under Section 102 of the Crown Lands Act 1989. The Trust Manager must register any leases and licences on Crown land with the Department of Lands.

4.4 Future use of the East Glebe Foreshore

4.4.1 Introduction

Future uses, developments and leases and licences that may be permitted within East Glebe Foreshore depends on the legislation that applies to the heritage items and particular parcels of land within the foreshore parks. Such legislation has been outlined above.

'Sale of goods and services' is currently a prohibited activity in Blackwattle Park North. To allow potentially desirable commercial uses of Bellevue, the incinerator building and possibly the parkland, any permitted sale of goods and services in the foreshore parks should be authorised by Council.

Specific criteria for and examples of future uses for Bellevue, the Glebe incinerator and the parkland are outlined below.

Any fees and charges for casual use of the parkland will be consistent with those set out in Council's Standard Fees and Charges in the annual Corporate Plan.

4.4.2 Bellevue and the site of the former Venetia

Background

The history of the historic house Bellevue and the former house Venetia was outlined in Section 2.2 and in Appendix A. Over the last 15 years since Bellevue came into public ownership, various uses for it have been proposed. Such uses include a restaurant, kiosk, public toilets, park equipment storage, local environmental museum, caretaker's or private residence, gallery for local artists, studio for artists / writers, café / tea rooms, archive storage room for Glebe Society, Museum / gallery centre, local library, child care centre, community meeting rooms, storage for nearby water / wharf activities, and exhibition space.

A Development Application for use of Bellevue as a restaurant, kiosk and caretaker's flat was approved but lapsed in the early 1990s. Subsequent Development Applications for a residence, restaurant, coffee shop / kiosk gazebo and toilets were refused. Since that time, Bellevue has remained unoccupied and in derelict condition.

City of Sydney have proposed \$1.2 million of works to restore Bellevue in Stage 3 of the Glebe Foreshore Project in 2006. These works will facilitate appropriate reuse of the building.

Opportunities and constraints

The opportunities for use of Bellevue arise from its position on Glebe Point, with views over Blackwattle and Rozelle Bays. The building comprises an upper level and basement, with an arrangement of rooms that has the potential for separate and multiple uses. A courtyard, forecourt and an open grassed area outside the building facilitate outdoor activities.

Constraints for use of the building are:

- its listing on the State Heritage Register, which requires prior approval from the Heritage Council for any works to the property, its curtilage, landscape and setting.
- Building Code of Australia requirements for the building that may restrict uses.
- lack of vehicle parking in the park and limited

parking in surrounding streets.

- the limited range of uses permitted in the Open Space zone. However, under Clause 16(6) of the Leichhardt Local Environmental Plan 2000, Council may grant the use of a heritage item for any purpose provided there is no adverse impact to the significance of the item or the amenity of the area, and the use will ensure the conservation of the place.

Guidelines for future uses

Any future use of Bellevue should meet most, if not all, of the guidelines below, to:

- be consistent with the definition and core objectives of the 'area of cultural significance' category.
- meet the requirements of the Local Government Act 1993 regarding leases and licences.
- be consistent with the Open Space zoning and heritage provisions under the applicable adopted Local Environmental Plan.
- ensure public access.
- allow for multi-purpose use of the building.
- ensure regular use to increase security and surveillance of the building.
- ensure commercial activities such as a café/ restaurant are complementary with community / cultural uses.
- ensure the conservation of the site by complying with the Conservation Management Plan, and causing no damage to the significant building or other fabric including archaeological resources within the site's curtilage.
- minimise vehicle traffic and parking in local streets by promoting pedestrian and water access.
- minimise noise experienced by local residents, especially at night.
- ensure diversity of use of Bellevue and the former incinerator building to broaden experiences available in the parks.
- complement the adjoining parkland.
- serve the needs of park users, and the local community.

Conservation policies prepared by City Plan Heritage to guide future proposals for Bellevue and the former Venetia are as follows.

1. Landscape works and plantings to the curtilage should respect and enhance the significance, setting and views associated with the site. Plantings should not obscure key views from and to the building or its features. Landscaping should aim to enable and enhance the adaptive re-use of the place without compromising the identified

²⁶ Section 102A of the Crown Lands Legislation Amendment Bill.

cultural significance.

2. The public park is significant to the local community, and there is a relative lack of evidence for the original formal gardens to either Bellevue or Venetia. As such, works to maintain and enhance the parkland setting should integrate Bellevue and its new use into the park and the wider Glebe foreshore parklands area.
3. If evidence of significant formal gardens for Bellevue or Venetia become apparent through future investigations, reconstruction of these gardens should not be precluded, and should be balanced with the significant use of the public parkland.
4. Retain significant view corridors where they exist from the north (Blackwattle Bay), north-west (Rozelle Bay), east (Fish Markets), south-east (Blackwattle Bay Park North), and south-west (along Leichhardt Street). Where the vista is obscured, views should be enhanced by the thinning or removal of trees.
5. Integrate the site into the parklands by extending the public walkway system and orientation signage throughout the Glebe Foreshore Project area. This will assist in enhancing the viability of any new publicly accessible use of Bellevue.
6. New plantings or other landscape works such as furniture should not have a detrimental impact on the aesthetic character or fabric of Bellevue by obscuring or closing significant vistas, concealing fabric, or being located too close to the former dwelling with the potential to cause damage to the fabric.

Examples of future uses

Based on the above guidelines, suitable uses for Bellevue and its curtilage could include:

- art gallery.
- artists / writers studio (short-term).
- bicycle hire.
- caretaker's residence (basement).
- exhibitions / displays.
- functions (occasional) with indoor / outdoor facilities.
- kiosk, café/restaurant, tea rooms.
- launches (books, products).
- meetings by community groups.
- museum.
- public toilets.
- storage of material by local community groups (limited floorspace).
- watercraft hire (small-scale, recreational).

Further development of land

Purposes for which any further development of Bellevue and its curtilage will be permitted (under lease, licence or otherwise) are outlined in any approved Development Application relating to Bellevue, and should be consistent with the Conservation Management Plan.

Bellevue and the site of the former Venetia is listed on the State Heritage Register. Under Section 60 of the Heritage Act 1977, an application must be made to the NSW Heritage Council for the use of and works to an item on the State Heritage Register. When assessing the application, the Heritage Council must consider:

- the extent to which that application, if approved, would affect the significance of an item of environmental heritage.
- any public submissions relating to the application.
- any other matters the Heritage Council considers to be relevant.

Certain works may be granted exemption from a Section 60 approval under the Standard Exemptions for all items on the State Heritage Register. These are works which are minor in nature and will have minimal impact on heritage significance.

Under Clause 16 of the Leichhardt Local Environmental Plan 2000, Council also has to approve proposed uses and works to the place.

Scale and intensity of future uses and developments

The scale and intensity of future uses and development of Bellevue is dependent on approved Development Applications, the nature of the approved future uses of the building, the criteria for future uses outlined above, and the guidelines for use and development of the building in the Conservation Management Plan.

4.4.3 Glebe incinerator

Background

The history of the Glebe incinerator and associated sheds was outlined in Section 2.2 and Appendix A. The incinerator and sheds were largely restored in 2004-05.

Opportunities and constraints

The opportunities for use of the incinerator building are its position close to the Blackwattle Bay waterfront, with views over Blackwattle Bay from the balcony. The upper level of the incinerator has been restored with an access ramp, a modern kitchenette, accessible toilet, and balcony.

Constraints for use of the building are:

- the limited range of uses acceptable under the

public purposes, and in the open space zone.

- its small size.
- its listing as a heritage item in Council's Local Environmental Plan.
- requirements of the Building Code of Australia for the building.
- maintenance and management of the archaeological relics adjacent to the incinerator.
- the basement is in fragile condition, so access is strictly limited.
- lack of vehicle parking in the park and limited parking in surrounding streets.

Guidelines for future uses

Godden Mackay Logan, the heritage consultants involved in restoration of the incinerator and the excavation of the adjacent archaeological relics, prepared a statement of general principles for appropriate future uses of the incinerator²⁷ that have been agreed to in principle by Council.

In the statement, future development and interpretation works must:

- recognise the heritage significance of the site, which encompasses a range of historic, aesthetic, social and technical / research values.
- conserve and manage built and landscape elements according to the contribution they make to the overall significance of the site and for their individual heritage values.
- retain a sense of the waterfront industrial character of the site.
- observe the planning guiding principles of SREP (Sydney Harbour Catchment) 2005, which replace the guiding principles of SEPP No. 56 (refer to Section 3.3.2).
- observe the objectives of the Forsyth Street Masterplan²⁸.

Future uses would:

- allow for significant fabric to be retained and maintained.
- retain the low-key industrial character of the site (similar to its recent use, light industrial, low environmental impact), such as storage, small-scale workshop etc.
- continue public access and ownership.
- co-exist with or relate to the foreshore open space.

- allow occasional access to the incinerator building for public education.
- be consistent with the applicable Local Environmental Plan, Development Control Plans, and other relevant statutory instruments.
- ensure the conservation of the exposed and buried relics on the site by adequate long term maintenance.

In addition, any future use of the Glebe incinerator should:

- be acceptable within the definition of the public purposes of Public Recreation, Heritage Purposes and Community Purposes. Uses must be ancillary to and supportive of the public purposes.
- be consistent with the Open Space zoning and heritage provisions under the Leichhardt Local Environmental Plan 2000.
- comply with the principles established by case law for use of Crown land.
- ensure public access.
- encourage diverse uses.
- ensure regular use to increase security and surveillance of the building.
- ensure the conservation of the site by complying with the Conservation Management Plan, and causing no damage to the interior or exterior of significant buildings or other fabric including archaeological resources within the site's curtilage.
- restrict access to the lower storey / basement to preserve the rare original stippled paint finishes.
- minimise vehicle traffic and parking in local streets by promoting pedestrian and water access.
- minimise noise experienced by local residents, especially at night.
- ensure diversity of use of Bellevue and the former incinerator building to broaden experiences available in the parks.
- serve the needs of park users, and the local community.
- relate to the use of the harbour.
- allow occasional access to the incinerator building for public education.

Examples of future uses

Godden Mackay Logan, the heritage consultants involved in restoration of the incinerator and the excavation of

²⁷ Letter from Godden Mackay Logan to City of Sydney, 29 April 2005.

²⁸ DEM Consultants (July 2000).

the adjacent archaeological relics, put forward possible suitable uses for the Glebe incinerator based on the above guidelines. Such uses include:

- low impact commercial uses sympathetic with the building fabric and that meet the criteria listed above. Commercial uses may include a café or kiosk consistent with the Department of Lands' Food and Beverage Policy, or an office.
- Council and/or local community and cultural uses, including a community - based early childhood health centre, artist's studios (which could include ceramics, sculpture or glass, provided they have no or minimal impact on the original fabric), exhibitions / displays, museum, and meetings.

Council (under Section 16 of the Leichhardt Local Environmental Plan) and the Department of Lands should approve any future use of the incinerator building. Uses will be subject to approved tenure under the Crown Lands Act 1989.

Further development of land

Purposes for which any further development of the former incinerator building will be permitted (under lease, licence or otherwise) should be outlined in any approved Development Application relating to the building. Such purposes should also be consistent with the Conservation Management Plan, and any provision of an applicable development control plan for exempt and complying development.

Scale and intensity of future uses and developments

The scale and intensity of future uses and development of the former incinerator building and the associated sheds is dependent on approved Development Applications, the nature of the approved future uses of the building, the criteria for future uses outlined above, and the guidelines for use and development of the building in the Conservation Management Plan for the former incinerator.

4.5 Future use of parkland

4.5.1 Background

The range of uses of Blackwattle Bay Park North was outlined in Section 2.9. Blackwattle Bay Park South is a new park, and uses have not been established. It would be reasonable to expect that future uses of Blackwattle Bay Park South would be similar to those of Blackwattle Bay Park North.

4.5.2 Opportunities and constraints

The opportunities for use of the parkland comprising the East Glebe Foreshore include its location on Blackwattle Bay, linkages to Rozelle Bay foreshore parkland, and various developed and undeveloped settings within the two parks.

Constraints to use of the parkland include proximity to residences in terms of noise, traffic and parking.

4.5.3 Guidelines for future uses

Future uses of the parkland should:

- meet legislative requirements and objectives.
- be consistent with the guidelines and core objectives of the Park category for community land, and the applicable public purpose(s) for the Crown land.

4.5.4 Examples of future uses

The principal uses of the parkland are as a social meeting place and for passive recreation. However, active recreation activities will be possible in the form of jogging and informal ball games. The parkland is not an appropriate venue for organised ball games or sporting activities suited to larger parks.

Despite not being explicitly shown on the Landscape Masterplan, this Plan does not preclude additional park furniture (such as seats, tables, bike racks, and children's play equipment) being installed in the parks in future if they are supported by park users and the local community.

Dog walking is likely to continue being a popular activity in the parkland. Both parks are currently designated as on-leash dog exercise areas, unless Council resolves to designate all or part of the parks as an off-leash dog exercise area in the future. Due to the potential for conflicts with other users and activities in the parks, dog exercise in the parks will be managed in accordance with the Companion Animals Act 1998.

A ramp / pontoon is proposed for the end of Leichhardt Street, and sea stairs allow access to the water in both parks. Permissible activities associated with these facilities include viewing, fishing, launching of non-motorised watercraft such as canoes and kayaks²⁹, and alighting to and from boats.

Based on strong community demand, it would be desirable to allow for a food and beverage outlet serving users of both parks in some form. This may be either by a lease / licence arrangement in either of Bellevue or the incinerator building, or a mobile outlet in the parkland or at an entry point to the park under a licence arrangement with Council.

Small-scale commercial uses that support the use of the parks for passive recreation, such as bicycle and small watercraft hire, are authorised by this Plan.

In accordance with the requirements of the Local Government Act and the Local Government Regulation the following represents a list of other uses that are authorised by this Plan of Management, as they are generally consistent with the management objectives developed for the parkland:

- wedding ceremonies and functions.
- playing of a musical instrument or singing for fee or reward.
- delivering a public address or speech
- markets and / or temporary stalls including food stalls.
- commercial filming and photography.
- corporate functions.
- birthday parties and family gatherings.
- other special events/ promotions provided they are on a scale appropriate to the use of a neighbourhood park, or to the benefit and enjoyment of the local community.

In accordance with the Local Government Regulation, the above uses are only permitted if it does not involve the erection of a building or structure of a permanent nature. All uses would be subject to Council's standard conditions, approval processes and booking fees. Motor vehicle access into the site is not permissible, with the exception of authorised Council and emergency vehicle access if required. A temporary licence would need to be issued by Council as part of the approval process prior to the park being used for these activities.

In accordance with the Crown Lands Act 1989, uses on reserves must be acceptable under the public purpose(s) for the reserve(s) to which the public has access as of right. Temporary licenses can be issued for short-term activities under Section 108 of the Crown Lands Act 1989.

Permissible activities generally include those permissible under Council ordinance, and those that do not interfere with the use and enjoyment of the parkland by other park users.

4.5.5 Further development of land

Purposes for which any further development of the parkland of Blackwattle Bay Park North and South will be permitted (under lease, licence or otherwise) should be outlined in any approved Development Application, and any provision of an applicable development control plan for exempt and complying development.

4.5.6 Scale and intensity of future uses and developments

The parkland is intended to be used for informal active and passive recreation activities, and as a launching point for small-scale recreational watercraft.

Events (except New Year's Eve fireworks viewing or similar) that attract significant crowds are not appropriate and should be directed to another park. Any use or development that would encroach on the parks' open space should be prevented.

²⁹ Consistent with an objective of the Master Plan for Rozelle and Blackwattle Bays Maritime Precincts (Waterways Authority, 2002).

5 Action Plan

5.1 Landscape Master Plan

5.1.1 Introduction

The Landscape Master Plan for the East Glebe Foreshore is presented in Figure 5.1. The Landscape Master Plan illustrates the works and actions in the Action Plan in Section 5.2 that are proposed to be implemented to achieve the objectives and desired outcomes for the parks.

There are three key aspects of the concept and master planning for the East Glebe Foreshore:

- improvements to Blackwattle Bay Park (as part of Stage 2 of the Glebe Foreshore Project).
- renovation and adaptive reuse of Bellevue (Stage 3 of the Glebe Foreshore Project).
- the new Blackwattle Bay Park South, which is expected to be completed in 2006.

Each aspect is outlined below.

5.1.2 Glebe Foreshore Project

The \$15.1 million capital works program for the Glebe Foreshore Project between 2005 and 2009 will deliver improvements to open space and foreshore linkages along 2.2 kilometres of foreshore between Bicentennial Park in Annandale and Pyrmont Bridge Road in Glebe, which incorporates Blackwattle Bay Park.

The overall objectives of the Glebe Foreshore Project are to:

- provide a continuous, all weather accessible pedestrian and cyclist link from Chapman Road / The Crescent at Annandale to Pyrmont Bridge Road, Glebe.
- provide opportunities for the public to access the harbour.
- increase the area and quality of public foreshore open space.
- maintain the integrity of the heritage items within the project area.
- enhance the ecological values of the project area, including maritime and terrestrial habitats.
- provide sea walls (where necessary as recommended by NSW Maritime) to a minimum height of 1.6 metres AHD to minimise tidal inundation of the foreshore walkway.
- respond to the particular characteristics of the site.

The Glebe Foreshore Project comprises 6 stages. The relevant stages to the East Glebe Foreshore are Stage 2 (Glebe Foreshore promenade) and Stage 3

(Bellevue). The Glebe Foreshore Project is divided into 5 distinctive areas, with Area E 'Blackwattle Bay Park' covered by this Plan of Management.

5.1.3 Blackwattle Bay Park North

The design intent for Area 5 'Blackwattle Bay Park'³⁰ is to:

- retain the existing path network where possible, with additions as necessary to maintain continuity.
- build new sea walls inland of the existing walls, enabling large areas of heritage sea wall to remain in their existing state.
- maintain and strengthen the distinct character of Blackwattle Bay Park with selected interventions and varied finishes.
- widen the Glebe Foreshore Promenade, providing improved thoroughfare for cyclists and pedestrians, and punctuated zones of respite, providing seating and viewing points to the harbour. Stairs, and a ramp and pontoon provide access to and from the harbour.
- improve access to and through the park with a new stair to Leichhardt Street, and a new path and stair through Blackwattle Bay Park East. A new path through the top of the park, running north-south, links to improved barbecue facilities and Cook Street.
- reinforce the relationship of Bellevue house to the park by the addition of a new stair and path, leading to a turfed terrace. An area of sandstone paving announces the entrance to the Bellevue precinct. Subtle regrading between the house and the harbour improves visibility to and from the house.
- form the southern entrance to Blackwattle Bay Park North at Cook Street with a new concrete paved transition area.

5.1.4 Bellevue

Restoration of Bellevue for public use is estimated at \$1.2 million. The Development Application for works consistent with the Conservation Management Plan has been approved, with major construction works planned to be completed in 2006. Generally, proposed works³¹ will comprise alterations and conservation works to the interior and exterior of the building, and landscaping works in the building curtilage.

5.1.5 Blackwattle Bay Park South

As part of the Glebe Harbour residential development, Australand Holdings Ltd constructed

³⁰ City Plan Services (March 2004).

³¹ Report prepared for the Development Application for Glebe Foreshore Stage 3: Refurbishment of Bellevue Cottage (February 2005).

the section of the Glebe Foreshore promenade and parkland between Cook Street and Ferry Road as a condition of development consent. This work included restoration and interpretation of the incinerator. Due to its former industrial use, the site was remediated and restored.

Blackwattle Bay Park South now comprises three key elements:

- a heritage precinct in the vicinity of the Walter Burley Griffin Incinerator and interpretation of associated buildings.
- a seawall promenade.
- landscaped open spaces.

Heritage Precinct

This area includes the incinerator building, archaeological relics adjacent to the building, and two associated pergolas / shed structures.

The industrial and historical character of the incinerator was maintained. Remediation works were performed on the incinerator in order to make it safe for reuse, to retard further deterioration of the building fabric, and to recognise its aesthetic value. The works maintain access to the top level of the incinerator building via the existing ramp; and enhance views of the incinerator building from the new roadway Griffin Place, and from Forsyth Street and Taylor Street by virtue of a low stone retaining wall and grass embankment.

Archaeological remains of the incinerator's chimney base and flue, ash and incineration pits, paving, walls, rubbish chutes and associated elements were exposed by archaeological excavation immediately to the north (Blackwattle Bay side) of the incinerator building. These relics have been conserved in situ at the request of the NSW Heritage Office. The Heritage Office also requested that the relics be left exposed and displayed as part of the interpretation for the Glebe Incinerator site. The remains of the verandah, walls, paving and stairs have been left exposed. The NSW Heritage Office agreed to the reburial of the archaeological remains belonging to the chimney, flue and incinerator pits following the recommendation by Parris (2004), given their extremely fragile condition. These remains have been reburied within specially constructed sand pits, and have been interpreted through landscaping and architectural devices.

The memory of the two long sheds associated with the incinerator will be reinterpreted and expressed as part of the landscape. Elements of the original fabric of the sheds that were suitable for incorporation into the landscaped area were retained and restored. The sheds were largely replaced with skeletal pergola structures which reflect their former shape and are

industrial in character. Two D-shaped sandstone walls form the ends of the shed structures, which could be developed as public toilet facilities. The southern wall is a conserved original Walter Burley Griffin-designed building.

The other industrial buildings that existed within the precinct were recorded and removed, and will be interpreted.

Seawall Promenade

The wide seawall promenade creates new pedestrian and cycle links to Bicentennial Park to the north-west, and eventually Wentworth Park to the south-east.

Rest spots with benches shaded by Sydney Blue Gums are provided along the promenade.

The existing sandstone gravity retaining wall at the site's boundary to Blackwattle Bay was rebuilt where the original wall had deteriorated.

Public parkland

The landscape design of the public parkland in Blackwattle Bay Park South will enable the public to appreciate and interpret their surrounds, while at the same time promote personal safety. Design elements include:

- low plantings, areas of lawn and clean trunked canopy trees.
- well lit footpaths and promenades.
- active edges to open spaces and links to public thoroughfares.

The landscaped open space is pivotal in establishing a strong presence for the heritage precinct on the site. The heritage items will be visually prominent from the water, public open spaces, and new adjoining residences.

The original central space of the incinerator and depot area will be embellished with bitumen footpaths, stone flag paving, lawns, stone retaining walls, stone kerb edges and zones of broad flat stone ('crazy paving') that are typical of the components used by Walter Burley Griffin and Marion Mahony in their designs.

An area of heath vegetation separates the private spaces of the new housing from the publicly accessible foreshore.

5.2 Action Plan

5.2.1 Introduction

The management actions to resolve the management issues (consistent with the community's values of the parks) from Section 4 and to implement the



Figure 5.1
Landscape masterplan

Landscape Master Plan are presented in the following tables. Table headings are explained as follows:

Value – community values of the East Glebe Foreshore, as described in Section 3.2.2.

Objective / performance target – desired outcome to be achieved by the action.

Action – specific task required to achieve the objective and / or resolve an issue.

Priority – importance or urgency of the action,.

Responsibility – section within Council, or another organisation, responsible for implementing the action

Council

City Projects (CPR)
 City Planning (CPL)
 City Services (CSR)
 Community Living (CLG)
 Corporate Services (CSV)
 General Council (Legal + Business Services)GC
 Service and Quality Planning (S&Q)
 Strategic Planning + Project Development (SPD)

Other organisations

Australand Holdings Limited	AH
Department of Lands	DL
NSW Maritime Authority	MA
NSW Heritage Office	HO

Performance measure – how Council intends to measure its performance in implementing and achieving the action.

Means of assessment – how the achievement of the performance target can be measured and assessed.

5.2.2 Action tables

Both parks

Objective / performance target	Action	Priority	Responsibility	Performance measure	Means of assessment
Value: Open space					
Ensure that desirable uses of the parks and buildings are permissible activities.	Review the list of prohibited activities in Blackwattle Bay Park North to apply to both parks, with the view to allowing sale of goods and services with authorisation from Council, and allowing the use of skateboards, in-line skates and roller skates.	High	S&QP	Sale of goods and services with authorisation from Council, and use of skateboards, in-line skates and roller skates are removed from the list of prohibited activities in the parks. Installation of altered signs in both parks.	Written evidence. Observations.

Blackwattle Bay Park North					
Objective / performance target	Action	Priority	Responsibility	Performance measure	Means of assessment
Value: Access and linkage					
<p>Encourage pedestrian and cycle access to and from the park.</p> <p>Improve the network of paths through the park to provide alternate pedestrian routes and links.</p> <p>Provide opportunities for rest stops without impeding continuous foreshore access.</p>	Construct a new stair to improve access to the existing "bathing" beach in Blackwattle Bay Park North.	High	CPr	Stair constructed.	Increased use of the bathing beach.
	Construct a continuous all-weather path to a minimum width of 2.4 metres to permit pedestrian / cyclist and service vehicle access from Bridgewater to Cook Street.	High	CPr	Path constructed.	Minimal conflicts between pedestrians, cyclists and service vehicles.
	Widen the northern foreshore edge of the park to provide increased space and permit separation of pedestrian / cyclist activities.	High	CPr	Path widened.	Minimal conflicts between pedestrians and cyclists.
	Lay deco granite paving to provide areas for pedestrian respite, seating and viewing points to the harbour, adjacent to the foreshore walk.	High	CPr	Paving laid.	Minimal conflicts between people using the path and those wanting to stop and rest.
	Construct low concrete and/or sandstone retaining walls to provide informal seating along the foreshore, and to frame the access stair and path to <i>Bellevue</i> terrace.	High	CPr	Retaining walls constructed.	Use by park users.
	Widen the foreshore zone to maximise views to and from <i>Bellevue</i> cottage.	High	CPr	Foreshore zone widened Improved views to and from <i>Bellevue</i> .	Photographic and visual assessment of views before and after works completed.
	Restrict entry of vehicles from Leichhardt Street.	High	CPr	No unauthorised vehicles in the park.	No complaints received by Council.

Blackwattle Bay Park North (cont.)					
Objective / performance target	Action	Priority	Responsibility	Performance measure	Means of assessment
	Construct a new stair to provide improved pedestrian access to Leichhardt Street.	High	CPr	Construction of the stair.	Positive comments from park users.
	Widen the zone at the end of Cook Street to provide orientation and meeting space.	High	CPr	Orientation point at the end of Cook Street. Use as a meeting / stopping point.	Observations.
	Upgrade the foreshore path to link with Blackwattle Bay Park South.	High	CPr	Path upgraded.	Positive comments from users and residents.
Provide opportunities for access to and within the park for people with disabilities.	Provide three parking spaces for people with disabilities at the end of Leichhardt Street.	High	CPr	Parking spaces provided.	Use only by people with disabilities with a parking sticker.
	Construct an all-weather access path between the parking spaces for people with disabilities and Bellevue.	High	CPr	Use of the sandstone access path.	Observations.
Encourage access by water to and from the park.	Obtain approval from NSW Maritime Authority for the proposed ramp / pontoon.	High	MA	Approval obtained.	Notification in writing.
	Install a new ramp / pontoon for small watercraft at the end of Leichhardt Street.	High	CPr	Ramp / pontoon installed.	Use by wide range of people for informal water recreation.
Ensure the safety of users within the park.	Implement the lighting strategy.	High	CPr	Lighting installed.	No reports of threats to safety at night.
Value: Natural environment					
Minimise the impacts of soil disturbance to park users, site workers, the park environment and the harbour.	Prepare a soil management plan and occupational health and safety plan ³² .	High	CPr	Plans completed	No reports of incidences arising from handling soil or occupational health and safety breaches.
	Prepare a Management Action Plan for any significant excavation greater than 1 metre in depth below the ground water table to address monitoring and measures to be taken to reduce impacts on the harbour.	High	CPr	Excavation plan completed.	No erosion of soil into the harbour.

³² Letter from Environmental Investigation Services to Mather and Associates, 18 March 2004.
MARCH 2006

Blackwattle Bay Park North (cont.)					
Objective / performance target	Action	Priority	Responsibility	Performance measure	Means of assessment
Plant indigenous trees and shrubs in the park to create a pleasant park environment, while maintaining framed sight lines through the parkland.	Remove the poisoned trees on the foreshore.	High	S&QP	Poisoned trees removed.	Observations.
	Ensure the surrounding soil is free of herbicide.	High	S&QP	No herbicide is present in the soil near the poisoned trees.	Chemical testing.
	Implement the planting strategy as shown on the Landscape Masterplan.	High	S&QP	Trees and shrubs planted.	Observations by arborist. Positive comments from park users and local residents.
Ensure runoff from the surrounding residential area does not flow into the harbour.	Construct two stormwater bioswales (south of Leichhardt Street closure, and near Cook Street).	High	CPr	No solid matter from runoff entering the harbour.	Water testing.
Interpret the natural features of the park in an urban setting.	Implement the Interpretation Strategy to communicate the themes of land reclamation, littoral / estuarine ecosystems, and land use.	Medium	CPr	Greater awareness of park visitors about environmental issues reflected in the park.	Visitor surveys.
Create a safe and enjoyable park free from contamination.	Undertake additional testing / actions consistent with the requirements of the Remedial Action Plan (RAP).	High	CPr/Site Auditor	Park fully remediated and safe for use as a park. Site Audit Statement from EPA	Soil testing and comparison with EPA guidelines.
	Prepare and implement EMP as required	High	CPr/Site Auditor	Site Audit Statement from EPA	
Establish a native fauna habitat with planting that is consistent with plantings of adjacent open space areas.	Plant predominantly indigenous species (structural planting of high canopy Eucalyptus and / or Angophora with figs consistent with the planting strategy in key locations within the foreshore park.	High	CPr	Indigenous planting established and maintained. Fauna observed.	Observations
	Plant native grasses and sedges in the bioswales.	High	CPr	Native grasses and sedges are established in the bioswales.	Inspections.
Value: Recreation					
Provide quality facilities for recreational activities.	Upgrade the barbecue area.	High	CPr	New barbecue installed.	Positive comments from park users and local residents.

Blackwattle Bay Park North (cont.)					
Objective / performance target	Action	Priority	Responsibility	Performance measure	Means of assessment
Value:Heritage					
Conserve <i>Bellevue</i> to halt further deterioration of the fabric, and to allow for the viable adaptive reuse of the place ³³ .	Remove and treat hazardous materials.	High	CPr	Hazardous materials are removed. Building is declared safe.	Signoff from heritage architect and health and safety consultant.
	Stabilise and preserve elements of the building fabric.	High	CPr	Building is stabilised and preserved to allow	Signoff from heritage architect.
	Carry out essential maintenance tasks (repairs, replacement, cleaning etc.).	High	CPr	Maintenance tasks completed.	Signoff from heritage architect.
	Restore details of the building fabric (mouldings, door architraves and jambs etc.).	High	CPr	Restoration completed.	Signoff from heritage architect.
	Adapt the building for re-use (new ceilings, modifications to internal spaces, new stair, upgrade to meet Building Code of Australia requirements, new services, etc.).	High	CPr	Occupation certificate issued.	Signoff from heritage architect and building inspector.
	Remove intrusive items (redundant fittings, security fence and bars, steel doors etc.).	High	CPr	Intrusive items removed.	Building inspection.
	Reconstruct and / or replace significant elements (sandstone wall, floors, verandah, windows, doors, timber shutters etc.).	High	CPr	Significant elements have been reconstructed or replaced.	Signoff from heritage architect.
	Implement displays and interpretation, and signage as part of the Glebe Foreshore Interpretation Strategy.	Medium	CPr	Implement interpretation methods.	Positive comments from park users.
	Install external lighting of <i>Bellevue</i> .	High	CPr	Lighting installed.	Signoff from electrician.
Improve the relationship of <i>Bellevue</i> house to its curtilage.	Regrade the batter to <i>Bellevue</i> cottage.	High	CPr	Batter regraded.	Observations.
	Construct a sandstone paved transition area to announce the entrance to the <i>Bellevue</i> precinct.	High	CPr	Sandstone paved area constructed.	Observations

³³ Actions derived from Appendix I: Schedule of Conservation Works in City Plan Heritage (February 2005).

Blackwattle Bay Park North (cont.)					
Objective / performance target	Action	Priority	Responsibility	Performance measure	Means of assessment
Value:Heritage (cont)					
Improve the relationship of <i>Bellevue</i> house to its curtilage.	Construct a sandstone paving area for external seating.	High	CPr	Sandstone paved area constructed.	Observations
	Landscape the north-east corner of <i>Bellevue</i> .	High	CPr	Landscaping completed.	Observations.
	Upgrade the courtyard on the southern side of <i>Bellevue</i> .	High	CPr	Southern courtyard upgraded.	Observations.
	Reinstate the lawn terrace with a landmark tree reminiscent of the original garden that allowed open harbour views.	High	CPr	Lawn terrace reinstated.	Observations.
Reinstate the marine character of <i>Bellevue</i> to improve views to the north and solar access.	Thin / remove / lift the canopy or not replace some trees north of the bay window.	Medium	CPr	Increased sunlight inside <i>Bellevue</i> . Improved views to the north from <i>Bellevue</i> .	Observations.
Ensure appropriate future uses of <i>Bellevue</i> .	Further investigate feasible options for the future use of <i>Bellevue</i> .	Medium	GC	Short-list of agreed uses.	–
	Call for expressions of interest and then tenders for use of the building.	Medium	GC	Expressions of Interest and tenders received.	–
	Enter into lease / licence agreements for use of the building.	Medium	GC	Lease / licence agreements drawn up.	Legal advice
Repair and reinstate the subsided / collapsed sea wall to ensure a strong land / harbour boundary.	Replace displaced sandstone blocks.	High	CPr	No missing sandstone blocks.	Observations.
	Construct new concrete seawalls to a height of 1.6 metres AHD, and retain the existing sea wall.	High	CPr	The sea wall is 1.6 metres AHD.	Certification by surveyor.
Recognise the heritage importance of the former Stride's Yard crane.	Expose and stabilise the footing of the crane, improve local drainage, ensuring access for future maintenance is provided to the crane base.	High	CPr	Crane footing is stabilised and accessible for maintenance.	Inspection by engineer.
	Interpret the former use of the crane to the public.	Medium	CPr	Information about the former crane provided on-site.	Greater community awareness of the history of the crane.

Blackwattle Bay Park South					
Objective / performance target	Action	Priority	Responsibility	Performance measure	Means of assessment
Value: Open space					
Rationalise land titles. Facilitate consistent management of land owned by various landowners. Bring public parkland into public ownership.	Dedicate parcels of land owned by Australand (Lots 103 and 106) to City of Sydney.	High	AH	Lots 103 & 106 are owned by City of Sydney in fee simple.	Legal advice.
	Terminate the lease of Lot 591 DP 752049 and reserve the land for Public Recreation	High	DL	Lease terminated, reserve purpose is Public Recreation.	Written advice from Department of Lands.
	Change the reserve purpose of Lot 291 DP 752049 (D1000258) from Wharfage and Municipal Purposes to Public Recreation, Heritage Purposes and Community Purposes ³⁴	High	DL	Reserve purpose becomes Public Recreation, Heritage Purposes and Community Purposes.	Written advice from Department of Lands.
	Create two reserves for public recreation within R100039 and Lot 591 DP 752049 (leased Crown land) according to the new boundary of Blackwattle Bay Park South.	High	DL	Two new reserves created.	Written advice from Department of Lands.
	Name and appoint reserve trust over 3 reserves, and appoint City of Sydney as Trust Manager.	High	Minister for Lands, DL	Reserve trust named and appointed. City of Sydney becomes Trust Manager of the Crown reserves.	Written advice from Department of Lands.
Ensure clear delineation of landscaped private land of the Glebe Harbour residential development and publicly-accessible parkland.	Review the public / private interface between private and public land after the park is dedicated to Council.	Medium	S&QP	Park users do not trespass on private land, but enjoy full use of dedicated parkland	No complaints from residents.
Ensure maintenance of the park and heritage structures after dedication of the park to Council.	Prepare a Maintenance Plan for the site (including relics and interpretation installations).	High	S&QP	Maintenance Plan prepared.	-
Provide a tidy and safe environment for park users.	Carry out maintenance programs in accordance with maintenance specifications.	High	S&QP	Minimum of 90% of performance measures in maintenance specifications are achieved.	Signoff by maintenance manager.

³⁴ Revocation of dedication is required to be put before both Houses of the NSW parliament under Section 84 of the Crown Lands Act 1989.
MARCH 2006

Blackwattle Bay Park South (cont.)					
Value: Access and linkages					
Integrate wayfinding into the new parkland	Extend consistent wayfinding signage through the precinct	Medium	CPr	A consistent legible wayfinding system is provided	No complaints from park users
Objective / performance target	Action	Priority	Responsibility	Performance measure	Means of assessment
Value: Recreation					
Ensure the new park is fully utilised and contributes to the total recreation opportunity of the area	Investigate user patterns to determine opportunities to enhance use and enjoyment of the parkland	Medium	S&QP	Positive feedback from Park users	Park patronage grows with enhancement
Value: Heritage					
<p>Encourage interpretation of the archaeological remains of the heritage precinct.</p> <p>Provide opportunities for interpretation/ of the history of the site.</p> <p>Increase public knowledge, appreciation and enjoyment of the historic incinerator.</p> <p>Carry out all works in accordance with the Conservation Management Plan.</p>	Submit final details of the Interpretation Plan for the archaeological remains to the Heritage Office for written approval within 1 month of adoption of this Plan of Management.	Immediate	AH	Receipt of the Interpretation Plan by the Heritage Office.	Written approval from Heritage Office.
	Contact the Heritage Office of NSW in relation to management of the relics adjacent to the extant incinerator building.	High	AH	Advice from Heritage Office about management of the relics.	Written advice.
	Complete the interpretation of the archaeological remains.	High	AH	Interpretation completed.	Signoff by heritage consultant.
	Sign off on the Interpretation Plan.	High	HO	Approval of the Interpretation Plan from the Heritage Office.	Written confirmation of approval.
	Release the occupation certificate for the Glebe Harbour development, allowing public access to the site.	High	AH	Public access permitted.	-
	Implement the Glebe Incinerator Interpretation Strategy and Plan.	High	AH	Actions in the Interpretation Plan are completed.	Positive comments from park users and people interested in heritage.
	Provide interpretive signage to convey the history of the site and the park development.	High	AH	Interpretative signage installed.	Identified better community awareness of Park's history.

Blackwattle Bay Park South (cont.)					
Objective / performance target	Action	Priority	Responsibility	Performance measure	Means of assessment
Facilitate adaptive re-use of the incinerator building.	Investigate options for adaptive re-use of Walter Burley Griffin Incinerator buildings and structures.	Medium	GC	Short-list of agreed uses.	–
	Call for Expressions of Interest and tenders for use of the incinerator building.	Medium	GC	Expressions of Interest and tenders received.	–
	Enter into lease / licence agreements for use of the building.	Medium	GC	Lease / licence agreements drawn up.	Legal advice
Reflect the diverse history of the site by conserving significant buildings and structures in the long term.	Prepare a maintenance plan for the incinerator (including relics and installations), and the paintwork in the basement, consistent with the Conservation Management Plan.	High	S&QP	Maintenance Plan for the incinerator prepared.	Ongoing inspections.

6 Funding and Review

6.1 Financial resources

There are a number of approaches that Council and Crown Reserve Trusts can take in funding the implementation of this Plan of Management.

6.1.1 Council funding

Capital Works Program

The implementation of this Plan of Management is achieved through its linkage with Council's Corporate Plan, Operational Budget, and Capital Works Program. Funding is an integral input required to implement the Plan.

City of Sydney have allocated a proportion of the total \$13.9m from the Glebe Foreshore Project for improvements to Blackwattle Bay Park and \$1.2 million for restoration of Bellevue in their Capital Works Program as part of the Glebe Foreshore Project.

Funding arrangements for the parks need to address recurrent costs of management and maintenance, together with capital costs for new facilities or upgrading works. Council currently funds management and maintenance costs through its annual budget allocation and uses capital funds and Section 94 funding for capital and non-recurrent works.

Funding for construction of new facilities is generally through the annual budgeting process, but special projects may be partly funded through State government grant allocations, which may involve matching funding from Council.

Staging of works will need to occur because Council cannot meet the cost of every single item of work proposed at one time, due to other financial commitments throughout the City. Items to be actioned within the Action Plans have been prioritised, which will assist in preparing forward open space work programs and annual budgets. This Plan will therefore provide direction for future works in the parks.

Section 94 contributions

Council currently collects funds from developers towards the cost of upgrading facilities, including parks, in the city to meet the needs of new development. Blackwattle Bay Park South will be dedicated to Council in lieu of a monetary Section 94 developer contribution.

Partnerships

There is an opportunity to develop partnerships in relation to the parks. For example, local residents and community groups are keen to use the heritage items, and may be encouraged to participate in planting and maintaining new vegetation.

Rental income

Income from the parks is generated by lease and licence fees, and from applicants for approved functions

and events.

6.1.2 Reserve Trust proceeds

Under Section 106 of the Crown Lands Act 1989, the Minister may direct that proceeds from a sale, lease, easement or licence (including a temporary licence) of a Crown reserve be paid to:

- another Reserve Trust to be used for care, control and management of the other Trust's reserve.
- the Consolidated fund or to a Public Reserves Management Fund under the Public Reserves Management Fund Act 1987.

The Public Reserves Management Fund provides loans or grants that assist Crown Reserve Trusts in the management, planning and development of Crown reserves. The fund principally relies on levies on coastal caravan parks and repayments of loan principal and interest. A 15% levy on the proceeds from leases and licenses that can then be applied for the care and maintenance of reserves also contributes to the Public Reserves Management Fund. Funds are distributed on a merit basis to Trusts that apply for grant funds for specific projects.

In the absence of a direction from the Minister, the proceeds from a reserve shall be invested or applied for the general purposes of the Reserve Trust.

6.1.3 Grants

A number of Commonwealth and State government grants are available to assist with capital works in parks such as East Glebe Foreshore. While not exhaustive, the following list in Table 6.1 gives an indication of the range of available grant programs through which improvements to the parks could be funded.

Any public art could use original fabric from the sheds, timber and corrugated iron sheets that are stored in the basement of the former incinerator.

6.2 Review of this Plan of Management

The Plan of Management will require regular review and updating to ensure that it reflects current community expectations and changing circumstances. Reviews will be carried out by Council as follows:

- an annual review to determine progress in implementing the Plan, and to set the implementation program for the following year.
- a complete revision of the Plan at the end of five years, or sooner if considered appropriate.
- as required by changes in legislation, or as directed by the Minister for Lands in relation to the Crown land in Blackwattle Bay Park South.

With each review of this Plan of Management, community feedback will be invited to provide guidance on future needs and expectations, and the need to adjust management objectives and principles.

Table 6.1: Relevant grant programs

Grant	Organisation	Purpose
Commonwealth		
Natural Heritage Trust	Department of Environment and Heritage	Envirofund: projects in coastal and marine areas. Bushcare Program: conserving and restoring habitat for native flora and fauna. Coastcare program: protecting coastal catchments, ecosystems and the marine environment.
Public Art Program	Ministry for the Arts	Grants of up to \$4,000 are available to assist in the commissioning of concept proposals by artists. Matching grants of up to \$20,000 are available for commissioning public art.
Australia Council for the Arts	Australia Council	Community cultural development, visual arts / crafts, theatre, dance, music
Cultural Heritage Projects Program	Department of Environment and Heritage	On-ground conservation and restoration works for historic or indigenous places on the Register of the National Estate, its Interim list or a State Heritage list.
State		
Public Reserve Management Fund	Department of Lands	Assists Crown Reserve Trusts in the management, planning and development of Crown reserves.
Metropolitan Greenspace	Department of Planning	Planning and improvement of regionally significant open space in Sydney.
Sharing Sydney Harbour	Department of Planning	Grants for access to the Sydney Harbour foreshore.
Capital Assistance Program	Department of Tourism, Sport and Recreation	Community-oriented sporting and / or recreational facilities.
Heritage Study and Promotion Projects	Heritage Office	Studies, promotion, interpretation and presentation, histories and other projects for heritage items in NSW.
Environmental Trust: Integrated Environmental Program	Department of Environment and Conservation	Environmental restoration and rehabilitation to prevent or reduce pollution, waste or other environmental degradation, including bush regeneration.
Maritime Infrastructure Program	NSW Maritime Authority	Provides waterways infrastructure for the benefit of the boating community and marine sector on NSW waterways. Projects include upgrading and provision of boat ramps and public wharves, jetties, public moorings, and feasibility studies.

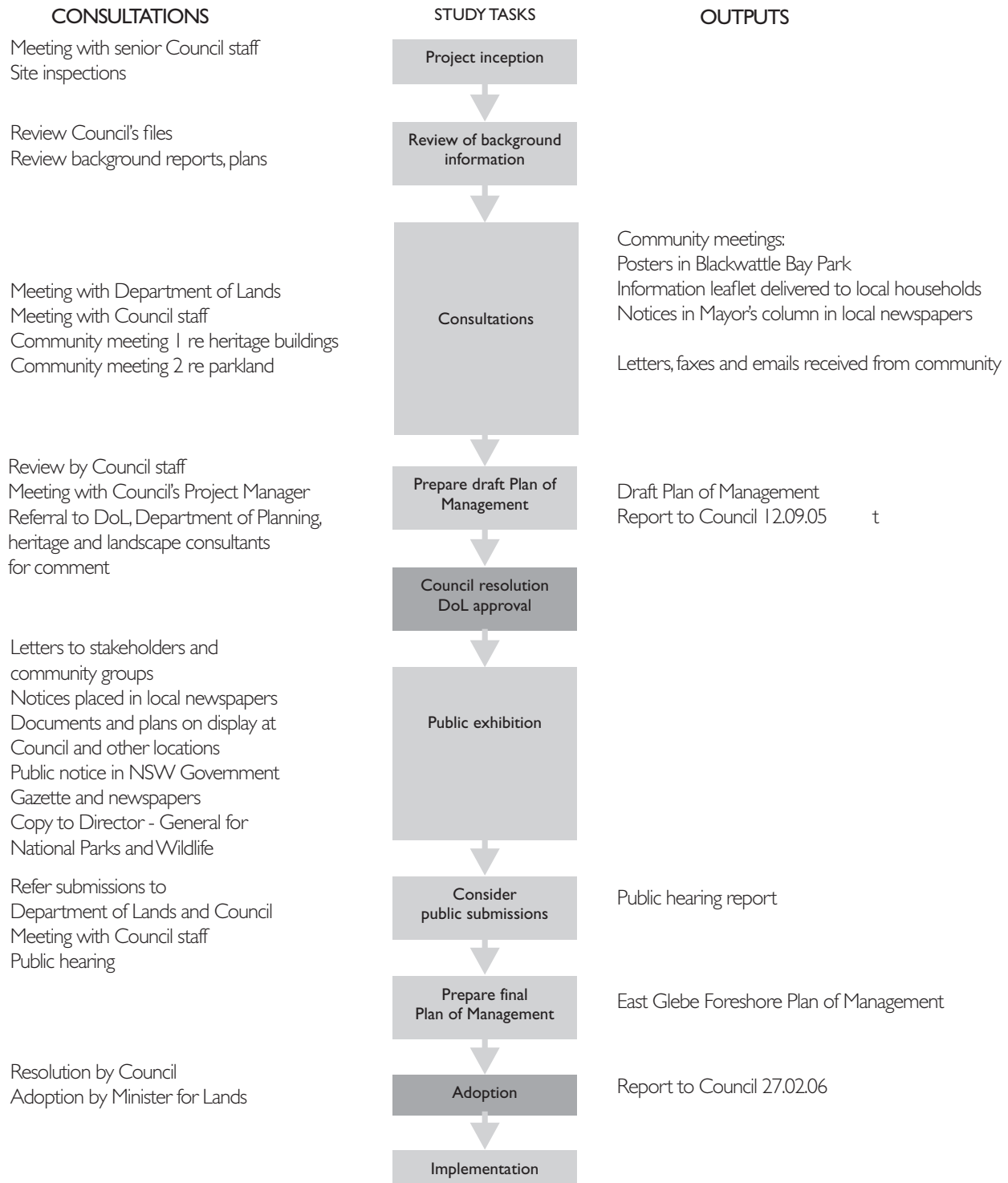
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Appendix A Consultation report

I Introduction

During the preparation of the East Glebe Foreshore Plan of Management, the community and stakeholders were consulted at various times. A summary of the consultation process related to the process of preparing the Plan of Management is shown below. The outcomes of the consultations are outlined in the following sections.



2 Outcomes of consultations with government

2.1 Department of Lands

- Clarify Crown land holdings.
- Agree on public purposes of Crown reserves.
- Process of establishing a reserve trust over the three Crown land parcels.

2.2 Department of Planning

- Clarify Department of Planning's land holdings and their management.
- Regional recreation trails study was recently completed, which shows East Glebe Foreshore is a sub-regional recreational trail.
- Potential for future funding through the Greenspace and Sharing Sydney Harbour programs.

3 Community meetings

3.1 Introduction

Two community meetings were held to present proposals for and invite comments on future use and management of the heritage buildings Bellevue and the incinerator (19 July 2005); and of the parkland (26 July 2005).

The meetings were advertised by an on-site noticeboard, a letterbox drop of a summary brochure (Attachment 1) to local residents, information placed on Council's website, and advertisements in the Glebe and Inner Western Weekly.

3.2 Written comments received

Written comments were received prior to the community meetings by local residents. Issues raised included:

- divided opinions regarding dog exercise, between allowing off-leash dog exercise in Blackwattle Bay Park, and not allowing dogs on the park and foreshore walk due to fights, reducing risk to other park users, and reducing dog waste in the parks.
- dying trees, and opposition to banners erected in their place.
- the density and species of trees proposed in front of 14 Leichhardt Street.
- consider the opportunity for a rental facility of hiring of small boats and bicycles.
- the park is not easily usable for older or incapacitated

people.

- Bellevue could be used as a café that would be of benefit to people using the foreshore walk. It should close before 6pm to consider local residents.
- the incinerator could be used as a local history museum, or a coffee shop.
- allow the sale of coffee, drinks and snacks in the parks.
- a kiosk, restaurant and barbecues should be available in the parks.
- plantings would make the area more attractive.
- a cycle and walking track to the Fish Markets and the city via Pyrmont would be desirable.

The Walter Burley Griffin Society advised that the Glebe incinerator, the sheds and the plaza precinct are an important ensemble of heritage buildings. The restoration and reconstruction of the incinerator provides an opportunity as a community room for joint use by community groups. Adaptive re-use of the incinerator must accord with the Burra Charter.

3.3 Outcomes of meeting about heritage buildings

Agenda:

1. Welcome and introductions
2. Purpose of the meeting
3. Process of preparing the Plan of Management
4. Background to Bellevue and the Griffin incinerator (history, management opportunities and constraints, suggested future uses)
5. Discussion on future uses and management
6. Next steps
7. Thanks and close

Comments made at the meeting included:

- The small group attending tonight is not a reflection on what the community feels about the project, possibly due to the extensive consultation already undertaken.
- Does the PoM encourage exciting and creative use?
- Considering the work by Australand will be completed before the PoM, how can the process reflect a range of potential uses?
- Who will meet the cost of fitting out Bellevue?

- Council accepted to undertake an Expression of Interest for Bellevue to help determine the use and it has not occurred. Is Council still intending to do this?
- Ensure that the sites don't have competing uses.
- What type of uses can a DA accommodate?
- What uses are ruled out? Major changes of fabric should be ruled out.
- Whatever happens it should not generate traffic.
- What is the process to determine the use? Can artists or caretakers be considered?
- Grease trap should be included to allow for future possible use as cafe or commercial kitchen.
- There is a risk of vandalism to Bellevue if refurbishment works are completed a while before occupation and final use sorted out. Is electronic surveillance possible?
- Other restrictions on use than heritage - zoning and Building Code of Australia classification. If classed as a 9(b) place of assembly, then this has implications on number of toilets, parking spaces, fire safety provisions etc.
- Think imaginatively in determining the use.
- Is it Council's intention to run the sites cost neutral and burden the occupants with the maintenance and fitout?
- There is flexibility of use under the current Leichhardt LEP.
- Is it realistic that a restaurant can be placed on the site? A restaurant can only be serviced from the water according to previous discussions between Council and the community.

Suggested uses for the Incinerator site

- Non-government organisation as an office, community use such as Clean Up Australia.
- Small office for community based organisation.
- How do you define a community group?
- A site to display an interpretation of the previous industrial use of the Bays.
- Not an isolated use, it should be opened to all of the public.
- Studio space.
- What is the proposed use of the horseshoe shaped structures at the end of the pergolas?
- Child care and gym required.
- Interpretive museum.

What are acceptable filters in determining the use?

- Does Council want to make money out of it?
- The sites should always remain open.
- There must be public access.
- The sites should not be in competition with each other.
- Minimise the impact of noise, especially at night.
- They should not generate traffic.
- Several different uses at different times such as café and community meetings and places to hold events.
- Open for members of the community to rent space.
- Describe the historical connection to the foreshore.
- Retain the heritage fabric.
- Have personnel present on site.
- Volunteers to look after the building and interpretive information on site.
- Sustain a high quality facility.

Other comments

- Consult with the Glebe Rowing Club.
- No turning circle in Blackwattle Bay Park at the end of Leichhardt St.
- Have a park warming party at the completion of the work.
- Don't be too prescriptive in describing use in the POM.
- Providing bicycle calming in park.
- Council must continue to maintain the building.
- Target a larger catchment than Glebe in considering the uses.

3.4 Outcomes of meeting about parkland

Agenda

1. Welcome and introductions
2. Purpose of the meeting
3. Process of preparing the Plan of Management
4. Outcomes of meeting about heritage buildings on 19 July
5. Presentation of Glebe Foreshore Project and

plans for new park on Australand site

6. Discussion on future uses and management of parkland
7. Next steps
8. Thanks and close

Comments made at the meeting:

- Allow mobile coffee carts.
- Concern about the proposed density of plantings between Leichhardt and Cook Streets. Ensure clear sightlines through plantings.
- Canoes could be launched from the pontoon.
- Install historic photos and other means of interpretation focusing on Bellevue and other themes, such as industry.
- Replace the sea wall with sandstone, not concrete.
- Clearly define the boundary between public and private open space in the new park.
- Replace the heath and shrub planting in the southern section of the park next to the Boathouse restaurant with grass to allow people to use that area.

4 Public exhibition

4.1 Background

The draft Plan of Management was exhibited for public exhibition and comment for a period of 42 days as required under the Local Government Act 1993. The requirement for exhibition of a draft Plan in October - November 2005 of Management for 28 days under the Crown Lands Act 1989, was by notification in the NSW Government Gazette on 10 February 2006.

The public exhibition was advertised by:

- letters and emails sent to stakeholders, community groups, and people that attended the community meetings or made written comments.
- a public notice placed in the NSW Government Gazette on 10 February 2006, and local newspapers (Attachment 2).

The draft Plan of Management was available for viewing during October and November 2005 and February - March 2006 on Council's website, Town Hall House, Neighbourhood Service Centres at Glebe Town Hall, City East and Redfern.

As the parks incorporate community land categorised as 'area of cultural significance', a copy of the draft Plan of Management was forwarded to the Director-

General for National Parks and Wildlife for comment.

4.2 Public submissions

Written submissions from 18 organisations and individuals were received in response to the public exhibition.

Some submissions complemented Council on the plan and proposals.

Broad issues and questions raised in the submissions were:

Plantings

- Plantings are required to make the area more attractive.
- Opposition to Casuarinas being planted.
- Black wattles were suggested for planting.
- More plantings of *Eucalyptus citriodora* than is shown in the landscape plan.

Linkages

- Cycle and walking tracks in the park and around the waterfront to the Fish Markets and city are desired.
- Include a bike lane on the foreshore path.
- Install bike stands

Eating opportunities

- A place to purchase food and drink
- An additional barbecue would be popular

Dogs

- Opposition to dogs that run free and foul the park. Signage was requested.
- The park should not be leash-free as nearby parks are leash-free.
- Dogs should be kept away from children's play areas, food preparation areas and paths.
- Dogs are threatening to some people.
- A dog tie-up area should be installed at Bellevue.
- Request for off-leash dog exercise on the foreshore walkway.

Bellevue – future uses

- A café/coffee shop that closes early in the evening.
- Café, gallery, kiosk

- Artist studio, spiritual retreat

Incinerator – future uses

- Museum of Glebe
- Coffee shop
- Artist studio, spiritual retreat
- Support for public access
- Not suitable for café/kiosk because of need for a commercial kitchen and grease trap.
- Not suitable for ceramics, sculpture or glass that uses large equipment and / or is dirty.
- Not suitable for early childhood health centre because of the need to divide a waiting room from the consulting room.
- Restricted public access is required to protect the fragile and rare paint finishes in the lower storey / basement.

Incinerator surrounds

- Picnic tables and seating should be installed near the sheds.
- The D-shaped ends of the colonnaded sheds could be public toilets.
- Suggestion to use tiles from the Pymont Incinerator in a sculpture as a result of a design competition.

New activities / facilities

- Rental of small boats and bicycles.

- Children's playground in the southern foreshore area.
- Public toilets are needed.
- Skateboarding and rollerblading/skating should not be allowed for safety reasons and damage to the park.

Ferry service

- From the new pontoon to the city via the Fish Markets and East Balmain.

Heritage

- Interpretive photographs and maps along the foreshore, consistent with those proposed at the incinerator site.
- Suggestions for minor amendments to terminology.

5 Public hearing

5.1 Background

A public hearing into the proposed categorisation of community land was held in Glebe Town Hall on 8 December 2005. Approximately 30 people attended the hearing. The agenda was to explain the requirements of the Local Government Act, invite comments on the proposed categorisation, and to receive suggestions and answer any queries about the proposals in the Draft East Glebe Foreshore Plan of Management.

A report documenting the Public Hearing is available to the public at Councils One Stop Shop, Neighbourhood Service Centres and on the Council website.



5.2 Categorisation

The planned categorisation for the site was explained, in accordance with the figure below, proposing two categories as per the Local Government Act:

- Park and
- Area of Cultural Significance

Comments or clarifying questions were sought from the meeting attendees on the proposed land categories:

- ***Are we guaranteed there will be no selling and development of the land?***

It was explained there is no proposal to sell the land

- ***City has classified the Water Police Site as operational to facilitate construction. Are we seeking same here?***

There is no proposal to reclassify land and this is not required to facilitate construction.

- ***Why can't the site merely be categorised "public reserve"?***

It was explained this is not a category under the Act (reference made to the handout)

- ***Is the State Government bound by the management objectives of the Plan of Management?***

It was explained the Plan of Management is developed with the concurrence of the Department of Lands. Council manages the land on behalf of the owners in accordance with the management objectives of the Plan.

- ***What are the implications of the 'area of cultural significance' categorisation?***

The core objectives of the 'area of cultural significance' categorisation were reiterated.

- ***Are leases and licences of the incinerator affected by categorisation?***

It was explained uses of a parcel of land must be consistent with the categorisation, irrespective of whether a lease or licence applies to the land. Categorisation does not technically apply to the

incinerator as it is on Crown land. However, uses of the incinerator must be consistent with its public purposes of Public Recreation, Community Purposes and Heritage Purposes, which are consistent with the categorisation of 'area of cultural significance'.

- ***Is the 'area of cultural significance' category only assigned because the incinerator was designed by Walter Burley Griffin, and Bellevue is an old house?***

It was explained that both buildings are listed on the NSW Heritage Register and in the applicable Local Environmental Plan, and as such have been determined to have wider heritage significance.

- ***Will the definition of the Incinerator precinct, including the adjacent colonnade and grassed area, as a place of cultural significance mean that someone could lease that area in entirety and reduce public access?***

It was explained that there is no necessary relationship between the two, but any lease had to be in accordance with the objectives of the category.

No objections to the categorisations of 'park' and 'area of cultural significance' were made as they appeared on the map at the hearing.

5.3 Additional suggestions and queries

The facilitator then sought comments or clarifying questions from the meeting attendees on any other issues they wished to raise:

- ***What about management of the water adjoining the park?***

It was explained that the NSW Maritime Authority is responsible for management of the water.

- ***Can Council liaise with/advocate that NSW Maritime address some of these issues of rubbish and water quality?***

Noted for consideration.

- ***The stench from dumping and commercial use [of the harbour/water] is offensive. Bring this area back for public use.***

Noted for consideration.

- Bellevue could be used as a branch of the City of Sydney library.

Noted for consideration.

- ***The park is being taken over by dogs. Can the new park be free from dogs so people can sit on the grass?***

Noted for consideration. (It was explained that the current draft Plan of Management suggests dogs be permitted in accordance with the Companion Animals Act).

- ***When will the Australand site be open?***

It was explained that there was a process underway for handover to the City and at this time, if not before, the site would be available.

- ***Request on the progress of achieving pedestrian access through the school to the Fish Market.***

The status of these future stages of the Glebe Foreshore Project was explained.

- ***Suggestion for separate cyclists and pedestrians on the paths***

Noted for consideration. (It was explained that the current draft Plan of Management suggests shared pedestrian/cycle use).

- ***More barbecues are needed, as I had to wait 2 hours to use one.***

Noted for consideration.

- ***The cyclone fence restricts access to the small playground and the water and is visually unfavourable.***

Noted. (This refers to an adjacent reserve not subject to this Plan of Management)

- ***More trees should be planted on the Australand site for shade.***

Noted for consideration.

- ***What are the trellises [colonnade] for and can the Incinerator Heritage precinct be further elaborated to make it more useful, such as trees, climbers and seating.***

It was explained that the colonnades are primarily interpretive structures that indicate the form and location of sheds that were part of the site's former use as a depot. Further landscaping, and seating was noted for consideration. It was explained the Draft Plan calls for an approach to all development in this precinct that is sensitive to the heritage values.

- ***No more bright coloured children's play equipment should be placed in parks in the area.***

Noted for consideration (refers to offsite playground).

- ***Why is rubber under the playground?***

Soft fall is required under Australian Standards. However, rubber is not the only suitable material to meet this standard (query relates to offsite playground).

- ***How long is the site contaminated after the tree poisoning, and what are the plans for replanting the trees that died?***

It was explained that the poison used was Zero / Roundup. Replanting has already begun and further replanting with similar species (Eucalypts and Angophoras) will occur as part of the planned landscaping.

- ***Encourage other types of boating in addition to those boats moored in the water next to the park. Other bays are cluttered with boats, so discourage boat moorings, however the plan could consider catering for small tenders (boats) that are used to access larger boats anchored in the Bay***

Noted for consideration.

- ***Does the Pontoon form part of the Plan of Management and /or does the Plan of Management consider the potential impact on the park of its use?***

It was explained that as the facility is within the water it cannot be included in the Plan of Management as it does not fall within the site. However, the Plan includes facilities on the land to access the Pontoon. The potential for impacts on the park are noted for consideration.

- ***Will the pontoon be suitable for water taxi access?***

Yes. It was explained the pontoon is suitable for small craft only, and therefore is suitable for small water taxis.

- ***Bellevue - could it be leased for a peppercorn rent and in return the occupier restores the building?***

It was explained that caretaker cottage is provided in the Draft Plan as an example of permissible use for a portion of the building only. However, the City has budgeted for the restoration of the building within its capital works program.

- ***How does the plan guide uses for Bellevue that may generate a lot of traffic?***

It was explained the Draft Plan includes in the guidelines for future use a principle to minimise vehicle traffic and parking in local streets by promoting pedestrian and water access.

Attachment I: Flyer - Plan of Management for Blackwattle Bay Park & new foreshore parkland

A New Plan of Management for Blackwattle Bay Park & the new foreshore parkland



The City of Sydney is updating the Blackwattle Bay Park Plan of Management (1999) and incorporating the adjacent open space from the Australand development between Cook Street and Ferry Road (which will be a new public park) to meet current legislative requirements.

The Plan of Management will document guidelines for the development, use and management of these parkland areas. Landscaping and other improvements to the parks are intended to be carried out consistent with the landscape master plan and development applications for the Glebe Foreshore Project.

However, the future uses of the heritage buildings in the parks - Bellevue Villa and the former Walter Burley Griffin-designed incinerator - have not yet been defined. Their future uses will be consistent with heritage studies and Conservation Management Plans prepared for the buildings. The Plan of Management will document guidelines for the development, use and management of these buildings.

The City would like to invite the community to become involved in this planning process.

Two community meetings will be held in July as follows:

Topic	Uses and management of buildings - Bellevue Villa and Griffin incinerator	Uses and management of parkland - Blackwattle Bay Park and Australand site
Date	Tuesday 19 July 2005	Tuesday 26 July 2005
Time	7.00pm -9.00pm	7.00pm -9.00pm
Venue	Neighbourhood Service Centre Glebe Town Hall 160 St Johns Road, Glebe	Neighbourhood Service Centre Glebe Town Hall 160 St Johns Road, Glebe

If you can't attend the meetings and wish to comment, please post, fax or email your written comments to the City of Sydney, marked to the attention of Landscape Architect, Adam Fowler. As a guide, we are particularly interested in comments on these questions:

- What do you like, or think is special, about the parks and buildings?
- How would you like to use the parks and buildings, or see the parks and buildings being used, in future?
- What activities shouldn't be allowed in the parks and buildings, and why?
- Are there any issues that should be addressed in the Plan of Management?
- How do you think these issues should be resolved?

Please submit your written comments by Friday 29 July.

Area covered by Blackwattle Bay Park Plan of Management and new parkland



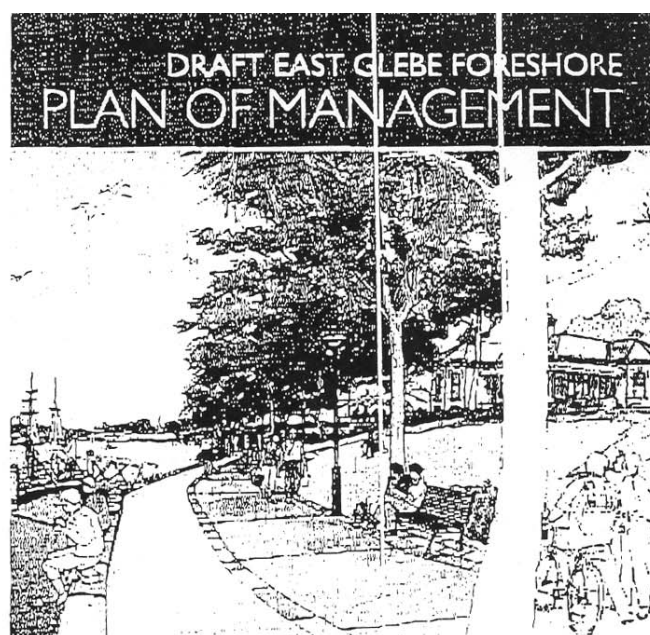
Comments from the community will be taken into account in preparing the Draft Plan of Management. The updated plan is expected to be placed on public exhibition for community comment in September-October 2005. Further details about the public exhibition will be advertised in The Glebe and Inner West Weekly and displayed on City's website. www.cityofsydney.nsw.gov.au

For more information about the community meetings and the Plan of Management, please contact:

Adam Fowler
Landscape Architect
City of Sydney
Tel: 9265 9592
Email: afowler@cityofsydney.nsw.gov.au

City of Sydney
Telephone: 1300 651 301
Fax: (02) 9265 9415
Email: council@cityofsydney.nsw.gov.au

Attachment 2: Article advertising the public exhibition of the Draft Plan of Management



The Draft East Glebe Foreshore Plan of Management, which will document guidelines for the development, use and management of these parkland areas and heritage buildings, is currently on public exhibition.

The Draft Plan of Management may be downloaded from the City's website at www.cityofsydney.nsw.gov.au.

Copies of the Draft Plan of Management are available for inspection at the following locations until Tuesday 1 November 2005.

- One Stop Shop, Town Hall House, Level 2, 456 Kent St Sydney, Monday to Friday 8am to 6pm
- Neighbourhood Service Centre - City East, 50-52 Darlinghurst Road, Kings Cross, Monday to Friday 8.30am - 6pm, Saturday 9am-12 noon
- Neighbourhood Service Centre - Glebe, Town Hall, Glebe Town Hall, 160 Johns Road, Glebe, Monday to Friday 8.30am - 5.30pm
- Neighbourhood Service Centre - Redfern, Tower 2, 1 Lawson Square, Redfern, Monday to Friday 8am - 5.30pm, Saturday 9am-12 noon

Submissions on the Draft East Glebe Foreshore Plan of Management should be made in writing and lodged by 6pm on 1 November. They should be marked, "Draft East Glebe Foreshore Plan of Management" and addressed to The Chief Executive Officer, City of Sydney, GPO Box 1591, Sydney NSW 2001.

Any enquiries regarding the Draft Draft East Glebe Foreshore Plan of Management may be directed to Adam Fowler on 9265 9592 or email afowler@cityofsydney.nsw.gov.au.



Appendix B European history

Blackwattle Bay Park North

Date	Event
1789	The first formal grant of land in the Glebe area was 400 acres to Rev. Richard Johnson, the colony's first chaplain. The land remained largely undeveloped for some 30 years.
1790s	Blackwattle Swamp was first mentioned by surveyors.
1807	Blackwattle Swamp Bay was first mentioned by surveyors, named after Blackwattles (<i>Callicoma serratifolia</i>) which grew in the swamplands and tidal mudflats.
1828	The Church and School Corporation subdivided Johnson's land into 28 lots. Most of the lots near Blackwattle Swamp were purchased for slaughterhouses and other noxious industries forced out of the city including tanneries, copper smelting, pig yards and tobacco works. The elevated blocks to the north with harbour views became villa retreats where prosperous middle class merchants lived. Alexander Spark purchased a 20 acre allotment from the Church of England.
1840	Blackwattle Bay was named by then.
1840s	Spark became bankrupt during the depression, and his land was sold.
1860s	Overflows from the public abattoir on Glebe Island across Blackwattle Bay was a major source of pollution.
c1860s-1870s	A number of structures had been erected in the vicinity of Ferry Road, Taylor Street, Forsyth Street, and the high tide line.
1870	Mary Chisolm owned large portions of the original land grant.
1873	Mary Chisolm commenced the subdivision and sale of the remaining lots. Ambrose Thornley owned the house by the point. A bathing house had been built on the adjacent foreshore land owned by James Rothwell. William Jarrett (Glebe alderman and insurance manager; former publican) purchased lots 45 and 46 of DP100.
1875-7	William Jarrett built Venetia (55 Leichhardt Street), an imposing harbourside villa on Lots 45 and 46. Thornley sold Lot 47 to William Jarrett in 1876.
1880	Rozelle Bay was dredged and disinfected to reduce abattoir waste.
1886-1891	Pressure for development, ridding the area of pollution, and to provide much-needed open space for the community led to reclamation of the Glebe Point swampland and foreshores. The newly-created land was subdivided into blocks.
c1890	Rectangular sandstone baths are evident on the foreshore behind 53 Leichhardt Street.
1896	<i>Bellevue</i> , designed by architect Ambrose Thornley Jnr, was built by William Jarrett (1830-1901) for his daughter. However the first occupant was Ewin Cecilia, and JG Warden moved in a year later.
1899	Part of the reclaimed land was dedicated as parklands for recreational purposes on 11 November. Annandale and Glebe Councils became joint trustees of the reclaimed parklands.
1901	William Jarrett died. The new Sydney Harbour Trust extensively dredged Blackwattle and Rozelle Bays.
1906	Joseph Stinson occupied Venetia, and Thomas Riley occupied <i>Bellevue</i> .
1913	<i>Bellevue</i> and Venetia were sold to William Archibald Windeyer, a solicitor, in July. Extensive land reclamation and sea wall construction had occurred.
1914-5	Venetia was demolished by Windeyer.
1920-5	<i>Bellevue</i> was occupied by Mrs Lena Reilly, then by George Cavanagh.
1925	The transition of Jarrett's Point from residential to industrial uses began. Land to the south-west became Sylvester Stride's shipbreaking yards.
1937	Stride's Yard was a heavy industrial boat-breaking business, with a large crane on the foreshore. Three rundown late 19th century villas and their grounds became part of Stride's Yard, and were used as offices and storerooms for industrial uses.
1939	William Windeyer sold his land on Jarrett's Point to Property Purchase Pty Ltd.

Blackwattle Bay Park North (cont.)

Date	Event
1948	Vanderfield and Reid, a leading firm of timber merchants, purchased foreshore property at Blackwattle Bay Point, including the sites of <i>Venetia</i> and <i>Bellevue</i> and south to Cook Street, for timber yards. The timber yard comprised sheds and piles of timber.
1970	The extensive Vanderfield and Reid site was sold to Korvette Hardware Pty Ltd, with mortgage finance provided by Parkes developments Pty Ltd and CAGA Finance. At this time, the foreshore was zoned industrial, and was characterised by deserted timber yards, empty fuel drums and derelict houses.
mid 1970's	There were calls to rezone the land to residential. As part of the rezoning of the former Vanderfield and Reid site, the developer agreed to set aside land on Jarrett's Point foreshore for a park. This was supported by community activists and members of the Glebe Society who prevented demolition of <i>Bellevue</i> . Although <i>Bellevue</i> had become derelict, a condition of the development approval was the restoration of the building for community use.
1976	Some partial demolition of <i>Bellevue</i> occurred by Parkes. Demolition was halted, but the fabric was not restored. The developer also dumped fill excavated from nearby apartment sites around <i>Bellevue</i> .
1981	Leichhardt Council acquired the foreshore parkland, including <i>Bellevue</i> . Leichhardt Council had limited funds to restore the building, but the building was secured.
1983	Blackwattle Bay Park was designed by Stuart Pittendrigh and Associates in consultation with the Glebe Society and Leichhardt Municipal Council. The design included a children's playground and public toilets, although these were never built. The park was opened on 7 August. A plaque in the park commemorates the opening.
1984	Local residents and community organisations were surveyed about possible uses for <i>Bellevue</i> . Council prepared sketch plans of the upper storey being used by the public. This plan did not proceed.
1985	Stride's Yard was closed and put up for sale. Due to agitation from the community to save the old buildings, it was purchased by the NSW Department of Environment and Planning for open space to link the two parts of Blackwattle Bay Park. The houses were fenced off and left unoccupied. After the original residences on the site were assessed as having heritage value, the foreshore was subdivided and retained as a link. The houses at 49-53 Leichhardt Street had the squatters evicted and were sold with caveats which ensured their restoration and retention.
1986	<i>Bellevue</i> is protected by a Permanent Conservation Order. It was re-roofed with a grant by the Heritage Council. It was placed on the NSW Heritage Register.
1987	The foreshore land was transferred to Leichhardt Council.
1988	The Australian Society of Authors expressed interest in establishing its quarters at <i>Bellevue</i> , with a low level of use and some public access. Changes within the Council caused this idea to lapse.
1989 ->	All the industrial materials and structures used for boatbreaking in Stride's Yard were removed, except for the large crane which was conserved in situ as an industrial feature.
1991	Leichhardt Council called for tenders for the lease, restoration and commercial use of <i>Bellevue</i> , and made a new wharf a condition for its development. The successful tenderer, Anthony Vick and Associates, was to restore <i>Bellevue</i> and set up a restaurant with water access from a new wharf. The kitchen was also to supply food to a cruise boat which would berth at the wharf. The approval also allowed for a kiosk, caretaker's flat and 20 parking spaces.
1993	The Development Application for <i>Bellevue</i> had lapsed, the house was still derelict, and it had been broken into and vandalised. However, it was still leased to the restaurateur. The promised public toilets had not been built in the park. After extensive public consultation, the Glebe Society favoured using <i>Bellevue</i> for a kiosk, public toilets, park equipment storage and a local environment museum.
1994	The Land and Environment Court approved an apartment development at 29 Cook Street to the south of Blackwattle Bay Park. A condition of the "Watermark" development was that foreshore land be set aside to extend the park. This landscaped area is characterised by very large sandstone blocks from which the sea wall is constructed.

Blackwattle Bay Park North (cont.)

Date	Event
1996	Anthony Vick lodged a new application for a large residence, coffee shop / kiosk, a gazebo and toilets at <i>Bellevue</i> . This application was refused.
Late 1990s	A further development application for <i>Bellevue</i> to become a restaurant with parking for 22 cars was subsequently refused by Leichhardt Council.
1999	A Plan of Management for Blackwattle Bay Park was prepared by EDAW Pty Ltd, which involved further community consultation.
2000	Subsequently, Leichhardt Council called for tenders for restoration of <i>Bellevue</i> by June 2000. After a year of negotiations for the use of the house as a private residence, it was found the zoning did not allow for such a use. Subsequent attempts to find a viable use for <i>Bellevue</i> did not proceed. Unable to afford the cost of restoration of <i>Bellevue</i> , the Council approached the Glebe Society for support in a bid for Commonwealth funds to restore the building for community use, including a gallery for local artists, a café, and a room to store the Society's archive material.
2003	<i>Bellevue</i> and the park was transferred to the City of Sydney following boundary changes.
2004-5	Planning for and on-ground improvements to the Glebe Foreshore Project between Rozelle and Blackwattle Bays proceeded.

Blackwattle Bay Park South

Date	Event
1827	Much of the area today known as Glebe, including part of the Glebe Incinerator site, was acquired by George Allen.
1828	Allen offered the subdivided land for sale. Further subdivisions followed Allen's.
1890-1	The area comprising most of the site was reclaimed.
	The newly created land was subdivided into blocks. The Hon. Dr A Garrahan MLC took the opportunity to extend his holding to the newly created waterline. Garrahan Lane, formed in the early 20th century, runs through the site.
	Glebe Municipal Council reserved a section of land at the end of Forsyth Street for future extension of that street, as well as the adjacent block on the western side which was subsequently used as a depot.
	After reclamation, use of the study area included timber merchants, timber yards, sawmilling activities, dwellings, bulk store, municipal depot and wharf.
1932	Walter Burley Griffin and Eric Nicholls designed the incinerator, which was built by Glebe Municipal Council on the highest part of the site. The building had a ramp and retaining wall built up on the southern and western sides to allow access for vehicles to feed garbage into the incinerator. Associated sheds were also constructed on the eastern and western sides of the depot.
Early 1940s	Operation of the incinerator ended. The adjoining area continued to be used as a Council depot for storage of construction and road material. Surrounding land remained in use for timber-related activities.
1947	Glebe Municipality came under the Sydney City Council's authority.
1952	Sydney City Council resolved to demolish the incinerator; but only the chimney and furnace were demolished. Approximately two-thirds of the incinerator building was adapted and used for staff amenities and storage.
1962	A single-storey building was designed by Council's architectural staff and erected at the depot.
1968	Glebe was transferred to Leichhardt Municipality. The depot continued in use, from which street cleaning was undertaken. Timber yard businesses had started to relocate away from the inner harbour.

Blackwattle Bay Park South (cont.)

Date	Event
Late 1960s	From the late 1960s to the early 21st century, much of the site was used for storage of shipping containers. John Fletcher was the last owner of the site when it was used for storage of shipping containers. The Council works depot also operated on the site.
2000	A masterplan for proposed residential development and open space was prepared by DEM for Australand in July to meet the requirements of State Environmental Planning Policy No. 56. The masterplan advocated rezoning the site from waterfront industrial to residential and open space. Council subsequently rezoned the site to residential and open space.
2002?	The Glebe Depot closed. The land was sold for redevelopment.
	Construction began on the residential dwellings and public open space. Open space works included remediation works to the incinerator building, dismantling the shed buildings associated with the incinerator and replacing them with open pergola structures and landscaping, retaining one and reconstructing one D-shaped stone walls of the sheds, construction of a stone seatwall at the southern end of the grassed area, provision of a 3 metre wide path along the foreshore with associated landscaping, and rest spots with benches.
2005	Construction of Blackwattle Bay Park South , and restoration of the incinerator and sheds, was completed.

Appendix C Lease and licence provisions

Local Government Act 1993

45 What dealings can a council have in community land?

- (1) A council has no power to sell, exchange or otherwise dispose of community land.
- (2) A council may grant a lease or licence of community land, but only in accordance with this Division.
- (3) A council may grant any other estate in community land to the extent permitted by this Division or under the provisions of another Act.
- (4) This section does not prevent a council from selling, exchanging or otherwise disposing of community land for the purpose of enabling that land to become, or be added to, a Crown reserve or to become, or be added to, land that is reserved or dedicated under the National Parks and Wildlife Act 1974.

46 Leases, licences and other estates in respect of community land--generally

- (1) A lease, licence or other estate in respect of community land:
 - (a) may be granted for the provision of public utilities and works associated with or ancillary to public utilities, or
 - (a1) may be granted for the purpose of providing 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, or
 - (b) 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:
 - (i) 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
 - (ii) for a purpose prescribed by the regulations, if the plan of management applies to several areas of community land, or
 - (iii) for a short-term, casual purpose prescribed by the regulations, or
 - (iv) for a residential purpose in relation to housing owned by the council, or
 - (v) (Repealed)

(c) may be granted in order to allow a filming project to be carried out, whether or not the project is in accordance with the plan of management or is consistent with the core objectives of the categorisation of the land concerned, but may not otherwise be granted.

- (2) Despite subsection (1), a lease, licence or other estate in respect of community land may be granted for a purpose mentioned in subsection (1) (b) only if the purpose for which it is granted is consistent with the core objectives, as prescribed in this Part, of its categorisation.
- (3) A 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.
- (4) The following purposes are prescribed for the purposes of subsection (1) (b) (i):
 - (a) 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:
 - (i) public recreation,
 - (ii) the physical, cultural, social and intellectual welfare or development of persons,
 - (b) the provision of public roads.
- (5) Purposes prescribed by subsection (4) in relation to the matters mentioned in subsection (4) (a) (ii) include, but are not limited to, maternity welfare centres, infant welfare centres, kindergartens, nurseries, child care centres, family day-care centres, surf life saving clubs, restaurants or refreshment kiosks.
- (6) A plan of management is void to the extent that it purports to authorise the grant of a lease, licence or other estate in contravention of this section.

46A Means of granting leases, licences and other estates

- (1) A plan of management is to specify, in relation to the community land to which it applies, any purposes for which a lease, licence or other estate may be granted only by tender in accordance with Division 1 of Part 3.
- (2) Nothing in this section precludes a council from applying a tender process in respect of the grant of any particular lease, licence or estate.
- (3) A lease or licence for a term exceeding 5 years may be granted only by tender in accordance

with Division 1 of Part 3, unless it is granted to a non-profit organisation.

47 Leases, licences and other estates in respect of community land--terms greater than 5 years

- (1) If a council proposes to grant a lease, licence or other estate in respect of community land for a period (including any period for which the lease, licence or other estate could be renewed by the exercise of an option) exceeding 5 years, it must:
 - (a) give public notice of the proposal, and
 - (b) exhibit notice of the proposal on the land to which the proposal relates, and
 - (c) give notice of the proposal to such persons as appear to it to own or occupy the land adjoining the community land, and
 - (d) give notice of the proposal to any other person, appearing to the council to be the owner or occupier of land in the vicinity of the community land, if in the opinion of the council the land the subject of the proposal is likely to form the primary focus of the person's enjoyment of community land.
- (2) A notice of the proposal must include:
 - (a) information sufficient to identify the community land concerned
 - (b) the purpose for which the land will be used under the proposed lease, licence or other estate
 - (c) the term of the proposed lease, licence or other estate (including particulars of any options for renewal)
 - (d) the name of the person to whom it is proposed to grant the lease, licence or other estate (if known)
 - (e) a statement that submissions in writing may be made to the council concerning the proposal within a period, not less than 28 days, specified in the notice.
- (3) Any person may make a submission in writing to the council during the period specified for the purpose in the notice.
- (4) Before granting the lease, licence or other estate, the council must consider all submissions duly made to it.
- (5) If a person makes a submission by way of objection to the proposal, the council must not grant the lease, licence or other estate except with the Minister's consent.
- (6) If the council applies for the Minister's consent, it

must forward with its application:

- (a) a copy of the plan of management for the land
 - (b) details of all objections received and a statement setting out, for each objection, the council's decision and the reasons for its decision
 - (c) a statement setting out all the facts concerning the proposal to grant the lease, licence or other estate
 - (d) a copy of the newspaper notice of the proposal
 - (e) a statement setting out the terms, conditions, restrictions and covenants proposed to be included in the lease, licence or other estate
 - (f) a statement setting out the manner in which and the extent to which the public interest would, in the council's opinion, be affected by the granting of the proposed lease, licence or other estate, including the manner in which and the extent to which the needs of the area with respect to community land would, in the council's opinion, be adversely affected by the granting of the proposed lease, licence or other estate.
- (7) On receipt of the application, the Minister must request the Director of Planning to furnish a report concerning the application within such period as the Minister specifies.
 - (8) After considering the application and any report of the Director of Planning, the Minister, if satisfied that:
 - (a) subsections (1), (2) and (6) have been complied with, and
 - (b) such consent would not contravene section 46, and
 - (c) in all the circumstances, it is desirable to grant consent,
 may consent to the granting of a lease, licence or other estate in respect of the whole or part of the land to which the application relates, subject to such terms and conditions as the Minister specifies.
 - (8A) On request by any person, the Minister must provide that person, within 14 days of that request, with a written statement of reasons for consenting to, or refusing to consent to, the granting of a lease, licence or other estate in accordance with subsection (8).

- (9) The Minister's consent is conclusive evidence that the council has complied with subsections (1), (2) and (6).
- (10) For the purposes of this section, any provision made by a lease or licence, or by an instrument granting any other estate, in respect of community land, according to which the council:
- (a) would suffer a disadvantage or penalty if the same or a similar lease, licence or estate were not to be granted, for a further term, after the expiry of the current lease, licence or other estate, or
 - (b) would enjoy an advantage or benefit if the same or a similar lease, licence or estate were to be so granted,
- is taken to confer an option for renewal for a term equal to the further term.

47A Leases, licences and other estates in respect of community land--terms of 5 years or less

- (1) This section applies to a lease, licence or other estate in respect of community land granted for a period that (including any period for which the lease, licence or other estate could be renewed by the exercise of an option) does not exceed 5 years, other than a lease, licence or other estate exempted by the regulations.
- (2) If a council proposes to grant a lease, licence or other estate to which this section applies:
- (a) the proposal must be notified and exhibited in the manner prescribed by section 47, and
 - (b) the provisions of section 47 (3) and (4) apply to the proposal, and
 - (c) on receipt by the council of a written request from the Minister, the proposal is to be referred to the Minister, who is to determine whether or not the provisions of section 47 (5)-(9) are to apply to the proposal.
- (3) If the Minister, under subsection (2) (c), determines that the provisions of section 47 (5)-(9) are to apply to the proposal:
- (a) the council, the Minister and the Director of Planning are to deal with the proposal in accordance with the provisions of section 47 (1)-(8), and
 - (b) section 47 (9) has effect with respect to the Minister's consent.

47AA Special provisions for leases, licences and other estates granted for filming projects

- (1) A council that proposes to grant a lease, licence or

other estate in respect of community land under section 47A in order to allow a filming project to be carried out on community land:

- (a) that is critical habitat (as defined in section 36A (1)), or
- (b) that is directly affected by a recovery plan or threat abatement plan, as referred to in section 36B (2), or
- (c) that is declared to be an area of cultural significance under section 36D (1) because of the presence on the land of any item that the council considers to be of Aboriginal significance,

must, in addition to complying with section 47A, notify or advertise the proposal in the manner prescribed by the regulations for the purposes of this section.

- (2) Despite section 47A (2), a council that is of the opinion that a filming project proposed to be carried out under a lease, licence or other estate granted under section 47A will have a minor impact on the environment and on public amenity may state in the notice of the proposal required by section 47A (2) that submissions in writing may be made to the council concerning the proposal within a period, not less than 7 days, specified in the notice.
- (3) Regulations may be made for or with respect to guidelines that must be taken into consideration by councils in determining whether to grant a lease, licence or other estate in respect of community land in order to allow a filming project to be carried out on the land.

47B Lease or licence in respect of natural area

- (1) A lease, licence or other estate must not be granted, in respect of community land categorised as a natural area:
- (a) to authorise the erection or use of a building or structure that is not a building or structure of a kind prescribed by this section or the regulations, or
 - (b) to authorise the erection or use of a building or structure that is not for a purpose prescribed by this section or the regulations.
- (2) A lease, licence or instrument granting any other estate is void to the extent that its provisions are inconsistent with this section.
- (3) In this section, "erection" of a building or structure includes rebuilding or replacement of a building or structure.

- (4) The following buildings and structures are prescribed for the purposes of subsection (1) (a):
- (a) walkways,
 - (b) pathways,
 - (c) bridges,
 - (d) causeways,
 - (e) observation platforms,
 - (f) signs.
- (5) The following purposes are prescribed for the purposes of subsection (1) (b):
- (a) information kiosks,
 - (b) refreshment kiosks (but not restaurants),
 - (c) work sheds or storage sheds required in connection with the maintenance of the land,
 - (d) toilets or rest rooms.
- (6) Despite subsection (1), a lease, licence or other estate may be granted, in respect of community land categorised as a natural area, to authorise the erection or use of any building or structure necessary to enable a filming project to be carried out, subject to the conditions prescribed by subsection (7) and the regulations.
- (7) It is a condition of any lease, licence or other estate referred to in subsection (6):
- (a) that any building or structure so erected must be temporary in nature, and
 - (b) that as soon as practicable after the termination of the lease, licence or other estate:
 - (i) any building or structure erected must be removed, and
 - (ii) any damage to the land caused by the erection or use of a building or structure must be made good, and
 - (iii) the land must be restored as nearly as possible to the condition that it was in at the time the lease, licence or other estate was granted,

at the expense of the person to whom the lease, licence or other estate was granted.

47C Sublease of community land

- (1) In addition to any restrictions created by the lease, community land that is the subject of a lease cannot be sublet for a purpose other than:
- (a) the purpose for which, as notified under section 47 (2), the land was to be used under the lease, or

(b) a purpose prescribed by the regulations.

- (2) A lease is void to the extent that its provisions are inconsistent with this section.

47D Occupation of community land otherwise than by lease or licence

- (1) The exclusive occupation or exclusive use by any person of community land otherwise than in accordance with:
- (a) a lease, licence or estate to which section 47 or 47A applies, or
 - (b) a sublease or other title directly or indirectly derived from the holder of such a lease, licence or estate,
- is prohibited.
- (2) This section does not apply to:
- (a) the occupation or use of part of the site of a senior citizens' centre or home or community care facility by a duly appointed manager of the centre, or
 - (b) the occupation or use of community land by persons, and in circumstances, prescribed by the regulations.

102 Consent of Minister to sale, lease, easement, licence or mortgage

- (1) A reserve trust may not sell, lease or mortgage land, or grant an easement or a licence (except a temporary licence) in respect of land, comprising the whole or any part of the reserve unless:
- (a) the trust has decided that it is desirable to do so on the terms and conditions specified in the decision,
 - (b) in the case of a proposed sale, the trust has caused a notice to be published in a newspaper circulating in the locality of the land setting out the date and the terms and conditions of the trust's decision, the location of the land and other prescribed particulars,
 - (c) the trust has (in the case of a proposed sale, not earlier than 14 days after the publication of the newspaper notice) applied to the Minister in writing for consent, giving full details of the proposal, and
 - (d) the Minister has consented in writing to the proposal.
- (2) The Minister may not give a consent under subsection (1) (d) to:
- (a) a sale,
 - (b) a lease for a term exceeding 5 years, or

- (c) a lease for a term that, by the exercise of an option, could exceed 5 years,

unless at least 14 days have elapsed since notice of intention to give the consent has been published in a newspaper circulating in the locality in which the land is situated or in a newspaper circulating generally in the State.

- (3) The Minister's consent may relate to the whole or part only of the land with which the application is concerned.
- (4) If the application for consent proposes a sale, lease, easement or licence, the Minister's consent:
- (a) may be general, authorising the proposal subject to such conditions, restrictions, reservations and covenants, and in such manner and within such time, as the Minister thinks desirable, or
- (b) may be specific, approving of a particular contract of sale, lease or licence.
- (5) If the application for consent relates to a mortgage, the Minister's consent can only be given to the specific terms of the mortgage.
- (6) In giving consent, the Minister may:
- (a) vary the terms and conditions to which the sale, lease, easement, licence or mortgage is to be subject, and
- (b) impose such other terms and conditions as the Minister thinks desirable.
- (7) The Minister may, at any time, wholly or partly withdraw the consent or vary its terms, but only if to do so would not prejudice the rights of third parties.

103 Sale, lease, easement, licence or mortgage in accordance with consent

- (1) A reserve trust may sell, lease, grant an easement or a licence in respect of or mortgage the reserve in accordance with the terms of the Minister's consent.
- (2) If the Minister's consent to a sale, lease, easement or licence is general, the sale, lease, easement or licence must not proceed unless the price agreed on, the rent reserved, the terms of the easement or the charge for the licence has been submitted to and approved by the Minister.
- (3) A mortgage under this Division may contain a power of sale.
- (4) A lease or licence must not be granted under this Division for any purpose for which an authority, permit, lease or licence may be granted under the Fisheries Management Act 1994.

108 Temporary licences

- (1) A reserve trust may, in respect of the whole or any part of a reserve, grant temporary licences for grazing or any other prescribed purpose.
- (2) A temporary licence may be granted subject to conditions and is also subject to such conditions as may be prescribed.
- (3) A temporary licence may not be granted for any purpose for which an authority, permit, lease or licence may be granted under the Fisheries Management Act 1994.
- (4) A temporary licence ceases to have effect on the expiration of the prescribed period after it is granted unless it is revoked sooner or is granted for a shorter period.

Local Government (General) Regulation 1999

Division 3 - Other matters

24 Leases, licences and other estates in respect of community land

- (1) For the purposes of section 46 (1) (b) (iii) of the Act, the use or occupation of community land for the following events is prescribed as a purpose in respect of which a council may grant a licence in respect of community land on a short-term, casual basis:
- (a) the playing of a musical instrument, or singing, for fee or reward,
- (b) engaging in a trade or business,
- (c) the playing of a lawful game or sport,
- (d) delivering a public address,
- (e) commercial photographic sessions,
- (f) picnics and private celebrations such as weddings and family gatherings,
- (g) filming,
- (h) the agistment of stock.
- (2) However, the use or occupation of community land for events listed in subclause (1) is prescribed only if the use or occupation does not involve the erection of any building or structure of a permanent nature.
- (3) For the purposes of section 46 (1) (b) (iii) of the Act, the use of any existing road or fire trail on community land:
- (a) to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on land adjoining the community land, or

- (b) to remove waste that is consequential on such work,

is prescribed as a short-term, casual purpose.

- (3A) For the purposes of section 46 (1) (b) (iii) of the Act, the use of any community land that does not have an existing road or fire trail:

- (a) to transport building materials and equipment required in relation to building work that is to be, or is being, carried out on land adjoining the community land, or

- (b) to remove waste that is consequential on such work,

is prescribed as a short-term, casual purpose if such work is for a purpose referred to in section 46 (4) (a) (ii) of the Act.

- (4) In this clause:

existing road or fire trail means a road or a fire trail that was in existence on the date on which the *Local Government (General) Amendment (Community Land) Regulation 2000* commenced.

25 Exemptions from section 47A of the Act (Leases, licences and other estates in respect of community land--terms of 5 years or less)

- (1) Leases, licenses and other estates granted for the following purposes are exempt from the provisions of section 47A of the Act:

- (a) residential purposes, where the relevant community land has been developed for the purposes of housing owned by the council,

- (b) 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 that is situated on the community land,

- (c) use and occupation of the community land for events such as:

- (i) a public performance (that is, a theatrical, musical or other entertainment for the amusement of the public),

- (ii) the playing of a musical instrument, or singing, for fee or reward,

- (iii) engaging in a trade or business,

- (iv) playing of any lawful game or sport,

- (v) delivering a public address,

- (vi) conducting a commercial photographic session,

- (vii) picnics and private celebrations such as weddings and family gatherings,

- (viii) filming,

- (d) the purpose referred to in clause 24 (3).

- (2) However, the use or occupation of community land for events listed in subclause (1) (c) is exempt only if:

- (a) the use or occupation does not involve the erection of any building or structure of a permanent nature, and

- (b) in the case of any use or occupation that occurs only once, it does not continue for more than 3 consecutive days, and

- (c) in the case of any use or occupation that occurs more than once, each occurrence is for no more than 3 consecutive days, not including Saturday and Sunday, and the period from the first occurrence until the last occurrence is not more than 12 months.

25A Additional notifications in relation to certain filming projects

- (1) This clause prescribes, for the purposes of section 47AA of the Act, the additional manner of notification or advertisement of a council's proposal under section 47A of the Act to grant a lease, licence or other estate in respect of community land in order to allow a filming project to be carried out on that community land.

- (2) If the community land is:

- (a) critical habitat (as defined in section 36A (1) of the Act), or

- (b) directly affected by a recovery plan or threat abatement plan (as referred to in section 36B (2) of the Act),

written notice is to be given to the Director of the National Parks and Wildlife Service.

- (3) If the community land is declared to be an area of cultural significance under section 36D (1) of the Act because of the presence on the land of any item that the council considers to be of Aboriginal significance:

- (a) written notice is to be given to the Local Aboriginal Land Council for the area in which the land is situated, and

- (b) an advertisement is to be placed in a newspaper circulated across the State that is primarily concerned with issues of interest to Aboriginal people.

- (4) A notice and an advertisement required by this clause must include the matter specified in section 47 (2) of the Act (subject to section 47AA (2) of the Act).

26 Sublease of community land

For the purposes of section 47C (1) (b) of the Act:

- (a) refreshment kiosks, dances and private parties are prescribed as purposes for which community land that is leased for a surf life-saving club or a sporting club may be sublet, and
- (b) a croquet club is prescribed as a purpose for which community land that is used as a bowling club may be sublet.

Crown Lands Act 1989

34 Powers of Minister

- (1) The Minister may, in such manner and subject to such terms and conditions as the Minister determines:
 - (a) sell, lease, exchange or otherwise dispose of or deal with Crown land, or
 - (b) grant easements or rights-of-way over, or licences or permits in respect of, Crown land, on behalf of the Crown.
- (2) (Repealed)
- (3) The Minister may not, under subsection (1):
 - (a) sell or exchange Crown land,
 - (b) lease Crown land for a term exceeding 5 years, or
 - (c) lease Crown land for a term that, by the exercise of an option, could exceed 5 years,
 unless the relevant date for the sale, exchange or lease is at least 14 days after notice of intention to sell, exchange or lease the land has been published in a newspaper circulating in the locality in which the land is situated or in a newspaper circulating generally in the State.
- (4) For the purposes of subsection (3) the relevant date:
 - (a) for a sale or exchange by private treaty is the date on which the Minister enters into a contract to sell or exchange the land,
 - (b) for a sale by auction is the date of the auction,
 - (c) for a sale by tender is the closing date for tenders,
 - (d) for a sale by ballot is the closing date for nominations for the ballot, and
 - (e) for a lease is the date on which the lease is granted.
- (5) If, under subsection (1), Crown land:

(a) is offered for sale by auction and is not sold at the auction,

(b) is offered for sale by tender and no tender is received or accepted, or

(c) is offered for sale by ballot and no nomination of the ballot is received or accepted,

subsection (3) does not apply to a sale of the land by private treaty.

- (6) This section does not authorise the sale of Crown land which is reserved for a public purpose.
- (7) In relation to the granting of licences, a reference in this Part to Crown land includes a reference to:
 - (a) land within a travelling stock reserve under the care, control and management of a rural lands protection board, and
 - (b) land within any other reserves for public purposes under the control of trustees or other authorities.

Division 3 – Leases of Crown land

41 Term

The term of a lease of Crown land (including any option for the grant of a further term) granted by the Minister is not to exceed 100 years.

42 Certain dealings to be leases

A disposition of Crown land by the Minister on behalf of the Crown, expressed to be a lease, is a lease even if exclusive possession of the land is not conferred on any person.

43 Application of Conveyancing Act 1919

The Minister may, in granting a lease of Crown land, include in the lease a condition excluding the operation of any specified provisions of the *Conveyancing Act 1919* in respect of the lease.

44 Transfer restrictions

- (1) The Registrar-General shall, at the request of the Minister, make a recording in the Register to signify:
 - (a) that a lease specified in the request is held subject to the restriction that the lease may not be:
 - (i) transferred or sub-leased, or
 - (ii) dealt with in any other specified manner, without the consent of the Minister, or
 - (b) that such a recording has ceased to have effect.
- (2) If a recording under subsection (1) has been

made in respect of a lease, the Registrar-General may not register under the *Real Property Act 1900* any dealing referred to in the recording if:

- (a) the recording still has effect in respect of the lease, and
- (b) the consent of the Minister to the dealing has not been given.

Division 4 – Licences

45 Purposes of licences

A licence may authorise the use or occupation of Crown land for such purposes as the Minister thinks fit.

46 Certain dealings to be licences

A disposition of Crown land by the Minister on behalf of the Crown, expressed to be a licence, is a licence even if exclusive possession of the land is conferred on a person.

47 Revocation of licences

A licence is revocable at will by the Minister or on such notice as may be specified in the licence.

48 Licences not transferable

A licence is not transferable.

49 Licences for removal of certain minerals

- (1) A licence to remove gravel, sand, stone, shells or other substances, being minerals within the meaning of the *Mining Act 1992* or the *Offshore Minerals Act 1999*, may not be granted except with the approval of the Minister administering the Act concerned.
- (2) The Minister administering the *Mining Act 1992* or the Minister administering the *Offshore Minerals Act 1999*, as the case requires may waive compliance with the requirements of this section in such circumstances or cases, and to such extent, as the Minister thinks fit.
- (3) A licence to remove gravel, sand, loam, stone, clay, shells or other prescribed material (not being minerals within the meaning of the *Mining Act 1992* or the *Offshore Minerals Act 1999*) may be granted over Crown land even if it is held under a lease granted under this Act or referred to in the *Crown Lands (Continued Tenures) Act 1989*.

50 Rent, royalty, fees etc

- (1) A licence may be granted subject to the payment of such rent, royalty, fees or other amount as the Minister may determine in respect of the licence.
- (2) The conditions attached to a licence may include such provisions for the determination or redetermination of any rent, royalty, fee or other amounts as the Minister thinks fit.

Crown Lands Regulation 2000

32 Temporary licences

For the purposes of section 108 of the Act:

- (a) in addition to grazing, the purposes for which a temporary licence may be granted are as follows:
 - Advertising
 - Camping using a tent, caravan or otherwise
 - Catering
 - Entertainments
 - Equestrian events
 - Exhibitions
 - Filming (within the meaning of the *Local Government Act 1993*)
 - Functions
 - Hiring of equipment
 - Holiday accommodation
 - Markets
 - Meetings
 - Mooring of boats to wharves or other structures
 - Sales
 - Shows
 - Sporting and organised recreational activities
 - Stabling of horses
 - (b) in addition to any other condition subject to which a temporary licence is granted, the licence is subject to the condition that the relationship of landlord and tenant is not created between the parties, and
 - (c) unless it is revoked sooner or is granted for a shorter period, a temporary licence ceases to have effect one year after it is granted.
- ##### **33 Reserve trust reports**
- (1) For the purposes of section 122 (1) (a) of the Act, a reserve trust must furnish to the Minister each year, within 3 months of the close of the trust's financial year, a report on its activities.
 - (2) Any such report is to include details of income, expenditure, assets, liabilities, improvements effected, leases and licences granted or in force, uses made of the reserve and any particulars of pecuniary interests recorded in the book referred to in clause 31.
 - (3) If directed by the Minister by notice in writing to do so, a reserve trust must arrange for any such report to be audited by a person approved by the Minister.