

LILLIAN FOWLER RESERVE

Plan of Management and Master Plan

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1 Introduction

1.1 What is a Plan of Management

A Plan of Management is a document that outlines how community land is intended to be used, improved, maintained and managed in the future. A Plan of Management is typically accompanied by a Landscape Master Plan that shows proposed on the ground changes to that open space.

2 Need for this Plan of Management

The *Local Government Act 1993* requires all Council owned land classified as Community Land to be managed and used in accordance with a Plan of Management.

Currently Lillian Fowler Reserve is listed under the *South Sydney City Council Generic Park Plan of Management 1996*.

This Generic plan included Lillian Fowler Reserve as one of the many local / neighbourhood parks under the care and control of the previous South Sydney City Council. The management issues confronting these smaller reserves were of a similar nature and so were accommodated under a generic Plan of Management format.

However the ongoing shared use arrangement with the Newtown Primary School and recent tree management issues have created the need prepare a specific Plan of Management for Lillian Fowler Reserve in order to formalise future directions.

3 What is Included in this Plan of Management

This Plan of Management (PoM) has been prepared in accordance with the requirements of the *Local Government Act 1993*.

Requirements of the Local Government Act for the contents of a Plan of Management and where these are located in this Plan are listed in **Table 1**.

TABLE 1

Contents of a Plan of Management required under the Local Government Act 1993

Requirements of the Local Government Act 1993	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.	Refer to Section 8
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.	Refer to Section 8
Categorisation of community land.	Refer to Section 13
Core objectives for management of the land.	Refer to Section 13.1
The purposes for which the land, and any such buildings or improvements will be permitted to be used.	Refer to Section 14
The purposes for which any further development of the land will be permitted, whether under lease or licence or other wise.	Refer to Section 14

A description of the scale and intensity of any such permitted use or development.	Refer to Section 14
Authorisation of leases, licences or other estates over community land.	Refer to Section 15
Performance Targets.	Refer to Section 16
A means for assessing achievements of objectives and performance targets.	Refer to Section 16

4 Process in Developing this Plan of Management

The City engaged Guy Sturt & Associates Landscape Architects to prepare a landscape Master Plan for the Reserve.

Prior to the formal public exhibition period this Plan of Management has been prepared in conjunction with a community consultation process that included:

- **29 March 2007** - Consultation with students and staff of Newtown Public School;
This specific student workshop allowed the children to discuss the park and their ideas for improvements.
- **28 April 2007** - Community Workshop;
The aim of this workshop was to invite a response from the broader community as to:
 - how they use the site
 - how they perceive the site and what makes it special/unique
 - what ideas they have to make the site more suitable for their community.
- **17 July 2007 Community Meeting** - Presentation of preliminary draft Plan of Management and Master Plan for feedback and discussion.

Appendix E includes copies of material associated with the consultation process, including summaries of community feedback from the workshops.

5 Area Covered by this Plan of Management

Refer to **Figure 1**.

Relevant land information details of Lillian Fowler Reserve are as follows:

TABLE 2					
Name	Address	DP / Lot Information	Size (m ²)	Classification	LEP Zoning (South Sydney LEP 98)
Lillian Fowler Reserve	27 Angel Street, Newtown	Lot 1 in DP 779980 Lot 2 in DP 779980 Lot 5 in DP 780105 Lot 8 in DP 780105	2,397	Community Land	6(a) Local Recreation

Although not classified as Community Land or under the control of the City of Sydney, this Plan of Management takes into account the adjacent Newtown Public School asphalt playground area (approx 1500m² in area) which is owned by the NSW Department of Education. Between the Reserve and the school playground there is direct and free access which offers the opportunity to consider holistically the recreation opportunities that can be provided.

The **Angel Street Permaculture Garden** is located on the southern boundary of the Reserve on Department of Education land, and has been in existence for around 15 years. The garden has also been taken into consideration for the community and education opportunities accessed directly from the Reserve that could be provided.

6 Ownership

Lillian Fowler Reserve is owned by Council and classified as Community Land.



Figure 1 Study Area

- Statutory area covered by this Plan of Management (owned by the City of Sydney)
- Area taken into consideration but not under control of the City of Sydney (owned by the Dept of Education)

7 Site Context and Character

Lillian Fowler Reserve is located on the corner of Angel and Norfolk Streets, Newtown. Terrace housing fronts the western side of Angel Street and northern side of Norfolk Street.

The western boundary of the Reserve is defined by a retaining wall and steps that link the asphalt playground of Newtown Public School.

This asphalt playground space has an area of approximately 1500m² and is marked out with one (1) basketball and one (1) netball court. The school playground is well used after hours and on weekends for casual court use, skating and games organised by the Sydney Unicycle Hockey club. Mature tree canopy cover defines the western edge of the school play area.

Located on the southern boundary of the Reserve is the Angel Street Permaculture Garden which is located within larger open space grounds of Newtown Performing Arts School. A chainwire security fence separates the Garden and Performing Arts grounds from the Reserve.

The landscape and visual character of the Reserve is strongly defined by the boundary definition of a single row of *Eucalyptus citriodora* along Angel / Norfolk Streets that is punctuated by two *Ficus macroparpa* var *Hilli* (Hills Fig) in the south east and south west corners. Both Hills Figs have undergone extensive pruning as result of a major branch failure that occurred in October 2006 to the Fig located in the north east corner.

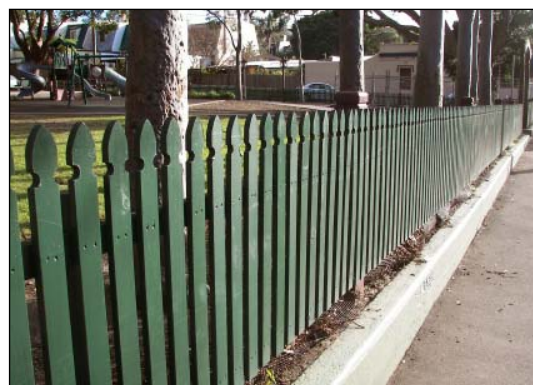
The mature tree canopy located in the grounds of Newtown Public School and Performing Arts School provides a verdant character that extends beyond the Reserve boundaries.

The mature tree canopy in combination with the timber picket fencing and entry structure along Angel Street complements the heritage precinct and gives the Reserve an unique identity and character.

The Reserve also has a distinctive spatial definition with the southern section consisting of an open lawn area while the northern section is more structured and detailed with the children's playground and seating areas.



View to Newtown Public School



Angel Street Frontage



Figure 2 Location context

8 Description of Lillian Fowler Reserve and Current Permissible Activities

The *Local Government Act 1993* requires a description of the current condition and use of Lillian Fowler Reserve as per the following requirements:

TABLE 3

Local Government Act 1993

Clause	Requirement
36 (3A) (a) (i)	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.
36 (3A) (a) (ii)	The use of the land and any such buildings or improvements as at that date.

The following tables make reference to the specific clauses in the legislation and provide a response to the requirements of the clause.

In providing an assessment of the current condition the following definitions have been used:



Good – new or well maintained

Fair – maintained but in need of repair




Poor – in need of major repair / demolition

TABLE 4

Description of Lillian Fowler Reserve and Current Permissible Uses (refer to Figure 3)

Item	Description	Condition Clause 36(3A) (a) (i)	Current Use Clause 36(3A) (a) (ii)
Playground 	<p>Playground relocated from turf area to the northern side of pathway in 2002 to create a new play space with wet-pour rubber soft fall.</p> <p>Playground equipment consists of relocated equipment from the previous playground area and new replacement play modules.</p>	Fair - Good	Children's play
Pathways 	<p>A brick paved pathway connects the entrance at Angel Street with a Norfolk Street entrance. Intersecting with this pathway is another brick path that connects to the steps that access the School. Another Norfolk Street entrance pathway also provides access to the steps (refer to Figure 4).</p> <p>An area of asphalt paving is also provided at the corner intersection near the steps.</p>	Good	Access and circulation

Item	Description	Condition Clause 36(3A) (a) (i)	Current Use Clause 36(3A) (a) (ii)
<p>Turf surface</p> 	<p>Turf area displays significant wearing particularly adjacent to pathway that is indicative of significant use.</p> <p>Turf area is further diminished by water runoff that has caused visible erosion across the Reserve.</p>	Poor - Fair	Casual recreation - play
<p>Park furniture</p> 	<p>Various park furniture items are located in the Reserve including 6 bench seats, 1 bubbler, 1 garbage bin with dog litter bag attached.</p>	Fair - Good	Park amenities
<p>Trees / garden beds</p>   	<p>Garden beds near the entry steps consist of various low shrubs and groundcovers. Other beds adjacent to the playground / seating area are devoid of planting.</p> <p>Trees – A description and assessment of Reserve trees is documented in Appendix B.</p> <p>Fig tree located in north eastern corner had a substantial branch failure in October 2006.</p> <p>Two Eucalyptus along the Angel Street boundary incurred storm damage 8/9 June 2007.</p>	Varies	Landscape character, shade amenity, habitat

Item	Description	Condition Clause 36(3A) (a) (i)	Current Use Clause 36(3A) (a) (ii)
Fencing / entrance structures 	Timber picket fencing and entrance structures on Angel Street and Norfolk Street frontage. Subject to occasional graffiti and damage that warrants ongoing maintenance and upkeep.	Fair	Park boundary definition
Retaining wall / steps  	Rendered brick retaining wall that defines the change of level between Reserve and school grounds. Weld Mesh fence is located on top of retaining wall. Low brick retaining walls are located adjacent seating areas near playground. Access to School is via brick steps. Drainage overflow from school grounds evident from erosion, and scarring of turf surface.	School boundary retaining wall - visible cracking - Poor. Low brick retaining walls - Good. Steps - Good. School weld mesh fence - Poor condition.	Level separation and access between Reserve and School grounds.

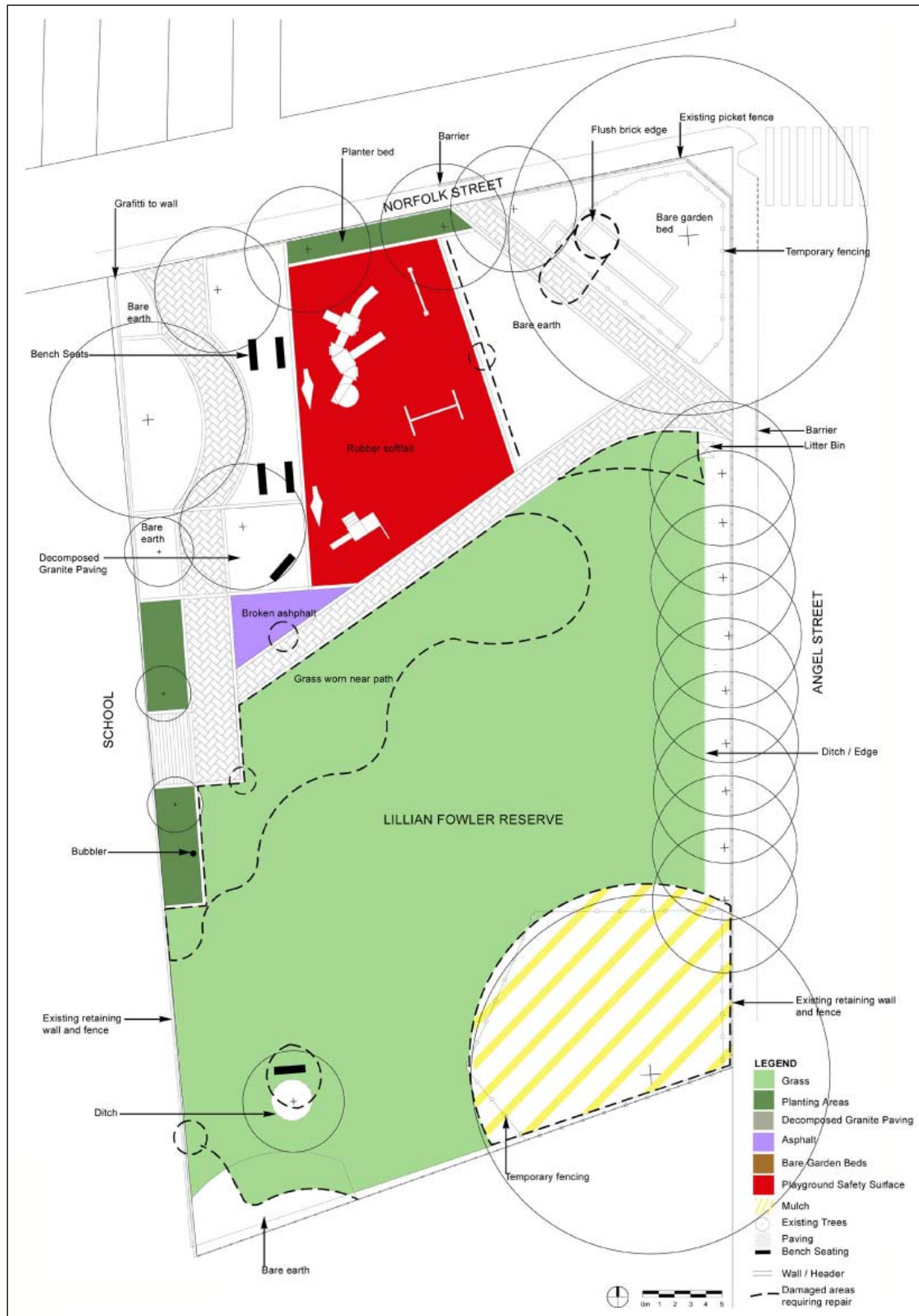


Figure 3 Current facilities and condition

(Guy Sturt & Associates)

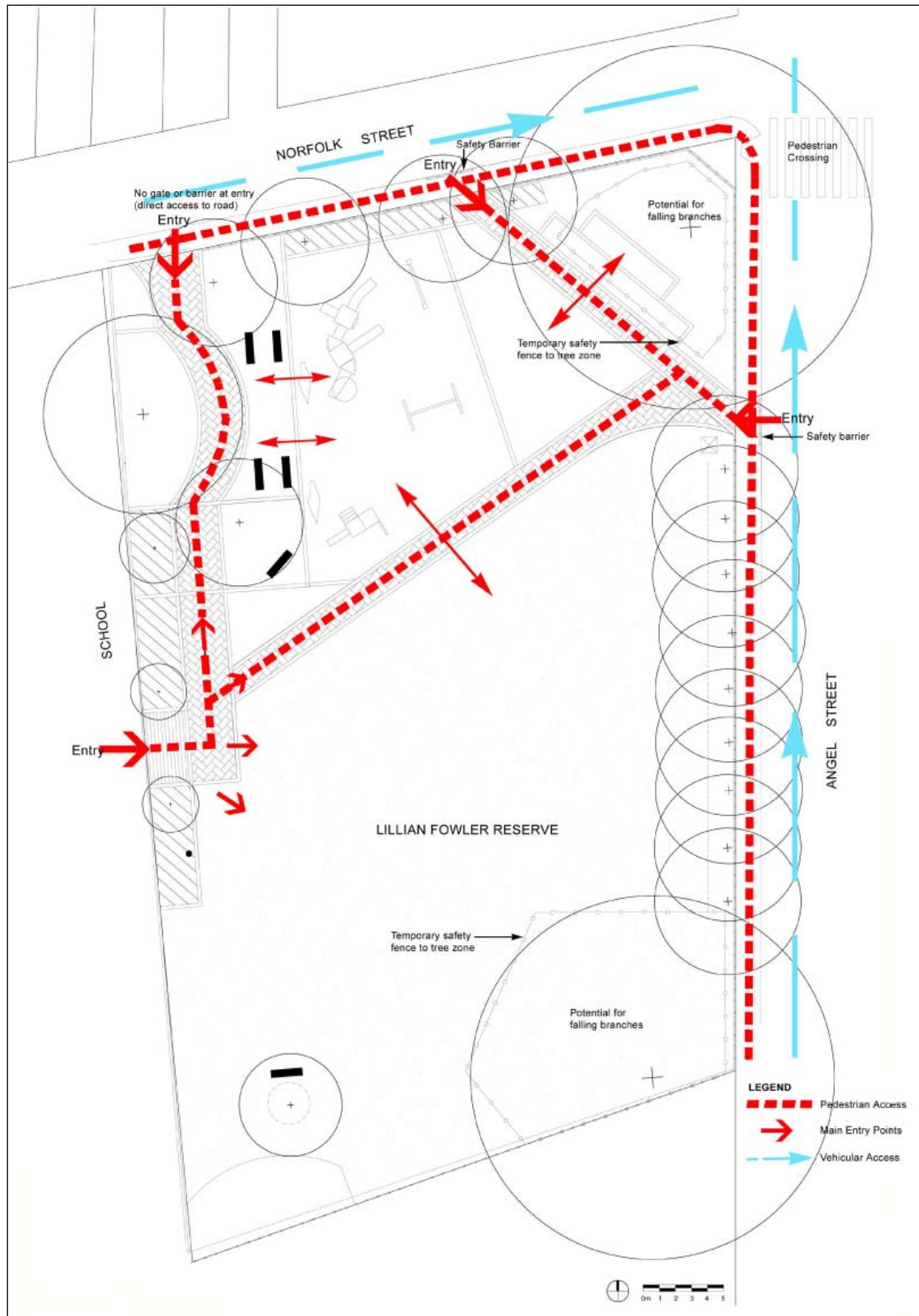


Figure 4 Site circulation

(Guy Sturt & Associates)

9 History and Cultural Heritage

Lillian Fowler Reserve is named after Lillian Fowler (1886 - 1954) who was the first woman alderman in New South Wales (1929 - 1948), first woman mayor in Australia (1938 - 1939), and Member of the New South Wales Legislative Assembly (1944 - 1950).

Lillian Fowler was a tenacious politician who worked on behalf of women and the underprivileged during the depression years. She was instrumental in pressuring Premier Jack Lang to institute widow's pensions and child endowment. Mrs Fowler was active in Newtown Municipal Council from 1928 - she established playgrounds and instituted a 40 hour week for council employees.

The Federal electorate of Fowler is named after her, as is Lillian Fowler Place, Marrickville as well as Lillian Fowler Reserve.

In the year 1936 - 1937 the former Council of the Municipality of Newtown purchased the land for the purposes of providing a public reserve. The dedication of the name "Lillian Fowler Reserve" occurred in 1955 after the death of Lillian Fowler.

The Reserve's two Hill's Weeping Figs (*Ficus macrocarpa var.hilli*) are listed in the City's **Significant Tree Register 2005** (Appendix C). The adjoining Newtown Public School has seven (7) Hills Weeping Figs as scheduled items in the Significant Tree Register. In both locations these trees have local significance in terms of their visual, aesthetic, cultural, social and biodiversity values and collectively create a memorable landscape quality to this location.

10 Legislative Framework

This section comprises the Basis for Management for Lillian Fowler Reserve. It describes the legislative and policy framework applying to the Park.

10.1 Local Government Act 1993

Lillian Fowler Reserve is owned by the City of Sydney and classified as Community Land. Requirements of the Local Government Act for the content and exhibition of a community land Plan of Management are shown in **Table 1**.

10.2 Zoning and Planning Controls

The *Environmental Planning and Assessment Act 1997* (EPA Act) establishes the statutory planning framework for environmental and land use planning in NSW through State Environmental Policies (SEPPs and Local Environmental Plans (LEPs).

The *South Sydney Local Environmental Plan 1998* zones the Lillian Fowler Reserve 6(a) Local Recreation Zone. The planning objectives of this Zone are listed in **Appendix A**.

The LEP sets out in general terms what types of developments and uses are permissible within the 6(a) Zone and which activities or development requires development consent. Development and activities authorised in this Plan of Management need to be permissible and consistent with the zoning objectives of the *South Sydney LEP 1998*.

The City of Sydney is preparing a comprehensive LEP for the entire Local Government Area (City Plan) in which the Reserve will maintain a comparable park / recreation zoning.

Development or use activities requiring a Development Application will be assessed under the *Environmental Planning and Assessment Act 1997*. Impacts of proposed activities or development will be assessed under 79(c) of the *Environmental Planning and Assessment Act 1997*.

10.3 Other Relevant Legislation

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 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.

11 City of Sydney Policy Framework

11.1 City of Sydney Strategic Plan 2006 / 2009

The Strategic Plan comprises seven focus areas that collectively encompass all of Council's activities, operations, and responsibilities. The following outlines areas of the Strategic Plan that influence the future management objectives for Lillian Fowler Reserve.

TABLE 5		
Focus Area	Objectives	Open Space/Facility Implications
Quality Urban Environment	Sydney's public domain is protected, enhanced and extended.	Public domain and community infrastructure upgrades are identified, prioritised and work commenced.
	Effective public engagement informs the creation of a quality urban environment.	Communities and stakeholders are provided with a range of opportunities to participate in the design of a quality urban environment.
	Sydney is a leading cultural and recreational centre hosting events that reflect its diverse character and unique identity.	Council develops and promotes the cultural life of the City and its villages.
Environmental Leadership	Environmental sustainability is a key driver in all decisions.	Life cycle assessment is applied. Best practice environmentally sustainable policies are operating across Council.

Focus Area	Objectives	Open Space/Facility Implications
Community and Social Equity	Everyone in the community has the opportunity to actively participate in the public affairs and planning for the City.	Council is recognised as a leader in developing innovative and successful models of community participation and engagement.
	Community planning and infrastructure underpins a city that is inclusive and accessible.	Infrastructure gaps and deficiencies across the city are recognised and solutions identified in Council's overall plans. Open space creation reflects leading practice and complements village identity and sense of place.
	People feel safe within their local and regional environment.	Safety issues and crime hot spots are identified and strategies implemented to improve them.
Transport and Accessibility	Integrated transport and land use planning.	An integrated Transport Strategy is developed with: - A city wide pedestrian plan. - A city wide cycling network strategy. Public domain infrastructure is integrated with transport networks.
Public Domain and Facilities	The City of Sydney provides appropriate, attractive, quality public domain and facilities that are efficiently and well maintained, clean, accessible, and safe, and managed to the principles of sustainable development.	All facilities and assets are proactively and efficiently maintained in accordance with established service levels.
Leadership and Governance		Community consultation and communication on open space development.

11.2 City of Sydney Open Space and Recreation Needs Study 2007

The Study provides a set eight strategic directions to guide the provision, development and improvement to the City's open space network. These directions have been used to inform the objectives and performance targets in **section 16**.

1. **Improve the Diversity of Recreation Experiences which are Available**
Provide an appropriate range and distribution of recreational and sporting opportunities.
2. **Access to Recreation in the City Will Be For All**
Provide opportunities for all of the community to use and enjoy our parks and recreation facilities.
3. **A Park Close to Home and Work**
Improving the provision of open space and recreation facilities.
4. **Linking the Network**
Achieving a cohesive and linked open space and recreation facility network.
5. **Better Parks and Facilities**
Improving the quality of open space and recreation facilities.

6. Involving the Community

Encouraging participation in open space and recreation facility development and use.

7. Recreation Will Be Environmentally Sustainable in the City

Bringing nature into the City.

8. Looking After Our Parks and Recreation Facilities

Efficient and effective planning, management and maintenance of our resources.

11.3 City of Sydney Tree Management Policies

The City has prepared a suite of Tree Management Policies - *Trees For a Living City* that provide the tools for tree management in the City of Sydney. These include:

- *Urban Tree Management Policy 2005*
- *Tree Preservation Order 2004*
- *Street Tree Master Plan 2005*
- *Significant Tree Register 2005*

11.4 City of Sydney Companion Animals Policy 2007

Refer to **Section 14.2** - Dog Management.

12 Current Leases and Licences

No formal long term leasing or licencing agreements currently apply to Lillian Fowler Reserve.

In August 1995 the former South Sydney City Council agreed to a request from Newtown Public School to participate in an "Adopt a Park" scheme for Lillian Fowler Reserve which allowed school students access to the Reserve for play and recreation.

Community concern regarding the scope and conditions of the School's use of the Reserve resulted in a formal Shared Use Agreement being exhibited and adopted by South Sydney City Council on 5 June 2002.

The Use agreement in the form of Council Resolution and Memorandum of Understanding is detailed in **Appendix D**.

13 Category of the Land Under This Plan of Management

It is a requirement of the *Local Government Act 1993* to categorise the subject land as per s.36 (4) of the Act.

The current category for this park is “**park**” under the *1996 South Sydney Generic Plan of Management*.

For this Plan of Management Lillian Fowler Reserve has been categorised as a “**park**” in accordance with the guidelines in the *Local Government Amendment (Community Land Management) Regulation 2005*.

Under the *Local Government (General) Regulation 2005* community land -

..should be categorised as a park under section 36(4) of the Act if the land is, or is proposed to be, improved by landscaping, gardens, or the provision of non-sporting equipment and facilities, for mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

The extent of the park category type for the Reserve is shown in **Figure 5**.

The core objectives of the park category is described in **Section 13.1**.

13.1 Core Objectives for Management of Community Land Categorised as a Park.

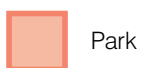
The *Local Government Act* establishes core objectives for all categories of community land. Council must manage the community land in accordance with the core objectives of the relevant category of land. Any Council objectives must comply with the core objectives established within the Act. The significance 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.

Categorised as a Park under s 36 (4) the core objectives of this category as per the Act are:

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



Figure 5 Land category



14 Description of Proposed Future Development and Permissible Uses

The legislation requires a description of the future use and development/improvements that will be allowable in Lillian Fowler Reserve as per the following requirements.

TABLE 6

Local Government Act 1993

Clause	Requirement
36 (3A) (b) (i)	Specify the purposes for which the land and any such buildings or improvements will be permitted to be used.
36 (3A) (b) (ii)	Specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise.
36 (3A) (b) (iii)	Describe the scale and intensity of any such permitted use or development.

Under the *Local Government Act* uses and developments with land classified as community land must be consistent with the Park's categorisation (**section 13**) and the core objectives (**section 13.1**) of each category.

The following tables make reference to the specific clauses in the legislation and provide a response to the requirements of each clause.

TABLE 7

LILLIAN FOWLER RESERVE

Description of Proposed Future Development and Permissible Use

Item	The purposes for which the land and any such buildings or improvements will be permitted to be used Clause 36 (3A) (b) (i)	The purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise Clause 36 (3A) (b) (ii)	The scale and intensity of any such permitted use or development Clause 36 (3A) (b) (iii)
Lillian Fowler Reserve	Casual recreation, play, education purposes. Casual licencing activities as detailed in 15.2. Park improvement works as per Master Plan.	Casual recreation, play, education purposes. Park improvement works as per adopted Master Plan.	Refer to Master Plan.

"Education purposes" is defined as conducting outdoor classes but does not include organised sport or physical education classes.

14.1 Tree Management

Overall, the majority of trees within Lillian Fowler Reserve are considered to be in good health and condition, with a medium to long Safe Useful Life Expectancy (SULE).

Independent arborist reports commissioned by the City (refer **Appendix B**) indicate that the Hills Figs have structural issues that will require ongoing assessment and management. These structural

issues include weak branch attachments located at the junctions of the main branches and trunks. This weak branch attachment was the cause of the major branch failure that occurred in October 2006. The Fig located at the southern area of the park also has a cavity located at the base of the trunk.

Pruning was undertaken on both trees in December 2006 to reduce the likelihood of tree / branch failure. Both trees had 'selective reduction' pruning and 'crown thinning' undertaken on their canopies. The tree in the northern boundary of the park also had 'remedial pruning' undertaken on the branches that were extending over Norfolk Street.

The tree's response to this pruning is to quickly grow new branches. The majority of the new growth is 'epicormic growth' which is weakly attached and regularly falls. Council will undertake the selective pruning of these branches to limit the likelihood of failure, while trying to manage the tree's health.

Unfortunately the tree's structure cannot be improved and the trees will always have these defects. Council intends to manage these issues for as long as possible and part of this management will require the area around the trees to have a barrier to discourage access and use.

Council staff will undertake regular inspections on the trees and monitor their health and condition.

14.1(a) Tree Care / Inspection Strategy

The survey of trees within the park will be included in the City's electronic tree database. Annual tree assessments will be carried out, with the results and all maintenance works undertaken being included within the database.

Based on these assessments, regular pruning, mulching, soil decompaction and fertilising will be undertaken on the trees as required. Details of these maintenance tasks are included in the City of Sydney Parks Technical Maintenance Specifications.

14.1(b) Additional and Replacement Tree Strategy

Selection of additional and or replacement trees if required will be derived from the following Table. Apart from the *Quercus pilustrus* all the trees listed in the Schedule comprise the existing tree palette for the Reserve.

TABLE 8	
Additional and Replacement Tree Schedule	
Species	Location
<i>Ficus microcarpa</i> var <i>Hilli</i> (Hills Fig)	Punctuate Reserve corner boundaries
<i>Corymbia citriodora</i> (Lemon Scented Gum)	Boundary planting Angel & Norfolk Streets
<i>Lophostemon confertus</i> (Brush Box)	Park amenity
<i>Jacaranda mimosifolia</i> (Jacaranda)	Park amenity
<i>Quercus pilustrus</i> (Pin Oak)	Possible deciduous replacement for Hills Fig if additional winter sunlight required

14.2 Dog Management

On leash dog exercising is an activity that occurs within the turf area of Lillian Fowler Reserve.

The *City of Sydney Companion Animals Policy 2007* aims to promote harmonious and equitable access to the public domain for all. This management will be based on education and information to pet owners and non pet owners alike.

Dog exercise will be managed in accordance with the *Companion Animals Act 1998* and the *City of Sydney Companion Animal Policy*. Under **section 14** of the *Companion Animals Act* dogs are prohibited at all times from the children's playground, and school grounds.

15 Leases, Licences and other Estates

The *Local Government Act* 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 LEP zoning of the land and provide benefits, services, or facilities for users 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*.

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*.

Licences and leases for activities need to be permissible under this Plan of Management, the *South Sydney Local Environmental Plan 1998*, the *Local Government Act 1993* and pursuant to Development Consent if required.

It is not however proposed to grant any long term exclusive licence or lease over Lillian Fowler Reserve.

TABLE 9

Type of arrangement authorised	Land and facilities covered	Purposes for which leasing/licensing will be granted
Lease	None granted	None granted
Licence	None granted	None granted
Share Use Agreement	Lillian Fowler Reserve / Newtown Public School playground area (Figure 1)	Casual recreation / play Education purposes. Organised sport and physical education classes not permitted. Share use agreement will allow after hours access to school playground area for community recreation purposes.
Grants of Estate	Lillian Fowler Reserve	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 <i>Local Government Act</i> . Estates may also be granted across community land for the "provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the Council or other public utility provider that is situated on community land."

15.1 Newtown Primary School Shared Use Agreement

Newtown Primary School will be allowed non exclusive access to Lillian Fowler Reserve as per the following conditions:

TABLE 10
Community Use of Newtown Primary School Asphalt Playground Area
Newtown Public School asphalt playground area is available for use by the community after normal school hours, on public holidays and weekends. Normal school hours are from 8.30am to 6.00pm.
The playground area is required to be tidied up after use.
The remainder of the school grounds are out of bounds.
School Use of Lillian Fowler Reserve
The Reserve is available for non exclusive use by the School between hours of 1-2pm for lunch period and between hours of 12-3pm for up to three (3) class activities per week. The Reserve is also available for shared use by after school care.
Class activities do not include organised sport or physical education classes.
The grassed area is not available to the school during rain periods and while in a wet or soaked condition.
The grassed area is not available to the school while restoration / repair works by the City are being carried out.
Newly established and existing gardens are to remain out of bounds.
The School is required to clean the Reserve of litter after use each day.

15.1(a) Management Committee

This draft Plan of Management proposes that a management committee consisting of the School Principal (or nominated representative), three (3) community representatives, Manager Parks and Recreation (or nominated representative) and interested Councillors to meet on a minimum 6 monthly basis or more frequently if deemed necessary to discuss the Share Use Agreement and provide a forum to discuss issues and future actions to ensure a smooth running of the Agreement.

15.2 Short Term Casual Hire

Licences will be granted for casual events including, but not limited to the purposes listed in **Table 11**. These events may generally be held within the hours of 7am and 9pm.

TABLE 11		
Type of arrangement authorised	Land and facilities covered	Purposes for which leasing/licencing will be granted
Short Term Casual Use Licence	Lillian Fowler Reserve	Purposes of community events / festivals - Playing a musical instrument, or singing for fee or reward, picnics and private celebrations such as weddings and family gatherings, filming for cinema/television, conducting a commercial photography session, public performance, engaging in trade or business , delivering a public address.

All short term casual hire will be in accordance with Section 24 and 25 of the *Local Government (General) Regulation 1999*. However the Park may be used for civil emergency purposes when the need arises.

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.

The *City of Sydney Events Management Policy* details the procedures for the use, approvals and management of outdoor events held on land under ownership and/or control of the City of Sydney.

In assessing Lillian Fowler Reserve as a venue for events the City should apply the following criteria:

- The event should not result in physical damage to the Park
- The event should not prohibit the use and enjoyment of the Park by other users
- The event should not result in a significant impact on adjoining residents
- Organisers of the event should be responsible for cleaning up the site and repairing any damage that may occur
- Events will be restricted to approximately one a month. Council has the discretion to refuse an event on the grounds that the Park has been booked for a private event already in that month.

Fees for short term casual bookings will be charged in accordance with Council's adopted Fees and Charges at the time.

16 Strategy and Action Plan

Section 36 of the *Local Government Act* requires that a Plan of Management for community land manages the land according to the objectives and methods set out below.

- (a) the category of the land (refer to **Section 13**),
- (b) the objectives and performance targets of the plan with respect to the land,
- (c) the means by which the council proposes to achieve the plans objectives and performance targets,
- (d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets

TABLE 12

Issues	Open Space and Recreation Needs Study 2007 Strategic Directions (Refer section 11.2)	Objectives and performance targets of the plan with respect to the land s.36(b)	Means by which Council proposes to achieve the plan's objectives and performance targets s.36(c)	Manner in which Council proposes to assess its performance with respect to the plan's objectives and performance targets s.36(d)
<p>Park Use</p> <p>Park is intensively used resulting in visible wear and tear to park amenity.</p> <p>Reserve popular with preschool / toddlers - incompatible with school use at lunchtimes.</p> <p>Digging activities by children, dogs etc degrade park amenity.</p> <p>Make more use of school asphalt area.</p> <p>School asphalt play area provides additional recreational activities with marked courts which complements the unstructured recreation focus of the Reserve.</p> <p>Provide better community access and use of Angel Street Community Garden.</p>	<p>Improve the Diversity of Recreation Experiences Which are Available</p> <p>Access to Recreation in the City will be for All</p> <p>A Park Close to Home and Work</p> <p>Linking the Network</p> <p>Involving the Community</p>	<p>Achieve a balanced, sustainable approach to park use.</p> <p>Provide a clear documented understanding between School, City and community on the shared use arrangement of the Reserve and school playground.</p> <p>Encourage out of hours community use of school asphalt playground area.</p> <p>Investigate feasibility of providing access to Angel Street Community Garden from the Reserve to allow community use and opportunities for education activities by the school.</p>	<p>All future casual licence use to meet the requirements of <i>Local Government Act 1993</i> and City's <i>Events Policy</i>.</p> <p>Restrict school share use access to afternoons only to allow use by preschool children in the morning periods.</p> <p>Organise a management committee made up of Council staff, School, Councillor and community representatives to meet and monitor the share use arrangement.</p> <p>In partnership with the School undertake re-asphalt works, line marking and post replacement of court spaces of school grounds to improve amenity and accessibility for after hours community use for both netball and basketball.</p> <p>Negotiate with Dept of Education / Newtown Performing Arts School and existing community garden stakeholders on increased community access opportunities to Angel Street Permaculture Garden.</p>	<p>School share use agreement operating within stated requirements.</p> <p>Park management committee meets on a minimum 6 monthly basis.</p> <p>Reserve linkages to School & Permaculture Garden provide diverse recreation experiences.</p>

Issues	Open Space and Recreation Needs Study 2007 Strategic Directions (Refer section 11.2)	Objectives and performance targets of the plan with respect to the land s.36(b)	Means by which Council proposes to achieve the plan's objectives and performance targets s.36(c)	Manner in which Council proposes to assess its performance with respect to the plan's objectives and performance targets s.36(d)
Reserve Playground Playground equipment needs more range / challenge for 10-12 year old children.	Improve the Diversity of Recreation Experiences Which are Available Better Parks and Facilities	Improve the diversity of playground equipment choice and play opportunities.	Expand playground area as per Master Plan to allow provision of additional play equipment.	Playground renovated and expanded as per Master Plan to include additional equipment.
Tree Management Major branch drop from Hills Fig tree raises safety issues and long term viability. Need to plan for additional / replacement trees for reserve. Existing temporary fences around fig trees to mitigate risk detract from visual amenity of reserve. Jacaranda tree is struggling to get established.	Looking After Our Parks and Recreation Facilities Better Parks and Facilities	To maintain and enhance the health of trees in the Park to ensure existing trees are retained for as long as possible. Provide additional tree planting and when required replacement planting to reinforce boundary canopy of the Reserve. Barrier design around Fig trees to mitigate risk needs to be unobtrusive, of high quality and visual permeability, and integrated with park design.	Undertake tree surgery and soil treatments as detailed in City of Sydney Parks Maintenance Technical Specification. Additional / replacement tree species to be selected from Schedule in Table 14.1(b). Investigate option to demarcate area around Fig trees with mulch surfacing and post & rail barrier similar to fixtures utilised by Royal Botanic Gardens. Appropriate signage to discourage access and use under the trees should also be considered.	Improved health of existing trees and successful establishment of new trees as measured annually by arborist's survey.

Issues	Open Space and Recreation Needs Study 2007 Strategic Directions (Refer section 11.2)	Objectives and performance targets of the plan with respect to the land s.36(b)	Means by which Council proposes to achieve the plan's objectives and performance targets s.36(c)	Manner in which Council proposes to assess its performance with respect to the plan's objectives and performance targets s.36(d)
Turf Management Turf areas are consistently worn from overuse.	Looking After Our Parks and Recreation Facilities Better Parks and Facilities	Improve capacity of turf surface to withstand high levels of use / activity.	Provide appropriate hard wearing turf species selection eg. Sir Walter Premium Buffalo. Install appropriate sub surface drainage system. Undertake turf management program that includes aeration, coring, top dressing, fertilising, weed control and turf replacement.	Consistent turf cover. Maintenance works carried out as per City of Sydney Parks Maintenance Technical Specification.
Park Amenity Park amenity is degraded from extensive use and age of infrastructure.	Better Parks and Facilities	Provide a comfortable and welcoming park amenity. Ensure sufficient lighting of Reserve for pedestrian movement.	Maintain balance between shade / sunny areas. Provide amenities for bicycle parking. Provide better site planning of seating for parents. Improve the south western boundary of the Reserve with regrading / tree planting. Investigate option of increasing the number of light fixtures mounted on adjacent telegraph poles to improve Reserve night visibility.	Implementation of all Master Plan improvements within 5 (five) years of Plan adoption.
Cultural/Heritage Need to inform park users on history of Lillian Fowler.	Looking After Our Parks and Gardens	Acknowledge the contribution and legacy of Lillian Fowler MP.	Provide appropriate signage/ interpretative material that displays the contribution and legacy of Lillian Fowler.	Interpretation material installed as part of Reserve upgrade works.

Issues	Open Space and Recreation Needs Study 2007 Strategic Directions (Refer section 11.2)	Objectives and performance targets of the plan with respect to the land s.36(b)	Means by which Council proposes to achieve the plan's objectives and performance targets s.36(c)	Manner in which Council proposes to assess its performance with respect to the plan's objectives and performance targets s.36(d)
Environmental Sustainability / Drainage Drainage system of school needs investigation to reduce overland flow into Reserve. Turf area of Reserve requires improved sub surface drainage to reduce surface ponding and erosion. Reserve needs to utilise existing rainwater / stormwater runoff for irrigation purposes rather than piped straight to stormwater system.	Recreation will be Environmentally Sustainable	Improve drainage conditions of the Reserve to improve usability and amenity. Park improvements to have regard for environmental sustainable design, resource use and maintenance. Minimise amount of rainwater discharged into stormwater system for use in Reserve irrigation and ground infiltration.	Install a sub surface drainage system under the lawn area with drainage cell tanks to reduce surface runoff, distribute water to trees and encourage maximum ground infiltration.	Visible improvements in drainage conditions. Completion of Park redevelopment works with environmental sustainable design features incorporated.
Maintenance Turf areas are consistently worn from overuse. Maintenance of existing garden beds; need to protect garden beds from damage. Need to control access of maintenance vehicles in Reserve.	Looking After Our Parks and Recreation Facilities	To provide a clean, well maintained Park.	Increase Maintenance Service Level to include 5 days a week rubbish removal and cleaning. Maintenance service vehicles to access turf area only when required for service tasks not for general vehicle parking.	Maintenance works carried out in accordance with City of Sydney Parks Maintenance Technical Specifications. Visible improvement in park cleanliness and upkeep. Positive community feedback received.

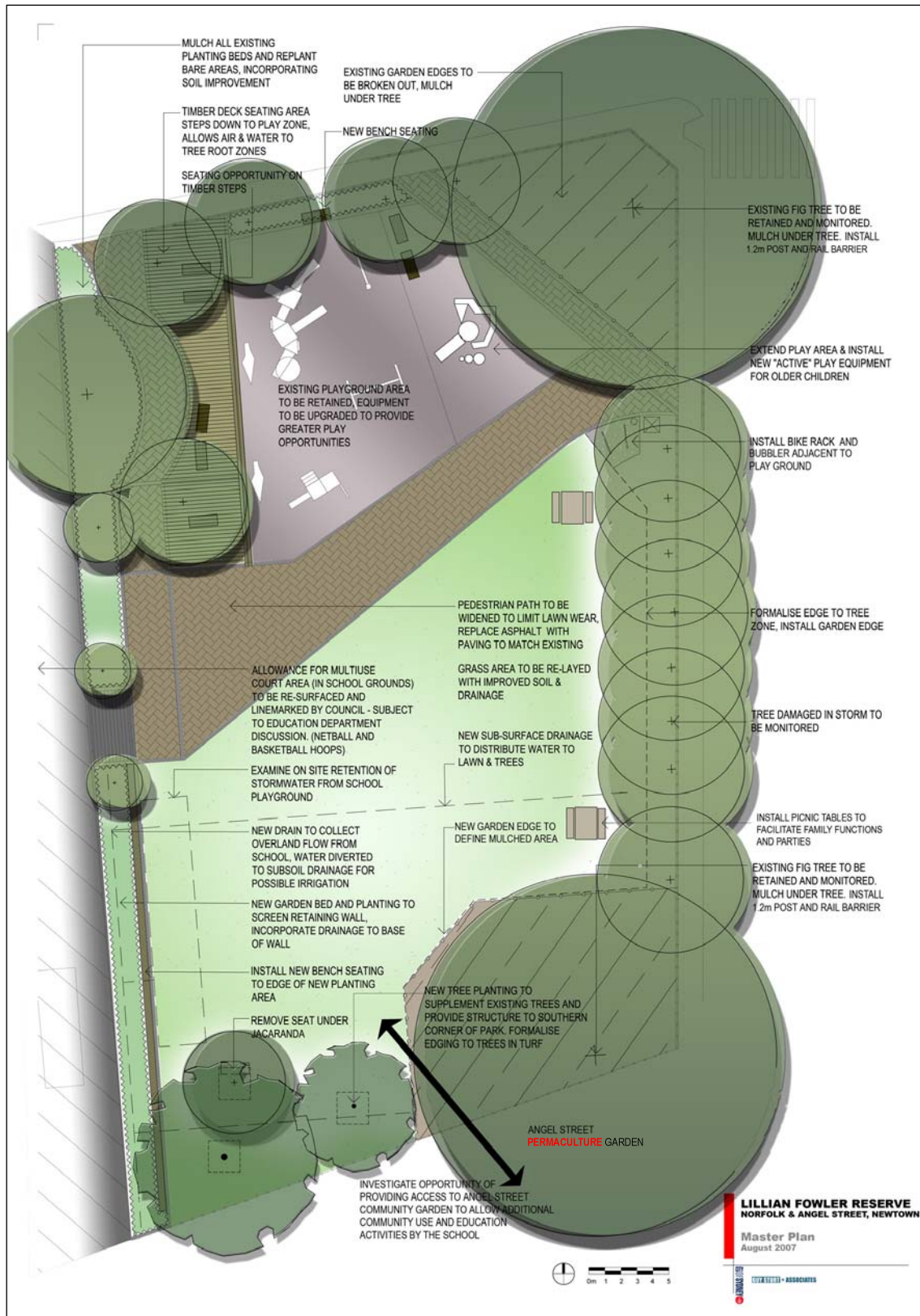


Figure 6 Master Plan concept

(Guy Sturt & Associates)

17 Master Plan

The master planning principles and related proposals encompass the major recommendations of the Plan of Management.

The Master Plan proposal (**Figure 6**) responds to the core objectives for community land as identified in the Act applying to Lillian Fowler Reserve.

Key features of the Master Plan include:

- expanded playground area that provides additional play equipment for more active play
- deck and seating area adjacent to playground
- additional seating opportunities
- pathways adjusted to minimise foot traffic wear on turf areas
- additional tree planting to define Reserve boundaries
- refurbishment of garden bed areas
- sub surface drainage and collection system under turf area
- partnership with Newtown Public School to refurbish school playground court spaces and amenity.

18 Review of Plan of Management

The Plan of Management will require regular review in order to be consistent with community values and changing circumstances.

The following review process is recommended:

- An annual review to assess progress and implementation of actions.
- A complete review and revision after 5 years.

REFERENCES

- | | |
|---------------------------------------|--|
| City of Sydney | <i>Open Space and Recreation Needs Study 2007</i> |
| Department of Local Government (2000) | <i>Practice Note No.1 - Public Land Management</i> |

APPENDIX A

SOUTH SYDNEY LEP 1998

Zoning controls for Zone No 6(a) – the Local Recreation Zone

1) What are the objectives of the zone?

The objectives of Zone No 6(a) are:

- a) to enable development of land for open space and recreational purposes, and
- b) to enable other ancillary or related development which will encourage the enjoyment of land zoned for local recreation, and
- c) to increase the provision and diversity of public open space and recreational land within the City of South Sydney to meet the needs of local residents, and
- d) to enhance the environmental quality of the City of South Sydney, and
- e) to encourage the use of natural drainage features to increase the availability of useable open space, and
- f) for land in the zone and within Green Square, in addition to the above, to ensure that development contributes to a sustainable, vibrant community, and reflects equal and integrated consideration of social, economic and environmental design issues.

2) What does not require development consent?

- Any development identified in a plan of management adopted by the Council under the *Local Government Act 1993* and which does not involve the creation of any gross floor area.
- Development for the purpose of:
gardening; landscaping; public lighting.
- Exempt development referred to in clause 10A.

3) What requires development consent?

- Any development identified in a plan of management adopted by the Council under the *Local Government Act 1993* and which involves the creation of any gross floor area.
- Development for the purpose of:
child care centres; markets; places of assembly; recreation areas; recreation facilities; roads; temporary buildings.
- Any other development not included in subclause (2).

Notes:

The consequences of carrying out development in this zone without development consent are the same as for carrying out prohibited development, unless the development is allowed to be carried out without consent by an Act, this plan or another environmental planning instrument. Clause 10 provides that such a development consent must not be granted unless the Council is of the opinion that the proposed development is consistent with the objectives of this zone.

APPENDIX B

Tree Assessment

Row of 9 Eucalyptus along the Angel Street boundary.

This row of trees is generally in good health and condition. The second tree from the northern end is a poor specimen as it is suppressed and has been pruned away from the overhead light. Monitoring required for the crack in the upper canopy of the tree 2nd from the south end.

The Hill's Figs located in the NE and SE corners

The two Hills Figs were subject to numerous assessments after the branch failure that occurred to NE Fig tree in October 2006. Reports prepared include:

- The Tree School - Tree Inspection Report Hills Figs, Lillian Fowler Reserve. 19 November 2006
- Tree Wise Men Australia Pty Ltd - Arborist's Hazard Appraisal for Two Hills Figs and One Silky Oak at Lillian Fowler Reserve, November 2006
- Resistograph testing of Tree No.2 Hills Weeping Fig *Ficus macrocarpa var hilli* at Lillian Fowler Reserve, 15 December 2006

The City of Sydney also funded the engagement of an Arborist selected by local community.

- The Arborist Network - Trees at Lillian Fowler. 8 December 2006

These reports applied different methodologies and concluded variable assessments on the health status and future directions for these trees.

The structural issues highlighted in some of the reports obligate the City to undertake ongoing assessment and management. These structural issues reported include weak branch attachments (included branch attachments), located at the junctions of the main branches and trunks. This weak branch attachment was the cause of the major branch failure that occurred in October 2006. The Fig located at the southern area of the park also has a cavity located at the base of the trunk.

Pruning was undertaken on both trees in December 2006 to reduce the likelihood of tree / branch failure. Both trees had 'selective reduction' pruning and 'crown thinning' undertaken on their canopies. The tree in the northern boundary of the park also had 'remedial pruning' undertaken on the branches that were extending over Norfolk Street.

These trees have Tree Protection Fences installed to the driplines because they are still dropping small branches.

The Eucalyptus on Norfolk Street

Appear to be stable and have good vigour. The most eastern tree, in the corner of the triangle area closest to Hill's Fig, has been suppressed by the Fig and has poor form.

The Brush Box in NW corner

These trees are in reasonable condition. They appear to have been topped at approx 2 metres and a lot of the canopy is epicormic growth. The trees need deadwooding and it is recommend that the trees closest to the Camphor Laurel could have some branches cut back to stop interference with the Camphor Laurel .

Camphor Laurel

This tree is in good health and condition.

The *Sapium sebiferum* planted on either side of the steps into the school

These are immature trees and are in good health and condition.

The *Jacaranda* in SW corner

This tree is a semi mature tree in good health and condition. Requires regular aerating and mulching (ideally to 2 metre radius from trunk).

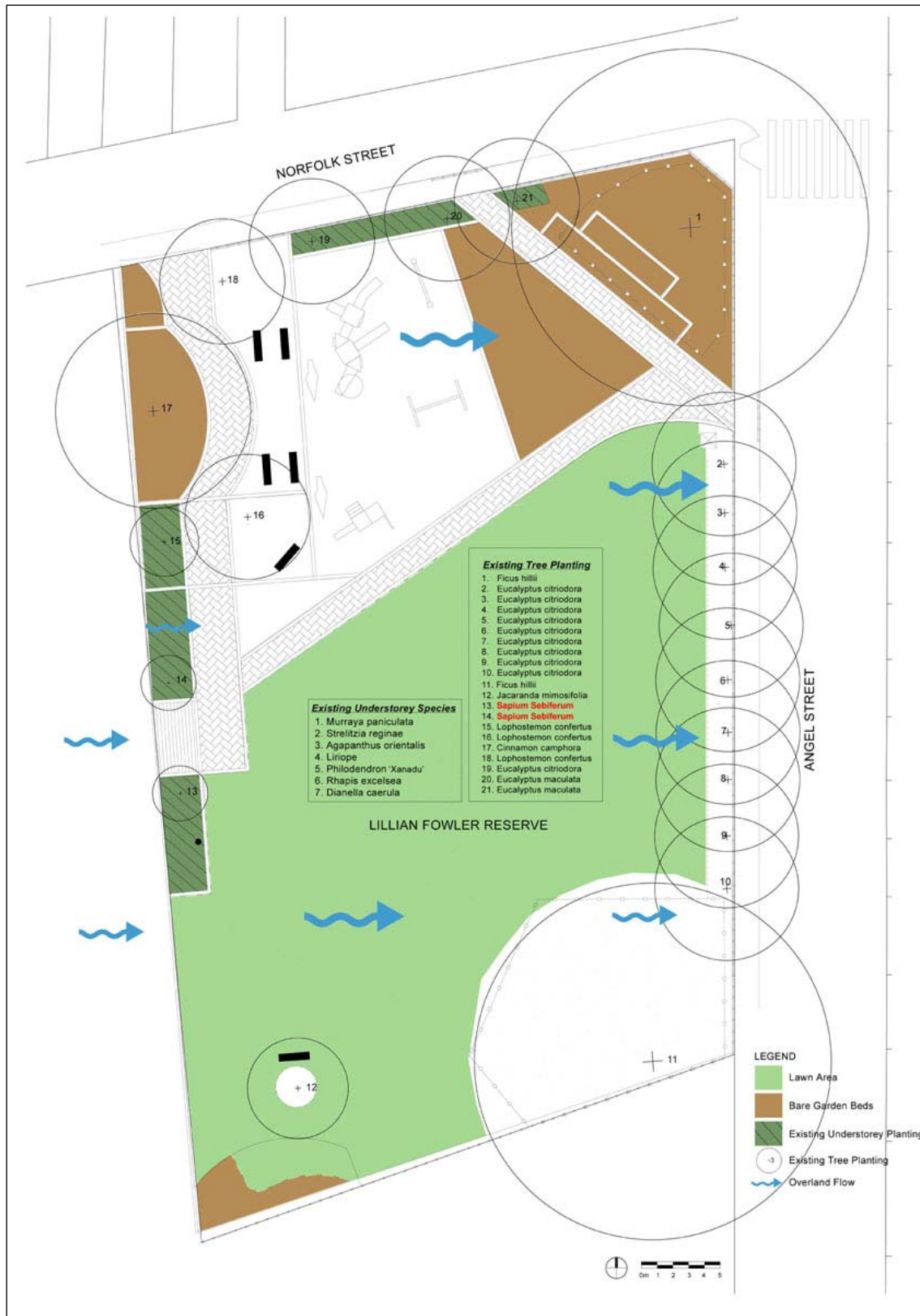


Figure 7 Existing vegetation and drainage

(Guy Sturt & Associates)

APPENDIX C - City of Sydney Significant Tree Register

Significant Trees: Other Government/ Institutional
SURVEY DATA SHEETCity of Sydney
Register of Significant TreesPHOTO REF: 23-6
DATE: 9.06.05

PRECINCT 23: ERSKINEVILLE & ALEXANDRIA

Newtown Primary School – Norfolk Street, Newtown

Summary of scheduled items (cultural planting)

7 № Hill's Weeping Figs (*Ficus microcarpa* var. *hillii*)

Other tree and palm components/ associates

3 № Brush Box (*Lophostemon confertus*)1 № Silky Oak (*Grevillea robusta*)1 № Peppercorn Tree (*Schinus areira*)

SCHEDULED ITEM 1: ROW PLANTING (7)

SIGNIFICANCE: LOCAL

Botanical Name: *Ficus microcarpa* var. *hillii*

Common Name: Hill's Weeping Fig

Significance Attributes: row planting of evergreen broadleaf species

cultural/ historic and social

visual/ aesthetic (local/ school grounds and streetscape)

Origin: ornamental/ cultivated (*F. microcarpa* – India to north-eastern
Australia – var. *hillii* of cultivated origin)Location: Located in a mulched planter between the main school building and
asphalt playground.Extent of Influence: Canopies extend over the playground, adjoining footpaths and
roadway. Root zones are likely to have a similar zone of influence.

Height: 20-22 metres

Canopy Spread: 25-30 metres

Trunk Diameter: 1300-2000mm @ 1.0 metre above ground level

Estimated Age: 70-80 years+

Condition/ Health: These figs appear to be in generally fair to good health and condition
with dense canopies, little dead wood and minimal pruning. One
specimen however (2nd from southern end) has a very large vertical
cavity. No further data is available for these trees.

Management

Recommendations: Investigate above mentioned fig as a priority. Issues relating to the
vigorous growth pattern and extensive root system of this species,
overcrowding, dead wood and decay requires further investigation
by a qualified arborist.

Statement of Significance

Newtown Primary School was established in 1863 with construction of the Victorian Free Gothic style building c.1875, followed by later additions c.1892 and a War Memorial c.1921. The school is scheduled in the *Local Environmental Plan (South Sydney Amending LEP 2000)*. This row of mature Hill's Weeping Figs (*Ficus microcarpa* var. *hillii*) includes substantial individual specimens with massive spreading canopies. These figs have local significance in terms of their visual, aesthetic, cultural and social values. Some of these trees are amongst the largest examples of this species in the City of Sydney LGA. Their dramatic proportions and scale create a distinctive, cloistered character to this part of the school grounds. The row planting is likely to date from the early Inter-War period (c.1915-1940) and possibly pre-dates the planting of neighbouring figs in Lillian Fowler Reserve (refer to listing in this Register).

City of Sydney Significant Tree Register

Significant Trees: Public Parks and Reserves

SURVEY DATA SHEET

City of Sydney
Register of Significant Trees

PHOTO REF: 23-3

DATE: 9.06.05

PRECINCT 23: ERSKINEVILLE & ALEXANDRIA

Lillian Fowler Reserve, Angel Street, Newtown

Summary of scheduled items (cultural planting)

2 № Hill's Weeping Figs (*Ficus microcarpa* var. *hillii*)

Other tree and palm components/ associates

3 № Brush Box (*Lophostemon confertus*)

1 № Camphor Laurel (*Cinnamomum camphora*)

SCHEDULED ITEM 1: TWO SPECIMENS (2)

SIGNIFICANCE: LOCAL

Botanical Name: ***Ficus microcarpa* var. *hillii***
 Common Name: Hill's Weeping Fig
 Significance Attributes: two specimen evergreen broadleaf species
 cultural/ historic and social
 visual/ aesthetic (local/ park and streetscape)
 biodiversity value
 Origin: ornamental/ cultivated (*F. microcarpa* – India to north-eastern
 Australia – var. *hillii* of cultivated origin)
 Location: Located within the north-eastern and south-eastern corners of the
 reserve (adjacent to Angel Street) – mulched areas within lawn.
 Extent of Influence: Canopies extend over much of the reserve, adjoining footpaths and
 roadways. Root zones are likely to have a similar zone of influence.
 Height: 18-20 metres
 Canopy Spread: 30 metres
 Trunk Diameter: 1400-1600mm @ 1.0 metre above ground level
 Estimated Age: 60-70 years+
 Condition/ Health: These two figs appear to be in generally good health and condition
 with very dense canopies and minimal pruning.
 Management
 Recommendations: No immediate threats or problems are evident. For further detailed
 assessment of health, condition and tree management
 recommendations, a qualified arborist should be consulted.

Statement of Significance

These two mature Hill's Weeping Figs (*Ficus microcarpa* var. *hillii*) are substantial individual specimens with massive spreading canopies. These figs have local significance in terms of their visual, aesthetic, cultural, social and biodiversity values. The planting possibly dates from the Inter-War period (c.1915-1940). Lillian Fowler was the first woman magistrate in NSW (1921), first woman councillor in NSW (1928), first woman mayor in Australia (for Newtown Council) (1938) and first woman elected to the NSW parliament (1944). These two trees visually combine with the row of Hill's Weeping Figs, located in Newtown Public School, to create a memorable landscape quality to this location (refer to listing in this Register).

City of Sydney Significant Tree Register



Lillian Fowler Reserve – Hill's Weeping Figs (*Ficus microcarpa* var. *hillii*)
[Ref: 23-3]

APPENDIX D - South Sydney Council Share Use Agreement 2002

COUNCIL

5 June 2002

1.

PARKS – LILLIAN FOWLER RESERVE, ANGEL STREET, NEWTOWN – MANAGEMENT AGREEMENT (2004871)

That arising from consideration of a report by the Director of City Works dated 21 May 2002, approval be given to:-

- (1) adopt the final draft of the Lillian Fowler Reserve Use Agreement;
- (2) implement the enforcement and review strategy;
- (3) proceed with the school planting day exercises
- (4) a report being prepared prior to the Council meeting on clarification regarding Public Liability on the use of the reserve;
- (5) the minute by the Director of City Works dated 4 June 2002, that was circulated to all Councillors prior to the Council meeting commencing in respect of public liability regarding the use of Lillian Fowler Reserve by the community and students of Newtown Public School, be approved and adopted.

Carried.

AJFBM
7/6/02

South Sydney Council Share Use Agreement 2002

ITEM No. **1** COMMUNITY
SERVICES
COMMITTEE

MINUTE PAPER

Reference: 2004871/DPL/398241

SUBJECT: PARKS- LILLIAN FOWLER RESERVE, NEWTOWN - APPROVAL
RESERVE USE MANAGEMENT AGREEMENT

Date: 21 May 2002

COMMUNITY SERVICES COMMITTEE

HISTORY

In August 1995 Council agreed to a request for Newtown Public School to participate in an 'Adopt-a Park' scheme for Lillian Fowler Reserve (Refer locality plan). Council agreed to upgrade the park and allow access for school use in return that the school would:

- Plant and maintain the shrubs provided by Council;
- Keep the park clean and tidy (Council to mow grass);
- Allow public access to the paved play area on the eastern side of the school; and
- Advise the Parks Branch of any urgent repairs to park equipment.

However, this agreement resulted in the park becoming dilapidated from over use by the school. This included the loss of most of the reserve's planting beds, the need for continuous repair of the fencing, and the necessity to replace the grass every year.

REQUEST FOR NEW USE AGREEMENT

Following the recent upgrade of the reserve completed in February 2002, the community asked for a review of the current use agreement for Lillian Fowler Reserve between Newtown Public School and the Council.

A draft version of a new use agreement, produced by the Parks Development Section, was tabled at a workshop meeting (comprising of members of the community, the Newtown School, and the Council) which was held at the school in March 2002.

This amended draft agreement was distributed via a letter drop to the community in April 2002. Comments were reviewed and an additional workshop meeting was held with the community on-site in May 2002.

A final draft Use Agreement (Refer attachment) has been signed off by both the community and the Newtown Public School is now ready for Council approval and implementation.

South Sydney Council Share Use Agreement 2002

IMPLEMENTATION STRATEGY

Council will reserve the right to terminate the agreement should the school regularly breach any item in the agreement. This will be enforced by a series of three warnings. These warnings will comprise of a verbal warning, a written warning and on the third warning, termination of the agreement.

It is intended that a review of the approved use agreement will take place after a twelve-month period and, changes will be made where required.

FUTURE WORKS

A series of planting days are planned for the future involving the students of Newtown Public School specifically design to increase the schools sense of ownership and respect for the reserve. A selection of hardy native plants will be made available from Council's nursery for these activities.

Council's Maintenance, Trades, and Waste Services Sections have reviewed and amended their programs to improve the service to Lillian Fowler Reserve.

RECOMMENDATION

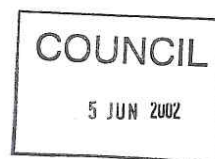
That approval be given to:

1. Adopt the final draft of the Lillian Fowler Reserve Use Agreement.
2. Implement the enforcement and review strategy.
3. Proceed with the school planting day exercises.



DIRECTOR OF CITY WORKS

Attachments:
Locality Plan
Final draft of Use Agreement



(1) RECOMMENDATION APPROVED

(a) A report prepared this to the Council meeting on designation of the use of the reserve
(b) The addition of a clause 2.6 to the terms of agreement namely:
2.6 That the terms of agreement for use of the Lillian Fowler Reserve be installed in an appropriate location within the reserve.

RECOMMENDATION APPROVED

and the minute by the Dir City Works at 4:40p that was circulated to all Councillors prior to the Council meeting in respect of public liability regarding the use of Lillian Fowler Reserve by the Community and students of Newtown Public School, be approved and adopted.

South Sydney Council Share Use Agreement 2002

Lillian Fowler Reserve

FINAL DRAFT- USE AGREEMENT
Prepared by South Sydney Council
May, 2002:

ITEM	DESCRIPTION
1.0	Community use of basket ball court and asphalt area
1.1	The Newtown Public School's basketball court and asphalt area is available for use by the community after normal school hours, on public holidays and weekends. Normal school hours are from 8:30am to 6:00pm.
1.2	The community is required to tidy up the area after use.
1.3	The rest of the school area is to remain out of bounds to the community
2.0	School use of Lillian Fowler Reserve
2.1	The park is available for shared (i.e. the school & the community) use by the school between the hours of 1:00pm to 2:00pm for lunch period and between the hours of 12:00 – 3:00pm for limited class activities through out the week. The Reserve is also available for shared use by after school care.
2.2	The grassed area is not available to the school during rain periods and while in a wet or soaked condition (a prohibition of one day after a rain period will be required).
2.3	The grassed area is not available to the school while in a state of repair or recuperation (as specified by Council through out the year)
2.4	Newly established and existing gardens are to remain out of bounds to the school children
2.5	The school is required to clean the park after use each day

Please note that at any time while the school is using the park it is also available for use by the community.

Should the school be fairly deemed to have regularly breached any items in this agreement, Council shall reserve the right to terminate the agreement.

South Sydney Council Share Use Agreement 2002

LOCALITY PLAN



APPENDIX E - Community Consultation

Your local park, your opportunity
Come and have your say on
the future of Lillian Fowler Reserve,
Newtown

Saturday 28 April 2007
2.00pm to 4.00pm



**The City of Sydney invites you to a community workshop
to discuss the future of Lillian Fowler Reserve.**

Community Workshop
Saturday 28 April 2007
2.00pm to 4.00pm
Erskineville Town Hall, 104 Erskineville Road

city of villages

Community Consultation


www.cityofsydney.nsw.gov.au


I invite you to discuss the future of Lillian Fowler Reserve on Angel Street, Newtown.

The City of Sydney is committed to greening the city and to improving your local parks.

On Saturday 28 April, join us at Erskineville Town Hall to discuss your expectations for the future use and management of the Reserve.

Following this, a second meeting will present draft landscape concepts and a draft Plan of Management for the park, for discussion and feedback.

This is the first step in the upgrade and planning for the future use of Lillian Fowler Reserve. I hope to see you at the community meeting and look forward to hearing your feedback.

Clover Moore MP
Lord Mayor

WHAT'S HAPPENING AT LILLIAN FOWLER RESERVE

The aim of this project is to work with the community to review the Reserve and plan for its future. This work will be used to update the Reserve and guide planning for its future use.

Community concern was raised in late 2006 after a large branch fell from one of the Reserve's fig trees. Community meetings saw agreement to retain the trees with pruning to ensure the safety of the community and buildings. There was a need for a Plan of Management and Masterplan for the park to guide tree management, future development, upgrades and Reserve use.

Come along to the workshop to discuss:

- use of the park by the community
- new plantings – shrubs and trees
- tree management
- improvement to drainage and turf management.



COMMUNITY MEETING

Saturday 28 April 2007

2.00pm to 4.00pm

Erskineville Town Hall,
104 Erskineville Road



Lillian Fowler Reserve,
Angel Street, Newtown

PROJECT TIMELINE

Community workshop
28 April 2007 – 2.00pm

Community meeting to finalise draft plans/report to council
June/July 2007

Public exhibition of draft Plan of Management and Masterplan
August 2007

Council consideration of Plan of Management and Masterplan
October 2007

Work commences (TBC)
Early to mid 2008

MORE INFORMATION

More information is available at www.cityofsydney.nsw.gov.au or contact:

Laurie Johnson
Project Development Manager
Tel: 9246 7579
ljohnson@cityofsydney.nsw.gov.au

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April 2007

city of villages

Community Consultation



Community Workshop Lillian Fowler Reserve Upgrade

Saturday 28 April
Erskineville Town Hall, 104 Erskineville Rd, Erskineville

2.00pm to 4.00pm

DRAFT AGENDA

- **Registrations** 2.00pm
- **Welcome** 2.10pm
Lord Mayor, Clover Moore, MP
- **Project Overview**
Guy Sturt, Guy Sturt & Associates
Laurence Johnson, Referrals and Strategy Manager, City of Sydney
Sandy Hoy, Guy Sturt & Associates
- **Workshop** 2:30pm
Small groups discuss possible options and explore the idea of place making through:
 - Listing constraints and opportunities for the Reserve;
 - Drawing a plan/picture of how the site could be transformed to create their vision.
- **Reporting Back** 3.00pm
Feedback from each group will be provided
- **Wrap Up** 3:50pm
Laurence Johnson, Referrals and Strategy Manager, City of Sydney
- **Close** 4.00pm

Light refreshments will be served.

city of villages

Community Consultation

LILLIAN FOWLER RESERVE		
Community Workshop held at Erskineville Neighbourhood Centre on 28 April 2007		
Community Comments		
ISSUE	POINTS RAISED BY THE PARTICIPANTS	PARTICIPANTS SUGGESTIONS FOR THE RESERVE
PARK USE	The park is a busy park	
	User groups	
	School children use the park at lunchtimes	
	Pre-schoolers, toddlers and parents	
	Activities	
	For play and socialising	
	Dog exercising	
	Children's birthday parties	
	Cricket at Christmas	
	People throw frisbees and play cricket and ball games on the grass	
	People used to do tai chi in the park	
SCHOOL USE	Hours	
	The school currently uses the park only at lunchtime for 45 minutes.	
	The school has recently stopped kids using the park before 12 noon.	
	Digging by kids	
	Kids dig around trees and in the garden bed	School supervision is now in place to stop digging
	Digging in the park by children and/or dogs leaves holes and bare areas	The school now has a digging patch of its own
	Kids dig in the park with sticks, stones at lunchtimes which is dangerous for other users	Give kids an area of the park to look after
	Bricks have been removed from around the play equipment	Allocate the school an area that kids can use as a school garden
	Kids are digging up the bitumen area around the play equipment	Balanced management approach, common sense use, allowing free play and variety of use without constant policing
	The park is a busy park but it is being degraded by being dug up	
	Holes in the ground have safety consequences	
	The school use agreement has been breached consistently over a 5 year period	Council and residents and a school group to 'police' the use agreement
		There should be consequences for school students digging holes in the grass and damaging trees, such as policing/banning school use

Community Consultation

ISSUE	POINTS RAISED BY THE PARTICIPANTS	PARTICIPANTS SUGGESTIONS FOR THE RESERVE
EXISTING TREES	Council is slow to undertake improvements to tree root zones	Mulching is still required
	There are conflicting views on the health of the fig trees. Do they really need removing?	Emphasis on tree retention
		Retain trees as long as possible (forever if possible)
	A replacement plan is needed if trees are to be removed	Retain tree but encourage aerial root prop
	The Jacaranda is struggling	Staged tree planting plan with timeframe
TEMPORARY FENCING OF FIG TREES	Does the southern fig really need fencing off?	
	Fencing stops use of the shaded area under the trees	Reduce / remove fencing of the southern fig to allow use of the space under the tree for play or shaded seating
	Is fencing really necessary?	Low fencing is preferred, if fencing is required
		Any permanent fencing should be attractive
	Temporary fencing limits access to trees and is unattractive	Suggest underplanting instead of fencing
PLANTING	Existing garden beds need to be better maintained	
	The new ditch and edges to beds are taking a long time	
	Plantings are great but they don't have a chance to survive	Kids to just use the play equipment while plants and the grassed area rehabilitate
	Garden beds have had to be replaced	
	Need to protect garden beds from damage	Plant some trees in the middle of the grassed area associated with a gently curving path
DRAINAGE		New planting of a major tree in the south-west corner near the Jacaranda to complement existing trees and not replace them
		Any new trees should be mature size
		Strelitzias are very hardy
	Overland flow from the school grounds causes erosion along the wall	Harvest stormwater from the school grounds to reduce water flow and erosion of the park
	Stop water sheeting from stormwater and school buildings	Install rainwater tanks, underground tanks
	Fill over the previous path location is being washed away	Use stormwater to water the park
	The school drain tends to overflow because it is constantly blocked	Improve topsoil drainage in park
	Not sure if the school drainage pit is connected to the stormwater system	
	Local drainage system (adjacent to the school in Norfolk Street) overflows and adds to the drainage problem	

Community Consultation

ISSUE	POINTS RAISED BY THE PARTICIPANTS	PARTICIPANTS SUGGESTIONS FOR THE RESERVE
GENERAL	Some residents couldn't attend the meeting due to apparent late notice	More notice to residents about future meetings should be given
	Residents to be kept up to date about the latest decision on the trees	Form a committee of residents, park users and Council
	Open space has a good balance between space and shade	
	Happy with the current configuration of the reserve	
	There is nowhere to leave bikes	Install a bike rack, possibly at the entrance
	More shaded seating areas with seating under trees	Put a table and chairs between the northern fig tree, the path and the play equipment. The table must be accessible from the road
	Seats have been removed from under the northern fig	Seating under or near the southern fig in a shaded area
	A path bisecting the grassed area was removed some years ago	Open up the grassed area by linking a curved path from Angel Street to the entrance to the school / existing path intersection
		Paint the rear wall because it is ugly
		Interaction with the community garden via a gate
MAINTENANCE AND	The area at the south-western boundary is untidy, with a collection of rubbish, dirt, leaves, and an old buried fence	Clean up the south-west corner
MANAGEMENT	Lawn areas are worn from use	Suggest more durable turf species (Buffalo) and soil improvements
	Grass cover is good quality	
	There is a worn area around the bubbler	Relocate the bubbler
	Bubbler is located among grass	Either move bubbler or install a hard surface next to the bubbler
	Why do Council vehicles have to park on the grass in the park?	
	Drinking at night occurs at the seating area	Council Ranger patrols
	Make more use of the school's asphalt area	
	There is a light out in the reserve	
DOGS	Some people don't clean up after their dogs (95% do the right thing)	Educate the public
		Council Ranger patrols
PLAYGROUND	Equipment	
AREA	Current equipment is only aimed at younger children	
	No equipment for 10 to 12year olds	More equipment is needed for older children (10 to 12yrs)
	No active / climbing equipment	More 'active equipment' to encourage active climbing and exercise rather than passive use
	Shade	
	Playground is very well shaded	
	The previous playground was moved from the lawn area to take advantage of the shade zone under trees where turf didn't grow	
	Current playground location allows for shaded play and an open lawn area	

Community Consultation

Lillian Fowler Reserve

Your local park, your opportunity
Come and have your say

Tuesday 17 July 2007
6.00pm to 8.00pm



**The City of Sydney invites you to a feedback session
regarding the future of Lillian Fowler Reserve, Newtown.**

Tuesday 17 July 2007
6.00pm to 8.00pm

Brown Street Community Hall,
above Newtown Library,
8-10 Brown Street, Newtown.

city of villages

Community Consultation


www.cityofsydney.nsw.gov.au


I invite you to attend a community meeting to hear draft plans for the proposed upgrade to Lillian Fowler Reserve on Angel Street, Newtown.

On Saturday 28 April, we met with residents to discuss the priorities for the future of Lillian Fowler Reserve. The draft Masterplan for physical improvements and draft Plan of Management will now be presented for feedback and discussion with City staff and consultants at the meeting on 17 July. Feedback from the community will be used to develop the final plans.

This is your chance to have your say in the upgrade and planning for the future use of Lillian Fowler Reserve prior to the public exhibition of the draft Plan of Management and Masterplan.

I hope to see you on 17 July at Brown Street Community Hall and I look forward to hearing your feedback.

Clover Moore MP
Lord Mayor

WHAT'S HAPPENING AT LILLIAN FOWLER RESERVE

The aim of this project is to work with your community to update and review the Reserve and plan for its future.

Community concern was raised in late 2006 after a large branch fell from one of the Reserve's fig trees. At Community meetings it was agreed to retain the trees with pruning to ensure the safety of the community and buildings. There was a need for a Plan of Management and Masterplan for the park to guide tree management, upgrades and Reserve use.

After consultation with residents and independent advice from arborists, the trees will be maintained with regular monitoring and ongoing care.



Lillian Fowler Reserve

PROPOSED OUTCOMES

- drainage improvements
- additional playground equipment for older children
- environmental sustainability measures including harvesting storm water run off
- tree management plan
- ongoing shared use with Newtown Public School and a community representative committee to oversee the agreement.

COMMUNITY MEETING

Tuesday 17 July 2007

6.00pm to 8.00pm

Brown Street Community Hall above Newtown Library
8-10 Brown Street, Newtown.



A resident in nearby Newtown

HAVE YOUR SAY

If you can't make it to the meeting, and would like information about the draft proposals, please contact:

Laurie Johnson
City of Sydney
GPO Box 1591
Sydney NSW 2001
Phone 9246 7579
Fax 9265 9855
ljohnson@cityofsydney.nsw.gov.au

More information is also available at www.cityofsydney.nsw.gov.au

PROJECT TIMELINE

Community meeting
17 July

Public exhibition of draft Plan of Management and Masterplan
September 2007

Council consideration of Plan of Management and Masterplan
October 2007

Work commences
2008

PRINTED ON RECYCLED PAPER

July 2007

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Community Feedback Lillian Fowler Reserve Upgrade

Tuesday 17 July
Brown Street Community Hall, (rear of Newtown Library)
Brown Street Newtown

6.00pm to 8.00pm

AGENDA

- **Welcome**
Lord Mayor, Clover Moore, MP **6.00pm**
- **Project Overview**
Guy Sturt, Guy Sturt & Associates **6.10pm**
Laurie Johnson, Project Development Manager, City of Sydney
- **Discussion/ Feedback** **6.30pm**
- **Close** **7.50pm**

Light refreshments will be served.

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Community Consultation

EXAMPLE OF FEEDBACK SHEET

**Lillian Fowler Upgrade
Feedback Form
Tuesday 17 July 6pm to 8pm
Brown St Community Hall Newtown**

- What do you like about the design proposal?

EXCELLENT - THOROUGHLY COMMENDED. PLAN.
PRESERVATION OF AND SUPPORT OF
EXISTING LARGE TREES.
IMPROVED BROAD ACCESS FOR MULTI USAGE.

- What issues or concerns would you like the City of Sydney to address?

I QUESTION THE NEED FOR BARRIER
FENCING AROUND THE LARGE TREES. ROPING
OFF + MULCHING MAY BE MORE EFFECTIVE.
REVIEW MAIN ACCESS STAIRS TO HARD PLAYGROUND
- TRIP HAZARD. AT TOP STEP. AREA.

- Which elements of the design should be implemented as part of this project?

STRONG CONSIDERATION OF THE
PROPOSAL TO DEVELOP SUB SURFACE
STORAGE OF STORM WATER

1. Contact information (optional)

Name: [REDACTED]
Phone: [REDACTED] (h) [REDACTED] (w) [REDACTED] (mob)
Address: [REDACTED]
[REDACTED] NEWTOWN NSW 2042
Email: [REDACTED]

2. You can complete this feedback form and hand direct to staff; or

3. Post back to Laurie Johnson, Referrals and Strategy Manager, City of Sydney, GPO Box 1591, Sydney NSW 2001; or

4. Email ljohnson@cityofsydney.nsw.gov.au by 3 August 2007

Community Consultation

LILLIAN FOWLER RESERVE 17 July , 2007 Community Meeting @ Newtown Community Hall	
Community Feedback	
ISSUE	POINTS RAISED BY THE PARTICIPANTS
PARK USE	<p>Parent suggested that immediate playground could be fenced so smaller children could not run out into streets.</p> <p>Parent noted that childrens parties were often held and benches/tables would be useful.</p> <p>Number of speakers endorsed new master plan. No negative comments about the new plan were aired.</p> <p>Park user suggested Council upgrade the steel mesh fencing dividing the school asphalt play area from the park.</p> <p>Dog owner was concerned he was in breach of companion animal act by bringing dog in gate closer than 10m to playground- suggesting another entry. Mayor explained Rangers used discretion in enforcement.</p> <p>New bubbler location questioned as it may make wet area in close vicinity of playground. Council to review.</p> <p>Mayor suggested dual use pet bubbler/drinking dish.</p>
COMMUNITY GARDEN	<p>Strong interest expressed by a number of residents in:</p> <ol style="list-style-type: none"> 1. Removing high fence between Lillian Fowler Reserve and community garden. 2. Council exploring opportunity with Education Dept. to give wider use to students/residents than presently enjoyed. 3. Council to possibly run community garden workshop with Council Community Garden Liaison officer to further develop opportunities.
SCHOOL USE	<p>New linemarking and netball/basketball hoops was strongly supported.</p> <p>Trip hazard was noted at top of stairs to school playground and a parent expressed a desire for Council to look at equal access and access for prams between the spaces.</p>
TEMPORARY FENCING OF FIG TREES	<p>One parent was concerned aluminium/steel picket fencing could be hazardous to children climbing over. Council suggested a scalloped/paddle pop profile as opposed to arrow head could be specified.</p> <p>Picket fencing was not necessary but something more in line with Botanic gardens (Post & chains) would be less obtrusive.</p>
PLANTING	<p>One resident suggested Gowrie Street Reserve was good model for design of new works-especially the interpretation about plant species. Especially opportunity for a school/ educational garden.</p>

Community Consultation

ISSUE	POINTS RAISED BY THE PARTICIPANTS
	A number of users suggested long bench would not be effective in protecting planting against wall. Benches with backs were preferred.
	WRITTEN SUBMISSIONS RECEIVED ON THE EVENING/ RECEIVED AFTER MEETING
	"what do you like about the design proposal"
1	Almost all of it.
2	I like the idea of including the equipment for older children and the extra seating.
3	Excellent-thoroughly commended plan. Preservation and support of existing large trees and improved broad access for multi usage.
4	"Tick"
	Mulching and improving garden beds especially trees.
	Formalising/ defining garden beds, trees
	Seating opportunity along retaining wall
	Keeping as much open area as possible
	Retention of Fig trees
	Advanced planting
	Water bubbler relocated.
	Bike rack - but on raised area
	"What issues or concerns would you like the City of Sydney to address?"
1	Trip hazard at top of stairs...needs to be addressed by Dept. of Ed.
	The exclusion fencing around figs is not justified by level of risk and inconsistent with the use of exclusion fencing around trees throughout Sydney.
	If fence is required must be low enough and designed to be safe to climb over to retrieve balls etc. Warning signs are better option.
	The long bench beside lower lawn will lead to localised turf wear.
	Provide disabled access to asphalt area.
2	Carefully consider placement of bubbler so as not to create a wet area in playground.
3	I question the need for barrier fencing around the large trees. Roping off and mulching may be more effective.
	Review main access stairs to hard playground area-trip hazard at top of step.

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