

ATTACHMENT A

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**WATER POLICE SITE PARK PLAN OF
MANAGEMENT JULY 2009**



Former Water Police Site

Plan of Management

DRAFT

23rd July 2009

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In July 2005 the City of Sydney purchased the former Water Police Site at Pyrmont for future park land use.

This acquisition secures continuous parkland around Pyrmont Peninsula and adds another section to the foreshore walk from Glebe to the city.

An extensive community consultation process culminated in Council adopting a landscape master plan which provided a clear vision of the layout and character of the new park.

Following adoption of the master plan a Development Application for the park was prepared and approved by Council on 19th February 2007. An additional Development Application for the kiosk, toilets and shelter structures was approved by Council on the 7th April 2008.

This plan of management will be the tool to guide the on going use and management of the new park upon completion and ensure future decisions are in keeping with the principles and values set out during the master plan development process for the park.

1.1 What is a Plan of Management?

A Plan of Management is a document that outlines how open space is intended to be used, developed, managed and maintained.

1.2 Need for this Plan of Management

All land that is vested in a council needs to be classified as Operational or Community Land.

Community Land normally comprises of public parks and other community facilities. Operational land usually comprises of land held by council for investment purposes or used to carry out its functions eg works depot sites.

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. Community land is defined as land that must be kept for the use of the general community, and must not be sold.

This land must be managed according to the provisions of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

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The Water Police site is owned by the City of Sydney and is currently classified as Operational Land which under the Act does not require a plan of management. However Council resolved to reclassify the land as Community Land to ensure long term protection of the site for community use. Once this reclassification comes into affect the ongoing use and management of the park needs to be in accordance with a plan of management.

The Development Application Conditions of Consent No 5 (D/2006/1903) and Conditions of Consent No 5 (D/2007/2368) also requires the preparation of a Plan of Management in accordance with Local Government Act 1993 prior to the issue of an Occupation Certificate for the development.

1.3 Purpose of this Plan of Management

The purpose of this Plan of Management is to:

- Facilitate the re classification of the land from Operational to Community Land in accordance with Local Government Act 1993;
- Protect the values and expectations reflected in the community consultation and master plan process carried out for future use and enjoyment of the park.
- Ensure protection the of design integrity of new park in the future.
- Provide direction and clarity for the ongoing use, management and development of the Park;
- Meet all relevant legislative requirements.
- Be consistent with Council's Corporate Plan and other strategies, plans and policies.

1.4 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	Relevant Sections in 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.	s36(3A)(a)(i)	Refer to Section 2
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.	s36(3A)(a)(ii)	Refer to Section 5
Categorisation of Community Land	s36(4)	Refer to Section 4
Core objectives for management of the land categorised as Community Land	s36E- N	Refer to Section 4
The purposes for which the land, and any such buildings or improvements will be permitted to be used.	S36(3A)(b)(i)	Refer to Section 5
The purposes for which any further development of the land will be permitted, whether under lease or licence or other wise.	s36(3A)(b)(ii)	Refer to Section 5
A description of the scale and intensity of any such permitted use or development.	s36(3A)(b)(iii)	Refer to Section 5
Authorisation of leases , licences or other estates over Community Land	s.45	Refer to Section 5
Performance Targets	s.36(3)(b)	Refer to Section 6
Means of Achieving Objectives and Performance Targets	36(3)(c)	Refer to Section 6
A means for assessing achievements of objectives and performance targets.	s.36(3)(d)	Refer to Section 6
Undertake a Public Hearing during exhibition period	s40(A)	Refer to Section 7

In addition to the requirements of the *Local Government Act 1993* the Development Application Conditions of Consent Condition (5) requires the following to be included in the Plan of Management.

1.5 Community Consultation Requirements + Public Hearing

The Act requires that the draft plan of management must be placed on public exhibition for a minimum of 28 days with a further 14 days during which submissions may be received by the Council.

In addition a public hearing must be held during the exhibition period in accordance with the requirements of s40 (A) and 47(G) of the Act. The primary purpose of the Public Hearing is to discuss the categorisation of the subject Community Land.

Table 2: Consent Conditions

	D/2007/2368 and D/2006/1903 Condition of Consent (5) Plan of Management Considerations	How this Plan Satisfies These Considerations
(a)	security patrol measures	Refer Section 5.1.2 and 5.1.5
(b)	surveillance and other security and response methods;	Refer Section 5.1.2 and 5.1.5.
(c)	security management of the public and private domain within and surrounding the site;	Refer Section 5.1.2 and 5.1.5.
(d)	managing patron behaviour including before and after any separately approved events;	Refer Section 5.1.2
(e)	measures to control noise emissions from the site;	Refer Section 5.1.2
(f)	community consultation and complaints handling	Refer Section to 5.17

2.1 Location and Details

The 1.8 hectare Water Police site is located at the end of Pymont peninsula and is bounded by Pymont Point Park to the north, Elizabeth Macarthur Bay to the west, and Pirrama Road to the South and East and Harris Street to the west. (Figure 1)

The land covered by this Plan of Management includes all land that is subject to works associated with the construction of the Water Police Site Park that is detailed in Master Plan prepared by ASPECT Studios Landscape Architects in collaboration with Hill Thalys Architects and CAB Consulting. (Figure 9)

However it needs to be noted that not all land part of the park will be subject to the requirements for Community Land under the Local Government 1993.

The wharves and boardwalks are owned by NSW Maritime and are not subject to the requirements of the Local Government Act 1993.

The northern section of Harris Street is currently and will remain classified Public Road that is subject to the provisions of the Roads Act 1993.

The section of Pirrama Road will be classified as public road to provide consistency to the management of the rest of the Pirrama Road and surrounding road network which are currently classified as public road.

Figure 1: Location Plan



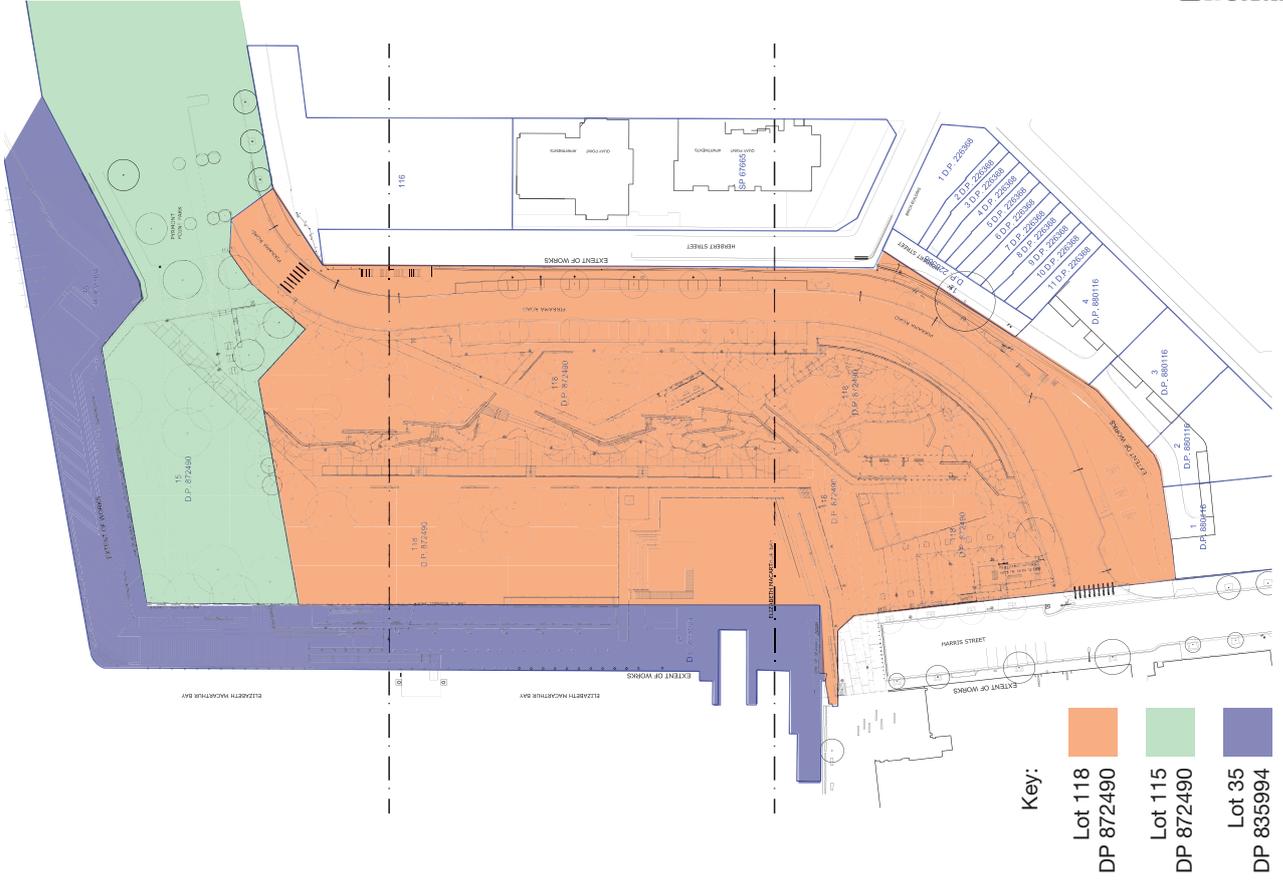
2.1 Location and Details

Relevant land information details of future Water Police Site Park is as follows:

Table 3: DP/ Lot Information and Ownership for the Former Water Police Site and associated areas

Area (Refer to Figure 2)	DP/ Lot Information	Ownership	Land Subject Community Land Requirements under Local Government Act 1993
Former Water Police Site	Lot 118 DP 872490	City of Sydney	Yes
Western end of existing Pyrmont Point Park	Part Lot 115 in DP872490	City of Sydney	Yes
Wharves and Floating Pontoons	Part Lot 35 DP 835994	NSW Maritime	No
Northern end of Harris Street	Public Road	City of Sydney	No – Roads Act 1993
Pirrama Road	Within boundaries of Lot 118 DP 872490	City of Sydney	No – Roads Act 1993
Land – South Pirrama Road	Within boundaries of Lot 118 DP 872490	City of Sydney	Yes

Figure 2: Lot/DP Parcels Diagram

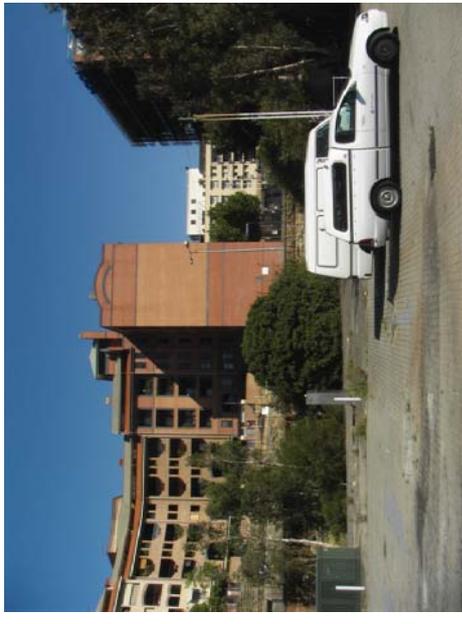


2.2 Context

The subject site is relatively flat but is adjoined to the east by a steep cliff face with residential development above. To the north east the site is adjoined by the existing Pymont Point Park. To the south west the site is adjoined by the Jackson's Landing development and foreshore promenade.

The site offers expansive views over the western inner harbour, some of which has been developed for medium- high density residential and other areas which retain the vestiges of the "working harbour".

Figure 3: Master Plan



2.3 History and Cultural Heritage

CAB Consulting Pty Ltd prepared a Heritage Impact Statement to accompany the Development Applications D/2006/1903 and D/2007/2368 for the Park.

Significant periods of the site's evolution from a natural place to its present urban context include:

1. Aboriginal Occupation
2. European Occupation
3. Colonial Land Owners: Jones c.1795-1799 and Macarthur 1799 -1929
4. Leasehold: Recreation and Industrial Uses : Baths 1875, Various leases 1876, Goodlet and Smith 1885-1929
5. Sydney Harbour Trust: Wharf Facilities 1929-1992
6. Water Police c.1992-2003
7. Sydney Harbour Foreshore Authority
8. City of Sydney Site Acquisition

Part of the existing fabric of the locale is listed on the National Estate Register. Included are the cut sandstone cliff between Herbert Street and Pirrama Road and remnant portions of Wharf 25 relating to the Sydney Harbour Trust occupation of the site.

The site is within close proximity of a number of heritage items under Sydney LEP 2005 including western and northern escarpment and cliff face alongside Pirrama Road.

2.3.1 Statement of Cultural Significance

The former Water Police Site is part of the territory of the Darug Nation (coastal language group) and the Wanggal clan. It is associated with the land holdings of the Macarthur family and the subsequent development of part of that holding as a harbourside industrial development up to the present.

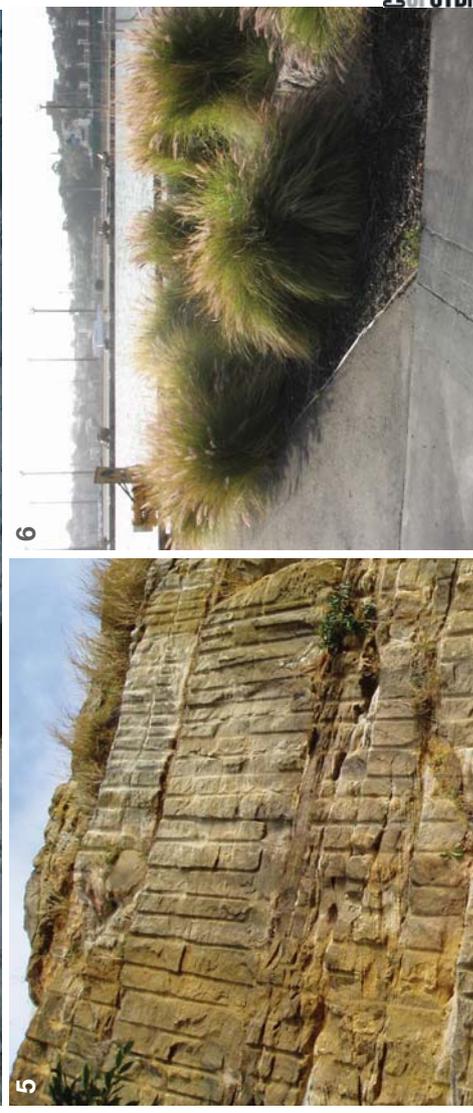
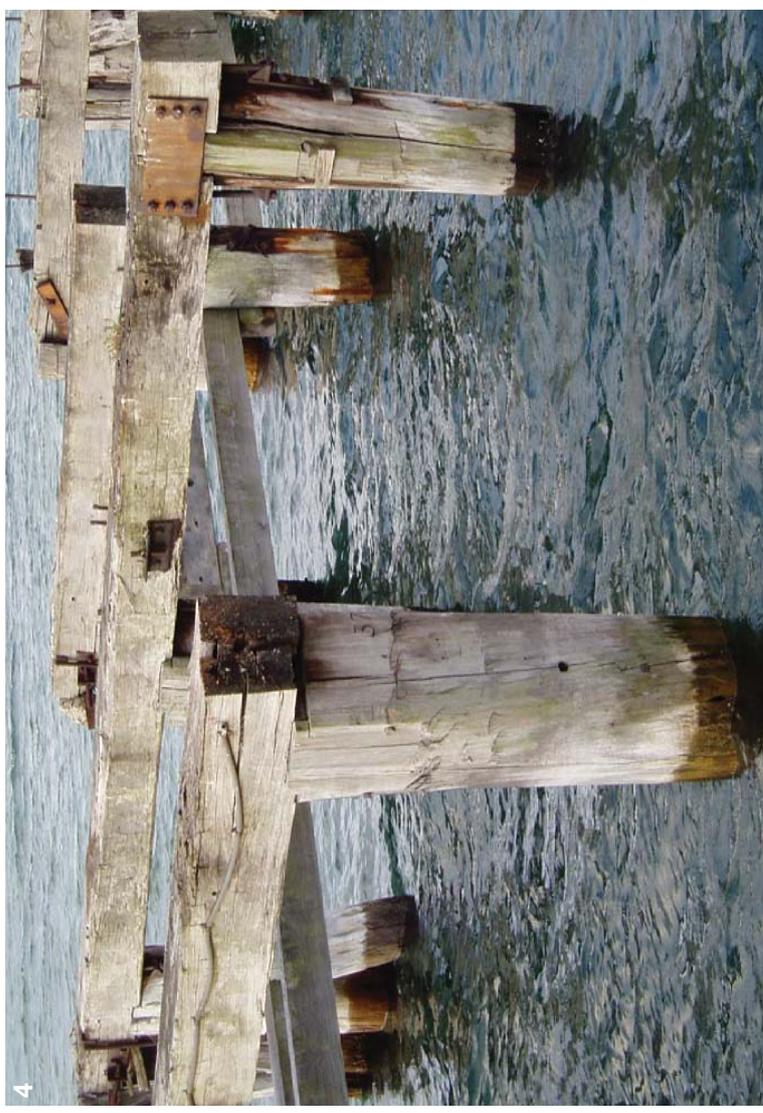
It forms part of the Pymont peninsula associated with weathered Hawkesbury Sandstone geological formation, natural springs and its adaptation for industrial uses with a strong marine influence.

It is associated with the Pymont Point landform and a place of public access for the local community in terms of the nearby location of the former Pymont Baths and former Pymont Sailing Club.

p4 Heritage Impact Statement, prepared by CAB Consulting 2006

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Figure 4: Existing wharf structure Pymont Point Park Figure 5: Existing sandstone escarpment Figure 6: Jacksons Landing



2.4 Ownership

The former Water Police Site was purchased by the City on 1st July 2005 in accordance with an agreement entered into with the Sydney Harbour Foreshore Authority (SHFA).

Pyrmont Park which includes the northern end of the Water Police master plan was transferred to the ownership of the City on 28 May 2005.

The northern section of Harris Street was already under the ownership of City of Sydney as a public road.

The wharf structures are currently owned by NSW Maritime (part of Lot 35 DP 835994). SHFA currently have a lease with NSW Maritime over the wharf structures however this lease will be transferred/ surrendered when a new lease is executed over the same wharf area between City of Sydney and NSW Maritime. Refer to Figure 2: Lot/DP Parcels Diagram

2.5 Obligations Conditioned to Sale of Land

Under the terms of the sale agreement with SHFA, a covenant was registered on the title which restricts the use of the site to a park or open space for passive and/ or active recreation, and allows ancillary facilities which benefit the local community including:

1. playgrounds or recreational sporting facilities;
2. toilet facilities, food kiosk, cafes or refreshment rooms;
3. community facilities, cultural facilities, social facilities or educational facilities and /or;
4. parking and/ or access.

Additional obligations as part of the site's purchase conditions also include the need to retain a traffic link between Harris Street and Pirrama Road.

Figure 7: LEP Map Depicting Zoning



2.6 Existing Zoning - Sydney LEP 2005

Development and activities authorised in this Plan of Management need to be permissible and consistent with the zoning objectives of the Sydney LEP 2005.

The subject land is zoned part “Residential – Business”, part “Public Recreation” and is part unzoned (although identified as being “Public Recreation – Preferred Location”) pursuant to the provisions of the Sydney LEP 2005. (Refer Figure 7)

This current zoning reflects redevelopment objectives that were previously being pursued by the state government and has not been updated since acquisition of the site by the City and the subsequent decision to redevelop the whole water police site as a park.

The City in development of a comprehensive LEP (City Plan) will amend the site’s zoning to a public recreation and community places zone to reflect future use of the site.

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.

Table 4: Existing Zoning

Area (Refer to Figure 2)	DP/ Lot Information	Current Classification (Figure 8)
Former Water Police Site Park	Lot 118 DP 872490	Operational Land
Wharves and Floating Pontoon	Part Lot 35 DP 835994	N/A – Under ownership of Maritime Services
Western end of existing Pyrmont Point Park	Part Lot 115 DP 872490	Status – Community Land
Northern end of Harris Street	Within boundaries of Lot 118 DP 872490	Public Road
Pirrama Road	Within boundaries of Lot 118 DP 872490	Operational Land
Land South of Pirrama Road	Within boundaries of Lot 118 DP 872490	Operational Land

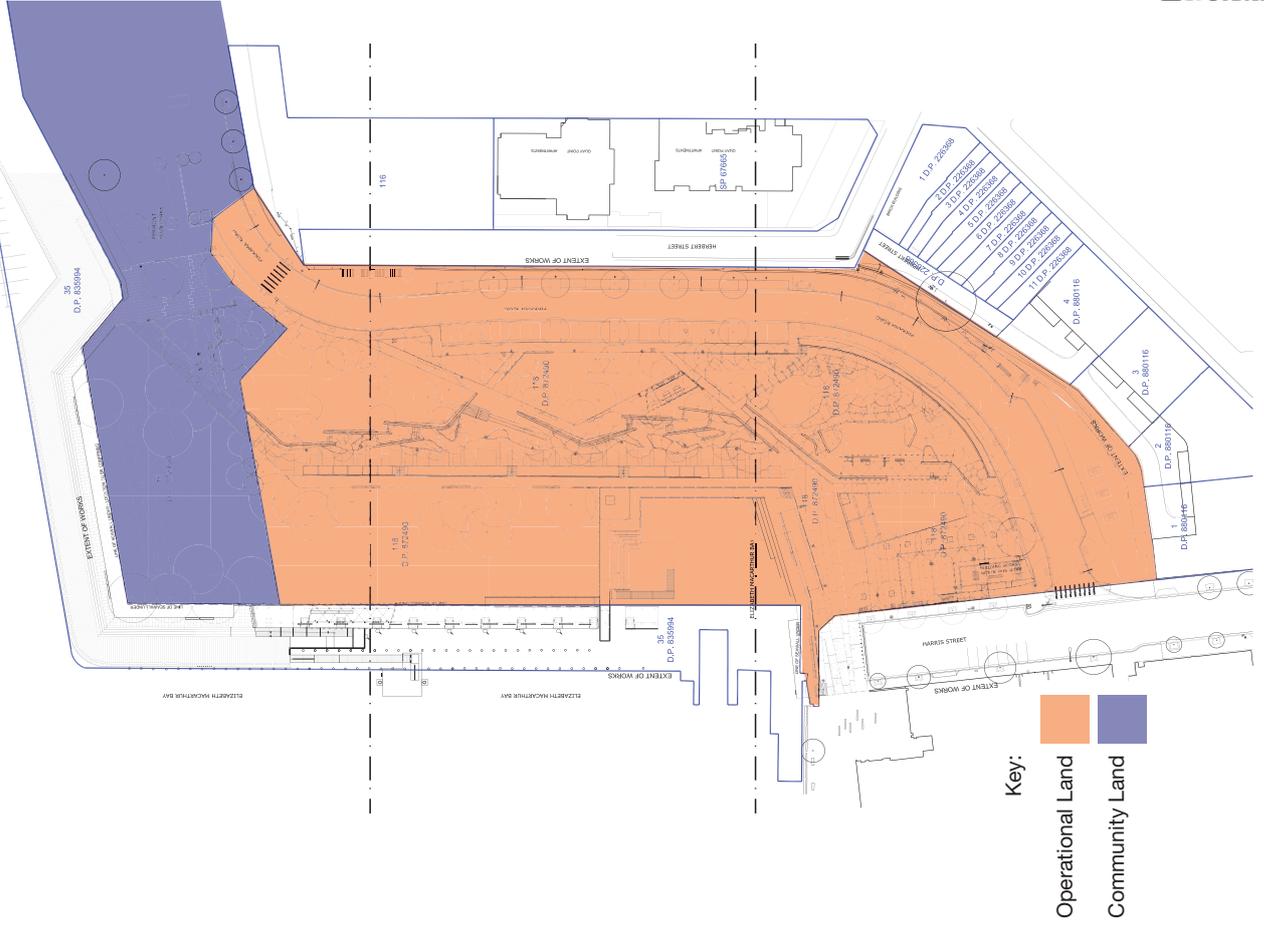
2.7 Current Classification of the Land

The current classification of various components of the site is shown in Figure 8.

On the 22 August 2005 Council resolved to classify land acquired from SHFA for an interim period as Operational Land in order to progress the remediation of the site and park development in a timely manner. (Refer to Section 8 Appendix).

This Resolution required that a report on future reclassification of the land to community land be provided to Council by Council by July 2007 or the completion of the works, whichever is earlier. A report was presented and approved by Council on the 25 June 2007 which now allows classification of the park as community land upon adoption of the plan of management and issue of a construction certificate for the completed park works.

Figure 8: Current classification



2.8 Current Site Condition and Permissible Activities

The legislation requires a description of the current condition and use of Water Police Site as per the following requirements:

Table 5: Local Government Act

Local Government Act 1993	
Clause	Requirement
36 (3A) (a) (i)	<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.</i>
36 (3A) (a) (ii)	<i>The use of the land and any such buildings or improvements as at that date.</i>

The following Tables makes reference to the specific clauses in the legislation and provides 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 or repair
- Poor – in need of major repair/ demolition

Table 6: Description of Existing Study Area and Current Permissible Uses

Item	Description	Current Condition Clause 36(3A) (a) (i)	Current Use Clause 36(3A) (a) (ii)
Former Water Police Site	Vacant site secured by chain wire mesh fence. Construction works underway for new park as per D/2006/1903 and D/2007/2368	N/A – site currently undergoing redevelopment. Expect completed works to be in good condition.	Construction activities associated with Water Police Park development.
Wharf structures (Ownership NSW Maritime)	Concrete topped wharf structure supported by timber piles Land/Water edge defined by Concrete sea wall	N/A – site currently undergoing redevelopment. Expect completed works to be in good condition.	Construction activities associated with Water Police Park development.
Pyrmont Point Park (west)	Previous western end of Pyrmont Point Park. Construction works underway for new park as per D/2006/1903 and D/2007/2368.	N/A – site currently undergoing redevelopment. Expect completed works to be in good condition.	Construction activities associated with Water Police Park development.
Pirrama Road/ North Harris Street	Bitumen sealed road, concrete kerb and gutter, bitumen pathways, street lighting and street signage. Adjacent to Pirrama Road a sandstone escarpment with sections of concrete retaining wall to form Herbert Street above. Existing set of stairs northern end of Herbert Street extend down to Pirrama Road along the sandstone cut Construction works underway for new park as per D/2006/1903 and D/2007/2368	N/A – Existing road – fair condition. Expect completed works to be in good condition	Construction activities associated with Water Police Park development includes road realignment to provide optimum area for parkland.
Land South of Pirrama Road	Current vacant land adjacent to sandstone escarpment. Excluded from approved redevelopment works defined in Consent D/2006/1903	Unimproved land	Vacant land.

LAND DESCRIPTION + PLANNING

2

2.9 Current Leases and Licences

There are no lease or licence agreements on the site.

3.0 Master Planning + Development Approval of the New Park

The Water Police site project is unique in that it will transform a brown field harbour front property into to a new park.

3.1 Community Consultation and Master Plan Development

Upon acquisition by the City in July 2005 preparation of a master plan commenced which included an extensive public consultation process.

Council appointed consultants ASPECT Studios Landscape Architecture in collaboration with Hill Thalis (Architects) and CAB Consulting to develop a concept master plan for the site.

People for Places and Spaces (PPS) were engaged to facilitate the community consultation process.

The Master plan development process aimed to deliver the following:

- guide the redevelopment and enhancement of the site;
- provide tangible public use for all park users;
- transform a disused site into a new harbour park;
- incorporate environmentally sustainable measures;
- reflect the site's heritage.

Community consultation undertaken in the preparation of the master plan has been extensive comprehensive included 4 rounds of community consultation, 7 community forum sessions, contacted 23 community groups, engaged with 1085 participants and received 14,302 written ideas and responses.

- First Round – July/August 2005 – focused on community ideas and aspirations;
- Second Round – November /December 2005 – to feed back the outcomes of the first meetings and outline design principles and present design ideas;
- Third Round April – May 2006 – public exhibition of draft master plan;
- Fourth Round – 28 October 2006 – development application open day.

Figure 9: Design Ideas exhibited during master plan process



