



DRAFT PLAN OF MANAGEMENT

Trumper Park

January 2023

Acknowledgement of Country

Woollahra Council acknowledges the Gadigal and Birrabirragal people who are the traditional custodians of this land and pay respects to Elders both past and present and leaders emerging.



Draft plan of management for Trumper Park, Crown land reserve categorised as park, sportsground, and general community use.

Adopted by Council XXXX

Version number	Date approved	Approved By	Next Review
03 Draft	XX XXXX 2022	Manager Open Space and Trees	December 2027

To be read in conjunction with the generic plan of management for Crown land reserves, 2021.

Document History and Version Control Table

Version number	Date approved	Approved By	Brief Description Of Amendments
01 Draft	21 June 2021	Manager Open Space and Trees	Initial draft for S & C committee review
02 Draft	05 July 2021	Manager Open Space and Trees	S & C committee amendments, see HPE 21/120815 & 21/131744, for DPE review
03 Draft	29 September 2022	Manager Open Space and Trees	CLM Act amendment regulation 2021 & DPE amendments, see HPE 22/65488 and 22/176801

1. Preliminary

Title

This plan is known as the Woollahra Municipal Council Plan of Management for Trumper Park, 2023.

Authority

This plan is made under the Crown Land Management Act 2016.

Commencement

This plan commences XXX

Cancellation of Previous Plans

This plan cancels and supersedes previous plans in relation to the land to which this plan applies.



Figure 1. Trumper Park pond

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Glossary of Terms

Word or phrase	Meaning
Actions	Practical, measurable and achievable activities that need to be done to implement the management strategies
Active transport	Walking or cycling for transport
Capital Works Program	The annual assignment of work activities to be completed by Council, it has set budgets assigned to develop individual projects by various groups within Council
Community Land	Land intended for public access and use. To prevent alienation, it cannot be sold, leased or licenced or have any other estate granted over it for more than 21 years.
CPTED	Crime prevention through environmental design
Crown Land or Reserve	Reserved or dedicated lands administered under the Crown Land Management Act, 2016
CSR	Customer Service Request, internal system for managing all service requests
Green Links	Pedestrian and cycleways interconnected by tree canopy for shade
Lease	Confers an exclusive right to possession or use of the land / facility on the lessee. It is a written legal document between Council and the lessee.
LEP	Local Environment Plan
LGA	Local Government Area
Licence	Confers a non-exclusive right to utilise the land / facility for a limited purpose and time.
Objective	The desired outcome of land use
Performance Measure	An example of how to assess if the objectives and targets have been met by undertaking the actions
Performance Target	A measureable outcome (of a completed action) of what a set objective is aiming to achieve. The action is undertaken, and the target is either achieved or not.

Glossary of Terms *cont'*

Word or phrase	Meaning
Recreation - Active	Recreation activities that require physical exertion but are unstructured, such as parkrun events, skateboarding, casual basketball and charity bike rides, also including structured, organised activities such as sports, that require physical exertion and/or skill, and may involve training and competition.
Recreation - Passive	A range of unstructured activities and social interactions undertaken for enjoyment, relaxation, and mental health, with limited physical exertion. Passive recreation can be undertaken at all forms of open space and may include the use of playgrounds, reading, meditation and relaxing in nature.
Values	Ideals and qualities of a space that are significant to the community
WSUD	Water sensitive urban design

2. Executive Summary

This document is a plan of management for Trumper Park, Paddington. It has been prepared under the *Crown Land Management Act 2016*.

The land covered by this plan was previously administered under the Trumper Park Plan of Management, 1996. When adopted by Council, this plan of management will replace the previous Trumper Park plan.

This plan was developed by Council staff in consultation with the community and will be reviewed regularly to ensure that it remains current with legislative updates, changes in community needs and uses for public open space.

The management framework within this plan identifies strategies for the ongoing use of Trumper Park to achieve Council's vision, that:

“Woollahra will continue to be a great place to live, work and visit, where places and spaces are safe, clean and well-maintained. Our community will offer a unique mix of urban villages with a good range of shops, services and facilities.

We will make the most of the natural beauty, leafy streetscapes, open spaces, views and proximity to the water and the city. We will be a harmonious, engaged and connected community that looks out for each other.”

3. Introduction

3.1 What is a plan of management?

A plan of management (POM) is a land management tool. It provides forward planning and governance for the use of public “community” land under the *Local Government Act 1993* (LG Act).

Classification as “community” reflects the importance of the land to the community because of its use or special features. The ongoing management of community land is undertaken with community participation.

The *LG Act* requires that a plan of management for community land categorises the land as either natural area, park, sportsground, area of cultural significance, or general community use. Categories are assigned based on the way the land is used and provide the core land management objectives. In addition to categorisation, the plan of management must include objectives and performance targets with respect to the land, the means by which Council proposes to achieve those objectives and how it measures its performance.

A plan of management provides information about the land, including how it is currently used and how it may be used and developed in the future. It may be structured as a generic plan and prepared for more than one parcel of land, or a specific plan for a single site.

3.2 The need for this plan of management

The *Crown Land Management Act 2016* (CLM Act) authorises local councils to manage the dedicated or reserved Crown land for which they are appointed the Crown land manager as if those reserves were public land under the *LG Act*. In practice, Crown land will now be managed as if it were community land.

When the *CLM Act* came into effect, most of the Crown reserves in Woollahra were covered, in varying degrees of detail, by 12 plans of management. These were written between 1996 and 2013, including the Trumper Park plan of 1996, which was outdated.

While the *LG Act* allows generic plans to be prepared for many areas of community land, land that is critical habitat for threatened or endangered species must be covered by a specific plan of management that applies to that land only.

3.3 Aim of this plan of management

The aim of this document is to provide a specific plan of management for Trumper Park to comply with the *CLM Act* and the *LG Act*. It seeks to provide a clear land management framework that aligns with the State government’s vision for public open space, the values of the reserves and achieves Woollahra’s strategic objectives.

The State government’s vision for public open space as referenced throughout this plan is set out in the following key documents:



Figure 2. The cover of the State Strategic Plan



Figure 3. The cover of the Greener Places Guide



Figure 4. The cover of the NSW Public Spaces Charter

• State Strategic Plan – A Vision for Crown Land

Identifies 4 priorities for Crown land in NSW, they are to:

- enable jobs growth in regional and rural NSW
- expand green space, by linking Crown land reserves and other green spaces to form a 'green grid' across Greater Sydney, expand sustainable quality of life and climate change resilience
- strengthen and support evolving community connections
- work with Aboriginal communities to realise the potential of their land rights

These priorities, (with the exception of the first) have been imbedded in the performance targets of the management framework within this plan.

• Greener Places – An Urban Green Infrastructure Design Framework

Recognises the benefits of green infrastructure; open space for recreation, urban tree canopy and bushland and waterways and encourages the delivery of well-designed green infrastructure through the principles of:

- integration
- connectivity
- multifunctionality
- participation

This policy promotes the concept that green infrastructure is as crucial to a city as the grey infrastructure, such as roads and pipes. Crown land in Woollahra provides vital green infrastructure to the community. The management framework within this plan of management incorporates actions to deliver a more integrated, connected and multifunctional network of green infrastructure that encourages community stewardship of the land to achieve sustainable land use.

• NSW Public Spaces Charter

Quality public space, including open space is achieved through the application of the following 10 planning and design principles. The space should be / encourage:

- open and welcoming
- community focused
- culture and creativity
- local character and identity
- green and resilient
- healthy and active
- local business and economies
- safe and secure
- designed for people
- well managed

As the Crown land in Woollahra continues to transform, it must go beyond aesthetic appeal to be considered quality space and consider each of these principles equally.

3.4 Review of this plan of management

To ensure this plan of management remains relevant over time, the management framework should be reviewed, usually between 5 - 10 years from the date of adoption.



Figure 5. Trumper Oval is used for organised sport, including AFL

4. Process followed to prepare this plan

The process of preparing this plan of management involved the following tasks:

4.1 Researching the plan

- Review *Crown Land Management Act 2016* and *Local Government Act 1993* for requirements
- Review the schedule of Crown lands in the LGA on the Crown Land Manager Reserves Portal to identify the sites to include in this plan
- Review of existing WMC Plans of Management that reference these Crown land reserves
- Review of the WMC Community Strategic Plan, (CSP) Woollahra 2030 and other plans and policies, to ensure corporate consistency of strategic direction
- Project brief circulated to relevant WMC staff

4.2 Site inspections

- Observation of existing site conditions

4.3 Community consultation

- Thorough community engagement plan and strategies for the collection of values and management issues. (Due to COVID-19 this was disrupted, with face to face interaction cancelled due to social distancing.)

4.4 Preparing a draft plan of management

- Initial categorisation of Crown land reserves sent to the Department of Planning and Environment for approval. (Categories were assigned that most closely related to the purpose for which the land was dedicated or reserved, to cause no material harm and to reflect Council's intentions for future management of the land. WMC provided initial categorisation to the NSW Department of Planning and Environment on 21 October 2019. Categorisation approval was received on 27 February 2020.)
- Generic plan of management structure adapted for the majority of the reserves
- Specific plan of management structure adapted for sites of cultural significance and critical habitat for endangered species
- Incorporate elements from relevant documents, such as adopted master plans
- Survey results collated and fed into plan
- Native title manager advice acquired on the draft plans of management
- Report to Council to refer the draft plans to the NSW Minister for Planning and Environment

- Draft plans of management sent to the Department of Planning and Environment (DPE) for approval
- Amendments as required including those necessitated by the *CLM Act* regulation of 4 June 2021 and by the DPE review
- Amended plan reviewed again by DPE
- Obtain landowners consent to adopt the plan under the *CLM Act*

4.5 Council resolution and public exhibition

- Amended draft plans endorsed by Council for public exhibition
- Proceed with community engagement strategy, see HPE 21/168751 for details
- Notify stakeholders and community groups
- Place notices in *The Wentworth Courier*
- Place draft plans of management on display on the Council website and at the customer service centre at Redleaf for 28 day public exhibition, with a further 14 days for written submissions
- Provide a community information session and briefing sessions as requested

4.6 Adopting the plan

- Review and evaluate public submissions
- Amend draft plans and incorporate feedback from the public exhibition
- Prepare final plans of management
- Report to Council to consider adoption
- Adoption of plans
- Additional ministerial consent only required if there is significant changes made to the draft plans
- Commence implementation of the plans



Figure 6. Paddington Community Garden at Trumper Park

5. Land to which this plan applies

This plan of management applies to **Trumper Park** – Glenmore Road, Paddington. Trumper Park consists of 17 lots of Council owned community land and 8 lots within 4 reserves of Crown land.

5.1 Description

Trumper Park is approximately seven hectares of land. The boundaries include several road frontages and many private residences. Bowes Avenue to the north and north east, Glenmore Road to the west, Hampden Street, Cecil Street and Harris Street to the south. Quarry Street forms the eastern boundary.

Trumper Park consists of several distinct areas differentiated by the type of use. Near Glenmore Road, Trumper Oval facilitates organised active recreation. To the north of the fenced, grassed oval there is a playground, long jump pit and netball hoop. A steep, stepped path leads from this area up to a significant commercial hub at Edgecliff, including Edgecliff Station, a major rail and bus interchange, the Edgecliff Centre and Eastpoint Shopping Centre.

The eastern section of the park is mostly used for passive recreation and neighbourhood access. It is one of the few areas of open space in the Paddington / Edgecliff area. The large change in level between the valley floor and the surrounding development to the north and east creates a canyon effect.

Council's maintenance depot is located near the intersection of Harris Street and Quarry Street on R56151. This reserve has reserve purposes addition and municipal purposes. WMC has applied to DPE to take over the management of this reserve as Council Crown Land Manager and reclassify it as operational land. Being operational land, it does not require a POM and is not managed under this POM. Therefore this POM does not authorise any activities on this parcel of land, but it is included here for clarity, as it is within the park boundary and used as a Council depot.

Another small lot of Crown land is found in R23962. WMC has also applied to DPE to be appointed Council Crown Land Manager of this reserve, which is currently defaulted to the

Minister with reserve purpose of access. This lot is within the park boundary and Council manages it consistent with park category land. It will be categorised as park. Crown Lands has advised Council that it can proceed to public exhibition of the draft POM and once the appointment of Council as Crown Land Manager for R23962 has been gazetted the draft POM can be updated prior to adoption.

Council has a nursery, within the Crown reserve, to the east of the carpark. A community garden is located immediately east of the tennis courts. The Paddington Bowling Club, also on Quarry Street is as of early 2022 freehold land. The determination that the land is claimable will result in the termination of Lot 5 from the lease and the title transferred to the La Perouse Local Aboriginal Land Council. See HPE 22/48783 for detail.

Trumper Park has been identified by the Government Architect NSW (GANSW) in the *Sydney Green Grid* as a key site having significant opportunity for improved community access through the park down to the harbour. GANSW encourages design outcomes to maximise on this potential.



Figure 7. Aerial photo of Trumper Park

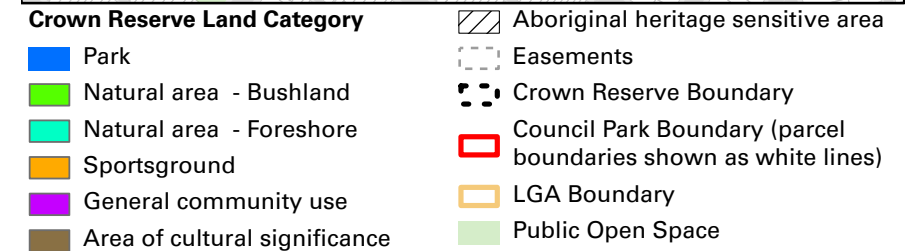
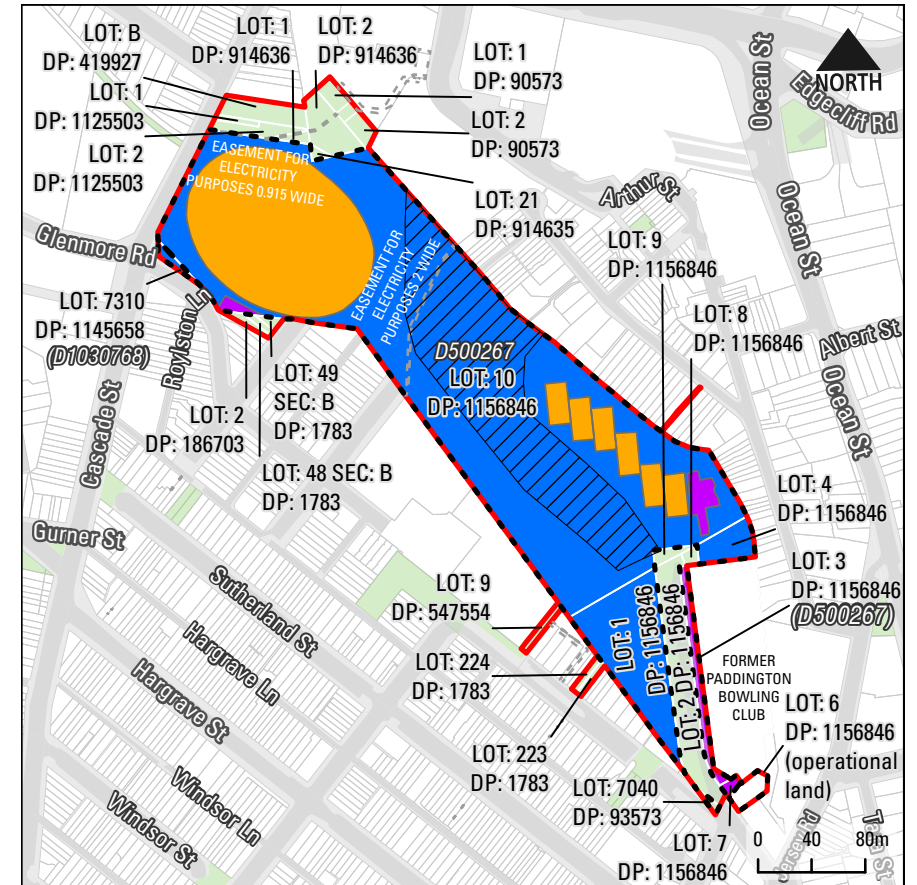


Figure 8. Trumper Park map including land categories

Table 1. Legal description for Trumper Park

Location	Glenmore Road & Hampden Street, Paddington	Legal description	Crown <i>continued</i>
Land area (m ²)	64,467m ²		Lot 6 DP1156846 (Quarry St Depot, operational land)
Land owner	Crown & WMC		R23962 reserve purpose of Access was gazetted on 18-04-1896
Crown reserve purpose	Public recreation, access & additional & municipal purpose		Lot 7040 DP93573
Land Zone in Woollahra LEP 2014	RE1 Public recreation		(Park, fragment of road and slope near intersection of Harris and Quarry Streets)
LG Act categorisation	Park, Sportsground, General Community Use		WMC
Legal description	<p>Crown</p> <p>D500267 reserve purpose is Public Recreation gazetted on 26-05-1893; and additional purpose of Access was gazetted on 11-12-2009</p> <p>Lots 1, 3-4, 7, 10DP 1156846</p> <p>(Lot 1 DP 1156846 is a steep bush covered slope down from Quarry St)</p> <p>(Lot 3 DP 1156846 is the footpath & parking adjacent to the Bowling club site, and is part of the club lease, however currently managed by Council)</p> <p>(Lot 4 DP 1156846 is Council's nursery)</p> <p>(Lot 7 DP 1156846 is a part of Quarry St and the entrance to the Depot)</p> <p>(Lot 10 DP 1156846 is the tennis centre, community garden, pond, gully and oval) & D1030768 reserve purpose of Addition was gazette on 28-10-1903</p> <p>Lot 7310 DP 1145658</p> <p>(This lot is a small addition along Hampden St)</p> <p>R56151 reserve purpose of Municipal Purposes was gazetted on 11-05-1923</p>		<p>Lot 8 DP 1156846 (GCU, driveway and part nursery)</p> <p>Lot 9 DP 1156846 (GCU, fragment of driveway and slope south of tennis centre)</p> <p>Lot 2 DP 1156846 (GCU, carpark and top of slope)</p> <p>Lot 223 DP 1783 (GCU, access to Harris Street between numbers 16 & 18A)</p> <p>Lot 224 DP 1783 (GCU, access to Harris Street between numbers 16 & 18A))</p> <p>Lot 9 DP 547554 (GCU, access to Harris Street, Soudan Street playground)</p> <p>Lot 48 SEC B DP 1783 (GCU, part of grandstand and canteen)</p> <p>Lot 2 DP 186703 (GCU, part of grandstand and canteen)</p> <p>Lot 49 SEC B DP 1783 (GCU, part of the grandstand and canteen)</p> <p>Lot 1 DP 1125503 (Park, off Glenmore Rd, near long jump)</p> <p>Lot 2 DP 1125503 (Park, off Glenmore Rd, near long jump towards playground)</p> <p>Lot 1 DP 914636 (Park, near playground towards path)</p>

Table 1. Legal description for Trumper Park *cont'*

Legal description	<p>Lot 21 DP 914635 (Park, between oval and path)</p> <p>Lot 2 DP 914636 (Park, includes playground and path)</p> <p>Lot 2 DP 90573 (Park, near fig)</p> <p>Lot 1 DP 90573 (Park, behind apartments)</p> <p>Lot B DP 419927 (Park, off Glenmore Rd, adjacent to apartments)</p> <p>ALC granted over Lot 5 DP 1156846 (Paddington Bowling Club). This lot is now freehold land and as such is not managed by Council.</p>
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5.2 Crown land to which this plan of management applies

The majority of the site is made up of 2 parcels of dedicated Crown land plus 2 smaller reserves. Dedicated and / or reserved Crown land is owned by the state of NSW and managed by Woollahra Municipal Council as Crown Land Manager under the *CLM Act*.

Table 2. Crown land parcels at Trumper Park

Site	Reserve Name	Reserve / Dedication	Area
20	Trumper Park	D500267, D1030768, R56151 (Operational classification, therefore not managed under this Plan of Management), R23962	7ha approx.

6. Context

6.1 Our LGA

The Woollahra local government area is located on a peninsula of land 5km to the east of the CBD of the City of Sydney. It covers 12km² of land and is home to nearly 59,000 people living in the suburbs of Bellevue Hill, Darling Point, Double Bay, Edgecliff, part of Paddington, Point Piper, part of Rose Bay, part of Vaucluse, Watsons Bay and Woollahra. The LGA



Figure 9. Location of the LGA within the greater Sydney context

neighbours the City of Sydney LGA to the west and the Waverley LGA to the east and south. A small area to the south is also bordered by the Randwick LGA.

6.2 Our Crown reserve portfolio

The Crown reserves of Woollahra represent almost

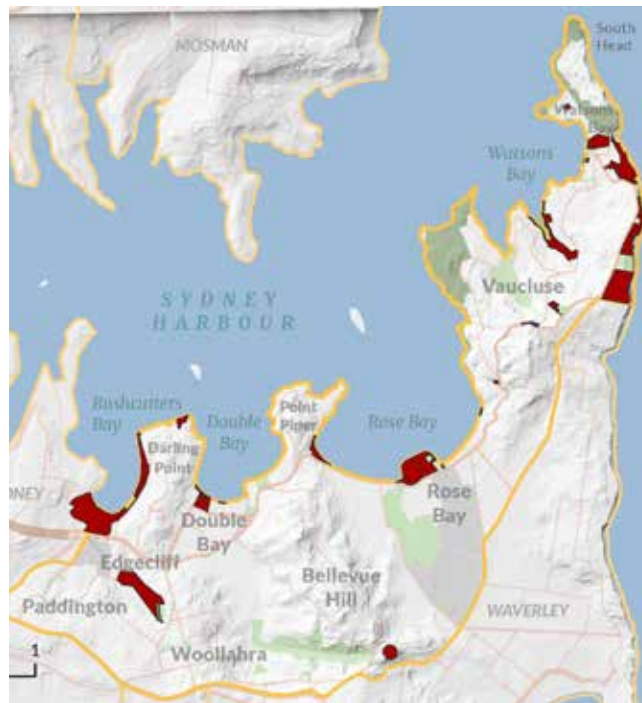


Figure 10. Crown land reserve locations within the LGA, shown shaded

one third of the total public open space of the LGA. They encompass remnant bushland, harbour foreshores, sportsgrounds and culturally significant features such as war memorials, mature ornamental trees and historic structures. They tell a composite story of the physical and cultural landscape of Woollahra, a place that has been described as a “complex palimpsest unequalled in NSW.”¹ In bringing together the relevant contextual information of these Crown reserves, well-informed and appropriate decisions can be made for their future use and management.

The WMC generic plan of management for Crown land reserves 2021 contains further contextual information about the Crown reserve portfolio, including a detailed physical and cultural landscape analysis.

¹ Jack, R. I. (1984) within the Hughes, Trueman, Ludlow *Heritage Study for the Municipality of Woollahra*.

6.3 Our community and council's corporate objectives

Our Community Strategic Plan (CSP) Woollahra 2030, sits above all other Council plans, strategies and policies in the hierarchy. Other documents, including this plan of management, must be consistent with Woollahra 2030.

The themes and goals of the CSP are:

Theme: Community wellbeing

Goal 1: A connected, harmonious, engaged community for all ages and abilities

Goal 2: A supported, enabled and resilient community

Goal 3: A creative and vibrant community

Theme: Quality places and spaces

Goal 4: Well-planned neighbourhoods

Goal 5: Liveable places

Goal 6: Getting around

Theme: A healthy environment

Goal 7: Protecting our environment

Goal 8: Sustainable use of resources

Theme: Local prosperity

Goal 9: Community focused economic development

Theme: Community leadership and participation

Goal 10: Working together

Goal 11: A well-managed Council

To achieve these goals, the CSP sets strategies to guide how we budget and plan for all our services, operations and projects. The Local Strategic Planning Statement (LSPS) is a key Council strategy, it sets out the planning priorities and vision to guide land use planning specifically and outlines what those priorities aim to achieve in the future. See appendix C for more information.



Figure 11. The cover of the Community Strategic Plan

The actions within a plan of management for community land are integrated into the strategic framework in order to be resourced and achieved.

The Crown land reserves values, gathered through project specific consultation, align with the themes of the CSP.

6.4 Our Crown land reserves values

Values are the qualities of a place that are significant, special or important. In recognising the values associated with community land, the objectives and performance targets are determined for its successful management.

Engaging with our community for this plan of management included gathering the values associated with the Crown land reserves through a comprehensive survey. Consultation unexpectedly coincided with the initial period of lockdown brought about by the COVID-19 pandemic. During this time, the importance of passive open space as a respite from the indoors was raised many times by our community.

Responses to the Crown reserves survey indicated that the following qualities, in order of significance are valued by our community:

- natural environment
- aesthetic quality
- health and well-being opportunities
- heritage and cultural opportunities
- recreational opportunities
- access
- social and community opportunities
- landscape quality

6.4.1 Natural environment values of Trumper Park

The steep Hawkesbury sandstone gully, created urban bushland, pond and living grass oval at Trumper Park are valuable for the natural elements and habitat they provide.

Natural elements such as trees and shrubs, in situ geology, and the pond provide a desirable contrast to the surrounding built environment. Trumper Park provides welcome access to outdoor open space in an increasingly dense residential area where personal outdoor space may be reduced. Due to the continuing presence of an endangered endemic plant species, Trumper Park has high conservation

value, which increases the value of the natural environment.

The term “natural” in this context does not mean that the land is in a natural or undisturbed state. No land in Woollahra is in a totally natural state. The areas of urban bushland are threatened by several factors such as weeds, pollutants and trampling. Although urbanised, the native and exotic vegetation does contribute significantly to the biodiversity of the area. It provides habitat opportunities for native fauna and helps mitigate the effects of climate change by providing shade and large areas of unpaved surface for rainwater to infiltrate the soil.

The natural elements of Trumper Park are vital components of Woollahra’s green infrastructure, which *Greener Places* defines as:

- open space for recreation, the green infrastructure for people
- urban tree canopy, the green infrastructure for climate adaptation and resilience, and
- bushland and waterways, the green infrastructure for habitat and ecological health

6.4.2 Aesthetic value of Trumper Park

Aesthetic quality and visual amenity is typically very high within the LGA. Trumper Park performs an important role in providing publically accessible space from the high point west of the tennis courts, to enjoy views of the Sydney skyline. Aesthetic value is also found in the individual elements of the park, such as the pond, the significant trees, the grandstand and stone posts. The *NSW Public Spaces Charter* refers to the quality of a public space as being just as important as its availability. Aesthetic value increases the perception of quality of a site.

6.4.3 Health and well-being value of Trumper Park

The park provides the community with health and well-being opportunities by providing a place for escape, enjoyment, exercise, sport, contact with nature, inspiration and reflection. During the COVID-19 restrictions, the importance of these opportunities was heightened as mental and physical health concerns intensified within the community and the country as a whole. Principle 6 of the *NSW Public Spaces Charter* is “healthy and active”, it recognises this key role of public open space to the people of NSW.

6.4.4 Heritage and cultural value of Trumper Park

Heritage and cultural values add to the character of Trumper Park. The grandstand and stone posts are examples of built heritage and the surrounding rock faces are representative of the landscape heritage of the area. Maintaining local character and identity is principle 4 of the *NSW Public Spaces Charter*, as it recognises that our public spaces make us proud of where we live.

There is scope to provide interpretation of Aboriginal history at Trumper Park. This will help deepen cultural respect within our community. Opportunities may also exist for Indigenous people to continue their connections with country on the Crown land of Woollahra. A priority of the *State Strategic Plan – A vision for Crown Land* is to work with Aboriginal communities to realise the potential of their land rights.

6.4.5 Recreational value of Trumper Park

Trumper Park offers many opportunities for recreation, including walking, informal games, viewing, community gardening, tennis, cricket, athletics and AFL. The children's playground increases this amenity in keeping with a principle

of the *CLM Act*, that where appropriate, multiple use of Crown land be encouraged. These many possibilities are compatible with principle 6 of the *NSW Public Spaces Charter*, that public space support a healthy and active community through flexible, multifunctional offerings in different areas for different activities.

Dogs are not permitted at any time on the oval at Trumper Park, and fitness trainers are not permitted on the wicket, in order to preserve the turf surface. Dogs are also not permitted in the pond, to preserve water quality and reduce the impact on the many species that frequent it. In other areas of the park dogs are permitted, but must be kept under control and on a leash at all times. Dogs are restricted in these ways to conserve the natural environment values of the park, as these are considered to be highly significant by our community.

6.4.6 Access value of Trumper Park

Trumper Park provides valuable pedestrian access through the Paddington / Edgecliff area, and most significantly to the Edgecliff Centre and Edgecliff Station. This role is facilitated by several pedestrian paths into the park. Due to the topography, level

access is challenging and while desirable, inclusive access is not possible to all areas of the reserve.

Trumper Park has been identified by GANSW as a key "Green Grid" site. There is significant opportunity for improved community access through the park down to the harbour. GANSW encourages design outcomes to maximise on this potential and Council is currently investigating this through the Paddington Greenway proposal.

6.4.7 Social and community value of Trumper Park

This park has long provided a place for the community to gather for recreation. Sport has been played at Trumper Park for well over a century. Organised sport performs a significant role in community life. More recently, the establishment of a Bushcare group and community garden have further strengthened these values. These activities illustrate principles 1 and 2 of the *NSW Public Spaces Charter*, that public spaces be open and welcoming and community-focused.

Private use of public land by groups and individuals must be carefully managed to avoid alienation of public land. Use of the land must remain for the

majority use by the public, to meet the principle of Crown land management under the *CLM Act*, that public use and enjoyment of appropriate Crown land be encouraged.

6.4.8 Landscape value of Trumper Park

Consultation results indicate that our community appreciate a high quality, well-groomed landscape. Keeping the landscape well-maintained is important to the overall aesthetic appeal of the park and the ongoing health and longevity of the landscape. Robust and vigorous plant material is less likely to suffer from pests and diseases and therefore require less resources in terms of weed and pest removal and fertiliser application. The *CLM Act* requires that the soil, flora, fauna and scenic quality of Crown land be conserved wherever possible. Additionally, in keeping with best practice in ornamental horticulture, each site requires some level of ongoing tasks, such as weeding, pruning, mulching and litter removal to keep it “fit for purpose.”

Keeping the ornamental landscape, including the pond and turf surface of Trumper Oval in good condition is increasingly difficult during extended periods of drought. During the most recent

drought, water was imported to the pond, as it was completely dry. Remediation works to improve the look and function of the pond have been ongoing since it was built. Unfortunately, being an artificial water body in a highly urbanised catchment, the pond is often reported to be in a poor state.

The majority of the park is managed as urban bushland. This requires specific bush regeneration techniques to encourage the survival and longevity of the native vegetation, with particular reference to the endangered Magenta Cherry. The goal is that the native vegetation cover will be improved to a level that allows it to be self-sufficient.

A high quality landscape also includes all of the hardscape materials and structures at the site such as the outdoor furniture and pavements. Principle 10 of the *NSW Public Spaces Charter* acknowledges that public space is more inviting when it’s well cared for.

7. Legislative Requirements

This plan of management is prepared under the NSW *Crown Land Management Act 2016* (CLM Act) and the NSW *Local Government Act 1993* (LG Act).

Legislation will always take precedence over a plan of management.

7.1 Crown Land Management Act 2016

Plans of management for Crown land were previously adopted under the *Crown Lands Act 1989*. The new *CLM Act* s3.23 (6) requires appointed Crown land managers of dedicated or reserved Crown land to manage the land as if it were community land under the *LG Act* and therefore adopt a plan of management for that land.

Dedicated or reserved Crown land may only be used for:

- the purposes for which it is dedicated or reserved,
- any purpose incidental or ancillary to a purpose for which it is dedicated or reserved
- any purpose specified in a plan of management for the land, or
- any other purpose authorised by an Act

The objectives and principles of the *CLM Act* have informed the performance targets of this plan of management. The objectives of the *CLM Act* as listed in s1.3 are to:

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

The principles of Crown land management, as listed in s1.4 of the *CLM Act* are that:

- environmental protection principles be observed in relation to the management and administration of Crown land, and
- the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- public use and enjoyment of appropriate Crown land be encouraged, and
- where appropriate, multiple use of Crown land be encouraged, and
- where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- Crown land be occupied, used, sold, leased, licenced or otherwise dealt with in the best interests of the State consistent with the above principles

Further requirements of *CLM Act* include that:

- Council managers must give written notice of the land categories assigned to Crown land reserves to the minister as soon as practicable
- the nature and use of Crown land must not be changed while the adoption of a plan of management is pending
- existing tenures may continue for the term of the original grant

- current authorised uses are allowed and existing leases may be renewed (must be less than 21 years) if the renewal does not authorise any additional use for the land
- short-term licences are allowed for a range of prescribed purposes such as holding sports activities
- new leases may be granted (must be for less than 21 years) if there was a pre-existing lease prior to 1 July 2018 and the new lease does not authorise any additional use of the land
- public exhibition of the draft plan of management is required as described by the *LG Act*
- native title manager advice is required on a draft plan of management
- the CLM Amendment (PoM) Regulation 2021 amended the CLM Act Regulation 2018; Council is now exempt from public hearings in regards to altering the land categorisations assigned and must obtain Minister's consent to adopt the plan.

Council Crown land managers must ensure there is a compliant plan of management for all Crown land they manage as community land as soon as practicable. This is to ensure that Crown land is lawfully used and occupied.

7.1.1 Leases and licences over Crown land

Sections 2.19 and 2.20 of the *CLM Act* allow for secondary interests; leases, licences, permits, easements or a right of way to be granted over Crown land. However, there are restrictions as how public land can be used by one group or one person.

Before granting a secondary interest over Crown land, the *CLM Act* requires that the Crown land manager be satisfied under s2.19 (2) (a) & (b) that:

- the lease would be in the public interest and
- the lease or licence use would not be likely to cause material harm to the land

In order to establish whether a use will cause material harm, the following should be considered under the *CLM Act* s2.19 (3) (a – f):

- the proportion of the area of the land that may be affected by the secondary interest (i.e. the lease or licence)
- if the activities to be conducted under the secondary interest will be intermittent, the frequency and duration of the impacts of those activities
- the degree of permanence of likely harm and in particular whether that harm is irreversible

- the current condition of the land
- the geographical, environmental and social context of the land

A secondary interest may be granted for purposes not limited to public purposes.

7.1.2 Community engagement requirements

The *CLM Act* s3.35 requires that a Crown land manager undertake community engagement on a draft plan of management. The minimum requirements of that consultation are provided in the *LG Act* s38. These are that:

- draft plans must be made available for the community to comment on prior to being adopted by Council
- public exhibition must be for a period of at least 28 days
- the public be given at least a further 14 days to make a submission if they wish

Also, any amendments to a draft plan, including altering a category, must be publicly exhibited in the same way, until the Council can adopt the draft plan without further amendment.

7.1.3 Community and stakeholder engagement for this plan

The engagement strategy for this plan of management included seeking input from the community prior to preparing the draft plan. The objective was to gather the aspirations, concerns, needs and values of the community in order to set the overlying land management intentions.

Engagement activities for this plan of management were modified several times due to the COVID-19 pandemic. Ultimately, the following consultation was undertaken:

- an online homepage for this project was created on 12 November 2019 within Your Say Woollahra on Council's website to invite the community to register their interest, inform the community of progress, key dates and to collect comments in an online guest book, or via email at any time, it was available for the duration of the project
- a community survey was made available on the Your Say Woollahra platform from 29 November to 20 December 2019 for several of the smaller local parks (later also included in the larger survey)
- a community survey was made available on the Your Say Woollahra platform from 8 May to 21

August 2020, for all of the sites, to gather the values associated with the reserves, their use and management issues or concerns. Paper copies of the survey were also made available on request.

- over 170 stakeholders were individually notified via email of the project and survey opportunity, including those who had registered their interest, the community pre-school and playgroup, the local Aboriginal Land Council as well as other community groups and local schools
- "Zoom" style virtual meetings (due to social distancing requirements during the COVID-19 pandemic) as requested by two community groups
- at the completion of the survey, Council staff responded via email to many individual questions and issues that had been raised by the community within the survey
- the draft plan was put on public exhibit and public submissions were encouraged, all stakeholders were notified of the exhibition dates
- an information session was provided during the period of public exhibition to explain the draft plan to interested stakeholders

"Pop-ups" had been organised to provide a

contextualised opportunity for the public to comment on any issues. These were postponed several times and eventually cancelled due to restrictions on public gatherings during the COVID-19 pandemic.

The project and survey opportunity were promoted using:

- notices in *The Wentworth Courier* on 20/11/19, 5/8/20 and 12/8/20
- advertising on Council's website homepage
- advertising and posts on Council's Facebook and

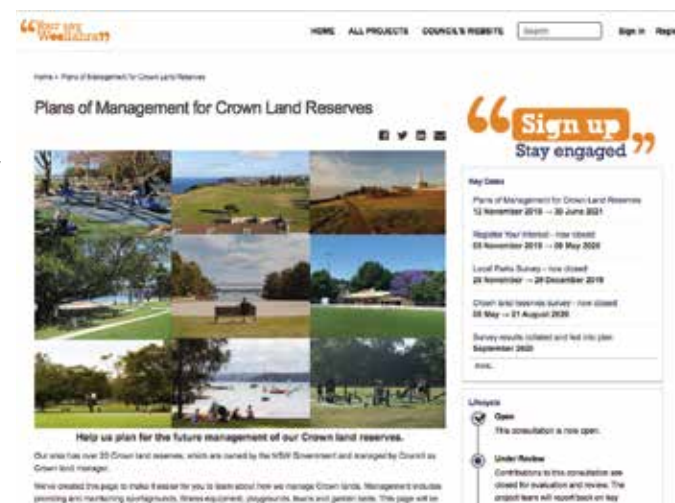


Figure 12. Project online homepage

Instagram

- advertising on Council’s Customer Service digital noticeboards
- advertising on Council’s “Out and About” posters
- articles in the environment and Bushcare e-newsletters
- advertising posters in the Crown land reserves

The survey was open for comment for 15 weeks from 8 May 2020 to 21 August 2020. (The original closing date of 31 July 2020 was extended). During this time, 384 individuals engaged with us through Your Say.

This resulted in 1469 survey responses, an average of over 3 site surveys completed per individual through Your Say. An additional 96 surveys and/or submissions were received via post. Data from these was manually entered into Your Say to consolidate the results, excluding personal comments. This is a

total of 1565 unique responses, a significant result containing valuable information for the plans of management and other work within Council. See appendix B of the draft generic plan of management for Crown land reserves 2021 for the whole survey report.

Public exhibition - Yet to be undertaken as at 7/6/21



Figure 13. Advertising poster

7.1.4 Native title rights over Crown land

The *CLM Act* includes specific provisions to facilitate compliance with the Commonwealth *Native Title Act 1993* (NT Act). Native title is the legal recognition of the individual or communal rights and interests which Aboriginal people have in relation to land and waters, held continuously by them under their traditional laws and customs, since before colonisation. Native title rights are different to and separate from the statutory right of Aboriginal Land Councils to make claims for land under the *NSW Aboriginal Land Rights Act 1983*.

Part 8 of the *CLM Act* provides that council Crown land managers must manage Crown land in relation to native title to ensure the requirements of the *NT Act* are addressed. A qualified native title manager must be engaged to oversee and approve dealings that may affect native title to ensure they are valid under native title legislation.

Native title rights and interests must be assumed to exist on Crown land unless the land is excluded land. Part 8 of the *CLM Act* provides that native title manager advice is not required for dealings in relation to excluded land. Excluded land generally covers land for which there is sufficient evidence

to show that native title does not exist or has been wholly extinguished, or for which a 'clearance' has been given for an act to be validly carried out in relation to native title. Native title managers are not required to establish whether native title rights and interests have been extinguished in relation to Crown land. An approved determination of native title can only be made by the Federal Court, High Court or a recognised body.

Excluded land is defined in the *CLM Act* and includes land:

- where all native title rights and interests in relation to the land have been compulsorily acquired
- subject to an approved determination of native title that has determined that:
 - all native title rights and interests in relation to the land have been extinguished, or
 - there are no native title rights and interests in relation to the land
- where all native title rights and interests in relation to the land have been surrendered under a registered Indigenous land use agreement
- to which section 24FA protection under the *NT Act* applies
- for which a native title certificate is in effect.

All activities on Crown land must address the issue of native title. Advice must be obtained prior to issuing leases or licences and before a plan of management that authorises use of the land is submitted for approval.

Whilst a successful claim for native title will lead to official recognition of native title rights, those rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Proposed activities must be validated under the future act procedures in Division 3 of the *NT Act* by Council's Native Title Manager. Under the *CLM Act*, Council Crown land managers will be liable for any acts they carry out on Crown land that may affect native title. Council Crown land managers will not be liable for any acts that preceded their management of land affected by native title. This liability will remain with the State.

CGM Planning, accredited Native Title Managers, were engaged to provide the required advice. A detailed (separate) report has been provided to Council to guide the use of this Crown land in relation to native title rights. The CGM Planning report does not form part of this plan of management, however it is available for viewing upon request to Council..

The written advice is that Council may, in good faith, endorse this draft plan of management, with the proposed uses, developments and tenures as valid future acts, as a draft for referral to the landowner

7.2 Local Government Act 1993 & Local Gov. (General) Regulation 2021

The *CLM Act* requires appointed Crown land managers of dedicated or reserved Crown land to manage the land as if it were community land under the *LG Act*.

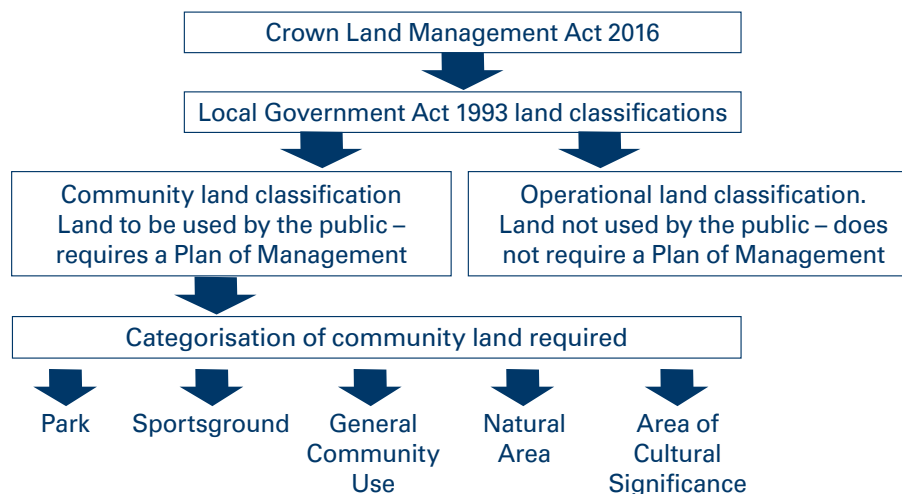


Figure 14. The categorisation process

7.2.1 Classification and categorisation of public land

Classification as community land reflects the importance of the land to the community.

Community land is that which must be kept for use by the general public. Following classification as community land, the *LG Act* s35 states that a plan of management must be prepared for it in consultation with the community in order to preserve the qualities of the land. The nature and use of community land must not change without an adopted plan of management. *LG Act* s44.

Under s36 (3) (a) of the *LG Act*, a land category must be applied to all community land. The category assigned needs to be most closely related to the purpose for which the land was dedicated or reserved, to cause no material harm and to reflect Council's intentions for future management of the land.

The purpose for which Trumper Park may be used is public recreation.

7.2.2 Community land categories

Under the *LG Act* s36 (4), there are five possible categories of community land; park, sportsground, general community use, natural area and area of cultural significance. Natural areas are further categorised as either bushland, wetland, escarpment, watercourse or foreshore.

The core objectives and guidelines for assigning categories to community land are provided under the *LG Act* and have been used to categorise the Crown land in the LGA.

Trumper Park consists of 3 categories of community land, park, sportsground and general community use. The guidelines and objectives for which are shown below:

Table 3. Guidelines and core objectives for the land categories

Category	Guidelines for categorisation from <i>Local Government (General) Regulation 2021</i>	Core objectives from <i>LG Act</i>
Park	The land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.	<ul style="list-style-type: none"> • To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and • To provide for passive recreational activities or pastimes and for the casual playing of games, and • To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
Sportsground	The land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.	<ul style="list-style-type: none"> • To encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and • To ensure that such activities are managed having regard to any adverse impact on nearby residences.
General Community Use	The land may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and does not satisfy the guidelines for categorisation as a natural area, a sportsground, a park or an area of cultural significance.	<ul style="list-style-type: none"> • To promote, encourage and provide for the use of the land, and • To provide facilities on the land, to meet the current and future needs of the local community and of the wider public in relation to: <ul style="list-style-type: none"> a) public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and b) purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

7.2.3 Leases and licences over community land

The *LG Act* allows Council, with certain restrictions and with public consultation, to enter into or create a range of leases, licences and other estates, in order to encourage the appropriate use of community land and / or buildings.

Typically, a lease is granted where exclusive use of a part of the land is required, while a licence allows for multiple, non-exclusive uses of an area. Several licences for different users can apply to the same area at the same time, provided there is no conflict of interest. Leased or licenced areas may be renewed or changed in the future and areas may be reconfigured to reflect changes in community needs.

The term “estate” is a technical, legal definition. An “estate” includes any “interest, charge, right, title, claim, demand, lien and encumbrance, whether at law or in equity.” The grant of easements is an example of an estate.

A lease, licence or permit on Crown land may impact native title rights and interests. Any lease, licence or permit issued on Crown land must be issued in accordance with the future act provisions

of the *NT Act* and in accordance with Part 8 of the *CLM Act* unless native title is extinguished. For Crown land which is not excluded land, this will require written advice from Council’s Native Title Manager that it complies with any applicable provisions of the native title legislation. The advice should also note that the land is not subject to a claim under the *Aboriginal Land Rights Act 1983*.

This plan of management expressly authorises existing leases and licence agreements until the end of their current term, and the issue of future leases, licences, permits or other estates over any parcel of land to which this document applies, provided that:

- the purpose is consistent with the reserve purpose of the land
- the purpose is consistent with the core objectives of the land category
- the purpose is consistent with the land zoning under WLEP 2014
- the purpose is consistent with the management objectives of this plan of management
- the issue of the lease, licence, permit or other estate will not materially harm the use of the land for any purposes for which it was dedicated or reserved

- the lease, licence, permit or other estate is for a permitted use or purpose listed in table 5. The types of uses Council considers appropriate for each land category are identified in these tables
- the issue of the lease, licence, permit or other estate can be validated under the *NT Act*
- any proposed lease or licence of land that is subject to a claim under the *Aboriginal Land Rights Act 1983*, considers the claim accordingly
- tenders are called for leases or licences over 5 years, unless the lease or licence is to a non-profit organisation
- the lease or licence is for a period of less than 21 years
- public notice of the proposal is given, including on the land and to adjoining residents
- any sub-leases are only allowable for the same purpose as the original lease

Council will consider any submissions made about a lease proposal and refer a 5-21year lease proposal to the Minister for Local Government if there is an objection to it.

Council must not grant a lease or licence over community land for more than 21 years.

Each proposal will be reviewed specifically under s46, 46A, 47 & 47A-D of the *LG Act* to ensure that it meets these requirements.

Leased or licenced areas may be renewed or changed in the future and areas may be reconfigured to reflect changes in community needs.

Leases and licences existing at the time of preparation of this plan are listed with the site information.

7.2.4 Land comprising the habitat of endangered or threatened species

The *LG Act* requires that site specific plans of management be prepared for community land comprising the habitat of endangered (s36A) or threatened species for which there is a recovery plan (s36B).

Trumper Park is land comprising critical habitat for the following species:

- Magenta Cherry (Lilly Pilly) (*Syzygium paniculatum*)

Magenta Cherry (Lilly Pilly) is listed as vulnerable under Federal legislation, the *Environment Protection Biodiversity and Conservation Act 1999* and endangered under State legislation, the *Biodiversity Conservation Act 2016*. There is a national recovery plan for this species which necessitates a specific plan of management for Trumper Park.



Figure 15. *Syzygium paniculatum*, detail of fruit. Source: Gardening with Angus website, gardeningwithangus.com.au.

8. Use and development

8.1 Community Input –Trumper Park Use and Management Issues

This section provides a summary of the contributions made by our community through the Crown lands plan of management survey. Refer to the complete survey report in appendix BB of the generic plan of management for all responses. Questions 144, 145 and 146 of the Your Say survey refer specifically to Trumper Park, to which 47, 47 and 34 responses were received respectively. Four postal surveys were received for Trumper Park. Most of the survey participants visited Trumper Park weekly, on weekdays and arrived on foot.

Use of this site by our community is mostly to:

- appreciate the place, the environment, the space, the views
- go for a walk
- appreciate the significant trees

The key management issues here are:

- the adjacent disused Paddington Bowling site
- stormwater management
- managing / restoring the bushland

8.2 Current use overview

The broad development and maintenance strategy for Trumper Park is to attempt to improve the created bush like landscape while allowing for public access through the park, for organised sports at the oval and tennis centre and for a viable community garden.

At the date of adoption of this plan, the condition of the land and structures in all categories is generally fair to good.

8.2.1 Access

Pedestrian access to the reserve is possible from several locations, although universal access is difficult to achieve due to the topography.

Neighbourhood access is possible from between 98 and 100 Cameron Street, 16 and 18A Harris Street, from the end of Bowes Avenue, Cecil Street and via steep stepped path between 4 and 8 New McLean Street.

From Glenmore Road, level access to the oval and surrounds is provided via footpaths along the road. From Quarry Street there is access past the tennis courts linking back to Bowes Avenue.



Figure 16. Stairs in Trumper Park to Bowes Avenue



Figure 17. Pedestrian access to Trumper Park from Glenmore Road

Within the site, the paths vary in material and grade. Asphalt is generally the most suitable surface material. Several informal tracks have been formed throughout the park and may pose a high risk due to the steep, unconsolidated slopes.



Figure 18. Asphalt path in Trumper Park



Figure 19. Informal paths occur in several locations within Trumper Park

Emergency and service vehicles can access the park from Glenmore Road. Service vehicle access is also possible from the Cecil Street and Harris Street entrances. There is no private vehicular access or parking at the oval, a limited car park is located at Quarry Street.

Public transport is available at Edgecliff Station, approximately 500 m to the north.

8.2.2 The Physical Landscape

The site is a Hawkesbury sandstone gully. Originally the gully walls, associated slopes, creekline and low lying swamp areas would have been covered by vegetation endemic to the area such as Smooth-barked Apple (*Angophora costata*), Sydney Peppermint (*Eucalyptus pipertia*), and Bangalay (*Eucalyptus botryoides*). The vegetation was cleared for industry and recreation.

The geology of the site was highly valued as a building material in the early days of the development of Paddington, and stone was removed for many decades. Quarrying resulted in a much altered landscape. The subsequent landfill operations have resulted in a poorly consolidated slope, of up

to 60% grade. These steep slopes are susceptible to erosion and vegetation has failed to thrive in the past. The constructed pond serves as part of the park's drainage system and is also susceptible to erosion, as upslope debris accumulates in the pond, affecting its appearance and functionality.

Trumper Park receives overland stormwater flows during heavy rain events. Local landslides have occurred in the south and west of the site. Water flows towards Trumper Oval, contributing to the erosion of topsoil from the steeper slopes. During major flood events, the oval has been inundated. Flows from the oval then spill into Glenmore Road at the low point of the street.

The existing vegetation is a mix of native and exotic species, mostly planted from the 1970s. Following primary weeding in the 1980s, there remains significant weed growth. An endangered species has been found growing in the park, and while the origin of the Magenta Cherry is unclear, the Biodiversity Conservation Strategy recommends the existing vegetation be managed for the benefit of the endangered species.

8.2.3 The Cultural Landscape – Aboriginal History and Heritage

Overview:

Trumper Park sits in a steeply incised creek gully that once fed down into a swamp above Rushcutters Creek and bay. The sheltered location, fresh water and proximity to a wide range of foods in the swamp, bay and bush, would have made this area a suitable place for Aboriginal people to camp before the arrival of Europeans. This is also suggested by the continuing presence of several historical Aboriginal settlements in the nineteenth century around Paddington, Rushcutters Bay and Edgecliff.

Trumper Park has been highly impacted by historical uses of the area. The sandstone slopes above the gully in the eastern end have been extensively quarried and later used as a rubbish dump, while the swampy western end was also filled as a rubbish dump before being converted into Trumper Oval.² Today, the former quarry faces in the middle of the park are covered by soil and vegetation, but it is

2. Woollahra Municipal Council (1996). *Plan of Management. Trumper Park*, p. 3.

possible that they conceal surviving rockshelters, and they have been identified as a sensitive area. Apart from this, it does not seem likely that any other traces of past Aboriginal use are likely to have survived within the park.

Recommendations:

1. When weed vegetation is removed from the sensitive area in the park, this area should be subject to Aboriginal Heritage Impact Assessment.
2. For any proposed activities within the remainder of Trumper Park, an unexpected finds protocol should be in place for any excavation works. See appendix C for more details.

8.2.4 The Cultural Landscape – European History and Heritage

Overview:

Initial land use was industrial; the Glenmore Distillery was built on land granted by Governor Brisbane in 1823, the location of which can be seen in figure 12. This development included a granary and water mill. The mill was powered by water from Glenmore

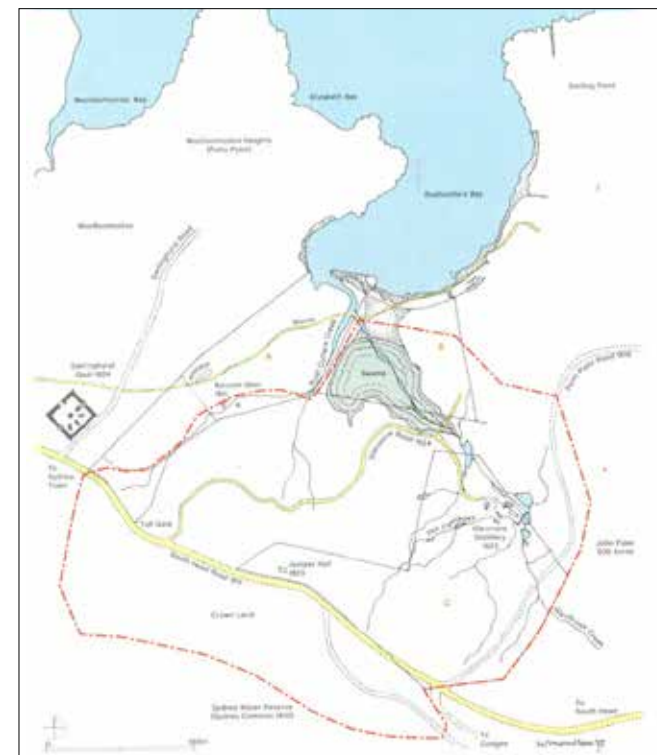


Figure 20. Early land grants 1810- 25 by Bill Morrison, showing the natural waterways that once existed around Trumper Park. [Source, *Paddington: A History*, 2019 edited by Greg Young]

Brook and Cascade Creek, which flowed through the site from the eastern ridge lines down the gully to the harbour at Rushcutters Bay. The distillery was later converted into a tannery.

Starting around this time the steep, rugged sandstone gully and slopes, originally covered by dense vegetation were quarried for sandstone; from which land use the present Quarry Street name is derived. Several prominent buildings, including the front entrance and walling of Sydney Town Hall were built from stone got from the area.

By the 1870s the then Paddington Council were keen to establish recreational facilities in the area. The Paddington Recreation Reserve was formed, including the steep rocky gully and the low-lying swampy land, both of which were difficult to subdivide for housing. Government grants were sought to improve the area and the swampy land was filled with refuse, imported fill and soil to create a level recreation space.

Several cricket clubs were using the newly created recreation oval by the late 1880s. A pavilion with amenities was established by one of the cricket clubs. The park was gazetted on 26/05/1893. In 1897 the oval was named Hampden Park Oval in honour of the then Governor of NSW. The opening was a grand affair including a fancy dress cricket match in which a local cricketer, Victor Trumper played.



Figure 21. Sandstone posts bearing the name "Hampden Park" flanking the entrance to Trumper Park off Glenmore Road

The stone posts bearing the name Hampden Park, were erected in 1905 at the entrance to the oval off Glenmore Road. They are likely hewn from local stone. In 1910, Paddington Council celebrated its jubilee. By this time playing areas for cricket and football were well established, with two pavilions, one for each sport, providing amenities and room for spectators. The oval was considered second in quality only to the Sydney Cricket Ground.

The eastern part of the site was used as a tip from at least the 1920s. Rubbish was burnt and dumped in the gully along with other landfill, creating a loose, unstable hillside of ash and debris that washed or fell downslope. This increased the level of the valley floor over time. An incinerator was associated with this land use, it was near the present tennis courts. The tip and incinerator ceased operations in 1954.

The reserve was renamed Trumper Park in 1930. Victor Trumper (1877 – 1915) was a local cricketer. He played for NSW and in 48 test matches for Australia from 1899 – 1914. Trumper was one of just a few Australian batsmen to have achieved a century before lunch on the first morning of a test match against England.³

Around 1938, tunnels were built below where the tennis centre is today to dispose of overburden from quarrying activities. The tunnels were used as an air raid shelter during WW2. Quarrying continued in the area until the 1960s.

In 1948, tenders were called for the construction of a new grandstand which took many years to complete; it was opened 25/06/1959. The eastern part of the site was also developed during this time. The tennis courts were built over the tunnels and the Paddington Bowling Club was built on the old incinerator site.

3. Mallett, A. (1985) Trumper – *The Illustrated Biography: The Greatest Batsman of Cricket's Golden Age*.

During the 1960s, part of the site continued to be used for dumping of hard fill, including spoil from the Eastern Suburbs railway works. This landfill further raised the level of the eastern slopes and valley floor, so that Trumper Oval now sits well below the level of the surrounding slopes.

By the 1970s, a landscape rehabilitation program was initiated. This involved covering the site with soil and planting native trees and shrubs, to create the present “urban bushland” character. The pond was constructed in 1977 as a part of these works. Most of the native species planted at that time were not endemic to the area and many did not survive.

To facilitate this revegetation work, a nursery was established to the east of the tennis centre and remains in this location today.

Trumper Park was the inspiration and setting for a popular 1980s book of junior fiction, titled “Riddle of the Trumpalar”. During this decade much work was done to reduce weed infestation throughout the park. In 1988, the current tennis centre was opened. The grandstand by the oval was also modified at this time.

In 1993, a new storage building for the Eastern Suburbs Little Athletics club was built on the western side of the grandstand. This is now used as a canteen and storage room by user groups and by Council maintenance staff.

In January 2008, Council resolved to establish a community garden on Crown land at Trumper Park. Use of this part of Trumper Park as a community garden has proven to be popular with the community and the current Paddington Community Garden president was recently awarded Council’s 2020 ‘Contribution to the Natural Environment’ Award.

In 2012/13, Council undertook works to Trumper Oval and surrounds to address localised flooding problems. An overland flow path was constructed to guide flows from nearby Cecil Lane to the Oval. The works consisted of a large open storm water culvert, replacement of cricket nets, landscaping and new footpaths. The Oval was also regraded to allow the overland flows to be dissipated over the oval area and enter the proposed subsurface drainage system.

Heritage Items

Nil.

Potential Heritage Items

At the time of preparing this document, Council staff are currently preparing a draft heritage gap analysis. It is anticipated that one of the recommendations of this work will be to assess the heritage significance of the cultural landscapes of the Woollahra LGA, including this site.

Potential items include the:

Stone posts

Significant trees

Trumper Oval

Grandstand

Historic archaeology from previous structures and previous land uses

Whole of the park has potential to be a heritage item

Recommendations:

1. Investigate opportunities to undertake a heritage assessment of the significant trees
2. Investigate opportunities to undertake a heritage assessment of Trumper Park in accordance with the NSW Heritage criteria

3. For proposed activities that may impact below ground and water, an unexpected finds protocol must be in place to guide excavations. See appendix B for more details.

8.2.5 Landscape Character

The character of the eastern part of Trumper Park is informal and naturalesque. The native trees and shrubs, simple asphalt paths, the landform and the pond create a bush like experience. The tennis courts are screened by the canopy of the surrounding trees. The community garden is utilitarian in character and screened by fencing and the tennis centre.

In contrast, Trumper Oval, defined by the traditional picket style fence and the associated grandstand is manicured, functional and ornamental. The landscape character is more formal as a setting for organised sport. Additionally, the two *Ficus macrophylla* (Moreton Bay Fig), listed on the register of significant trees, provide distinctive focal elements to the landscape. The statement of significance for these two trees refers to them as outstanding. It states that they totally dominate the west-facing and south-facing slopes respectively

of Trumper Oval and are by far the oldest and most significant vegetation in the park. These trees pre-date the general landscaping of the park and are both magnificent specimens of similar size and structure with expansive canopies, and quite distinctive in their degree of buttressing.

While there are no explicitly specified implications for care, control and management of a tree once it has been listed in the Register, management of the trees should take into account that Council considers them to be significant, and the character provided by the trees should be maintained in new or re-plantings.



Figure 22. The informal landscape character of land categorised as park in Trumper Park

8.2.6 Relevant Documents

National recovery plan for Magenta Cherry (Lilly Pilly) (*Syzygium paniculatum*)

Woollahra Libraries, Local History Research File.

Draft master plan, 2008. Although not adopted, contains relevant information from which to undertake a future master plan.

8.2.7 Current condition, issues and use of the land and structures on PARK category land at Trumper Park

The majority of the site is park category land, including the areas surrounding the oval and tennis courts, the pond and the gully, excluding the community garden. Being a created landscape, the gully was categorised as park rather than natural area – bushland, as it did not meet the *LG Act* guidelines for bushland categorisation.

The condition of the land in the gully is variable due to the steep unconsolidated slopes, poor soil of mixed landfill origin, weed coverage and changing stormwater conditions. Weed coverage is varied



Figure 23. Weed coverage over the steep slopes in Trumper Park

throughout the park. In the eastern part of the site adjacent to Quarry Street weed coverage is recorded as 30-70% and in places over the very steep, inaccessible slopes, up to 100%. Sections near the oval are recorded as having weed densities of 10-30%. The pond is fed by water from the urban catchment (i.e. stormwater) and as such receives nutrient rich runoff and suffers increasing eutrophication during periods of little rainfall.

In the 1970s, soil was imported to the former quarry and a mixed palette of native and exotic vegetation was planted. Much of this material failed to thrive. The plant list included many species that while native, were not endemic to the local area.



Figure 24. The steep, stepped path in Trumper Park up to Edgecliff station

The emergence of Magenta Cherry (*Syzygium paniculatum*) within the gully may or may not be spontaneous. Regardless of the origin, the state government recommends that management for this species should reflect its threatened species listing, and as such specific actions are included in the management framework to improve the chances of its survival in-situ.

Throughout this part of the park, there are many pathways of varying detail. These require constant maintenance and upgrade. Some pathways have been identified for upgrade in the 21/22 financial year. Due to the topography of the land, it is affected by stormwater issues and water overflow from the higher catchment. The Paddington Floodplain Risk Management Study and Plan

(PFRMSP) identifies the nature and extent of the existing flooding problem across Paddington and recommends a range of flood mitigation options that could potentially reduce the impacts of flooding on residents and businesses in the Paddington area. There are various flood mitigation measures recommended in the PFRMSP in and around Trumper Park which requires significant funding and major changes in the current landscape (including tree removal). These projects will be further investigated should significant funding be made available to deliver the project.

Council relies heavily on grant funding from the NSW Government to fund and deliver major projects identified in Floodplain Risk Management Studies and Plans across the local government area.

Issues in this area are the known threats to the vegetation such as weeds, contaminants and trampling. These threats also impact the pond, as does the quality and quantity of stormwater at any given time. Property encroachment, dumping rubbish, informal access, dogs and litter adversely affect the condition of the land.



Figure 25. The pond in Trumper Park

Despite the degraded nature of some areas the habitat provided supports a surprising array of species. Most notably Powerful Owl (*Ninox strenua*), Large Bent-winged Bat (*Miniopterus*

orianae oceanensis) and Grey-headed Flying-fox (*Pteropus poliocephalus*). Further species lists can be found in Council's Environmental and Biodiversity Monitoring Report.



Figure 26. Bushcare volunteers assisting staff to stabilise steep slopes in Trumper Park prior to planting



Figure 27. Bushcare volunteers and staff completing planting out on a stabilised slope in Trumper Park



Figure 28. Park category land at Trumper Park includes the long jump and netball hoop



Figure 29. The playground at Trumper Park is located on park category land

Improving the vegetation involves creating of a community of species that would likely co-exist in nature. This is a challenging task, as Trumper Park was severely degraded by over one hundred years of industrial activities. Council currently undertakes bush regeneration in the gully. These efforts are augmented by community volunteers who help to ensure the future ecological sustainability and biodiversity of Trumper Park. This is a significant role given the natural environment is considered by the community to be the most valuable feature of the Crown land reserves. Volunteers receive Bushcare training, our biannual newsletter “The Bush Telegraph”, a certificate of participation and achievement, and are provided with all necessary tools and equipment, morning tea and site supervision. Council’s website provides information about current volunteer opportunities. https://www.woollahra.nsw.gov.au/environment/bushland_and_biodiversity/get_involved/bushcare.

Park category land also includes the playground, long jump and netball hoop, north of the oval.

These are in fair condition, as is the steep, stepped path up to Edgecliff station. Council's nursery, adjacent to the community garden was established to facilitate Bushcare activities and park maintenance. It is in a fair condition.



Figure 30. Council's nursery at Trumper Park. The exposed rock face behind is a vestigial example of the stone once quarried from the area



Figure 31. Council's nursery at Trumper Park

8.2.8 Current condition, issues and use of the land and structures on SPORTSGROUND category land at Trumper Park

Trumper Oval and the tennis courts are categorised as sportsground. Trumper Oval supports active



Figure 32. Trumper Park looking across Trumper oval



Figure 33. Trumper Park cricket nets

recreation including cricket training and competition in summer and Australian Rules football training and competition in winter. Floodlighting is provided for night training and use of the floodlights is managed via the development application, which



Figure 34. Trumper Oval supports active recreation such as AFL



Figure 35. Junior AFL at Trumper Oval



Figure 36. Trumper Park Tennis Centre

states that the hours of use are Monday to Friday 5pm – 9.30pm. The floodlights must be turned off by automatic timer at 9.30pm to mitigate amenity impacts upon the neighbourhood.

Local schools occasionally use the oval for school athletics carnivals. The oval is in good condition. The cricket sightscreens, attached to the perimeter fence around the oval are currently being overhauled to improve functionality; they will be increased in width.

The tennis centre consists of six courts and a kiosk. The current condition is fair to good.

8.2.9 Current condition, issues and use of the land and structures on GENERAL COMMUNITY USE category land at Trumper Park

General community use category land includes the grandstand, amenities and canteen buildings adjacent to the oval and the community garden, located east of the tennis centre. All are in fair to good condition.

Amenities at the oval are minimal and currently do not include separate change facilities for women.

The grandstand building is also used by Council staff for storage of maintenance equipment and lunch room.



Figure 37. Paddington Community Garden is categorised as general community use land



Figure 38. The grandstand at Trumper Oval is categorised as general community use land.



Figure 39. Paddington Community Garden at Trumper Park is well used by the community

The community garden is run by Paddington Community Garden Inc. The garden was established in 2009 following a Council resolution in January 2008 to adopt a Community Garden Policy and establish a community garden at Trumper Park. The area of land now used for the community garden was previously inaccessible land used by Council for storage of park maintenance equipment. The development of the garden is a successful example of community engagement and working with Council to develop a vibrant space for people to interact in a relaxing setting. The garden is flourishing, has attracted several awards and receives on-going community recognition.



Figure 40. The Paddington Bowling Club site was previously located within the boundary of Trumper Park

Other Land Use within the boundary of Trumper Park

Paddington Bowling Club

The Paddington Bowling Club site includes a building, 2 x bowling greens and 2 x tennis courts, located on Lot 5, DP 1156846.

Advice from Crown lands dated 10th December 2021 is that Paddington Bowling Club ALC has been granted and the lot is now freehold land. The title being transferred to the ownership of the La Perouse Local Aboriginal Land Council.

Quarry St Depot

Council's depot at Quarry Street is located on Council land, Lot 6 DP 115684. It includes a staff lunchroom, office and heavy vehicle storage.

Quarry St Carpark

The carpark is located on Council land, Lot 2 DP 1156846. This carpark provides parking for all park users, including the tennis centre and community garden. It also facilitates pedestrian access through to the paths along the northern boundary of the park and from there, to Edgecliff Station.

8.3 Future use and development

Permissible use and development of community land is prescribed and regulated by the relevant legislation including the *LG Act* and the instruments of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

8.3.1 Environmental Planning & Assessment Act 1979

This Act ensures that the effects on the natural environment, along with social and economic factors, are taken into account by Council when granting approval for or undertaking works, developments or activities.

A statutory system of environmental and land use planning has been established through Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs) under the *EP&A Act*.

- **The Woollahra Local Environment Plan (WLEP) 2014**

The land described in this plan is zoned RE1 public recreation under WLEP 2014, and is subject to the permitted and prohibited land use and development of that zone, and any other relevant provisions.

The objectives for land zoned RE1 public recreation are to:

- enable land to be used for public open space or recreational purposes
- provide a range of recreational settings and activities and compatible land uses
- protect and enhance the natural environment for recreational purposes.

Amendments to WLEP 2014 shall take precedence over the provisions of this plan of management.

- **SEPPs**

SEPPs provide planning rules for specific environmental matters. They contain development controls to protect or manage certain environmental values. A proposed development may require assessment that investigates the potential impacts on the environment to ensure compliance with the Act. Such assessment may be a review of Environmental Factors (REF), a statement of Environmental Effects (SEE) or an Environmental Impact Assessment (EIS) for large proposals.

See appendix C for additional SEPPs to consider prior to the installation of any improvements on

community land.

- **SEPP (Infrastructure) 2007**

This instrument supports greater flexibility in the location of infrastructure and service facilities such as roads, pathways, cycleways, outdoor recreation facilities and lighting. It permits certain infrastructure works to be carried out in one of the following ways:

- exempt development,
- complying development,
- development permitted without consent, or
- development permitted with development consent.

Development permitted without consent under SEPP (Infrastructure) 2007 does not require consent under Part 4 of the *EP&A Act*, but must still be subject to an environmental assessment under Part 5 of the *EP&A Act*.

- **SEPP No 19 – Bushland in Urban Areas 1986**

Although the bushland has been created at Trumper Park, this policy is relevant. It applies to land on which there is vegetation which is either a remainder of the natural vegetation of the land, or

if altered, is still representative of the structure and floristics of the natural bushland. It aims to protect and preserve bushland within urban areas.

This plan of management does not over-rule any existing legislation that also applies to the management of community land. Other pieces of legislation, plans, strategies and policies that should be considered in the management of the land in this plan of management have been included in appendix B. Additional Council plans, strategies and policies adopted after the date of this plan, which have relevance to the planning, use and management of community land, will apply as though they were in force at the date of adoption of this plan of management.

8.3.2 Permissible use and development

This plan of management authorizes the following permissible use and development of Trumper Park.

The use and development of Crown land should be compatible with the reserve purpose and the assigned category. Use is often supported by appropriate ancillary development such as amenity blocks and playground equipment. The types of anticipated uses and associated

development shown in the following tables are intended to provide a general guide rather than an exact meaning. For example a reference to active recreation includes many codes and if demand for one code increases, the land may need to be modified to facilitate it.

Use is subject to approval, and if required, it must be obtained in writing prior to commencement. Approval is dependent on various factors including site conditions at any given time, and whether the use is in the public interest. Use must not result in physical damage to the land or the placement of any permanent structures. Use should not result in a significant adverse impact on adjoining residents and organisers are responsible for cleaning up the site and repairing any damage that may occur. Fees for short-term casual use will be charged in accordance with Council's adopted fees and charges at the time, including the payment of the applicable bond. Development permissibility is provided under legislation, including the *LG Act*, the *EP&A Act* and the *Heritage Act and National Parks & Wildlife Act*, where relevant, and is subject to the relevant application and approval processes.

Table 4. Permissible short term use

Permissible short term use	Is approval required?	Permissible at Trumper Park in land category		
		Park	Sports ground	G.C.U
Amusement devices, jumping castles	Yes	Yes	Yes	Yes
Casual active recreation such as ball games, children's play and cycling	No	Yes	Yes	Yes
Casual passive recreation such as walking, reading and viewing	No	Yes	Yes	Yes
Ceremonies, including for religious reasons	Yes	Yes	Yes	Yes
Council events, festivals, markets etc.	Yes	Yes	Yes	Yes
Community event including educational activities, clean up days	Yes	Yes	Yes	Yes
Construction access	Yes	Yes	Yes	Yes
Corporate promotional activities or functions	Yes	Yes	Yes	Yes
Commercial activities of any trade or business	Yes	Yes	Yes	Yes
Commercial fitness training, refer to adopted policy	Yes	Yes	Yes	Yes
Emergency services access	No	Yes	Yes	Yes
Filming, including with a drone	Yes	Yes	Yes	Yes
Fireworks	Yes	No	Yes	No
Group recreation for less than 20 people such as a picnic or party	No	Yes	Yes	Yes
Group recreation for more than 20 people such as a picnic or party	Yes	Yes	Yes	Yes
Photography, including bridal	Yes	Yes	Yes	Yes
Public address, public entertainment event or public meeting	Yes	Yes	Yes	Yes
Temporary enclosures / structures / signage	Yes	Yes	Yes	Yes
Singing, or playing a musical instrument for a fee or reward	Yes	Yes	Yes	Yes
Using a loudspeaker or sound amplifying device	Yes	Yes	Yes	Yes
Weddings	Yes	Yes	Yes	Yes

Table 5. Permissible long term use / purpose

Permissible long term use / purpose <small>subject to relevant approval</small>	Type of agreement			Land category		
	Lease	Licence	Other estate	Park	Sports ground	G.C.U
Provision of goods, services, facilities or the carrying out of activities to the public, including as a commercial undertaking for public recreation , examples include:						
• hire or sale of recreational equipment	Yes	Yes	No	Yes	Yes	Yes
• fitness training, yoga class	Yes	Yes	No	Yes	Yes	No
Provision of goods, services, facilities or the carrying out of activities to the public, including as a commercial undertaking for public cultural welfare or development , examples include:						
• health or medical services	Yes	Yes	No	No	Yes	Yes
• fitness training, physical skills tuition	No	Yes	No	Yes	Yes	Yes
Provision of goods, services, facilities or the carrying out of activities to the public, including as a commercial undertaking for public physical welfare or development , examples includes:						
• concerts, dramatic productions	Yes	Yes	No	Yes	Yes	No
Provision of goods, services, facilities or the carrying out of activities to the public, including as a commercial undertaking for public social welfare or development , examples includes:						
• kiosk, cafe, restaurant	Yes	Yes	No	Yes	No	Yes
• mobile refreshment stand	No	Yes	No	Yes	Yes	Yes
• community centre, men's shed, community garden	Yes	Yes	No	Yes	No	Yes
• events, fairs, festivals, child minding services	No	Yes	No	Yes	Yes	Yes
Provision of goods, services, facilities or the carrying out of activities to the public, including as a commercial undertaking for public intellectual welfare or development , examples includes:						
• educational sessions, classes, workshops e.g. Bushcare instruction	No	Yes	No	Yes	Yes	Yes

Table 5. Permissible long term use / purpose *cont'*

Permissible long term use / purpose <small>subject to relevant approval</small>	Type of agreement			Land category		
	Lease	Licence	Other estate	Park	Sports ground	G.C.U
Public utilities and works associated with or ancillary to public utilities, pipes, conduits under the surface of the ground for the connection of premises adjoining the land to a facility of the Council or other public utility provider, examples include:						
<ul style="list-style-type: none"> sewer connection, electricity provision 	No	No	Yes	Yes	Yes	Yes
Biodiversity Stewardship Agreements , examples include:						
<ul style="list-style-type: none"> offset projects, when the land is protected and managed to achieve an improvement in biodiversity values 	No	No	Yes	Yes	No	No
Provision of roads in accordance with s47 of the <i>LG Act</i>	No	No	Yes	Yes	Yes	No

Table 6. Permissible development

Permissible development subject to relevant approval	Permissible at Trumper Park in land category		
	Park	Sports ground	G.C.U
Amenity buildings , such as toilets, change rooms, kiosks, grandstands	Yes	Yes	Yes
Art installations , see adopted policy	Yes	Yes	Yes
Carparks , single storey only, associated with the use of the site	Yes	Yes	Yes
Child minding services , i.e. a building or place used for the temporary supervision and care of children, ancillary to use of the reserve for public recreation	Yes	No	Yes
Community facilities , i.e. a building or place owned or controlled by a public authority or non-profit community organisation, used for the physical, social, cultural or intellectual development or welfare of the community	No	No	Yes
Cycle paths and bicycle related storage facilities such as racks	Yes	Yes	Yes
Demolition of buildings , other than any building or structure that is, or is part of, a State or local heritage item or is within a heritage conservation area	Yes	Yes	Yes
Depots for maintenance purposes , i.e. a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use	Yes	No	Yes
Environmental facilities , i.e. a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures – permitted without consent	Yes	Yes	Yes
Environmental management works , i.e. works for the purpose of avoiding, reducing, minimising or managing the environmental effects of development (including effects on water, soil, air, biodiversity, traffic or amenity), and environmental protection works	Yes	Yes	Yes
Environmental protection works , i.e. works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works - permitted without consent	Yes	Yes	Yes
Information boards , and other information facilities including park entry booths and visitor information centres	Yes	Yes	Yes
Information and education facilities , i.e. a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like	Yes	Yes	Yes
Irrigation systems	Yes	Yes	Yes

Table 6. Permissible development *cont'*

Permissible development subject to relevant approval	Permissible at Trumper Park in land category		
	Park	Sports ground	G.C.U
Kiosks , i.e. a building or place used for the purpose of selling items for retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials	Yes	No	Yes
Landscaping , including landscape structures or features	Yes	Yes	Yes
Lighting , ensure light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Australian Standard	Yes	Yes	Yes
Maintenance of landscaping and infrastructure including access roads	Yes	Yes	Yes
Outdoor furniture , e.g. seats, picnic tables, bins	Yes	Yes	Yes
Pathways , for pedestrian access, walking tracks, bridges, raised walking paths, boardwalks, ramps, stairways and handrails, gates, viewing platforms with an area not exceeding 100m ²	Yes	Yes	Yes
Recreation areas , i.e. a place used for outdoor recreation that is normally open to the public, including children's playgrounds, areas used for community sporting activities, public parks, reserves or gardens and any ancillary buildings	Yes	Yes	Yes
Recreation facilities (indoor) , i.e. a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club	No	Yes	Yes
Recreation facilities (outdoor) , i.e. a building or place used predominantly for outdoor recreation, whether or not operated for the purposes of gain, or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).	Yes	Yes	Yes
Play equipment , ensure adequate safety measures (including soft landing surfaces) are provided and, in the case of the construction of such equipment, so long as the equipment is situated at least 1.2m away from any fence	Yes	Yes	Yes
Registered clubs , i.e. a club that holds a club licence under the <i>Liquor Act 2007</i>	No	No	Yes
Restaurants or cafes , i.e. a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided	No	No	Yes
Roads , i.e. a public road within the meaning of the <i>Roads Act 1993</i> , and in accordance with s47 of the <i>LG Act</i> , includes a classified road, and under <i>SEPP 2007</i> also vehicle barriers and ticketing machines	Yes	Yes	Yes

Table 6. Permissible development *cont'*

Permissible development subject to relevant approval	Permissible at Trumper Park in land category		
	Park	Sports ground	G.C.U
Shade structures , if the visual impact of the development on surrounding land uses is minimal	Yes	Yes	Yes
Shelters , if the visual impact of the development on surrounding land uses is minimal	Yes	Yes	Yes
Sporting facilities , including goal posts, cricket sightscreens and fences, if the visual impact of the development on surrounding land uses is minimal	Yes	Yes	No

Table 7. Current and Future Permissible Use of Trumper Park

Current Use					Future Use		
Category	Within category	Use	Lease / licence	Condition	Permissible use / purpose. Refer tables 4, 5 & 6.	Scale and intensity	Prohibited use
Park	Land	Passive recreation, dog exercise on leash at all times, aesthetic, habitat, pond, Council nursery	Nil 2 x easements for electricity	3 / 4 (Significant weed coverage throughout gully. Trumper Pond condition 3-4 at times)	Casual recreation use e.g. walking, dog walking on leash at all times, informal ball games, picnics for groups of < 20 at all times, no permit required. Existing easements for electricity. Council nursery. Uses that require a permit / short term casual licence include public meetings, all group activities of > 20 and for all filming, weddings, ceremonies, bridal photography, corporate activities or functions regardless of size.	Small scale and low intensity only	Camping, dumping rubbish, fires, golf, unauthorised vehicles and any use prohibited under WLEP 2014. Dogs within 10m of playground and food prep areas. Smoking within 10m of playground Dog exercise off leash. Commercial fitness activities
	Buildings	Nil	Nil	Nil			
	Improvements Refer to Council's built asset register for complete list, which itemises every structure on the land, including condition rating	Playground, netball hoop, long jump run up and pit, paths	Nil	Av. 2.44	Development related or ancillary to recreation and / or aesthetic use is permissible, e.g. amenity buildings, utilities if required, planting for shade and habitat, park furniture, recreation facilities, play equipment, pathways and lighting, temporary structures for recreational needs, environmental facilities / management / protection works (subject to the relevant approval process).		

Table 7 Current and Future Permissible Use of Trumper Park *cont'*

Current Use					Future Use		
Category	Within category	Use	Lease / licence	Condition	Permissible use / purpose. Refer tables 4, 5 & 6.	Scale and intensity	Prohibited use
S'ground	Land	Active recreation	Short term casual and seasonal licences.	3	Active recreation use on a casual and / or seasonal basis e.g. cricket, AFL, athletics, a permit is required for all organised sport regardless of size.	Medium scale and medium intensity only.	<p>Camping, dumping rubbish, fires, golf, unauthorised vehicles and any use prohibited under WLEP 2014.</p> <p>Smoking in areas for spectators during organised sporting events.</p> <p>Dogs at all times on oval.</p> <p>Commercial fitness activities at all times on the wicket area.</p>
	Buildings	Tennis centre admin/kiosk	Leased See appendix B for details	1.29 2.00 See appendix B for report	<p>Active recreation, tennis at the tennis centre.</p> <p>When organised sport is not being played, passive recreation use is permitted at the oval, e.g. walking, informal ball games, picnics of < 20 at any time, no permit required.</p>		
	Improvements	Turf cricket pitch, sight screens, practice cricket nets, turf running track, night training lights, AFL goal posts, 6 x tennis courts	Short term casual and seasonal licences Leased	3	<p>Uses that require a permit / short term casual licence include public meetings, cultural events, all group activities of > 20 and for all filming, weddings, ceremonies, bridal photography, corporate activities or functions regardless of size.</p> <p>Development related or ancillary to active recreation needs is permissible, e.g. sporting facilities and / or amenities including but not limited to lighting, drainage, irrigation, surface levelling and resurfacing, environmental management / protection works (subject to the relevant approval process).</p>		

Table 7 Current and Future Permissible Use of Trumper Park *cont'*

Current Use					Future Use		
Category	Within category	Use	Lease / licence	Condition	Permissible use / purpose. Refer tables 4, 5 & 6.	Scale and intensity	Prohibited use
G C Use	Land	Passive recreation, access, community garden, community workshops, presentation and community tours, entry to depot	Licenced for community garden purposes See appendix B for details	2	Various use to meet the public recreation, or the physical, cultural, social or intellectual needs of the community, e.g. community garden, community facilities, kiosk, and recreation areas. Uses that require a permit / short term casual licence include public meetings, all group activities of > 20, all building venues, and for all filming, weddings, ceremonies, bridal photography, corporate activities or functions regardless of size.	Medium scale and medium intensity only	Camping, dumping rubbish, fires, golf, unauthorised vehicles and any use prohibited under WLEP 2014.
	Buildings	Grandstand, change rooms, toilets, canteen	Nil	1.86 See appendix B for report	Long term leases / licences may be granted for provision of appropriate goods, services, facilities or purposes as currently used and / or as shown in table 5.		
	Improvements	Paths, community garden, includes individual allotments, shelter, water tanks and seating	Part of community garden	2	Development related or ancillary to the recreational, physical, cultural, social or intellectual needs of the community is permissible, e.g. kiosks, mobile refreshment stands, temporary structures for recreational needs, community facilities, environmental facilities / management / protection works (subject to the relevant approval process).		

Table 7 Current and Future Permissible Use of Trumper Park *cont'*

Current Use	Future Use
Condition ratings for land and park assets as follows: 1. Excellent – no work required or as new condition, 2. Good – well maintained, minor maintenance only, 3. Average – maintained but in need of repair, 4. Poor – in need of major repair or renewal, 5. Very Poor – urgent renewal or upgrading required	
Condition ratings for buildings as follows: 1 – Good, 2 – Fair, 3 – Requires maintenance, 4 – Requires replacement.	
Special management requirements: WMC mapping shows the area as class 3 and class 5 acid sulphate soils.	
Currently budgeted capital works: Design of footpath on western side of Quarry Street leading to tennis centre. Design for footpath and seating opportunities to link with existing path around oval. Renewal of footpath from Bowes Avenue to Trumper Park tennis courts.	

9. Management framework for Trumper Park

Objectives 1 – 8 reflect the land management goals and values			
Objective – the desired outcome	Performance targets – what the objective is trying to do	Actions – how to achieve the target	Performance measures – how to assess whether the objectives and targets have been met
1	A		
Safe, clean, well-maintained, functional and varied	Ensure public safety is considered during the planning, design, construction, maintenance and use of each site	<ul style="list-style-type: none"> • Adhere to CPTED (crime prevention through environmental design) principles during planning and design documentation and during regular maintenance, including: <ul style="list-style-type: none"> ◦ passive surveillance ◦ good sight lines ◦ appropriate lighting • All installations to meet the Building Code of Australia (BCA) and Australian Standards (AS) • Provide for emergency services / response access • Respond promptly to reported hazards • Liaise with local police to identify and act on safety issues • Where appropriate, consider creative lighting design that improves visibility at night, a principle of the <i>NSW Public Spaces Charter</i> • Undertake annual risk assessment of slopes 	<p>Masterplan developed with extensive consultation</p> <p>Perception of user safety is increased, reduced CSRs</p> <p>Reduced incidents of reported vandalism</p> <p>Specifications meet relevant BCA and AS</p> <p>Emergency services access needs identified, access points created and clearly signed</p> <p>CSR response targets met</p> <p>Strong relationship maintained with Eastern Suburbs Police Area Command</p> <p>Improved visibility at relevant sites</p> <p>Assessment completed annually</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
1	B		
	Ensure clean , litter free public land is well-maintained and available for use by the community	<ul style="list-style-type: none"> • Adhere to regular inspections, horticulture schedules, litter collections and cleaning schedules • Consider integrating smart infrastructure into public spaces to monitor cleanliness, as recommended by the <i>NSW Public Spaces Charter</i> • Provide bins, consider locations for separate recycling bins and cigarette butt out bins, use solar bins where appropriate • Provide dog waste bags at appropriate locations • Provide surface / subsurface drainage as necessary to increase site useability • Continue to investigate funding for flood mitigation options • Ensure proposed events are planned with appropriate waste removal service levels provided • Promote and encourage community clean-up days, for example on Clean Up Australia Day on the first Sunday in March each year • Incorporate appropriate landscape renewals into forward works programs as needed 	<p>Maintenance schedules fulfilled</p> <p>Episodes of increased litter reported via technology for improved attendance by waste services</p> <p>Improved efficiency around collection of waste</p> <p>Dog waste is removed from site</p> <p>Surface water dissipation rate improved, majority of site available for maximum levels of public access</p> <p>Funding sourced and projects initiated</p> <p>Sites are cleaner, increased community land stewardship</p> <p>Well attended clean up events, increased community land stewardship</p> <p>Declining plant material is replaced as needed for a more aesthetically pleasing landscape</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
1	C		
	Ensure the facilities and experiences at each site meet community expectations and are fit for purpose (a strategy of <i>Greener Places</i>)	<ul style="list-style-type: none"> • Where necessary, improve the quality of the site, as recommended in the <i>NSW Public Spaces Charter</i> • Maintain the asset register of all built structures, repair and / or replace as necessary to ensure they are functional and fit for purpose • Adhere to horticulture maintenance schedules • Review all horticulture maintenance schedules to ensure the green infrastructure on Crown land, i.e. the open space for recreation, the urban tree canopy, bushland and waterways can be adequately maintained • Ensure land for recreation is fit for purpose; use the site quality performance criteria to assess site suitability and intended purpose as recommended in the <i>Greener Places Design Guide</i> • Plan for our community's changing needs in line with Council's Playspace Strategy and Recreation Needs Study (both are currently in draft stage) 	<p>Quality audit completed, quality of public space improved</p> <p>Built asset register maintained</p> <p>Maintenance schedules fulfilled</p> <p>Schedules reviewed, improvements identified and resourced</p> <p>Criteria developed and sites audited for suitability</p> <p>Outcomes from these strategies are identified to inform Council's DPOP and long term plans</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
1	D		
	Ensure a variety of opportunities are available, and the landscape character of each site is preserved and that future design and use responds to the unique site conditions and identity (a strategy of <i>Greener Places</i> and a principle of the <i>NSW Public Spaces Charter</i>)	<ul style="list-style-type: none"> • Maintain the current landscape character of each site by establishing appropriate replacement planting strategies • Use consistent design vocabulary of outdoor furniture and other hardscape materials that is appropriate to the setting • Ensure proposed installations complementary to the landscape character 	<p>Planting renewal schedules are established</p> <p>Installations selected for site suitability</p> <p>Landscape character of each site maintained</p>
	E		
	Where there is opportunity to improve layout, functionality, aesthetic appeal and site interpretation provide a landscape master plan	<ul style="list-style-type: none"> • Prepare a detailed landscape master plan for Trumper Park that establishes a vision, allows for an integrated approach to the ongoing recreational use of the area, maintains the unique landscape character, including the expansive views, improves habitat opportunities, pedestrian connectivity, Green Links and interprets cultural heritage 	<p>Concept design process is undertaken and a master plan produced with the engagement of all stakeholders</p> <p>Unique site values and preferred spatial arrangement of all elements integrated into master plan</p> <p>Future capital works allocated to a cohesive, well documented plan, specified for their appropriateness within the landscape</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
2	A		
Accessible and inclusive	Provide universal access , wherever possible, to public land and any associated structures and facilities to ensure the sites are open and welcoming (a strategy of <i>Everyone Can Play</i> and a principle of the <i>NSW Public Spaces Charter</i>)	<ul style="list-style-type: none"> Wherever possible strive to meet DDA requirements, including: <ul style="list-style-type: none"> ◦ accessible paths ◦ ramps ◦ handrails ◦ tactile surfaces ◦ braille signage ◦ inclusive playgrounds Entry points clearly identified to provide a welcoming sense of arrival Consider raised, flexible paths, to alleviate soil compaction and trampling of emergent seedlings 	<p>DDA requirements built into design guidelines for community land improvements and DDA compliance progressively achieved on public open space where practical</p> <p>Entry points created / emphasised / upgraded where appropriate</p> <p>Access is provided in such a way as to reduce impact on and threats to bushland</p>
	B		
	Optimise public access to all sites and improve connectivity via improvements to walking and cycling paths (a principle of the <i>NSW Public Spaces Charter</i>)	<ul style="list-style-type: none"> Implement relevant parts of the Woollahra Bike Plan Improve active transport linkages where possible and appropriate, as recommended in the <i>Sydney Green Grid</i>, specifically continue to investigate the Paddington Greenway Promote connectivity with tree lined footpaths wherever appropriate, as recommended in the <i>Greener Places Design Guide</i> 	<p>Cycling routes provided in appropriate locations</p> <p><i>Green Grid</i> sites identified and linkages created where possible</p> <p>Increased tree canopy over pedestrian paths and cycle ways i.e. “Green Links” established across the LGA</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
2	C		
	Ensure fairness and equity of use for all public land	<ul style="list-style-type: none"> • Plan for our community's changing active and passive recreational needs in line with Council's Playspace Strategy and Recreational Needs Study (both are currently in draft stage) • Manage enquiries to use land equitably and issue approvals that comply with Council's policies • Permit use of the land through appropriate leases, licences and other estates in accordance with the provisions of the <i>LG Act</i> and the express authorisation of this POM • Undertake a review of toilets / change rooms to facilitate female toilet / change requirements 	<p>Outcomes from these strategies are identified to inform Council's DPOP and long term plans</p> <p>Applications to use community land are processed and approvals are issued as per policies</p> <p>Appropriate land use agreements are managed by Council</p> <p>Review complete, more equitable use planned to meet community need</p>
	D		
	Reduce traffic and parking pressures in and around public land to improve useability and retain residential amenity	<ul style="list-style-type: none"> • Provide appropriate timed parking in streets adjacent to Trumper Park to facilitate resident car use and parking 	Timed parking signage installed

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
3	A		
Well managed for public use	Ensure POMS are prepared and reviewed as required	<ul style="list-style-type: none"> • Compliant POM prepared by Council • Prioritise and select actions for inclusion in Council's annual DPOP and capital works programs • Review and update plans to reflect completed actions and to remain relevant • Obtain the necessary written consent to use Lots 4 & 7 DP 1156846 for operational purposes • Continue discussions with DPE and other stakeholders in regards to Lot 3 DP 1156846 to resolve responsibilities of management 	<p>POM adopted as soon as practicable</p> <p>Capital works informed by POM</p> <p>POM reviewed to remain relevant</p> <p>Use of land is consistent with the requirements of <i>CLM Act</i></p> <p>Use of land is consistent with existing leases and the requirements of <i>CLM Act</i></p>
	B		
	Ensure the land remains available for majority use by the public	<ul style="list-style-type: none"> • Manage appropriate use by private groups to meet public access requirements 	Majority of public open space remains available to the public
	C		
	Ensure land zoning is appropriate for public recreation	<ul style="list-style-type: none"> • Land is zoned appropriately under WLEP 2014 to allow for public recreation 	No conflicts in permissible use / development

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
3	D		
	Ensure planning and development controls across the LGA conserve the natural environment, aesthetic quality and heritage values on Crown land	<ul style="list-style-type: none"> Identify and promote site specific natural environment, aesthetic and heritage values e.g. habitat, view corridors, significant trees Work collaboratively to update planning and development controls so that the controls are compatible with the natural environment, aesthetic and heritage values Work with Paddington Greenway stakeholders to adhere to the actions of the endangered species National recovery plan 	<p>Unique site values confirmed, site opportunities pursued</p> <p>Potential conflicts identified and reduced</p> <p>The endangered species, including the potential seed bank, is protected throughout the development for the long term survival of both species</p>
	E		
	Support appropriate use of land through leases, licences and other estates for the best interest of the community	<ul style="list-style-type: none"> Manage typical use of the land through appropriate leases and licences that do not limit public use of the land Select lessees / licensees equitably and transparently, draft agreements that reflect the core objectives of the land, community need, and meet the requirements of the <i>LG Act</i> 	<p>Appropriate long term use of land permitted through sound agreements</p> <p>Site specific agreements are written to consider the unique qualities of each site and the needs of the community</p>
	F		
	Support Aboriginal land – management and caring-for Country principles , (a principle of the <i>NSW Public Spaces Charter</i>)	<ul style="list-style-type: none"> Seek advice from local Aboriginal community organisations regarding appropriate land management techniques at relevant locations and consider how to incorporate 	Improved community understanding of Aboriginal land management

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
3	G		
	Encroachment on Crown land is reduced and the whole estate remains available for public use	<ul style="list-style-type: none"> Investigate and remove encroachments Discourage the dumping of rubbish by means of education, signage, enforcement and penalties Discourage private planting by means of education, signage, enforcement and penalties, as the species may not be appropriate and may impact on maintenance requirements Preserve boundaries and eliminate privatisation of public open space through planning and development controls Discourage local residents from creating desire lines through bush like areas 	<p>The community can access the site for public recreation</p> <p>Fewer reports of illegally dumped rubbish</p> <p>The plant palette remains appropriate at each site</p> <p>The Crown land portfolio remains intact for its public purpose</p> <p>Residents do not create informal paths through the bushland</p>
	H		
	Reduce conflicts of use, provide regulation and, where appropriate, provide additional wayfinding signage to inform all user groups of what is prohibited use, so that all user groups are able to enjoy the land and facilities provided	<ul style="list-style-type: none"> Install informative regulatory signage at appropriate locations, clearly stating regulations Manage regulations by means of enforcement and penalties Consider additional wayfinding / interpretative signage at identified locations to highlight site opportunities and significance 	<p>Regulatory signage installed as appropriate</p> <p>Use of the land is more harmonious, fewer reported incidents of conflict</p> <p>Signage installed as required</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
3	I		
	Ensure land use is compatible with the carrying capacity of the land, (a strategy of <i>Greener Places</i>)	<ul style="list-style-type: none"> • Use the <i>Greener Places Design Guide</i> to estimate the carrying capacity of the sportsground category land • Ensure design solutions and usage patterns consider the carrying capacity of the land 	<p>Carrying capacity is not exceeded if practical</p> <p>Reduction in comments received regarding visible signs of overuse</p>
4	A		
Natural environment conserved	Ensure environmental protection principles are observed (an objective of the <i>CLM Act</i>)	<ul style="list-style-type: none"> • Use of land meets statutory responsibilities required by environmental legislation administered by the EPA 	No major incidents of environmental pollution are reported
	B		
	Ensure best environmental practice in use and maintenance of the land to build green and resilient public land, that enhances biodiversity, conserves natural resources and improves sustainability (an objective of the <i>CLM Act</i> and principles of the <i>NSW Public Spaces Charter</i> , the <i>Woollahra Environmental Sustainability Action Plan (ESAP)</i> , the <i>Woollahra</i>	<ul style="list-style-type: none"> • Fulfil statutory responsibilities required by relevant legislation, including the actions within the National recovery plan for Magenta Cherry • Implement relevant actions of the <i>Biodiversity Conservation Strategy 2015-2025</i>, including: <ul style="list-style-type: none"> ◦ work to complete and implement habitat restoration plans for relevant sites (HAB 03) ◦ consider fully biodiversity conservation at each site (HAB 04) ◦ develop and implement threatened species management plans (HAB 05) ◦ develop procedure for trapping foxes when sighted in key habitat areas (DOM 04) • Build climate change resilience and biodiversity conservation into site design by actively seeking the best environmental outcomes, including: <ul style="list-style-type: none"> ◦ appropriate choice of soft and hardscape materials 	<p>Legislative obligations met</p> <p>The habitat restoration plan is implemented</p> <p>Observe improvements in the biodiversity at Trumper Park, such as increased recorded sightings (as per EDU 04 of the <i>Biodiversity Conservation Strategy</i>) of native birds, fewer weed and pest species, and more robust vegetation</p> <p>Threatened species are conserved and populations are more resilient to threats</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
4	B		
	<i>Biodiversity Conservation Strategy and the Woollahra Climate Emergency Statement)</i>	<ul style="list-style-type: none"> ◦ increasing tree canopy for shade ◦ onsite water retention, WSUD (water sensitive urban design) and storm water harvesting ◦ minimising the use of herbicides, pesticides and fertilisers wherever possible ◦ use of renewable energy sources ◦ increase bush regeneration efforts ◦ seek locations for artificial nest boxes ◦ seek appropriate locations to plant additional trees, shrubs and groundcovers to increase habitat using locally endemic species as recommended in the <i>Greener Places Design Guide</i> ◦ follow the recommendations of the <i>Australian Government National Light Pollution Guidelines</i> ◦ maintaining and / or creating habitat within core habitat areas, including species that form future hollows ◦ schedule works to maintain habitat connectivity ◦ improve the water quality of the pond by encouraging bank stabilising plant species and appropriate aquatic plants ◦ repair slope and pond erosion as necessary, consider spray on seeding • Improve sustainability by actively seeking the best environmental outcomes, including: <ul style="list-style-type: none"> ◦ reduce electricity use, i.e. use of LED lights and timers to reduce greenhouse emissions where feasible ◦ use renewable and / or green electricity ◦ enforcing Council's single use plastic policy ◦ reducing water usage and waste wherever possible ◦ installing solar panels wherever possible and in keeping with site character 	<p>Increased tree canopy, more shade Soil moisture improved where appropriate, less runoff, less use of potable water</p> <p>Habitats improved for native flora and fauna, greater species diversity noted through observation</p> <p>Light pollution guidelines met</p> <p>Pond edges stabilised with appropriate species to improve water quality Erosion control measures are in place</p> <p>Greenhouse emissions reduced</p> <p>Carbon footprint across the LGA is reduced</p> <p>Single use waste reduced Irrigation systems use harvested stormwater wherever possible Reliance on carbon energy reduced, more solar panels installed</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
4	C		
	<p>Raise community awareness of natural environment values within the community, including the value of all green infrastructure and promote stewardship of the land (strategies of <i>Greener Places</i>)</p>	<ul style="list-style-type: none"> • Provide community education programs that promote the value of the natural environment and build knowledge and awareness of green infrastructure, highlighting the benefits of the urban tree canopy • Provide information to the community on total catchment management and responsible pet ownership including the need to pick up dog faeces, respect on-leash and prohibited areas, to meet DOM 3 of the <i>Biodiversity Conservation Strategy</i> • Provide information and education on encroachment practices that are a threat to the natural environment e.g. dumping garden waste, creating private desire lines through bush • Provide information and education on threats to water quality, including the importance of ensuring nothing other than stormwater goes down the drain • Encourage community tree planting programs at appropriate locations • Provide information to the community on the importance of keeping cats inside at night • Provide information and education to local residents around the presence of the threatened species, as recommended in the National recovery plan of the Magenta Cherry (Lilly Pilly) • Increase profile of bush regeneration efforts, encourage the community to volunteer in and promote the Bushcare program opportunities and associated improved environmental outcomes to schools, residents and the broader community 	<p>Education programs are facilitated and well attended</p> <p>Tree canopy is retained and expanded</p> <p>Dog regulations are complied with</p> <p>Soil remains viable for native flora, nutrient levels remain constant</p> <p>Less encroachment reported and observed</p> <p>Improved water quality observed at harbour foreshore</p> <p>Greater community participation in tree planting events</p> <p>Cats do not predate on native fauna</p> <p>Profile of endangered species is promoted to local residents to assist with stewardship of the land</p> <p>Greater community participation in Bushcare</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
4	D		
	Ensure the existing mature tree canopy is retained to preserve landscape character and create an inter-connected tree canopy across public land, strategies of <i>Greener Places</i>	<ul style="list-style-type: none"> • Planning and development controls are upheld across public land in the LGA to maintain and enhance all green infrastructure • Monitor health of significant trees register and inspect by qualified arborist annually • Incorporate succession planning into policies and plans to ensure the ongoing provision of appropriate tree canopy that retains landscape character and user amenity • Protect the root zones of significant mature trees from compaction, erosion and mechanical damage including the consideration of dense ground cover planting or elevated platforms to discourage pedestrians • Consider propagating plant material from the existing significant trees to retain landscape heritage • Identify potential locations for increased tree planting, especially along boundaries and pathways • Update vegetation mapping including the locations of the Magenta Cherry (Lilly Pilly) • Retain senescent old growth in areas where bushland is being restored • Mark on ground locations of removed trees to estimate potential seedbank locations 	<p>Tree canopy protected and enhanced</p> <p>Landscape character and landscape heritage is retained</p> <p>Arborist report undertaken</p> <p>Plans and policies incorporated into renewals</p> <p>Root zones are protected in high use areas</p> <p>Landscape heritage maintained</p> <p>Green infrastructure is robust and extensive</p> <p>Digitised survey completed</p> <p>Hollows for habitat, as part of a complex bushland community are present in the system</p> <p>Ground markings visible</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
5	A		
Aesthetic and landscape quality remains high	Ensure public view corridors are retained wherever possible and minimise visual impact of development on land adjoining the Crown reserves	<ul style="list-style-type: none"> • Ensure planning and development controls are in place to maintain public views from and into Trumper Park wherever possible • Prune vegetation if necessary to maintain public views and ensure all tree works are undertaken by a qualified arborist • Install appropriate screen planting wherever necessary 	<p>Public access to iconic views are retained from within Trumper Park</p> <p>Desirable public views into and out of each site are retained</p> <p>Undesirable views are screened by appropriate vegetation</p>
	B		
	Consider the amenity of residents adjacent to the Crown reserves	<ul style="list-style-type: none"> • Ensure planning and development controls consider amenity of residents • Consult nearby residents prior to proposed developments • Consider the potential future impacts on residents, including views, prior to all proposed landscape and recreational installations • Install appropriate screen / buffer planting wherever necessary to reduce undesirable impact on residential amenity 	<p>Residential amenity and privacy is not significantly impacted, wherever possible</p> <p>Increased consultation where appropriate</p> <p>Private view pruning undertaken as necessary under current policies</p> <p>Appropriate buffers installed where necessary</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
5	C		
	Aesthetic and landscape quality of all Crown land assets remain high	<ul style="list-style-type: none"> • Adhere to adopted horticulture maintenance schedules • Adhere to adopted built asset maintenance schedules • Review all horticulture maintenance schedules to ensure the aesthetic and landscape quality of all green infrastructure on Crown land, i.e. the open space for recreation, the urban tree canopy, bushland and waterways remains high • Install selected design elements in appropriate locations as documented, where appropriate and feasible specify warm lighting for passive open space 	<p>Schedules fulfilled</p> <p>Schedules fulfilled</p> <p>Schedules reviewed, improvements identified and resourced</p> <p>Site specific appropriate installations undertaken that complement each place</p>
6	A		
Heritage and cultural awareness	Investigate and assess environmental heritage and ensure land is used and managed to be consistent with heritage significance	<ul style="list-style-type: none"> • Manage listed environmental heritage in accordance with statutory obligations • Investigate opportunities to undertake a heritage assessment of the significant trees • Investigate opportunities to undertake heritage and cultural assessment studies to identify environmental heritage at each site, including areas of historic archaeology sensitivity, built structures and natural heritage • Seek recommendations for the management of heritage items • Identify European history • Identify opportunities to enhance and celebrate environmental heritage, including interpretation, conservation works, art works and signage 	<p>Environmental heritage items managed</p> <p>Assessment undertaken</p> <p>Potential environmental heritage items and archaeology (including cultural landscapes) are identified and assessed against heritage listing criteria</p> <p>Recommendations arising from heritage management documents are considered and implemented where possible</p> <p>European history noted</p> <p>Improved understanding and greater appreciation of environmental heritage</p> <p>No negative impacts of management practices on sites with natural and cultural significance</p> <p>Only sympathetic and compatible uses are permitted</p> <p>Heritage and landscape character retained for future generations</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
6	B		
Heritage and cultural awareness	Investigate, assess and manage First Nations culture and history on Crown land (a principle of the <i>NSW Public Spaces Charter</i>)	<ul style="list-style-type: none"> Identify registered Aboriginal sites Investigate Aboriginal history Assess potential Aboriginal heritage and sensitive areas at each site Manage Aboriginal heritage in accordance with the <i>National Parks & Wildlife Act 1974</i> Identify opportunities to enhance Aboriginal heritage, including interpretation, conservation works, art works and signage 	<p>Where appropriate, registered sites noted</p> <p>Aboriginal history of the site is noted</p> <p>Where appropriate, areas of Aboriginal sensitivity are identified</p> <p>Recommendations arising from relevant heritage management documents are implemented</p> <p>Improved understanding of Aboriginal heritage at each site</p> <p>No negative impacts of management practices on site with Aboriginal significance</p> <p>Only sympathetic and compatible uses are permitted</p>
	C		
	Enable the community to hold cultural events on Crown land (a principle of the <i>NSW Public Spaces Charter</i>)	<ul style="list-style-type: none"> Permit appropriate use of the land for events that bring positive community outcomes 	<p>Event proposals approved where appropriate and positive feedback received</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
6	D		
Heritage and cultural awareness	Work with Aboriginal communities to realise the potential of their land rights (a priority of the <i>State Strategic plan for Crown land</i>)	<ul style="list-style-type: none"> Engage with the La Perouse Local Aboriginal Land Council as necessary in regards to incomplete land claims at Trumper Park 	Improved relationship and understanding of local Aboriginal community in respect of their land rights
	E		
	Ensure obligations under the Native Title Act 1993 are met	<ul style="list-style-type: none"> Where it is proposed to construct or establish a public work on reserved or dedicated Crown land where native title is not extinguished, prior to approval, notify and give opportunity for comment to Aboriginal / Torres Strait Islander registered bodies, registered native title claimants and corporate bodies, in relation to the land or waters covered by the reservation or lease as required under the <i>Native Title Act 1993</i> On Crown land where native title rights have not been extinguished, encourage, and if required, remove barriers to access and use by Aboriginal people for cultural practices and to care for Country 	<p>Obligations fulfilled</p> <p>Native title rights to relevant land facilitated</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
7	A		
Recreational opportunities	Ensure the unique opportunities of each site are enhanced for inclusive public recreation	<ul style="list-style-type: none"> • Maintain the landscape character for a variety of passive recreation experiences • Prior to approvals being issued, refer to POM to ensure that permissible uses, including scale and intensity, are appropriately managed • Advertise recreational opportunities on Council's website, social media, at the libraries and community centre • Consider incorporating additional user friendly attributes into Council's website to promote recreational opportunities, e.g. interactive maps showing unique site features • Upon renewal of playground ensure it meets the community needs and is in line with the Playspace Strategy 	<p>Sense of place is strong</p> <p>Compliance with permissible uses is maintained</p> <p>Opportunities easy to find through Council sources</p> <p>New playground meets community need through extensive community consultation and thorough planning</p>

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
7	B		
	Encourage multiple use of Crown land, ensure land is multifunctional, flexible and versatile , proposed facilities to be multi-purpose to maximise community benefit and meet changing community needs (strategies of <i>Greener Places</i> and a principle of the <i>NSW Public Spaces Charter</i>)	<ul style="list-style-type: none"> • Permit a variety of short-term use through appropriate licensing • Consider proposed installations that provide multiple community benefits wherever possible • Promote adaptive re-use of existing facilities is considered to meet community need, including the venues for hire • Undertake a review of change rooms to facilitate female change facilities • Work collaboratively to ensure development contribution funds are allocated to align with open space recreation needs, as identified in various strategies and action plans 	<p>Land appropriately used</p> <p>Multifunctionality built into installations</p> <p>Sites and facilities meet community need</p> <p>Review complete, more equitable use planned to meet community need</p> <p>Development contributions made available to fund identified open space improvements</p>
8	A		
Social and community opportunities	Crown land is used and managed to reflect the goals and themes of our community	<ul style="list-style-type: none"> • Cross reference the performance targets and actions of this POM with the CSP and other adopted Council policies for consistency and to ensure an integrated approach to Council planning, land use and management 	Internal collaboration implemented and integrated planning outcomes improved

Objectives 1 – 8 reflect the land management goals and values

Objective	Performance targets	Actions	Performance measures
8	B		
Social and community opportunities	<p>Public use and enjoyment of Crown land is encouraged, land use is community-focused and strengthens and supports evolving community connection and local business (principles of the <i>CLM Act</i> and the <i>NSW Public Spaces Charter</i> and a priority of the <i>State Strategic Plan for Crown land</i>)</p>	<ul style="list-style-type: none"> • Provide facilities that are flexible to a range of uses and appropriate to the needs of the community and where occurring, the needs of tourists • Facilitate community use of Crown land locations and venues through leases / licences that are equitably and transparently allocated to reflect the core objectives of the land, community need, and meet the requirements of the LG Act • Advertise recreational opportunities on Council's website, social media, and at community facilities • Continue ongoing discussion with the La Perouse Aboriginal Land Council to build a stronger local relationship 	<p>Multifunctionality built into installations wherever possible</p> <p>Secondary interests over Crown land approved where appropriate</p> <p>Opportunities easy to find through Council sources</p> <p>Cultural understanding grows and local land use requirements met on relevant land</p>
	C		
	<p>Provide stronger avenues for community consultation, encourage stewardship of the land and community participation in decision making</p>	<ul style="list-style-type: none"> • Improve community consultation and actively seek community feedback prior to installation of significant new capital works • Encourage greater community participation in community planting days, Bushcare, clean-up days 	<p>Wherever possible, improvements are consulted upon, developed, and implemented to the satisfaction of the majority of the community</p> <p>Community involvement is stronger, Council decisions are better understood and fewer complaints are received about decisions made about open space use and management</p> <p>Improved land stewardship</p>

Objectives 9 – 11 reflect the management goals of each land category

Objective	Performance targets	Actions	Performance measures
9	A		
PARK category land meets the <i>LG Act</i> objectives	Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities	<ul style="list-style-type: none"> Provide a variety of well-advertised opportunities for the community to enjoy in parks e.g. playgrounds, guided local landscape heritage walks, special events 	<p>Well attended events</p> <p>Community satisfaction measured through feedback</p>
	B		
	To provide for passive recreational activities or pastimes and for the casual playing of games	<ul style="list-style-type: none"> Provide a range of recreational spaces, including play and active areas, to meet the needs of the community 	Community satisfaction measured through feedback
	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	<ul style="list-style-type: none"> When necessary, develop appropriate installations to improve user experience 	Community satisfaction measured through feedback

Objectives 9 – 11 reflect the management goals of each land category

Objective	Performance targets	Actions	Performance measures
10	A		
SPORTS GROUND category land meets the <i>LG Act</i> objectives	Encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games	<ul style="list-style-type: none"> • Provide a range of active recreation facilities and multi-purpose spaces to meet our community's diverse active recreational needs • Advertise and provide information to the community about existing active recreational opportunities and facilitate appropriate casual and seasonal licenced use of the land • Ensure scale and intensity of use does not exceed the carrying capacity of the land or reduce the long term life of the asset 	<p>A majority of booking requests from local community sporting organisations and local schools are satisfied annually, subject to availability of appropriate facilities</p> <p>Council's website and information sources are kept up to date with available active recreational opportunities</p> <p>Site signage displays opportunities and usage regulations at all sites</p> <p>Longevity of asset maximised</p>
	B		
	Ensure that active recreational activities are managed having regard to any adverse impact on nearby residences	<ul style="list-style-type: none"> • Community use of existing facilities and spaces is facilitated through council's booking request system • Consider the scale and intensity of use at each location and balance the reasonable impacts on nearby residences • Ensure that sporting facility upgrades follow relevant legislated approval processes and include community consultation to consider potential impacts to local amenity, i.e. visual, noise, parking, traffic, lighting and the impact of additional usage • Monitor and reduce occurrence of unauthorised use through enforcement activities to maintain assets in good condition 	<p>Fields not used beyond capacity</p> <p>Permitted scale and intensity of use not exceeded by approved organised groups</p> <p>Relevant approvals are obtained for all facility upgrades</p> <p>Fewer unauthorised activities on the land</p> <p>Wear and tear reduced</p>

Objectives 9 – 11 reflect the management goals of each land category

Objective	Performance targets	Actions	Performance measures
11	A		
GENERAL COMMUNITY USE category land meets the <i>LG Act</i> objectives	To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public	<ul style="list-style-type: none"> • Provide a range of well-advertised, multi-purpose venues and facilities to meet the diverse leisure pursuits, recreational, physical, cultural, social and intellectual needs of the community and the greater public • When additional needs are identified, seek to provide the required facilities in appropriate locations 	Venues are adaptable and adequate to provide for our community needs Internal teams collaborate on current community expectations and recommend solutions
	B		
	To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community, and of the wider public, in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).	<ul style="list-style-type: none"> • Ensure lease / licence agreements are site appropriate, meet the core objectives of the land, are in the public interest, and do not negatively impact on the land or adjoining land • New long term (>12 months) leases / licences to be entered into for purposes authorised by this plan of management, following appropriate advice from the native title manager confirming the land is not excluded land, and subject to Council approval 	POM is referred to prior to leasing or licencing the land, internal teams collaborate on what is appropriate Appropriate use of public land facilitated transparently, obligations fulfilled

10. Appendix A

Trumper Park Survey Responses – User Profile

(The following information includes the *Your Say* data plus any related postal data)

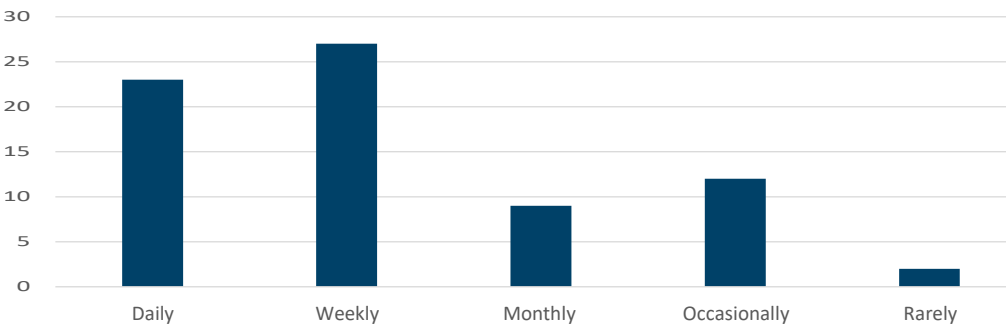


Figure 41. How often do you visit Trumper Park?

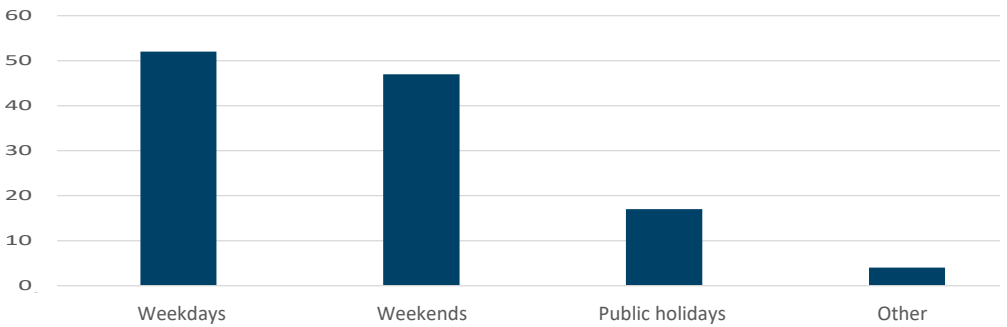


Figure 42. When do you usually visit Trumper Park?

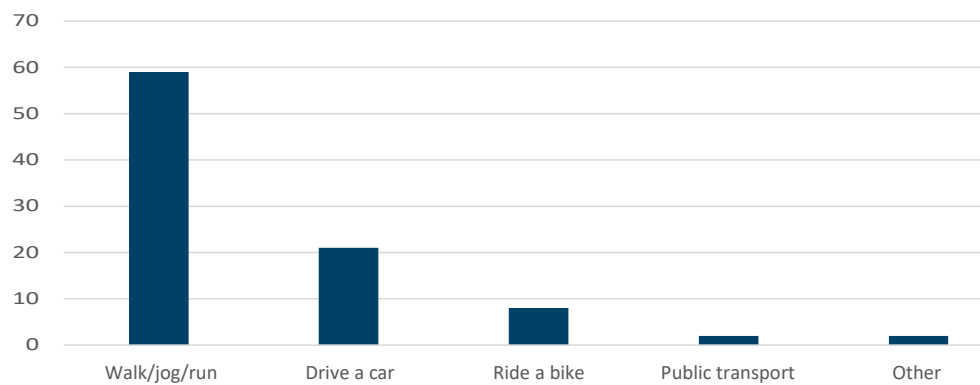


Figure 43. **How do you usually get to Trumper Park?**

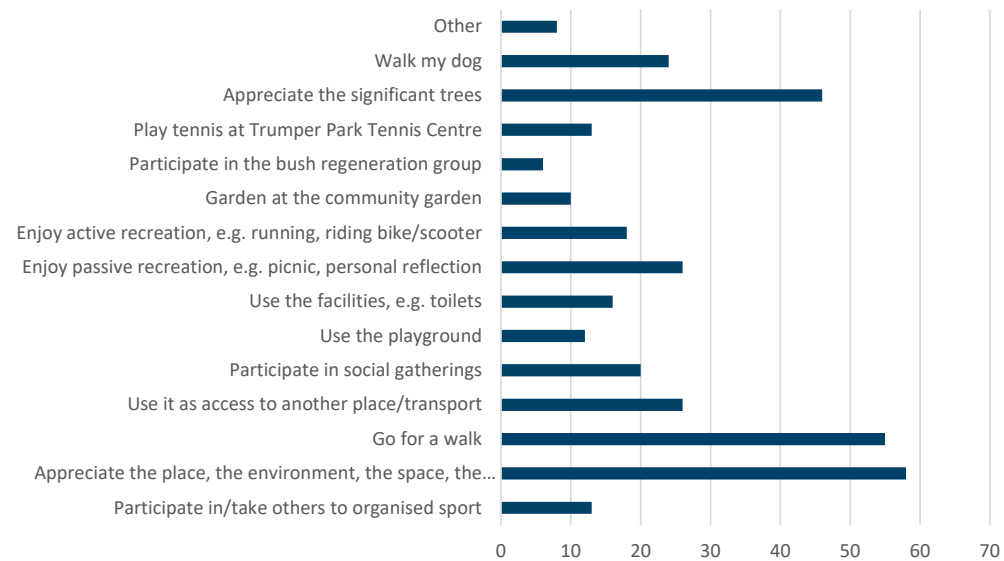


Figure 44. **What do you usually do at Trumper Park?**

11. Appendix B – Building Condition Reports and Existing Lease / Licence Details

Table 8. Trumper Park Grandstand, Amenities & Canteen Building Condition Report

Item	Condition
Structure	2
Doors and windows	2
Lights / power outlets	2
Ceilings / walls	2
Essential services	1
Plumbing	2
Floors and coverings	2
General	1.86
Comments / capital works	Public amenities refurbished FY14/15 Canteen and change room facilities used by hirer on game days, no separate licence over canteen
Ratings: 1 – Good, 2 – Fair, 3 – Requires Maintenance, 4 – Requires Replacement	

Table 9. Trumper Park Tennis Centre Condition Report

Item	Condition
Structure	2
Doors and windows	1
Lights / power outlets	1
Ceilings / walls	1
Essential services	1
Plumbing	2
Floors and coverings	1
General	1.29
Comments / capital works	
Ratings: 1 – Good, 2 – Fair, 3 – Requires Maintenance, 4 – Requires Replacement	

Table 10. Trumper Park Tennis Centre Kiosk Condition Report

Item	Condition
Structure	2
Doors and windows	2
Lights / power outlets	2
Ceilings / walls	2
Essential services	1
Plumbing	2
Floors and coverings	2
General	2.00
Comments / capital works	
Ratings: 1 – Good, 2 – Fair, 3 – Requires Maintenance, 4 – Requires Replacement	

Table 11. Trumper Park Tennis Centre and Kiosk Lease Details

Name	Trumper Park Tennis Centre and Kiosk
Description	Trumper Park (P500267) Reserve Trust
Address	1 Quarry Street, Paddington NSW
Lessee/Licensee	PAPA P/L, Stephen Day director / secretary
Term Starts	11/08/2015
Term Ends	10/8/2022
Term	7 years
Renewal Options	N/A
Rental	\$195,359.23 pa (GST inclusive)
Area m ²	
Notes / Special Conditions	6 tennis courts plus kiosk

Table 12. Trumper Park Community Garden

Item	Condition
42 garden beds, shelter and water tank supplied and installed by community gardens, layout as shown	Good

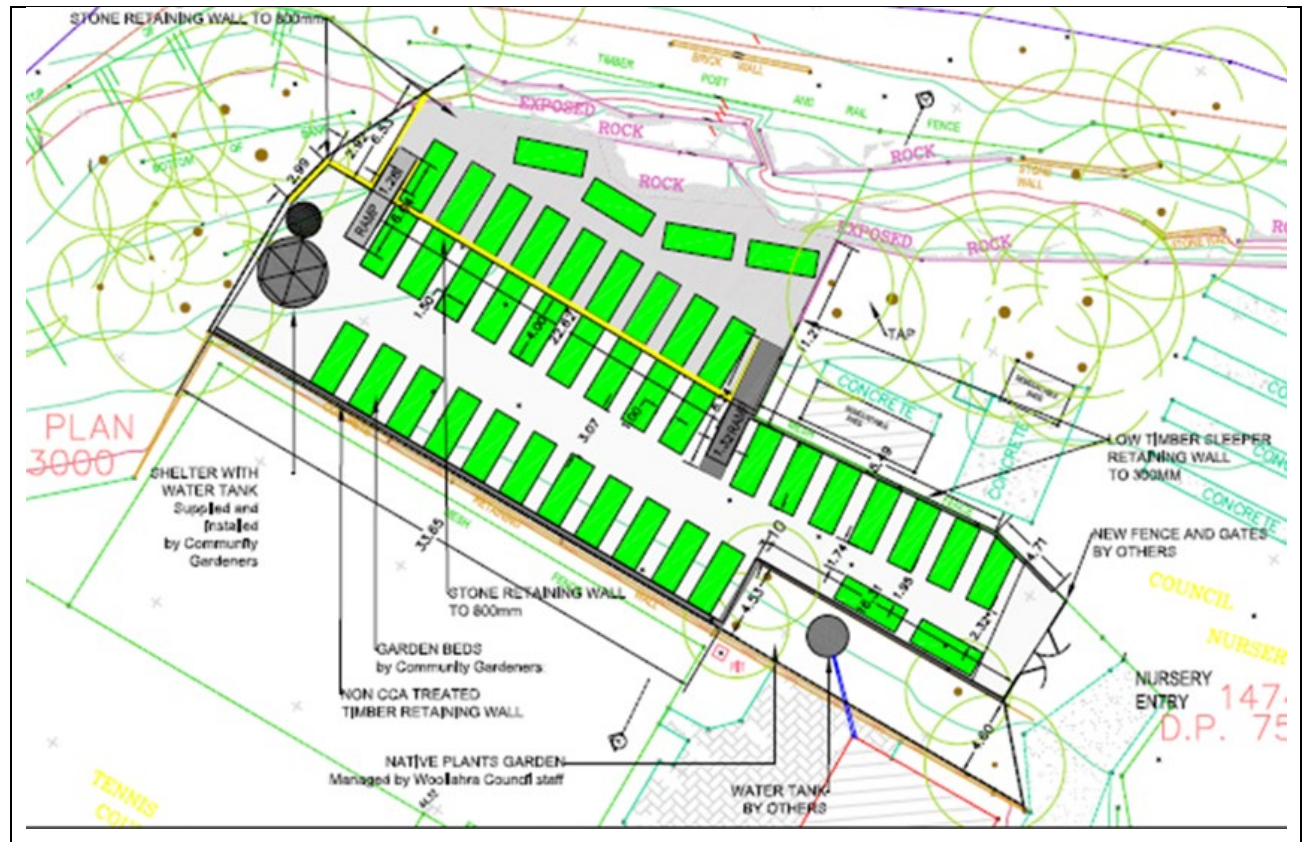


Figure 45. Layout of the Community Garden at Trumper Park

Table 13. Trumper Park Community Garden Licence Details

Name	Paddington Community Garden Inc
Description	Trumper Park (P500267) Land Manager
Address	Quarry Street, Paddington 2021
Lessee/Licensee	Paddington Community Garden Inc
Term Starts	17/06/2020
Term Ends	17/06/2023
Term	Initial licence 12 months, then 3 years
Renewal Options	2 year extension will be considered at term end
Rental	N/A
Area m ²	
Notes / Special Conditions	Non-exclusive licence, all community gardens must operate on a not for profit basis

12. Appendix C – Additional legislation, policies & guidelines that inform this plan of management:

Commonwealth Legislation

Native Title Act 1993

Native title rights continue to exist and must be addressed on Crown land across Australia in cases where they have not been extinguished by subsequent government legislation or actions. Rights are confirmed by a successful claim in the Federal Court.

Dealings in Crown land that may affect (impair or extinguish) native title are referred to as future acts and these future acts must comply with the Act. The inchoate interests of Aboriginal people are to be considered where an undetermined land claim exists. Future acts may include the issuing of a lease or licence or the construction of a public work.

Council must obtain advice from a qualified native title manager as to the status of the land in regards to native title rights before a plan of management can be approved.

Environment Protection Biodiversity and Conservation Act 1999 (EPBC Act)

Provides a framework to protect and manage

species that are defined by the Act as having national environmental significance. National recovery plans are in place under this Act for two such species in Woollahra.

Disability Discrimination Act 1992 (DDA)

Provides protection for all Australians against discrimination based on defined disability, including access to public open space.

Telecommunications Act 1997

Allows for the installation of a limited range of facilities without seeking planning approval.

Work Health and Safety Act 2011

Provides a framework to secure the health and safety of workers and workplaces through the elimination of risks arising from work.

Australian Standards

While not legislation, standards set out technical specifications, procedures and guidelines that aim to ensure products, services, and systems are safe, consistent, and reliable.

NSW State Legislation

NSW Environmental Planning and Assessment Act 1979

- SEPP No 19 – Bushland in Urban Areas 1986
- SEPP No 64 – Advertising and Signage 2001
- SEPP (Coastal Management) 2018
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (State and Regional Development) 2011
- SEPP (State Significant Precincts) 2005
- SEPP (Vegetation in Non-Rural Areas) 2017
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Environmental Planning and Assessment Regulation 2000

The State government is currently developing a new SEPP for protection and management of our natural environment. The proposed SEPP will consolidate several existing instruments, including the following relevant to Crown land in Woollahra:

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

NSW Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* replaced the *Threatened Species Conservation Act 1995*. Its purpose is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

Under this Act, Council has legislative responsibility to appropriately manage critically endangered species, endangered species and vulnerable species.

The listed species in the Crown reserves are Sunshine Wattle (*Acacia terminalis* subsp. *terminalis*) and Magenta Cherry (*Syzygium paniculatum*) and under the Federal EPBC Act, also the Netted Bottlebrush (*Callistemon linearifolius*). Three sites in the LGA contain areas of land that are affected, Parsley Bay Reserve, Trumper Park and Gap Park.

NSW National Parks and Wildlife Act 1974

Aboriginal cultural significance

In New South Wales, the *NSW National Parks & Wildlife Act 1974* (NPW Act) provides legal protection for both 'Aboriginal objects' and 'Aboriginal places' as defined in the Act. Aboriginal objects can include Aboriginal campsites in rockshelters and in the open, painted and engraved art, places of burial, scarred trees, and also artefacts of stone, bone or shell that were used by Aboriginal people in the past. The Woollahra Local Government Area contains many documented Aboriginal heritage sites, and it is likely that more undocumented sites also survive. Declared Aboriginal Places are places of special significance for Aboriginal culture in New South Wales that have been gazetted under the *NPW Act*. There are currently no registered 'Aboriginal places' within the Woollahra Local Government Area.

Under the *NPW Act* it is an offence to 'harm' Aboriginal objects either knowingly (s86 (1)) or unknowingly (s86 (2)), or to harm an Aboriginal Place (s86 (4)). *Harm* is defined in s5 (1) of the *NPW Act* to mean any act or omission that:

- (a) destroys, defaces or damages the object or place, or
 - (b) in relation to an object – moves the object from the land on which it had been situated, or
 - (c) is specified by the regulations, or
 - (d) causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c);
- but does not include any act or omission that:
- (e) desecrates the object or place, or
 - (f) is trivial or negligible, or
 - (g) is excluded from this definition by the regulations.

In general, harm can only knowingly be done to an Aboriginal object or Aboriginal place in accordance with the conditions of an approved Aboriginal Heritage Impact Permit under s.90 of the *NPW Act*.

There are some defences and exemptions to the offence of unknowing harm. The two main ones are:

1. That the activity was one of a number of 'low impact activities' in 'disturbed land' as defined in Clause 58 of the *National Parks and Wildlife*

Regulation 2019 (NPW Act s87(4)). These definitions are very precise, and include some land management activities such as common farm and track maintenance activities.

2. That a process of Due Diligence was followed which reasonably determined that the proposed activity would not harm an Aboriginal object (*NPW Act s87 (2)*).

While it is unlikely, it should not be assumed that all common land management activities that do not involve excavation will be regarded as ‘low impact activities’ or will not result in harm to Aboriginal objects. It is prudent to assess all activities in light of the particular characteristics of the land being managed. For example, slashing grass or weeds could damage an Aboriginal scarred tree, and pulling out roots could disturb Aboriginal artefacts associated with a campsite in a rockshelter or on the open. In general, it is advisable to exercise some form of Due Diligence with any activity, unless it is explicitly permitted under the *National Parks and Wildlife Regulation 2019* and it will not harm a documented Aboriginal site (object).

Aboriginal heritage recommendations

The recommendations made in this report for each of the Crown Land areas are based on these legal protections for Aboriginal heritage. They also refer to ‘sensitive areas’ that have been identified in relation to Aboriginal heritage within some Crown Land areas in this report. These sensitive areas include the locations of documented Aboriginal sites (‘objects’ in the *NPW Act*), and areas in which currently undocumented Aboriginal sites may be found. Activities proposed in these areas will generally require some form of Aboriginal heritage assessment, while activities outside of these areas are all covered by an unexpected finds protocol. Recommendations have also been made about suitable locations for Aboriginal heritage and history interpretation. This can be summarised as follows:

1. Aboriginal heritage management plan required

This has been recommended in several cases where known sites occur within a Crown Land area, or where the area is known to have high Aboriginal cultural or historical significance. The plans will consider in detail the known and potential Aboriginal heritage sites within the Crown Land area and provide detailed guidelines as to which future

activities may require specific assessment. These would ideally be prepared in advance of any future activities, but in the interim, Aboriginal heritage impact assessment of each activity will provide adequate protection.

2. Aboriginal heritage impact assessment required

This applies to activities proposed in ‘sensitive areas’ in relation to Aboriginal heritage. Aboriginal heritage impact assessment is required to determine whether these activities may result in ‘harm’ to Aboriginal objects (both known and currently undocumented) and explore ways to avoid potential impacts. These assessments should be undertaken in accordance with the reporting requirements outlined in Council’s 2020 *Guide for preparing an Aboriginal heritage impact assessment*, which will also meet the reporting requirements of Heritage NSW for Due Diligence assessment.⁴ Where

⁴ The guide is an appendix to the Woollahra Municipal Council DA Guide, which can be found at www.woollahra.nsw.gov.au/building_and_development/submit_a_da/prepare_your_application. NOTE this guide is yet to be finalised; DECCW 2010 Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (available at www.environment.nsw.gov.au/research-and-publications/publications-search/due-diligence-code-of-practice-for-the-protection-of-aboriginal-objects-in-new-south-wales).

impacts cannot be avoided, further investigations or heritage impact permits may be required.

3. Unexpected finds protocol required

In all other areas except those designated as sensitive, Aboriginal heritage may be present but is either unlikely to be visible or detectable through assessment, or is likely to be in a disturbed context. Therefore an unexpected finds protocol has been recommended for excavation works. This will ensure that Aboriginal objects are protected in the event of discovery during project works.

4. Aboriginal heritage interpretation recommended

Although not a legal requirement, greater public awareness of Aboriginal history and heritage can foster respect and better protection for Aboriginal heritage sites and other values. This has been recommended in areas known to have significant Aboriginal heritage or history.

Aboriginal Land Rights Act 1983

In NSW available Crown land may be returned to Aboriginal Land Councils following a successful land claim. Crown land that is not subject to a claim, is lawfully used or occupied or required

for an essential public purpose may be leased or licenced if permitted under the Act. Crown land that is subject to a claim cannot be leased or licenced without the consent of the Local Aboriginal Land Council. Land validly claimed is to be transferred to the Aboriginal Land Council in freehold.

Anti-Discrimination Act 1977

Promotes equality and provides protection from discrimination based on several factors including race, religion, sex and age.

Biosecurity Act 2015

Lists prohibited species, including plants and insects that may pose a biosecurity risk and must be controlled or eliminated.

Companion Animals Act 1998

This Act provides for owners responsibilities to have effective control of dogs and cats in public places. Councils must declare at least one off leash dog exercise area in their LGA. Dogs are prohibited within 10 metres of children's play areas, food preparation and consumption areas and areas of bushland.

Disability Inclusion Act 2014

Promotes the inclusion of people with disability into all areas of community life.

Environmental Protection Authority administers:

- Contaminated Land Management Act 1997
- Dangerous Goods Act 2008
- Environmentally Hazardous Chemicals Act 1985
- Forestry Act 2012
- National Environment Protection Council 1995
- Ozone Protection Act 1989
- Pesticides Act 1999
- Protection of the Environment Operations Act 1997
- Radiation Control Act 1990
- Recreation Vehicles Act 1983
- Waste Avoidance & Resource Recovery Act 2007

Fisheries Management Act 1994

Necessitates the protection of foreshore vegetation.

Greater Sydney Commission Act 2015

Established the Greater Sydney Commission, with specific roles and responsibilities for planning for Greater Sydney. It aims to make Sydney more productive, sustainable and liveable.

Heritage Act 1977

Promotes and encourages the preservation of the State's heritage. It provides for the identification and registration of items of State heritage significance. Items are assessed against the Heritage Council's criteria related to an item's aesthetic, historic, scientific, and social values. It must meet only one of the criteria to satisfy that it is of such particular significance to the state of NSW that it should be listed.

Noxious Weeds Act 1993

Provides the regulatory framework for controlling weeds in NSW.

Pesticides Act 1999

Controls the use of pesticides in NSW.

Place Management Act 1998

Aims to protect and enhance the natural and cultural

heritage of the foreshore area.

Protection of the Environment Operations Act 1997

Retail Lease Act 1994

Roads Act 1993

Smoke-free Environment Act 2000 & Regulation 2016 & Tobacco Legislation Amendment Bill 2012.

It is illegal to smoke tobacco within 10 metres of children's play equipment and or an area set aside for or being used by spectators to watch an organised sporting event at a sportsground or other recreational area, when an organised sporting event is being held there.

Waste Minimisation Act 1995

Aims to reduce the amount of waste produced across the state, including by encouraging recycling.

Water Management Act 2000

Aims to protect, enhance and restore water courses.

NSW State Policies:

Everyone Can Play

Sets out design considerations to improve physical access and comfort for child and adult play space users.

Sydney Green Grid

Is an integral part of the Greater Sydney Region and District Plans and aims to connect communities to the landscape by creating a network of high-quality green space, linking green infrastructure through enhanced transport routes, footpaths and cycleways.

Woollahra Municipal Council Plans, Strategies, Policies and Guidelines

The Local Strategic Planning Statement 2020

The Local Strategic Planning Statement 2020, was adopted by Council in March 2020. It sets out the local planning priorities and long-term 20-year vision to guide land use planning specifically and outlines what those priorities aim to achieve in the future. It is prepared under the *EP&A Act* and must be consistent with the CSP.

Planning priorities with relevance to the Crown land reserves include:

- protecting our waterways and water ecosystems
- conserving, enhancing and connecting our green spaces including bushland, tree canopy, gardens and parklands
- improving walkability and cycleway connections through Green Grid initiatives
- increasing tree canopy along streets and pathways
- improving access to public transport
- protecting and enhancing our scenic and cultural landscapes
- upgrading ageing park grey infrastructure
- building climate change resilience

Delivery Program and Operational Plan (DPOP)

The DPOP describes how Council will work with the community to achieve priorities and actions and meet community needs and expectations in a sustainable manner. The DPOP is reviewed, developed and publicly exhibited yearly.

Local Policies, Strategies, Guidelines

Aged and Disability Study 2016
Asset Management Strategy 2011-2021
Biodiversity Conservation Strategy 2015-2025
Community & Cultural Grants Policy (25/11/2013)
Community Cultural Relations Statement (7/8/2013)
Community Garden Policy (2011)
Community Safety and Crime Prevention Plan (2014)
Community Services Policy (2013)
Disability Inclusion Action Plan 2017
Double Bay Place Plan 2014
Double Bay Public Domain Lighting Strategy (2017)
Double Bay Public Domain Strategy (2016)
Environmental Sustainability Action Plan (2013-2025)
Operational Plan 2019 – 2020
Oxford Street, Paddington Placemaking Roadmap Report 2014
Playground Policy (11/3/2002)
Playground Strategy (11/3/2002)
Policy for the Sponsorship of Events & Activities (27/3/2006)
Public Art Policy (10/2009)
Queen Street Strategic Masterplan (2014)
Reconciliation Statement (12/2012)
Reconciliation Statement Action Plan 2012

Recreational Needs Assessment and Strategy (2006)
Register of Significant Trees – July 1991, Volume 4 of 4, Significant Trees in Public Parks
Risk Management Strategy
Rose Bay Public Domain Improvements Plan

Woollahra
Municipal
Council



Trumper Park Community Garden Licence Details

Address	536 New South Head Road, Double Bay NSW 2028 woollahra.nsw.gov.au T: 02 9391 7000 F: 02 9391 7044 E: records@woollahra.nsw.gov.au	Paddington Community Garden Inc
Description		Trumper Park (D500267) Land Manager
Access		Quarry Street Paddington, 2021
Holder/Licensee		Paddington Community Garden Inc
Starts		17/06/2020
Ends		17/06/2022