




Plan of Management **The Foreshore** 2015

Acknowledgement

The City of Newcastle acknowledges the traditional country of the Awabakal and Worimi peoples.

We recognise and respect their cultural heritage, beliefs and continuing relationship with the land, and that they are the proud survivors of more than two hundred years of dispossession.

Council reiterates its commitment to addressing disadvantages and attaining justice for Aboriginal and Torres Strait Islander peoples of this community.



Version	Adopted by Council	Details	Finalised
1	22/09/2015	Adoption of new Foreshore Plan of Management 2015	08/10/2015
1	22/09/2015	Advertisement of adoption of new PoM and revocation of 2000 Foreshore Plan of Management placed in Newcastle Herald on 17/10/2015.	13/10/2015

Foreshore Plan of Management prepared by the Infrastructure Group, Newcastle City Council

Published by

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October 2015 © 2015 The City of Newcastle

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Executive Summary

Background

The Foreshore is a high quality eleven hectare regional level park situated in the city centre of Newcastle. It borders the Newcastle Harbour, beaches and culturally significant sites of Fort Scratchley, the Convict Lumberyard and Customs House. The park is situated largely on reclaimed land and has a rich cultural heritage from Aboriginal and European settlement. It has evolved through a number of eras including a site for coal mining, shipping, managing harbour activities, power supply, bond storage and rail marshalling yards to the open green space we see today.

The Foreshore is comprised of the three distinct sectors; Joy Cummings Promenade, Foreshore Park and Camp Shortland. The park is used regularly by both local community members and regional visitors for walking, cycling, fitness training and passive recreation. Special events are held in Foreshore Park and Camp Shortland and range from small scale community events such as markets to large scale sporting events and music festivals.

The Foreshore can be accessed by active transport means (e.g. cycling and walking), public transport and private vehicles. A mix of residential and commercial development also borders the park to the south and west. The proximity to the harbour, beaches, cafes and restaurants, along with extensive green space, ensures that the Foreshore is both a popular destination and a significant connection between the city centre and the coast.

A specific plan of management (PoM) for the Foreshore was prepared in 2000. With the changing organisational and community priorities over the past 14 years, a new PoM is needed for the Foreshore to guide decision making. Council is also reviewing other site specific City Centre plans of management to ensure that these important public domains contribute to City Centre revitalisation strategies.

Structure of the Plan

This Plan of Management has been prepared in accordance with the Local Government Act 1993, the Crown Lands Act 1989, and other legislation, as well as with relevant Council plans and policies. It is divided into 6 sections.

Introduction and overview

Describes the rationale behind plans of management; why they are prepared; and what land is included in a PoM.

Site Description

Provides an introduction to the Foreshore, a brief history, its role, usage and condition.

Planning Context

Describes the legislative requirements of a Plan of Management; links to other planning instruments, a review of the 2000 PoM and identifies current and future demands.

Basis for Management

Identifies and evaluates the role of the Park, its values, principles of management, issues and opportunities. The community consultation carried out during the development of the Plan is summarised. A new Vision Statement for the Park is identified. This section also identifies the appropriate categorisation of the Community Land that makes up the Park along with the Crown land, and the key objectives and directions for the area's future management.

Management Actions

Identifies a management framework, to protect and enhance the Park's values. Specific items relating to future use and development including the provision of an off road shared pathway and a city playground are discussed in detail. A functional diagram for Foreshore Park is provided that locates some of the future potential developments for this area. Management Action Tables set out management actions/guidelines elaborated by priorities and responsibility. Performance targets, and means of assessing the achievement of the management actions/directions, are also included. This section also authorises leases and licences in accordance with the Local Government Act 1993 and Crown Lands Act 1989.

Implementation Plan

Identifies there are various types of management actions and the importance of prioritisation in their implementation and review. It recognises actions that require significant resource commitments will need to be evaluated against other Council priorities.

Study Process

The *Local Government Act 1993* requires a PoM to be prepared in consultation with the community. The community and stakeholder consultation undertaken through this process identified values for the Foreshore, along with issues and opportunities for the park and a range of future visions. All of these have been used to guide the development of actions and directions for the future management of the Foreshore.

Consultation carried out to develop this draft Foreshore PoM includes the following:

- a council web page;
- an online self-administered survey conducted by Newcastle Voice;
- five days of on site intercept surveys of Foreshore users;
- a community workshop;
- focus groups with businesses operating around the foreshore, commercial recreation licensees, and Council's operational/grounds staff responsible for the Foreshore;
- discussions with government agencies and other stakeholders (including community groups);
- preparation and exhibition of an Issues and Options Discussion Paper and review of feedback;
- media coverage; and
- ongoing discussions with relevant Council staff.

In addition to this consultation a review of the actions from the 2000 Foreshore Plan of Management was completed. This review provided understanding of what has been achieved, ongoing or has remained incomplete since the adoption of the PoM.

Values, Key Objectives, and Strategies

Values

Values can simply be described as elements which make a place important. The Foreshore's values as expressed by the community in this review are:

Scenic: Expansive harbour and ocean views, landscaped gardens, open space and grassed areas and general lack of development are all valued, as is the ability to observe the working harbour and associated activities.

Recreation: The open space and grassed areas for informal recreation, picnic, playground visits, relaxation and exercise. The promenade and pathways to walk, ride bicycles, jog, and access surrounding areas.

Accessibility: The proximity to the CBD, public transport, connections within and to surrounding areas from the promenade and pathways. All abilities access. Access to services including toilets, water, food and beverage outlets.

Heritage: Themes evident include connections to Newcastle's Aboriginal, convict, maritime, coal, steel and rail history both within the park and adjacent sites including Fort Scratchley, the Convict Lumberyard, Macquarie Pier and the Coal River Precinct.

Community use and special events: Local community access, occasional markets, and smaller scale community events, and wider community access to large scale special events of music festivals, sporting events, Australia Day, New Year's Eve and notable public celebrations.

Key Management Objectives

Seven key management objectives underpin the strategies and future direction for the Foreshore. They are consistent with the community land categories present in the park and the broader Newcastle 2030 strategic objectives.

- 1.0 Maintain the park's visual amenity and views to the harbour and the city.
- 2.0 Encourage informal and organised recreational use of the park.
- 3.0 Provide appropriate facilities and services and flexible spaces consistent with a city scale park to meet the current and future needs of the local community and broader public.
- 4.0 Improve accessibility and connectivity both within the park and with surrounding areas.
- 5.0 Improve activation through promotion and appropriate development of the park.
- 6.0 Foster community awareness, understanding and interpretation of the heritage themes evident in the park.
- 7.0 Manage the park in an effective, efficient and sustainable manner.

Strategies

The strategies that will direct the planning, design, and management of the Foreshore are grouped in six themes:

- Recreation;
- Connectivity;
- Landscape;
- Community use and special events;
- Heritage; and
- Park management.

To achieve each of the strategies a number of management actions have been developed. There are a total of 42 strategies included in this PoM. The key strategies identified for the Foreshore are:

- The Foreshore is recognised and serviced as a city park
- Provision of a city standard playground
- Provision of an off-road shared pathway in the Foreshore
- Enhance the Park's overall scenic quality and amenity
- Develop and implement a Signage Strategy for the Park
- Provide for continued use of the Foreshore by both the local community and wider public.
- Promotion and interpretation of the Heritage of the Park
- Investigate external funding opportunities.
- Provision of food and beverage outlets.

Masterplan

To enable a number of the above strategies to be achieved, a landscape masterplan along with a playground detailed concept plan will need to be developed concurrently as a priority. The landscape masterplan will guide the landscape character for the area, the future location and layout of park furniture and facilities, landscape works, and ongoing maintenance.

The playground detailed concept plan will focus on the provision of a city playground in the Foreshore.

Implementation

The implementation of this plan will require Council to undertake an annual review of all actions. The actions are then assessed against other areas of Council and final commitment to implementing an action is given once they appear in the 4 year Delivery Program or other relevant documents.





1.0 Introduction and overview

1.1 What is a plan of management?

A plan of management (PoM) determines and guides the future management of a place such as a park, sportsground or bushland reserve. It is developed in conjunction with the community, and provides direction on how a place is to be managed and its values protected. Current and future use and activities are identified, including leases and licences, and are approved by a PoM.

The Foreshore is located on both community land and Crown land. Community land is owned and managed by local government on behalf, and for the benefit of the community. Community land is governed by the *Local Government Act 1993* and is legislatively required to be included in a PoM. Crown land is land vested in the Crown and in this instance has been dedicated for the purpose of public recreation. The Crown land in the Foreshore has been placed in Council's care, control and management as Reserve Trust Manager. Council's management of Crown land is bound by the *Crown Lands Act 1989*.

Crown Land can be included in a plan of management under the *Crown Lands Act 1989*, however in recent years those have only been undertaken for sites of state significance. As the Foreshore is not a state significant site, the Crown land component has been included in this plan of management under the Local Government Act. This provides a consistent management approach across the entire site and remains faithful to the original reservation purpose of recreation.

1.2 Why Council is preparing this plan of management

Council adopted the Foreshore Plan of Management in December 2000. To ensure that it remains faithful to the current and future needs of Council and the community it is time to review the PoM.

This revised PoM recognises previous Council decisions related to the Foreshore. These include the provision of an off-road shared pathway through the Foreshore (adopted in the Newcastle Cycling

Strategy and Action Plan 2012) and the permissibility of constructing a new surf life saving clubhouse within Camp Shortland (adopted in Newcastle Coastal Revitalisation Strategy and Masterplan 2010).

1.3 Aims of the plan

This plan aims to document the key values of the Foreshore and guide the ongoing management, future use and development of the park. The plan will address current recreational uses, demands and trends, anticipated future uses of the area, commercial activities and major events, and respond to demographic changes.

The plan aims to assist Council to meet its broader strategic goals and vision set out in the Newcastle 2030 – Community Strategic Plan (revised 2013). Specifically the plan aims to:

- identify and protect the Foreshore's intrinsic values;
- develop clear and achievable management strategies and actions that reflect Council and community expectations within available resource constraints;
- meet legislative requirements for managing community land and Crown land; and
- clarify permissible and prohibited uses of the park.

1.4 Land covered by this plan

This PoM applies to the area described as the Foreshore. The Foreshore is located in Newcastle, is bounded by the harbour, Nobbys Beach, Fort Scratchley, and the Convict Lumberyard, and is adjacent to the city centre. Figure 1 illustrates the land covered by the Foreshore and the three distinct areas within (Joy Cummings Promenade, Foreshore Park and Camp Shortland).

Council is currently in negotiation to manage the area directly north of Camp Shortland to Horseshoe Beach under a licence arrangement. While this area won't be covered by the PoM, it will have direct impact on Council's management of the Foreshore.

Figure 1 - Foreshore Plan of Management study area (outlined in red)



Figure 2 – Land classification map

Figure 2 identifies the parcels that are community land (approximately 53%) and Crown land (approximately 47%).



Table 1: Schedule of identified land parcels

Classification number	Park name/description	Lot/DP	Area (ha)
C193	Joy Cummings Promenade	Lot 101 DP 1070259	0.01
		Lot 55 DP 791037	0.18
		Part Lot 56 DP 791037	1.50
	Foreshore Park	Lot 2953 DP 758769	0.02
		Lot 2 DP 729028	2.81
CR34	Foreshore Park	Lot 1 DP 729028	0.24
		Lot 2 DP 720672	2.28
		Lot 3 DP 720672	0.40
		Lot 7 DP 720672	0.08
		Lot 11 DP 720672	2.02
		Lot 7308 DP1149708	0.05
	Camp Shortland	Lot 10 DP 720672	0.33
		Lot 13 DP 720672	0.17
C336	Camp Shortland	Lot 2 DP 817695	1.64
		Total area (ha)	11.73

C = community land

C = Community land

CR = Crown land

This PoM does not cover the Queens Wharf Precinct (operational land owned by Council), the former Lynch's Prawn shop site and adjacent promenade (operational land), Tug Berth Rd and the adjacent section of the Joy Cummings Promenade (all road reserve owned by Council). Although these areas are not within the boundaries of the plan, their use and future management is integral to the Foreshore's use and management. They are also viewed by most visitors as part of the Foreshore as a whole and provide important links and connections to other parts of the area.

While this PoM provides strategies and actions for both of these areas, the implementation of these will be dependent upon appropriate land management agreements or other arrangements. As they are not community land, their use is not bound by this PoM.

2.0 Site description

2.1 Brief history of the Foreshore

Council acknowledges that the Foreshore is within the lands of the Awabakal Aboriginal People, who are the traditional custodians of the lands and waters of Newcastle.

The Foreshore is situated largely on reclaimed land in an historically significant area of the city. The Awabakal People know Newcastle as Mulubinba (meaning place of the edible sea fern).

Convict artist Joseph Lycett painted a scene of Aboriginal people camping in Newcastle that depicts Nobby's Headland and Fort Scratchley (known previously as Flagstaff Hill and Signal Hill) in the background. This painting illustrates the original natural formation of the area prior to the creation of the Foreshore, Nobbys Beach and the breakwater.

In 1797 Lt. Shortland arrived in Newcastle and noted the abundance of coal. A penal settlement was permanently established in 1804 concentrating on coal mining, cedar cutting, and lime procurement. It was during the penal colony period that work began on the construction of the breakwater (1818) linking Fort Scratchley to Nobbys Headland. Known as Macquarie Pier, the breakwater was completed in 1846 (and then rebuilt in 1864). Newcastle was proclaimed a city in 1847.

The completion of the breakwater would ultimately help form Nobbys Beach, Camp Shortland and the majority of Foreshore Park. The Pilot Station was constructed in 1866 and the Stone Boat Harbour between 1866 and 1873. After the construction of the wharves, the area was used as a major port for shipping the coal that was mined in the region, with trains and steam cranes used to transfer the materials to the wharves and ships.

With the construction of a new coal loading wharf, with hydraulic cranes at the Dyke on Bullock Island in 1878, coal loading ceased at the Queens Wharves in 1890. These wharves were then used for loading wool and general cargo.

Foreshore Park was used as the Newcastle East Marshalling Yard and also included the Zaara St Power Station (demolished in 1975) and two Bond Stores. The carriage shed in Foreshore Park was used to maintain and repair trains which entered the sheds via lines, along today's Railway Walk, from Newcastle Station.



Joseph Lycett – *Aborigines Resting by a camp fire near the mouth of the Hunter River, Newcastle, NSW.* (National Library of Australia – source Coal River Working Party)



1830 Armstrong overlay plan of the original shoreline (source: Coal River Working Party)



Queens Wharf, Newcastle Harbour 1890. Photo: B.W. Champion Collection (Newcastle Region Library)



Photo from Fort Scratchley overlooking the Newcastle East Marshalling Yard in 1982 (source: www.railpage.com)

More recently the Newcastle Foreshore was largely disused State Rail owned land. A design competition was held in the 1980s to convert the area into an open space parkland. In 1985, construction work began on the redevelopment of the site and in 1988 Queen Elizabeth II officially opened the Foreshore as part of Australia's bicentenary celebrations. The Foreshore, opened as a regional park for community use, is also an important link between the harbour, the eastern beaches and the central business district (CBD).



Foreshore Park in 2013

2.2 Park overview

The Foreshore is located on the southern side of the Newcastle Harbour and covers an area of over eleven hectares. It extends 1.5 kilometres from Nobbys Beach in the east to almost the start of the Honeysuckle Development in the west.

The Foreshore is one Newcastle's premier and most popular attractions showcasing the harbour and heritage of the area. It is the city's major park with connections to the central business district, Honeysuckle precinct, the harbour, Nobbys Beach, Newcastle Station, the ferry terminal and the historically significant sites of Fort Scratchley, the Convict Lumberyard and Customs House. A mix of residential and commercial development also borders the park to the south.

Joy Cummings Promenade

The Joy Cummings Promenade area incorporates the 3-4m wide harbourside promenade and the adjacent grass park areas and paths. The promenade extends from the Honeysuckle Precinct to the Pilot Station and is owned in its entirety by The City of Newcastle. Along the area are bench seats, bubblers, picnic tables, barbecues and the Merchant Mariners Memorial.

There are a number of areas along this promenade that do not form part of the PoM study area of the Foreshore because they are not classified community land. They include:

- A small section of the western end of the promenade that links to the Honeysuckle precinct (operational land - Lot 54 DP 791037) See Management Action C.18 for future inclusion;
- The harbourside of the former Lynch's Prawn site (operational land - Lot 1000 DP 1087291) extends onto the promenade approximately 1m;
- The Queens Wharf precinct (cafes, restaurants, wharf, ferry terminal and part of the promenade) and the two off road car parks on either side (operational land – Lot 57 and part Lot 56 DP 791037); and
- The entire length of Tug Berth Road, the 3m wide adjacent section of the promenade, the grass and pine median strip, and part of the stormwater outlet opposite Watt St (all road reserve).

To disregard these areas would not provide a holistic approach to the improvement and management of the area. The community also views these areas as part of the Foreshore. As a result these areas have been included in some of the actions contained within Section 5 of this plan where there is an overall benefit for the community and the management of the park.

Foreshore Park

Foreshore Park is the largest area of open space on The Foreshore. It encompasses the amphitheatre, Shortland Lawn, the Frog Pond, Carriage Shed, playground, community garden, park maintenance storage, two amenity buildings, Railway Walk, Customs House forecourt and fountain, three off road car parks and a network of pathways and grassed and landscaped areas.

The range of facilities make Foreshore Park a popular destination, as does the link between the eastern beaches, the CBD, the Newcastle Railway Station and adjacent bus terminal. The Carriage Shed is the largest undercover facility and provides picnic tables and barbecues.

Camp Shortland

Camp Shortland is located in the north east corner of the Foreshore. It is characterised by a large grassed open space providing opportunities for picnics and independent recreational use. The area offers seating, picnic tables and sheltered picnic and barbecues facilities. However, these are often exposed to the weather.

The area of Camp Shortland also includes the access road off Wharf Road, portions of the two Nobbys Beach carparks and the footpath that links to the promenade behind the Pilot Station.



Figure 3 – The Foreshore and surrounding land uses





2.3 Current uses

The Foreshore provides opportunities for leisure, relaxation, recreation, community use and special events.

Leisure, recreation and relaxation

The Foreshore provides many opportunities for leisure and passive recreation such as walking (including with dogs and prams), jogging, bike, skate and scooter riding, casual play and other unstructured activities.

The promenade provides a wide path (4m and then 3m along Tug Berth Road) that allows for many of these uses. Although not designated as a shared pathway,



People relaxing alongside the promenade under the shade of the trees

the promenade is regularly used by cyclists of varying ages and abilities. The pebblecrete edge block along the promenade is often used as a seat for watching harbour activities, eating food and resting. The adjacent grassed park area is used for picnicking and relaxation for families, couples, friends and workers on their lunch breaks. School groups are also often seen in this area eating lunch.

The promenade is used as a connection to the Queens Wharf Precinct, the beach and other surrounding attractions. It is also used as a waiting and relaxation area for people transiting through the adjacent public transport interchange.

Foreshore Park is also used for picnicking, large family gatherings under the carriage shed and general



Casual games being played on Shortland Lawn

relaxation. The playground provides opportunities for younger children to play as do the carriage sheds in periods of wet weather.

Shortland Lawn is used for casual play and games by both children and adults. Children are often viewed sliding down the steep incline of the adjoining amphitheatre on cardboard, body boards or similar.

The Customs House forecourt and fountain area are used for general relaxation, particularly along the edge seating. Foreshore Park is often accessed from this area by the railway station and used as a connection to Nobbys Beach.

Camp Shortland is used regularly for picnicking, relaxing and casual play and games. It's proximity to the beach makes it popular for family gatherings and celebrations, as does the covered picnic and barbeque shelter.

Organised recreation

Over recent years the popularity of personal fitness trainers (or commercial fitness operators) and the use of public land to conduct their activities has increased



Personal fitness trainer group jogging on the promenade

significantly. Designated areas of Foreshore Park and Camp Shortland are now formally licensed to these operators to undertake group fitness sessions.

There are also a number of unlicensed operators who utilise these areas. During periods of wet weather the carriage shed is used for fitness activities.

The promenade is also used for jogging by these groups on an informal basis. This generally happens in the early morning and late afternoon and does not clash with other users of the park.

Community use and special events

Foreshore Park is used regularly by community groups, with the carriage sheds being popular for senior and disability groups. The community garden located behind the carriage shed is both well maintained and used by the local community to grow fresh produce and connect with other members of the community. The garden incorporates seating to enable a quieter and more isolated refuge in the park. Local markets are held periodically in Foreshore Park.



Community Garden in Foreshore Park

Shortland Lawn and Camp Shortland are used for larger special events that often require exclusive use of the areas, with traffic measures put in place including road closures. The events may occupy the sites for one day or a number of consecutive days.

Community focused events including New Year's Eve, Australia Day and NAIDOC Week celebrations occur within these sites as do commemorative events including the ANZAC Day Dawn Service. Sporting events such as the Sparke Helmore Triathlon, the Hill to Harbour Running Festival, and the Fuelarama superboat series race are all held within and around the site.

Camp Shortland has been used for approximately four to five weeks each Christmas school holidays for the Foreshore fair ground amusement rides. A more recent event held was the Fat as Butter music festival. This provides a one day concert with a number of stages on Camp Shortland.

There are a number of other events held at the Foreshore. Most events require consultation with, and notification to nearby residences and businesses, with some events requiring development approval.

2.3.1 Current park management

The City of Newcastle has the responsibility for the care, control and management of the entire Foreshore. As a city park (a park that services the Newcastle LGA and beyond), the Foreshore's maintenance and management is undertaken to a higher level than many other parks.

As part of the management of the Foreshore, there are licences provided to allow for the use and occupation of the park. Currently there are no leases and only one long term licence. All other licences are either short term casual event licences or personal fitness trainer roving licences that cover a number of areas including parts of the Foreshore. Table 2 identifies the long term licence that is currently in place. Due to the limited tenure of the site the short term casual and roving licences have not been listed in the table.

Table 2: Status of licences at the Foreshore

Item	Licensee	Status	Comment
Foreshore Park - Off road car park and driveway off Bond St	Proprietors of Strata Plan 44807	Current, expires 30 November 2043.	Car park located within curtilage of a State Heritage Order for the Lessee of the Earp Gilliam Bond Store. Licence of car park for Monday to Friday during business hours only.

2.4 Condition of land and facilities

As part of the preparation of this PoM, the condition of the built infrastructure and other facilities within the park has been assessed. Types of assets assessed include the promenade, other paths, park furniture, buildings, signs, the frog pond, shelters, memorials and other landscape elements.

Each facility is provided an assessment ranging from 0 (new facility) to 10 (failed service). The Foreshore has a range of 0-6 (if rubbish bins were removed), with the vast majority of assets having a range of 2-4. The 2-4 rating translates to excellent to good condition with slight serviceability impairment. Appendix A provides a description of the main facilities provided, their location, and an overall condition assessment, as well as a description of the condition codes and ratings used for the assessment.

2.5 Regional and local context

Newcastle is the second largest city in NSW and the seventh largest in Australia. It is located within the Lower Hunter Region between the Lake Macquarie and Port Stephens Local Government Areas and is approximately 160 kilometres north of Sydney.

The Foreshore is situated in the suburbs of Newcastle and Newcastle East, adjacent to the Newcastle CBD. The Newcastle harbour borders the park's northern boundary, with Nobbys Beach and Fort Scratchley bordering its eastern boundary. A mix of low and medium density residential, and commercial properties as well as the Newcastle Railway Station and bus terminal are adjacent to its southern and western boundaries.

Foreshore Park is Council's city park with a vast majority of city wide celebratory events occurring within the park. Other regional scale parks in Council ownership include National Park and Blackbutt Reserve. All of these parks are used by their neighbouring local communities but also extensively used by the broader community and visitors to the region. The proximity to the harbour, beaches, cafes and restaurants, along with the extensive green space provided by the Foreshore ensures that it is increasingly popular as a recreation and special event destination.

Nearby parks that cater to special events of a similar scale are held at Griffith Park, Stockton (approximately 750m by ferry), King Edward Park, Newcastle (approximately 800m), National Park, Newcastle West (approximately 1.5km), and the Newcastle

Showground and International Sports Centre, Broadmeadow (approximately 4 and 5kms away respectively).

Alternate opportunities for passive recreation can be found at a number of nearby parks. Table 3 lists all parks found within a 500m and 1km radius of the Foreshore and the facilities available at each (parks across the harbour at Stockton have not been included).

In addition to the parks in Table 3 and alternate special event venues, there are a number of other recreational opportunities surrounding the Foreshore including Nobbys, Horseshoe and Newcastle beaches, the breakwater and lighthouse, and the Honeysuckle precinct.

Table 3: Parks within a 500m and 1km radius of the Foreshore

Parks within 500m	Street address	Suburb	Recreation facilities
Convict Lumberyard (Heritage site)	Bond St	Newcastle	Seating and heritage artefacts and interpretation
Enterprise Park	Scott St	Newcastle	Seating
Fort Scratchley (Heritage site)	Nobbys Rd	Newcastle East	Playground, seating, heritage artefacts and interpretation, guided tours, amenities, panoramic harbour, city and coastal views
Parnell Park	Scott St	Newcastle East	Seating and heritage monument
Pacific Park	Pacific St	Newcastle	Shade shelter, fountain/waterplay,
Tramway Reserve	Shortland Espl	Newcastle East	Seating
Cathedral Park	King St	Newcastle	Fountain, cemetery
Civic Park	King St	Newcastle	Picnic tables, public toilets, seating, fountain, memorials, flower beds
Christie Place	King St	Newcastle	Fountain, flower beds
Church Walk	Church St	Newcastle	Seating, shelter, table
Honeysuckle Dr Reserve	Honeysuckle Dr	Newcastle	Seating, public art
Parks within 1km	Street Address	Suburb	Recreation Facilities
Fletcher Park	Watt St	Newcastle	Seating, monument
King Edward Park	Ordnance St	The Hill	Playground, rotunda, viewing platforms, public toilets, Obelisk, fountain, flower beds
Nesca Park	Brooks St	The Hill	Playground, seating, petanque courts, shade shelters, toilets





3.0 Planning context

3.1 State and Commonwealth planning context

The Foreshore is comprised of community land and Crown land. The community land is owned and managed by Council under the Local Government Act 1993, while the Crown land is owned by the NSW State Government and managed by Council as a Reserve Trust Manager under the Crown Lands Act 1989.

3.1.1 Local Government Act 1993

The Local Government Act 1993 is the primary legislation governing the management of community land. Community land is defined by the Act as land set aside for community benefit. The Act requires all community land to be included in a plan of management. Sections 35-47 of the Act provide guidance on the use and management of community land and the preparation of a PoM. The Act along with the guidelines in the Local Government (General) Regulation 2005 sets out what is to be included in a PoM.

In general, a PoM must identify:

- the category of the land;
- the objectives and performance targets of the plan with respect to land;
- the means by which these strategies will be achieved; and
- the methods which will be used to assess whether the strategies are being achieved.

A PoM that applies to just one area of community land, as this one does, must also include a description of:

- the condition of the land, and any buildings or other improvements on the land, as at the date of the adoption of the plan of management;
- the use of the land and any such buildings and improvement as at that date;
- the purposes for which the land, and any such buildings or improvements, will be permitted to be used;
- the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise; and
- the scale and intensity of any such use or development.

This PoM will address all of the above requirements for the Foreshore. PoMs are public documents and can be reviewed and amended. However, they usually remain valid for a minimum of five years from the date of adoption.

Categorisation of land

The Act requires that all community land be categorised in one of the five nominated categories of natural area, sportsground, park, area of cultural significance, or general community use. The Act then sets out core management objectives for each of these categories, as a broad guide to management. The Foreshore PoM (2000) categorised all land within the Foreshore as park. The categories that are given to the park in this new PoM are discussed in Section 4.6.

3.1.2 Crown Lands Act 1989

The Crown Lands Act 1989 governs the management of Crown land. The Act aims to ensure Crown land is managed for the benefit of the people of NSW, and has regard for the objects and principles of Crown land management and the reserved public purpose. The public purpose of the Foreshore reservation is for public recreation, with Council appointed as Reserve Trust Manager in 1986.

The principles of Crown land management are:

- environmental protection principles be observed;
- natural resources (including water, soil, flora, fauna and scenic quality) be conserved wherever possible;
- public use and enjoyment be encouraged;
- where appropriate, multiple use be encouraged;
- where appropriate, Crown both the land and its resources are sustained in perpetuity; and
- to occupy, use, sell, lease, license or otherwise deal with the land in the best interests of the State.

Further information in regards to the role of Reserve Trust Manager and the objects of Crown land can be found in Appendix B.

PoMs are not required for all Crown land, unlike community land. Approval to publicly exhibit and adopt Crown land POMs must be sought from the Minister.

An agreement was made with the NSW Department of Primary Industries (Catchments and Lands) that

the Crown land at the Foreshore would fall under the Foreshore Plan of Management.

This decision was made due to the minor development and changes in use proposed in this document. It was further agreed to ensure consistency across the park that the Crown land be managed on a day to day basis in the same way the surrounding community land within the Foreshore is managed.

3.1.3 NSW Environmental and Assessment Act 1979

The *NSW Environmental Planning and Assessment Act 1979 (EP&A Act)* provides the legislative power for the preparation of State Environmental Planning Policies (SEPPs), Regional Environmental Plans (REPs), and Local Environmental Plans (LEPs). The latter includes the *Newcastle Local Environmental Plan 2012*.

The SEPP (Infrastructure) 2007 applies to land in NSW and aims to facilitate the effective delivery of infrastructure across the State. Relevant sections of the SEPP specify a range of developments that may be carried out by, or on behalf of Council, without consent on a public reserve under the control of, or vested in Council. Development examples include outdoor recreational facilities, landscaping, amenity facilities, and environmental management works.

3.1.4 Other relevant legislation

In addition to the above legislation, there is other State and Commonwealth legislation that is relevant to the management of the Foreshore.

Principal legislation includes:

- *Commonwealth Disability Discrimination Act 1992*
- *NSW Protection of the Environment Operations Act 1997*
- *NSW Roads Act 1993*
- *NSW Noxious Weeds Act 1993*

Further details on these are provided in Appendix C.

3.2 Local planning context

3.2.1 Integrated planning and reporting

PoMs are embedded within Council's Integrated Planning and Reporting Framework (IP&R). The strategies outlined in this PoM are consistent with the community's vision and strategic directions in the Newcastle 2030 - Community Strategic Plan.

Newcastle 2030 – Community Strategic Plan

This plan is a shared community vision developed to guide and inform policies and actions throughout the city for the next 20 years. The community's vision for Newcastle is to be a smart, liveable and sustainable city.

The plan is a working document that requires Council, residents, the business community, government agencies and community groups to play a role in implementing the identified actions.

The strategic directions and objectives identified in Newcastle 2030 that are particularly relevant to the Foreshore Plan of Management include:

Connected City

1.2 Linked networks of cycle and pedestrian paths.

A Protected and Enhanced Environment

2.1 Greater efficiency in the use of resources.

Vibrant and Activated Places

3.1 Public places that provide for a diverse activity and strengthen our social connections;

3.2 Culture, heritage and place are valued, shared and celebrated; and

3.3 Safe and activated places that are used by people day and night.

Caring and Inclusive Community

4.2 Active and healthy communities with physical, mental and spiritual wellbeing.

Liveable and Distinctive Built Environment

5.1 A built environment that maintains and enhances our sense of identity.

The strategies under each objective in Newcastle 2030 will be identified in the management action tables in Section 5.4 of this plan of management.

3.2.2 Newcastle Local Environmental Plan 2012

A PoMs provisions must be consistent with the land uses and developments permissible for an area under a local environmental plan and other planning regulations.

The Newcastle LEP 2012 is The City of Newcastle's key local land use planning document. It describes land use objectives, as well as permitted and prohibited developments and uses for all parts of the local government area, according to land use zones.

It identifies the Foreshore within the RE1 Public Recreation zone. The objectives of the RE1 zone are:

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

3.2.3 Parkland and Recreation Strategy

The Parkland and Recreation Strategy has been developed to guide the sustainable provision of parkland and recreation facilities for current and future communities. It brings together a body of work that included an examination of existing and projected demographic data; an assessment of current supply and future demand; and the identification of opportunities and initiatives for future parkland and recreational facilities and services.

To achieve the strategic direction of the Parkland and Recreation Strategy, 45 actions have been identified. Action 1.9 supports the development of a regional playground at Foreshore Park to service the Newcastle LGA.

3.2.4 Newcastle Cycling Strategy and Action Plan 2012

The strategy and action plan represents Council's commitment to enhancement of cycling in Newcastle. The key objective of the strategy is to increase participation in cycling by making it a safe and attractive travel option. It identifies a number of initiatives, strategies and actions to enhance cycling within the Newcastle LGA. The strategy identifies the need for an off road shared pathway through the Foreshore as described below.

- Proposed off road scenic route, Throsby Foreshore to Merewether Baths (S1), along the harbour foreshore to Bathers Way Coastal Walk - encompassing the existing Foreshore Promenade and a link from eastern end of Tug Berth Road to Bathers Way with widening of the existing pathway.



Start of the Joy Cummings Promenade from the Honeysuckle Promenade

3.2.5 Foreshore Usage Policy

The policy provides direction on the types of activities that can be licensed and approved for specific areas of the Foreshore. The policy details types, frequency, and duration of use, consultation requirements, traffic management, use of amplified sound and consumption of alcohol. The Foreshore Usage Policy should be used in conjunction with the Parks Booking Policy 2003.

The policy objectives are to:

- provide consistency and transparency in licensing approvals;
- reflect and abide by relevant legislation, existing policy and associated documentation;
- provide a management tool that will assist in protecting the Foreshore as a valuable asset; and
- facilitate social, cultural, economic and tourism benefits by providing opportunities for a variety of events and activities at the Foreshore.

3.2.6 Newcastle Coastal Revitalisation Strategy – Masterplan Report 2010

The report provides a strategic framework for the future use of coastal land within the Newcastle LGA. Of relevance to the Foreshore PoM are objectives and strategies identified for the City Beaches (Central) Sector that affect Camp Shortland. The specific actions that are being further developed in future planning and designs include:

- Develop a new surf life saving clubhouse north of existing clubhouse (on the south eastern corner of the Camp Shortland lawn and the southern carpark) to allow reuse of the current facility for restaurant/ cafe facilities and other uses (while considering the heritage values of these buildings).
- Provide additional shade and seating.

- Enforce time-limited parking to reduce all day car parking by city workers.
- Increase pathway width to enhance pedestrian connectivity between the harbour foreshore and the coastline to the south.
- Ensure safety by design including appropriate opportunities for passive surveillance and lighting.

3.2.7 Newcastle Urban Renewal Strategy 2012

The strategy was developed by the NSW Department of Planning and Infrastructure, in collaboration with The City of Newcastle, Hunter Development Corporation and other key government agencies. It considers the suitability of the Newcastle city centre for urban renewal and outlines a range of initiatives to support its revitalisation over the next 25 years. It also identifies the importance of parks in proximity to the CBD, improving north-south connections from the CBD to the foreshore area generally, a proposed shared pathway adjacent to Tug Berth Road and maintaining view corridors from the CBD through to the Hunter River and the ocean.

3.2.8 Newcastle Urban Forest Policy (NUFP) 2008

This policy and accompanying background paper recognise the importance of planning and maintaining the urban forest to ensure this valuable resource is available now and for future generations. It focuses on the planning processes required to improve the compatibility of trees and vegetation with buildings and infrastructure. The Foreshore PoM includes actions that manage the park's trees in a manner consistent with the key objectives of the NUFP.

3.2.9 Related plans of management

The Heritage Places - Convict Lumberyard Strategic Plan and Plans of Management (1998, 2000 and 2009) acknowledges Foreshore Park and harbour facilities as among the significant adjacent elements around the Convict Lumberyard and also recognises the importance of pedestrian and landscape connections between the lumberyard and the Foreshore. However, it did not include any key actions or recommendations to support or strengthen this connection.

The Fort Scratchley Plan of Management (2013) guides the conservation of the Fort particularly in relation to its heritage fabric and collection. This plan also recognises that the Fort's wider curtilage, including The Foreshore, is critical to the site's significance. The

PoM specifically identifies potential synergies with the Foreshore PoM in a way finding strategy to strengthen those connections.

3.2.10 Related policies and plans

Several policies and plans are also relevant, to varying degrees, to the Foreshore's planning and future management. They include:

- Community Assets and Open Space Policy 2012;
- Bathers Way Public Domain Plan 2012;
- Coal River Precinct Conservation and Tourism Management Plan 2007;
- Newcastle Green Corridors and Landscape Precincts 2005;
- Disability Action Plan 2005-2010 to assist Council to meet access and equity requirements (especially those related to the NSW Disability Services Act 1993, NSW Anti-discrimination Act and Commonwealth Anti-discrimination Act) in a consistent and coordinated way;
- Heritage Policy 2013;
- Parks Booking Policy 2003; and
- Fees and Charges 2011/2012 – 2014/2015.

3.3 Review of the 2000 Foreshore Plan of Management

The current Foreshore PoM was adopted by Council in December 2000 and has not been amended during this time. This plan recognised the Foreshore's theme and role as: a regional and city wide events facility; a large open space area for unstructured recreation; a green space adjacent to the CBD; a place of cultural and historical significance; and a visual gateway to the Hunter River and Port of Newcastle.

As part of the process of preparing this new PoM, the actions of the 2000 Plan have been audited and reviewed. The PoM included 23 actions. 65% of the actions are either complete, ongoing, in progress, partially complete or underway in 2013. The remainder of the actions are incomplete and may no longer be relevant or were not funded.

An audit of the 2000 PoM's implementation is provided in Appendix D.



3.4 Current and future demands

Foreshore Park is the city's major park adjacent to the CBD. It caters for a wide variety of uses including passive recreation, connections to surrounding areas, a green space in an increasingly urbanised area and a venue for special events. The variety of transport modes readily available to reach the Foreshore increases its popularity as does the surrounding attractions of the beach, harbour and city centre.

3.4.1 Demographic analysis

Population, age structure and household composition can all place pressures on an area. With the Foreshore being a city park, both the LGA as a region and the surrounding suburbs as a local context need to be considered. Analysis of the 2011 census data and forecasting for the year 2026 has been used to provide this regional and local context (all data used taken from .id profile and .id forecasting for the Newcastle Community Profile). This 13 year forecast (from 2013) will provide context for the actions recommended in Section 5 of this PoM.

Regional context

The Newcastle LGA population is forecast to increase by 14,322 (9.2%) from 2011 to 2026. Increases in numbers occur in all age groups with the exception of the 20-24 and 25-29 age groups. The 65 and over age group increase from 15.2% of the total population in 2011 to 17.6% in 2026.

The number of households is forecast to increase by 10.3% from 2011 to 2026. In 2011, lone person households made up 29.5% of all household composition and this will increase to 30.6% of households in 2026.

Local context

Significant population growth is expected in the inner city suburbs of Newcastle, Newcastle East, and Newcastle West incorporating the Foreshore. The total population of these suburbs is forecast to increase by 45.6% from 2011 to 2026. In 2011 the most populous age cohorts were the 25-29 yrs and 20-24 yrs 15.2% and 14.3%. The 65 yrs and over cohort is expected to increase from 13.5% of the population in 2011 to 21.4% in 2026.

Figure 4 – City of Newcastle age structure forecast

Source: The City of Newcastle .id forecast profile 2011-2036

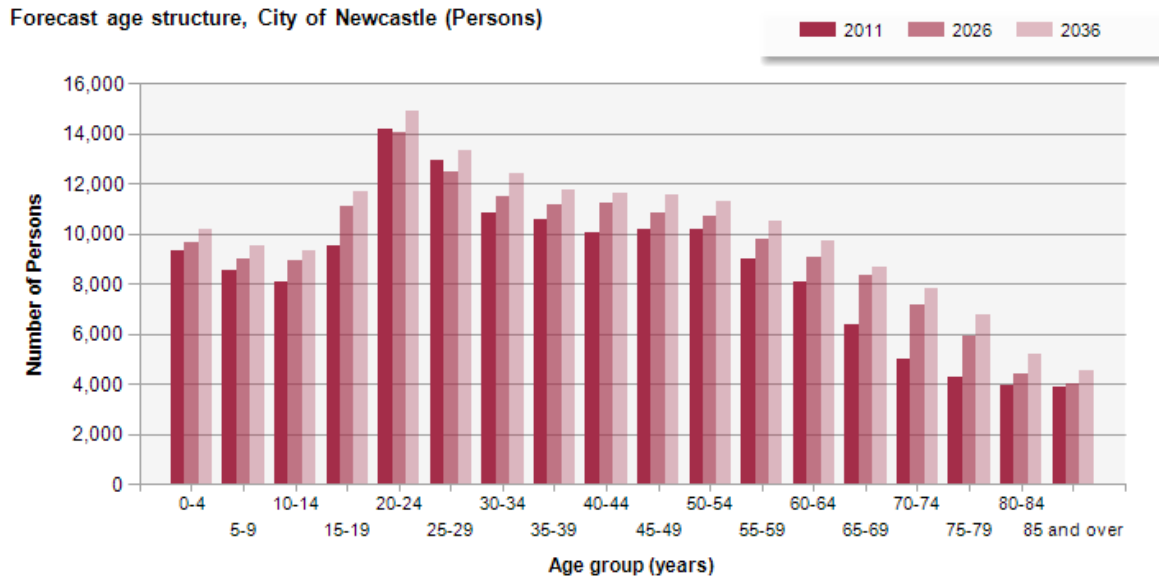
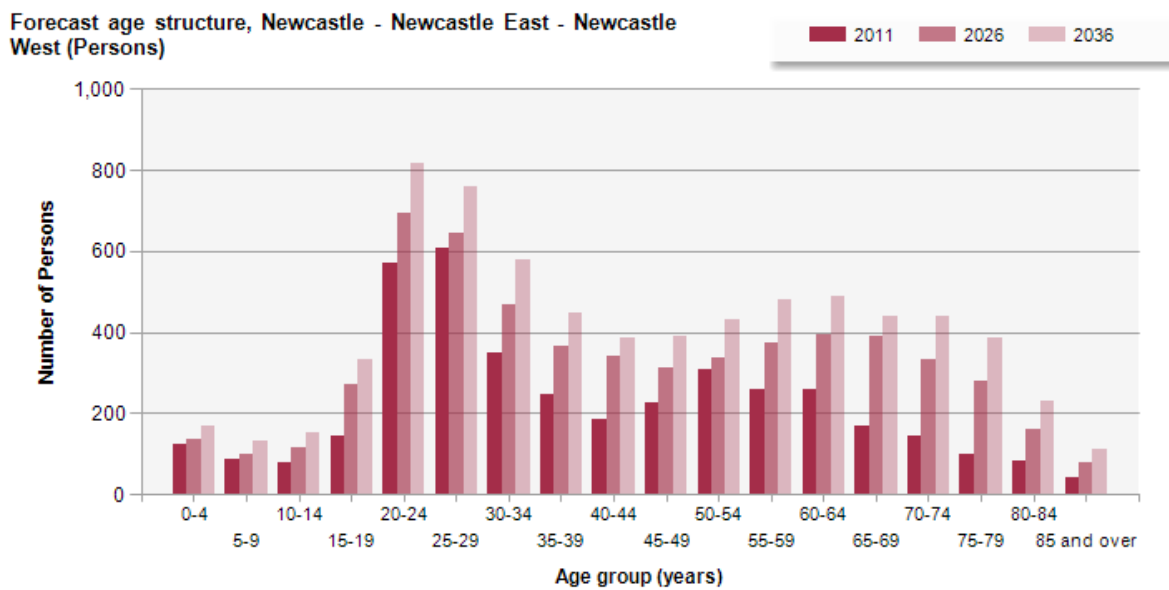


Figure 5 – Foreshore surrounding suburbs age structure forecast

Source: The City of Newcastle .id forecast profile 2011-2036





3.4.2 Other considerations

The proposed university campus and student accommodation within the inner city area will place future pressure on the surrounding green spaces and how they are utilised. With housing density increasing and private open spaces becoming relatively smaller, the pressure on public open space will increase.

Careful planning will be required to protect and manage the Foreshore and its values, to fulfil its role as a city park for the LGA, and a local park for surrounding residents. Provision of open space, recreation facilities and associated development must take into account trends in recreation, flexibility for changing populations and community expectations. These could include the continuing increase in commercial fitness operators and their use of designated areas in parks as venues; outdoor fitness equipment areas; provision of increased all abilities access and associated facilities; public art and monuments and the expectation of the level of development in facilities such as playgrounds and food and beverage outlets.

Council's financial sustainability is an important consideration in both open space provision and maintenance. In order to provide recreation facilities in a sustainable manner Council will need to review service levels and prioritise capital works. Plans of Management generally have a life of 5 to 10 years and will therefore guide budget decision making in the medium to long term.

The dual role of the Foreshore as a city park and a local park for surrounding residents will require careful management. While many of the facilities can be readily used in both contexts, some may be more favourably inclined to the regional context whilst others would tolerate local level usage.

4.0 Basis for management

4.1 Legislative and policy framework

This PoM must comply with the provisions of the Local Government Act 1993 and the Crown Lands Act 1989 as well as other legislation and policy described in Section 3.1 and 3.2.

4.2 Community consultation

The Local Government Act 1993 requires a PoM to be prepared in consultation with the community. A community consultation plan was developed at the inception of this project to ensure all members of the community had an opportunity to provide input into the new plan of management. The community and stakeholder consultation identified values for the Foreshore, along with issues and opportunities for the park and a range of future visions. All of these have been used to guide the development of actions and directions for the future management of the Foreshore.

Consultation carried out by Council and consultant and Gondwana Consulting Pty Ltd, to develop this draft Foreshore PoM included the following:

- a council web page;
- an online self-administered survey conducted by Newcastle Voice (989 responses);
- five days of on site intercept surveys of Foreshore users (158 face-to-face surveys);
- an open invitation to a community workshop held on Wednesday 27 February 2013, attended by approximately 30 members of the public;
- three focus groups involving businesses operating around the foreshore, commercial recreation licensees (personal trainers, fitness instructors, etc), and Council's operational/grounds staff responsible for Foreshore Park and the Foreshore;
- discussions with government agencies, semi-government bodies, and other stakeholders (such as disability and community groups);
- preparation and exhibition of an Issues and Options Discussion Paper and review of feedback;
- continuing media coverage; and
- ongoing discussions with relevant Council staff.

Copies of the consultation reports can be requested from Council.

4.3 Values

Council has adopted a values based approach to preparing and reviewing PoMs for land under its care and control. Values are what make a place important and they are identified so that they can be protected and enhanced. A number of values have been identified for the Foreshore through the community consultation and PoM preparation processes to date.

The values identified for the Foreshore are:

Scenic: Expansive harbour and ocean views, landscaped gardens, open space and grassed areas and general lack of development are all valued, as is the ability to observe the working harbour and associated activities.

Recreation: The open space and grassed areas for social interaction, picnic, playground visits, relaxation and exercise. The promenade and pathways to walk, ride bicycles, jog, and access surrounding areas.

Accessibility: The proximity to the CBD, public transport, connections within and to surrounding areas from the promenade and pathways. All abilities access. Access to services including toilets, water, food and beverage outlets.

Heritage: Historical themes evident include elements of Newcastle's Aboriginal, convict, maritime, coal, steel and rail history both within the park and adjacent sites including Fort Scratchley, the Convict Lumberyard, Macquarie Pier and the Coal River Precinct.

Community use and special events: Local community access, occasional markets, and smaller scale community events, and wider community access to large scale special events of music festivals, sporting events and New Year's Eve celebrations.

4.4 Key issues

Like the values above, key issues have been identified through the community consultation and PoM preparation process. These comprehensive issues were detailed and discussed in the Issues and Options Discussion Paper exhibited in July 2013. The paper identified a number of issues, options for future directions and factors to consider. A copy of this paper is available as a separate document. A number



of issues were also raised through discussions with internal stakeholders and have also been included.

The key issues can be grouped under the following broad themes:

Role and use

- Use as a special events venue. Should have more restriction on quantity of events per year and impact on surrounding areas.
- Perceived lack of night time safety, particularly in Foreshore Park along Railway Walk.
- Use of community land as outdoor dining area for Scratchley takeaway patrons only.

Facilities and development

- General lack of toilet facilities across all of the Foreshore and their cleanliness.
- Poor location of facilities, eg, circular viewing platform, stormwater outlet, picnic tables.
- Lack of shade generally, particularly in summer.
- Park furniture is outdated, poor condition and not disabled friendly.
- Lack of bicycle facilities.
- Upgrade needed to playground to cater for older kids and young teens, not just young children.
- Improved transport in the area and associated facilities for both public transport and for private vehicles.

- Improved access to drinking water both bubblers and water filling stations.

Access

- No designated shared pathway in the Foreshore.
- Conflict between different modes of users along the promenade.
- Congestion on promenade in busier areas including north of the Queens Wharf Building.
- Access pinch point between the Honeysuckle Promenade and the Joy Cummings Promenade.
- Location of the disabled toilet on Foreshore Park and the gravel access path connecting to it.
- Lack of pedestrian crossings connecting to, and between the three areas of the Foreshore.
- On road and off road parking inconsistencies in timing and cost.
- Limited access to harbour for recreational activities.
- Poor connection between promenade and Merchant Mariners Memorial.

Appearance

- Limited shade, and provision of shade to seating and picnic tables.
- Poor signage both wayfinding and interpretive within the park and surrounding areas.
- More care in tree and plant selection.



Operation and administration

- Lack of cleaning of the promenade.
- Regulation of unauthorised users of the park, eg commercial fitness operators.
- Management of noise and other impacts on park neighbours.
- Western start of the promenade is classified operational land not community land.

Due to the diversity of individuals, stakeholders and community groups engaged during the consultation phase, a number of issues raised were contradictory. A summary of the feedback received to the Issues and Options Discussion Paper can be found on Council's website.

4.5 Vision and principles of management

A vision has been developed to provide a guiding purpose for the Foreshore. The vision aims to protect the values of the park from the issues and threats of today and into the future, and to provide an overarching statement of the role and character envisaged for the park.

The vision for the Foreshore during the life of this PoM is:

The Foreshore will be managed as the major park in the heart of the city for the use and enjoyment

of people from across the Hunter and the local community. Opportunities for recreation, relaxation, community use and special events will continue to be provided. Future development and use of the park will enhance the area's visual appeal, consider impacts on the surrounding area and neighbours and acknowledge the park's important role in connecting the harbour, the beach, the CBD and surrounding significant heritage sites.

The following set of management principles have been developed for the Foreshore. They elaborate and support the above park vision. They also provide broad statements of management intent and priority to guide both identified management actions as well as management decisions responding to unforeseen circumstances.

- To maintain and enhance the park's scenic character as an attractive, landscaped and expansive area of open space.
- To manage the park as a city park and an accessible community asset.
- To provide a diversity of recreational opportunities and facilities for the wider community, including people with limited mobility and other disabilities, to meet current and future demands.
- To encourage public and active transport access to and within the park through improved connectivity with pathways, shared pathways, and public transport.

- Ensure management of landscaping within the park meets with crime prevention through environmental design principles to improve visitor safety.
- Ensure landscaping within the park as a minimum maintains the tree canopy through appropriate tree removal, and replacement with intergenerational and suitable species selection.
- To recognise, manage and promote the heritage of the park and the connections to surrounding significant heritage sites.
- To manage activities within the park to minimise adverse impact on nearby residents and land uses.
- Deliver consistent high maintenance outcomes that reflect the regional significance of the Park in accordance with developed service levels.
- To manage the Park in a sustainable manner minimising consumption of energy and potable water and maximise opportunities for recycling of waste and water.

These management principles support the park's values. They are also consistent with the core management objectives for the community land categories identified for the park (as discussed in Section 4.6) and the Crown land purpose of public recreation and identified principles (as detailed in Section 1.1 and principles in 3.1.2 respectively).

4.6 Community land categorisation

The Local Government Act 1993 requires all community land to be categorised according to five categories of park, sportsground, area of cultural significance, natural area (which has a further five sub categories) or general community use. The Act also sets out core objectives for each of the categories that should be pursued in the management of an area. Guidelines for the categorisation of community land are provided in the Local Government (General) Regulation 2005.

Considering the values, and the current or intended future development and use of the different parts of the Foreshore, this PoM has identified the following categories to apply to various parts of the park:

- park; and
- general community use.

The core objectives in the Local Government Act 1993 relating to the park and general community use categories are:

Park:

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

General community use:

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

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

Further information on the categorisation of community land under the terms of the Local Government Act 1993 and the Local Government (General) Regulation 2005 can be found in Appendix E.

Some areas of the Foreshore have been recategorised from the 2000 PoM, to more accurately reflect their assessed values as well as their current or planned use, development and management. The 2000 PoM categorised all community land as park.

This PoM has re-categorised five areas from the park category to general community use. These areas include the off road car park adjacent to Bond St in Foreshore Park and the proposed shared pathway at the south of the Queens Wharf Building, the roundabout at Wharf Road and Watt Street and two access roads/carparks in Camp Shortland.

Crown land does not have land categories under the Crown Lands Act 1989, however for future management purposes all Crown land within the Foreshore has been identified as either park or general community use. Although these categories applied to Crown land have no legislative power, they enable a consistent management approach to the entire site.

Figure 6 - Categorisation of community and Crown land



4.7 Key management objectives

The key management objectives have been developed to reflect the core objectives identified in the Local Government Act 1993 for the categories of park and general community use (see 4.6 above), the Newcastle 2030 objectives (see Section 3.2.1) and to support the values identified in Section 4.3 of this Plan of Management.

The following key objectives will form the basis for the actions in this PoM:

- 1.0 Maintain the park's visual amenity and views to the harbour and the city.
- 2.0 Encourage informal and organised recreational use of the park.
- 3.0 Provide appropriate facilities and services and flexible spaces for a city park to meet the current and future needs of the local community and broader public.
- 4.0 Improve accessibility and connectivity both within the park and with surrounding areas.
- 5.0 Improve activation through promotion and appropriate development of the park.
- 6.0 Foster public appreciation, understanding and enjoyment of the heritage of the park.

7.0 Manage the park in an effective, efficient and sustainable manner.

The strategies and actions in Section 5.4 of this PoM have been developed to address each of the seven objectives.





5.0 Management directions and actions

5.1 Future use and development

A specific PoM is required to set out the uses, activities and developments that are permitted within a park including the scale and intensity of such uses and developments.

It is not possible or practical to envisage all the possible uses that could possibly take place in the Foreshore. Appendix F lists some of the more typical uses or activities that Council has recognised for the two community land categories of park and general community use that apply to the Foreshore. Appendix F also lists facilities or developments that can be typically be found on community land, and similarly identifies the permissibility of these in the case of the Foreshore.

However given that Appendix F is not exhaustive, the only additional uses or activities and facilities or developments that are permitted within the Foreshore are those consistent with the following requirements:

- The Newcastle LEP 2012;
- The vision, management principles and objectives of this PoM; and
- The categorisation and core objectives applied to the park.

There are two major developments that are supported in this PoM to further enhance the use of the Foreshore by the community. These two developments (the provision of a shared pathway; and the development of a playground to a city facility) are outlined further below along with developing the Nobbys Beach Public Domain Plan.

5.1.1 Shared pathway provision

The provision of a shared pathway within the Joy Cummings Promenade sector that connects to the Bathers Way is considered integral in providing an authorised path for cyclists of all ages and abilities to travel on. The Newcastle 2030 – Community Strategic Plan includes a strategic direction of a connected city with an objective of a linked network of cycle and pedestrian paths. The Newcastle Cycling Strategy and Action Plan 2012 has a key objective to increase participation in cycling by making cycling a safe and

attractive travel option. It identifies the Foreshore promenade, including Tug Berth Road, and the connection to Bathers Way, as an important link in the Throsby Foreshore to Merewether Baths shared pathway route.

The development of a shared pathway through the Foreshore should be consistent with basic design requirements for a major recreational route that can be found in the Austroads Guide, in line with the Newcastle Cycling Strategy and Bathers Way design. These require a minimum 4m width of clear path for a major recreational route and up to 6-8m in high traffic areas or activity nodes.

Currently the Joy Cummings Promenade is a 4m wide path (3m along Tug Berth Road) that is not a designated shared pathway. Currently the only cyclists permitted on the promenade are children under the age of 12 years and their adult supervisor.

The first 12 – 18m of the promenade is classified as operational land not community land. This is made up of two parcels of operational land. The first parcel Lot 54 DP791037 is only on the promenade, while the second parcel Lot 1000 DP1087291 covers 1m of the southern portion of the promenade and includes the former Lynch's Prawn site. Figure 7 illustrates these parcels and locations. As both of these parcels are operational they are not governed by this plan of management.

For future shared pathway options from Honeysuckle to Nobbys Beach Bathers Way, it is recommended that the first parcel, Lot 54 DP791037 be reclassified to community land and be incorporated into the Foreshore Plan of Management. The larger parcel of the former Lynch's Prawn site is currently under investigation for future opportunities, and this will remain under the control of Council's Commercial Property section at this time.

Options relating to the widening of this transition area from Honeysuckle to the Joy Cummings Promenade (see Figure 8) will need to be investigated separately to this PoM.

In summary, this PoM supports the provision of a shared pathway along the promenade with deviations from high congestion and problematic areas. It also supports the link from the promenade to Foreshore Park and the investigation of a link from Scott and Watt Streets to Nobbys Beach through Foreshore Park. It is also acknowledged that the provision of a shared pathway may require the removal of some trees. This should be minimised where possible.

Figure 7 – Land Classification Anomalies

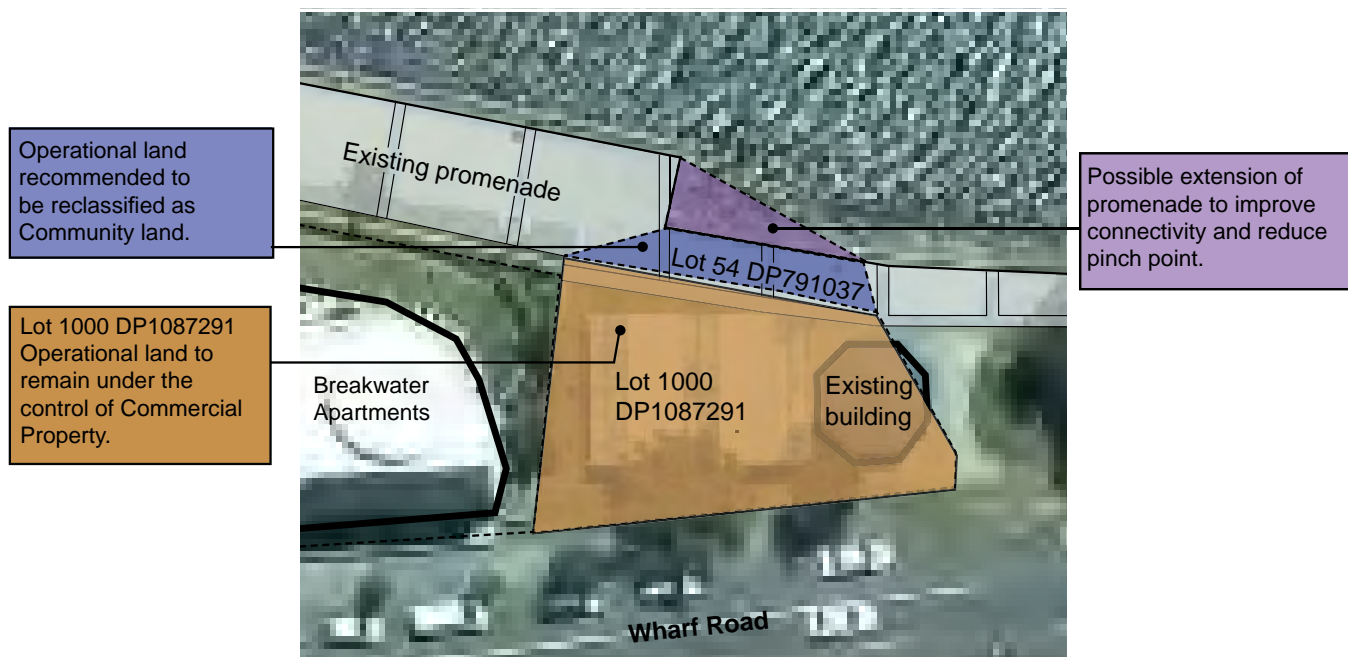


Figure 8 – Promenade Western Entry Pinch Point



5.1.2 Nobbys Beach Public Domain Plan

The Nobbys Beach Public Domain Plan will be developed as part of the Newcastle Coastal Revitalisation Program. This plan will incorporate Nobbys Beach, supporting facilities and infrastructure, Camp Shortland, Bathers Way, the car parks, and part of Wharf Rd and the Esplanade.

The development phase of the public domain plan will include considerable community consultation. In addition to considering the communities aspirations, the Nobbys Beach Public Domain Plan will include actions that are consistent with the objectives and values of the Foreshore PoM.

5.1.3 City playground

The current playground located in Foreshore Park is small and caters predominantly to younger children. With the Foreshore considered a city park and catering to both the local and regional communities, the expansion and upgrade of the playground is considered a necessary development. Currently the playground occupies an area of approximately 720 square metres of the total 80,000 square metres available at Foreshore Park.

For comparison, the Speers Point Regional Playground in Lake Macquarie Council area occupies a site of

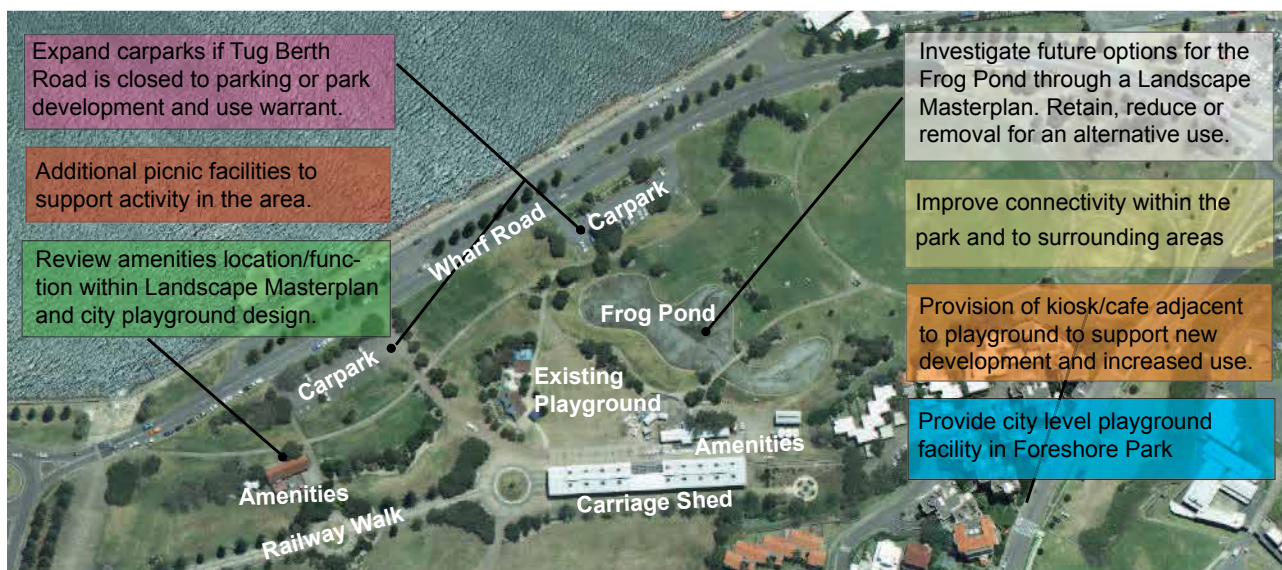
two hectares (20,000 sq m), while the Darling Harbour playground in the Darling Quarter at Tumbalong Park occupies a site of 4,000 sq m excluding ancillary facilities and/or cafes.

A detailed playground concept plan would be undertaken concurrently with the Landscape Masterplan, which through consultation would also resolve the future use of the frogpond. The playground would cater for younger and older children and all abilities. These items are detailed in Section 5.4 Management Action Tables.

5.2 Foreshore Park functional diagram

Apart from the proposed shared pathway route through the Foreshore and potentially Camp Shortland outlined above, the only other area that will require significant change is Foreshore Park. While the Landscape Masterplan and the Detailed Playground Concept Plan will be done as a separate project to the finalisation of this Plan of Management, the potential development and improvements for Foreshore Park need to be considered. To achieve this, a functional diagram (Figure 9) has been completed to visualise the overall direction for Foreshore Park.

Figure 9 – Foreshore Park functional diagram



5.3 Leases, licences and other estates

In accordance with the Local Government Act 1993 Sections 46 and 47, a PoM must expressly authorise the granting of any lease, licence or other estate over community land. Such agreements must be consistent with the values identified by a PoM and the core objectives of the category identified for the land in question.

Community land may not be leased or licensed for a period of more than 30 years. Public notice must be given for a proposal to grant a lease or licence over community land (including facilities located on community land) for a period of more than five years – and in the event of an objection to the proposal, the consent of the Minister for Local Government is required to be obtained. Additional guidelines for the granting of leases, licences or other estates over community land are provided in Clauses 116 and 117 of the Local Government (General) Regulation 2005.

A lease over a section of land, or a facility within the park, enables more exclusive use of that land or facility. A licence generally enables shorter term use of an area, or part of an area.

Under the Crown Lands Act 1989, reserve trust managers may lease or licence activities on Crown land where the Minister has consented in writing. A trust can grant a temporary licence for the purposes prescribed under the Crown Lands Regulation 2006. A temporary licence does not require the Minister's consent, and can be granted for a maximum period of one year.

Lease agreements should be modelled on the specific conditions applying to the leasing of Crown land under Section 34 of the Crown Lands Act 1989. Under this Act, a person, organisation or business may enter into a lease or licence for appropriate use on Crown land provided that:

- Management of the land is in accordance with this PoM, relevant Crown land policies and guidelines;
- The use of the land is in the public interest;
- The lease does not exceed 100 years, however only exceptional circumstances allow for a Crown land lease to be in excess of 30-40 years.

Existing licences now in place within the park are described in Section 2.3.1.

5.3.1 Authorisation of future leases, licences and other estates

Before approving leases or licences for community land Council will give consideration to:

- the provisions of the Newcastle Local Environmental Plan and other legislative requirements;
- the core objectives of the subject part(s) of the Park, in accordance with the relevant community land category(s);
- the activities and developments identified as permissible within each of the park's community land categories (listed in Section 4.6)
- Council's policies for leasing and licensing;
- any likely impacts on the park's resources and values;
- any likely impacts on the access, uses and experiences of other users – with a preference for leases/licences permitting a broad range of activities, and encouraging the multi-use of community assets;
- any possible impacts on park neighbours;
- the reversibility of the proposed uses or developments;
- resource demands to administer and monitor the lease/licence;
- any commercial implications for Council; and
- future use of land.

In authorising future leases and licences, this PoM expressly authorises the granting of a lease, licence or other estate for the activities in the land categories outlined in Appendix F. Activities not listed will be considered on their individual merit. In addition, Council also authorises the existing long term licence for the Bond St off road car park in relation to the State Heritage Listing Number 00762 for the Earp Gillam Bond Store Precinct.

5.4 Management action tables

The following Management Action Tables present a range of management actions that will be pursued over the next 5 to 10 years. Management actions can be directions or guidelines as well as more specific on-ground or tangible actions. To enable easy reference the management actions have been grouped in separate Management Action Tables:

- Recreation
- Connectivity
- Landscape
- Community Use and Special Events
- Heritage
- Park Management

The Management Action tables include the following items.

Topic describes the broad area or aspect of the Park's management around which strategies and actions have been grouped.

Performance Targets, or Strategies, the means by which Council proposes to achieve the Plans key management objectives.

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

Means of Assessment outlines the means by which Council will evaluate or gauge the effectiveness of the actions in achieving their performance targets.

Lead Responsibility column refers to those sections within Council, or in some cases other bodies (such as other government agencies, volunteers, or contractors), with primary accountability for ensuring that the respective Performance Target is achieved.

The following abbreviations relate to the Newcastle City Council Service Units identified in the Lead Responsibility column. These may change over time:

- **FR** – Facilities and Recreation;
- **SP** – Strategic Planning;
- **CS** – Customer Service;
- **IP** – Infrastructure Planning;
- **CP** – Commercial Property
- **CW** – Civil Works;

- **F** – Finance; and
- **RS** – Regulatory Services.

The Priority column of the Management Action Tables gives an indication of both the relative importance, and preferred timing, of each action – as follows.

- **High** – Essential to achievement of the Park's management objectives, and warranting funding consideration until achieved. Ideally the action will be undertaken within 1 to 3 years of the Plan's adoption.
- **Medium** – These actions are desirable to enhance achievement of the Park's management objectives, and should be undertaken within 3 to 5 years (and ideally implemented within the life of this Plan).
- **Low** – These actions are useful for the overall management of the Park or address issues that have longer-term impacts, and should commence within 1 to 5 years although completion may take longer than this timeframe.
- **Ongoing** – Actions have also been identified as "Ongoing" – where the action in question will be carried out on a regular basis, or as required, for the duration of this Plan.





Recreation

Management principles:

- To manage the Foreshore as a city park and an accessible community asset.
- To provide a diverse range of recreational opportunities and facilities for the wider community, including all abilities, to meet current and future demands.
- To manage activities within the Foreshore to minimise adverse impact on nearby residents and land uses.

Key Objectives:

2.0 Encourage informal and organised recreational use of the Foreshore.

3.0 Provide appropriate facilities and services and flexible spaces for a city park to meet the current and future needs of the local community and visitors to the region.

5.0 Improve activation through promotion and appropriate development of the Foreshore.

Community Strategic Plan Strategies:

3.1b Increase opportunities for active and passive recreational use of the city's parks, inland pools and Blackbutt Reserve through the provision of attractive, safe and accessible spaces and amenities.

3.1c Work collaboratively to improve and revitalise our beaches, coastal area and foreshores for everyone to enjoy.

3.3d Provide welcoming facilities and open space that provide for a range of ages and combination of uses and can be easily adapted to suit the changing need of community over time.

4.2a Ensure the community has access to needed services and facilities, particularly those most in need.

Topic	Performance target (strategies)	Means of Achievement (Management actions)	Means of assessment	Lead responsibility	Priority	
Role and Use	The Foreshore recognised and serviced as a regional level park	R.1	Manage and maintain the Foreshore as a city park.	City Wide Maintenance Policy, Asset Management Policy.	FR IP	Ongoing
		R.2	Progressive provision and upgrade of facilities and parkland to regional standard.	Provision consistent with Parkland and Recreation Strategy.	FR	Ongoing
	Review Foreshore Usage Policy	R.3	Review and update Foreshore Usage Policy (or subsequent policy) to reflect the current and future needs and uses of the community.	Policy reviewed and adopted.	FR SP	High
	Permitting commercial recreation/fitness operators on the Foreshore	R.4	Permit commercial recreation/fitness operators on the Foreshore. Approved locations, hours and impacts on other users and neighbours to be reviewed through the Foreshore Usage Policy. Other generic conditions to be consistent with the overall review of licensing of commercial recreation/fitness operators within the LGA.	Activities are consistent with the values and objectives of the PoM. Foreshore Usage Policy and licence review of operators completed and implemented.	FR	High
	Investigate the future use of the Frog Pond	R.5	Investigate future options for the Frog Pond through the Landscape Masterplan and Playground Detailed Concept Plan. Options may include retain, reduce or remove.	Future of Frog Pond determined through the Landscape Masterplan	FR	High
	Shortland Lawn to remain an open space grassed area	R.6	Locate any new permanent infrastructure and trees to perimeter of the area. These to have a supporting role for activities undertaken in the area, eg, shade, seating.	Permanent infrastructure not located on Shortland Lawn, functionality not compromised.	FR	Ongoing
Facilities and Development	Provision of regional standard playground	R.7	City standard playground provided in Foreshore Park to cater for younger and older children and all abilities, as detailed in Section 5.2 Functional Diagram.	Provision consistent with Parkland and Recreation Strategy User satisfaction and usage levels.	FR	High
		R.8	Develop a detailed concept plan for playground and supporting facilities in conjunction with the Landscape Masterplan (see Action L.3). Engage the community in the design and development of the Park.			
	Provision of new Surf Life Saving Club building	R.9	Ensure the proposed Surf Life Saving Club building to be located on and adjacent to Camp Shortland does not significantly change the functionality of Camp Shortland as a park, and minimises the obstruction of views from Camp Shortland to Nobbys Beach and the ocean.	Surf Life Saving Club building provided Functionality of Camp Shortland maintained User satisfaction and usage levels.	IP	Low
		R.10	Design, size and final location of Surf Life Saving Club building to be determined through the Nobbys Beach Public Domain Plan. Domain Plan to ensure consistency with Action R.9.	Nobbys Beach Public Domain Plan completed and consistent with Action R.9.		
	Provision of fitness circuit equipment	R.11	Investigate options for the provision of fitness circuit equipment within the Park to promote unstructured fitness opportunities and to activate areas throughout the day.	Options investigated and decisions made and implemented.	FR	Low
	Provision of a food and beverage outlets in Foreshore Park	R.12	Provide a café or kiosk facility and dining area to complement development of Foreshore Park, see Section 5.2 Foreshore Park Functional Diagram).	Redevelop the western end of the Carriage Shed amenities to provide a café or kiosk facility and outdoor dining area, see Section 5.2 Foreshore Park Functional Diagram).	FR	Medium
R.13		Permit mobile food and beverage vendor where appropriate.				

Topic	Performance target (strategies)	Means of Achievement (Management actions)	Means of assessment	Lead responsibility	Priority	
	Provision of support facilities for passive and active recreation	R.14	Review current provision of park furniture and facilities through Landscape Masterplan. Implementation may include remove, replace, upgrade or provide new furniture and facilities. Includes shade and water access points and BBQs	User satisfaction. Number, standard and location of park furniture. Condition and safety audits and support facilities	FR	High
		R.15	Liaise with Urban Growth on public domain plans for the Joy Cummings Promenade area in relation to provision of facilities and services.	Agreement on provision. User satisfaction.	SP	High
	Improve functionality of the Amphitheatre.	R.16	Investigate improvements to design of Ampitheatre.	Increased use of the Ampitheatre	FR	Low
	Provide recreation facilities for people with a disability or impaired mobility	R.17	Consider all abilities users in the design and siting of park furniture, paths, amenities, and parking.	Furniture accessible for all abilities.	FR IP	Ongoing
	Provision and quality of toilet facilities across the Park	R.18	Improve directional signage to all public toilets within and adjoining the Foreshore as part of the Signage Strategy.	User satisfaction, number of complaints annually.	FR IP	High
		R.19	Undertake feasibility review of the toilet facilities in the western end of Foreshore Park. Either upgrade, renew or replace (in this location or elsewhere). If upgrade/renew option is selected, improve visibility and connectivity with the Joy Cummings Promenade.	User satisfaction. Improved site amenity and quality.	FR IP	Medium
	Provision of ancillary structures and monuments to support ceremonial services.	R.20	Review current provisional ceremonial structures/monuments through Landscape Masterplan. Implementation may include remove, replace, upgrade or provide new.	User satisfaction.	FR	Medium

Connectivity

Key Management Principles:

- To manage the Foreshore as a city park and an accessible community asset.
- To encourage public and active transport access to and within the Foreshore through improved connectivity with pathways, shared pathways, and public transport.
- To provide a diverse range of recreational opportunities and facilities for the wider community, including all abilities, to meet current and future demands.
- To recognise, manage and promote the heritage of the Foreshore and the connections to surrounding heritage significant sites.

Key Objectives:

- 2.0 Encourage both informal and organised recreational use of the Foreshore.
- 4.0 Improve accessibility and connectivity both within the Foreshore and to surrounding areas
- 5.0 Improve activation through promotion and appropriate development of the Foreshore.

Community Strategic Plan Strategies:

- 1.2a Develop a network of safe, linked cycle and pedestrian paths integrated with key destinations and green space.
- 1.2c Give greater priority to cyclists and pedestrians in transport planning to enhance safety and encourage travel behaviour change.
- 1.2d Enhance support infrastructure such as end of trip facilities to encourage walking and cycling.
- 3.1b Increase opportunities for active and passive recreational use of the city's parks, inland pools and Blackbutt Reserve through the provision of attractive, safe and accessible spaces and amenities.
- 3.1d Create welcoming and accessible community facilities that support opportunities for people to meet and connect with one another.

Topic	Performance target (strategies)	Means of Achievement (Management actions)	Means of assessment	Lead responsibility	Priority	
Role and Use	Foreshore to provide opportunities for pedestrians and cyclists of all abilities.	C.1	Maintain and improve paths for pedestrians, and other users, of all abilities, throughout the Foreshore and to surrounding areas.	City Wide Maintenance Policy and Asset Management Policy	IP	Ongoing
		C.2	Establish a designated off-road shared pathway along the Joy Cummings Promenade from Honeysuckle Precinct to Camp Shortland.	Newcastle Cycling Strategy and Action Plan. Shared pathway provided. User satisfaction, feedback received	IP FR	High
		C.3	Establish a shared pathway link between the Joy Cummings Promenade and Foreshore Park playground and Carriage Shed as part of the Landscape Masterplan. A pedestrian or priority crossing will be required to facilitate this.		IP	Medium
		C.4	Investigate a shared pathway link from Watt Street through Foreshore Park to the proposed pedestrian crossing to Camp Shortland.			Low
		C.5	Ensure shared pathway locations avoid areas of high congestion and conflict with other users. Eg north of Queens Wharf Building and Scratchleys Restaurant frontage to remain pedestrian only paths.			Ongoing
Facilities and Development	Provision of an off-road shared pathway in the Foreshore.	C.6	Ensure future/proposed shared pathways to be a 4m width, with consideration of up to 6m width where appropriate and possible.	Shared pathway completed to a minimum 4m width throughout the Foreshore. User satisfaction.	IP FR	High
		C.7	Provision of shared pathway may require: <ul style="list-style-type: none"> Minimising obstructions on the path Replacement of 1.5m path to 4m wide paths where necessary Changes to road alignments and car parking provisions Closure of Tug Berth Rd to vehicles Provision of new paths 	Reduced incidence of congestion and conflict. Consultation undertaken. Pilot Station access maintained.	IP Honeysuckle Development Corporation	
		C.8	Vehicle access to the Pilot Station to be maintained through the eastern driveway along Tug Berth Rd. This driveway to become a shared zone, with surface treatments to highlight this use.		IP	
		C.9	Provision of bike facilities in the Foreshore to support the proposed shared pathway.			
		C.10	Design of shared pathway in Camp Shortland and to Bathers Way to be determined through the Nobbys Beach Public Domain Plan (to be developed).		IP FR	Medium
		C.11	Removal of trees to accommodate the provision of a shared pathway may be required in some areas. Final path design to minimise loss of Norfolk Pines, Figs and Tuckeroo trees. Trees to be replaced according to Action L.7.			Ongoing
		C.12	The Port Authority and Harbour Master be consulted during the design phase of the proposed shared pathway through The Foreshore and/or changes to access to Camp Shortland to ensure access is maintained to the Pilot Station.			High

Topic	Performance target (strategies)	Means of Achievement (Management actions)	Means of assessment	Lead responsibility	Priority	
Access	Improve access to the Foreshore and the connection between the three areas of the Foreshore	C.13	Ensure pedestrian crossings approved that will link Joy Cummings Promenade to the bus Terminal/Newcastle Railway Station; the Promenade to Customs House Forecourt; and the north-east of Foreshore Park to Camp Shortland are completed.	Pedestrian crossings completed	IP	Ongoing
		C.14	Formalise the gravel access path to all abilities toilet in the Carriage Shed in Foreshore Park to meet relevant standards.	Path formalised, feedback received.	FR IP	High
		C.15	Retain the Merchant Mariners Memorial and develop a connecting path to the facility.			Low
		C.16	Investigate improved access and parking configuration within Camp Shortland, Nobbys Beach and Horseshoe Beach as part of the Nobbys Beach Public Domain Plan.	Nobby's Beach Public Domain Plan completed. Improved circulation and parking	IP	Medium
		C.17	Liaise with Queens Wharf Precinct lessees regarding management of waste, service accesses and cleanliness of paths on the Wharf Rd frontage of the building.	Waste bins kept out of sight, path cleaned. Feedback received	CP FR	High
Park Boundaries	Reclassification of western entry section of Joy Cummings Promenade from Operational Land to Community Land.	C.18	Review land classification at western entry point of promenade as detailed in section 5.1.1. Shared pathway may require extension over adjacent seawall to reduce pinch point.	Promenade classified as Community Land Newcastle Cycling Strategy and Action Plan. 4m wide shared path provided with no obstructions	SP CP IP	High

Landscape

Key Management Principles:

- To maintain and enhance the Park's scenic character as an attractive, landscaped and expansive area of open space.
- Ensure management of landscaping within the Foreshore meets with Crime Prevention Through Environmental Design (CPTED) principles to improve visitor safety.
- Ensure landscaping within the Foreshore manages, maintains and enhances the tree canopy through appropriate tree removal, and replacement with intergenerational and suitable species selection.

Key Objectives:

- 1.0 Maintain the park's visual amenity and views to the harbour and the city.
- 3.0 Provide appropriate facilities and services and flexible spaces for a city park to meet the current and future needs of the local community and broader public.
- 4.0 Improve accessibility and connectivity both within the park and with surrounding areas.

Community Strategic Plan Strategies:

- 3.1b Increase opportunities for active and passive recreational use of the city's parks, inland pools and Blackbutt Reserve through the provision of attractive, safe and accessible spaces and amenities.
- 3.1c Work collaboratively to improve and revitalise our beaches, coastal area and foreshores for everyone to enjoy.
- 3.3c Create streetscapes and public places that are clean and attractive where people feel safe.
- 5.1c Ensure the protection and enhancement of well located and connected open space with access to the foreshore, harbour, and waterways for the use and enjoyment of everyone.

Topic	Performance target (strategies)	Means of Achievement (Management actions)		Means of assessment	Lead responsibility	Priority
Landscape Character	Enhance the Park's overall scenic quality and amenity	L.1	Maintain the current open space character and landscaped appeal of the Park.	User satisfaction and feedback.	FR	Ongoing
		L.2	Develop and implement a Landscape Masterplan to guide the landscape character for the area, the future location and layout of park furniture and facilities, landscape works, and ongoing maintenance.	Landscape Masterplan developed and implemented. Improved scenic quality, shade and amenity. Positive user feedback.		High
		L.3	Landscape Masterplan to be developed concurrently with the Playground Detailed Concept Plan (see Action R.8).			
		L.4	Integrate public art into projects and opportunities in Landscape Masterplan.			Medium
		L.5	Develop activity nodes and recreation areas with appropriate amenity, shade and landscape plantings. To be guided by the Landscape Masterplan.			Medium
	Maintaining the urban forest quality of the Park	L.6	Maintain or increase the overall tree canopy across the Park.	Urban Forest quality maintained.	FR IP	Medium
		L.7	Where tree removal required, replace to maintain the tree canopy. Replacement can occur in another location of the park if required.			
		L.8	Undertake tree health and safety audits every two years by a qualified arborist. Undertake remedial actions as required.	City Wide Maintenance Policy. Audits completed.	IP	High
		L.9	Undertake a tree replacement program to ensure intergenerational and suitable trees species are planted.	Street Tree Masterplan (STMP).		Medium
Functionality and Presentation	Increase and improve shade and shelter	L.10	Improve shade for existing seating or relocate some existing seating to sites that offer shade opportunities.	Shade, shelter, seating improved. User satisfaction, feedback received.	FR	High
		L.11	Provide additional shade, shelter and seating around the playground as part of the Playground Detailed Concept Plan and Landscape Masterplan.			
		L.12	Plant additional shade trees along the Foreshore without compromising views lines and the functionality of the Park.			
	Improve the safety and security of the Park through improved sight lines and lighting for passive surveillance.	L.13	Manage vegetation/plantings to minimise screened areas and implement Crime Prevention Through Environmental Design (CPTED) and Safer by Design principles.	Improved sight lines, lighting and passive surveillance. Reduction in criminal activity particularly along Railway Walk.	FR	Ongoing
		L.14	Ensure new tree plantings to be clear stem in accordance with CPTED principles.		IP	High
		L.15	Improve lighting away from the Promenade in areas subject to after-hours access/transit and popular night usage node.		FR RAMS	Medium
Ensure safe harbour navigation	L.16	The Port Authority and Harbour Master be consulted during the design phase of the Proposed Landscape Masterplan for The Foreshore, including lighting changes, to ensure visibility is maintained for the safe navigation, communications and use of navigation aids.	Consultation undertaken. Safe harbour navigation maintained	FR	High	
Signage and Visitor Information	Develop and implement a Signage Strategy for the Park	L.17	Develop and progressively implement a Signage Strategy for the Foreshore and to surrounding areas including wayfinding, interpretive, safety and advisory/regulatory signage.	New signage provided with consistent branding and a variety of methods. User satisfaction, feedback received.	FR CS	High





Community Use and Special Events

Key Management Principles:

- To manage the Foreshore as a city park and an accessible community asset.
- To provide a diversity of recreational opportunities and facilities for the wider community, including all abilities, to meet current and future demands.
- To manage activities in the park to minimise adverse impact on nearby residents and land uses.

Key Objectives:

2.0 Encourage both informal and organised recreational use of the Foreshore.

3.0 Provide appropriate facilities and services and flexible spaces for a city park to meet the current and future needs of the local community and broader public.

5.0 Improve activation through promotion and appropriate development of the Foreshore.

Community Strategic Plan Strategies:

3.1a Encourage community engagement with public space through place making projects and local initiatives that bring individuals and groups together.

3.1d Create welcoming and accessible community facilities that support opportunities for people to meet and connect with one another.

3.3d Provide welcoming facilities and open space that provide for a range of ages and combination of uses and can be easily adapted to suit the changing need of community over time.

4.2e Provide events to encourage the use of open space and facilities and participation activities.

Topic	Performance target (strategies)	Means of Achievement (Management actions)		Means of assessment	Lead responsibility	Priority
Role and Use	Provide for continued use of the Foreshore by both the local community and wider public.	CSE.1	Provide opportunities for the local community to utilise the Park and interact with one another.	Diversity in use and bookings received. Dual use enabled. Foreshore Usage Policy updated.	FR SP	Ongoing
		CSE.2	Manage the Foreshore as a multi-use facility accommodating smaller scale community events as well as larger special events according to the Foreshore Usage Policy.			
		CSE.3	Identify appropriate areas of the Park for special event use within the Foreshore Usage Policy.			High
		CSE.4	Set out areas that can be licensed and formally booked and for what type of events in the Foreshore Usage Policy.			
Local Community Use	Encourage placemaking and community engagement opportunities in the Park	CSE.5	Maintain the Community Garden in Foreshore Park, improve wayfinding signage and provision of seating.	Community Garden supported – increased usage, community involved in improvements. User satisfaction, feedback received.	FR SP FR	Ongoing
		CSE.6	Engage the community in the design and development of the playground. See Action R.8.			High
		CSE.7	Assist with facilitation of small scale community events, eg Council's Make Your Place grants.			Ongoing
Special Event Use	Provision of park for special events	CSE.8	Maintain access to Foreshore Park's Shortland Lawn and Camp Shortland for large scale special events.	Usage of areas. User satisfaction, feedback received.	FR SP	Ongoing
		CSE.9	Where possible ensure access to other areas of the Park is maintained during the conduct and set up of a special event.			
		CSE.10	Both pedestrian and vehicle accesses to the Pilot Station be maintained as a priority, however should a special event limit one access point, the remaining access point to be maintained uninterrupted. Consultation to take place with the Harbour Master in these instances.	Consultation undertaken		
		CSE.11	The Port Authority and Harbour Master be consulted during the assessment stage should any special event require temporary structures to be erected on Camp Shortland or Foreshore Park, to ensure visibility is maintained for the safe navigation, communications and use of navigations aids.			
	Promotion of events	CSE.12	Ensure community based and large scale special event details held at the Foreshore are included in Council's website Events Calendar.	Events Calendar up to date.	SP CS	Ongoing

Heritage

Key Management Principles:

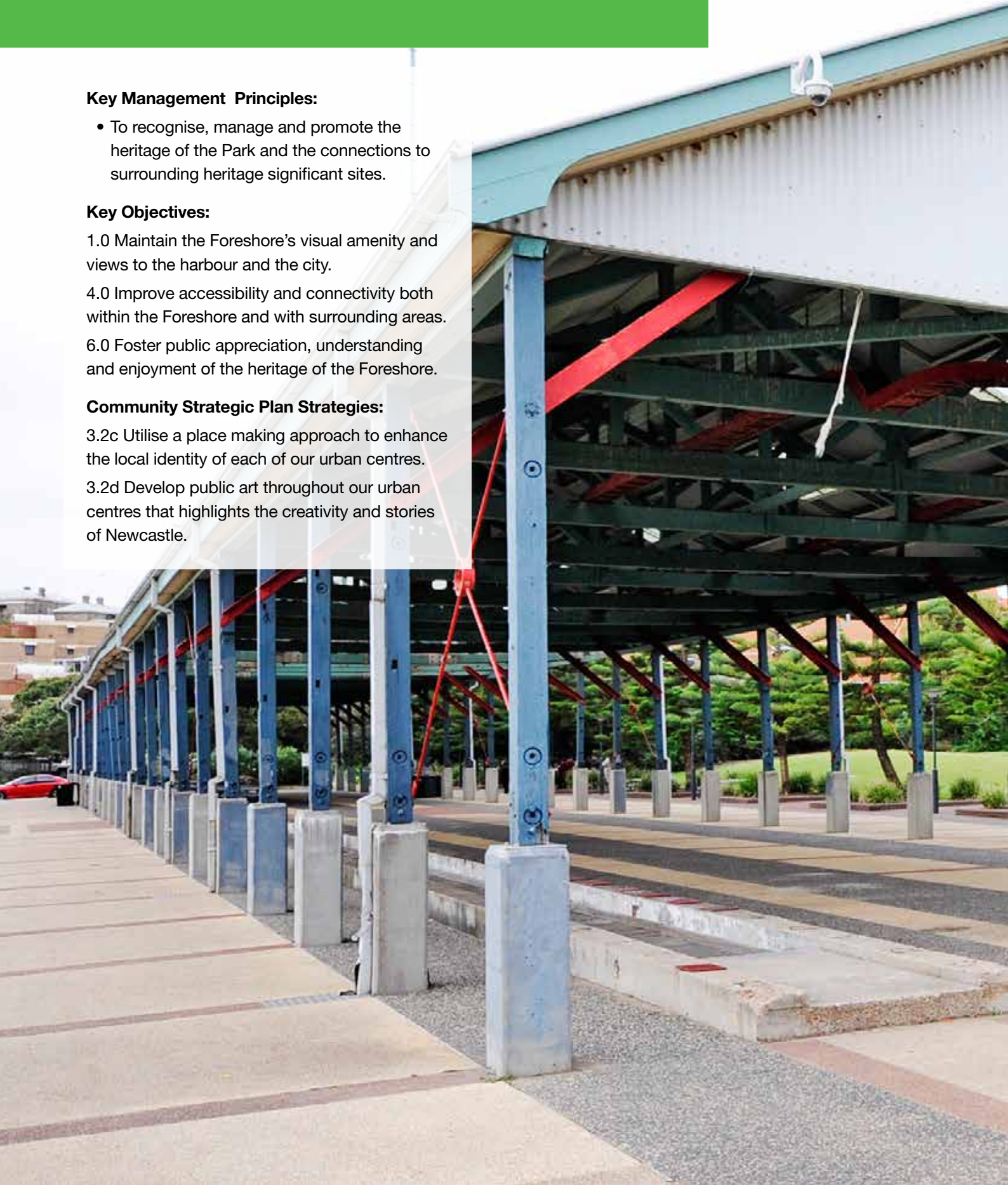
- To recognise, manage and promote the heritage of the Park and the connections to surrounding heritage significant sites.

Key Objectives:

- 1.0 Maintain the Foreshore's visual amenity and views to the harbour and the city.
- 4.0 Improve accessibility and connectivity both within the Foreshore and with surrounding areas.
- 6.0 Foster public appreciation, understanding and enjoyment of the heritage of the Foreshore.

Community Strategic Plan Strategies:

- 3.2c Utilise a place making approach to enhance the local identity of each of our urban centres.
- 3.2d Develop public art throughout our urban centres that highlights the creativity and stories of Newcastle.



Topic	Performance target (strategies)	Means of Achievement (Management actions)		Means of assessment	Lead responsibility	Priority
Interpretation	Promotion and interpretation of the Heritage of the Park	H.1	Identify and interpret the full range of heritage themes associated with the Park.	Appropriate signage is implemented throughout the Park in accordance with a Signage Strategy.	FR CS	Medium
		H.2	Support the Aboriginal dual naming project currently underway.	Aboriginal dual naming project considered.		High
		H.3	Investigate the implementation of interpretative options found within the Coal River Precinct Conservation and Tourism Management Plan for the Foreshore area. Options will need to be appropriate to maintain the functionality of the Park and consistent with the values and objectives of this Plan.	Consultation with Coal River Working Party undertaken and appropriate interpretation methods implemented.	FR SP Coal River Working Party	Medium
Connectivity	Improve sights lines and connection between Foreshore Park and the Convict Lumberyard	H.4	Investigate feasibility of western end of Bond St becoming a shared use zone.	Better sight lines between Foreshore Park and the Convict Lumberyard achieved.	FR IP	Medium
		H.5	Liaise with the licensee of the Earp Gilliam Bond Store carpark to negotiate a reduction in the length of the driveway and regrading the current retained wall and green space to a smooth transition to Bond St.	Increased use and knowledge of the Convict Lumberyard site.		High
		H.6	As part of the Signage Strategy, provide directional signage to the Convict Lumberyard to promote the community to visit the site.			Medium
	Improve connection between Foreshore Park and Fort Scratchley	H.7	As part of the Signage Strategy, provide directional signage to Fort Scratchley to promote the community to visit the site.	Increased usage and knowledge of Fort Scratchley.		Medium
		H.8	Investigate options to improve the pedestrian linkage between Foreshore Park and Fort Scratchley.	Improved pedestrian links.		Medium
Partnerships	Promotion of Heritage of Park and surrounding areas	H.9	Liaise with Newcastle Port Corporation to fund or co-fund interpretation of harbour activities and history, including the Pilot Station, the Tug Wharf and surrounding places of interest.	Consultation with Newcastle Port Corporation undertaken and a joint funded project agreed upon.	FR CS	Medium
		H.10	Liaise with the Coal River Working Party to fund or co-fund interpretation of the Macquarie Pier and the Coal River Precinct.	Consultation with the Coal River Working Party undertaken and a joint funded project agreed upon.	FR SP CS	Medium

Park Management

Key Management Principles:

- To manage the Foreshore as a city park and an accessible community asset.
- Deliver consistent high maintenance outcomes that reflect the regional significance of the Foreshore in accordance with developed service levels.
- To manage the Foreshore in a sustainable manner minimising consumption of energy and potable water and maximise opportunities for recycling of waste and water.

Key Objectives:

2.0 Encourage both informal and organised recreational use of the Foreshore.

5.0 Improve activation through promotion and appropriate development of the Foreshore.

7.0 Manage the Foreshore in an effective, efficient and sustainable manner.

Community Strategic Plan Strategies:

2.1a Improve waste minimisation and recycling practices in homes, work places, development sites and public spaces.

2.1b Investigate and implement alternate energy technologies such as wind, tidal, solar and harnessing landfill gas.

2.1d Maximise water efficiency and recycling through sensitive urban design, capturing stormwater, encouraging substitution of potable water with alternate supply and improving water usage behaviours.

5.1c Ensure the protection and enhancement of well located and connected open space with access to the foreshore, harbour, and waterways for the use and enjoyment of everyone.



Topic	Performance target (strategies)	Means of Achievement (Management actions)	Means of assessment	Lead responsibility	Priority
Role and Uses	Meeting the communities recreation and leisure needs	PM.1 Undertake monitoring and assessment of the usage and capacity of the Park and other facilities.	Audits of usage levels, licence and booking information.	FR SP	Ongoing
Operations and Administration	Manage Council onsite staff and associated facilities and equipment	PM.2 Consolidation of Council staff facilities, storage and equipment to the east of the Carriage Shed and public amenities building with screening to improve sight lines.	Staff storage consolidated, and park amenity improved. Feedback received	FR	Medium
	Maintain and improve the cleanliness and presentation of the Foreshore	PM.3 Monitor and review the current cleaning and maintenance schedule for the Foreshore to ensure park facilities and amenities are maintained to a high standard, with particular attention to toilets and path cleanliness.	Improved presentation and cleaning. Feedback received.	FR CW	Ongoing
Access	Vehicle access on the Foreshore	PM.4 Permit vehicle access onto the Park to Council maintenance vehicles, emergency vehicles, approved disability groups and special event operators.	No unauthorised access, reduced damage to park, new access points developed. Feedback received.	FR	Ongoing
		PM.5 Ensure vehicles take a variety of routes around the Park to avoid concentrating traffic and damaging frequently used routes.			
		PM.6 Ensure Council maintenance vehicles are parked within centralised staff area out of site when not in use for maintenance activities.			
		PM.7 Establish two additional vehicle access points onto Foreshore Park to limit the potential of pedestrian and vehicle conflict.			
	Reduce impact of special event use on the Park	PM.8 Manage special events to ensure amenity and access and financial sustainability is maintained at conclusion of events.	Public use of Park not affected once event is vacated. Reduced number of incidents.	FR SP	High
Sustainability	Reduce reliance on and use of mains electricity and potable water.	PM.9 Annually audit the park's energy and water consumption and identify actions to reduce usage, such as energy efficient lighting, solar power, stormwater harvesting and reuse or use of spear point.	Annual Audits undertaken. Actions completed and improvements undertaken.	FR IP	Ongoing
	Reduce general waste and increase recycling options.	PM.10 Operate a waste management system in the Park to include recycling. To be included in approval process.			Recycling bins provided. Reduction in general waste from the Park.
	Investigate external funding opportunities	PM.11 Investigate grant funding and partnership opportunities to offset new upgraded facilities and improvement costs.	Additional funding received to supplement Council funds.	FR	Ongoing
Partnerships	Maintenance of the rock sea wall and cleanliness	PM.12 Liaise with Roads and Maritime Services (RMS) regarding the maintenance responsibilities and inspections of the Rock Sea Wall along the Joy Cummings Promenade.	Sea Wall maintained.	IMS	High
Review and Delivery	Ensure the actions contained within this Plan of Management are implemented.	PM.13 Annually review the actions contained in the PoM and prioritise actions for the following year. Priority actions incorporated into the four year delivery program.	Actions prioritised from annual review and work schedule formulated.	FR	Ongoing

6.0 Implementation and review

6.1 Resourcing and implementation

This PoM contains a substantial list of management actions.

Many of these are management guidelines, providing policies or directions to guide future decision-making in regard to the park's management. Others address procedural matters.

However many are physical actions that will require the commitment of council funds or resources (such as staff time) to implement. Council does not have the capacity to undertake all of these, more resource-intensive, management actions immediately. Management and development of the Foreshore will ultimately be reliant on, and largely determined by, the funding and resources available to Council.

As such implementation of park management actions, and specifically those requiring significant resource commitments, must be evaluated against other Council priorities, budget cycles/allocations under Council's four year Delivery Plan, capital works program, business planning for Council's various units, and other competing interests.

The priorities assigned to each management action – as shown in the Management Actions Tables in Section 5 – reflect their relative importance and implementation timing in order to achieve the plan's objectives. They will aid in the selection of actions to resource, in the light of these financial and resourcing realities/constraints.

Many of the management actions identified are continuing or routine park management operations, or are policies and guidelines for application when the given issues or circumstances arise. However others are tangible works, many involving a considerable commitment of funds and resources, and so need to be programmed into a prioritised forward works schedule.

Recognising that funding and resources may come from many sources, including volunteer involvement or specific-purpose grant funding, identified management actions of different priority may proceed in differing orders or at different rates – and high priority actions need not necessarily precede lower-priority actions.

Implementation of some actions may also be contingent on or influenced by the results of other actions, changing management circumstances or opportunities to gain management efficiencies. In some cases, the resources to deliver a longer term action may be available before a high priority action. This may be due to the amount of money required, or the project being funded from resources other than council funds, or factors outside of Council's control.

6.2 Review

A comprehensive review of this PoM, in terms of the achievement of stated objectives and the implementation of actions, should be undertaken no later than five years after its adoption. A review of high and medium priority actions should be undertaken annually, to assess the priority within the Foreshore and against other areas of Council.



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Appendix A

Foreshore Asset Condition Assessment

10	An asset that has failed is no longer serviceable and should not remain in service. There would be an extreme risk in leaving the asset place in service.
9	An asset in extremely poor condition with severe serviceability problems and needing rehabilitation immediately. Could also be a risk to remain in service.
8	An asset in very poor overall condition with serviceability now being heavily impacted upon by the poor condition. Maintenance costs would be very high and the asset would be a point where it needed to be rehabilitated.
7	An asset in poor overall condition deterioration would be quite severe and would be starting to limit the serviceability of the asset. Maintenance costs would be high.
6	An asset in fair to poor overall condition. The condition deterioration would be quite obvious. Asset serviceability would now be affected and maintenance cost would be rising.
5	An asset in fair overall condition deterioration in condition would be obvious and there would be some serviceability loss.
4	An asset in good overall condition but with some obvious deterioration evident, serviceability would be impaired very slightly.
3	An asset in very good overall condition but with some early stages of deterioration evident, but the deterioration still minor in nature and causing no serviceability problems.
2	An asset in excellent overall condition. There would be only very slight condition decline but it would be obvious that the asset no longer in new condition.
1	A near new asset with no visible signs of deterioration often moved to condition 1 based upon the time since construction rather than observed condition decline.
0	A new asset or an asset recently rehabilitated back to new condition.

	Location	Asset No.	Facility Description	Condition	Notes/Usage
	The Foreshore	Various	Park Furniture	Range 0-5	Includes seating, tables, barbeques, rubbish bins bubblers, retaining walls, fences and monuments across the whole Park. Two rubbish bins were rated as 10.
	The Foreshore	Various	Other paths	Range 0-6	Mostly 2-3, with the path on the southern edge of the only path rated a 6.
	The Foreshore	Various	Shrubs and Gardens	Range 1-4	Mostly 2-3.
	The Foreshore	Various	Lawns	Range 2-4	
	The Foreshore	Various	Signage	Range 1-5	Includes interpretative, directional
	The Foreshore	Various	Trees	Range 2-6	Mostly 4.
	Joy Cummings Promenade	BU000513	Stormwater Outlet	Range 2-3	

	Location	Asset No.	Facility Description	Condition	Notes/Usage
	Joy Cummings Promenade	Unavailable	Merchant Mariners Memorial	3	
	Joy Cummings Promenade	Unavailable	Joy Cummings Promenade	Range 2-3	Assessment of promenade from western start of Honeysuckle precinct to the Stormwater outlet at Watt St. Promenade used for walking, jogging, cycling, skating, dog walking, and sitting on barrier,
	Foreshore Park	BU000212	Rail Carriageway Shed	Range 2-4	
	Foreshore Park	BU000213	Amenities Opposite Rail Carriage Shed	Range 2-3	
	Foreshore Park	BU000511	Gardeners Shed and Amenities	Range 2-4	
	Foreshore Park	BU000512	Customs House Fountain	3	
	Foreshore Park	Various	Customs House Forecourt	2	

	Location	Asset No.	Facility Description	Condition	Notes/Usage
	Foreshore Park	BU000514	Frog Pond	Range 2-3	
	Foreshore Park	BU000515	Paycar Shed	Range 2-4	
	Foreshore Park	BU000745	Playground Shade Shelter	Range 2-4	
	Foreshore Park	SF0000028	Playground	Range 2-3	
	Foreshore Park	Various	Railway Walk	3	Path that connects Customs House Forecourt to the Carriage Shed
	Camp Shortland	BU000612	Shade Shelter	Range 2-4	
	Camp Shortland	Unavailable	Nobbys Memorial	3	

Appendix B

Crown Lands Act 1989

The *Crown Lands Act 1989* governs the management of Crown Land. The Act aims to ensure Crown Land is managed for the benefit of the people of NSW, and has regard for the objects and principles of Crown Land management and the reserved public purpose. The public purpose of the Foreshore reservation is for Public Recreation, with Council appointed as Reserve Trust Manager in 1986. The principles of management in Section 11 of the Act are discussed in Section 3.1.2 of this Plan of Management. Further Sections of the Act relevant to this Plan of Management are:

10 Objects of Act

The objects of this Act are to ensure that Crown land is managed for the benefit of the people of New South Wales and in particular to provide for:

- (a) a proper assessment of Crown land,*
- (b) the management of Crown land having regard to the principles of Crown land management contained in this Act,*
- (c) the proper development and conservation of Crown land having regard to those principles,*
- (d) the regulation of the conditions under which Crown land is permitted to be occupied, used, sold, leased, licensed or otherwise dealt with,*
- (e) the reservation or dedication of Crown land for public purposes and the management and use of the reserved or dedicated land, and*
- (f) the collection, recording and dissemination of information in relation to Crown land.*

98 Application of Local Government Act where a council manages a reserve trust

(1) If a council is the manager of a reserve trust and the reserve (or the part of the reserve) is a public reserve, the trust has all the functions of a council under the Local Government Act 1993 in relation to public reserves.

(1A) However, the trust has no power to classify the public reserve or any part of it as operational land under the Local Government Act 1993 .

(2) This Act prevails to the extent of any inconsistency with the Local Government Act 1993 in relation to the public reserve and this section does not authorise a failure to comply with any provision of this Act.

(3) In this section,

“public reserve” has the same meaning as it has in the Local Government Act 1993

Appendix C

Other State and Commonwealth Legislation

Commonwealth Disability and Discrimination Act 1992

The *Disability and Discrimination Act 1992* provides legislation to promote the rights of people with disabilities. The objects of the Act in Section 3 of the Act are:

3 Objects

The objects of this Act are:

(a) to eliminate, as far as possible, discrimination against persons on the ground of disability in the areas of:

(i) work, accommodation, education, access to premises, clubs and sport; and

(ii) the provision of goods, facilities, services and land; and

(iii) existing laws; and

(iv) the administration of Commonwealth laws and programs; and

(b) to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community; and

(c) to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.

NSW Protection of the Environment Operations Act 1997

The *NSW Protection of the Environment Act 1997* addresses offences, air quality, water quality, pollution control and noise control. The objects of this Act under Section 3 are:

3 Objects of Act

The objects of this Act are as follows:

(a) to protect, restore and enhance the quality of the environment in New South Wales, having regard to the need to maintain ecologically sustainable development,

(b) to provide increased opportunities for public involvement and participation in environment protection,

(c) to ensure that the community has access to relevant and meaningful information about pollution,

(d) to reduce risks to human health and prevent the degradation of the environment by the use of mechanisms that promote the following:

(i) pollution prevention and cleaner production,

(ii) the reduction to harmless levels of the discharge of substances likely to cause harm to the environment,

(iia) the elimination of harmful wastes,

(iii) the reduction in the use of materials and the re-use, recovery or recycling of materials,

(iv) the making of progressive environmental improvements, including the reduction of pollution at source,

(v) the monitoring and reporting of environmental quality on a regular basis,

(e) to rationalise, simplify and strengthen the regulatory framework for environment protection,

(f) to improve the efficiency of administration of the environment protection legislation,

(g) to assist in the achievement of the objectives of the *Waste Avoidance and Resource Recovery Act 2001*.

NSW Roads Act 1993

The *NSW Roads Act 1993* legislates the use of public roads, the opening and closing of a public road, classification of roads, and the declaration of 'public authorities' (including local councils) as road authorities. The objects of this Act in Section 3 are:

3 Objects of Act

The objects of this Act are:

(a) to set out the rights of members of the public to pass along public roads, and

(b) to set out the rights of persons who own land adjoining a public road to have access to the public road, and

(c) to establish the procedures for the opening and

closing of a public road, and

(d) to provide for the classification of roads, and

(e) to provide for the declaration of RMS and other public authorities as roads authorities for both classified and unclassified roads, and

(f) to confer certain functions (in particular, the function of carrying out road work) on RMS and on other roads authorities, and

(g) to provide for the distribution of the functions conferred by this Act between RMS and other roads authorities, and

(h) to regulate the carrying out of various activities on public roads.

NSW Noxious Weeds Act 1993

The *NSW Noxious Weeds Act 1993* sets requirements for the control of declared noxious weeds. The objects of this Act in Section 3 are:

3 Objects of this Act

The objects of this Act are as follows:

(a) to reduce the negative impact of weeds on the economy, community and environment of this State by establishing control mechanisms to:

(i) prevent the establishment in this State of significant new weeds, and

(ii) prevent, eliminate or restrict the spread in this State of particular significant weeds, and

(iii) effectively manage widespread significant weeds in this State,

(b) to provide for the monitoring of and reporting on the effectiveness of the management of weeds in this State.

Appendix D

Audit of Actions 2000 Foreshore Plan of Management

Objective 1 – Management and Maintenance

Strategy – Review management and maintenance safety issues

Priority	Action	Status	Comments
High	review compliance with access audit	Complete	Completed in 2003
High	clarify and document events and maintenance co-ordination processes	Complete	This has been improved through communication between Events staff and Parks operations, and effective use of the Events Perfect system.
High	prepare a site plan for management purposes incorporating litter/recycling stations, power & water & stormwater	Incomplete	This was not undertaken
High	implement seven day presence of Council Staff	Complete	Has been operating for a number of years
High	upgrade existing planting and reduce shrub layer, add provision for shade	Ongoing	This action is progressing with the shrub layer recently lowered and thinned to assist in achieving CPTED. Shade sails cover the playground, but general shade in the park is limited
High	improve stormwater management	Incomplete	No improvements have been undertaken
Medium	review conservation of Frog Pond from salt water to fresh water and incorporate a water quality management programme,		
incorporating depth indicators	Incomplete	Not undertaken due to high cost of maintenance and capital to install pump system	
Medium	agree protocol with Hunter Waterways for Horseshoe Beach area	Incomplete	Not undertaken, the lease of this area has since lapsed.

Objective 2 – Circulation and Conflicting Usage

Strategy – Improve traffic management for periods of high use and during events

Priority	Action	Status	Comments
High	Implement a Traffic Management Plan for Area A (masterplan)	Incomplete	
High	Install pedestrian crossings to Wharf Road	Commenced	Pedestrian crossing has been built awaiting installation of lights prior to first use

Objective 3 – Existing Facilities

Strategy – Review role of existing facilities and gaps in existing facilities

Priority	Action	Status	Comments
High	Report on all existing park structures to determine retention use and management requirements	Incomplete	A condition report is completed for all major buildings within Newcastle, however this does not include analysis of fit for purpose in functionality and capacity
Medium	Implement a more effective use of existing buildings for staff, storage, amenities, maintenance, etc	Complete	The parks and events staff storage areas were exchanged to better cater to their requirements
Medium	Relocate and upgrade existing play facilities, investigate opportunity to incorporate site specific play and art works appropriate to The Foreshore to raise the level of presentation and meet regional usage demands	Partially	The playground has been replaced and improved however it is to a local level only and does not service regional demand and the users of Foreshore Park
Medium	Call for expressions of interest to develop a kiosk at the carriage shed and leased/licensed space for ice cream vendor, etc	Incomplete	The amenities and storage building at this location has recently been improved including upgrading of services specifically for an extension for a kiosk. Expressions of interest have not been completed and will now wait until the review of the PoM
Medium	Review function of the amphitheatre space, investigate improved alternate usage with due regard to noise levels and implement and effective standard of maintenance	Incomplete	The Camp Shortland area of The Foreshore is now being used more regularly as a concert space with improved noise monitoring and maintenance

Objective 4 – Presentation and Promotion

Strategy – Improve quality of fixtures and fittings within the park

Priority	Action	Status	Comments
High	Address urban design and presentation issues such as : interpretation of the layers of meaning within the park	Partially	More investigation is required to theme The Foreshore and relate recreation opportunities to usage
High	Develop park specific furniture including seating, lighting, bollards, play/art, etc	Partially	A suite of furniture style needs to be developed for the Foreshore in line with the Coastal and City Centre areas
Ongoing	Ensure surf club to Nobbys Headland remains free of visual obstruction	Complete	There are no built structures or landscaping that impedes views from The Foreshore to Nobby's Headland.
Ongoing	Maintain and enhance view corridor links to and from CBD	Complete	View corridors have been maintained and enhanced.
Not specified	Remove disparate, non functioning park objects and unsightly plantings	Ongoing	Some park objects and unsightly plantings have been removed, but additional work stills needs to be done in line with the theme of the park

Strategy – Develop promotion material for The Foreshore

Priority	Action	Status	Comments
High	Prepare an annual events calendar for The Foreshore	Complete	An events calendar is provided on Council's website and updated for special events across Council, including The Foreshore
High	Review fee structure for licence and leases	Complete	Fees and charges reviewed annually, structure has been reviewed for casual and special event licences. At this time there are no leases within the study area
High - Medium	Formulate a publicity/presentation strategy to promote The Foreshore	Partially	Council's Tourism and Economic Development Section actively promotes Newcastle as a destination for special events and tourism. Although there is not a specific strategy for The Foreshore, it is used on a consistent basis for special events and by casual users.

Appendix E

Local Government Act and Regulation

The *Local Government Act 1993* and the *Local Government (General) Regulation 2005* provide the legislation and guidance, respectively, for how Community Land is to be managed.

Local Government Act 1993

Sections 35-47 of the *Local Government Act 1993* specify on the use and management of Community Land and the preparation of Plans of Management. Section 36 of the Act provides the detail on generic and specific Plans of Management and the categorisation of Community Land. This detail can be found in Section 3.1.1 and 4.6 of this Foreshore Plan of Management.

Plans of Management are also required to authorise and future lease, licences and other estates over Community Land. Sections 46 and 47 of the Act identify the purposes and means for which these may be granted. This detail can be found in Section 5.3 of this Foreshore Plan of Management.

Draft Plans of Management are required to be publicly exhibited prior to adoption as per Sections 38 and 40 of the Act. This public exhibition is for a minimum of 28 days, with submissions to be submitted within 42 days (that is 14 days after the public exhibition period). Submissions received must be reviewed and amendments to the draft Plan of Management may be made in response to submissions prior to adoption of the Plan by Council. Substantial amendments require re-exhibition of the draft Plan of Management.

Local Government (General) Regulation 2005

Sections 102-117 of the *Local Government (General) Regulation 2005* provides guidelines on the categorisation of Community Land, adoption of PoMs and granting of leases, licences and other estates over Community Land. The relevant Sections for this Plan of Management are:

104 Guidelines for categorisation of land as a park

Land should be categorised as a park under section 36 (4) of the Act if the land is, or is proposed to be,

improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for 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.

106 Guidelines for categorisation of land as general community use

Land should be categorised as general community use under section 36 (4) of the Act if the land:

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

113 Preparation of draft plan of management where land is categorised in more than one category

A draft plan of management that categorises an area of community land, or parts of an area of community land, in more than one category must clearly identify the land or parts of the land and the separate categories (by a map or otherwise).

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

(1) For the purposes of section 46 (1) (b) (iii) of the Act, the use or occupation of community land for the following events is prescribed as a purpose in respect of which a council may grant a licence in respect of community land on a short-term, casual basis:

- (a) the playing of a musical instrument, or singing, for fee or reward,
- (b) engaging in a trade or business,
- (c) the playing of a lawful game or sport,
- (d) the delivery of a public address,
- (e) commercial photographic sessions,
- (f) picnics and private celebrations such as weddings and family gatherings,
- (g) filming sessions,

(h) the agistment of stock.

(2) However, the use or occupation of community land for events listed in subclause (1) is prescribed only if the use or occupation does not involve the erection of any building or structure of a permanent nature.

(3) For the purposes of section 46 (1) (b) (iii) of the Act, the use of any existing road or fire trail on community land:

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

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

is prescribed as a short-term, casual purpose.

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

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

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

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

(5) In this clause,

“existing road or fire trail” means a road or a fire trail that was in existence on 1 January 2001 (the date on which the Local Government (General) Amendment (Community Land) Regulation 2000 commenced).

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

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

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

(b) the provision of pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on the community land,

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

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

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

(iii) engaging in a trade or business,

(iv) playing of any lawful game or sport,

(v) delivering a public address,

(vi) conducting a commercial photographic session,

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

(viii) filming,

(d) a purpose referred to in clause 116 (3) or (4).

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

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

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

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

Appendix F

Permitted Facilities and Activities

Appendix F – Permitted Facilities and Activities

The following tables outline facilities and activities that may be approved at the Foreshore, with and without approval from Council.

☺ Denotes suitable activity or facility for the land category

Facilities that may be approved on Community Land	Park	General Community Use
Amenity buildings (toilets, , shelters, meeting and store rooms, change rooms)	☺	☺
Bubblers/drinking fountains/water refilling stations	☺	☺
Camping facilities (for temporary or approved use)	☺	☺
Car parking areas and access roads (associated with the use of the site)	☺	☺
Community facilities (education centre, information, community centres)	☺	☺
Community gardens	☺	☺
Cycle paths /shared paths and associated facilities (eg bike racks)	☺	☺
Drainage structures (water quality and stormwater management devices)	☺	☺
Fencing, bollards and gates	☺	☺
Floodlighting for security	☺	☺
Grassed open area for informal activities	☺	☺
Kiosks, cafes and outdoor dining	☺	☺
Landscaping, pergolas, raised gardens beds	☺	☺
Park entrance features, monuments, sculptures	☺	☺
Park maintenance facilities	☺	☺
Pathways, trails, boardwalks, bridges, steps, handrails, viewing platforms, lookouts	☺	☺
Picnic and barbecue facilities, seats, tables, shade structures, garbage and recycling bins, lighting, drinking fountains	☺	☺
Playgrounds, adventure playgrounds, exercise stations	☺	☺
Public art	☺	☺
Public toilets	☺	☺
Signage (interpretive, way finding, security, traffic, reserve name, compliance, advertising, temporary)	☺	☺
Stage performance areas, amphitheatres, rotundas	☺	☺
Stormwater pipelines and storage facilities for water reuse.	☺	☺
Temporary site sheds and compounds for storage of Council or public utility services equipment and plant relating to the construction or maintenance of infrastructure on or near the site. Site to be fully restored upon removal.	☺	☺
Utility mains, plant and other ancillary activities, including easements	☺	☺

Activities - permitted on Community Land not requiring approval	Park	General Community Use
Activities arranged under the auspice of bodies appointed by Council to manage designated areas or community facilities in accordance with this Plan of Management	☺	☺
Barbecues within constructed barbecue structures	☺	☺
Casual games, provided that the activity is not contrary to a reserve sign	☺	☺
Children's play	☺	☺
Helicopter landing by emergency services	☺	☺
Kite flying	☺	☺
Park Maintenance	☺	☺
Picnics by small groups – site not booked	☺	☺
Activities – permitted on Community Land with Council approval	Park	General Community Use
Camping by an approved community group (e.g. scouts)	☺	☺
Ceremonies (e.g. weddings, funerals)	☺	☺
Commercial classes (e.g. exercise)	☺	☺
Commercial photography/filming	☺	☺
Community garden activities	☺	☺
Concerts, movie screenings, cultural events	☺	☺
Educational activities	☺	☺
Exhibitions, demonstrations	☺	☺
Large scale gatherings	☺	☺
Markets and car boot sales	☺	☺
Orienteering and rogaining events	☺	☺
Private group activities on a booked site (e.g. family reunion, parties)	☺	☺
Volunteer activities associated with an approved group (e.g. Bushcare)	☺	☺
Registered vehicles, under supervision of officials in association with special events	☺	☺

