

# Burwood Council

# heritage • progress • pride



## WOODSTOCK PLAN OF MANAGEMENT

PO Box 240, BURWOOD NSW 1805 Suite 1, Level 2, 1-17 Elsie Street, BURWOOD NSW 2134 Phone: 9911-9911 Fax: 9911-9900 Email: <u>council@burwood.nsw.gov.au</u> Website: <u>www.burwood.nsw.gov.au</u>

Prepared by:

Environmental Partnership (NSW) Pty Ltd 2 River Street Birchgrove NSW 2041

P (02) 9555 1033 F (02) 9818 5292

admin@epnsw.com.au www.epnsw.com.au

Public Document Adopted by Council: 13 December, 2005 Minute No. 253/05 File: T.0995.000 Directory: S:\Policies - Corporate Guidelines - Corporate Procedures\Management Plans\Woodstock Plan of Management - December 2005.doc Ownership: Executive Services

### CONTENTS

#### PART ONE - PLAN OF MANAGEMENT

#### 1.0 Introduction

- 1.1 Background
- 1.2 Structure of the Document
- 1.3 Objectives
- 1.4 Study area at a glance

#### 2.0 Basis for Management

- 2.1 Methodology
- 2.2 Consultation
- 2.3 Community values and desired outcomes
- 2.4 Community land categorisation
- 2.5 How this plan satisfies principles of the Local Government Act

#### 3.0 Management Strategies

- 3.1 Vision
- 3.2 Management strategy and action framework
- 3.3 Detailed management policies
  - 3.3.1 Community Use and Recreation
  - 3.3.2 Leases and Licenses
  - 3.3.3 Access Management and parking
  - 3.3.4 Vegetation Management
  - 3.3.5 Heritage Management
  - 3.3.6 Facilities and Landscape Amenity
  - 3.3.7 Maintenance

#### 4.0 Implementation

- 4.1 Works Action Plan
- 4.2 Funding

#### PART TWO – BACKGROUND

- 5.0 The Resource
- 5.1 Heritage
- 5.2 Structures
- 5.3 Vegetation
- 5.4 Access
- 5.5 Landscape and visual character
- 5.6 Community use and recreation

#### 6.0 Relevant Background Information

- 6.1 Previous studies
- 6.2 Planning context
- 6.2.1 Commonwealth Legislation
- 6.2.2 State Government Legislation

#### 7.0 Appendix

A Bibliography

#### List of Figures

Figure 1	Study Area
Figure 2	Community Land Categorisation
Figure 5.1	Study Area
Figure 5.2	Access

#### 1.1 Background

The Woodstock Draft Plan of Management was commissioned by Burwood Council in August 2005, and was undertaken by Landscape Architectural consultants Environmental Partnership over August 2005 – September 2005.

Council wishes to provide for the most appropriate community use of the building and adjoining park areas to meet community needs. This must occur in the context of the buildings heritage significance.

Woodstock is considered to be of high heritage significance as an example of a gentlemen's villa associated with the expansion of the wealthy middle class into the Burwood area. Woodstock is also a representative example of the adaptive re-use of nineteenth century mansions for institutional and community uses throughout the twentieth century. Woodstock (house only) is currently listed in Council's Planning Scheme Ordinance as a historic building or structure.

The plan of management aims to provide a basis for guiding Council's community use, enhancement and maintenance of this heritage and open space asset and provide a an effective framework for day to day and long term decision making.

#### 1.2 Structure of the Document

The plan is structured in two key parts, part one providing the main management strategy, implementation and monitoring / review requirements for the site. The second part documents background information relevant to the preparation of the plan of management.

#### Part One Plan of Management

#### 2.0 Basis for Management

Outlines the plan of management process including the integration of consultation, and identifies community land categorisations applicable to the site along with identifying how the plan meets objectives for community land management as identified in the Local Government Act, 1993.

#### 3.0 Management Strategies

Identifies the resolution of an integrated approach to management of the site in which values, objectives and issues are analysed to provide the rationale for a range of strategies, which are listed under topics relevant to Council's day-to-day management of the site.

#### 4.0 Implementation

Sets out a plan of required actions for ongoing management.

#### 1.3 Objectives

The plan of management must address the fundamental requirements of the Local Government Act, which requires all community lands to be covered by a plan of management, which must identify:

- the category of the land (refer Section 2.4)
- objectives and outcomes for the land (refer Section 3.2)
- the means by which Council proposes to achieve objectives and outcomes (refer Section 3.2 and 3.3)
- the way by which Council proposes to assess its performance (refer Section 3.2).

The nature and use of community land may not change without an adopted plan of management.

Specific management strategies for the plan of management as identified in the Management Strategy Framework (refer 3.2) respond to an overall vision for Woodstock and adjoining parkland. The vision was resolved through a synthesis of values identified in the study team investigations and previous studies of the site:

Woodstock and adjoining parkland is to be conserved and enhanced as an important community heritage and recreation asset for the benefit and enjoyment of current and future generations.

Objectives provide a basis for long-term decision making in the park along with a framework evaluation for potential planning and management strategies.

#### **Summary Objectives**

Natural Environment

Established trees are protected and the continued health monitored and maintained. Garden bed planting should complement the heritage character of the site.

Heritage

Protection, recognition and ongoing adaptive reuse of building.

• Visual

Unique heritage character of park is maintained and impacts of adjoining housing minimized.

Social / Cultural

The park and its facilities ability to provide for social and recreational opportunities to a wide range of users is optimized.

#### Recreation / Park Use

Sustainable community uses incorporated in site building accommodation with adjoining park providing local passive parkland role.

Education

Cultural and historical heritage aspects of the park are effectively interpreted.

#### • Intrinsic

Appropriate provision of passive recreational facilities as well as equal access to park facilities.

Management and maintenance

A clean and well kept park is maintained for community use.

**1.4 Study Area at a Glance** The information following outlines key management details for the park.

	WOODSTOCK	
Address:	18-30 Church Street, Burwood	
Key components:	Lot 2 DP605138	
Ownership:	Burwood Council	
Care, control, management:	Burwood Council	
Relative land categorisation (Draft POM 2005)Park, General Community Use and Area of Cultural Significance		
Area:	1.198ha	
Zoning:	5 (a) Special Uses	
Assets:	Woodstock Community Centre	
Condition of buildings:	Woodstock Villa: Well maintained, but extensively altered	
	(Reference: Australian Heritage Database).	
	Fitzroy Centre (Army Building): Under demolition - August 2005	
Existing uses:	Community Centre	
	(Various uses and activities- rooms for hire etc)	
Leases / licenses:	Woodstock Villa, first floor room leased to Local Government Community Services Association (LGCSA)	
Caveats / easements:	N/A	

The basis for management describes the approach to determining management strategies for the site. This includes consultation and the identification of values and desired outcomes, based on consultation and the outcomes of Section 5.0 The Resource.

#### 2.1 Methodology

In accordance with the guidelines established in "Succeeding with Plans of Management" (DLWC / Manidis Roberts 1996), the Woodstock Plan of Management has been prepared based on a "values based approach". Using values as the foundation of the Plan of Management process ensures the plan will remain valid for longer.

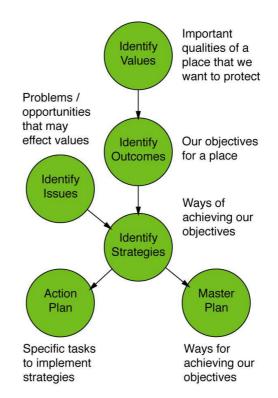
Alternatively an issues based approach (as often followed in plan preparation in the past) whilst dealing effectively with the issues of the day has no flexibility to deal with new issues that arise over time, and may quickly become out of date. This is "based on the assumption that community values change at a much slower rate than issues" (DLWC / Manidis Roberts 1996).

The identification of values for Woodstock has provided a foundation for decision making which enables each step in plan preparation to relate and cross reference back to the established values.

Through a synthesis of the findings of the preceding review and assessment phase, a basis for management has been resolved that identifies:

- values and roles of Woodstock;
- issues and opportunities to be addressed in developing, planning and management strategies; and
- desired outcomes for the Plan of Management.

The diagram below outlines the key steps in preparing the Plan of Management.



#### 2.2 Consultation

The plan of management process benefits from the integration of community consultation in resolving the most effective management responses to identified community needs and values.

The community has been informed on the progress of the plan of management through Council's website, email, newspaper advertisements and by direct mailout. In addition Council will place the draft plan of management on public exhibition to seek broad community comment to meet the requirements of the Local Government Act 1993 (and Community Lands Amendment 1998). This will involve a minimum 4 week exhibition period with a further two weeks for receipt of responses (total 42 days).

#### 2.2.1 Public Exhibition

Key outcomes of the public exhibition phase will be identified following the exhibition and review of responses by Council.

A summary of exhibition responses will be included in the appendix, which identifies key issues raised and the proposed actions arising.

#### 2.3 Community values and desired outcomes

Values

Values, are the features / qualities of the open space and facilities that should be developed and promoted. Desired outcomes (also known as goals and aims) are objectives for the park that provide a basis for decision making.

The values and desired outcomes as listed in the Management Strategy Framework were developed by the study team through a synthesis of study team investigations as outlined in Section 5.0 The Resource.

Values are listed in the Framework under key topics (as established in Succeeding with Plans of Management, DLWC and Manidis Roberts) ranging from higher priority to lower with each topic.

#### 2.4 Community Land Categorisation

All Council property classified as Community lands are required to be categorised in accordance with the guidelines for categorisation listed in the Local Government (General) Regulation (cl. 9-19). Management of the land must reinforce and reflect the core objectives for community land listed in the Local Government Act (s. 36E-N).

Refer the table below for a summary of respective guidelines for categorisation and core objectives. The diagram on the following page identifies the relative community land categorisations and their extent as they relate to the site.

Category	Guidelines for Categorisation	Core Objectives for Community Land Categories
Park	The land is used or 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 on the land by others	<ul> <li>(a) Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities;</li> <li>(b) Provide for passive recreational activities and pastimes and for the casual playing of games;</li> <li>(c) Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management. (Clause 36G)</li> </ul>
General Community Use	<ul> <li>The land may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public; and</li> </ul>	Promote, encourage and provide for the use of the land, and provide facilities on the land to meet the current and future needs of the local community and the wider public in relation to:
	<ul> <li>Is not required to be categorised as a natural area and does not satisfy the guidelines for categorisation as a natural area, sportsground, park or an area of cultural significance.</li> </ul>	<ul> <li>a) public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public; and</li> <li>b) purposes for which a lease, license or other estate may be granted in respect of the land (other than the provision of public)</li> </ul>
		facilities) (Clause 36I)
Area of Cultural Significance	• The land is an area of historical significance, because of the importance of an association or position of the land in the evolving pattern of Australian cultural history.	<ul> <li>Retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical, research or social significance) for past, present or future generations by the active</li> </ul>
	<ul> <li>The land is an area of technical or research significance, because of the area's contribution to an understanding of Australia's cultural history or environment.</li> </ul>	use of conservation methods
	• The land is an area of social significance, because of the area's association with Aboriginal life after 1788 or the area's association with a contemporary community for social, spiritual or other reasons.	

2.5 How this Plan of Management satisfies the objectives of Community lands categorisation (s.36 of *Local Government Amendment Act*) The following table summarises the core objectives of the Community Land Categorisation for Park, General Community Use and Areas of Cultural Significance, and identifies how this plan of management addresses them.

Category	Core	e Objectives		w this Plan of Management Iresses the objectives
Park	(a)	Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities;	•	The site shall continue to cater for a broad range of community users Enhanced provision for passive recreation activities
	(b)	Provide for passive recreational activities and pastimes and for the casual playing of games;	•	Community Centre will continue to offer unique cultural, social and educational opportunities for
	(c)	Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.		the local and wider community
		(Clause 36G)		
General Community Use		Promote, encourage and provide for the use of the land, and provide facilities on the land to meet the current and future needs of the local community and the wider public in relation to:	•	Woodstock managed and conserved as important heritage asset Recognition of social / community role of building through retention and enhancement of its ongoing
	a)	public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public; and	•	role for activities / uses of community / social benefit compatible with its heritage fabric Leasing / licensing must be in
	b)	purposes for which a lease, license or other estate may be granted in respect of the land (other than the provision of public facilities)		accordance with the Local Government Act 1993 and the requirements of the Burwood Draft Open Space LEP 2005
		(Clause 36I)		
Area of Cultural Significance		Retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical,	•	The building is to be managed and maintained to conserve its heritage fabric and to optimize its interpretational role to the community
		research or social significance) for past, present or future generations by the active use of conservation methods	٠	The management and maintenance of the parkland setting adjoining Woodstock shall recognize the buildings heritage significance and support and conserve its interpretation
			•	Appropriate community use will be provided to reflect the buildings historic, social and community role

Management objectives and policies will provide Council and those involved in management and maintenance of the open space with a framework for decision making, and for design and implementation of open space improvements.

#### 3.1 Vision

The overall vision for Woodstock has been developed through a synthesis of values as identified in the community workshop and study team investigations.

#### **Overall Vision:**

Woodstock and adjoining parkland is to be conserved and enhanced as an important community heritage and recreation asset for the benefit and enjoyment of current and future generations.

#### 3.2 Management Strategy Framework

The framework provides the rationale for decision making for open space and related improvements evolving over the next 10 - 15 years. The framework also provides the basis for the establishment of strategies and policies for the ongoing management of the park.

Strategies as identified in the framework are translated into management policies as listed under relevant topics for day-to-day open space management in Section 3.3/

#### 3.2.1 Definitions

The management strategy framework describes the process of developing recommended management responses under the following headings:

#### **Objectives**

*Values:* are the features / qualities of the park that should be developed or enhanced, and for which measurable outcomes should be established.

*Desired outcomes:* are objectives for the identified park values that provide a basis and direction to decision making.

#### Pressures and Opportunities

Pressures may include impacts on the land or environment, and potential conflicts between users or usage and other qualities of the site. Opportunities are the qualities of the site which make it suitable for natural value connection / enhancement, for community or recreational uses or activities, and which may not be fully realised at present.

#### Means

Strategies and actions to achieve the desired outcome.

#### Priority

Provides outline prioritisation of strategies based on community concerns and environmental and heritage management issues. Includes:

High (H):	target within 2 years
Medium (M):	target within 2-5 years
Low (L):	target within 2-8 years

#### Assessment

*Performance criteria*: are physical / measurable effects of the desired outcomes usually driving monitoring programs.

Monitoring technique: How the performance criteria are monitored.

#### Framework Categories

The framework presents the above as a series of site specific categories aimed to provide commentary across Council's site specific open space planning strategies (based upon Succeeding with Plans of Management – DLWC and Manidis Roberts):

#### Natural Environment

Physical and environmental factors relating to site quality and usage.

#### Heritage

Conservation significance of the historical fabric.

#### Visual

Relationship of the park to surrounding areas in terms of internal views and views into and out of the site area.

#### Social / Cultural

Factors relating to the role of the site as an amenity for social interaction and use.

#### Recreation / park use

Usage of the site for passive and active pursuits.

#### Education

Role of the site as a community educational resource.

#### Intrinsic

Specific factors contributing to site identity and character.

#### Management and maintenance

Factors relating to open space management and maintenance.

As noted previously strategies identified in the framework are translated into easily accessible management policy statements under the day to day categories of park management relevance in Section 3.3.

#### 3.2.2 Framework

	Obje	ctives	Pressures and Opportunities		Means (Strategies)	Priority	Assessment	
	Values	Desired Outcome					Performance criteria	Monitoring technique
1	NATURAL ENVIRONMENT			1				
1.1	Established trees within the park provide visual and recreational amenity	Protect established trees to park	Established trees enhance park character and user amenity	1.1.1	Undertake regular arborists assessment and implement maintenance / repair works as required	Н	Health, condition and appearance of trees	Annual arborists assessment Community comments reports
		Optimal health of existing trees maintained		1.1.2	Investigate potential for tree replacement programme as trees grow older and health of existing trees may decline	Н		
1.2	Garden bed planting	Retain appropriate garden bed planting which complements park heritage character	Excessive garden bed planting can create high recurrent maintenance requirements	1.2.1	Rationalise plant species to garden beds as appropriate to strengthen visual themes and identity compatible with heritage management goals	Н	Visual appearance and condition of garden beds	Landscape Review Community comments reports
2	HERITAGE	I		1			ł	1
2.1	Woodstock Building	Protection, recognition and ongoing adaptive reuse of building	Woodstock building has high heritage significance as an example of a gentlemen's villa associated with the expansion of the wealthy middle class into	2.1.1	Conserve and protect Woodstock as a heritage asset	Н	Heritage integrity of building is conserved	Applications for provis of facilities
			the Burwood area					Heritage architectural assessment of applications
				2.1.2	Maintain and conserve parkland setting through management of uses, landscape improvements and maintenance to provide appropriate curtilage to heritage building that complements community use and aids heritage interpretation	Μ	Park setting aids interpretation of Woodstock heritage and the social history of the area	Community comments Monitoring community statements / awarene
			Woodstock heritage significance includes its adaption for institutional and community uses in twentieth century	2.1.3	Sustain community / social uses in Woodstock as effective reference to its historic use and adaption	Н	Community use	Presence of active an viable community use
			Ongoing provision of Community Centre role could impact building structure, character and appearance	2.1.4	Ensure continued adaptive reuse of the Community Centre does not jeopardise the heritage integrity of the building fabric	Н	Integrity of heritage fabric	Review of any propos for facilities by heritag architect
								Community comments
		Clear conservation management direction	Lack of conservation management detail for building fabric	2.2.1	Consider provision of conservation management plan for Woodstock Villa to identify any required building management / maintenance programs that should be applied	н	Availability of conservation management detail	Completion of conservation management plan
3	VISUAL							
3.1	Green Open Space	Maintain green open space in context of surrounding urban environment	Open park areas provide visual relief, recreation opportunities, and curtilage to heritage building	3.1.1	Conserve open park areas into the future	М	Open, usable park space maintained	Monitoring by Council Landscape Architect
				3.1.2	Monitor potential opportunities to consolidate park area in future	L	Usable park area extended	Monitor opportunities land acquisition
3.2	Unique park character	Unique heritage character of park is	Park site has a unique and significant history for the Burwood community	3.2.1	Building and park landscape setting is preserved and maintained as heritage asset	Н	Park character maintained	Monitoring by Counci Landscape Architect

#### 3.2.2 Framework

	Obje	ctives	Pressures and Opportunities	No	Means (Strategies)	Priority	Assessment	
	Values	Desired Outcome					Performance criteria	Monitoring technique
		conserved						
3.3	Residential amenity	Impacts of adjoining housing minimised	Residential property fence lines adjoin the site to several park edges	3.3.1	Visual impact of fence lines is minimised on character of the park where appropriate	М	Impact of residential properties minimised	Visual assessment Community comments
4	SOCIAL / CULTURAL	L.		1			ŀ	1
4.1	Social Equity	The value of the site in catering for community / social needs is optimised	Inadequate child care facilities in Burwood	4.1.1	Use of buildings on site to meet community needs for child care facilities to be pursued as compatible use to history of site	н	Community need for child care facilities partly addressed	Facilities provided
				4.1.2	Usage to have regard for heritage fabric of site – integrate to lease / licence conditions			
4.2	Shared community use	The park and its facilities provide social recreational opportunities to the local and wider community	Park and Community Centre is potentially used by a wide range of users and community groups	4.2.1	Park and Community Centre managed to encourage community use	Н	Community use of park and its facilities encouraged	Level of use Community comments
4.3	Diversity of the Burwood Community	Park provides for use by a wide range of users including a variety of cultural groups and ages	Potential conflicts between social / community uses and local residential amenity / use of park	4.3.1	Park and Community Centre managed and monitored to limit potential user conflicts - noise - operating hours - carparking	М	Level of conflict	Community comments / reports Council monitoring
4.4	Engagement of Community	Community is included in ongoing development and management of the park and its facilities	Burwood Council recreation Study 2001 identified issues regarding management and staffing structure of Community Centre	4.4.1	Undertake management and staffing review as recommended in Recreation Study 2001	Н	Improved management structure	Community comments / reports Staff comments
5	RECREATION / PARK USE			<u> </u>				
5.1	Passive Recreation	Passive recreation as primary park use	Park currently provides 'green' relief within surrounding urban context	5.1.1	Provision and upgrade of passive recreation facilities including seating whilst maintaining 'low key' character	М	Provision of adequate facilities	Community comments / reports
5.2	Children's Play	Informal and formal play opportunities fro children of all ages	Existing playground facilities are outdated and require replacement	5.2.1	Children's play equipment to be updated to conform with Australian Standards guidelines	Н	Play equipment meets Australian Standards	Implementation Community comments / reports
5.3	Community events	Woodstock Community Centre and park setting provides opportunity for local community events	Provision for community events may have impact on park / local residents	5.3.1	Provision for community events limited to ensure compatibility with local residential and park amenity	М	Sustainable event use of facility	Community comments / reports

6	EDUCATION							
6.1		Cultural and historical heritage aspects of the	The cultural heritage aspects of the park offer	6.1.1	Prepare coordinated interpretive strategy	М	Implementation of	Implementation

## 3.0 MANAGEMENT STRATEGIES

#### 3.2.2 Framework

	Objectives		Pressures and Opportunities No		lo Means (Strategies)		Assessment	
	Values	Desired Outcome					Performance criteria	Monitoring technique
		park are effectively interpreted	potential for interpretation		incorporating all historical aspects of the site		interpretive strategy	
				6.1.2	Implement interpretive measures including signage	L	Implementation of interpretation	Community Comments and awareness
7	INTRINSIC						<u> </u>	<u> </u>
7.1	Accessible Park	Equal access to park and facilities	There are currently a wide range of users with varying degrees of mobility utilising the park	7.1.1	Provide equal access opportunities to all park users including Woodstock	н	Provision of equal access	Implementation / provision
								Community comments
7.2	Provision for passive recreational facilities	Appropriate provision of passive recreational facilities	Park furniture requires upgrading and unification across park landscape	7.2.1	Rationalise park furniture to provide coordinated landscape theme and improved siting (coordinate with Item 5.1.1)	М	Unified furniture theme	Implementation
	MANAGEMENT / MAINTENANCE				1			
8.1	Maintenance	A clean and well kept park	Primary local park role	8.1.1	Provide limited bin facilities in park reflecting primarily local recreational role	н	Provision of adequate bins for visitor convenience	Implementation, visual assessment
8.2	Funding	Staged implementation programme addresses community and environmental priorities	Funding for improvement works needs to be confirmed / established Potential for external funding through State Government programmes (eg. Metropolitan Greenspace, Heritage Commission, etc)	8.2.1	Staged action plan to provide basis for seeking of external funding	Н	Availability for funding for park improvements	Awarding of various funding grants
				8.2.2	Income from lease / licence for child care should assist in heritage / open space management of site	н	Funding availability for heritage management and open space enhancement	Availability of funding

#### 3.3 Detailed Management Strategies

The following management policies detail the strategies as identified in the management strategy framework as specific requirements within the open space management categories into which they will fall for day to day Council decision making, planning, and programming.

## 3.3.1 Community Use and Recreation *General*

The site is recognized as an important community / social resource within the Burwood local area, along with providing for local passive recreational activity and use by local residents.

#### **Detailed Policies**

- Retain Community Centre use as use reflective and complementary to the sites heritage significance
- Investigate potential replacement of previous Fitzroy Centre building site to provide for identified community users (eg child care) this site was formerly a community building and its redevelopment complements the existing layout and history of the site
- Undertake Community Centre management and staffing review as recommended in Burwood Council Recreation Study 2001, to ensure maximum potential of facilities and services is achieved
- Encourage a sustainable diversity of community activities compatible with carrying capacity of the site through management and programming structure
- Community Centre to be managed to limit potential conflicts with park and resident amenity and to encourage wide community use
- Consider feasibility of development of new park facilities (eg potential kiosk) to support park use and local recreational and community amenity

## 3.3.2 Leases and Licenses *General*

#### What are leases, licences and other estates?

The Local Government Act, 1993 allows Council to grant leases, licences and other estates over all or part of community land. Leases and licences are a method of formalising the use of land and facilities. Leases and licences can be held by groups such as community organisations and schools, and by commercial organisations or individuals providing facilities and/or services for profit.

A lease will be typically required where exclusive use or control of all or part of a park is desirable for effective management. A lease may also be required due to the scale of investment in facilities, the necessity for security measures, or where the relationship between a major user and facilities in the park justifies such security of tenure.

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of the park is proposed. A number of licences for different users can apply to the same area at the same time, provided there is no conflict of interest.

The definition of "estate", under Section 21 of the Interpretation Act, 1987, includes other rights over land, such as easements, including "interest, charge, right, title, claim, demand, lien and encumbrance, whether at law or in equity".

#### 3.3.2 Leases and Licenses (Continued)

Key assessment criteria for provision of leases or licenses will include:

#### Local Government Act

The act requires that any proposed lease is advertised and community comment sought. The comment must be considered, and a lease should not proceed if Council has received an objection to the proposed lease other, than with the Minister (administering the Local Government Act) consent. (Clause 46-47)

#### Burwood Draft Open Space LEP 2005

The Burwood Draft Open Space LEP 2005 identifies that uses on Community Lands can be considered on the basis that the use:

- i. Enhances the public use of the reserve;
- ii. Preserves the integrity of the reserve in terms of its public purpose and environmental qualities;
- iii. Substantially preserves the public's right to access
- Any events or uses proposed on the land do not result in the loss of significant plants or trees to facilitate the development;
- v. Regard has been given to minimizing environmental impacts from the use; and
- vi. The event or use is designed in such a way that it integrates with the character of the land in which it is situated.

The Draft Open Space LEP identifies the terms and conditions of a lease, licence or other estate should generally reflect the interests of Council and the public, and ensure proper management and maintenance.

#### b) Leases / Licenses Applicable to Parks

The Burwood Draft Open Space LEP 2005 identifies community uses that may be considered in Community Lands open space generally to include:

- Childcare centres
- Community markets
- Club
- Festivals
- Place of assembly
- Refreshment room

In regard to granting such a licence, Council must take into consideration the following matters:

- Whether the use/activity is in the public interest.
- Whether the use/activity would not cause any significant detrimental impact on the park or on the local community.
- No permanent buildings or structures may be erected.

In this context leases will be considered by Council when the proposed use meets the conditions set out in the Burwood Draft Open Space LEP 2005.

For Woodstock and the adjoining park area, Council's consideration of any potential leases / licences must consider the relationship / impact of such uses on the heritage conservation and fabric, and on local residential amenity.

Leases / licences for ongoing usage of Woodstock for community facilities and uses not only support and complement the heritage significance of the building, but address an identified need for the Burwood LGA. Leases / licences for community child care facilities are expressly authorised by this plan of management, with other uses as identified in Council's Draft Open Space LEP 2005, to be subject to heritage assessment prior to consideration and public exhibition. Redevelopment of a building on the site of the previous Fitzroy Centre would enable Council to address community needs (eg child care) compatible and complementary to adaptive reuse of Woodstock.

## 3.3.3 Access Management and Parking *General*

Access to the park is a strong influence on park layout and character. Established access patterns are generally acceptable and should be retained. Equal access opportunities are important given the potential diversity of park users from local to district. Carparking facilities should be appropriate to the level of park use. And will be primarily generated by the Woodstock community uses.

#### **Detailed Policies**

Access

- Maintain park entries including garden beds with a consistent and identifiable treatment
- Cater for disabled suitable access where possible improve accessible path link from Church Street
- Encourage pedestrian and cycle access to Woodstock community facilities close proximity to Burwood Road and to local residential community

#### Parking

- Prevent unauthorised vehicle access, whilst maintaining controlled access to maintenance and emergency vehicles
- Continue provision of appropriate level of car parking associated with Woodstock
   uses and Council requirements
- Monitor impacts of vehicular access and parking to Fitzroy Street and adjoining streets

#### 3.3.4 Vegetation Management

#### General

The existing site vegetation is the fundamental determinant of park character and identity. Management to conserve vegetation quality and health, and to plan for future senescence of tree canopy are key management requirements.

#### **Detailed Policies**

Trees

- Management of the mature trees within this park involves several phases including initial pruning works to reduce hazards, ongoing routine maintenance and monitoring of their health and condition
- Pruning will be required to ensure all deadwood over public footpaths and open space areas is carried out to minimize damage to property or injury to people
- All mature trees should be inspected by an experienced and competent Arborist at least once each year
- Trees should be inspected after any major storm event eg. gale force winds, excessive or prolonged rain periods, or significant electrical storms

#### Garden Beds

- Ensure that any planting removed to garden beds is promptly replaced with appropriate plant species to minimize visual impact of 'bare patches' to garden beds
- Council to review garden bed plantings to remove any species inappropriate to community park use (eg too high to maintain passive surveillance) or significantly incompatible with heritage character of Woodstock

#### Lawns

Review existing worn grass areas to determine reasons for excessive wear (eg access, compaction etc) – review potential access / planting area revisions to curtail access and upgrade grass / soil conditions

#### 3.3.5 Heritage Management General

The Woodstock Villa site has high heritage significance and should be conserved and managed as an important Burwood heritage asset.

#### **Detailed Policies**

- Recognise social / community adaptive reuse of Woodstock Villa as an appropriate and heritage relevant management strategy reflecting its 20<sup>th</sup> century adaptation from residential use
- Ongoing adaptive reuse of the Woodstock Community Centre to consider heritage fabric and integrity of building façade and interiors, and avoiding adverse impacts
- Consider preparation of Conservation Management Plan for Woodstock Villa to guide ongoing maintenance and assist in management of adaptive community uses
- Prepare consolidated approach to interpretation of heritage significance and enhancement of community awareness
- Review potential to incorporate interpretive signage within park to encourage user awareness of the sites historical importance
- Undertake heritage architectural assessment prior to any building refurbishment works

#### 3.3.6 Facilities and Landscape Amenity

General

Park facilities and landscape should provide appropriate levels of user comfort and amenity.

#### **Detailed Policies**

- Investigate opportunities for review of park furniture facilities to provide a unified theme compatible with heritage character and interpretation of Woodstock that caters for user needs and relates to the heritage character of the site
- Review location and footprint of play areas to optimise appearance and effectiveness
- Children's play equipment to be updated to conform to Australian Standards guidelines
- Improve landscape treatment of entry / circulation area related to public toilets
- Monitor potential to interpret past entry drive in existing grassed frontage to Church Street (eg markers)

#### 3.3.7 Maintenance General

Park quality and maintenance to meet user expectations.

#### **Detailed Policies**

#### Maintenance

- Any new park development to incorporate design and material finishes that provide long term durability
- A high level of maintenance is sustained to the Woodstock Community Centre to conserve and protect heritage fabric.
- Review walling / edging treatments as funding allows to provide improved design / function and materials compatible with heritage character
- Review pavement materials as funding allows to provide improved design / function and materials compatible with heritage character
- Improve landscape treatment of bin storage near toilets
- Review potential for additional tree planting adjoining southern boundary to enhance visual character (subject to overshadowing review)

#### 4.1 Works Action Plan

The Works Action Plan identifies tasks and areas of work, which need to be addressed in order to implement the park enhancement works and management requirements. It is essential that the Works Action Plans involve the active participation of all relevant departments of Burwood Council along with appropriate community groups.

The Works Action Plans are in the form of a schedule that:

- Establishes recommended priorities for worked items;
- Describes the detailed activities required including pre-construction elements for capital works items;
- Describes the nature of actions required (capital works, policy review, management action, liaison action);
- Recommends possible sources of funding for the works; and
- Notes specific comments relating to the implementation of that item.

No.	ltem	Priority	Indicative Cost Estimate	Description	Possible Resources (funding and technical inputs)
1.0 P	lanning / Investigatio	on			
1.1	Conservation Management Plan	High	\$8,000	<ul> <li>Prepare brief</li> <li>Community consultation</li> <li>Prepare coordinated interpretation strategy integrating all heritage themes and outlining interpretive elements</li> </ul>	Heritage Council Burwood Council
1.2	Interpretive Strategy	Medium	\$3-6,000	<ul> <li>Prepare brief</li> <li>Community consultation</li> <li>Prepare coordinated interpretation strategy integrating all heritage themes and outlining interpretive elements</li> </ul>	Heritage Council Burwood Council
2.0 N	lanagement Policy				
2.1	Community Centre management review	High	Council	<ul> <li>Prepare brief</li> <li>Commission consultant</li> <li>Implement recommendations</li> </ul>	Burwood Council
3.0 C	apital Works				
3.1	Playground upgrade	High	\$50-100,000	<ul> <li>Review design arrangement of playground</li> <li>Implement new equipment</li> <li>Implement new playground surface</li> </ul>	Burwood Council
3.2	Furniture upgrade	Low	\$15,000	<ul> <li>Review design siting of furniture</li> <li>Review coordinated furniture palette</li> <li>Implement works</li> </ul>	Burwood Council
3.3	Interpretive signage	Low	\$10-20,000	Fabricate signage	Heritage Council
				Implement on site	Burwood Council
3.4	Walling replacement	Low	\$30,000	<ul><li>Design</li><li>Implement works</li></ul>	Burwood Council
3.5	Pavement upgrade	Low	\$100,000	Design     Implement works	Burwood Council
3.6	Fence upgrade	Low	\$40,000	<ul> <li>Design</li> <li>Liaison with neighbours</li> <li>Implementation</li> </ul>	Burwood Council
3.7	Formailsation / upgrading of carparking area	Medium	\$150,000	<ul> <li>Design works – layout and edge detailing / barriers</li> <li>Implement works</li> </ul>	Burwood Council

**4.2 Implementation funding for improvement works** In addition to funds available from Council's capital works program and maintenance budgets, there are opportunities for grants and corporate sponsorship that could contribute to the completion of development works to the Woodstock.

The review below outlines applicable sources of external funding that should be pursued by both Council and the park's active stakeholders, to hasten the progress of park improvements.

The most applicable sources of funding are listed below, summarising these funding bodies and relevant application criteria.

Name of grant	Purpose	Administrating agency	Scope and limits of assistance
Public Reserves Management Fund Programme - Local Parks and Reserves Public Reserves Management fund Programme - Showgrounds Assistance Scheme	Improvements to Crown Reserves	NSW Department of Lands	Dollar for dollar funding but level of assistance is limited.
Job Skills	Over 21 year old trained labour for revegetation work	Dept. of Employment, Education and Training	Labour to assist in documented revegetation work. Grant covers funding for a co- ordinator and approx. 20 trainee staff for 12 months.
Heritage 2001	Funding for physical conservation works on heritage sites & structures	NSW Heritage Office	Additional funding for items being directly from State Treasury. Capital works/project specific funding only, with expectation that Council or other authority will manage and maintain.
Metropolitan Greenspace	Funding for development and enhancement of open space	Planning NSW	1 million plus total per year - average funding \$50-100,000.00 on dollar for dollar basis with council.
Australian Government Envirofund	Conserve Australia's environment and natural resources	Natural Heritage Trust	Grants of up to \$30,000.00 to carry out on ground actions to target local problems

## Part Two BACKGROUND INFORMATION

This section provides a review of the existing and past physical and cultural character of the site as a means of understanding its key values to the community and major issues for management.







#### 5.1 Heritage

In pre-European times the park site can be expected to have consisted of generally gently undulating landform, comprising of clays from the Wianamatta Shales of the Cumberland Plain. The area would have supported open forest vegetation dominated by Turpentine-Ironbark species.

The Burwood and Croydon areas were occupied by the Aboriginal Wangal clan which was part of the Darug tribe. Due to both environmental factors and the extensive clearing undertaken in the early part of European settlement, no Aboriginal relics have been identified in the area. The Burwood region was an important part of the Wangal clan's territory due to its location between both the Cooks and Parramatta Rivers. The area (especially the estuarine sections) adjoining the rivers would have been frequently used to gather plant foods and for hunting.

The Woodstock Villa was constructed on the site in the 1870's as an estate for a wealthy tobacco manufacturer. Over the years the building and adjoining site has passed through several phases of usage from residential, to military, to more recently adaptive reuse for community functions including a migrant hostel.

A heritage statement of significance was undertaken by Clive Lucas, Stapleton & Partners Pty Ltd in July 2005 which provides a brief history of the site and the following statement of significance. The Woodstock Community Centre is included in the Burwood Council Planning Scheme Ordinance 1979, and is also listed on the Register of the National Estate and Register of the National Trust of Australia.

#### **Summary Statement of Heritage Significance**

The Statement of Significance prepared in July 2005, provided the following summary of the site's significance:

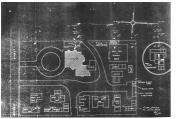
Woodstock is an interesting example of an early Victorian villa with late Victorian and Federation period alterations. Its adaptive re-use for institutional and community uses in the latter half of the twentieth century adds to its interest. The original external form of Woodstock is a representative example of a gentleman's villa associated with the expansion of the wealthy middle class into the Burwood area (c 1850-70).

The house and grounds are aesthetically significant, particularly views of the place from Church Street and from the west. It is associated with numerous individuals of historic note, including E T Penfold, Sir Arthur Renwick, Josiah Mullins, and Edward Scholes. Through it's later adaptation for use as an Australian Women's Army Service depot and the Broughton Migrant Hostel, the place is associated with (and may be held in esteem by) groups and individuals who lived or worked during and after World War II.

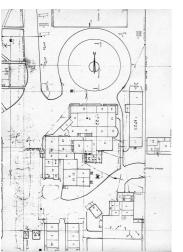
#### **Historical Overview Timeline**



Woodstock, date unknown.



Plan of buildings added to the site during the army's occupation in 1942



The following timeline and photographs have been derived from the Statement of Significance prepared by Clive Lucas, Stapleton & Partners.

- Pre 1788 Burwood generally was an area of native Turpentine-Ironbark forest vegetation, comprising clays derived from the Wianamatta Shales. The area was inhabited by the Aboriginal Wangal clan of the Darug tribe
- 1788 Arrival of Europeans and progressive occupation of Aboriginal lands.
- 1873 Woodstock constructed for ET Penfold, one of Australia's largest tobacco manufacturers and the Magistrate for the colony in 1868.
- 1885 Additions were made to the original building configuration.
- 1894 Further additions including a circular carriage drive were made to the property.
- 1898 Woodstock was sold to Burwood judge, Edward Scholes.
- 1907 Property sold to Sir Arthur Renwick, physician, philanthropist and politician. Upon Renwick's death in 1908 the property was passed onto his widow Elizabeth Renwick.
- 1912 Lady Renwick sold the property to the Keep family daughters (daughters of well known Sydney merchant John Keep). The property was renamed Broughton.
- 1913 Extensive renovations were undertaken.
- 1942 Burwood Council acquired the property by resumption rather than purchase due to arguments regarding the price. The property was acquired for improvement and embellishment of the local area.
- 1942 Immediately following Council's acquisition of the property, the site was resumed by the Commonwealth Government for military purposes. The existing fibro and tile addition to the south of Woodstock was built during this period.
- 1945 At the end of the war the site was vacated and was used briefly by the Methodist Ladies College and as accommodation for staff from Concord Hospital.
- 1948 The Commonwealth Government announced plans to use the site as a migrant hostel with a number of new buildings constructed during this period however none of these remain.
- 1976 Burwood Council signed a 25-year lease from the Federal Government for use of the site for local community needs and park services.
- 1979 Woodstock Community Centre officially opened.

Verand 1873 o 1885 c.1888 Woodstool 1873 1913 c1885 c.188 Eastern Bay 1913 West Wing c.1885 1913 ndah c. 1885 1913 Verandat 1913 Exte 1977 1913 mp Ac 1977 1948 Stair and South Wing 1894 adjacent pat 1977 Fibro Addition 1948

Evolution diagram showing the dates of additions to the Woodstock Community Centre

Burwood Council August 2005

Plan of Broughton Migrant Hostel buildings, 1951







#### 5.2 Structures

The most significant structure on the site is the Woodstock Villa (currently Woodstock Community Centre), which as previously noted is of high heritage significance to the Burwood local area. The building has undergone extension and renovation over time, with the fibro addition to the rear of the building generally being out of character with the rest of the building. This addition however, is the only remnant of the extensions implemented during the military use of the site and is therefore important in contributing to the overall history of the site.

The Australian Heritage Database provides the following Description of Woodstock:

Woodstock is a large, two storey rendered brick villa with unglazed Marseille tiled roof. The villa is not heavily decorated. Original wooden staircase and much joinery remain. The verandah is partially closed in. The house retains nearly half of its original grounds and the entrance drive is marked by remnant planting of ficus species to the end of Duff Street.

Other structures within the park include a timber gazebo structure and two separate playground facilities.

Structure/building	Description and condition
Woodstock Community Centre	<ul> <li>Two storey, rendered brick house with varying extensions including fibro addition to the rear of the building</li> </ul>
	<ul> <li>Generally well maintained, however increased community use and amenity may require building alterations</li> </ul>
Timber Gazebo	Small, contemporary timber gazebo containing metal picnic table seating
	<ul> <li>Fair condition, roof appears to require some repair and maintenance</li> </ul>
Children's Play Areas	Two areas of play equipment
	• Equipment generally appears well used and in fair condition, however facilities are outdated and will require replacement to be fully compatible with Australian Standards





#### 5.3 Vegetation

Whilst no remnant natural vegetation remains within the park, it is recognised that the natural vegetation of the Burwood area was typified by Turpentine-Ironbark forest.

There are several mature tree plantings including Fig species and Camphor Laurel (Cinnamonum camphorum) across the site for which ongoing arborist assessment would be desirable.

Fig species have been noted in the heritage assessment and Heritage Council listings as marking the previous entrance drive and are therefore of heritage importance and interpretation potential.

Site garden bed planting is a combination of formalised hedges and more informal combinations of varying plant species that appear to generally reflect and complement the heritage character of the park setting. There are several garden bed areas, particularly to the Church Street frontage where planting appears to have been removed and requires replacement or rationalisation of beds.

Several areas of grassed cover within the site have been subject to excess wear and compaction. These areas should be reviewed and where required access rationalised / controlled and soil / turf conditions improved.







#### 5.4 Access

Pedestrian access to the park is currently available from the cul-de-sacs of both Duff and Fitzroy Streets and from the Church Street frontage. Vehicular access to the carparking facilities is also provided via Fitzroy Street. The remainder of the site is enclosed by adjoining residential properties.

The major pedestrian access is from the Church Street frontage. This pedestrian path entrance is formalised to one side by a row of mature tree plantings. The adjoining side of the path is open grass, which enables views to the Community Centre.

The Duff Street entrance is formalised be mature fig tree planting and provides a vista to the fountain and building entrance. Vehicular access is prevented in this area by the use of bollards.

A paved circulation space to the south of Woodstock adjoining the carpark area is highly utilitarian in character and aged in materials. Ongoing upgrading of such areas would be desirable. Edging and barriers to carparking are generally of poor quality and would ideally be upgraded as they detract from the overall character of the site.

Treated pine bollards defining garden bed edges are also of low character quality and do not complement the heritage character of Woodstock.













#### 5.5 Landscape and visual character

The park contains several distinctive landscape areas that are either visually or physically separate from the other adjoining park areas.

- The main park area adjoins Church Street and has a predominantly open grassed character. The area is undulating with grassed mounds and two areas are divided by the central pedestrian pathway. The area to the front of Woodstock Community Centre contains a large area of concrete hardstand which is utilised during concerts and other park events. The adjacent grassed area contains one of the park's play facilities.
  - The Community Centre itself and surrounding paved entrance forecourt provide a formal park setting with the fountain complementing the heritage character of this area.

The grassed area to the southern end of the park contains another playground facility as well as barbeque and picnic facilities to the far corner of the site. This area is visually separated from the rest of the park by planting and has a generally more open municipal park character of generally aged facilities and treatments.

The carpark area and Fitzroy Street corner of the site (currently under demolition) is a vast bitumen area that is partially softened by mature tree planting which provide shade and visual relief to this zone. This area also contains the fibro additions to the community centre, which generally creates a less compatible character to heritage values within this section of the park.







#### 5.6 Community use and recreation

The park and Community Centre are well utilised by both the local community and community organizations. The variety of uses / users currently operating in some form from the site include:

- 88.1 2RDJ-FM community radio station
- Woodstock Runners
- Volunteering Australia
- Various community activity programs including tai chi, art classes and seniors social group.

There are two separate playground areas, which provide recreation opportunities for children and families. There is also a small existing playground enclosed within the side of the Community Centre. Seating and barbeque facilities provide for picnics and generally informal family / group recreation opportunities.

The Burwood Council Recreation Study undertaken by HM Leisure Planning and Clouston in 2001, (Refer Section 6.1 Previous Studies) identified that there are a number of concerns regarding the operations of Woodstock including the management structure, membership, staffing and programming of activities. The study recommended that comprehensive revision of the role, responsibilities, management and programming be undertaken. As part of this review it was recommended that:

- a) Staff position descriptions be rewritten
- b) Consideration be given to physical restructure of parts of the building to better serve community needs (subject to heritage impact).
- c) Parts of Woodstock, which are less suited to community use (eg. upstairs smaller rooms), are assessed for use for other purposes.

An Open Space Assessment of the public open space in the Burwood Council area was undertaken in July 2004 by Suter & Associates, Leisure & Tourism Planners. The study was undertaken

To provide a strategic direction for the future provision and development of open space in the Burwood Local Government Area and to determine the requirements of the future population.

As part of this study the demographics and the implicated demand for open space was reviewed and assessed. Future requirements for open space based on the existing facilities and projected population for Burwood was also considered as part of the study.

Review and interpretation of population data relating to 2001 and Council's Community Profile 2002 identified the following:

- There are slightly lower proportions of children aged 0-14 years, with higher proportions of young people (15-29 years) and older people (65+ years) as compared to the Sydney Statistical Division (SSD).
- 51% of people within the Burwood Local Government Area (LGA) are born overseas, with only 16 % of the population have Australian ancestry.
- 56% of households speak a non English language.
- Broadly speaking, the Burwood LGA is an average income area with similar incomes to those of the SSD.
- There are higher levels of education and working professionals within the areas as compared to the SSD, indicating a potential higher earning capacity in the future.
- There are large proportion of flats / units and apartments, meaning that increasing numbers of people will not have access to backyards.

The study noted that the main implications of population characteristics for open space and community facilities are:

- There will be a need for open spaces that cater for children as well as adults ie. sporting facilities and playgrounds as well as walking paths and places to exercise.
- Open space will need to support older people, including accessible spaces and facilities.
- Consideration should be given to the needs of various cultural groups, including opportunities for activities and any barriers such as language.
- Park design and facilities should reflect the cultural diversity of the area.
- There will be a need for affordable recreation and sport opportunities, hence the value of open space.
- The relatively large proportion of apartments and flats will increase the need for and value of open space, particularly around the town centre.

Generally the study noted that there is a large provision of small informal parks, however sporting provision and large open space is inadequate especially when considering the projected population growth within the Local Government Area.

Thus, whilst the local community park role of Woodstock Park is evident, the open space's role as curtilage to the heritage building is of more significance in the context of the whole Local Government Area.

#### 6.1 Previous studies

#### Draft History & Evolution of the Site and Statement of Significance 2005

Undertaken by Clive Lucas, Stapleton & Partners Pty Ltd in July 2005, this report provides a brief history of Woodstock and a Statement of Significance.

#### **Burwood Council Open Space Assessment 2004**

This assessment was prepared by Suter & Associates, Leisure & Tourism Planners to provide a strategic direction for the future provision, development and population requirements of open space in the Burwood Local Government Area to 2016. Suter recommended that the broad strategy for the development of open space should focus on:

- The establishment of quality, significant parks and sportsgrounds.
- Improving the quality of existing small parks.
- Emphasise the uniqueness and quality of open space throughout Burwood.

The study generally determined that given the projected population growth in the Burwood area increased public sporting facilities will be required to meet increasing user demand. This report also identified that there is an urgent need for skate facility provision and that Woodstock had previously identified as a possible location.

Key issues and open space recommendations specifically related to Woodstock include the following:

- Potential to enhance the event area, including new paving;
- Potential to enhance outdoor eating and seating space and improve viewing of playground from this space including new seating, paving and landscape upgrade.

#### The Burwood Council Recreation Study 2001

This study by HM Leisure Planning Pty Ltd and Clouston was undertaken to address the future recreation needs of the Burwood area and to provide a strategy for provision and management of recreation facilities into the future. The study included extensive consultation with the community on which a basis for assessing demand and community priorities could be established.

This study acknowledges that the Woodstock Community Centre has served an important role in providing meeting spaces for a wide range of community groups. However, a detailed review of the operations of the centre identified significant shortcomings in relation to the services provided for the Burwood community and that there is a greater potential to meet local community needs. The study suggested that major structural works may be required to retain the integrity and safety of Woodstock.

#### 6.2 Planning context

#### 6.2.1 Commonwealth Legislation

#### **Environment Protection and Biodiversity Conservation Act 1999**

The Commonwealth legislation provides a national framework for environment protection through a focus on protecting matters of national environmental significance and on the conservation of Australia's biodiversity.

Where possible open space should reflect environmental protection and enhancement philosophies.

#### Native Title Act 1993

The expression *native title* or *native title rights and interests* means the communal, group or individual rights and interests of Aboriginal peoples or Torres Strait Islanders in relation to land or waters, where:

- (a) the rights and interests are possessed under the traditional laws acknowledged, and the traditional customs observed, by the Aboriginal peoples or Torres Strait Islanders; and
- (b) the Aboriginal peoples or Torres Strait Islanders, by those laws and customs, have a connection with the land or waters; and
- (c) the rights and interests are recognised by the common law of Australia.

The main objectives of the Act are:

- (a) to provide for the recognition and protection of native title; and
- (b) to establish ways in which future dealings affecting native title may proceed and to set standards for those dealings; and
- (c) to establish a mechanism for determining claims to native title; and
- (d) to provide for, or permit, the validation of past acts, and intermediate period acts, invalidated because of the existence of native title.

The Act recognises and protects native title. It provides that native title cannot be extinguished contrary to the Act. The Act covers the following key areas:

- (a) acts affecting native title;
- (b) determining whether native title exists and compensation for acts affecting native title.

Should a Native Title claim be lodged on an open space reserve this will be assessed under the under the provisions of the Act and a ruling be made regarding ongoing use and management.

#### 6.2.2 State Government Legislation

#### Local Government Act 1993

The Local Government Act provides the legislative framework for a council's day-to-day operation. The Act emphasises a council's responsibility to actively manage land and to involve the community in developing a strategy for management. Of particular relevance is the requirement for all council property classified as Community lands to be categorised in accordance with the guidelines for the categorisation listed in the Local Government (General) Regulation (cl.6B-6JA). For lands categorised as Natural Area, specific planning and management strategies are to be provided. Strategies must reinforce and reflect the core objectives for community land listed in the Local Government Act (s. 36E-N).

In order to provide relativity of management strategies between open space areas, the POM will identify community land categorisations for Woodstock.

#### Appendix A Bibliography

Benson D. & Howell J. (1996) **Taken for Granted: the Bushland of Sydney and its Suburbs** Kangaroo Press in association with Royal Botanic Gardens Sydney

Clive Lucas, Stapleton & Partners Pty Ltd (2005) Woodstock Community Centre, 22 Church Street, Burwood Draft History & Evolution of the Site and Statement of Significance Burwood Council

#### **Companion Animal Act, 1988**

Crown Lands Policy (2004) Food and Beverage Outlets on Crown Reserves Policy Position (Version 3) Department of Lands

Department of Land and Water Conservation and Manidis Roberts Consultants (1996) Succeeding with Plans of Management DLWC, Sydney

Department of Local Government (2000) Public Land Management: Practice Note No.1

Suter & Associates, Leisure & Tourism Planners (2004) Burwood Council Open Space Assessment Burwood Council