

The General Manager
Port Stephens Council
P.O Box 42
RAYMOND TERRACE, NSW 2324
council@portstephens.nsw.gov.au



Dear Mr Wallis

Re: Submission on the Draft Plan of Management, Boomerang Park February 2016 (Draft PoM).

Background

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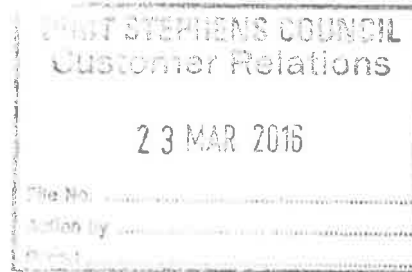
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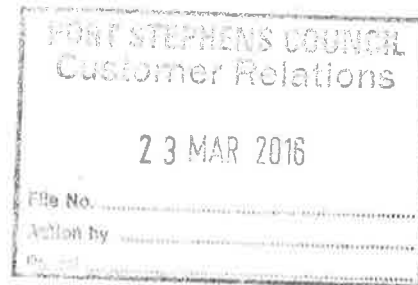
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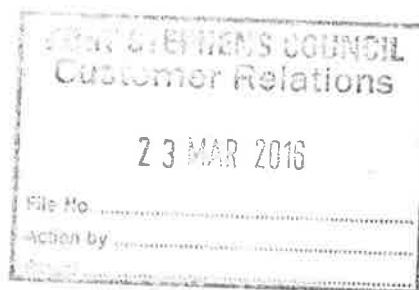
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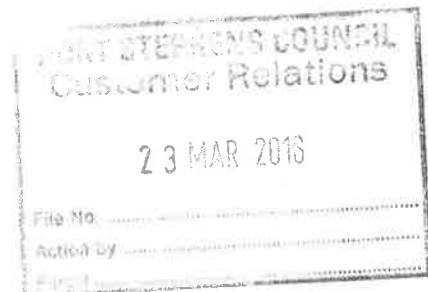
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CONTACT NO.

DATE

23/3/16

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Port Stephens Council
P.O Box 42
RAYMOND TERRACE, NSW 2324
council@portstephens.nsw.gov.au



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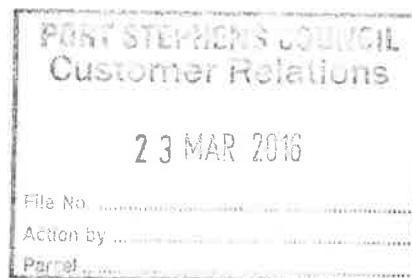
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DATE 21-3-16

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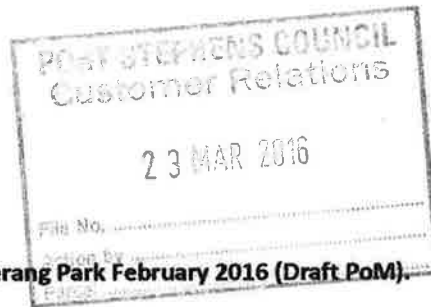
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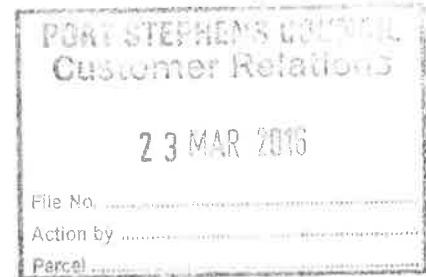
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DATE 13/03/16

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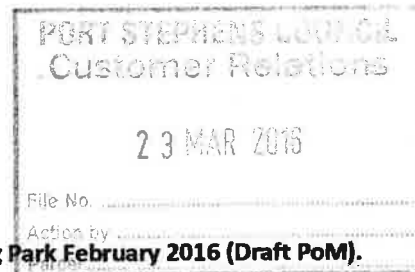
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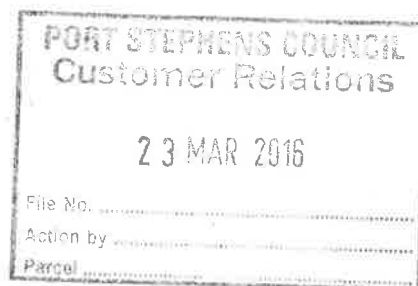
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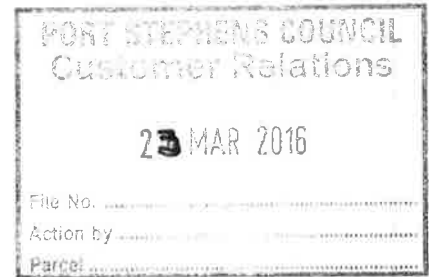
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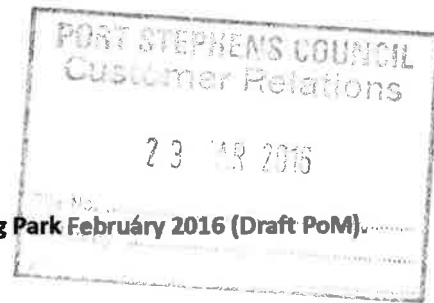
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ADDRESS

CONTACT NO.

SIGN

DATE

19.3.16

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Port Stephens Council
P.O Box 42
RAYMOND TERRACE, NSW 2324
council@portstephens.nsw.gov.au



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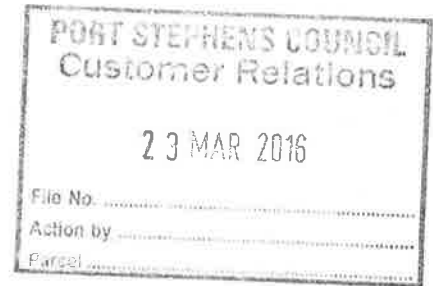
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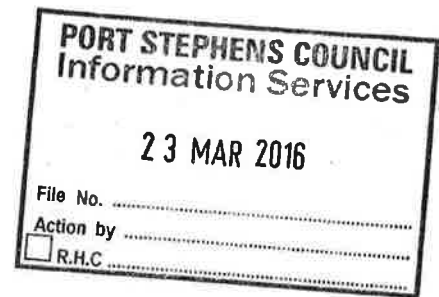
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PORT STEPHENS COUNCIL
Information Services

23 MAR 2016

File No.
Action by
☐ R.H.C

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CONTACT NO.

DATE 19-03-16

To:
The General Manager
Port Stephens Council

From:



23/03/2016

Dear Sir,

Re: My Submission against adopting the Draft Plan of Management for Boomerang Park and for retaining the current Plan of Management as was intended when adopted by Port Stephens Council

Port Stephens Council is trying to enforce a Draft Master Plan for Boomerang Park that proposes to build a new Mens Shed and residential development on 4.5 ha of Boomerang Park contrary to the current 'Boomerang Park Plan of Management 2000' that states Boomerang Park is a key component of the open space system in the Raymond Terrace planning district.

I am a member of 'Boomerang Park Action Group' and for the past year and a half we have endeavoured to protect the park from rezoning the land for these proposed new developments in accordance with the current 'Boomerang Park Plan of Management 2000' adopted at Port Stephens Council ordinary meeting of 26 August 1997 (Min# 1173. When a matter arose that called for the special projects sections to investigate an alternative use for some areas of Boomerang Park for a development of a commercial or residential nature in order to fund the management plan. This matter was investigated and found that any kind of development for economic gain was not feasible.

The current 'Boomerang Park Plan of Management 2000' has a big voice that has been ignored for years - primarily by Port Stephens Council- with a noticeable decline in the upkeep/maintenance of the park thus affecting use of the park by community, residents and visitors.

For such a proportionate park to lay dormant and neglected is beyond belief to me. This park is the lungs of the town, the recreational potential (proven through the parks history) has an enormous amount of potential and credit for the future of Raymond Terrace.

In regard to the proposed Master Plan for Boomerang Park and the subsequent 'Consultation Process'

- a. The 'community consultation process' for the proposed 'master plan development' was overtly limited and floored in every way.
 - i. It took local students to point out the 'proposed selling of parkland for residential development' was not included in the consultation process in the Youth Advisory Session

- ii. As a resident - I had heard nothing at all, as is the case with the majority of the Raymond Terrace community. When our group 'Boomerang Park Action Group' put a leaflet together about the proposed master plan we letterbox dropped, talked to people in the street, the parks, the shops and if I had talked to 100 -residents/community/business- the significant majority (at least 95%) had no idea what Port Stephens Council was proposing for Boomerang Park and were vehemently opposed. During this time the proposed 'Men's Shed' was NOT on the agenda...

The current management framework pro-actively manages issues regarding improvements/developments within the park, definition of appropriate uses, land ownership arrangements, cultural heritage management and future management. The Port Stephens 'Koala plan of management 2002'

The recently built playground - approved by Port Stephens Council at a Tuesday night meeting 28/07/2015 and by 7.30am Thursday 30/07/2015 (36hrs later), resulted in:

- The removal of 5 established trees, including at least one heritage listed tree over 120yo (by mistake-apparently!), breaching the current Plan of Management and other State and Federal environment and ecological laws
- Removing habitat for a vulnerable species under the Threatened Species Conservation Act 1995 the Grey Crowned Babbler nesting in a felled tree. Another breach of the current Plan of Management.

Field surveys confirm natural vegetation has been markedly altered from original condition. This is in breach of the current Plan of Management 'native vegetation' should be encouraged and maintained the neglect has resulted in the existence of mature trees such as Camphor Laurel that don't belong in the park and are a pest.

The Draft Plan of Management for Boomerang Park includes rezoning and recategorising the land to 'operational' This effectively means Port Stephens Council can use the land as a relative investment that can be sold / developed with total disregard to the current Plan of Management.

-----The following excerpts are taken from the current Plan of Management that outlines the fundamental management of the Park.

Boomerang Park is currently classified as community land and is further categorised:

1. "An area of cultural significance"

- The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future

generations by the active use of conservation methods.

2. "A park"

- To assist in meeting the recreation needs of both the residents and visitors to the Raymond Terrace area
- To provide quality local parkland that supports the overall open space system in satisfying the recreation needs of both residents and visitors to the shire
- To improve the scenic and environmental qualities of Raymond Terrace through the provision of quality urban parkland
- To assist in meeting need within the local area in respect to community services provision

The core objectives for management of community land categorised as a park are:

- (a) To encourage promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- (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.

3. "Sportsground"

The core objectives for management of community land categorised as a sportsground are:

- (a) To encourage, promote and facilitate recreational pursuits in the community

Involving organised and informal sporting activities and games, and

- (b) To ensure that such activities are managed having regard to any adverse impact on nearby residences.

Alienation of Open Space

The positioning of any new improvements/developments will need to take into account current users of the site as well as public access to facilities within the area. Prior to any further alienation of the site, it is essential that higher public need can be identified so that the will of the broader community is catered for. The current proposed site for the expansion of the community services should be the maximum area allocated for these purposes and no further increase should be permitted.

Alienation of any part of the subject site from general

community use should be restricted unless a greater public need can be established and supported by the community.

Do not allow any further extension, other than the proposed area, for the community services buildings along Irrawang Street

Any future building/construction works (except those outlined in this plan of management) should only be considered if they are to facilitate public recreation or flora/fauna conservation in the area or if they are for the purposes of community services and within their current property

As per the requirements of the Local Government Act (1993, as amended) the sale of the land or part thereof should not be considered as a management option for the future of the site

Active community involvement in the management of the site shall be encouraged and supported wherever possible

Conclusion:

The Boomerang Park Plan Of Management 2000 should NOT be replaced in order to fulfill a desire to sell/develop Boomerang Park as per the proposed Master Plan, as an investment. Port Stephens Council are in breach of The Boomerang Park Plan of Management 2000 and it is my belief the neglect and lack of consultation regarding development of the park by Port Stephens Council with absolute disregard for due process is to deceive the community to fulfill their own development agenda. This can only occur if the draft Plan of Management is adopted.

The Draft Plan of Management should not ever be considered for adopting

Yours Sincerely

A black rectangular redaction box covering the signature area.

SAVE
OUR
BOOMERANG
PARK

BPAG—BOOMERANG PARK ACTION GROUP INCORPORATED *(Our Ref: Sub DPPoM BPAG 23-3-2016)*

Email: boomerangparkgroup@bigpond.com

Wednesday, 23rd March 2016

Att: Mr Wayne Wallis
The General Manager
Portt Stephens Council
P.O Box 42
RAYMOND TERRACE
NSW 2324

Dear Mr Wallis

Re: Submissions on the Draft Plan of Management, Boomerang Park February 2016.

Background

Boomerang Park Action Group is a not-for-profit incorporated community organisation of 170 members established a year and a half ago in response to Port Stephens Council's adoption of a master plan for Boomerang Park.

Why is Boomerang Park such important parkland to Raymond Terrace and its surrounds?

- Boomerang Park is dedicated for the purpose of public recreation and has been public land for 179 years. It is the oldest Park in the Hunter and it is culturally significant.
- Boomerang Park is culturally significant because major events in Australia's and Port Stephens European history took place here over the last 179 years. It is a major landmark in the centre of town with historical, social, natural and cultural heritage significance. It is socially significant as a vital community hub spanning three centuries and as a landscape, a valuable asset to the community as green open breathing space in contrast with the built urban form: a space for all members of the community to enjoy and benefit therefrom. The Park also supports flora and fauna including vulnerable species such as the feather-tail glider, the grey crowned babbler, koalas, eastern long neck turtles and just recently identified native herb, knotweed.
- Boomerang Park is heritage listed in the Port Stephens Local Environmental Plan (LEP) 2013. This legislation states, under Part 5 Miscellaneous Provisions section 5.10 Heritage conservation, that the objectives of this clause are to "conserve the environmental heritage of Port Stephens" and to "conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views". It was also previously listed as an item of heritage significance in the former LEP 2000. This listing was based on a number of detailed reports that span over 20 years of research. In

1995 a heritage study by EJE architecture which defined the heritage aspects of Raymond Terrace states that "The Raymond Terrace Heritage Conservation Area was classified by the National Trust and forms an historic streetscape together with Boomerang Park". Combined with the Park's National Trust-listed Historic Pioneer Cemetery, the Park's heritage-references reflect and strengthen the character of Raymond Terrace. In 1999, a report by Elizabeth Hull details Boomerang Park's significance describing Boomerang park as "living heritage" and an area for community expression though most importantly its continued role as "open space ...available to all people".

- The 2014 Port Stephens Development Control Plan (DCP) in Section C1 Raymond Terrace Town Centre, clearly states that "development must protect and frame view corridors" and that these "key views of rural landscapes, parklands and the Hunter River establish Raymond Terrace's sense of place". One of these view corridors follows William Street, the main street of Raymond Terrace. The 1837 town plan was based on this view corridor from the highest point, Boomerang Park, along William Street to the Hunter River where Raymond Terrace was an important port at the time. Boomerang Park's boundaries reference one of the state's earliest colonial town plans.
- The 2016 Heritage Report by Umwelt undoubtedly clarifies and reinforces that Boomerang Park as a whole is significant. It indicates that Boomerang Park demonstrates the importance of open space in colonial town planning and local associations with events of national importance. The report states that "As discussed by Elizabeth Hull, the continued use of the Park for community celebrations, events and sports is significant and continues the original intent of the park as a reserve for public recreation".
- The Raymond Terrace & Heatherbrae Strategy 2015 to 2031 adopted by Council 24th November 2015 identifies the importance of untouched heritage (p.17) within the town centre of Raymond Terrace, which includes Boomerang Park and (p.35) the need to capitalise on this rich heritage. It also identifies Raymond Terrace, as we move to the future, as a major regional city (p.37) and the importance of Boomerang Park as quality open space (p.21). We believe that parks are the lungs of a healthy and vibrant urban centre, and as the Raymond Terrace looks at rapid growth, these lungs will become even more valuable, as will the heritage streetscape.

Objections to the Draft Plan of Management for Boomerang Park 2016 (DraftPoM) are:

Deficient in Context

Page.1. The fundamental flaw in the Draft PoM is that it fails to properly describe this heritage listed premier parkland and its historic and natural contexts. This document lacks any description of the subject site as being:

- important natural green open space,
- historically important as a public reserve for 179 years,
- a public park with significant plantings that reference over 150 years of Port Stephens history and
- intrinsic to establishing Raymond Terrace's sense of place.

Section 1.4 What is a PoM? Page.5. States that this document is “a transparent and co-ordinated approach to public land management”. How can this be when the description of the land is so deficient to the point that it fails to describe the subject site and that “A plan of Management is typically accompanied by a landscape master plan that shows proposed future uses and developments/Improvements to that open space”? This document tries to replace the current PoM with the draft master plan which was adopted by Council in Nov 2014 against substantial community opposition.

Section 1.5 Purpose of this PoM Page. 5. Continues stating that the purpose of this PoM is to “replace the previous Plan of Management for Boomerang Park adopted November 2000”. Council announced on 29/10/2015 that they were revising the current Plan of Management for Boomerang Park as they needed to *clarify* what they identified as *ambiguity*. This document holds no resemblance to the current PoM. It appears that the intent of this document is not a revision of the current PoM but a total replacement with a document full of unsubstantiated vague generalisations with a development agenda, of this public land, centric to this plan. This document reads more like a development plan for a mixed use site like the vacant land behind Big W, Raymond Terrace. This section continues to state “Accommodate and integrate the interests of Port Stephens Council...” but what about the interests of the community that the council represents and that the land was put aside for in 1837 for public recreation?

Section 1.6 Objectives of this PoM Page. 5 states that the objectives of this document: “- meet all the legislative requirements”. What about the LEP and the DCP and the recently adopted The Raymond Terrace & Heatherbrae Strategy (stated above) where is this reflected in the Plan?

“- support the conservation and interpretation of heritage values in the Park
- support the ecological values of the Park”

This document in fact, *contradicts and ignores* findings contained in the heritage and environmental studies appended to the Draft PoM. The findings fail to make their way into the body of the report. A proper plan would analyse these findings to ascertain policy and strategy statements that inform clear actions that guide the management of this park. Clearly these objectives have not been fulfilled.

Section 1.8 Community Consultation page.7

Council has not committed to a formally recognisable community consultation process since the initial idea for an upgrade for Boomerang Park was tabled in Council August 2011 instead the community has been excluded from having their say in the planning process.

On the 25th Nov 2014 a Draft Landscape Master Plan for Boomerang Park was adopted by Council against substantial community opposition and the general public of Raymond Terrace were unaware that Council had a development agenda for this park as there was minimal community consultation and the planning process was by stealth.

In this proposed Draft PoM on p.7 Council has identified 1.8 Community Consultation stating that “prior to the development of this plan of management, Council engaged GHD

consultants to prepare a landscape masterplan for Boomerang Park". It continues that "The master plan was prepared in conjunction with a community consultation process".

There has been no community consultation for the tabling of the Draft PoM. This document is trying to endorse the same non-existing community consultation from over 2 years ago as valid for this proposed Draft PoM. The total attempt at community consultation for this Master Plan consisted of less than 0.1% of the Raymond Terrace community and furthermore none of this consultation was actually taken into account for the development of the plans. The community consultation was as follows:

On the 18th November 2013 Council held a Community Workshop. It was documented that at the Community Workshop, held at the Senior Citizens Centre on the 18 November 2013, seventeen (17) of the people who attended were community members, most of which were "selected stakeholders", representing .001% (17 out of 12725) of the Raymond Terrace population and .00025% (17 out of 67746) of the Port Stephens population. These were the only people included in the process. A resident who attended this workshop informed us that Council did not show any residential development on the plans or indicate that they had any intentions to develop any portion of Boomerang Park.

On the 16th January 2014 Council met with the Youth Advisory Panel. Council approached the Youth Advisory Panel to comment on the Draft Master Plan. Members of this panel informed us that the plan that they were shown on 16th January 2014 did not indicate any part of the park being rezoned for residential development. In this meeting Council presented an image of the Boomerang Park Plan which showed the planned improvements but omitted to identify any portion of land for development. The group collaborated on many ideas including a child friendly park, appropriate lighting to keep the area safe at night, to keep all the trees where they are and to use natural resources to build park benches etc. One member was irate in her defence of the land against development, knowing that it was a possibility, having seen past plans. She was personally guaranteed, by council, that there would be no development on the park. The Council representatives said they would note their ideas, highlighting again that developing any section of the park wasn't part of the plan.

The subsequent Draft Landscape Master Plan did not adopt their concerns or ideas. The group was to find out, through the media in an article published in the Port Stephens Examiner on the 13th February 2014 stating that "Almost *three acres* of Raymond Terrace's Boomerang Park could be sold off for development to help fund the playground". This is indicated on GHD Draft Landscape Master Plan - Staging plan SK0005 Feb 2014. The funding for the playground was already secured through grants and council allocations and did not require any additional funds.

From the 18th June 2014 to 15th July 2014 Council Publicly exhibited the GHD Draft Landscape Master Plan – SK004 for comment. To the dismay of the community this version of the Draft Master Plan included three (3) separate parcels of land for possible rezoning for future residences, totalling an area of approximately eight (8) hectares (19.768 acres). The subsequent submissions received for this master plan were not considered by Council and it has come to light that some of these submissions were mistakenly left out during the

process. It is concerning that the proper processes for community consultation were not followed.

Page.7 the document states that “Community consultation and input is important to ensure that the PoM meets the needs of the local community”. How does excluding the community in the planning process, disregarding their comments, fabricating a new PoM to allow the master plan and development of the park (because the current PoM wouldn’t) and then using the previous *inadequate* community consultation to endorse this proposed Draft PoM represent the public’s best interests and meet the needs of the local community? It does not.

This document continues to use the same token community consultation from over 2 years ago to tick a box – this is not genuine community consultation and it is an abuse of the local community to use their names in the Draft PoM. Council appears not to be sincere about the inclusion of the concerns or the valued contribution that the community of Raymond Terrace plays in the future of Boomerang Park.

There has also been no consultation with the Worimi Local Land Aboriginal Council by Port Stephens Council to investigate the aboriginal significance of Boomerang Park to Worimi people in the Draft PoM. A proper assessment on Aboriginal history requires consultation. An in-depth archaeological study should be undertaken on the subject site to further interpret the aboriginal history prior to colonial settlement in Boomerang Park.

Section 2.1 Location and context Page.8

The description of the Park lacks key contextual elements like trees, vistas etc. The statements are clinical, written in a manner that, as in Sections 1.1/1.2, lack any reference to Boomerang Park as being an important green open space with magnificent plantings that reference Raymond Terrace advancement. It negates to mention the unique Arcadian landscape elements and vistas within and from surrounding roads and individual properties. You are left to go to Appendix B to view a Site Analysis Plan, which has never been available to the public till now, that is deficient in analysing the present features of the park. Its major failing is its exclusion of the existing paths flanked with mature trees that reference the park’s many planting overlays and its direct historic connections to the main street (William Street) and the historic pioneer cemetery.

Section 2.2 Heritage and 2.4 Ecology Page. 8/9

The inclusions of heritage, flora and fauna are minimal. The reports in the appendixes are comprehensive but fail to make it into the body of the report.

Refer Section 1.6

Section 2.5 Current park usage Page .10

The Draft PoM uses the term “underutilised” to describe Boomerang Park. What evidence and what measure is this based on? There is no *comprehensive factual evidence* and analysis in this document to support this statement. There are many people, actively and passively using the Park whether by walking through or driving past. Plants and animals live in the park and we all breathe the air it produces. There are no facts to validate this argument and it is certainly no basis for subdivision or development of the Park.

Table 2/3 Page 10/11

Table 2 references the Local Government Act 1993 "Condition of the **land** and of any building or other improvements on the **land** as at the date of adoption of the PoM". This section of the Act is about the management of community land and the Draft PoM has continued to overlook the **land** elements of the Park (those that are not buildings) in the tables. Elements such as, green open space, the sports fields, the forested section, which contains an endangered ecological community and koala food trees, the pond former quarry etc. There is also no analysis reference to the important landscape elements of the park like the landmark plantings that define the park and their condition etc. These elements are fundamental inclusions for a PoM for such an important parkland. Table 3 does indicate a *Main Lawn Area* but this is not indicated on the Site Analysis Plan. Also there are elements indicated in the Site Analysis Plan that are not included in the Draft PoM like the former cricket pitch, Sports Fields. The true elements of the Park, natural and built, are not clearly defined and documented in the Draft PoM.

Table 3 Water Tower Page 12

The current PoM includes section 3.3 Inclusion of Water Tower and easement into the Park. This easement in 1928 saw a section of the Park become alienated as there was a need to supply water to Raymond Terrace. In April 1995 the water tower was made redundant and Hunter Water Corporation advised Council that the reservoir "is no longer in service... and now wishes to divest its interest in the structure and associated easements rights". It continues in 4.2 The Action Plan p.26 "Council to liaise with Hunter Water Corporation to negotiate handover of lease". Yet in the Draft PoM Table 3 states "Item – Water tower (owned by Hunter Water) and description – concrete water tower which is no longer in operation and requires demolition". On what basis and why have the community not been involved in the conversation? This water tower is a landmark to the people of Raymond Terrace and as such is an important part of the heritage of the Park and Raymond Terrace. This land, previously alienated by these water easements, should come back into the dedication of the public reserve known as Boomerang Park.

Alienation of open space

The current PoM includes section 3.2 Alienation of open space p.16. Alienation of open space is fundamental to the management of our important parks and as such states "As per the requirements of the local Government Act (1993, as amended) the sale of the land or part thereof should not be considered as a management option for the future of the site". There is a statement on p.13 of the Draft PoM that states that "Community land is intended for public use and benefit, and must not be sold" but this fundamental principle is ambiguous in the Draft PoM except for under 3.17 prohibited uses p.25 which indicates private alienation or encroachment! But in 4.0 Landscape Master Plan indicates an area for residential development and again in 5.2 Implementation p.32 the document reaffirms its purpose stating that "Council will also seek to obtain funding from other sources... the proposed reclassification and rezoning of the allotted land area for residential purposes".

In 1837 when the town of Raymond terrace was proclaimed 5 parcels of land were nominated and dedicated for public recreation. Two of these have since been alienated to the public, rezoned and built on. Parts of Boomerang Park have also been alienated to the public and the current PoM was put in place to stop this alienation and to guide management by Council to protect the parks future.

Section 3.3 Land Categorisation Page.15

The current PoM categorises Boomerang Park in three parts:

1. Area of cultural significance
2. Park, and
3. Sportsground.

There is also a small area designated for community services buildings.

There is no valid reason or any satisfactory evidence advanced by this report to remove those three categories. The Draft PoM is wrong to categorise the whole as mere “park” as this will remove current controls that care and protect Boomerang Park for the future. It will subject the entire Park to the risk of building development, and will disconnect the community from their heritage. Currently no development is permitted outside of the “community services area”. In fact the intention seems to be to “activate” Boomerang Park to allow the construction of building in the Park – just look at the proposal waiting in the wings for a huge Men’s Shed and subdivision for the purposes of housing development.

The findings contained in the heritage and environmental studies appended to the proposed draft PoM not only validate and support Boomerang Park’s cultural significance categorisation but also strengthen its significance. The heritage of the Park cannot be blatantly ignored under this veil of mismanagement.

Note: that the core objectives section referenced from the Local Government Act in The Draft PoM on p.15 last paragraph is incorrect. It states that “categorised as a Park under S36(4) of the Act” should read “under section 36(G) of the Act”.

Section 3.8 Threatened Species Conservation Act 1995(TSC Act) Page.18

States that “the aim of the TSC Act is to conserve threatened species, populations and ecological communities of flora and fauna state wide” then why did Council illegally remove trees on the 30/7/2015 that were habitat to a threatened species in nesting season? It also states that “a number of management recommendations were made to maintain and improve the ecological values of the site” - these are found in the appendix C why are they not stated here in the policy section of the report so that clear actions can be ascertained for their protection?

Section 3.9 Heritage Page 18

The Draft PoM states that “Council acknowledges the heritage significance of items by their inclusion in the LEP. The LEP provides a strong framework to protect these assets”. Does it? Then why is this Draft PoM ignoring the LEP. The heritage report recognises the heritage significance of Boomerang Park as a whole yet this Draft PoM is ignoring these findings as Council continues to state “In line with the recommendations of this report,

.....management and care as a whole". Council was revising the current PoM because they wanted to "clarify ambiguity" this statement typifies the imprecision of this document.

Section 3.11 Leases, LicensesPage 20

There are no current leases and licences for Boomerang Park and the site is presently zoned public recreation. The Draft PoM provides a reasonably wide specification of uses that may be subject to leases etc (including commercial, retail and Men's Sheds). It states that "lease and licences can be established by the Council for public and private purposes, providing they are consistent with the major objectives of this PoM". What are these major objectives? as they appear very vague and basically allow the Council to place any permanent business onto the Park. The Document continues to state "Activities must be compatible to the categorisation". The categorisation in the current PoM does not permit a men's shed in the park - it is non-compliant development. But Table 5 of the Draft PoM allows anything specific to Men's Sheds and croquet courts.

Section 3.13 Future use and development Page 23

Council again negates to view the land section of the park as open space they are only looking at the built form. The whole reason for this draft document is to facilitate the mens shed, master plan and residential development. Table 7 indicates that "the scale and intensity of permitted developments are shown in the master Plan" the men's shed does not align with the master plan. And states that "The development of the proposed new men's shed community building will be subject to a separate development application". Yet this DA is *already* lodged in Council for the second time. The initial DA was surrendered by PSC as it was found to be unlawful, but then resubmitted! So this Draft PoM changes the rules to allow it through.

Section 4.0 Landscape Master Plan Page 27

This section states that "The master plan is conceptual only" and it was just stated above in table 7 that "the scale and intensity of permitted developments are shown in the master Plan" clearly they are not this contradicts the previous statement- ambiguity prevails. Also Fig 5 is illegible.

Section 5.0 Implementation and Review Page 29

The strategy and action plan is full of non-specific generalised filler that shed minimal light on many actions that have stayed dormant in the current PoM for over a decade. Its main focus is to facilitate a men's shed whose DA is already in Council – it's just waiting in the wings. The major contradiction is that the only reference in table 8 to the natural environment in a heritage listed park is biodiversity. Its objectives are to "increase and strengthen diversity by implementing bush restoration and habitat protection measures as per the Flora and fauna surveys". Council removed 5 trees in July 2015 of a vulnerable species and plan to remove 20 + (is not indicated in the DA documents) to facilitate the mens shed, 10+ for the croquet courts and another 86 + for the residential subdivision - totally 120+ trees.

Section 5.2 Implementation Page.32

This states that "Council will also seek to obtain funding from other sources....income generated from leases.... and the proposed reclassification and rezoning of the allotted land area for residential purposes". Council managed to leave the "allotted land area for residential purposes" out of Table 8.

If Council is allowed to get away with their *overall improvement of this site* it will render about a sixth of the Park available for recreation and will cause unmeasurable habitat loss including over 120 trees.

Conclusion

Management plans for key public lands set a framework whereby public assets such as parks may be managed to ensure their longevity. The Community Land provisions of the NSW Local Government Act 1993 were included in the Local Government Act in 1998 to prevent the alienation of public parkland and to give the citizens of the Local Government Area a clear say in the management of their public parkland. The Core objectives of this Act for areas of cultural significance are to retain and enhance these areas for past, present and future generations by the active use of conservation methods. These conservation methods involve continuous protective care and maintenance.

Boomerang Park is dedicated community land - Council is the owner of this land with obligations similar to that of a trustee. It must ensure that the land they are managing is handed on to the next council and the next, in a condition that benefits all people in perpetuity.

Boomerang Park should be left intact with a management plan that acknowledges and respects Boomerang Parks' many overlays of Cultural Significance and that points the way to future management and conservation of this important public asset. The downgrading Boomerang Park to just one category, "park", as proposed in the Draft PoM, is not in the Park's or the public's best interests.

This "revised" Draft document is not a proper PoM as it fails to reflect the true attributes of this heritage listed dedicated 179 year old Parkland and identify problems and solutions that are accompanied by analysis, based upon logic and evidence. It also fundamentally fails to include the community in the process and retain the original intent of the Park as a reserve for public recreation.

This Draft PoM is not needed. The Current PoM, that views Boomerang Park as a heritage listed Park, just needs to be read and implemented.

Thank you

Jillian Lye (Chair)

Boomerang Park Action Group Incorporated BPAGInc.

**PORT STEPHENS COUNCIL
Information Services**

23 MAR 2016

File No.

Action by

☐ R.H.C.

March 2016

To The General Manager
Port Stephens Council

Submission for the draft Boomerang Park Plan of Management 2016 currently on exhibition.

Following are some of the objections that I have.

➤ **1) Change of Categorisation.**

The change of Category from "Culturally Significant" and "Sports Park" to the Category of "Park" is proposed for the purpose of changing the land to operational to allow for building development. This would be contrary to the NSW Local Government Act 1993 sect 36H.

"36H Core objectives for management of community land categorised as an area of cultural significance

(1) The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.

(2) Those conservation methods may include any or all of the following methods:

- (a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,
- (b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing

accretions or by reassembling existing components without the introduction of new material,

(c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,

(d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),

(e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.” NSW Local Government Act 1993 sect 36H

Boomerang Park IS declared as culturally significant and categorised as Culturally Significant.

Public Land Management Practice Note 1 Revised May 2000 states “It is within the spirit of the act that culturally significant areas should be declared and categorised as such”¹.

“Community Land comprising area of cultural significance Must, in complying with section 36(3)(a), categorise the land or the relevant part as an area of cultural significance.” NSW Local government act 1993 (s.36d(3)B

The Draft Plan of Management on exhibition has completely dismissed all details of anything that even resembles cultural significance regardless of the fact that these details are referenced in the Umwelt report ² attached to The Draft Plan.

¹ The Public Land Management Practice note No.1 Revised May 2000 (4.8)

² Draft Plan of Management Appendix A, Umwelt Report 7.0

The manipulation of a category change from "cultural significance" and "Sports Park" to "Park" would place the future of Boomerang Park in jeopardy and alienate Boomerang Park even further. It would allow the following pertinent statements to be stripped from the plan of Management.

Policy Statements

- "Do not allow any further extension, other than the proposed area, for the community services buildings along Irrawang Street"

Any future building/construction works (except those outlined in this plan of management) should only be considered if they are to facilitate public recreation or flora/fauna conservation in the area"

(The exception mentioned above relates to now the completed community buildings)

The Draft Plan states as an objective

"to protect and interpret the heritage and cultural significance of the park as a recreation area". That is completely inconsistent with changing the category from culturally significant to the category "park". If that change were to be allowed all protection for the future of the park will be gone and forgotten. A plaque stuck on a wall will not replace an actual physical place of Cultural significance.

Sports Park

The category of Sports Park within Boomerang Park is exactly that, it's still very much a Sports Park. With two playing fields, Flood lights and dressing sheds. Sport is a strong positive influence on our youth.

Soccer in Raymond Terrace flourished because of the dedication of residents and because they had the opportunity to grow the sport in Boomerang Park. At present there are neighbouring suburbs with sporting teams that are not yet represented in Raymond Terrace. Rugby Union, AFL, Baseball, softball T-ball Oz-tag to name a few. Boomerang Park could accommodate any of these or other sports in the future. Raymond Terrace along with the rest of Australia is becoming increasingly culturally diverse and we should not presume to know the future sporting needs of our suburb but to ensure that we can be inclusive of all residents.

Council needs only to reflect on the past 178 years of history in Boomerang Park and acknowledge the variety of sports that have been played over the years at different times to realise that this sporting field will continue to be a valuable asset as a Sports Park to our community well into the future.

➤ 2) Consultation

Consultation with the community of Raymond Terrace should have been paramount when reviewing the current Plan of Management 2000. No committee including residents was involved as was the case when previous Plans of Management have been written. This is the historic, much loved primary Park in Raymond Terrace, not an insignificant vacant block of land.

A senior Citizens workshop and a youth advisory session is a poor representation of age demographics. It excludes my own generation, the generation of my [REDACTED] children and their partners, the majority of my work associates and almost every person in the street I live in.

The 2 on 2 meeting was also exclusive as it did not allow for residents who wished to meet with council staff individually. The 2 on 2 meetings were held once and only on a Wednesday Morning excluding most residents who work and there was no flexibility to arrange a mutually suitable time.

The Umwelt Report made reference to the lack of consultation with Worimi Local Aboriginal Land Council.

"Consultation with Aboriginal people is critical to identifying and assessing the significance of Aboriginal objects and or places as well as determining and carrying out appropriate strategies to mitigate impacts to Aboriginal heritage. The project is located within the boundaries of the Worimi Local Aboriginal Land Council. This assessment was not conducted in consultation with the Worimi local aboriginal land council or any other Aboriginal parties and therefore does not provide any information with regard to Aboriginal Cultural Significance or value of the works area."⁴

Why were they not included in the consultation process?

⁴ Draft Plan of Management Appendix A, Attachment 1, 6.2 Umwelt Report Consultation with Aboriginal Parties.

➤ 3) The Current Plan of Management 2000

Council has shown a complete disregard for the current Plan of Management 2000 and the local government act. 16 years have passed and not one action has been completed.

The action plan attached to the current plan of management.

Item 1) Liaise with Hunter Water Corporation to negotiate hand over of easement and water tower. ⁶This action has not been completed even though it was negotiated.

Item 2) Develop network of paths for walking/cycling and wheelchairs ⁶ This action has not been completed and is still valid today.

Paths can be constructed on culturally significant land, a conservation method to meet one of the core objectives for a culturally significant land category is

"Those conservation methods may include any or all of the following methods:" "Uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact" ^{NSW Local}

government act 1993 (s36h(2) d)

Nothing on the action plan has been implemented. One of the policy statements included in the Current Plan of Management 2000 is "The future use of the soccer fields and other suitable areas within the park for active purposes should be investigated and encouraged as needs arise."⁷ Strategies -

⁶ Boomerang Park Plan of Management November 2000 action Plan

⁷ Boomerang Park Plan of Management November 2000 3.4.1 Policy Statement

"Actively promote the park to increase visitation and usage."⁸ Council has not acted in the interest of either the residents or Boomerang Park by ignoring the action Plan and The Local Government Act for the past 16 years

➤ 4)Utilisation

Council states that Boomerang Park is underutilised. It is an opinion and differs from the opinion of others. It was Council 's responsibility to implement the actions on the Current Plan of management 2000 action plan and Council failed to do so. These actions were written into the plan after consultation with the community to promote greater access and usage of Boomerang Park, none of which involved re-categorisation or reclassification or sale of land or extension of community services boundaries. After 16 years of inaction and lack of will by Council there is no reason to believe that council will have a different approach to a New Plan of Management.

The term underutilised should be completely removed from the draft Plan of Management.

What is the benchmark for utilisation of a park, if there is such a measurement tool that has been used to make these statements council should share it as part of the community consultation otherwise any reference to utilisation should be stripped from the draft plan of Management because it is not based on facts and can not be measured.

➤ 4) Visual Impact

The visual impact of Boomerang Park has already been effected negatively by the existing community buildings which have obscured the park along Irrawang Street. The current Plan of Management 2000 addresses this issue of further loss of visual effect and alienation with policy statements already mentioned above under the heading Categories. These statements need to be retained in the Plan of Management.

⁸ Boomerang Park Plan of Management November 2000 3.4.2 Strategies

Changes to the draft Plan of Management

The true purpose of this draft document is not a Plan of Management for an important Park rather a way to manipulate the law to provide a development opportunity and benefit to parties other than the residents of Port Stephens. This draft Plan of Management does not have the interests of the residents and users of the park at its core. The appropriate changes to the current Plan of Management 2000 should be limited to the Inclusion of all newly discovered items relevant to the cultural significance and Heritage of Boomerang Park after further consultation with all our community including the Local Aboriginal people, and all age groups including my own. I would also encourage the category of Cultural Significance to cover all of Boomerang Park, even overlaying the area of Sports Park and all other categories to eliminate any further confusion by Council about the importance of Our Heritage Park.

Council has an obligation to consider our submissions. I hope for honesty and ethics to guide a genuine Consideration.

Kind Regards

[REDACTED]

[REDACTED]

The General Manager,
Port Stephens Council
P.O. Box Box 42,
Raymond Terrace 2324.

PORT STEPHENS COUNCIL Information Services	
23 MAR 2016	
File No.	PSC2016-00031
Action by	S. Rees
<input type="checkbox"/> R.H.C.	

Dear Mr. Wallis,

Re: Submission on the Draft Plan of Management, Boomerang Park February 2016.

My name is [REDACTED] I am an inaugural and life member of Raymond Terrace Historical Society Inc. which was formed in 1974.

I wish to elucidate on the benefits of having such a wondrous, living breathing carbon capturing space in the midst of our town. Its longevity has been challenged many times by past and present Councils, where short sightedness, ineptness and lack of proper management have brought us to this sorry state, where we are forced to fight to keep a public space which has prevailed for almost 180 years. There are not many towns or cities who could boast of being in possession of such a powerful nurturing place.

Our pioneers prior to the establishment of the Raymond Terrace Municipal Council in 1884, found no fault with the public recreation area, staging noisy race meetings around its perimeter, later on foot racing which had a strong following, with many a side bet as to who was the fastest pedestrian in the town.

As the residential numbers increased so did the use of the area. In 1894 well known architect Frederick Menkens designed a pavilion which stood for many years slightly east of the water tower and was used by the local cricket and football teams, followed later by the tennis club

The NSW Lancers annually honed their skills with combined military sports. Friendly societies such as the Hibernians and the United Order of Oddfellows held annual gatherings and the occasional game of Cricket. Schools, Scouts, Sunday School groups used the area for picnics and bonfires were lit for Empire Day celebrations. Many other events, too numerous to mention were the norm, so much so that groups were advised to book ahead

In the hope money would be left in his will for the planting of trees, Council in 1911, re-named the recreation area, Boomerang Park to honour a revered citizen, John R. Houlding, who also was an author, who wrote under the *nom de plume* of 'Old Boomerang'. The money did not eventuate and from that time, there was subtle shift in Council's attitude towards Boomerang Park. They became apathetic and still are.

Due to constant pleadings to Council for repairs and up-keep, the cricket & tennis clubs eventually moved to other venues.. In 1934 a nine hole public golf course was established. This event prompted the Council to donate the sum of £450 for a Club House. A first!

1939 -1945 members of the 8th Field Regiment commandeered the Park for military training. An Aircraft spotting station was established and manned by local volunteers

1955 Minister for Lands asked to consider option of exchanging lots in Park for flooded lots at no cost to Council. This was defeated.

IN the 1970s Council proposed to erect the new Council Chambers in Boomerang Park. This was defeated by the then serving councillors

1993 Council instigated a committee of local volunteers to establish a Park management committee. After three years of planning and consulting, Council found they had no money in the vault. Had the Council taken on the ideas put forward by this committee, we would now have a beautiful garden area that would be admired by all.

It is essential that Boomerang Park be kept for future generations. It has an unbroken connection with the establishment of our town, and links the heritage, history & cultural settlement of the Lower Hunter.

The current Plan of Management that views Boomerang Park as a heritage listed Park, just needs to be read and implemented.

Please listen to the people. We care.





23rd March 2015

The General Manager,
Port Stephens Council
PO Box 42
Raymond Terrace NSW 2324

BOOMERANG PARK – REVISED DRAFT PLAN OF MANAGEMENT

This proposal is located outside the usual area of interest for the Tomaree Ratepayers and Residents Association Inc (TRRA Inc). TRRA has several concerns about the Draft Plan as detailed below. We have particular concerns about the community consultation process which has been followed by Port Stephens Council. Should this process be used on a Shire-wide basis, then TRRA believes that a review needs to be undertaken to ensure that a transparent and community friendly process is to be used for future proposals. The Fact Sheet which has been provided in relation to this proposal appears to have been misleading as identified by one of our community members in her submission. The process has been confusing to the community from the beginning and each time they have had to respond to protect their public space.

TRRA is greatly concerned that the proposal could have a flow on effect to valuable public space on the Tomaree Peninsula. The potential for a substantial part of Boomerang Park to be reclassified and sold for housing sets an undesirable precedent for future use of public space. There can be no guarantee that the dissection of part of Boomerang Park will eventually become affordable seniors housing. Once control of the land passes to private developers, the ratepayers of Port Stephens are likely to have little say in the future use of that land.

Our other major concern with this proposal is the use of ratepayers funds to be used for a Men's Shed proposed to be built on a public park. This use does not represent the community as a whole as evidenced at the public hearing held on 3rd March relating to the proposed re-categorisation. Residents spoke strongly and passionately about the value of this public space. TRRA Inc wishes to emphasise that we support the concept of Men's Sheds. However, the facilities should be modest and, as with other community projects, priority should not be given for the use of ratepayers investment funds for this purpose while we have basic services and roads in a less than desirable state. TRRA also notes that many Seniors Villages now have a shared hobby space to be utilised by both male and females.

Already the community have witnessed the felling of heritage trees at the park for the new playground built in contravention of Local Government Act 1993 –Sect 36H relating to areas of cultural significance. What controls will be in place to ensure that no further heritage trees are felled to make way for other community facilities such as the Mens Shed, Croquet court or community garden and, if reclassification and sale of the public park takes place, what controls will be placed on a developer to leave the heritage trees in place?



A: Po Box 290, Nelson Bay 2315 **T:** 49813916 **E:** president@trra.com.au

TRRA understands the importance of community members driving projects such as croquet clubs and gardens. TRRA has found little evidence of local support prior to the space being reserved for these purposes. This demonstrates that these appear to be ideas to fill up the community spaces on the plan adjacent the proposed Mens Shed. TRRA questions how Council will decide which other community group buildings will be built in public parks and how much of ratepayers funds will be diverted for these purposes?

TRRA also highlights that these community facilities will need security fencing provided and this will result in alienation of the public space and limit the current connectivity across the Park for residents.

The proposal in the Draft Plan of Management, to remove the categories already mentioned from the current 2000 Plan of Management, will ultimately permit the re-classification/re-zoning of land which can then be sold. It would seem that the purpose of the Draft Plan of Management is designed specifically to achieve this aim. Council's intended use of the Park has already been made clear by the premature exhibition of its Master Plans for the entire Park.

Historical and Cultural Significance

TRRA recognises that Boomerang Park is the premier park of Raymond Terrace. It was dedicated for the purpose of public recreation and has been public land for 179 years. It is the oldest Park in the Hunter and it is culturally significant. because major events in Australia's and Port Stephens' European history took place there over the last 179 years.

It is a major landmark in the centre of town with historical, social, natural and cultural heritage significance. It is socially significant as a vital community hub spanning three centuries and as a landscape, a valuable asset to the community as green open breathing space in contrast with the built up suburban area: a space for all members of the community to enjoy and benefit. The Park also supports flora and fauna species including vulnerable species such as the feather-tail glider, the grey crowned babbler and the koala.

Boomerang Park is heritage listed in the Port Stephens Local Environmental Plan (LEP) 2013 and has been since 2000. This document states "to conserve the environmental heritage of Port Stephens". This listing was based on a number of detailed reports that span over 20 years of research. (1995 Heritage Study by EJE architecture and 1999 report by Elizabeth Hull which details Boomerang Park's significance describing Boomerang park as "living heritage"). Combined with the Park's National Trust-listed Historic Pioneer Cemetery, the Park's heritage-references reflect and strengthen the character of Raymond Terrace.

Boomerang Park's boundaries reference one of the state's earliest colonial town plans. The 2016 Heritage Report by Umwelt undoubtedly clarifies and reinforces that Boomerang Park as a whole is significant. It indicates that Boomerang Park demonstrates the importance of open space in colonial town planning and local associations with events of national importance.

Keeping Boomerang Park will be vital public space as Raymond Terrace expands in population. The heritage streetscape which is there now is even more valuable.

Specific Points:



A: Po Box 290, Nelson Bay 2315 **T:** 49813916 **E:** president@trra.com.au

Point 2.5 Page. 10 of the Draft PoM uses the term “underutilised” to describe Boomerang Park. TRRA understands that this statement is without comprehensive factual evidence and analysis and should be removed. This is no basis for subdivision or development of the Park.

Outside of the holiday period, on the Tomaree Peninsula, much of our public space could be similarly perceived. Maintenance of public parks to provide good ambiance appears to be lacking across the Shire. Playground equipment which previously drew people to public spaces is progressively being removed from public space.

It is encouraging that new play equipment has recently been provided at Boomerang Park. However, the location of that equipment off Elizabeth Drive (where the “reclassification for housing” is proposed) would have been a far better location with ample flatter open space surrounding it. This would have enabled further development of the play area into a full Regional Park status such as the recent example at Tamworth. The new playground will be limited in expansion opportunities, without the felling of further heritage trees and the levelling of the space.

Land Categorisation

Point 3.3 Land Categorisation p15 of the current Plan of Management 2000 (Current PoM) categorises Boomerang Park in three parts: 1. Area of cultural significance; 2. Park, and; 3. Sportsground. There is also a small area designated for community services buildings.

Council has given no reason or evidence to support the removal of these 3 categories. It should be highlighted that the findings contained in the heritage and environmental studies appended to the Draft Plan of Management support its cultural significance. TRRA has noted that the current Plan of Management includes the protection of Local Government Act 1993 –Sect 36H relating to cultural significance. It should be added to the Draft Plan of Management.

The whole park should not be categorised as “park” as this will result in the removal of current controls that care and protect Boomerang Park for the future. It will subject the entire Park to the risk of building development, and will disconnect the community from their heritage.

Currently no development is permitted outside of the “community services area”. It appears that Council’s intention in the Draft PoM is to allow the construction of buildings in the park including an industrial Men’s Shed and subdivision for the purposes of housing development.

Community Consultation

TRRA challenges the statements made p7 1.8 Community Consultation Reports. Reports from the local community groups about the type of consultation which has taken place allegedly over a 2 year period are of major concern to TRRA and their alleged exclusion from having their say in the planning process for their important dedicated community parkland. This sets an undesirable precedent for any future such proposals relating to public land.

Alienation of Public Space

The Draft Plan of Management omits a whole statement about alienation of open space, currently included as section 3.3 in the current Plan of Management. TRRA understands that this was the main obstacle to the housing proposal and does not support the removal of this critical statement. It is needed to protect public land and should be added to the Draft Plan of Management.



"As per the requirements of the local Government Act (1993, as amended) the sale of the land or part thereof should not be considered as a management option for the future of the site".

Maintaining connectivity of public space is critical to the management of that space. Housing developments would divide the public space.

The Community Land provisions of the NSW Local Government Act 1993 were included in the Local Government Act to prevent the alienation of public parkland and to give the citizens of the Local Government Area a clear say in the management of their public parkland.

Conclusion:

The Draft Plan of Management appears to be a plan for a mixed use site providing a wide specification of uses that may be subject to leases (potentially including commercial, retail and Men's Shed). TRRA believes that this is not a Plan of Management for a space zoned for public recreation.

If the original Plan of Management had been given more significance by Council and implementation of the plan funded accordingly, then the community would not now be spending a considerable amount of their valuable personal time in opposing the major change which this Draft Plan of Management will bring about to public space. The local community have had to use their energy to oppose this use of public land for far too long.

The areas identified as significant in the previous plan should be retained and the whole area should not be classified into one category of "park". It has been clearly identified that areas need to be protected and this proposal is not in the public interest.

TRRA objects to the implementation of the proposed Draft Boomerang Park Plan of Management on the grounds that, were the plan to be implemented, it would effectively remove protections currently in place for areas of cultural significance and habitat protection, in variance with the provisions of the Local Government Act 1993 and carve the way for a precedent to be set for reclassification of public land for housing development.

Geoffrey Washington

President

Tomaree Ratepayers & Residents Association Inc.



A: Po Box 290, Nelson Bay 2315 **T:** 49813916 **E:** president@trra.com.au

The General Manager
Port Stephens Council
P.O Box 42
RAYMOND TERRACE, NSW 2324
council@portstephens.nsw.gov.au



Dear Mr Wallis

Re: Submission on the Draft Plan of Management, Boomerang Park February 2016 (Draft PoM).

Background

Boomerang Park is the premier park of Raymond Terrace. Boomerang Park is dedicated for the *purpose* of public recreation and has been public land for 179 years. It is the oldest Park in the Hunter, culturally significant and heritage listed. Boomerang Park is the lungs of a healthy and vibrant urban centre, and as the Terrace looks at rapid growth, these lungs will become even more valuable, as will the heritage streetscape.

This submission objects to the following Draft PoM as follows:

2.5 Current park usage p.10

Page. 10 of the Draft PoM uses the term “underutilised” to describe Boomerang Park. This is without comprehensive factual evidence and analysis to support this statement. This term should be removed. There are many people actively and passively using the Park whether by walking through or driving past they all “consume” the beauty of the Park. Plants and animals live in the park and we all breathe the oxygen it produces. This is no basis for subdivision or development of the Park.

3.3 Land Categorisation p15

The current Plan of Management 2000 (Current PoM) categorises Boomerang Park in three parts:

1. Area of cultural significance
2. Park, and
3. Sportsground.

There is also a small area designated for community services buildings.

There is no reason or any evidence given by Council to remove those three categories. In fact the findings contained in the heritage and environmental studies appended to the Draft PoM support its

cultural significance. I believe Council is wrong in its Draft PoM to categorise the whole as mere "park" as this will remove current controls that care and protect Boomerang Park for the future. It will subject the entire Park to the risk of building development, and will disconnect the community from their heritage. Currently no development is permitted outside of the "community services area". It appears that Council's intention in the Draft PoM is to allow the construction of building in the park including an industrial Men's Shed and subdivision for the purposes of housing development.

Conclusion

The Draft PoM fails to reflect the true attributes of this heritage listed, dedicated 179 year old parkland. The downgrading of Boomerang Park to just one category, "park", as proposed in the Draft PoM, is not in the Park's or the public's best interests. The Draft Pom is not needed. The current Pom that views Boomerang Park as a heritage listed Park, just needs to be read and implemented.

Thank you.

NAME

ADDRESS

SIGN

CONTACT NO.

DATE 18.3.2016



[REDACTED]
[REDACTED]
3 March 2016

Att: Ian Adams (Chair)
Public Hearing

Dear Chair

RE: Submissions on the Draft Plan of Management, Boomerang Park

My name is [REDACTED] and I have lived with [REDACTED] for over [REDACTED] years [REDACTED] Boomerang Park. [REDACTED] has lived opposite the part all his life which is [REDACTED] years. We wish to express our opposition to Council's proposed re-categorisation of land within Boomerang Park.

The main reason [REDACTED] was because of the ambience, beauty and peaceful nature of the park. We have brought our children up playing, riding their bikes and walking the dogs in the park. The park also has great sentimental value to us as we had our [REDACTED] photos taken on Farley's Corner, and this will always be a very special place with happy memories.

Over the years we have witnessed many weddings and wedding photos taken in the park as well as school formal photos.

We truly believe that re-categorising the land will have a detrimental impact on the open space that the community is able to enjoy.

We also know for a fact that there are a number of native species listed as vulnerable under the NSW Threatened Species Conservation Act 1995 that call the park their home. These include feather tail gliders, koalas, eastern long neck turtles and the grey-crowned babbler, not to mention the flora, some of which was planted over 140 years ago, including 5 trees to honour King George in 1911.

2.

Boomerang Park has also been used for generations for outdoor activities such as cricket, tennis and at one stage a BMX bike track. The local schools also used the park for cross county running. In this time of technology, green open space is critical for the wellbeing of future generations. As the population increases, so does the need for green open spaces to remain for the community to get away from the stresses of life and enjoy a peaceful and relaxing environment.

Boomerang Park is the oldest park in Port Stephens and one of the oldest in the State. Management Plans for key public lands set a framework so that public assets such as parks can be managed to ensure their longevity.

Re-categorising parts of Boomerang Park, we feel, will contribute to the demise of this important public asset. In our view, it would be devastating to witness the loss of such an important piece of community history.

It is essential for the park to continue to be categorised as "Community Land" for the enjoyment of all of the community. If the Council succeeds in re-categorising the park this, we believe, will open the doors for the Council to develop the park into industrial and residential zones which will grossly impact on the vista of the neighbourhood and the peace and tranquillity of the surrounding area.

Boomerang Park is culturally significant.

Yours sincerely

[Redacted Signature]

16-00031
S. Rees.

The General Manager

Port Stephens Council

P.O Box 42

RAYMOND TERRACE, NSW 2324 council@portstephens.nsw.gov.au

Dear Mr Wallis

**Re: Submission on the Draft Plan of Management, Boomerang Park
February 2016 (Draft PoM).**

Background :

Boomerang Park is the premier park of Raymond Terrace dedicated to the purpose of public recreation and has been public land for 179 years. The Port Stephens Dog Sports Club is housed in the park. The club has a Sports Agreement with Council for use of its current training program in the Sports Field. This area is marked for rezoning as per Draft PoM.

The Port Stephens Dog Sports Club has operated as a community service club on a volunteer basis since the 1980s, providing a valuable service to both local residents and neighbouring dog owners who train their pets to be socially acceptable in today's society. The club also provides a meeting place where dog owners can socialise and discuss the issues of responsible pet ownership under the guidance of the instructors and committee members and further pursue specialist training in Trial and/or Obedience.

At present the club has use of the sports grounds Sunday am; Tuesday and Wednesday nights; and Saturday/Sunday Trials, approximately 3 times per year.

Concerns:

re-classification of the area

- impact or discontinuation of use in the current ascribed grounds allocated by Council for the clubs training resume.
- Continued provision of outdoor lighting and maintenance there -of, essential to evening and winter training
- alternate or adequate facilities be provided when/if the exiting administration building and amenities are renovated
- That the club equipment housed in the administration building continue to be safely housed on site and available for use as required

This submission objects to the following Draft PoM as follows:

3.3 Land Categorisation p15

PORT STEPHENS COUNCIL
Information Services

23 MAR 2016

File No.

Action by

☐ R.H.C.

The current Plan of Management 2000 (Current PoM) categorises Boomerang Park in three parts:

1. Area of cultural significance
2. Park, and
3. Sportsground.

There is also a small area designated for community services buildings.

Conclusion :

Council has given no formal acknowledgement that the current agreement with the Port Stephens Dog Sports Club will be honoured and continued. As such the club views any re-zoning as a detriment to its continued functions and does not support the draft PoM.

Boomerang Park should be left intact with a management plan that acknowledges and respects Boomerang Parks' many overlays of cultural significance and that points the way to future management and conservation of this important public asset. The downgrading of Boomerang Park to just one category, "park", as proposed in the Draft PoM, is not in the Park's or the public's best interests.

NAME

[REDACTED]

SIGN

[REDACTED]

ADDRESS

[REDACTED]

CONTACT NO.

[REDACTED]

DATE

21 mar 16

PO Box 812
Raymond Terrace NSW 2324

13th November 2015

Priscilla Emmerett
Senior Development Planner
Port Stephens Council
P O Box 42
Raymond Terrace NSW 2324

Dear Sir/Madam

**Submission for Preservation of Boomerang Park against Rezoning
Notice of Development Proposal - Community Facility - Mens Shed Application No.
16-2015-660-1**

This is a submission in support of preserving Boomerang Park in its current state as intended by the gifting of the land by a private party to the community. It is a green corridor, a wildlife sanctuary and an area where the people of the community can go to relax, walk, have a picnic and generally enjoy the peace and quiet the Park provides. The land which was gifted to the community needs to be preserved in perpetuity as was intended by the party imparting the gift of the land. The Park needs to be preserved for future generations to enjoy. In addition, the Park has cultural and historical significance.

The issue of the building of a Mens Shed has become a distraction from the actual issue of preserving Boomerang Park. An idea has emerged that if Boomerang Park is saved from development, that there can be no Mens Shed. This is not true. The two are unrelated.

Many sites have been identified where a Mens Shed can be built without destroying the nature of Boomerang Park. No Mens Shed needs to be built on community parkland at all. The very idea is incongruous and at cross purposes. If there is a need for a Mens Shed to be constructed, then other sites such as the land near the current Fire Station at Lakeside would be a more appropriate solution, both in the size required for a Mens Shed and the preservation of Boomerang Park. In this way, there would be a win/win outcome for both the Mens Shed and the preservation of Boomerang Park.

In addition, Boomerang Park should not be rezoned with development of any kind in mind for the reasons stated above. The Park should not be used for the construction of dwellings or buildings which would be more suited to an industrial area. We should be

proud of the fact that we have such a beautiful green area from an aesthetic point of view. It is an example of beauty which demonstrates to people who visit the town that we have something unique to offer, rather than just a conglomeration of buildings.

Yours faithfully

A solid black rectangular box used to redact the signature of the sender.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

20th March 2016

The General Manager
Port Stephens Council
PO Box 42
RAYMOND TERRACE NSW 2324
portstephenscouncil@nsw.gov.au

Dear Mr. Wallis,

Re: Draft Plan of Management – Boomerang Park February 2016

After careful consideration of the Draft Plan of Management Boomerang Park 2016 I wish to submit my concerns as an objection to this Plan of Management.

Firstly I wish to acknowledge that the current Boomerang Park Plan of Management 2000 was developed in consultation with the Community in the late 1990's. This Plan is consistent with the Local Government Act 1993 and it represents the Community's wishes and sets out a comprehensive plan to manage the heritage, cultural, social, environmental, and community needs of this Park well into the future. I believe the current Plan of Management better serves the interest of the Park and the Community therefore I believe that the Draft should not be implemented as it is not consistent with the Local Government Act 1993.

It is my opinion that our Council has ignored the current Boomerang Park Plan of Management 2000 in that the majority of the objectives in the current Plan of Management have not been implemented by Council over recent years hence the major values of the Park such as its heritage and environment have not been enhanced, conserved and preserved as well as they should have been.

Furthermore, Council has again ignored the current Plan of Management 2000 by taking steps to development the Park by engaging a consultant to develop a Landscape Master Plan of future development in the Park without using the current Plan of Management as terms of reference. The result of this is that Council adopted in November 2014 a Landscape Master Plan that proposes '... additional facilities, landscaping improvements and a Men's Shed along with recommendations that 4.5 hectares of the park be sold to provide funding for the proposed facilities.(*Boomerang Park Raymond Terrace Draft Master Plan*).

This Landscape Master Plan allows alienation of Parkland by the proposed re-zoning of 4.5 hectares of land for sale as residential development, double croquet course and a large industrial Men's Shed all of which will be enclosed by fences and entry will be by membership hence alienating the general public. Therefore this Landscape Master Plan is inconsistent to the values set out in the current Plan of Management (Policy Statements: 3.2.0 & 3.2.1., page 16) and the Local Government Act 1993. The Draft Plan of Management opposes the Landscape Master Plan by stating in Section 3.17 page 35, '*private alienation or encroachment on the Park*' is a prohibited use.

Consequently Council is now proposing the Draft Plan of Management Boomerang Park 2016 which attempts to justify the Landscape Master Plan by quoting, "a plan of management is typically accompanied by a landscape master plan that shows proposed future uses and development/improvements to that open space" (Page 5, Draft Plan of Management). The Draft Plan of Management has five objectives, one of which is, '*Develop management actions which align with the landscape master plan illustrating action required to implement improvements to the Park*'. Therefore my understanding of this statement is that the Draft Plan of Management and Landscape Master Plan must have congruent values, objectives and means that are consistent to the vision of the Plan of Management. However, this is not the case as on page 27 of the Draft Plan of Management it states, '*This plan of Management permits the use and development of the park generally in accordance with the Landscape Master Plan. However, the Landscape Master Plan shows a possible rezoning of part of the park as residential. (This re-zoning is currently in the Gateway Process and has been approved by the Department of Planning). This Plan of Management does not permit that use of the park, or endorse any such rezoning. That is the subject of separate statutory processes and community consultation as per Council's resolution.*' Despite this the Draft Plan of Management states in Section 5.1 it will implement the objectives in this Draft Plan of Management from various sources of funding from '*the proposed reclassification and rezoning of the allotted land area for residential purposes*' and from '*developer contributions*'. Therefore the Draft Plan of Management is duplicitous hence it doesn't make sense.

My objection is, why has the Draft Plan of Management been written to accompany a Landscape Master Plan that includes development that is not permitted under the Local Government Act 1993. As quoted above, this Draft Plan of Management has been written to implement the development proposals in the Landscape Master Plan which are dependent on funding from sale of land in the park. It is not logical that Council has resolved to exhibit this Draft Plan of Management which is incongruent to the Landscape Master Plan. In particular the Landscape Master Plan includes a Men's Shed which is dependent on funding from sale of parkland and developer contributions. Firstly, how can this Draft Plan of Management permit the development of a Men's Shed on community land (as stated in the Draft Plan of Management on Table 7, page 24 and Section 3.14 page 25) which seeks funding from the sale of a significant part of the Park. This proposal is obviously ignoring the Local Government Act 1993. Secondly, how can this Draft Plan of Management support the development of a Men's Shed on the park when development of buildings on community land under Local Government Act 1993 is not permitted?

Landscape Master Plan Vision Statement:

The current Plan of Management 2000 includes a vision statement however the Draft Plan of Management doesn't. I noted that the Landscape Master Plan includes a vision statement on page 27 of the Draft Plan of Management. Please note that this vision statement was not apparent in documentation when it was adopted in 2014.

The Landscape Master Plan development process aims to deliver the following: '*A) create a vision for the future of Boomerang Park; B) transform an underutilized community space into a rich and vibrant recreation area and, C) provide a diverse range of recreational facilities and settings that cater for a range of needs within the community*'.

Item A: create a vision for the future of Boomerang Park

This doesn't include any description of a vision for the present and future of the Park. What type of Park will it be for example, contemporary in style or heritage in style? Lack of a definitive vision statement leaves opportunities for misinterpretation which could lead to poor management of the Park and misrepresentation of what the community wishes and needs. It is important that the vision reflects the heritage, aesthetic, environmental and community values of the park.

Item B: transform an underutilized community space into a rich and vibrant recreation area

It is essential to acknowledge that the Park is not underutilized as it is currently a vital corridor for wildlife some of which are listed under the Threatened Species and Conservation Act 1995. For example, the grey crown babbler utilise the woodland area of the Park, feather tail gliders use the trees on the Southern side of the Park, Eastern long neck turtles use various areas of the Park including the pond. There are reports that a small number of koalas still use the park as a corridor. It is important that corridors remain open for wildlife to promote genetic diversity amongst our wildlife. A loss of corridors is a loss of genetic diversity hence an increase risk for poor health in our wild life which will contribute to their extinction. The Park is home for many other non- threaten species and migratory species as well. Providing community space for wildlife is a valuable community function. This is especially so for children who will in the future be able to enjoy wildlife that may had become extinct if this corridor was destroyed.

The Park provides open space for a wide range of flora some of which are also threatened including the Endangered Ecological Community of Hunter Lowland Redgum Forest such as Forest Red Gum and Rough-barked Apple forest in the center of the Park (Jones,S, 2015 p.18). In addition Earp's Gum (Eucalyptus Parramattensis Subsp. Decadens) also grows in the Park and is protected by both the Threatened Species and Conservation Act 1995 and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. There are also plant species in the Park which are protected by the Threatened Species Conservation Act 1995 which were not flowering at the time of the flora survey in 2015 hence they were not identified as existing in the Park.

The Park also is a place where plants naturally grow which Aboriginal people use as medicine, food and material for tool and basket making. This provides opportunities for people to come to the Park to appreciate Aboriginal culture while at the same time it also gives Aboriginal people opportunities to practice their culture.

The mature trees in Boomerang Park are utilized as filters to clear our air of pollution. These trees are making a significant contribution to the health of our community as pollutants threaten the health of children, the elderly and people with asthma and other respiratory diseases. Particulate matter actually increases mortality in polluted areas, especially affecting people with underlying heart and lung disease. Toxic air pollutants also increase the risk of cancer. A study revealed that in Atlanta that trees remove 19 million pounds of pollutants each year, providing a service valued at 47 million US dollars. (Urban Ecosystem Analysis for American Forests). Therefore the trees in Boomerang Park are providing an essential service to our town especially with the growth in pollution and loss of nearby forest due to development, bushfires and storms.

Living in an area with green open space and trees reduces violence which promotes healthy communities and saves the Government money. For example, a study of public housing residents with nearby trees and natural landscapes reported 25 per cent fewer acts of domestic violence (Kuo and Sullivan 2001).

The green open space in the Park is also being utilised by reducing residential energy consumption as the trees in the centre of town have a cooling impact on the environment hence reducing use of air conditioning (Urban Ecosystems Analysis for American Forests).

The Park is a place of remembrance of those who died in World War I and II. Trees have been planted in honour of those who were lost at war.

It is also a place where much history has occurred for European history over the last 179 years. Many people in the Town are connected to this history. The Park is a symbol of who we are as individuals as a Community and also as a Nation.

Boomerang Park is a place being used to refresh ourselves from demands of busy lives, anxiety, fatigue, depression and physical health issues. Research has demonstrated that spending time in peaceful environments can improve emotional and mental health (Grahm and Stigsdottor 2003; Berman 2012). Furthermore children with behavioural problems often improve after spending time in the Park (Kuo and Taylor 2004). Open green space can reduce mental and physical issues. Reduction in stress means a reduction in mental which significantly reduces the health budget (Gruen, 2015).

Boomerang Park is also a part of the town centre streetscape which gives the town it unique picturesque identity.

In the near future the demand for open space will increase given the population of Raymond Terrace and its surrounding areas will also increase. The immediate area to the South West of Boomerang Park will become a high density housing area as a result of the Raymond Terrace Heatherbrae Strategy 2015-2031. Given this expected growth, open space in the Park will be filled with visitors from the local neighbourhoods therefore there will be no need to sub-divide the park and rezone it as this space will become more precious as time goes on.

It is important to ensure *'that a rich and vibrant recreational area,'* as stated in part B of the Vision Statement doesn't take away the peaceful qualities of the Park and take on the appearance of a noisy shopping mall. It is also important that part B of the Vision Statement be amended as it is not consistent with the definition of the category of 'park' as defined in the Local Government (General) Regulation 2005: *'...for mainly passive or active recreation, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others'*.

I have noticed that the Park is being used by a few people at a time most hours of the day. For example, some of the passive recreation I have noted includes, walking, yoga, Thai chi, golf, cricket, dog training groups, horse riding, youth counselling, football, kite flying, running, family picnics, photography, painting, meditation, children playing games, bike riding, SES training, children playing around the edge of the pond, spot lighting wildlife, bird watching, meeting place for youth groups, orienteering groups, school groups, archery, dog trials, music practice and Sunday school for children.

The above examples of the diverse uses of this Park demonstrate that it is being utilized.

Item C: 'provide a diverse range of recreational facilities and settings that cater for a range of needs within the community'

In principle the needs of all members of the community should be catered for however in some cases this can be met on other sites rather than the Park for example the Men's Shed which is more suited to a light industrial area given its unpleasant appearance and noise pollution. It is important that the Park remains as open space for all and it is not divided into many separate sections to accommodate the needs of individual groups hence alienating sections of the park from the general public. It is important that open space is provided so major events such as concerts and markets can be accommodated for along with passive recreation. Open space provides rich opportunities for various groups to interact with the whole community rather than being restricted to segregated groups. Recreational facilities need to be available to all and if facilities are placed on the Park they will need to be versatile in use and not create any

barriers that alienate open space. All recreational facilities must be in accordance with the Local Government Act 1993.

Please note that the vision statement in the Landscape Master Plan Vision doesn't include rezoning of 4.5 hectares of land but the map of the landscape masterplan does include the area to be rezoned therefore there is a major discrepancy between the Landscape Master Plan vision statement and its map. I believe the solution to this is that the Council should in consultation with the Community use the current Plan of Management 2000 as terms of reference to identify how its objectives can be implemented given they have been neglected for so long.

Objectives of the Draft Plan of Management:

Meet all legislative requirements: Major proposals in the Draft Plan of Management don't meet all legislative requirements in Section 45 and 47E of the Local Government Act 1993. Furthermore the re-categorisation of two 'areas of cultural significance' in the Park to the category of 'park' is of concern given the same Council in November 2000 adopted these two areas as 'culturally significant'. The Park is listed on the Port Stephens Local Environmental Plan 2013 as *an item of local heritage significance*. Furthermore heritage consultants Hull, Carr and Umwelt have assessed the Park in recent years and they all concluded that the Park is of '*high local heritage significance*' (Carr J. 2015, Hull E. 1999 and Umwelt 2016). The reason given by Council for re-categorisation of these areas is to allow rezoning and development of a Men's Shed and other facilities which would not be allowed under the current categorization of 'area of cultural significance'. Under the Local Government Act 1993 these reasons are not grounds for re-categorizing areas of 'cultural significance' to Park. Furthermore, it is inconsistent with the spirit and intent of Section 36D and 36H of the Local Government Act 1993, for our Council to propose a management plan that ignores the Park's need for its significant heritage to be cared for in a manner which enhances, conserves and retains its heritage for past, present and future generations.

Support the conservation and interpretation of heritage values of the Park: This Draft Plan of Management re-categorises two 'areas of cultural significance' to 'park' which 'will not support the conservation and interpretation of heritage values of the park'. For example, removing the category of 'area of cultural significance' will remove the objectives by which these areas are to be cared for under the Local Government Act. For example the Act states these heritage areas are to be enhanced, conserved and retained for past, present and future generations. As stated above the Park is listed on the Port Stephens Local Environmental Plan 2013 as an item of local heritage significance. In the light of this listing the entire Park merits re-categorisation as 'an area of cultural significance'.

Review of the Draft Plan of Management's objectives and performance targets on Table 8. Page 31, does not name any objectives in relation to Aboriginal cultural heritage in the Park. A major deficit of this Draft Plan of Management is that there was no consultation with the Worimi Local Aboriginal Land Council in relation to Aboriginal heritage in the Park. Local people are aware that some areas of the Park were used by Aboriginal people for ceremonies, camping and it could also be a burial site. Aboriginal artefacts have been found in the Park over the years which confirm that Boomerang Park is an Aboriginal Place and it should be registered with the Office of Environment and Heritage as such a place. Furthermore the land involved should be re-categorised as an 'area of cultural significance'. Before this Draft Plan of Management is adopted it is essential that Council have consultation with members of the Aboriginal Community who have connections to this land and that an archaeological review be undertaken in the park to clarify the nature of Aboriginal cultural heritage of the Park.

Support the ecological values of the park: This objective doesn't include protection and conservation of the ecological values of the Park hence allowing trees to be removed for development. What is

needed is **an ecologically sustainable approach which maintains the Park's ecology while implementing recreational facilities around the Park**. The proposed tree planting cannot replace mature trees which provide hollows and other qualities which are essential for the Park's ecosystem. Tree planting is important but existing trees need to be conserved. Furthermore Koala Management policy in this draft has been omitted because during the survey which lasted approximately 9 hours no evidence of Koalas was found. This should not be used to justify that a koala management plan is not needed to actively address the needs of this threaten species. The current Plan of Management 2000 has some strategies to protect and promote koalas in the Park. These strategies should be continued however a more comprehensive plan that goes beyond the boundaries of the Park needs to be established given the serious decline in the Boomerang Park Koala population. A recovery plan is needed to assist in restoring the koala population. Council should have introduced a recovery plan in the Park years ago which may have prevented such a serious decline in the population.

Expand the recreational opportunities for all ages within Boomerang Park: It is important to ensure that the expanded recreational opportunities do not negatively impact on the ecology and heritage values of the park and that the expansion will not 'intrude on the peaceful enjoyment of the land by others'. Furthermore it is essential that recreational facilities do not alienate the park from the general public.

Develop management actions which align with the landscape master plan: Review of the Landscape Master Plan shows re-zoning of parkland while the Draft Plan of Management states it doesn't endorse the rezoning of the park or the selling of any parkland but it states that funding for recreational facilities in the park will come from a range of sources including funds from sale of land and developer contributions. This Draft Management Plan doesn't align with the Landscape Master Plan.

This Landscape Master Plan allows alienation of Parkland by: the proposed re-zoning of 4.5 hectares of land for sale as residential development: the double croquet course and a large industrial Men's Shed all of which will be enclosed by fences and entry will be by membership hence alienation of the general public. The Draft Plan of Management states in Section 3.17 page 35, 'private alienation or encroachment on the Park' is a prohibited use hence this doesn't align with the Landscape Master Plan.

The above objectives fall short of the current Plan of Management 2000 in that **open space and scenic attributes are major values in the current plan** but are not mentioned in the Draft Plan of Management. For example re-categorisation of two '*areas of cultural significance*' to '*park*' deletes the value of aesthetics. The aesthetics of the park can be cared for by categorizing land as culturally significant as the objectives of culturally significant areas is to retain and enhance the aesthetic values of an area for past, present and future generations (Local Government Act 1993, Section 36H).

Conclusion:

This Draft plan of Management was written to accompany a Landscape Master Plan which proposed development of a Men's Shed and re-zoning for residential development on the culturally significant areas of the Park. To justify this development, claims were made that the Park is underutilized and that is in the interest of the community that it be utilized for development. This is not true. The evidence of the comprehensive and diverse uses this Park provides to the Community was presented this submission. Furthermore, its utilization will increase dramatically in the next few years as population increases. Development may provide profit to a minority but the cost of losing parkland will be a major loss to the community.

The Draft Plan of Management and Landscape Master Plan are inconsistent with the Local Government Act 1993. The Draft Plan of Management and the Landscape Master Plan contain contradictory statements. Furthermore the Plan of Management and the Landscape Master Plan do not align.

This Draft Plan of Management and Landscape Master Plan will facilitate destruction of the environment and cultural heritage of this Park.

This Draft Plan of Management given its poor management strategies should not replace the current Plan of Management 2000.

The Park should remain as open space for all to use for recreation. Umwelt's advice is that *any management framework established for the Park should consider and aim to protect and interpret the intangible significance of the park as a whole*. Hence I believe alienation of parkland is not acceptable and the Park should remain as a whole for future generations to enjoy. These values are reflected in the current Plan of Management 2000 which I believe should be retained and implemented.

Yours sincerely,

██████████

██████████

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22nd March 2016

The General Manager
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Dear Mr. Wallis,

Re: Draft Plan of Management - Boomerang Park 2016:

I wish to submit my objection to the Draft Plan of Management on the grounds that the proposed re-categorisation of community land to the one category of 'park' will neglect the cultural heritage of Boomerang Park.

Boomerang Park is listed on the Port Stephens Local Environmental Plan 2013 as an item of local heritage significance.

In addition, heritage consultants, Hull, Carr & Umwelt have assessed the Park in recent years and concluded that the Park is of high local heritage significance. (Carr J. 2015, Hull E. 1999 and Umwelt 2016)

In view of these facts, I believe that it is in the best interest of Boomerang Park that it be categorised as an 'area of cultural significance' and not be categorised as 'park' as proposed in the Draft Plan of Management 2016.

Boomerang Park is located within the historic context of its town's centre and cemetery. The Raymond Terrace Heritage Conservation Area was classified by the National Trust which includes the historic streetscape together with Boomerang Park. (E.J.E Architecture 1995: 82).

Boomerang Park is of high, local heritage significance because it is a part of colonial town planning. When the town was founded in 1837 it was laid out in accordance with the 1829 town planning regulations of the colony. This Park demonstrates the importance of open space in Colonial planning.

Sport evolved around the open space in the Park from about 1860 when sporting facilities were built over a period of time for horse racing, cricket, football, tennis and golf. By 1895 the Council employed, Menken's, a prominent architect, to build a Sports Pavilion for the community.

Sport at the time was a major cultural pursuit in Raymond Terrace just as it is now. The current plan of management for Boomerang Park has categorised these historic sports fields as an 'area of cultural significance' which still allows sports to be played on them.

Contrary to this, the draft plan proposes that these fields be re-categorised as 'park'. This means that land will not be managed to support sport because the objectives for the category of, *'park', are to 'provide for non – sporting equipment and facilities'*.

Boomerang Park provided open space for marshalling of troops for both World Wars, light horse training for the Boer War; an army training camp prior to World War II and it was the location for a search light to identify air craft during the second World War.

The volunteers operating the search light and acting as aircraft spotters were young women who demonstrated their capabilities. One of these women was a relative of mine. Preserving the Park as an area of cultural significance is essential in showing respect to the people who made important contributions to the War effort.

The open space of the Park has also contributed to its history of significant community events, such as Federation; the post War peace celebrations and, 'Australia Remembers' celebrations. It has been a place where the community has expressed itself: by uniting in difficult times; by celebrating in better times; by playing sport and by participating in community events such as tree plantings. This open space has been loved by this community for many years.

Open space, is the key concept of the town planning regulations of the colony of NSW. It is the common element of the history of the Park in that it was the foundation upon which all the historic events occurred. The open space of the whole park is of cultural significance.

Umwelt's review of the Park concluded that the *'significance of the park is centered on the park as a whole'*. (Umwelt 2016)

In addition, Hull's stated, *'The Park is open space and is available to all people. Boomerang Park remains a focus for the community. Boomerang Park is also an example of 'living' heritage and should be protected and cherished in order for it to fulfil its role as an area for community expression in future years.'* (E. Hull, 1999)

In the face of all the evidence that Boomerang Park is of heritage significance, how can the same Council that declared two areas of Boomerang Park as 'culturally significant' now propose to re-categorise it to 'Park'?

Furthermore, it is inconsistent with the spirit and intent of the Local Government Act 1993 for our Council to write a management plan that ignores the Park's need for its significant heritage to be cared

for in a manner which enhances, conserves and retains its heritage for past, present and future generations.

My hope in writing this submission is that the Council we elected to represent us will reconsider the proposed re-categorisation of the Park and adopt a plan that categorises the whole park as 'culturally significant' for future generations to enjoy its cultural heritage.

Thank you for your attention.

Yours sincerely

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Between the 1950's to the 70's members of the Parks and Reserves Committee's cared for the Park.

In 1997 the Community and Council worked together to develop the current plan of Management.

Tidy towns are also now contributing to the care of the Park and in early 2015 the Boomerang Park Action Group Inc. was formed to preserve the future of the park. This ongoing support for our Park has also been reflected in Carr's statement that, 'the park is still well loved by the local community. (Carr 2015:7)

Australia remembers.

Port Stephens Council engaged Umwelt Heritage consultants to undertake a heritage study in relation to the preparation for the Draft Plan of Management of Boomerang Park. The conclusion and recommendations of this report the significance of the park is centred on the park as a whole rather than individual elements hence rather than reduce the areas of cultural significance the draft plan of management should consider the expanding this category.

Given the early relationship between the Town and the Park significant local heritage was captured in these areas. The Park was dedicated as a public reserve in 1837 and later dedicated as a recreation reserve in September 1892.

Re-categorising the land from areas of cultural significance to park fails to acknowledge our heritage and culture. Furthermore this draft plan of management's use of the category of Park will be used in a manner that will not protect these values in the park.

grows and people long to finding ways of connecting with a community through their understanding of culture and history which provides a sense of common pride in its past and present.

To replace an area of cultural significance with park is an act of disrespect to the spirit and intent of the Local Government Act 1993 in which by definition an area of cultural significance..... our heritage as park will not enhance, retain and protect the cultural attributes of the land but rather cover with

facilities which have not meaning or connection to our previous past. more important to our Community than community and council carefully consulted regarding the original plan of Management for Boomerang Park during the 1990's . which at that time there was a plan

The community and council agreed that Boomerang Park had significant cultural and historic values which needed to be protected and retained for the past present and future generations. Consequently areas of Boomerang Park were adopted by the council adopted a plan of management 2000 which has been a much respected and valued document in that it has respected the town's heritage and the meaning this has for the community.

16 years has pasted since this plan of management was adopted and our community's interest in its heritage and the culture is growing as evident by the people gathered here today to protect the cultural significance of the park.

One of my main grounds for this objection is that the areas of cultural significance in Boomerang Park represent the enduring truth about our heritage and how it has shaped our culture in contemporary society. Our cultural significant land still has important meaning to our Community and should not be negated by re-classification.

How can re-categorisation be allowed to wipe out the past significant cultural events and dispose of the the natural heritage of the Park? Council resolved and adopted the category of cultural significance so why can this be re-voked?

We need space as we are discovering more heritage in this Park for example vulnerable species such as greg crown bubblers, feather tail gliders, eastern long neck lizards. Endangered ecological communities of eucalyptus and growing discovery of plants in the Park used by Aboriginal people for food, medicines, weaving and tool making plant species, We need to allow more open space to accommodate our growing awareness of the rich heritage of this park rather than build it out with meaningless recreational facilities that can go elsewhere. We need to have more studies about Aboriginal life on this Land wh

Heritage consultants Umwelt study into the heritage of this report recognize the heritage significance of th The name "Boomerang Park" was given to the Park in 1914. It was named after 'old Boomerang' the second post master and local author John R. Holding who claimed he had met Charles Dickens and attempted to imitate his style in his writings. He also wrote for the local paper and reported many events that took place in the Park. He was also a lay preacher for the Uniting church next to the Park. The Park has been named after him for nearly 100 years. Again re-categorizing Boomerang Park as Park will not focus on the story of how the Park was named and the diverse story of the man it was named after who wrote so much about cultural and religious events that influenced its community's identity.

e park as a whole rather than any individual items or areas.

Tuesday 23rd March 2016

The General Manager

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Dear Mr Wallis,

Re: Submissions on the Draft Plan of Management, Boomerang Park February 2016 (Draft PoM)

I wish to register my objection to this document for the following reasons. The current PoM has a vision statement for Boomerang Park that it is to provide a public open space that enables a wide range of recreational, conservational, educational and community based activities to be undertaken in a manner that adds to the scenic and social attributes of the Raymond Terrace planning district. It recognises and acknowledges that the park is culturally significant. It acknowledges its natural flora and fauna qualities; its Indigenous heritage and its value as a community asset to the community.

It has long term aims and objectives –

- of its meeting the needs of residents and visitors;
- of providing quality local parkland that supports the overall open space system in satisfying the recreation needs of both residents and visitors.
- to improve the scenic and environmental qualities of Raymond Terrace through the provision of quality urban parkland
- to provide a skate park.

These aims and objectives are specific and measurable. They also include the protection and enhancement of the biodiversity of flora and fauna. They include a plan to conserve and enhance any items of cultural significance that may exist. They wish to provide safe, interesting recreation – passive and active opportunities to local residents in a cost effective manner that is in line with the standards for the provision of district parklands.

However this new PoM is far less visionary! Yet despite the current document having such lofty ambitions Boomerang Park has been in a neglected state for an extremely long time. Council claims the park is underutilised and yet if the plans, maintenance, care and funding had been appropriately applied the park would be in such a pristine state that we would not have to be fighting for its existence. The bi annual reviews of goals set out in the current Plan of Management have clearly not taken place.

Despite this the Council boasts about the park and its facilities on their website –the wonderful recreation facilities, seating, barbecues, sporting fields and paths. The paths with no maintenance are overgrown unsafe and re neither wheel chair nor perambulator friendly; in a state of serious neglect they can still be found with trees shading the potential user on either side. Yet the new PoM

propose new paths- in fact a doubling of resources when in fact proper attention to the existing paths could alleviate time, costs and labour to the rate payers. Council boasts of the facilities in the park – toilets are locked, taps without water, barbecues that do not exist, swings that are non-functional. The one area that does look like it has a BBQ has nothing but the frame and has been in this condition for possibly decades. The grass is mown as infrequently as four times a year.

The pond is home to a fragile ecosystem but it is overgrown and inaccessible for any purpose. Council staff emphasise there is no funding for anything on the park yet in the current PoM it lists sources of funding that would guarantee the parks' maintenance and accessibility.

The detention pond at the lower level of the park functions so poorly that surrounding trees are beginning to die off due to being under water continuously.

The fitness track was neglected for so long it became unsafe for anyone to use. More an indication that the council did not want anyone using the park.

The Heritage Walk that used to take people up to the amazing old cemetery is non -functional.

There are more areas of the park that are suffering in such a way. Other parks in different LGAs such as Maitland Park have constant care, maintenance and support that draw the community to it. Boomerang Park deserves this treatment too- not by selling it off and covering it in buildings but by recognising its beauty and giving it the respect it deserves.

The new Plan of Management states its value of Indigenous heritage but then goes on to say that no consultation was made to the Worimi People in the making of this PoM. Why not? Acknowledgment of Traditional owners of the land is meaningless diatribe if that is where it stops. The whole of this PoM shows its total disregard of indigenous, historical, cultural, natural qualities for the sake of an apparent agenda that is clearly morally and socially wrong. Boomerang Park is a jewel in the crown for this small semi -rural town and it deserves the respect that our ancestors showed it 178 years ago when it was first designated a park.

If Council actually followed the current PoM they would discover the beautiful Boomerang Park would sparkle and this would in turn draw visitors and residents to bask in its beauty as has happened in days gone by. The new PoM is unnecessary. Read and follow the current PoM and restore the park to its pristine elegance of a bygone era.



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Dear Mr Wallis

Re: Submission on the Draft Plan of Management, Boomerang Park February 2016 (Draft PoM).

Background

Boomerang Park is the premier park of Raymond Terrace. Boomerang Park is dedicated for the *purpose* of public recreation and has been public land for 179 years. It is the oldest Park in the Hunter and it is culturally significant.

Boomerang Park is culturally significant because major events in Australia's and Port Stephens European history took place there over the last 179 years. It is a major landmark in the centre of town with historical, social, natural and cultural heritage significance. It is socially significant as a vital community hub spanning three centuries and as a landscape, a valuable asset to the community as green open breathing space in contrast with the built up suburban area: a space for all members of the community to enjoy and benefit. The Park also supports flora and fauna species including vulnerable species such as the feather-tail glider, the grey crowned babbler and the koala.

Boomerang Park is heritage listed in the Port Stephens Local Environmental Plan (LEP) 2013 and has been since 2000. This document states to conserve the environmental heritage of Port Stephens. This listing was based on a number of detailed reports that span over 20 years of research. (1995 Heritage Study by EJE architecture and 1999 report by Elizabeth Hull which details Boomerang Park's significance describing Boomerang park as "living heritage"). Combined with the Park's National Trust-listed Historic Pioneer Cemetery, the Park's heritage-references reflect and strengthen the character of Raymond Terrace.

Boomerang Park's boundaries reference one of the state's earliest colonial town plans. The 2016 Heritage Report by Umwelt undoubtedly clarifies and reinforces that Boomerang Park as a whole is significant. It indicates that Boomerang Park demonstrates the importance of open space in colonial town planning and local associations with events of national importance.

Boomerang Park is the lungs of a healthy and vibrant urban centre, and as the Terrace looks at rapid growth, these lungs will become even more valuable, as will the heritage streetscape.

This submission objects to the following Draft PoM as follows:

2.5 Current park usage p.10

Page. 10 of the Draft PoM uses the term "underutilised" to describe Boomerang Park. This is without comprehensive factual evidence and analysis to support this statement. This term should be removed. There are many people actively and passively using the Park whether by walking through or driving past they all "consume" the beauty of the Park. Plants and animals live in the park and we all breathe the air it produces. This is no basis for subdivision or development of the Park.

3.3 Land Categorisation p15

The current Plan of Management 2000 (Current PoM) categorises Boomerang Park in three parts:

1. Area of cultural significance
2. Park, and
3. Sportsground.

There is also a small area designated for community services buildings.

There is no reason or any evidence given by Council to remove those three categories. In fact the findings contained in the heritage and environmental studies appended to the Draft PoM support its cultural significance. I believe Council is wrong in its Draft PoM to categorise the whole as mere "park" as this will remove current controls that care and protect Boomerang Park for the future. It will subject the entire Park to the risk of building development, and will disconnect the community from their heritage. Currently no development is permitted outside of the "community services area". It appears that Council's intention in the Draft PoM is to allow the construction of building in the park including an industrial Men's Shed and subdivision for the purposes of housing development.

1.8 Community Consultation p.7

Council has not committed to a formally recognisable community consultation process since the idea for the upgrade for Boomerang Park was tabled in Council August 2011. The community has been excluded from having their say in the planning process for their important dedicated community parkland.

In this proposed Draft PoM on p.7 Council is continuing to use the same token community consultation from over 2 years ago to tick a box – this is not genuine community consultation. Council is not sincere about the inclusion of the concerns or the valued contribution that the community of Raymond Terrace plays in the future of Boomerang Park.

Alienation of open space

In the Draft PoM the following statement about alienation of open space, and the entire section 3.3 in the current PoM that was the hurdle for the housing proposal, "As per the requirements of the local Government Act (1993, as amended) the sale of the land or part thereof should not be considered as a management option for the future of the site" has been removed. Alienation of open space is fundamental to the management of public parkland and must be included in the Draft PoM.

Conclusion

Management plans for key public lands set a framework whereby public assets such as parks may be managed to ensure their longevity. The Community Land provisions of the NSW Local Government Act 1993 were included in the Local Government Act to prevent the alienation of public parkland and to give the citizens of the Local Government Area a clear say in the management of their public parkland. The Draft PoM isn't a management plan for a Park, it reads more like a plan for a mixed use site providing a reasonably wide specification of uses that may be subject to leases etc. (including commercial, retail and Men's Shed) yet Boomerang Park is zoned public recreation! The Draft PoM fails to reflect the true attributes of this heritage listed, dedicated 179 year old parkland and identify problems and solutions that are accompanied by analysis, based upon logic and evidence.

Boomerang Park should be left intact with a management plan that acknowledges and respects Boomerang Parks' many overlays of cultural significance and that points the way to future management and conservation of this important public asset. The downgrading of Boomerang Park to just one category, "park", as proposed in the Draft PoM, is not in the Park's or the public's best interests.

The Draft Pom is not needed. The current Pom that views Boomerang Park as a heritage listed Park, just needs to be read and implemented.

Thank you.

NAME

SIGN

ADDRESS

22/3/2016

In addition to the set submission I would like to add that I am a Park user. I run through the Park most days.

The Elizabeth Avenue side which will practically disappear under this proposed Management Plan is the side that has the open vistas.

There is a rough dirt track/road that runs across the Park and is used a lot by people from the nearby houses as they walk to the CBD.

I people having picnics towards the top near the toilets and amenities there.

I see groups playing cricket on the pitch below the water tower.

All that will disappear.

The Plan has a lot of promises but not much substance. Take it on trust in other words. Trust is overrated. I know that your fact sheet states that the housing development for instance requires a separate rezoning. So why is it even mentioned? The tip of the iceberg if you ask me. This is the start of a land grab.

I have used the toilets near the water tower. I wouldn't necessarily say they are in poor condition as stated. They are mostly clean and certainly on par with the toilets in Riverside Park and Bettles Park.

The proposed housing will take up a huge amount of the Park and coupled with the Men's Shed and other buildings and proposals on the corner of Irrawang Street and Elizabeth Avenue the whole of that southern side will be shut off from the Public save for a token path going around it all which is extremely poor compensation for losing open parkland.

It seems strange that the current plan needs to be changed to provide better amenities, playground, paths etc., Surely this can now be done and retain the best part of the Park. Why the rush all of a sudden? We have had councillors make it to Federal and State politics. No vision from them at the time was there. They like most of the council over the years have ignored Boomerang Park until this one comes along full of developers. It is the housing development that is the jewel in the crown and all the rest is just waffle and made to look like sweeteners.

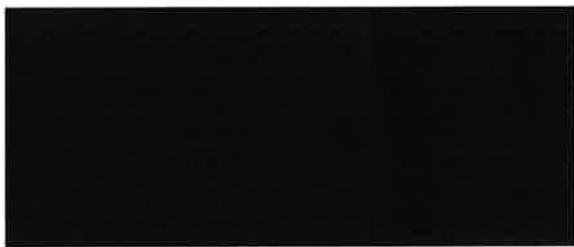
All cities have an open park where people can go just to get away from it all. Parks are for recreation and relaxing. An avenue of trees from the

CBD leading to the park. A place where visitors as well as locals can relax. It would certainly be easier to provide parking there than other places.

You talk of recreation. Well as I said I am a runner. I guess all your paths will be knee killing concrete other than the maybe board walk. How about doing what Seattle and Portland USA have done and provide a running track with packed down pine bark. Afterall Raymond Terrace has its own Park Run now although it is held in Riverside Park but people still need other places to run.

So 60 or 70 years from now where will Raymond Terrace be? What will it be like? What size will it be? Whatever it will be it should still have Boomerang Park and maybe by then a mini Botanic Garden, picnic places, a community cricket pitch, running tracks, walking tracks all on the same piece of land that is there today.

Future generations will thank you for your vision in retaining this unique piece of land in its current form.



22/3/2016

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
E-mail [REDACTED]

22nd March 2016

Submission against the updated Plan of Management for Boomerang Park.

My name is [REDACTED], I have been a resident of Raymond Terrace for just on [REDACTED] years, coming here with my family as a [REDACTED] from [REDACTED]. I quickly made new friends in the town and between them and my education at Raymond Terrace Primary School I gradually came to understand the significance of Boomerang Park to the citizens of Raymond Terrace and in fact the significance of the Park to all of Australia. It has been said that people will be replaced over generations and their memory will live on but if the physical history and evidence of those people are lost the memory of them will be lost forever.

One of the first places that I was introduced to, by my new friends when I moved to Raymond Terrace was the old quarry at the top of Boomerang Park. It was a great place for cooling off. The couple of deep areas in the quarry were small and safe and the majority of the quarry was only up to one meter deep. The water was cool and fresh, weed free and reasonably clear. Unfortunately now, the quarry has become choked with reeds and other introduced species but it is not beyond recovery. I remember being fascinated by the "saw tooth" rock formations along the base of the quarry and it was only during history lessons at Raymond Terrace Primary School that I learnt how these saw tooth formations were formed by the mining of sandstone for the construction of many buildings in Raymond Terrace and the surrounding areas. This is an example of physical evidence that must be protected.

When it was too cool for swimming my friends and I found the park a great place for many childhood games. Hide and seek, cops and robbers and even war games, just to name a few, particularly in the natural bush area at the back of the park. Once again the bush area is an area that needs protection both from developers and invasive weeds.

It was only later that I learned of the historical significance of this Park and read many articles about the military activities that had taken place here over the years. Troops trained here on horseback before leaving to fight in the Boer war. Troops were marshaled here before

going away to fight in the Great War. Troops were stationed here during the Second World War and there was also a permanent searchlight and observer crew stationed in the Park during the Second World War continually monitoring aircraft passing over, both friendly and otherwise.

Over the years there have been a number of celebrations to commemorate significant military victories held in the Park, the most recent in 1995 to celebrate the 50th anniversary of the end of the war in the Pacific, the final end to World War Two. This consisted of a full day of events honoring the local people who were involved and culminating in a huge bonfire and fireworks display. [REDACTED] the planning and supervision of this day [REDACTED] the NSW Fire and Rescue Service. The comments from the returned service people and their families who attended this event and just the looks on their faces will stay with me as long as I live.

Since then I have pondered the importance of this Park to the memory of those people, both men and women who gave their lives so that those of us whom remain will have the opportunity to enjoy life in Australia and enjoy the freedom and open spaces. This Park is a monument to them.

Together with another [REDACTED] member I attended a "two on two" meeting with Council Staff recently to try and glean more information and maybe gain a better understanding of their motives for wanting to recategorise the Park. They made it quite clear that they wanted to remove all reference to Heritage significance, Historical significance, Sporting significance and community services use and just have it designated "a Park". This - would then enable them to move forward with plans to develop whatever areas of the Park they see fit.

The true significance of the Park cannot be overstated.

- *It is the largest and oldest dedicated Park in Port Stephens and one of the oldest in NSW.
- *It held the first cricket club in Raymond Terrace, with the concrete wicket still in place on the best and most level area of the Park. Another piece of physical evidence that must be retained.
- * It held the first golf course in Raymond Terrace.
- *Regular horse racing events were held in the Park.
- * The military significance I have already discussed.
- * Indigenous significance? We are not sure but do know that the hilltop was a preferred site for men's ceremonies but much more remains to be discovered about this with further research.

The original Plan of Management for Boomerang Park included a number of activities for addition to the Park and although these additions have not progressed at the expected rate Council must look towards pushing this agenda along rather than abandoning the ideas and opting to sell off what is the best section of the Park for residential development.

I read the Statement of Heritage Impact prepared by John Carr Heritage design and note that "Boomerang Park" is of **high local** historic significance for its long association with the development of Raymond Terrace, yet Council see fit to remove all areas of historical and heritage significance from the Park?? In the Statement it also suggests that the size of the Park is more akin to that of a large city. At the Council meeting held on 24th November 2015 at which the Raymond Terrace/ Heatherbrae strategy was adopted almost every Councilor present stood up and stated that Raymond Terrace was well on the way to becoming a city in its own right. Now is the time to be thinking about an appropriate park, not crying over what might have been a few years down the track.

The Draft Plan of Management states that it is "typical" for a plan of management to have an attached "Master plan". How many other similar Plans of Management in Port Stephens have an attached "Master Plan"?

I refer to table 3 of the plan which describes the state of the infrastructure within the Park. It states that the water tower (owned by Hunter Water) is in poor condition. In the original 2000 Plan of Management the water tower was identified and certified as being in sound condition and suitable to have a lookout constructed on top. Who has decided this tower which is approaching its centenary is now found to be in poor condition? Is there an engineering report available to confirm this?

I refer to paragraph 1.8 Community Consultation

I attended the Community Workshop on 18th November 2013 and at no time was there any mention of a plan to re-zone any of the Park for residential subdivision (as proposed in the master plan), there was no mention of a Men's Shed. However at the 2013 workshop Council staff members were questioned about the rumor that they intended to expand the Council Works Depot out onto the Park and when this was confirmed the attendees at the workshop made it quite clear that there would strong opposition to this proposal. Now it appears that this proposal is also back on the agenda also. There must be more community consultation before this plan can be adopted in any form.

It appears to me that all the improvements planned for Boomerang Park, both current and future are being located to avoid any conflict with the proposed residential subdivision. The