



**Plan of Management
Ray Morton Park
(including Queanbeyan Art Society)
General Community Use**

**within the former
Queanbeyan City Council LGA**

Amendment No. 3

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Plan of Management Ray Morton Park

Table of Contents

Matters Common to all Lands Covered by this Plan of Management.....	3
Introduction	3
What is a Plan of Management?.....	3
Category and Classification of Land	3
Amendment No. 3.....	4
Land Covered by this Plan of Management	5
Background to the Management of the Land	7
Community Consultation.....	7
Condition of the Land and Structures on Adoption of the Plan.....	15
Use of the Land and Structures at the Date of Adoption of the Plan.....	17
Future Use of the Land	17
Leases, Licences and Other Estates	17
Approvals for Activities on the Land	18

Plan of Management Ray Morton Park

Matters Common to all Lands Covered by this Plan of Management

Introduction

The general purpose of this plan of management is to review and update the original version. Under clause 25 of the *Local Government Act 1993*, all land owned by a council must be classified either 'community' or 'operational' land. Any land that is subsequently classified as 'community' must also be placed in an appropriate plan of management that sets out how that land will be managed for the benefit of the community into the future.

Accordingly, this plan of management seeks to ensure Council has met its statutory obligations in respect of any 'community' land that is categorised as 'general community' for the purposes of the *Local Government Act 1993*.

General community use land is public land reserved for general purposes by a council for the benefit of its residents. This land does not have a specific purpose as specified in other community land categories under the *Local Government Act 1993*, and due to its public nature, is not suitable to be classified as operational land which is generally reserved for purposes to do with the everyday running of the Council (such as a depot).

This plan of management is specified to Ray Morton Park and includes the Queanbeyan Art Society (Map 1 & 2). It includes the provisions to authorise the leasing, licencing or granting of any other estate over the Ray Morton Park, the Art Gallery and other lands included in this plan, for the establishment and operation of small scale business enterprises that deliver or are in keeping with the objectives of this plan of management.

What is a Plan of Management?

A plan of management is a document that provides direction and continuity for the planning, resource management, maintenance, operation and programming of community land. The plan enables management to proceed in an efficient and sustainable manner, helps reconcile competing interests, identifies priorities for the allocation of available resources and facilitates public understanding.

Periodic revision of a plan of management also enables changing social, economic and ecological conditions to be taken into account as they arise and where necessary, the plan can be amended to reflect these changes. This plan of management for general community land has been developed to meet the requirements of the *Local Government Act 1993* specifically and to inform the public generally.

Category and Classification of Land

As noted, these lands are categorised as **General Community Use** under section 36I of the *Local Government Act 1993*.

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

- (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and

Plan of Management Ray Morton Park

- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

The *Local Government (General) Regulation 2005* describes under clause 106 the guidelines for categorisation of land as a general community use as set out below.

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

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

Amendment No. 3

Amendment No. 3 to this plan of management adds the following parcel of land for the purposes of general community use:

- Lot 1 DP 597143, known as 8 Trinculo Place Queanbeyan East NSW 2620 (Queanbeyan Art Society)

The amendment also introduces new details into the plan of management in respect of work, health & safety considerations for lands covered by the plan.

This plan of management is Council's specific area general community use document and is supplemented by the following plans of management:

- Plan of Management - Jerrabomberra Community Centre and Scout (Youth) Facilities – Amendment No. 3 (General Community Use).
- Plan of Management – General Community Use within the former Queanbeyan City Council LGA – Amendment No. 2.

Plan of Management Ray Morton Park

Land Covered by this Plan of Management

This plan of management applies to Council owned land classified as 'community' and categorised as 'general community use' under the *Local Government Act 1993*. This land is shown on Map 1 & 2 and is also set out in Table 1 below.

Table 1: Council Community Land – Ray Morton Park (including Queanbeyan Art Society)

Lots and Deposit Plan(DP) (Property Key-PK)	Street Address	Area Total (Ha)
PT Lot 6 DP 1099164 (PK: 174265)	6 Trinculo Place Queanbeyan East NSW 2620	0.62642
Lot 2 DP 749033 (PK: 174265)	6 Trinculo Place Queanbeyan East NSW 2620	0.09666
Lot 1 DP 593382 (PK: 174265)	6 Trinculo Place Queanbeyan East NSW 2620	0.03591
Lot 1 DP 749033 (PK: 174265)	6 Trinculo Place Queanbeyan East NSW 2620	0.1496
Lot 10 DP 1129959 (PK: 174265)	6 Trinculo Place Queanbeyan East NSW 2620	0.08076
Lot 11 DP 1129959 (PK: 174265)	6 Trinculo Place Queanbeyan East NSW 2620	0.16204
Lot 9 DP 1129959 (PK: 174265)	6 Trinculo Place Queanbeyan East NSW 2620	0.08094
PT Lot 6 DP 1099164 (PK: 184374)	4 Trinculo Place Queanbeyan East NSW 2620	0.01598
Lot 1 DP 597143 (PK: 185957)	8 aka 6 Trinculo Place Queanbeyan East NSW 2620 (Queanbeyan Art Society)	0.04612
	Total	1.29443 Ha

For the purpose of this plan of management the Ray Morton Park (including Queanbeyan Arts Society) management plan includes:

- Open space areas.
- A toilet block.
- Footpaths.
- Park benches.
- Garbage bins.
- Signage.
- Landscaping around the toilet block including a rose garden.
- A boat ramp.
- Bollards.
- Mature trees.
- Art gallery.
- Sensory gardens and café facility.

Plan of Management Ray Morton Park

Map 1: Locality Plan – Council Community Land - Ray Morton Park (including Queanbeyan Art Society) – September 2016



Map 2: Aerial Map – Council Community Land – Ray Morton Park (including Queanbeyan Art Society) – September 2016



Plan of Management Ray Morton Park

Background to the Management of the Land

This plan of management seeks to:

- Comply with the core objective for this type of community land and all other statutory provisions;
- Authorise the lease and licence of a café facility that will be a draw card to the Queanbeyan river environs;
- Describe the establishment and maintenance of the Sensory Gardens; a large community garden/park from Wanniasa St. through Ray Morton Park and around to the Queanbeyan Art Gallery on Trinculo Place; continue the provision of community and recreational facilities and activities on the site; and
- Authorise leases for specific sites
- Set up a management and maintenance regime in order to maintain any infrastructure and facilities on these lands in good order so as to reduce public liability risk and to protect public investment as well as their users.

The management of the site involves the following sections of Council:

- Parks and Recreation – Infrastructure Services
- Engineering Services – Infrastructure Services.

The action priorities for lands categorised as **General Community Use** are shown in the following tables which have been arranged according to the following management issues:

- Compliance with the Core Objectives (applicable to this type of community land).
- General Site Maintenance.
- Site Specific Maintenance
- Community Consultation.
- Public Access to the Site.
- Lease and Licences.
- Work, Health and Safety (WH&S).

Community Consultation

Council acknowledges that community consultation is an important component of its business.

As set down in section 38I of the *Local Government Act 1993*, Council will give public notice of a draft plan of management, and place the draft plan on public exhibition for no less than 28 days while allowing a minimum of 42 days to comment. Any submissions made to Council in respect of the draft plan will be considered by Council prior to the final adoption of the plan of management.

The Queanbeyan community and other interested parties will be able to have input into this draft plan of management through the public exhibition and submission stage. A public hearing conducted by an independent chairperson, will also need to be conducted after the public exhibition of the documents in respect to the addition of a new lot to this plan of management.

Plan of Management Ray Morton Park

Table 2: Compliance with Core Objectives

Management Issues	Core Objectives	Performance Target	Means of achieving the Objective	Manner of Assessing the Performance	Responsibility
<p>Compliance With The Core Objective for General Community Use (As Prescribed Under The Local Government Act 1993).</p>	<ul style="list-style-type: none"> To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public: in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities) 	<ul style="list-style-type: none"> Compliance at all times with the core objective for general community use. 	<ul style="list-style-type: none"> Review the core objective when amending this plan of management and ensure that any leases, licences or any other grants of estates made pursuant to it as well as other activities conducted on this land comply with the core objective and other applicable statutory provisions 	<ul style="list-style-type: none"> Review this plan when necessary and any leases, licences or other grants made pursuant to it and activities conducted on the land in terms of the core objectives and other applicable statutory provisions. 	<ul style="list-style-type: none"> Parks and Recreation – Infrastructure Services. Strategic Land Use Planning – Environment, Planning and Development.

Plan of Management Ray Morton Park

Table 3: General Site Maintenance

Management Issues	Objective	Performance Target	Means of achieving the objective	Manner of assessing performance	Responsibility
General Site Maintenance	<ul style="list-style-type: none"> To deliver and maintain safe, quality facilities and to minimise public risk and to ensure the proper management of the site. Reasonable vandalism and security. Impact of general community use on neighbouring natural areas. 	<ul style="list-style-type: none"> To minimise public risk through safe Australian Standards of maintenance practice and to ensure the proper management of the sites. To reduce opportunities for vandalism within any general community use. To manage general community use so to maintain the ecological values of surrounding natural areas. 	<ul style="list-style-type: none"> Develop a risk assessment checklist and assess on an annual basis. Maintain records of all assessments and prepare reports for the repair or replacement to be allocated to the appropriate department. Obtain financial means to maintain facilities. Maintenance schedule checklist. Continue to maintain the grounds in accordance with the Ray Morton Park and Trinculo Place Park seasonal maintenance programme. Review facilities within sites to minimise opportunities for vandalism. Identify sensitive natural areas adjacent to general community use. Determine management requirements and development constraints for the protection of those natural areas. Implement necessary management practices and development constraints. 	<ul style="list-style-type: none"> Regular visual routine safety and maintenance check to occur during site inspections using a risk assessment checklist. Ensure all works satisfy the requirements of Australian Standards and work place standards through a checklist system. Liaison with specific user groups. Number of vandalism incidents reported. Number of site where environmental requirements determined. Percentage of environmental indicators for natural areas. Key environmental indicators for natural areas. 	<ul style="list-style-type: none"> Engineering Services – Infrastructure Services. Parks and Recreation – Infrastructure Services.

Plan of Management Ray Morton Park

Table 4: Site Specific Maintenance

Management Issues	Objective	Performance Target	Means of Achieving the Objective	Manner of Assessing Performance	Responsibility
<p>Specific Site Maintenance</p>	<ul style="list-style-type: none"> To provide suitable playground, picnic and recreational experiences. 	<ul style="list-style-type: none"> <u>Maintenance Area</u> : To keep area mown and provide satisfactory grass cover to support objective. <u>Maintenance Area - Café Facility</u>: The licensor is responsible for maintaining the structure of the premises to a commercial standard and for general and garden maintenance of the surrounding areas 	<ul style="list-style-type: none"> <u>Maintenance Area</u> Mowing weekly during summer; every three weeks during winter and weekly maintenance of assets provided. <u>Maintenance Area - Café Facility</u>: Regular upkeep of premises and surrounding gardens to ensure commercial standards are met. 	<ul style="list-style-type: none"> Council's annual resident's satisfaction survey. General resident feedback via correspondence, telephone, e-mail. 	<ul style="list-style-type: none"> <u>Maintenance Area</u> Parks and Recreation – Infrastructure Services. <u>Maintenance Area – Café Facility</u>: Licensee of the café premises

Plan of Management Ray Morton Park

Table 5: Community Consultation

Management Issues	Objective	Performance Target	Means of achieving the objective	Manner of assessing performance	Responsibility
Community Consultation	<ul style="list-style-type: none"> To provide opportunities for community input into this plan of management. Meeting the reasonable expectations regarding the provisions of general community use areas and facilities. 	<ul style="list-style-type: none"> Consultation being in accordance with the <i>Local Government Act, 1993</i> during any revision of this plan of management. Ensure that general community use areas and facilities are provided in-accordance with Council's Integrated Plan. 	<ul style="list-style-type: none"> Continue to undertake reviews of this plan in accordance with the public consultation provisions of the <i>Local Government Act, 1993</i>. 	<ul style="list-style-type: none"> At every review of this plan of management check to see that consultation has been undertaken with the <i>Local Government Act 1993</i>. Level of demand for new general community use areas and facilities. Utilise community consultation opportunities arising from the exhibition of the various plans making up the Integrated Plan, as well as reviews of this plan of management. 	<ul style="list-style-type: none"> Strategic Land Use Planning – Environment, Planning and Development. Parks and Recreation – Infrastructure Services.

Plan of Management Ray Morton Park

Table 6: Public Access to the Site

Management Issues	Objectives	Performance Target	Means of Achieving the Objective	Manner of assessing performance	Responsibility
Public Access	<ul style="list-style-type: none"> To facilitate ongoing public access to general community use areas and facilities that is consistent with the core objectives of this plan. To provide areas and facilities which are safe and secure and for the use of all members of the community. 	<ul style="list-style-type: none"> Maintenance for reasonable and safe public access to each site. Take additional measures where necessary to enhance the safety and security of uses and visitors. 	<ul style="list-style-type: none"> Continue policies which enable the public reasonable and safe access to general community areas. Vehicular access to the surface of general community use areas to be limited to emergency and authorised service vehicles only. Physical access to general community use areas and their associated facilities must consider people with special needs. Signage systems be developed which maintain appropriate public access to these areas. Access be designed or redesign as necessary to maximise efficient and safe circulation of pedestrian and cyclists. Provide adequate signage, access and surveillance/public sight lines measures. 	<ul style="list-style-type: none"> Regular review of public accessibility to all of Ray Morton Park. Annual check of responsibilities under <i>Civil Liability Act 2002</i> and taking of remedial action as appropriate. 	<ul style="list-style-type: none"> Engineering Services – Infrastructure Services. Parks and Recreation – Infrastructure Services.

Plan of Management Ray Morton Park

Table 7: Lease & Licences

Management Issues	Objective	Performance Target	Means of Achieving the Objective	Manner of Assessing Performance	Responsibility
Lease and Licences	<ul style="list-style-type: none"> To ensure that all leases, licences and the granting of other estates over general community use site comply with applicable statutory provisions. 	<ul style="list-style-type: none"> Compliance at all times with the applicable statutory provisions for all leases, licences and other grants over general community use. 	<ul style="list-style-type: none"> Ensure that all existing and any new leases, licences. Take remedial action in the case of those leases, licences and other grants which don't comply with statutory provisions. 	<ul style="list-style-type: none"> When reviewing this plan, review each lease, licence and other grant in terms of its terms and conditions. 	<ul style="list-style-type: none"> Parks and Recreation – Infrastructure Services.

Plan of Management Ray Morton Park

Table 8: Work Health & Safety Policy (WH&S)

Management Issues	Objective	Performance Target	Means of Achieving the Objective	Manner of Assessing Performance	Responsibility
Work Health and Safety (WH&S)	<ul style="list-style-type: none"> To provide a safe and health work environment for all including staff, contractors, volunteers and members of the public. Ensure that all users and others are not exposed to a risk to their health and safety as required by the <i>Work Health and Safety Act 2011</i>. 	<ul style="list-style-type: none"> Undertake a risk management approach to likely activities on each parcel of land. Ensure compliance with Work, Health and Safety legislation, codes and standards wherever possible, whilst striving towards industry best practice and safe working environment. Ensuring the implementation of Council's (WH&S) Management System where applicable. 	<ul style="list-style-type: none"> Identifying hazards, assessing risks and making decisions about how to eliminate or minimise risk. Making decisions about facilities for welfare of workers and members of the public using this land. Making decisions about the procedures for resolving WH&S and other issues and monitoring of the work environment. Providing appropriate information, training, instruction, resources to support safety. Ensuring plant, equipment and material are safe and without risk to health when properly used: and the safe systems of work are provided for the handling, storage and transportation of such items. 	<ul style="list-style-type: none"> Compliance with the requirements of the <i>Work Health and Safety Regulation</i>. Effective systems are in place for monitoring the health of workers and workplace conditions. Ensuring those injured returned to duties in a safe and timely manner. 	<ul style="list-style-type: none"> Legal and Governance – People, Process and Technology. All appointed Work Health Safety Officers. Engineering Services – Infrastructure Services. Parks and Recreation – Infrastructure Services.

Footnote: A person conducting a business or undertaking (PCBU – the new term that includes employers) may be an individual person or an organisation conducting a business or undertaking. PCBU include local authorities (municipal corporations or councils) and applies to principals, contractors and sub-contractors.

Plan of Management Ray Morton Park

Condition of the Land and Structures on Adoption of the Plan

Ray Morton Park (including Queanbeyan Art Society)

Location: 4 Trinculo Place Queanbeyan East NSW 2620
6 Trinculo Place Queanbeyan East NSW 2620
8 Trinculo Place Queanbeyan East NSW 2620

Area: 1.29443 Ha

Landform Description: Flat, top of the embankment of the Queanbeyan River

Land Use: Recreational and community uses

Urban Services: The following services are provided to the site: electricity, stormwater, town water, and sewerage.

Vegetation: The site exhibits a highly modified vegetation pattern comprising extensive areas of exotic grassing (irrigated), callistemon garden bed surrounding toilet block, photinia hedge next to the Art Building, choisya hedge around garden, footpaths, rose garden, two mature pepper trees, six mature Chinese elms, one eucalyptus and six willows, garden bed

Summary: The Park is situated on top of the embankment of the Queanbeyan River, and bounded by Bungendore Road, Waniassa Street and Trinculo Place. The site contains a toilet block embellished by a modest amenity landscape including a callistemon garden bed, Choisya hedge, rose garden and park bench. All assets provided are in serviceable condition and are inspected regularly and maintained in accordance with Council's Asset Maintenance Schedule.

Plan of Management Ray Morton Park

Table 9: Asset Condition Assessment

Asset	Condition
One park sign on metal sheet with metal verticals	Good
One toilet location sign on galvanised iron vertical	Good
One plaque Dorris Land rose garden	Good
One Queanbeyan Weir sign on metal sheet with galvanised iron posts	Graffiti
One Queanbeyan Weir Prohibited sign on metal sheet with galvanised iron post	Good
One lockable metal gate to allow vehicular access to park	Good
15 Copper's logs post and rail fences	Good
Hand rail/fence along footpath galvanised iron	Fair
Others	
Four bins: concrete aggregate with bin liner	Good
One wheelie bin with stand	Good
Three concrete park benches	Good
One footpath through garden	Good
One footpath through park	Good/Fair
One power box	Good
Boat ramp	Fair
Three metal bollards, one removable for access	Good
Others	
Four bins: concrete aggregate with bin liner	Good
Men's Toilet	
One basin with tap	Fair
One urinal	Fair
One handicap toilet with handrail	Fair
One lockable gate	Good
Ladies' Toilet	
Two basins with taps	Fair
One handicap toilet with handrail	Fair
One toilet	Fair
One bench	Good
One lockable gate	Good
Men's Toilet	
One basin with tap	Fair
One urinal	Fair
One handicap toilet with handrail	Fair
Landscaping	
Extensive areas of exotic grassing (irrigated)	Good
Callistemon garden bed	Good
Photinia hedge	Good
Choisya hedge	Good
Rose garden	Good
Two mature pepper trees	Good
Six mature Chinese elms	Good
One eucalyptus	Good
Six willows	Good
Garden bed	Good

Plan of Management Ray Morton Park

Use of the Land and Structures at the Date of Adoption of the Plan

The flat grassed area bounded by Wanniasa Street and Bungendore Road is frequently used for active recreational pursuits. Four different Dog Organisations utilise this part of the park for a variety of dog activities including dog obedience training and Fly ball.

The sloping grassed part of the park below the footpath i.e. the river embankment is used for more passive recreational pursuits including picnics, feeding the ducks etc. A boat ramp is also present providing direct access to the river.

The site as a whole currently enjoys unrestricted use by the public and provides safe access to the Queanbeyan River.

Future Use of the Land

There is no intention by Council to dispose of land associated with Ray Morton Park. Consequently the future use of the land is likely to be similar to current uses.

Encouragement or otherwise of recreational activities and/or public access to the Queanbeyan River will be the subject to ongoing risk assessment with regard to public safety and risk management. It is envisaged that Ray Morton Park will be a base for a number of community events and markets.

Queanbeyan City Council is in the design phase of a large community garden/park from Wanniasa Street through to Ray Morton Park and around to the Art Gallery on Trinculo Place. The garden is to incorporate elements from the previously proposed Federation Garden, as well as further developing the plan to incorporate a linking or meandering sensory garden throughout the site. The design is to provide areas for community gardens, sensory gardens and other features while maintaining open space for recreational and community use. The project will be developed over several years, allowing for the opening date to tie in with the centenary of Canberra celebrations in 2013.

In addition maintenance and remedial action in relation to any buildings/structures/embellishments on these sites will continue on an on-going basis.

Any building work or structures will be required to obtain the appropriate consents and approvals and will have to comply with the principles below.

Leases, Licences and Other Estates

Leases and licences and the granting of other estates are primarily governed by sections 44-47E of the *Local Government Act 1993*.

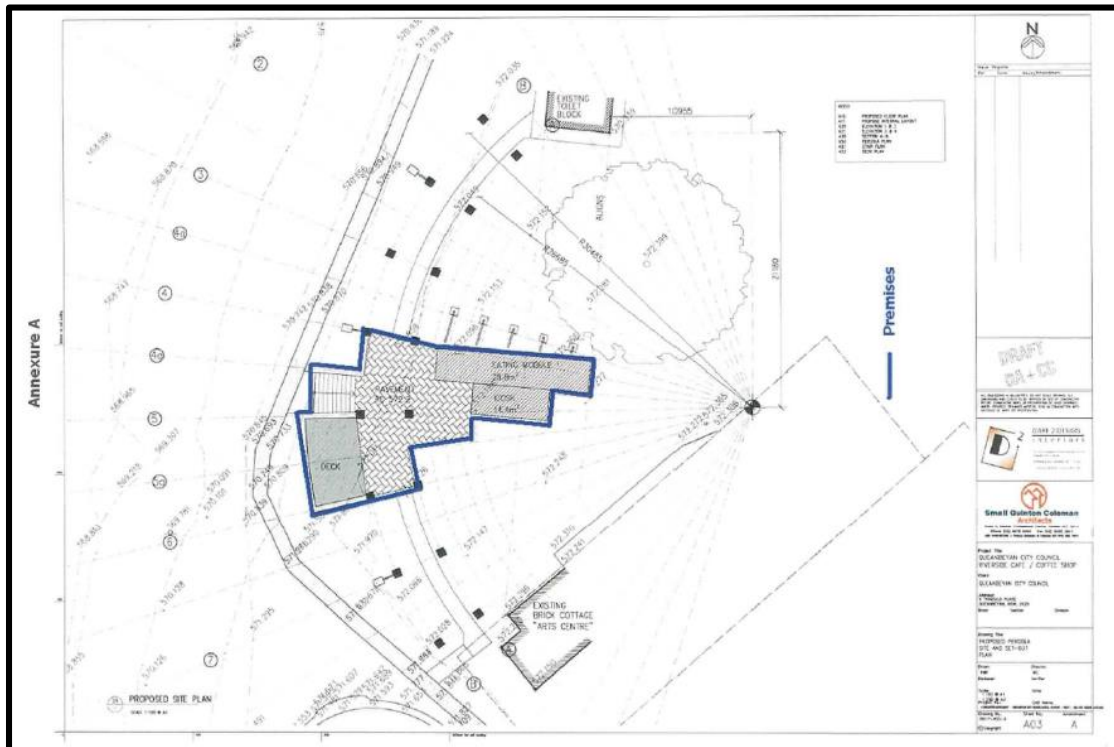
This plan of management authorises the lease, licence or grant of any other estate over Ray Morton Park which is consistent with the core objective and other provisions of this plan and which is permissible under *Queanbeyan Local Environmental Plan 2012* and which satisfies the provisions of the *Local Government Act 1993*.

There is a current Licence Agreement for the Riverside Café located within Ray Morton Park as shown in Map 3. The licensee (Richter House Company Pty Limited) has agreed to the terms with the licensor (Queanbeyan-Palerang Regional Council) to provide a café facility.

Plan of Management Ray Morton Park

The Queanbeyan Arts Society Incorporated currently has a Lease Agreement with Queanbeyan-Palerang Regional Council to use the building at 8 aka 6 Trinculo Place Queanbeyan (Lot 1 DP 597143).

Map 3: Café Facility



Approvals for Activities on the Land

Section 68, Part D of the *Local Government Act 1993* requires approvals issued by Council for certain activities on community land.

These include the following:

- Engage in a trade or business.
- Direct or procure a theatrical, musical or other entertainment for the public.
- Construct a temporary enclosure for the purpose of entertainment.
- For fee or reward, play a musical instrument or sing.
- Set up, operate or use a loudspeaker or sound amplifying device.
- Deliver a public address or hold a religious service or public meeting.