



Brightmore Street Drainage Reserve Draft Plan of Management



Document Control

Job Name:	Brightmore Street Drainage Reserve Plan of Management
Client:	North Sydney Council
Client Contact:	Risha Joseph
Project Manager:	Simon Haire
Email:	simon@xypher.com.au
Telephone:	0428 600 657
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1. Introduction

1.1. Management Context

Plans of Management are important documents providing clear guidelines for the effective short and long-term management of all land owned by the Council or under the Council's control. This document complies with the Local Government Act 1993, and the Amendment (Community Land Management) Act 1998 and supersedes the Generic Plan of Management for Community Lands for Brightmore Street Drainage Reserve 1997.

Brightmore Street Drainage Reserve provides for stormwater overland flow while also providing sealed pedestrian access between Brightmore Street and Benelong Road.

Brightmore Street Drainage Reserve is Zoned R2 Low Density Residential and is classified as community land for the public purpose of stormwater management, categorised as General Community Use. The land is owned by North Sydney Council; and is bound by private property on either side opening to Brightmore Street on the southern end and Benelong Road to the north. Activated development approval to 33A Benelong Road discussed within the previous Plan of Management retains ongoing private vehicle access that is subject to this plan.

The Brightmore Street Drainage Reserve Plan of Management examines the typical range of issues associated with a drainage reserve and pedestrian access in a residential area in a pragmatic and transparent manner. The Plan draws on information contained within previous studies and incorporates it into a useful document that functions as one of the Council's management tools regarding the subject site. The major relevant legislation governing the site include:

- Local Government Act 1993
- Amendment (Community Land Management) Act 1998
- Environmental Planning & Assessment Act 1979

The other relevant Council documents, studies and policies include;

- North Sydney Council Vision 2040 (Community Strategic Plan)
- North Sydney Council Delivery Program 2022-2026
- Local Environmental Plan 2013, (& Development Control Plan) North Sydney Council
- Sydney Harbour Regional Environmental Plan (Sydney Harbour Catchment) 2005
- North Sydney Recreation Needs Study 2015
- North Sydney Walking Strategy 2022
- North Sydney Council Asset Management Plan – Footpaths
- North Sydney Council Asset Management Plan – Stormwater Drainage
- North Sydney Council Development Control Plan 2013 – Section 18 Stormwater Management
- Rights of Way over Drainage Reserves & Community Land Policy 2022
- Encroachment Management Policy 2022

1.2. Structure of the Plan of Management

The structure of this plan has been designed to be consistent with Councils current set of plans of management and is divided into 6 key parts:

Section 1 examines what a Plan of Management is, outlines the scope of this Plan, its purpose, and its core objectives, explains the linkage between this Plan of Management and Council's land management goals, and details the role of community consultation in the planning process. It also examines the issue of leases, licences and other estates as they relate to the Brightmore Street Drainage Reserve.

Section 2 examines Brightmore Street Drainage Reserve characteristics and local history context. The function and use of the Drainage Reserve is also discussed.

Section 3 identifies and examines the planning and management issues impacting the site providing an understanding of how these issues are addressed within the context and parameters of this Plan of Management.

Section 4 provides for management implementation matrix, proposed actions and performance indicators for each issue, and each issue is given a priority rating.

Section 5 discusses the monitoring and review process as well as describing the budget and funding process impacting recurrent and future works.

Section 6 contains relevant appendices.

1.3. Purpose of the Plan of Management

This Plan of Management has been prepared to provide a useful consistent set of guidelines for the management of the Brightmore Street Drainage Reserve governing the direction of management for this area of public open space.

This Plan of Management examines the condition and characteristics of Brightmore Street Drainage Reserve. It identifies clear land management core objectives and establishes directions for planning, resource management and maintenance. It clarifies and establishes management policy and direction, both for Council staff and the public.

This Plan of Management will be reviewed to assess implementation. A major review after approximately 10 years will allow policy and planning issues to be revisited and updated where necessary.

The land covered by this Plan of Management is zoned 'R2 Low Density Residential' under Council's Local Environmental Plan 2013. Refer Appendix 1: Zoning of Brightmore Street Drainage Reserve.

1.4. Local Government Act (1993) Land Categorisation and Core Objectives

Council's Brightmore Street Drainage Reserve Plan of Management, 1997, categorised Brightmore Street Drainage Reserve as Community Land - "General Community Use" in accordance with the Local Government (General) Regulation 2005 under the Local Government Act 1993. This Plan of Management does not propose to change this categorisation.

Council owned Community land should be categorised as 'General Community Use' under section 36(4) of the Local Government Act (1993) 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 Reserve, or an area of cultural significance.*

1.5. Core objectives for the management of land categorised as 'general community use'

The Amendment (Community Land Management) Act 1998 provides core objectives for management of land categorised as 'general community use' that are applicable to Brightmore Street Drainage Reserve.

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

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

The Local Government Act 1993 (SECT 5) also makes provisions for the 'Use of land held for drainage purposes' and is included in this plan as core objective c). The provisions state:

- c) Land that is held by council for drainage purposes may be used for any other purpose that is not inconsistent with its use for drainage purposes, subject to the Environmental Planning and Assessment Act 1979 and any environmental planning instrument applying to the land.*

1.6. Permitted Uses of the land

1.6.1. Leases, Licences, Permits and Other Estates

The Amendment (Community Land Management) Act 1998 sets out requirements for the granting of a lease, licence or other estate in respect of community land.

A lease, licence or permit is a contract between a landowner and another entity, granting that entity a right to occupy an area for a specific period. Leases, licences and permits formalise the use of community land by groups such as sporting clubs, community groups and schools, or by commercial organisations and individuals providing facilities or services for public use.

A lease is typically required where exclusive use or control of all or part of a park or reserve is required. The terms and conditions of a lease should ensure that the lessee undertakes proper management of the facility such that it is maintained in a safe and visually pleasing condition, and that the interests of Council and the public are protected.

A licence is a right to occupy land without any interest in the land being granted. Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of a park or reserve is proposed. Several licences for different users can apply to the same area at the same time, provided there is no conflict of interest.

This Plan of Management authorises under 'General Conditions' that Council may only grant a lease, licence or other estate (including an easement for the purpose of "Right of Carriageway") for use of Brightmore Street Drainage Reserve if it is:

- a) For a purpose specified as a core objective for land categorised as general community use (refer section 1.5)
- b) For activities appropriate to the current and future needs of the community in relation to wide public purposes such as public recreation and cultural development
- c) To an adjoining landowner who has obtained and activated relevant development consent including but not limited to 33A Benelong Road, Cremorne
- d) For short term casual purposes as listed below:
 - Commercial photographic sessions
 - Filming for cinema or television
 - Access & Egress for public works and emergency access purposes

(Note: The use or occupation of Brightmore Street Drainage Reserve for any of the above-listed short-term casual purposes is allowed only if the use or occupation does not involve the erection of any building or structure of a permanent nature).

Lease, licence or other estate for a period that does not exceed 5 years

For Council to grant a lease, licence or other estate in respect of Brightmore Street Drainage Reserve for a period that does not exceed 5 years; Including any period for which the lease, licence or other estate could be renewed by the exercise of an option, it must:

- give public notice of the proposal, and
- exhibit notice of the proposal on the land to which the proposal relates, and
- exhibit notice of the proposal to such persons as appear to it to own or occupy the land adjoining the community land, and
- give notice of the proposal to any other person, appearing to the Council to be the owner or occupier of land in the vicinity of the community land, if in the opinion of the Council the land subject of the proposal is likely to form the primary focus of the person's enjoyment of community land.

A notice of the proposal must include:

- information sufficient to identify the community land concerned
- the purpose for which the land will be used under the proposed lease, licence or other estate
- the term of the proposed lease, licence or other estate (including particulars of any options for renewal)
- the name of the person to whom it is proposed to grant the lease, licence or other estate
- a statement that submissions in writing may be made to the Council concerning the proposal within a period, not less than 28 days, specified in the notice

Other requirements

- Any person may make a submission in writing to the Council during the period specified for the purpose in the notice
- Before granting the lease, licence or other estate, the Council must consider all submissions duly made to it
- On receipt by the Council of a written request from the Minister for Local Government, the proposal is to be referred to the Minister

Final approval of a lease, licence or other estate rests with Council, however, in unusual circumstances, the Minister for Local Government has the discretion to 'call-in' a proposed lease, licence or other estate and determine the matter in place of the Council.

Leases, licences and other estates for a period of 5 years or less for use of Brightmore Street Drainage Reserve for cultural or recreational purposes are not required to be tendered.

Leases, licences and other estates for periods exceeding 5 years.

Leases, licences and other estates for use or occupation of Brightmore Street Drainage Reserve for periods of over 5 years must be tendered unless for a non-profit organisation. The public notification and consultation procedure is as for leases, licences and other estates of 5 years or less. Council must submit leases, licences and other estates of over 5 years (including options to

renew) to the Minister for Local Government for his approval. Leases, licences or other estates may not be granted for a period exceeding 21 years. (This includes any period for which the lease, licence or other estate could be renewed by the exercise of an option.)

Express authority for vehicular access rights in favour of No. 33A Benelong Road, Cremorne is provided in this Plan of Management where a current lease, licence or other estate or instrument is in place.

1.6.2. Uses of Community Land for which leases, licences and other estates are not required

Exemptions regarding the granting of lease, licence or other estate in respect of Brightmore Street Drainage Reserve for terms of 5 years or less may be granted in the following cases:

Use and occupation of the land for events such as:

- (i) a public performance (that is, a theatrical, musical, or other entertainment for the amusement of the public)
- (ii) the playing of a musical instrument, or singing, for fee or reward
- (iii) playing of any lawful informal game or sport
- (iv) delivering a public address
- (v) conducting a commercial photographic session
- (vii) filming for cinema or television

However, the use or occupation of community land for the events listed above is exempt only if:

- a) the use or occupation does not involve the erection of any building or structure of a permanent nature,
- b) in the case of any use or occupation that occurs only once, it does not continue for more than 3 consecutive days, and
- c) the case of any use or occupation that occurs more than once, each occurrence is for no more than 3 consecutive days, not including Saturday and Sunday, and the period from the first occurrence until the last occurrence is not more than 12 months

To place something such as stand plant equipment, building materials, mobile structures, or skips, or to have a temporary street opening, you will need an Occupy Council Road and/or Footpath Permit.

This Plan of Management authorises access (including vehicular and plant access) and any associated temporary occupation of the site to undertake asset renewal and maintenance of associated infrastructure and embellishment or for any other operational purposes as determined by North Sydney Council.

The Brightmore Street Drainage Reserve is not subject to any current leases and no previous leases are held over. Approval of any leases must be in accordance with this Plan of Management.

1.7. Plan Consultation

The draft Brightmore Street Drainage Reserve Plan of Management is publicly exhibited for 28 days. A further 14 days is allowed to receive submissions. This provides interested parties with the opportunity to comment on and have input into the final document. The following steps have been undertaken to generate widespread awareness of the draft Plan of Management:

- Notifying relevant Council Precinct Committees and other known stakeholders that a new Plan of Management is on exhibition inviting comments
- Posting the draft document on Council's Your Say webpage with an accessible feedback form
- Providing hard copies of the draft document to stakeholders, upon request

Writing a Submission;

Submissions give all stakeholders an opportunity to express their opinions, provide information and suggest alternatives to Council's proposed management strategies for Brightmore Street Drainage Reserve over the next 10 years.

To ensure submissions are as effective as possible:

- (1) List all points according to the section and page number in the Plan of Management.
- (2) Briefly describe each subject or issue you wish to discuss.
- (3) State which strategies you agree or disagree with and give reasons.
- (4) Suggest alternatives to deal with any issue with which you disagree.

Written submissions should be sent to: The Chief Executive Officer

North Sydney Council P O Box 12

NORTH SYDNEY NSW 2059

Attention: Ms Risha Joseph, Senior Property Officer

Email: council@northsydney.nsw.gov.au

Comments regarding this or any other adopted or draft Plan of Management may be submitted at any time. Each Plan is reviewed regularly, and at the time of the review contemporary issues can be incorporated and existing actions amended. Adopted Plans of Management may be viewed and downloaded from Council's website: www.northsydney.nsw.gov.au

2. Site Characteristics

2.1. Site Location & General Description

Location and Size: Positioned between No.'s 16 & 18 Brightmore Street, extending to Benelong Road, covering approximately 250 square meters and 3.1 meters in width and approximately 80m in length.

Current Features and Infrastructure: A bitumen-paved laneway, used for pedestrian access and stormwater drainage.

Environmental Significance and Biodiversity: Plays a network role in managing stormwater runoff from adjacent streets and buildings.

Cultural and Historical Importance: low, local relevance.

Brightmore Street Drainage Reserve is one of a number of drainage reserves within North Sydney. It has values both as a pedestrian access asset as well as providing stormwater overland flow path which benefits both the local and wider community. Private vehicle access via a gate is provided mid-way along the reserve servicing 33a Brightmore Road.

2.2. Physical Characteristics

2.2.1. Topography

The physical character of Brightmore Street Drainage Reserve reflects the major earthwork modifications that have occurred on the site. The current topography slopes south to north. Note grade and access including stairs adequately accommodate the topography and grade to provide adequate pedestrian access

2.2.2. Geology and soils

Due to the earthworks that have taken place in the Reserve, including the construction of a concrete & asphalt pathway it is difficult to assess the condition of any soil with almost all the natural soil has been removed and replaced by rubble or sandy fill. Underlying geology of Brightmore Street Drainage Reserve is likely Hawkesbury Sandstone, and the original soil type has been classified as a developed terrain of the GyMEA Catena. The constructed concrete pathway has a low permeability, and as a result, rainfall passes through rapidly as part of the overland flow path.

2.2.3. Vegetation

There is currently no vegetation on the drainage reserve. Tree and shrub planting on adjacent private residence and local area are appropriate and not of significance. North Sydney Council strategies including the Street Tree Strategy and the Urban Forest Strategy describe circumstances where future plantings may be considered in forward works to achieve canopy cover targets for the area generally.

2.3. Built form

Information available via the public domain describe houses adjacent to reserve range from 'modern design' to a '1930' constructed 'full brick home'.

Private access to carport located at and servicing 33a is provided via a privately owned gateway and has activated development approval and consent.

Figure 1 - Site Plan

Figure 3: aerial imagery of the site and surround public open space



Figure 4 - Reserve Photos

Below: Reserve pictured from Brightmore St looking north.

Adjacent: Reserve pictured from Benelong Road looking south.



2.4. Current Activities & Site Values

Brightmore Street Drainage Reserve is a reserve that accommodates a limited range of passive recreation activities including walking, socialising, exercising and general active commuting. The northern part of the Reserve provides access to parkland destinations.

Brightmore Street Drainage Reserve can be traversed by commuters moving to and from transportation points located in or near to the Reserve. Several schools are located within walking distance of Brightmore Street Drainage Reserve.

The reserve has been used by owners of 33A Benelong Road to access private carport for garaging of a private vehicle.

3. Planning & Management Issues

3.1. Background

Brightmore Street Drainage Reserve is subject to a small range of not insignificant matters generally associated with drainage reserves located between residential areas with constructed access. Relevant issues include:

1. Development, Improvement & Maintenance Works
2. Activity & Access Management
3. Community & Stakeholder consultation

Management options (both existing and future) addressing these issues are necessarily responsive to the changing needs of the community and users, and the Plan of Management reflects this flexibility to take advantage of future requirements and changing needs as they arise. The plan also provides both short- and long-term policy and is flexible enough to respond to social changes.

3.2. Development, Improvement & Maintenance works

Brightmore Street Drainage Reserve is Zoned R2 Low Density Residential and is classified as community land for the public purpose of stormwater management, categorised as General Community Use. Land management objectives of the site are described in section 1 and are in alignment with the land zoning and the reserve purpose (drainage).

Section 4 discusses the primary management controls and strategies when considering future development of this site, or adjacent areas that may impact upon the site's values.

Upgrading and improvement works scheduled during the life of this Plan of Management may include:

- Stormwater and Drainage work
- Footpath and pavement repair
- Installation or replacement of signage in Brightmore Street Drainage Reserve
- Any ancillary investigations and actions to support the undertaking of such works.

Stormwater and Drainage Management

Effective management of piped and surface stormwater runoff ensures the protection and enhancement of the environmental and recreational value of the reserve, including biodiversity and ecological conservation and habitat preservation of downstream local waterways. Ensuring effective management of stormwater runoff to mitigate flooding risks and maintain environmental health is primarily supported by the North Sydney Development Control Plan 2013. Section B18 (Stormwater Management) outlines objectives and provisions for managing stormwater effectively within the North Sydney area. It focuses on minimising impacts on neighbouring properties, mimicking natural drainage systems, and ensuring compliance with Council standards. The plan emphasises the need for proper design and maintenance of stormwater systems, particularly in the context of private development and heritage conservation. It also details the requirements for new developments, including the integration of Water Sensitive Urban Design (WSUD), the protection of heritage kerbs, and procedures for stormwater drainage works. This section is instrumental in guiding the management of stormwater and drainage in developments, including the Brightmore Street Drainage Reserve.

To ensure the long-term financial planning and condition assessment of the supporting infrastructure North Sydney Council have developed Asset Management Plan for Stormwater and Drainage to uphold the reserve to an acceptable standard, integrating it into the Council's existing maintenance programs.

The North Sydney Council's Asset Management Plan for Stormwater and Drainage focuses on the maintenance and improvement of stormwater infrastructure to ensure efficient service delivery and environmental protection. It outlines a comprehensive strategy for managing the network of drainage pipes, pits, and gross pollutant traps (GPTs) within the council area. The plan addresses the importance of maintaining and upgrading these assets to manage stormwater effectively, reduce pollution, and handle increased runoff due to urbanisation. It includes detailed assessments of the condition and risk associated with these assets, along with strategies for their renewal, replacement, and improvement. This approach aligns with the objective of the Brightmore Street Drainage Reserve Plan of Management, emphasising efficient stormwater management and maintaining pedestrian access pathways.

The effectiveness of maintenance is a function of several factors including the type and extent of machinery available, the level of experience and expertise of personnel, and the frequency of each operation. Efficient maintenance practices allow cost savings to be made, permitting funds to be redirected to other key areas.

Current management has focused on achieving an acceptable standard of maintenance for Brightmore Street Drainage Reserve. The current staffing levels and budget for management and maintenance of Brightmore Street Drainage Reserve may vary over time as contemporary issues become relevant and community needs and priorities change.

Footpath Management

The North Sydney Walking Strategy emphasises the significance of walking as a primary mode of travel and aims to enhance the walking experience in North Sydney. This strategy directly supports the use of the Brightmore Street Drainage Reserve as a pedestrian linkage, enhancing connectivity and accessibility in the area.

The North Sydney Council's Footpaths Asset Management Plan (2022-2032) is designed to maintain and manage the footpath network effectively. It includes strategies for the upkeep of footpaths while addressing associated risks for different asset classes. The plan covers various aspects of footpath management, including future demand, customer service levels, asset condition, funding strategies, and risk management. It aims to ensure the footpaths are maintained in a cost-effective and efficient manner, balancing the need for upkeep with budget constraints and risk considerations. This approach is crucial in ensuring the safety, functionality, and accessibility of the footpath network, including areas such as the Brightmore Street Drainage Reserve.

3.3. Activity & Access management

This section examines the North Sydney Council open space and land planning strategies and policies relevant to Brightmore Street Drainage Reserve. Examining the planning context provides a sound basis to consider and assess the existing uses and their alignment with the community land objectives.

Maintaining the reserve as a pedestrian pathway and ensuring safe vehicular and pedestrian access is an important issued addressed by this Plan of Management. Maintaining and improving pedestrian pathways to ensure safe and convenient access for the community is a key site feature and requires appropriate strategies to managing vehicular access rights in accordance with legal agreements and council policies, balancing the needs of the property owner with public interest.

The North Sydney Walking Strategy emphasises the significance of walking as a primary mode of travel and aims to enhance the walking experience in North Sydney. It focuses on creating a safe, enjoyable, and accessible walking environment, thereby promoting active health, environmental sustainability, and social well-being. The strategy identifies existing conditions, sets vision and objectives, and charts a course for improving walking infrastructure and participation. It also considers demographic and topographic contexts, aligning with regional and local policies to improve overall walkability.

Access Management Control

Whilst general vehicular through access or parking within the reserve is not permitted on the reserve, adequate provision for access of emergency and service vehicles should be provided for the purpose of improvement or maintenance works including ancillary supporting activities.

Private development approval for vehicular access to the owners of 33A Benelong Road has been previously activated. Ongoing private access to this property to support this approval is acknowledged as a permitted use (see section 1.6.1) for vehicle access to this property. Notwithstanding this express use permission there is a reasonable obligation for the owners of 33A Benelong Road to accommodate Council staff requests with regards to any works on site that may require temporary restrictions due to improvement, maintenance or operational works with no obligation resting with Council to provide alternative access to 33A Benelong Road or any other adjoining private residences.

Express authorisation of any other private vehicle access to this reserve should only be considered permissible where activated development approval exists, including consideration of any Council development controls, policy, or related requirements.

The North Sydney Council 'Rights of Way over Drainage Reserves and Community Land Policy 2022' outlines the guidelines for granting drainage easements, especially for vehicular access over community land which are authorised under this Plan of Management.

Un-authorised structures and encroachments

The Brightmore Street Drainage Reserve Plan of Management aims to ensure that any current or future encroachments onto Brightmore Street Drainage Reserve are dealt with consistently, appropriately and in the best interests of Reserve users and the general public. Council has an existing policy with which to manage un-authorised structures and encroachments which is further discussed in section 4 of this plan.

North Sydney's Council's Encroachment Management Policy provides for authority to deal with 'the intrusion of a structure or other object onto land owned or controlled by Council.' Encroachments typically include fences, steps, paths, paved areas, seating, small buildings such as sheds and vegetation planted to imply a boundary. Encroachments can alienate public land and prevent the

public from using public open space. Private encroachments onto Brightmore Street Drainage Reserve are not permitted and will be dealt with in accordance with this policy.

3.4. Community and Stakeholder consultation

Involving local residents and stakeholders in the decision-making process, ensures transparency and an opportunity to respond to community needs and feedback. Community consultation provides Council with a sound understanding of relevant local issues from people who are familiar with and use the relevant open space areas.

Public involvement and consultation can generate an understanding of Council's land management aims, combats misinformation and misunderstanding, and fosters support for Council's programs and policies. The consent and co-operation of users and other stakeholders facilitates management and lends weight to the status of the Brightmore Street Drainage Reserve Plan of Management.

The incorporation of community participation in the planning process is also an important management tool. Ways in which the community can participate in the management of Brightmore Street Drainage Reserve are detailed in section 1.7. The approach to community and stakeholder consultation as it relates to Brightmore Street Drainage Reserve Plan of Management is consistent with North Sydney Council Community Engagement Policy.

4. Management Implementation and Performance Matrix

Matrix

The implementation plan outlined in the Matrix is consistent with anticipated availability of resources and anticipated community trends. The priority ratings outlined on the following pages are subject to the availability of necessary staff and funds and may require modification if exceptional circumstances arise. Codes used to define priorities in the following matrix:

ST	(Short Term)	Action completed within 2 years
MT	(Medium Term)	Action completed within 3-5 years
LT	(Long Term)	Action commenced after 5 years
O	(Ongoing)	Action is carried out on a regular basis for the life of this Plan of Management

Development Improvements & maintenance works

Issue	Objective	Action	Comments	Priority	Performance Indicators	Related Strategy
1. Development impact to Landscape Amenity and Aesthetics	To ensure Brightmore Street Drainage Reserve is managed and maintained to retain local amenity value.	Assess any new proposals likely to affect the appearance of the Reserve for consistency with the desired purpose as pedestrian & vehicular access	Structures and planting are consistent with the stormwater overland drainage and pedestrian and vehicular access purposes.	O	All new work undertaken in the Reserve is appropriate.	North Sydney Development Control Plan.

		and overland stormwater				
2. Recognition of stormwater management values & function	To ensure Brightmore Street Drainage Reserve functions as designed in managing overland flow.	Assess the impact of any new proposals likely to affect the function of stormwater and drainage management.	Planning and design objectives drainage reserves are contained within the North Sydney Development Control Plan 2013 Section 18 (Stormwater Management).	O	All new work undertaken in the Reserve is appropriate with stormwater management function.	North Sydney Development Control Plan 2013 Section 18 Asset Management Plan for Stormwater and Drainage
3. Community & stakeholder involvement	To ensure any proposed development of Brightmore Street Drainage Reserve has an appropriate community and stakeholder engagement.	Provide adequate information and opportunity for community and stakeholders to comment on any new developments proposed at this site.	Community and stakeholder engagement on any new proposals are considered in line with Councils engagement strategy and practices.	O	New development proposals affecting reserve will be included in the associated community and stakeholder engagement.	North Sydney Community Engagement Policy
4. Reserve maintenance and replacement works	To ensure maintenance and asset renewal works are planned and budgeted to retain stormwater and drainage functionality	Undertake asset renewal and maintenance of associated drainage infrastructure to adequately maintain stormwater as determined North Sydney Drainage Asset Management Plan and associated works and delivery plan.	Planning and design objectives of drainage reserves are contained within the North Sydney Development Control Plan 2013 Section 18 (Stormwater Management).	O	Work completed is consistent with the North Sydney Drainage Asset Management Plan and related capital works and improvement plans (including any emergency repair work as required).	North Sydney Development Control Plan 2013 Section 18 (Stormwater Management). Asset Management Plan for Stormwater and Drainage.
5. Reserve Improvements	To ensure Brightmore Street Drainage Reserve retains stormwater overland functionality.	Assess any new proposals likely to affect the stormwater management functions of the site for consistency with North Sydney Stormwater Management Plan.	Planning and design objectives drainage reserves are contained within the North Sydney Development Control Plan 2013 Section 18 (Stormwater Management).	O	All new work undertaken in the Reserve is appropriate. The overall function of the drainage reserve is considered in context of the stormwater catchment network.	North Sydney Development Control Plan 2013 Section 18 (Stormwater Management). Asset Management Plan for Stormwater and Drainage.
	To ensure Brightmore Street Drainage Reserve is managed and maintained, as to retain the passive recreation and active transport values.	Assess any improvement work or maintenance likely to affect the function of the reserve as part of the wider network and linkages to destination recreation areas such as Primrose Park.	The importance of pedestrian access links in the context of the North Sydney Walking Strategy is considered. Appropriate notification to users is provided on site.	O	All new work undertaken in the Reserve is appropriate.	Asset Management Plan for Stormwater and Drainage. North Sydney Council existing & future Operational Plans.

6.Circulation and linkages	To retain Brightmore Street Drainage Reserve as pedestrian access link.	The importance of pedestrian access links in the context of the North Sydney Walking Strategy is considered when approving any new works or plantings.	Retention of the pedestrian access value of the Brightmore Street Drainage Reserve is important to local active transport option and access to local park & recreation sites such as Primrose Park and Brightmore Reserve.	O	All new work undertaken in the Reserve is appropriate and maintains pedestrian access values.	North Sydney Walking Strategy
7.Community & stakeholder involvement	To ensure any proposed new activity use agreement in Brightmore Street Drainage Reserve has an appropriate community and stakeholder engagement.	Provide adequate information and opportunity for community and stakeholders to comment on any new activity approval.	Community and stakeholder engagement on any new proposals are considered in line with Councils engagement strategy and practices.	O	New development proposals affecting the reserve will be included in the associated community and stakeholder engagement.	North Sydney Community Engagement Policy.
	To ensure Brightmore Street Drainage Reserve retains existing amenity value.	To assess any new proposals likely to affect public access to the site. Provide adequate information and opportunity for community and stakeholders to comment on any new activity approval.	Community and stakeholder engagement on any new proposals are considered in line with Councils engagement strategy and practices.	O	New activity proposals affecting the reserve include associated community and stakeholder engagement.	North Sydney Community Engagement Policy.

Activity & Access Management

Issue	Objective	Action	Comments	Priority	Performance Indicators	Related Strategy
8.Relationship with adjoining landowners	To ensure any appropriate notification and engagement with adjoining landowners regarding any temporary works impacting normal use of the site.	Assess any new activities that may impact adjoining landowners.	Notification of adjoining landowners to be in advance of any site works or activity as per Councils standard notification policy and procedure.	O	Adjoining landowners advised as per Councils adopted standards.	North Sydney Community Engagement Policy. North Sydney Development Control Plan.
9.Unauthorised structures & encroachments	To ensure any unauthorised structures or encroachments on Brightmore Street Drainage Reserve are managed.	Assess any encroachments or unauthorised management in line with current council policy and procedure.	Management of any unauthorised structures & encroachments in line with Council's Encroachment Management Policy	O	All new work undertaken in the Reserve is authorised and deemed appropriate.	North Sydney's Council's Encroachment Management Policy
10.Recognition of existing activated development consents that provide adjacent owners vehicle access to the site.	To provide express authorisation to 33A Benelong Road vehicle access to the site.	Recognise the existing activated development approval of 33A Benelong Road and authorise vehicle access.	Consider mechanisms to manage land use implications of activated development consent such as a licence.	ST	Adoption of a current Plan of Management that provides express authorisation of access and additional subsequent controls for 33A Benelong Road, Cremorne.	North Sydney LEP & Development Control Plan.

11. Vehicular Access & management	To ensure vehicular access is maintained by Council and other public authorities for the purpose	Undertake asset renewal and maintenance of associated vehicle and pedestrian infrastructure to adequately maintain pedestrian and vehicular access requirements	Planning and design objectives of required works consider the North Sydney Asset Management Plan (Footpaths) and North Sydney Walking Strategy	O	The work completed is consistent with the North Sydney Footpath Asset Management Plan and related capital works and improvement plans (including any emergency repair work as required).	North Sydney's Council's Encroachment Management Policy Rights of Way over Drainage Reserves & Community Land Policy 2022
12. Leases, Licenses, other estates	To permit appropriate leasing, licensing, and other estate options to provide vehicle access to adjoining residents at 33A Benelong Road.	Consider the creation of a license for the purpose adjoining private vehicular access of 33A Benelong Road.	33A Benelong Road has existing activated development approval exists as an appropriate management mechanism.	ST	Management consideration of allocating resources to investigate the creation of license or alternative legal instrument for the purpose of private vehicle access to 33A Benelong Road	North Sydney's Council's Encroachment Management Policy Rights of Way over Drainage Reserves & Community Land Policy 2022
	Manage private vehicular access where activated development approval exists	To consider leases, licenses and other estates and instruments for the purpose adjoining private vehicular access.	Ensure vehicular access is maintained by Council and other public authorities for the purpose of technical investigations including emergency access.	ST	Management consideration of allocating resources to investigate leases, licenses and other estates and instruments for the purpose of private vehicle access where activated development consent exists.	North Sydney's Council's Encroachment Management Policy Rights of Way over Drainage Reserves & Community Land Policy 2022
13. Safety & Risk Management	To minimise Council exposure to complaints, compensation claims and litigation	Continue to carry out reserve inspection and maintenance programs to identify and address potential hazards in a timely manner. Including timely response to community or resident reports of hazardous changes to the reserve.	Refer to section 4. Reserve Maintenance and replacement works	O	Inspections are completed consistent with the North Sydney Drainage Asset Management Plan. Speed of repair for any emergency work to address hazards as required.	Asset Management Plan for Stormwater and Drainage.
	Private Vehicular access is managed to ensure public recreation and access are not impaired	Review existing signage and consider replacement of 'No Vehicular Access' signage to "Restricted Area" in line with Councils Ordinance sign procedure.	To provide adequate information and opportunity for community and stakeholders.	ST	New activity proposals affecting the reserve include associated community and stakeholder engagement and Council Policy requirements such as referral to the North Sydney Traffic Committee.	North Sydney's Council's Encroachment Management Policy Rights of Way over Drainage Reserves & Community Land Policy 2022 North Sydney Integrated Traffic and Parking Strategy

5. Monitoring and Review

Performance indicators described in this Plan of Management will ensure management effectiveness in stormwater management, pedestrian access utility, and maintenance standards when executed in coordination with existing council land management strategies, policies, and procedures.

Periodic review of this plan will occur when preparing Council's public works (roads and drainage) maintenance program in conjunction with Councils strategic asset management plans and associated works plan.

Councils current and future Delivery Program and Operation Plan will schedule the appropriate management actions capital works and improvement estimation and delivery within existing budgets and identified funding sources in line with current practices and key asset management plans.

6. Appendices & Supporting Material

6.1. Appendix 1: Zoning of Brightmore Street Drainage Reserve

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage development of sites for low density housing, including dual occupancies, if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.
- To ensure that a high level of residential amenity is achieved and maintained.

2 Permitted without consent

Environmental protection works; Home occupations

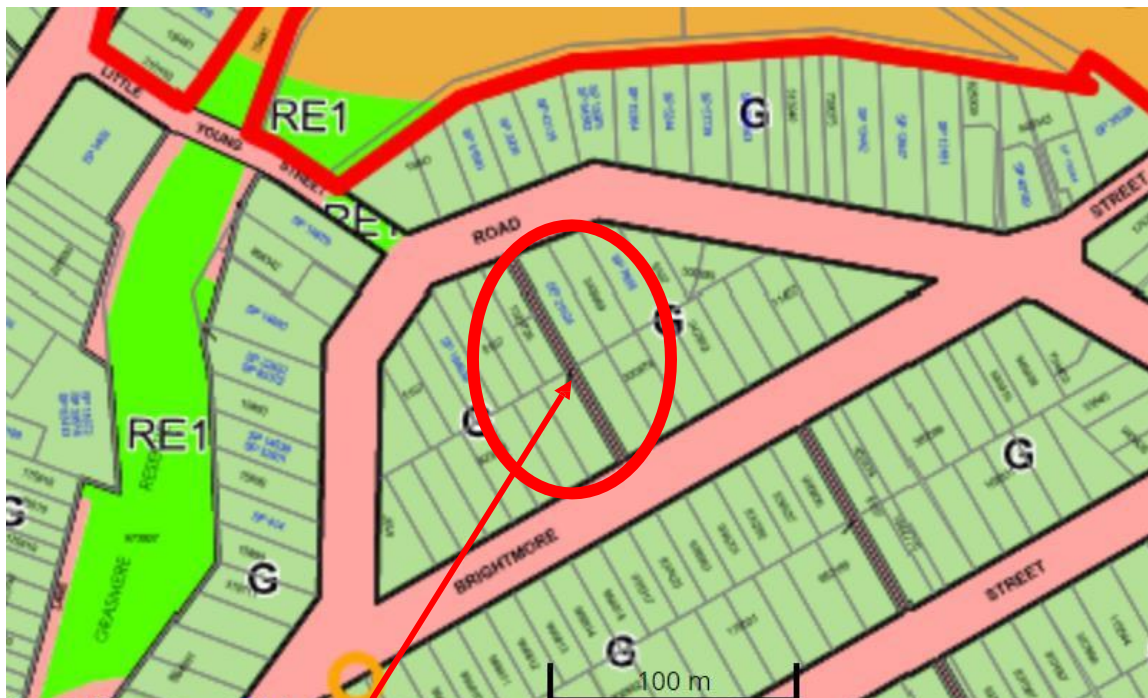
3 Permitted with consent

Centre-based childcare facilities; Dual occupancies (attached); Dwelling houses; Group homes; Health consulting rooms; Home-based childcare; Information and education facilities; Medical centres; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Semi-detached dwellings; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

Appendix 1: Zoning Map of Brightmore Street Drainage Reserve and Surrounds



Brightmore Street Drainage

6.2. Appendix 2: Site Map of Brightmore Street Drainage Reserve

