



TERALBA RESERVE PLAN OF MANAGEMENT

November 2024

PLAN OF MANAGEMENT

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Approval for issue

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1 INTRODUCTION

This Plan of Management (PoM) applies to Teralba Reserve in the local government area of Lake Macquarie. A total area of approximately 6,100m² of public reserve is covered under this PoM, as illustrated in **Figure 1**.

The site is bounded by new residential development and includes the site of the Teralba Cemetery as well as a newly established children's play area.

Lake Macquarie City Council (LMCC) has identified a need for a PoM as part of the development consent conditions of the subdivision surrounding the site (Condition 14 of DA/3478/2002) that facilitates ongoing public use and management of the reserve.

1.1 Purpose and scope of the plan

The Teralba Reserve has been acquired by LMCC for public use. The site has a range of values including biodiversity conservation, heritage, recreation, and public infrastructure provision.

A Plan of Management (PoM) is required to ensure the values of land are protected, that the use of the reserve meets a range of community needs and that appropriate management actions are identified and implemented.

This PoM has been prepared consistent with requirements of the NSW *Local Government Act 1993* (LG Act). The LG Act requires that all community land be subject to a PoM. The LG Act also requires the management objectives specified for community land to be included in the PoM.

The purpose of this PoM is to:

- Provide a PoM for Teralba Reserve based on the land categories and management objectives as specified by the LG Act;
- Provide a PoM based on the values and circumstances of the reserve that allows for sound ongoing management of the land; and
- Provide a draft PoM that allows for informed public submissions and management recommendations to Lake Macquarie City Council.

A PoM must identify:

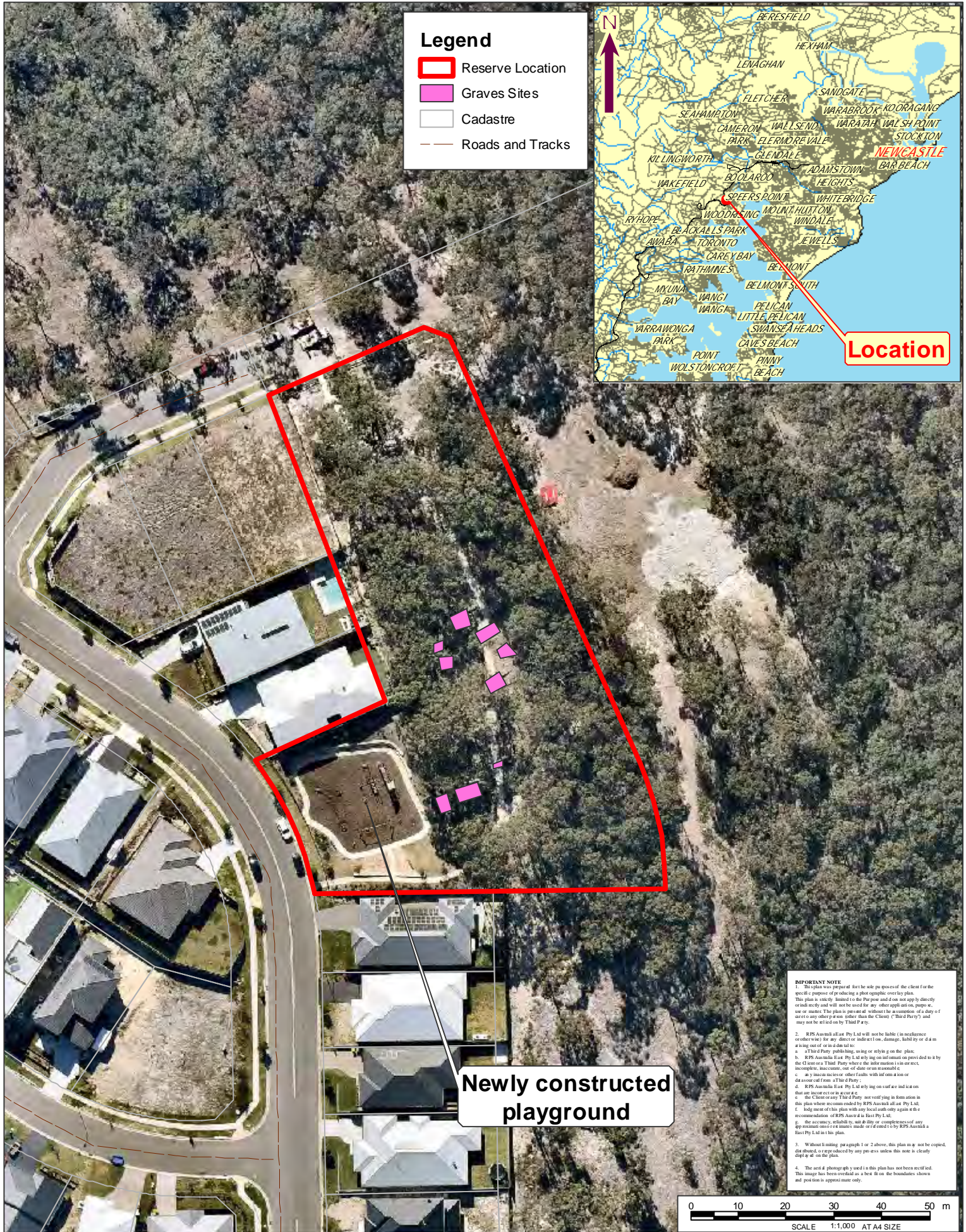
- The category of the land (as provided for by the LG Act);
- The objectives and performance targets of the plan with respect to land;
- The means by which these strategies will be achieved; and
- The methods which will be used to assess whether the strategies are being achieved.

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

- The condition of the land, and any buildings or other improvements on the land, as at the date of the adoption of the Plan of Management;
- The use of the land and any such buildings and improvement as at that date;
- The purposes for which the land, and any such buildings or improvements, will be permitted to be used;

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- The purposes for which any further development of the land will be permitted, whether under lease or Licence or otherwise; and
- The scale and intensity of any such use or development.



Legend

- Reserve Location
- Graves Sites
- Cadastre
- Roads and Tracks



Newly constructed playground

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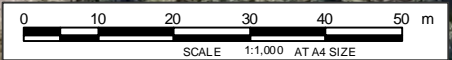


FIGURE 1: SITE LOCATION

LOCATION: BILLY'S LOOKOUT PITT ST TERALBA	DATUM: GDA 1994 PROJECTION: GDA 1994 MGA Zone 56
JOB NO.: PR 135276	Data Sources: RPS, Client Nearmap Aug2019
Technician: Natalie Wood Date: 29/08/2019	

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1.2 Land included in the plan

Teralba Reserve is contained within Lot 200 DP 1254623 as illustrated in **Figure 1**.

1.3 Structure of the document

This PoM is structured as per below:

Section 1: Introduction and scope

Section 2: Site description of the reserve

This section provides a description of the site characteristics including the regional and local context, the main features of the land and land zoning. It concludes with categorisation of the land in accordance with the LG Act.

Section 3: Basis for management

This section discusses the legislative and planning context of the land, details of consultation and discussion of the main management issues.

Section 4: Management strategy

This section sets out the management units and objectives for the site and the allowable activities and use for each category.

Section 5: Action plan

This section provides a specified action plan for each management unit. Performance targets, the means for achieving targets, responsible parties, performance evaluation criteria and implementation priorities are provided.

Appendices

- Appendix A – Facilities that may be approved on the community land;
- Appendix B – Activities under this PoM that do not require approval;
- Appendix C - Activities under this PoM that require approval;
- Appendix D – Authorised purposes for leases and licences;
- Appendix E – Activities that are prohibited under this PoM;

2 DESCRIPTION OF THE RESERVE

The site contains the Teralba Cemetery and a newly constructed children's play area.

The Cemetery Park is largely undeveloped with few improvements other than the existing graves, new pathways, site sensitive signage and perimeter fencing. The Park is moderately timbered.

The children's play area is largely cleared and contains a range of new childrens' play equipment (including rockers, swing set, wild-net climber and premium play set) with mulch soft fall areas.

2.1 Geographical context

Teralba is located on the north-western edge of Lake Macquarie. The reserve is located within the Billy's Lookout residential area which is a newly created residential precinct of Teralba as illustrated in **Figure 1**.

2.2 Planning context

The Reserve is located within the Lake Macquarie local government area and is owned and managed by LMCC.

Council's management responsibilities for the reserve are mostly framed by the LG Act and the *Environmental Planning and Assessment Act 1979* (EPA Act). In this instance management responsibilities for the reserve are also framed by the *Heritage Act 1977* due to the existence of the heritage listed Teralba Cemetery within the reserve.

The LG Act provides the management framework and processes for the land while the EPA Act and related planning instruments and policies control the use and development of the land.

PoM's for public land must be prepared in accordance with the statutory requirements of the LG Act. Uses and management of reserves must comply with all applicable planning controls under the EPA Act such as *Lake Macquarie Local Environmental Plan 2014*. In addition historical archaeological relics, buildings, structures, archaeological deposits and features are protected under the *Heritage Act 1977*.

Further detail on the planning framework can be found in Section 3 of this plan,

2.3 Land details

The Teralba Reserve covers approximately 6,100m² contained within land parcel Lot 200 DP 1254623. The reserve is irregular in shape with a width varying from 45 m to 75 m. The reserve is partly cleared and partly vegetated. Access to the reserve is via Pitt Street and Outrigger Drive. Public use of the reserve has been non-existent until now as the reserve was previously in private ownership.

2.4 Topography

The reserve is located on the upper slope of a south facing ridge. Land is approximately 31m Australian Height Datum (AHD) high in the south-east corner and rises to approximately 39m AHD in the north.

2.5 Physical context

The reserve has two distinct areas within it, namely the Teralba Cemetery Park and the new children's play area.

Property boundaries between the reserve and residential properties are defined by Woodland Grey coloured Colorbond fencing. A black post and rail / wire style fence defines the northern and eastern boundary of the reserve with Outrigger Drive and Proposed Road No.3. Internally a black wrought iron style fence running in a north-south direction defines the boundary between the children's play area to the west and the larger Teralba Cemetery Park to the east.

Teralba Cemetery Park – Exhibits a range of grave types from large formal grave plots with kerbing and marble headstones through to simple graves with bush rock kerbing. The grave sites are located in the central and south-west area of the site with the remaining area consisting of scattered trees and low native grasses. The primary pedestrian access point and feature to the park is at Outrigger Drive with a secondary entrance feature at the southern end of the children’s play area. Unsealed decomposed granite paths link the entrances of the park and provide defined walkways and appropriate routes through the cemetery. A commemorative plaque / story board / register of burials is located at the primary entrance to the park with a smaller plaque at the secondary entrance. Passive seating is provided near the primary entrance to the park.

Children’s play area – Contains a newly constructed playground. It consists of mulch softfall and playground equipment including three (3) rockers, one (1) swing set, one (1) Wildnet Climber and one (1) Premium Play Unit. The playground equipment area is surrounded by newly installed landscaping of native shrubs and trees to create a broken visual buffer to the Cemetery Park. Some turf and seating is also provided. A timber post and rail fence defines the boundary of the play area with Pitt Street.

2.6 Historical context

A Conservation Strategy for the Cemetery Park was finalised in 2019. The Conservation Strategy includes:

- A plan of management, for heritage matters only, within the cemetery;
- An assessment of comparable cemeteries within the LGA’s of Lake Macquarie and Newcastle;
- Results of non-invasive sub-surface investigations utilising ground penetrating radar (GPR);
- Archival reporting on the status of the cemetery;
- Archaeological assessment report and justification for minor works (now completed) within the cemetery; and
- Results of on-going consultation with interested parties during the preparation of the above documents.

The Conservation Strategy deals with historic heritage matters and follows the *Burra Charter* process. Information on the history of Teralba and the cemetery has been drawn largely from *Historical Archaeological Study and Plan of management, Teralba Cemetery, Precinct 10, Teralba NSW* (Lavelle et al, 1994). Additional secondary historical research was also carried out in the Conservation Strategy.

A summary of the Conservation Strategy is provided below.

2.6.1 The establishment of Teralba

Teralba was established because of the construction of the Newcastle-Sydney railway which commenced in 1880 and was carried out in stages until its completion in 1889. The route of the railway between the headwaters of Fennell’s Bay and Awaba Bay crossed a large hill known as ‘Big Hill’ or ‘Billygoat Hill’ where on its northern side quarries were opened to provide gravel for fill and ballast for the line. By 1884 a large construction camp had been set up on or near Big Hill and presumably close to a nearby creek which became known as Fresh Water Creek. The camp was referred to as ‘Freshwater Creek’ and ‘The Gravel Pits’.

The camp was located within the 914 acre ‘Awaba park’ estate of Margaret Quigley, the daughter of the wealthy Dr James Mitchell of Sydney whose landholdings were divided between his children when he died in 1869. Dr Mitchell and his heirs retained the freeholds of their properties as a rule and developed them by offering freeholds. Consequently, when a town threatened to develop from ‘The Gravel Pits’ camp, leases for commercial or residential purposes were offered.

Large construction camps often developed into settlements particularly if there were further employment opportunities. In the case of ‘The Gravel Pit’ local timber, gravel and coal reserves provided the attraction.

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In 1886 the Great Northern Coal Company began developing a colliery known as the Northern Colliery which changed its name several times until finally known as the Macquarie Colliery. A further coal mine was opened in 1890, the Gartlee Colliery later known as Northern. Saw mills were also established and the extraction of gravel continued.

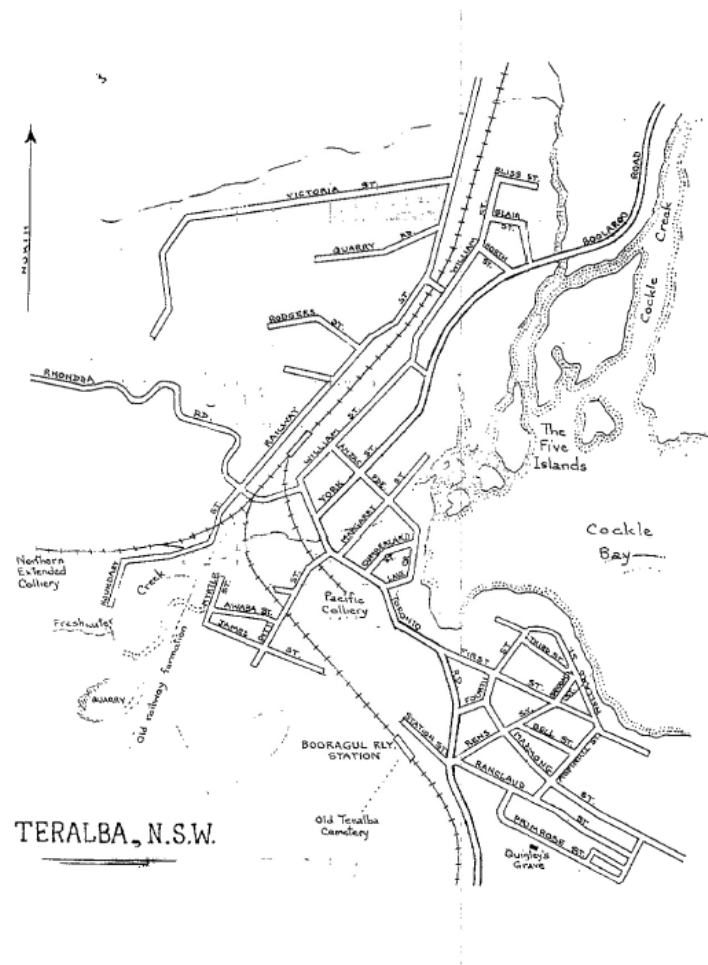


Figure 2 Historical features of the Teralba Area

(Sketch plan of part of the Quigley Estate, Teralba (Newcastle Library))

A school was moved from Cockle Creek Camp to the Gravel Pits in 1886 by the Education Department. The one acre site leased from the Quigley Estate provided a school for 90 students by the end of 1886 which had grown to 190 by 1889. The school had taken the name of Teralba by 1891 which followed the opening of the Teralba Station in 1887. The Quigley Estate had opened the first residential subdivision the previous year offering 50 year leases.

2.6.2 Teralba Cemetery

The Teralba Cemetery site does not appear in any official (published) editions of the Parish Map for Teralba. A land title search was also carried out as part of the 1994 Report and this found that the Teralba Cemetery was never officially resumed, notified or otherwise gazetted. The absence of the cemetery from legal documents means that it was never an official or formally established burial site but rather formed part of a large freehold portion of the Quigley Estate land.

It is surmised that representations regarding the existence of the cemetery had been made to the Lands Department with a surveyors report and that the owners had been notified of the planned resumption. This resumption clearly never took place and it is assumed that this was because a later railway deviation effectively cut the cemetery off from the township.

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A search of Births, Deaths and Marriage notices in Hunter Valley newspapers from 1901-1905 carried out to inform the 1994 Report found that there were eleven burials notified at Teralba Cemetery. Figures taken from *Big Hill: A tribute to the Pioneers Interred in Teralba & District Cemeteries N.S.W.*, suggests 241 potential burials with at least 144 children, with the greater part (132) being children aged under the age of three.

The information indicates that the cemetery was operating as a general cemetery for the township, probably maintained by the local people with some supervision by a local undertaker which was unusual for a period as late as the 1880s/1890s.

The Teralba Parish Map shows that a separate site was set aside as a 'General Cemetery at Teralba'. This land was resumed on 13th March 1891 and dedicated on 5th June 1894. This parcel of land was never used as a cemetery and the site was eventually revoked in 1975. This could lead to the assumption that the local townspeople did not use the cemetery because they were satisfied with the existing one. However, various newspaper articles dating from 1916 to 1935 indicate that local residents were very dissatisfied with the condition of the cemetery and its location. A 1916 article in the Newcastle Morning Herald and Miners' Advocate states:

The residents of Teralba have been complaining for a long time concerning the neglected state of the local cemetery, which is neither cleared nor fenced, although it has been used as a burial place for upwards of 25 years. Nothing has been done to improve it in any way. It is situated on a hill thickly timbered, with a rough, stony surface, without any pretence whatever of a road to reach it, and when a funeral takes place the horses have the utmost difficulty to reach the area.

Further articles dating from 1921, 1925 and 1935 state that local residents continued to call on the Lands Department to find a more suitable site with several suggested and officially inspected but evidently, not eventuating in a new official cemetery site.

Extant monuments in the cemetery suggest a date range of c1880s to c1920s/30s although there is anecdotal evidence that burials may have taken place up to the 1960s/1970s. As the cemetery was not officially established, it was also not officially closed.

2.6.3 NSW historical themes

National and state-level patterns of historical development are useful in determining the historical value of a site. Nine historical themes have been developed and adopted by NSW Heritage Council. They are derived from the Australian historical themes prepared by the Australian Heritage Commission. The following table notes the NSW historical themes considered to be in evidence at Teralba Cemetery.

Table 1 NSW Historical Themes Considered to be in Evidence

Australian Theme	NSW Theme	Comment regarding Teralba Cemetery
4. Building settlements, towns and cities	Towns, suburbs and villages	Although not officially established, Teralba Cemetery was well used by local residents from c.1880s indicating that it formed part of the early development of Teralba as a settlement which started as a large construction camp in the 1880s.
8. Developing Australia's cultural life	Religion	Teralba Cemetery was used as a general cemetery by several protestant faith denominations including Wesleyan/Methodist, Congregational and Church of England.
9. Marking the phases of life	Birth and Death	The use of the cemetery for local burials ensures this theme is evident.

2.6.4 Statement of significance

Teralba Cemetery is a locally significant heritage place that embodies historic, aesthetic, social and representative heritage values. Burials within the cemetery date from the area's earliest occupation in the 1880s as a construction camp and as such, it provides an important record of Teralba's development as well as its early residents. The cemetery is socially significant as a genealogical resource and as a commemorative place for the descendants of those buried there and the local community in general. The attractive bushland setting and its juxtaposition with the remaining grave structures contribute towards the site's aesthetic values. The design, layout and extant monumental masonry are typical of the late 19th century and early 20th Century and as such, the cemetery is representative of this period.

A comparative analysis of local historic cemeteries in the Lake Macquarie and Newcastle City LGAs is contained within the Conservation Strategy and was developed in relation to Teralba Cemetery, a local heritage place. The desktop assessment based on the NSW State Heritage Inventory (SHI) entries, considers the history, heritage values and key characteristics of fifteen historic cemeteries and burial places in the LGAs identified.

Stemming from the comparative analysis the following points are noted:

- Teralba Cemetery has no discernible landscape features which is consistent with its relatively informal layout. Most of the general cemeteries and indeed the one church cemetery in this comparative analysis have planned landscape features including clear boundary treatments ranging from metal fencing to timber post and rail, have formal entrances or gates and in several instances have signage. The previous native bushland setting, and general landscaping of the cemetery are not anomalous of the historic cemeteries looked at, low-key landscaping was a common characteristic.
- From the information available, none of the eight locally listed general cemeteries identified in this comparative analysis display the irregular and semi-formal layout displayed at Teralba.
- Four grave types are identified at Teralba Cemetery comprising formal graves with kerbing and/or gravestones, graves identified by unbonded brick or garden tile kerbing, graves bound by bush rock kerbing and shallow depressions. The cemetery lacks grave furniture and ornaments. Surviving monuments erected in the cemetery follow the typical designs of their era with inscriptions and motifs also representative examples in this period.

Teralba Cemetery, while like other local nineteenth century cemeteries in its simple layout and grave furniture, varies from the other historic cemeteries by virtue of the fact that:

- The land was never formally gazetted as a cemetery and historic newspaper articles indicate that use of the cemetery was never intended as a long-term proposition and that no municipal efforts were made to instigate improvements to its drainage, layout or access;
- The informal layout of the cemetery is an anomaly. Although graves are arranged in an east-west axis, the rows are irregular and different denominations are not separated; and,
- The overall condition and level of intactness of Teralba Cemetery is sadly markedly poorer than the other historic cemeteries analysed to the point that integrity has been damaged.

2.7 Ecological values

The cemetery and general area surrounding it is part of an open forest and is quite secluded. The cemetery is identified as being the area with fewer trees, as opposed to the wider area that has moderate tree coverage.

The children's play area is largely cleared and contains new landscaping trees, shrubs and ground cover plants bordering three of its sides.

2.8 Adjoining land uses

The reserve is surrounded by residential zoned land. This land is mostly cleared vacant land and approvals and applications over these lands, predominately for residential dwellings, are in place.

2.9 Condition of the land

A description of the condition of the land and facilities on it is a requirement of a site specific PoM. The condition of the land is described in the preceding sections.

The Cemetery Park is largely undeveloped with few improvements other than the existing graves, new pathways and perimeter fencing. The Park is moderately timbered.

The children's play area is newly constructed and includes fit for purpose play equipment, quality landscaping, pathway and fencing.

2.10 Categorisation of the land

Statutory criteria for categorisation of land are provided in the *Local Government (General) Regulation 2005*. More than one category can be applied to land. Land can be categorised into one of five main categories. These are detailed further in Section 3.2.1.

In accordance with the statutory provisions of the LG Act, it is proposed that the Billy's Lookout Reserve land be categorised as:

- Area of Cultural Significance – Applies to the Teralba Cemetery Park to address European cultural values; and
- Park – Applies to the newly constructed Children's play area.

The categories applied to the reserve are shown in **Figure 3** and further detailed in Section 5.1 of this plan.



FIGURE 3: CATEGORISATION PLAN

LOCATION: BILLY'S LOOKOUT PITT ST TERALBA	DATUM: GDA 1994 PROJECTION: GDA 1994 MGA Zone 56
JOB NO.: PR 135276	Data Sources: RPS, Client Nearmap Aug 2019
PURPOSE: DEPARTMENT	Technician: Natalie Wood Date: 29/08/2019

CLIENT: MCCLOY TERALBA PTY LTD

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3 THE BASIS FOR MANAGEMENT

Council acquired the reserve as part of the conditions of consent for residential subdivision of the area (DA 3478/2002).

The role of the PoM is to provide for detailed management of the reserve consistent with broader community values, relevant legislation and policy. This broader context for the PoM is described in this section.

3.1 Community Strategic Plan 2022 - 2032

The Lake Macquarie City Community Strategic Plan describes how we will achieve our city's vision, in line with our community's values, priorities and aspirations. The plan identifies an overall vision and seven values described below and is supported by the Local Strategic Planning Statement 2020.

Our Vision:

Lake Macquarie is a city with a lake at its heart encircled by distinctive towns and villages. We balance our cherished environments with our need for great spaces to live and visit, smart transport options and a thriving economy; which adapt and strive to be fair for all.

Our Values:

- Unique Landscape - A place where the natural environment (bushland, coast, lake and mountains) is protected and enhanced; where our existing urban centres are the focus of our growth, maintaining their unique characteristics.
- Lifestyle and Wellbeing - A place that encourages safe, active and social opportunities.
- Mobility and Accessibility - Effective transport systems that provide choices to conveniently move people, goods and services.
- Diverse Economy - Which is resilient and adaptable to change, making the best use of the unique advantages of our location and lifestyle.
- Connected Communities - That support and care for all and provide a sense of belonging.
- Creativity - Working together with creative process and outcomes that bring together history, culture, knowledge and expertise that support new technologies and ways of thinking.
- Shared Decision-Making - Lake Macquarie communities continue shared responsibility for governance.

3.2 Legislative requirements

Teralba Reserve is situated on community land, owned and managed by Council. This section provides an overview of the legislative and policy framework that governs the management of community land and that are applicable for this plan.

3.2.1 Planning Framework

Local Government Act 1993

The *Local Government Act 1993* is the primary legislation governing the management of community land. Community land is defined by the Act as land set aside for community benefit. The Act requires all community land to be included in a plan of management. Sections 35-47 of the Act provide the guidance on the use and management of community land and the preparation of a PoM. The Act along with the Local Government (General) Regulation 2005 sets of the what is to be included in a PoM. This has been detailed in Section 1.1 of this plan,

In addition all community land is required to be categorised in one of five nominated categories of natural area, sport, park, area of cultural significance and general community use. The natural area category can then be further categorised into five sub-categories. The Act then sets out core management objectives for each of these categories, as a broad guide to management. The categories that are given to Billy's Lookout are discussed in Section 2.10.

Heritage Act (1977)

Relics are protected under the *Heritage Act 1977*. A relic is defined in the *Heritage Act 1977* as 'any deposit, object or material evidence which relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and which is of State or local heritage significance.' Therefore non-Aboriginal human remains with heritage value (for example historic, genealogical, social, aesthetic, religious, scientific or other significance) are considered a relic under the *Heritage Act 1977* and, therefore, cannot be disturbed without an excavation permit. Headstones, grave enclosures, grave goods and associated objects may also be considered relics under the *Heritage Act 1977*.

Any excavation in the cemetery, which has a known high potential to disturb relics, will require an excavation permit issued by the Heritage Council of NSW.

State Environmental Planning Policy (Transport and Infrastructure) 2021, (ISEPP)

ISEPP, Division 12, makes provision for a range of works and development to be permitted without consent on public reserves as follows:

Any of the following development may be carried out by or on behalf of a public authority without consent on land owned or controlled by the public authority:

(a) development for any of the following purposes -

(i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,

(ii) recreational areas and facilities (outdoors), but not including grandstands,

(iii) visitor information centres, information boards and other information facilities

(iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,

(v) landscaping, including landscape structures or features (such as art work) and irrigation systems,

(vi) amenities for people using the reserve, including toilets and change rooms

(vii) food preparation and related facilities for people using the reserve'

(viii) maintenance depots,

(ix) portable lifeguard towers,

(b) environmental management works,

(c) demolition of buildings (ther than any building that is, or is a part of, a State or local heritage item or is within a heritage conservation area).

The ISEPP provides for a range of minor recreational structures such as walking tracks and barbeques to be exempt development provided they are of minimal environmental impact. Under the ISEPP works must be assessed for environmental impact before approval by Council.

3.2.2 Lake Macquarie Local Environmental Plan 2014

The land is zoned R2 Low Density Residential under *Lake Macquarie Local Environmental Plan 2014* as illustrated in **Figure 4**.

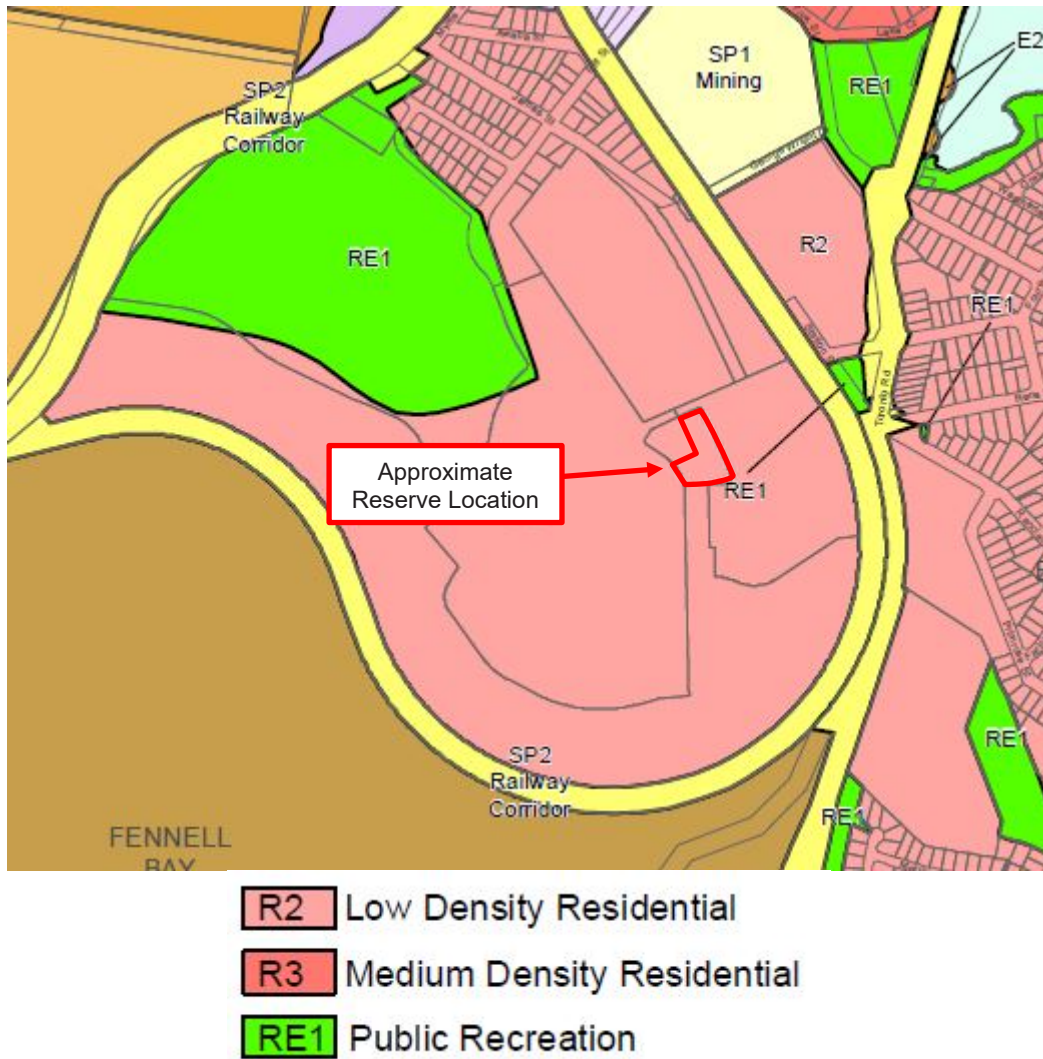


Figure 4 Current zonings of the Reserve

The zone objectives for the area covered by the R2 Low Density Residential Zone are to:

- 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 that is sympathetic to the scenic, aesthetic and cultural heritage qualities of the built and natural environment.

Permitted with the consent of Council by the R2 zone are:

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Kiosks; Neighbourhood shops; Places of public worship; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Sewage reticulation systems; Sewage treatment plants; Shop top housing; Water recreation structures; Water recycling facilities; Water supply systems.

While a substantial range of uses is permitted in the zone, this PoM identifies a reduced range of uses seen as suitable for the reserve. The range of uses is contained in **Appendices A to E**.

PLAN OF MANAGEMENT

Clause 5.10 of the *Lake Macquarie Local Environmental Plan 2014* sets out the Council's objectives and statutory provisions in relation to the protection and management of heritage in the local government area.

Sections of particular relevance when considering heritage impacts include:

- Clause 5.10 (4) **Effect of proposed development on heritage significance** – this clause explains that the consent authority must before granting consent consider the effect of the proposed development on the heritage significance of the item or area concerned. This clause applies irrespective of whether a heritage management plan is in place or not.
- Clause 5.10 (5) **Heritage assessment** – this clause states that before granting consent for the development of land within a heritage item, heritage conservation area or in the vicinity of either, the consent authority may require the preparation of a heritage management document that assesses the impact of the proposed development on the significance of the heritage item or conservation area concerned.
- Clause 5.10 (6) **Heritage conservation management plans** – this clause explains that the consent authority may require the preparation of a heritage conservation management plan before granting consent after considering the heritage significance of an item and the extent of proposed change to it as a result of a development proposal.

Clause 5.10 (7) **Archaeological sites** – this clause explains that before granting consent for the development of an archaeological site (not included in the State Heritage Register or subject to an interim heritage order) Council must notify the Heritage Council of the intention to grant consent;

The "Old Teralba Cemetery, Billygoat Hill" is included in Schedule 5 'Environmental Heritage' Part 1 'Heritage Items' as a locally significant place in the *Lake Macquarie Local Environmental Plan 2014*.

Statutory Development Approvals

A residential subdivision adjoins the reserve and includes public infrastructure and drainage work that maybe relevant to management of the reserve.

Summary of Legislative Requirements

There is an extensive statutory compliance framework for the site and significant controls over permissible uses on, and public management of, the reserve land.

These statutory controls and management requirements must be applied to the land via the PoM in addition to the management objectives specified in the LG Act. Some works for the reserve are already approved via the residential subdivision surrounding the reserve.

3.3 Existing uses and facilities

The reserve currently supports a low level of public use mainly due to the former private ownership of the land, a lack of public facilities and a lack of physical accessibility.

The Cemetery Park contains a number of grave types. The grave sites are located in the central and south-west area of the site with the remaining area consisting of scattered trees and low native grasses. The primary pedestrian access point and feature to the park is at Outrigger Drive with a secondary entrance feature at the southern end of the children's play area. Unsealed decomposed granite paths link the entrances of the park and provide defined walkways. A commemorative plaque / story board / register of burials is located at the primary entrance to the park with a smaller plaque at the secondary entrance. Passive seating is provided near the primary entrance to the park.

The children's play area contains newly installed playground equipment, landscaping, fencing and pathways.

3.4 Management issues

A number of existing management issues have been identified for the reserve through the preparation of the Conservation Strategy.

This PoM considers the issues and proposes management responses to facilitate the long-term management of the reserve.

Issues include:

- The physical condition of the grave remains and built fabric of Teralba Cemetery is poor having been subject to vandalism, neglect and environmental decay over many years;
- Limited public resources for improvement, management and maintenance works;
- Need to provide pedestrian access where practicable;
- The presence and protection of cultural heritage sites and the potential for buried relics;
- The bushland nature of the Cemetery Park; and
- Integration with adjoining development.

These issues are reflected in the specific objectives in Section 5 and the action items in Section 6.

4 CONSTRAINTS AND OPPORTUNITIES

The following outlines the principle constraints and opportunities or requirements, mainly relating to the Teralba Cemetery Park component of the reserve as much of the playground has only been recently established.

4.1 Constraints

The Teralba Cemetery is an item of environmental heritage for the City of Lake Macquarie with aesthetic, historic, social and interpretive value for current and future generations. Constraints on activities, particularly within the Cemetery Park, include:

- The Teralba Cemetery should be conserved and managed in accordance with best practice standards including the *Burra Charter* of Australia ICOMOS, and appropriate guidelines including those published by the National Trust and the Heritage Council of NSW.
- Extant cemetery monuments and structures should be retained and conserved in-situ including grave surrounds and the remains of bush rock surround graves.
- Landscape features including plantings should be retained and maintained in accordance with Appendix B of the 1994 POM.
- The bushland setting of the cemetery should be protected such that the secluded character of the place is retained.

As noted in Section 3 and the Conservation Strategy, the physical condition of fabric associated with the graves appears to be poor having been subject to damage through vandalism, environmental factors and neglect. In particular, the majority of the formal stone headstones have been dislodged and broken into pieces; and, many of the more simple graves marked by bush rocks for instance are in danger of being dislodged and lost through overgrown grass and foliage. Consequently, action is required to arrest deterioration; repair/restore fabric where appropriate; and, improve security of the site to discourage further vandalism.

“Teralba Cemetery Billygoat Hill” is included as a local heritage place in Schedule 5 ‘Environmental Heritage’ of the *Lake Macquarie Local Environmental Plan 2014*. As such, the clauses within the LEP which relate to the management of heritage places and requirements with regard to development proposals apply (refer to Section 3.2.2).

4.2 Opportunities

In order to ensure that the heritage significance of the Teralba Cemetery Park is safeguarded in the long term, it has been fenced and will be maintained. The boundary fencing has been provided to fit with the character and appearance of the site in the bushland setting.

Teralba Cemetery Park is a low key site which reads as built remains within a secluded bush setting, but, a full appreciation of the heritage significance of the site and its connection to the early development of Teralba is not possible. Further, the deteriorated condition of the fabric means that many of the headstones are illegible. Commemorative signage has been installed at strategic locations.

It is understood that there is strong local community interest in the cemetery and that descendants of those buried there continue to visit the graves.

An opportunity also exists for community support and engagement in the future management of the cemetery.

The playground component of the reserve will provide opportunity for recreation by residents of the new community established there. The playground will both benefit from and complement the adjoining

PLAN OF MANAGEMENT

residential uses. The adjoining uses will need to respect the values of the reserve and may contribute to enhancement and management of the reserve through casual surveillance.

5 MANAGEMENT STRATEGIES

The aim of management and planning of the Reserve is to provide benefits and opportunities for the local community while protecting existing values.

The management strategies are aimed at providing the community with a quality playground (recreation facility) and at providing a basis for the ongoing management of the Reserve for heritage conservation purposes.

There are compulsory management objectives to be applied through the PoM. These objectives are listed below.

5.1 Statutory management objectives

Core objectives for the management of for each community land category are provided in the LG Act. The core objectives for the two categories applied to Teralba Reserve are detailed below.

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.
- (3) A reference in subsection (2) to land includes a reference to any buildings erected on the land.

Park

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

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

5.2 Management units

The Reserve has been broken up into two management units as per below and as identified in **Figure 3**.

Management Unit – Area of Cultural Significance

The Teralba Cemetery Park should be managed for cultural significance in accordance with the Conservation Strategy and the core objectives for areas of cultural significance identified in Section 5.1 of this PoM.

Additional Management Objectives for the Area of Cultural Significance

- Management of the Teralba Cemetery Park is to comply with requirements of the Conservation Strategy
- Controlled public access.
- Vegetation management consistent with maintaining the bushland setting.

Scale and Intensity of Use

Will need to be consistent with the protection of cultural values. Passive recreation and education should be encouraged within the cemetery such that it remains a place of contemplation for descendants of those buried whilst inviting the public to walk through and engage with the site. The addition of additional elements within the cemetery such as seating for passive recreation purposes will require careful consideration of the precise need, location and design in order that such elements do not diminish or obscure the cultural significance of the place.

Permitted Development

Works permitted under *Lake Macquarie Local Environmental Plan 2014*, ISEPP and SEPP Exempt and Complying development Codes where consistent with the statutory management objectives as applicable for Management Unit – Area of Cultural Significance.

Management Unit – Park

The children's playground area should be managed to promote and encourage recreational use and the core objectives for Park are identified in Section 5.1 of this PoM.

Additional Management Objectives for the Park

- Nil.

Scale and Intensity of Use

It will encourage formal and passive recreation within the scale and intensity of a children's playground, whilst being sensitive to the surrounding uses. Passive native landscape buffers surround the playground to the north, south and west.

Permitted Development

Works permitted under *Lake Macquarie Local Environmental Plan 2014*, ISEPP and SEPP Exempt and Complying development Codes where consistent with the statutory management objectives as applicable for Management Unit – Park.

6 ACTION PLAN

The following tables set out a series of actions leading from the management objectives outlined in the previous section.

Table 2 Management Unit – Teralba Cemetery Park Action Plan

Action	Means of Achievement	Responsibility	Manner of Assessment	Priority
Explore opportunity for community involvement in the day to day management of the cemetery and historical research	Through Council's Community Partnerships and Arts, Culture and Tourism departments.	LMCC	Compliance with Historic Heritage Assessment as detailed in Conservation Strategy	High
Manage the cemetery in accordance with the Teralba Cemetery Conservation Strategy and its Actions	Through Council's Asset Management department	LMCC	Compliance with Conservation Strategy	Ongoing
Undertake community consultation for heritage interpretation and ongoing management of the site	Through Council's Arts, Culture and Tourism and Asset Management departments	LMCC	Compliance with Historic Heritage Assessment	Medium – High
Commence appropriate management regime upon completion of cataloguing and collection of displaced fabric	Through Council's Asset Management department	LMCC	Regular inspection and apply PoM requirements by a qualified conservator.	Medium
Instigate change of land use zone to better reflect the cultural significance of the cemetery.	Council's Integrated Planning Department to undertake a rezoning of the cemetery from R2 Low Density Residential to SP2 Infrastructure or RE1 Public Recreation.	LMCC	Correct land zoning applied.	Medium

Table 3 Management Unit – Teralba Reserve Children's Playground Action Plan

Action	Means of Achievement	Responsibility	Manner of Assessment	Priority
Park area recognised as a local park	Manage and maintain the park area as a local park	LMCC	Regular inspection and maintenance	Ongoing
Support public use	Provide access Provide and maintain local level playground and ancillary infrastructure	LMCC	Monitor levels of use and Reserve condition	Ongoing
Maintain vegetation	Maintain vegetation as planted	LMCC	Regular inspection and maintenance	Ongoing
Instigate change of land use zone to better reflect the recreational uses	Council's Integrated Planning Department to undertake a rezoning of the park area from R2 Low Density Residential to RE1 Public Recreation.	LMCC	Correct land zoning applied	Medium

Appendix A

Facilities that may be approved on community land

Appendix A – Facilities that may be approved under this PoM

Facilities that may be approved under this PoM	Area of cultural significance	Park
Amenity Buildings	No	Yes
Drainage Structures (e.g. water quality and stormwater management devices) NB: Any excavation will require a permit from the NSW Heritage Council.	Yes	Yes
Fencing, Bollards, Gates	Yes	Yes
Interpretation features	Yes	Yes
Landscaping/vegetation management	Yes	Yes
Entrance features, water features	Yes	Yes
Exercise stations	No	Yes
Pathways, trails, boardwalks, bridges, steps and handrails, viewing platforms, lookouts	Yes	Yes
Picnic and barbecue facilities, seats, tables, shade structures, garbage and recycling bins, lighting, drinking fountains	No	Yes
Playgrounds	No	Yes
Public art, graffiti art, murals	No	Yes
Signage (interpretive, security, traffic, park name, prohibition, advertising, temporary)	Yes	Yes
Utility mains, plant and other ancillary activities, including easements. NB: Any excavation will require a permit from the NSW Heritage Council.	Yes	Yes
Water quality control ponds, silt traps and drainage structures. NB: Any excavation will require a permit from the NSW Heritage Council.	Yes	Yes

Appendix B

Activities under this PoM that do not require approval

Appendix B – Activities under this PoM that do not require approval

Activities under this PoM that do not require approval	Area of cultural significance	Park
Activities arranged under the auspice of bodies appointed by Council to manage community facilities	Yes	Yes
Barbecues within constructed barbecue structures	No	Yes
Bush walking, research/study/education, sightseeing	Yes	Yes
Casual games (e.g. a small group kicking a ball or practising batting/bowling) provided the activity is not contrary to a sign	No	Yes
Children’s play	No	Yes
Dogs - walking a dog on a leash, unless prohibited by a sign	No	Yes
Fire hazard reduction works by an authorised body, or by Council. NB: Manual fuel removal works only – no burning permitted.	Yes	Yes
Picnics by small groups – site not booked	No	Yes

Appendix C

Activities under this PoM that require Council approval

Appendix C – Activities under this PoM that require Council approval

Activities under this PoM that require Council approval	Area of cultural significance	Park
Ceremonies	Yes	Yes
Commercial classes	Yes	Yes
Commercial photography / filming	Yes	Yes
Private group activities on a booked site	Yes	Yes

Appendix D

Authorised purposes for leases and licences

Appendix D – Authorised purposes under this PoM for leases and licences

Authorised purposes under this PoM for leases and licences	Area of cultural significance	Park
Memorial, heritage item	Yes	No
Park and foreshore maintenance and management	Yes	Yes
Vegetation management	Yes	Yes
Construction and maintenance of authorised facilities	Yes	Yes
Commercial play/leisure equipment operations	No	No
Stormwater pipelines. NB: Any excavation will require a permit from the NSW Heritage Council.	No	Yes

Appendix E

Activities that are prohibited under this PoM

Appendix E – Activities that are prohibited under this PoM

Activities that are prohibited under this PoM	Area of cultural significance	Park
Amateur fireworks displays	Yes	Yes
Any activity that may be considered by an authorised Council officer to be dangerous to other users, or that would compromise the core objectives for the land category	Yes	Yes
Any activity undertaken contrary to a notice on the land	Yes	Yes
Asset protection Zone created for any proposed development on adjoining land	Yes	Yes
Fires, unless specifically approved by Council	Yes	Yes
Golf and practice golf	Yes	Yes
Helicopter landings not authorised in Appendix 2	Yes	Yes
Placing fill on the land, unless specifically approved by Council (usually will require development consent)	Yes	Yes
Sale of motor vehicles	Yes	Yes
Vehicle use (except for maintenance management, emergencies or in association with an activity permitted under this plan)	Yes	Yes