It is recommended that Council:

a) endorses the following recommendations for each site:

i) Hardy Road Park (Bentley Park):
   - Request applications from incorporated not-for-profit groups to identify potential future users;

ii) Tiffany Street Park (White Rock):
   - Request applications from incorporated not-for-profit groups to identify potential users; and
   - Facilitate discussions with any future user and the adjoining White Rock State School to ensure:
     - Optimal use in conjunction with White Rock State School fields; and
     - Should no future users be identified, enter into negotiations with White Rock State School for use for car parking purposes;
     - Should no future users be identified, Council will enter into discussions with White Rock State School and DNRM as key stakeholders to achieve optimum future use of the site.

iii) Jeff Pezzutti Park:
   - Undertake discussions through consultation with existing users to determine optimum future use;
   - Request applications from incorporated not-for-profit groups to identify potential future users;

iv) Little Fretwell Park (Bentley Park):
   - Officers to complete a development plan in consultation with local residents for the site to address existing and future infrastructure requirements;
   - Request applications from incorporated not-for-profit groups for the establishment of a home facility on the site, subject to the conditions that:
     - Any future user enters into a formal arrangement for the use of this site;
     - Contributes to sporting field improvements;
     - The fields are available for community use as well as club use.
v) Southside Swallows Gymnastics (Bentley Park):
- Meets with Southside Swallows Gymnastic (SSG) as an existing user, to discuss any future extensions; and
- Considers SSG’s proposal prior to deciding if the subject site can accommodate future potential users.

vi) Benjamina Park (Mount Sheridan):
- Officers to complete a development plan in consultation with local residents for the site to address existing and future infrastructure requirements for Council’s consideration in the 2013/14 financial year.

vii) Down Park (Edmonton):
- Officers to complete a development plan in consultation with local residents for the site to address existing and future infrastructure requirements;
- Following a review of the development plan, consider disposing of a portion of the land subject to Council’s Strategic Disposal of Council’s Freehold Land Policy 1:02:62; and
- Further report to Council will be tabled at a later date with recommended outcomes.

b) applies under the **Land Act 1994** to amend the reserve purpose to accommodate future use if required for:
   i) Lot 18 on SP149853, 22-26 Hardy Road Bentley Park
   ii) Lot 77 on RP748457, 1-25 Tiffany Street, White Rock
   iii) Lot 1 on RP737188, 61-79 Windarra and Lot 636 on NR 6622, 81-97 Windarra
   iv) Lot 987 on RP 846951, 60-76 Robert Road, Bentley Park – Little Fretwell Park.

c) prepares land management plans under the **Land Act 1994** where required for the issue of trustee leases consistent with the reserve purpose; and

d) delegates authority to the Chief Executive Officer in accordance with section 257 of the **Local Government Act 2009** to negotiate and finalise any and all matters associated with the aforementioned land parcels.

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**EXECUTIVE SUMMARY:**

- Divisions 2 and 3 Councillors and Council Officers have been approached by various groups within Divisions 2 and 3 requesting access to sites for community purposes.
- Planning has commenced on the Walker Road (Edmonton) site and the future procurement of additional Peterson Park land requires a strategic overall examination of public open space in this area.
- Designating future use for the seven (7) sites contained in this report will support the above.
BACKGROUND:

Council maintains a register of community groups expressing an interest in procuring, land or land and buildings for community purposes. Many of these groups are sporting or recreational related and space is requested around or on parks or sporting fields, etc. Further, Council Property Services undertake a Land Investigation Review process using the following principles:

i) Identify specific Council controlled or owned land or facilities (reserve or freehold) with the appropriate Councillor for each Division.
ii) Investigate the land/facility through Council departments.
iii) Explore the best use for these parcels of land/facilities.
iv) Review the waiting list of organisations requiring assistance.
v) Propose accommodation of waiting organisations with possible unused land/facilities.
vi) Propose accommodation of waiting organisations with currently used land/facilities.
vii) Investigate the proposal for some specific sites (reserves) to apply to change the use of the land to accommodate particular organisations.
viii) Incorporate as a process with the strategic acquisition and disposal of land policy and the tenure policy.

Division 2 is an area of high growth and master planning has commenced on Walker Road (Edmonton) Sports Field Master Plan and Council has resolved to procure an amount of land at Peterson Park for sporting purposes. With this in mind and the increasing requests from local community groups to find ‘homes’, officers, in conjunction with the Divisional Councillor, would like to be proactive and have conducted research into remaining possibilities and options and now seek Council’s endorsement of these spaces for specific community use.

Lot 77 on RP748457, 1-25 Tiffany Street, White Rock – Tiffany Street Park is located in Division 3. At the suggestion of the Divisional Councillor, consultation with the White Rock State School is recommended with a view to future use by the school if no community group expresses interest in this site. Should no future users be identified, Council will enter into discussions with White Rock State School and DNRM as key stakeholders to achieve optimum future use of lot 77.

COMMENT:

Seven (7) sites in Divisions 2 and 3 have been identified for community use or future benefit as follows:

i) Lot 18 on SP149853, 22-26 Hardy Road Bentley Park – Hardy Road Park;
ii) Lot 77 on RP748457, 1-25 Tiffany Street, White Rock – Tiffany Street Park;
iii) Lot 1 on RP737188, 61-79 Windarra and Lot 636 on NR 6622, 81-97 Windarra – Jeff Pezzutti Park;
iv) Lot 987 on RP 846951, 60-76 Robert Road, Bentley Park – Little Fretwell Park;
v) Lot 500 on RP 849653, 93-99 Robert Road Bentley Park – Southside Swallows Gymnastics;
vi) Lot 211 on SP175709, 16-20 Benjamina Street, Mount Sheridan – Benjamina Park; and
vii) Lot 41 on SP 253555, 59-67 Thompson Road Edmonton – Down Park.

A ‘Request for Application’ is recommended for i), ii) and iii) which will allow incorporated not-for-profit groups to consider their needs and the possible location or relocation to these sites. Requests for applications will be by way of public notification and allows Council to undertake a transparent, consistent, equitable and accountable process when considering tenure arrangements over Council owned or controlled property.

Supporting information to the recommendations on future community use of these sites is outlined below:

i) Lot 18 on SP149853, 22-26 Hardy Rd, Bentley Park – Hardy Road Park

<table>
<thead>
<tr>
<th>Division</th>
<th>Tenure Type</th>
<th>Area</th>
<th>Tenanted</th>
<th>Asset Owner</th>
<th>Purpose</th>
<th>Option</th>
<th>Considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Reserve</td>
<td>930m²</td>
<td>Vacant</td>
<td>P&amp;L</td>
<td>Park</td>
<td>Application to DNRM to change the purpose to accommodate an organisation suitable for the area</td>
<td>Community consultation in particular with nearby residents would be required.</td>
</tr>
</tbody>
</table>

**Purpose:** Reserve for park purposes – Cairns Regional Council as trustee

**Asset Owner:** Parks and Leisure

**Comments:** This is a small local park at the southern end of Hardy Road next to a Church. This park is bare of landscaping or play equipment and is approximately 200m from the much larger and better serviced Tom Murray Park (District Park). Upgrades are proposed 2015 and provision for active informal recreation and junior sport. There would appear to be no requirement to develop this space into an active park given nearby access to such facilities. The list of users requesting access to land for cultural, heritage or gardens use would be a suitable fit for future community use of this land. Potential use could be Men’s Shed, church, scouting, community gardens, etc.
Water & Waste Comments: This site does not contain any known Water and Waste infrastructure.

Property Comments: Should the reserve no longer be required for its dedicated purpose, Council is able to apply under the Land Act 1994 for a change in reserve purpose or to include an additional purpose. DNRM make all the decisions on reserve land, a change to the land use of this property would need to be approved through DNRM.

PARKS & LEISURE RECOMMENDATION:
That Council, subject to favourable localised community consultation, seek applications, via a request for applications process, from incorporated not-for-profit cultural, heritage or gardens groups that may wish to utilise Hardy Road Park at a future time.

Related Documents:
Public Parks & Land for Community Purposes Trunk Infrastructure Planning Study 2010
Local Area Open Space & Community Facilities Review, 2006 (CCC)
Edmonton Sport & Recreation Facility Needs Study 2007
CRC Sport & Recreation Facility Needs Study 2007
CRC Sport & Recreation Strategic Plan 2010 - 2015
FNQ Regional Plan 2009 – 2031

ii) Lot 77 on RP748457, 1-25 Tiffany Street, White Rock

<table>
<thead>
<tr>
<th>Division</th>
<th>Tenure type</th>
<th>Area</th>
<th>Tenanted</th>
<th>Asset owner</th>
<th>Purpose</th>
<th>Constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Reserve</td>
<td>1.1690ha</td>
<td>Vacant</td>
<td>IM</td>
<td>Park</td>
<td>Poor spatial layout, sewer mains, swampy site</td>
</tr>
</tbody>
</table>
Asset Owner: Parks and Leisure
Purpose: Reserve for park purposes - Open Space
Comments: Options for community use of this site are somewhat restricted due to the elongated nature of the space and the area is swampy and prone to flooding. Previously this land was the footprint for the power lines before they were moved. It is a long rectangular block but, while regularly mowed, it is virtually unusable in its current form for passive recreation due to the convex nature of the land’s profile. Council is currently maintaining this asset and as such needs to consider its future community use, if indeed it has a use for community purpose. Options to consider would be: 1 – find a sporting or recreational group that could locate a building on this land and have a joint use agreement with the school for shared access to adjacent sporting fields; or 2 – should no interest be shown by the community for use of this site initiate disposal discussion options with DTMR and the State Government.

Property Comments: The land is a buffer zone and does flood. The land needs to be identified as surplus or not. If the land is determined as surplus to Cairns, consultation between the school, DNRM and Council to identify if the land can be handed back to the State, then the school can absorb it.

Water & Waste Comments: There are 150PVC sewer mains traversing the site at both the northern and southern ends of the site.
PARKS & LEISURE RECOMMENDATION:
That Council seek applications, via a request for application process, from incorporated not-for-profit sporting and recreational groups that may wish to use this reserve and that if a suitable applicant is found then Officers assist in the discussions regarding joint use of adjacent school fields. Should no future users be identified, enter into negotiations with White Rock State School for use of Lot 77 under lease for car parking purposes. Should no suitable community use of this reserve materialise then Officers initiate discussions with a view to disposing management control.

Related Documents:
Public Parks & Land for Community Purposes Trunk Infrastructure Planning Study 2010
Local Open Space & Community Facilities Review, 2006 (CCC)
Local Area Open Space Management Plan 2001 (CCC)
Edmonton Sport & Recreation Facility Needs Study 2007
CRC Sport & Recreation Facility Needs Study 2007
CRC Sport & Recreation Strategic Plan 2010 - 2015

iii) Lot 1 on RP737188, 61-79 Windarra Street and Lot 636 on NR6622,81-97 Windarra St Jeff Pezzutti Park

<table>
<thead>
<tr>
<th>Division</th>
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<th>Purpose</th>
<th>Option</th>
<th>Constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Lot 1 on RP73718, Freehold</td>
<td>3.2780ha</td>
<td>• Scouts Association of Australia • Olympic Tennis • Saints Hockey Club • Disaster Centre</td>
<td>S&amp;R</td>
<td>Park</td>
<td>Further investigation for other users</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Lot 636 on NR6622, Reserve</td>
<td>7.7160ha</td>
<td>• Leichhardt Soccer • Scouts Association of Australia • Olympic Tennis • Saints Hockey</td>
<td>S&amp;R</td>
<td>Park</td>
<td>Further investigation for other users</td>
<td></td>
</tr>
</tbody>
</table>
Asset Owner: Parks and Leisure
Purpose: Parks and Recreation
Comments: There is spare land in the vicinity of the Leichardt Junior's soccer clubhouse that could be suitable potential footprints for additional buildings or clubhouse with the tenant negotiating sporting field access with current lease holders or Council booked field access. Informal discussions with existing field lease holders indicated they would be receptive to consider suitable partners to share in costs of maintaining fields.
Water & Waste Comments: There is a 100AC water main and a 150 PVC sewer main within the site.
Property Comments: Currently used for Sport & Recreation purposes. There is an option for further extension for multi-use, subject to further investigation with existing users.
PARKS & LEISURE RECOMMENDATION:
Subject to favourable consultation with existing groups, seek applications via a request for applications process from incorporated not-for-profit sporting and recreational groups that may wish to use a portion of this reserve.

Related Documents:
- Public Parks & Land for Community Purposes Trunk Infrastructure Planning Study 2010
- Local Open Space & Community Facilities Review, 2006 (CCC)
- Local Area Open Space Management Plan 2001 (CCC)
- Edmonton Sport & Recreation Facility Needs Study 2007
- CRC Sport & Recreation Facility Needs Study 2007
- CRC Sport & Recreation Strategic Plan 2010 - 2015
iv) Lot 987 on RP846951, 60-76 Robert Road, Bentley Park (Edmonton Skate Park) – Little Fretwell Park

<table>
<thead>
<tr>
<th>Division</th>
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<th>Constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Reserve</td>
<td>1.416 ha</td>
<td>Vacant</td>
<td>P&amp;L</td>
<td>Park &amp; Recreation</td>
<td>See S&amp;R Comments</td>
<td>Requires community consultation to gauge feedback in regard to future use for increased sporting and recreational use.</td>
</tr>
</tbody>
</table>

**Asset Owner:** Parks and Leisure  
This is a high use Park by young people on current facilities with the exception being the adjoining sports field surface, which is in poor condition. There is room to establish a sport at this venue and Council should consider this on the basis that the selected club has the capacity to improve the surface or significantly contribute to the costs of improving the surface and that the sports field be booked by Council in order that community access can be maintained.
Purpose: Park and Recreation

Comments - This park already has a high level of infrastructure on it – BMX mounds, basketball court, 2 x cricket nets and a car park. The car park and basketball surfaces do not look like they have significant useful life left in them. This would appear to offer an opportunity to master plan the park to gain better use of the site and potentially create a footprint for a community facility structure.

Water & Waste Comments: With the exception of a 150 CI water main located on the Robert Rd frontage there are no known W&W infrastructure within the site.

PARKS & LEISURE RECOMMENDATION:
That Officers complete a development plan in consultation with local residents for the site inclusive of addressing existing and future infrastructure requirements and that Council call for applications from incorporated not-for-profit community, sporting or recreational groups wishing to establish a home facility at this site on the basis that they contribute to sporting field improvements and that the fields are available for community use as well as club use.

v) Site: Lot 500 on RP849653, 93-99 Robert Rd, Bentley Park

<table>
<thead>
<tr>
<th>Division</th>
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<th>Purpose</th>
<th>Constraints</th>
</tr>
</thead>
</table>
| 2        | Reserve     | 1.988ha| • Part lease to Roman Catholic Trust (expires 25/2/2021)  
• Southside Swallows Gymnastics Club (expires 31/01/2022) | P&L         | Park & Recreation | Access via Roberts Road |
Asset Owner: Parks and Leisure
Purpose: Parks and Recreation
Comments: This site is constrained by the two existing trustee leases (Roman Catholic Trust and Southside Gym) and the existing access and car parking area. Suitable for general informal active open space. The Southside Swallows Gymnastic club has indicated that they would like to consider building extensions in the near future to accommodate some functions that are needed to expand the club's growing membership.
Property Comments: The area at the back of the existing building is already leased to the Roman Catholic Trust. There is another area at the front of the property; however access to the property is an issue.
Water & Waste Comments: There is an existing 225PVC/150 PVC sewer main running along the western boundary of the site.
Southside Swallows Leased area:
Roman Catholic Trust leased area:
PARKS & LEISURE RECOMMENDATION:
That Council does not encourage additional sport and recreational users at this site until consideration of any proposed extensions to the Southside Swallows Gymnastic facility has been considered.

vi) Lot 2011 on SP175709, 16-20 Benjamina Street, Mount Sheridan (Benjamina Park)

<table>
<thead>
<tr>
<th>Division</th>
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</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Reserve</td>
<td>3.806ha</td>
<td>Vacant</td>
<td>P&amp;L</td>
<td>Park</td>
<td>Parking and residential close by.</td>
</tr>
</tbody>
</table>

Asset Owner: Parks and Leisure
Purpose: Park
Comments: This Park has been the subject of discussion for some period of time. The primary function of the site acts as a flood detention basin however; it is used for a mix of passive and active sport and recreation uses. The key constraints in considering long term “home” tenants is in relation to parking, residents abutting the reserve, sports fields lights and access and egress to and from the site. Ideally the site is suited to a medium stay park experience which would include basic level infrastructure such as public toilets, barbecue, park furniture, paths, shade perhaps some form of informal play, such as volleyball, etc.
**Water & Waste Comments:**
Known Water and Waste infrastructure within the site are:
- 150PVC sewer main along the northern boundary.
- 225PVC sewer main along the eastern boundary.
- 100PVC water main in the north of the site.
- 35PVC and 50PVC water mains in south of site.

**PARKS & LEISURE RECOMMENDATION:**
That Officers, in consultation with local community residents, establish a draft Benjamina Park Development Plan for Council’s consideration in the 2013/14 financial year.

**Related Documents:**
- Edmonton Sport & Recreation Facility Needs Study 2007
- CRC Sport & Recreation Facility Needs Study 2007
- CRC Sport & Recreation Strategic Plan 2010 – 2015
- Public Parks & Land for Community Purposes Trunk Infrastructure Planning Study 2010
- Local Open Space & Community Facilities Review, 2006 (CCC)
- Local Area Open Space Management Plan 2001 (CCC)
vii) Lot 41 on SP253555, 59-67 Thomson Rd, Edmonton

<table>
<thead>
<tr>
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<th>Purpose</th>
<th>Constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Freehold</td>
<td>1709m²</td>
<td>Part leased to Edmonton Tennis Club &lt;br&gt;Management Agreement with Down Park Committee</td>
<td>P&amp;L</td>
<td>Parks and Recreation</td>
<td>Parking, lighting, proximity to residential</td>
</tr>
</tbody>
</table>

**Asset Owner:** Parks and Leisure  
**Purpose:** Parks and Recreation  
**Comments:** There are significant constraints with this site as a long term sporting club site. Many concerns have been expressed by local residents in regard to parking, noise, sports field lights, antisocial behaviours, etc. These constraints are real and as such only junior sport was permitted on the site and the old sports field lights have been decommissioned. The commencement of the Walker Road Master Plan and the development of additional sporting fields at Peterson Park will make the majority of sporting space at Down Park redundant. Officers propose that a development plan be established with the local community with a view to disposing of a portion of this land for
residential purposes and that the funds be reinvested in bringing the community park up to a high standard. Existing tennis and community facilities would remain. Any residual funds after upgrading the community park could contribute to further public open space acquisitions in the local area.

**Planning comments:** Site is contained within the Mount Peter Master Plan – may require referral to the Department of State Development, Infrastructure and Planning.

**Water & Waste Comments:** With the exception of a manhole at the Barr St frontage, there are no known W&W infrastructure within the site.

**PARKS & LEISURE RECOMMENDATION:**
That Officers establish a development plan in consultation with local residents with a view to disposing of a portion of the land to use for localised reinvestment purposes such as park infrastructure or assisting with the procurement of public open space in the local area.

**CONSULTATION:**
Community consultation has not occurred in relation to the specific designation of these sites. Recommendations are generally in keeping with the purpose of the land and where a change is recommended community consultation will occur.
CONSIDERATIONS:

Advice from Council’s Property Services unit is that should a reserve no longer be required for its dedicated purpose, Council may make application under the Land Act 1994 to the Department of Natural Resources and Mines to change the reserve’s purpose (refer Attachment 1).

Risk management:

In considering risks associated with asset procurement and disposal it is cognisant of Council to act in a strategic manner such as designating future use of community sites and where appropriate, dispose of assets in order to procure future assets or embellish public infrastructure in the local community.

Corporate and Operational Plans:

The recommendation supports Council’s Corporate Plan 2009-2014 with particular reference to:

Goal 2: “Building Vibrant Communities”; and
Goal 6: “To ensure that Council is open, accountable, ethical and financially responsible. Recognise that Council plays a leadership role for our immediate communities and for the wider region and will strive to represent our communities needs and expectations.”

Statutory:

The recommendations contained in this report are consistent with legislative requirements of the Local Government Regulation 2012 and trustee leases will be prepared in accordance with the requirements of the Land Act 1994.

Policy:

- General Policy No 1:02:23 Procurement Policy
- Council’s Tenures Policy for Not-for-profit Recreation, Sporting and Community Groups – No.1:02:45 will apply to the proposed trustee lease. This policy is currently being reviewed.
- General Policy 1:02:62 Strategic Disposal of Council’s Freehold Land Policy

Options:

Council has two (2) options with regards to this matter as follows:

Option 1:

As per the recommendation of this report; or

Option 2:

Retain the status quo.
**Sustainability:**

![Sustainability Chart]

**Community:** Overall the project has a strong positive outcome. Consultation with the public and Request for Applications will assist to ensure the local sporting and community are assisted through formalised arrangements.

**Governance and economic management:** Overall the project has a positive outcome. It will not impact on Council financial resources as the potential users will be responsible for the rent, maintenance of the building, rates and water which at the moment Council is responsible for in most cases.

**ATTACHMENTS:**

Attachment 1: Reserve Purposes – Categories

Brett Spencer  
**Manager Parks and Leisure**

Ian Lowth  
**General Manager Community, Sport and Cultural Services**
ATTACHMENT 1

Should a reserve no longer be required for its dedicated purpose, Council may make application under the *Land Act 1994* to the Department of Natural Resources and Mines to change the reserve purpose – purposes are listed in the following categories:

- Aboriginal purposes
- Beach protection
- Buffer zones
- Cemeteries
- Coastal Management
- Crematoriums
- Cultural purposes
- Drainage
- Environmental purposes
- Gardens
- Heritage
- Historical
- Jetties
- Landing places
- Mortuaries
- Natural resource management
- Navigational purposes
- Open space
- Parks
- Provision of services beneficial to Aboriginal people particularly concerned with land
- Provision of services beneficial to Torres Strait Islanders particularly concerned with land
- Public boat ramps
- Public halls
- Public toilet facilities
- Recreation
- Roads
- Scenic purposes
- Scientific purposes
- Showgrounds
- Sport
- Strategic land management
- Torres Strait islander purposes
- Travelling stock requirements
- Watering-places