

**Sutherland Shire**  
COUNCIL



# **PLAN OF MANAGEMENT**

## **E.G. WATERHOUSE NATIONAL CAMELLIA GARDENS TEA HOUSE**

Adopted by: Sutherland Shire Council  
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## 1. INTRODUCTION

### 1.1. REASONS FOR PLAN

Since the introduction of the new Local Government Act on 1 July 1993 councils have been required to classify public land into one of two categories i.e., community land or operational land. Any land classified as community land is required to have a Plan of Management established for its continuing management. Under the Act it is permissible to have a generic plan of management for more than one parcel of community land, and the land occupied by the Camellia Gardens Tea House has previously been covered by such a generic plan.

Council at it's meeting on 21 January 2000 in dealing with amendments to the Draft Sutherland Shire Local Environmental Plan 1993 - Amendment No. 91 (Restaurants in 6(a) Zones), resolved to prepare Plans of Management for various sites named in the LEP including this site. The effect of this resolution is that the specific plan of management for the land occupied by the Camellia Gardens when adopted will replace those parts of the current generic Plan of Management which refer to the site occupied by the Tea House buildings.

The major reason for the specific Plan of Management is to provide all stakeholders with a consistent set of management guidelines and permissible uses of the premises as defined in the Draft Sutherland Shire Local Environmental Plan 1993 including amendment 91.



### 1.2. LOCAL ENVIRONMENT PLAN

This Plan of Management has been prepared in accordance with the requirements of the prevailing Sutherland Shire Local Environmental Plan, as amended.

## 2. BACKGROUND

### 2.1. CATEGORY OF LAND IN ACCORDANCE WITH S.36 (4) AND (5)

The land occupied by the Camellia Gardens Teahouse is categorised under the Local Government Act as “General Community Use”.

### 2.2. BRIEF HISTORY

The E G Waterhouse National Camellia Gardens began on this site in 1970 as part of the Captain Cook Bicentenary, from small plantings in 1969 and has since developed into a world class facility popular with locals and tourists alike.

The teahouse was constructed in 1972 to provide the visiting public with an appropriate venue to obtain and partake of refreshments. This was seen as a significant and necessary service for visitors to the gardens. The popularity of the gardens and the world acclaim continues to attract increasing numbers of visitors.



The Teahouse operation was increased in size in 1999 to accommodate a seating capacity of 60 persons.

### **3. PROPERTY DESCRIPTION**

#### **3.1. LOCATION AND REAL PROPERTY DESCRIPTION**

104R President Avenue, Caringbah being part of Lot 57 Deposited Plan 663328,

This Plan of Management applies only to that part of the land described above as is occupied by the teahouse as shown in Appendix A, Site Plan and Appendix B photos.

#### **3.2. OWNERSHIP DETAILS**

Lot 57 in Deposited Plan 663328, being 104R President Avenue, Caringbah is in the ownership of Sutherland Shire Council.

#### **3.3. SITE DESCRIPTION**

The E. G. Waterhouse National Camellia Gardens are a component of land comprising Kareena Park. The Teahouse is located in the north-west corner of the Camellia Gardens, adjacent to the front entry off President Avenue and with access off Kareena Road.

The teahouse building incorporates a kitchen, kiosk servery, tea rooms and public toilets for men, women and disabled. The tea rooms are comprised part within the main building and part set on the veranda constructed off the southern wall of the main building.



The teahouse is of timber frame construction with brick veneer exterior cladding on the western and part of the northern wall. The balance of the external walls are of timber framed glass. Timber framed sliding glass doors provide access from the main gardens to the tea rooms. A second entrance is accessed from the north. The roof cover is of concrete tiles.

The veranda off the southern wall is partially enclosed with glass stub walls on three sides. Clear vinyl blinds provide protection in inclement weather.

### 3.4. CONDITION OF BUILDINGS AND CURTILAGE

The building is in sound structural condition and the paint-work is also in good condition.

The curtilage is primarily grassed with garden beds at the base of the piers supporting the veranda.

A textured concrete path connects the teahouse to the main garden entry through an overhead arbour. Another path connects the driveway off Kareena Road to the north facing entry.

There are large shrubs and trees surrounding the building curtilage and a man proof fence.



### 3.5. DETAILS OF RESTRICTIONS

Current restrictions enforced by the owner are as follows:

- The hours of operation for the teahouse being restricted to the hours of operation of the Camellia Gardens being  
Monday to Friday 9am – 4pm  
Saturday, Sunday and Public Holiday 9am - 5pm  
with an additional hour during daylight saving;
- the conditions of lease as provided by the Lease Agreement for the teahouse;
- that the granting of a liquor licence for the teahouse will not be permitted; and
- that the current type of operation of the teahouse will not change.



#### 4. OBJECTIVES FOR MANAGEMENT OF THE LAND / BUILDINGS

The statutory (Local Government Act 1993-Sect 36I) core objectives for 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:

- in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- in relation to purposes for which a lease, license 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).

Specific objectives are: -

- seating capacity in the teahouse limited to that approved in DA 010328.
- operating hours which provide good service to the visiting public but do not create problems for surrounding residents and do not extend beyond the opening hours of the Gardens being:  
Monday to Friday 9am - 4pm  
Saturday, Sunday and Public Holidays 9am - 5pm  
with an additional hour during daylight saving;



## **5. EXISTING USE OF PREMISES**

### **5.1. PRIMARY**

The teahouse is used for the purposes of providing take away refreshments and light meals to the public visiting the Camellia Gardens. The building also provides public toilets, which are available for use during the hours of operation of the teahouse. The teahouse is open to the public during the hours of opening of the Gardens.

Other uses include waste storage, collection and removal; deliveries of goods and services to the teahouse; maintenance activities and public utility works and services. Parking is not an issue as the teahouse does not generate additional parking.

### **5.2. ANCILLARY USES OF PREMISES**

The current ancillary uses of the teahouse include occasional Camellia Gardens Committee meetings, small receptions and small catered functions limited in size by the seating capacity of the teahouse.

### **5.3. USES WHICH REQUIRE SPECIFIC COUNCIL APPROVAL**

- i) The teahouse operates during the hours of operation of the Camellia Gardens being: Monday to Friday 9am - 4pm  
Saturday, Sunday and Public Holidays 9am - 5pm  
with an additional hour during daylight saving;
- ii) Leasing of the Tea House

## **6. PERMITTED USE OF PREMISES**

### **6.1. ACTIVITIES EXPRESSLY AUTHORISED BY THIS PLAN**

Subject to compliance with the Local Government Act 1993 and the Local Government Amendment (Community Land Management) Act 1998 and regulations thereunder, the following activities are expressly authorised: -

Operation of the existing teahouse provided that the teahouse operates within the hours of operation of the Camellia Gardens.

The existing function of the teahouse does not change, with the kiosk offering pre-packaged takeaway food, hot and cold drinks

Catered functions complimentary and ancillary to the use and running of the Camellia Gardens, provided they do not unreasonably interfere with nor deny reasonable access for the visiting public to the facilities, such as:

Learned Society meetings;

Garden Committee meetings;

Garden Promotions;

receptions and the like.

Private functions provided:

- they do not unreasonably interfere with or deny access by the visiting public to the teahouse facilities;
- are limited to the opening hours of the Camellia Gardens and
- are limited to the scale which the teahouse presently provides.

Installation and maintenance of a grease arrestor and any other service utility such as gas, electricity, water and the like, building additions, demolition, general refurbishment, repairs and maintenance of the building.

Waste storage, recycling storage and removal.

Leasing, sub-leasing, licensing, or hiring of the teahouse for any purpose with the consent of Council.

### **6.2. USES WHICH REQUIRE SPECIFIC COUNCIL APPROVAL**

The teahouse operates during the hours of operation of the Camellia Gardens, being:

Monday to Friday 9am - 4pm

Saturday, Sunday and Public Holidays 9am - 5pm

with an additional hour during daylight saving;

Leasing, sub-leasing, or licensing of the Tea House for any purpose.

## **7. LEASES LICENSES AND OTHER ESTATES**

A limited duration lease controls the operation of the teahouse. The proposal to lease the teahouse is advertised to be filled by tender. The tenders are evaluated and council concurs to the terms of the lease and bona fides of the lessee.

The details of the proposed lease are advertised and placed on public exhibition.

Any lease of the teahouse is granted on the basis that the current level and type of operation will remain. This includes the non-granting of permission to seek a licence for alcohol.

Any lease or sublease must be in accordance and comply with any and all requirements of the New South Wales Local Government Amendment (Community Land Management) Act 1998 and Regulations as amended.

## **8. MANAGEMENT STRATEGIES**

### **8.1. PERFORMANCE TARGETS**

It is Council's intention to provide a service to the visiting public which will add to the overall enjoyment of their visit to the Camellia Gardens by providing an adequate sized place of rest and refreshment of good standard, in keeping with and complimentary to the Camellia Gardens.

### **8.2. STRATEGY FOR ACHIEVING OBJECTIVES AND MEETING PERFORMANCE TARGETS**

It is council's intention to achieve its objectives and performance targets by regular inspections, regular user surveys and through enforcement of the terms and conditions of the lease in place at any time.

In setting the terms and conditions of the lease, Council will take into account the objectives and performance targets which form the foundation of this Plan of Management and will ensure that the lease encapsulates all these requirements for compliance.

### **8.3. ASSESSING ACHIEVEMENT OF OBJECTIVES AND PERFORMANCE TARGETS**

Reviewing the results of user surveys and if need be taking corrective action to ensure compliance.

Annually review Council's complaints management system for evidence of non-performance by Council or the Lessee.

At least annual inspections and management reviews by Council to ensure compliance.

At times of calling new tenders for leasing the premises proposed lease documents will be reviewed along with any issues or changes that have warranted action during the term of the previous lease and incorporation of these safeguards into the new lease. The review will also consider any other matters which are pertinent to maintaining the objectives and performance targets of this Plan of Management.