



**STRATHFIELD COUNCIL**

**PUBLIC HEARING BRIEFING PAPERS**

**PROPOSED CATEGORISATIONS and  
RECATEGORISATIONS OF COMMUNITY LAND IN  
VARIOUS DRAFT PLANS OF MANAGEMENT**

**DATE & TIME: 6PM, THURSDAY 15 OCTOBER 2020**

**THE MEETING WILL BE HELD ONLINE.**

# 1 BACKGROUND

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At a Council meeting in late 2017, Council resolved to review and prepare Plans of Management for community land in the Strathfield Local Government Area to ensure that all community land was included and managed under a Plan of Management.

An extensive review of community land has resulted in various draft plans being prepared, which propose either new categorisations on land without a current Plan of Management or recategorisations of land in existing plans of management.

As Council is proposing new categorisations or recategorisations of community land, a public hearing chaired by an independent facilitator must be held under the *Local Government Act 1993*.

The following draft plans of management for community land in the Strathfield Local Government Area have been prepared for public exhibition and can be viewed at [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au):

- Airey Park Plan of Management
- Bark Huts Reserve Plan of Management
- Begnell Field Plan of Management
- Community Facilities Plan of Management
- Cooke Park Plan of Management
- Cooks River Corridor Natural Area (Bushland) Plan of Management
- Croquet Lawns - Plan of Management
- Elliott Reserve Plan of Management
- Freshwater Park Plan of Management
- Greenacre Frog Ponds Plan of Management
- Ismay Reserve Plan of Management
- Local Parks Plan of Management
- Southend Tennis Centre Plan of Management

These draft Plans of Management can be downloaded from the Council website at [www.strathfield.nsw.gov.au](http://www.strathfield.nsw.gov.au)

Hard or electronic copies of the draft plans are available upon request. Please contact Cathy Jones on 9748 9937 or email [cathy.jones@strathfield.nsw.gov.au](mailto:cathy.jones@strathfield.nsw.gov.au) to request a copy of a draft plan. You will need to provide name and email address for an electronic copy or name, address and contact details, for a print copy to be sent to your address.

## **2 PUBLIC HEARINGS FOR CATEGORISATION AND RECATEGORISATION OF COMMUNITY LAND**

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A public hearing is required under Section 40A of the *Local Government Act 1993* if the proposed Plan of Management is either categorising (that is, the Plan has not been previously been prepared and adopted by Council, or has not categorised community land), or re-categorising (changing the adopted category) the public land covered by the Plan of Management.

This public hearing is an opportunity for the Council to hear the community's views on the proposed categorisations of community land.

### **Who conducts the public hearing?**

An independent chairperson conducts the public hearing, and provides a report to Council with recommendations on the proposed categorisation/recategorisation of sports facilities as Sportsground.

Under Section 47G of the Act, the person presiding at a public hearing must not be:

- A Councillor or employee of the Council holding the public hearing.
- A person who has been a Councillor or employee of that Council at any time during the 5 years before the date of his or her appointment.

### **What happens after the public hearing?**

- Council must make a copy of the report regarding the outcomes of the public hearing available for inspection by the public at a location within the area of Council no later than 4 days after it has received the final report from the person presiding at the public hearing.
- The public hearing report will be presented in a report to Council with assessment of public submissions and representations and recommendations for consideration on the draft plans of management.

### **Participating in the public hearing**

The community is invited to attend a public hearing about the proposed categorisation or recategorisation of community land in the various Plans of Management on Thursday 15 October 2020.

Due to COVID-19 measures, the public hearing will be held online. To speak or view the public hearing, members of the public will need to register prior to the meeting. A link will be sent prior to the meeting with instructions about how to join the meeting. You can register your interest by completing this registration form.

You can also request that your written submission be presented to the meeting. Email your submission to [cathy.jones@strathfield.nsw.gov.au](mailto:cathy.jones@strathfield.nsw.gov.au), at least 1 day (Wednesday 14 October 2020) before the meeting. Please ensure the submission is of reasonable length (no more than 2 pages long).

### 3 COMMUNITY LAND

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The *Local Government Act 1993* sets out a range of requirements that Council is required to address in preparing Plans of Management, including categorisation of land. The *Act* requires that all public land owned by Council must be classified as "community" or "operational" land (Section 26).

The *Crown Land Management Act 2016* also requires local Councils to classify and prepare Plans of Management for Crown Land managed by Council. Council is currently reviewing and preparing new plans of management for Crown Lands in the Strathfield LGA, which will be exhibited in 2021.

#### **Community and Operational Land**

Community land is intended to be managed for use by the community for purposes including recreational, cultural, social, educational and environmental activities.

Community land may only be leased or licensed for up to 21 years without the Minister's consent or up to 30 years with the Minister's consent, it cannot be sold, and its use is restricted to the above purposes.

Conversely, operational land is land that can be used for any purposes deemed fit by Council, may be used for commercial purposes, be leased for a longer period, and can be sold.

#### **Categorisation of Community Land**

The *Local Government Act 1993* requires that all land owned by the Council which is classified as community land be categorised. Community land is categorised as one or more of the following under Section 36(4) of the LG Act:

- a) natural area (sub-categories)
- b) sportsground
- c) park
- d) area of cultural significance
- e) general community use.

Natural Areas must include a sub-category (Section 36 (5)) which is either:

- a) Bushland
- b) Wetland
- c) Escarpment
- d) Watercourse
- e) Foreshore
- f) A category prescribed by regulations

#### **Guidelines for categorising community land**

Guidelines for categorising community land and Crown reserves as a particular category are in Clauses 102 to 111 of the *Local Government (General) Regulation 2005*.

The revised Practice Note on Public Land Management (Department of Local Government, 2000) states that:

- the most appropriate category should be chosen based on all relevant material
- only one category can apply to any or all of the subject land, and categories cannot overlap

### Guidelines and Core Objectives of the Categories

Each category of community land has core objectives that apply to it under the *Local Government Act*. The *Local Government (General) Regulation 2005* sets out guidelines on each category. The guidelines and core objectives for the Park, Sportsground and General Community Use are:

Category	Guidelines	Core objectives
Park	<i>cl.104 LG Regulation 2005</i> Land which is, or proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that not unduly intrude on the peaceful enjoyment of the land by others.	<i>s36G LG Act</i> <ul style="list-style-type: none"> <li>• encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities.</li> <li>• provide for passive recreational activities or pastimes and for the casual playing of games.</li> <li>• improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.</li> </ul>
Sportsground	<i>cl.103 LG Regulation 2005</i> Land should be categorised as 'sportsground' if the land is used primarily for active recreation involving organised sports or the playing of outdoor games.	<i>Section 36F LG Act</i> <ul style="list-style-type: none"> <li>• to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and</li> <li>• to ensure that such activities are managed having regard to any adverse impact on nearby residences.</li> </ul>
General Community Use	<i>cl.106 LG Regulation 2005</i> Land that may be made available for use of any purpose for which community land may be used, whether by the public at large or by specific sections of the public	<i>Section 36I – LG Act</i> <ul style="list-style-type: none"> <li>• 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: <ul style="list-style-type: none"> <li>- in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public.</li> <li>- 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).</li> </ul> </li> </ul>

## Natural Area Categories and Sub-Categories

The Act requires that the category of Natural Area be also sub-categorised as either bushland, wetland, escarpment, watercourse, foreshore or a category prescribed by regulations (s.36(5)). The core objectives and guidelines are:

Category	Guidelines	Core objectives
Natural Area	<p><i>cl.102 LG Regulation 2005</i></p> <p>Natural areas are where land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore</p>	<p><i>Natural Area - (Section 36E)</i></p> <ul style="list-style-type: none"> <li>• to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised to a natural area; and</li> <li>• to maintain the land, or that feature or habitat, in its natural state and setting, and</li> <li>• to provide for the restoration and regeneration of the land, and</li> <li>• to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and</li> <li>• to assist in and facilitate the implement of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i></li> </ul>
Natural Area – bushland	<p><i>cl.107 LG Regulation 2005</i></p> <p>Land that contains primarily native vegetation or a remainder of the natural vegetation of the land, or although not the natural vegetation, is still representative of the structure or floristics of the natural vegetation in the locality.</p>	<p><i>Natural Area - Bushland (Section 36J)</i></p> <ul style="list-style-type: none"> <li>• to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and</li> <li>• to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and</li> <li>• to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and</li> <li>• to restore degraded bushland, and</li> <li>• to protect existing landforms such as natural drainage lines, watercourses and foreshores, and</li> <li>• to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and</li> <li>• to protect bushland as a natural stabiliser of the soil surface.</li> </ul>

Category	Guidelines	Core objectives
Natural Area – Wetland	<i>cl.108 LG Regulation 2005</i> Marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a waterbody.	<i>Natural Area - Bushland (Section 36K)</i> <ul style="list-style-type: none"> <li>to protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and</li> <li>to restore and regenerate degraded wetlands, and</li> <li>to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.</li> </ul>

## 4 DRAFT PLANS OF MANAGEMENT – PROPOSED CATEGORISATIONS AND RECATEGORISATIONS

The following plans of management contain new categorisations or recategorisations

Name	Proposed categorisation/recategorisation
Airey Park Plan of Management (revision of Airey Park Plan of Management 2008)	<u>Recategorisation</u>  Part of the land categorised as Park to be recategorised as Natural Area (Bushland)
Bark Huts Reserve Plan of Management (initial plan)	<u>New/initial categorisation</u>  Categorisation of community land as Sportsground and Park
Begnell Field Plan of Management (initial plan)	<u>New/initial categorisation</u>  Categorisation of community land as Sportsground, General Community User, Park and Natural Area (Bushland)
Community Facilities Plan of Management (revision of 2014 plan)	<u>New categorisations</u> Begnell Field Pavilion as General Community Use  <u>Recategorisation</u> 1 Loftus Crescent – recategorisation from Park to General Community Use (2014 Plan of Management assumed demolition of the building for future park purpose which has not occurred and categorisation is not suitable for actual use of land)
Cooke Park Plan of Management (initial plan)	<u>New/Initial categorisation</u>  Categorisation as Park, Sportsground and Natural Area (Bushland)
Cook River Corridor Natural Area (Bushland) Plan of Management (initial plan)	<u>New/initial categorisations</u>  Maria Reserve – land categorised as Park (in former Neighbourhood Parks Plan of Management) recategorised as Natural Area (Bushland) St Anne's Reserve – land categorised as Park (in former Neighbourhood Parks Plan of Management) recategorised as Natural Area (Bushland) South Cooks Land – Natural Area (Bushland) – not previously categorised.
Croquet Lawns - Plan of Management (initial plan)	<u>New/initial categorisation</u>  Categorisation of Sportsground



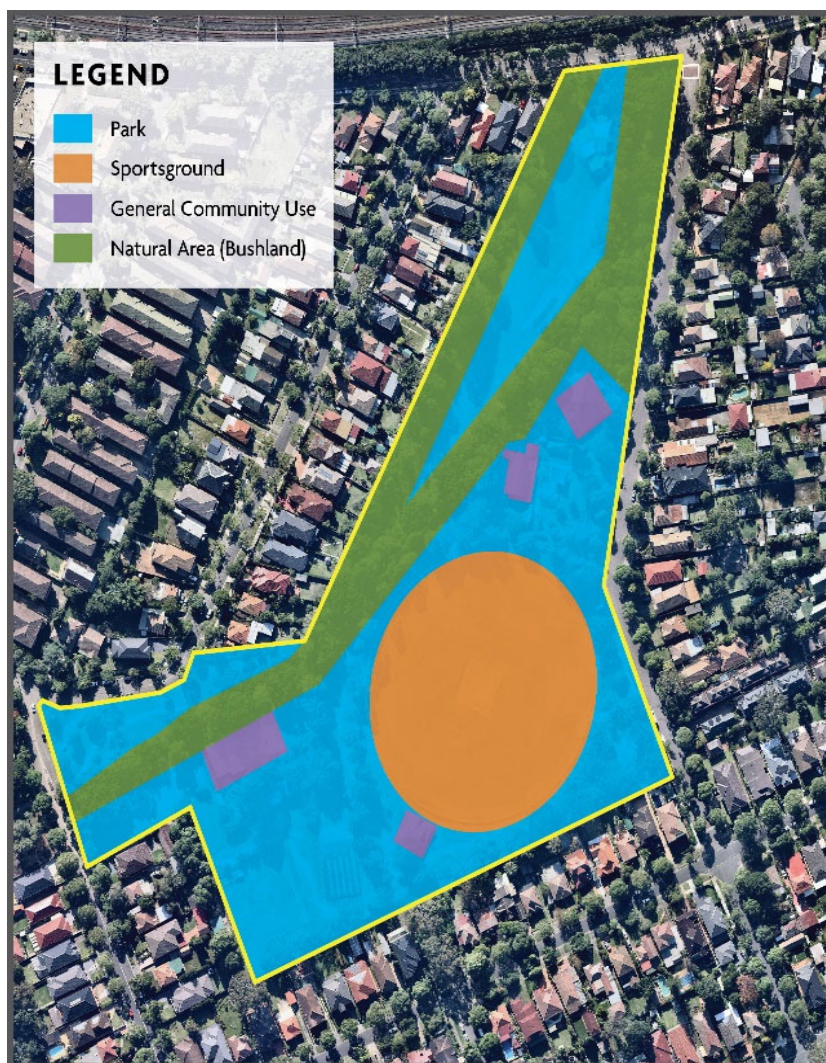
Name	Proposed categorisation/recategorisation
Elliott Reserve Plan of Management (initial plan)	<u>New/Initial categorisation</u>  Categorisation as Park and Natural Area (Bushland)
Freshwater Park Plan of Management (initial plan for community land occupied by Golf Course. Recategorisation of parts of the community land in the Neighbourhood Parks Plan of Management 2014)	<u>New/initial categorisations</u> Land on which Strathfield Golf Course is located to be categorised as Sportsground  <u>Recategorisations</u> Part of the land categorised as Park recategorisation to Natural Area (Wetland) and Natural Area (Bushland)
Greenacre Frog Ponds Plan of Management (initial plan)	<u>New/initial categorisation of community land</u>  Categorisation of Natural Area (Bushland) and General Community Use
Ismay Reserve Plan of Management	<u>No changes</u>  Land included in former Neighbourhood Parks Plan of Management (2014)
Local Parks Plan of Management (revision of Neighbourhood Parks Plan of Management 2014)	<u>New/Initial categorisations</u> ‘Chiswick Reserve’ – categorisation of Park and Natural Area (Bushland) Churchill Avenue Carpark – categorisation of General Community Use Todman Reserve – categorisation of Park  <u>Recategorisations</u> Chain of Ponds - part of the land categorised as Park recategorised as Natural Area (Bushland) Ford Park – part of the land categorised as Park recategorised as Natural Area (Bushland) Inveresk Park – part of the land categorised as Park recategorised as Natural Area (Bushland) Palmer Reserve – part of the land categorised as Park recategorised as Natural Area (Bushland) Prentice Reserve – part of the land categorised as Park recategorised as Natural Area (Bushland) Thew Reserve – part of the land categorised as Park recategorised as Natural Area (Bushland)
Southend Tennis Centre Plan of Management (initial plan)	<u>New/initial categorisation</u>  Categorisation of Sportsground and Natural Area (Bushland)

## Airey Park Plan of Management

The Airey Park Plan of Management was adopted in 2008. The community buildings located in Airey Park are included in the Community Facilities Plan of Management.

The proposed recategorisation in the draft Airey Park Plan of Management (2020) involves changing part of the land categorised as Park to Natural Area (Bushland). This categorisation is consistent with location of Connectivity Priority Areas set out in the Strathfield Biodiversity Strategy 2019. The land categorisations proposed for Airey Park are:

1. Land for active and passive recreation (Park category)
2. Land for major sportsfield (Sportsground category)
3. Land for community facilities (General Community Use)
4. Land identified as a biodiversity habitat connectivity area (Natural Area – Bushland).

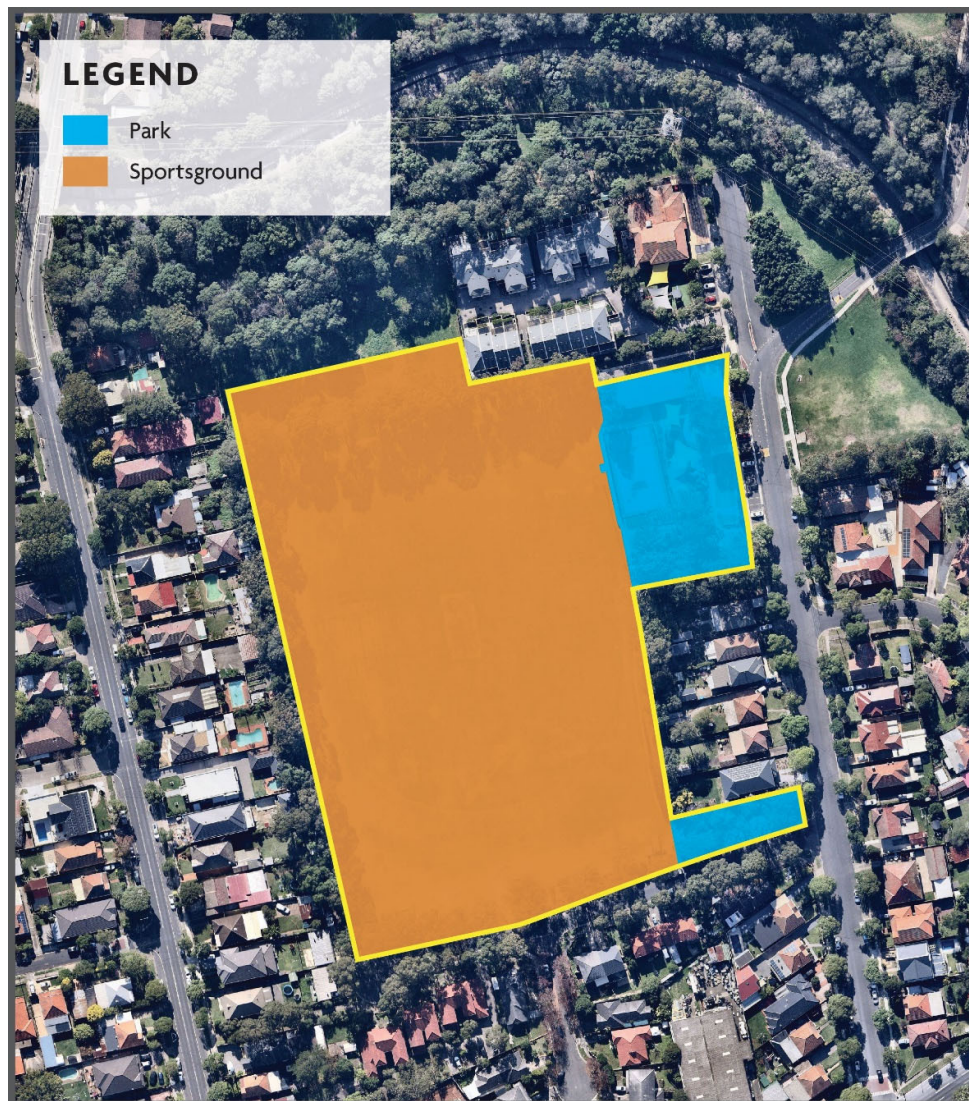


## Bark Huts Reserve Plan of Management

The land on which this reserve is located is classified as Community Land. However, the land has not been previously categorised. This the first Plan of Management for Bark Huts Reserve.

The proposed new categorisations for Bark Huts Reserve in the draft Bark Huts Plan of Management (2020) are:

1. Land for active and passive recreation (Park category)
2. Land containing sportsfields (Sportsground category)





## Begnell Field Plan of Management

The land on which this park is located is classified as Community Land. However, the land has not been previously categorised. This the first Plan of Management.

The proposed new categorisations in draft Begnell Field Plan of Management (2020) are:

1. Land for active and passive recreation (Park category)
2. Land containing sportsfield (Sportsground category)
3. Land containing community facility buildings (General Community Use category)
4. Land identified as a biodiversity habitat connectivity area (Natural Area – Bushland).



## Community Facilities Generic Plan of Management

The previous Community Facilities Park Plan of Management was adopted in 2014.

The proposed recategorisation of 1 Loftus Crescent Homebush involves changing the land categorised as Park to General Community Use. The site is occupied by a block of flats and therefore, the categorisation of park is not consistent with its actual use.

1. 1 Loftus Crescent - Community facilities (buildings) (General Community Use)





## Cooke Park Plan of Management

The land on which this park is located is classified as Community Land. However, the land has not been previously categorised. This the first Plan of Management for Cooke Park.

The proposed new categorisations in draft Cooke Park Plan of Management (2020) are:

1. Land used for active and passive recreation (Park category)
2. Land contains sportsfields (Sportsground category)
3. Land identified as a biodiversity habitat connectivity area (Natural Area – Bushland).

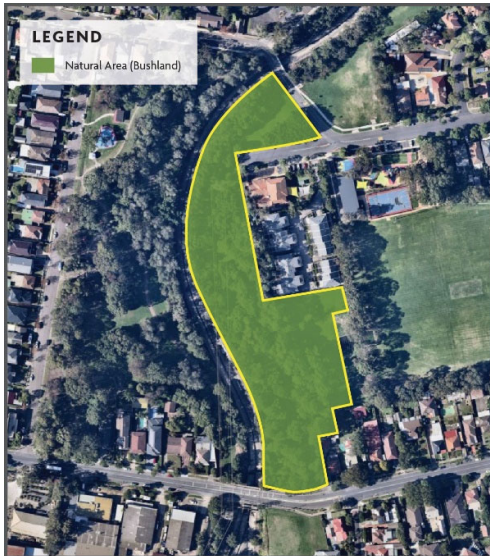




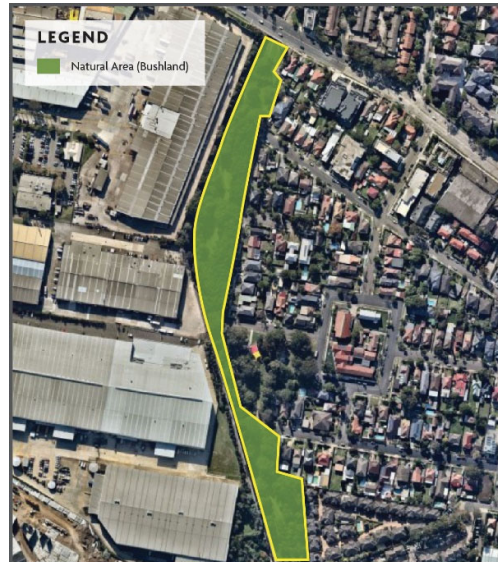
## Cook River Corridor Natural Area (Bushland) Plan of Management

The Cooks River Corridor Natural Area (Bushland) Plan of Management concerns foreshore land on Cooks River and Coxs Creek which form a wildlife or biodiversity corridor. Most of this bushland is located within larger parks. However, there are a small few parks and reserves where the total land is categorised as Natural Area (Bushland).

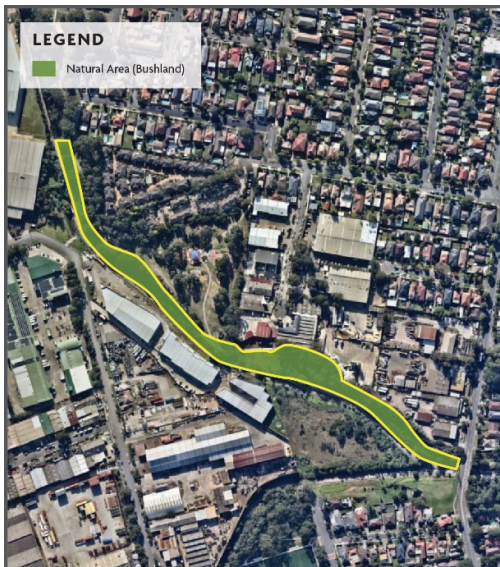
The proposed new categorisations in draft Cook River Corridor Natural Area (Bushland) Plan of Management (2020) is land identified as a biodiversity habitat connectivity area (Natural Area – Bushland). Maria Reserve and St Anne's Reserve had previously been categorised as parks in the Neighbourhood Parks Plan of Management 2014.



Maria Reserve



St Anne's Reserve



South Cooks Land



## Croquet Lawns Plan of Management

The land on which this centre is located is classified as Community Land. However, the land has not been previously categorised. This the first Plan of Management.

The proposed new categorisation in draft Croquet Lawns Plan of Management (2020) is for Sportsground as the primary use of the land is for croquet lawns and amenities.





## Elliott Reserve Plan of Management

The land on which this centre is located is classified as Community Land. However, the land has not been previously categorised. This the first Plan of Management.

The proposed new categorisations in draft Elliott Reserve Plan of Management (2020) are:

1. Land for active and passive recreation (Park category)
2. Land identified as a biodiversity habitat connectivity area (Natural Area – Bushland).





## Freshwater Park Plan of Management

Freshwater Park has two separate areas. One section is a public park, the other section used as a public golf course. The public park was included in the Neighbourhood Parks Plan of Management 2014 and categorised the land as Park.

The proposed recategorisation in the draft Freshwater Park Plan of Management (2020) involves changing part of the land categorised as Park to Natural Area – Bushland and part of land categorised as Park to Natural Area – Wetland, where Yarrowee Wetland is located. These categorisations are consistent with location of Connectivity Priority Areas set out in the Strathfield Biodiversity Strategy 2019.

The section on which the golf course was located had not been previously categorised. The proposed category in the draft Plan of Management is Sportsground.

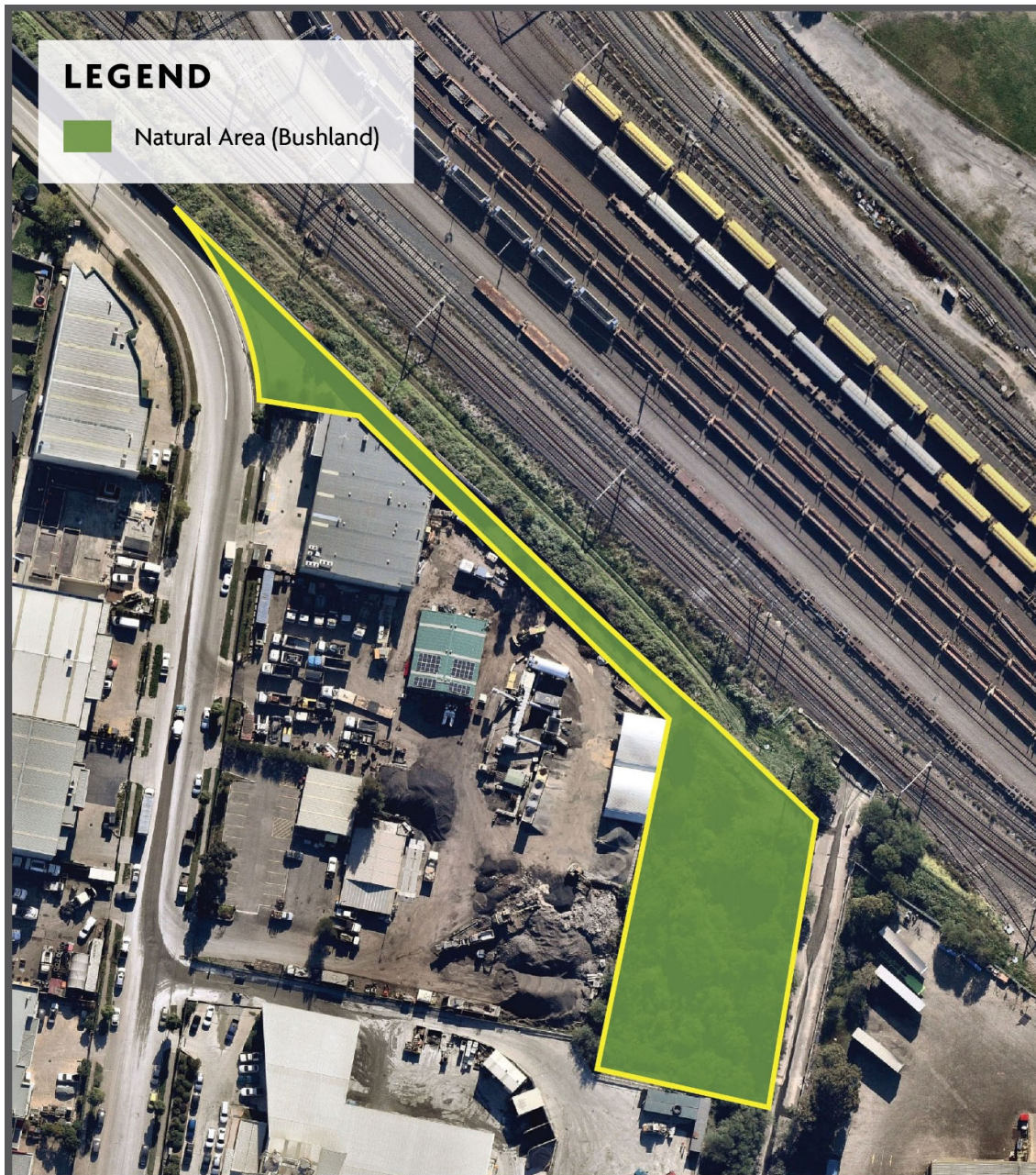




## Greenacre Frog Ponds Plan of Management

This land is community land but has not been previously categorised.

The proposed new categorisations in draft Greenacre Frog Ponds Plan of Management (2020) is Natural Area (Bushland)





## Local Parks Plan of Management

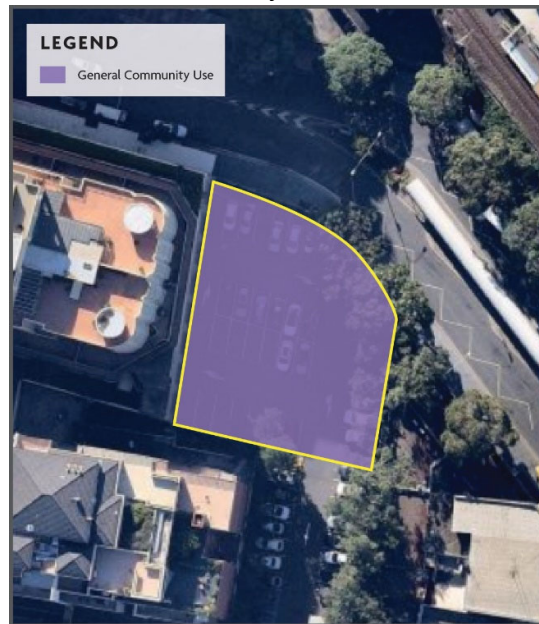
The previous Neighbourhood Parks Generic Plan of Management was adopted in 2014. This plan has been revised. The proposed changes involve inclusion of new land at 'Chiswick Reserve', Churchill Avenue Carpark, Todman Reserve and Crane Street Park.

### New/Initial categorisations

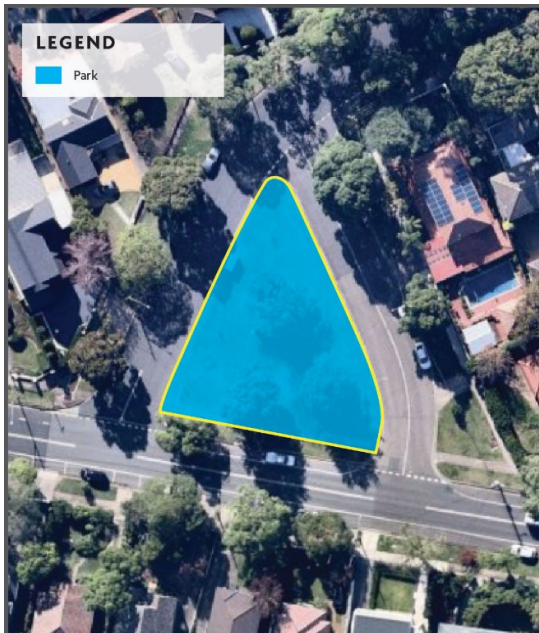
'Chiswick Reserve' – categorisation of Park and Natural Area (Bushland)



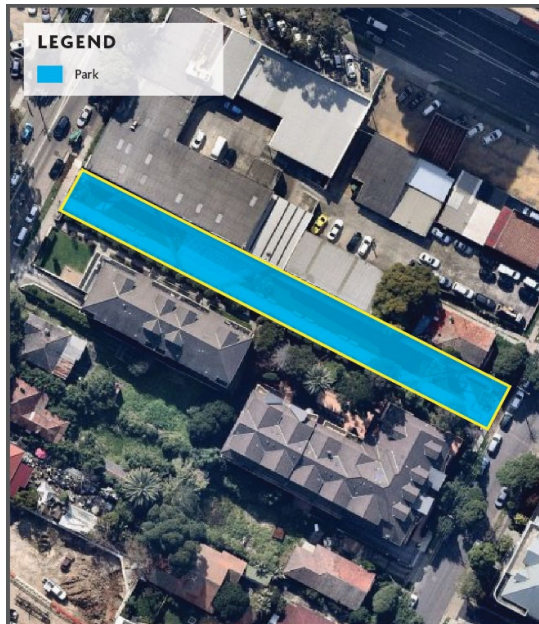
Churchill Avenue Carpark – categorisation of General Community Use



Todman Reserve – categorisation of Park



Crane Street Park – categorisation of park





## Recategorisations

The following land proposes recategorisations from Park to Natural Area (Bushland) as shown in the maps below.

Chain of Ponds - part of the land categorised as Park recategorised as Natural Area (Bushland)



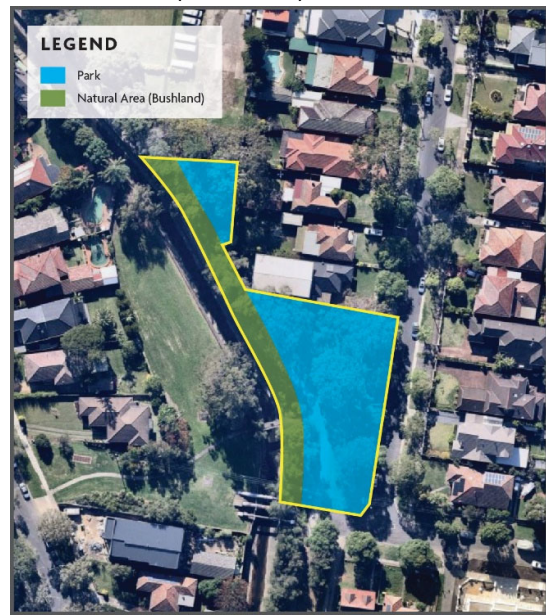
Ford Park – part of the land categorised as Park recategorised as Natural Area (Bushland)



Inveresk Park – part of the land categorised as Park recategorised as Natural Area (Bushland)



Palmer Reserve – part of the land categorised as Park recategorised as Natural Area (Bushland)



Prentice Reserve – part of the land categorised as Park recategorised as Natural Area (Bushland)



Thew Reserve – categorisation of Natural Area (Bushland)





## Southend Tennis Centre Plan of Management

The land on which this centre is located is classified as Community Land. However, the land has not been previously categorised. This the first Plan of Management for Southend Tennis Centre.

The proposed new categorisations in draft Southend Tennis Plan of Management (2020) are:

1. Land used for sporting purposes eg courts and ancillary amenities (Sportsground category)
2. Land identified as a Biodiversity Habitat Connectivity area in Council's Biodiversity Strategy – (Natural Area – Bushland category).

