

Public Hearing

Held on 1 May 2023 at 6pm

at the Ironbark Room,

Strathfield Library

65 Rochester Street, Homebush

Pursuant to s40A *Local Government Act 1993*

Proposal: Categorisation of community land in the Bressington Park draft Plan of Management

Roslyn McCulloch

Chair of the Public Hearing

Report date: 9 May 2023

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I. The Public Hearing

On 7 March 2023 Strathfield Council (**Council**) resolved to publicly exhibit the draft Plan of Management for Bressington Park.

Bressington Park is in the suburb of Homebush. It is bounded to the north west by Homebush Drive, to the south west by Underwood Road, to the south east by Saleyards Creek and to the north east by Powells Creek.

Part of Bressington Park is owned by Council with the remainder being Crown land.

As this is the first time a Plan of Management has been adopted for Bressington Park, Council proposes to categorise that part of Bressington Park which it owns as community land under the *Local Government Act 1993 (LG Act)*. Section 40A of the LG Act requires that a public hearing be held to categorise land as community land.

Part 2 of the *Local Government Act 1993* requires that all Council-owned land be classified as either 'community' or 'operational' land. Community land is generally accessible to the public, like parks, bushland and playgrounds. Community land is categorised under section 36(4) LG Act as either natural area, sportsground, park, area of cultural significance or general community use. Community land may only be leased or licensed for a limited period and may not be sold. It must be used for the purposes for which it is categorised. Operational land is generally used for operational purposes, and it can be sold by Council or leased on a commercial basis.

It is proposed to categorise the part of Bressington Park which is owned by Council as "sportsground". As the Crown land portion of Bressington Park is not subject to the LG Act, it is not necessary to categorise that land or to hold a public hearing in relation to it.

A public hearing was held on Monday 1 May 2023 at 6pm. I was the Chair of that meeting and I have compiled this report for Council's consideration following public notification and exhibition of the report.

The proposed categorisation of Bressington Park was widely advertised. Although there were two expressions of interest received ahead of the meeting, there were no members of the public in attendance.

II. Categorisation as sportsground

The proposed categorisation of the part of Bressington Park which is owned by Council as "sportsground" is consistent with the use of that land for many years until the present. Bressington Park currently comprises four sporting fields, four cricket wickets, two cricket practice nets, an off-leash dog area, two playgrounds, a large car park, an amenities block and walking paths.

Of the available categories nominated in section 36 LG Act, "sportsground" is the most

logical categorisation for the part of Bressington Park which is owned by Council.

Clause 103 of the *Local Government Regulation 2021 (LG Regulation)* provides that land should be categorised as "sportsground" if the land is used primarily for active recreation involving organised sports or the playing of outdoor games. Bressington Park is so used.

Under Section 36F LG Act the core objectives for land categorised as sportsground are:

- (a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- (b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.

The categorisation of that part of Bressington Park which is owned by Council as "sportsground" will help to achieve those core objectives by ensuring that in the future that land will continued to be used and managed consistently with its categorisation and in accordance with the Plan of Management.

III. Public Consultation

The draft Plan of Management for Bressington Park was publicly exhibited and the proposed categorisation of the part of Bressington Park owned by Council was advertised in April 2023. The draft Plan was exhibited on Council's website, Customer Service Centre and copies were available to view or take away from Council's library and website.

Notification was published in the following modes:

- In April 2023 a flyer was issued to each household in the Strathfield local government area notifying the proposed Bressington Park Plan of Management and the public meeting;
- On 5 April 2023 an email was sent to all sporting, cultural and community groups in the Strathfield local government area notifying the proposed Bressington Park Plan of Management and the public meeting. The email included links to the website materials;
- Council's website included a copy of the draft Plan of Management and described the process and provided a link for making a submission and for registration for attendance of the public meeting;
- On 6 April the public hearing was advertised in Council's eNews: a weekly online newsletter which notifies news and current activities of Council. The notifications included links to the website materials;

IV. Submissions during the exhibition and public hearing process

No written submissions were received during the exhibition period.

Enquiries regarding the public hearing were received from two members of the public. No one registered to speak at the public hearing, and no one attended the public hearing.

At 6.15pm, the public hearing was closed.

V. Consideration of proposal and Conclusion

Having reviewed the exhibition material, including the draft Plan of Management I find that it is appropriate to categorise that part of Bressington Park which is owned by Council as "sportsground". The category reflects its past and ongoing use. The absence of community response to the exhibition of the proposed categorisation as "sportsground" indicates that there is community acceptance of that category as being appropriate for Bressington Park. The adoption of the Bressington Park Plan of Management will assist to ensure that Bressington Park continues to be used and managed as a sportsground into the future.



Roslyn McCulloch

Chair

Public Hearing