

## Item 6.

### Land Classification - South Sydney Rotary Park, 53A Henderson Road, Eveleigh

**File No:** X118406.004

#### Summary

The purpose of this report is to obtain Council endorsement to classify Lot 22 in Deposited Plan 835061, commonly known as South Sydney Rotary Park at 53A Henderson Road, Eveleigh, as operational land. This will be an interim measure to support the management and use of the land.

The land in question was recently transferred to the City of Sydney from NSW Land and Housing Corporation (part of Homes NSW), on 19 February 2026, in accordance with the Planning Agreement entered into in relation to a Public Benefit Offer.

A Public Benefit Offer (non-standard type) was received in conjunction with the state-led rezoning proposal at Explorer Street (53 and 53A Henderson Ave), Eveleigh. It was progressed by the Department of Planning, Housing and Infrastructure (the Department).

The land will initially need to have an operational classification to support the City's management and use of the land. This will be an interim measure until the land can be reclassified as community land, categorised and incorporated into a Generic Plan of Management.

Council endorsed the public notification of the proposed classification on 27 October 2025. The proposal was publicly notified for a period of 29 days. The consultation period ended on 12 March 2026. No submissions were received.

This report seeks Council's endorsement to classify Lot 22 in Deposited Plan 835061 as operational land under the Local Government Act 1993 (NSW).

## **Recommendation**

It is resolved that Council:

- (A) endorse the classification of Lot 22 in Deposited Plan 835061 as operational land in accordance with section 31 of the Local Government Act 1993; and
- (B) note that the operational classification is an interim measure to support the operational management and use of the land until the land can be reclassified as community land, categorised as park and incorporated into a Generic Plan of Management.

## **Attachments**

**Attachment A.** Identification Map

## Background

1. An existing social housing development at Explorer Street, South Eveleigh, has been identified for rezoning for additional housing as part of the NSW Government's Rezoning Pathways Program.
2. The subject site is owned by the Homes NSW and currently contains 46 social housing dwellings (one and two storey townhouses).
3. Forming part of the site to the south is the South Sydney Rotary Park, that is about 6,800sqm in size. It was owned by NSW Land and Housing Corporation (part of Homes NSW), but maintained by the City. The land was transferred to the City on 19 February 2026. In addition, there is a small area of public open space in the north-eastern corner of the site that is owned and maintained by the City. The development site is accessed and serviced by Explorer Street and Aurora Place. The roads are owned by the City.
4. The Department has led the rezoning of the site and changes to the planning controls are expected to come into effect imminently. The changes will facilitate redevelopment of the site for:
  - (a) about 400 dwellings, across three buildings, ranging from 4 to 13 storeys and
  - (b) no less than 20% affordable housing and 30% social housing, subject to review.
5. A Public Benefit Offer from Homes NSW outlines that ground investigations on the suitability of the land for a park have been undertaken and it has been determined the site is suitable for continued use as a publicly accessible park for passive recreational activity in its current state.
6. Homes NSW offered to dedicate the park to the City, in exchange for a development contributions credit (offset) of \$200/sqm against future redevelopment on the residential part of the Explorer Street site. This equates to an offset of approximately \$1,376,000 from contributions payable for the estimated 6,880sqm of the park.
7. The park was transferred to the City on 19 February 2026 in its entirety. It is proposed to temporarily classify the land as operational land to support the management of the land.

## Organisational Impact

8. There is no organisational impact arising from this proposed resolution to classify this parcel of land as operational land on a temporary basis.

## Risks

9. There is a minimal appetite for risk when considering the classification of land within the City's Local Government Area. Classifying land correctly ensures compliance with all applicable laws and regulations associated with land management.
10. The existing park has been maintained by the City. The land was transferred under a Planning Agreement. In accordance with the Agreement, the condition of the land at the date of transfer was specified in the Site Audit Statement, the Site Audit Report and the Dilapidation Report. Should it be necessary, the City will be responsible for any remediation of the land prior to any works that may take place.

## Financial Implications

11. The classification of land under the Local Government Act 1993 (NSW) does not have any direct budgetary implications. Since being transferred, this land is now recognised as in-kind contributions income, and held as land assets in accordance with the City's Infrastructure, Property, Plant and Equipment (IPPE) Asset Recognition and Capitalisation Policy.
12. The land was transferred under a Planning Agreement. The condition of the land at the date of transfer was specified in the Site Audit Statement, the Site Audit Report and the Dilapidation Report. Should it be necessary, the City will be responsible for any remediation of the land prior to any future park upgrades that may take place.

## Relevant Legislation

13. The following sections of the Local Government Act 1993 (NSW) are relevant:
  - (a) Section 25 requires all public land to be classified as either community or operational land.
  - (b) Section 31(2) permits Council to resolve to classify land prior to acquisition.
  - (c) In satisfaction of section 31(3), the proposed resolution is not inconsistent with the planning agreement (as registered on title) nor any other Act or the terms of any trust applying to the land.
  - (d) Section 34 requires the proposed resolution to classify land to be publicly notified and made available for inspection by the public for a period of not less than 28 days.

## Critical Dates / Time Frames

14. The land needs to be classified within 3 months of land transfer to the City or the land automatically defaults to a community land classification.
15. The classification of this land as operational land would need to be endorsed no later than 19 May 2026.

## Options

16. Allowing the land to default to community land will hinder the ongoing management of the land.

**Public Consultation**

17. The proposed resolution to classify the land was publicly notified for a period of 29 days. The consultation period ended on 12 March 2026. No submissions were received.

**KIM WOODBURY**

Chief Operating Officer

Mary Ghaly, Public Lands Coordinator