

**Item 5.****Land Reclassification - Harold Park, Forest Lodge****File No: X030693.001****Summary**

On 11 July 2014, the City of Sydney received 3.8 hectares of land for public open space as part of the redevelopment of the former Harold Park Paceway and Rozelle tram depot site (Harold Park). Prior to acquisition, it was resolved that the land be temporarily classified as operational to facilitate the City's construction of the new public park, subsequently completed in 2018.

During redevelopment, a master plan (Johnstons Creek Parklands Master Plan) was prepared encompassing Harold Park, The Crescent Lands and adjoining Crown reserves, setting a strategic vision for the precinct.

This report seeks to reclassify Harold Park as community land in accordance with the Resolution of Council dated 12 May 2014 (Attachment A). Upon reclassification, Harold Park is proposed for inclusion within the Johnstons Creek Parklands Plan of Management, currently under development. This plan of management includes all land previously referenced within the 2013 adopted master plan, ensuring continuity in the management of the open spaces located within this precinct.

## **Recommendation**

It is resolved that Council:

- (A) endorse the proposed resolution: "It is resolved to reclassify Lot 104 of Deposited Plan 1179442 being known as Harold Park, as community land with a park categorisation in accordance with sections 31, 36(1) and (4)(c) of the Local Government Act 1993" for public notification;
- (B) endorse the inclusion of Harold Park into the proposed Johnstons Creek Parklands Plan of Management; and
- (C) note that a further report to inform the outcomes of public notification and a recommendation on the reclassification to Council will follow a public notification period of 28 days.

## **Attachments**

- Attachment A.** Resolution of Council - 12 May 2014 - Land Classification of Harold Park
- Attachment B.** Johnstons Creek Parklands Plan
- Attachment C.** Identification Plan - Proposed Land Reclassification

## Background

1. On 17 August 2011, the City and Mirvac entered into a voluntary planning agreement in relation to the provision of public benefits associated with the proposed Harold Park redevelopment including, but not limited to, the dedication of not less than 3.8 hectares of land to Council for use as open space. The City was required to complete the construction of the new public park.
2. In July 2012, the Central Sydney Planning Committee approved the overall master plan for the site, known as the stage 1 development application, and subsequently approved detailed development applications for buildings in precincts 1 and 2 in September 2012.
3. On 26 August 2013, following extensive public consultation, Council adopted the Johnstons Creek Parklands Master Plan which encompasses Harold Park, "The Crescent Lands" and adjoining Crown Reserves (Attachment B).
4. On 12 May 2014, Council resolved to classify Lot 104 of Deposited Plan 1179442 (Harold Park), as operational land on the basis that:
  - the primary use of the land is for park, open space, and active and/or passive recreation;
  - the classification is on an interim basis to minimise any delay in construction of the new park; and
  - following completion of the park and conclusion of obligations set out in the planning agreement, the open space will be reclassified as community land.
5. Lot 104 of Deposited Plan 1179442 was transferred in ownership to the City of Sydney on 11 July 2014.
6. Upon completion of the park embellishment works and developer obligations set out within the planning agreement, Harold Park was officially opened to the public 27 October 2018.
7. In accordance with the Resolution of Council dated 12 May 2014, it is proposed to reclassify Harold Park as community land as noted in the identification plan (Attachment C), applying a park categorisation that is consistent with its intended use of public recreation.

## Plan of Management

8. The Resolution of Council dated 12 May 2014 recommended the preparation of a draft plan of management for Harold Park, as referenced in the adopted Johnstons Creek Parklands Master Plan.
9. As a requirement of the Crown Land Management Act 2016, the following Crown reserves previously identified within the Johnstons Creek Parklands Master Plan also require a plan of management:
  - (i) Bicentennial Park;

- (ii) Federal Park,
  - (iii) Jubilee Park;
  - (iv) Pope Paul VI Reserve; and
  - (v) Tram Stop Reserve.
10. As the Johnstons Creek Parklands Master Plan recognises both City-owned land and adjoining Crown reserves, a consolidated Plan of Management is in development for all of these parks - ensuring a single strategic framework is adopted for the precinct.

## **Key Implications**

### **Social / Cultural / Community**

11. Community land is intended to be managed for use by the community for purposes including environmental protection, recreational, cultural, social and educational activities. Community land is intended to benefit the community, both now and in the future.
12. The reclassification of Harold Park to community land and inclusion within the proposed Johnstons Creek Parklands Plan of Management will ensure that this land is preserved for community use and managed in accordance with an adopted framework for the precinct.

### **Financial Implications**

13. The classification of land under the Local Government Act 1993 does not have any direct budgetary implications.

### **Relevant Legislation**

14. The following sections of the Local Government Act 1993 are relevant:
- (a) Section 25 requires all public land to be classified as either community or operational land;
  - (b) Section 33(1) permits Council to resolve that public land classified as operational land is to be reclassified as community land;
  - (c) Section 34 requires the proposed resolution to reclassify be publicly notified and made available for inspection by the public for a period of 28 days. The outcome of the notification process and recommendation on classification and categorisation will be subsequently reported to Council;
  - (d) Section 35 requires community land to be used and managed in accordance with a plan of management; and

- (e) Section 36 provides that Council must prepare a draft plan of management for community land and the plan of management must categorise the land. The land will be included within the proposed Johnstons Creek Parklands Plan of Management and will be managed in accordance with s 36(G) core objectives for management of community land as a park.

### **Critical Dates / Time Frames**

- 15. Subject to Council endorsing the recommendation, and at the earliest opportunity thereafter, the proposed resolution will be publicly notified for a minimum period of 28 days.
- 16. The proposed Johnstons Creek Parklands Plan of Management requires adoption by Council by 30 June 2021 to ensure compliance with the Crown Land Management Act 2016.

### **Public Consultation**

- 17. Subject to Council endorsing the recommendation, and at the earliest opportunity thereafter, the proposed resolution will be publicly notified for a minimum period of 28 days.
- 18. All submissions will be considered in the subsequent Council report to endorse the classification.
- 19. Community consultation for the proposed Johnstons Creek Parklands Plan of Management will be conducted throughout November-December 2020 and is subject to public exhibition prior to Council adoption. This is to occur in 2021.

### **AMIT CHANAN**

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