

Public Exhibition - Draft Generic Plan of Management for Parks, Sportsgrounds and General Community Use Land

File No: X095705

Summary

This report seeks Council's approval to publicly exhibit the updated draft Generic Plan of Management for Parks, Sportsgrounds and General Community Use Land, as required under the Local Government Act 1993 (Local Government Act).

All public land owned, or controlled, by Council under the Local Government Act 1993 and Crown land managed by Council under the Crown Land Management Act 2016 is to be classified as either 'community' or 'operational land' under the Local Government Act.

Community land is intended to be managed for use by the community for recreational, cultural, social and educational purposes. It is to be retained by Council to benefit the community, both now and in the future, and cannot be sold.

As a requirement of the Local Government Act, all community land must be managed in accordance with a Council adopted plan of management and categorised as one or more of the following: park; natural area; sportsground; area of cultural significance and general community use.

A plan of management is a public facing document that guides the use and management of community land. It outlines what the community values about the land, its current and future uses and how it will be managed, maintained and improved in accordance with the applicable categorisation objectives.

A plan of management may be developed for one area (a specific plan) or, alternatively, land with similar characteristics can be grouped together (a generic plan).

A Generic Plan of Management for land categorised as park, sportsground and general community use was adopted by Council in 2012.

This draft Generic Plan of Management will supersede the Generic Plan of Management that was adopted in 2012. The City of Sydney has incorporated additional community land not presently managed under a plan of management (land dedicated and transferred to the City since 2012); operational land that has been recently reclassified as community land; and consolidated specific plans of management that are outdated and no longer required.

The City of Sydney has completed extensive community consultation on open space management and the use of its community facilities since 2012. This analysis has informed the development of this plan of management as well as council-approved strategies such as the Community Strategic Plan 2030–2050, the Urban Forest Strategy 2023 and Greening Sydney Strategy 2022.

Recommendation

It is resolved that:

- (A) Council approve the draft Generic Plan of Management for Parks, Sportsgrounds and General Community Use Land (the Plan), as shown in Attachments A to F of the subject report, for public exhibition of 42 days;
- (B) Council note that an independently facilitated public hearing on the proposed categorisation and re-categorisation of the community land contained with the Plan will be held during the public exhibition period;
- (C) Council note the intention to revoke the site-specific Plans of Management for:
 - (i) Blackwattle Bay Park;
 - (ii) Harmony Park;
 - (iii) Lillian Fowler Reserve; and
 - (iv) Turruwul Park;as they are proposed to be incorporated into the draft Generic Plan of Management;
- (D) Council note that the outcomes of the public exhibition period and public hearing of the Plan will be the subject of a further report to Council; and
- (E) authority be delegated to the Chief Executive Officer to undertake minor editorial corrections prior to the exhibition of the draft Generic Plan of Management for Parks, Sportsgrounds and General Community Use Land.

Attachments

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| Attachment A. | Draft Generic Plan of Management for Parks, Sportsgrounds and General Community Use Land |
| Attachment B. | Schedule of Community Classified Land |
| Attachment C. | Site Information Sheets |
| Attachment D. | Identification Maps - Community Land with Multiple Categories |
| Attachment E. | Community Land Proposed for Re-Categorisation |
| Attachment F. | Community Land Proposed for Initial Categorisation |

Background

1. The City of Sydney proposes to update the Generic Plan of Management 2012 to incorporate additional community land not presently managed under a plan of management (land dedicated and transferred to the City since 2012 as well as land that has been reclassified as community land since 2012); and consolidate specific plans of management that are outdated and no longer required.
2. The City of Sydney may acquire land for the purpose of open space through Developer Contributions and Voluntary Planning Agreements. Thirty-nine pieces of community land have been acquired since 2012. These are included in the draft Generic Plan of Management.
3. All community land must be managed in accordance with a Council-adopted plan of management and categorised as one of more of the following: park; natural area; sportsground; area of cultural significance and general community use.
4. While updating the current Generic Plan of Management, the City is proposing to re-categorise a number of pieces of land. There are 12 pieces of land that are proposed for re-categorisation as their uses have changed. Their characteristics no longer reflect their current categorisation.

Plans of Management

5. Land owned or under the control of Council under the Local Government Act is known as 'public land'. Under the Local Government Act, all public land must be classified as either 'community' or 'operational'. This requirement does not apply to roads under the control of Council.
6. Operational land may be used for a wide range of purposes, including community and administrative purposes (e.g., community centres, civic buildings and depots), or as a commercial investment.
7. Community land is intended to be managed for use by the community for recreational, cultural, social and educational purposes. It is to be retained by Council to benefit the community, both now and in the future, and cannot be sold.
8. Under the Local Government Act, all community land must be managed in accordance with a Council adopted plan of management.
9. A plan of management is a public facing document developed in consultation with the community. It outlines what the community values about the land, its current and future uses and how it will be managed, maintained and improved in the short to medium-term.
10. Under the Local Government Act, a plan of management may either be 'generic' or 'specific'.
11. A generic plan of management includes a number of parks, sportsgrounds, civic spaces or community facilities which may have similar uses and/or management functions but are geographically separate. This allows a coordinated and consistent approach to the management of community land by Council.

12. A specific plan of management applies to one area of community land and may be appropriate where the use of the land is complex, or where the land has special consideration. The areas below are managed in accordance with a specific Council adopted Plan of Management.
- Blackwattle Bay Park (Proposed to be incorporated into the draft Generic Plan of Management)
 - Belmore Park
 - CBD Civic Spaces
 - Cook and Phillip
 - Erskineville Oval
 - General Crown Reserves
 - Johnstons Creek Parklands
 - Harmony Park (Proposed to be incorporated into the draft Generic Plan of Management)
 - Hyde Park
 - Lillian Fowler Reserve (Proposed to be incorporated into the draft Generic Plan of Management)
 - Martin Place
 - Millers Point Precinct
 - Observatory Park
 - Paddington Reservoir Gardens
 - Perry Park
 - Pirrama Park
 - Prince Alfred Park
 - Redfern Park
 - Rushcutters Bay Park
 - Sydney Park
 - Turruwul Park (Proposed to be incorporated into the draft Generic Plan of Management)
 - Victoria Park

- Waterloo Park
 - Wentworth Park
 - Wynyard Park.
13. As a requirement of section 36 of the Local Government Act, a plan of management must include the following:
- (a) the category of the land, identified as five possible categories - ' park', 'natural area', 'sportsground', 'area of cultural significance', and 'general community use'
 - (b) the objectives and performance targets for the land, based on the category of the land
 - (c) the means of achieving these objectives and performance targets
 - (d) the way in which Council proposes to assess the performance and effectiveness in meeting these objectives.

Updating Plans of Management

14. The Local Government Act does not state when a plan of management should be reviewed or updated. The City of Sydney conducts annual internal reviews to monitor the progress of adopted plans of management to ensure they are achieving their objectives and are revised, as appropriate.
15. Property that is acquired or transferred to the City of Sydney with the intention of being classified as community land can easily be integrated into the relevant plan of management as it is revised, ensuring compliance and cohesive management.

Generic Plan of Management

16. The Generic Plan of Management for Parks, Sportsgrounds and General Community Use Land was adopted by Council in 2012, and has sufficiently served its purpose to guide the use and management of community land from the date of implementation.
17. The updated draft Generic Plan of Management also incorporates new community land not presently managed under a plan of management and consolidates the following specific plans of management that are outdated and no longer required:
- (a) Blackwattle Bay Park 1999
 - (b) Harmony Park Plan of Management 2004
 - (c) Turruwul Park Plan of Management 2006
 - (d) Lillian Fowler Reserve Plan of Management 2008.
18. The draft Generic Plan of Management has been developed to provide an overview of the City of Sydney's objectives and management strategies for the land in the short to medium-term. The plan facilitates the responsible management of land and assets in light of present needs.

19. The draft Generic Plan of Management does not address the longer-term development needs of community land or how it will meet the objectives for changing community needs throughout the area. The City of Sydney Open Space, Sports and Recreation Needs Strategy 2016 (and any associated updates) is intended to provide a longer-term overview and assist in addressing the future needs in a balanced way.

Land Categorisation

20. The draft Generic Plan of Management is suitable for community land falling within the following land categories:
 - (a) park
 - (b) sportsground and
 - (c) general community use.
21. Categories are selected based on the use, and/or physical characteristics of the land. This enables Council to focus its attention on the dominant character of the land, and the operational management of its assets.
22. Where sites function in different ways, more than one category may be applied to reflect the diverse uses. For example, a site may include an informal park (Park) and a playing field for active sport (Sportsground). These sites are collated in Attachment D.
23. Under the Local Government Act, there are two other categories available for use - natural area, or area of cultural significance. If any land is declared by Council to fall within either of these categories, a separate and specific plan of management is required for that land.
24. The City of Sydney has ensured interpretative consistency with the adopted categorisations in its current plans of management and has determined that the categories of natural area, and area of cultural significance do not apply to either City-owned community land or Crown land under its care and control.
25. Attachment C identifies the applied categories for each site contained within the draft Generic Plan of Management. Attachment D identifies sites which contain multiple categories.
26. As a requirement of sections 40A and 47G of the LG Act, an independently facilitated public hearing is to occur during the public exhibition of the draft Generic Plan of Management, if it has the effect of categorising or re-categorising community land.
27. For operational land recently reclassified as community land and newly acquired community land not previously managed under a plan of management, this will be the first time a categorisation has been applied. For existing community land where a change in use has occurred since 2012, re-categorisation has been proposed.
28. The proposed re-categorisations and initial categorisations are recognised within Attachments E and F, respectively. These properties include additional information under the 'Categorisation' section of the information sheets. This outlines the characteristics of the property and rationale for category selection.

29. The draft Generic Plan of Management includes 239 parcels of land. Of these, 50 are proposed to be categorised for the first time. These are identified in Attachment F. 15 parcels are currently categorised, but their categories no longer align with their actual uses. It is proposed that these parcels be re-categorised, as detailed in Attachment E. The rest of the land will remain unchanged from its current status in the Generic Plan of Management 2012.

Community Consultation

30. Over many years, the City of Sydney has commissioned and undertaken extensive community consultation, developing a significant understanding of how the community values open space and community facilities.
31. An analysis of consultation completed within the last 5 to 10 years, including the engagement conducted on the Crown Land Plans of Management and the Community Strategic Plan, has been utilised to inform the development of the draft Generic Plan of Management.
32. Across all the reviewed consultation documents there were common themes including:
- (a) Green and open spaces:
 - (i) consultation consistently mentioned the desire for a "green city", a "city for the people" that is "sustainable", "environmentally conscious", and one that allows for "open spaces" that provide room for "recreation, relaxation, exercise and sporting activities"
 - (b) Preservation of heritage and culture:
 - (i) feedback was consistently given around Aboriginal people's continuous connection to Country and custodianship of these places in Sydney and
 - (ii) preserving, celebrating and displaying information around the historical significance of spaces and buildings
 - (c) Safety
 - (d) Improved amenities and maintenance
 - (e) Public transport
 - (f) Imaginative spaces
 - (g) Inclusiveness
 - (h) Balancing different uses.
33. The draft Generic Plan of Management has been developed to acknowledge and respond to these common themes, and focuses on enhancing the qualities and values of the associated open space and community facilities to ensure they remain accessible, resilient and enjoyable for the community both now and in the future.

34. The community will have an opportunity to review and make submission on the draft Generic Plan of Management during the public exhibition period. This is an opportunity to confirm if the objectives proposed for the use and management of the land are reflective of the community's aspirations.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

35. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This plan is aligned with the following strategic directions and objectives:

- (a) Direction 1 - Responsible governance and stewardship - The purpose of a plan of management is to demonstrate a transparent approach in public land management. The City of Sydney has drawn upon extensive community feedback on open space and community facilities to develop the draft Generic Plan of Management and will ensure the community has an opportunity to participate in decisions that shape the city through the completion of the public exhibition process.
- (b) Direction 2 - A leading environmental performer - The draft Generic Plan of Management demonstrates the City of Sydney's leadership in environmental performance through environmental management systems, capital projects, asset management, procurement and contract management.

Objective 2.1 The city reaches net zero emissions by 2035 with embodied carbon significantly reduced.

- (i) The draft Generic Plan of Management enables the implementation of initiatives to support increased energy efficiency and renewable energy across the City of Sydney's open space and community facilities.
- (ii) The draft Generic Plan of Management supports the:
 - a. monitoring, reporting and verification of waste data in open space and community facilities and
 - b. facilitates resource innovation and the reduction of waste management impacts.
- (iii) The draft Generic Plan of Management embodies:
 - a. the City of Sydney's continuous improvement of its environmental performance through management processes across Council operations
 - b. the integration of environmental criteria into design and construction of City assets to support the City's ability to lead by example
 - c. the implementation of a continuous improvement program for the environmental performance of the City's own assets and

- d. integration of environmental criteria into relevant procurement, grant assessment and contract management activities.

Objective 2.2 Greening has increased to create a cool, calm, and resilient city.

- (i) The draft Generic Plan of Management supports:
 - a. the expansion and protection of tree canopy in open space
 - b. the enhancement and expansion of habitat sites
 - c. protecting biodiversity and
 - d. implementation of the Greening Sydney Plan to improve the quality of the City's urban landscape, parks and open space.

Objective 2.3 Water is managed to support a resilient, sustainable, and liveable city.

- (i) The draft Generic Plan of Management enables the identification and maximisation of opportunities for use of alternative water sources which will contribute to a reduction in potable water consumption in the City of Sydney's open space and community facilities.
- (c) Direction 3 - Public places for all - The draft Generic Plan of Management acknowledges the importance of community facilities, civic spaces, parks and recreational facilities in supporting social connection and community wellbeing in daily life. It seeks to ensure that these spaces are welcoming, equitably accessible and activated for community use both now and in the future.
- (d) Direction 4 - Design excellence and sustainable development - The draft Generic Plan of Management emphasises the importance of maintaining and renewing all aspects of assets so they are fit for purpose and sustainably managed to enable greater community enjoyment.
- (e) Direction 5 - A city for walking, cycling and public transport - The draft Generic Plan of Management seeks to create welcoming, safe and connected open space and community facilities to help promote walking and cycling for leisure and recreation.
- (f) Direction 7 - Resilient and diverse communities - The outcomes of past community consultation have reinforced that the community values open space as a place of respite and social wellbeing. The draft Generic Plan of Management seek to enhance these qualities by the creation of more opportunities to enjoy these spaces.

The draft Generic Plan of Management enables open space and community facilities to support the quality of life, well-being and personal development of our community, ensuring that local needs are met through the services and programs provided.

- (g) Direction 8 - A thriving cultural life - The draft Generic Plan of Management recognises that all open space and community facilities are capable of playing a role in increasing places and precincts of cultural and creative activation.

Embedded within the draft Generic Plan of Management are the Community Guiding Principles which contribute to bringing a new focus to the understanding, recognition and celebration of First Nations living culture and connection to Country. The principles inform how the City of Sydney, as a caretaker of community land, will ensure that decision-making activities are undertaken to respect the land, water and sky, the plants and animals, and its First Peoples. Further promoting healing and care to ensure these places benefit the community now and in the future.

Organisational Impact

36. The development and implementation of the draft Generic Plan of Management is intended to address the City of Sydney's legislative obligations. It is not envisaged to have a significant impact on the City's resources.

Risks

37. There is a minimal appetite for risk when considering the update of the Generic Plan of Management. Incorporating community land into a plan of management ensures compliance with all applicable laws and regulations associated with land management.

Social / Cultural / Community

38. The draft Generic Plan of Management has been prepared to ensure the associated open space and community facilities remain accessible to the community and are conserved and enhanced to enable future enjoyment and maintain social well-being.

Environmental

39. The draft Generic Plan of Management emphasises the importance of preserving and increasing green space within the local government area as a valued community quality. Individual management targets and strategies have been identified to ensure urban ecology, vegetation, and tree canopy are preserved, maintained, and enhanced across open space.
40. The draft Generic Plan of Management addresses the importance of water, energy and waste management, further providing the means to implement necessary infrastructure and measures to ensure open space and community facilities are more efficient and can contribute to the City of Sydney's environmental targets.

Financial Implications

41. There are no financial implications in the implementation of a plan of management, once adopted by Council. Individual project budgets that are identified as a result of the Generic Plan of Management, will seek future funding requirements and approvals during subsequent budgeting periods.

Relevant Legislation

42. 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 35 requires community land to be used and managed in accordance with a plan of management.
- (c) Section 36 requires council to prepare a plan of management for community land and sets the framework for the plan.
- (d) Section 36(4) requires a draft plan of management for community land to categorise the land by reference to one or more of the following categories:
 - (i) a natural area
 - (ii) a sportsground
 - (iii) a park
 - (iv) an area of cultural significance and
 - (v) general community use.
- (e) Section 38 requires a draft plan of management to be publicly exhibited for not less than 28 days, with a period of not less than 42 days from the commencement date of public exhibition during which submissions may be made to Council.
- (f) Under Section 40A and Section 47G a public hearing is to be conducted in respect of a draft plan of management which has the effect of categorising or re-categorising community land. The results of the hearing must be publicly available for inspection not less than four days following the Council's receipt of the report.

Critical Dates / Time Frames

- 43. Subject to Council endorsement, the draft Generic Plan of Management is anticipated to go on exhibition in September 2025 for 42 days, concluding in November 2025.
- 44. Subject to endorsement, the public hearing will take place within these 42 days.
- 45. The draft Generic Plan of Management is anticipated to be effective from early 2026 following a further report to Council on the outcomes of the public exhibition period and public hearing.

Options

46. Council may continue to manage its land through the current Generic Plan of Management 2012 and the identified site-specific plans of management. This option is not recommended, as these plans:
 - (a) are outdated and
 - (b) do not promote a consistent or uniform approach in the City of Sydney's management of community land.
47. The Draft Generic Plan of Management provides an opportunity to harmonise management practices in a refreshed framework that aligns to current Council objectives and community values.

Public Consultation

48. The public feedback on the draft Generic Plan of Management is fundamental to the City of Sydney developing the means to deliver the key objectives for the park, sportsground and general community use categories of the land.
49. Public consultation will be undertaken as outlined above under the heading Critical dates/Time Frames.

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