
Governance and Administration Matters - 23 June 2020

ITEM 7.3 Generic Plan of Management for Community Land and Crown Land

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PURPOSE AND BACKGROUND

A draft Generic Plan of Management for Community Land and Crown Land has been prepared to comply with the requirements of the Local Government Act 1993 and the Crown Land Management Act 2016.

It is the first generic plan of management (PoM) for community and Crown land for the amalgamated City of Canterbury Bankstown, and will govern the use and management of community and Crown Land owned or under the care, control and management by Council.

ISSUE

The exhibition of the draft Generic Plan of Management for Community Land and Crown Land to replace the current individual generic plans of management and certain site specific plans of management.

RECOMMENDATION That -

1. Council endorse the public exhibition for a period of six weeks of the draft Generic Plan of Management for Community Land and Crown Land, as outlined in the report, after approval from the Department of Planning, Industry and Environment (Crown Lands).
2. A further report be presented to Council at the conclusion of the public exhibition period to consider any submissions received.

ATTACHMENTS

- A. Generic Plan of Management for Community Land and Crown Land

POLICY IMPACT

This PoM will provide strategic direction for community land and Crown land and is consistent with Council's responsibilities under the Local Government Act and the Crown Land Management Act. The plan identifies the permissible uses and development for the various categories of community land and enables leases, licences and other estates.

Council may not undertake any activities, uses or developments which are not provided for in this PoM. Any changes to the PoM (such as activities allowed in a category of community land) must be publicly exhibited in accordance with the Local Government Act.

Superseded Plans of Management

The new Generic Plan of Management for Community Land and Crown Land will replace the following documents:

- Community Land Generic Plan of Management (Bankstown City Council, 2014).
- Generic Plans of Management for Parks, Playgrounds and Sportsgrounds (Canterbury City Council, 1995).
- Generic Plan of Management for Community Land Leased by particular Community Groups (Canterbury City Council, 1995).
- Generic Plan of Management for undeveloped Community Land reserved for Future Major Road Construction associated with the M5 Tollway (Canterbury City Council, 1995).
- Plan of Management for Various Parcels of Community Land (Canterbury City Council, 1996).
- Plan of Management for Community Land in the Vicinity of Wolli Creek (Canterbury City Council, 1996).
- Plan of Management for Various Parcels of Land in the Vicinity of Salt Pan Creek (Canterbury City Council, 1997).
- Community Land Plan of Management for 58 Moorefields Road, Kingsgrove (Canterbury City Council, 1997).
- Plan of Management for Park at 50 Knox Street, Belmore (Canterbury City Council, 1998).
- Ewen Park Plan of Management (Canterbury City Council, 2008).

Current Plans of Management

The following PoMs for specific areas will remain current and will not be replaced by the new Generic Plan of Management for Community Land and Crown Land:

- Georges River Community Open Space Corridor 2001.
- The Crest of Bankstown 2001.
- Bankstown Memorial Park and City Gardens 1999.
- Bankstown Showground 2005.
- Jensen Park 2009.
- Jim Ring Reserve 2016.
- Deepwater Park and Kelso Parklands 2019.
- Deepwater Park (Bushland) 2002.
- Sefton Golf Course 2001.
- Reserves at Lansdowne 2002.

FINANCIAL IMPACT

This PoM will not have an immediate financial impact. Any future priorities identified as part of the PoM will be considered through the normal Operational Planning process.

COMMUNITY IMPACT

The PoM aims to maximise access to passive and active recreation facilities for local and regional users, and includes the purposes for which leases and licences will be considered for each category of open space. The PoM identifies opportunities within Council's capacity to respond to current needs, and provides direction for future actions that will cater for growth and increase recreation options. The document includes performance targets for the protection and restoration of the City's valuable bushland.

DETAILED INFORMATION

Background

In July 2018 the Crown Land Management Act 2016 came into force which required all councils to categorise the Crown Land under their control into the community land categories specified in the Local Government Act. This had previously not been required.

The preparation of the new generic PoM for the City of Canterbury Bankstown included:

- Mapping the community land in Canterbury into the required categories of Park, Sportsground, General Community Use, Natural Area and Cultural Significance as required by the Local Government Act 1993. This had previously not been done.
- Categorising and mapping the Crown land in the entire LGA to fulfil the requirements of the Crown Land Management Act 2016. This required the approval of Crown Lands.
- Designating each open space in the City a level in the open space hierarchy (such as District or Neighbourhood), to ensure future equity in the provision of facilities at each level.
- Determining the uses and developments allowed in each category of community or Crown land.
- Determining the purposes for which leases and licences may be authorised in each category of community or Crown land.
- Setting out management objectives, performance targets and performance measures for management of the community and Crown land as required by the legislation.

These are largely consistent with the previously adopted PoMs. The document was prepared while being mindful of the high value of open space. It contributes to the community's quality of life and overall well-being while providing social, physical and environmental benefits. The City's open spaces must meet the future needs of the growing population, be flexible in use and cater for all cultural backgrounds and levels of ability.

Local Government Act 1993

This Act requires councils to prepare PoMs to guide the use and management of community land owned or under their care, control and management. Section 36 of the Act sets out the requirements:

A PoM for community land must identify the following:

- a. The category of the land.
- b. The objectives and performance targets of the plan with respect to the land.
- c. The means by which the council proposes to achieve the plan's objectives and performance targets.
- d. The manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets.

The Crown Land Management Act requires councils to prepare plans of management for the Crown land by 30 June 2021.

Crown Land Management Act 2016 (enacted 1 July 2018)

This Act sets out management actions for Crown land which is owned by the state government and can be vested by government gazettal to councils for care and control for a specific purpose. Many parks in Canterbury-Bankstown are either entirely or partially Crown land.

The Crown Land Management Act requires Councils to categorise Crown land under its control in the same way as community land, and prepare and adopt PoMs in accordance with the Local Government Act. It also allows Councils to designate some Crown land as 'operational' and manage it as normal operational land. Minister's consent is given for land to be managed as 'operational' if the land does not fall within any of the categories of community land.

Council gave the required written notice of initial categorisation of the City's Crown land to the Department of Planning, Industry and Environment for approval. Council is awaiting formal approval on the proposed categories. If any significant modifications are required by the Minister, a further report to Council will be prepared.

Generic Plan of Management for Community Land and Crown Land

The aims of this Plan are to:

- Fulfil Council's statutory obligations in respect to public land management under the requirements of the Local Government Act and the Crown Land Management Act.
- Map the categories of community land in the former Canterbury LGA, which had not been previously mapped into the required designations of Park, Sportsground, Natural Area, General Community Use or Cultural Significance.
- Categorise the Crown land in the entire City as required by the Crown Land Management Act.
- Provide a framework and maximise opportunities for sustainable, long-term management of community land and Crown land.
- Manage bushland for its ecological, aesthetic, recreational, educational and scientific values.
- Be consistent with all of Council's plans and strategies and provide a basis for assigning priorities in works programming and budgeting.
- Maximise the passive and active recreational opportunities of community land and Crown land.
- Respond to current needs and opportunities as well as providing future direction.

- Reflect the values and expectations of the local and wider community for the future use and enjoyment of community land and Crown land.
- Be a resource for both Council staff and the public regarding the potential leasing and licensing of community land.

Public Exhibition

Having regard to the above, it is proposed that:

- In accordance with the Local Government Act Council carry out the required public exhibition process of the PoM, being for a minimum period of 28 days, with a further 14 days to receive submissions.
- Community consultation will be undertaken in accordance with guidelines issued by the Office of Local Government in response to COVID-19 restrictions.
- In accordance with the community engagement policy, Council commits to undertaking extensive consultation as part of the exhibition process to ensure the community is provided with the opportunity to participate in decision making and strategy development.
- A further report be provided following the exhibition.