



Public Hearing Report

Deepwater Park and Kelso Parklands draft Plan
of Management

Client: City of Canterbury Bankstown

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1 Introduction

1.1 Objective of this Report

Elton Consulting was engaged by City of Canterbury Bankstown (Council) to facilitate and manage a public hearing and prepare an outcomes report in relation to the draft Plan of Management for Deepwater Park and Kelso Parklands (the draft POM).

The objective of this report is to advise of the outcome of the public hearing as facilitated by an independent person.

1.2 Background

Council has prepared a draft Plan of Management for Deepwater Park and Kelso Parklands (the draft POM). The draft PoM will guide future uses for, and the management of:

- Deepwater Park;
- Kelso Park (north and south);
- Marco Reserve;
- Kelso Beach Reserve;
- Killara Reserve; and
- Horsley Reserve.

The draft PoM is being publicly exhibited from 28 November 2018 to 31 January 2019.

As part of the draft PoM, Council proposes to re-categorise seven areas of land within the parklands.

In accordance with the section 40A of the *Local Government Act*, Council must hold a public hearing if they seek to prepare a Plan of Management that seeks to re-categorise community land.

Peter Brennan from Elton Consulting was engaged to chair an independent public hearing held in relation to the proposed alteration of the categorisation of the subject lands.

The Act also provides that the person presiding at the public hearing must not be:

- (a) a councillor or employee of the council holding the public hearing, or
- (b) a person who has been a councillor or employee of that council at any time during the 5 years before the date of his or her appointment.

The Act also provides that not later than 4 days after it has received a report from the person presiding at the hearing as to the result of the hearing, the Council must make a copy of the report available for inspection by the public at a location within the area of the Council.

Council must consider the report before making any decision with respect to the matter to which it relates.

The public hearing was held on 10 December 2018, 6pm -8pm.

2 Subject Site

Most of the approximately 182 hectare site currently accommodates a mix of recreational and community land uses and activities. It is predominantly community land owned by Council and zoned RE1 – Public Recreation in Bankstown LEP 2015. Kelso Beach Reserve is Crown land. The private land holders are Panania East Hills RSL Club (Panania Diggers). The club leases adjacent land from Council, which is currently used for parking and a regional tennis facility with 8 standard Courts and 4 children's Hot Shot Courts.

Doltone House is a reception centre proposed to be built on private land on the Georges River in the south-west section of Deepwater Park. The site is currently being used for alternative purposes. It is accessed via Webster Street which runs east-west through the southern part of the park.

Riverlands are also private landholders situated north of the M5. The Riverlands golf course is proposed to be redeveloped into housing, except for a corridor of public open space and ecologically sensitive land along the river frontage. A shared pathway to provide access between Riverlands and Deepwater Park has been negotiated with the developer and will be located on the foreshore.

Peter Brennan undertook an inspection of the site prior to the public hearing.

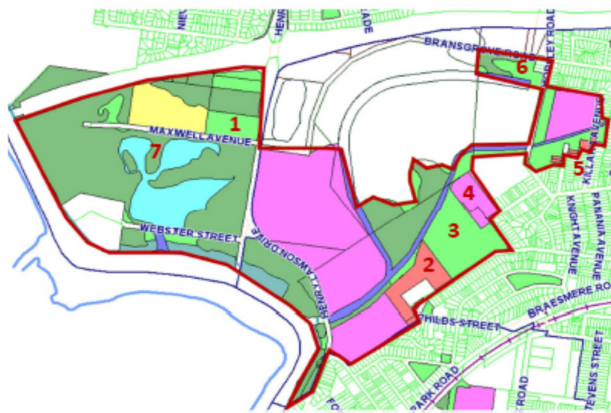
The Site



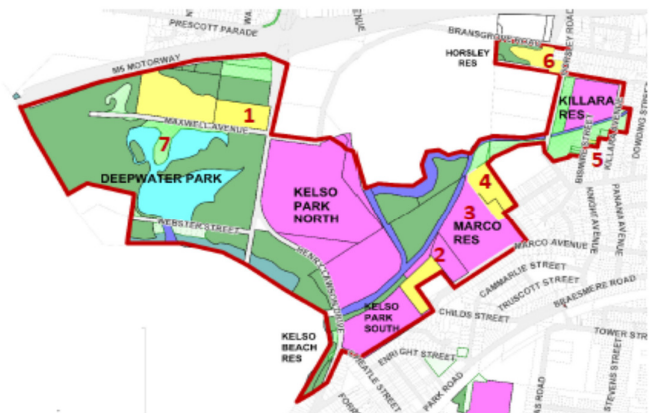
3 Existing and proposed categorisation

Pursuant to section 36(4) of the *Local Government Act* the site currently has a variety of categorisations across the 182 hectares. Council is now seeking to re-categorise seven separate areas within the Park and Parkland. The images below identify those sections of the reserve that are proposed to be re-categorised.

Current Categories



Proposed Categories



3.1 Core objectives for the management of lands

To help understand why Council has selected the proposed changes for each area of land, the core objectives of each categorisation as detailed in the *Local Government Act* are included below:

36E Core objectives for management of community land categorised as a natural area

- (a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
- (b) to maintain the land, or that feature or habitat, in its natural state and setting, and
- (c) to provide for the restoration and regeneration of the land, and
- (d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and
- (e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.

36F Core objectives for management of community land categorised as a sportsground

- (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.

36G Core objectives for management of community land categorised as a park

- (a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- (b) to provide for passive recreational activities or pastimes and for the casual playing of games, and
- (c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

36I Core objectives for management of community land categorised as general community use

to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

4 The Public Hearing

The public hearing was convened at Panania Citizens Centre, 77 Anderson Avenue, Panania at 6.00 PM on Monday 10th December 2018.

The person presiding at the public hearing was Peter Brennan of Elton Consulting. Peter Brennan is not, and has not, at any time in the past, been a councillor or employee of Council.

The hearing was attended by 13 people who were mostly representing sporting organisations. The meeting was also attended by the following representatives from the City of Canterbury Bankstown:

Andrew Smithwick - Manager City Plan

Sean Mooney - Team Leader Urban Policy and Planning

Nadine Croker – Senior Recreation and Open Space Planner

Daniel Smith – Project Manager Special Projects

Peter Brennan opened the meeting at 6.08 pm, made an acknowledgement of Country, welcomed those present and made a short introduction. A presentation was then made by Sean Mooney, followed by questions from attendees and some informal discussion before the meeting concluded.

4.1 Presentation by Council

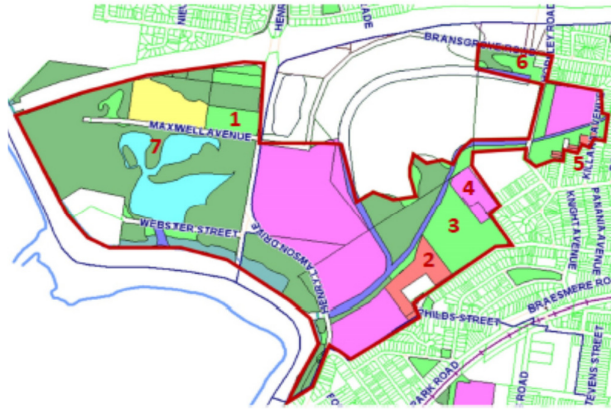
Team Leader Urban Policy and Planning, Sean Mooney, gave a PowerPoint presentation to the attendees. The areas he discussed were:

- » What is a Plan of Management (PoM)?
- » What is 'Community Land' & 'Operational Land'?
- » The Public Land hierarchy
- » Types of PoM & why Council is preparing a PoM for this site
- » Process of preparing a PoM – Council has already engaged and will continue to engage
- » List of organisations to be spoken to individually
- » Description of the site
- » Ownership
- » Community land categories – current and proposed category changes
- » Existing Leases and licences
- » Kelso Park (north) - future multi use sports ground – including building new facilities & upgrade lighting
- » Deepwater Park commercial recreation opportunities
- » Next steps

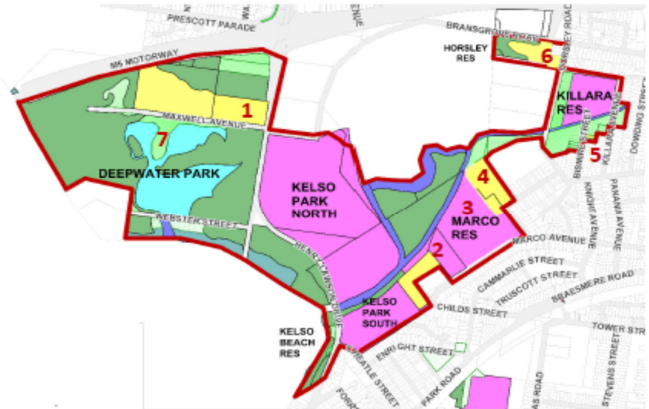
4.2 Details of the proposed changes

4.2.1 Community land categories – 7 changes proposed

Current



Proposed



The proposal to re-categorise seven areas of land aims to address anomalies by providing a category that more accurately reflects its current use, or provides the opportunity to expand potential uses into the future.

These proposed changes are:

1. Change from 'park' to 'general community use'. This land is currently unused and was the site that 'Putt Putt' leased for several years but did not develop. The land is now available for another appropriate use.

2. This is currently uncategorised land surrounding the Panania Diggers Club. The PoM proposes to categorise it as 'general community use' for the parking area and 'sportsground' for the tennis courts, currently occupied by the Canterbury Bankstown Tennis Association.

The Council report of 27 November 2018 proposed, subject to adoption of the PoM, to commence the sub-division process to separately manage/operate the tennis courts.

3. Marco Reserve is currently categorised as 'park' but as its current uses are soccer and cricket, the PoM proposes to categorise as 'sports ground'.

4. The old bowling club (now unused) is currently categorised as 'sports ground'. The PoM proposes to categorise as 'general community use' to expand its potential and future use possibilities.

5. Five lots owned by Council that were purchased due to flood risk are to be incorporated into the parkland. These lots are currently uncategorised, the PoM proposes to categorise as 'park'.

6. Horsley Reserve – is currently categorised as 'park' and 'natural area – bushland'. The PoM proposes to change the 'park' category to 'general community use' to expand its use possibilities.

7. A small area of 'natural area – bushland' in Deepwater Park is currently used as a park. Council is proposing to categorise this portion as 'park' to reflect its current and proposed ongoing use.

4.3 Attendee Feedback

During the presentation, and following it, attendees provided views, concerns and feedback about the re-categorisation of the areas of land, and other aspects of the draft PoM:

Issue	Response
<ul style="list-style-type: none"> » The impact of the subdivision of the car park and tennis courts on the Diggers Club (re-categorisation 2) <ul style="list-style-type: none"> > Representatives of the Diggers Club were concerned about the impact on their 40+ year relationship to the land, and requested this be acknowledged. > Representatives of the Diggers Club spoke about the significant capital investment (\$250,000) they have made to the land and requested this be acknowledged. 	<ul style="list-style-type: none"> » Commitment to further discussions.
<ul style="list-style-type: none"> » Location of the boundary line between the tennis courts and car park (re-categorisation 2). <ul style="list-style-type: none"> > Several attendees mentioned this was an arbitrary line, and it was unclear exactly where it was located. They expressed concern about the importance of where the boundary line is located. 	<ul style="list-style-type: none"> » Commitment to further discussions.
<ul style="list-style-type: none"> » The inconsistency of Marco Reserve not having parking associated with it unlike the other areas (re-categorisation 4). <ul style="list-style-type: none"> > Attendees expressed concern that the inconsistency should be addressed. 	<ul style="list-style-type: none"> » There are 30 car spaces in Homelea Ave and parking on Marco Ave, this is sufficient for all but the infrequent major match days. » No decision has yet been made on whether the car spaces in the old bowling club will be available for public use. » During one-on-one meetings, Council will provide a deeper explanation of what general community use can cover.
<ul style="list-style-type: none"> » Kelso Park (north) - the concept plan for multi- use sports precinct – explanation of why land to the east is not being utilised and the diamonds are being moved. <ul style="list-style-type: none"> > Representatives of the softball club were concerned that their current fields are slated to be moved when unused land could be used for other sports. They requested their concern be noted and documented. 	<ul style="list-style-type: none"> » A number of sports field layouts were tested and the draft plan offers the best potential for multi-use. » Committed to further discussions during one-on-one meetings.

Issue	Response
» Kelso Park (north) - the concept plan for multi- use sports precinct. > Concern about storage areas and how they will be used.	» Committed to update the actions table to include storage facilities and how they will be used/shared.
» Requested meetings between sports clubs/organisations and Council to learn in more detail what the changes mean for them – before the PoM is adopted. > Requested one-on-one meetings be held in the new year. > Requested that after one-on-one meetings are held, that one combined meeting be held.	» Committed to one-on-one and a group meeting with organisations/ clubs in the new year.

5 Recommendation

From the comments that were raised and questions that were asked at the public meeting, I recommend that Council take into consideration the topics that are covered in the feedback table (section 4.3) and to fulfil commitments given to attendees on the night. Of particular note, I recommend that Council fulfil the commitment given to meet with organisations separately and then hold one combined meeting.

Appendix

A Question and Answer Session

A Question and Answer Session

Attendees asked questions both during and after the presentation. They are captured below.

Issue	Response
» Clarification sought on how community feedback would change the PoM:	» If community sentiment was overwhelming against the proposal, amendment would be made.
> Is it quantum of feedback or type of points raised?	» If the community has objections or supports a different view to what is in the PoM these will be taken into consideration.
» Concern was raised about the importance of community feedback.	» Mergers were a state government, not Council run consultation and policy.
> As previous forums, for example, Council Mergers, didn't sway the outcome.	» Every submission on the PoM will be reported, and will go to a Council meeting for a determination.
» What is the difference between the content heard in the community meeting in comparison with the one-on-one meetings?	» The public meeting is a requirement of the Local Government Act due to the reclassification of the 7 areas of land.
	» Follow up meetings won't have a PowerPoint presentation, content covered will be more targeted.
» Which sporting organisations has Council met with to date?	» Organisations that use Kelso North.
» What is the impact of the PoM on the tip?	» The Tip is on Crown land.
	» All Crown land can legitimately sit within the PoM due to the new Crown Land Act.
» Question about the future of the tip. (There is a fear that the car park north of the AFL field could be lost.)	» The PoM has no plans to change the use of the land.
» What is going to happen to the area of the tip east of Henry Lawson Drive and north Maxwell Ave?	» It is a landfill site and will remain as part of the operation of the tip site, it is not addressed by this plan.
	» It has high value operational outcomes
» The recognition of the Diggers Club historical connection and financial investment on the site.	» Commitment made for further discussions
> They have invested \$250,000 on land.	

Issue	Response
<ul style="list-style-type: none"> > Also have a 40 + year association with the land. > Concern expressed about the loss of this relationship and income/ investment. 	
» Concern expressed about the draft PoM proposing the car park and tennis courts adjacent to the Diggers Club having different categorisations.	» Commitment made for further discussions
» Clarification was sought over the intention to split the car park and tennis courts.	» Confirmed the intention is to have different categorisations for the two areas of land.
» Question about the exact location of the boundary line between the tennis courts and the car park.	» Indicated the line is indicative only.
» Concern expressed about Marco Reserve not having dedicated parking.	» Parking can be part of general community as well as sportsground classification. » Categorising it as community uses gives an expanded ability to have more uses.
» Why is Marco Reserve the only area to not have dedicated parking?	» There are 30 car spaces in Homelea Ave and parking on Marco Ave, this is sufficient for all but the infrequent major match days. » No decision has yet been made on whether the car spaces in the old bowling club will be available for public use.
» Clarification sought about club's licences and when they will be re-instated. The draft document (p57) says 'licences are on a month by month basis until the Community Facility Policy is completed'.	» This would be resolved once the PoM has been adopted.
» Clarification sought about rates payable on leases and if exclusive agreements could be sought.	» Rates are payable. » Any agreements would be part of lease negotiations.
» Questions about why (in the proposed multi sports fields) at Kelso North the (softball) diamonds have been moved, and a request to document that the softball club is not happy about the proposed layout.	» The concept enables more sports to use the area. » A number of sports field layouts were tested and the draft plan best potential for multi-use. » Commitment made for further discussions
» Question about the capital investment needed for the proposed upgrades, and the omission in the PoM about funding.	» A PoM doesn't include funding.

Issue	Response
<p>Question about the future storage at the multi sports fields at Kelso North</p> <ul style="list-style-type: none"> > will all sports have to share or have individual allocations? > why isn't storage included in the PoM action table? 	<ul style="list-style-type: none"> » This is an issue to be covered in further meetings. » Storage will be included in an updated version of the PoM - in the action table.
<ul style="list-style-type: none"> » A representative from Revesby Workers' Football Club expressed a frustration that Council has not responded to communication regarding lighting, and the lack of communication undermines confidence in the Council's ability to enact the PoM. 	<ul style="list-style-type: none"> » Acknowledged the frustration, committed to improving communication and explained the PoM doesn't include details such as lighting.
<ul style="list-style-type: none"> » Question about the car parking in Kelso north still being located on the bend on Henry Lawson Drive in the PoM, when it is considered to not be the safest area for its location. 	<ul style="list-style-type: none"> » Opportunities to provide more space to make the area safer are being investigated, including discussions with RMS to construct a round-about.
<ul style="list-style-type: none"> » Question about the impact of the PoM on adjacent residents. 	<ul style="list-style-type: none"> » Residents' interests are also being taken into account to strike a balance.
<ul style="list-style-type: none"> » Question about the impact on smaller sports (softball) if converted into a multi sports facility. 	<ul style="list-style-type: none"> » Considerations such as the role of a regional catchment are taken into consideration.
<ul style="list-style-type: none"> » Have you considered synthetic surfaces? > We lose a lot of playing time due to rain. 	<ul style="list-style-type: none"> » Synthetic would be under water as well. » Synthetic surfaces are expensive to install and maintain.
<ul style="list-style-type: none"> » Questions relating to how each sporting organisation will gain understanding of what other organisations expectations are and commitments made to them by Council during one-on-one meetings. 	<ul style="list-style-type: none"> » Committed to a group meeting.
<ul style="list-style-type: none"> » Question about the engagement process and how to provide formal submissions. 	<ul style="list-style-type: none"> » Organisations have a variety of feedback mechanisms available – email, digital portal, written. » All feedback goes to the team developing the PoM.
<ul style="list-style-type: none"> » Will feedback be made public? 	<ul style="list-style-type: none"> » All feedback is included in a Council report.

