

PUBLIC HEARING FOR PROPOSED CATEGORISATION OF GRANVILLE PARK BACKGROUND INFORMATION

12 NOVEMBER 2022



CUMBERLAND CITY COUNCIL

PUBLIC HEARING FOR PROPOSED CATEGORISATION OF GRANVILLE PARK

BACKGROUND INFORMATION

12 NOVEMBER 2022



ABN: 33 114 513 647

PO Box 41
FRESHWATER NSW 2096

ph. (02) 9452 6377
mob: 0411 191 866

sandy@parklandplanners.com.au

www.parklandplanners.com.au

DIRECTOR: Sandy Hoy

CONTENTS

1	INTRODUCTION	1
1.1	Background	1
1.2	Public hearing and submissions.....	1
1.3	About this background information document	2
2	COMMUNITY LAND CATEGORISATION.....	3
2.1	Community land.....	3
2.2	Categorisation of community land.....	4
2.3	Plans of Management for community land	5
2.4	Public hearings for categorisation of community land	6
3	GRANVILLE PARK.....	7
3.1	Features of Granville Park	7
3.2	Ownership of Granville Park	7
3.3	Proposed categorisation of Granville Park	8

Figures

Figure 1	Classification and categorisation of community land	3
Figure 2	Features of Granville Park	7
Figure 3	Ownership of land parcels in Granville Park.....	8
Figure 4	Granville Park - Draft Landscape Masterplan.....	9
Figure 5	Proposed categorisation of Granville Park	10
Figure 6	Features of Granville Park by category	10

Tables

Table 1	Guidelines and core objectives for proposed categories of community land	5
---------	--	---

This page is left blank intentionally

1 INTRODUCTION

1.1 Background

Granville Park comprises Crown land and community land owned by Cumberland City Council. Community land is required to be categorised under the *Local Government Act 1993*.

Cumberland City Council proposes to categorise Granville Park as Sportsground, Park and General Community Use, which is consistent with the Draft Landscape Masterplan for Granville Park, the guidelines for categorisation of the *Local Government (General) Regulation 2021*, and the core objectives for each category in the Local Government Act.

Community land is also required to be subject to a Plan of Management prepared under the Local Government Act. A Draft Plan of Management has been prepared for Granville Park which will be placed on public exhibition for comment until Monday 6 February 2023.

A public hearing is required under Section 40A of the *Local Government Act 1993* to receive community submissions about categorising community land. Under the Act the public hearing must be chaired by an independent facilitator. Details of the public hearing on Tuesday 29 November 2022 and how to make a submission are in Section 1.2 below.

1.2 Public hearing and submissions

The public hearing for the proposed categorisation of Granville Park will be held:

**Tuesday 29 November 2022
6:00pm
Function Room, Eric Tweedale Stadium
10 Montrose Avenue, Merrylands**

Submissions about the proposed categorisation of Granville Park can be made from **Tuesday 15 November 2022** until **Monday 6 February 2023**:

- verbally at the public hearing on Tuesday 29 November 2022**
- via the **online submission form** on Council's Your Say page at www.cumberland.nsw.gov.au/haveyoursay
- email to Council** council@cumberland.nsw.gov.au
- in writing to Council** at
The General Manager
Cumberland City Council
PO Box 42
Merrylands NSW 2160

The question to address in your submission is:

Do you agree or not with the proposal to categorise Crown and community land comprising Granville Park as Sportsground, Park and General Community Use as shown in Figure 3.1 of the Granville Park Draft Plan of Management (Sturt Noble Associates, November 2022) and Figure 5 of this document?

Why or why not?

1.3 About this background information document

This background information document sets out the legislative requirements for categorisation of community land in Section 2, particularly:

- categorisation of community land
- preparation of Plans of Management for Crown land and land classified as community land
- public hearings regarding the categorisation of community land.

Section 3 explains the proposed categorisation of Granville Park.

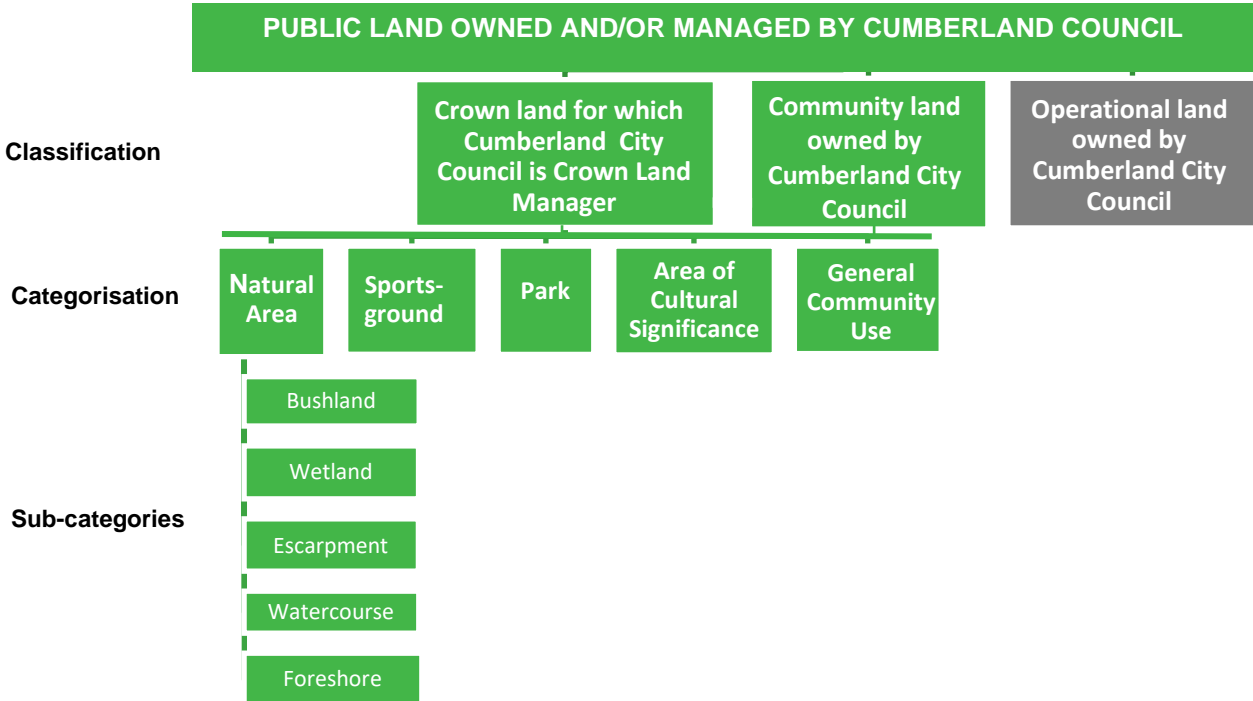
2 COMMUNITY AND CROWN LAND CATEGORISATION

2.1 Community and Crown land

The *Local Government Act 1993* sets out a range of requirements that Cumberland City Council is legally bound to adhere to. These requirements include the management of community land owned by Cumberland City Council, and Crown land.

Granville Park comprises Crown land and land owned by Cumberland City Council, which is classified as community land under the *Local Government Act 1993*.

Figure 1 Classification and categorisation of community land



The Local Government Act requires that all land owned by Council must be classified as "community" or "operational" land (Section 26).

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 may only be leased or licensed for up to 21 years without the Minister’s consent or up to 30 years with the Minister’s consent, it cannot be sold, and its use is restricted to the above purposes.

Conversely, operational land is land that can be used for any purposes deemed fit by Council, may be used for commercial purposes, be leased for a longer period, and can be sold.

2.2 Categorisation of community land

2.2.1 What are the categories for community land?

The *Local Government Act 1993* requires that all land owned by a Council which is classified as community land be categorised.

Community land may be categorised as one or more of the following under Section 36(4) of the Act:

- natural area.
- sportsground.
- park.
- area of cultural significance.
- general community use.

Community land that is categorised as a natural area is to be further categorised as one or more of the following under Section 36(5) of the Act:

- bushland.
- wetland.
- escarpment.
- watercourse.
- foreshore.
- a category prescribed by the regulations.

2.2.2 What are the guidelines for categorising community land?

Guidelines for categorising community land as a particular category are in Clauses 102 to 111 of the *Local Government (General) Regulation 2021*.

The Department of Local Government's revised Practice Note on Public Land Management (Department of Local Government, 2000) made general recommendations on the guidelines for categorising community land. The Practice Note stated:

“Council must have regard to the guidelines in determining a category (cl.9) but are not required to adopt any category merely because the land fits the description in the guidelines. Council should look at all the circumstances of the land in making a decision as to categorisation. For example, a piece of land may seem to satisfy the guidelines for more than one category. Council has a discretion in this case to look at the land in context, taking into account all relevant material before determining a category. It is important that Council be able to justify a decision.”

Also, Council may have a piece of community land, parts of which may be best managed as different categories, for example a piece of land with remnant bushland in one part and children's play equipment in another. Council is able to categorise land as part 'Natural Area – Bushland' and part 'Park'. It is strongly recommended that the land in each category not overlap. Overlapping categories may cause conflict in management objectives and will create confusion in the minds of Council staff and the community.”

2.2.3 Core objectives for managing community land

Each category and sub-category of community land has core objectives that apply to it under the *Local Government Act*. The core objectives outline the approach to management of the land covered by the particular category, and are set out in Sections 36E to 36N of the *Local Government Act 1993*.

The guidelines and core objectives for the proposed Sportsground, Park, and General Community Use categories are in Table 1.

Table 1 Guidelines and core objectives for proposed categories of community land

Category	Guidelines ¹	Core objectives ²
Sportsground	If the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.	encourage, promote and facilitate recreational pursuits in the community involving active recreation involving organised sports and informal sporting activities and games, and ensure that such activities are managed having regard to any adverse impact on nearby residences.
Park	Land that is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.	<ul style="list-style-type: none"> - encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and - provide for passive recreational activities or pastimes and for the casual playing of games, and - improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
General Community Use	Land that may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public.	<ul style="list-style-type: none"> - 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 in relation to: <ul style="list-style-type: none"> - public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public. - 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).

1 Local Government (General) Regulation 2021
 2 Local Government Act 1993

2.3 Plans of Management for community land

Council must prepare a Plan of Management for community land (Section 36(1)). Community land is required to be used and managed according to a Plan of Management applying to the land.

Requirements of the Local Government Act for the contents of a Plan of Management include categorisation of the land.

2.4 Public hearings for categorisation of community land

2.4.1 Why hold a public hearing to categorise community land?

A public hearing is required under Section 40A of the *Local Government Act 1993* if:

- ❑ a Plan of Management proposes to categorise (that is, the Plan has not been previously been prepared and adopted by Council, or has not categorised community land) the community land covered by the Plan of Management
- ❑ a Plan of Management proposes to re-categorise (changing the adopted category) the community land covered by the Plan of Management

Note: Public hearings regarding categorisation or re-categorisation of community land are not related to reclassification. Reclassification is when community land is re-classified as operational land that can then be managed differently and has the ability to be sold by Council. Community land is protected under the Local Government Act and cannot be sold.

2.4.2 Who conducts a public hearing?

An independent chairperson will conduct the public hearing, and provide a report to Council with recommendations on the proposed categorisation of community land.

Under Section 47G of the Act, the person presiding at a public hearing must not be:

- a) A Councillor or employee of the Council holding the public hearing.
- 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.

2.4.3 What happens after the public hearing?

Council must make a copy of the report regarding the outcomes of the public hearing available for inspection by the public at a location within the area of Council no later than four days after it has received the final report from the person presiding at the public hearing.

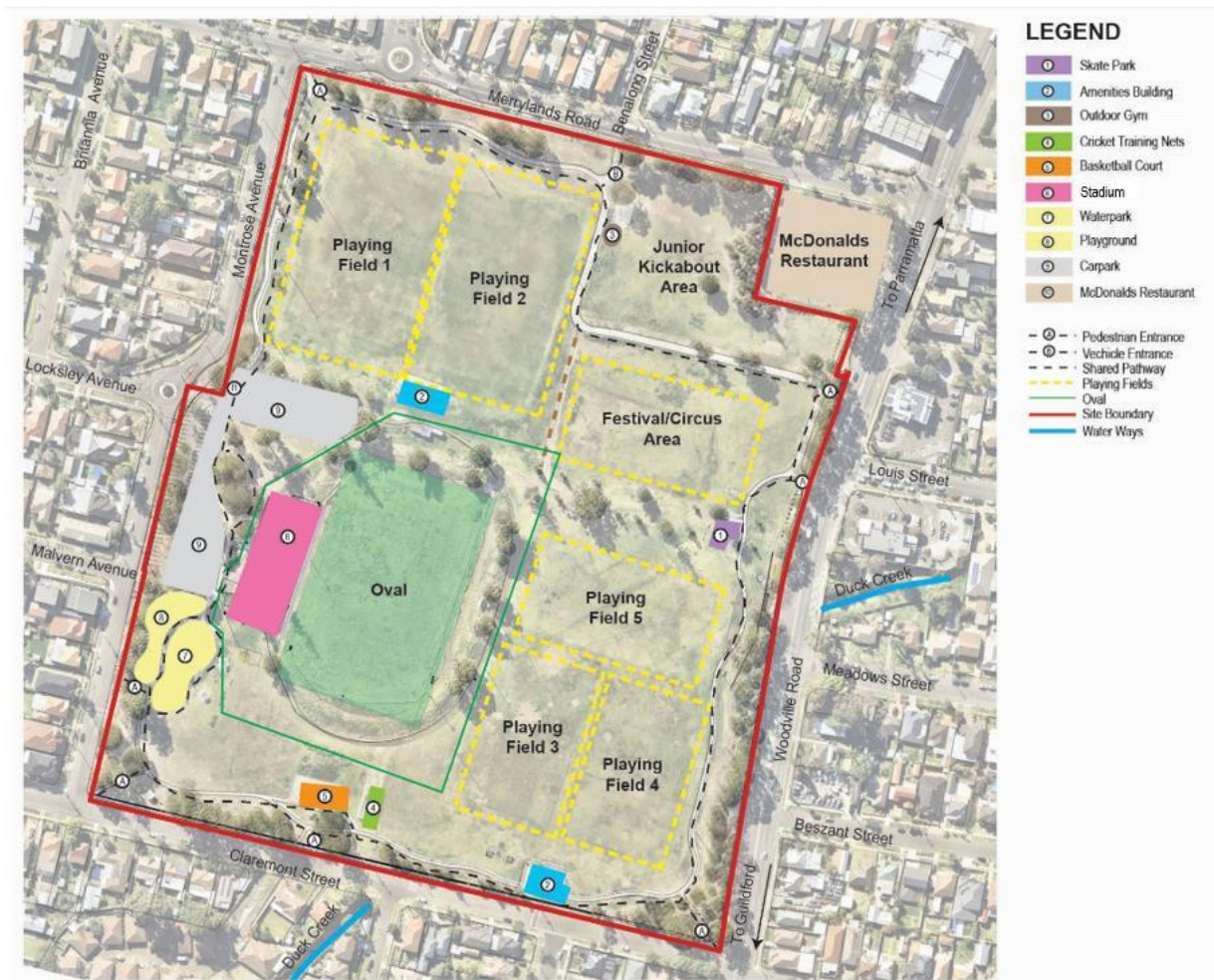
The public hearing report will be presented to Council for its information when it considers adopting the Granville Park Plan of Management, and the proposed categorisation of community land in Granville Park.

3 GRANVILLE PARK

3.1 Features of Granville Park

The site features of Granville Park are in Figure 2.

Figure 2 Features of Granville Park

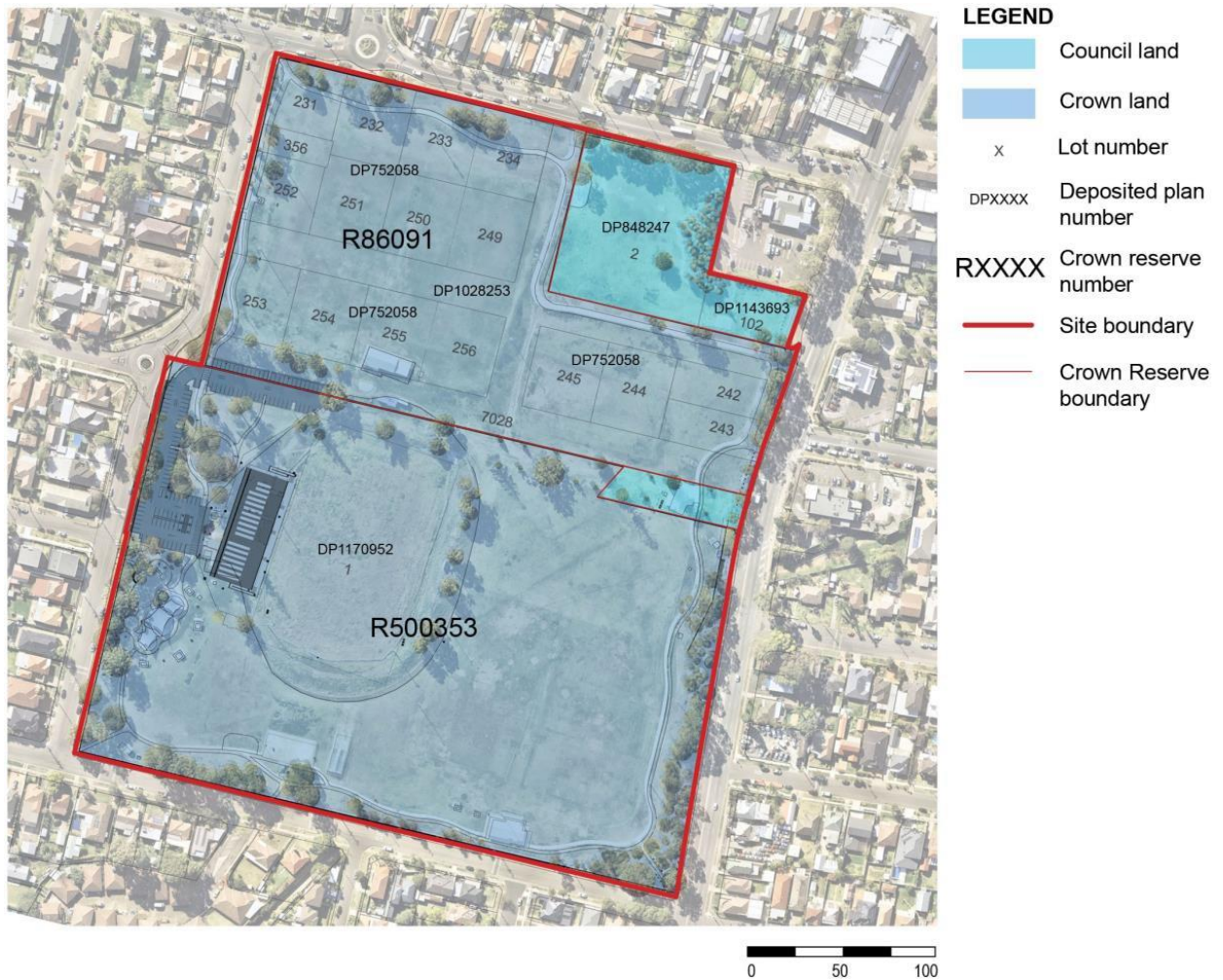


Source: Granville Park Draft Plan of Management (Sturt Noble Associates, November 2022)

3.2 Ownership of Granville Park

Granville Park comprises Crown land and land owned by Cumberland City Council as shown in Figure 3 below.

Figure 3 Ownership of land parcels in Granville Park



Source: Granville Park Draft Plan of Management (Sturt Noble Associates, November 2022)

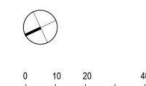
3.3 Proposed categorisation of Granville Park

Council proposes to categorise Granville Park as Sportsground, Park and General Community Use, which would be consistent with the Draft Landscape Masterplan for Granville Park as shown in Figure 4.

Figure 4 Granville Park - Draft Landscape Masterplan



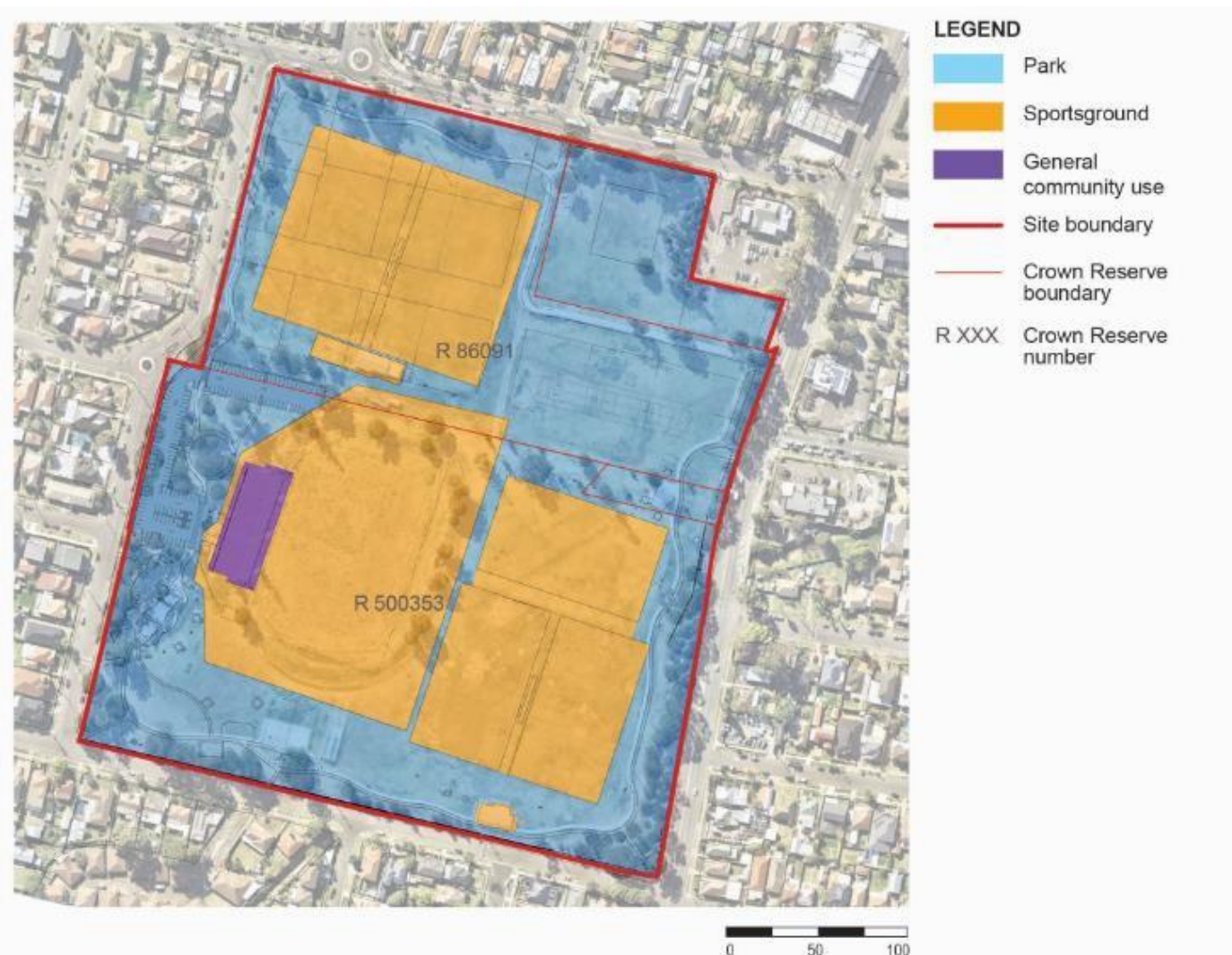
- STADIUM AND PAVILION**
1. New stadium and pavilion with sport and community facilities
 2. Upgraded main oval
 3. Stadium entry
- SPORTS FIELDS**
4. Sports fields 1 & 2, upgrade with synthetic surface
 5. Sports fields 3, 4 and 5, upgrade with hybrid synthetic
 6. Cricket pitch
 7. Amenities, upgrade to male and female friendly change rooms, amenities, canteen and clubhouse
- CARPARK**
8. Upgraded and resurfaced carpark
- PLAY AREA**
9. Playground
 10. Nature play
 12. Loop path
- MULTI-USE ZONE**
13. Multi-use courts with options for netball, basketball and soccer
 14. Cricket nets
 15. Fitness equipment
 16. Amenities building for multi-use zone, playground
- COMMUNITY EVENTS AREA**
17. Temporary fire championship facility and area for community events
- OFF-LEASH DOG AREA**
18. Fenced off leash dog area
- YOUTH HUB**
19. Skate facilities with sheltered seating areas
- PARK FACILITIES**
20. Main perimeter loop path with distance markers
 21. Pedestrian entry
 22. Seating upgrades, provide additional seating along pathways and at sports fields and activities
 23. Picnic Zone with picnic lawn, sheltered tables and BBQ
 24. Fitness equipment
 25. Interpretive signage
 26. Trees and planting, maintain and improve existing vegetation
 27. Install additional trees and planting to increase biodiversity and urban canopy
 28. Remnant eucalyptus
 29. Speakers corner, with stand / platform and interpretation signage



Source: Granville Park Draft Plan of Management (Sturt Noble Associates, November 2022)

The proposed categorisation of Granville Park is shown in Figure 5.

Figure 5 Proposed categorisation of Granville Park



Source: Granville Park Draft Plan of Management (Sturt Noble Associates, November 2022)

Features of Granville Park in each category are shown in Figure 6 below.

Figure 6 Features of Granville Park by category



Park category



General Community Use category



This page is left blank intentionally