CITY OF SYDNEY

Supporting information about our public consultation and public hearing

Generic plan of management 2025 (draft)

Attachment
2025

The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

What we're doing

Updating our generic plan of management

The City of Sydney's generic plan of management was adopted by Council in 2012.

Since then, we've acquired community land that has not been categorised or recognised under a plan of management.

Our draft generic plan of management seeks to:

- update the 2012 plan
- consolidate specific plans of management no longer required
- capture all community land we've acquired since 2012.

Community and operational land

Under the *Local Government Act 1993* land owned by Council should be classified as either 'community' or 'operational' land.

Community land is managed for use by our communities for recreational, cultural, social, educational and environmental purposes. Community land is intended to benefit our communities, both now and in the future, and cannot be sold.

Operational land may be used for many purposes including community and administrative purposes (for example, community centres, civic buildings and depots) or as a commercial investment.

Our draft generic plan of management only includes community land.

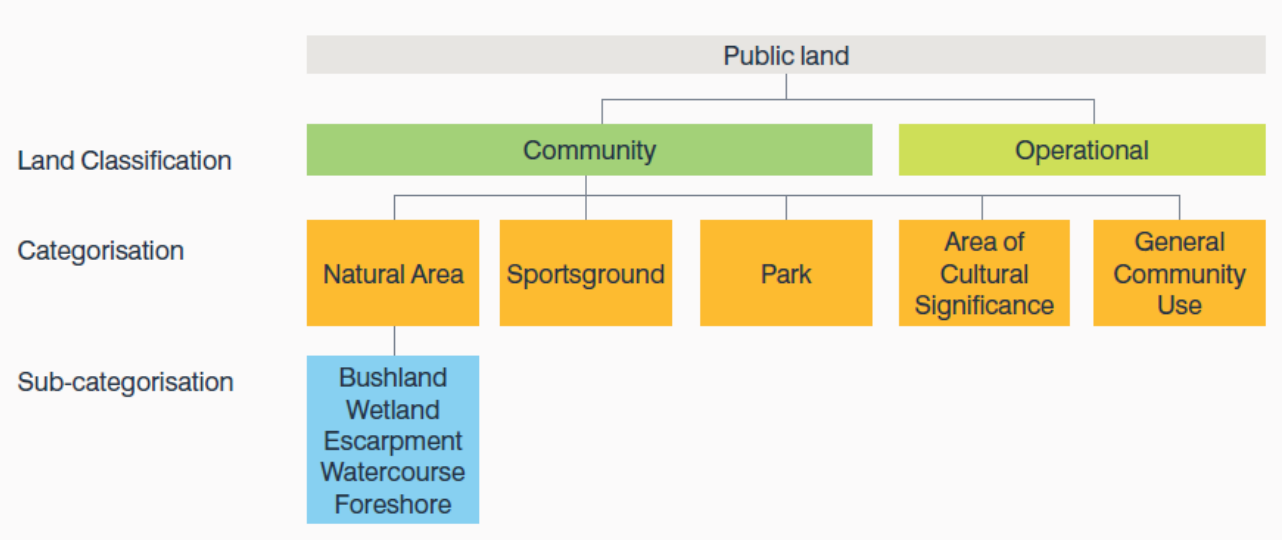

Figure 1 Public land classifications and categorisations

How community land is managed

Under the *Local Government Act 1993*, community land must be managed under a plan of management.

This plan outlines how community land is to be used, improved, maintained and managed in the future.

Councils are required to prepare and adopt plans of management for community land throughout their local area. Among other information, a plan of management must identify the category of the land.

These 5 categories include natural area, sportsground, park, area of cultural significance and general community use.

Generic and specific plans

The terms ‘generic’ and ‘specific’ plan of management are used in the *Local Government Act 1993*.

A ‘generic’ plan of management includes numerous parks, reserves or community facilities. These may have similar uses and/or management functions but are geographically separate. This allows for a coordinated and consistent approach to managing community land.

A ‘specific’ plan of management applies to one area of community land. This may be appropriate where the use and features of the land are complex, or where the land has special consideration.

Specific plans

We’ve prepared several specific plans of management which are listed on the City of Sydney website. For example, Sydney Park and Victoria Park have their own specific plans of management.

Community land should be included only in one plan of management and not be regulated by different plans. If a specific plan of management is no longer appropriate for the land, then the City may choose to revoke that specific plan of management and include the community land in a generic plan of management.

We’ve reviewed the following specific plans of management and propose to consolidate them into the new generic plan of management.

- Blackwattle Bay Park plan of management 1999
- Harmony Park plan of management 2004
- Turruwul Park plan of management 2006
- Lillian Fowler Reserve plan of management 2008

Short and long-term plans

While our open space, sports and recreation needs study complements the draft generic plan of management, they both address different objectives and outcomes.

The draft generic plan of management provides an overview of our objectives and management strategies for community land in the short to medium term. It supports responsible management of this land in line with current community needs but doesn’t address long-term development needs of open space in the local area.

The open space, sports and recreation needs study is intended to provide a longer-term overview to assist with addressing future community needs in a balanced way.

When the City acquires more land

The City of Sydney is required to decide whether the land it acquires is to be classified as ‘Operational’ or ‘Community’ within three months of acquisition.

If the City decides the land is community land, then the City may resolve to either prepare a specific plan of management for that land, or to regulate that land using the generic plan of management.

The City may formally add community land to the generic plan of management during a review and update.

Review of Plans of Management

The *Local Government Act 1993* does not state when plans of management should be reviewed. The City of Sydney intends to review plans of management regularly to ensure they are adequately achieving their objectives.

Community land categories

Under the *Local Government Act 1993,* there are 5 categories that can be applied to community land. These are:

– natural area

– sportsground

– park

– area of cultural significance

– general community use.

Each category of land has a set of main objectives. Councils are required to manage the land within each category to meet these objectives:

a) **Natural areas** should be managed to conserve biodiversity and maintain the land in a natural setting. Community access and use should be minimised to mitigate any disturbance caused by intrusion. Natural areas are broken down into the following sub-groups:
   - bushland
   - wetland
   - escarpment
   - watercourse
   - foreshore.

b) **Sportsgrounds** should facilitate recreational pursuits, including both organised, active and informal games.

c) **Parks** should encourage both informal and passive recreational activities.

d) **Areas of cultural significance** conserve the past for future generations, through the continuous protective care of the area.

e) **General community use** areas promote and encourage a range of uses, supporting public recreation and the physical, cultural, social and intellectual welfare of the community.

Councils are not permitted to place the same community land in more than one category. This means that community land cannot be classified as a park and natural area. A building cannot be classified as being an area of cultural significance and as a general community use space. There are different main objectives for each category.

But if distinct areas within community land can be clearly marked on a plan, then the Council can apply different categories to these areas. This allows for a more accurate approach to the categorisation of land. For example, if a community hall has been built on a park, then the open space can be categorised as ‘park’ and the community hall can be categorised as ‘general community use’.

The community land included in the draft generic plan of management is intended to be categorised as park, sportsground or general community use.

How categories are assigned to community land

The guidelines for categorising community land as either Natural Area, Park, Sportsground, Area of Cultural Significance or General Community Use are set out in Part 4 Division 1 of the *Local Government (General) Regulation 2021*.

In summary, the category attributed to the land is influenced by three main factors:

1) the physical characteristics of the land;
2) the current use of the land; and
3) any proposed changes to the physical characteristics, and/or use of the land.

The guidelines for categorising community land as either Park, Sportsground or General Community Use are in Table 1:

Table 1 Category guidelines

Category	Guidelines
Park	Land which is, or proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that not unduly intrude on the peaceful enjoyment of the land by others.
Sportsground	If the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.
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.

The core objectives of community land

Each category and sub-category of community land has core objectives that apply to it under the *Local Government Act 1993*. These objectives outline the approach to manage the land under its category.

The core objectives for the park, sportsground and general community use categories are set out in the following table.

Table 2 Category core objectives

Category	Core objectives
Park	- Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities. - Provide for passive recreational activities or pastimes and for the casual playing of games. - Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
Sportsground	- Encourage, promote and facilitate recreational pursuits in the community involving active recreation involving organised sports and informal sporting activities and games. - Ensure that such activities are managed having regard to any adverse impact on nearby residences.
General community use	- 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: o public recreation and the physical, cultural, social and intellectual welfare or development of

Category	Core objectives
	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).

Areas of cultural significance in the City of Sydney local area

The City of Sydney is very proud of its heritage. But some spaces such as Hyde Park, Observatory Park and the Royal Botanic Garden are not owned by us and are not covered by our generic plan of management.

The more difficult decision is where land has more than one key characteristic. The *Local Government Act 1993* requires councils to nominate only one relevant category.

For example, Redfern Oval has cultural significance and it is also a sportsground and informal park. The categorisation fundamentally affects how the land can be used in the future.

We've carried out several heritage and conservation studies of the land covered by the draft generic plan of management. Several heritage items have been identified. These items are listed in the Sydney Local Environmental Plan 2012 or are state heritage items. This means that any development of these items, such as alterations or additions must consider their historical and cultural significance.

We intend to manage our community land with heritage and cultural significance in a way that encourages and supports a wide range of community uses. The categories of park and general community use encourage this approach. For the purposes of ongoing management under the *Local Government Act 1993*, it is considered that these categories are the best fit.

Why natural area land isn't included

Several open spaces in the City of Sydney local area serve an important ecological role. Despite extensive urban development across the city, some natural features remain. For example, rock outcrops in the Royal Botanic Garden. Other areas have been landscaped and replanted, also serving an important ecological function.

As the *Local Government Act 1993* does not allow overlapping categorisation of community land, a choice must be made – should landscaped areas be regarded as park, or should these be regarded as (restored) natural areas?

If land is categorised as natural area then we must manage the land to meet the core objectives of the natural area category under the law. These core objectives include measures to minimise and mitigate any disturbance caused by human intrusion.

Community land does not need to be categorised as natural area to carry out plantings and landscaping to encourage biodiversity. On balance, we don't consider that management of community land as a natural area is the focus of the present, or future use of these open spaces.

We intend to sympathetically retain natural features, and in appropriate instances augment the key and supporting habitat areas.

The ongoing management and development of community land is informed by our urban ecology strategic action plan, which also addresses open space owned by other entities.

How a public hearing works

Under the *Local Government Act 1993*, a public hearing is required if the proposed plan of management is categorising community land for the first time, or to change the category of the land under the plan of management.

A public hearing is a formal, independently conducted meeting that allows the community provide feedback on the categorisation of community land, which is then documented.

An independent chairperson will conduct the public hearing. Under the *Local Government Act 1993*, the person chairing 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 as chairperson.

Members of the community can make a verbal submission or written submission to the hearing about the categorisation of community land included in the draft plan of management.

After the public hearing, the chairperson will provide a report to Council about the verbal and written submissions received. The City of Sydney must make a copy of the report available for inspection to the public no later than 4 days after the report is received.

How to give feedback on the draft generic plan of management

We invite our communities to provide feedback in several ways.

These include:

a. **Public consultation –** the draft generic plan of management will be open for feedback for at least 42 days on the City of Sydney website.
b. **Public hearing –** the *Local Government Act 1993* allows the public to comment on the categorisation of community land at a public hearing during the public consultation period. The hearing focuses on whether the most relevant category has been identified for the community land. More information about the public hearing will be posted on the City of Sydney website.
c. **Ongoing –** If new issues emerge after community consultation, then members of the public can contact the City of Sydney on 02 9265 9333 to provide feedback.

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