
PUBLIC HEARING AND SUBMISSIONS REPORT:

(1) PROPOSED RECATEGORISATION OF
PART OF MORRISON BAY PARK

(2) MULTIPLE CATEGORISATIONS OF CROWN LAND PARKS IN THE
DRAFT PARRAMATTA RIVER PARKLANDS PLAN OF MANAGEMENT

FINAL REPORT

19 AUGUST 2020



CITY OF RYDE

PUBLIC HEARING AND SUBMISSIONS REPORT:

(1) PROPOSED RECATEGORISATION OF
PART OF MORRISON BAY PARK

(2) MULTIPLE CATEGORISATIONS OF CROWN LAND PARKS IN THE
DRAFT PARRAMATTA RIVER PARKLANDS PLAN OF MANAGEMENT

FINAL REPORT

19 AUGUST 2020

Parkland Planners

ABN: 33 114 513 647

PO Box 41
FRESHWATER NSW 2096

mob: 0411 191 866

sandy@parklandplanners.com.au

www.parklandplanners.com.au

DIRECTOR: Sandy Hoy

CONTENTS

1 INTRODUCTION	1
1.1 Purpose of this report	1
1.2 Land covered by this report	1
1.3 Background to the public hearing	1
1.4 This report	2
2 PLANNING CONTEXT	3
2.1 What is community and Crown land?	3
2.2 What are the categories of community land?	4
2.3 What are the guidelines for categorising community land?	4
2.4 Core objectives for managing community land	5
2.5 Plans of Management for community land	5
2.6 Public hearings	5
3 PROPOSED CHANGES TO CATEGORISATION	7
3.1 Morrison Bay Park	7
3.2 Proposed multiple categorisation of Crown land parks in Parramatta River Parklands	11
4 THE PUBLIC HEARING	25
4.1 Advertising and notification	25
4.2 Public hearing arrangements	31
4.3 Attendance at the public hearing	31
4.4 The public hearing	31
4.5 Submissions	32
5 CONSIDERATION OF SUBMISSIONS	33
5.1 Verbal and written submissions	33
5.2 Other submissions	36
6 RECOMMENDATIONS	37
6.1 Consideration of submissions	37
6.2 Recommendations	38
6.3 Adoption of proposed recategorisation	40
6.4 Reporting	40

Figures

Figure 1	Crown Land Parks included in the Draft Parramatta River Parklands Plan of Management	1
Figure 2	Classification and categorisation of community and Crown land	3

Figure 3	Photos of the area proposed for recategorisation in Morrison Bay Park.....	7
Figure 4	Land tenure in Morrison Bay Park.....	8
Figure 5	Current categorisation of Morrison Bay Park.....	9
Figure 6	Proposed recategorisation of Morrison Bay Park 2020	10
Figure 7	Crown Land Parks included in the Draft Plan of Management for Parramatta River Parklands	12
Figure 8	Current and proposed categorisation of Ryde Wharf Reserve	13
Figure 9	Current and proposed categorisation of Bennelong Park.....	14
Figure 10	Current and proposed categorisation of Bill Mitchell Park	15
Figure 11	Current and proposed categorisation of Anderson Park.....	16
Figure 12	Current and proposed categorisation of Helene Park.....	17
Figure 13	Current and proposed categorisation of Kissing Point Park	18
Figure 14	Current and proposed categorisation of Looking Glass Park	19
Figure 15	Current and proposed categorisation of Meditation Park.....	20
Figure 16	Current and proposed categorisation of Memorial Park	21
Figure 17	Current and proposed categorisation of Settlers Park.....	22
Figure 18	Current and proposed categorisation of Tennyson Park	23
Figure 19	Public hearing information on Council's website	26
Figure 20	Notice in Council column in <i>The Weekly Times</i> 20 May 2020	30
Figure 21	Recommended recategorisation of community land in Morrison Bay Park.....	39

Tables

Table 1	Guidelines and core objectives for current and proposed categories of community land for part of Morrison Bay Park	11
Table 1	Proposed recategorisation of part of Morrison Bay Park from General Community Use to Park	33
Table 2	Support for recategorisation of part of Morrison Bay Park to Natural Area.....	34
Table 3	Multiple categorisation of Crown land.....	35
Table 4	General comments about recategorisation or multiple categorisation.....	35
Table 5	Other submissions	36
Table 6	Guidelines and core objectives for Natural Area category	37

1 INTRODUCTION

1.1 Purpose of this report

The purpose of this report is to convey to City of Ryde Council the verbal and written submissions made in relation to a public hearing held on 27 May 2020 regarding the proposed recategorisation of part of Morrison Bay Park, and the multiple categorisation of Crown land included in the Draft Parramatta Parklands Plan of Management (DPRPPoM).

This report, as it relates to the public hearing and proposed changes to the DPRPPoM prepared by Council and dated May 2018, has been prepared under Section 40A of the *Local Government Act 1993*.

1.2 Land covered by this report

City of Ryde has prepared a Plan of Management for the Parramatta River Parklands, which encompasses 18 parks including Morrison Bay Park in Putney as shown in Figure 1. These parks are a combination of Council-owned community land, and Crown land for which the City of Ryde has been appointed Council Crown Land Manager.

Figure 1 Crown Land Parks included in the Draft Parramatta River Parklands Plan of Management



1.3 Background to the public hearing

Part of the process of preparing the DPRPPoM required Council to forward a copy of the draft Plan to the Minister for Water, Property and Housing for his approval to exhibit it for public comment.

The Minister subsequently directed Council to recategorise a narrow strip of community and Crown land along the boundary of Morrison Bay Park with Phillip Road from 'General Community Use' as it was categorised in the City of Ryde's 2001 *Generic Plan of Management for Sportsground, Parks, Natural Areas, General Community Use* to 'Park'.

Correspondence from the Department of Planning, Industry and Environment to Council dated 17 January 2020 states:

'...the request to alter the initial assigned categorisation for one Crown reserve (R95771) included in the draft plan is only partially consented. The categories of Sportsground, Natural Area and Park are accepted, but the categorisation of General Community Use has not been granted and the initial assigned category should remain...'

Council has been directed by the Minister to recategorise this area from General Community Use to Park because the Park category more closely aligns with the guidelines and core objectives for the use of this area under the *Local Government Act 1993*, and it more closely aligns with the Crown land purpose of Public Recreation.

The Department of Planning, Industry and Environment has also directed Council to undertake a public hearing to inform the community of the multiple categorisations that Council has assigned to Crown land parks covered by the DPRPPoM:

'Council can now progress to give public notice of the draft plan of management which is required to include a public hearing as per section 40A of the Local Government Act 1993. If the council decides to amend the draft plan after public notice of the draft plan of management, Council is required to again refer the plan to the land owner.'

The public is informed that there have been no changes to the categorisation of Crown Land parks from those initially assigned in the *Generic Plan of Management for Sportsground, Parks, Natural Areas, General Community Use 2001*. A comparison of the categorisations assigned in 2001 and those proposed in the Parramatta River Parklands Plan of Management can be found in Section 3.2 of this document.

A public hearing is required under Section 40A of the *Local Government Act 1993* and Section 3.23(7)(d) of the *Crown Land Management Act 2016* to recategorise the land. Under these Acts the public hearing must be chaired by an independent facilitator.

If Council approves the proposed recategorisation, the Draft Plan of Management would be amended to reflect the proposed change to the categorisation.

1.4 This report

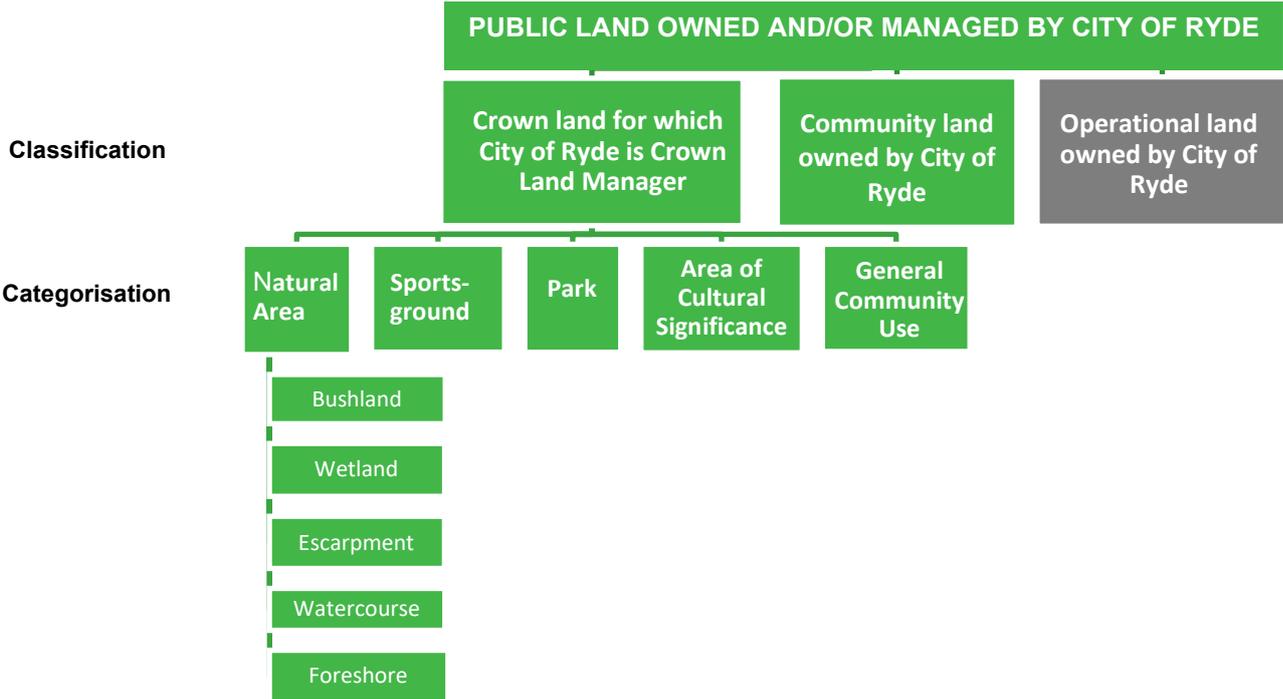
The remainder of this report presents the relevant requirements of the *Local Government Act 1993* and *Crown Land Management Act 2016* regarding Plans of Management and categorisation of community land, and submissions regarding the proposed recategorisation of community and Crown land in Morrison Bay Park and multiple categorisation of Crown land parks in the DPRPPoM. The submissions comprise verbal submissions made at the public hearing held on 27 May 2020, and written submissions received by Council between 4 May and 3 June 2020.

2 PLANNING CONTEXT

2.1 What is community and Crown land?

The *Local Government Act 1993* and *Crown Land Management Act 2016* set out a range of requirements for the management of public land that City of Ryde is legally bound to adhere to.

Figure 2 Classification and categorisation of community and Crown land



From 1 July 2018 the *Crown Land Management Act 2016* requires local Councils that are appointed to manage dedicated or reserved area of Crown land (as is the case for Morrison Bay Park and the other Crown land parks covered by the Draft Plan), to manage that land as if it were community land under the *Local Government Act 1993*, including preparing a Plan of Management and categorising the land.

The Local Government Act requires that all public 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 of time, and can be sold.

2.2 What are the categories of community land?

The *Local Government Act 1993* requires that all land owned by the Council which is classified as community land be categorised. The *Crown Land Management Act 2016* provides that the same requirement for categorisation also now applies to Crown reserves such as Morrison Bay Park which are under the control of a “Council manager”.

As shown in Figure 3, community land may be categorised as one or more of the following under Section 36(4):

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

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.

2.3 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 2005*.

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.”

2.4 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. The core objectives for each category of community land are set out in Sections 36E to 36N of the *Local Government Act 1993*.

2.5 Plans of Management for community land

Council must prepare a Plan of Management for community land (Section 36(1)) and for Crown reserves for which it is the Crown Land Manager.

Community land and Crown reserves are required to be used and managed according to a Plan of Management applying to the land (Section 35).

Among the requirements of the Local Government Act for the contents of a Plan of Management for community and Crown land are:

- categorisation of the land
- core objectives for management of the land.

2.6 Public hearings

2.6.1 Why hold a public hearing?

A public hearing is required under Section 40A of the *Local Government Act 1993* and Section 3.23(7)(d) of the *Crown Land Management Act 2016* 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 public land covered by the Plan of Management
- a Plan of Management proposes to re-categorise (changing the adopted category) the public land covered by the Plan of Management
- multiple categorisations are assigned to parks after the initial categorisation has been submitted to the Department of Planning, Industry and Environment.

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.

2.6.2 Who conducts a public hearing?

An independent chairperson conducts the public hearing, and provides a report to Council with recommendations on the proposed categorisation, recategorisation or multiple categorisation of public 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.

2.6.3 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 4 days after it has received the final report from the person presiding at the public hearing.

This report will be presented to Council for their information when it considers recategorising part of Morrison Bay Park from General Community Use to Park, and adopting multiple categorisations assigned to some of the parks included in the DPRPPoM, as part of the process of adopting the Parramatta River Parklands Plan of Management.

If Council decides to amend the Draft Plan after public notice of the Draft Plan of Management, Council is required to again refer the plan to the relevant land owner.

3 PROPOSED CHANGES TO CATEGORISATION

3.1 Morrison Bay Park

The area of Morrison Bay Park adjacent to Phillip Road in Putney which is proposed to be recategorised from General Community Use to Park is shown in Figure 3.

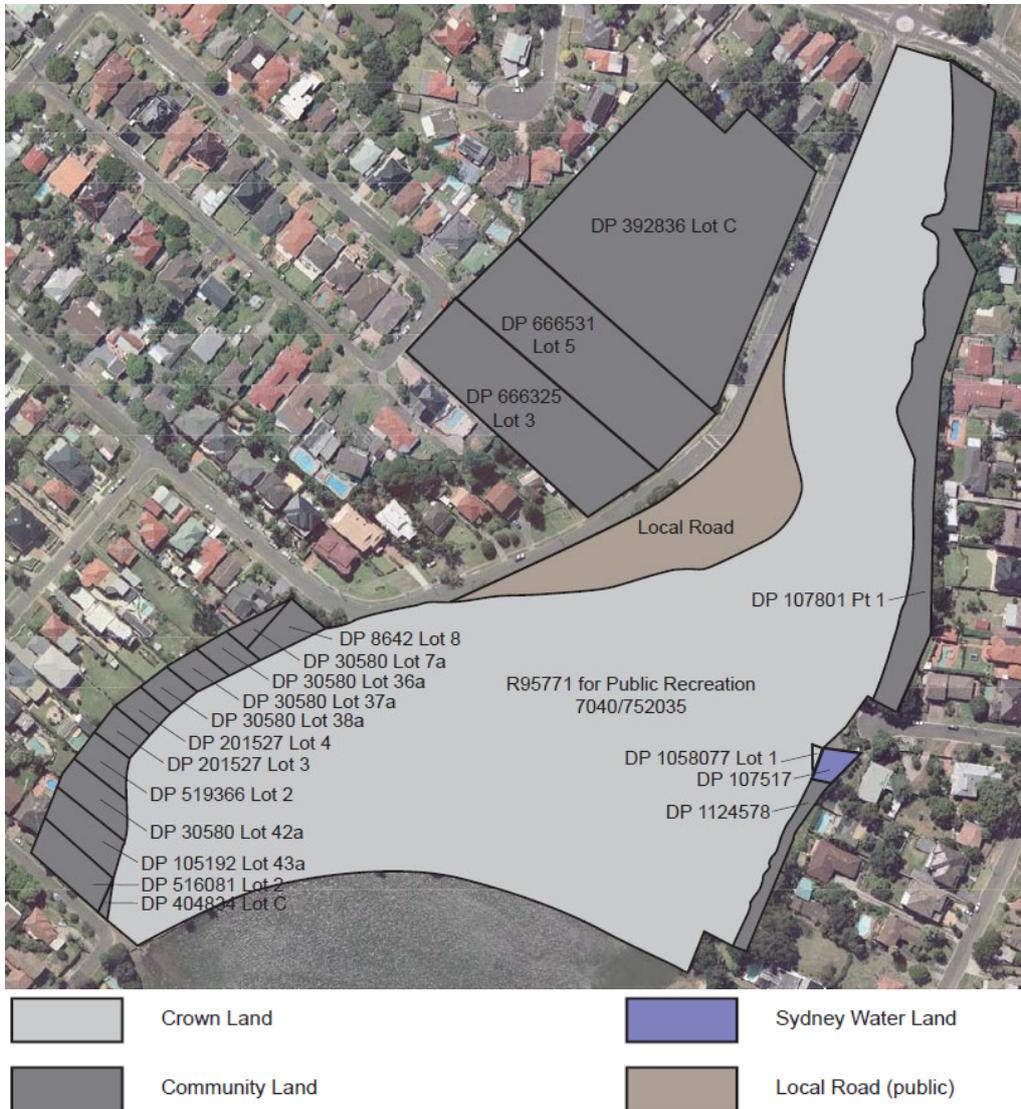
Figure 3 Photos of the area proposed for recategorisation in Morrison Bay Park



Morrison Bay Park comprises mostly Crown land and community land as shown in Figure 4.

The subject land comprises part of R95771 which is a Crown reserve for Public Recreation, and Lot C DP 404834 and Lot 2 DP 516081 which are owned by City of Ryde.

Figure 4 Land tenure in Morrison Bay Park



The current categorisation of part of Morrison Bay Park in Figure 5 below as General Community Use was adopted by City of Ryde in the 2001 Generic Plan of Management, and retained in the 2016 Plan of Management for Morrison Bay Park.

Figure 5 Current categorisation of Morrison Bay Park

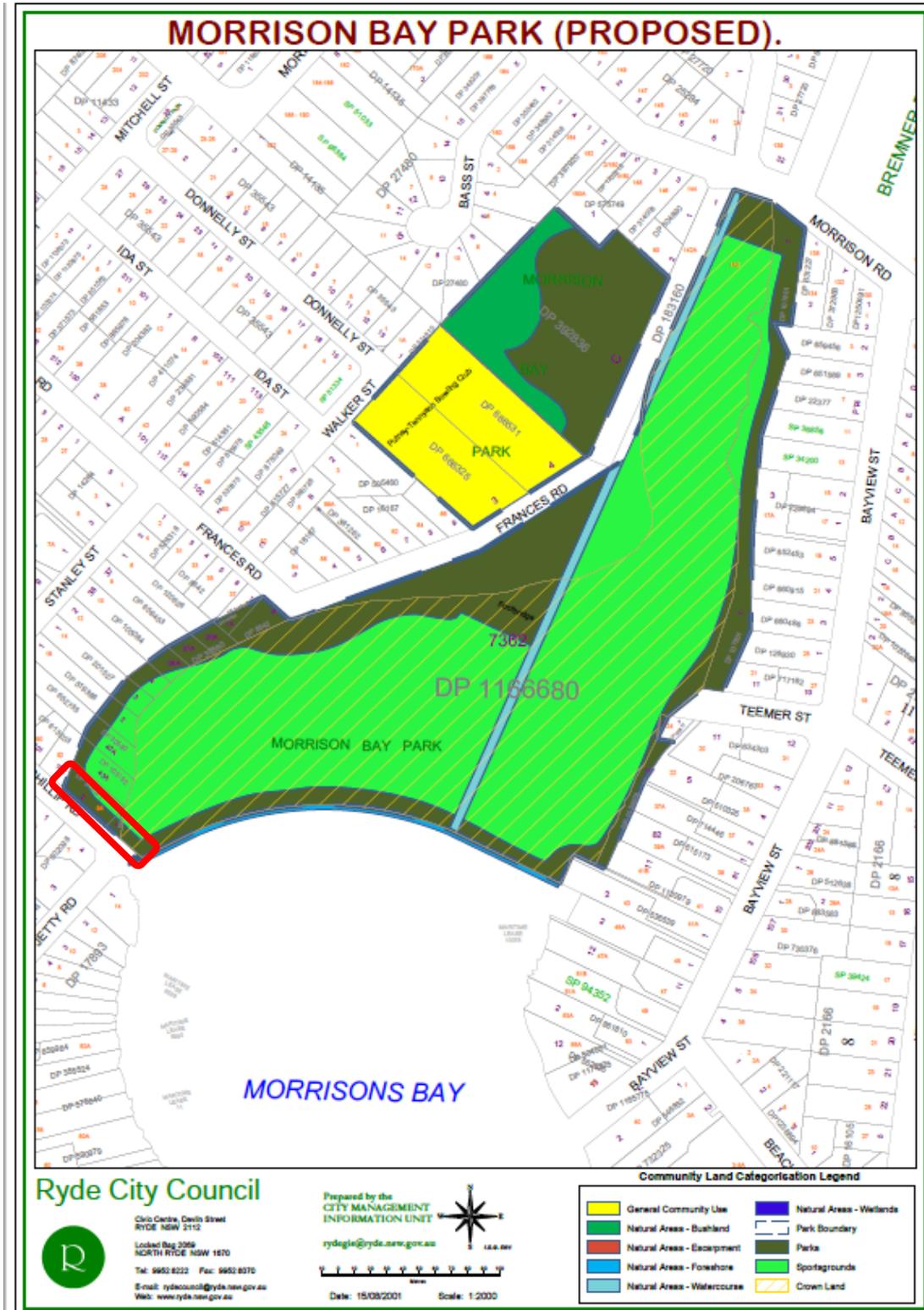


 Area of proposed categorisation change

Council has been directed by the Minister to recategorise this area from General Community Use to Park because the Park category more closely aligns with the guidelines and core objectives for the use of this area under the *Local Government Act 1993*, and it more closely aligns with the Crown land purpose of Public Recreation.

The proposed recategorisation of part of Morrison Bay Park to Park is shown in Figure 6.

Figure 6 Proposed recategorisation of Morrison Bay Park 2020



[Red Rectangle] Area of proposed categorisation change

The guidelines and core objectives for the current category of General Community Use and the proposed category of Park as they apply to Morrison Bay Park are in Table 1.

Table 1 Guidelines and core objectives for current and proposed categories of community land for part of Morrison Bay Park

Category	Guidelines	Core objectives
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).

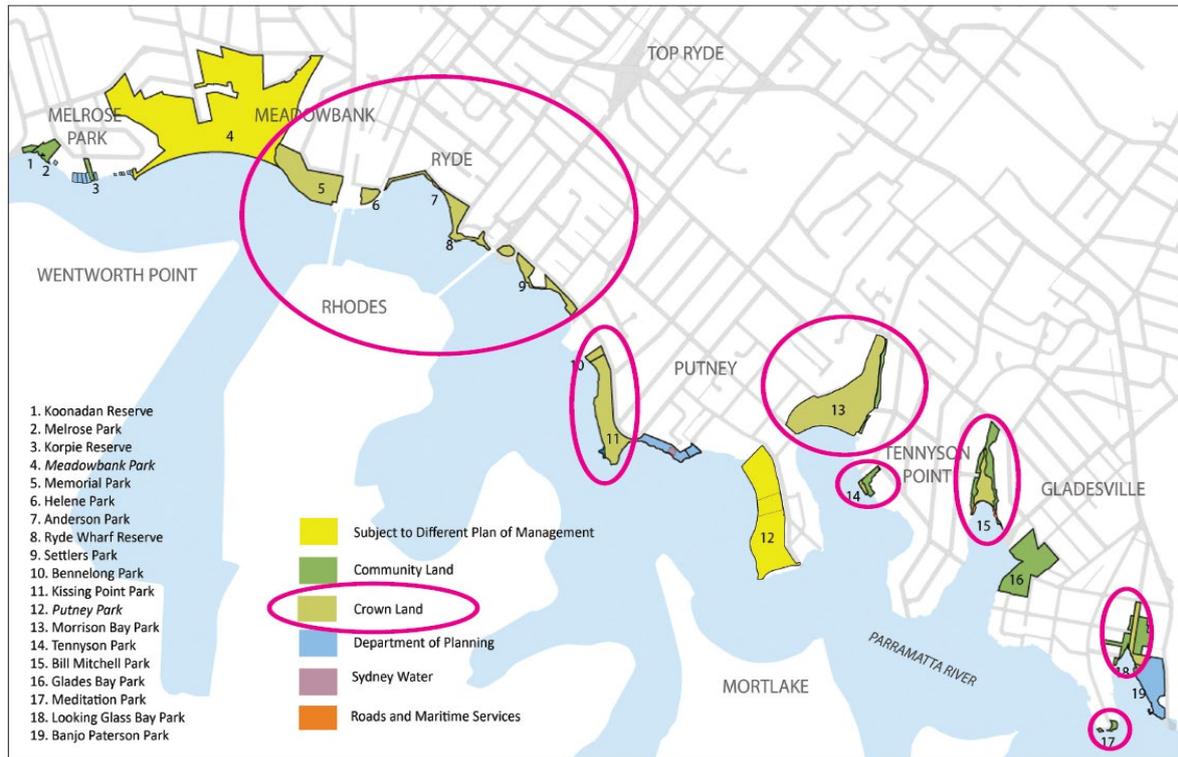
3.2 Proposed multiple categorisation of Crown land parks in Parramatta River Parklands

Crown land included in the Draft Parramatta River Parklands Plan of Management is shown in Figure 7.

Besides Morrison Bay Park, Crown land parks included in the DPRPPoM are:

- Ryde Wharf Reserve
- Bennelong Park
- Bill Mitchell Park
- Anderson Park
- Helene Park
- Kissing Point Park
- Looking Glass Park
- Meditation Park
- Memorial Park
- Settlers Park
- Tennyson Park.

Figure 7 Crown Land Parks included in the Draft Plan of Management for Parramatta River Parklands



These parks were first categorised in 2001 in the Generic Plan of Management for Sportsgrounds, Parks, Natural Areas, General Community Use.

The current categorisation of these Crown land parks is not proposed to change. However multiple categorisations were assigned to those Crown land parks in 2001, and these multiple categorisations are proposed to be retained in the 2020 Parramatta River Parklands Plan of Management.

A comparison of the current and proposed categorisation of these Crown land parks included in the Draft Parramatta River Parklands are shown in Figures 8 to 18.

Figure 8 Current and proposed categorisation of Ryde Wharf Reserve

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001

Parramatta River Parklands Plan of Management

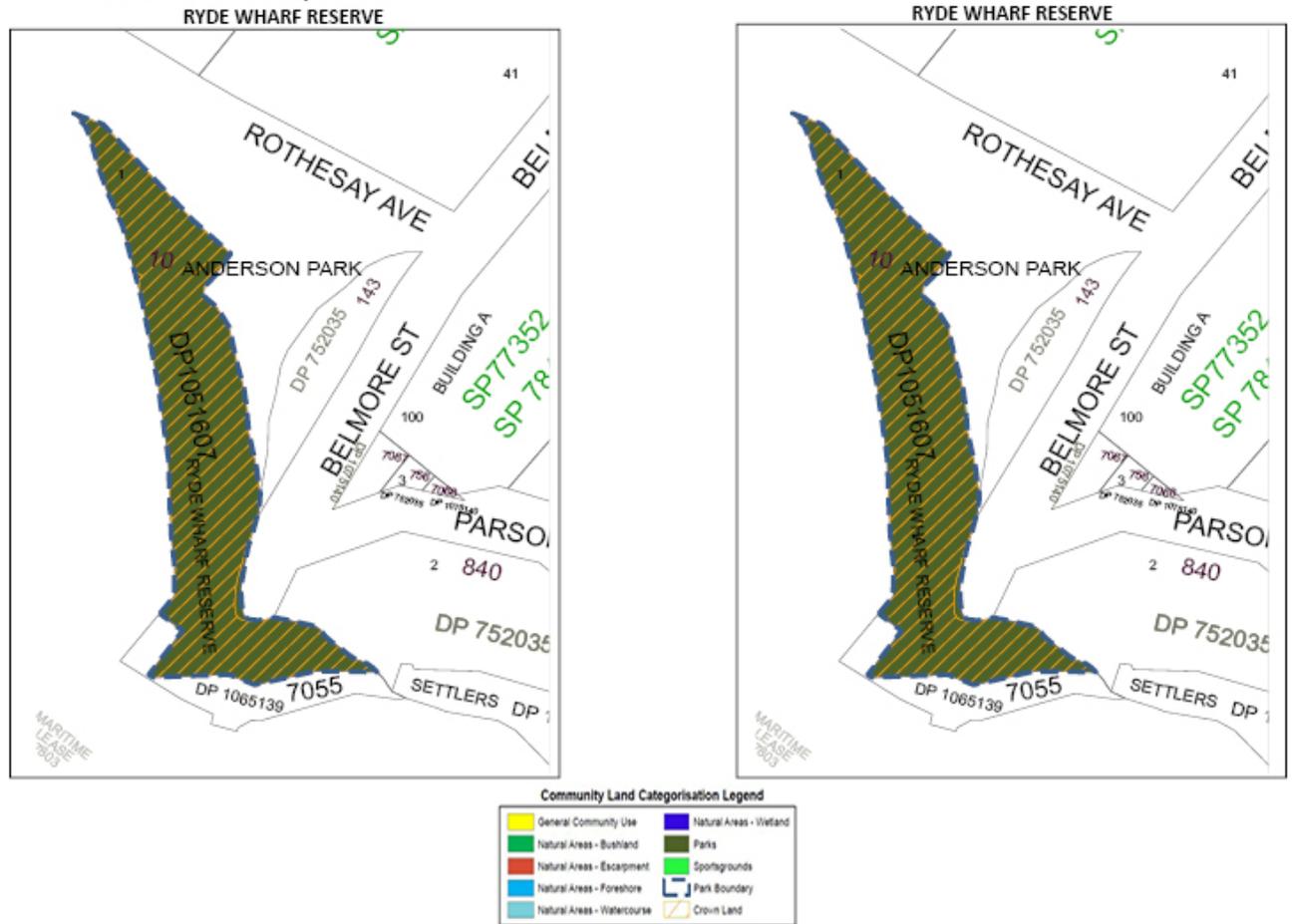


Figure 9 Current and proposed categorisation of Bennelong Park

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001

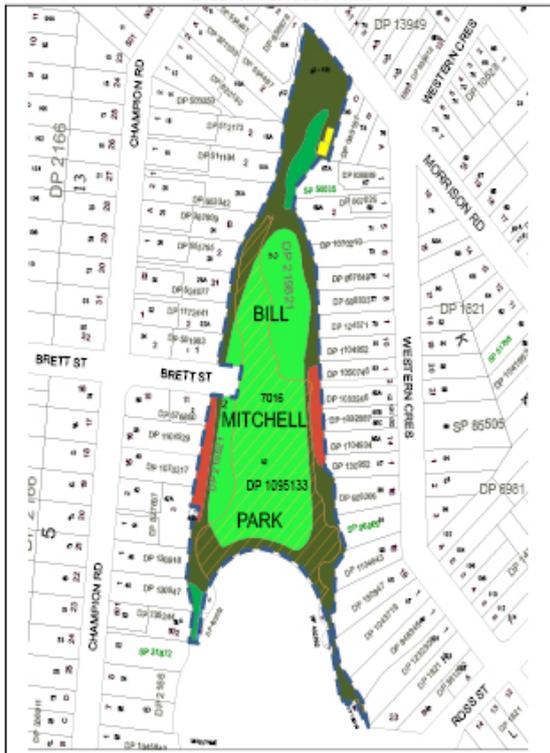
Parramatta River Parklands Plan of Management



Figure 10 Current and proposed categorisation of Bill Mitchell Park

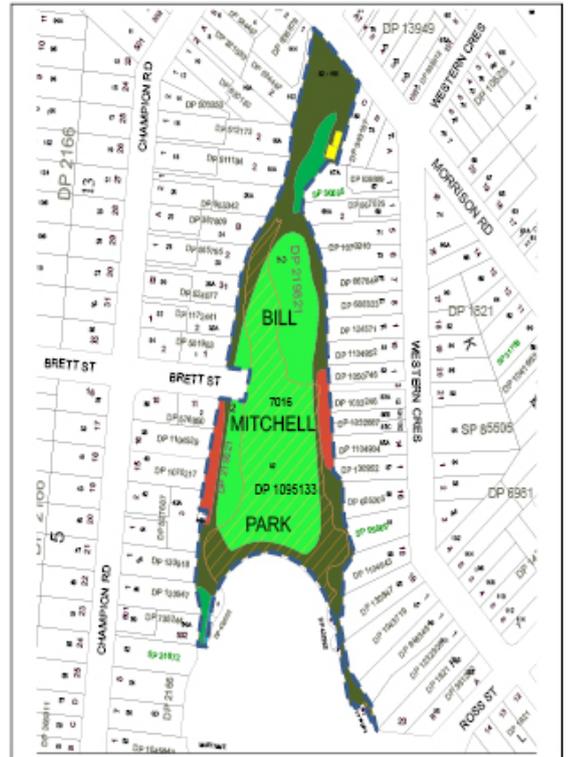
Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001

BILL MITCHELL PARK



Parramatta River Parklands Plan of Management

BILL MITCHELL PARK



Community Land Categorisation Legend



Figure 11 Current and proposed categorisation of Anderson Park

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001

Parramatta River Parklands Plan of Management

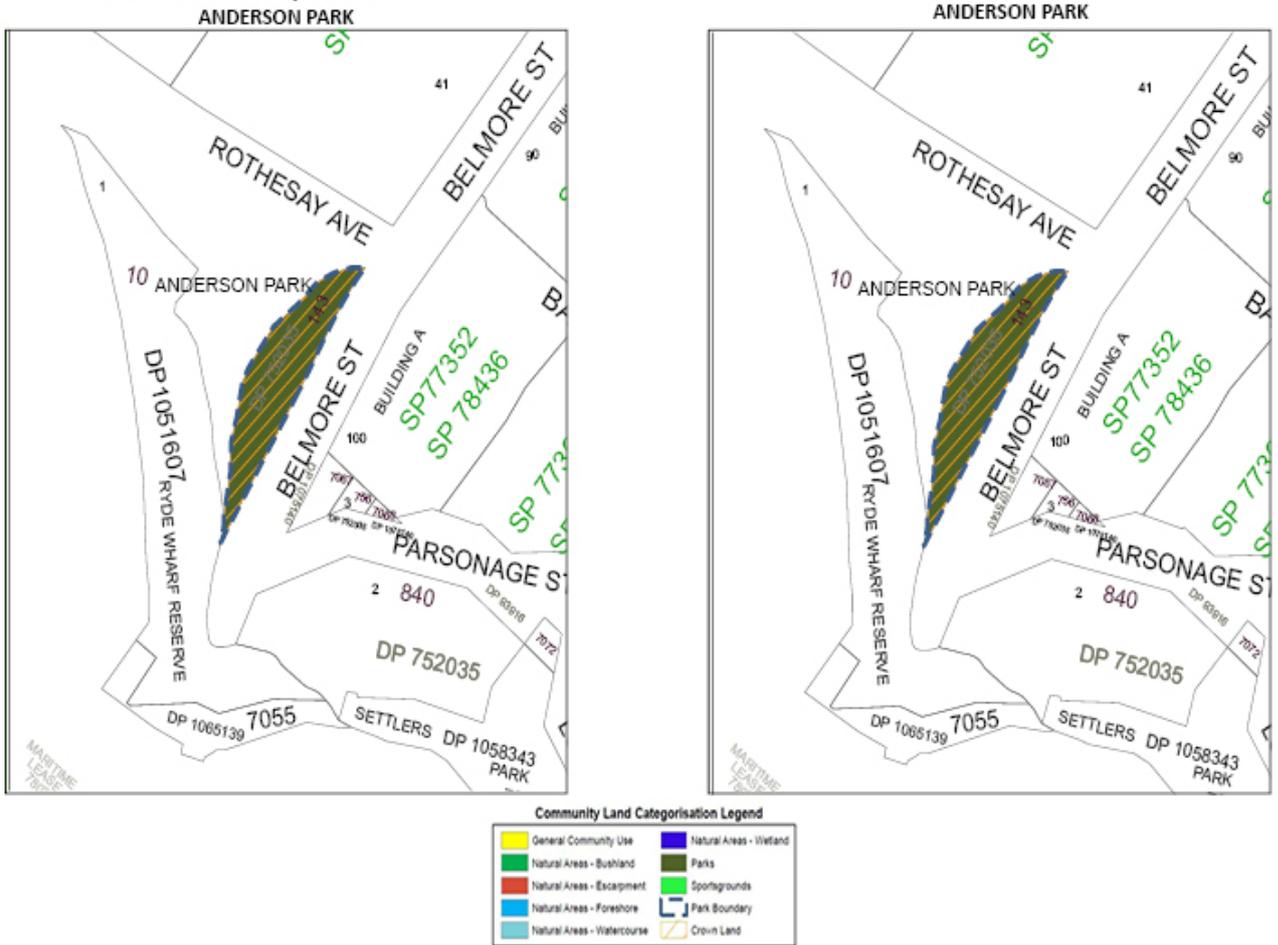


Figure 12 Current and proposed categorisation of Helene Park

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001
HELENE PARK



Parramatta River Parklands Plan of Management
HELENE PARK

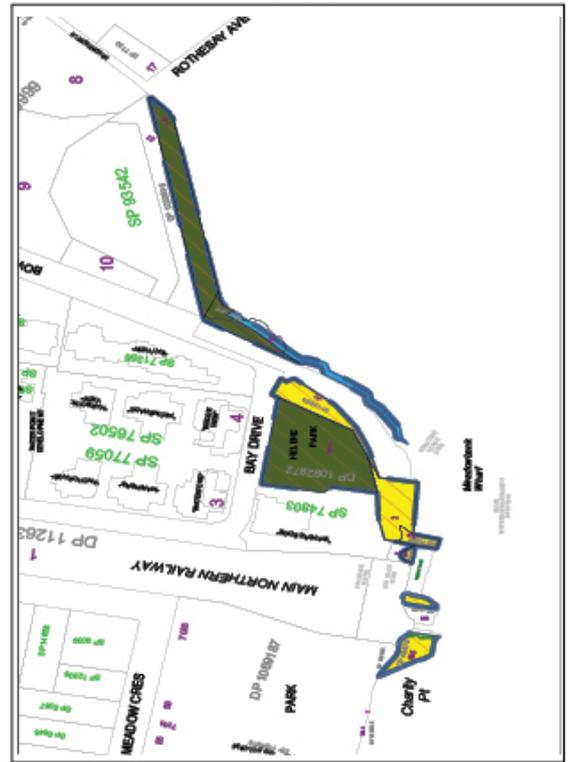


Figure 13 Current and proposed categorisation of Kissing Point Park

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001
KISSING POINT PARK



Parramatta River Parklands Plan of Management
KISSING POINT PARK



Figure 14 Current and proposed categorisation of Looking Glass Park

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001
LOOKING GLASS PARK

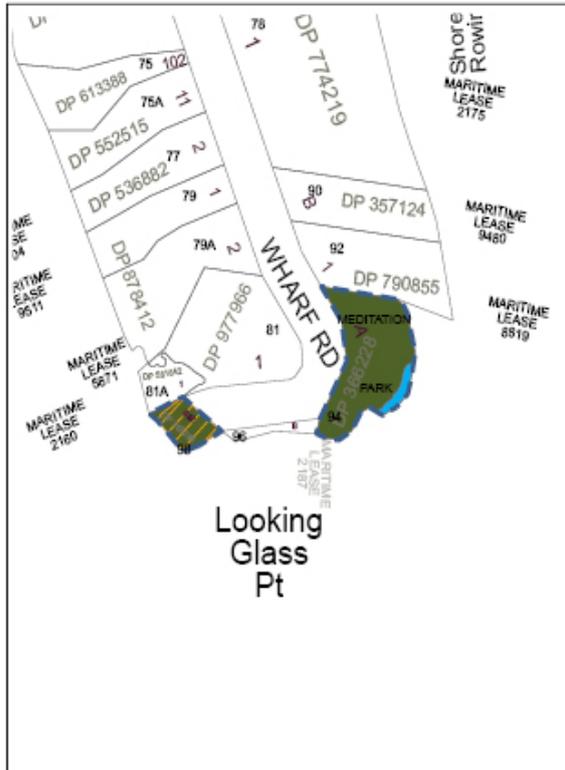


Parramatta River Parklands Plan of Management
LOOKING GLASS PARK



Figure 15 Current and proposed categorisation of Meditation Park

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001
MEDITATION PARK

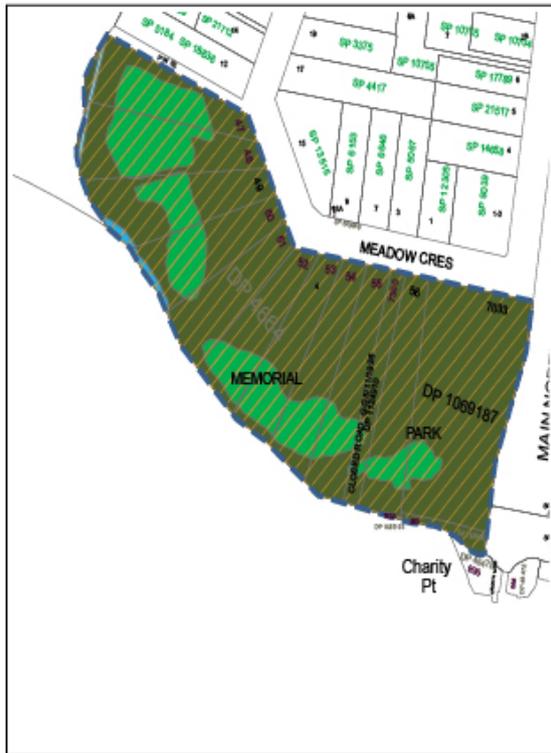


Parramatta River Parklands Plan of Management
MEDITATION PARK



Figure 16 Current and proposed categorisation of Memorial Park

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001
MEMORIAL PARK



Parramatta River Parklands Plan of Management
MEMORIAL PARK

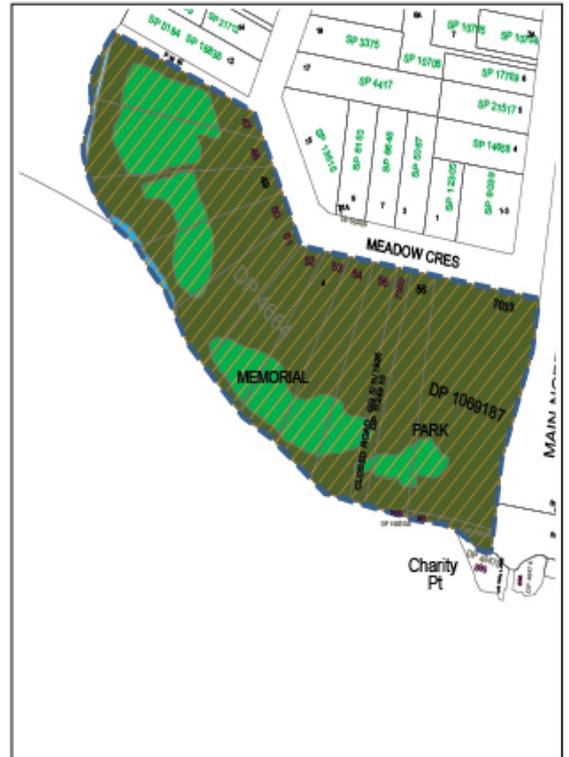
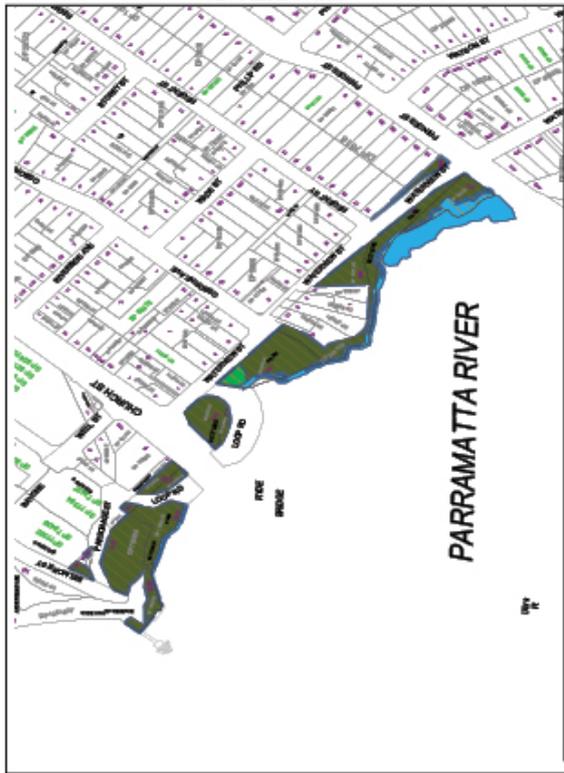


Figure 17 Current and proposed categorisation of Settlers Park

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001

SETTLERS PARK



Parramatta River Parklands Plan of Management

SETTLERS PARK



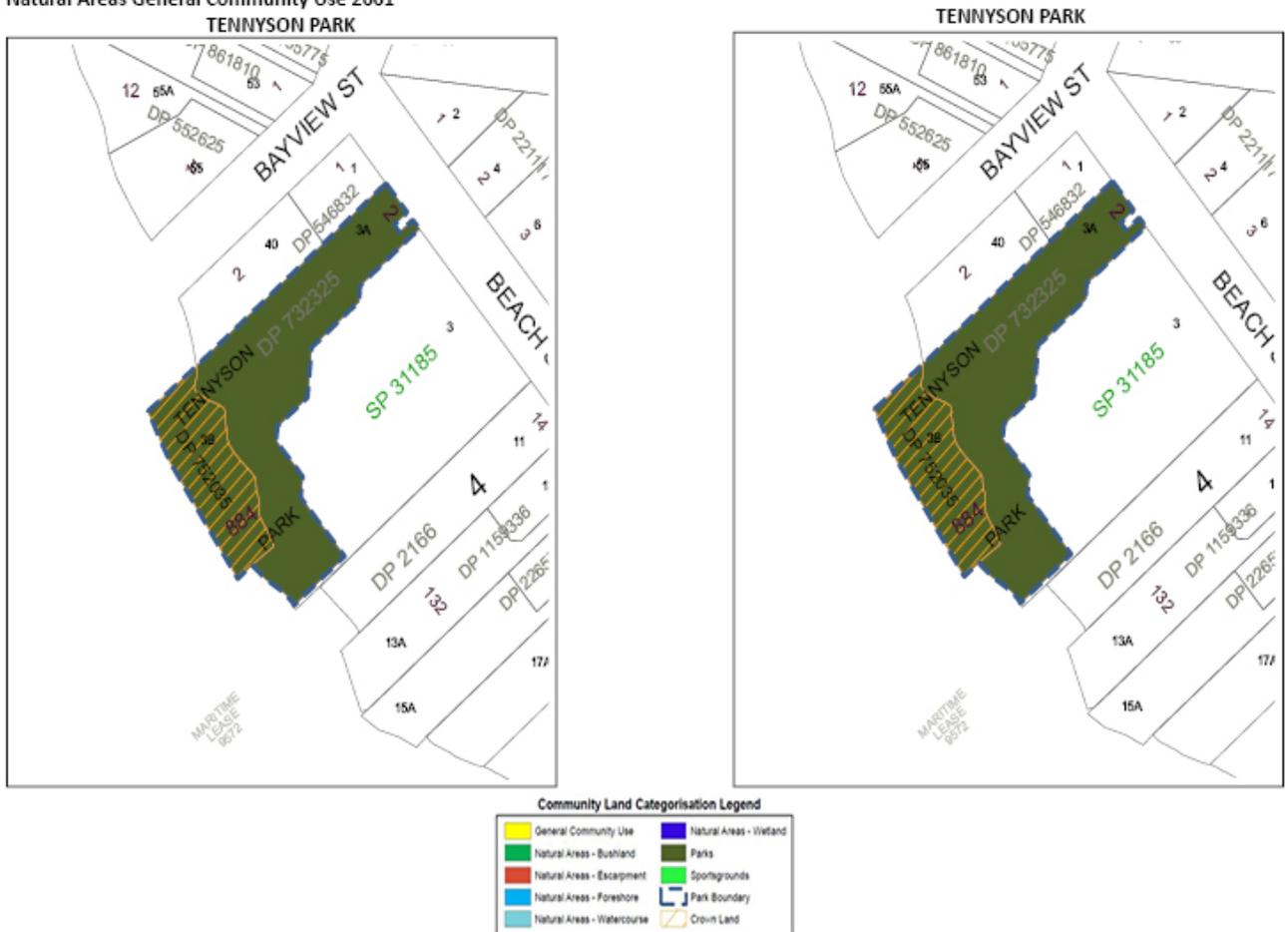
Community Land Categorisation Legend

 General Community Use	 Natural Areas - Wetland
 Natural Areas - Bushland	 Parks
 Natural Areas - Escarpment	 Sportsgrounds
 Natural Areas - Foreshore	 Park Boundary
 Natural Areas - Watercourse	 Crown Land

Figure 18 Current and proposed categorisation of Tennyson Park

Generic Plan of Management Sportsgrounds Parks
Natural Areas General Community Use 2001

Parramatta River Parklands Plan of Management



This page is left blank intentionally

4 THE PUBLIC HEARING

4.1 Advertising and notification

4.1.1 Public notification and exhibition requirements

Section 38 of the *Local Government Act 1993* states that Councils must give “public notice” of a draft Plan of Management, and the length of time that it must be on public exhibition and for submissions to be made. The public notice contents are set out in Section 705 of the Act.

4.1.2 Online notification

Council notified the community of the public exhibition of the Draft Plan of Management and on its website. The DPRPPoM was on public exhibition for comment from 9 March to 19 April 2020, and was able to be viewed as follows:

- ❑ online at the City of Ryde Have Your Say website at the following link www.ryde.nsw.gov.au/haveyoursay/Home
- ❑ Customer Service Centre 1 Pope Street, Ryde (Monday to Friday, 8.30am - 5.00pm)
- ❑ all City of Ryde Libraries (during branch hours).

The community was initially invited to attend a public hearing about the proposed recategorisation of part of Morrison Bay Park and the multiple categorisations of Crown Land parks during the public exhibition on Monday 30 March 2020 from 6.00pm – 7.30pm at Gladesville Library, 6 Pittwater Road, Gladesville. However due to the restrictions on public gatherings as a result of the COVID-19 pandemic, that meeting had to be cancelled. An online public hearing was instead arranged on 27 May 2020.

Council notified the community of the online public hearing on its website <https://www.ryde.nsw.gov.au/haveyoursay/Have-your-Say/Morrison-Bay-Park-Land-Recategorisation> from Monday 4 May to Wednesday 3 June 2020. The project page on Council’s website is shown in Figure 19.

A background information document and a video explaining the proposed recategorisation, multiple categorisations and the public hearing, and an online submission form were also provided on the project page.

Figure 19 Public hearing information on Council's website

HAVE YOUR SAY

[Home](#) / [Morrison Bay Park - Land Re-categorisation](#)

Morrison Bay Park - Land Re-categorisation

Consultation closing on 03 June 2020 / 11:59pm



Background Information

- [Re-categorisation and Public Hearing Information May 2020](#) (PDF, 2MB)
- [Morrison Bay Park Current Proposed Categorisation](#) (PDF, 307KB)
- [Parramatta River Parklands Plan of Management Public Exhibition 2020](#) (PDF, 69MB)

Related Information

- [Local Government Act 1993](#)
 - [Section 3G - Core objectives for management of community land categorised as park](#)
 - [Section 36I - Core objectives for management of community land categorised as community use](#)
 - [Section 40A - Public hearing in relation to proposed plans of management](#)

City of Ryde has prepared a [Draft Plan of Management for the Parramatta River Parklands](#), which encompasses 18 parks. These parks are a combination of Council owned Community Land and Crown Land to which the City of Ryde have been appointed Council Crown Land Managers. The Draft Plan of Management was on public exhibition for comment exhibition from 9 March to 19 April 2020.

The Plan was developed to ensure a consistent and transparent approach to the way Council manages and improves these areas.

The Minister for Lands and Forestry has directed Council to recategorise a small portion of Morrison Bay Park (along the boundary with Philip Road) from 'General Community Use' to 'Park'. The category 'Park' more closely aligns with the Community Land core objectives for the use of this area as well as the Crown Land Purpose of public recreation.

To undertake this change, a public hearing is required under *Section 40A* of the Local Government Act 1993. Due to the current restrictions on public gatherings, Council has changed the public hearing. Residents will be able to attend through a phone call or video link.

Local residents are invited to provide their feedback on the the proposed land re-categorisations. [For background information](#) on the re- categorisation and public hearing, please view video below.



Morrison Bay Park public hearing video Copy link

Contact Us

If you require more information about the Morrison Bay Park Land Re - categorisation please call our Customer Service Centre on 9952 8222 or email cityofryde@ryde.nsw.gov.au.

PUBLIC HEARING AND SUBMISSIONS REPORT FOR: (1) PROPOSED RECATEGORISATION OF PART OF MORRISON BAY PARK, AND (2) MULTIPLE CATEGORISATION OF CROWN LAND PARKS IN THE DRAFT PARRAMATTA RIVER PARKLANDS PLAN OF MANAGEMENT PARKLAND PLANNERS

26

You can have your say on the Morrison Bay Park Land re-categorisation and the multiple categorisations of Crown Land parks in the Parramatta River Parklands Plan of Management in several ways including online, e-mail, post or registering for the Public Hearing.

Please note submissions for the Parramatta River Parklands Draft Plan of Management have now closed. Due to the public hearing being changed, submissions on the Morrison Bay Park land re-categorisation are still being accepted.

Written submissions must be clearly marked as 'Morrison Bay Park Land Re-categorisation'. All submissions must be received by **Wednesday 3 June 2020**.

Email cityofryde@ryde.nsw.gov.au

Post General Manager, City of Ryde, Locked Bag 2069, North Ryde NSW 1670

Public Hearing (now through phone call or video link)

Local residents are invited to attend the public hearing on the proposed re-categorisation of the part of Morrison Bay Park and the multiple categorisations of Crown Land parks in the Parramatta River Parklands Plan of Management as per the requirements of the Local Government Act 1993 Section 40A and of the Crown Land Management Act 2016 Section 3.2(7)(d).

Due to the current restrictions on public gatherings, Council has changed the public hearing. Residents will be able to attend through a phone call or video link. **Registrations are essential.**

Date Wednesday 27 May 2020

Time 4.30 pm – 5.30pm

(Hosted by Sandy Hoy - Consultant)

[Click here to register for this session](#)

Registrations close **Wednesday 27 May at 12.00Noon. Registrations are now closed, please contact Customer Service if you would like to attend the public hearing.**

How do I participate in the public hearing?

To participate in the public hearing, you can join us through a phone call or video link. Once you have registered, instructions will be provided to you on how to join the meeting.

If you are unable to register, please call our Customer Service Centre on 9952 8222. Once registered, Council will provide you with further information on how to join the session.

Morrison Bay Park - Land Re-categorisation

Name Required

Email Required

Phone

Address

Do you agree or not with the proposal to recategorise part of Morrison Bay Park from General Community Use to Park? Why or why not? Required

Do you agree or not with assigning multiple categories to Crown reserves in the Draft Parramatta River Parklands Plan of Management? Why or why not? Required

Do you have any other comments about the proposed recategorisation of part of Morrison Bay Park or the multiple categorisations assigned to Crown land in the Draft Parramatta River Parklands Plan of Management? Required

Required

Yes, I understand the Privacy Notification (below)

Privacy Notification

Personal information collected from you is held and used by Council under the provisions of the Privacy and Personal Information Protection Act 1998. The supply of information is voluntary, however if you cannot provide, or do not wish to provide the information sought, Council may be unable to process your application or request, or consider your submission. Please note that the exchange of information between the public and Council, may be accessed by others and could be made publicly available under the Government Information Public Access Act 2009 (GIPA Act). If you require further information please contact Council's Customer Service Centre on 9952 8222.

Submit

Save

Powered by [OpenForms](#)

Privacy Statement

Personal information collected from you (including responses to forms and surveys) is held and used by Council under the provisions of the Privacy and Personal Information Protection Act 1998. The supply of information is voluntary, however if you cannot provide, or do not wish to provide the information sought, Council may be unable to process your application or request, or consider your submission. Please note that the exchange of information between the public and Council, may be accessed by others and could be made publicly available under the Government Information Public Access Act 2009 (GIPA Act). If you require further information please contact Council's Customer Service Centre on 9952 8222.

Latest Updates

Have Your Say

Past Have Your Say

Have Your Say is now open

Published on 6 May 2020

The [Parramatta River Parklands Draft Plan of Management](#) was on public exhibition from 9 March to 19 April 2020. Submissions on the Draft Plan of Management have now closed. However, due to the public hearing being rescheduled, submissions on the Morrison Bay Park Land Re-categorisation are still being accepted.

Have Your Say on the Morrison Bay Park Land Re-categorisation is now open until Wednesday 3 June 2020.

Subscribe to project updates

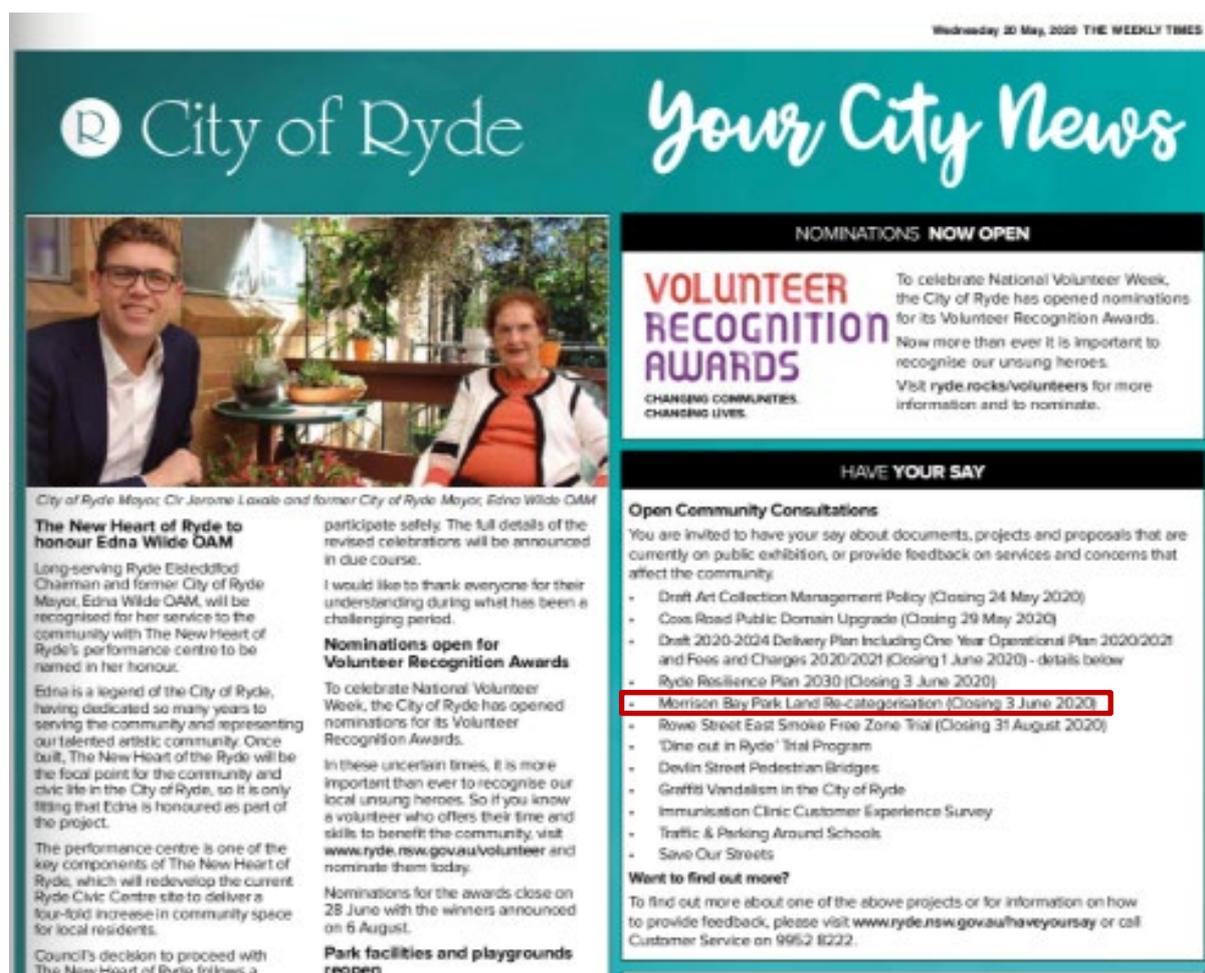


Last updated on 27 May 2020

4.1.3 Other notification methods

Council also placed notices in the Council column in *The Weekly Times* on Wednesdays 6, 13, 20 and 27 May 2020 to notify the community about the public hearing.

Figure 20 Notice in Council column in *The Weekly Times* 20 May 2020



Other methods to notify the community about the public hearing included:

- placing signs in Morrison Bay Park and in other Parramatta River Parklands parks
- sending a targeted email to Council’s newsletter list on Monday 11 May 2020.



4.2 Public hearing arrangements

The public hearing was held as an audio-visual conference on Wednesday 27 May 2020 from 4.30pm to 5.30pm.

Customers were requested to register before the hearing at www.ryde.nsw.gov.au/RSVPMorrisonBay or by calling Customer Service on 9952 8222. Customers who registered before the public hearing were emailed an enewsletter which provided:

- background information and video that they were asked to watch prior to joining the public hearing
- instructions on how to join to the public hearing online via MS Teams (Desktop computer, smartphone/ tablet)
- contact details for assistance if required with joining the public hearing (Ph 9952 8477).

Registrations for the public hearing closed at 12.00 noon Wednesday 27 May. If any customers called after the closing time wanting to register for the public hearing, the community engagement team was available to assist them.

Customers who registered for the public hearing were invited to submit any comments or questions before the hearing. Three customers provided comments or questions before the hearing, which are addressed in Section 5.

The independent chairperson Sandy Hoy (Director, Parkland Planners), Michael Longworth (Senior Co-ordinator, Parks Planning at City of Ryde) and Vince Cusumano (Plan of Management Officer at City of Ryde) were based at City of Ryde offices at 3 Richardson Place at North Ryde for the public hearing.

Claudia Micallef, Nikki Fraser and Giang Nguyen from Council's Community Engagement Team assisted customers, Council staff and the Chair with running the public hearing.

Social distancing protocols were followed at all times.

4.3 Attendance at the public hearing

As required under Section 47G of the *Local Government Act 1993*, Council appointed an independent chairperson, Sandy Hoy, Director of Parkland Planners, to chair the public hearing.

Michael Longworth and Vince Cusumano represented City of Ryde, providing information and answering questions on behalf of Council during the public hearing.

Five community members attended the public hearing online. One other community member registered but did not attend the hearing.

4.4 The public hearing

Ms Hoy opened the public hearing at 4:35pm.

Ms Hoy explained the purpose of the public hearing, the legislative basis for categorisation of community and Crown land, and the requirement for public hearings, based on the background information document and explanatory video available online.

The questions that the Chair asked people attending the hearing to address are:

- Do you agree or not with the proposal to recategorise part of Morrison Bay Park from General Community Use to Park? Why or why not?
- Do you agree or not with assigning multiple categories to Crown reserves in the Draft Parramatta River Parklands Plan of Management? Why or why not?
- Do you have any other comments about the proposed recategorisation of part of Morrison Bay Park or the multiple categorisations assigned to Crown land in the Draft Parramatta River Parklands Plan of Management?

Several people asked a question or made a comment about the proposed recategorisation of land, or changes to the Plan of Management at the public hearing. The content of the submissions which are relevant to the proposed recategorisation and changes to the Plan of Management are outlined in more detail in Section 5 of this report.

Other comments and questions were noted but are outside the scope of this report.

With there being no further submissions or questions, Ms. Hoy closed the hearing at 5.05 pm.

4.5 Submissions

Submissions about the proposed recategorisation of Morrison Bay Reserve and the multiple categorisation of Crown land parks in the DPRPPoM could be made:

- via the online submission form on the Have Your Say page from 6 May 2020
- verbally at the public hearing by calling in by phone. Prior registration is required
- in writing to Council after the public hearing until Wednesday 3 June 2020 by:
 - email: cityofryde@ryde.nsw.gov.au
 - post to: General Manager, City of Ryde, Locked Bag 2069, North Ryde NSW 1670.

Two written submissions were received after the public hearing from two people who attended the public hearing.

5 CONSIDERATION OF SUBMISSIONS

5.1 Verbal and written submissions

5.1.1 Introduction

Verbal and written submissions relating to the proposed recategorisation and multiple categorisation are set out below, according to:

- support for the proposed recategorisation of part of Morrison Bay Park from General Community Use to Park
- two submissions requesting the subject land in Morrison Bay Park be recategorised as Natural Area
- general comments about the multiple categorisation of Crown land parks in the DPRPPoM.

5.1.2 Proposed recategorisation of part of Morrison Bay Park from General Community Use to Park

Two attendees directly support the proposed recategorisation of part of Morrison Bay Park from General Community use to Park. A further two attendees' preference is to recategorise the land to Natural Area-Bushland, but they either support or would not be adverse to recategorising the land to Park.

Table 1 Proposed recategorisation of part of Morrison Bay Park from General Community Use to Park

Submission	Council response
Support recategorisation of the subject land to Park, as the Park category can also be planted, but would prefer recategorisation to Natural Area.	Noted
I support the recategorisation to Park if more walkways are created and having locals be able to participate in those walkways through that area and though all the areas because there is a linkage through them.	Noted
Happy with the change in category of the small piece of land from General Community Use to Park. It is consistent with what its nature is now: grass at the edge of playing fields, and medium sized shrubs and trees bordering the footpath and the road.	Noted
Not adverse to recategorisation to Park, but would like to see more natural area consideration in these plans as we get the chance to do it.	Noted
Yes and No - 'Parks' is good - it would however be even better to include a corridor of Natural Area to be able to expand the habitat values of this Park. This is an important North South habitat link across to Field of Mars Reserve and Lane Cove River as well as link along the Parramatta River	Noted
Does not support the land to remain categorised as General Community Use.	Noted

Submission	Council response
I do not support re-categorisation from General Community use to Park. I support re-categorisation to Natural Area.	Noted

5.1.3 Recategorisation of part of Morrison Bay Park from General Community Use to Natural Area

Two attendees support recategorisation of the subject land in Morrison Bay Park from General Community Use to Natural Area. However both attendees said they also support or were not adverse to recategorising the land as Park.

Reasons for supporting recategorisation of the land from Park to Natural Area are set out below.

Table 2 Support for recategorisation of part of Morrison Bay Park to Natural Area

Submission	Council response
I do not support re-categorisation from General Community use to Park. I support re-categorisation to Natural Area.	Noted
I understand that the recent BEAC (Bushland and Environment Advisory Committee) meeting requested Council to identify areas for future inclusion as Natural Area, e.g. those that have Natural Area that aren't categorised, corridors and connections between bushland areas and develop actions to protect as Natural Area regardless of categorisation. Please advise if this has been done in respect of the land subject to this consultation.	<p>Council has been directed by the Minister to recategorise the area in Morrison Bay Park from General Community Use to Park. The other multiple categorisation parks that the Minister has requested we hold a Public Hearing for have a number of parks that contain categorisations that include Natural Areas. The PRPPoM has as both core objectives that cover all parks as well as individual actions that look to promote the inclusion of corridor connections. These are able to be instituted in other categorisations. Some of these are to:</p> <ul style="list-style-type: none"> - connect vegetation communities to the upper catchment where possible - continue to support and implement the key objectives of the Parramatta River Estuary Coastal Zone Management Plan and the Our Living River Strategy - retain large trees and increase urban canopy in accordance with the Parramatta River Catchment Masterplan, The Parramatta River Estuary and Coastal Management and River to River Plans - ensure natural areas in parks are managed in accordance with the Ryde Biodiversity Plan - protect and manage vegetation within these parks towards the enhancement of biodiversity linkages within the urban open space system. - conserve biodiversity and ecosystem functioning for the areas contributing to the biodiversity of the River environment. - protect and manage the vegetation within these parks towards the enhancement of biodiversity linkages within the urban open space system. - ensure bushland areas are maintained as per the City of Ryde's Service Level Agreement for natural areas - protect and restore ecological connections between the terrestrial and the aquatic environments - improve and build on riparian planting areas to support fauna and flora connection.

Submission	Council response
	<p>Other actions for specific reserves build on these key actions, for example to:</p> <ul style="list-style-type: none"> - plant understorey vegetation along the property fence lines at Settlers Park to strengthen biodiversity connection. - supplement existing groundcover plants at the entrance to Bennelong Park. - increase biodiversity around Morrison Bay Park and create broader corridor links from the foreshore to upper catchments with additional planting that ties in with remnant vegetation. Be mindful of sightlines and Crime Prevention Through Environmental Design (CPTED). - plant low vegetation along the Western Crescent entrance to Bill Mitchell Park.
Can you have a look at how some of this land could include natural areas and native plantings so as to connect habitat corridors along the Parramatta River and across to Field of Mars and the Lane Cove River?	<p>Council has been directed by the Minister to recategorise the area in Morrison Bay Park from General Community Use to Park. In the case of Morrison Bay Park, the following action is contained in the PRPPoM, to:</p> <ul style="list-style-type: none"> - increase biodiversity around Morrison Bay Park and create broader corridor links from the foreshore to upper catchments with additional planting that ties in with remnant vegetation. Be mindful of sightlines and Crime Prevention Through Environmental Design (CPTED). <p>The PRPPoM also has the Overarching Guideline Action, to:</p> <ul style="list-style-type: none"> - continue to support and implement the key objectives of the Parramatta River Estuary Coastal Zone Management Plan and the Our Living River Strategy.

5.1.4 Multiple categorisation of Crown land

Table 3 Multiple categorisation of Crown land

Submission	Council response
I support assigning multiple categories to Crown reserves in the Draft Parramatta River Parklands Plan of Management.	Noted
Yes if it is to include native habitat corridors along the river - and to expand and improve habitat corridors and networks across the City of Ryde.	Noted
Crown lands have a variety of categories	Noted

5.1.5 General comments about recategorisation or multiple categorisation

Table 4 General comments about recategorisation or multiple categorisation

Submission	Council response
<p>Whenever a Plan of Management is revised grasp the opportunity to recategorise some of the land as Natural Area for better protection.</p> <p>I urge Council to increase Natural Areas and where re-categorisation or other changes to plans of management are being undertaken that Council identify areas to increase Natural Areas and improve connections and corridors between bushland areas.</p>	<p>Council will endeavour to assign the most applicable categorisation to the land based on its current and future use. If possible the inclusion of additional Natural Areas will be investigated.</p>
Take the opportunity to look at other parts of Morrison Bay Park for recategorisation as Natural Area.	Noted

5.2 Other submissions

Other verbal and written submissions that do not relate to the recategorisation of Crown land in Morrison Bay Park or the multiple categorisation of Crown land parks in the Draft Parramatta River Plan of Management are listed below.

Table 5 Other submissions

Submission	Council response
Impact on surrounding streets, traffic and any restrictions to the public walkways.	The recategorisation for the area in Morrison Bay Park and the multiple categorisations of the other identified parks in the PRPPoM will have no impact on the matters raised. These matters are dealt with in the Plan of Management.
In my submission to the Draft Plan of Management I am concerned that Council maintains and increases the bushland values of all of those parks for appropriate wildlife corridors. The ecological values of those areas should not be diminished by overuse by people. Proper maintenance procedures should be carried out.	Submissions received have been considered, and changes to the Plan of Management resulting from those submissions have been made.
Would like to see more consideration for natural areas, habitat corridors and connections in the reserves along the Parramatta River and networks across the Ryde area. Morrison Bay Park was part of Ryde's River to River Project back in 2010 to 2012 which was working to improve the habitat corridor from the Parramatta River to the Field of Mars Reserve and Lane Cove River this also linked back to Parramatta River through Hunters Hill. It would be good to continue the work started then with a nice habitat corridor starting from the Parramatta River across to Field of Mars and the Lane Cove River. This is a good opportunity to plan and expand native habitat across the City starting with the reserves and parks along the Parramatta River.	The River to River Project as well as a number of other plans and strategies are referenced in the PRPPoM. There are also specific references to maintaining and expanding habitat corridors in the Overarching Guidelines and the Action plans for specific parks referenced in the Plan of Management.
Increase natural areas in our parks. Except for planting on your own property and planting trees in streets, the only way to increase natural habitat and areas in Ryde LGA is through parks.	Noted

6 RECOMMENDATIONS

6.1 Consideration of submissions

The written and verbal submissions regarding the proposed recategorisation of part of Morrison Bay Park and the multiple categorisation of Crown land parks in the DPRPPoM are carefully considered and assessed below.

6.1.1 Recategorisation of part of Morrison Bay Park

Most submissions supported recategorisation of the subject land in Morrison Bay Park from General Community Use to Park, with some supporting the Natural Area category.

While reasons given for categorising the land as either Park or Natural Area are valid, the categorisation of the subject land more closely matches the Park category because:

- ❑ the open character of the land as mown grass with scattered trees and shrubs with a wide concrete path at a key entry point to the park from Phillip Road lends itself to the current and proposed use of the land for informal recreation
- ❑ there are more appropriate areas in Morrison Bay Park to be categorised as Natural Area and to form desired links between the Parramatta River Parklands, Field of Mars, and other natural areas
- ❑ the current and proposed use and management of the land is consistent with the guidelines and core objectives of the Park category (refer to Table 1)
- ❑ the current and proposed use and management of the land is consistent with the public purpose of the land as Public Recreation
- ❑ the current and proposed use and management of the land is not consistent with the guidelines and core objectives of the Natural Area category as outlined in Table 6:

Table 6 Guidelines and core objectives for Natural Area category

Category	Guidelines	Core objectives
Natural Area	If the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36(5) of the Act.	<ul style="list-style-type: none"> - 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. - maintain the land, or that feature or habitat, in its natural state and setting. - provide for the restoration and regeneration of the land. - 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. - 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 <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i>.

It is understood that Council is open to increased planting on the subject land which may satisfy those supporting the Natural Area category.

Recommendation:

Recategorise part of Morrison Bay Park from General Community Use to Park.

6.1.2 Multiple categorisation of Crown land parks

Multiple categorisation of Crown land parks in the DPRPPoM is supported, because the categorisation of the Crown land parks is not proposed to change (except for Morrison Bay Park).

Recommendation:

Support multiple categorisation of the following Crown land parks in the Draft Parramatta River Parklands Plan of Management:

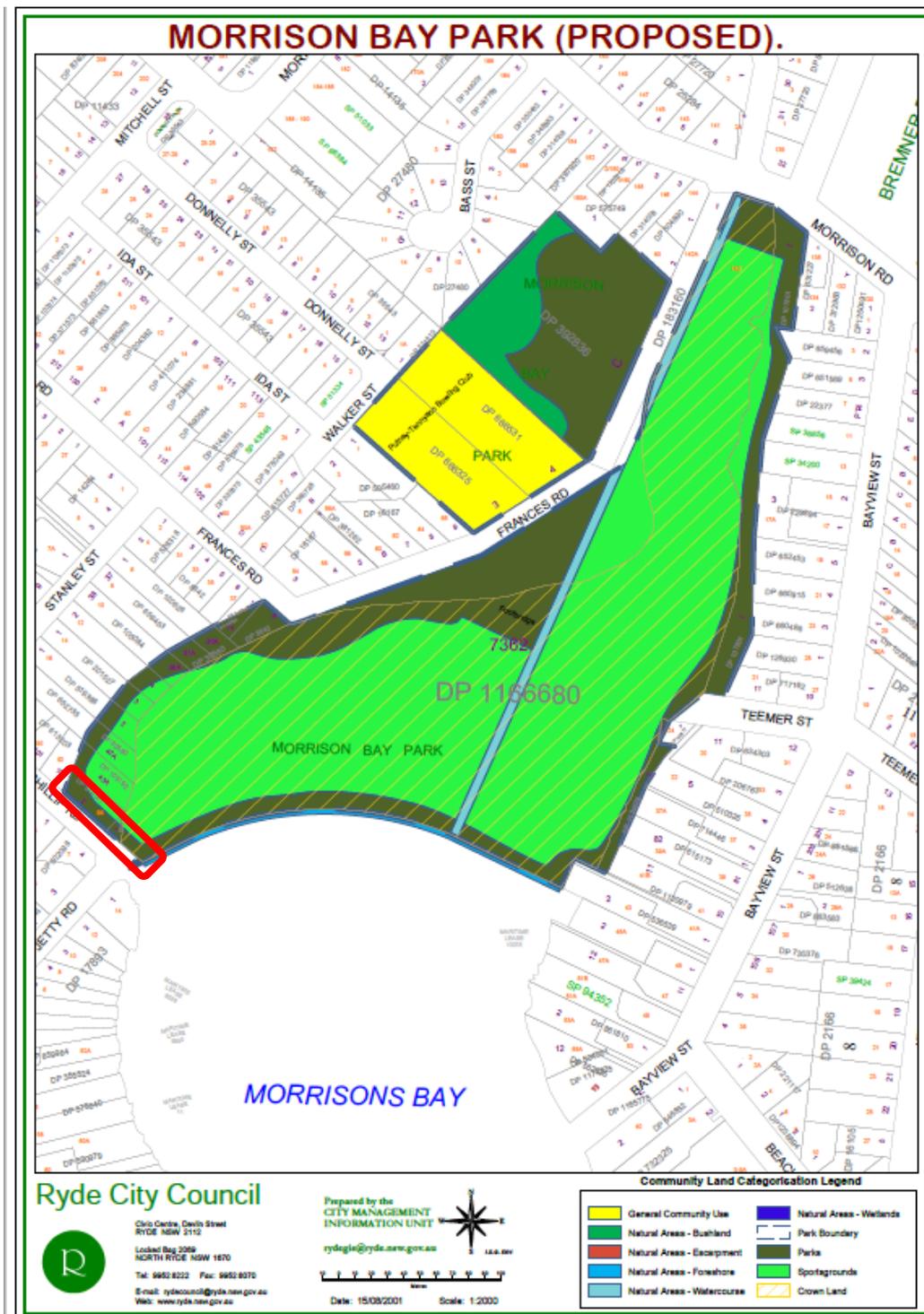
- **Morrison Bay Park**
- **Ryde Wharf Reserve**
- **Bennelong Park**
- **Bill Mitchell Park**
- **Anderson Park**
- **Helene Park**
- **Kissing Point Park**
- **Looking Glass Park**
- **Meditation Park**
- **Memorial Park**
- **Settlers Park**
- **Tennyson Park.**

6.2 Recommendations

Based on the representations and written submissions to the public hearing on 27 May 2020 and written submissions made to Council by 3 June 2020, my recommendations to City of Ryde are that Council:

1. Note the verbal and written submissions made in Section 5.
2. Recategorise part of Morrison Bay Park from General Community Use to Park according to the proposed categorisation map which was publicly exhibited in the Draft Parramatta River Plan of Management, as shown in Figure 21.

Figure 21 Recommended reclassification of community land in Morrison Bay Park



 Area of proposed categorisation change

3. Support multiple categorisation of the following Crown land parks in the Draft Parramatta River Plan of Management:
 - Morrison Bay Park
 - Ryde Wharf Reserve
 - Bennelong Park
 - Bill Mitchell Park
 - Anderson Park
 - Helene Park

- Kissing Point Park
- Looking Glass Park
- Meditation Park
- Memorial Park
- Settlers Park
- Tennyson Park.

6.3 Adoption of proposed recategorisation

Council must agree to the proposed recategorisation of community and Crown land in Morrison Bay Park as set out in the DPRPPoM before resolving to adopt the proposed amendments to the Plan of Management.

Section 114 of the *Local Government (General) Regulation 2005* states that if Council receives any submission objecting to a categorisation of land in the Plan of Management, and the Council adopts the Plan of Management without amending the categorisation that gave rise to the objection, the resolution by which Council adopts the Plan of Management must state the Council's reasons for categorising the relevant land in the manner that gave rise to the objection.

If Council intends to adopt the proposed recategorisation as was set out in the Draft Plan of Management, it must state the reasons why it did not make changes to categorisation in response to the objections received in its resolution to adopt the Plan of Management.

If Council decides to alter the proposed recategorisation of community land from that in the Plan of Management and that considered at the public hearing, Council must hold a further public hearing in respect of the proposed Plan of Management (Section 40A(3) of the *Local Government Act 1993*).

6.4 Reporting

Within four days of receiving this final report, Council is required under Section 47G(3) of the *Local Government Act 1993* to make a copy of this report available for inspection by the public at a location within the area of the Council. It is recommended that Council:

- send a copy of the public hearing report to the people who attended the public hearing and/or made a written submission.
- keep a copy of the public hearing report for inspection at Council's Customer Service Centre and Gladesville Library.
- post an electronic copy of the public hearing report on Council's website.



Sandy Hoy
Director
Parkland Planners

19 August 2020