

ATTACHMENTS FOR: AGENDA NO. 1/21 WORKS AND COMMUNITY COMMITTEE MEETING

Meeting Date: Tuesday 9 February 2021
Location: Online Audio Visual Meeting
Time: 6.00pm

ATTACHMENTS FOR WORKS AND COMMUNITY COMMITTEE MEETING

Item

- 3 ADOPTION OF THE ELS HALL PARK PLAN OF MANAGEMENT**
Attachment 3 ELS Hall Park Recategorisation Public Hearing

PUBLIC HEARING FOR PROPOSED RECATEGORISATION OF PARTS OF ELS HALL PARK

FINAL REPORT

16 DECEMBER 2020



CITY OF RYDE

PUBLIC HEARING FOR PROPOSED RECATEGORYISATION OF PARTS OF ELS HALL PARK

FINAL REPORT

16 DECEMBER 2020

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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.....	2
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?	3
2.3	What are the guidelines for categorising community land?	4
2.4	Core objectives for managing community land.....	4
2.5	Guidelines and core objectives for categories for this public hearing	5
2.6	Plans of Management for community land	6
2.7	Public hearings	6
3	PROPOSED CHANGES TO CATEGORISATION OF ELS HALL PARK	9
3.1	Current and proposed categorisation of ELS Hall Park	9
3.2	Proposed recategorisation of Area 1 in ELS Hall Park	9
3.3	Proposed recategorisation of Area 2 in ELS Hall Park	11
3.4	Proposed recategorisation of Area 3 in ELS Hall Park	11
3.5	Proposed recategorisation of Area 4 in ELS Hall Park	12
4	THE PUBLIC HEARING	13
4.1	Advertising and notification	13
4.2	Public hearing arrangements	15
4.3	Attendance at the public hearing.....	15
4.4	The public hearing	15
4.5	Submissions	16
5	CONSIDERATION OF SUBMISSIONS.....	17
5.1	Verbal and written submissions	17
6	RECOMMENDATIONS	25
6.1	Consideration of submissions	25
6.2	Recommendations.....	26
6.3	Adoption of proposed recategorisation.....	27
6.4	Reporting.....	27

Figures

Figure 1	Location of ELS Hall Park	1
Figure 2	Classification and categorisation of community and Crown land	3
Figure 3	Photos of Area 1 in ELS Hall Park	9
Figure 4	Current categorisation of ELS Hall Park adopted by City of Ryde 2012	10
Figure 5	Proposed recategorisation of community land in ELS Hall Park in the Draft Plan of Management 2020	10
Figure 6	Photos of Area 2 in ELS Hall Park	11
Figure 7	Photos of Area 3 in ELS Hall Park	12
Figure 8	Photos of Area 4 in ELS Hall Park	12
Figure 9	Public hearing information on Council's website	13
Figure 10	Recommended recategorisation of community land in ELS Hall Park	26

Tables

Table 1	Guidelines and core objectives for current and proposed categories of community land for parts of ELS Hall Park	5
Table 2	General comments about recategorisation	17
Table 3	Proposed recategorisation of Area 1 from Natural Area-Bushland to General Community Use	18
Table 4	Proposed recategorisation of Area 2 from Park to Natural Area - Bushland	19
Table 5	Proposed recategorisation of Area 3 from Sportsground to Park	20
Table 6	Proposed recategorisation of Area 4 from Park to Natural Area-Bushland	22

1 INTRODUCTION

1.1 Purpose of this report

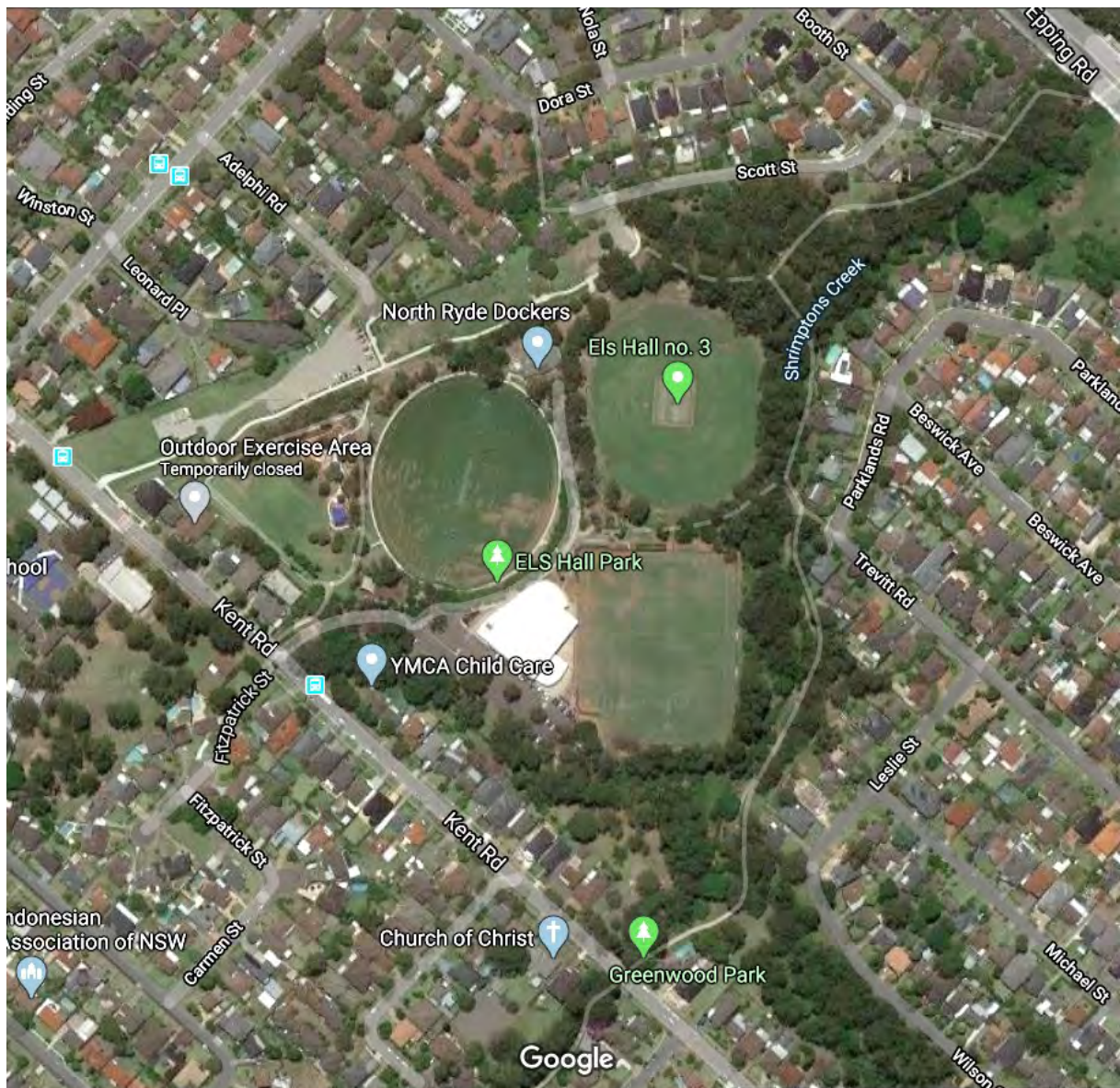
The purpose of this report is to convey to City of Ryde Council the verbal and written submissions made in relation to a public hearing held on 5 November 2020 regarding the proposed recategorisation of parts of ELS Hall Park.

This report has been prepared under Section 40A of the *Local Government Act 1993*.

1.2 Land covered by this report

ELS Hall Park in North Ryde is shown in Figure 1.

Figure 1 Location of ELS Hall Park



1.3 Background to the public hearing

ELS Hall Park was categorised as Park, Sportsground, Natural Area-Bushland, Natural Area-Watercourse, and General Community Use in the Shrimptons Creek Parklands Plan of Management which was adopted by City of Ryde in 2012. In 2019 City of Ryde undertook extensive community engagement and prepared a Masterplan for ELS Hall Park, Greenwood Park and Booth Reserve. Council has now prepared a Draft Plan of Management for ELS Hall Park to implement the Masterplan and to manage the park. The Draft Plan of Management for ELS Hall Park proposes four changes to the categorisation of community land adopted in the Shrimptons Creek Parklands Plan of Management, as explained and illustrated in Section 3.

A public hearing is required under Section 40A of the *Local Government Act 1993* to recategorise community land. Under the Act the public hearing must be chaired by an independent facilitator.

1.4 This report

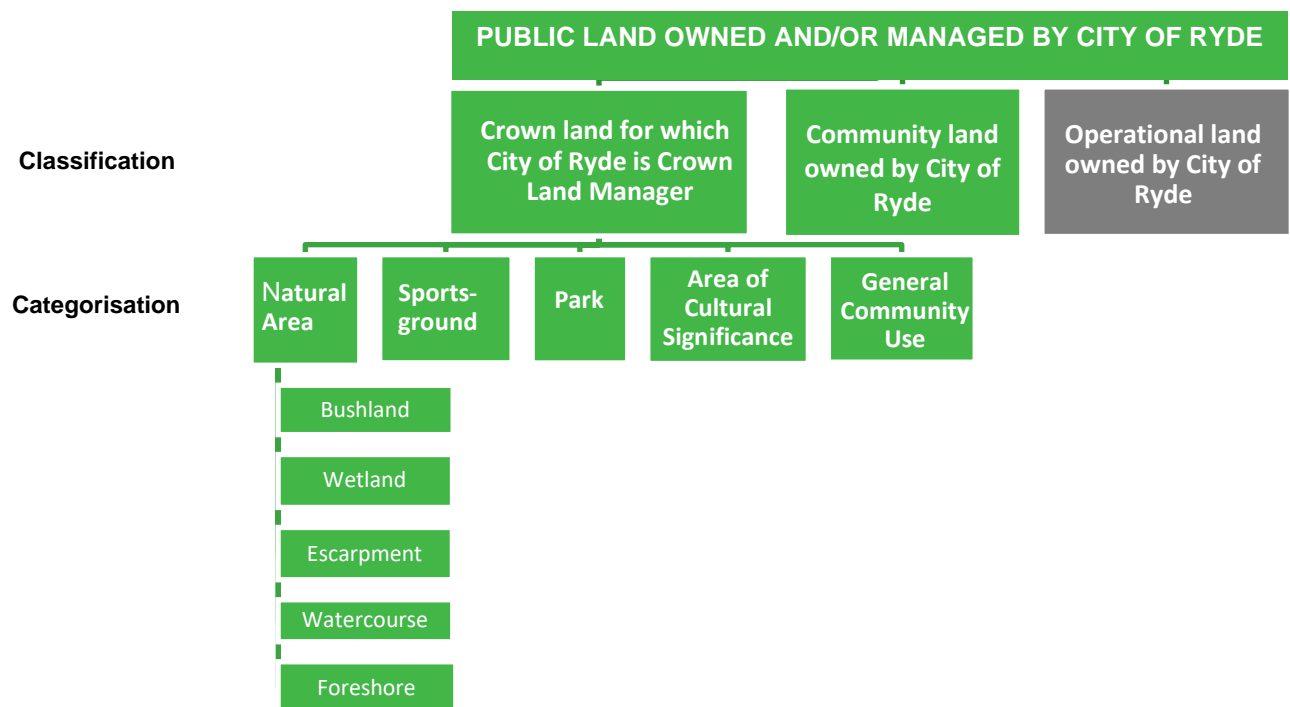
The remainder of this report presents the relevant requirements of the *Local Government Act 1993* regarding Plans of Management and categorisation of community land, and submissions regarding the proposed recategorisation of parts of ELS Hall Park. The submissions comprise verbal submissions made at the public hearing held on 5 November 2020, and written submissions received by Council between 19 October and 29 November 2020.

2 PLANNING CONTEXT

2.1 What is community and Crown land?

The *Local Government Act 1993* sets 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



ELS Hall Park is community land owned by City of Ryde. 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.

As shown in Figure 2, 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 Guidelines and core objectives for categories for this public hearing

The guidelines and core objectives for the current and proposed categories of Natural Area-Bushland, Park, Sportsground and General Community Use which apply to parts of ELS Hall Park which are proposed to be recategorised are in Table 1.

Table 1 Guidelines and core objectives for current and proposed categories of community land for parts of ELS Hall Park

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>.
Under Section 36(5) of the Act, Natural Areas are required to be further categorised as bushland, wetland, escarpment, watercourse or foreshore based on the dominant character of the natural area.		
Natural Area – Bushland	<p>Land that is categorised as a natural area should be further categorised as bushland under section 36(5) of the Act if the land contains primarily native vegetation and that vegetation:</p> <p>(a) is the natural vegetation or a remainder of the natural vegetation of the land, or</p> <p>although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.</p>	<ul style="list-style-type: none"> - ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land. - protect the aesthetic, heritage, recreational, educational and scientific values of the land. - promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion. - restore degraded bushland. - protect existing landforms such drainage lines, watercourses and foreshores. - retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term. - protect bushland as a natural stabiliser of the soil surface.

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.
Sportsground	If the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.	<ul style="list-style-type: none"> - 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.
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).

2.6 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 (Section 35).

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

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

2.7 Public hearings

2.7.1 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

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.

2.7.2 Who conducts a public hearing?

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

2.7.3 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 Draft Plan of Management for ELS Hall Park.

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3 PROPOSED CHANGES TO CATEGORISATION OF ELS HALL PARK

3.1 Current and proposed categorisation of ELS Hall Park

Most of the subject land is community land owned by City of Ryde. However, part of Area 4 in ELS Hall Park is owned by the NSW Government “Minister Administering the Environmental Planning and Assessment Act” and is under the care and control of City of Ryde.

The current and proposed categorisation of four parts of ELS Hall Park is in Figures 3 and 4.

3.2 Proposed recategorisation of Area 1 in ELS Hall Park

Area 1 of ELS Hall Park is shown in Figures 3, 4 and 5.

The proposal is to change the categorisation of the existing areas of Natural Area-Bushland and Park in and on the south-west edge of the carpark to General Community Use. This will allow Council to expand the number of parking spaces and to reduce congestion in the carpark, in line with the potential future expansion of the indoor sports centre.

Figure 3 Photos of Area 1 in ELS Hall Park



Figure 4 Current categorisation of ELS Hall Park adopted by City of Ryde 2012

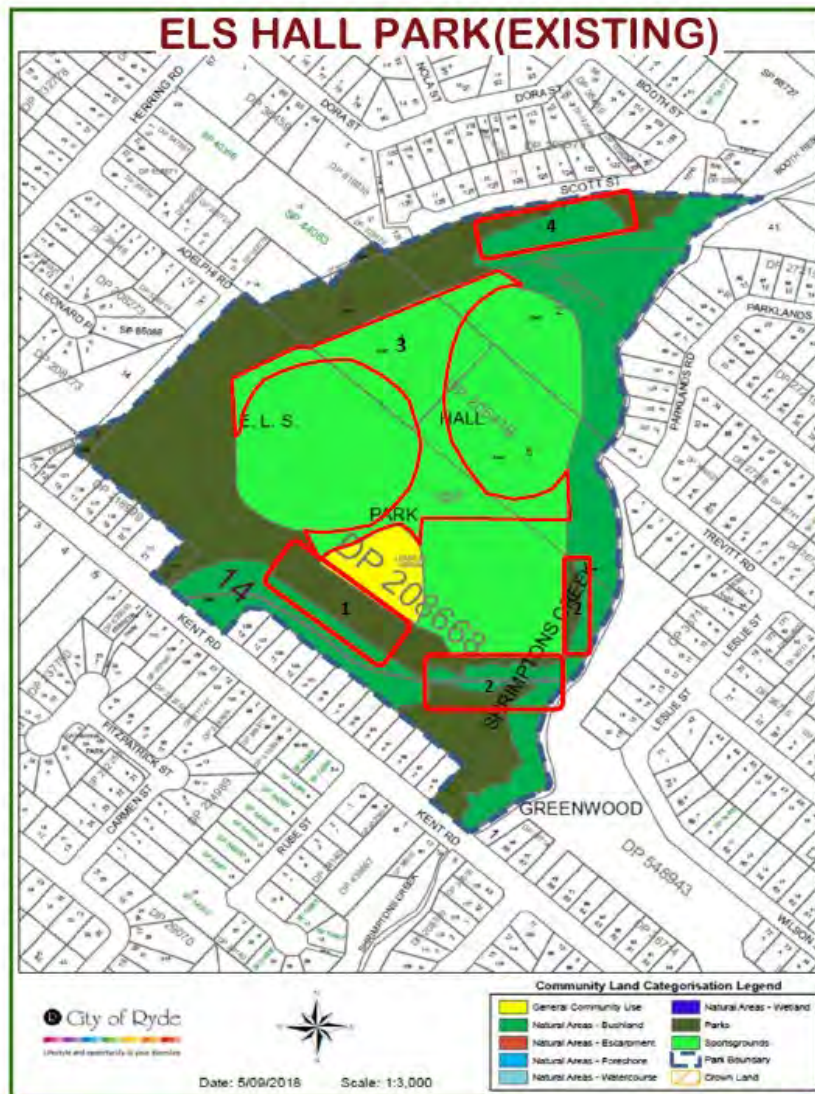
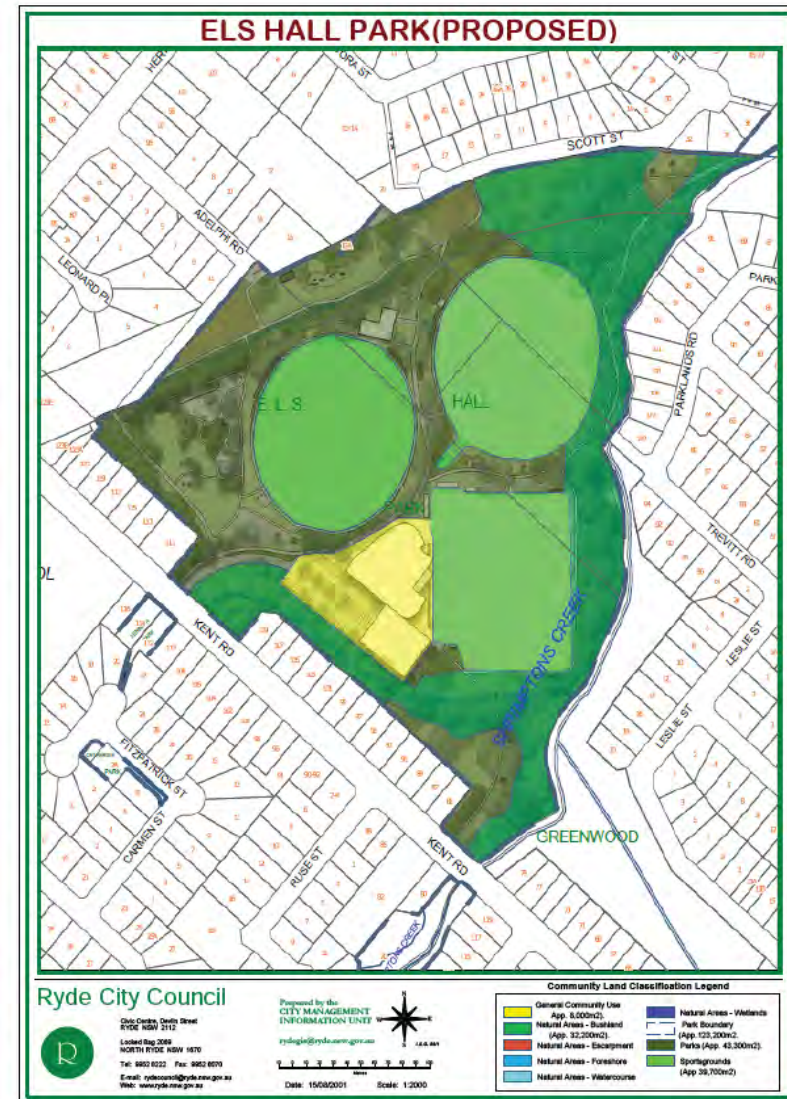


Figure 5 Proposed recategorisation of community land in ELS Hall Park in the Draft Plan of Management 2020



 Areas of proposed categorisation change

3.3 Proposed recategorisation of Area 2 in ELS Hall Park

Area 2 of ELS Hall Park is shown in Figures 3, 4 and 6.

The proposal for Area 2 is to extend the Natural Area-Bushland category into land categorised as Park on the southern side of the riparian corridor of the Shrimptons Creek tributary and to the east of Field No. 2.

Figure 6 Photos of Area 2 in ELS Hall Park



3.4 Proposed recategorisation of Area 3 in ELS Hall Park

Area 3 of ELS Hall Park is shown in Figures 3, 4 and 7.

The proposed recategorisation of this area will result in a reduction of the Sportsground category boundary, with these areas being recategorised as Park. This recategorisation better aligns with the current and future uses of these areas.

Figure 7 Photos of Area 3 in ELS Hall Park



3.5 Proposed recategorisation of Area 4 in ELS Hall Park

Area 4 of ELS Hall Park is shown in Figures 3, 4 and 8.

The proposed recategorisation of Area 4 will result in an expansion of the Natural Area-Bushland boundary from the present Park categorisation. This recategorisation better aligns with the current and future use of this area.

Figure 8 Photos of Area 4 in ELS Hall Park



4 THE PUBLIC HEARING

4.1 Advertising and notification

4.1.1 Public notification and exhibition requirements

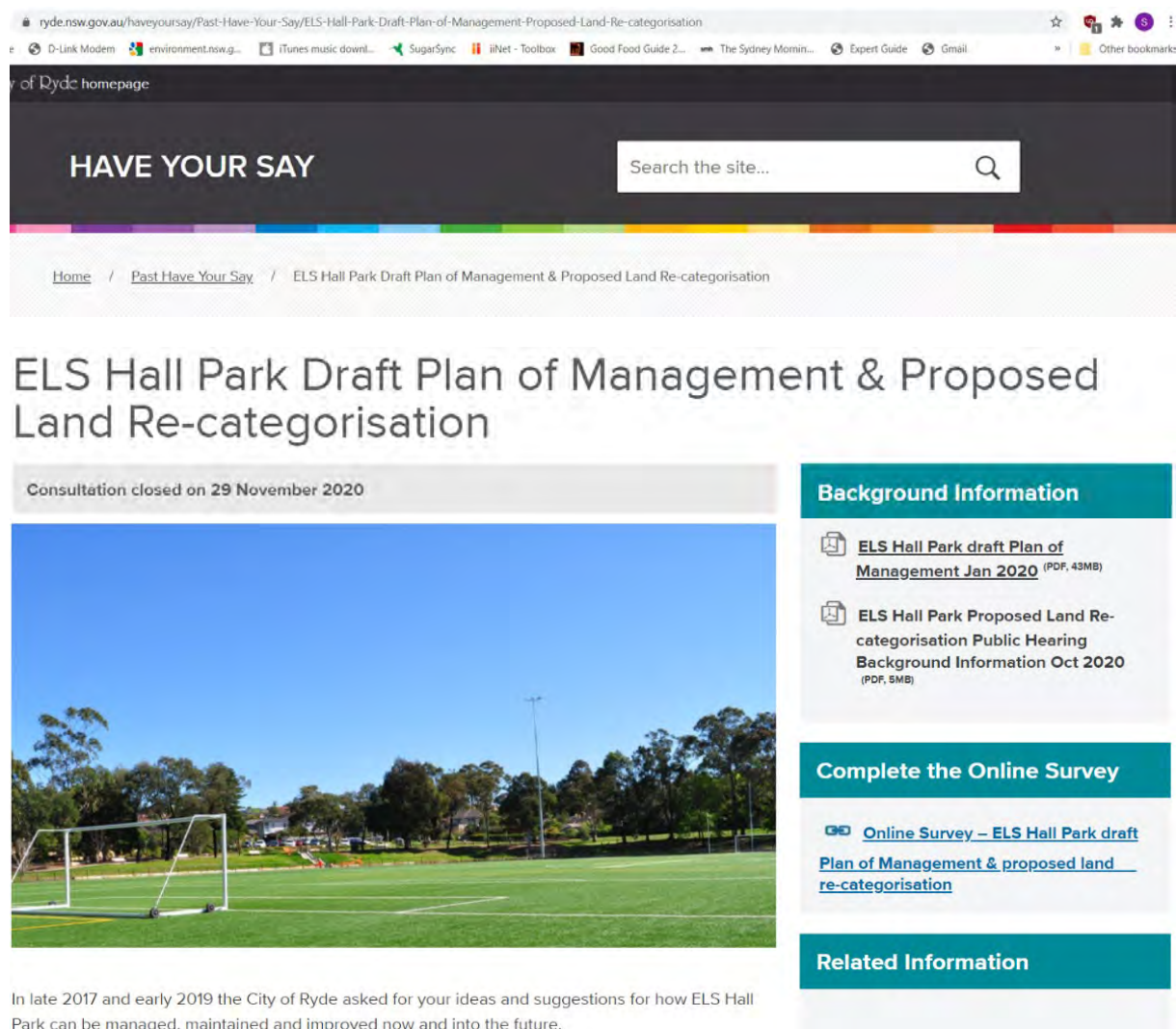
Section 38 of the *Local Government Act 1993* states that Councils must give “public notice” of a draft Plan of Management, and the length of time that it must be on public exhibition and for submissions to be made. The public notice contents are set out in Section 705 of the Act.

4.1.2 Online notification

Council notified the community of the online public hearing on its website www.ryde.nsw.gov.au/haveyoursay/ELSPoM from Monday 19 October to Sunday 29 November 2020. The project page on Council's website is shown in Figure 9.

A background information document explaining the proposed recategorisations and the public hearing, and an online submission form, were also provided on the project page.

Figure 9 Public hearing information on Council's website



Based on your feedback, Council prepared a Masterplan which was adopted in May 2019 and a draft Plan of Management which is now on public exhibition until **Sunday 29 November 2020**.

The purpose of the draft Plan of Management is to identify objectives and targets and propose strategies to protect and guide future maintenance and management of ELS Hall Park.

Council is also proposing to re-categorise four small portions of ELS Hall Park to reflect current and future park use in accordance with the adopted Masterplan.

For more information on the proposed re-categorisations and public hearing, please click on the 'ELS Hall Park Proposed Land Re-categorisation Public Hearing Background Information' link in the Background Information menu on the right.

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Have Your Say has now closed

Published on 30 November 2020

Have Your Say on the ELS Hall Park Draft Plan of Management & Proposed Land Re-categorisation has now closed.

Have Your Say is now open

Published on 19 October 2020

Have Your Say on the ELS Hall Park Draft Plan of Management & Proposed Land Re-categorisation is now open until Sunday 29 November 2020.

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Last updated on 30 November 2020

Local Government Act 1993

- [Section 36E – Core objectives for management of community land categorised as natural area](#)
- [Section 36F – Core objectives for management of community land categorised as sportsground](#)
- [Section 36G – Core objectives for management of community land categorised as park](#)
- [Section 36I – Core objectives for management of community land categorised as community use](#)
- [Section 36J – Core objectives for management of community land categorised as bushland](#)
- [Section 40A – Public hearing in relation to proposed plans of management](#)

[Council Resolution 24 March 2020 - Public Exhibition of the Draft ELS Hall Park Plan of Management](#)

[ELS Hall Park, Greenwood Park and Booth Reserve Masterplan Report](#)

4.1.3 Other notification methods

Council also placed notices in the Council column in *The Weekly Times* on Wednesdays 28 October and 4, 11, 18, and 25 November 2020 to notify the community about the public hearing.

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

- ☐ placing signs in the parks
- ☐ sending a targeted email to Council's newsletter list on 19 October 2020.



4.2 Public hearing arrangements

The public hearing was held as an audio-visual conference on Thursday 5 November 2020 from 4.30pm to 6.00pm.

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

- ☐ background information prior to joining the public hearing
- ☐ instructions on how to join to the public hearing online via MS Teams (Desktop computer, smartphone/ tablet) or by telephone dial-in.
- ☐ contact details for assistance if required with joining the public hearing (ph. 9952 8477).

Registrations for the public hearing closed at 12.00 noon Thursday 5 November 2020. 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. Five customers registered and provided comments or questions before the hearing, which are addressed in Section 5.

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.

Meredith Gray (Open Space Planner) and Vince Cusumano (Plan of Management Officer) represented City of Ryde, providing information and answering questions on behalf of Council during 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.

The independent chairperson and Council staff were based at City of Ryde offices at 3 Richardson Place at North Ryde for the public hearing. Social distancing protocols were followed at all times.

Five community members attended the public hearing online.

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 land, and the requirement for public hearings, based on the background information document provided online.

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

1. Do you agree or not with the proposal to recategorise parts of ELS Hall Park:
 - Area 1 from Natural Area-Bushland and Park to General Community Use
 - Area 2 from Park to Natural Area-Bushland
 - Area 3 from Sportsground to Park

- Area 4 from Park to Natural Area-Bushland

Why or why not?

2. Do you have any other comments about the proposed recategorisation of parts of ELS Hall Park?

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 6:00pm.

4.5 Submissions

Submissions about the proposed recategorisation of parts of ELS Hall Park could be made:

- ☐ via the online submission form on Council's Have Your Say page from Monday 19 October to Sunday 29 November 2020
- ☐ verbally at the public hearing by calling in by MS Teams video call or phone. Prior registration was required
- ☐ in writing to Council after the public hearing until Sunday 29 November 2020 by:
 - email: cityofryde@ryde.nsw.gov.au
 - post to: General Manager, City of Ryde, Locked Bag 2069, North Ryde NSW 1670.

11 online submissions and one written submission referring to the proposed recategorisation of parts of ELS Hall Park were received by Sunday 29 November 2020.

5 CONSIDERATION OF SUBMISSIONS

5.1 Verbal and written submissions

5.1.1 Introduction

Verbal and written submissions relating to the proposed recategorisation of parts of ELS Hall Park are set out below, according to:

- ☐ general comments about recategorisation
- ☐ comments about proposed recategorisation of Area 1
- ☐ comments about proposed recategorisation of Area 2
- ☐ comments about proposed recategorisation of Area 3
- ☐ comments about proposed recategorisation of Area 4.

5.1.2 General comments about recategorisation

Table 2 General comments about recategorisation

Submission	Council response
What is the purpose of the recategorisations?	ELS Hall Park was originally categorised in 2001. The recategorisations are proposed so they are consistent with the adopted Masterplan for ELS Hall Park, Greenwood Park and Booth Reserve; future use of the park; and extensions to the indoor facilities.
Welcome and support the proposed changes to land recategorisations, with particular note of the proposed changes to Area 1 in the proposal.	The proposed recategorisation will further enhance the amenity in ELS Hall Park for the benefit of the Ryde Community Sport Centre patrons and the broader community.
Have no objections to the recategorisation.	Noted

5.1.3 Comments about proposed recategorisation of Area 1

Submissions about the proposed recategorisation of Area 1 from Natural Area - Bushland to General Community Use are listed in Table 3 below.

75% of online submissions supported the proposed recategorisation of Area 1.

Table 3 Proposed recategorisation of Area 1 from Natural Area-Bushland to General Community Use

Level of support	Submission	Council response
Support for recategorisation of Area 1 9 online submissions	It is currently bushland but in poor condition with endemic weed presence.	Currently Area 1 is a mown strip with a number of semi-mature She-oaks. The proposed recategorisation of this area to General Community Use is offset by the expansion of the Natural Area - Bushland in Area 2 and Area 4. This will result in a net increase in Natural Area and improved quality of bushland in ELS Hall Park.
	The area is in need for upgraded facilities; Ryde Panther during the winter could use more space given their club participation numbers are close to 1000, plus team which come and play often see this are frequent by up to 3,000 over a Saturday.	The allocation of sporting fields is a separate process to the proposed recategorisations and Plan of Management. These processes will see an increase in the areas available for active recreation in this park.
	This is a valuable recreation facility for the community and would be best used for general community use.	The proposed recategorisation of this area to General Community Use will better reflect its proposed and intended future use.
	We need more parking spaces but I only support it because of the other proposals that provide more bushland.	The proposed recategorisation of this area to General Community Use is offset by the expansion of the riparian corridor along Shrimptons Creek in Area 2. This will result in a net increase in Natural Area in ELS Hall Park.
	Welcome and support the proposed changes to land recategorisations, with particular note of the proposed changes to Area 1 in the proposal.	The proposed recategorisation of Area 1 to General Community Use will better reflect its proposed and intended future use as identified in the Masterplan. It will permit the expansion of the car park and future potential expansion of the Ryde Community Sports Centre to better meet the growing community demand.
Unsure/no preference about recategorisation of Area 1 1 online submission	Depends how it will be re-categorised and what it will be used for.	Recategorisation will be as per the proposed map and Public Hearing information.
Do not support recategorisation of Area 1 2 online submissions	Leaves a continuous bushland area	Currently Area 1 is a mown strip with a number of semi mature She-oaks. The proposed recategorisation of this area to General Community Use is offset by the expansion of the riparian corridor along Shrimptons Creek in Area 2. This will result in a net increase in Natural Area in ELS Hall Park

Level of support	Submission	Council response
	I live at ■ Kent Road North Ryde which is very close to the ELS parks. Since the last upgrade of the ELS park has create mayhem with parking around Kent Road during sporting activity where visitors park on both sides of Kent road and closer to the driveway make it hard to get in/out of our house. Bigger problem comes when a Bus (public transport) is blocked by the oncoming vehicle as there is no room for the oncoming vehicle to move away to give way to the bus or vice versa. So in this situation everything comes to a halt/no-movement. I can envisage it's going to put further constrain on parking with this latest upgrade and strongly recommend/propose either to create more carparks inside ELS park or block off one side of Kent Road to avoid transport congestion closer to ELS vicinity!	The proposed recategorisation of Area 1 will see an increase in the number of available parking spaces within ELS Hall Park. The traffic issues along Kent Road are a separate matter and will be further investigated by Council with a view to reducing the current congestion.

5.1.3 Comments about proposed recategorisation of Area 2

Submissions about the proposed recategorisation of Area 2 from Park to Natural Area - Bushland are listed in Table 4 below.

Online submissions were divided in their support for the proposed recategorisation of Area 2.

Table 4 Proposed recategorisation of Area 2 from Park to Natural Area - Bushland

Level of support	Submission	Council response
Support for recategorisation of Area 2 4 online submissions	The current bushland nature of this part of the park (though with some weeds present) provides significant amenity to its use.	Currently Area 2 is a combination of Park and Natural Area - Bushland categorisation. The proposed recategorisation of this area to Natural Area - Bushland will enable management practices to be undertaken to better manage weeds and further enhance the amenity in ELS Hall Park.
	It helps to balance the re-categorisation of Area 1.	There will be a net increase in Natural Area in ELS Hall Park.
	Do believe we need this area to be recategorised	The proposed recategorisation of Area 2 simply reflects the current situation around Field 2 and an expansion of the Natural Area will offset the proposed expansion of the carpark around the indoor centre.
	We need more parking spaces but I only support it because of the other proposals that provide more bushland.	There will be an expansion of the riparian corridor along Shrimptons Creek in Area 2. This will result in a net increase in Natural Area in ELS Hall Park

Level of support	Submission	Council response
Unsure/no preference about recategorisation of Area 2 3 online submissions	Depends whether bushland will allow walking etc., access for all and allow full sized double paths to accommodate walkers and cyclists.	There are designated shared pathways that are shown on the adopted Masterplan, these will allow for both pedestrian and cycle access through the Natural Areas. There are a number of other informal paths which Council will be removing as they can fragment and degrade the bushland.
Do not support recategorisation of Area 2 5 online submissions	It is well used park I live at [REDACTED] Kent Road North Ryde which is very close to the ELS parks. Since the last upgrade of the ELS park has create mayhem with parking around Kent Road during sporting activity where visitors park on both sides of Kent road and closer to the driveway make it hard to get in/out of our house. Bigger problem comes when a Bus (public transport) is blocked by the oncoming vehicle as there is no room for the on-coming vehicle to move away to give way to the bus or vice versa. So in this situation every-thing comes to a halt/no move-ment. I can envisage it's going to put further constrain on parking with this latest upgrade and strongly recommend/propose either to create more carparks inside ELS park or block off one side of Kent Road to avoid trans-port congestion closer to ELS vicinity!	The proposed recategorisation of Area 2 from Park to Natural Area Bushland will not reduce this areas ability to be used and viewed by a wide range of park users The proposed recategorisation of Area 2 will have no effect on the current parking situation in and around ELS Hall Park

5.1.3 Comments about proposed recategorisation of Area 3

Submissions about the proposed recategorisation of Area 3 from Sportsground to Park are listed in Table 5 below.

Online submissions were divided in their support for the proposed recategorisation of Area 3.

Table 5 Proposed recategorisation of Area 3 from Sportsground to Park

Level of support	Submission	Council response
Support for recategorisation of Area 3 5 online submissions	More parkland is required here for all residents to enjoy. My understanding is that it provides greater flexibility for the use of that area.	The proposed recategorisation of the areas around the present playing fields reflect their current usage and will allow for their future use and management to be undertaken The proposed recategorisation of the areas around the present playing fields simply reflect their current usage and will allow for their future use and management to be undertaken.

Level of support	Submission	Council response
	Do believe we need this area to be recategorised	The proposed recategorisation of the areas around the present playing fields simply reflect their current usage and will allow for their future use and management to be undertaken.
Unsure/no preference about recategorisation of Area 3 2 online submissions	sorry , but depends on what sort of park. Just for chn.? Dogs? Wildflower park? etc.?	ELS Hall Park has a number of areas which specifically cater for both informal and formal recreation with large areas also designated for Natural Area - Bushland. The proposed categorisations define where these areas are and the management practices that will be used in each of these
Do not support recategorisation of Area 3 5 online submissions	There is already a lack of playing fields in the area	The proposed recategorisation of the Area 3 simply reflects the current use of these areas. There is no loss of sporting fields as a result of this change. The proposed recategorisation of the areas around the present playing fields simply reflect their current usage and will allow for their future use and management to be undertaken.
	I live at ■ Kent Road North Ryde which is very close to the ELS parks. Since the last upgrade of the ELS park has create mayhem with parking around Kent Road during sporting activity where visitors park on both sides of Kent road and closer to the driveway make it hard to get in/out of our house. Bigger problem comes when a Bus (public transport) is blocked by the oncoming vehicle as there is no room for the oncoming vehicle to move away to give way to the bus or vice versa. So in this situation everything comes to a halt/no-movement. I can envisage it's going to put further constrain on parking with this latest upgrade and strongly recommend/propose either to create more carpark inside ELS park or block off one side of Kent Road to avoid transport congestion closer to ELS vicinity!	The proposed recategorisation of Area 3 will have no effect on the current parking situation in and around ELS Hall Park

5.1.3 Comments about proposed recategorisation of Area 4

Submissions about the proposed recategorisation of Area 4 from Park to Natural Areas are listed in Table 5 below.

The majority of online submissions were in favour of the proposed recategorisation of Area 4.

Table 6 Proposed recategorisation of Area 4 from Park to Natural Area-Bushland

Level of support	Submission	Council response
Support for recategorisation of Area 4 7 online submissions	It's part of the bushland corridor and therefore supports the presence of birds and mammals.	Currently Area 4 is a combination of Park and Natural Area – Bushland categorisation. The proposed recategorisation of this area to Natural Area - Bushland will provide a net increase of Natural Area, further substantiate the wildlife corridor and help support the presence of birds and mammals.
	We need as many trees and natural areas as possible in Ryde.	The proposed expansion of the Natural Areas in Areas 2 & 4 will see a net increase in the number of trees within ELS Hall Park. Many other programs and plans in other parks and streets are focused on increasing in the number of trees in the City of Ryde
	Complements a larger reuse as a parkland - becomes more viable.	The proposed recategorisation of Area 4 to Natural Area Bushland reflects its current use and will enable the proposed wildlife corridors along Shrimptons Creek to be improved.
	It helps to balance the loss of Bushland in Area 1	There will be a net increase in Natural Area in ELS Hall Park
Unsure/ no preference about recategorisation of Area 4 2 online submissions	No comments	
Do not support recategorisation of Area 4 3 online submissions	Should remain as a park.	The proposed recategorisation of Area 4 to Natural Area Bushland reflects its current use and will enable the proposed wildlife corridors along Shrimptons Creek to be improved.
	We have lots of bushland around. We need park more.	Currently Area 4 consists of a dense area of mature trees, shrubs and bushland. The proposed recategorisation of this area to Natural Area - Bushland provides recognition of the existing vegetation and land use. The proposed recategorisations provides significant areas of Park and Sportsgrounds which can be used by the community. The Masterplan identifies a range of park improvements which permit a balanced use and a combination of active, sporting and passive uses by the community.
	I live at [REDACTED] Kent Road North Ryde which is very close to the ELS parks. Since the last upgrade of the ELS park has create mayhem with parking around Kent Road during sporting activity where visitors park	The proposed recategorisation of Area 4 will have no effect on the current parking situation in and around ELS Hall Park

Level of support	Submission	Council response
	<p>on both sides of Kent road and closer to the driveway make it hard to get in/out of our house. Bigger problem comes when a Bus (public transport) is blocked by the oncoming vehicle as there is no room for the oncoming vehicle to move away to give way to the bus or vice versa. So in this situation everything comes to a halt/no-movement. I can envisage it's going to put further constrain on parking with this latest upgrade and strongly recommend/propose either to create more car-parks inside ELS park or block off one side of Kent Road to avoid transport congestion closer to ELS vicinity!</p>	

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6 RECOMMENDATIONS

6.1 Consideration of submissions

The written and verbal submissions regarding the proposed recategorisation of parts of ELS Hall Park are carefully considered and assessed below.

6.1.1 General comments about recategorisation

Most general submissions either supported or did not object to the proposed recategorisations.

In some cases there was an apparent limited understanding of the proposed recategorisation process and implications, which was reflected in the comments which did not relate to the proposed recategorisations and which skewed the level of support for Areas 2 and 3.

6.1.2 Proposed recategorisation of Area 1

The proposed recategorisation of Area 1 from Natural Area-Bushland to General Community use is appropriate to support Council's proposal to extend the carpark south-west into poor quality, scattered bushland adjoining the creek.

Recommendation: Recategorise Area 1 in ELS Hall Park from Natural Area-Bushland and Park to General Community Use

6.1.3 Proposed recategorisation of Area 2

The proposed recategorisation of Area 2 from Park to Natural Area-Bushland is intended to expand the extent of natural vegetation in this area and to facilitate bushland management. The proposed recategorisation from Park to natural Area-Bushland will not preclude use of this area for informal recreation use as occurs at present. The extension of Natural Area-Bushland in Area 2 helps to offset the reduction in Natural Area-Bushland proposed for Area 1.

Recommendation: Recategorise Area 2 in ELS Hall Park from Park to Natural Area-Bushland

6.1.4 Proposed recategorisation of Area 3

The proposed recategorisation of Area 3 from Sportsground to Park reflects that the land outside the boundaries of the sporting fields is vegetated and landscaped with pathways which cater for informal recreation such as walking, jogging and informal games. The guidelines and core objectives of the Park category better reflect the intended future informal recreation uses of the areas adjoining the sporting fields. There will be no loss in area of formal sporting fields in ELS Hall Park, which are covered by the appropriate Sportsground category.

Recommendation: Recategorise Area 3 in ELS Hall Park from Sportsground to Park

6.1.5 Proposed recategorisation of Area 4

The proposed recategorisation of Area 4 from Park to Natural Area-Bushland reflects the dense tree and shrub cover in a natural bushland/wildlife corridor. Recategorisation of Area 4 from Park to Natural Area-Bushland will also assist in offsetting the proposed recategorisation of Area 1 from Natural Area-Bushland to General Community Use.

Recommendation: Recategorise Area 4 in ELS Hall Park from Park to Natural Area-Bushland

6.2 Recommendations

Based on the representations and written submissions to the public hearing on 5 November 2020 and written submissions made to Council by 29 November 2020, my recommendations to City of Ryde are that Council:

1. Note the verbal and written submissions made in Section 5.
2. Recategorise Area 1 in ELS Hall Park from Natural Area-Bushland and Park to General Community Use.
3. Recategorise Area 2 in ELS Hall Park from Park to Natural Area-Bushland.
4. Recategorise Area 3 in ELS Hall Park from Sportsground to Park.
5. Recategorise Area 4 in ELS Hall Park from Park to Natural Area-Bushland.
6. Recategorise parts of ELS Hall Park according to the proposed categorisation map which was publicly exhibited in the Draft ELS Hall Park Plan of Management, as shown in Figure 10 below.

Figure 10 Recommended recategorisation of community land in ELS Hall Park



6.3 Adoption of proposed recategorisation

Council must agree to the proposed recategorisation of parts of community land in ELS Hall Park as set out in the Draft Plan of Management for ELS Hall Park 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 Draft 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.

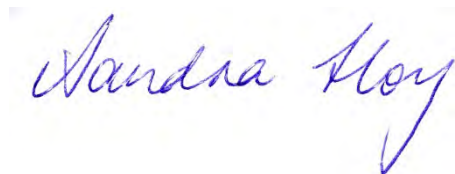
If Council intends to adopt the proposed recategorisation as was set out in the Draft Plan of Management, it must state the reasons why it did not make changes to categorisation in response to the objections received in its resolution to adopt the Plan of Management.

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

16 December 2020

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