January 2023

Public Hearing Report for the Draft Generic Community Land Plans of Management for:

Draft Generic Plan of Management for land categorised as Park

Draft Generic Plan of Management for land categorised as General Community Use

Draft Generic Plan of Management for land categorised as Natural Area - Bushland

Prepared by Kim Bray, Independent Chair appointed by Shellharbour City Council

Document information

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Report Name:	Public Hearing Report for the Draft Generic Community Land Plans of Management for: Draft Generic Plan of Management for land categorised as Park, Draft Generic Plan of Management for land categorised as General Community Use, Draft Generic Plan of Management for land categorised as Natural Area - Bushland
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1. Introduction

This Public Hearing Report pertains to the outcome of a Public Hearing for three (3) Draft Generic Community Land Plans of Management for Shellharbour City Council being:

- Draft Generic Plan of Management for land categorised as Park
- Draft Generic Plan of Management for land categorised as General Community Use
- Draft Generic Plan of Management for land categorised as Natural Area - Bushland

The Local Government Act 1993 requires a public hearing to be held for proposed plans which have the effect of categorising or altering the categorisation of community land.

The Public Hearing was Held on the 30th of November 2022 at Council Civic Centre.

2. Background

The Local Government Act 1993 (the Act) prescribes that all land in the ownership of Council must be classified as either 'community' or 'operational' land. Additionally, all land must be 'categorised' in accordance with its features and purpose and plans of management be prepared. Cl 35 of the Act indicates that the resultant Plans of Management governs how the land is to be used and managed. In the preparation of these documents, Council may decide whether to prepare a site specific plan of management applying to a specific reserve / area of land, or a 'generic' plan which applies to multiple land parcels which share a land categorisation under the Act.

Since 2018, Council staff have been undertaking a review of its community land holdings which has resulted in the preparation of three generic plans of management related to land categorisations of 'Park', 'General Community Use' and 'Natural Area – Bushland. These three Generic Plans of Management are the subject of this Public Hearing Report.

All land associated with these three draft plans has been classified as community land and there is no change to this categorisation proposed by the draft plans. This classification of community land reflects the importance of the land to the community due to its special features. Generally, community land is intended for public access and use. To protect community land, the Act places restrictions on the land to preserve the special qualities of the area

In this instance, Council staff have determined that the preparation of 'generic' plans of management for multiple reserves of the same LG Act land categorisation is the most efficient approach to ensuring all community land is managed by an up to date plan. (Councils Business Paper dated 26 April 2022 and 16 November 2021)

It is noted that these generic plans do not capture all parcels of community land in the LGA, and that Council has / or is preparing other plans of management pertaining to these lands. These lands and this process is not the subject of this Public Hearing Report.

3. Preparation of the three generic draft plans of management

Councils internal process for the preparation and review of the various land parcels which has resulted in these draft generic plans of management has been detailed in the associated Business papers and included:
"City Planning staff began an audit of Community Land Plans of Management in 2018. The audit involved reviewing historical reports to Council, reviewing existing plans of management, capturing land dedicated to Council which required a plan of management and reviewing Council's land register to identify reserves which did not have a plan of management. The outcome allowed a thorough understanding of reserves which required attention. Council manages a large number of Community Land parcels, many of which were identified through the auditing process as having outdated plans or being without a plan of management."

Internal Consultation
For the three draft Generic Plans of Management (PoM) internal staff consultation was undertaken and included liaison with the following staff/ Departments:

- Community Planning Officer
- Environment Officer
- Group Manager Services
- Parks Manager
- Property Coordinator
- Property Officer
- Recreation Planner
- Senior Asset Engineer
- Senior Environment Officer
- Senior GIS Officer
- Asset Officer
- Heritage Advisor
- Manager Asset Planning
- Manager Business and Investment
- Manager Community Life
- Planning Contractor

External Consultation

No External consultations were carried out.
(Source: Councils Business Papers: The Ordinary Meeting of the Council of the City of Shellharbour held 16 November 2021 and 26 April 2022)

As a result of the community land review process Council has prepared three draft generic plans of management for three land categories:

- Draft Generic Plan of Management for land categorised as Park
- Draft Generic Plan of Management for land categorised as General Community Use
- Draft Generic Plan of Management for land categorised as Natural Area - Bushland

The purpose of these Generic plans of management is to:

- Capture existing reserve features,
- Clarify how Council will manage the reserve, and
- Outline how the land can be used by the community.

Importantly, the generic plans do not propose changes to current uses, or general maintenance schedules on any of the sites.

The Generic Plan of Management for Park

For community Land categorised under the LG Act and Regulations as Park relevant clauses apply:

Cl 104 of the Regulations- Guidelines for categorisation of land as a park

> *Land should be categorised as a park under section 36(4) of the Act if the land 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.*

Cl 36G of the LG Act indicates the Core objectives for management of community land categorised as a park:

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

The Generic Plan of Management for Park land incorporates 72 reserves and includes:

- Land categorised as park that previously had individual site-specific plans of management
- Community land that did not have a plan of management; and
- Community land that has recently been dedicated to Council and requires a plan of management.

The resultant draft generic plan of management includes:

- a Site Description (with individual sites outlined in Schedule One of the plan)
- Information on the Management
- Development and Use of the site including ownership land category and classification
- Core objectives for management
- Land management objectives and issues
- Reference to relevant legislation, policies and procedures, and
- an Action Plan including objectives and performance targets, and manner of assessing performance.

The Generic Plan of Management for General Community Use

For community Land categorised under the LG Act and Regulations as General Community Use relevant clauses apply:

For land categorised as General Community Use, the *Local Government (General) Regulation* 2021 (the Regulation) specifies:

> "*Land should be categorised as general community use under section 36(4) of the Act if the land— 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, and*

is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under sections 102–105 of this Regulation for categorisation as a natural area, a sportsground, a park or an area of cultural significance."

Cl 36I of the Act outlines the Core objectives for management of community land categorised as general community use. These are:

"The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public—

(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and

(b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)."

The Generic Plan of Management for General Community Use incorporates a number of reserves/land parcels and includes:

- a Site Description (with individual sites outlined in Schedule One of the plan)
- Information on the Management
- Development and Use of the site including ownership land category and classification
- Core objectives for management
- Land management objectives and issues
- Reference to relevant legislation, policies and procedures, and
- an Action Plan including objectives and performance targets, and manner of assessing performance.

<u>The Generic Plan of Management for Natural Area - Bushland.</u>

For community Land categorised under the LG Act and Regulations as Natural Area – Bushland relevant clauses apply:

For land categorised as Natural Area, the Regulation specifies that

"Land should be categorised as a natural area under section 36(4) of the Act 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."

Further, the Regulation specifies:

"1. 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—

(a) is the natural vegetation or a remainder of the natural vegetation of the land, or

(b) 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.

2. Such land includes—

(a) bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native

shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or

(b) moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or

(c) highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated."

Cl 36E of the Act indicates the Core objectives for management of community land categorised as a natural area.

The core objectives for management of community land categorised as a natural area are—

"(a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and

(b) to maintain the land, or that feature or habitat, in its natural state and setting, and

(c) to provide for the restoration and regeneration of the land, and

(d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and

(e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994."

The Core objectives for the management of community land categorised as Bushland are detailed in cl 36J of the Act and are:

(a) to 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, and

(b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and

(c) to 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, and

(d) to restore degraded bushland, and

(e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and

(f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and

(g) to protect bushland as a natural stabiliser of the soil surface."

The resultant draft generic plan of management incorporates a number of reserves/land parcels and includes:

- a Site Description (with individual sites outlined in Schedule One of the plan)
- Information on the Management
- Development and Use of the site including ownership land category and classification

- Core objectives for management
- Land management objectives and issues
- Reference to relevant legislation, policies and procedures, and
- an Action Plan including objectives and performance targets, and manner of assessing performance.

4. Advertising and Exhibition Information

According to Section 38 of the LG Act, Public notice of draft plans of management needs to include the following:

> *"(1) A council must give public notice of a draft plan of management.*
> *(2) The period of public exhibition of the draft plan must be not less than 28 days.*
> *(3) The public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to the council.*
> *(4) The council must, in accordance with its notice, publicly exhibit the draft plan together with any other matter which it considers appropriate or necessary to better enable the draft plan and its implications to be understood*."

A review of documentation provided indicates that advertisement for the public exhibition of the three draft plans was undertaken utilising the following methodology:

<u>Draft Generic Plan of Management for Community Land categorised as Park</u>

Council Reports
The Draft Generic Plan of Management for Community Land categorised as Park was presented to Council on the 16th November 2021.
Councils Business Papers: The Ordinary Meeting of the Council of the City of Shellharbour held 16 November 2021
- 10.3.4 Endorsement of the Draft Generic Plan of Management for Community Land categorised as Park (11763253)

Council Minutes of the 16th November 2021 confirm that the Draft plan was endorsed for public exhibition for a period of 28 days in accordance with the Local Government Act 1993, calling for submissions being received for 42 days.
The draft plan was placed on public exhibition from 2 December 2021 to 13 January 2022.

Advertising
Advertising for this Draft Generic Plan of Management for Community Land categorised as Park included:

- Notices in Council's "Community Update" page in the Newspaper: 2 December 2021 – 13 Jan 2022
- Advertiser 2 December 2021 – 13 January 2022
- Website Lets Chat 2 December 2021 – 13 January 2022
- Facebook post 2 December 2021 Stas: Reach 2670 , 33 Link clicks

Draft Generic Plan of Management for Community Land categorised as Natural Area – Bushland and the Draft Generic Plan of Management for Community Land categorised as General Community Use

The Draft Generic Plan of Management for Community Land categorised as Natural Area – Bushland and the Draft Generic Plan of Management for Community Land categorised as General Community Use were both presented to Council on 26th April 2022 seeking endorsement for public Exhibition.
The Ordinary Meeting of the Council of the City of Shellharbour held 26 April 2022
- 10.3.1 Endorsement of the Draft Generic Plan of Management for Community Land categorised as Natural Area – Bushland (11856147)
- 10.3.2 Endorsement of the Draft Generic Plan of Management for Community Land categorised as General Community Use (11856161)

Council minutes of the 26th of April 2022 confirm that the draft plans was endorsed for public exhibition for a period of 28 days in accordance with the Local Government Act 1993, calling for submissions to be received for 42 days.
The draft plans were placed on public exhibition from 26 May 2022 – 7 July 2022

Advertising
Advertising for the Draft Generic Plan of Management for Community Land categorised as Natural Area – Bushland and Draft Generic Plan of Management for Community Land categorised as General Community Use included:

- Notices in Council's "Community Update" page in the Newspaper: 26 May 2022 – 7 July 2022
- Council website / On Exhibition 26 May 2022 – 7 July 2022
- Council Website / Lets Chat 26 May 2022 – 7 July 2022
- Facebook boost June 9, 2022

The draft plans were made available electronically via Councils Website.

Appendix A contains copies of the Public Exhibition advertisements.

5. Public Hearing

The Local Government Act 1993 requires a public hearing to be held for proposed plans which have the effect of categorising or altering the categorisation of community land.

Ms Kim Bray was engaged by Shellharbour City Council as an Independent Chairperson to preside over the public hearing and provide a report to Council on this hearing.

The criteria used to ascertain independence:
Under Cl 47G of the LG Act there are a number of criteria are used to ascertain independence and these include:

> *"(1) In this section, public hearing means any public hearing required to be arranged under this Part.*
> *(2) The person presiding at a public hearing must not be—*
> *(a) a councillor or employee of the council holding the public hearing, or*

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

In response to Cl 47G it is noted that the Independent Chairperson Ms Kim Bray is not an employee or an elected member of Shellharbour City Council, nor has she been an employee or an elected official at any time during the last 5 years. Kim Bray operates independently of the Council.

Notification of the Public Hearing was advertised and included:

- Public Notice of Public Hearing for Generic Plans of Management: Placed in the public notice section of the Newspaper on 27 October 2022 – 24 November 2022
- Notice in Councillor Portal 23 November 2022
- Sustainable Shellharbour newsletter Emailed to 1,800 subscribers 28 October 2022

Copies of the Public Hearing advertisements are included in Appendix B.

6. Outcomes from the Public Hearing

The Public Hearing was held on the 30th of November commencing at 5pm at the Council Civic Centre, 76 Cygnet Avenue, Shellharbour City Centre.

Council staff requested that attendees pre-register their intent to attend the meeting and send through any matters for discussion.

A total of four (4) people registered to attend the public hearing. The attendance Register is attached as Appendix C to this report.

Attendance from Council included: Geoff Hoynes – Group Manager City Planning and Melissa Muscat – Graduate Strategic Planner.

The public hearing followed an Agenda which is attached as Appendix D.

The following Community Members (referred to only by their initials for privacy) made verbal submissions at the public hearing: JV, LM, and RJ. A summary of key discussion points is included in Table 1 of this report. Table 1 details both the key outcomes from these submissions as well as a response from the Independent Chair.

Table 1 : Issues table with comment/ responses to issues raised

Contributor and Issue raised	**Public Hearing Independent Chair Comment**
LM:	
How can all of the land categories (whole of LGA context) be viewed by the public?	Access to online mapping of individual parcels is related to Plans of Management (PoM). Being able to perform the functionality requested is beyond the current capability of Council's online mapping. This request

	would entail fairly sophisticated and detailed 'free access' mapping to be provided by Council which I am not sure any councils are providing at this point. What mapping capabilities do the public have now? Can they access the land parcels associated with the draft generic PoMs individually? If the public can access the mapping for the PoM land parcels that is seen as sufficient at this point.
Request the frequency of updating the plans of management be clearly defined	Consideration could be given to including information regarding the need for periodic review of these plans. The review schedule and placement of this information is at the discretion of staff.
How do we assess the monetary value of the natural area – bushland parcels?	For the purposes of creating the Natural Area – Bushland Generic PoM there is no change proposed to the value of the included individual Bushland areas. Furthermore, the draft plans do not ascribe monetary values to land parcels. As a general question staff may refer this query to the appropriate Council team for comment.
Parcels have values which need to be spelled out. Specifically talking about Bushland i.e. ecological values. Want to tie these values to be able to request funding.	The Core Objectives for Natural Area - Bushland are outlined in section 2 of the draft Plan. These include by their nature the 'value' of the land as identified by the LG Act ie as ecosystem, habitat etc. Some sites have specific and more detailed information i.e. notification of Environmentally Sensitive Land as a layer under LEP 2013 and/or specific 'Bushfire and Ecological Plans of Management' or similar. These plans/ attributes are currently linked to individual sites this will not change within the updated Generic POM's . This information is included under Schedule One of the plan for relevant sites.
Raised issues of how often the Ecological Plans of management are updated. They need to include a timeframe for review.	Question does not pertain to the draft PoMs. As a general question staff may refer this query to the appropriate Council team for comment.
Want to ensure the at the most up to date info (i.e. as contained in the ecological plans of management is included in the generic PoM	Noted. Where parcels have applicable Ecological Plans of management reference to the most update to date plan would be required. Council could consider wording around this under the 'Attributes;' column in Schedule one (e ABC Bushfire and Ecological Plans of Management' as amended from time to time) or wording to this effect to ensure references to the most up to date plan within the PoMs.
RJ:	
Bushcare did not receive notification of the project or exhibition of draft plans.	Specific notification was not sent to Bushcare representatives.

	Whilst Council undertook an appropriate level of advertising for the draft plans it has been noted that specific notification could have been given to Bushcare representatives.
Elizabeth Brownlee Reserve – Endangered Ecological Community, does the Plan change the management of these communities	There is no change proposed to the management of Endangered Ecological communities proposed by the draft plan for Elizabeth Brownlee Reserve. During the meeting a response was given explaining the generic nature of the plan and reading the specific paragraph from the draft POM Para 7 of the executive Summary. Reiterating that there are no changes to the care/control and management of sites by this draft plan.
Would like acknowledgement of Bushcare activities/ involvement in Plan of Management ie Bushcare as one of the management tools that pertain to sites.	It is noted the significant time and effort that Bushcare gives to Council Sites. Council staff may consider if this is appropriate to reference in the PoM or if there is another management document or locale that may be more appropriate.
JV:	
Advertisement was only small in the newspaper	Council staff undertook community engagement in line with the relevant Act and regulations and internal protocols for this type of plan.
Requested another follow up meeting	It is not my opinion that a follow up meeting is required. The project is an administrative one rather than proposing changes to any included parcel of land. The issues raised by the community on the plans are able to be dealt with through some clarification/ editing of the plans. Perhaps information on the final report can be communicated to attendees.
Overall comments	
Advertisement of plans were difficult to find.	Noted. The consultation and communication of the project has been undertaken in line with Councils protocols for this type of project. The consultation report overviews the various consultation methods and the results.

The public hearing concluded at 5.45pm.

7. Matters Raised by the Community during the formal exhibition periods

Table 2 Issues raised via Councils Lets Chat page

Let's Chat Survey Question	Matters Raised by the Community	Response/Comment
Q. Support for the draft plans of management ?	Yes– 71.4%, Unsure 28.5% Specific Comments generally positive	Noted.
Q. Do you think the Draft Pan addresses the needs of the Council and the community?	Yes 14.2% Unsure 85.7%:	Noted.
	Questioning how a generic plan can cover specific and different land parcels? / Not all parks included in the draft plans.	Council could give consideration to including in the POMs reference to other Council plans/ strategies etc which are also used to govern maintenance/ upgrades of sites. Noting of course the need 'future proof' reference to plans/ strategies as amended etc)
	Wanting more detail in the plan.	Council could give consideration to including in the POMs reference to other Council plans/ strategies etc which are also used to govern maintenance/ upgrades of sites.
	Comment on a specific point in the action plan reading "implement strategies in to maintain the reserves ensure all associated services continue to be accessible and meet the needs of the community" Think this is too general.	Noted
	Would like a plain English Exec Summary	A plain English Executive Summary has been included in

		all post exhibition version of all three PoMs.
	Comment on the importance of environmental sustainability.	Noted.
Q. Can you identify any areas of opportunity or concern in the draft plan?	Specific comment included: Think that if the generic plans function well, they may be able to free council time to fix 'problems' as they arise.	Noted.
	Think it is not clear in the draft plans if there are any proposed changes from the current use.	There is reference on the Councils Lets Chat page as well as in the Exec Summary noting that these generic plans do not change, limit or impact use.
	Would like the plan to include consultation with specific residents as to the use / upgrade etc of the land parcels.	If any proposed works were to occur on any Community Lands for example play space renewal or upgrade, community consultation would occur at the appropriate time as a part of project management and delivery.
Q Do you have any additional comments?	Specific comment included: Would like the plan to include information on a way to let council know of issues for safety etc in parks. Some of which have been included in the drafts.	Noted. Council could give consideration to providing an update on some information that relates to who/how to get in contact with council to lodge a concern with Councils land parcels/ reserves. The form and placement of this information would be at Councils discretion.
	Why only these land parcels? What about all of the other parks not included in these plans – what is happening with them.	Information on this point was included in the Council reports. It is noted that these generic plans do not capture all parcels of community land in the LGA, and that Council has / or is preparing other plans of management pertaining to these lands. These lands and this process is not the subject of this Public Hearing Report.
	Plans should include upgrade schedules for toilets/ BBQ/ Accessibility etc.	These types of projects are captured in other plans/ strategies etc. Council could

		consider including in the POMs reference to other Council plans/ strategies etc which are also used to govern maintenance/ upgrades of sites.
	Some of the areas noted as a park are really just a path walkway.	Noted.
	No inclusion in the drafts on Rangers patrolling these areas which they think is beneficial.	Noted.

8. Public Hearing Report Conclusions

The public hearing and processes leading up to the public hearing for the Draft Generic Community Land Plans of Management for:

- Draft Generic Plan of Management for land categorised as Park
- Draft Generic Plan of Management for land categorised as General Community Use
- Draft Generic Plan of Management for land categorised as Natural Area - Bushland

have been undertaken pursuant to the requirements of the Local Government Act 1993.

- The process leading up to the public hearing have been reviewed. It can be concluded that Council staff have undertaken the necessary requirements to invite public comment on the proposed Generic Plans of Management by advertising the draft plans and seeking submissions from the community. The placement and dates of these advertisements has been detailed earlier in this report.
- Of relevance here is the fact that the "*preparation of the draft generic plan does not change, limit or impact current and future uses on any of the sites.*" This has been noted in all of Councils documentation regarding the draft generic plans including the draft Generic Plans, Advertisements, Councils Public Exhibition page as well as Councils online engagement portal Lets Chat.
- In line with the requirements of the Act, adequate public notice of the proposed Public Hearing was undertaken by staff. An overview of these measures has been included earlier in this report.
- The Public Hearing for this matter was held on the 30 November at 5 pm. Four community members attended the public hearing and made verbal comments/submissions.
- No written submissions were received at the Public Hearing.
- It can be concluded that Council staff gave adequate notice of both the exhibition of the draft generic plans of management as well as the associated Public Hearing. Thereby giving opportunity for community members to raise issues/ make submissions and seek clarification.
- A number of comments/issues were raised during the Public Hearing pertaining to the draft generic plans. These, and the conveyors comments have been overviewed in Table 1.

- Similarly, issues raised through the exhibition period have also been overviewed within this report. These have been included in Table 2.
- It should be noted that some of the comments/ issues raised did not relate to the draft generic plans specifically. These have been also included in Tables 1 and 2 and Council staff can note these.
- Having regard to the issues raised, and responses given there are no matters arising from the Public Hearing that prevent council from continuing the process of formalising the Draft Generic Plan of Management for land categorised as Park; the Draft Generic Plan of Management for land categorised as General Community Use; and the Draft Generic Plan of Management for land categorised as Natural Area – Bushland in line with the endorsed recommendations of Council.
- The Act prescribes that within four (4) days of receiving the final version of the report, that Council makes available the report to the public via the Website, and any other channels in line with Councils protocols.
- Consideration could be given for Council to contact the attendees thanking them for their time and interest and provide them access to the Final Report.

Report Authorisation

Signed



Kim Bray
Independent Chair appointed by Shellharbour City Council - September 2022
Report Date: 16.01.2023

Appendix A - A selection of the Public Exhibition advertisements

PUBLIC NOTICE

PUBLIC EXHIBITION OF DRAFT COMMUNITY LAND PLAN OF MANAGEMENT FOR LAND CATEGORISED AS PARK

At its meeting of 16 November 2021, Council resolved to place the Draft Generic Community Land Plan of Management for land categorised as Park (the draft plan) on exhibition.

The draft plan will be advertised and submissions received, for a period of 42 days from 2 December 2021 until 4.00pm on 13 January 2021. The draft plan will be publicly exhibited on Council's website www.shellharbour.nsw.gov.au and on Let's Chat https://letschatshellharbour.com/.

Council is required to hold public hearings for this plan; the public hearing will be notified separately and independently facilitated after the public exhibition period to discuss written submissions in a public forum. Any person can attend the public hearing to speak to a submission or observe.

Any submissions made, may be made publicly available under the *Government Information (Public Access) Act 2009* (GIPA Act).

Enquiries can be directed to City Planning on telephone (02) 4221 6246. Submissions must be received in writing and addressed to:
The Chief Executive Officer
Shellharbour City Council
Locked Bag 155
SHELLHARBOUR CITY CENTRE NSW 2529
or by email to: council@shellharbour.nsw.gov.au

Copy of the Public notice for the Draft Generic Plan of Management for land categorised as Park
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30 June 2022

Shellharbour CITY COUNCIL

community update

on exhibition

DEVELOPMENT PROPOSALS

Council has received an application for the proposed development shown below. The application and accompanying documents are available at https://www.shellharbour.nsw.gov.au/plan-and-build under the Applications on Exhibition tab. Assistance with interpretation of the plans is available by calling our Senior Customer Service Applications Team on 4221 6111.

Please note that due to COVID-19, Council will continue to notify the Community of development proposals in accordance with the Community Participation Plan, however, we will no longer be able to provide hard copies at our Civic Centre. The NSW Government has mandated that this form of notification will now occur online via Council's website as described above.

These measures will be kept in place until further notice.

If you consider that you may be affected by the proposal, you can make a written submission. If you object to the proposed development, you'll need to explain the grounds of the objection in your submission.

For your information under the *Government Information (Public Access) Act 2009* we are required to publicly release any correspondence or information we have on this matter. If you choose to make a submission, it may be viewed as part of the information contained with the DA, which means your personal information may not be confidential. It will not however be displayed on Council's website.

Any written submission must indicate whether or not a 'reportable political donation' or 'gift' has been made in the past two years to a Councillor or Council employee. If yes, the submission must be accompanied by a Political Donations and Gifts Disclosure Statement. Political Donations and Gifts Disclosure Statement forms will be kept in a public register held at Council's Administration Building and will also be available on our website.

The relevant form and explanatory information can be obtained from Council's website.

Written submissions must be received by Council no later than 4.30pm of the day the exhibition period concludes. Correspondence can be made by emailing, faxing or by mail. Details are provided at

Calderwood

DA No. 163/2022
Two Storey Dwelling And Inground Swimming Pool at Lot 2315, DP 1214798, 61 Butterfactory Drive, Calderwood

Lake Illawarra

DA No. 743/2021
Demolition Of Existing Structures And Construction Of Three Townhouses And Torrens Title Subdivision (Multi Dwelling Housing) at Lot 54, DP 14042, 83 Pur Pur Avenue, Lake Illawarra

Oak Flats

DA No. 558/2020 (Part 2) (Ref No. DAM0033/2022)
Amendment To Demolition Of Carport And Construction Of Attached Garage - Modification To Change Garage Configuration And Roof at Lot 1, DP 119075, 111 The Esplanade, Oak Flats

DA No. 721/2021
Demolition Of Existing Dwelling And Construction Of Three Townhouses (Multi Dwelling Housing) at Lot 218, Sec C, DP 13638, 71 Kingston Street, Oak Flats

Shell Cove

DA No. 469/2021 (Part 2) (Ref No. DAM0029/2022)
Amendment To Above Ground Pool And Deck - Modification To Pool Location (Moving North By 700mm) With Deck Location Unchanged at Lot 5239, DP 1050004, 4 Hayman Crescent, Shell Cove

DA No. 606/2021
Construction Of Two Residential Flat Buildings With Basements (Precinct C2 Apartments) at Lot 3000, DP 1258171 & Lots 3008 & 3009, DP 1258172 (Formerly Lot 9009, DP 1254656), The Promontory Drive, Shell Cove

DA No. 78/2022
Alterations To Existing Dwelling And Construction Of Deck, Fences, Retaining Walls, Pool House And Swimming Pool at Lot 6109, DP 1121382, 8 Huntingdale Close, Shell Cove

DA No. 186/2022
Use Of Shellharbour South Beach For Tandem Skydiving (Outdoor Recreation Facility) at Lot 9001, DP 1254856, Boollwarroo Parade, Shell Cove

DA No. 205/2022 (Part 2) (Ref No. DAM0063/2022)
Amendment To Two Storey Dwelling - Modification To Garage And Balcony, Removal Of Condition 27 - Completion Of Landscape Works at Lot 7110, DP 1262015, 22 Catamaran Avenue, Shell Cove

DA No. 207/2022
Inground Concrete Swimming Pool at Lot 1113, DP

on exhibition

The following items are currently on Public Exhibition and submissions are welcome.

PUBLIC EXHIBITION OF DRAFT GENERIC COMMUNITY LAND PLANS OF MANAGAMENT

At its meeting of 26 April 2022, Council endorsed two Draft Generic Community Land Plans of Management (plans), for lands categorised 'General Community Use' and 'Natural Area – Bushland', to be publicly exhibited for a period of 42 days.

The purpose of these plans are to provide Council and the Community with a framework for making decisions regarding multiple parcels of community land with similar characteristics.

The preparation of the draft generic plans do not change, limit or impact current uses on any of the sites. Nor do the generic plans determine the maintenance and mowing schedules for lands. This is determined operationally by staff.

After the exhibition period has ended, a public hearing will be held where anyone can attend. The plans, once adopted will be available for the community to read and use.

On Exhibition

The documents will be on exhibition via Lets Chat https://letschatshellharbour.com/community-land from 26 May 2022.

Public Submissions

Submissions are invited and will be received until 4.00pm 7 July 2022.

Submissions must be received in writing and addressed to The Chief Executive Officer, Dharawal Country, Locked Bag 155 Shellharbour City Centre, 2529 or sent by email to council@shellharbour.nsw.gov.au

Please read the privacy statement on this page before making a submission.

public notices

ROAD NAMING PROPOSAL

Under Section 162 of the *Roads Act, 1993* and Clause 7 of the *Roads Regulation, 2018*, the following road names for the suburb of Calderwood are proposed:

Dolly Circuit
Shamrock Rise
Amy Place
Silky Grove

You may view the proposal on Council's Website. Your written comments on this proposal may be sent to us by 21 July 2022.

Please Note: Under the *Government Information (Public Access) Act 2009*, we may be required to release any correspondence or information we have in relation to this matter, which means your comments may not be confidential.

DONATIONS AND FINANCIAL ASSISTANCE2022/2023 FINANCIAL YEAR

Each year Shellharbour City Council provides funding within its Financial Assistance - Donations Policy to assist local sporting, cultural, educational, health, welfare and other groups who have a demonstrated community need. This funding is also available to meet requests for 'in lieu' or 'in kind' contributions.

Applications are now being called from non-profit organisations for donations for the first round of allocations for the 2022-2023 financial year.

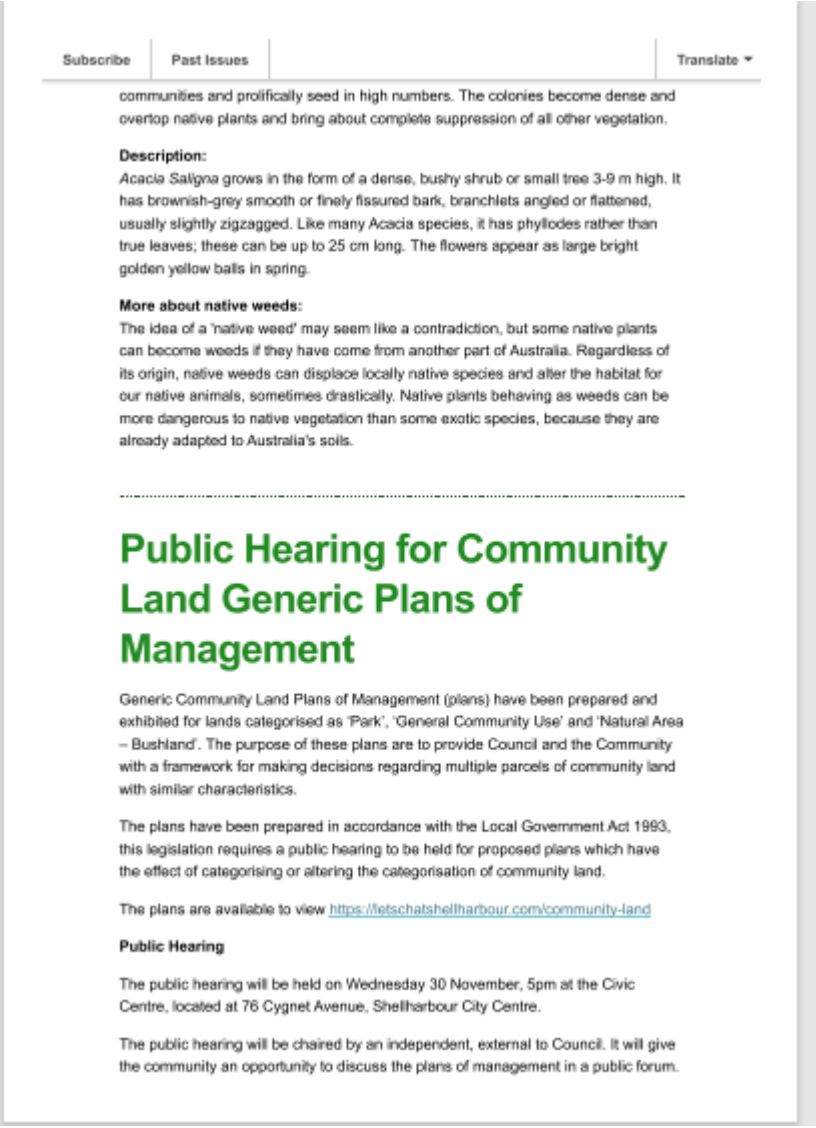
Organisations or individuals wishing to be considered for a donation must submit an application form by 4.30 pm on Friday 8 July 2022.

Applications must comply with Council's Financial Assistance - Donations Policy. Information on the Policy along with application forms may be obtained by contacting Council Services on (02) 4221 6111. Alternatively you may download an application form from Council's website at www.shellharbour.nsw.gov.au by searching A-Z of Services, Financial Services, Donations.

Extract from Councils Community Update Page from the 30 June 2022.

Public Notice for the Public Exhibition of Draft Generic Plan of Management for land categorised as General Community Use and Draft Generic Plan of Management for land categorised as Natural Area – Bushland.

Appendix B - Notice of the Public Hearing: a selection of advertisements



Subscribe | Past Issues | Translate

communities and prolifically seed in high numbers. The colonies become dense and overtop native plants and bring about complete suppression of all other vegetation.

Description:
Acacia Saligna grows in the form of a dense, bushy shrub or small tree 3-9 m high. It has brownish-grey smooth or finely fissured bark, branchlets angled or flattened, usually slightly zigzagged. Like many Acacia species, it has phyllodes rather than true leaves; these can be up to 25 cm long. The flowers appear as large bright golden yellow balls in spring.

More about native weeds:
The idea of a 'native weed' may seem like a contradiction, but some native plants can become weeds if they have come from another part of Australia. Regardless of its origin, native weeds can displace locally native species and alter the habitat for our native animals, sometimes drastically. Native plants behaving as weeds can be more dangerous to native vegetation than some exotic species, because they are already adapted to Australia's soils.

Public Hearing for Community Land Generic Plans of Management

Generic Community Land Plans of Management (plans) have been prepared and exhibited for lands categorised as 'Park', 'General Community Use' and 'Natural Area – Bushland'. The purpose of these plans are to provide Council and the Community with a framework for making decisions regarding multiple parcels of community land with similar characteristics.

The plans have been prepared in accordance with the Local Government Act 1993, this legislation requires a public hearing to be held for proposed plans which have the effect of categorising or altering the categorisation of community land.

The plans are available to view https://letschatshellharbour.com/community-land

Public Hearing

The public hearing will be held on Wednesday 30 November, 5pm at the Civic Centre, located at 76 Cygnet Avenue, Shellharbour City Centre.

The public hearing will be chaired by an independent, external to Council. It will give the community an opportunity to discuss the plans of management in a public forum.

Extract from Sustainable Shellharbour Newsletter advertising for the Public Hearing

News

17 October 2022 / LET'S CHAT ABOUT COMMUNITY LAND GENERIC PLANS OF MANAGEMENT

Come to the public hearing

This is your opportunity to come in and chat about the Generic Community Lands Plans of Management for Parks, General Community Use and Natural Areas- Bushland and General Community Use.

Learn more ›

24 June 2022 / LET'S CHAT ABOUT COMMUNITY LAND GENERIC PLANS OF MANAGEMENT

Thanks for taking part!

The public exhibition period for the Draft Generic Plans of Management for Land Categorised as General Community Use and for Land Categorised as Natural Area Bushland has now ended.

Learn more ›

16 May 2022 / LET'S CHAT ABOUT COMMUNITY LAND GENERIC PLANS OF MANAGEMENT

Share Your Feedback Now!

The Draft Generic Plan of Management for Community land categorised as Natural Area- Bushland and Community Land categorised as General Community Use are now available to view and leave your feedback!

Learn more ›

The Plans of Management (PoM) you can read about on this page are all about how Council generally manages community land. We prepare Plans of management to uphold our requirements under NSW Local Government Act 1993 (the Act). The plans, once adopted, will be available for the community to read and use.

It is important for you to know that the PoM is intentionally high level, it is a legislative requirement for Councils to prepare these documents and we want you to be able to read and see them before they are adopted. These PoM's assist Council to manage large amounts of community land with similar characteristics.

We received feedback on two of the latest draft generic plans, for land categorised as 'general community use' and land categorised as 'natural area - bushland' in June 2022. Which were endorsed by Council for public exhibition on April 26. You can find out more about these Draft PoM's by clicking on them below.

These draft PoMs do not include development proposals, changes to current uses, or changes to general maintenance schedules of the reserve. Mowing, maintenance or upgrades schedules are determined by operational staff.

These draft PoMs outline how the reserve and its features will generally be managed and maintained.

Contact Us

Have questions or want to learn more about a project, contact us below:

Name Chief Executive Officer
Phone 4221 6111
Email council@shellharbour.nsw.gov.au
Website www.shellharbour.nsw.gov.au/

Links

Public Exhibition
Council Meeting Business Papers

Closed

Come to the public hearing

A public hearing will be held on Wednesday 30 November, the form to tell us you are coming has now closed.

The public hearing starts at 5pm at the Civic Centre, located at 76 Cygnet Avenue, Shellharbour City Centre. It will be chaired by an independent who is external to Council.

This is the community's opportunity to discuss the plans of management in a public forum. Any person can attend the hearing to speak or observe

Name

Email

I will be attending the public hearing.

Submit

FAQ's

Want to know about what Plan of Management is and why we're making a generic one for community land categorised as parks? Click the questions below

- What is a plan of management?
- Why do we prepare plans of management?
- Will a Generic Plan of Management limit or impact usage or operational maintenance that are currently happening at the park sites?



Community Land Categorised Natural Area Bushland

Find out more ›



Community Land Categorised General Community Use

Find out more ›

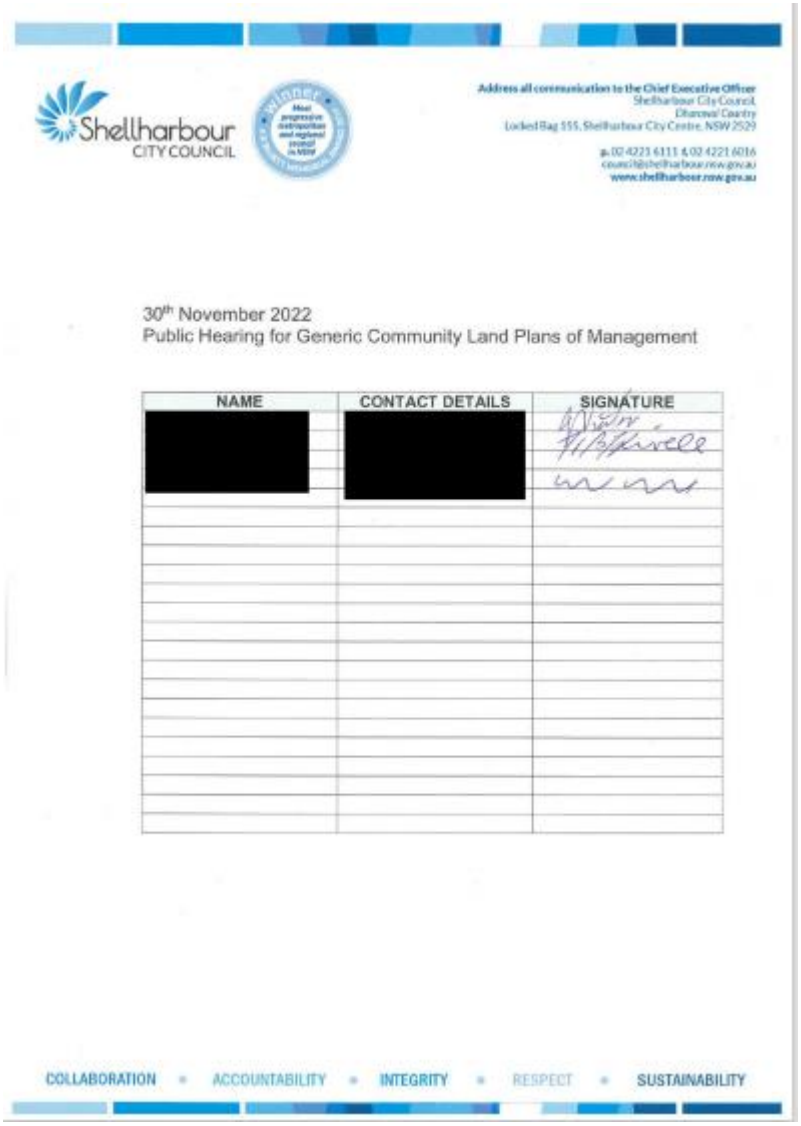


Community Land Categorised as Park

Find out more ›

Extract from Councils online engagement portal - Lets Chat
https://letschatshellharbour.com/community-land

Appendix C - Attendance Register for the Public Hearing



Shellharbour CITY COUNCIL

Address all communication to the Chief Executive Officer
Shellharbour City Council
Dharawal Country
Locked Bag 155, Shellharbour City Centre, NSW 2529

p. 02 4221 6111 f. 02 4221 6016
council@shellharbour.nsw.gov.au
www.shellharbour.nsw.gov.au

30th November 2022
Public Hearing for Generic Community Land Plans of Management

NAME	CONTACT DETAILS	SIGNATURE
[redacted]	[redacted]	

COLLABORATION • ACCOUNTABILITY • INTEGRITY • RESPECT • SUSTAINABILITY

Appendix D - Public Hearing Agenda





Extract from the PowerPoint Presentation given at the Public Hearing