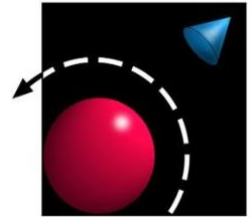


Independent Chairperson for Public Hearing Report



Proposed Plans of Management for Keith
Bond and Geoff Shaw Ovals, Oak Flats and
for Keith Fletcher Park, Warilla - April
2021

Document Registration

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Document Issued	<i>9 April, 2021</i>
Document Status	<i>DRAFT</i>
Project Title	SCC/2
Document Title	<i>Independent Chairperson for Public Hearing Report Proposed Plans of Management for Keith Bond and Geoff Shaw Ovals, Oak Flats and for Keith Fletcher Park, Warilla – April 2021</i>
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Muston & Associates undertakes to facilitate the client's efforts towards resolution of the subject issue. Muston & Associates takes no responsibility for successful implementation of any advice offered.

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INTRODUCTION

Shellharbour City Council has, as required in Section 36 of the Local Government Act, prepared a draft Plan of Management for Community Land at Keith Bond Oval and Geoff Shaw Oval (Lot 1 DP 555499) Fisher Street Oak Flats and for Keith Fletcher Park 8 Woolworths Ave Lake Illawarra (Lot 15 DP717959). Both sites are Community Land and there is no proposed change to this classification.

In addition to classifying land, Council must assign community land a prescribed land category, in accordance with the Local Government Act. Categories each have assigned core objectives. When determining a land category consideration of the core objectives must be given in relation to the facilitation, use and management of the land. Categorisation must closely relate to the purpose for which the land is classified, dedicated or reserved. These Draft Plans of Managements for both sites have been prepared to reflect changes in the land categories which will better reflect the current use.

Keith Bond and Geoff Shaw Ovals

The reserve consists of Keith Bond and Geoff Shaw Ovals, the immediate surrounding natural area and associated sportsground infrastructure. The total area of the reserve is 8.91 hectares, covering Lot 1 DP 555499 and Lot 1002 DP 1076411. Keith Bond and Geoff Shaw Ovals are classified as Community Land and have an existing Plan of Management adopted in 2010. The Plan of Management has been updated to include the entirety of the reserve area and reflect the current use of the land, classifying the land as Sportsground, Natural Area - Bushland and Natural Area - Watercourse.

Keith Fletcher Park

Keith Fletcher Park is a public reserve at Warilla. The park is bounded by Grove Circuit, Woolworths Avenue and Commerce Drive and has an area of 2.70Ha. In 2014 Council resolved that Keith Fletcher Park was the preferred site for the construction of Warilla Library. As an outcome, Lots 15 and 16 in DP717959 were consolidated to create Lot 156 DP 1248849. Council's vision for Keith Fletcher Park recognises the long-term use of the majority of the site as a Park, and the remaining area where the local library is now situated as General Community Use. Accordingly, part of the site will be managed and maintained as a park and other parts as a library.

The Local Government Act, requires public hearings conducted by an Independent Chairperson to be held if the proposed Plan of Management would have the effect of categorising, or altering the categorisation of community land under *Section 36* of the Local Government Act.

Mr Michael Muston was engaged by Shellharbour City Council as Independent Chairperson to conduct the Public Hearing.

PROCESS LEADING UP TO THE PUBLIC HEARING

In the preparation of the Council report of 24 November 2020 when the Council endorse the Draft Plans of Management for Keith Fletcher Park and for Keith Bond and Geoff Shaw Ovals, consultation was held internally with relevant Council departments:

- Senior Asset Engineer
- Environment Officer

- Team Leader Spatial Technology
- Recreation Planner
- Asset Officers
- Community Planning Officer
- Property Coordinator

Consultation was held Externally with Lands Advisory Service.

Based on a review of Council records provided to the Independent Chairperson, Council staff sought public comment on the Plans of Management subject to this report in the following ways:

- Draft Plans of Management for Keith Bond and Geoff Shaw Ovals, and for Keith Fletcher Park were both placed on public exhibition from 10/12/2020-21/01/2021 (42 days) and submissions were received up until 4pm on 21/01/2021.
- The plans were not made available for viewing in paper form at Council or Civic buildings, as per Council's COVID-19 health arrangements.
- The plans were available at the following online locations for the dates specified above (with no time/access restrictions):
 - Shellharbour City Council Lets Chat (Online engagement portal)
 - Shellharbour City Council Public Exhibition Page (website)
 - The web statistics for the documents exhibited on the Shellharbour City Council web page for the period of exhibition show 74 Views, 46 visits and 42 visitors. These web visits are spread between both Plans of Management on exhibition
- All of the above included:
 - Locality Map
 - Zoning map
 - Proposed new Land Categories with the core objectives for these categories

A letter outlining the Draft Plan of Management for Keith Bond and Geoff Shaw Ovals was sent to key stakeholders and park users. The letters advised of the proposed Plan of Management including the proposal to change the categories that apply to the land and of the details for viewing the relevant documents, how to make submissions and of the Public Hearing. The stakeholder list included:

- Oak Flats Falcons Football Club Inc. (4 representatives)
- Oak Flats Amateur Soccer Club (1 representative)
- Oak Flats Cricket Club (4 representatives)
- Football Association (1 representative)
- Cricket Association (2 representatives)
- Local Schools

- Corpus Christi
- Oak Flats High School
- Oak Flats Primary School and Preschool

Staff consultation for the Draft Plan of Management for Keith Fletcher Park did not identify any key stakeholders or key user groups, as such, no letters were sent.

Consultation with government agencies

No government agencies were identified as requiring consultation for the Draft Plans of Management for Keith Bond and Geoff Shaw Ovals, and Keith Fletcher Park.

Submissions received.

No submissions were received for the Draft Plans of Management for Keith Bond and Geoff Shaw Ovals, and Keith Fletcher Park, during or after the public exhibition period via post, email, phone or online platforms (Let's Chat engagement portal).

PUBLIC HEARING

Mr Michael Muston was engaged by Shellharbour City Council as Independent Chairperson to conduct the Public Hearing and to make a report to Council regarding the processes followed leading up to and the comments provided during the public hearing.

The Independent Chairperson Mr Michael Muston is not nor has ever been a Shellharbour City Council officer nor has he been an elected member of Shellharbour City Council and operates independently of the Council.

Newspaper notification of the Public Hearing was advertised in the Illawarra Mercury from 11 March 2021 - 31 March 2021 inclusive

The public hearing was advertised as detailed above and the advertisement requested community attendees to register prior to the Public Hearing (to assist with Covid-19 health compliance). No community members had registered their intention to attend. The public hearing was held on April 1 2021 at 5pm in the Warilla Library, 8 Woolworths Avenue, Warilla. It was attended by the Independent Chairperson Mr Michael Muston and Council Officers Ms Melissa Muscat –Cadet Strategic Planner, Mr Geoff Hoynes – Group Manager City Planning, Ms Bernadette Sharpe – Recreation Planner and Councillor Robert Petreski.

There were no members of the public who attended the meeting. The Independent Chair and Council staff and Councillor Petreski remained until 5.45 in case of late attendees.

Council staff took the opportunity to provide a more detailed brief on the proposal to Councillor Petreski during this time.

The proposed agenda for the Public Hearing (which was not held due to non-attendance of community representatives) was as follows:

Public Hearing

Proposed Plans of Management for Keith Bond and Geoff Shaw Ovals, Oak Flats and for Keith Fletcher Park, Warilla

Thursday 1 April 2021 Commencing at 5pm Warilla Library.

AGENDA

Welcome

Attendees

Please complete attendance sheet

Apologies

Introductions

Opening Remarks from the Chair

Statement of Independence

Meeting Scope

Procedures

Proposal General Overview – Melissa Muscat

Next steps

Questions

PUBLIC COMMENT

There were no submissions received during the exhibition period and no late submissions were received to the date of this report.

GENERAL CONCLUSIONS

From a review of processes leading up to the Public Hearing, it can be concluded that Council staff have undertaken the necessary steps to advise of the proposed Plans of Management for Community Land at Keith Bond and Geoff Shaw Ovals, Fisher Street, Oak Flats and Keith Fletcher Park, Woolworths Avenue, Lake Illawarra and to adequately engage the community in the planning process having:

- Sought public submissions through advertising. The plans were available at the following online locations for the dates specified above (with no time/access restrictions):
 - Shellharbour City Council Lets Chat (Online engagement portal)
 - Shellharbour City Council Public Exhibition Page (website)
- The web statistics for the documents exhibited on the Shellharbour City Council web page for the period of exhibition show that the documents were accessed by 74 members of the community.
- Sent a letter to key stakeholders and park users outlining the proposed changes
- Council staff have taken adequate steps for the purposes of giving public notice in accordance with the Local Government Act 1993.
- Council staff took all appropriate steps to advertise the Public Hearing.
- While no community members attended the Public Hearing or made submissions there is no obvious reason to believe that there was not adequate opportunity to do so nor any barriers to their attendance.

There is no reason to believe that the community have not been adequately consulted and given all reasonable opportunities to raise any significant objections or issues of concern in relation to the proposed Plans of Management for Community Land at Keith Bond and Geoff Shaw Ovals, Fisher Street, Oak Flats and Keith Fletcher Park, Woolworths Avenue, Lake Illawarra.



Michael Muston

Independent Chairperson

9 April 2021