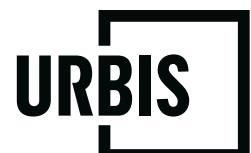




WESTLEIGH PARK - DRAFT PLAN OF MANAGEMENT

Public hearing report

Prepared for
HORNSBY SHIRE COUNCIL
15 May 2023



URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

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Report Number	Final

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We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

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1. INTRODUCTION

1.1. OBJECTIVES OF THIS REPORT

This public hearing outcomes report has been prepared by Urbis Pty Ltd (Urbis) for Hornsby Shire Council (Council) to support its draft Plan of Management (PoM) for Westleigh Park. Urbis was engaged by Council to facilitate a public hearing, along with preparing an outcomes report of the hearing as required by the Local Government Act (Section 47G).

The objective of this report is to:

- provide a summary of the public hearing as facilitated by an independent person, and
- make recommendations based on the summary for Council to consider as part of the process of adopting the draft Plan of Management.

1.2. PLAN OF MANAGEMENT

As Westleigh Park is identified as community land, Council needs to compile and adopt a Plan of Management (PoM) under the *Local Government Act 1993* (the Act) to guide Westleigh Park's future use, development and maintenance under Council management. The PoM will categorise the community land based on its characteristics and outline how Council proposes to manage the land.

The Act requires the PoM to include:

- the category of the land
- the objectives and performance targets of the plan with respect to the land
- the means by which the council proposes to achieve the plan's objectives and performance targets
- the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and
- may require the prior approval of the council to the carrying out of any specified activity on the land.

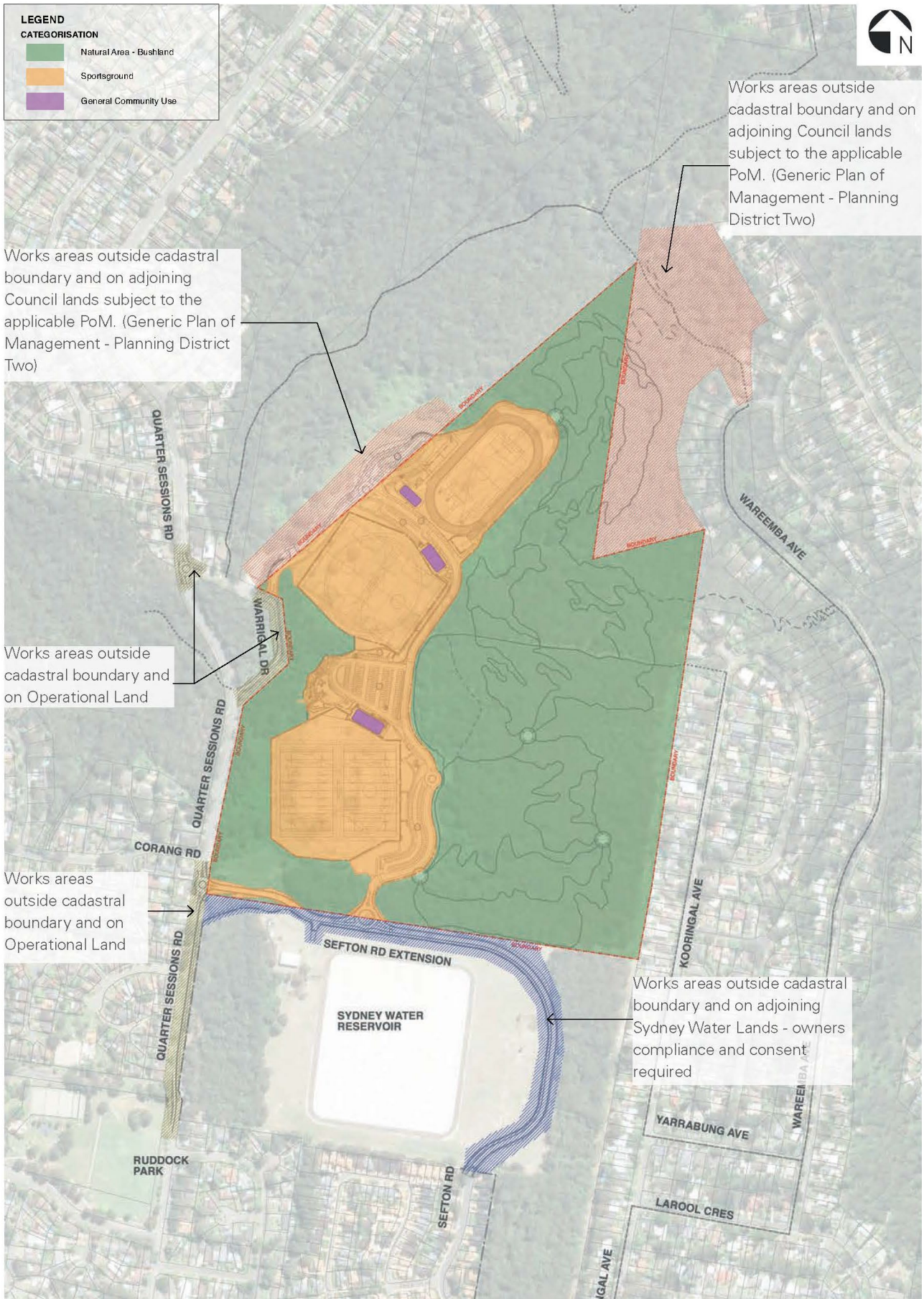
The act also requires the PoM to be exhibited for public display for a minimum of 28 days, with a minimum of 48 days for written submissions, and then be presented in a public hearing.

1.2.1. Westleigh's proposed categorisation

Council is proposing to include the following categorisation of land at Westleigh:

- Sportsground
- General Community Use
- Natural Area (Bushland)

Figure 1 Land categorisation



1.2.2. Public hearing

As the draft Plan of Management is effectively categorising or altering the categorisation of community land, under section 36(4) of the Local Government Act, it is obligated to hold a public hearing.

1.2.3. Exhibition

The draft Plan of Management was exhibited from 13 March – 11 April 2023. However submissions were accepted until 23 April 2023.

1.2.4. Publication of public hearing and exhibition dates

Notification of exhibition and the public hearing was provided through the following publications and digital communication channels:

- Have Your Say Hornsby website
- Council's April enews
- April newspapers "Have Your Say" – Bush Telegraph, The Post, Galston Glenorie News, Dooral Roundup.
- Weekly Community Engagement newsletters
- Facebook post (15 March)

1.3. CONTEXT - WESTLEIGH PARK DRAFT MASTER PLAN

In 2021, after purchasing the 36ha site from Sydney Water, Council began developing the Westleigh Park draft Master Plan (draft Master Plan). The draft Master Plan sought to transform the site into a community asset that balances the needs for a high-quality multi-use recreational facility along with conservation of its natural bushland.

The draft Master Plan details Council's proposed uses. These included a range of active and passive recreational opportunities for the community to enjoy whilst protecting the biodiversity values associated with the bushland areas. These opportunities included:

- Community sport
- Opportunities for school and club athletics
- Cycling and mountain biking
- Informal exercising and walking
- Children's playground
- Bushwalking
- Passive recreation such as picnic areas and;
- Biodiversity protection and enhancement.

2. PUBLIC HEARING

The public hearing was convened at Hornsby RSL Club, 4 High Street Hornsby at 6.30pm on 4 April 2023.

Presiding the public meeting was Calli Brown of Urbis. Calli is not, and has not, at any time in the past, been a Councillor or employee of Council.

The hearing was attended by 57 members of the community, along with Mayor Ruddock and Councillors Salitra, McClelland, Ball, and McIntosh. They all attended in the capacity as observers.

The meeting was also attended by the following Council representatives who gave a presentation and answered community questions to help inform their submissions on the draft Plan of Management:

- David Sheils, Manager, Parks Trees and Recreation
- Dr Peter Coad, Manager, Natural Resources
- Steven Head, General Manager
- Steve Fedorow, Director, Community & Environment

Calli Brown opened the meeting at 6:30pm, made an acknowledgement of Country, welcomed those present and made a short introduction. A presentation was then made by David Sheils and Peter Coad, followed by questions from attendees before the meeting concluded at 8:28pm.

2.1. PRESENTATION BY COUNCIL:

The presentation by staff covered the following aspects of the draft PoM:

- The purpose of and difference between a Master Plan document and a Plan of Management.
- A brief history of the site, Council's acquisition and Council's management of the site to date.
- Information on the need for land categorisation and information on Council's proposed categorisations including:
 - Each category's definition under the Local Government Act
 - The core objective(s) of each categorisation
 - Key use and benefits of each facility and,
 - The proposed management of these facilities in the draft PoM.

2.2. SUMMARY OF QUESTIONS AND ANSWERS

The table below outlines a summary of questions asked at the public hearing and responses provided by Council. This is not a verbatim record. Rather, a written overview to provide insight into the subject matters that were raised and the responses given.

Table 1 Summary of questions and answers

Question	Response
1. How is noise going to be handled, one of the core objectives in the plan is to promote sports?	The setback between closest field and neighbour is much larger than at other sportsgrounds such as Ruddock Park. Council is experienced at managing noise with sports clubs. There will be noise, but it's considered acceptable and consistent with the use of a sportsground. A DA will be prepared, and a noise assessment and noise management will be included
2. What rationale is Council using to justify building a major recreation facility in R2 zoned land?	Subsequent DAs will aim to complete this work under the current zoning.
3. Activities are subject to DA approval, who will the independent assessor be?	Development Application submitted will be reviewed by an independent planner and relevant state agencies, then referred to the Sydney North Regional Planning Panel who are independent assessors and appointed by the State Government.
4. When can we expect to start seeing work on Westleigh Park?	Council is at a stage where the draft plans are in place for public comment. After this, Council will present our findings in the June Council meeting. After this, DAs will be lodged and assessed, with assessments concluding mid-2024.
5. What time will the lights be on until and gates opened?	In line with Australian standards, the lights will switch off at 10pm, this is usually 30mins after the last game or training has concluded. Council doesn't anticipate the vehicle gates to be open before 6:30/7am.
6. Thanks for recognising the need for more facilities, particularly in winter. To what extent will the athletics governing body be engaged to cater to all different groups e.g. clubs and schools.	Council engaged with Athletics NSW when the site was acquired. If the Draft PoM is approved, engagement will occur with various sporting clubs however this is dependent on funding. The Athletics field currently sits in future funding – Stage 2.
7. Is Dog Pound Creek a biobanking site and subject to conditions of the biobanking agreement?	It is a biobanking site and is subject to the management agreements as required by the Biodiversity Conservation Trust.

Question	Response
<p>8. I'm concerned over restaurants and cafes competing with local shops and cafes. Could that space be used for further community use?</p>	<p>Westleigh Park is not intended to compete with local businesses. Draft Master Plan shows scale of buildings proposed for the site which would not enable restaurants rather a kiosk/canteen associated with sports use.</p>
<p>9. Whilst I support the sports fields at Westleigh, I do not believe we should endanger the community and environment with more mountain biking.</p> <p>Council had a sustainability committee and bushland advisory committee, what do you think their view would be on mountain bikes in ecologically endangered areas?</p>	<p>The draft PoM that has been endorsed by Council for public exhibition includes a proposed mountain bike trail network. This is what we are seeking feedback on.</p>
<p>10. Is there a possibility in future that mountain bikers can be involved in bush regeneration and trail maintenance?</p>	<p>Management and maintenance would be done by contractors due to the potential presence of contamination, namely asbestos, and the sensitive vegetation being present on site. Supervised volunteer involvement may be considered in the future.</p>
<p>11. Synthetic turf can impact creeks and rivers. How can fibres leaking into local streams be mitigated?</p>	<p>The Master Plan also considers the use of natural grass however synthetic allows us to have greater hours of use, particularly in winter.</p> <p>More sustainable synthetics are proposed and will be raised as part of the DA within an environmental assessment.</p> <p>The NSW Chief Scientist is reviewing synthetics now, the early news reports that synthetics are not being ruled out.</p> <p>If approved, all development of fields will require a DA and would have incorporate best practice environmental management.</p>
<p>12. Thornleigh Thunder is very excited to see this come through. Right now we're stuck between 2 facilities with no storage. Has there be any planning about our move from Ruddock or Oakleigh to Westleigh?</p>	<p>Council is a few years off determining ground allocations as Council will need to get the PoM approved before proceeding to subsequent DAs. The facilities have been decided to be multi-use for a range of groups.</p>
<p>13. Residents are very concerned over asbestos impacts during the removal. Why are you not doing a cap and fill?</p>	<p>Council will use a cap and contain method under the sportsfields. This will be assessed and signed off by an independent Site Auditor accredited by</p>

Question	Response
	<p>the NSW EPA. Council will ensure the outcome is suitable for the proposed use.</p> <p>The PFAS contamination is associated with RFS uses, a majority of this has already been cleaned off and signed off on by the EPA. Council are liaising with the RFS who will fund the remediation of the remaining contamination.</p>
<p>14. Will other commercial uses be available for example a bike mechanic?</p>	<p>Council currently doesn't have any proposals for these uses.</p>
<p>15. Have you considered having mountain bike tracks on the site but outside of those critical areas?</p>	<p>Council has sought to avoid critical areas and reduced tracks in Sydney Turpentine Ironbark Forest by approximately 60% and in the Duffy's Forest by 20%</p> <p>Council consulted with both mountain biking groups and environmental groups through a co-design process. The proposed Mountain Bike network that is in the PoM has been informed by the outcomes of this process.</p>
<p>16. What is determining the funding and order of allocation?</p>	<p>Council is currently not in a position where it can deliver on all of the site embellishments however there are practical considerations and pressure points that require us to find a balance. Due to the funding allocated it will have to be phased.</p>
<p>17. Will Council charge Schools especially private schools and those not from Hornsby Shire LGA to use the park?</p>	<p>If use is during school hours and if the local schools have a local Hornsby catchment, they won't be charged. Any out of normal school hours use will be charged a hire fee.</p>
<p>18. How close are we to extending Sefton Road?</p>	<p>Council is getting closer than it was before, but there are significant processes that Sydney Water have to get through. They have no principle objections to the extension but there are still a lot of technical and safety assessments that need to be undertaken.</p>
<p>19. What are the stages of delivery and would trails need to be closed?</p>	<p>If the PoM is approved, separate facilities would require a DA to progress. After DA assessment construction work would take place in mid-2026. Preliminary on site rehabilitation could begin on the bushland and mountain bike trails following adoption of the PoM.</p>

Question	Response
20. Why has no regeneration and rehabilitation of the bushland been done to date?	Council is looking on the site to see what can be done. Following adoption of the PoM, initial site restoration of the bushland areas may begin.
21. Why can't you close illegal tracks?	<p>It is considered appropriate that Council adopt a future vision for the site before progressing on any trail closures.</p> <p>Council acknowledges the tracks are unsanctioned and is working through a process, with the first step being the adoption of a PoM, then a DA (which will be independently assessed), to determine if a track network can be formalised. Once formalised, any remaining unsanctioned tracks can be closed and rehabilitated. In the interim redundant tracks will be rehabilitated where possible.</p>
22. Giving that most mountain bike training is given by small businesses, will these businesses be charged for use of the park?	There may be a possibility to charge but it would be considered when the park operations are considered.
23. Why can't they close illegal tracks? We've been told by the Mayor and Councillors that they're illegal.	<p>An answer to that question has been provided previously.</p> <p>Refer to answer to question 21.</p>
24. Will the PoM be independently assessed and by who?	Following the public exhibition period, all submissions will be considered prior to the final report going to Council in June.
25. There doesn't seem to be a balance between human use of the park and endangered species in the park. How will you prevent further deterioration of the local ecosystem?	The site is valued for both its ecological value and recreational use. The balance between the two values is achieved through giving consideration to the principals of avoiding, minimising and mitigating the environmental impacts of recreational activities on the environment.
26. Is there a time limit on the State Government grant?	Council is currently seeking clarification from the NSW Government on this.
27. I can't access the land behind my house because it was labelled as environmentally sensitive by Sydney Water, what's changed with this land to enable the Master Plan?	Council is currently working with Sydney Water to understand what requirements will be in place for this land to be accessed.
28. Is field cooling being incorporated and will we be able to see this assessment?	Master Plan and PoM proposes synthetic using the latest 'cool field' technology such as use of organics like cork or coconut fibre, however it doesn't go into detail. If approved, the subsequent DA will go into detail on this and undergo an

Question	Response
	independent environmental assessment. This would then be available on Council's website.
29. Council also has Hornsby Park under development, which project would get preference if Council received more funding?	Council would need to go back to the community and consult with them on that.
30. Can Council prevent the spread of the exotic weed?	Once the PoM is adopted, an initial site rehabilitation including addressing exotic weeds on site can begin where possible.
31. How does Council intend to manage any anti-social behaviour related to traffic and traffic on sports days?	Council will prevent access to vehicles during closure hours. Council also receives a lot of intel from the community so Council are often aware and liaise closely with the community to manage this. Council also regularly liaise with the police on managing antisocial behaviour.
32. How will you manage traffic on sports days?	<p>Our extensive traffic report is available on our website. This looked at the current and likely traffic scenarios in 2027 for a single platform and for the fully developed Master Plan. It also looked at what happens if there is a connection on Sefton Road compared to only a gate.</p> <p>Under a fully developed scenario, the local traffic network is more than able to cater to the increase of traffic.</p>
33. A lot of the associations who could put funding back into the park – is that something that Council would consider?	Council would consider this in future but tonight is purely about the Draft PoM.
34. Why are residents (mountain bike users) allowed to operate against the law on a daily basis?	The site was purchased with mountain bike trails present. Council acknowledges the trails are unsanctioned and does not restrict access to any users of the park.
35. Will Council patrol the area at night to ensure mountain bikers won't use the park after night?	The park wouldn't formally be open at night however it's impractical to have someone always patrol the site. When the areas are in use there will be a level of passive surveillance from the community.
36. How can you ensure the floodlights won't be left on when the sports fields aren't in use?	Lighting is more of an operational question – the sporting groups who use the field will have the codes to turn floodlights on and off during their specific hire times. There is a cost to using these lights which incentivises groups to turn them off when they are no longer in use.

Question	Response
37. Your traffic studies were conducted during COVID-19 – have later studies been done and will they be released to the community?	<p>Yes, these were undertaken during COVID however estimations were made to account for pre-COVID levels.</p> <p>More recent traffic studies have been conducted in the wider LGA which can be made available once results have been received.</p>
38. As there is no funding identified for Stage 2, what is Council's long-term plan?	<p>When Council purchased the site, Council knew this Master Plan would be delivered in a staged method.</p> <p>Whilst additional funding has not been identified, the grant received from the NSW Government will assist in making needed improvements to the park outside of the entire Master Plan e.g. the remediation of the southern platform.</p>
39. What is happening with the scar tree?	<p>Council has been engaging with the local Aboriginal community, and exploring the potential relocation of the tree where it can interface with the bushland.</p>
40. Does Stage 1 include the southern platform and the Sefton road extension? Why is the extension being done with Stage 1 when the money could be put into the facilities?	<p>Stage 1 is to deliver the southern platform, whilst Council don't need the Sefton Road extension to deliver the platform, the extension provides an emergency access point. It's not designed as a rat run or connection, it's only available for emergency services.</p>
41. In the PoM you mention you can put a kiosk in the bushland area, can you tweak the PoM so you don't put a kiosk in the critically endangered forest?	<p>The PoM is enabling potential future use. It would require a separate DA for a kiosk to be established within the Bushland. Approval of the PoM does not mean it would definitely happen. A separate DA is required.</p>
42. The designated walking only pathway is quite small – who gets priority on the shared pathways and what are the legal implications after an accident?	<p>The shared pathway designs are consistent with NSW standards and will be similar to those already around Sydney.</p> <p>Council will provide appropriate signage and guidance on how to move on those pathways to mitigate any impacts to user safety.</p>
43. What storage facilities will be available?	<p>Draft designs of the sports facilities are being prepared as part of a subsequent DA, these include storage areas.</p>

Question	Response
44. The traffic caused by the 35 Sefton Road construction is already a problem, how are you managing traffic flow around this now and in future?	No comment on managing the traffic now – unrelated to the PoM. Whilst this area is experiencing a lot of development, construction of Westleigh Park should not be happening concurrently.
45. How are you going to manage the sports groups who have a vested interest in the outcome?	Council want to be as transparent as possible throughout the consultation and decision making process, tonight is an example. Council will make decisions based on the best interest of the Hornsby Shire, the community's needs and the alignment with Council's strategies.
46. Is the consideration that's been given to the community given to local botanists?	On the site there are mountain biking trails and walking tracks which have been proposed giving effect to the site constraints.
47. Can the new facilities accommodate hosting both male and female sports?	Yes, all changerooms are universal in design and have disability access throughout to accommodate all users.
48. The mountain bikers have plenty of tracks elsewhere that they can use. There is only one walking track proposed, how long is this track?	While the designated bush walking track is about 250m in length it connects directly to other shared paths through the bush and in the Park itself. These paths then connect directly beyond the Park to other Council bushland reserves and National Parks in the nearby vicinity.
49. Are you going to create new trails in addition to those in the PoM?	The PoM shows proposed walking and mountain bike trails with connections to other Council bushland reserves, National Parks to Hornsby Park. No additional trails are proposed.
50. How many kilometres of bike track is proposed?	Currently, the park has approximately 9.5km in the bushland areas, the proposal would reduce that to 7.3km (including shared tracks).

3. RECOMMENDATION

This report recommends Council:

1. Notes there were no questions or clarifications sought in relation to the proposed categorisations of land.
2. Notes there were no objections to the categorisations that were proposed.
3. Notes that although many questions related to the objectives of the draft Plan of Management, many questions pertained to the draft Master Plan which is on public exhibition concurrently.
4. Makes this Public Hearing Report available for public inspection as required under the LG Act S47G.
5. Considers this report before making any decision in regard to adopting the draft POM and formal assignment.

Signed

A handwritten signature in black ink, appearing to read 'Cathy', with a long horizontal line extending to the right.

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