



Warringah Council

*John Fisher Park and
Abbott Road Land Plan of
Management*

APPENDICES

ADOPTED NOVEMBER 2001

A P P E N D I C E S

- Appendix A Minutes from the Warringah Council Community Consultation Workshops.
- Appendix B Minutes from the John Fisher Park Community Group Meetings.
- Appendix C Table of Categorisation of land parcels at John Fisher Park and Abbott Road Land.
- Appendix D Abbott Road Land - Deed of Agreement.
- Appendix E Executive Summary from the Statement of Environmental Effects, Blumberg & Associates.
- Appendix F John Fisher Park and Abbott Road Land Community Issues Discussion Paper.
- Appendix G Supplement to a Statement of Environmental Effects for the Impact on the Natural Environment of Hard Surfacing of 16 Netball Courts at John Fisher Park.
- Appendix H Proposed Categorisation of Land at John Fisher Park and Abbott Road Land, Curl Curl

APPENDIX A





**Minutes from the John Fisher Park and Abbott Road Land Plan of Management
Community Consultation Workshop held at the Curl Curl North Public School, Playfair
Road, Curl Curl, at 7pm , Wednesday 8th March 2000.**

Present:

Cr Kevin Smith – Warringah Council	
R. Brokman	Rodd Hungerford
H. Dean	Elaine Coldham
Jill Castleton	Sue Boorman
Terry Gray	Jeff Bertram
Andrew Date	John Wilson
Lynda Stockdale	Viktorija McDonell
Trevor Croal	Charles Hamlyn- Harris
Andrew Derijk	Clive Illingworth
Noelene Marain	Coralie Newman
Lee McKee	M. List
M. deRome	Isa Wye
Ken Boorman	Gwen Winsor
Deborah Moffat	Karla Knight
Kathy Lougher	Rupert Hudson
Cliff Pullen	Frank Minnicci
Jim Patterson	Lorna Plate
Rick Shepherd	Thelma Hobday
Tina Hewes	Vincent De Luca
Roz De Luca	Judy Brain
David Naughton	Ann Sharp
Ray Cox	

Warringah Council: Kylie Walshe – Principle Strategy Coordinator
Scot Hedge – Environmental Officer (Projects)
Mariell Davidson – Strategy Coordinator/ Project Owner

Meeting Opened 7:15pm

- Kylie Walshe introduced the Council Team and welcomed everyone.
- An overview of : What is a Plan of Management,
Why we prepare them,
What are their requirements,
How Council is planning for public land,
What is included in this plan,
The Principles of Community Land Management in Warringah,
And tonight's workshop principles.
- Mariell Davidson gave an overview of the components of John Fisher Park and summarised the main issues and values that arose from the 1998 Plan of Management.

1) Lagoon Habitat



- 2) Vegetation
- 3) Total Catchment Management
- 4) Maintenance Management
- 5) Existing Infrastructure
- 6) Additional Facilities
- 7) Landscape Character
- 8) Leases and Licences
- 9) Community Consultation/ Participation
- 10) Abbott Road Land
- 11) Subsidence
- 12) Risk Management and Public Safety
- 13) Vandalism
- 14) Improving Traffic and Parking

- Exploring Issues papers completed by all participants and a general discussion followed. The main issues are summarised from each group:

Group 1:

- 1) Lagoon Habitat: water quality, maintenance, dredging. Continue the rehabilitation.
- 2) Vegetation: weeds, habitat, shade trees, maintain biodiversity, wildlife corridors.
- 3) Open Space: maintain access for all, no fencing, treasure open space that must be protected, no exclusive use, diversity.
- 4) Sporting issues: extend grass, no more hard surfaces, no more structures or buildings, emphasise take your litter home with you (particularly sporting groups).

Group 2:

- 1) Maintain and enhance water quality of lagoon and environs.
- 2) Enforcement of pollution control strategies in the business/ industry area of Brookvale/ Harbord.
- 3) *Safety issues*: low growing shrubbery a problem. People are using bushes to shoot up and flashers hide there.
- 4) Garbage facilities are poor: insufficient bins. Litter left at weekends gets into the lagoon and waterways.
- 5) BBQ, regional playground and seating facilities near Curl Curl Youth Centre and Community Centre – for passive recreation. Shade area also needed.

Group 3:

- 1) *Environmental Issues* – water quality in the lagoon – maintenance of the Gross Pollutant Trap – reduce the use of insecticides and sprays in the park – implement and accelerate the dredging program – monitor and act on the misuse of parks eg. Dogs not on leash, dog poo, cars driving on prohibited areas and parking illegally.
- 2) *Sporting Issues* – provision of sporting fields – Reub Hudson and Denzil Joyce as per Abbott Road Management Plan – suitable enclosure and provision of amenities (for rugby league, cricket and athletics) – turf wickets for cricket at Frank Gray Oval – seal all netball courts and number them.
- 3) *Passive Recreation* – adequate areas for passive recreation – upgrade children's playgrounds – complete walking/ cycle track.



- 4) *Park Classification* – Maintain ownership of park – all areas, do not change classification of land and sell off (Stirgess Ave especially).
- 5) *Safety Issues* – install pedestrian crossing on Abbott Road near Playfair road.

Group 4:

- 1) Overdevelopment of sport – too many users now, no further increases wanted – main problem is the parking and traffic flow, it is impossible for locals to get out of Abbott Road and side streets get blocked to the south and north of the park. – noise concerns – is this an alcohol free zone? Bottles are left/ broken here regularly.
- 2) No more asphalt – are there plans to do more asphaltting?
- 3) Consultation – how did baseball/ softball nets get installed without telling residents? Is there a system for notification and is it working?
- 4) Abbott Road – Manly High needs this area for a carpark – winter use of land? But extra traffic upsets ground – wear and tear – The area needs shade and improved car access – also needs an amenities block – could it be where there was a house (now demolished) – rather than a graffiti decorated container.

Group 5:

- 1) Extend cycleway to Griffin Road on both sides of the lagoon.
- 2) Dredging of lagoon and planting of additional trees.
- 3) Park street footbridge widened for cycleway and lit at night.
- 4) More stormwater pollution traps where stormwater enters creek.
- 5) Construction of regional playground (near netball courts).
- 6) No additional netball courts to be sealed at expense of grass.
- 7) Parking for cars when netball is in operation.
- 8) Further development of the baseball area.
- 9) Toilet facilities for baseball and softball areas. Currently 1200 softballers use 3 pans and baseballers have 500 people using 2 pans (one male and one female facility).
- 10) Drainage of Southside grounds between Park St and Lalchere St.
- 11) Rubbish collection and dog droppings.
- 12) Vandalism of areas.

Group 6:

- 1) Pollution in the lagoon area – stormwater carries rubbish into lagoon and is caught in reeds.
- 2) Quality of surface of playing fields.
- 3) Reduce areas of passive recreation and increase areas for sport. Increase areas of trees/ vegetation corridors between ovals. Also shade areas to watch sport.
- 4) Need improved dog facilities – dog poo bins.
- 5) Monitor Bowling Club's (Cnr Abbott Rd and Griffin Rd) development so as it is in keeping with the park.
- 6) Each sport club should donate 10 hours of voluntary work per month towards the park.
- 7) Reduce the use of weed killer and spraying around the base of trees.

Other issues:

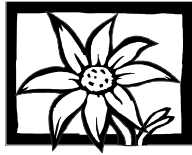
- ◆ Uncontrolled access by vehicles on park needs to be addressed. Controlled access only through permitted groups eg. Manly High School.



- ◆ Promote the site of the “Heritage Gate” on the Abbott Road Land.
- ◆ Stewart Ave – flooding and sewerage ‘poppers’ releasing water – unhealthy so close to playing fields.
- ◆ Area behind the Bowling Club has vegetation too dense for walkers. Issue of regeneration of bushland areas vs. safety issues with regard to ‘undesirables’ in the area. Balance needed between greening the area and safety of the area for children.
- ◆ Issue regarding the impact removal of lower level bushes will have on wildlife habitats eg. Bandicoots. Suggestion that low lying shrubbery be of a spiky leaf sort so as to deter any one who may like to lurk within these areas.
- ◆ Need for police patrols in this area. Vandalism and ‘break and entry’ still an issue, problems occurring primarily at night.
- ◆ Any new vegetation that may be planted needs proper maintenance.
- ◆ Complaint about early Sunday morning soccer players starting earlier than allowed at 7:30am (adults – informed this group are from “the Masters Soccer Association”), also poor language, and drinking of alcohol after their games.
- ◆ Suggestion that any new car parks be of a surface that is not sealed. Grass or gravel is suitable as these car parks are used only for short periods each week.

Meeting closed 9:15pm.





Warringah Council

Minutes from the Manly Warringah Netball Association Consultation Workshop held at the MW Netball Association Headquarters, Curl Curl Sports Centre, Abbott Road, Curl Curl, at 7pm , Monday 6th March 2000.

Present:

- Cr Darren Jones – Warringah Council
- Gwen Windsor – MWNA Executive
- Coralie Newman – MWNA Executive
- Julie Petersen – MWNA Executive
- Nell Longley – MWNA Club Secretary
- Ros De Luca – Dee Why Beach Netball
- Tony Fenwicke – Seaforth Netball
- Kellie Borger – Wakehurst Netball
- Kathy White – Beacon Hill Youth Club Netball
- Margaret Whiteman – MWNA Executive
- Joanne Ryman – Beacon Hill Youth Club Netball
- Janelle Dean – MWNA Executive
- Helen Dean – MWNA Executive
- Marilyn King – Newport Breakers Netball
- Robyn Arnott – Cromer Netball Club
- Linda Teulan – Cromer Netball
- Noni Greentree – MWNA Executive
- Brian Arnott – Cromer Netball
- Nicole Arnott – Cromer Netball
- Laraine Hunter – Beacon Hill Youth Club
- Karen McKie – Cromer Netball
- Pat Wallace – Allambie Netball
- Denise Humphries – Commodores Netball
- Sharee Mackay – Allambie Netball
- Joan Evans – Commodores Netball
- Cathy Hurditch – Curl Curl Sports
- Margaret Cliffs – Forest Netball
- Felicity Hance – Avalon Netball
- Therese Dutfeld – Beacon Hill Youth Club
- Kim Avis - Seaforth Netball
- Sam Humphreys – Commodores Netball
- Melissa Humphreys – Seaforth Netball
- Michele McKay – Comets Netball
- Keith Stewart – Forest Netball
- Cawenda Eady – Wakehurst Netball
- Shann Honey – Belrose Netball

Warringah Council: Mariell Davidson – Strategy Coordinator
Georgina Sherwin – Strategy Coordinator

Meeting Opened 7:15pm



- Introduction and thank you for the invitation.
- An overview of : What is a Plan of Management,
Why we prepare them,
What are their requirements,
How Council is planning for public land,
What is included in this plan,
The Principles of Community Land Management in Warringah,
- Exploring Issues papers completed by all participants and a general discussion followed. The main issues are summarised:

Netball Court Facilities and Improvements:

From letter sent 11/12/96 read by Coralie Newman: netball is a major user of the Curl Curl Sports Centre, would like at least another 40 hard courts, which could be used by other community members eg. Bicycles.

Green bitumen is the preferred surface as it is aesthetically pleasing and non-slip. There is a desire for all courts to be redeveloped from grass to this material.

There is a need for 40 courts altogether so that the region could hold a State Championships. There are the right amount of courts but there is a need for improved conditions of the courts.

No desire to asphalt any courts on the other side of the creek as this area is used by other sporting groups.

Asphalting will save money as they are less costly to maintain than grass courts. Line marking would also not be necessary as often.

The development of dirt mounds between the courts and Abbott Road would decrease noise problems and be more aesthetically pleasing.

Suggestion that courts could be developed at the contaminated site (area on south side) and then use this area for development of car parking too. (Councillor Jones suggested this may not be feasible).

The grant for 15 of the grass courts to be rectified should see them asphalted instead (green dress noted again).

Provision needed for indoor facility for netball at Abbott Road.

Suggestion by Cr Jones that the Manly High School has a condemned building that will need replacement. The netballers could help fund this and create an indoor sporting facility for use after school hours.



Park Improvements:

Suggestions included:

Promotion of ground beautification; mounds, trees for shade, landscaping. Trees should be of a variety so as not to drop many leaves.

Better lighting facilities needed on existing asphalt areas and around building. Suggestion by Cr Jones that netball look at old lighting being replaced at Brookvale Oval.

Ambulance access should be developed near Scout Hall for access to western end of courts.

Stirgess Ave (softball) amenities and facilities also need development and upgrading.

Crossings across creek also needed. Reposition these bridges so they are more useful.

Fencing needed along creek to stop balls going into water, also to restrict access by younger siblings.

Awning or cover should be developed around or near the Curl Curl Sports Centre for shelter for school children using the area or waiting for buses in times of poor weather or extreme heat. Increased areas of shade needed generally in the park.

More taps, drinking fountains needed in netball court area.

Ambulance access to improved across the park.

Traffic and Parking:

Suggestions included:

More car parking facilities required. Suggestion that they be located between where asphalt is now and the Youth Club. A note that parking areas have been lost in the past.

Improved access to car parks for safety of drivers and pedestrians.

More pedestrian crossings needed in the area. Only one currently exists.

Suggestion for Traffic Committee that bus facility should be made available for this area.

Stirgess Ave parking area relieves some pressure from Abbott Road. Could another car park be put in this area?

Parking is an issue for all sports.



Amenities:

Need for better outside amenities. More facilities needed in western part of the park. Existing block should be upgraded to be able to cope with demand on them.

Leasing and Maintenance Issues:

Upgrading of existing Curl Curl Sports Centre as roof leaks.

Not enough garbage bins, especially around the courts, and they are not collected and distributed properly. Bins also needed mid week for use by school children.

More bins should be made available during the netball season which can be removed in off peak season. Cr Jones advised that he would follow this up.

Bars on bins so they don't overflow. Could use 'cubby house' style so as people don't dump household rubbish, suggestion to follow Berry Reserve facilities. A service to put bins out on the road from their positions around the netball courts and replaced after emptying as done along Northern Beaches.

20 more bins needed on a Saturday. They have been told they are only allowed 20 in total.

Cockroach problem raised regarding the Curl Curl Sports Centre. Problem has been forwarded to Construction and Maintenance for action ASAP – preferably before the start of the netball season 1/4/00.

Other Issues:

No more BBQs around the netball courts area as there have been ongoing problems with broken bottles and litter over courts.

Vandalism is an ongoing problem. An increase in security across the park is needed.

Note that the Curl Curl Sports Centre has been secured with a back to base system.

Rangers needed on Sunday mornings as there are a number of dogs off the leash where they shouldn't be. Dangerous in high use times.

Idea that caretakers could be employed and that a caretaker facility could be put in the Curl Curl Sports Centre. Suggest this idea should be noted in the plan just in case.

Meeting closed 8:25pm.



APPENDIX B



**MINUTES FROM THE COMMUNITY MEETING
(JOHN FISHER PARK PLAN OF MANAGEMENT)
HELD AT THE STIRGESS AVE SCOUT HALL TUESDAY 6 JUNE 2000**

Present: As per attendance sheets and others (Conservative count of 135 was taken)

Apologies: David Barr, MP, Cr David Stephens, Betty Ratcliffe, Margaret Dendy, Ann Sharp, Ken & Sue Borman, Lee & Noel McKee, Ross & Michael Handcock, Pat & Frank Featherston, Mr & Mrs Haligan, Joan Hawley, Sue Gallagher, Kit Paterson, Victoria McDonell, Marj Belessis, John Stewart, Harry & Bev Elliffe, Alan Newton, Veronica Cox , Carmel Wilton, Rosemary Laurence, Duncan Podmore

The meeting clashed with a Council Meeting; - Cr Peter Forrest and Cr Kevin Smith arrived at the end of the meeting with apologies from the Mayor, Cr Peter Moxham, Cr. John Caputo, Cr Darren Jones and Cr Ruth Sutton

David Luff attended the meeting as an observer for David Barr. He intended to take feed back of the meeting to David Barr.

The meeting commenced at 7.30 pm

Deborah Moffat, Convenor of the meeting welcomed everyone, then proceeded to give a brief background to the issues of concern and the outcomes we are trying to achieve from the meeting.

John Fisher Park is Community Land and the Warringah Council is required to produce a Plan of Management. Warringah Council arranged a Community meeting for interested residents, Curl Curl Lagoon Friends, Sporting Associations etc. held at North Curl Curl School on the 8 March 2000. At this meeting participants were divided into random groups to explore issues of concern. Overall feeling coming from the views expressed was a continuation of regeneration of the park and to improve the water quality as well as ensure a balance between passive activity and sporting activity.

The Netball Association held a workshop meeting 2 days before the Community meeting. (This meeting was not made known to the Community Workshop)

After receiving the minutes of the Community Workshop and the Netball Associations Workshop we became concerned about the issues being raised by the Netball Association.

Out of this concern came a desire to give the Community an opportunity to give their voice. Sometimes the Community feels powerless and we wanted to offer an opportunity to the Community to make known their views and to show the Councillors that **the local residents are also very powerful.**

Deborah said that after the guest speaker there would be a forum to exchange ideas and determine the community's feelings for future direction on the Management of John Fisher Park. These feelings would then be communicated to the Council

Deborah introduced the guest speaker Reg Paling, President of Curl Curl Lagoon Friends Inc.

Reg Paling thanked Deborah for the tremendous effort she has made to organise the meeting. Reg explained that Curl Curl Lagoon Friends has been going for 20 years and John Fisher Park comes within their ambit and that how in these situations it is really good that Deborah has gone to the trouble of getting the meeting up and going. The CCLF Executive have participated in the Community work shop and have had meetings with Councillors - concerns have been expressed but the impression conveyed is that there is something going on behind the scenes. Over the years there has been a cordial and smooth association with Council and the CCLF have made sure that the Rehabilitation process stays on the rails. This situation requires a different style of action. John Fisher Park is a visual **GREEN SPACE**, a very important space to all in Curl Curl to be shared among all the users. Maintaining the Green Space is important for water quality and hard surfaces are a big problem - more silt and pollution puts the lagoon at risk. Reg spoke about the many netball players who are very happy to play on grass - their families are happy for children to play on grass. There appears to be a push for Regional Netball Championships - this course of action means more buildings, more hard surfaces. **Do we want John Fisher Park to remain a park shared by all or a sporting venue run by special interest groups?**

Before the forum **Brian Dunphy**, B Riding representative on the Warringah Recreational Committee reported that a resolution had been passed that John Fisher Park would be the next park to be renovated - involving Netball and Soccer. Soccer fields will be renovated to the standard of Matthew Park - a smaller degree of rectification. Resolved to spend \$350,000.00 to renovate Netball asphalt. \$389,000.00 for 30 grass courts - all subject to the Plan of

Management. Brian indicated that this was an invalid recommendation - as the Committees scope is only to restore and rectify existing fields not improve them. Installation of asphalt is a change, an upgrading of the surface and therefore beyond their scope. - Brian had only realised this issue that day.

Meeting opened to Forum - participants were asked to introduce themselves.

Mrs Farrell from Bennett Street who used to play Netball in her youth and recently scored on a Saturday that her daughter was playing became aware of the Netball lobbying as there were petitions under all the score sheets. (Her petition stayed well hidden.) She noted that people would just sign such a petition without really understanding the implications or considering the issue. Mrs Farrell went on to tell the meeting of the knee injuries and operations she has endured due to playing on hard surfaces. She does not want her daughter to play on hard surfaces and risk a similar fate. She was concerned that the establishment of 40 hard surface courts could be a cost cutting exercise - the hard surface would be cheaper to maintain. Mrs Farrell felt that the State/Regional Championships should be played at Homebush - where the millions of dollars have already been expended.

David Luff indicated he was at the meeting as an observer for David Barr and spoke about recent community concerns about Councils recent attempts to change Community land to Operational land. He also offered some tips to the community in dealing with these issues - especially **NOT TO GIVE UP**.

Many issues were raised by

David Williams, Mark Brown, Michael de Rome, Rupe Hudson and many other concerned residents

Bitumen releases a noxious gas. **Thelma Hobday** said that there were some studies being done on bitumen.

Bitumen is made up of organic compounds toxic to fish.

Noise associated with Netball - right up to Curl Curl Parade Sole basketball player at midnight.

Aesthetics - bitumen for courts and car parking and toilet facilities would ruin the landscape visually

Possible alternative for toilet blocks - portoloo - not a permanent structure, no environmental impact on Lagoon.

Injuries - concern for many players and from parents with young children for impact and grazing injuries

Environmental impact - declining water quality and native habitat

Parking and traffic - dont want to see park encroached upon for more parking. Only a problem one day a week, rest of week parking more than adequate. Traffic also problem as streets narrow and dangerous when there are so many cars on Saturdays. Any further traffic would create a gridlock (infrastructure of streets inadequate for level of traffic)

EQUITY OF ACCESS - Park is for all Many elderly people here before TIP - finally improving - now going to take space back off those who want a place for reflection and just to get out.

Real Estate values - a lot harder to sell a house in the area

Pittwater Council - 4000 housing blocks in Warriewood - no plans for green space - a need for Netball courts in Warriewood

Large Developments going on in Dee Why. No green open space left in Dee Why. With more people going into Dee Why need to maintain John Fisher Park. Councils own Recreation Study 1999 stated Harbord had "less green space" and demand in area was for unstructured open space therefore going against own findings if approve hard surfacing and development of JFP

NO ADDITIONAL CONSTRUCTIONS

NO FENCES

HARD SURFACES a lot of implications

NO MORE HARD SURFACES

RESTORE GRASS SURFACES

MULTIPLE USE OF PARK

STEERING COMMITTEE TO TAKE DELEGATIONS TO COUNCIL

THE FOLLOWING RESOLUTIONS WERE SUBMITTED

(1) Removal of all the hard surfaces

On a show of hands this resolution was not successful.

(2) THIS GATHERING SUPPORTS THE RECTIFICATION OF JOHN FISHER PARK GRASS PLAYING SURFACES AND NO FURTHER HARD SURFACES OR DEVELOPMENT IN THE PARKLAND

Passed unanimously

It was decided that another meeting should be called and that Volunteers come forward at the end of the meeting to form a steering committee.

Reg Paling drew the meetings attention to the fact that Deborah had been funding the campaign out of her own pocket and that to continue the campaign we should assist with our donations, on behalf of the Curl Curl Lagoon Friends Inc Reg pledged \$200 to the campaign and everyone was invited to fill the white dish with their contributions. (\$275.00) was collected).

It was emphasized that a positive message should go back to Council, that this meeting supported the upgrading of the Grass Courts in the interest of all Park users for passive and active activities.


Everyone was encouraged to spread the word and to send letters to all the Councillors. Get a petition going. At the end of any letters or petition it was recommended to include the following "Please consider this as a submission to the John Fisher Park Plan of Management."

Messages and concerns from this evening need to be conveyed to the wider community and our elected representatives.

It was resolved that the Volunteers be part of the Steering Committee.

At the close of the meeting the following volunteers came forward to work on the Committee or to deliver flyers etc.

DAVID WILLIAMS - PAULA STEWART - RON GATTENBY - CRAIG HAMILTON - SHERRYL PARKER - MAY THOMAS - MARK BROWN - CHRIS THOMAS - BARRY BEAUMONT - TRISH MACHON - BRIAN DUNPHY - MARGARET WARD - ROSEMARY LAWRENCE - DAVE HARVEY - JOSIE GALLAGHER - LIZ KAINES, LOUISE HISLOP - JULIE WALSH - ZOE PEARCY - MARY COOK - BERNARD O'CONNOR - GABRIEL ROSATI - SUSAN WHITTER - ROBYN LOGAN



Lorna Plate

9 June 2000

**MINUTES FROM THE COMMUNITY MEETING
(JOHN FISHER PARK PLAN OF MANAGEMENT)
HELD AT FRESHWATER HIGH SCHOOL THURSDAY 29 JUNE 2000**

Present: As per attendance sheets and others (Conservative count of 450 was taken)

Apologies: Jeff Angel, Director, Total Environment Centre, Tony Abbott, MP, Brad Hazzard, MP, John Brogden, MP, Cr David Stephens, Mr Bowman, Ms Beverly Bowery, Mrs Rosemary Lyons, Mrs Trish Machon, Mrs Jill Farrell, Mrs Veronica Cox, Mrs Valerie Washington, Ms Josie Gallagher, Mr & Mrs Doug Mulray.

The meeting commenced at 7.40 pm

Ray Cavenagh, Chairman for the meeting and a Community member living in the area, welcomed the six Councillors, David Barr, MP, and fellow community members to the meeting. Cr Peter Forrest, Cr Kevin Smith, Cr Darren Jones, Cr Ruth Sutton indicated they wished to speak and joined the Chairman on the stage. The Mayor, Cr Peter Moxham and Cr Julie Sutton indicated they were present to listen to the community and remained in the body of the Hall. David Barr also indicated he was present to listen to the community and remained in the body of the Hall.

Ray Cavenagh then invited **Deborah Moffat**, Convenor of the John Fisher Park Community Group to bring us up to date on the activities of the John Fisher Park Community Group that was formed as the result of the meeting held at the Stirgess Ave Scout Hall on 6 June, 2000.

Deborah Moffat welcomed and thanked everyone for coming and before reporting on the background to the JFP Plan of Management read a letter from Jeff Angel, Director, Total Environment Centre. (A copy of the letter is attached to these minutes) Deborah then gave a brief background to the issues of concern. She explained that John Fisher Park is Community Land and that the Warringah Council is required to produce a Plan of Management. How she had with other community members and sporting group members attended a workshop at North Curl Curl School on the 8 March 2000. How everyone was broken up into random groups to talk about issues emerging over the next 5 years. JFP was a very special place and how grateful everyone was for Council's continuing work to rehabilitate the Creek and Lagoon - how she went away happy with the shared common vision of the community, sporting bodies and other passive users. Then the Minutes of the Community Workshop arrived with the Minutes of a meeting held between the Netball Association, one Councillor and Council Staff. Issues such as 40 Netball hard surface courts, fencing, additional car parking, and an indoor Netball facility raised great concern and alarm and a meeting was arranged to give the Community an opportunity to give their voice. At very short notice and on a very cold night about 135 people attended the meeting and 28 people sent their apologies. A resolution was passed at that meeting to support rectification of the grass courts and to oppose hard surfacing of the courts and further development in the parkland. At the end of the meeting 27 people volunteered to work on a campaign.

Since the Public Meeting the Volunteers have been working on such issues as

RESEARCH OF THE SAFETY ASPECTS - Monash University Sports Injury Unit Research and further Research by Jeffrey B Pross, Physiotherapist

HARD SURFACING - Surveyor conducted an assessment of the amount of hard surfacing required to do the Netball Courts on the north side of the Lagoon - 18,000 sq metres or 5 acres of bitumen and this excludes Car parks, toilet blocks, buildings etc

It was decided that it was a **BIG ISSUE** and that we should invite our Councillors to hear your point of view.

Deborah then presented a **VIDEO** of **JOHN FISHER PARK** put together by the volunteers with special thanks to Lochie Daddo.

The video emphasized the incredible number of uses the Park is put to. First it is a Community Park available to each and every one of us. It is an increasingly important asset as we experience increasing urban consolidation in our area and neighbouring areas. It is a natural corridor for wildlife and native vegetation in a densely populated and developed area. It is important to realise that JFP is in the middle of a residential area and does not have the infrastructure for Traffic for Regional Events. To ensure everyone has access to the Park we must share the amenity and facilities. **GRASS FACILITATES MULTIPLE ACCESS - YOU DON'T KNOW WHAT YOU HAVE UNTIL IT IS GONE.**

Ray Cavenagh then introduced Reg Paling, President of the Curl Curl Lagoon Friends Inc

Reg Paling briefly explained how the Curl Curl Lagoon Friends have been working to preserve the Lagoon for the last twenty years - a Rehabilitation of Greendale Creek and Curl Curl Lagoon that has been supported by all Councillors - and we thank our Councillors for their dedication to this rehabilitation - as a group we have kept our fingers on the pulse, bringing pressure to bear when necessary and working on the ground to regenerate, restore and preserve the Creek, Lagoon and the Green Open Space. From a garbage tip we would like to see in 50 yrs time this great Open Space being a "Centennial Park" in the middle of Curl Curl.

Over the years there have been many threats - the Curl Curl Lagoon Committee as it was known back in 1980 was formed because of a proposal to flush the Lagoon out with sea water - there have been threats to fence off parts of the Park - threats of wholesale tarring of the Park - the next threat may be at the Education end - but we are not here to discuss that - we are here to discuss excessive hard surfaces - and I feel just in time. There are many sports - if we concede to one sport's exclusive buildings - why not all sports? - the whole park would be carved up - fenced - with a rash of buildings. Individual Sports have a strong ambition for their own. The Plan of Management must assure that their overall goals are kept in check and that we do not have to be forever vigilant for the next 50 yrs.

The Councillors who expressed the wish to speak were then given an opportunity to speak.

Cr Peter Forrest said he was elected last year as a Member of the Greens. He commented on his business interests and commitment to the environment. He stated that he felt that for long term economic and environmental reasons Ecological Sustainable Development was required. JFP life began as a Green Belt - a barrier in the heartland of the Brookvale Industrial Estate. JFP is the lungs of Curl Curl - and any lungs with tar are not ecologically sustainable. Cr Forrest has two daughters who play Netball at JFP - A and B graders - when asked, his elder daughter said she liked to play on bitumen but **thinks grass is better.**

Cr Darren Jones said there were two sides - accused Mr Daddo of presenting false information. Council does not have an application before it for 40 hard surface Netball courts. Only about half that amount. Darren said it gave him a great deal of satisfaction seeing young kids enjoying their sport - there was a need to consider providing facilities to be up to standard for the young Netballers to have the opportunity to represent our Nation. Those who oppose Hard Surfacing have had the effect of putting emotion into the equation. He has supported Netball for a number of years and has received letters from both sides. On the issue of traffic with North Curl Curl School charging for parking - good luck to them - he understood that the traffic was galling but Curly School got funds and people saying it is a commercial undertaking he treats it with the contempt it deserves - **SOME HECKLING** - I have come to listen and will be very interested to hear.

Cr Kevin Smith congratulated Deborah Moffat and Reg Paling on their contributions and stated clearly that he will not be lending support to any further tarring of the Netball courts.

Cr Julie Sutton was invited to speak - she commented that she didn't want to but would. Stated she was disgusted to hear whistling from the audience during Cr Darren Jones' speech. There was some heckling at this remark. **Cr Julie Sutton then immediately left the meeting approx. 8.19 pm**

Cr Ruth Sutton thought it was all an interesting exercise to hear the different points of view. She has received many phone calls and letters. Mainly from 2 groups - both have wonderful ideas and have been careful to put well thought out arguments. Bitumen - State Championship standard. As the bushland goes we are going to be more involved in protecting these areas. We don't want a Brookvale Park. An area given and once used by all. These grounds have evolved for exclusive use. Not only for Netballers - the need to be fair to both sides. Cr Ruth Sutton expressed her concern that all of these areas are taken up for mainly male sports. That new sports are developing which need to use football fields. We can't have sacred cows. All areas should be capable of use for different sports - put that into the equation. Cr Sutton talked about the need for more assistance to Women's sports. In this area we are regenerating the Lagoon margins. It is important to be mainly grass and that we have a surface as good as Brookvale Park. Holes must be fixed. We need Sportsfields reclamation. We must fix the uneven surfaces and therefore upgrade the grass courts and be happy.

Before proceeding with discussions the Chairman indicated that Reg Paling would be putting a motion at the end of the discussion and for the benefit of all present he would have Reg read out his foreshadowing motion.

THE FORESHADOWING MOTION READS

A RESOLUTION FOR THE JOHN FISHER PARK COMMUNITY GROUP MEETING 29 JUNE 2000

"That this meeting calls on Warringah Council to include the following statements as strategic goals in the John Fisher Park Plan of Management.

"There will be a continuing programme of maintenance and rectification of the grass playing fields

"There will be no further hard surfaces with the exception of the proposed cycleway

"There will be no further building development within the Park. To make this possible Council will promote non-exclusive multi-use of existing buildings"

The Chairman then opened the meeting for discussion requesting that the speakers use the microphones provided and to clearly state their names.

Kirk McDougall addressed a question to Cr Ruth Sutton requesting clarification of her position.

Cr Ruth Sutton replied. Maybe 3 or 4 more hard surfaces - but rather have good grass. Wrong to bitumen 40 - 20 far too many - was concerned about injuries to young girls falling on bitumen.

A Lady from Mona Vale whose daughter plays netball stated that it is not only young people but many others want grass courts. She was concerned about injuries to young girls falling on bitumen. If bitumen goes in they will be looking at finding another sport for their daughter.

Brian Dunphy, B Riding representative on the Warringah Recreational Committee spoke about the many Rectification programmes throughout Warringah. It was passed by Council that courts on JFP were to be rectified. 15 Hard Courts or 40 Grass Courts and he supported the rectification and maintenance of grass courts.

Pedro Lopez a long time local resident who has worked in a voluntary capacity to care for the park said **KEEP IT GREEN - TAR WOULD SPOIL THE PARK**

A Male speaker said why not use Brookvale Park for Netball because the Oval was under utilised

Anthony Richards, Soccer Coach and father of a Netballer - also a Chiropractor, said he sees many sports people with injuries - "a lot of injuries I see are related to hard surfaces" Netball - more injurious than Basketball. Acceleration and deceleration on the hard surfaces - think of the safety not the glamour of a State Carnival. Councillors must consider "Duty of Care".

Michelle Peard has been in the area a long time and is a Netballer. She stated that the Netball Group volunteered their time - they do not want to increase their area - do not want to increase traffic - State Championships are not held every week - maybe one every 10 years. Listen to both sides. I love JFP - I love sport - I love Curl Curl. She supports hard surfaces - safer.

Cecily McMechan who has lived in the area for 20 years stated "How can they say their children are not going to be hurt?" I have represented Queensland Netball and now have permanent injuries to my knee and ankle as the result of playing on hard surfaces. Does not want to see the grass taken up to put down bitumen.

Robert Ross who lives opposite the Netball Courts said "To asphalt would be criminal - GRASS IT!"

Voice from the audience "JOHN FISHER WOULD TURN OVER IN HIS GRAVE!"

Eric Galloway from Belrose, ratepayer for 34 yrs stated - the idea has been on the Agenda for 25 yrs - supported hard surfaces - e.g. schools which put down bitument over grass.

Zoe Gibbs born in Curl Curl - played A Grade for Curl Curl identified her coach in the audience. My sister and I are both Netballers but now have injuries therefore I am opposed to hard surfaces. There is no need for asphalt surfaces. It is an emotional issue - it is my life style - now uses Park every day for Yoga and walking her dog.

Betty Ratcliffe from B Ward, the Brookvale Valley Community Group Representative on the **BROOKVALE PARK ADVISORY COMMITTEE** Son-in-law is a Physiotherapist who would support findings of Monash University Sports Injury Unit and Jeff Pross. Recognises the wonderful work that Michelle has been doing but would like to see a **WIN WIN** solution. Supports the best possible grass surfaces. Brookvale School has ripped up the asphalt and put down grass. Supports all sports but community space is being lost. People outside area are influencing the outcomes. Needs multiple use with full community involvement - not for one group on our precious community space. It is a Catchment issue - concerned for the quality of the beach. This is a holistic view not a single issue - **STOP - CONSIDER AND LOOK FOR A WIN WIN SITUATION - ASPHALT IS GOING BACKWARDS.**

Brian Shepherd been in North Curl Curl since 1967. Pleased to see the formation of this committee. It was good for all of us to see the Video presentation. JFP should be available for the use of everyone - careful not to lose focus. If we put down asphalt we jeopardise the use of the Park. He remembers how many years ago there was an effort to establish a Marine Park at Curl Curl Lagoon. He asked **WHY** and was told that when flying in an aeroplane over the area it was the largest bit of clear green space. Bring the Council to focus on this problem and come up with the right decision.

Alan Newton, Deputy President of Curl Curl Lagoon Friends who has lived more than 60 years in the Curl Curl Lagoon Catchment spoke of his thousands of hours in, on or at Curl Curl Lagoon. He made the point that the **Lagoon** was the most important part of JFP and opposed the placement of any more hard surfaces because of their detrimental effect on the lagoon. He concluded by opposing **ANY MORE HARD SURFACES ANYWHERE.**

Alice McDougall a young school student asked Cr Darren Jones did he have any daughters.

Cr Darren Jones NO

Alice then asked **Cr Darren Jones** If you had daughters would you like them to hurt their knees and ankles?

Cr Darren Jones No of course not.

Alice talked about the many injuries she had endured - injuries that she felt had been caused by playing on hard surfaces.

Jeff Pross Physiotherapist spoke about his own experiences and research of the different injuries caused by playing Netball on hard surfaces. He spoke about the "cruciate" injuries and "the one that never goes away" - he also elaborated on the **SLIPPAGE FACTOR**. Please see his attached statements.

Chris Thomas from South Curl Curl quoted from Minutes of the Manly Warringah Netball Association Consultation Workshop 6 March 2000 "would like atleast another 40 Hard Courts" We are looking for JFP being used by all users. This is coming forward from one particular group. An item from Workshop Issues Paper was leasing and licences. **Security of a long term lease on the Curl Curl Sports Centre is being negotiated with Council and Manly Warringah Netball Asscn.** Facility should be available to all sports. Don't want it monopolised by one group.

David Barr, MP spoke of the absolutist approach - otherwise the problem is that groups nibble away - incremental creep - **NO MORE HARD SURFACES** He didn't perceive any problems with good grass surfaces - look at the amenities of the whole area - preserve the Green and as Betty Ratcliffe emphasised - have a **WIN WIN** solution. David Barr congratulated Deborah Moffat on all her good work.

Reg Paling was then asked to put the motion. Reg read out the motion again and stated that all rational arguments had come from the floor. Ray Cox seconded the motion.

David Norton, Secretary of the Sporting Union stated that the sports using the Park were many and varied and that the Sporting Union attempted to give everyone a fair share. He stated that the motion was unfair - there were a number of Lady Soft Ball players needing access to amenities at the Northern end of Abbott Road.

Lorna Plate stated that this area was part of the Abbott Road Plan of Management and that the JFP Plan of Management and the Abbott Road Plan of Management were two distinct Plans of Management.

Cr Kevin Smith stated he was the Chairman of that Steering Committee and substantiated the statement.

Cr Ruth Sutton queried the need of at least another 40 hard surface courts. It is a Park and she was "A CONVERT OF THE NIGHT"

An addendum was then put by Peter Thyer, seconded Rick Shepherd

"that there be a moratorium on development of both John Fisher Park and the Abbott Road Land for a period of five years to be added to the motion"

Judy Brain drew the meetings attention to the fact that the Abbott Road Land belongs to the Education Department to be used for Educational needs.

The addendum was put to a vote and was lost.

Then the original motion was put and carried overwhelmingly.

Ray Cavenagh then offered the Councillors the opportunity for final comments.

Deborah Moffat from the John Fisher Park Community Group thanked Ray Cavenagh for chairing the meeting, thanked all the Councillors for their participation and thanked David Barr for his contribution and specially thanked everyone who came out on such a cold night. Deborah stated that this was not the end. Councillors would be voting in the coming weeks. Council Staff would be putting forward propositions for Councillors decisions. Please keep the letters rolling. The John Fisher Park Community Group would be meeting with all Councillors.

The meeting finished 9.50 pm.

Notes were taken for these minutes by Alan Newton, Ray Cox and Lorna Plate - please accept our apologies for any inaccuracies in the spelling of names.

Alan Newton

Ray Cox

Lorna Plate

30 June 2000

APPENDIX C



REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
64H/1A	395	231		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	PARK NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND GENERAL COMMUNITY USE	SPORTSGROUND	WARRINGAH COUNCIL	4173
64H/3B	395	236		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE SPORTSGROUND PARK NATURAL AREA/WETLAND	SPORTSGROUND WATERCOURSE	WARRINGAH COUNCIL	4224
64H/3C	395	237		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND PARK	SPORTSGROUND WATERCOURSE	WARRINGAH COUNCIL	4046.8
64H/3D	395	238		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WETLAND NATURAL AREA/WATERCOURSE (CREEK) SPORTSGROUND PARK	SPORTSGROUND WATERCOURSE	WARRINGAH COUNCIL	4046.8

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
64H/3E	395	239		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND PARK SPORTSGROUND	SPORTSGROUND WATERCOURSE	WARRINGAH COUNCIL	4527.6
64H/9A	395	233		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	GENERAL COMMUNITY USE PARK SPORTSGROUND NATURAL AREA/WETLAND NATURAL AREA/WATERCOURSE (CREEK)	SPORTSGROUND WATERCOURSE GENERAL COMMUNITY USE	WARRINGAH COUNCIL	4983
64H/9B	395	234		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND PARK	SPORTSGROUND WATERCOURSE GENERAL COMMUNITY USE	WARRINGAH COUNCIL	5514
65E/1A	395	242		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	NATURAL AREA/WATERCOURSE (CREEK) SPORTSGROUND NATURAL AREA/WETLAND GENERAL COMMUNITY USE PARK	SPORTSGROUND GENERAL COMMUNITY USE PARK	WARRINGAH COUNCIL	3642

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
65E/1B	395	243		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	PARK GENERAL COMMUNITY USE NATURAL AREA/WETLAND SPORTSGROUND NATURAL AREA/WATERCOURSE (CREEK)	SPORTSGROUND PARK	WARRINGAH COUNCIL	3793
65E/1CA	395	244		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	SPORTSGROUND NATURAL AREA/WETLAND NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE PARK	SPORTSGROUND	WARRINGAH COUNCIL	2807.7
65E/1CB	395	245		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	PARK SPORTSGROUND NATURAL AREA/WETLAND GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK)	SPORTSGROUND	WARRINGAH COUNCIL	3515.8
65E/1CC	395	246		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	PARK GENERAL COMMUNITY USE SPORTSGROUND NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND	SPORTSGROUND	WARRINGAH COUNCIL	3515.8

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
65E/1D	395	248		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	SPORTSGROUND GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND PARK	SPORTSGROUND	WARRINGAH COUNCIL	2858
65E/1E	395	249		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	GENERAL COMMUNITY USE SPORTSGROUND NATURAL AREA/WATERCOURSE (CREEK) PARK NATURAL AREA/WETLAND	SPORTSGROUND	WARRINGAH COUNCIL	2858
65E/1F	395	250		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	PARK SPORTSGROUND GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND	SPORTSGROUND	WARRINGAH COUNCIL	2858
64H/10A	395	225		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND PARK GENERAL COMMUNITY USE	SPORTSGROUND	WARRINGAH COUNCIL	6091.94

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
64H/10B	395	226		752038	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	PARK GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND	SPORTSGROUND	WARRINGAH COUNCIL	6065
64H/11	395	6		13257	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	SPORTSGROUND NATURAL AREA/WETLAND NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE PARK	SPORTSGROUND PARK	WARRINGAH COUNCIL	614
64H/12	395	1		13257	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	NATURAL AREA/WATERCOURSE (CREEK) PARK GENERAL COMMUNITY USE NATURAL AREA/WETLAND SPORTSGROUND	PARK	WARRINGAH COUNCIL	613
64H/13	395	3		13257	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND PARK	PARK	WARRINGAH COUNCIL	613

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
64H/14	395	5		13257	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	GENERAL COMMUNITY USE PARK SPORTSGROUND NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND	PARK	WARRINGAH COUNCIL	613
64H/4	395	2		13257	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	NATURAL AREA/WATERCOURSE (CREEK) PARK NATURAL AREA/WETLAND GENERAL COMMUNITY USE SPORTSGROUND	PARK	WARRINGAH COUNCIL	619
64H/5	395	4		13257	JOHN FISHER PARK (NTH OF LAGOON)	ABBOTT ROAD	NORTH CURL CURL	PARK SPORTSGROUND NATURAL AREA/WETLAND NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE	PARK	WARRINGAH COUNCIL	616.58
64H/2A	395	228		752038	JOHN FISHER PARK (NTH OF LAGOON)	LAWSON STREET	NORTH CURL CURL	NATURAL AREA/WETLAND SPORTSGROUND NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE PARK	SPORTSGROUND WATERCOURSE	WARRINGAH COUNCIL	6500

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
64H/2B	395	229		752038	JOHN FISHER PARK (NTH OF LAGOON)	LAWSON STREET	NORTH CURL CURL	NATURAL AREA/WETLAND SPORTSGROUND PARK NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE	WATERCOURSE	WARRINGAH COUNCIL	5766
64H/2C	395	230		752038	JOHN FISHER PARK (NTH OF LAGOON)	LAWSON STREET	NORTH CURL CURL	NATURAL AREA/WETLAND SPORTSGROUND PARK NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE	WATERCOURSE SPORTSGROUND	WARRINGAH COUNCIL	7591
64H/17	395	7		13257	JOHN FISHER PARK (NTH OF LAGOON)	LAWSON STREET	NORTH CURL CURL	PARK GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND	SPORTSGROUND PARK	WARRINGAH COUNCIL	1467
66/2A	9033	PT4		15208	ADAMS STREET RESERVE	ADAMS STREET	CURL CURL	NATURAL AREA/BUSHLAND	PARK	WARRINGAH COUNCIL	603.01
66/2B	9034	PT5		15208	ADAMS STREET RESERVE	ADAMS STREET	CURL CURL	NATURAL AREA/BUSHLAND	PARK	WARRINGAH COUNCIL	482.24

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
66/3A	9034	PT6		15208	ADAMS STREET RESERVE	ADAMS STREET	CURL CURL	NATURAL AREA/BUSHL	PARK	WARRINGAH COUNCIL	292.48
66/4A	9034	PT7		15208	ADAMS STREET RESERVE	ADAMS STREET	CURL CURL		PARK	WARRINGAH COUNCIL	101.76
67E/3	396	2		225041	JOHN FISHER PARK (STH OF LAGOON)	BENNETT STREET	CURL CURL	PARK GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) SPORTSGROUND NATURAL AREA/WETLAND	SPORTSGROUND WATERCOURSE PARK	WARRINGAH COUNCIL	777
67E/4	396	2		513842	JOHN FISHER PARK (STH OF LAGOON)	BENNETT STREET	CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND PARK	SPORTSGROUND PARK	WARRINGAH COUNCIL	1751
67E/6	396	1		601091	JOHN FISHER PARK (STH OF LAGOON)	BENNETT STREET	CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND PARK	SPORTSGROUND WATERCOURSE PARK	WARRINGAH COUNCIL	12660

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
67E/5	396	2		533226	JOHN FISHER PARK (STH OF LAGOON)	HOLLOWAY PLACE	CURL CURL	NATURAL AREA/WETLAND SPORTSGROUND PARK NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE	SPORTSGROUND PARK	WARRINGAH COUNCIL	19595
67E/7A	396	71		12724	JOHN FISHER PARK (STH OF LAGOON)	STIRGESS AVENUE	CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND PARK	PARK SPORTSGROUND WATERCOURSE WETLAND	WARRINGAH COUNCIL	9212.9
67E/7B	396	74		12724	JOHN FISHER PARK (STH OF LAGOON)	STIRGESS AVENUE	CURL CURL	NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE NATURAL AREA/WETLAND PARK SPORTSGROUND	SPORTSGROUND WATERCOURSE PARK	WARRINGAH COUNCIL	7836.49
67E/8	396	B		396843	JOHN FISHER PARK (STH OF LAGOON)	STIRGESS AVENUE	CURL CURL	NATURAL AREA/WETLAND SPORTSGROUND PARK NATURAL AREA/WATERCOURSE (CREEK) GENERAL COMMUNITY USE	SPORTSGROUND WATERCOURSE PARK WETLAND	WARRINGAH COUNCIL	7903

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
67E/9A	396	56		12724	JOHN FISHER PARK (STH OF LAGOON)	STIRGESS AVENUE	CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND PARK	PARK	WARRINGAH COUNCIL	512
67E/9B	396	55		12724	JOHN FISHER PARK (STH OF LAGOON)	STIRGESS AVENUE	CURL CURL	NATURAL AREA/WATERCOURSE (CREEK) PARK NATURAL AREA/WETLAND GENERAL COMMUNITY USE SPORTSGROUND	PARK	WARRINGAH COUNCIL	512
67E/9C	396	54		12724	JOHN FISHER PARK (STH OF LAGOON)	STIRGESS AVENUE	CURL CURL	GENERAL COMMUNITY USE NATURAL AREA/WATERCOURSE (CREEK) NATURAL AREA/WETLAND SPORTSGROUND PARK	PARK	WARRINGAH COUNCIL	588
67E/10A	396	73		12724	JOHN FISHER PARK (STH OF LAGOON)	STIRGESS AVENUE	CURL CURL	NATURAL AREA/WATERCOURSE (CREEK) PARK NATURAL AREA/WETLAND GENERAL COMMUNITY USE SPORTSGROUND	SPORTSGROUND PARK	WARRINGAH COUNCIL	550.2

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
67E/10B	396	70		12724	JOHN FISHER PARK (STH OF LAGOON)	STIRGESS AVENUE	CURL CURL	NATURAL AREA/WETLAND NATURAL AREA/WATERCOURSE (CREEK) SPORTSGROUND PARK GENERAL COMMUNITY USE	PARK	WARRINGAH COUNCIL	461.7
64H/19	395	219		752038	JOHN FISHER PARK (ABBOTT ROAD LAND)	CRN. ABBOTT RD & HARBORD ROAD	NORTH CURL CURL		SPORTSGROUND	DEPARTMENT OF EDUCATION	7487.1
64H/20	395	218		752038	JOHN FISHER PARK (ABBOTT ROAD LAND)	HARBORD ROAD	NORTH CURL CURL		SPORTSGROUND	DEPARTMENT OF EDUCATION	7574.7
64H/21	395	217		752038	JOHN FISHER PARK (ABBOTT ROAD LAND)	HARBORD ROAD	NORTH CURL CURL		SPORTSGROUND WATERCOURSE	DEPARTMENT OF EDUCATION	10838
64H/22	395	216		752038	JOHN FISHER PARK (ABBOTT ROAD LAND)	HARBORD ROAD	NORTH CURL CURL		WATERCOURSE	DEPARTMENT OF EDUCATION	2976.4
64H/23	395	220		752038	JOHN FISHER PARK (ABBOTT ROAD LAND)	ABBOTT RD	NORTH CURL CURL		SPORTSGROUND PARK WATERCOURSE	DEPARTMENT OF EDUCATION	5632.5
64H/24	395	8		13257	JOHN FISHER PARK (ABBOTT ROAD LAND)	ABBOTT RD	NORTH CURL CURL		SPORTSGROUND PARK	DEPARTMENT OF EDUCATION	1546.1

REGISTER NO.	RESERVE NO.	LOT NO.	SECTION NO.	DP NO.	RESERVE NAME	STREET NAME	SUBURB	PREVIOUS POM CATEGORY	1998 (ACT AMENDMENTS) CATEGORY	OWNERSHIP	AREA
64H/25	395	9		13257	JOHN FISHER PARK (ABBOTT ROAD LAND)	ABBOTT RD	NORTH CURL CURL		SPORTSGROUND PARK	DEPARTMENT OF EDUCATION	1551.2
64H/26	395	10		13257	JOHN FISHER PARK (ABBOTT ROAD LAND)	ABBOTT RD	NORTH CURL CURL		SPORTSGROUND PARK	DEPARTMENT OF EDUCATION	1531.4
64H/27	395	223		752038	JOHN FISHER PARK (ABBOTT ROAD LAND)	ABBOTT RD	NORTH CURL CURL		SPORTSGROUND PARK	DEPARTMENT OF EDUCATION	4756.6
64H/28	395	224		752038	JOHN FISHER PARK (ABBOTT ROAD LAND)	ABBOTT RD	NORTH CURL CURL		SPORTSGROUND WATERCOURSE PARK	DEPARTMENT OF EDUCATION	7928.3
64H/15	395	N/A			JOHN FISHER PARK (ABBOTT ROAD LAND)	LAWSON ST	NORTH CURL CURL		SPORTSGROUND WATERCOURSE	CROWN	5933.5
65E/8	395	N/A			JOHN FISHER PARK	PLAYFAIR RD	NORTH CURL CURL		SPORTSGROUND WATERCOURSE	CROWN	2493.5
64H/18A	395	373		752038	JOHN FISHER PARK	ABBOTT RD	NORTH CURL CURL		SPORTSGROUND	DEPARTMENT OF EDUCATION	6028.43

APPENDIX D



THIS DEED made the 17th day of January 1994
BETWEEN THE MINISTER FOR EDUCATION AND YOUTH AFFAIRS (hereinafter
called "The Minister") of the one part AND THE WARRINGAH COUNCIL
(hereinafter called "the Council") of the other part.

WHEREAS

- A. The Minister or Her Most Gracious Majesty Queen Elizabeth the second is the owner of the lands set out in Schedule I hereto or such lands have been dedicated or appropriated for school purposes by Gazette notice (hereinafter called "School lands").
- B. The Council is the owner or has the care, control and management of the land set out in Schedule II hereto (hereinafter called "Council lands").
- C. Agreement has been reached between the parties for the school lands and the Council lands to be developed by the Council for public open space and recreation.

NOW THIS DEED WITNESSES AS FOLLOWS:-

- 1. (i) The parties agree to establish a Committee consisting of 8 persons as follows:-
 - Two persons to be nominated by Manly High School
 - Two persons to be nominated by Freshwater High School
 - Four persons to be nominated by the Council
- (ii) Should any nominee die, be absent without leave from 3 consecutive meetings of the Committee or resign then the School or party who appointed such member may nominate another person in their place.

- (iii) The first meeting of the Committee shall be convened by the Council.
- (iv) At the first meeting of the Committee, the Committee shall elect a Chairman who shall preside at all meetings of the Committee at which he is present and a Deputy Chairman who shall preside at all meetings of the Committee when the Chairman is absent.
- (v) A Quorum at any meeting of the Committee shall be:-
- One of the persons nominated by Manly High School
 - One of the persons nominated by Freshwater High School
 - Two of the persons nominated by the Council.
- (vi) The Council will provide secretarial support for the Committee.
- (vii) The parties hereto or members of the Committee may invite other interested parties to meetings of the Committee to hear their views but such persons shall not have a vote.
- (viii) The Committee shall prepare a Draft Development Plan for the School lands and the Council lands for the development of such lands by the Council for public open space and recreation and for the use of Manly High School and Freshwater High School.
- (ix) In preparation of the Draft Development Plan the Committee will have regard to the requirements of The Minister and to the needs of Freshwater High

School and Manly High School in the utilisation of the land.

(x) The Committee will not have the power to expend money nor bind the parties hereto.

(xi) On acceptance by the parties of the Committee's Draft Development Plan the Committee will be dissolved but may be reconstituted by resolution of the Council.

(xii) If after 12 months from the date hereof a Draft Development Plan has not been submitted to the parties for approval or if within 6 months from the date of submission of the Draft Development Plan the parties approval has not been given then either party may terminate this agreement on 14 days notice in writing to the other.

2. Upon acceptance of the Draft Development Plan by the parties the Council shall have the care, control and management of the School lands for a term of 20 years from the date hereof and shall implement the Development Plan in respect of the School lands and the Council lands.
3. The Council shall have the option of extending the term for a further 20 years by notice in writing to the Minister.
4. Manly High School and Freshwater High School shall be entitled to the exclusive use of those parts of the grounds set aside for sports and which are not the subject of any lease during school hours and at no cost and on booking with the Council's on either a permanent and/or casual basis.
5. After school hours or when the grounds have not been booked for the use of either Manly High School or Freshwater High

School the Council may permit that Manly Sports Union to allocate the use of those parts of the grounds set aside for sports under its normal charter.

6. Nothing in this Deed shall prevent the Council from leasing any part of the grounds for purposes consistent with the objectives of the Development Plan provided:-

(a) the concurrence of the Minister is obtained;

(b) any funds generated by such lease are paid into a Trust Fund and utilised for the development of the grounds consistent with the Development Plan or used for the maintenance of the grounds.

(c) If necessary the approval of the Minister for Local Government is obtained under the Local Government Act.

7. Should it be established that any part of the land in Schedule II is a Public Reserve then this Agreement shall if necessary be subject to the approval of the Minister for Local Government under the Provisions of the Local Government Act.

8. Should it be established that the part of Greendale Creek between portions 1208 and 216, 217 and 200 is not under the control of the Council then any Development Plan may exclude that part of the creek and such land shall not be as part of this Agreement.

9. The Council hereby agrees to indemnify Her Most Gracious Majesty Queen Elizabeth the second, the Minister and the Government of New South Wales against all actions, suits, claims, demands, proceedings, losses, damages, compensation, costs (including Solicitor and client costs) charges and any expense whatsoever in respect of any personal injury or damage or of any infringement,

disturbance or destruction of any rights or any person or corporate body arising directly or indirectly out of the use of the school lands by the Council its servants, workman, guests or invitees provided that this indemnity shall not extend to any use of the school lands by the parties indemnified under this Clause or any of them, their servants, workman, guests, invitees or pupils except as a direct consequence of any negligent act or thing by the Council.

10. Should due to charged circumstances or through Budgeting Constraints the Council be unable or unwilling to manage the lands in accordance with the Development Plan it may seek the Ministers concurrence in amending the Development Plan provided that if agreement cannot be reached then either party may terminate this agreement on one months notice to the other whereupon this Agreement shall be at an end but without releasing either party from any antecedent breach or event.

11. On termination of this Agreement all improvements erected on the school land shall remain the property of the Minister and the Council shall not be obliged to remove any of them.

12. The Minister hereby appoints the Council Trustee of the School Lands under the terms of this Deed to implement any Development Plant adopted and or subsequently amended by the parties and subject to this Deed with the same powers as to care, control and management as the Council has in respect of the Council lands.

THE COMMON SEAL of WARRINGAH COUNCIL)

was hereunto affixed this day of)

199 pursuant to an order) Mayor

made under delegated authority by the)
General Manager)

.....
General Manager

SIGNED SEALED AND DELIVERED by)

the MINISTER FOR EDUCATION AND)

YOUTH AFFAIRS in the presence of:)



..... *Paterson J.L.*

THE COMMON SEAL of the
COUNCIL ~~AND SEAL~~ OF WARRINGAH

was hereunto affixed


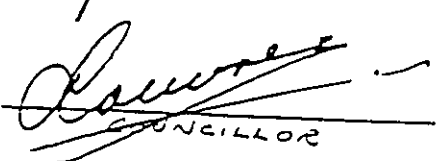
this 17 day of January 1994

In pursuance of a resolution of the Council

passed on the 21st

day of DECEMBER

1993


COUNCILLOR

COUNCILLOR

APPENDIX E



EXECUTIVE SUMMARY

John Fisher Park is located alongside lower Greendale Creek and Curl Curl Lagoon on Sydney's Northern Beaches.

The Manly Warringah Netball Association (MWNA) operates 58 netball courts at John Fisher Park, 15 of which are sealed and 43 grassed. The grassed courts experience problems with ground settlement due to poor geotechnical conditions, attributed to the site's former use as a garbage tip. The Association has indicated that grassed courts such as those at Curl Curl are most unusual in NSW district netball, that they do not provide suitable playing conditions for grade netball competition, and that they are unsafe.

A consultation workshop held in March 2000 involving MWNA and Warringah Council, discussed the need for improved netball court facilities at John Fisher Park. An earlier request by the Association for additional hard courts was reaffirmed at the meeting. It is understood that the Association requires a total of 40 sealed courts altogether to enable it to host a State Championship, or a minimum of 30 sealed courts to host a Division of a State event. As there are currently 15 sealed courts within the facility, the association is therefore proposing that between 15 and 25 additional sealed courts be provided.

Warringah Council (*Council*) have engaged Gary Blumberg & Associates (GBA), Consulting Engineers, to prepare a Statement of Environmental Effects (*SEE*) for the court sealing proposal. It is Council's expectation that the SEE would provide a rational basis for measuring the relative community benefit and impacts associated with new sealed courts.

A preferred development concept is outlined involving the sealing of 16 of the 43 grassed courts in John Fisher Park. Eight of these courts are located immediately below the Curl Curl Youth Centre (*referred to here as the eastern courts*), and the other eight between the Curl Curl Sports Centre and the North Curl Curl Scout Hall (*western courts*). The preferred concept incorporates a low-height earthen mound between the new western courts and Abbott Road. It is proposed that this mound would take on a form and function similar to the mound that exists between the existing sealed courts immediately below the Sports Centre. Flood lighting is not included in the current proposal.

The preferred development concept is shown in **Figure A**.

The SEE has established that there are four main benefits of court sealing, namely:

- improved netball facility able to support a higher grade of play;
- net safety benefit, particularly since the sealed surface would include a polymeric covering;
- reduced closure due to weather; and
- lower maintenance costs.

Potential impacts have been considered in relation to other uses, visual amenity, geotechnical considerations, drainage, traffic, water quality, noise and floodlighting.

Given the existing netball usage of the field, the good availability of other grassed areas in the general vicinity, and the potential for the sealed courts to support other informal recreational uses, it is concluded that any detrimental impacts on other uses would be small and acceptable. Visual and drainage impacts are also assessed to be small, manageable and acceptable.

Court sealing will address the key geotechnical issue of settlement. Although existing traffic and parking usage is heavy, this should not be unduly increased as a consequence of the proposal. Also, there would appear to be some opportunity for introducing Saturday bus transport to John Fisher Park during the netball season, and this could be explored with State Transit.

Sealing a relatively large area of the surface of the former landfill stands to offer a considerable benefit to the water quality of Greendale Creek and Curl Curl Lagoon. The effect of sealing in John Fisher Park is in some ways comparable to capping a contaminated site. It is considered that the benefit of reduced flows to Greendale Creek of contaminated leachate, would outweigh any tendency for elevated pollutant delivery washed from the sealed surfaces during rainfall.

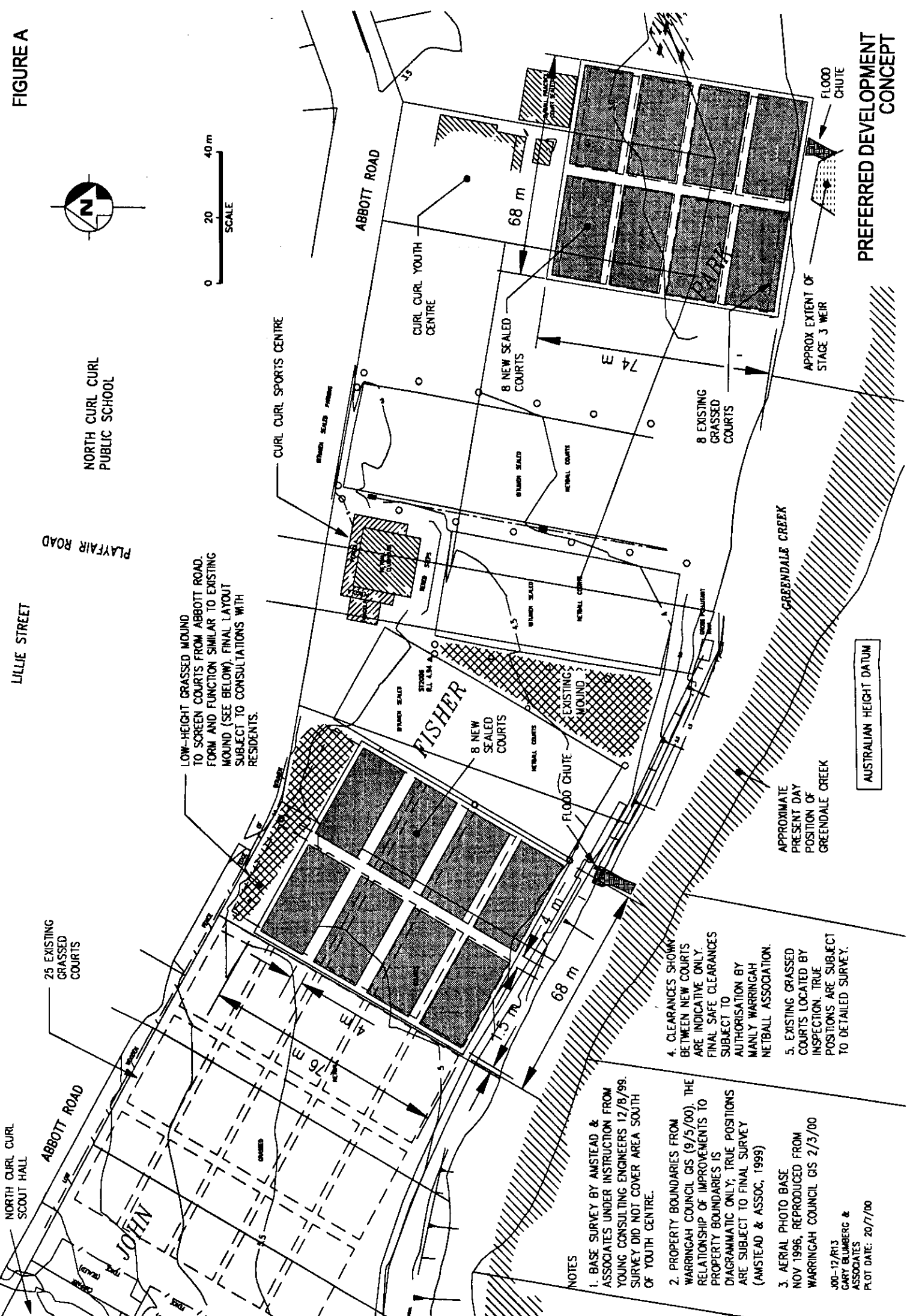
Existing noise levels adjacent to John Fisher Park are considered acceptable for a suburban area. A Noise Impact Assessment has not been carried out for this investigation. If local residents are concerned about the potential for noise impacts, then it would be recommended that such an investigation take place. This would require input from a specialist consultant.

Floodlighting of the new sealed courts is not included in the current proposal. However, as floodlighting would provide for a more useable netball facility, it might reasonably be regarded as a possible future addition. Residential impacts would need to be carefully assessed with any future proposal to provide additional floodlighting at the netball courts.

Preliminary consultations have been initiated with key statutory authorities. Consultations with residents and community groups did not form part of the consultancy.

It is Council's intention to initially consider "in-house" the environmental implications of any possible court sealing project for John Fisher Park before making a decision on a firm development proposal.

FIGURE A



PREFERRED DEVELOPMENT CONCEPT

- NOTES
1. BASE SURVEY BY AMSTEAD & ASSOCIATES UNDER INSTRUCTION FROM YOUNG CONSULTING ENGINEERS 12/8/99. SURVEY DID NOT COVER AREA SOUTH OF YOUTH CENTRE.
 2. PROPERTY BOUNDARIES FROM WARRINGAH COUNCIL GIS (9/5/00). THE RELATIONSHIP OF IMPROVEMENTS TO PROPERTY BOUNDARIES IS DIAGRAMMATIC ONLY; TRUE POSITIONS ARE SUBJECT TO FINAL SURVEY (AMSTEAD & ASSOC, 1999)
 3. AERIAL PHOTO BASE NOV 1996, REPRODUCED FROM WARRINGAH COUNCIL GIS 2/3/00
 4. CLEARANCES SHOWN BETWEEN NEW COURTS ARE INDICATIVE ONLY. FINAL SAFE CLEARANCES SUBJECT TO AUTHORISATION BY MAINLY WARRINGAH NETBALL ASSOCIATION.
 5. EXISTING GRASSED COURTS LOCATED BY INSPECTION. TRUE POSITIONS ARE SUBJECT TO DETAILED SURVEY.

JOB-17/R13
GARY BLUMBERG & ASSOCIATES
PLOT DATE: 20/7/00

APPENDIX F





JOHN FISHER PARK AND ABBOTT ROAD LAND COMMUNITY ISSUES DISCUSSION PAPER:

1. Community Consultation.

Introduction:

Community consultation is a vital component in the preparation of the John Fisher Park and Abbott Road Land Draft Plan of Management. The purpose of this community consultation is to identify the values attached to this community land and to provide a forum in which to collect and understand related community issues. These issues form the basis for the following Community Issues Discussion Paper and will help to ensure the protection of identified values in a way which best meets the recreational and other needs of the community. Another opportunity to be involved is within the Public Exhibition/ submission period following release of the draft Plan of Management.

Methods of Communication:

Flyers advertising community workshops (See Table 1) and outlining the role of the Plan of Management review, were distributed to sporting and community groups. A letterbox drop/ information pamphlet was also distributed to residents in streets surrounding the park. Some flyers were also distributed at sporting events on the weekend. 1500 of these flyers were circulated in all.

Meetings with those interested individuals or groups, as well as community consultation workshops were conducted. Two such workshops were held, one primarily for sporting issues, and the other for recreational and other issues. These workshops and invitations for the community to comment on issues relating to the Plan of Management, were also advertised in the local paper 'The Manly Daily'.

Community Comments:

The community presented their views in a variety of different formats. The Community Consultation Workshops involved group presentation of views as well as individual feedback in the form of issues papers collected at the workshop.

Comments sheets accompanied the flyers sent out to advertise the workshops and could be returned 'Reply Paid' to the Council Civic Centre. Values and issues were also gathered from the community in the form of letters, faxes and by phone. Approximately 100 of these comment sheets were completed and returned to Council. Altogether 78 people attended workshops and numerous letters, faxes and phone calls were received.

The following table outlines the questions asked within the comment sheet for the John Fisher Park and Abbott Road Land Community Consultation.

Table 1:

JOHN FISHER PARK: WHAT'S YOUR VIEW?

How do you use John Fisher Park? (eg. Golf course, jogging, picnics, etc.)

How often do you visit the Park? Which part/oval do you visit?

Why is John Fisher Park important to you? What do you value about the area?

What do you feel are the main issues associated with the Park?

What would you like the Draft Plan of Management to say about these issues?

What developments or improvements would you like to see within John Fisher Park?

The Workshops:

Two Community Consultation Workshops were held for the draft John Fisher Park and Abbott Road Land Plan of Management. The primary workshop was held at the Curl Curl North Public School, Playfair Road, Curl Curl on Wednesday 8th March 2000 at 7pm. This workshop involved representatives from sporting groups, the Friends of Curl Curl Lagoon, and local residents. The Manly Warringah Netball Association also held a workshop which focussed on the issues surrounding this sport.

These workshops were opened with an introduction of the Council's Plans of Management Team, a brief summary of the role of Community Land Plans of Management, and an overview of the process of community consultation. A summary of the characteristics of John Fisher Park and the Abbott Road Land followed. A brief reflection on the identified issues from the 1998 John Fisher Park Plan of Management was also presented.

Participants were then encouraged to complete an Issues Worksheet outlining their values, issues and thoughts regarding the park. Those present were divided into groups. After discussion with their group, feedback was then presented to the whole workshop highlighting the main values and issues of those in attendance.

Abbott Road Land Management Committee:

Advice has been sought from the Abbott Road Land Management Committee regarding the development of this Plan of Management. This Committee is made up of representatives from the local High Schools, Parent's and Citizen's Associations, and representatives from local community and sporting groups. This group has adopted that a complimentary joint Plan of Management, incorporating John Fisher and Abbott Road Land be processed as one plan which acknowledges the special needs of the Department of Education and Training.

Scope of the Study:

John Fisher Park and the Abbott Road Land comprise of the park area between Harbord Road to the west and Griffin Parade to the east. The northern boundary is Abbott Road and the southern boundary is the rear of the properties on Stirgess and Stewart Avenues (See locality map).

The community feels a strong sense of ownership of this area and as a result are active and responsive contributors to the Plan of Management process. Many people use this area in a variety of different ways. As a result there are many different ways in which the community values this area. A number of sporting and community groups are based in this area, as are three schools.

The community values the natural characteristics of this area, as well as its sporting uses. The balance between these land uses can be clearly seen, but not always harmonious. There is also a balance between the active and passive sporting uses of this area. The active sporting use of this area can be seen in weekend and weeknight competitions of various sports, as well as night training. Passive uses are made up of a wider variety of activities. These include walking, jogging, taking children or pets for walks. Other ways in which this area is used include sketching, bird – watching, enjoying the natural area, bicycle riding, and picnics.

The value of Curl Curl Lagoon, and the associated Greendale Creek, has been clearly highlighted by the community within the consultation process. This area is seen as an important natural area that includes habitats for a variety of flora and fauna.

Other local influences in the area include a large industrial area upstream of Curl Curl lagoon on the western side of Harbord Road. The park is utilised by three schools in the local area. Manly High School, Freshwater High School, and Curl Curl North Primary Schools all access the park for sport and as a resource for their studies.

Other facilities within the park include a Sports Centre, Scout Hall, and a Youth Centre at John Fisher Park, as well as a number of public amenities blocks, benches, picnic tables and BBQ facilities.

<p>The following views and suggestions have been raised by members of the community and are not the views of Council. These issues will be taken into consideration in the development of the draft Plan of Management.</p>

2. Community Values and Issues.

A. Protection of Community Values

John Fisher Park and the Abbott Road Land is a highly valued area for both active sport and passive recreation. It is utilised by the local community and a wider regional catchment, particularly for competitive sport. A strong sense of value and ownership has arisen from the community regarding this park. There is a desire to continue to improve and develop the management practises to protect the natural, sporting and recreational values of this significant area.

The following values were drawn from community consultation workshops and comment sheets:

The local community and users of John Fisher Park and the Abbott Road Land (henceforth referred to as The Park) feel that this land is very valuable as an area where the benefits of open space can be enjoyed. No private use of or sale of this land is acceptable in the community's eyes. The lack of congestion within this park is also appreciated. Wide expanses of open areas and vegetation give a sense of space and freedom, and add to the quality of life of the park's users.

The Park is seen as a fairly safe area for such a wide variety of pursuits, for many different groups of people. Many residents feel that this is the sort of area in which they are able to watch their children, and grandchildren, to grow and to explore their environment. From walking with youngsters in prams and strollers, through to watching them playing on the swings and onto bicycle riding, watching them play competitive sports and an area for skateboarding.

The Park is often a peaceful and serene area and a beautiful area to walk or cycle through, particularly for access to the beach area. The community highly values the local wildlife and habitats. The improvements on both Greendale Creek and Curl Curl Lagoon are appreciated and supported by many. A balance is sought between the urban and natural environment in The Park.

The passive recreation role of this park heightens the local resident's sense of community and the fitness and health of all who enjoy the area. Many feel that this park has an ideal balance between the passive and active functions of such an area. It is a venue for many competitive sports, an area for social gatherings and picnics, and an area for personal space. Many park users feel that the long cycle/walking path is a fantastic addition to The Park and should be extended to form a circuit on both sides of the creek and lagoon.

The Park's 'leash free zone' is highly valued by both local dog owners, and those who come to this park from a wider area. There is some hope that there can be an extension of such facilities.

Many locals that have lived in the area for many years feel they have lived through the "bad years" of this area when the stench and eyesore of the local tip was in place.

These residents are pleased that the promise they were given, for a beautiful park, is finally coming to fruition.

The following provides a more detailed discussion about these values and the associated issues that arose from the consultation process.

B. ACCESS AND PARKING

Parking is seen as a problem for the northern side of The Park in particular. On weekends in winter the congestion around the netball courts causes many problems for both residents and players. The streets are not able to handle the quantity of cars, and residential parking in the local streets around the park is hard to find. Residents would like to see some areas with restricted parking for residents and time limitations.

Many users are concerned about the lack of parking facilities, within The Park's boundaries, for high demand times. It has been recognised that the parking within Curl Curl North Public School is helping relieve some of these pressures, as well as helping the school community. The parking at Stirgess Ave can be used by netballers in winter and although this alleviates some of the pressures on the Northern side of the Park, it causes congestion in the southern side too. Improved car parking facilities are needed in this area too.

Other suggestions from the consultation include the need for improved ambulance access across the park, and the need for a bus facility to and from this area.

C. FUNDING

The community would like to see a commitment of funds to this area. Funds are urgently needed to fix the surface of the fields and for general development of the Abbott Road Land.

One suggestion from the community is that some development works could involve the government's 'Work for the Dole' scheme. Another fundraising idea involved a 'user pays' system where clubs get sponsorship and contribute to the development of the area.

D. SUBSIDENCE

Subsidence of the fields, particularly the Abbott Road Land, is of ongoing concern for the competitors using these fields. These fields are becoming increasingly uneven and dangerous. It should be noted that these fields have been ticketed as high priorities under Warringah's 'Sportsfield Rectification Fund'.

E. ABBOTT ROAD LAND

The Abbott Road Land issues have been incorporated into each of the sections of this document to develop a holistic view of the Park's issues. There are many issues that

are particularly acute in this area. These include a lack of amenities and facilities on these fields, as well as a distinct lack of shade and shade trees for spectators and players alike. As previously noted, there are ongoing problems with subsidence of the fields in this area.

Both High Schools need the Abbott Road Land for parking as recognised within the 1996 management strategy for this Department of School Education Land. The Department of School Education is a priority user of this area. They use this area for any special event, as well as for parking, throughout the year. Restrictions on car access in these events do not apply to these schools.

It has been identified that the Abbott Road Land also suffers a lot of wear and tear and management strategies need to address this. An amenities block is seen to be needed in this area and the suggested location for such a block is the site of the old caretaker's house. This would be seen as an improvement from the graffiti decorated container.

D. WATER QUALITY

One of the community's highest priorities is the water quality of Curl Curl Lagoon. The polluted waters in the creek and the lagoon are an ongoing concern for residents and other park users alike. It has been noted that many stormwater drains empty into the creek and the lagoon and that after heavy rain that a lot of stormwater solids filters along this system. Improvements in this system could be of benefit. Local residents have requested a more intensive and regular clearing of the Gross Pollutant Trap.

Suggestions have been made that steeper fines should be given to those found to be polluting the creek, as well as an increase in the monitoring program of those pollution sources.

Strong support has been given to the works along Greendale Creek. These developments have been seen as a positive step towards the rehabilitation of the creek and lagoon. A number of residents and other park users have expressed their congratulations to Warringah Council and the Curl Curl Lagoon Committee for their efforts in this area.

E. LANDSCAPING

The community recognises the amount of work that has been put into the rehabilitation of Greendale Creek. They would like to see continued planting and more landscaped garden areas around the park.

There is a desire to make the northern part of the lagoon as beautiful as that of the southern side, as well as to introduce oxygen promoting plants within the lagoon itself. There is a strong call to maintain the bio-diversity of the area, and to support the development of wildlife corridors in the area.

There is strong support for native tree shade planting along the boundary perimeter of The Parks. This includes the planting of shade trees for both spectators and players alike. There is ongoing support for the removal of coral trees within the rehabilitation works of Greendale Creek. The community desires that when existing trees die off or become diseased, they are replaced by local species. Such trees are seen to attract bird life to the area. Many would like to see a clearer path between the lagoon and the Bowling Club for walkers and access to the beach. This area of overgrowth also poses a safety concern.

F. LEASES AND LICENCES.

Manly Warringah Netball Association have requested a more secure and long term lease of the Curl Curl Sports Centre.

G. VANDALISM

Vandalism is an ongoing concern for many of the facilities within the park. Although there have not been many complaints recently regarding damage to facilities, there have been some incidents in the past.

Damage to newly planted trees has lead to some not surviving, and there have been incidents concerning late night noise and evidence of alcohol consumption. Broken bottles on the netball courts have presented an ongoing problem and safety risk. Some evidence of drug use in the area has been found within the 'Clean Up Australia' Day efforts by volunteers.

Complaints have been made by local residents regarding those sporting teams that warm up before their game before their 7:30am allocation. The group in question has also been identified as having poor language, and noisy behaviour after their Sunday morning games.

H. RECREATIONAL FACILITIES:

Some suggestions have met with a certain amount of disagreement between interest groups. The primary issue of contention is the resurfacing of some grass netball courts at John Fisher Park. The Manly Warringah Netball Association has submitted a proposal to turn a number of the grass courts at the site into hard courts. A number of local residents, as well as the Friends of Curl Curl Lagoon, have expressed their disapproval of this proposal.

Manly Warringah Netball Association wish to upgrade their facilities so that they may hold Regional Gala Days. Other suggestions to improve the courts are to regrade them and then returf them.

Some locals feel that there should be no more buildings on John Fisher Park, and no residential development. They feel that the park should be kept uncluttered, uncrowded, and unstructured. Others feel that a clubhouse, or an extension of the existing facilities, at Reub Hudson Oval should be developed to cater for Junior Rugby League. Another building or upgrade suggested is the development of an indoor sports facility for wet weather in this area.

Other Recreational facilities suggested include:

- More dog litter bins;
- Improved, high quality, playground with shelter such as a regional or district playground;
- Suggestion for a children's play gym for smaller and less able children;
- Picnic areas for family outings, BBQs, benches table shelters, and more grassed areas to sit;
- Fixed seats with adequate shading at rest points;
- Development of exercise stations around the park;

Better facilities for sporting users:

- Better sun protection facilities and/or shade trees for spectators and players alike;
- The installation of turf wickets for cricket at Frank Gray Oval;
- Provide better sporting facilities for user groups such as baseball and soccer meeting rooms;
- Permanent back nets and dugouts for all baseball diamonds;
- Clubhouse built for baseball above the eastern amenities block;
- Skateboard and BMX facilities;
- More public toilets;
- Improvements (long overdue) to the Curl Curl Youth and Community Centre;
- Upgrading of the Curl Curl Sports Centre.

A balance has been called for between the active and passive use of the park. Space is required for non – organised activities such as walking, cycling, and picnics. Dog walking is a major use of this area and some feel that the 'leash free' area within the park should be extended. Others feel that irresponsible dog owners are letting their pets foul the park, and that dog walking in the park should be restricted as this activity restricts the use of the park for other activities such as competitive sport.

I. ADDITIONAL FACILITIES

A variety of additional facilities have been suggested for this area. These include:

Improved lighting:

- Better lighting , especially over footbridges, with covers to direct the light;
- Lights around lagoon at night;

Improved access:

- Cycleways and walkways encircling the park from the beach to Harbord Road.
- Access across Abbott Road to the corner of Playfair Road for children travelling to Curl Curl North Primary school, or mum's with strollers;
- New, wider Park Street footbridge with access for bicycles;
- Cycleway should also connect for school children when travelling to school (eg. both High Schools and the Public School), as well as the beach;

Improvements to the creek and lagoon:

- Completion of all stages of rehabilitation of Greendale Creek and Curl Curl Lagoon;
- An upgrade for the lagoon to ensure that it always contains water – with a dam and overflow; or a weir for cleaner water;
- Build a jetty into the lagoon;
- A small island in the lagoon for the ducks, ibis, pelicans, water hens, and that is protected from dogs and the public;
- Further rehabilitation and landscaping of creek and lagoon such as that started by Council at the Western end;
- Better drainage of some areas after heavy rain , in particular one resident identified the areas of the southside grounds between Park St and Lalchere St;

J. MAINTENANCE

Maintenance is an ongoing issue for any park of this sort. Litter is the primary maintenance issue identified through community consultation. There is a need for more bins, and a more regular clearing of these bins. Litter left at weekends often ends up in the creek and lagoon. One suggestion is to have bars on bins so they are unable to be filled to an overflow level, and to deter illegal dumping of rubbish. Another suggestion is for the installation of 'cubby house' style of bins to prevent this sort of dumping.

General maintenance issues raised include:

- The levelling of soccer fields to improve the quality of the playing surface level.
- General upkeep of the mowing of fields to standards required for competitions, including the grassed netball courts.
- Upkeep and maintenance of the sealed netball courts.
- Maintenance of access to the park overall, particularly through maintenance of parking areas.

The community desires improved drainage of low lying areas, as previously mentioned within the additional facilities section. One suggestion was that the fields are regraded and relaid with proper drainage. The fields should also be assessed for redevelopment and rectification as required.

Ongoing improvements are needed for Council's use of poisons and herbicides. Particularly the issue of reducing the use of weed killers and sprays around the base of trees within the park was raised.

K. MANAGEMENT

Council's management and monitoring of the park is an issue for many park users. Misuse of the park by people letting their dogs off the leash in undesignated areas, not removing their dog's faeces, using the park for golf practise, driving their cars onto the park illegally on weekends, and illegal polluters, has resulted in a call for better patrols of the park.

Voluntary clean up days by sport users has been a suggestion by a number of groups. One idea suggested that each sport club to donate 10 hours per month towards the park in the form of clean up and general maintenance for their area. Sporting groups would clean up after themselves or risk losing the privilege of using the area in the next sporting allocation.

There is a sentiment that this area should not be for the exclusive use of any one group, that the approval process of major developments should be improved, and that the community should be encouraged to feel a sense of ownership of the area. This could be by holding bush rehabilitation/ regeneration workshops, and more clean up days.

The community wishes to maintain ownership of the park and doesn't want any changes to the classification of the park. Local residents feel that there should be the re- employment of a caretaker to look after the park.

L. PARK USES

Noise is an ongoing issue for local residents near the park, such as concerns regarding noise associated with the netball competition's loud address system. The Scout Hall and cricket club are also sometimes very noisy. One suggestion to reduce noise is to remove the practise basketball hoop, as it is used late at night. The Curl Curl Youth & Community Centre is not soundproof, so no audio/ musical equipment should be used at this facility.

There is a general consensus that the park should be maintained as an open area for the whole community and future generations. Restrictions to the development of additional infrastructure, and improvements towards the promotion of the recreational

uses of the park through the local media, are suggestions raised within workshops. The community would like to see a greater use of the park by local schools as a useful tool for their studies and for sport.

M. RISK/ PUBLIC SAFETY

Safety concerns exist in the areas of lighting, uneven playing surfaces, and dog faeces. Overall there is a poor level of lighting across the park at night. The problem of ill lit areas, along with low bushes and scrub, is that there could be people lurking posing a threat to children cross the park to school and back.

Lighting as well as distance is an issue for the Abbott Road Land. These amenities are located too far from playing fields and pose a risk for evening training with girls needing to go to the toilets.

A pedestrian crossing on Abbott Road near North Curl Curl Public School has been suggested as this area sees a high level of congestion on weekends, and vehicles moving at speed during the week.

Sports safety, the need to level playing fields, and the hygiene problems facing dog faeces levels on the playing fields, are other concerns for sporting users of the park. The quality of the playground facilities is an area of concern for many.

For further information regarding this Community Issues Discussion Paper please contact Mariell Davidson at Warringah Council on 9942 2543 or at davidm@warringah.nsw.gov.au.

The Plan of Management for John Fisher Park and the Abbott Road Land is now being developed. You will be notified by mail when the draft Plan of Management is on public exhibition, and you will be given the opportunity to make a submission. This public exhibition period will be for 28 days and is expected to begin in July.

APPENDIX G



APPENDIX G

Please note –

A copy of the full 'Supplement to a Statement of Environmental Effects for the impact on the Natural Environment of Hard Surfacing of 16 Netball Courts at John Fisher Park' is available for viewing with the agenda **of 13 Nov 2001** at libraries and the Civic Centre. An electronic copy of this document is unavailable.

It is concluded from this investigation that the proposed sealing of 16 netball courts is unlikely to have a significant negative impact on the rate of runoff from the sealed area and on the quality of surface or groundwater flow. It is also concluded that severe subsidence of the courts is unlikely.

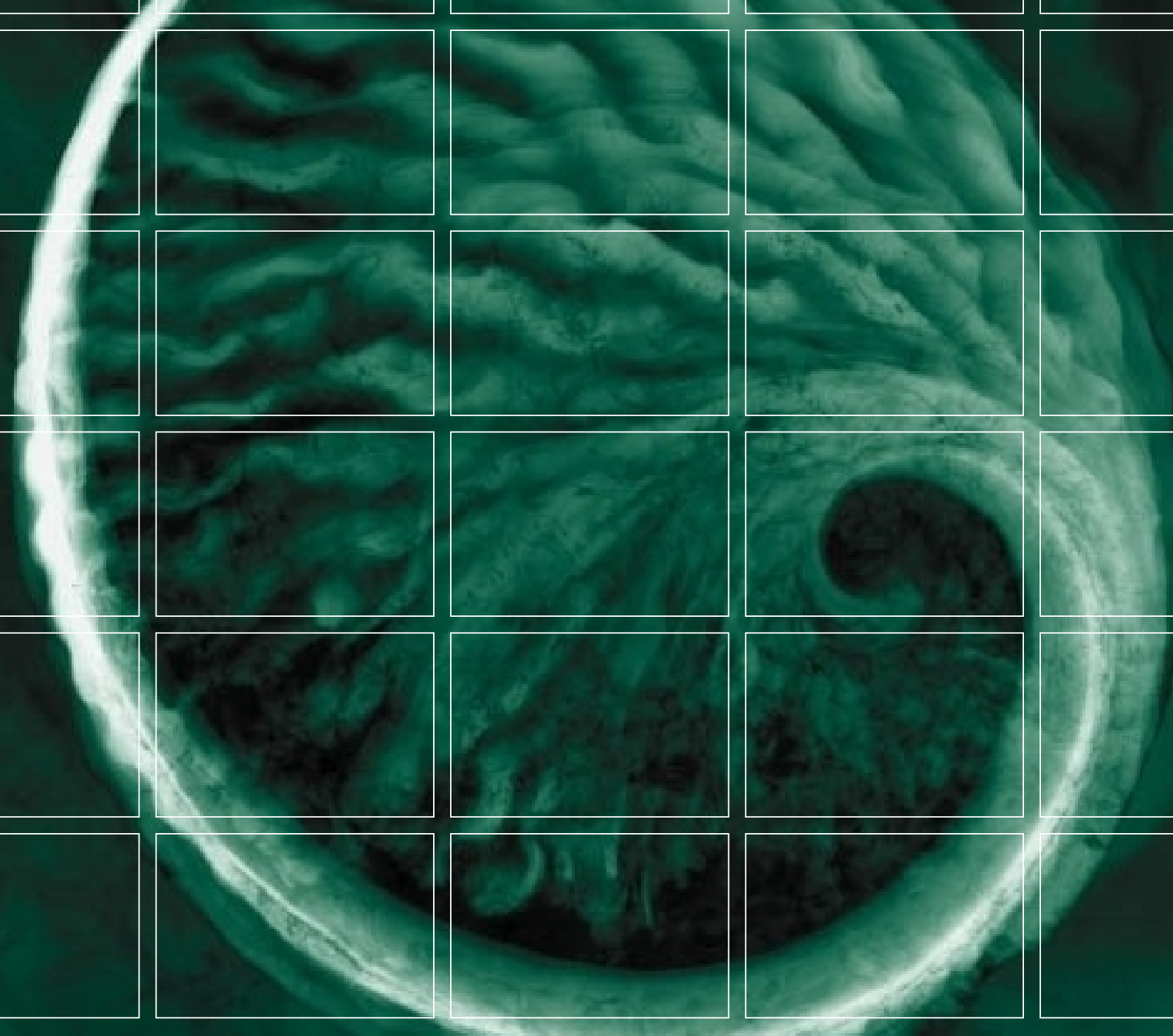
It is, however, recommended that:

1. swale drains be installed around each set of courts in order to capture and direct all surface water flow into flood chutes;
2. ground water (leachate) monitoring wells are installed upstream and downstream of each of the two netball court sites to confirm that the proposed development is not adding to any pollution concerns in the lagoon; and
3. stormwater pollution control devices are installed at the south eastern corner of the eastern and western courts, respectively, to
 - capture runoff from the swale drains serving each set of courts;
 - remove sediment and oils; and
 - discharge the remaining uncontaminated runoff into the Creek via the flood chutes.

The cost for implementing these recommendations is approximately \$39,000 (Appendix A). This includes one round of ground water sampling and analysis.

APPENDIX H

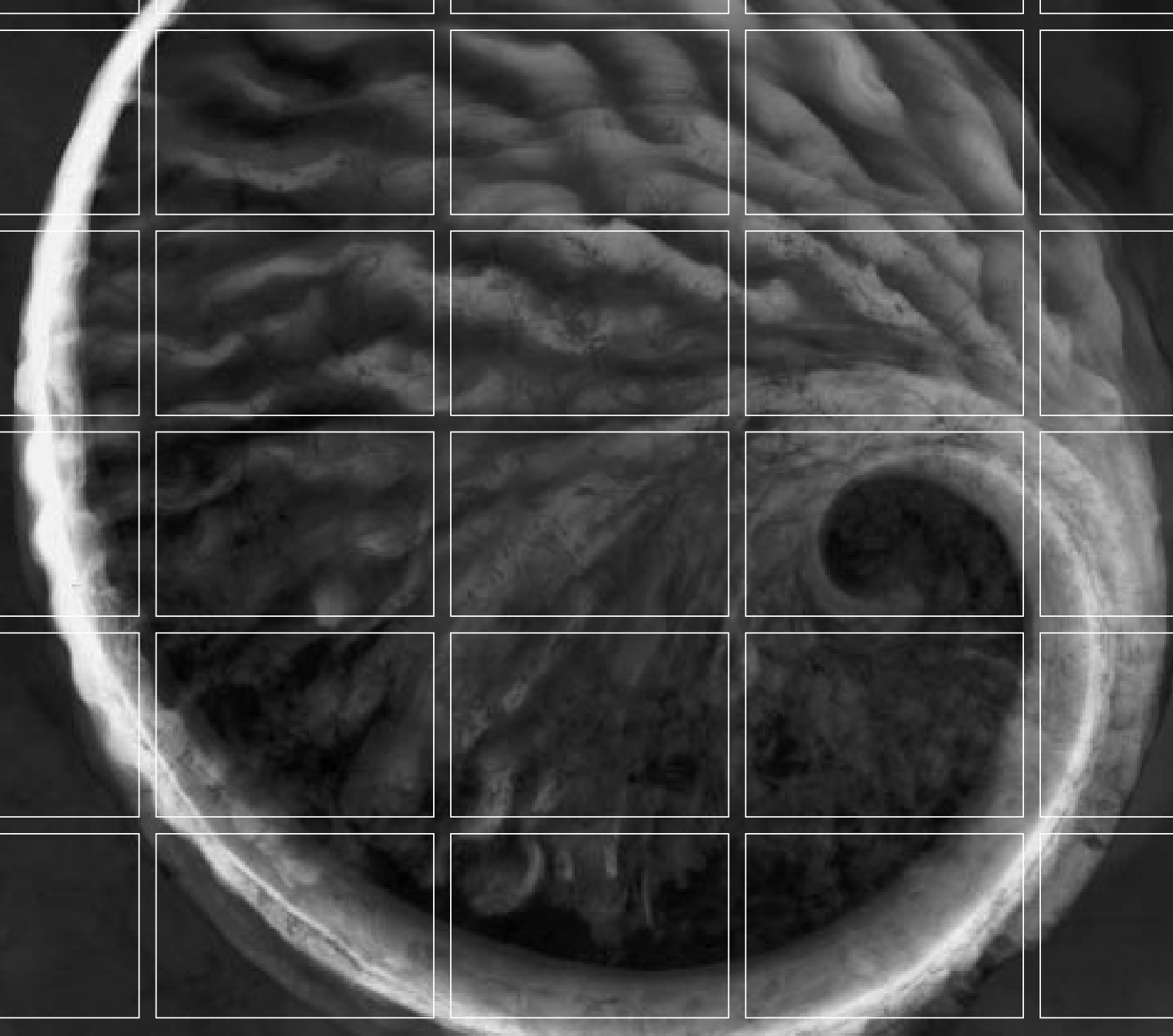




Proposed Categorisation of John Fisher Park,
and Abbott Road Land, Curl Curl
Report on Public Hearing

for
Warringah Council

October 2001




Proposed Categorisation of John Fisher Park,
and Abbott Road Land, Curl Curl
Report on Public Hearing

for
Warringah Council

Report No. 1000329RP4(2)

October 2001

Approved by:	David Snashall
Position:	Project Director
Signed:	
Date:	17.10.01

Environmental Resources Management Australia Pty Ltd Quality System

This report has been prepared in accordance with the scope of services described in the contract or agreement between Environmental Resources Management Australia Pty Ltd ACN 002 773 248 (ERM) and the Client. The report relies upon data, surveys, measurements and results taken at or under the particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the Client. Furthermore, the report has been prepared solely for use by the Client and ERM accepts no responsibility for its use by other parties.



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Chapter 1

INTRODUCTION

1.1 PURPOSE AND BACKGROUND

Warringah Council has prepared and exhibited a Draft Plan of Management for John Fisher Park and Abbott Road Land (2), Curl Curl (Draft POM2). One of the purposes of the Plan is to achieve consistency with the *Local Government Act 1993*, *Local Government Amendment (Community Land Management) Act 1998* and *Local Government (General) Regulation 1999*, which specify that all community land must be categorised in accordance with the Act and Regulation.

The Draft POM2 was prepared following public submissions on initial Draft Plan of Management (Draft POM1) which was an exhibition from 28 August 2000 to 9 October 2000.

A public hearing on Draft POM1 was held on Thursday 5th October 2000 and was attended by 90 people with 24 of these making verbal submissions. The hearing was chaired by an independent chairperson, Judith McKittrick, Principal of Environmental Resources Management Australia (ERM).

During the exhibition period for Draft POM1 343 written submissions were received, regarding the actions of the proposed draft plan. These submissions in addition to verbal submissions made at the public hearing were then reviewed and considered by Ms McKittrick, who prepared a report on the public hearing and made recommendations regarding the categorisation of John Fisher Park and Abbott Road Land.

As a result of public submissions and subsequent recategorisation of various areas within John Fisher Park and Abbott Road Land, the draft Plan of Management was amended and re-exhibited. This report presents the proceedings of a second public hearing held into the categorisation of land at John Fisher Park and Abbott Road Land, as outlined in the Draft POM2.

This report provides recommendations on proposed categorisations of land at John Fisher Park and Abbott Road Land. In keeping with the Local Government Act 1993, the role of the independent chairperson is limited to providing advice on the categorisation of the land and not other aspects of the Draft Plan of Management.

1.2 PUBLIC HEARING DETAILS

Under s29 of the Local Government Act 1993, Council must hold a public hearing in respect of a proposal to categorise community land.

Notice of the public hearing was placed in the Manly Daily on Saturday 9th, 16th and 23rd June 2001. Council sent out approximately 634 letters, notifying individuals who had expressed interest in the Plan of Management, of the details of the public hearing. The public hearing was held on Wednesday 27th June 2001 commencing at 6.30pm at the Civic Centre. The public hearing was attended by 154 people with 43 of these addressing the public hearing. Council officers Kylie Walshe, Georgina Wright, Monica Barone and Mariell Davidson also attended.

As required by the Local Government Act 1993, I was appointed by Council as independent chairperson to conduct the public hearing. This report provides my recommendations.

1.3 ACTIVITIES

In preparing this report, I:

- ☐ received the Draft John Fisher Park and Abbott Road Land Plan of Management (2);
- ☐ heard verbal submissions at the public hearing;
- ☐ reviewed written submissions;
- ☐ attended site visits on 24 July 2001 with:
 - Eric Galloway, President of the Manly Warringah Pittwater Sporting Union;
 - Gwen Winsor, President of the Manly Warringah Netball Association;
 - Charles Hamlyn-Harris, President of Curl Curl Lagoon Friends; and
 - Deborah Moffat and Chris Thomas, John Fisher Park Community Group;
- ☐ reviewed all legal advice made available to me.

1.4 PROPERTY DETAILS

Details of the land subject to the categorisation are included in the Council officer's report on the draft Plan of Management. *Figure 1* shows the proposed categorisation of land at John Fisher Park and Abbott Road Land, as per the Draft POM2.

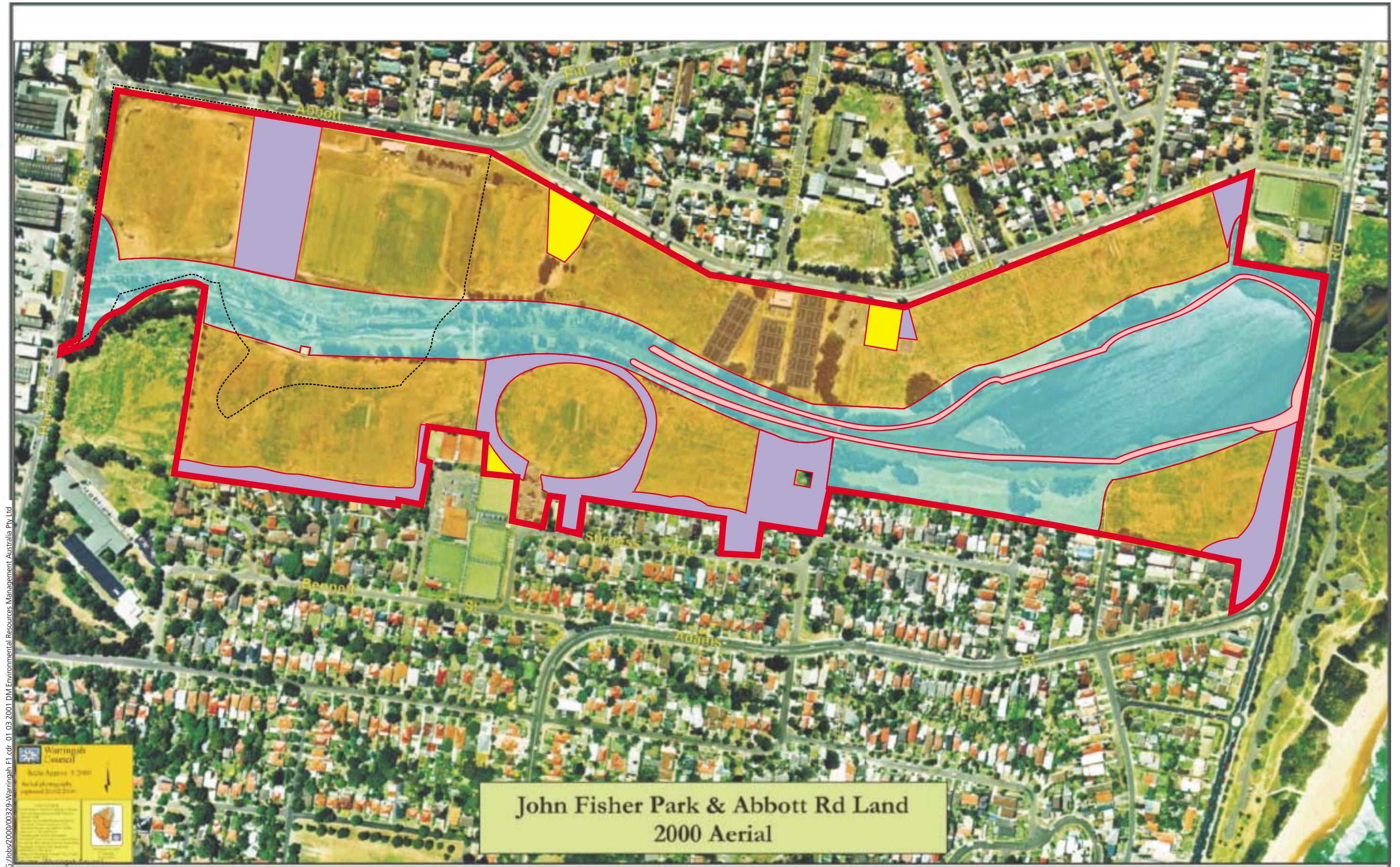


Figure 1 **Recategorisation of John Fisher Park and Abbott Road Land**

CATEGORISATION OF COMMUNITY LAND

2.1 CATEGORISATION OF COMMUNITY LAND

In accordance with section 36(4) of the *Local Government Act 1993* (Part 2, Division 2), a Plan of Management for Community Land must identify a category indicating the use and management of the land. Community Land is to be categorised as one of the following, as stated in Sections 36E to 36N of the Act:

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

Land that is categorised as a natural area is to be further categorised as one of the following:

- ☐ bushland;
- ☐ wetland;
- ☐ escarpment;
- ☐ watercourse; or
- ☐ foreshore.

2.2 GUIDELINES FOR THE CATEGORISATION OF COMMUNITY LAND

The *Local Government (General) Regulation 1999* sets out guidelines for the categorisation of community land. A council that is preparing a Draft Plan of Management must have regard to those guidelines. These guidelines are summarised in the following sections. The categories of *sportsground* and *park* are the subject of considerable debate and consequently these are discussed in greater detail.

i. *Categorisation of Land as a Natural Area*

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.

Section 36A of the Act provides that community land that has been declared a critical habitat under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994* must be categorised as a natural area. Section 36B of the Act provides that community land all or part of which is directly affected by a recovery plan or threat abatement plan under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994* must be categorised as a natural area.

Section 36C of the Act provides that community land that is the site of a known natural, geological, geomorphological, scenic or other feature that is considered by the council to warrant protection or special management considerations, or that is the site of a wildlife corridor, must be categorised as a natural area.

ii. *Categorisation of Land as a Sportsground*

According to clause ii of the Regulations, land should be categorised as a *sportsground* under section 36 (4) of the Act if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.

The core objectives set out in Section 36F of the Act for management of community land categorised as a *sportsground* are:

- (a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- (b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.

iii. *Categorisation of Land as a Park*

The regulations in Clause 12 suggest land should be categorised as *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.

The core objectives set out in Section 36G of the Act 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.

iv. Categorisation of Land as an Area of Cultural Significance

Land should be categorised as an area of *cultural significance* under section 36 (4) of the Act if the land is:

- an area of aboriginal significance, because the land:
 - has been declared an Aboriginal place under section 84 of the *National Parks and Wildlife Act 1974*, or
 - whether or not in an undisturbed state, is significant to Aboriginal people in terms of their traditional or contemporary cultures, or
 - is of significance or interest because of Aboriginal associations, or
 - displays physical evidence of Aboriginal occupation (for example, items or artefacts such as stone tools, weapons, engraving sites, sacred trees, sharpening grooves or other deposits, and objects or materials that relate to the settlement of the land or place), or
 - is associated with Aboriginal stories, or
 - contains heritage items dating after European settlement that help to explain the relationship between Aboriginal people and later settlers, or
- an area of aesthetic significance, by virtue of:
 - having strong visual or sensory appeal or cohesion, or
 - including a significant landmark, or
 - having creative or technical qualities, such as architectural excellence, or

- ❑ an area of archaeological significance, because the area contains:
 - evidence of past human activity (for example, below-ground features such as building foundations, occupation deposits, features or artefacts or above-ground features such as buildings, works, industrial structures, and relics, whether intact or ruined), or
 - any other deposit, object or material that relates to the settlement of the land, or
- ❑ an area of historical significance, because of the importance of an association or position of the land in the evolving pattern of Australian cultural history, or
- ❑ an area of technical or research significance, because of the area's contribution to an understanding of Australia's cultural history or environment, or
- ❑ an area of social significance, because of the area's association with Aboriginal life after 1788 or the area's association with a contemporary community for social, spiritual or other reasons.

v. Categorisation of Land as General Community Use

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 for categorisation as a natural area, a sportsground, a park or an area of cultural significance.

vi. Categorisation of Land as Natural Area: Bushland

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:

- ❑ is the natural vegetation or a remainder of the natural vegetation of the land, or

- 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 which 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.

vii. Categorisation of Land as Natural Area: Wetland

Land that is categorised as a *natural area* should be further categorised as wetland under section 36 (5) of the Act if the land includes marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a waterbody that is inundated cyclically, intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationary.

viii. Categorisation of Land as Natural Area: Escarpment

Land that is categorised as a *natural area* should be further categorised as an escarpment under section 36 (5) of the Act if:

- the land includes such features as a long cliff-like ridge or rock, and
- the land includes significant or unusual geological, geomorphological or scenic qualities.

ix. *Categorisation of Land as Natural Area: Watercourse*

Land that is categorised as a *natural area* should be further categorised as a watercourse under section 36 (5) of the Act if the land includes:

- ❑ any stream of water, whether perennial or intermittent, flowing in a natural channel, or in a natural channel that has been artificially improved, or in an artificial channel that has changed the course of the stream of water, and any other stream of water into or from which the stream of water flows, and
- ❑ associated riparian land or vegetation, including land that is protected land for the purposes of the *Rivers and Foreshores Improvement Act 1948* or State protected land identified in an order under section 7 of the *Native Vegetation Conservation Act 1997*.

x. *Categorisation of Land as Natural Area: Foreshore*

Land that is categorised as a *natural area* should be further categorised as foreshore if the land is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.

2.2.2 Public Land Management Practice Note 1

The Department of Local Government (DLG) issued a revised Practice Note 1 in May 2000 on Public Land Management. The Practice Note 1 (2000, p. 11) made recommendations on the guidelines for the categorisation of community land and 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."

2.3 PROPOSED CATEGORIES

Having regard to the above guidelines, Council has proposed to categorise the land at John Fisher Park and Abbott Road Land as:

- ❑ *natural area - wetland;*
- ❑ *park;*
- ❑ *general community use;*
- ❑ *natural area – watercourse; and*
- ❑ *sportsground.*

Resulting from the previous public exhibition of categorisation for John Fisher Park and Abbott Road Land, recommendations were made to amend some of the above categories as proposed by Council. The section below describes Council's rationale for the original categorisation of John Fisher Park and Abbott Road Land, and describes the rationale for recommended changes to these categories following public comment.

2.3.1 Categorisation Rationale

Council's rationale for categorisation of community land within John Fisher Park and Abbott Road Land in Draft POM1 is outlined below.

Natural Area: Watercourse:

The areas categorised as *natural area - watercourse* run along Greendale Creek from the Gross Pollutant Trap at Harbord Road to the lagoon body at the bridge on Griffin Road.

The area categorised as Watercourse has been defined by the scope of works included in the Greendale Creek Rehabilitation Project Stages 1, 2 and 3. The category *natural area: watercourse* is also bounded by the bicycle track to the north of the creek and by the sports field boundary / mown area to the south.

Natural Area Wetland:

The areas surrounding Curl Curl Lagoon have been categorised as *natural area - wetland*. These areas are currently managed so as to promote wetland characteristics. It is intended that further wetland rehabilitation and landscaping be undertaken in this area. The extent of *wetland* categorisation is determined by the main body of the

lagoon (categorised *watercourse*), and the scope of works for the Curl Curl Lagoon Rehabilitation Project.

This area has been extended to include the land adjacent to the Women's Bowling Club on Abbott Road. This is to encourage and support the volunteer rehabilitation works in this area, and support the development of a wetland ecosystem.

General Community Use:

The sites of the Curl Curl Youth and Community Centre, the Scout Hall, and the works depot have been categorised as *general community use*. Currently these buildings have a predominantly community based use, with the major users not affiliated with any sporting group.

The works depot need not be categorised at all as it is Crown Land, but has been categorised as *general community use* as it does not satisfy any other categorisation's guidelines or core objectives.

The categorisation of *general community use* has not been used more extensively as it felt that most of the land could be more suitably categorised to maintain the current use of the land. The management objectives for *general community use* are very broad.

Sportsground:

The majority of the land has been categorised as *sportsground*. Such areas are those allocated to weekend sporting competition, including those areas directly adjacent that are used by spectators. These areas are also used for passive recreation, such as walking dogs or for picnics, when sporting competitions are not being held.

Council obtained legal advice as to whether an area used for weekend competitive sport and weekday training could be categorised as *park*. The advice from Council's solicitors indicated:

"The core objectives and guidelines for the preparation of a Plan of Management for land categorized as a Park clearly do not envisage the use of the land for competitive sport and sporting pursuits rather, it is for the conduct of passive recreational activities and the casual, not organized, playing of games. Weekend competitive sport and sport training would clearly fit within the management and use of land categorized as a Sportsground" (Wilshire Webb 20/9/00).

The advice went on to note that picnic areas and barbeques could be developed in sportsground areas if they are considered ancillary to the primary purpose of the land. If they do not fit into this primary use then each piece of land to be developed with such facilities would require a categorisation of *park*.

Several buildings and toilet facilities within John Fisher Park have been categorised as *sportsground*. Council is of the view that the primary use of these buildings is ancillary to the sporting activities as the buildings are used as storage facilities, kiosks, and meeting rooms for sporting groups, or for change rooms before sports training or competition.

The categorisation of any buildings as *sportsground* does not exclude its use by other parts of the community. Council's policy with leasing and licensing of buildings on Community Land is one of multi-use. Council expects that halls and meeting rooms in buildings that are leased are made available for hire when the tenant is not using them.

Park:

There are several areas that have been categorised as *park*. These areas have been set aside for landscaping, gardens, and the provision of non-sporting equipment and facilities. These areas are used for passive or recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of land by others.

2.3.2 *Recategorisation Rationale*

Having regard to public comments made on Draft, and site inspections, the then independent chairperson recommended the following changes, shown in *Figure 1*, to the categorisation as proposed by Council. These were accepted and were included in Draft POM2:

- There are a number of areas outside of sportsground use where the *park* category should be extended. These areas include:
 - the area of land between Abbott Road and Greendale Creek, on the eastern side of Rueb Hudson Oval, between the current Rugby League and baseball / softball fields;
 - to the south of Greendale Creek, along the southern boundary of John Fisher Park, to the west of the cricket nets;
 - around the oval in Weldon Park;
 - behind residential properties in Stirgess Avenue and Park Street; and
 - an extension of the *park* category along Griffin Parade.

Beyond this, the recategorisation of other parts of John Fisher Park and Abbott Road Land as Park, were not considered feasible given the presence of sportsfields and associated facilities, or the need to categorise the land as *Natural Area*.

- Site inspections found that the *Natural Area: Watercourse* and *Natural Area: Wetland* categories largely included all riparian corridors that are not constrained by sporting and recreational facilities. There was however, one large area where recategorisation to *Natural Area: Watercourse* was thought should occur, which is:
 - the cleared area bounded by Park Street and Travers Road between the lagoon and residential housing should be considered for rehabilitation. This is one of the few areas in the park where revegetation / rehabilitation can occur without any negative encroachment on sporting / recreational facilities, and its rehabilitation would increase the ecological value of the park and particularly Curl Curl Lagoon.

The extension of the *Watercourse* category south of Greendale Creek as described above, will provide for a broader riparian zone, more than adequately compensating for the reduced zone north of the creek.

- The categorisation of Curl Curl Lagoon should be modified to reflect the wetland vegetation (*Phragmites* sp.) surrounding the lagoon. This vegetation type may provide habitat for a range of wetland birds including threatened species. Outside of the *Natural Area: Wetland* category, the *Natural Area: Watercourse* (riparian zone) area should be recategorised

The resulting categorisation which was included in draft POM2 is shown in *Figure 1*.

CONSIDERATION OF SUBMISSIONS

3.1 PUBLIC HEARING

3.1.1 Submissions

The people who addressed the public hearing on Wednesday 27 June 2001 are shown in *Table 3.1*.

Table 3.1 ORAL SUBMISSIONS AT PUBLIC HEARING

Sherrill Parker	Louise Hislop	Rick Sheppard	David Luff
Brian Dunphy	David Parsons	Thelma Hobday	Lorna Plate
Chris Thomas	Deborah Moffat	Leigh Martin	Helen Dean
Eric Galloway	Joy Guest	Michael De Rome	Brian Sheppard
Betty Radcliff	Gwen Winsor	Jeremy Hodges	Connie Harris
Ray Cavenagh	John Phippard	Pedro Lopez	Rosalie Pollock
Martin Stack	May Thomas	Lynne O'Connell	Charles Hamlyn-Harris
Reg Paling	Peter Schylo	Peter Thyer	Alex Gow
Pat Dowling	Ray Cox	Ced Johnston	Mrs Prior
Les Wiltshire	Clare Loughland	Victoria McDonnell	Ross Sangster
John Baird	Ruth Sutton (Cr)	Mary Anne Brickwood	

3.1.2 Comments

The overwhelming majority of submissions made at the public hearing requested that the category of *park* apply to all or most of the land in question. The reasons for this were as follows:

- that categorisation as *sportsground* is changing the long term emphasis away from mixed uses towards development for organised sports;

- ❑ categorisation of *sportsground* allows leases and licences, and provides strong potential for an increase in development and potential alienation of the land due to leasing to sporting organisations;
- ❑ the land currently supports a mix of active sport on weekends and during training periods and passive recreation at all other times of the day, and the categorisation of *park* provides the greatest assurance that this mixed use would continue;
- ❑ there is a concern that categorisation of *sportsground* is being proposed to allow Council to increase lease and licence fees and that the details of any such plans have not been made clear, consequently many expressed frustration and suspicion about the process that has been underway over the last two years;
- ❑ there was also a view that the land shouldn't be split into different categories as it would lose the unity of the land; and
- ❑ concern that too much emphasis had been given to the organised sporting activities that occur on the land and insufficient to the passive recreational, educational and other uses that benefit the local community.

Despite these concerns most presenters were welcoming of the current use of the land for formal organised sports.

Concerns in relation to use of the land by sporting organisations seemed to revolve largely around the potential for development and alienation, being increased hard surfaces, associated facilities and the potential that portions of land may be leased to specific users with the general public would be excluded from those areas by fencing.

Submissions from sporting organisations put forward that they wanted continued use of the facility as currently occurs and the security to continue using it as sporting fields into the future.

3.2 WRITTEN SUBMISSIONS

❑ Introduction

The Draft POM2 was publicly exhibited, and submissions were received for the period from 28th May to 9th July 2001 and at the public hearing. Council received written submissions from about 1180 individuals and organisations.

These comprised many very detailed submissions as well as a large number of form letters (>500).

Virtually all submissions addressed the issues of categorisation, with strong emphasis on the issue of *park* or *sportsground*. Many submissions addressed other issues related to Draft POM2, which are not considered in detail in this report.

The key arguments made in the submissions relating to categorisation are briefly summarised in Appendix A.

The following outlines the key issues raised in the submissions.

3.2.1 Key Issues Raised

□ Park or Sportsground

The summary of submissions in Appendix A indicate that almost all of the submissions focused strongly on the issue of whether the land should be predominantly categorised as proposed in the draft Plan of Management as *sportsground*, or alternatively as *park*. This represents the very strong concern in the community on this issue.

In terms of raw numbers, the submissions were evenly split, with more than 500 supporting *park* and more than 500 supporting *sportsground*.

Most of the detailed submissions from individuals strongly favoured categorisation as *park*, while the form letters, a number of submissions from clubs, and some detailed submissions from individuals supported Council's proposal to categorise the majority of the land as *sportsground*.

In reading through the submissions it was apparent that many view the decision on categorisation as being the sole determinant of future use of the land. While the land must be managed in accordance with the key objectives, the Act, also allows Council to nominate other objectives. Therefore the categorisation must be read in conjunction with the other objectives and management actions in the Draft POM in order to understand proposals for future use of the land.

Some of the key concerns are that categorisation as *sportsground* will lead to:

- alienation of land from general public use;
- increased development for sporting and associated purposes; and
- renaming of the land.

It was also clear that many believed that John Fisher Park is currently categorised as *park*, and this proposal is to change that categorisation to *sportsground*. This is not the case as the previous Plans of Management (1996 and 1998) applied multiple, overlapping categories to the land and this practice is no longer permitted by virtue of legislation. Consequently this is the first time the land has been categorised in accordance with current legislative requirements. Details of the previous categories were provided in the appendices to the Draft POM.

Those supporting the categorisation as *sportsground* are mostly concerned that categorisation as *park* could constrain future use of the land for sporting activities.

❑ Categorisation of Crown Lands

During and following the exhibition period correspondence was received from the Department of Land and Water Conservation dated 18 July and 10 September. This correspondence addressed a number of management issues in the draft POM, only one of which related directly to categorisation. DLWC agreed that it was appropriate to categorise Crown Lands, despite their categorisation not being a requirement under the Crown Lands Act or the Local Government Act.

❑ Watercourse and Wetland

Some submissions requested review of the areas proposed to be categorised *watercourse* and *wetland*, seeking extension of the *wetland* category.

❑ General Community Use

Comments were also made about categorisation of the Scout Hall and Community Centre as *general community use*, although no specific alternative was suggested.

DISCUSSION OF ISSUES

4.1 USE OF THE LAND

From submissions made at the public hearing and in writing, as well as observation during site visits it is apparent that John Fisher Park and the Abbott Road Land serve multiple functions. The land areas developed with sporting facilities are used for organised sporting competitions at varying times of the year and week. Some areas serve large numbers of participants and spectators, with the netball centre being the primary example. Whilst this organised sporting use draws significant numbers of people to the land it tends to occur in focused time periods on weekends and during training.

At other times the land is heavily used for passive recreational purposes particularly the walking trail along Greendale Creek.

In many respects the multiple use of John Fisher Park and Abbott Road Land provide significant social benefits to the community, providing both organised sporting activities, as well as being a valuable passive recreational greenspace for local residents with associated educational and environmental benefits.

From the public hearing and written submissions, it appears clear the majority would like the current multiple use of John Fisher Park and Abbott Road Land to continue.

4.2 PARK OR SPORTSGROUND

4.2.1 *Introduction*

By virtue of the Local Government Act 1993 Council is required to categorise most of John Fisher Park and the Abbott Road Land. Furthermore because of changes to the legislation the multiple categorisations that previously applied must be changed.

The decision on whether to categorise much of the land as *park* or *sportsground* appears to have become the focus of a significant community campaign, with strong voices lobbying for their preferred categorisation. I believe the focus of the community attention on categorisation is unfortunate because it has caused a degree

of conflict in the community and, as noted above, the clear majority share a common view that continued multiple use of the land, as currently occurs, is preferable.

However the legislation requires Council to apply categories and the role of the independent chairperson is to advise the Council in relation to categorisation. Consequently this chapter sets out my deliberations in relation to the question.

4.2.2 Advice From The Minister And Department

Letters of advice have been received from the Minister for Local Government and his department.

That advice states consistently that the categorisation is a matter for the council, however, council must have regard to the guidelines in the Regulation in determining a category. They also note that councils should look at all the circumstances of the land in making a decision as to categorisation.

4.2.3 Legal Advice

I have been provided with five sets of legal advice in relation to this matter. They are as follows:

- For Council:
 - Advice from Wilshire Webb Solicitors dated 20 September 2000;
 - Advice from Adrian Galasso barrister date 21 May 2001;
- For the friends of John Fisher Park:
 - Letters from Clayton Utz dated 12 December 2000, 2 May 2001, 6 June 2001.

The advice from Wilshire Webb considered this question and compared the objectives for *sportsground* and *park*. They concluded *"the core objective and guidelines for the preparation of the plan of management for land categorised as park clearly do not envisage the use of the land for competitive sport and sporting pursuits rather, it is for the conduct of passive recreational activities and the casual, not organised, playing of games. Weekend competitive sport and sports training would clearly fit within the management and use of land categorised as a sportsground"*.

Subsequent advice was sought from Adrian Galasso barrister. He made a number of observations including the following:

"If it is the case the land predominantly involves organised and informal sporting activity and games (as a matter of the characteristic of the land), then in my opinion it is most appropriate that it be categorised as sportsground. This is especially the case where the Council contemplates the leasing or the granting of an estate of that the land to sporting organisations; for to do so with land other than that categorised as sportsground would, for the reasons set out above, contravene section 46 of the Local Government Act. This position is assisted by reference to the Regulations which, by Regulation 11, support this approach and which, by Regulation 12, make it clear that a park as such ought not involve areas of land which has erected on it sporting equipment and facilities, or which intrude "on the peaceful enjoyment of the land by others". In this latter respect, it is difficult to see how a netball game or a soccer match, for example, could not be said to intrude upon the peaceful enjoyment of the land by anyone other than those participating in the event at the relevant time. But in contrast a park not used for such activities would not equally intrude on that peaceful enjoyment."

In addition he notes *"whilst it maybe correct to say that categorisation of an area as a park may in some circumstances accommodate active recreational pursuits, the question becomes one of whether, as discussed above, it is appropriate in circumstances where it is intended that there be a grant of estate in and with respects to those areas to various sporting organisations, or for that matter where (even in the absence of the grant of an estate) by reason of the fact that the land takes the characteristics of "organised and informal sporting activities and games" the proper characterisation is as a sportsground. In my opinion in such circumstances, and especially because of section 36F and regulation 11, it is appropriate that categorisation of land identified as sporting grounds be as sportsground"*.

The initial advice from Clayton Utz was prepared in response to the initial draft plan of management. It concluded that the category *park* could apply to a much greater area of JFP and noted that *"the park category can accommodate current active recreational pursuits"*. Later advice from Clayton Utz dated 6 June 2001 provided further discussion on this point. It stated the majority of activities carried out on JFP comply with the guidelines for the categorisation of the *park* in the Local Government (General) Regulation 1999. The letter, which only considered the category of *park* (ie does not consider the appropriateness of the category *sportsground*) noted that for most of the time JFP is used for passive or active recreation. They conclude *"it is also arguable that the playing of sport on JFP is consistent with the categorisation park"*. They support this with the contention that the playing of active sport falls within the scope of the term recreation as set out in the core objectives. Consequently they conclude *"in our view it is certainly arguable that park is a highly appropriate categorisation for JFP"*.

On this point it should be noted that Galasso in his advice also noted *"in my opinion it is arguable that categorisation of a sportsground as a park may in some limited circumstances permit weekend competitive sport on an organised basis"*.

4.2.4 Discussion

In forming my opinion I have given very careful consideration to:

- ❑ the views represented in submissions;
- ❑ advice from the Minister and Department; and
- ❑ legal advice.

The number of submissions demonstrates the very strong interest of the community in the future use and management of the lands.

While a large number of submissions supported the categorisation as *park*, I believe that some of these had misconstrued the effect of categorisation. Leasing and alienation of land, development, or even renaming can only occur if enabled by the POM and approved in separate decisions of Council. The mere fact of categorisation does not mean that these outcomes will inevitably follow, however, Council needs to be aware of the very strong community concerns about these issues.

As stated previously the common theme running through the majority of the submissions is a desire to maintain the status quo in terms of use of the land.

The advice from the Minister and Department reinforces the role of the legislation and Council's discretion.

The legal advice provides differing interpretations but agreement on some points. I favour the view of Galasso, and that is that the current and proposed use of the land which is developed and used for organised sport fits more closely with the core objectives for *sportsground*.

However if Council adopts my recommendation there is also a need to ensure that it explicitly recognises community concerns about alienation and development. Clearly many in the community do not believe that Draft POM2 provides sufficient limitations on the potential for leases, licences and development during the life of the POM. In the Management Actions, Draft POM2 appears to provide broad discretion to Council to grant leases and licences. Consequently the community has focussed on categorisation as a means of limiting Council's discretion. It seems to me that the very purpose of a Plan of Management is to gain community consensus on the future management of community lands, and proposals for leases or licenses are major decisions that should be clearly specified within any draft POM. I believe Council needs to clearly communicate any plans it may have for leases and licenses, and the objectives, criteria and process it will use to consider any future applications for leases, licences or development on the land. These criteria and processes should

recognise the community's strong views about the land and general desire that the status quo multiple use of the land remain.

In order to achieve this communication I believe the Council will need to revise the Draft POM. I am sure many will not relish the thought of this process being extended again, however I think it is necessary in order that the POM achieve the objectives of informing the community clearly about the management of the land over the next five years.

4.3 CATEGORISATION OF CROWN LANDS

Both the legal advice and recent correspondence from DLWC acknowledge that there is no prohibition, and there are likely to be benefits, from categorising the Crown Lands within the study area.

Consequently I support Council's proposal in relation to the categorisation of Crown Lands.

4.4 OTHER CATEGORISATION ISSUES

In relation to the remaining two categorisation issues, I can see no justification to alter the categories presented in the Draft POM2.

CONCLUSIONS AND RECOMMENDATIONS

As can be seen from preceding chapters the issue of whether the majority of the land should be categorised as *park* or *sportsground* is a vexed issue. It has been the subject of significant debate in the community and by the lawyers. On balance I have come to the following conclusions:

- ❑ The category of *sportsground* is appropriate for those areas developed for formal sporting activities. Consequently my recommendation is that the categorisation as set out in the Draft POM2 be supported.
- ❑ The Crown Lands which form part of the subject site should be categorised in accordance with Council's proposals.
- ❑ That other categorisation be as per that proposed by Council in the exhibited Draft POM (2).
- ❑ That Council revise the Draft POM so that it clearly communicates, and allows for community comment on, the specifics of any current plans for leases and licenses, and the objectives, criteria and process that will be used to consider any future applications for leases, licences and development on the land.

APPENDICES

Appendix A

SUMMARY OF KEY POINTS MADE IN SUBMISSIONS

A.1 SUPPORTING CATEGORY OF PARK

- ❑ Leave John Fisher Park and Abbott Road Land in its present state as a public parkland.
- ❑ Opposed to renaming John Fisher Park as John Fisher Sportsground
- ❑ The *sportsground* category will lead to a situation like Brookvale Park which has *sportsground* categorisation.
- ❑ The *sportsground* category will lead to increased alienation of passive recreation users and domination by sporting groups.
- ❑ The *sportsground* category will encourage more development that will encroach on the amenity of the natural area.
- ❑ Council is not listening to the wishes of the local community to keep JFP as a park.
- ❑ The *sportsground* category will allow leasing of the park by vested interest groups.
- ❑ Developments will arise as a result of the new zoning, John Fisher Park should be a 'recreation' zone.
- ❑ The *sportsground* category will mean minority groups would use the park to the detriment of others.
- ❑ Councillors vote according to the "block vote" without considering the views of the community.
- ❑ The *sportsground* category will alienate the park from local residents, allowing use by a selected few sports people.
- ❑ No further buildings should be allowed on the land and existing buildings should be multi-use not just for sporting groups.
- ❑ Development would result in the loss of a further open parkland resource and the downgrading of the attractive passive recreation facility.
- ❑ Wealthy organisations could put up fences, buildings, stadiums and more car parks if John Fisher Park is *sportsground*.
- ❑ The *park* category is for everyone to use – lets share the parkland.

- ❑ Use of the park by community and sports associations can continue with its current *park* category.
- ❑ There is a threat of long term leases from profit and non-profit organisations for their exclusive use of the park, which would spoil the current open and natural aspect of the park.
- ❑ Keep the *park* category as a park. John Fisher Park is a park – it should stay as a park.
- ❑ Why is this necessary?
- ❑ John Fisher Park is not John Fisher Sportsground
- ❑ The *sportsground* category will restrict public use.
- ❑ It is not possible to play any more sport at the park than is currently played on any Saturday during the winter months.
- ❑ The *sportsground* category will lead to unsustainable development in an environmentally sensitive coastal waterway within the park.
- ❑ A priority consideration for the future management of the land is its proximity to the waterway.
- ❑ The *sportsground* category will set an undesirable precedent.
- ❑ The *park* category is more appropriate use of the land which can be used for active and passive recreation. Organised sport is permissible in *park* areas.
- ❑ The *sportsground* category will subject the park to ‘ungreening’ by sports organisations.
- ❑ Changing the category will bring increased traffic, crowds and pollution.
- ❑ Council must listen to the votes / community voice.
- ❑ *Sportsground* is the thin edge of the wedge to encroach on more of the people’s park.
- ❑ Do not label our park *sportsground* or change the name to incorporate ‘Sportsground’.
- ❑ *Park* is the satisfactory category for multi-use parks in surrounding Council areas.

- ❑ Protect the park from commercialisation.
- ❑ Co-existence of sporting and park facilities should remain as is.
- ❑ Council is so secretive and unwilling to show legal documents.
- ❑ The *sportsground* category will lead to fragmentation of the park with the introduction of leases to special interest groups and demands for fences, grandstands etc.
- ❑ The park is zoned 6A (recreation).
- ❑ The *sportsground* category will lead to a call for fences, clubhouses, dressing sheds, leases etc and activities that will have an adverse impact on nearby residences.
- ❑ John Fisher Park and Curl Curl Lagoon are invaluable natural assets which should be protected for their intrinsic environmental values and their role as important public open space.
- ❑ The *sportsground* category will create unnecessary friction and division in the community, the *park* category allows for maximum diversity of use including sports for the whole community.
- ❑ If its all allocated sportsfield how are children going to be able to just run across it whenever they feel like it.
- ❑ Why should the *park* be challenged or changed?
- ❑ Open space must be available to all the public and every attempt by little self interest groups must be vigorously opposed.
- ❑ Keep JFP and ARL 'green' and stop the privatisation of public space.
- ❑ *Park* is important for personal and community harmony.
- ❑ Reference should be made to the vision and values of the *park* – “accessible open space that provides harmoniously for both active and passive recreation”.
- ❑ The area should not become a regional facility for any sport. There should not be a monopoly by sporting groups.
- ❑ Don't spoil the great regeneration work council is doing.

- ❑ Ratepayers concerns deserve greater weight than those who play netball, or any sport, once a week with most not living in the area.
- ❑ The *sportsground* category will lead to an altered perception of the value of properties surrounding the park. Development could have a detrimental effect on the value of our investment.
- ❑ Should protect each playing field with a buffer of parkland as around Weldon Oval.
- ❑ Only the perimeter of the field could be categorised as Sportsground, thereby ensuring community access always.
- ❑ Weldon Cricket Oval should be Sportsground, everything else should be park.

A.2 SUPPORTING CATEGORISATION AS SPORTSGROUND

- ❑ John Fisher Park and Abbott Road Land must remain as *sportsground* to provide an important recreational facility for current and future generations.
- ❑ JFP is a sportsground used by netballers and other sporting codes.
- ❑ If the area is designated *park* the locals will attempt to have the sporting activities curtailed.
- ❑ Council can pass the costs of maintaining the area onto the greater community with the *sportsground* category.
- ❑ Grounds categorised as *park* would be considered unfit for competition sport by some sporting groups.
- ❑ Sport has always understood it must respect the wishes of the nearby residents.
- ❑ JFP is an area for organised sport.
- ❑ No other sporting area will change with any proposed hard surfacing.
- ❑ Those who have pushed the categorisation of the area that had previously been marked at *sportsground* to *park* will leave competitive sport with little option but to close.

- ❑ If the grounds are categorised as *park* we will see residents moving to change the playing fields with no regards to the sporting activities. Most sports now operate under very strict requirements on size, shape and condition of playing fields.
- ❑ The different categories do not exclude the sporting areas from being used as recreation or public areas if and when sport is being played and vice versa.
- ❑ The categorisation of the majority of the area as a *sportsground* properly reflects its major use according to the Local Government Act and guidelines.
- ❑ The *sportsground* category best reflects the actual usage of the area.

A.3 OTHER ISSUES

- ❑ The Watercourse category should include the riparian zones for the full 40m from the banks of the creek and lagoon (north and south).
- ❑ Abbott Road – Scout Hall, Sports Centre, Youth and Community Centre and Bowling Club should be General Community Use category.
- ❑ Storage and sports service area adjacent to Harbord Bowling Club should not be General Community Use.