

PUBLIC HEARING AND SUBMISSIONS REPORT FOR PROPOSED CATEGORISATION OF LYNNE CZINNER PARK, WARRIEWOOD

FINAL REPORT

10 FEBRUARY 2022



NORTHERN BEACHES COUNCIL

PUBLIC HEARING AND SUBMISSIONS
REPORT FOR PROPOSED
CATEGORISATION OF
LYNNE CZINNER PARK, WARRIEWOOD

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1 INTRODUCTION

1.1 Purpose of this report

The purpose of this report is to convey to Northern Beaches Council the verbal and written submissions made in relation to a public hearing held on Thursday 25 November 2021 regarding the proposed categorisation of Lynne Czinner Park in Warriewood.

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

1.2 Background to the public hearing

In 1998 the former Pittwater Council identified a location on the borders of Sectors 8 and 9 in the Warriewood Valley Release Area for development of a Central Local Park to meet an identified need for informal open space for residents in the area (Pittwater Council, 1998). The northern land purchased was dedicated as a developer contribution as a public reserve in 2008. Upon its dedication the park was classified as community land consistent with the *Local Government Act 1993*. The park on the northern side of Fern Creek has been known informally since its inception as Warriewood Valley Playground, or 'Rocketship Park'.

The Sector 8 and 9 Open Space Masterplan – Concept Plan in the Warriewood Valley Strategic Review Addendum Report (Pittwater Council 2014, amended December 2017) designated the southern component of the Central Local Park for Sectors 8 and 9 to be used for public open space. The southern lots were transferred to Council ownership in 2019 and 2020.

Council resolved in February 2021 to name the entire open space area encompassing the northern and southern sides of Fern Creek as 'Lynne Czinner Park' after a former Mayor and Councillor of Pittwater local government area.

Lynne Czinner Park is owned by Northern Beaches Council, and is classified as community land under the *Local Government Act 1993*. Community land is required to be categorised under the Local Government Act. It is proposed to categorise Lynne Czinner Park as Park, Natural Area-Bushland and Natural Area-Watercourse consistent with the guidelines for categorisation of the *Local Government (General) Regulation 2021*, and the core objectives for each category in the Local Government Act.

Community land is also required to be subject to a Plan of Management prepared under the Local Government Act. A Draft Plan of Management has been prepared specifically for Lynne Czinner Park to recognise its local status and to facilitate development of informal recreation facilities on the site as shown on the Landscape Concept Plan in the short term. The Draft Plan of Management and Landscape Concept Plan were placed on public exhibition for comment between 29 October and 12 December 2021.

A public hearing is required under Section 40A of the *Local Government Act 1993* to receive community submissions about categorising community land. Under the Act the public hearing must be chaired by an independent facilitator. The public hearing was held on 25 November 2021.

1.3 Land covered by this report

The location and context of Lynne Czinner Park in Warriewood is in Figure 1.

Figure 1 Location of Lynne Czinner Park



1.4 This report

The remainder of this report presents the relevant requirements of the *Local Government Act 1993* regarding Plans of Management and categorisation of community land, and submissions regarding the proposed categorisation of Lynne Czinner Park. The submissions comprise verbal submissions made at the public hearing held on 25 November 2021, and written submissions received by Council between Friday 29 October until Sunday 12 December 2021.

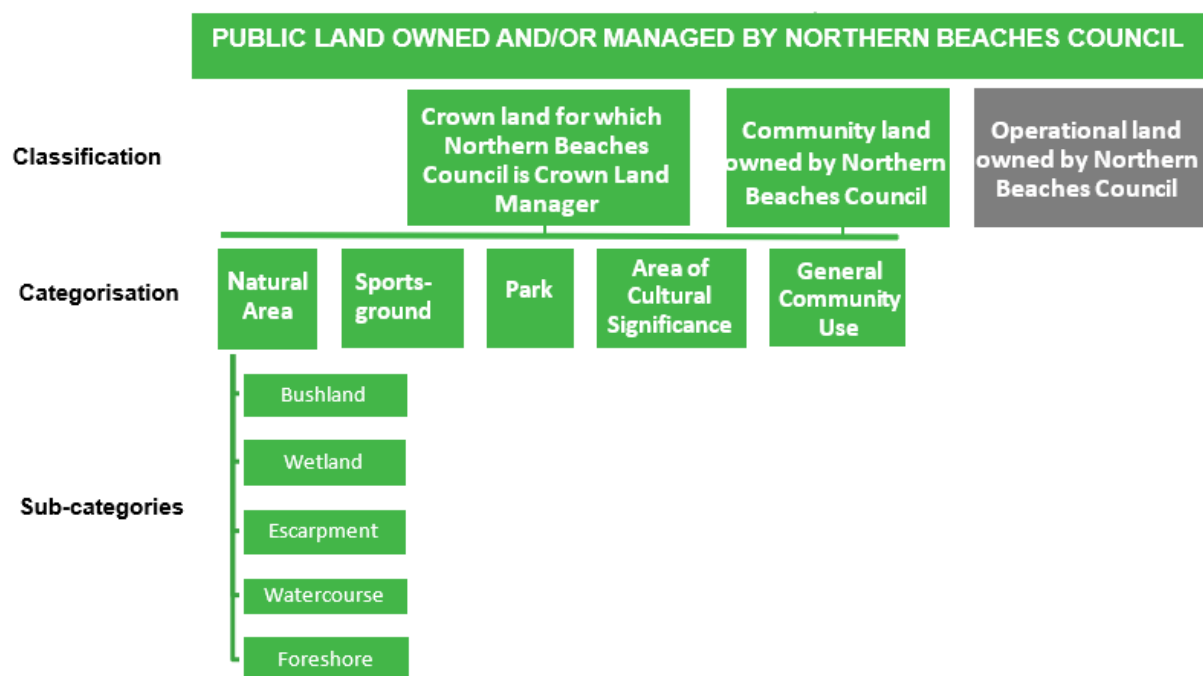
2 PLANNING CONTEXT

2.1 What is community and Crown land?

The *Local Government Act 1993* sets out a range of requirements for the management of public land that Northern Beaches Council is legally bound to adhere to.

The Local Government Act requires that all public land owned by Council must be classified as "community" or "operational" land (Section 26). Lynne Czinner Park is community land owned by Northern Beaches Council.

Figure 2 Classification and categorisation of community land



Community land is intended to be managed for use by the community for purposes including environmental protection, recreational, cultural, social and educational activities. Community land may only be leased or licensed for up to 21 years without the Minister's consent or up to 30 years with the Minister's consent, it cannot be sold, and its use is restricted to the above purposes.

Conversely, operational land is land that can be used for any purposes deemed fit by Council, may be used for commercial purposes, be leased for a longer period of time, and can be sold.

2.2 What are the categories of community land?

The *Local Government Act 1993* requires that all land owned by the Council which is classified as community land be categorised.

As shown in Figure 2, community land may be categorised as one or more of the following under Section 36(4):

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

Land that is categorised as a natural area is to be further categorised as one or more of the following under Section 36(5) of the Act:

- ☐ bushland.
- ☐ wetland.
- ☐ escarpment.
- ☐ watercourse.
- ☐ foreshore.
- ☐ a category prescribed by the regulations.

2.3 What are the guidelines for categorising community land?

Guidelines for categorising community land as a particular category are in Clauses 102 to 111 of the *Local Government (General) Regulation 2021*.

The Department of Local Government's revised Practice Note on Public Land Management (Department of Local Government, 2000) made general recommendations on the guidelines for categorising community land. The Practice Note stated:

"Council must have regard to the guidelines in determining a category (cl.9) but are not required to adopt any category merely because the land fits the description in the guidelines. Council should look at all the circumstances of the land in making a decision as to categorisation. For example, a piece of land may seem to satisfy the guidelines for more than one category. Council has a discretion in this case to look at the land in context, taking into account all relevant material before determining a category. It is important that Council be able to justify a decision."

Also, Council may have a piece of community land, parts of which may be best managed as different categories, for example a piece of land with remnant bushland in one part and children's play equipment in another. Council is able to categorise land as part 'Natural Area – Bushland' and part 'Park'. It is strongly recommended that the land in each category not overlap. Overlapping categories may cause conflict in management objectives and will create confusion in the minds of Council staff and the community."

2.4 Core objectives for managing community land

Each category and sub-category of community land has core objectives that apply to it under the Local Government Act. The core objectives outline the approach to management of the land covered by the particular category. The core objectives for each category of community land are set out in Sections 36E to 36N of the *Local Government Act 1993*.

2.5 Guidelines and core objectives for categories for Lynne Czinner Park

The guidelines and core objectives for the categories which were considered for Lynne Czinner Park are in Table 1.

Table 1 Guidelines and core objectives for categories of community land considered for Lynne Czinner Park

Category	Guidelines ¹	Core objectives ²
Park	Land that is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.	<ul style="list-style-type: none"> - encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and - provide for passive recreational activities or pastimes and for the casual playing of games, and - improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
Natural Area	If the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36(5) of the Act.	<ul style="list-style-type: none"> - conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area. - maintain the land, or that feature or habitat, in its natural state and setting. - provide for the restoration and regeneration of the land. - provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion. - assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i>.
Under Section 36(5) of the Act, Natural Areas are required to be further categorised as bushland, wetland, escarpment, watercourse or foreshore based on the dominant character of the natural area.		
Natural Area – Bushland	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:	<ul style="list-style-type: none"> - ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land. - protect the aesthetic, heritage, recreational, educational and scientific values of the land.

Category	Guidelines ¹	Core objectives ²
	<p>(a) is the natural vegetation or a remainder of the natural vegetation of the land, or</p> <p>(b) although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.</p>	<ul style="list-style-type: none"> - promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion. - restore degraded bushland. - protect existing landforms such drainage lines, watercourses and foreshores. - retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term. - protect bushland as a natural stabiliser of the soil surface.
Natural Area – Watercourse	<p>Land that is categorised as a natural area should be further categorised as a watercourse if the land includes:</p> <p>(a) 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</p> <p>(b) associated riparian land or vegetation, including land that is protected land for the purposes of the <i>Rivers and Foreshores Improvement Act 1948</i> or State protected land identified in an order under section 7 of the <i>Native Vegetation Conservation Act 1997</i>.</p>	<ul style="list-style-type: none"> - manage watercourses so as to protect the biodiversity and ecological values of the in stream environment, particularly in relation to water quality and water flows - manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability - restore degraded watercourses - promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.
1	<i>Local Government (General) Regulation 2021</i>	
2	<i>Local Government Act 1993</i>	

2.6 Plans of Management for community land

Council must prepare a Plan of Management for community land (Section 36(1)).

Community land is required to be used and managed according to a Plan of Management applying to the land (Section 35).

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

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

2.7 Public hearings

2.7.1 Why hold a public hearing?

A public hearing is required under Section 40A of the *Local Government Act 1993* and Section 3.23(7)(d) of the *Crown Land Management Act 2016* if:

- ☐ a Plan of Management proposes to categorise (that is, the Plan has not been previously been prepared and adopted by Council, or has not categorised community land) the public land covered by the Plan of Management
- ☐ a Plan of Management proposes to re-categorise (changing the adopted category) the public land covered by the Plan of Management

Note: Public hearings regarding categorisation or re-categorisation of community land are not related to reclassification. Reclassification is when community land is re-classified as operational land that can then be managed differently and has the ability to be sold by Council. Community land is protected under the Local Government Act and cannot be sold.

2.7.2 Who conducts a public hearing?

An independent chairperson conducts the public hearing, and provides a report to Council with recommendations on the proposed categorisation of community land.

Under Section 47G of the Act, the person presiding at a public hearing must not be:

- a) A Councillor or employee of the Council holding the public hearing.
- b) A person who has been a Councillor or employee of that Council at any time during the 5 years before the date of his or her appointment.

2.7.3 What happens after the public hearing?

Council must make a copy of the report regarding the outcomes of the public hearing available for inspection by the public at a location within the area of Council no later than four days after it has received the final report from the person presiding at the public hearing.

The public hearing report will be presented to Council for its information when it considers adopting the Lynne Czinzer Park Plan of Management, and the proposed categorisation of community land in Lynne Czinzer Park.

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3 PROPOSED CATEGORISATION OF LYNNE CZINNER PARK

3.1 Site features

Images of Lynne Czinner Park are shown in Figure 3.

Figure 3 Images of Lynne Czinner Park





Natural Area-Watercourse category



3.2 Ownership of Lynne Czinner Park

Lynne Czinner Park is owned by Northern Beaches Council.

The land parcels comprising Lynne Czinner Park are shown in Figure 4.

Figure 4 Land parcels in Lynne Czinner Park



3.3 Proposed categorisation of Lynne Czinner Park

Lynne Czinner Park has not yet been formally categorised under the *Local Government Act 1993*.

Council proposes to categorise Lynne Czinner Park as Park, Natural Area-Bushland and Natural Area-Watercourse, which would be consistent with the Draft Landscape Concept Plan for Lynne Czinner Park as shown in Figure 5.

Figure 5 Lynne Czinner Park - Draft Landscape Concept Plan



The proposed categorisation of Lynne Czinner Park is shown in Figure 6.

Figure 6 Proposed categorisation of Lynne Czinner Park



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4 THE PUBLIC HEARING

4.1 Advertising and notification

4.1.1 Public notification and exhibition requirements

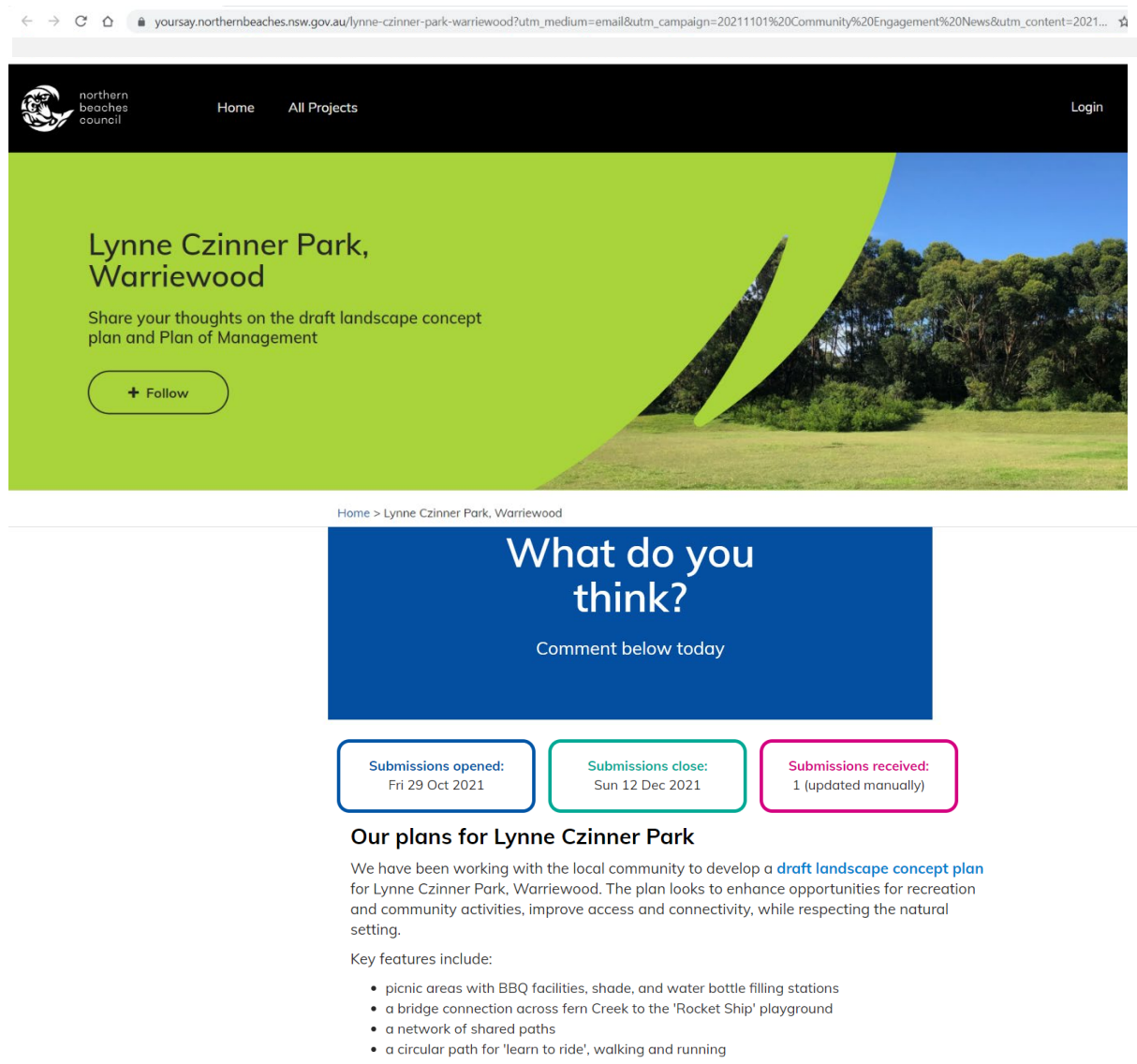
Section 38 of the *Local Government Act 1993* states that Councils must give “public notice” of a draft Plan of Management, and the length of time that it must be on public exhibition and for submissions to be made. The public notice contents are set out in Section 705 of the Act.

4.1.2 Online notification

Council notified the community of the online public hearing on its website <https://yoursay.northernbeaches.nsw.gov.au/lynne-czinner-park-warriewood> from Friday 29 October to Sunday 12 December 2021. The project page on Council’s website is shown in Figure 7.

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

Figure 7 Public hearing information on Council’s website



- an asphalt pump track for beginner to advanced riders
- native plantings and landscaping
- time-limited car parking on Dove Lane.

A **draft Plan of Management (PoM)** for Lynne Czinner park was also created that sets out how the land is intended to be used, managed, maintained and enhanced in the future.

The site's significant recreational open space is divided by Fern Creek, a riparian zone and buffer area. The PoM therefore proposes three land categories: Park, Natural Area (watercourse) and Natural Area (bushland).

The park was recently named in honour of Lynne Czinner, the late former Mayor of Pittwater Council and a strong environmental advocate.

Lynne Czinner Park will be a popular local scale multi-purpose park in a natural setting to be enjoyed by the surrounding community for a range of recreation, social, education and community activities. Natural areas will be preserved, protected and enhanced into the future.

Vision statement - Draft Lynne Czinner Park Plan of Management

Learn more and have your say

We invite you to view the plans below and have your say by:

- completing the submission form below
- emailing council@northernbeaches.nsw.gov.au
- writing to us marked 'Lynne Czinner Park concept plan and PoM' to Northern Beaches Council, PO Box 82 Manly NSW 1655.

An public hearing regarding the land categorisation will be held on **online Thursday 25 November 2021, 6 - 7.30pm**. Bookings are essential, [register now](#) for the session. You will also have the opportunity to speak with the project team and learn more about what we are proposing for Lynne Czinner Park.

Alternately, please feel free to contact the Park Assets - Planning, Design & Delivery Team on 1300 434 434 (during business hours) with your enquiries.

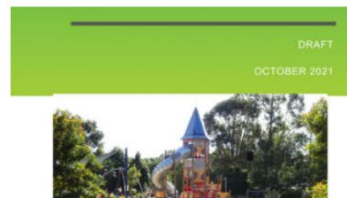
[Register for the online public hearing session](#)

Check out the draft plans



Draft landscape concept plan - Lynne Czinner Park

[View the draft concept plan >](#)



Draft Plan of Management - Lynne Czinner Park

[View the draft PoM >](#)



Proposed land categories for Lynne Czinner Park



Submission form

Open

We would like to understand your level of support for the draft landscape concept plan, draft Plan of Management and proposed land categorisation.

If your submission does not relate to any of these directly, please feel free to response to the questions below as 'prefer not to say' or 'neutral'.

Do you support the draft landscape concept plan for Lynne Czinner Park? Required

- ☐ Yes
- ☐ Yes, with changes
- ☐ Neutral
- ☐ No
- ☐ Prefer not to say

Do you support the draft Plan of Management for Lynne Czinner Park? Required


- ☐ Yes
- ☐ Yes, with changes
- ☐ No
- ☐ Prefer not to say

Do you support the proposed land categories for Lynne Czinner Park? Required

- ☐ Yes
- ☐ Yes, with changes
- ☐ Neutral
- ☐ No
- ☐ Prefer not to say

Please share your submission below

Alternatively, you can upload your submission

 Choose file...

Allowed file types: pdf,doc,docx,txt,xls,xlsx,rtf,png,gif,jpg,jpeg Size limit: 1.00 MB




Next

Links

-  Council Minutes - 26 October 2021 (Item 13.4)
-  Attachment Booklet 1 - 26 October 2021 (Item 13.4)
-  Report to Council - 26 October 2021 (Item 13.4)

[See more](#)

Have an enquiry?

-  Name Jeremy Smith - Manager, Park Assets - Planning, Design & Delivery team
-  Phone 1300 434 434 (during business hours)
-  Email council@northernbeaches.nsw.gov.au

4.1.3 Other notification methods

Council also promoted the public hearing and the invitation to make a submission about the Draft Plan of Management by:

- ☐ placing signs on-site
- ☐ mailing or emailing 1,346 residents and stakeholders
- ☐ sending a media release about the public exhibition
- ☐ including a notice about the consultation in Council's e-News (weekly) on one occasion
- ☐ including a notice about the consultation in Council's fortnightly Community Engagement Newsletter EDM on three occasions
- ☐ sharing information about the project via a KALOF (Keep a Look Out For) Facebook ad
- ☐ including a notice about the consultation in Council's Disability Newsletter.

4.2 Public hearing arrangements

The public hearing for the proposed categorisation of Lynne Czinner Park was held on Thursday 25 November 2021 from 6:00pm to 7:30 pm as an online audio-visual conference using Microsoft Teams due to COVID-19 public gathering restrictions.

Community members were able to join the public hearing online or call in by telephone. Registrations prior to the hearing were requested at <https://yoursay.northernbeaches.nsw.gov.au/lynne-czinner-park-warriewood> before 12 noon on Thursday 25 November 2021.

Community members who registered for the public hearing were invited to submit any comments or questions before the hearing. 18 community members registered, and of these six community members provided comments or questions before the hearing, which are addressed in Section 5.

4.3 Attendance at the public hearing

As required under Section 47G of the *Local Government Act 1993*, Council appointed an independent chairperson, Sandy Hoy, Director of Parkland Planners, to chair the public hearing.

Jeremy Smith (Manager, Park Assets – Design and Delivery), Cameron Henery (Senior Asset Management Officer) and Jacinthe Brosseau (Community Engagement Officer) represented Northern Beaches Council, providing information and answering questions on Council's behalf during the public hearing.

The independent chairperson and Council staff were either based at Northern Beaches Council offices at Boondah Road, Warriewood or online from home for the public hearing.

Six community members attended the public hearing online.

4.4 The public hearing

Ms Hoy opened the public hearing at 6:05pm.

Ms Hoy explained the purpose of the public hearing, the legislative basis for categorisation of community land, and the requirement for public hearings, based on the background information document provided online.

The question that the Chair asked people attending the hearing to address is:

Do you agree or not with the proposal to categorise community land comprising Lynne Czinner Park in Warriewood as Park, Natural Area-Bushland and Natural Area-Watercourse? Why or why not?

The content of submissions which are relevant to the proposed categorisation are outlined in more detail in Section 5 of this report. Other comments and questions were noted but are outside the scope of this report.

With there being no further submissions or questions, Ms. Hoy closed the hearing at 7:15pm.

4.5 Submissions

Submissions about the proposed categorisation of Lynne Czinner Park could be made:

- ☐ verbally at the public hearing on Thursday 25 November 2021 by joining the hearing via Microsoft Teams, or by calling in by phone. Prior registration was required
- ☐ via the online submission form on Council's Your Say page:
<https://yoursay.northernbeaches.nsw.gov.au/lynne-czinner-park-warriewood>
from Friday 29 October until Sunday 12 December 2021
- ☐ emailing council@northernbeaches.nsw.gov.au from Friday 29 October until Sunday 12 December 2021
- ☐ in writing to Council at 'Lynne Czinner Park Concept Plan and PoM', Northern Beaches Council, PO Box 82 Manly, NSW 1655 from Friday 29 October until Sunday 12 December 2021.

Six people attended the public hearing, 59 online submissions were received, and written submissions were received by email from three people. One person provided a submission at the public hearing and via email, so a total of 67 unique submissions were made.

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5 CONSIDERATION OF SUBMISSIONS

5.1 Introduction

Verbal and written submissions relating to the proposed categorisation of Lynne Czinner Park are set out below, according to:

- ☐ verbal submissions to the public hearing and Council's response
- ☐ written submissions about the proposed categorisation
- ☐ other topics outside the scope of categorisation and the public hearing.

5.2 Level of support for proposed categorisation

Of the people who attended the public hearing and/or made a written submission to answer the question posed on the Your Say project page:

Do you support the proposed land categories for Lynne Czinner Park?

70% agreed with the proposed categorisation, 12% agreed but with changes, 13% were neutral, and 5% disagreed with the proposed categorisation.

Table 2 Level of support for proposed categorisation of Lynne Czinner Park

	Public hearing	Online Your Say	Email	TOTAL	%
Yes	2	45	-	47	70%
Yes with changes	-	8	1*	8*	12%
Neutral	4	3	2	9	13%
No	-	3	-	3	5%
Prefer not to say	-	-	-	0	0%
TOTAL	6*	59	3*	67*	100%

**Six people attended the public hearing, 59 online submissions were received, and written submissions were received by email from three people. One person provided a submission at the public hearing and via email, so a total of 67 unique submissions were made.*

It should be noted that none of the online or emailed written submissions referred directly to the proposed categorisation in any comments that they made.

The three online written submissions that did not support the proposed categorisation referred to a preference for retaining the natural open space for informal recreation rather than providing facilities that would reduce open space and attract more people to the park.

Although not relevant to the proposed categorisation, online written submissions which supported the categorisation with changes or were neutral mentioned in their written comment:

- ☐ include a (fenced) off leash dog area (mentioned by 2 people)
- ☐ include a water play park

- ☐ park users park at the Grove development
- ☐ ensure wide paths
- ☐ increase the size of the pump track
- ☐ provide toilets
- ☐ concern about traffic on Orchard Street, Fern Creek Road and Dove Lane
- ☐ change the name of the park.

5.3 Public hearing submissions about categorisation

Table 3 Verbal submissions to the public hearing about categorisation

Submission	Council response
I'm in favour of that categorisation. I think it's a good extension of the existing park and follows through on what was indicated a couple of years ago on what would be the plan.	Noted
I agree with the categorisation of the park as Park, Natural Area-Bushland and Natural Area-Watercourse because that encapsulates exactly what that space is.	Noted

5.4 Written submissions about categorisation

No written submissions addressed the proposed categorisation.

5.5 Submissions outside the scope of the public hearing

Submissions to the public hearing which are not related to the proposed categorisation are listed below in Table 4, but are outside the scope of this report. These comments are also addressed in a separate Community Engagement Report prepared by Northern Beaches Council.

Table 4 Submissions to the public hearing not related to categorisation

Question/comment	Council response
Park development	
The extent of the park follows through on the plan from years ago.	Noted
Congratulations, it's really exciting. This has been a long time in the planning. It's great to see it's finally hitting the ground.	Noted
Proposed park design and facilities	
Support the park design.	Noted
Pump track – support	
Support the proposed pump track.	Council will involve users of the pump track, working with professional riders, to develop the concept and design.

Question/comment	Council response
Local kids like to dig dirt to build jumps and some trees get cut down. The pump track would make sure that nature isn't harmed as much.	We will engage with users to understand what skill level to cater for. We've done this in a number of locations and it works out best when we get the people who use it to do the design.
There should be a couple of jumps in addition to the pump track.	There probably won't be gap jumps such as at Bare Creek.
I think we've got to have some mountain bike riding places for kids and adults.	Noted
There is a huge gap in mental health services for this age group in the local area. There is just such a need for something like the pump track. You know you just can't make this age group disappear. They are ripping up all the natural woodlands at the moment or desperate to make jumps with their bikes. Being on their bikes is just the best form of regulation, getting them off Fortnite, Minecraft and all the gaming they're addicted to, particularly because of Covid. This is exactly what this community needs. They need somewhere where the kids can meet up and ride to, because Bare Creek and Terrey Hills pump track are too far. You need a car, which means you need your parents to be able to transport you. It's dangerous for the kids to ride all the way to the skate park from Warriewood when they're in primary school, so having something local is ideal. I'd be really supportive of this.	Noted

Pump track – location

Queries about the reasoning behind the location of the pump track in the south-west corner.

A new dwelling will be built next to the pump track. It's good to tuck the pump track away, but it will be beside the future house.

I have had some reservations about the pump track because of its location. I recognise that little piece of land where it is sited is not really useful for anything else. It's a shortcut from Mater Maria to come down there to use the pump track at any time during the day when students have a free period. It would become a hang out because it's so convenient to the bridge from Mater Maria. The pump track was always intended to be more of an interim skills facility and not for really hardened skill level use. It is also a natural progression from the little learn to ride courses where children who are learning to ride on that lovely path would eventually aspire to use the pump track, so that's the natural fit, but it's not for much older

The pump track was proposed at Lynne Czinner Park because there is a proliferation of unauthorised tracks in Warriewood Valley. Council wants to cater for the younger teens who are less mobile and able to get to other facilities. Other planned facilities to meet community needs are in Seaforth, Avalon and Belrose.

Such facilities should be provided near population clusters. Lynne Czinner Park is the only park in Warriewood Valley large enough to host this facility.

Council wanted to keep the pump track away from the new dwellings along Dove Lane.

The pump track also shouldn't be directly adjacent to the riparian corridor because of the potential to encourage cars near the creekline as an informal track network.

That corner was chosen for the pump track because it is nestled in the little apex of the learn to ride area which isn't as open as some of the other areas which we wanted to be a park. That corner of the park is tighter.

The proposed location for the pump track is not going to interfere with the other park users and leaves the open space there.

Question/comment	Council response
<p>children. Also, being tucked away discreetly there it may generate unacceptable social behaviour.</p> <p><i>Another attendee stated that students at Mater Maria can't leave the school premises in any free period or lunchtime or break, and very few students ride their bike to school as there are limited bike racks.</i></p>	
<p>I don't know if sticking it away in the corner where it's sort of out of sight is the best option. Teenage kids would love it up there. But it also concerns me that's so close to the bush there and kids will rampage into the bush which is under threat in Warriewood and Pittwater. It would better to put the pump track on areas where the land is already very degraded, such as near Mona Vale Road where there is a lot of open land.</p>	
All-weather pump track	
<p>Would the all-weather pump track have rain protection on the top of it?</p> <p>Will it be usable through inclement weather? Or will it be a covered facility?</p>	<p>The pump track would have an asphalt surface for use in all weather.</p> <p>There won't be a cover over it and the kids will get wet, but there won't be the hazard associated with riding on a wet clay track.</p> <p>As it will be an all-weather surface, once we've designed it and built it, it won't be readily modified by the local kids who may want to change it because the surface will be quite hard and it will stay that way. This will give certainty about how it performs as a track, and safety.</p>
Informal BMX tracks	
<p>Apparently there's a track in the southwest corner below the all-weather BMX pump track that is not shown on the map. It might be just an informal track.</p>	<p>We have proposed a formal bike/pump track in the south-west corner. A coloured concrete path leads up to the bridge that is being built. Informal tracks lead through Ingleside Chase Reserve. We are not proposing to formalise any of those trails into Ingleside Chase Reserve.</p>
Fitness facilities	
<p>Support the proposed fitness facilities.</p> <p>COVID has resulted in an increase in use of public spaces by outdoor fitness groups. How does Council manage those groups to make sure that they have a proper relationship with people who live around those public spaces?</p>	<p>Community feedback supported fitness facilities here.</p> <p>People wanting to run an outdoor fitness group in a park need to approach council and get a booking. In many of our parks we don't let fitness groups take place. They are not meant to happen at the existing park, and they also won't be allowed at the new southern extension of Lynne Czinner Park.</p> <p>People take matters into their own hands from time to time, and will run those fitness camps where they think it's convenient or where they think they're tucked away and don't have to potentially pay a modest fee.</p> <p>Council tries to focus fitness groups to the bigger parks in this area, such as at the new sports courts on Boondah Road, North Narrabeen Reserve, and at</p>

Question/comment	Council response
	<p>Robert Dunn Reserve near Mona Vale Hospital. These areas have less impact on residents.</p> <p>We understand there is a need to facilitate fitness groups as they are very popular and we want people to be physically active, but it is a balance with impacts on residents.</p> <p>We don't anticipate permitting fitness groups at Lynne Czinner Park.</p>
Picnic shelters	
<p>Provide more shelters in the southern section of the park similar to the shelters which are popular for families in the northern Rocketship Park. Are there two shelters proposed? Even if that's enough barbecue spots, it may not hurt to have one or two other shelters, perhaps with the table for that sized area.</p>	<p>Yes, two shelters are proposed, with picnic tables underneath.</p> <p>We can certainly look at more shelters.</p>
Bridge	
<p>Local residents don't want the bridge to be just a crude metal bridge. It should have some design features that would be an asset to the park overall.</p>	<p>Noted</p>
Lighting	
<p>Will the lighting be on just the main spine that connects the north and the south sides of the park, or is it along all the tracks?</p> <p>Lighting the spine only is inappropriate. Using the spine at night is not something we want to encourage because it will have an adverse effect on those people who live around it. They would want quiet enjoyment of their own properties overnight.</p>	<p>Council is committed to encouraging active transport and adequate lighting, and these path networks are really important.</p> <p>The shared path network will be lit, as are all the other shared paths in Warriewood Valley.</p> <p>The path from Callistemon Way through to Fern Creek Road will have some lighting to make people feel safe and they can see any hazards.</p>
Other desired facilities	
Park for teens	
<p>I would like a park that focuses on teens, she a (sic) basketball half court and fitness area as per Narrabeen lagoon. There's the basketball courts but they are always busy. Rocket park is for small kids.</p>	<p>Noted</p>
Community garden	
<p>Provide a community garden to grow food or a display garden in memory of Lynne Czinner.</p> <p>Lynne Czinner was a horticulturist, and the Warriewood Valley has a history as a food growing area. It would be lovely to have a community garden or a display garden showing how some of that food was</p>	<p>A community garden here is a great idea.</p> <p>We've had a focus on the natural environment, but celebrating the heritage values of a food growing area sounds really good. Maybe we can work on that through detailed design.</p>

Question/comment	Council response
growing, such as heritage varieties of tomatoes, that were grown particularly for the Warriewood Valley. It would be lovely to have something to that effect to acknowledge the past.	In terms of specimen plantings or tomatoes and the like, there would be concerns at the proximity of those virulent types of plants spreading to the riparian corridor. Council has a policy for community gardens. Anyone or any group can propose a community garden in an appropriate place, but Council doesn't have the resources to maintain them, but we support them. We look for a collective of people who want to start one and they come to us with the proposal and then Council can look at the proposal and say yes or no. We've got some fantastic community gardens at Manly Vale and Queenscliff that run successfully.

Facilities for girls

I would like to see a conscious effort to provide facilities that might attract girls other than the pump track. I've seen what's happened up at Bilgola where the girls have been discouraged from being there. Parents are around and they appear to be supervising, but the girls are dominated by boys there.

Engaging in the outdoors is just as important for girls growing up as it is for boys. And if there's going to be a pump track then how do we encourage the girls to be involved without the boys taking over?

Council has noted that at some facilities Council provides, such as Bare Creek Bike Park and Mona Vale Skate Park, there is a lot more gender equity in the use of those facilities. Girls may feel safer using a purpose built facility rather than one that's been built in the bush.

Toilet

Provide a toilet like the one on the northern side for users of the southern parkland.

We considered building a toilet block on the southern side. Given the significant community unrest about installing the toilet block on the northern side, and that the existing toilet block is very close to the bridge, it is not necessary to install one in the southern section of the park.

It is approximately 70 metres from the core area of the southern side to the existing toilet block.

Natural areas

Buffer zone along the creek

Protect the buffer zone along the creek where a lot of work has occurred near the IGA [supermarket] and further up the creek. There's quite a bit of encroachment of noxious weeds, so it would be good for that to be continued, especially since there will be more pressure on that area from the extra activity.

Agree. We have programs in place to control the noxious weeds.

Riparian areas in Warriewood Valley are for ecological health and are a major flood mitigation measure, as opposed to concrete lined channels and piping to control flooding and stormwater in older developments.

That riparian area acts as a very good deterrent for peak flows and helps us out downstream.

The ecological value of those riparian areas connecting to Ingleside Chase Reserve and Narrabeen Lagoon is vital. They need to be protected, enhanced and restored as much as possible.

Question/comment	Council response
Bushfire concerns	
Concern about bushfire.	<p>Council has a Bushfire Officer who liaises with the Rural Fire Service (RFS).</p> <p>The new bridge that connects Mater Maria back to Lynne Czinner Park was built at RFS request.</p> <p>The park itself provides part of the buffer zone for the new houses being built and Dove Lane. That's been included in the Asset Protection Zone (APZ) calculations, which enabled that development to be approved.</p> <p>Council undertakes a lot of work in our bushland reserves to ensure that any APZs that are Council's responsibility are maintained, and that's at significant cost to Council.</p> <p>Council takes management of any hazards we can control very seriously.</p>
Park use	
Hiring of the park	
Query about hiring of the park mentioned in the Draft Plan of Management.	<p>That clause refers to if somebody wanted to hire it for a birthday party, or have a coffee cart there.</p> <p>It's a standard tool that we put into Plans of Management. We still have the discretion to say no to people based on whether the activity they want to run is appropriate for the park.</p> <p>Appropriate activities would include riding skills sessions using the pump track, and running a one-on-one personal training session. However, large group training such as boot camps where there's lots of yelling, or a circus, wouldn't be appropriate.</p>
Roads and parking	
Parking time limits	
Request to confirm management of parking spaces with a three or four-hour limit. Would that prevent trailers and boats using those parking spaces for indefinite periods?	<p>Council is providing 90 degree parking on Dove Lane with approximately 40 spaces with a 3 or 4 hour parking limit.</p> <p>Time limited parking ensures a high turnover of parking. A boat or trailer can be parked there for three or four hours but after then it would have to be moved. You can be fined for leaving a vehicle there, and if it stays there indefinitely it can be towed away. Boats and trailers can't be dumped.</p>
Concern about unattended vehicles in parking areas. Will there be any signage around unmotorised vehicles and time limits for trailers and caravans? We want to avoid the disaster in Callistemon Way with unattended vehicles being left out. It's a constant cause of anxiety for the residents on that side.	<p>Council learned our lesson from Callistemon Way. Limited parking will be encouraged from the start so residents then don't get upset if the situation changes.</p>
Units are being sold off the plan adjacent to the park. Downsizers in Warriewood Valley keep things in their garage and park their cars in the street.	

Question/comment	Council response
It is imperative that the parking signage and times are stringent, or they will become de facto second parking spaces.	
Number of parking spaces	
Ensure enough parking at the park end so cars are not parked at our end of the street.	Council is providing approximately 40 parking spaces on Dove Lane.
Cul-de-sac	
Query about the temporary cul-de-sac shown on the Landscape Concept Plan. How will it change?	The temporary cul-de-sac will be opened up to that adjacent development as an extension that's not very long, as it's not a road going all the way through to Garden Street. The cul-de-sac has been built by the developer, but at some point it will be extended.
Traffic	
More dwellings and a public park will increase traffic and visitors and possibly intrusion to the semi rural current acreage neighbouring properties such as 4 and 5 Fern Creek Road.	Noted
I am building in Dove Lane Warriewood so do not want increased traffic flowing to the residential end of our street.	Noted
Fencing	
We would like to ensure a fence is planned between 4 and 5 Fern Creek Road and the new developments. Are the developers ensuring that this happens?	Noted
Timeframe	
When would the building start and finish?	<p>Our intention is to start construction around spring in 2022.</p> <p>The process is to prepare the tender documentation, put out to tender, bring the tenderer back to council for approval, and then sign a contract.</p> <p>We can't start detailed design work until Council has adopted the Plan of Management. As soon as Council has adopted the plan and prepared tender documentation we will put the work out for tender.</p> <p>Everything except for the pump track will be put out to tender for one contractor. The pump track tender will be separate to the remainder of the park because we want to run a collaborative process with local users on the nature of that pump track. The park and the pump track will be done concurrently.</p> <p>Some early work will start taking place over the next few months. The high voltage power lines are on an aerial cable going across the path. We will put those underground over the next couple of months.</p>

Question/comment	Council response
	<p>We will also be building a new stormwater line in a contract that has just been awarded. That line will go through the park connecting the end of Dove Lane back into the creek.</p>
Implications of Council election on this process	
<p>As the Council election is on 4 December and Council is in caretaker mode, is that any impediment to the process? Does that make any difference to your timeline and the acceptance of your report?</p>	<p>Councillors unanimously agreed to put the Plan of Management and concept plan on public exhibition.</p> <p>We don't expect any issues on this project because it is well supported by the Councillors.</p> <p>Chair response: my report is mainly concerned with the proposed categorisation, so it will carry on regardless of the Council election, Plan of Management process, and park design.</p>

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6 RECOMMENDATIONS

6.1 Consideration of submissions

The written and verbal submissions regarding the proposed categorisation of Lynne Czinner Park as Park, Natural Area-Bushland and Natural Area-Watercourse have been carefully considered and assessed below.

The proposed categorisation best matches the current and proposed character and use of the section of informal parkland north of Fern Creek including the rocketship playground and path network (Park category), the watercourse and riparian corridor of Fern Creek (Natural Area-Watercourse), and the bushland adjoining Fern Creek (Natural Area-Bushland).

If Council proceeds with implementing the Draft Landscape Concept Plan for the southern section of Lynne Czinner Park, future use and management of the proposed open grassed areas, picnic and barbecue facilities, fitness equipment and pump track are most consistent with the guidelines and core objectives of the Park category rather than any other category of community land.

6.2 Recommendations

Based on the representations to the public hearing on 25 November 2021 and written submissions made to Council by 12 December 2021, my recommendations to Northern Beaches Council are that Council:

1. Note the verbal and written submissions made in Section 5.
2. Categorise Lynne Czinner Park as Park, Natural Area-Bushland and Natural Area-Watercourse according to the proposed categorisation map which was publicly exhibited, as shown in Figure 8 below.

Figure 8 Recommended categorisation of Lynne Czinner Park



6.3 Adoption of proposed categorisation

This public hearing report will be presented to Council for its information for approval of the proposed categorisation of Lynne Czinner Park as part of the Draft Lynne Czinner Park Plan of Management.

Clause 114 of the *Local Government (General) Regulation 2021* states that if Council receives any submission objecting to the proposed categorisation of land, and the Council adopts the categorisation without amending the categorisation that gave rise to the objection, the resolution by which Council adopts the categorisation must state the Council's reasons for categorising the relevant land in the manner that gave rise to the objection. In this case, three people who completed the online survey did not support the proposed categorisation, but did not say why they opposed the proposed categorisation and did not suggest an alternative categorisation.

If Council intends to adopt the proposed categorisation, it must state the reasons why it did not make changes to categorisation in response to the objections received in its resolution to adopt the categorisation.

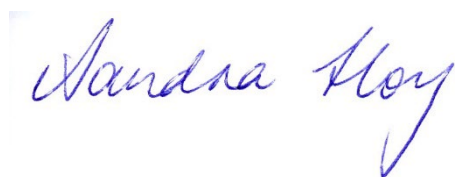
If Council adopts the proposed categorisation of Lynne Czinner Park, Council will include the categorisation map shown in Figure 8 in the Lynne Czinner Park Plan of Management and amend its Land Register to reflect the categorisation.

If Council decides to alter the proposed categorisation of Lynne Czinner Park from that considered at the public hearing, Council must hold a further public hearing (Section 40A(3) of the *Local Government Act 1993*).

6.4 Reporting

Within four days of receiving this final report, Council is required under Section 47G(3) of the *Local Government Act 1993* to make a copy of this report available for inspection by the public at a location within the area of the Council. It is recommended that Council:

- ☐ send a copy of the public hearing report to the people who attended the public hearing and/or made a written submission.
- ☐ keep a copy of the public hearing report for inspection at Council's Customer Service Centres and at Mona Vale Library.
- ☐ post an electronic copy of the public hearing report on Council's website.



Sandy Hoy
Director
Parkland Planners

10 February 2022