

Public Hearing Report – Community Land Plan of Management

1. Introduction

Craig Barnes, Director, Lands Advisory Services Pty Ltd was engaged to independently chair a public hearing and prepare a public hearing report in relation to proposed Plans of Management which would have the effect of categorising, community land held by Penrith City Council (Council).

The draft Plans of Management relates to land set out in:

- Appendix A of the Community Land Generic Plan for Sportsgrounds
- Appendix A of the Community Land Generic Plan for Community Use
- Appendix A of the Community Land Generic Plan for Natural Areas
- Appendix A of the Community Land Generic Plan for Parks
- Table 3.1 of the Gipps Street Recreation Precinct Draft Plan of Management

The draft Plans of Management was publicly exhibited commencing 5 November 2025 and the exhibition period concluded 6 December 2025. Submission to the exhibition closed 18 December 2025.

Notice to the public hearing was given 5 November 2025 and the public hearing was conducted at the Penrith Civic Centre, 601 High Street, Penrith on Thursday, 27 November 2025 at 5.30pm to 7.00pm.

This public hearing report has been prepared in accordance with Section 40A of the *Local Government Act 1993*.

2. Statutory Context

All public land under the care and control of Council must be managed in accordance with *the Local Government Act 1993* (The Act). Public land is defined in the Act as any land (including a public reserve) vested in Council, or under Council control. Public land is managed by Council under the Act based on its classification.

The Act requires:

- Council to classify the public land as “operational” or “community” (under Section 25) and that a Plan of Management (PoM) must be prepared (under Section 36) establishing the category of the land. The PoM defines the objectives and performance targets and the manner and means by which they will be achieved.
- that community land be categorised within one of the following categories - a natural area, a park, a sportsground, an area of cultural significance, or for general community use.

- A PoM can be prepared for more than one parcel of land (generic or geographic) or for a single property - significant or specific.
- Prior to Council adopting a PoM, it must be placed on public exhibition for at least 28 days. The period in which written submissions can be received is not less than 42 days from the first day of public exhibition (under Section 38).
- A public hearing must be held, in accordance with the requirements of Sections 40A(1) and 47G of the Act, if community land is intended to be either categorised or re-categorised.

Section 40A(1) provides that:

The council must hold a public hearing in respect of a proposed plan of management (including a plan of management that amends another plan of management) if the proposed plan would have the effect of categorising, or altering the categorisation of, community land under section 36(4).

Section 47G provides that:

- (1) *In this section, public hearing means any public hearing required to be arranged under this Part.*
- (2) *The person presiding at a public hearing must not be—*
 - (a) *a councillor or employee of the council holding the public hearing, or*
 - (b) *a person who has been a councillor or employee of that council at any time during the 5 years before the date of his or her appointment.*
- (3) *Not later than 4 days after it has received a report from the person presiding at the public hearing as to the result of the hearing, the council must make a copy of the report available for inspection by the public at a location within the area of the council.*

As the draft Plans of Management each provides a new category for the some of the land described, excepting that land which Crown land, a public hearing is required.

For the purposes of Section 47G of the Act, Craig Barnes is not and never has been an employee or councillor of Penrith City Council.

3. Subject Land

Council has prepared the draft Plans of Management over land set out in:

- Appendix A of the Community Land Generic Plan for Sportsgrounds
- Appendix A of the Community Land Generic Plan for Community Use
- Appendix A of the Community Land Generic Plan for Natural Areas
- Appendix A of the Community Land Generic Plan for Parks
- Table 3.1 of the Gipps Street Recreation Precinct Draft Plan of Management

The public hearing relates only to Council owned community land, and the proposed new categories are as set out in Appendices and Table described.

4. Public Exhibition

The draft Plans of Management was publicly exhibited commencing 5 November 2025 and the exhibition period concluded 6 December 2025. Submission to the exhibition closed 18 December 2025.

Interested parties were notified of the exhibition via:

- Your Say Penrith webpage 5 November
- Your Say Penrith EDM 5 November
- Media release 6 November
- Our Place EDM
- Social media
- CNP brief 14 Nov, 21 Nov, 12 Dec
- Email to community/sporting groups 7 Nov

The draft Plans of Management could be viewed at Council's Administration Services Centre.

No submissions were received.

5. Public Hearing

Council arranged a public hearing for the proposed Plans of Management – categorisation on 27 November 2025 at 5.30pm at Penrith Civic Centre, 601 High Street, Penrith.

Council placed the information on the proposed public hearing upon the "on exhibition page" of the Penrith City Council website.

Council confirmed that an advertisement was notified as per Section 4 above advising of the public hearing in accordance with the relevant legislation.

The public hearing was conducted in accordance with Clause 40A of the *Local Government Act 1993*.

The public hearing was chaired by Craig Barnes

The following Council staff attended:

- Ms Caroline Orde
- Mr Andrew Robinson

No members of the community attended the public hearing.

The public hearing followed the ensuing protocol:

- Welcome and introduction to the public hearing by the chairperson
- Plan of Management– a general overview
- Consultation requirements
- Concluding remarks and comments on next steps from chairperson
- The public hearing concluded at 7.00pm.

6. Community Public Hearing Submissions

The public hearing was attended by no community members.

No member gave a public verbal submission on the Plan of Management or lease.

A copy of the minutes of the public hearing forms Attachment 1.

7. Conclusion and Recommendations

In conclusion, I have carefully considered the issues surrounding the Plans of Management and categorisation of Council owned community land as set out in:

- Appendix A of the Community Land Generic Plan for Sportsgrounds
- Appendix A of the Community Land Generic Plan for Community Use
- Appendix A of the Community Land Generic Plan for Natural Areas
- Appendix A of the Community Land Generic Plan for Parks
- Table 3.1 of the Gipps Street Recreation Precinct Draft Plan of Management

No submissions were received. It is my considered opinion that the categorisation set out in the Community Land Plan of Management is unopposed.

Note: A copy of this report should be made available to the public within four (4) business days in accordance with Section 47(G)(3) of the *Local Government Act 1993*.



Craig Barnes
Managing Director
Lands Advisory Services Pty Ltd
30 March 2026

Attachment 1

PUBLIC HEARING – Plan of Management – Community Lands

HEARING – 27 November 2025 at 5.30pm – 7.00pm
Penrith Civic Centre,
601 High Street, Penrith.

Minutes of Public Hearing 27 November 2025.

1. Hearing commenced at 5.30pm.
2. Hearing Attendees

Council

- Mr Craig Barnes
- Ms Caroline Orde
- Mr Andrew Robinson

Community Attendees

Nil

Apologies

Nil

3. Hearing opened and chaired by Craig Barnes

Mr Barnes opened the hearing and gave a brief overview of the Plan of Management and the categorisation of council owned community lands within the:

- Community Land Generic Plan for Sportsgrounds
- Community Land Generic Plan for Community Use
- Community Land Generic Plan for Natural Areas
- Community Land Generic Plan for Parks, and
- Gipps Street Recreation Precinct Draft Plan of Management.

4. Questions and Submissions from the Community

Mr Barnes opened the hearing to public comment and questions. There were no community attendees at the meeting.



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5. Hearing closed at 7.00pm

Mr Barnes closed the hearing at 7.00pm

