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## 8 ADOPTION OF FIELD OF MARS RESERVE PLAN OF MANAGEMENT AND LAND CATEGORISATIONS

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**Report prepared by:** Executive Officer - City Spaces  
**File No.:** GRP/23/12 - BP23/636

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### REPORT SUMMARY

Field of Mars Reserve (the Reserve) is City of Ryde's largest remnant bushland reserve and open space provision with significant environmental, biodiversity and landscape values for public recreation, conservation and the study of native flora and fauna.

The site primarily consists of Natural Area (bushland) and contains sections of Buffalo Creek and Strangers Creek, walking tracks, Visitors Centre/amenities building, picnic area and car park. The Field of Mars Environmental Education Centre (NSW Department of Education) is positioned within Reserve, however, this parcel of land and facility is not owned or managed by Council. The Reserve's gazetted purpose, and thus the remit for City of Ryde's care, control and management responsibility is for "*Public recreation and promotion of the study and preservation of native flora and fauna.*" The Reserve consists of a combination of Council, Crown lands and NSW Government ownership.

The purpose of this report is to seek adoption of the Field of Mars Reserve Plan of Management (Field of Mars Reserve PoM) and the proposed land recategorisations as detailed in the Public Hearing and Submissions Report.

The existing Plan of Management (PoM) for the site was adopted by Council in 2009. The *Crown Land Management Act 2016* which commenced in 2018, necessitated a new PoM be prepared for Field of Mars Reserve as it contains Crown Land.

The development of the draft Field of Mars Reserve PoM was informed by Stage 1 community consultation (late 2020), Stage 2 community consultation (mid-2021) and the adoption of the Masterplan (August 2021).

The Field of Mars Reserve PoM outlines the management framework for the Reserve in alignment with the Masterplan. The PoM provided for adoption in **ATTACHMENT 1** was developed and informed by previous community consultations as well as input by key stakeholders and subject matter experts.

In August 2021 Council resolved to refer the draft Field of Mars Reserve PoM to the Minister for approval to place on public exhibition; place the document on public exhibition once Ministerial approval was obtained; undertake a public hearing for the proposed land recategorisations; and report be brought back to Council following completion of these actions.

Once Ministerial approval was provided (June 2023) and in accordance with legislative requirements, the draft Field of Mars Reserve PoM was placed on public exhibition from 15 August 2023 to 26 September 2023.

**ITEM 8 (continued)**

Council also concurrently conducted a public hearing on proposed land recategorisations of parts of the Reserve in accordance with the requirements of *Sections 40A and 47G of the Local Government Act 1993*. The Public Hearing was carried out by an independent chairperson via in-person meeting on 30 August 2023.

During the public exhibition/hearing period, the local community and the users of the Reserve were invited to review and provide submissions on the draft Plan and proposed land recategorisations. Further details on the consultation methodology for the public exhibition/hearing are outlined in the body of this report.

Council received 16 online submissions, one written submission and one verbal submission during the exhibition period. These were either supportive of the draft Field of Mars Reserve PoM; items were already addressed within the draft document or adopted Masterplan; minor in nature; and/or operational matters to be considered during detailed design for the implementation of any capital projects. As such, no substantive changes have been recommended to the exhibited document and as recommended for adoption in this report, provided as **ATTACHMENT 1**.

A summary of the public exhibition submissions received and Council's response to the matters they raised has been provided as **ATTACHMENT 3**.

The Public Hearing and Submissions Report (17 October 2023), prepared by independent chairperson and provided as **ATTACHMENT 2**, summarises public hearing submissions and gives recommendation for the land recategorisations for the two areas (part of Field of Mars Reserve) be adopted by Council.

**RECOMMENDATION:**

- (a) That Council adopt the Field of Mars Reserve Plan of Management in accordance with *Section 40 of the Local Government Act 1993*.
- (b) That Council adopt the recategorisations of parts of Field of Mars Reserve as set out in the Public Hearing and Submissions Report prepared by Parkland Planners (17 October 2023) and in accordance with *Sections 40A and 47G of the Local Government Act 1993*.
- (c) That staff undertake the necessary measures to update documentation and mapping to reflect the adopted land categorisations.
- (d) That staff write to thank the residents who participated in the development of the Field of Mars Reserve Plan of Management and land categorisation public hearing to inform them of Council's resolution.

**ITEM 8 (continued)****ATTACHMENTS – CIRCULATED UNDER SEPARATE COVER**

- 1 Field of Mars Reserve draft Plan of Management for adoption by Council (October 2023)
- 2 Field of Mars Reserve (Part) Proposed Recategorisation Public Hearing and Submissions Report prepared by Parkland Planners (17 October 2023)
- 3 Field of Mars Reserve draft Plan of Management Public Exhibition Submission Summary (October 2023)
- 4 Field of Mars Reserve draft Plan of Management and Land Recategorisation Engagement Methodology Report (September 2023)

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**General Manager - City Shaping**

**ITEM 8 (continued)**

**BACKGROUND - Local Context**



Image 1: Site Location - Field of Mars Reserve



Image 2: Site Overview - Field of Mars Reserve.

**ITEM 8 (continued)**

The Field of Mars Reserve is located in the suburbs of East Ryde, Gladesville and Ryde. It is the largest remnant bushland reserve under the care, control and management of the City of Ryde covering approximately 50 hectares. The Reserve is comprised of a collection of land parcels under a combination of Council, Crown lands and NSW Government ownership.

The Reserve primarily consists of large tracts of established natural area (bushland). Built form includes a network of walking tracks and creek crossing points, a small picnic area with shelters, small pockets of green space for passive recreation (eg. picnics), a Visitors Centre/amenities building (with public toilets), bitumen car park and a bus turning area. The Reserve has 14 different site entry points, with the main entry off Pittwater Rd.

Buffalo Creek and Strangers Creek both traverse the site and converge on the north-eastern side of the Reserve, before flowing into the nearby Lane Cove River. Stormwater devices (eg. trash rack and gross pollutant trap) are located onsite to improve water quality.

The Field of Mars Environmental Education Centre is located within the Reserve. This facility includes indoor classrooms, office area, toilets and a small outdoor teaching area. The lot that the Education Centre building is located on is owned by Department of Education and is not under Council's care, control or management. Therefore, the parcel of land on which it is based and the Education Centre building is excluded from Masterplan and PoM. However, the surrounding context and their use of the Reserve for educational purposes has been appropriately considered.

Strategically, the Reserve has a number of special designations and recognitions including:

- City of Ryde's largest single provision of open space, contributing approximately 14% of Council's total open space provision.
- Level 1 park - *Integrated Open Space Plan (2012)*
- Very high conservation priority, high conservation significance value and a high threat value - *Ryde Biodiversity Plan (2016)*.
- *Wildlife Refuge* under the *National Parks and Wildlife Act 1974*.
- *Category 1 Wildlife Protection Area* under the *NSW Companion Animal Act 1998* prohibiting cats and dogs in the Reserve at any time and aims to reduce their detrimental impact on native wildlife.
- Gazette purpose for "*Public recreation and promotion of the study and preservation of native flora and fauna.*"
- *National and State significance* under the *Ryde Local Environmental Plan No.105 (Heritage)*.

**ITEM 8 (continued)**
**BACKGROUND - Project History**

<b>Date</b>	<b>Project Status</b>
Dec 2023	Report to Council to adopt PoM and proposed land recategorisations of parts of Field of Mars Reserve <i>[this report]</i>
Oct 2023	Council staff review/consideration of draft PoM public exhibition submissions. Independent facilitator review/consideration of proposed land recategorisation public hearing submissions and preparation of report.
Aug/Sept 2023	Public Exhibition of draft PoM. Public Hearing for proposed land recategorisations of parts of the Reserve.
June 2023	Office of Crown Lands provided Ministerial approval for public exhibition.
2022/23	Council staff update and Crown Land review of draft PoM.
June 2022	Office of Crown Land review of draft PoM requesting legislative amendments.
Oct 2021	Draft PoM referred to Minister requesting approval for public exhibition.
Aug 2021	Report to Council adopting Masterplan, providing approval to undertake public hearing for land recategorisations and to refer draft PoM to Minister to place on public exhibition.
July 2021	Council's appointed Native Title Manager reviewed draft PoM and provided Native Title Advice.
April/May 2021	Stage 2 community consultation to inform draft Masterplan and PoM.
Oct/Nov 2020	Stage 1 community consultation to inform draft Masterplan and PoM.
July 2018	<i>Crown Land Management Act 2016</i> commenced.
Sept 2009	Previous PoM adopted.

**Previous Council Resolution**

At the Works and Community Meeting held on 10 August 2021, Council resolved in part:

- (b) *That Council refer the draft Field of Mars Reserve Plan of Management, dated July 2021 to the Minister for Lands and Forestry for approval to place on public exhibition as per the requirements of the Crown Lands Management Act 2016.*
- (c) *That once approval is obtained from the Minister, the document be placed on exhibition and a public hearing be undertaken for the proposed land recategorisations, with submissions received for a period of 42 days and a report be brought back to Council following this process.*

**DISCUSSION**
**Plan of Management (PoM)**

The Plan of Management, provided in **ATTACHMENT 1** for adoption, identifies objective, targets and strategies to protect and guide the future maintenance and management of this Reserve, in accordance with the *Local Government Act 1993*, *Crown Land Management Act 2016* and *National Parks and Wildlife Act 1974*.

**ITEM 8 (continued)**

The Field of Mars Reserve Plan of Management (Field of Mars Reserve PoM) provides a strategic planning and sustainable management framework for the Community and Crown lands that form Field of Mars Reserve. It reaffirms Reserve's role in providing for a range of education, recreation and natural areas to the residents of Ryde and aids the conservation of the natural, cultural and indigenous resources.

Management actions recommended within the Field of Mars Reserve PoM are to meet current and future demands of Park users and aim to improve the manner in which the Reserve is managed, respond to the needs of the community, satisfy management objectives, clarify and formalise lease and licensing opportunities and reinforce the values of the Field of Mars Reserve.

In accordance with the requirements of the NSW *Crown Lands Management Act 2016* and *Local Government Act 1993* Council has:

- Obtained Native Title advice on the areas of Crown Land covered by the PoM has been obtained, from Council's appointed Native Title Manager.
- Referred the draft PoM to NSW Office of Crown Lands for review and incorporated requested amendments prior to public exhibition.
- Obtained Ministerial approval to place the draft PoM (including land categorisations) on public exhibition.
- Placed the draft PoM on public exhibition for a period of not less than 28 days and received submissions for a period of not less than 42 days (43 days in total).

Changes in legislation over time has necessitated the previous PoM (adopted 2009) be reviewed and updated. Field of Mars Reserve PoM, recommended for adoption in this report, will supersede and extinguish the previous PoM (2009).

**Land Categorisations**

The *Local Government Act 1993* requires that Council owned 'Community Land' must be assigned 'Land categorisation/s'. From 2018 the *Crown Land Management Act 2016* required Crown Land managed by Council as 'Community Land' also be assigned 'Land categorisation/s'.

Land categorisations provide guidelines and core objectives for land use and management. Changes in legislation over time has necessitated the land categorisations outlined in the previous PoM (2009) be reviewed and updated.

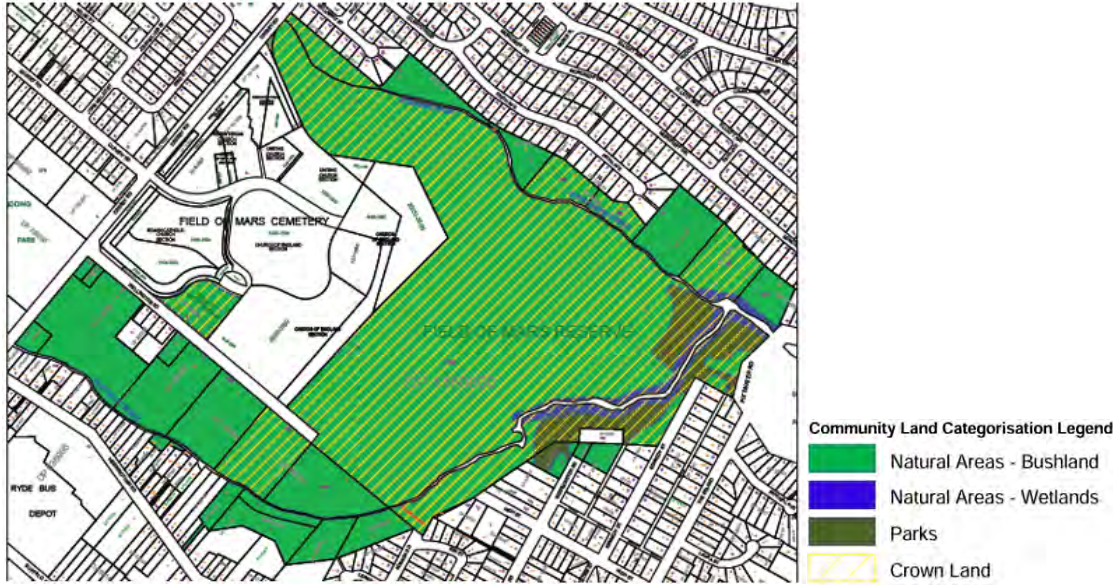
Community land categorisations in the Field of Mars Reserve (current and proposed) are:

- Natural Area – Bushland
- Natural Area – Wetland
- Park

## ITEM 8 (continued)

The Public Hearing and Submissions Report (17 October 2023), provided in **ATTACHMENT 2**, outlines the guidelines and core objectives for these land categorisations.

The history and legislative changes relating to land categorisations in the Field of Mars Reserve are summarised in the table below:

<b>Proposed Land Categorisation (2023)</b>
<p>Public hearing conducted and proposed land recategorisations for two small areas of Council owned Community land recommended for adoption in this report.</p>  <p><i>Image 4: Field of Mars Reserve Land Categorisation recommended for adoption (2023).</i></p>
<p><b>Draft Plan of Management (2022-23)</b></p> <p>In the course of preparing the Field of Mars Reserve Masterplan (adopted August 2021) and draft PoM, a review of land categorisations was undertaken and the recategorisation of parts of the Field of Mars Reserve was recommended.</p> <p>The draft PoM (2022-23) was referred to NSW Office of Crown Lands for Ministerial approval to place on public exhibition. This included notification for minor alteration of initial land categorisations to Crown land parcels. This included:</p> <ul style="list-style-type: none"> <li>• Natural Area (with sub-categorisations: Bushland and Wetland)</li> <li>• Park categorisation.</li> </ul> <p>Approval was granted by NSW Office of Crown Lands on 28 June 2023 to proceed to public exhibition with the categorisation of Crown land.</p>
<p><b>Council Resolution (August 2021)</b></p> <p>Resolution for public hearing to be undertaken for proposed land recategorisations.</p>
<p><b>Crown Land Management Act 2016 (2018)</b></p> <p>The <i>Crown Land Management Act 2016</i> came into effect in 2018. This stipulates Crown land be managed as though it is Community land under the <i>Local Government Act 1993</i>, including land categorisation. Council as Crown Land Manager, submitted initial land categorisations for Crown land in the Field of Mars Reserve to NSW Office of Crown Lands as:</p> <ul style="list-style-type: none"> <li>• Natural Area (without sub-categorisation)</li> <li>• Park.</li> </ul>



## ITEM 8 (continued)

### Plan of Management (2009)

Land Categorisations for Community land in Field of Mars Reserve were adopted by Council on 9 September 2009 as a component of the Field of Mars Reserve PoM (2009). These land categorisations are:

- Natural Area – Bushland
- Natural Area – Wetland
- Park.

Note: Under previous legislation, Crown Land did not require land categorisation.



Image 5: Field of Mars Reserve Land Categorisation – PoM (2009).

### Land Categorisations amendments – Proposed for Council Adoption

Two small areas of Council owned community land within the Reserve are proposed for minor recategorisation. This proposal has been informed by Council's previous review of existing land categorisation in conjunction with the Masterplan (adopted), the draft PoM and the natural features/geography of the site.

The proposed land recategorisation changes seek to achieve alignment with existing vegetation, natural land forms such as Buffalo Creek, site topography and the adopted Masterplan. The two small areas proposed for land recategorisation are summarised in the table below.

## ITEM 8 (continued)

### Area 1 (part of Field of Mars Reserve)

Situated to the south and south-west of the Education Centre and in proximity to the pedestrian reserve entry from Westminster Road. It is characterised by a combination of established areas of vegetation and an open grassed area used for picnics, passive recreation and educational purposes.



Looking south-west (near Education Centre and Westminster Road park entry)



Looking south-east (near Education Centre and Westminster Road park entry)

Images 5 & 6: Area 1 - Site photos



Image 7: Area 1 – Current land categorisation



Image 8: Area 1 – Proposed land categorisation

**Community Land Categorisation Legend**

-  Natural Areas - Bushland
-  Natural Areas - Wetlands
-  Parks

Proposed Change:

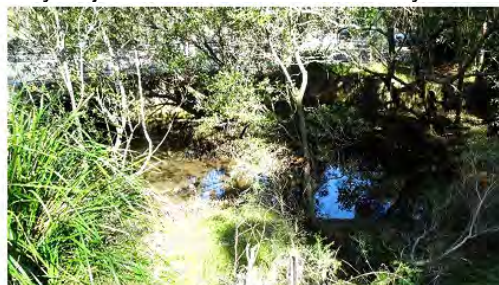
- Increased area of Natural Area – Bushland categorisation.
- Decreased area of Park categorisation.
- Note: Same total area of parkland.

### Area 2 (part of Field of Mars Reserve)

Situated to the north-east of the confluence of Buffalo Creek and Strangers Creek. It is largely characterised by established bushland vegetation on land with increasing topography extending up towards residential properties boundaries on Moncrief Drive and McCallum Avenue. The lower section of Area 2 is wetland immediately adjacent to the lower extremity of Buffalo Creek.



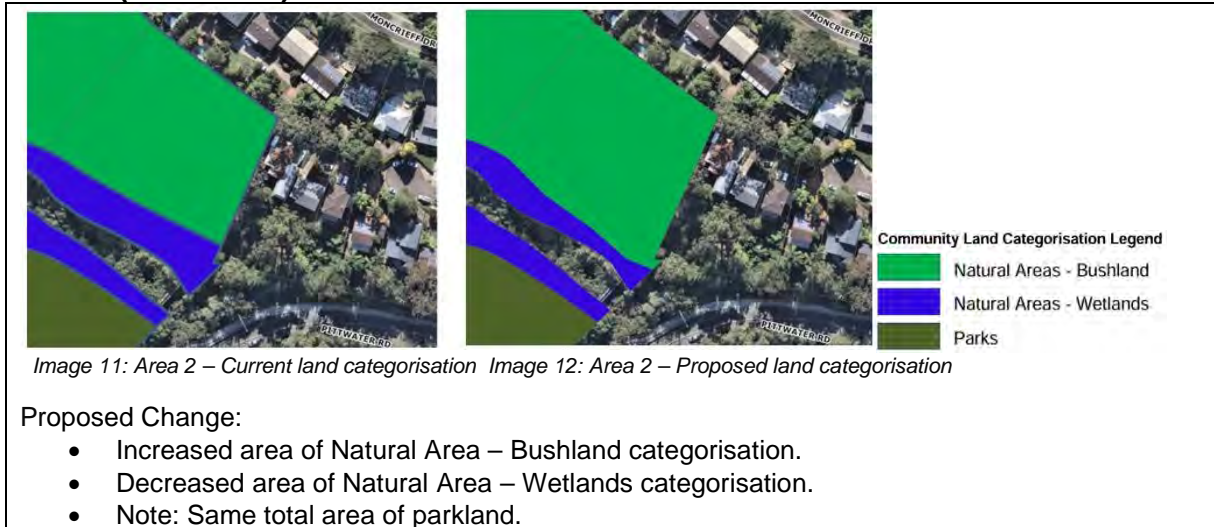
Looking south-east (Buffalo Creek on right and Pittwater Rd maintenance entry ahead)



Looking south to Pittwater Road across Buffalo Creek

Images 9 & 10: Area 2 - Site photos

### ITEM 8 (continued)



### Process for Public Exhibition and Public Hearing

The community consultation for the public exhibition/hearing was held on 15 August – 26 September 2023. The Engagement Methodology Report (August/September 2023) is provided in **ATTACHMENT 4**.

The public exhibition/hearing was promoted via Have Your Say website (451 users reached), park signage (14 x signs at Reserve entries), letterbox drop (2,401 flyers), Have Your Say eNewsletters (188 distributed), Smarter Cleaner Greener eNewsletter (3,478 distribution x 2) and local print ad (38,000 readership).

Council officers maintained regular and open dialogue with key stakeholder groups. This included presentations at the Field of Mars Consultative Committee, Sustainability Working Group, Sport Recreation and Leisure Working Group, Ryde Hunters Hill Flora and Fauna Preservation Society and Field of Mars Environmental Education Centre. This engagement resulted in 16 x online submissions, 1 x written submission and 6 x public hearing registrations (of which 1 x attended and 2 x advanced apologies were received).

Earlier in the project, previous Stage 1 (October/November 2020) and Stage 2 (April/May 2021) community consultations were also conducted to inform the development of the PoM and Masterplan.

### Plan of Management Public Exhibition

In accordance with *Section 38 of the Local Government Act 1993* Council placed the draft PoM on public exhibition. Key areas/feedback provided during the draft PoM public exhibition period were:

**ITEM 8 (continued)**

<b>PoM - Key Areas/Feedback</b>	<b>Submissions</b>
Supportive/agreement with the PoM	11
Preservation, protection, biodiversity and conservation values	11
Management of weeds, pests and pathogens	7
Upgrade of walking tracks/paths	6
Bush regeneration/bushcare	5
Expansion of bushland areas/reserve	3
Value of education/research	3
Management of bikes	3
Management of dogs	3
Allocation of budget/funding	3
Creeks/Stormwater management	2
Parking / vehicle movements in the Reserve	2
Fire management/cultural burns	2
Signage	1
Vegetation mapping	1

Public exhibition submissions received and Council's response to the matters raised are detailed in **ATTACHMENT 3**.

Overall, the majority of submissions were supportive of the draft PoM and expressed the importance of the preservation, protection, biodiversity and conservation values for the environment, natural features, biodiversity, flora/fauna and habitat. The importance of bush regeneration/bushcare, education/research in Reserve and adequate allocation of budget/funding was commented upon by some.

Feedback on the site-specific elements, such as walking tracks, parking and signage are already included in the adopted Masterplan for future realisation and supported by the PoM.

Feedback on operational matters, such as management of bush regeneration, bushcare, weed, pest, pathogens, dogs, bicycles and fires are already adequately addressed in the PoM.

Some items of feedback was of a higher level of specificity and will be considered during detailed design phases of Masterplan implementation and/or operationalisation of the PoM.

Following detailed review, analysis and consideration of the public exhibition submissions received, no substantive changes were made to the exhibited draft PoM and as recommended for adoption in this report.

## ITEM 8 (continued)

### Land Recategorisations Public Hearing

In accordance with *Section 47G(2)* of the *Local Government Act 1993* Council engaged Parkland Planners (Sandy Hoy - Director) as an experienced independent chairperson to conduct the public hearing, prepare pre-hearing background information and provide a report upon the conclusion of the public hearing.

The public hearing to recategorise two areas of Council-owned community land was conducted in accordance *Section 40A* of the *Local Government Act 1993*. This was held on 30 August 2023 via in-person meeting. The hearing was chaired by Sandy Hoy with Council officers from Natural Areas and Open Space Planning teams responding to questions as subject matter experts. Online and written submissions on the proposed land recategorisations were also received throughout the duration of the community consultation.

Council ensured the Public Hearing and Submissions Report (17 October 2023) was made publicly available within 4 days of receipt from the independent chairperson in accordance with *Section 47G(3)* of the *Local Government Act 1993*.

The Public Hearing and Submissions Report, provided in **ATTACHMENT 2**, details legislative and public hearing processes and submissions received (all in support of the proposed land categorisation). Based on the representations provided at public hearing (30 August 2023) and the online/written submissions made to Council by 26 September 2023, the independent chairperson made the following recommendations to Council:

1. Note the verbal, online and written submissions made in Section 5.
2. Recategorise the two parts of Field of Mars Reserve (Area 1 and Area 2) according to the proposed categorisation map which was publicly exhibited.

### Masterplan

The Field of Mars Reserve Masterplan was adopted by Council in August 2021. Grant funding has been secured via Department of Planning and Environment Places to Roam program to realise some Masterplan improvements including:

- New pathways and accessible connections.
- New and upgraded walking tracks and boardwalk.
- Parking improvements for accessibility and bicycles.
- Filtered water station.
- Upgrades to signage and some entry points.

Pending the adoption of the proposed land categorisation (recommended in this report), land categorisations cited within the Masterplan Report will be updated to be consistent with the resolved land categorisations.

**ITEM 8 (continued)****Financial Implications**

Adoption of this report has no financial implications for Council. Once the PoM has been adopted, any identified priorities and recommendations with financial impacts will be incorporated into operational costs, Masterplan implementation and/or subject to Council's future budget planning processes. Once adopted, all actions required to formalise the land categorisations are allowed for in Council's existing allocated budget.

**Conclusion**

For the reasons outlined in this report, the adoption of the Field of Mars Reserve Plan of Management, provided in **ATTACHMENT 1**, and Field of Mars Reserve land categorisations, provided in **ATTACHMENT 2**, are recommended to Council for adoption. The drafting of all the relevant documentation has been done in accordance with the required legislative and approval processes, including community consultation and public exhibition.

The Plan of Management, land categorisations and previously adopted Masterplan all seek to retain the character of the Field of Mars Reserve and provide improvements for public and environmental benefit. These documents will enable the necessary management practices to ensure the Reserve is protected and managed appropriately for current and future generations of City of Ryde residents. It will further re-affirm the status of the Field of Mars Reserve as the largest and most significant remnant bushland reserve under the care, control and management of the City of Ryde.