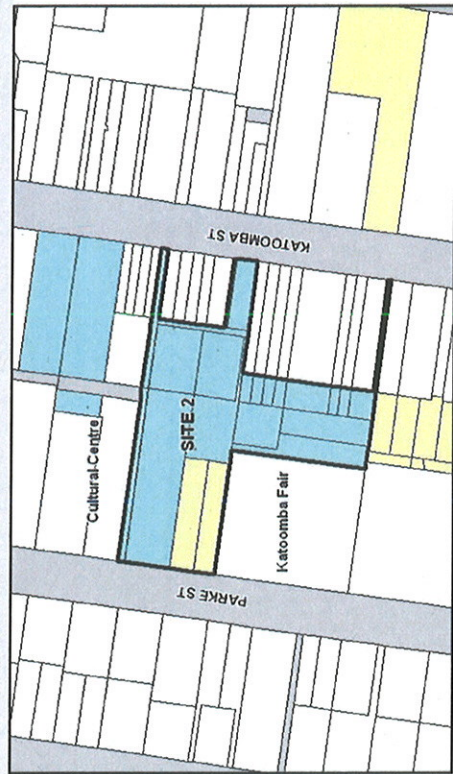


SITE 2 - Pioneer Place, 38-40 Parke Street, Katoomba (Northern Parcels)

Site Analysis

Site 2 is made up of 23 parcels at the northern end of Pioneer Place, Katoomba. Like Site 1, the northern parcels of Pioneer Place form part of the Council owned and managed car park with vehicular access from Katoomba, Waratah and Parke Streets. The 23 parcels have a combined area of approximately 7,159 sqm and are situated to the south of the Cultural Centre (under construction) and adjacent to Katoomba Fair (Franklins).



Background

Following the commencement of the Local Government Act 1993, existing public land was classified as community land on 1 July 1994 *unless* the relevant Council resolved to classify the land as operational after considering public submissions. At the ordinary meeting of 21 June 1994, the Council resolved to classify a series of parcels as operational, including many of the parcels within Site 2. Legal advice later found that this resolution was void where parcels were acquired or developed using funds raised through the Katoomba Town Improvement Levy Fund (KTILF). The KTILF is considered a 'trust for a public purpose' and as a result, these parcels are classified as community land in accordance with Schedule 7 (the savings and transitional provisions) of the Act, specifically 6(2)(b). Site 2 is subject to a second phase of Masterplanning for Pioneer Place where an operational classification will allow Council the flexibility to make infrastructure and public domain improvements in line with Masterplan outcomes.

