

Appendix G

Group Manager's Report PL39/15

Group Manager's Report
PL39/15

11 PLANNING PROPOSAL - HORNSBY SHIRE LOCAL ENVIRONMENTAL PLAN - HOUSEKEEPING AMENDMENT 2015

EXECUTIVE SUMMARY

- The *Hornsby Local Environmental Plan (HLEP)* was drafted as a translation of the *Hornsby Shire Local Environmental Plan (HSLEP) 1994* into the State Government's *Standard Instrument* and was exhibited in 2012.
- In reviewing submissions received as a result of the exhibition of the *HLEP*, Council resolved that a number of matters should be addressed or reviewed through a separate planning proposal so as not to delay the making of the *Plan*.
- Council subsequently adopted the *HLEP* which came into force in October 2013.
- Since the *HLEP 2013* came into force, a number of anomalies and mapping issues have been identified.
- A *Housekeeping Planning Proposal* has been prepared which seeks to amend the *HLEP 2013* to address relevant matters raised during the exhibition period and to rectify anomalies identified since the plan came into force.
- It is recommended that Council adopt the attached *Housekeeping Planning Proposal* and seek a Gateway Determination from the Department of Planning and Environment to authorise public exhibition.

RECOMMENDATION

THAT:

1. Council endorse progression of the *Housekeeping Planning Proposal* attached to Group Manager's Report No. PL39/15 and forward the *Planning Proposal* to the Minister for Planning seeking a Gateway Determination to exhibit the Proposal.
2. Should the Minister determine under Section 56(2) of the *Environmental Planning and Assessment Act 1979* that the matter may proceed without significant amendment to the *Proposal*, Council publicly exhibit the Planning Proposal in accordance with the Gateway Determination.
3. The General Manager be given delegated authority to endorse the exhibition material.
4. Following the exhibition, a report on submissions be presented to Council.

PURPOSE

The purpose of this Report is to present a Planning Proposal to Council which seeks to make a number of housekeeping amendments to the *HLEP 2013*.

BACKGROUND

The preparation of the *HLEP 2013* was principally a translation of Council's existing *HSLEP 1994*. Issues identified in public submissions on the draft *HLEP 2013* that were beyond the scope of a translation or would delay the making of the Plan were set aside to be dealt with by a separate planning proposal or review.

At its meeting on 19 December 2012, Council considered Group Manager's Report No. PL54/12 and resolved (in part) to:

1. *Endorse the draft Hornsby Local Environmental Plan for forwarding to the Department of Planning and Infrastructure for its making subject to a number of amendments; and*
2. *Prepare a Planning Proposal to progress amendments to the draft Hornsby Local Environmental Plan listed in Schedule A - Items 3.1 to 3.6 of Group Manager's Report No. PL54/12 and undertake further analysis of items listed in Schedule A - Items 4.1 to 4.9 of Group Manager's Report No. PL54/12.*

In accordance with Council's resolution, the Plan was forwarded to the Minister for Planning for finalisation. The *HLEP 2013* came into force on 11 October 2013. A Planning Proposal has now been drafted to address other parts of Council's resolution concerning issues outside the scope of a translation which were listed in Schedule A of Group Manager's Report No. PL54/12.

DISCUSSION

This report presents a *Housekeeping Planning Proposal* which seeks to amend the *HLEP 2013* to resolve some of the identified issues raised during the exhibition period which were outside the scope of a translation. The *Planning Proposal* also seeks to rectify a number of anomalies and mapping issues that have been identified since the Plan came into force in October 2013.

1. AMENDMENTS LISTED IN COUNCIL'S RESOLUTION

Council's resolution on 19 December 2012 refers to Schedule A which includes a list of issues raised during exhibition that were of merit but could not be progressed without re-exhibition. A preliminary evaluation of the Schedule has identified some issues which can be addressed through this *Housekeeping Planning Proposal*, some which required further studies or investigation and some which should no longer be progressed. The table below sets out the issues from Schedule A and the actions proposed.

Sch. A	Issue	Proposed Action
3.1	Remove Remote Parking at Berrilee from the Additional Permitted Uses Schedule	Awaiting ownership transfer - address as part of next Housekeeping Amendment (2016).
3.2	Implement the findings of the Road Realignment Review	Requires further investigation and consultation with RMS - address as part of next Housekeeping Amendment (2016).
3.3	Amend the Lot Size map to include a 40ha minimum lot size over E2 Environmental Conservation zoned land	The previous HSLEP included a 40ha minimum lot size for lands zoned Environmental Protection A (Wetlands). The zone was applied to wetland communities above the Mean High Water Mark (MHW) and prohibited

Sch. A	Issue	Proposed Action
		"subdivision". The HLEP 2013 applied the E2 (Environmental Conservation) zone to these lands and sensitive aquatic environments (e.g. seagrass communities) below MHWL. The E2 zone contains a restrictive land use strategy and prohibits any form of "residential accommodation". Accordingly, a minimum lot size was not included in the HLEP. However, the HLEP 2013 includes a mandated provision which permits subdivision on any land with consent. Accordingly, to address the possibility of subdivision with no minimum standard, the planning proposal seeks to re-instate the previous minimum lot size of 40ha over land zoned E2 Environmental Conservation Land.
3.4	Amend the Height of Buildings Clause to provide flexibility on sites currently zoned Special Uses A (Community Purposes)	Not to be progressed. Investigations reveal that there are approximately 200 sites which were previously zoned Special Uses A under the HSLEP 1994 with current land uses such as educational establishments, churches or infrastructure (water towers and the like). Most of these sites have been rezoned R2 Low Density Residential consistent with the zoning of adjoining land and mapped with an 8.5m height limit. The HLEP 2013 does not include a floor space ratio control for the R2 zone. Therefore, removing or increasing the height control would limit Council's ability to control the bulk and scale of development in the low density zone. In the instance that a church, educational establishment or the like propose new development which exceeds the permitted height limit, there are various mechanisms to accommodate such proposals such as Clause 4.6 Exceptions to development standards, or a site specific Planning Proposal. In addition, <i>State Environmental Planning Policy (Infrastructure) 2007</i> facilitates the provision of infrastructure such as education, hospitals, roads, railways, emergency services, water supply and electricity.
3.5a	Remove the Land Reservation Acquisition obligation from the Crown land off the Pacific Highway, Cowan	Included in this Planning Proposal.
3.5b	Include Land Reservation for road widening purposes to facilitate the construction of a one way lane through Lot 10 DP 29926 between Hunter Land and George Street,	Not to be progressed. Investigations reveal this proposal was the result of a study in the late 1980s. Since then Hornsby Town Centre traffic strategies and priorities have changed. George Street is now the arterial route through Hornsby and is managed by the RMS. Another vehicular access point from George Street is no longer

Sch. A	Issue	Proposed Action
	Hornsby	considered necessary and is unlikely to be supported by the RMS as its policy is to reduce and consolidate entry points on arterial roads. Retention of pedestrian access is desirable. Therefore, it is proposed that the DCP be amended to require provision of pedestrian access from George Street to Hunter Lane as part of any new development (instead of vehicular access). A review of Hornsby East Side is scheduled to commence this year and may result in a new strategy for the subject site.
3.6	Reclassify Council owned land at property No. 111X New Line Road, Cherrybrook to Operational land to facilitate its sale to the West Pennant Hills Sports Club	Included in this Planning Proposal.
4.1	Determine a response to the prohibition of infill affordable housing and residential development by the Land and Housing Corporation on R2 and SP3 zones land	Current project - included on the Strategic Planning Program.
4.2	Consider a reduction in minimum lot sizes as part of the Affordable Housing Initiatives Review, the next stage of Council's Housing Strategy and Galston and Glenorie Subdivision Review	Current project - included on the Strategic Planning Program.
4.3	Consider the submission commenting on land within the Pennant Hills Commercial Centre as part of any Pennant Hills Masterplan Review	Future project - included on the Strategic Planning Program.
4.4	Evaluate the minimum commercial/residential FSR in the B4 zone on the east side of Hornsby by including a project on the Strategic Planning Program	Current project - included on the Strategic Planning Program.
4.5	Consider the submission requesting an increase in FSR for land within the Thornleigh and Waitara Commercial Centres as part of the Thornleigh and Waitara Employment Floor Space	Future project - included on the Strategic Planning Program.

Sch. A	Issue	Proposed Action
	Review	
4.6	Hold discussions with Parramatta and Hills Councils regarding Carlingford Court Shopping Centre and present a report to Council	Not to be progressed. Investigations reveal that ownership of Carlingford Court has changed and new owner's intentions are unknown and should be addressed through a separate planning proposal as appropriate.
4.7	Review the Development on Land Intended to be Acquired for a Public Purpose clause to provide additional permitted land uses to those currently specified	Not to be progressed. Investigations reveal that the Department of Planning and Environment is unlikely to support a change to Clause 5.1A of the Standard Instrument. The introduction of additional permitted uses for sites intended to be acquired for a public purpose may affect the cost of acquisition and increase the cost of reinstatement of the land for the purpose for which it is to be acquired. A site specific solution is proposed for property No. 1069 Pacific Highway, Cowan (discussed below under the heading "2.8 Land Reservation Acquisition and Rezoning").
4.8	Include the request for the inclusion of "The Glade" as a heritage item as part of Council's next Heritage Review	Added to list of items for consideration in the next Heritage Review.
4.9	Discuss with the Department of Planning the opportunity to include local "Unstable Land" provisions within the HLEP 2013	Requires further investigation and consultation with DP&E - address as part of next Housekeeping Amendment (2016).

2. OTHER AMENDMENTS

Since the *HLEP 2013* came into force in October 2013, a number of anomalies and mapping issues have been identified. This *Planning Proposal* seeks to address these issues as discussed below.

2.1 Heritage Schedule

The *Planning Proposal* seeks to update Schedule 5 – Environmental Heritage to correct errors in property descriptions or listings. However, any issues which relate to the location or significance of items will be considered as part of the next Heritage Review.

2.2 Jetties

The intention of the *HLEP 2013* is to permit jetties, subject to Council consent, where properties have frontages to waterways. The *HLEP 2013* achieves this through Clause 6.5 which permits jetties within the foreshore area (i.e. where a property meets the mean high water mark) and through permitting jetties, with consent, in the Waterways zones (i.e. over the water). An anomaly exists where there is an E2 Environmental Conservation zoning over the water, as jetties are prohibited in the E2 zone. The E2 Environmental Conservation zone applies to protected mangrove, saltmarsh and seagrass communities below mean high water mark.

This *Planning Proposal* seeks to insert jetties into the land use table for the E2 zone under "Permitted with consent" to allow the possibility of water access to properties which adjoin mangrove, saltmarsh or seagrass communities. A merit assessment would be undertaken through the Development Application process in accordance with the controls outlined in the *HLEP 2013* and the *Hornsby Development Control Plan (DCP) 2013*. Clause 6.5 of the *HLEP* would ensure that development consent is not granted unless Council is satisfied that the jetty will not cause environmental harm such as an adverse effect on surrounding marine habitat, wetland areas or flora and fauna habitat. The *Hornsby DCP* contains further controls for waterways structures (including jetties) aimed at avoiding locations containing seagrass beds and saltmarshes. Where these locations cannot be avoided, the *DCP* requires mitigation measures such as translucent or mesh walkways to allow sunlight penetration.

2.3 Moorings

The *HLEP 2013* land use tables for the Waterways zones include Moorings as 'Permitted without consent'. However, with the adoption of the new LEP in accordance with the Standard Instrument, the Department of Planning and Environment required Council to include Clause 5.7 Development Below Mean High Water Mark in the *HLEP 2013*. The clause requires consent for any development below mean high water mark, including moorings. The *Housekeeping Planning Proposal* seeks to move Moorings in the Waterways land use tables from 'Permitted without consent' to 'Permitted with consent' to eliminate confusion and be consistent with Clause 5.7.

2.4 Recreation Facilities (Indoor)

The preparation of the *HLEP 2013* was principally a translation of Council's existing *HSLEP 1994*. Under the *HSLEP 1994*, recreation facilities were permissible in low density residential zones. Recreation facilities were defined as follows:

"recreation facility" means a building or place used for sporting activities, recreation or leisure activities, whether or not operated for the purpose of gain, but does not include a building or place elsewhere defined in this clause;

The inclusion at the end of the definition of the phrase "unless elsewhere defined" meant that uses such as a bowling alley or gym, defined as business premises, were prohibited in the low density zone. However, under the *HLEP 2013* recreation facility (indoor) is defined as follows:

Recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

These uses have the potential to impact significantly on adjacent low density residential properties. This land use conflict is due to the new definition of a recreation facility and was not identified or intended with the translation of land uses in the *HLEP 2013*. This *Planning Proposal* therefore seeks to prohibit recreation facilities (indoor) in the R2 Low Density Residential Zone.

2.5 Exempt and Complying Development

Part 3 of the *HLEP 2013* permits certain minor development which can be carried out without development consent and certain development which can be undertaken after certification by Council or an Accredited Certifier. The Clause refers to Schedules 2 and 3 which list the development to which the clause applies. The State Government's Exempt and Complying Development Policy

overrides Council's Exempt and Complying Clause, therefore the Schedule in the *HLEP 2013* is intended to only include development in addition to that which is specified by the State Government's Exempt and Complying Development Policy.

The *Housekeeping Planning Proposal* seeks to remove the following items from the *HLEP* Schedule which are listed in the Exempt and Complying Development State Environmental Planning Policy:

To be Removed from Schedule 2 Exempt Development	To be Removed from Schedule 3 Complying Development
Signage: • Business identification signs (all zones) • Flush wall signs • Top hamper signs • Underawning signs • Real estate signs (all zones) • Signs behind glass • Temporary signs for religious, cultural, political, social or recreational events	Signage: • Fascia signs • Flush wall signs • Painted wall signs • Pole or pylon signs • Temporary signs for religious, cultural, political, social or recreational events
Outdoor dining	
Clothing bins	
Temporary use of buildings	
Temporary use of public land by Council or not-for-profit organisation and installation of temporary structures	

2.6 Zoning Anomalies

A number of zoning anomalies are proposed to be corrected through the *Housekeeping Planning Proposal* as outlined below. Associated amendments to the Lot Size and Height of Building maps are also required in accordance with the proposed zoning amendments.

Property	Current Zoning	Issue	Proposed Zoning	Other LEP Maps affected
Lot 1 DP1199578 Calabash Point, Berowra Creek	Part RE1 Public Recreation and part E4 Environmental Living	Zoning anomaly along western boundary due to recent subdivision	RE1 Public Recreation	Lot Size Height of Building
Berowra Creek at Berowra Waters Boat Shed – Berowra Waters	W1 Natural Waterways	W2 Recreational Waterways zone needs to be extended to correspond with the existing permissive occupancy adjacent to Berowra Waters	W2 Recreational Waterways	N/A

Property	Current Zoning	Issue	Proposed Zoning	Other LEP Maps affected
		Boatshed		
22x Higgins Place, Westleigh	Part RE1 Public Recreation and part R2 Low Density Residential	Zoning and cadastre anomaly	RE1 Public Recreation	Lot Size Height of Building
25 Blackbutt Avenue, Pennant Hills	Part RE1 Public Recreation and part R2 Low Density Residential	Zoning anomaly along rear boundary	R2 Low Density Residential	Height of Building
295 Galston Road, Galston	RU1 Primary Production	Zoning anomaly – should be zoned consistent with surrounding properties	RU4 Primary Production Small Lot	Height of Building
25 Ray Road, Epping	Part R2 Low Density Residential and part R4 High Density Residential	Zoning and cadastre anomaly	R4 High Density Residential	Lot Size Height of Building

2.7 Epping Urban Activation Precinct

State Environmental Planning Policy Amendment (Epping Town Centre) 2013 came into force in March 2014 and amended the *HLEP 2013* in relation to the Epping Urban Activation Precinct (UAP). The SEPP replaced the Land Zoning, Height of Buildings, Floor Space Ratio and Heritage Maps to implement the Epping UAP rezonings. However, corresponding changes to the Lot Size and Land Reservation Acquisition Maps were not made. This *Housekeeping Planning Proposal* seeks to rectify this by making the necessary map amendments to correspond with the zoning changes which have occurred.

2.8 Land Reservation Acquisition and Rezoning - Cowan

Property No. 1069 Pacific Highway, Cowan is listed in the *HLEP 2013* as a heritage item of local significance, being a rare example of a small scale farm, once common and becoming rare on the metropolitan outskirts set on a pocket of reasonably fertile soil in generally infertile sandstone country. The farm contains a small orchard and vegetable garden with characteristic trees from the c1930s set amongst groups of sheds, near cabins, an aviary and grinding stone evoking a self-sufficiency of husbanding the land with considerable practical skills.

In accordance with the translation of the *HSLEP 1994* into the *HLEP 2013*, the property was rezoned from Open Space B (Public Recreation – District) to RE1 Public Recreation. The rezoning has had the unintended consequence of prohibiting agriculture on the site (which was permitted with consent under the previous Open Space B zone).

The property was also identified on the Land Reservation Acquisition Map, with the State Government as the acquisition authority. Under the *HSLEP 1994*, the land acquisition clause allowed flexibility of use of the land if it had not been acquired (subject to consideration of the effect of the proposed development on the costs of acquisition). Under the *HLEP 2013*, the new land acquisition clause (5.1A) restricts development on the site to recreation areas only.

The new land zoning and acquisition provisions may significantly restrict the continuance of the existing agricultural and residential land use of the property and the owners' plans for improvements to the property. Therefore, at its meeting on 19 December 2012, Council considered Group Manager's Report No. PL54/12 and Council resolved that a future review of the *HLEP* should consider an amendment to Clause 5.1A to provide additional permitted land uses to those currently specified.

As discussed above in section 1 above, the Department of Planning and Environment is unlikely to support a change to Clause 5.1A of the Standard Instrument as the introduction of additional permitted uses for sites intended to be acquired for a public purpose may affect the cost of acquisition and increase the cost of reinstatement of the land for the purpose for which it is to be acquired. Consequently, a review of the subject site has been undertaken and an amendment to the zoning of the property is proposed, along with removal of the acquisition obligation.

This *Housekeeping Planning Proposal* seeks to rezone property No. 1069 Pacific Highway, Cowan to E3 Environmental Management. This zone would reflect the current residential and agricultural use of the property and would be consistent with the zoning of land to the south of the property. Agriculture and dwellings are permitted in the E3 zone which would promote the continuance of the existing agricultural and residential land use of the property and, in turn, protect the heritage significance of the small scale farm. The *Planning Proposal* also seeks to remove the land reservation acquisition obligation from the property. Initial consultation with the Office of Strategic Lands (OSL) indicates that the OSL would support the rezoning of the property and the removal of the acquisition obligation. The OSL acknowledges that the acquisition of the property by Government may impact on its ongoing heritage significance and should be avoided.

2.9 Land Reservation Acquisition – Asquith

Council is currently undertaking a review of the Hornsby Section 94 Development Contributions Plan 2012 – 2021. The purpose of the review is to update the dwelling and population forecasts in accordance with the finalisation of the Epping Urban Activation Precinct, the Hornsby West Side Planning Proposal and a review of dwelling yields for Housing Strategy precincts.

The Works Schedule within the Section 94 Plan will be updated to reflect additional projects required to meet demand and will provide the opportunity to delete projects which have been completed and amend projects if their scope has changed.

During the review, it has been identified that the scope of a Local Road project (R-017) has changed. Design work has commenced on the extension of Wattle Street to Amor Street and has revealed that the extension can be achieved through the acquisition of one property (No. 7 Amor Street, Asquith). The *HLEP 2013* identified property Nos. 5 and 7 Amor Street for acquisition on the Land Reservation Acquisition Map. This Planning Proposal seeks to remove the acquisition obligation from property No. 5 Amor Street, Asquith.

2.10 Height of Buildings Map Legend

The Hornsby West Side Planning Proposal and the Epping UAP were concurrent planning studies which resulted in increased height limits to provide opportunities for redevelopment. The height limits in Hornsby West Side and Epping varied from 8.5m up to 77.5m at different increments. As such, the

legends on the draft Height of Buildings Maps for each project were different throughout their preparation and were not reconciled when finalised by the Department of Planning and Environment. The *Housekeeping Planning Proposal* seeks to amend the Height of Buildings Map by correcting the legend to correspond with the appropriate heights in Hornsby West Side and Epping.

CONSULTATION

The Office of Strategic Lands was consulted in relation to property No. 1069 Pacific Highway, Cowan. Formal consultation will be undertaken with the Office of Strategic Lands and other government agencies as required by any Gateway Determination.

In accordance with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" *Guidelines*, the Planning Proposal is required to be exhibited for a period of 28 days. A consultation strategy relevant to the public exhibition has been prepared as part of the *Planning Proposal* for endorsement by the Department. Exhibition would involve a newspaper advertisement, notification of Council's website, letters to affected landowners displays at Council's Administration Building and libraries and a public hearing for the reclassification of land.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

The *Housekeeping Planning Proposal* attached to this report seeks to amend the *HLEP 2013* to resolve some of the identified issues raised during the exhibition period which were outside the scope of a translation. The *Planning Proposal* also seeks to rectify anomalies and mapping issues that have been identified since the Plan came into force in October 2013. It is recommended that the *Housekeeping Planning Proposal* be forwarded to the Department of Planning and Environment seeking a Gateway Determination for exhibition.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Strategic Planning – Fletcher Rayner, who can be contacted on 9847 6744.

FLETCHER RAYNER

Manager - Strategic Planning
Planning Division

JAMES FARRINGTON

Group Manager
Planning Division

Attachments:

1. Housekeeping Planning Proposal - July 2015

File Reference: F2015/00054

Document Number: D05497674

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR BROWNE, THAT Development Application No. DA/1352/2014 for construction of a recreation facility – motorcycle track at Lot 32 DP 1149747, No. 30 Peebles Road, Fiddletown be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL51/15.

FOR: COUNCILLORS ANISSE, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

10 PL52/15 Planning Proposal - Epping Library Site - Additional Permitted Uses

(F2015/00227)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR COX,

THAT:

1. Council forward the Planning Proposal for property No. 10 Pembroke Street, Epping attached to Group Manager's Report No. PL52/15 to the Department of Planning and Environment seeking Gateway Determination and endorsement for exhibition.
2. Should the Minister determine under Section 56(2) of the *Environmental Planning and Assessment Act 1979* that the matter may proceed without significant amendment to the *Proposal*, Council publicly exhibit the Planning Proposal in accordance with the Gateway Determination.
3. The General Manager be given delegated authority to endorse the exhibition material.
4. Following the exhibition, a report on submissions be presented to Council.

FOR: COUNCILLORS ANISSE, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

11 PL39/15 Planning Proposal - Hornsby Shire Local Environmental Plan - Housekeeping Amendment 2015

(F2015/00054)

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by COUNCILLOR BROWNE,

THAT:

1. Council endorse progression of the Housekeeping Planning Proposal attached to Group Manager's Report No. PL39/15 and forward the Planning Proposal to the Minister for

Planning seeking a Gateway Determination to exhibit the Proposal.

2. Should the Minister determine under Section 56(2) of the Environmental Planning and Assessment Act 1979 that the matter may proceed without significant amendment to the Proposal, Council publicly exhibit the Planning Proposal in accordance with the Gateway Determination.
3. The General Manager be given delegated authority to endorse the exhibition material.
4. Following the exhibition, a report on submissions be presented to Council.
5. A public hearing pursuant to Section 57(6) of the Environmental Planning and Assessment Act be held following the exhibition of the Planning Proposal.
6. An independent facilitator be retained to conduct the public hearing for the reclassification of the land at No. 111X New Line Road, Cherrybrook.

FOR: COUNCILLORS ANISSE, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

INFRASTRUCTURE AND RECREATION DIVISION

12 IR22/15 Further Report - Waitara Park Redevelopment

(F2014/00341)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR COX,
THAT Council:

1. Support the proposal from PCYC to lease Council land at Waitara Park to develop and operate a recreation facility accessible to the community in return for supporting Council access to Crown land at the former Hornsby Bowling Club.
2. Support making a capital contribution towards the proposal.
3. Delegate to the General Manager to negotiate:
 - a) the terms of a Deed of Agreement for Lease and a specific lease between Council and PCYC NSW, based on the terms identified in Deputy General Manager's Report No. IR22/15;
 - b) the terms of a new agreement with Kim Warwick Tennis Academy for use of new tennis courts on the Crown Land; and
 - c) the value of the contribution to PCYC based on an independent quantity survey of the proposed PCYC facility.
4. Write to the Minister for Local Government seeking consent for Council entering into a 30 year lease with PCYC, subject to adoption of the draft Plan of Management for Waitara Park.
5. Provide owner's consent to PCYC NSW for the submission of a Development Application for