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818 Pacific Highway, Gordon NSW 2072

Locked Bag 1056, Pymble NSW 2073

T 02 9424 0000 F 02 9424 0001

DX 8703 Gordon TTY 133 677

E kmc@kmc.nsw.gov.au

W www.kmc.nsw.gov.au

ABN 86 408 856 411



Contact: Craige Wyse

Reference: S10726 / 2015/227266

3 December 2015

Rachel Cumming
Director, Metropolitan (Parramatta)
Planning Services
GPO Box 39
Sydney NSW 2001



Dear Ms Cumming

Planning Proposal to reclassify council owned land from community to operational status.

At its meeting of 23 June 2015, Council considered a report that proposed to reclassify Council land at 8-10 Tryon Road & 3-5 Kochia Lane, Lindfield from Community to Operational land.

As a result of the report, Council resolved the following:

- A. Council adopt the concept plan prepared by JMD Design & TZG (Option B) as the preferred design.
- B. A full review of all comments made by the public and specialist consultants is undertaken and revisions are made (if required) to the concept plan addressing the key issues raised.
- C. Council allow minor variations to the preferred concept plan to accommodate potential amendments arising from comments made by the public and specialist consultants.
- D. The preferred concept be modified so as to provide a larger café space, which would be retained in Council ownership, and would cover annual operating costs attributable to the facility, excluding depreciation.
- E. The final concept plan be reported back to Council in 2015 and that the report includes recommendations in relation to the number of commuter parking spaces to be accommodated within the proposal.
- F. That once adopted by Council the final design be made public.

Department of Planning
Received
8 DEC 2015
Scanning Room

G. *In relation to completion of the concept design stage of work for the project, and pursuant to Section 55(3)(i) of the Local Government Act, Council is of the opinion that a satisfactory result would not be achieved by inviting tenders for the following reasons:*

- *the consultant team JMD Design and TZG were selected as a result of a competitive process (an EOI) based on experience and expertise with similar projects;*
- *the consultant team JMD Design and TZG have a significant amount of prior involvement having worked on the project since December 2014;*
- *The consultant team JMD Design and TZG preliminary concept design has achieved a high level of community support and meets all the technical criteria;*
- *Engaging another consultant to complete the concept design would risk loss of design integrity and potentially be a risk to Council's reputation;*
- *Engaging another consultant to complete the concept design would result in significant delays to the project which would potentially be a risk to Council's reputation; and*
- *JMD Design and TZG would be at a significant advantage over other potential tenderers and a satisfactory result would not be achieved by inviting tenders at this stage.*

H. *That the three design teams responsible for the exhibited concept plans be advised of Council's decision and thanked for their participation in the project.*

I. *That a Planning Proposal be prepared, in accordance with section 55 of the Environmental Planning and Assessment Act, 1979, to reclassify lots:*

- *Lot 2 in DP 219628*
- *Lot 3 in DP 219628*
- *Lot 5 in DP 219146*
- *Lot 12 in DP 225925 &*
- *Lot 31 in DP 804447*

Known as the Tryon Road carpark, Lindfield from Community land to Operational land via an amendment to the Ku-ring-gai Local Centres LEP, 2012.

J. *That Council formally seek to discharge all interests for lots:*

- *Lot 2 in DP 219628*
- *Lot 3 in DP 219628*
- *Lot 5 in DP 219146*
- *Lot 12 in DP 225925 &*
- *Lot 31 in DP 804447*

Known as the Tryon Road carpark, Lindfield.

- K. *That the Planning Proposal be submitted to the Department of Planning and Environment for a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979.*
- L. *That upon receipt of a Gateway Determination, the exhibition and consultation process is carried out in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and with the Gateway Determination requirements.*
- M. *That Council undertake a public hearing under the provisions of the Local Government Act, 1993 for the proposed reclassification Lindfield Car Park from Community land to Operational land.*
- N. *That a report be brought back to Council at the end of the exhibition and public hearing processes.*

Please find enclosed a Planning Proposal that reflects Council's resolution.

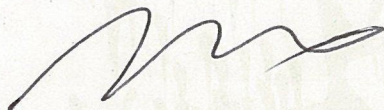
The Planning Proposal has been drafted in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's *A Guide to Preparing Planning Proposals*. Also included in the Planning Proposal is a draft project timeline for the completion of the Planning Proposal.

Please note that Council **has not** resolved to request the plan making delegation under Section 23 of the EP&A Act for this Planning Proposal

It is requested that the Planning Proposal be considered for a gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979*.

If you have any enquiries on this matter, please contact Craige Wyse, Team Leader - Urban Planning, on 9424 0855 or myself on 9424 0854.

Yours Sincerely,



Antony Fabbro
Manager Urban Planning