



PLANNING PROPOSAL

**To reclassify Council owned land
at 9, 15 & 17 Dumaresq Street, Gordon
from Community land to Operational land:**

SEPTEMBER 2017

Prepared for Ku-ring-gai Council

By GLN Planning

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INTRODUCTION

Overview of Planning Proposal

The Planning Proposal seeks to amend *Ku-ring-gai Local Environment Plan (Local Centres) 2012* (KLEP(LC)2012) to reclassify Council owned lands at 9, 15 & 17 Dumaresq Street, Gordon, from Community land to Operational land.

The reclassification will provide the opportunity for Ku-ring-gai Council to better manage Council's assets and enable the progression of the proposed Gordon Hub masterplan which will include 9, 15 & 17 Dumaresq Street, Gordon.

The reclassification is the only means available to enable Council to lease or to divest these lands in the future and, subject to separate Council resolution, support Council's asset renewal strategies including the establishment of civic and cultural facilities proposed for inclusion within the Gordon Hub masterplan.

Background to the Planning Proposal

The development of Gordon Hub has been considered at meetings of Council on 15 December 2015 (Appendix A), 9 February 2016 (Appendix B), 11 October 2016 (Appendix C) and most recently on 22 November 2016 (Appendix D).

On 22 November 2016 Council considered a report updating the progress on the Gordon Hub masterplan and resolved as follows: (Refer to Appendix D for the full Report and Resolution.)

- A. Council resolves to re-commence the master planning process for Cultural Hub in Gordon.
- B. Council prepare illustrative master plan options for public exhibition in the first half of 2017.
- C. That following public exhibition of the master plan options the results are reported to Council recommending a preferred option.
- D. A Planning Proposal is to be prepared, in accordance with section 55 of the Environmental Planning and Assessment Act, 1979, to reclassify Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon from Community land to Operational land.
- E. Council formally seeks to discharge all necessary interests for Lot A in DP 355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon.
- F. 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.

- G. *Upon receipt of the 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.*
- H. *Council undertakes a public hearing under the provisions of the Local Government Act, 1993 for the proposed reclassification of Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 and 17 Dumaresq Street, Gordon from Community land to Operational Land.*
- I. *A report is to be brought back to Council at the end of the exhibition and public hearing process and that also recommended recommencement of the master planning process for the Cultural Hub in Gordon. The report recommended that Council prepare a Planning Proposal to reclassify 9, 15 & 17 Dumaresq Street, Gordon from Community land to Operational land.*

GLN Planning has been engaged by Ku-ring-gai Council to prepare this Planning Proposal in relation to the above Resolution D.

In accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act), this Planning Proposal seeks to explain the intended effect of the proposed instrument and sets out the justification for making the proposed instrument.

This Planning Proposal addresses matters that are intended to be included in the KLEP(LC)2012 that will affect the reclassification of the land.

Definitions

The Department of Planning and Environment *Practice Note PN09-003 Classification and reclassification of public land through a local environmental plan* contains some definitions of terms used in this Planning Proposal as follows:

Public land is any land (including a public reserve) vested in, or under the control of, council. Exceptions include roads, land to which the Crown Lands Act 1989 applies, a common, or land to which the Trustees of Schools of Arts Enabling Act 1902 applies.

Community land is generally open to the public, for example, parks, reserves or sports grounds.

Operational land may be used for other purposes, for example, as works depots or garages, or held by council as a temporary asset.

Classification of public land refers to the process when this land is first acquired and first classified as either 'operational' land or 'community' land.

Reclassification of public land refers to the process of changing the classification of 'operational' land to 'community' land or from 'community' land to 'operational' land.

Land classified as Community land means that Council cannot sell, exchange or grant an interest to another party other than in accordance with the provisions of the Local Government Act 1993.

Land classified as Operational means that Council can sell, exchange or grant an interest to another party other than in accordance with the provisions of the Local Government Act 1993.

Land to which this Planning Proposal applies

This Planning Proposal relates to three land parcels owned by Ku-ring-gai Council, tabulated and illustrated below:

Address	Description	Area
9 Dumaesq Street, Gordon	Lot A, DP 355615	1419.393m ²
15 Dumaesq Street, Gordon	Lot D DP 386283	973.595m ²
17 Dumaesq Street, Gordon	Lot C DP 386283	1052.558m ²



Figure 1: Aerial Photograph - 9, 15 & 17 Dumaesq Street, Gordon (Source: Nearmap)



Figure 2 – Cadastral Map - 9, 15 & 17 Dumaresq Street, Gordon (Source: Sixmaps)

Each of the three lots has been developed with a single residential dwelling, outbuildings and other structures. The land adjoins the rear of the Ku-ring-gai Council Chambers site on the northern side of Dumaresq Street.

Council records indicate that:

- The three lots were acquired by Council using Section 94 contribution funds in December 2007, and at the time of acquisition the lands were zoned Residential 2(d3) which permitted five storey residential flat development.
- Following the acquisition of the three sites, Council resolved on 16 April 2008, to prepare a masterplan for the Gordon Civic and Community Facilities Precinct to include a park with a minimum size of 3,465 square metres, which is comparable to the area of the acquired lands at 9, 15 & 17 Dumaresq Street.
- The acquisition of the three sites was undertaken using Section 94 Contribution Plan funds to address, in part, the lack of open space in the Gordon Local Centre as identified in the *Ku-ring-gai Open Space Acquisition Strategy 2006*. The Community classification of the land was determined by resolution at the time of acquisition.

With the continued design development of the Gordon Hub masterplan, there is an opportunity to position the new park/civic open space on an equivalent land area to that of 9,15 & 17 Dumaresq Street, but in a better placed location within the masterplan site (for example, on the existing Council car park immediately to the east of 9, 15, 17 Dumaresq Street).

Planning Controls

The table below details existing planning controls and development standards contained within KLEP(LC)2012 that apply to the lots to which this Planning Proposal relates.

Planning Control	9 Dumaresq St Lot A, DP 355615	15-Dumaresq St Lot D DP 386283	17 Dumaresq St Lot C DP 386283
Land Zoning	B2 Local Centre	B2 Local Centre	B2 Local Centre
FSR (n:1)	3.0:1	3.0:1	3.0:1
Maximum Height of Building	26.5 metres	26.5 metres	26.5 metres
Minimum Lot Size	No minimum lot size	No minimum lot size	No minimum lot size
Riparian Land	No relevant controls	No relevant controls	No relevant controls
Biodiversity Land	Contains areas of Biodiversity mapping	Contains areas of Biodiversity mapping	Contains areas of Biodiversity mapping
Ground Floor Development in Business Zones	Land is subject to LEP Clause 6.6 which seeks to ensure that active uses are provided at the street level in business zones to encourage the presence and movement of people.	Land is subject to LEP Clause 6.6 which seeks to ensure that active uses are provided at the street level in business zones to encourage the presence and movement of people.	Land is subject to LEP Clause 6.6 which seeks to ensure that active uses are provided at the street level in business zones to encourage the presence and movement of people.
Minimum street frontages for lots in business zones	Development consent must not be granted for a building of more than two storeys on land in Zone B2 if the site does not have a primary street frontage of at least 20m.	Development consent must not be granted for a building of more than two storeys on land in Zone B2 if the site does not have a primary street frontage of at least 20m.	Development consent must not be granted for a building of more than two storeys on land in Zone B2 if the site does not have a primary street frontage of at least 20m.
Heritage	No relevant controls	No relevant controls	No relevant controls
Bushfire Prone Land	Not bushfire prone	Not bushfire prone	Not bushfire prone

The following figures illustrate the current zoning and development standards that apply to the subject sites under the KLEP(LC)2012. There are no draft planning controls that apply to the sites.

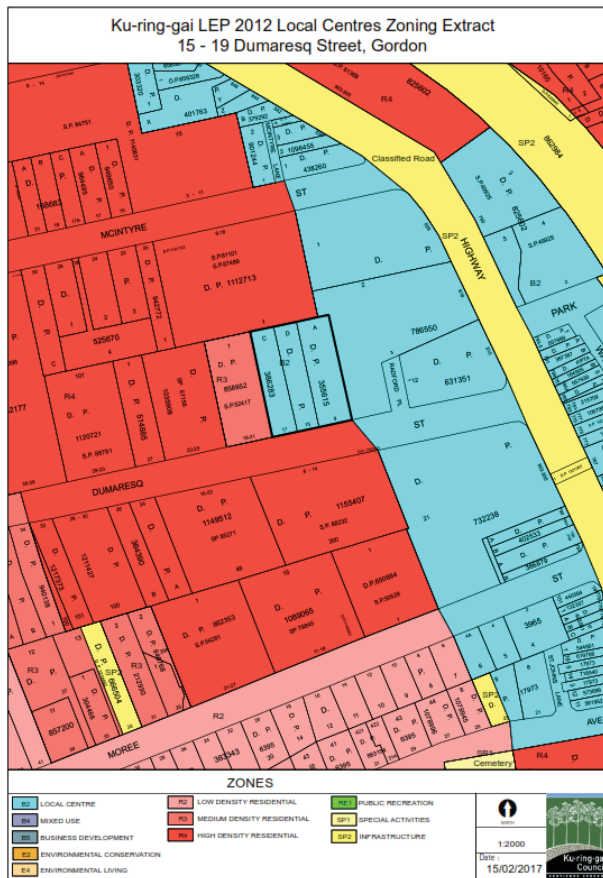


Figure 3 – Existing Land Zoning



Figure 4 – Existing Floor Space Ratio

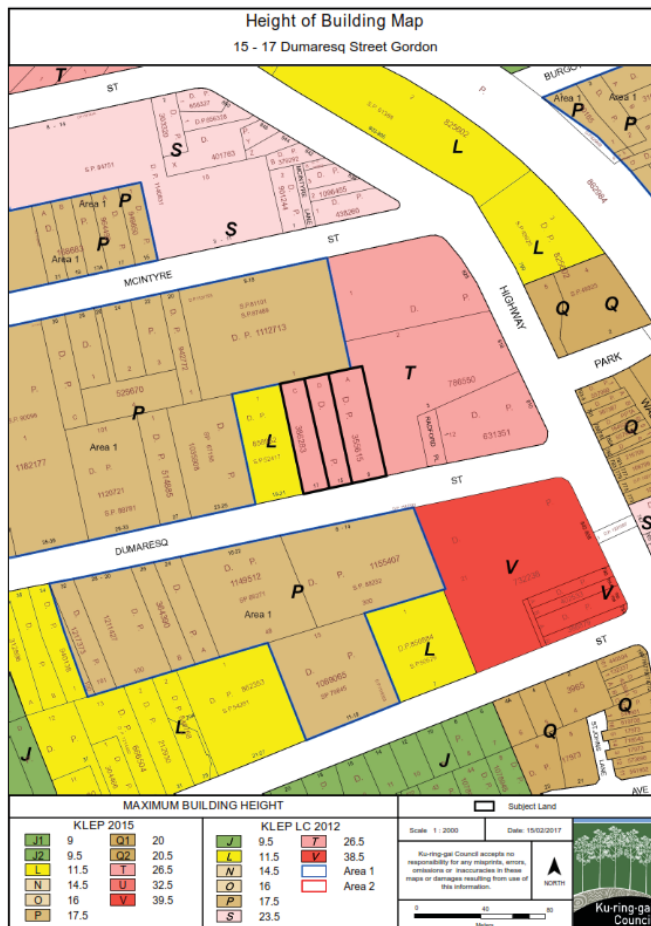


Figure 5 – Existing Maximum Height of Building



Figure 6 – Existing Areas of Biodiversity

PART 1 – OBJECTIVE OR INTENDED OUTCOMES

The objective of this Planning Proposal is to reclassify Council owned land so-as to provide flexibility in the design and implementation of the proposed Gordon Hub masterplan.

Council's vision for Gordon is set out in the *Town Centres Public Domain Plan 2010*; the *Ku-ring-gai Contributions Plan 2010*; the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* and the *Ku-ring-gai Local Centres Development Control Plan*. In addition, work is underway to progress the masterplan for the Gordon Hub which includes the sites subject of this Planning Proposal (9, 15, 17 Dumaresq Street).

Council considers the Gordon Hub as the administrative heart of Ku-ring-gai, with the potential to become a focal point for the local government area through the provision of facilities with high level amenity for the community.

Through its current masterplanning work, Council is planning for a range of improved civic, cultural and community facilities, including a public park, and opportunities for new speciality retail, cafes and restaurants located away from Pacific Highway.

Council's *Community Strategic Plan 2030*, identifies the revitalisation of the local centres as an important long term objective for the community; and specifically, that the community desires the St Ives, Lindfield and Gordon centres to offer a broad range of shops and services and contain lively urban village spaces and places where people can live, work, shop, meet and spend leisure time.

In this context, it is appropriate for Council to consider using its landholdings to assist in the masterplanning for the Gordon Hub. The reclassification of 9, 15, 17 Dumaresq Street would facilitate greater flexibility in the masterplanning process by providing the opportunity to locate the park on level land that is more centrally located and accessible to a greater number of people and properties. This flexibility would increase the passive recreational value of the proposed park within the Gordon Hub, making it more usable and better integrated into any new surrounding facilities.

PART 2 – EXPLANATION OF PROVISIONS

This section sets out the means through which the objectives described in Part 1 will be achieved through the amendment of the KLEP(LC)2012.

The Planning Proposal will result in an amendment to Schedule 4 (classification and reclassification of public land) by inserting the following in Part 1 ('Land classified, or reclassified, as operational land – no interests changed') of that Schedule:

Under Column 1 Locality:	Under Column 2 Description:
<i>Gordon</i>	9 Dumaresq St, Gordon - Lot A, DP 355615
<i>Gordon</i>	15 Dumaresq Street, Gordon - Lot D DP
<i>Gordon</i>	17 Dumaresq Street– Lot C DP 386283

Ku-ring-gai Council supports the Planning Proposal for the reclassification of the three sites from Community Land to Operational Land. The reclassification of the sites to Operational land will provide Council with the flexibility required to respond to new opportunities to provide a range of other facilities and services as part of the proposed Gordon Hub masterplan.

Upon reclassification to Operational land the site will be available for divestment (if required) and this would be conducted in line with the procedures outlined in Council's *Acquisition and Divestment of Land Policy 2009* and relevant provisions of the *Local Government Act 1993*.

The future divestment and/or redevelopment of the site would be the subject of a separate report to Council following reclassification.

There are no identified interests in the land that Council is seeking to discharge.

PART 3 - JUSTIFICATION

This section establishes the reasons for the proposed outcomes of the Planning Proposal and proposed amendments to the KLEP(LC)2012.

The following questions are set out in the NSW Department of Planning and Infrastructure guideline '*A Guide to Preparing Planning Proposals*'.

A. NEED FOR THE PLANNING PROPOSAL

The sites are not used to capacity and the current use is not considered the highest or best use of the consolidated sites. An Operational land classification will enable flexibility in the preparation and progress of the Gordon Hub masterplan and facilitate the optimal design and layout of built form and public domain elements within the masterplan site.

Q1. *Is the planning proposal a result of any strategic study or report?*

Yes. A number of reports have given consideration to the Gordon Hub site (including the lands subject of this Planning Proposal).

Council Report 30 April 2013

At the Ordinary Meeting held on 30 April 2013 (*Item GB.8 Planning Proposal to Reclassify Land for Relocation of Administration Services*), Council resolved to prepare a Planning Proposal to reclassify under-utilised Council assets from Community land to Operational land. The sale of the under-utilised land was to fund the purchase and development of 828 Pacific Highway, Gordon and adjoining land for a civic hub to include community facilities, open space and Council's civic and administrative functions. This principle was the basis of the *Capital Expenditure Review* prepared and submitted to the Division of Local Government in support of the acquisition of 828 Pacific Highway, Gordon.

Council Report 15 December 2015

At the Ordinary Meeting held on 15 December 2015, a report titled *Gordon Cultural and Civic Hub - Update Report - Post Site Visit and Briefing* was considered. The report addressed the findings of *Phase 1 on Project Definition and Feasibility*. Approval was sought to proceed to *Phase 2 – Business Case and Masterplan for the Gordon Cultural and Civic Hub Site*. Council resolved to undertake further investigations and discussions before proceeding to Phase 2.

Council Report 9 February 2016

At the Ordinary Meeting held on 9 February 2016, Council considered a report advising of the impacts of the NSW Government Merger Proposal on the Gordon Cultural and Civic Hub Masterplan. At that meeting Council resolved to defer the Gordon Cultural and Civic Hub Masterplan for the foreseeable future until broader strategic matters arising from the NSW Government Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council were resolved.

Council Report 11 October 2016

A further report was considered on 11 October 2016 advising that key ownership had changed within the Gordon local centre since the deferral, namely the purchase of 810 Pacific Highway by Aldi and representations from Coles Pty Ltd.

Ku-ring-gai Community Facilities Strategy 2014

The *Ku-ring-gai Community Facilities Strategy 2014* is an update of *Ku-ring-gai Community Facilities Strategy 2009* and builds on the findings of the *Ku-ring-gai Council Library Facilities Study 2004*, recent findings of the *Lindfield Community Facilities Study 2014*, as well as recent Council decisions and opportunities that have arisen relating to community facilities and land assets.

The purpose of the strategy is to consolidate an LGA-wide strategy to provide an overarching framework to guide Council through all future policy and planning decisions relating to its provision of community facilities. The strategy provides high-level guidance on facility provision across the LGA and outlines a blueprint for future facility provision. It aims to assist Council to take an integrated, strategic approach to the planning and provision of community facilities and to deliver a network of facilities that collectively meet the needs of the Ku-ring-gai community over the next 20 years.

The strategy includes analysis of existing facility provision, identification of gaps, and an analysis of population growth and change to determine future needs and community facility requirements. The study also involved consideration of key trends in community facility provision, development of guiding principles and a proposed hierarchy and standard for community facilities. These principles, hierarchy and standards were then applied to the Ku-ring-gai LGA context to formulate a strategy for community facility provision in the Ku-ring-gai LGA.

The strategy supports Council's proposal for a civic/cultural hub in Gordon. It finds that based on the existing Ku-ring-gai population, which is 109,146 people (and without taking into

account future population growth), there is a current and immediate need for a sub-regional level cultural facility to serve the LGA.

The strategy describes the potential character of the new Gordon Civic Cultural Hub as a place that:

- offers civic engagement, community pride and celebration;
- is welcoming, inviting, accessible – a people place that provides good integration with outdoor/public/civic space;
- is for community gathering, events, celebrations, performance;
- is active with a vibrant atmosphere.

If the sites, subject of this Planning Proposal, were available for flexible inclusion into the masterplanning of the Gordon Hub via an Operational classification, it would provide opportunity for a higher order of benefits for the Ku-ring-gai community as a whole by forming part of a larger, consolidated site that would support a comprehensive new set of facilities located in Gordon.

The documents that have informed the progress of the ongoing Gordon Hub masterplan process to date include:

- *'Living Culture' Cultural Plan 2004 – 2009*
- *Open Space Acquisition Strategy 2006*
- *Delivery Program 2013-2017*
- *Ku-ring-gai Community Facilities Strategy 2014*
- *Town Centres Public Domain Plan 2010*
- *Ku-ring-gai Contributions Plans 2010*
- *Ku-ring-gai (local Centres) LEP 2012*
- *Ku-ring-gai (Local Centres) DCP 2016.*

Q2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The site is currently classified as Community land; therefore Council is not able to develop, sell, exchange, or dispose of community land under the provisions of the Local Government Act 1993. Amending KLEP(LC)2012 would be the only means of achieving the objectives of the Planning Proposal. A Planning Proposal for the site is therefore considered appropriate.

B. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Q3. *Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes. This Planning Proposal is consistent with applicable regional and subregional strategies as detailed below.

A Plan for Growing Sydney

In December 2014, the NSW Minister for Planning released *A Plan for Growing Sydney*. This supersedes the *Metropolitan Plan for Sydney to 2036*. The objective of the Plan is to guide land use planning decisions for the next 20 years with a focus on accommodating Sydney's future population growth. Actions contained in the Plan focus on aligning subregional planning and concentrating development around established centres.

A key objective of the Plan is the focus towards investment and employment growth in various 'Strategic Centres' and 'Priority Growth Areas' with access to public transport. The Planning Proposal, in conjunction with the zoning and controls of KLEP(LC)2012, will allow the site to be developed for civic, cultural and commercial uses that have access to public transport.

The Plan's vision for Sydney: 'a strong global city, a great place to live' is built around achieving four key goals:

1. A competitive economy with world class services and transport.
2. A city of housing choice with homes that meet our needs and lifestyles.
3. A great place to live with communities that are strong, healthy, and well connected.
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

Goal 3 is relevant to this Planning Proposal as the proposal seeks to facilitate a masterplan for the Gordon Hub which aims to create more vibrant community focussed outcomes.

The Planning Proposal is consistent with *Direction 3.1 – Revitalise existing suburbs*. It will facilitate a high-quality development within the Gordon Hub, including co-located civic, cultural and community facilities, retail and residential uses that will create a focal point within Gordon and the LGA. The proximity to the Gordon railway station will enable ease of access to the Gordon Hub site.

The Planning Proposal is consistent with *Direction 3.3 – Create healthy built environments*. The flexibility that this proposal provides will enable the design development of the Gordon Hub site. The masterplan will encourage a healthy community by creating a mixed-use

precinct that can support physical activity, connect and strengthen communities. Specifically, it will integrate land use and transport to encourage active modes of travel, such as walking and cycling, and will provide for public space that is safe, clean and attractive and which will encourage social interaction.

The Planning Proposal is consistent with *Direction 3.4 –Promote Sydney’s heritage, arts and culture*. The proposed masterplan, which this Planning Proposal facilitates, proposes to include cultural infrastructure which can deliver benefits to communities by increasing social participation.

In addition, given that Ku-ring-gai is serviced by the North Shore Rail Line and that the corridor along this rail line has been identified for urban renewal by the Plan, the future redevelopment of the Gordon Hub site, which relates to the lots within this Planning Proposal, will provide the well-connected and accessible communities, with community facilities being co-located with parkland, retail shops and residential dwellings in line with the Plans’ directions.

Draft North District Plan

The Greater Sydney Commission exhibited the Draft District Plans in November 2016. The Draft District Plans are the link between the State Government’s Greater Sydney Region Plan (A Plan for Growing Sydney) and Councils’ Local Environmental Plans. Ku-ring-gai is located within the Draft North District Plan. The Planning Proposal is consistent with the vision of the District Plan as the Gordon Hub masterplanning, which includes 9,15 & 17 Dumaresq Street, aims to achieve a productive, liveable and sustainable city through the co-location of community services, civic and cultural facilities, open space, retail and residential components.

Specifically, the Draft North District Plan states that Councils are to “investigate local opportunities to address demand and diversity in and around local centres and infill areas”. The Gordon Hub masterplan design development is consistent with this action as it is strategically located within the local centre and seeks to incorporate facilities that respond to local demand as cited in the *Ku-ring-gai Community Facilities Strategy 2014*.

The Planning Proposal, through its association and facilitation of the masterplanning of the Gordon Hub, will address the following Productivity Priorities within the Draft North District Plan through the location of new retail and community facilities within the local centre:

- Productivity Priority 2: Manage growth and change in strategic and district centres and, as relevant, local centres.
- Productivity Priority 3: Prioritise the provision of retail floor space in centres.

Q4. *Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

Yes. The Planning Proposal is consistent with the following strategic documents:

Ku-ring-gai Council Community Strategic Plan 2030

This document includes references to implementing planning objectives for Ku-ring-gai's local centres. The subject sites are located within the Gordon local centre.

The Community Strategic Plan is based around the following principal activity areas that align with Council's Management Plan:

- Community Development;
- Urban Environment;
- Natural Environment;
- Planning and Development;
- Civic Leadership and Corporate Services;
- Financial Sustainability.

The proposed reclassification of the subject Council land is consistent with the Community Strategic Plan 2030 as it will enable the orderly use of the three sites as part of the proposed Gordon Hub masterplan development as cited below:

- Under the *Community Development* principle activity, the proposed reclassification from community land to operational land will assist in achieving the aims to make Council's community and cultural programs and services accessible and affordable and to meet current and future community needs.
- Under the *Urban Environment* principle activity, the proposed reclassification will assist in the aim that Council's assets are managed effectively to meet community needs and standards within available resources. The sites, as existing, are developed and are in an established urban area.
- Under the *Natural Environment* principle activity, the reclassification and potential future development of the site will require due consideration to the care and management of the natural environment under the development approval process.
- Under the *Planning and Development* principle activity, the proposed reclassification will ensure that the prevailing urban area will continue to contribute to commercial activity and respond to State Government and community demands for the provision additional housing, greater housing choice and associated facilities.
- Under the *Financial Sustainability* principle activity, the proposed reclassification will assist in meeting the aim that Council effectively manages its financial position to meet

community expectations for projects and service delivery. The reclassification of the land to operational status will assist Council to consider the best use of the land in the context of the design and development of the Gordon Hub masterplan. Council has an adopted 20 year long term financial model to assist in the financial planning and delivery of strategic projects.

- Under the *Civic Leadership and Corporate Services* principle activity, the design and development of the Gordon Hub masterplan will support and further develop Gordon as the civic centre for the local government area at a location where Council services have been based and operated historically.

The Community Strategic Plan identifies the revitalisation of the local centres as an important long term objective for the community. Specifically the local community desires that the Gordon, St Ives and Lindfield centres offer a broad range of shops and services and contain lively urban village spaces and places where people can live, work, shop, meet and spend leisure time.

Ku-ring-gai Sustainability Vision 2008-2033

This report forms the foundation of Council's sustainability plan spanning 25 years from 2008 to 2033. One of the vision statements in the report is to create a "creative and liveable" Ku-ring-gai. The Planning Proposal is consistent with the vision report in that the incorporation of the sites into the proposed Gordon Hub masterplan will enable flexibility in their use which supports the wider community provisions on the Gordon Hub site which seeks to create an improved liveable environment.

Ku-ring-gai Integrated Transport Strategy July 2011

This strategy presents a vision and strategic framework for integrated transport and assigns objectives to short (5 years) and long term (10 years) time frames. The Planning Proposal is not inconsistent with these objectives.

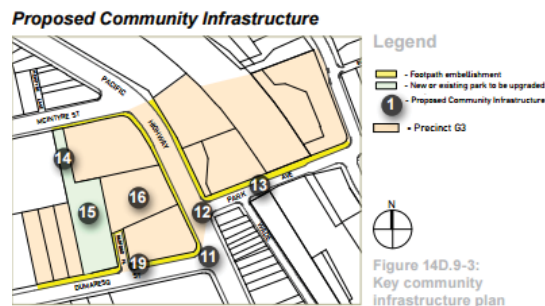
Other Strategic Documents

The Planning Proposal is consistent with Council's vision for the area as set out in the *Town Centres Public Domain Plan, 2010*; the *Ku-ring-gai Contributions Plan, 2010*; the *Ku-ring-gai Local Environmental Plan (Local Centres), 2012* and the *Local Centres DCP*.

The elements of the Public Domain Plan and Contributions Plan are reflected in the Local Centres DCP development objectives for the Gordon Hub area. The key objective for the area is to enhance the role of Gordon as the civic and administrative heart of Ku-ring-gai by providing a range of civic, community and cultural facilities.

This strategic intent is supported within the following sections of the Local Centres DCP:

- 14D.2 Public Domain and Pedestrian Access - identifies the preferred location of the open space within any future development of the Gordon Hub site, indicating a mid-block and through site link.
- 14D.3 Proposed Community Infrastructure - indicates and supports consistency with the adopted Council's Town Centre Public Domain Plan 2010 which includes the:
 - A new urban park in Dumaresq Street, associated with the Council Chambers and civic centre, providing a broad flat terrace to cater for communication events and ceremonies.
 - Opportunities for the establishment of other government or non-government community facilities within the Gordon civic hub precinct.
 - A Civic Hub around Park Avenue and the Pacific Highway comprising a range of improved civic and community facilities and a public park.
 - Improvements to the existing pedestrian way between Dumaresq Street and McIntyre Street.
- 14D.9 Precinct G3: Civic Hub - requires development to be designed to support and enhance the planned future character and include
 - Due consideration of heritage items within the precinct.
 - Creation of a civic hub for Ku-ring-gai.
 - Provision of a range of improved civic and community facilities including a public park and accommodation for a range of community services.



- 6 The following development is to be designed to support and complement the provision of Key Community Infrastructure through the *Ku-ring-gai Contributions Plan 2010* or by Voluntary Planning Agreement (VPA):
- 11 Modification of the traffic signals at the intersection of Pacific Highway and Dumaresq Street and removal the traffic signals at the intersection Pacific Highway and Park Street to improve traffic flow.
 - 12 Conversion of Park Avenue to one way traffic (east bound) and reduction of the road width to improve pedestrian conditions.
 - 13 Modification to the railway bridge on Park Avenue to provide wider footpaths.
 - 14 Improvements to the existing pedestrian way between Dumaresq Street and McIntyre Street.
 - 15 Construction of a new urban park on Council owned land in Dumaresq Street.
 - 16 Construction of a multi-purpose community facility.
 - 19 Embellishment of the footpath areas throughout the area including underground power lines, new lighting, high quality paving and furniture and street tree planting.

Figure 7 – Extract of Ku-ring-gai (Local Centres) DCP, 2016 Figure 14D.9

This Planning Proposal is consistent with the development objectives in the Local Centres DCP. The reclassification of the site will facilitate the orderly and economic development of the land for mixed use development as part of the masterplanning of Gordon Hub.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The following table identifies the key applicable SEPPs and outlines this Planning Proposal's consistency with those SEPPs. A checklist of compliance with all SEPPs is contained at Appendix A.

State Environmental Planning Policy	Comment on Consistency
SEPP 55 Remediation of Land <i>SEPP 55 requires a planning authority to give consideration to contamination issues when rezoning land which allows a change of use that may increase the risk to health or the environment from contamination and requires consideration of a report on a preliminary investigation where a rezoning allows a change of use that may increase the risk to health or the environment from contamination.</i>	Consistent. The zoning and development standards are not changing as a result of this Planning Proposal. Any land contamination matters that arise at the time of the development of the site will be a matter for the development assessment process. Council has undertaken a Phase 1 Preliminary Site Investigation (refer to Appendix H) which indicates that there is a low to moderate likelihood of unacceptable contamination to be present on the site as a result of past and present land use activities. A detailed assessment of the sites would be required to ascertain their suitability for future land uses once there is certainty on the proposed uses. Further investigation would also be able to draw conclusions on any remediation works that might be necessary at the Development Application stage.

Sydney Regional Environmental Plan	Comment on Consistency
SREP (Sydney Harbour Catchment) 2005 <i>The SREP aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and</i>	Consistent. All development is required to manage drainage and stormwater arising from development at the time of Development Application being approved and implemented.

Sydney Regional Environmental Plan	Comment on Consistency
<i>sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.</i>	

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table identifies the proposal's consistency with relevant Ministerial Directions.

Directions under S117	Consistency
1. EMPLOYMENT AND RESOURCES	
1.1 Business and Industrial Zones The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.	Consistent. The Planning Proposal will allow the site to be redeveloped in a manner which will encourage employment growth by enabling the development of cultural and mixed use development activities across the proposed Gordon Hub masterplan site, which 9, 15, 17 Dumaresq Street form a part. The proposal is consistent with the KLEP (LC) 2012 which zones the site B2 (Local Centre). The proposal supports the future character for the Gordon Precinct, as stated in the KDCP, by facilitating a future comprehensive renewal of the strategic land in the Gordon centre.
2. ENVIRONMENT AND HERITAGE	
2.3 Heritage Conservation The objective of this direction is to conserve items, areas, objects and places of environmental Heritage significance and indigenous heritage significance.	Consistent. The Planning Proposal will not reduce the existing heritage value of nearby heritage items or land, specifically 818 Pacific Highway. This proposal will facilitate the relocation of

Directions under S117	Consistency
	the future Gordon Hub park from 9, 15, 17 Dumaresq Street to adjoining, more centrally located, land and enable improved view corridors and setting to the heritage item at 818 Pacific Highway.
3.4 Integrating Land Use and Transport The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	Consistent. The site is centrally located with good proximity to major rail and road links. The site is within walking distance of Gordon Railway Station (North Shore Line), Pacific Highway and Mona Vale Road with its bus routes to Macquarie Park and Terrey Hills (with connections to Northern Beaches).
4.1 Acid Sulfate Soils The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Consistent. The Planning Proposal does not include provisions to change the development potential of the land.
4.3 Flood Prone Land The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and	Consistent. The sites are not considered as flood prone land in accordance with the flood plain development manual 2005 <i>Floodplain Development Manual</i>.

Directions under S117	Consistency
(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	
4.4 Planning for Bushfire Protection The objectives of this direction are: (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas	Consistent The Planning Proposal does not change development controls applying to the sites.
6. LOCAL PLAN MAKING	
6.1 Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent. The Planning Proposal does not include provisions that require the concurrence, consultation or referral of future DAs to a Minister or Public Authority.
6.2 Reserving Land for Public Purposes The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Consistent. Although there is no land reserved for open space in any current LEP, there has been a long-standing Council commitment to provide 3,465 square metres for a civic park in the Gordon Hub locality. That commitment is maintained through the identification of an equivalent area in the design and development of the Gordon Civic Cultural Hub masterplan, as portrayed in Council's local centres DCP. This Planning Proposal will facilitate Council's capacity to deliver the desired outcome in the masterplanning of the Gordon Hub area.
7. METROPOLITAN PLANNING	

Directions under S117	Consistency
7.1 Implementation of a Plan for Growing Sydney The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in a Plan for Growing Sydney.	Consistent. The potential development of the site, as part of the Gordon Hub, will contribute to meeting the residential housing targets and local commercial/ retail needs in A Plan for Growing Sydney and Draft North District Plan.

Should the Planning Proposal be supported at the Gateway Determination, further detail on consistency with Ministerial Directions will be provided following the consultation with the relevant public and private authorities.

C. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Q7. Is there any likelihood that *critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The land does not contain any critical habitat or threatened species, populations or ecological communities, or their habitats.

Q8. Are there any other likely *environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The site is not identified on the KLEP (LC) 2012 riparian lands mapping, however it is included within the biodiversity mapping indicating trees on the site. This Planning Proposal to reclassify the land will not affect the application of the biodiversity mapping under the KLEP (LC) 2012. Any impacts on areas of biodiversity will be duly addressed during the assessment of any development application/s on the land.

Q9. Has the planning proposal adequately addressed any *social and economic effects?*

Yes. The reclassification of the sites will have positive benefits for the community in that it enables the potential future development of the land for uses consistent with its B2 Local Centre zoning under KLEP (LC) 2012, and facilitate the progress of the design and development of the masterplan for the Gordon Hub site.

Social Effects

The reclassification of the sites will have social benefits for Gordon and wider Ku-ring-gai communities. The proposed masterplanning for Gordon Civic Cultural Hub has the potential to accommodate new community buildings and civic spaces that will provide a high social benefit to the community. The reclassification of the sites, subject of this Planning Proposal, would avoid the risk to the opportunity cost to Council of lesser delivery of community facilities across the entire Gordon Hub site.

Council's *Community Strategic Plan 2030* recognizes the community's vision for Ku-ring-gai as a place with infrastructure and facilities that accommodate the needs of the community. The Plan further emphasizes the desire for an adopted program for the implementation of new facilities, identified funding sources and a program to maintain Council's assets at a sustainable standard. The proposed reclassification of the site will help secure Council's strategic objective to facilitate a high quality and coordinated development within the proposed Gordon Civic Cultural Hub, which would deliver a community facility for the residents of Gordon and Ku-ring-gai.

As detailed in this report, 9, 15, 17 Dumaresq Street were acquired by Council for the purposes of open space, the reclassification will enable the provision of the open space in a more suitable location on adjacent Council-owned land which will be more centrally placed within the proposed community, civic and other uses. A park of the same land area will be developed consistently with the intent when the land was acquired and representing an appropriate reallocation of the Section 94 funds used to acquire the space.

Economic Effects

The reclassification of the site will have economic benefits for both the local community and Council by enabling improved consolidation of the site into the overall Gordon Hub masterplan design proposal.

Should the Gordon Civic Cultural Hub masterplan be progressed in line with Council's strategic objectives, a range of economic benefits may be achieved, including:

- Activation and re-invigoration of the existing commercial centre.
- Generation of local employment and investment.
- Potential development contribution funds.
- Potential increase in value of Council's assets.
- Potential gain in actual or prospective revenue through future sale/leasing of land.

- No funding shortfall of community facilities in Council's Long Term Financial Plan.
- Access to facilities, improved local retail services and reduction in the proportion of retail and other expenditure that escapes the LGA.

D. STATE AND COMMONWEALTH INTERESTS

Q10. *Is there adequate public infrastructure for the planning proposal?*

The proposal may result in a minor increase in demand for facilities in an existing urban area where all utility services are available.

Consultation with key agencies regarding infrastructure capacity to service the site was not undertaken prior to the lodgement of this Planning Proposal to the Department of Planning and Environment. Consultation with State and Commonwealth agencies will be undertaken in accordance with Section 5 of this Planning Proposal.

Public infrastructure impacts associated with any future development on the land would be assessed in detail as part of any development application(s) submitted for the sites.

Q11. *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

At this stage, relevant State and Commonwealth public authorities have not yet been identified or consulted, and the Gateway Determination has yet to be issued by the Minister for Planning and Environment. Consultation with the following Government authorities, agencies and other stakeholders in regard to this Planning Proposal are proposed to include:

- Department of Planning and Environment
- Roads and Maritime Services NSW
- Sydney Water Corporation
- Ausgrid
- Transport for NSW.

Council seeks confirmation of the above list through the Minister's Gateway Determination.

PART 4 - MAPPING

Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

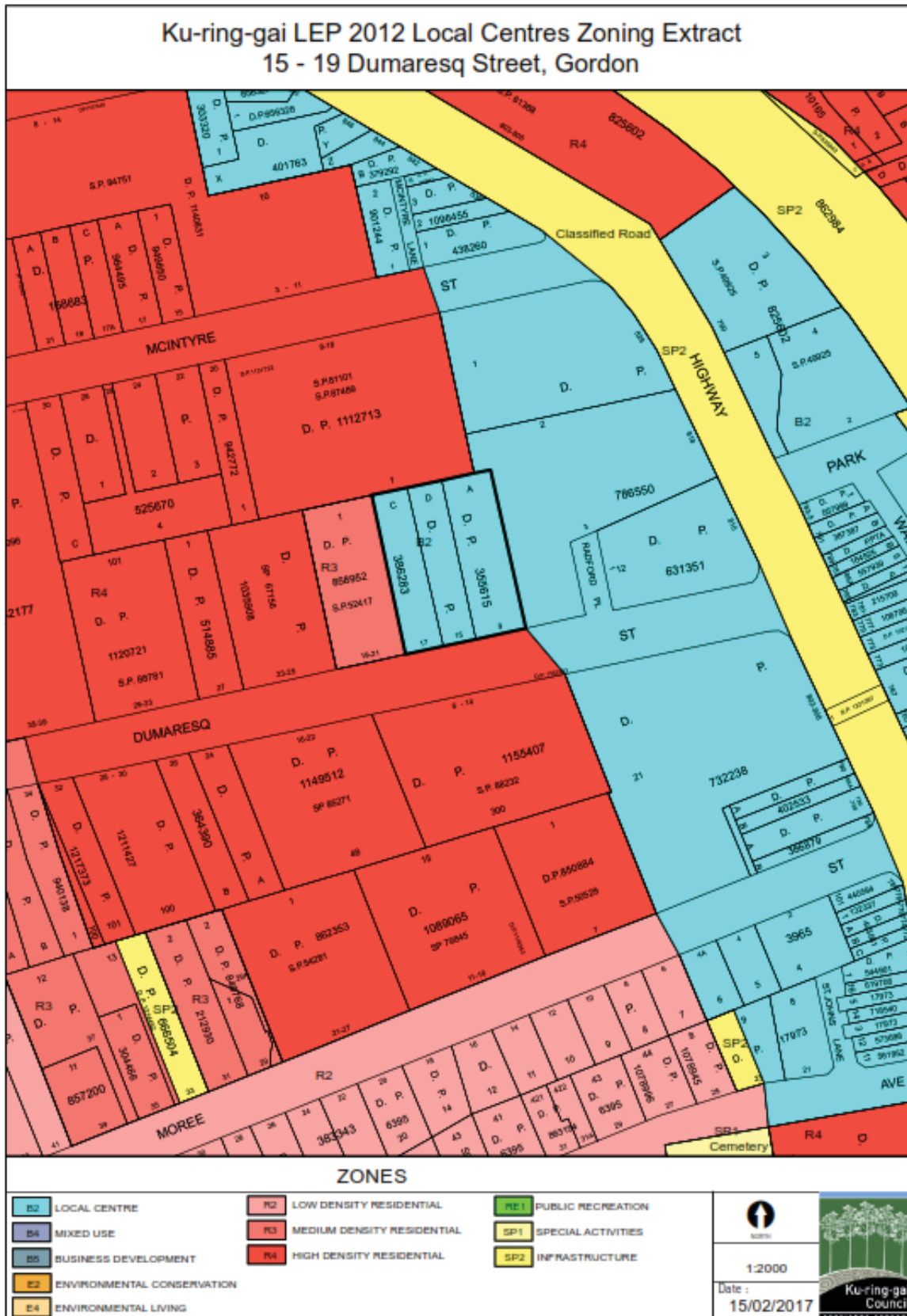
The amendments sought in this Planning Proposal will not make any changes to the KLEP (LC) (Local Centres) 2012 mapping sheets.

The only changes being sought are to the Written Instrument to reclassify the land as Operational land. All existing mapping is presented below for information purposes.

Land subject of this Planning Proposal



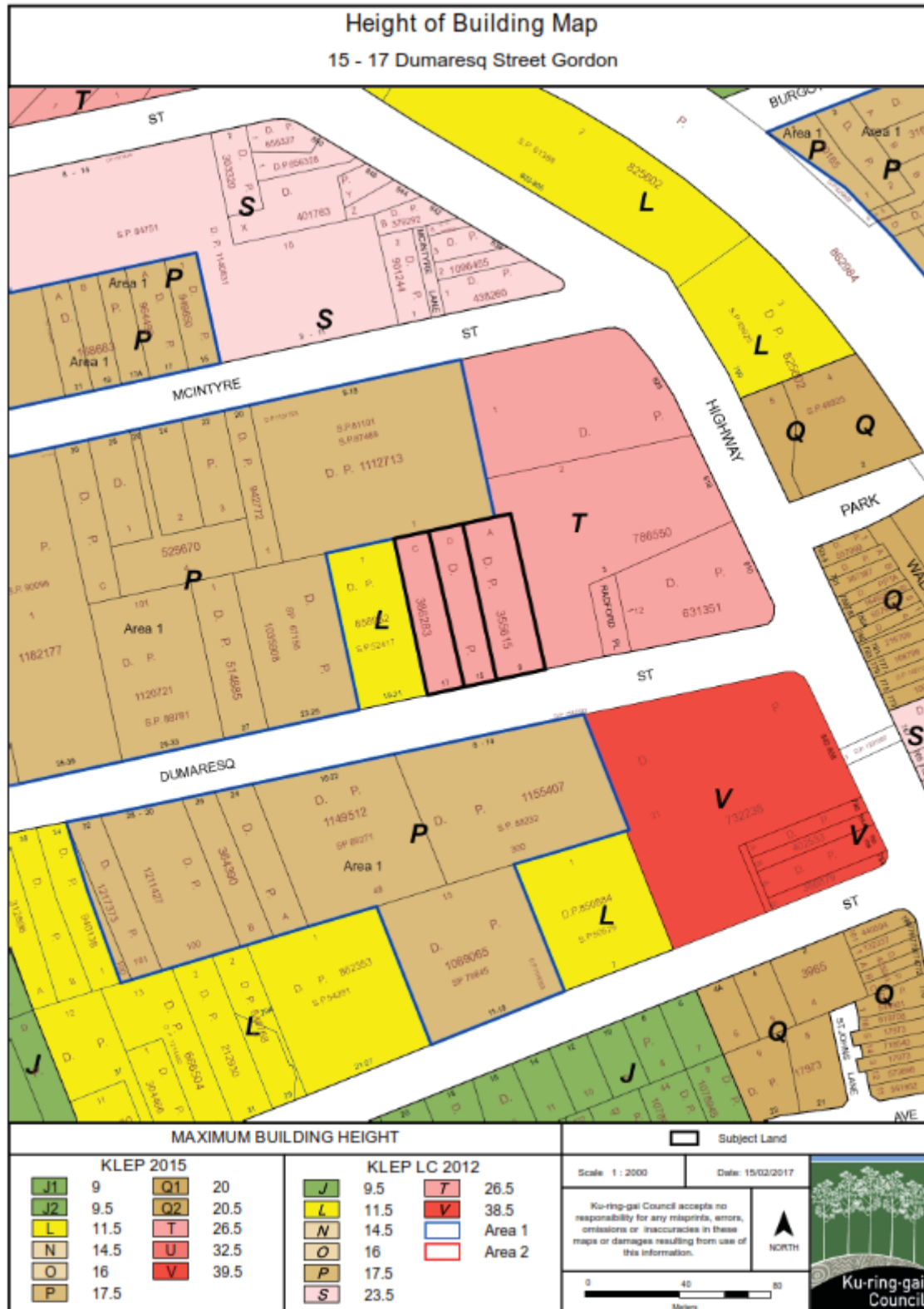
Zoning Map – as existing



FSR Map – as existing



Height of Building Map – as existing



Maximum Lot Size Map – as existing



Biodiversity Map – as existing



PART 5 – COMMUNITY CONSULTATION

Details of the community consultation that is to be undertaken on the planning proposal

Community consultation on the Planning Proposal will be undertaken by Council (subject to receiving a determination to proceed at Gateway) in accordance with the Department of Planning publication *A Guide to Preparing Local Environmental Plans* and the Department's Practice Note 09-003.

The community consultation will not be commenced prior to obtaining approval from the Minister or Secretary.

Council's consultation methodology will include, but not be limited to:

- Forwarding a copy of the Planning Proposal, the Gateway Determination and any relevant supporting studies or additional information to State and Commonwealth Public Authorities identified in the gateway determination.
- Undertaking consultation if and as required in accordance with requirements of a Ministerial Direction under section 117 of the EP&A Act and/or consultation that is required because, in the opinion of the Minister (or delegate), a State or Commonwealth public authority will be or may be adversely affected by the proposed LEP.
- Giving notice of the public exhibition in the main local newspaper (the *North Shore Times*).
- Exhibiting the Planning Proposal in accordance with the gateway determination. It is assumed this would require an exhibition period of at least 28 days' duration.
- Exhibiting the Planning Proposal pursuant to s57 of the EP&A Act and all supporting documentation at Council's Administration Centre and on Council's website.
- Notification of the Planning Proposal's exhibition on Council's website, including providing copies of the Planning Proposal, all supporting studies and additional information and the Gateway Determination.
- Notifying affected landowners and adjoining land owners where relevant.
- Holding a Public Hearing in accordance with Section 29 of the *Local Government Act 1993*.
- Any other consultation methods deemed appropriate for the proposal.

RECLASSIFICATION OF PUBLIC LAND

Pursuant to Section 55(3) of the Act, the Secretary may issue requirements with respect to the preparation of a Planning Proposal. In this regard, the Department of Planning Guideline A *Guide to Preparing Local Environmental Plans* sets out the Secretary's requirements regarding the matters that must be addressed in the justification of all Planning Proposals to reclassify public land.

These requirements are addressed below:

a. Is the planning proposal the result of any strategic study or report?

Yes. Refer to the responses to Questions 1 and 4 in this Planning Proposal.

Additionally, Council has undertaken extensive strategic planning for the delivery of community and recreation facilities to support new development in the area in association with an active asset renewal programme.

Supporting studies include *Ku-ring-gai Community Facilities Strategy 2009*, the revised and updated *Ku-ring-gai Draft Community Facilities Strategy 2014*, the *Ku-ring-gai Contributions Plan 2010*, the *Town Centres Public Domain Plan 2010*, and the *Ku-ring-gai Local Centres Development Control Plan*.

The extension, augmentation and delivery of new community and recreation facilities for current and future residents necessitates the funding of the proportional co-contribution from existing assets in order to deliver new community assets to continue to serve Ku-ring-gai's population now and into the future.

b. Is the planning proposal consistent with the local council's community plan, or other local strategic plan?

Yes. As detailed at Part 3 Section B, this Planning Proposal is consistent with the Council's *Community Strategic Plan 2030*.

c. If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished should be provided.

Available Council records and title searches have not revealed any interests that would need to be extinguished to allow the reclassification of this site from Community to Operational status.

Each of the land titles identifies “Reservations and Conditions in the Crown Grant(s)”. Further searches undertaken to clarify the intent of these notations has revealed that there are no necessary interests required to be discharged.

The Title of 9 Dumaresq St notes a Covenant D 566708. This is an old covenant which relates to the construction of the dwelling on the land to be of a minimum value. This Covenant is rendered ineffective by operation of Section 28 of the EP&A Act to enable development consents to be issued free from any other contractual agreements put in place by the original developers of land as was the original intent of the Covenant.

An easement in favour of the Council owned properties burdening the adjacent Strata Plan 52417 (No 19 – 21 Dumaresq St) is registered on each of the titles of the three sites. A copy of Strata Plan 52417 is attached in Appendix G. This covenant is the result of development consent on land adjoining to ensure effective downstream drainage easements have been established.

The Title searches and Deposited Plans for the Council owned land are contained in Appendix G.

d. The concurrence of the landowner, where the land is not owned by the relevant planning authority.

Ku-ring-gai Council is the landowner of the subject site and has endorsed the preparation of the Planning Proposal for the reclassification of community land to operational land.

PART 6 – PROJECT TIMELINE

Stage	Timing
Anticipated commencement date (date of Gateway Determination)	October 2017
Anticipated timeframe for the completion of required technical information	October 2017 (28 days)
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	November 2017 (28 days)
Commencement and completion dates for public exhibition period	October 2017 (28 days)
Dates for public hearing (if required)	October 2017 21 days public notice
Timeframe for consideration of submissions	November 2017 (4 weeks)
Timeframe for Chairpersons Report	November 2017
Timeframe for the consideration of a proposal post exhibition	November 2017 (4 weeks)
Date of submission to the Department to finalise the LEP	November 2017
Anticipated date RPA will forward to the department for notification.	December 2017

APPENDIX A

Report and Resolution: Council Meeting 15 December 2016

GORDON CULTURAL AND CIVIC HUB - UPDATE REPORT - POST SITE VISIT AND BRIEFING

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To update Council on the progress of planning of the site and present the findings of Phase 1 – Project Definition & Feasibility and resolve to proceed to Phase 2 - Business Case and Master Plan for the Gordon Cultural and Civic Hub site, at 818 Pacific Highway, Gordon.

BACKGROUND:

Council wishes to explore opportunities to develop a cultural and civic hub in Gordon town centre on Council's existing premises at 818 Pacific Highway, Gordon.

COMMENTS:

Consultants have been engaged to prepare a number of studies to further the planning of the site, including:

- cultural needs analysis;
- transport scenario testing;
- preliminary economic feasibility assessment;
- arboriculture assessment;
- topography and boundary survey;
- geotechnical investigations; and
- Stage 1 – site contamination investigations.

The results of these studies are summarised in the report.

RECOMMENDATION:

That Council adopts 'in principle' the proposed model for a new cultural facility in Gordon and that Council proceed to the next phase of the Gordon Cultural and Civic Hub project which involves the preparation of a business case for a cultural facility and preparation of master plan options for public exhibition.

PURPOSE OF REPORT

To update Council on the progress of planning of the site and present the findings of Phase 1 – Project Definition & Feasibility and resolve to proceed to Phase 2 - Business Case and Master Plan for the Gordon Cultural and Civic Hub site, at 818 Pacific Highway, Gordon.

BACKGROUND

Council has committed to a cultural and civic hub in the Gordon Local Centre, comprising:

- cultural facilities; and
- civic square.

The following key Council documents have informed the planning of the site to date:

‘Living Culture’ Cultural Plan 2004-2009

“Ku-ring-gai is a place where creativity is celebrated, where equality of access to and participation in a diverse range of cultural activities is fostered and where the role of culture in enhancing quality of life is valued and supported”, Cultural Vision 2009.

One of the key findings of the research associated with the Cultural Plan was the community’s expressed need for the provision of a wider and improved range of venues and facilities for cultural activity. This informed the decision to prepare a master plan for a purpose-built cultural facility in the Gordon Local Centre.

Open Space Acquisition Strategy, 2006

Council purchased three house sites [with a total area of 3,465m²] in 2007 for the purposes of a new park, to address, in part, the lack of open space in the Gordon local centre as identified in the Ku-ring-gai Open Space Acquisition Strategy, 2006. With the acquisition of 9, 15 & 17 Dumaresq Street, Gordon there is a commitment to the community to ensure that this park is provided for public benefit.

Delivery Program 2013-2017 and Operational Plan 2015-2016

The Ku-ring-gai Council Revised Delivery Program 2013-2017 and Operational Plan 2015-2016 has committed Council to preparing a master plan for a community hub within the Gordon Town Centre to accommodate cultural and arts activities and promote social interaction. More specifically, is the critical action detailed in the *Operational Plan 2015-2016* which states that - ‘a master plan is (developed) for a community hub within the Gordon Town Centre to accommodate cultural and arts activities and promote social interaction’.

Ku-ring-gai Community Facilities Strategy 2014

In 2014, Elton Consulting were engaged by Council to prepare the *Ku-ring-gai Community Facilities Strategy* – a framework for the future provision of community facilities in the LGA.

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It aims to assist Council to take an integrated, strategic approach to the planning and provision of community facilities and to deliver a network of facilities that collectively meet the needs of the Ku-ring-gai community into the future. The development of the strategy included an analysis of existing facility provision, population growth/change and the identification of gaps to determine future needs and community facility requirements.

One of the key recommendations of this strategy is the provision of a sub-regional cultural facility in the LGA's primary centre of Gordon, clustered with the existing central library and adjacent Old School Building, co-located with Council administrative offices and Chambers.

The study also finds that successful cultural and community facilities tend to be characterised by a diversity of well organised and well patronised services, programs and activities. This diversity is characterised by a variety of flexible spaces and amenities, capable of being multi-functional and accessible; serving a range of demographic groups, whilst being flexible enough to adapt to evolving user needs.

An essential feature of cultural & civic hubs, regardless of scale, is that they are a form of social infrastructure that is not seen in isolation but rather as an integrated, valid and contributing element of a vibrant and interesting activity centre. They can act as important people attractors and add significant value to local centres. Their multi-purpose nature also enables them to address specific community needs (integration of services & programs) and to adapt and evolve over time.

As identified by Elton Consulting in the Ku-ring-gai Community Facilities Strategy, 2014, key trends in cultural and civic facility provision focus on the following key elements:

- co-location of compatible facilities, services and activities in centralised 'hubs';
- multi-purpose + multi-function to maximise utilisation;
- re-use + adaptability of heritage items;
- community building + social gathering opportunities;
- placemaking + community identity;
- sustainability; and
- public art to create distinctive places.

Town Centres Public Domain Plan, 2010 & Ku-ring-gai Contributions Plan, 2010

The subject site has been identified as a strategically important site for the delivery of future public community and cultural infrastructure.

Since purchasing the land Council has undertaken broad site planning as part of the preparation of *the Town Centres Public Domain Plan, 2010*. In this plan Council proposes to locate the new park (with the same area as land purchased) further up the hill to where the existing Council staff car park is currently located. The proposed park would be more centrally located and on flatter land, thus increasing its passive recreational value. Refer *Figure 1* below.



Figure 1 – Gordon Illustrative Concept Plan, Town Centres Public Domain Plan 2010

Ku-ring-gai (Local Centres) LEP, 2012

A stated objective of the Draft North Sub-Regional Strategy is to - “*ensure opportunities exist for all residents to pursue cultural activities in the sub region*”. Ku-ring-gai’s planning policy directives are consistent with relevant goals contained within this strategy and the current Metropolitan Plan for Sydney 2036 in this regard.

The proposed hub site is currently zoned B2 - Local Centre under *the Ku-ring-gai Local Centres LEP 2012* (KLEP 2012) with a maximum building height of 26.5 metres (9 storeys) and a maximum floor space ratio (FSR) of 3:1. The site is classified as community land under the *Local Government Act, 1993*. The KLEP 2012 shows a heritage item and areas of biodiversity significance on part of the subject site.

Ku-ring-gai (Local Centres) DCP 2013

The Gordon Cultural and Civic Hub will form part of the wider ‘G3 – Civic Hub’ Precinct as nominated in the Ku-ring-gai Local Centres Development Control Plan. This precinct is located on the northern edge of the Gordon Centre retail core and is broadly defined by the intersection of the Pacific Highway, Park Avenue, Pearson Avenue and Dumaresq Street. Refer *Figure 2 – Precinct G3 Civic Hub*.



Figure 2 – Precinct G3 Civic Hub, Ku-ring-gai DCP (Local Centres), 2013

The area currently supports a number of Council and community services including the Council chambers and administrative building, Gordon pre-school, Gordon Library, Lifeline Harbour to Hawkesbury, Gordon Police Station, and the Old School Building which provides rooms for a number of groups and activities.

The vision for this precinct is for it to become the civic hub for the LGA. Council will retain a strong, long term presence in the area. Council is planning for a range of improved civic and community facilities, including a public park. Accommodation for a range of community services will be encouraged. New buildings will be designed to protect and enhance the setting of the Council Chambers heritage item, by creating setbacks between old and new, allowing the heritage building to be viewed in 'the round'.

There are a number of objectives relevant to Precinct G3 – Civic Hub, pertaining to built form, setbacks, public domain and pedestrian access, including but not limited to the following:

- to enhance the role of Gordon as the civic and administrative heart of the Ku-ring-gai LGA by providing a range of new civic, community and cultural facilities;
- to provide opportunities for new speciality retail, cafes and restaurants to be located away from the highway;
- improve pedestrian accessibility and safety;
- to minimise bulk and scale of new buildings when viewed from public areas; and
- to facilitate opportunities for outdoor dining in quiet locations away from the Pacific Highway.

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On 24 November 2015 Council resolved the following:

- A. *That consideration of the update on the progress of planning of the site and present findings of Phase 1 – Project Definition & Feasibility and resolve to proceed to Phase 2 – Business Case and Master Plan for the Gordon Cultural & Civic Hub site at 9, 15 and 17 Dumaresq Street Gordon as well as the UTS facilities be deferred pending a site inspection of both sites.*
- B. *That following the site inspection Councillors receive a briefing.*
- C. *That a report come back to Councillors.*

In satisfaction of this resolution, Councillor site inspections were scheduled for 26 November of the UTS Campus facilities and on 1 December 2015 to view Council owned properties at 9, 15 & 17 Dumaresq Street, Gordon. These site inspections included consultants (where relevant) to provide an on- site briefing for Councillors.

COMMENTS

1. Phase 1 – Project Definition & Feasibility

In the context of the commitment to this project, Council is exploring options for the future development of a cultural and civic hub on the Council Chambers site at 818 Pacific Highway, Gordon.

1.1 Site definition

The Gordon Cultural and Civic Hub site comprises the following land parcels which are all owned by Council:

- Lot 2 in DP 786550 – 818 Pacific Highway, Gordon;
- Lot A in DP355615 – 9 Dumaresq Street, Gordon;
- Lots C and D in DP 386283 – 15 & 17 Dumaresq Street, Gordon; and
- Radford Place right-of-way.

The site has a total land area of approximately 9,005m². Refer **Figure 3 – Site Location** below.



Figure 3 – Site Location

The three house sites at 9, 15 and 17 Dumaresq Street, Gordon are currently leased until late 2016. These properties were acquired by Council under the Open Space Acquisition Strategy in 2007.

The Council-owned commercial property at 828 Pacific Highway, Gordon (Lot 1 on DP 786550) does not form part of the Gordon Cultural and Civic Hub site. It has been excluded due the Council resolution regarding *Fit for Future* and imminent long term commercial leases (refer discussion later in this report). However its inclusion in the site definition could be considered and further explored as part of the master planning process in Phase 2. If Council wishes to include 828 Pacific Highway, they could resolve to include it within the masterplan site description. While this would not necessarily have an impact on Council's Fit for the Future Action plan in the short term, an alternate strategy might be required in the medium term.

The commercial property at 810 Pacific Highway is privately owned and could potentially form part of the Gordon Cultural and Civic Hub site. This too will be investigated as part of the master planning process in Phase 2.

1.2 Existing Facilities and Services

The hub site currently accommodates the existing Council administrative offices, associated car parking (approximately 70 spaces) and the heritage listed Council Chambers building. The heritage listed item will be retained as part of any redevelopment proposals for the site. Vehicular access to the site is via Radford Place and Dumaresq Street. Pedestrian entry is from the Pacific Highway with rear access from the parking area off Radford Place.

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1.3 Preliminary Project Scope

As noted the Gordon cultural and civic hub would be located on the Council Chambers site, at 818 Pacific Highway, Gordon. While the precise nature of the facilities within the Gordon Cultural Hub is yet to be determined, the preliminary project scope is as follows:

- cultural facilities such as a multi-purpose space suitable for both performance and rehearsals;
- park/civic square;
- retail and commercial uses such as cafes, restaurants and a supermarket;
- new residential development;
- retention of the existing heritage item (Council Chambers);
- underground car parking for visitors to the hub and Council staff (as required by Council's DCP); and
- streetscape and road improvement works.

2.0 Key issues influencing the Gordon Cultural and Civic Hub project

2.1 Council Administration Offices

The Gordon Cultural and Civic Hub project was originally predicated on the assumption that the existing Council administrative offices would decant from 818 to 828 Pacific Highway, Gordon. The 'service relocation project' has since been reviewed as part of Council's *'Fit for the Future Improvement Proposal'* submission and as such, has been deferred.

The acquisition of the administration building at 828 Pacific Highway, Gordon in 2012/13 was originally funded via external borrowing. Under the new funding strategy, proposed as part of the *'Fit for the Future Improvement Proposal'* the administration building will be fully leased out generating enough net revenue over the life of the plan to discharge the outstanding debt for infrastructure renewal over a longer period of time. As a result, 828 Pacific Highway is no longer available for the relocation of staff and as such new Council administrative offices will need to be considered as part of this project.

There are three (3) possible options, two of which, have been previously considered. At present there is no allocated funding source for these options.

2.1.1 Base Case – maintain existing building

In 2012, SGA Property Consultancy was engaged by Council to undertake a CAPEX Forecast for 818 Pacific Highway, Gordon – to furnish Council with sufficient information as to the likely future capital expenditure costs for plant and equipment replacement/upgrade. The identified works were categorised as 'essential' and 'desirable'. Repair and expenditure costs were prioritised on a year-by-year basis to 2021, with a further category for costs beyond 2021 (i.e. +10 years). The CAPEX forecast costs equated to \$4,635,650 over a 10 year period. This incurred cost would effectively be keeping the existing building as is, with no tangible benefits such as an open plan, adaptable and efficient work space, or additional floor space for future expansion; escalating ongoing maintenance costs; and it would negate the opportunity for a new Cultural and Civic Hub and as such, the benefit to the community is minimal. This is not a sustainable position.

2.1.2 Refit of Existing Building

In the absence of being able to utilise 828 Pacific Highway for new administrative Council offices, SGA were of the opinion that it would be most economical to strip out the existing building at 818 Pacific Highway, to a bare shell and effectively start again with an internal fit out and modern efficient plant, in order to return the existing building to an acceptable commercial office standard. Whilst SGA did not undertake a detailed analysis of this option, preliminary estimates indicate costs in the order of \$4,000,000 to \$5,000,000 (at 2012 values). There are also the costs associated with temporarily decanting Council staff for a period of 12 months while the work is undertaken. Similarly, this option does not provide any additional floor space and as such would limit Council's ability to expand over time.

Retention of the existing Council offices also negates the opportunity for a new Cultural and Civic Hub.

2.1.3 New Build

A third alternative is to consider new council offices as part of the Gordon Cultural and Civic Hub development. The benefits of which would include an adaptable, open plan, efficient work place with modern, efficient plant and the ability for Council to expand its administrative functions over time, as and when required. This option would also provide an asset in the form of commercial office space that could be leased in the future.

A potential 4th option to include 828 Pacific Highway could be explored in the master planning process in Phase 2 of this project, depending on the outcome of Fit for the Future. If Council wishes to include 828 Pacific Highway, Council could resolve to include it within the masterplan site description.

2.2 Council Chambers - Heritage Item

The Ku-ring-gai Council Chambers is of local heritage significance, as the centre of the administration of local government since 1928. The capital expenditure review and associated funding strategy for the acquisition and relocation to 828 Pacific Highway, Gordon, did not make any provision for the restoration or retention of any civic functions at 818 Pacific Highway, Gordon.

The funding for any restoration works of the Council Chambers will be considered at the time of developing a master plan for the site during Phase 2 of the project and would be guided by the conservation management plan (CMP) prepared by Tropman & Tropman heritage consultants.

2.3 Marian Street Theatre

To date Council has not made a decision on the future of Marian Street Theatre. This raises a number of matters that affect planning for a cultural and civic hub in Gordon Local Centre.

If Council decides to retain and refurbish Marian Street Theatre:

- the existing theatre is not a flexible space and thus limited in its range of uses/users;
- the location is not consistent with Council's overall strategy to create a Cultural and Civic Hub in Gordon local centre; and

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- the Gordon cultural and civic hub may not be feasible if Marian Street Theatre is retained and refurbished.

2.4 UTS Campus

The University of Technology is decanting its existing functions from their Ku-ring-gai Campus in Lindfield by 1 January 2016. By 2017, the site will be occupied by a series of 'composite community' schools. A number of the existing facilities will be surplus to their needs and as such, the Department of Education has approached Council to seek interest in undertaking long term leases of the auditorium, large & small lecture theatres, drama & music rooms, the library and indoor recreation building and associated amenities. The Department have indicated they are seeking an in-principle agreement by December 2015 and a final agreement by February 2016.

Council staff have, recently undertaken site visits with Councillors, representatives from the Department of Education and consultants Elton Consulting and Root Projects Australia. Elton Consulting and Root Projects have been engaged to provide both high level strategic and detailed advice respectively as to the pros and cons of entering into such an agreement with UTS.

3.0 Cultural Needs Analysis – Establishing a 'Need'

Root Projects Australia was engaged to undertake a Cultural Needs Analysis for the Ku-ring-gai LGA, to determine the type and size of built infrastructure required to meet the current and future demand for purpose built cultural and civic spaces for creative arts groups, individuals and the greater community. The scope of works included:

- assisting Council to define the project vision and objectives;
- identifying the specific community cultural needs and market demands to inform the master plan process;
- ascertaining where other similar cultural hub facilities are located outside the LGA and what other facilities are being planned;
- analysis of the demographic profile of the LGA in the context of market needs; and
- community consultation and survey of residents across the LGA to gauge needs and level of support.

The following is a summary of the findings of the Gordon Cultural and Civic Hub Needs Analysis - refer **Attachment A3** for full study. *Refer OMC Report of 24 November 2015 for full reports of each of these attachments.*

3.1 Vision and Objectives

In the context of key trends and best practice, a draft vision and set of draft objectives have been prepared for the cultural and civic hub in consultation with senior staff, Councillors and consultants - each of which are detailed below. The vision and objectives have been used as a basis for discussions during the stakeholder consultation and as a foundation for defining the 'need'.

The draft vision is to:

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“Create a Cultural & Civic Hub in Gordon that will positively engage with the community and their culture; provide places, spaces and infrastructure for arts activities and civic functions; and create opportunities for local employment to support the local economy”.

The draft cultural & civic hub objectives are:

- promote cross-generational cultural activity;
- provide opportunities to engage with youth in the creative exploration of the arts;
- cater for the multi-cultural creative art forms;
- develop creative industries and provide support for local creative arts organisations;
- provide multi-purpose functional spaces that are accessible to the whole community;
- provide business support to encourage emerging artists;
- provide financially sustainable facilities that cater for amateur through to semi-professional artists across all art platforms;
- encourage cross-integration between art forms and sharing of cultural skills;
- develop a creative connection between the public, the arts and civic ceremony;
- provide places to create, rehearse, perform, display and exhibit; and
- develop opportunities for artists-in-residence programs.

3.2 Community Needs

The Cultural Needs Analysis has identified that existing cultural spaces available for arts groups are in various states of disrepair, require regular/ongoing maintenance, have restricted functionality specific to user needs and that there is a distinct lack of regularly bookable and accessible quality space for rehearsal and performance activities or spaces where people can create or exhibit visual art. As existing facilities are so heavily utilised (equating to 200+ hours per week), access by cultural and arts groups is limited. This therefore impacts the ability of these groups to expand or maintain relevance to their users and members.

From the analysis undertaken, the following community needs have been identified for a cultural and civic hub that could be co-located in the one centralised facility within Gordon local centre, close to public transport, with easy access to parking. The Hub would include spaces that cater for a range of single artists or larger amateur to semi-professional groups to:

- create and rehearse in;
- perform and display in;
- work collaboratively across a range of art forms; and
- be able to be utilised for civic ceremonies and for the staging of annual cultural events.

The cultural sectors that are likely to be catered for include: theatre, dance, music, visual arts and digital media.

3.3 Cultural Facility Requirements

In order to maximise the utilisation of the hub and ensure commercial viability, the stakeholders consulted have identified that the spaces within the hub should:

- be as multi-purpose as possible;

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- have the necessary technical/functional infrastructure to support the major art forms and civic events;
- have a large flat floor space with retractable seating catering for up to 300 seated patrons;
- provide a range of ancillary spaces, rehearsal spaces, studio & workshop spaces, informal activity areas, meeting/conference rooms, storage [e.g. artwork, equipment, music store] and associated back of house amenities, green room, dressing rooms, production office and multi-media edit suite;
- have a foyer space connected to the proposed retail and commercial uses, which can also be utilised for exhibitions and other events; and
- provide for business and arts incubators.

These requirements are further validated by a number of benchmarks, detailed in the proceeding section.

The cultural facility component of the hub is to comprise 1,500-2,000m² of floor space including the following:

- foyer space [150m²];
- meeting rooms / conference room [80m²];
- offices for facility management [50m²];
- green room [10m²];
- re-heat kitchen;
- back of house amenities;
- multi-purpose flexible space [suitable for up to 300 people seated + stage areas between 160-200m²];
- rehearsal space [120m² with ceiling height 7m clear];
- loading dock;
- dressing rooms;
- wardrobe room [20m²];
- equipment / music / piano / artwork store [50m²];
- workshop space / large studio space [80m²];
- studio spaces [4 x 12m²];
- goods lift [linked to loading dock, with a minimum internal clearance of 1800 x 1400mm];
- multi-media edit suite [1 x 10m²]; and
- production office (adjacent to edit suite).

3.4 Benchmarks – Best Practice

In considering the proposed Gordon Cultural and Civic Hub, a number of benchmark facilities have been reviewed within and outside the Sydney metropolitan area, each providing useful metrics on space and functional requirements, assisting in understanding synergies between uses and services. Programing of activities and the typology of the spaces relevant to fulfilling the need of users have also been considered. Of the benchmarks reviewed by Root Projects, the most relevant examples for community facilities that are tailored for arts and cultural uses include:

- City of Sydney Creative Hub (under construction);
- Campbelltown Arts Centre;
- Pine Street Creative Arts Centre (Sydney City Council);
- Blue Mountains Cultural Centre; and the

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- Darebin Enterprise Centre Creative & Digital Arts Incubator.

Details of each of these facilities can be found in Chapter 4 – Benchmarks of the Needs Analysis report prepared by Root Projects.

3.5 Governance and Management Structure of the Cultural Facility

The governance and management of the cultural and civic hub will be an important consideration for Council, to ensure that the vision and objectives for the hub are achieved in the short, medium and long term. To maximise utilisation of the cultural hub facility, it will be essential for the governance and management structure to adopt a co-ordinated booking system. Coupled with a strong management to ensure equity and control over the hiring of spaces, this will allow access to as many users as possible. An experienced operations manager will be a key component of the hub's success, to ensure maximum utilisation of the hub, fostering cross integration of arts forms, supporting of artists through mentoring, whilst driving commercial outcomes to allow for affordable access to community groups, encouraging small businesses and facilitate artists in residence programs. This Governance and management structure will be developed as part of a detailed Business Case in Phase 2 of the project.

3.6 Stakeholder Consultation

Root Projects have undertaken a comprehensive program of stakeholder consultation, considering a broad range of users and residents, including one-on-one meetings, focus group workshop & questionnaire and community phone survey. This has assisted in defining the 'need' and building support for the proposed Gordon Cultural and Civic Hub.

The aim of the telephone survey was to assess community views about whether it would be desirable to replace old/outdated facilities under Council's management, with a new centralised facility located in Gordon. 77% of respondents support the idea of replacing old facilities with a new hub. The sample surveyed reached people in all suburbs within the LGA and is demographically representative.

An analysis of the survey results indicates that there is a high probability that a substantial proportion of the population would patronise amateur to semi-professional events and performances held in a new hub facility.

On the basis of the community survey results, Root Projects concludes that it would be difficult to justify a 500 seat capacity space for music performance given the proximity to the Chatswood Concourse and that only 1% of the people surveyed had attended a performance in the last 12 months. Whereas there was a stronger demand for concerts and plays in a space of up to 300 person capacity. Although specific groups consulted did express a preference for a large performance space, the support and assistance that Council could offer these groups in securing and guaranteeing bookings at other existing venues, would provide better value for money than the creation of its own large, bespoke space. This includes the Ku-ring-gai Philharmonic Orchestra (KPO).

3.7 Regional Context

It is important that the Gordon Cultural and Civic Hub not only addresses the needs of its immediate community but also complements and draws upon the opportunities provided by other

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similar facilities in the region, to avoid duplication of existing facilities. In this context it could be expected that the Gordon Cultural and Civic Hub would also be in demand across the region, including a number of arts groups within Ku-ring-gai. It is therefore imperative that Council liaise with and understand the proposed projects and facilities across the region.

For example, the Concourse at Chatswood, delivered by Willoughby City Council, is promoted as the cultural home of the North Shore and one of Sydney's leading entertainment venues – home to a dynamic range of live arts and entertainment. The Concourse includes a concert hall with a 1,000 seat capacity, a 500 seat theatre, a rehearsal centre, art space and multi-purpose function space. It also provides conferencing facilities and venues for hire. The precinct is also home to the Chatswood Library which provides over 5,000m² of books, resources and reference material, entertainment and information.

This type of facility is more appropriate for professional arts organisations, however in the event that groups such as the KPO require bookings for large performances of approximately 500-600 people, which it does a number of times each year, it could be more financially viable for Council to provide subsidies to these groups to assist with the venue booking fees and a conductor, as opposed to building a bespoke facility which would have limited utilisation in the context of the needs of the wider arts community within the Ku-ring-gai LGA.

3.8 Summary of findings – Cultural Needs Analysis

Key findings of this study ascertain:

1. That there is a distinct lack of regularly bookable and accessible quality space for rehearsal and performance activities or suitable spaces where people can create or exhibit visual art. The types of spaces available for arts groups are old, outdated, no longer fit for purpose and have restricted functionality specific to their needs. This greatly impacts on the ability of these groups to expand or maintain relevance to their users and members.
2. That there is a clear community need for cultural facilities that could be co-located in one centralised facility within Gordon local centre.
3. That the ideal size of the facility is between 1,500-2,000m² comprising a large flat floor space with retractable seating catering for up to 300 seated patrons, including a range of ancillary spaces, rehearsal spaces, studio & workshop spaces, informal activity areas and meeting/conference rooms.
4. That it is extremely difficult to justify a 500 seat capacity space for music performance given the proximity to the Concourse in Chatswood.

4.0 Transport Scenario Testing

Transport consultants were engaged in May 2015 to carry out transport scenario testing on three preliminary development options nominated by Council, to determine what level of density increase the transport network is able to support, including recommendations regarding potential network changes to maximise capacity. The findings of the scenario testing will be used to inform the preparation of a master plan for the site. The potential impacts of a new supermarket, proposed cultural hub facility and residential development on the local traffic network are a particular focus of the study.

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Scenario testing is ongoing, with completion expected in November 2015, with further reporting to follow. In the interim the consultants have provided the following initial advice, which will need to be verified through the transport modelling process, and may be subject to change.

4.1 Transport findings to date

The findings to date can be summarised as follows:

- The transport modelling of the Pacific Highway corridor through Gordon undertaken in 2006/2008 in support of the Ku-ring-gai Local Centres LEP, and current on-site observations indicate that the intersection of Pacific Highway/St Johns Avenue is the critical intersection. The intersection of Pacific Highway/Dumaresq Street/Park Avenue is operating at Level of Service A during the AM & PM peak periods, which is good operation. However, queuing on the Park Avenue approach of this intersection can create some issues during the peak periods.
- An assessment of the new 2015 intersection count data for the PM peak period at the Pacific Highway/Dumaresq Street/Park Avenue indicates a degree of consistency with the 2006/2008 PM peak period count data, indicating that it is likely that operating conditions in 2015 are consistent with those in the 2006/2008 modelling. (i.e. Level of Service A).
- The new 2015 intersection count data for Saturday does not highlight any significant differences in the level of traffic or the traffic movement patterns.
- The transport modelling of the Pacific Highway in 2006/2008 including the proposed town centre (LEP) land uses, and based on the Gordon Traffic Improvement Concept Plan (Park Avenue left in only), indicated that the intersection of Pacific Highway/Dumaresq Street would operate at Level of Service C during the PM peak period. Level of Service C operation is considered to be satisfactory, with some spare capacity.
- The land uses for the Council site in 2006/2008 generated a total of approximately 130 peak hour (in/out) trips.
- The new land uses proposed for the Council Site (Option 3) at a worst case have the potential to generate approximately an additional 750-800 trips (peak hour total, in and out). This is equivalent to a net additional peak traffic generation (in/out) total of some 650 trips over the transport modelling undertaken in 2006/2008.
- Given that the intersection of Pacific Highway/Dumaresq Street has some spare capacity (as noted in item 4 above), and based on the position of the Council site, there are initial positive signs that this level of development proposed in Option 3 could be accommodated in Gordon.

4.2 Transport - summary of findings

The modelling shows there may be some spare capacity within the network and there are initial positive signs that the level of development proposed in Option 3, including a large supermarket, could be accommodated in Gordon.

5.0 Preliminary Economic Feasibility

Jones Lang LaSalle (JLL) has been engaged to undertake a preliminary economic feasibility assessment for the site, including market (office & retail) & financial appraisals and an options review. The findings of the study will be used to inform the specific mix of uses for the site.

Council is mindful that any plan for the Gordon Cultural and Civic Hub must be financially responsible. To fund the cost of the new cultural and civic facilities and ensure that any redevelopment is cash positive to the Ku-ring-gai community, part of the site would need to be redeveloped for residential and retail uses. Funding from development contributions could partly fund improvements, along with grants and allocations from asset sales or other Council sources. These possibilities will be explored in greater detail as part of the master plan in Phase 2 of this project. However, it is Council's intention to retain community facilities, roads, car parking and open space, in public ownership.

The following are key assumptions for the study:

- the potential for a medium to large supermarket will be considered as Council has been approached by a large operator expressing an interest in being incorporated within Council's master plan – this indicates there may be market demand;
- the potential redevelopment of 810 Pacific Highway will be considered as the building owners have approached Council expressing an interest in being incorporated within Council's master plan. Redevelopment of this site would engender a better urban design outcome for the precinct overall;
- 828 Pacific Highway (owned by Council) will be fully leased and not available for Council staff offices or other uses in the medium term;
- the current staff accommodation is inadequate and options are to be considered for alternative solutions for administrative offices at 818 Pacific Highway;
- the properties at 9, 15 & 17 Dumaresq Street, Gordon will be available for residential and retail uses and the new civic park will be located where Council's existing car park is currently (consistent with Council's adopted planned future character in the Local Centres DCP 2013); and
- the current building height control of 8 storeys (26.5 metres) will be the base line.

5.1 Retail Market appraisal

JLL have undertaken a market share assessment based on the potential of the existing supply of supermarkets in Gordon (i.e. Woolworths). Based on existing 'average turnover levels' they find that up to 6,500m² of retail floor space could be supported in Gordon by 2021, highlighting a shortfall of 2,900m² within the trade area.

JLL have undertaken a market share assessment based on the combined potential of the existing as well as a proposed supermarket (assuming full line). Based on 'average turnover levels' it is estimated that up to 7,000m² of retail floor space could be supported within the trade area by 2021; highlighting a balanced market with the inclusion of a potential 3,500m² supermarket store.

5.2 Development Options

Based on the assumptions noted above Council staff and JLL worked together to identify appropriate development options for the site. Four options have been identified and are described in detail below.

5.2.1 Option 1A – refurbished staff offices/new park/new residential/no cultural hub component

This option assumes Council offices will remain in the existing building and that a cultural hub will not be built on the site as there would be no space available. It is assumed that under this option Council would retain and refurbish Marian Street Theatre as an alternative to a cultural hub in Gordon. While this option is unlikely to be preferred it is a base case with which to compare.

Option 1A broadly involves:

- complete refurbishment of the heritage component of the chambers building to contemporary conservation standards;
- strip out the existing office component of the chambers building at the rear of 818 Pacific Highway, to a bare shell and undertake a complete refurbishment to meet contemporary office standards;
- construction of new civic space/park (3,465m² in size);
- construction of basement carpark for Council staff under new civic space (to meet DCP requirements);
- residential apartment buildings on the lower part of the site (93 apartments);
- small amount of specialty retail (250-500m²) for cafes and restaurants next to the proposed park; and
- refurbishment of Marian Street Theatre at a cost of \$4.6 million [based on the most recent QS advice].

Option 1A						
Use	Site / Building	GFA Sqm	Efficiency	NLA Sqm	Units	Cars
Council Administration (Heritage)	B	750	100%	750		17
Council Administration (Refurbish)	A	3,280	100%	3,280		73
Residential	C	7,500	85%	6,375	93	127
Secondary Retail	C	250	100%	250		8
Total		11,780		10,655	93	225

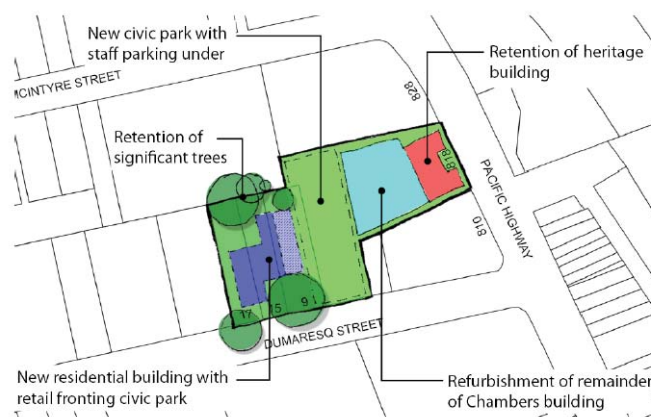


Figure 4 - Option 1A

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25 November 2015*5.2.2 Option 1B – new administration building/new park/new cultural hub*

This option is the same as Option 1A except that it assumes Council will build a new office building rather than refurbish the existing building. This allows the inclusion of a cultural facility on the lower levels.

Option 1B broadly involves:

- complete refurbishment of the heritage component of the chambers building to contemporary conservation standards;
- complete demolition of the existing office component of the chambers building at the rear of 818 Pacific Highway;
- construction of a new civic building with a cultural facility on the first two levels and administration offices on the upper levels (levels 3-8);
- construction of new civic space;
- construction of basement carpark for Council staff and cultural facilities;
- residential apartment buildings on the lower part of the site up to 8 storeys (93 units); and
- a small amount of specialty retail (250-500m²) for cafes and restaurants.

Option 1B						
Use	Site / Building	GFA Sqm	Efficiency	NLA Sqm	Units	Cars
Council Administration (Heritage)	A	750	100%	750		17
Council Administration (New)	B	3,750	100%	3,750		84
Cultural Hub	B	2,000	100%	2,000		45
Residential	C	7,500	85%	6,375	93	127
Secondary Retail	C	250	100%	250		8
Total		14,250		13,125	93	281

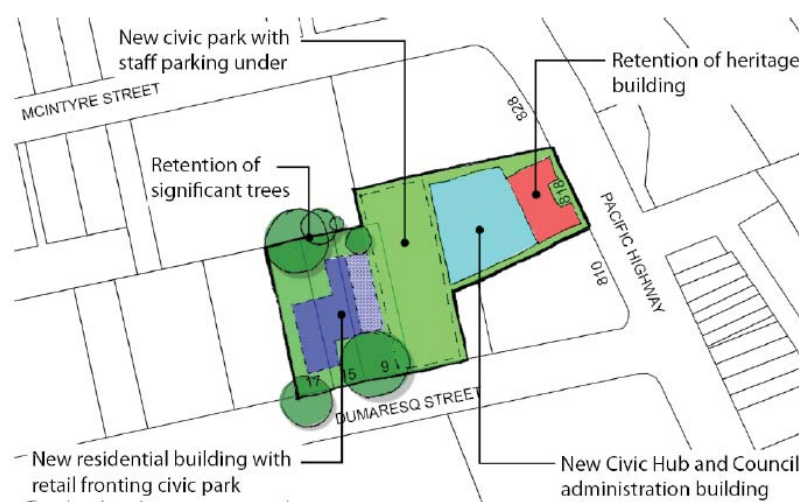


Figure 5 - Option 1B

5.2.3 Option 2 – new administration building/new park/new cultural hub

This option is the same as Option 1B except that the amount of retail is increased to create a new dining precinct associated with the cultural facility.

Option 2 broadly involves:

- complete refurbishment of the heritage component of the chambers building to contemporary conservation standards;
- complete demolition of the existing office component of the chambers building at the rear 818 Pacific Highway;
- construction of a new civic building with a new cultural facility on the first two levels and administration offices on the upper levels (levels 3-8);
- construction of new civic space/park (3,465m² in size);
- construction of basement carpark for Council staff, retail and cultural uses;
- residential apartment buildings on the lower part of the site up to 8 storeys (83 units);
- dining precinct adjoin park with a retail floor space in a range of between 1,100-1,200m²; and
- optional incorporation of 810 Pacific Highway for improved urban design outcomes.

Option 2						
Use	Site / Building	GFA Sqm	Efficiency	NLA Sqm	Units	Cars
Council Administration (Heritage)	A	750	100%	750		17
Council Administration (New)	B	3,750	100%	3,750		84
Cultural Hub	B	2,000	100%	2,000		45
Residential	C	6,650	85%	5,653	83	113
Secondary Retail	C	1,100	100%	1,100		34
Total		14,250		13,253	83	293

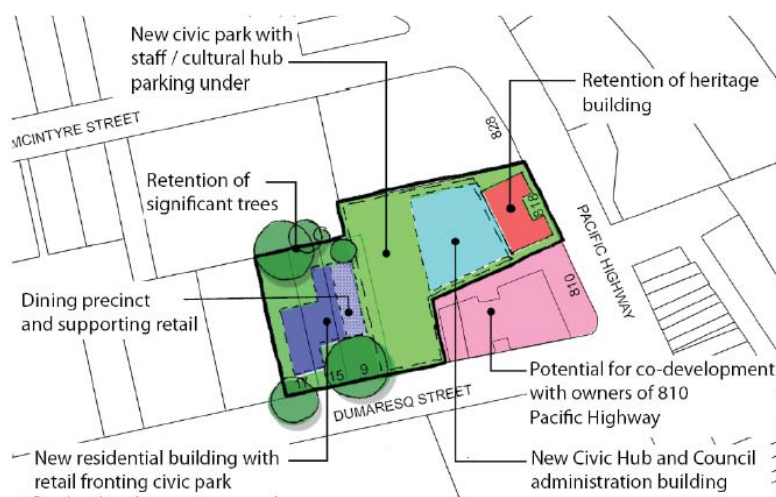


Figure 6 - Option 2

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25 November 2015**5.2.4 Option 3 – new administration building/new park/new cultural hub/new supermarket**

This option is similar to Option 2 except that it provides increased retail in the form of a full-line supermarket demand for which is identified in the market appraisal prepared by JLL.

Option 3 broadly involves:

- complete refurbishment of the heritage component of the chambers building to contemporary conservation standards;
- complete demolition of the existing office component of the chambers building at the rear of 818 Pacific Highway;
- construction of a new civic building with a new cultural facility on the first two levels and administration offices on the upper levels (levels 3-8);
- construction of new civic space/park (3,465m² in size);
- construction of basement carpark for Council staff, retail and cultural facilities;
- residential apartment buildings on the lower part of the site up to 8 storeys (82 units);
- construction of full line supermarket (3,500m²) and specialty retail (1500-2000 m²) at basement level (below civic space); and
- requires incorporation of 810 Pacific Highway into the development to allow supermarket footprint to be accommodated and for improved urban design outcomes.

Option 3						
Use	Site / Building	GFA Sqm	Efficiency	NLA Sqm	Units	Cars
Council Administration (Heritage)	A	750	100%	750		17
Council Administration (New)	B	3,750	100%	3,750		84
Cultural Hub	B	2,000	100%	2,000		45
Residential	C	6,625	85%	5,631	82	112
Major Retail	C	3,500	100%	3,500		175
Secondary Retail	C	1,750	100%	1,750		54
Total		18,375		17,381	82	487

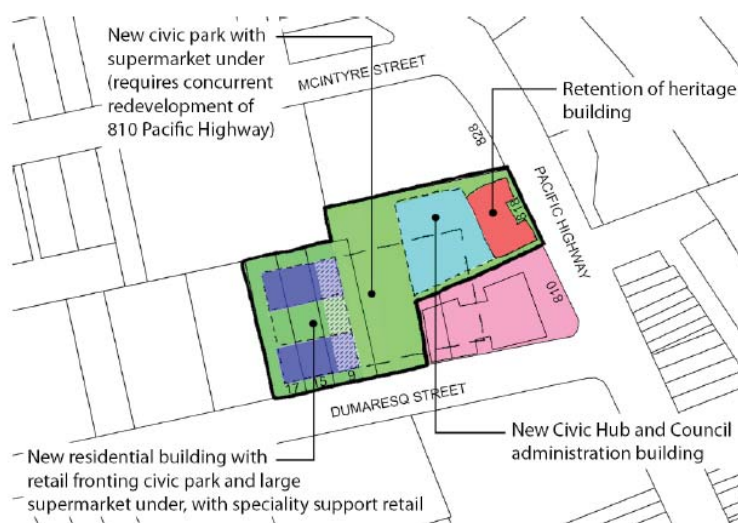


Figure 7- Option 3

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5.3 Financial Feasibility - Summary of findings

Feasibility analysis has found that Options 1B, 2, and 3 would have broadly similar negative financial outcomes. This result is primarily due to the cost of the new Council administration offices and associated parking which are unfunded and estimated to cost in the order of \$22 million (refer *Table 1* below). Refer **Confidential Attachment A4** page 18 for preliminary financial outcomes. Refer *OMC Report of 24th November 2015 for full report for Attachments*.

OPTIONS 1B, 2 and 3	Estimated Cost	Funding available	Funding Source
Council administration (heritage)	\$ 2,250,000.00	\$ -	N/A
Construct new administration building	\$ 15,000,000.00	\$ -	N/A
Cultural facility	\$ 8,000,000.00	\$ 5,800,000.00	S94
New basement car park for Council staff (146 spaces)	\$ 7,000,000.00	\$ -	N/A
Public Domain	\$ 3,500,000.00	\$ 3,500,000.00	S94
Streetscape	\$ 5,500,000.00	\$ 5,500,000.00	S94
TOTAL	\$ 41,250,000.00	\$ 14,800,000.00	

Table 1 – Options 1B, 2 and 3 - estimated costs of public facilities and funding sources.

Despite the negative financial outcome these options have a number of advantages:

- provides a new, purpose built, cultural facility;
- meets Council's corporate objectives;
- meets an identified need within the community;
- potentially frees up other outdated cultural assets for disposal;
- provides Council with new administration offices; and
- includes (Option 3) a supermarket which would assist with meeting retail shortfall in Gordon.

By way of comparison, the feasibility analysis found that Option 1A has a smaller negative financial outcome but significant non-financial disadvantages. The lower negative financial result is due to mainly to savings made with refurbishment of existing administration building rather than demolition and rebuild. However as *Table 2* shows the cost of renovating Marian Street Theatre is unfunded while the cost of a new facility in Gordon is partly funded through development contributions.

OPTION 1A	Estimated Cost	Funding available	Funding Source
Council administration (heritage)	\$ 2,250,000.00	\$ -	N/A
Refurbish existing Council offices	\$ 7,380,000.00	\$ -	N/A
Renovation of Marian Street Theatre (in lieu of new cultural hub in Gordon)	\$ 4,600,000.00	\$ -	N/A

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OPTION 1A	Estimated Cost	Funding available	Funding Source
New basement car park for Council staff (101 spaces)	\$ 4,848,000.00	\$ -	N/A
Public Domain	\$ 3,500,000.00	\$ 3,500,000.00	S94
Streetscape	\$ 5,500,000.00	\$ 5,500,000.00	S94
TOTAL	\$ 28,078,000.00	\$ 9,000,000.00	

Table 2 – Option 1A - estimated costs of public facilities and funding sources.

It is important to note that there are cost implications associated with maintaining the Council administrative offices at 818 Pacific Highway, Gordon including ongoing escalating maintenance costs and lack of flexibility. As noted previously in this report SGA Property Consultancy forecast costs equated to \$4,635,650.00 over a 10 year period to keep the building simply as is, though some of this work will aesthetic, is somewhat discretionary.

Importantly, retention of the existing Council offices negates the opportunity for a new cultural and civic hub and as such, the overall benefit to the community is low. Other disadvantages of this option are:

- *does not* include cultural facilities therefore Council would be unable to meet its corporate objectives;
- Council's reputation may be at risk if it is seen to be building new staff offices but not community/cultural facilities;
- a need will still exist for cultural space within Ku-ring-gai LGA, requiring refurbishment/redevelopment of other facilities;
- it provides 'refurbished' Council administration offices, instead of new facilities, with limited opportunity to expand in the future.
- the Marian Street theatre is not a flexible space and thus limited in its range of potential uses/users and would not satisfy identified needs;
- the Marian Street location is not consistent with Council's overall strategy to create a Activity Hubs within the Local Centres; and
- it maintains status quo with cultural facilities spread around LGA in not fit for purpose facilities.

5.5 Funding strategies

Jones Lang LaSalle (JLL) has undertaken financial feasibility analysis of the 4 options described above; all options have been found to have negative financial outcomes at this early stage of the project. The results are summarised in **Confidential Attachment A4**. Refer OMC Report of 24th November 2015 for full report for Attachments.

The main reasons for this outcome are as follows:

- the inclusion of a cultural facility and associated car parking; and
- the inclusion of refurbished or new Council offices and associated car parking to meet DCP requirements.

Given the shortfall in funding the financial viability of the Gordon Cultural and Civic Hub will require additional funds to make it financially feasible, the possible funding strategies are:

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- sale of surplus cultural assets;
- voluntary planning agreement;
- a combination of strategies.

If Council decides to proceed with the provision of a new purpose-built cultural and civic hub in Gordon, this would involve the creation of a new facility that would allow the merging of a number of existing Council facilities/activities into the hub, namely:

- Marian Street Theatre, Killara;
- Ku-ring-gai Town Hall, Pymble; and
- Ku-ring-gai Arts Centre, Roseville.

This would result in these assets losing their primary function and potentially becoming redundant; to what extent they may contribute financially to the project is discussed below.

5.5.1 Marian Street Theatre, Killara

In relation to the Marian Street Theatre, Killara there are two factors to consider. Firstly, the cost of renovation of the theatre has been estimated to be \$4.6 million current dollar value. Secondly, the opportunity cost of the land upon which the theatre sits has an estimated value exceeding \$10 million if it were to be sold. If Council chooses to renovate the theatre, as in Option 1A, the total opportunity cost is likely to be in excess of \$14 million which would substantially fund the shortfall identified in Options 1B, 2 and 3. **Confidential Attachment A4** page 22 provides an indicative assessment of value of the Marian Street Theatre. *Refer OMC Report of 24 November 2015 for full reports of each of these attachments.*

It is further noted that the actual costs of renovating Marian Street Theatre require further detailed studies to more accurately quantify the scope and cost of works.

5.5.2 Ku-ring-gai Town Hall, Pymble

The Ku-ring-gai Town Hall, Pymble was purchased by Council to function as a town hall. It currently provides for casual bookings and larger Council events such as the recent Author Encounter run by Council with Richard Glover as speaker which attracted over 200 people. The functionality and use of the venue is, however, very restricted due to poor accessibility and lack of car parking for such large events. Council does not intend to retain this facility and it has been identified for reclassification and sale as part of the funding for the purchase of 828 Pacific Highway and is therefore not available as a funding source for the Gordon Hub.

5.5.3 Ku-ring-gai Arts Centre, Roseville

The Ku-ring-gai Arts Centre, Roseville is proposed to be relocated to the Gordon Cultural Hub into a new facility which is larger and meets contemporary needs. The site currently occupied by the arts centre is within Bancroft Park, Roseville and preliminary assessment indicates that it is unlikely to be available as a funding source for the Gordon hub.

5.5.4 Voluntary Planning Agreement or Public Private Partnerships

Under these agreements a developer agrees to provide or fund public amenities and public services or other infrastructure. Contributions can be made through the dedication of land; monetary contributions and construction of infrastructure.

JLL have undertaken an analysis to determine the estimated number of additional residential units that would be required for the project to break even so that it may be funded through a VPA or PPP. The number of additional units required making Options 1B, 2 and 3 feasible is shown on page 22 of **Confidential Attachment A2**. Such an outcome would require, an estimated 5 to 6 additional storeys therefore requiring a total building height of up to 15 storeys. *Refer OMC Report of 24 November 2015 for full reports of each of these attachments.*

5.5.5 Combined Funding Strategy

JLL have undertaken an analysis of a possible combined funding strategy utilising the sale of Marian Street Theatre and additional residential units. The results are shown on page 23 of **Confidential Attachment A4**; such an outcome would require an estimated 1-2 additional storeys resulting in a total building height of up to 9-10 storeys. *Refer OMC Report of 24 November 2015 for full reports of each of these attachments.*

It is noted that these are very early and broad statements and there are risks and opportunities for Council that need to be further resolved:

- refinement of preliminary costs (which may be higher or lower with updated analysis);
- refinement of space requirements for Council Administration and Cultural Hub;
- potential revenues (i.e. market risk) which may be higher or lower with updated analysis; and
- refined architectural drawings may deliver increased apartment yields within building height controls

5.6 Financial Feasibility - Summary of findings

The financial and market assessment prepared by JLL has identified the following key findings:

- demand for a 3,500m² supermarket store;
- four realistic development options that could form the basis of illustrative development options for public exhibition; and
- funding strategies that show potential to make the project feasible with further refinement.

6.0 Recommendations and conclusions

The Cultural Needs Analysis prepared by Root Projects Australia has definitively established a need for a cultural hub in Gordon. The study has also determined the broad requirements of a cultural hub.

Based on the findings of this report it is recommended that Council proceed to the next phase of the project which would involve preparation of a business case for the cultural facility and master plan options for public exhibition.

6.1 Cultural Facility - Business Case

A business case will need to be prepared to justify the investment in this facility. A business case will include the following:

- further stakeholder consultation in relation to the Cultural Hub aspirations and objectives;
- development of a functional brief (functional relationships, requirements and an accommodation schedule, based on the outcomes of the needs analysis);
- review of existing facilities and sites for potential co-location opportunities;
- an analysis of site opportunities and constraints;
- development of an operational model for the Cultural Hub (usage, staff requirements, marketing);
- development of concept plans and images for the Cultural Hub;
- develop capital and operational costs;
- consider revenue and funding opportunities;
- develop a program and discuss procurement delivery model; and
- prepare a risk management plan.

6.2 Master plan

A master plan will explore the potential for a precinct with a vibrant mix of artistic, cultural and commercial uses, balancing artistic/cultural with commercial imperatives, accompanied by high quality public domain.

The master plan will consider the spatial arrangement of a range of uses on the site. It is recommended that Council prepare four (4) illustrative development options, based on those presented in this report:

- **Option 1A** – refurbished Council offices/new park/new residential/refurbish Marian Street Theatre/no new cultural hub;
- **Option 1B** – new administration building/new park/new cultural hub/new mixed use development;
- **Option 2** – new administration building/new park/new cultural hub/new mixed use development including dining precinct; and
- **Option 3** – new administration building/new park/new cultural hub/new mixed use development including a full line supermarket [3,500m²] and support retail.

Each option will comprise:

- cultural facilities up to 2,000m² in size (including multi-purpose spaces);
- Construction of new civic space (3,465m² in size);
- Council administrative offices either in a new building or within existing building;
- adaptive re-use of the former Council Chambers;
- streetscape and road improvement works to surrounding streets;
- a component of retail; and
- residential apartment buildings.

The master plan process will also undertake to further refine and develop the design and cost of:

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- staff office accommodation including both refurbishment of the existing building (Option 1A) and new building (Options 1B, 2 & 3);
- a new cultural facility; and
- renovation work to Marian Street including ongoing maintenance and operational costs.

As noted in this report the provision of a cultural and civic hub in Gordon is intimately linked to the future of Marian Street Theatre. It is therefore recommended that Council delay any decisions in relation to Marian Street Theatre until the results of the next phase of work are completed and reported back to Council prior to public exhibition of options.

INTEGRATED PLANNING AND REPORTING

The Gordon Cultural and Civic Hub is intended to support the Council's Vision and Community Strategic Plan 2030 which identifies a number of key themes to direct future development and interaction with the community. The development of a Cultural & Civic Hub will directly impact and support the following themes from the Strategic Plan 2030.

Theme 1 – Community, People and Culture

Theme 3 – Places, Spaces and Infrastructure

Theme 5 – Local Economy and Employment

Theme 6 – Leadership & Governance

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Theme 1 - A healthy, safe and diverse community that respects our history and celebrates our differences in a vibrant culture of learning.	C2.1.1 Ku-ring-gai's rich cultural diversity and creativity is celebrated through programs and events.	- Promote and support a range of cultural and nationally significant events through Council; - Promote opportunities for cultural groups to stage events consistent with Council's Sponsorship policy;
	C4.1.2 New and enhanced open space and recreational facilities have been delivered to increase community use and enjoyment.	- Undertake strategic land acquisitions; - Implement and monitor the Ku-ring-gai Open Space Acquisition Strategy; - Complete the design for identified parks and include design principles which facilitate passive recreation activities.

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Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Theme 3 - A range of well planned, clean and safe neighbourhoods and public spaces designed with a strong sense of identity and place.	P1.1.1 Opportunities are provided to our community to contribute to plans for enhancing the local area and visual amenity of our centres.	- Develop concept plans for the neighbourhood centres informed by Community engagement.
	P4.1.3 An improvement plan for Gordon Centre is being progressively implemented in collaboration with owners, businesses and state agencies.	- Engage with stakeholders and undertake a needs analysis and scoping study for a civic/cultural hub in Gordon; and - Commence preparation of a master plan for the civic/cultural hub in Gordon including a feasibility study.
	P5.1.2 Conservation Management Plans are in place and being implemented for the cultural and heritage assets of the area to ensure their long term viability.	- Identify resources for the development and implementation of heritage conservation management plans.
Theme 5 - Creating economic employment opportunities through vital, attractive centres, business innovation and technology.	E1.1.1 Ku-ring-gai's opportunities and assets are promoted to strengthen and attract business and employment to the area.	- Continue to identify opportunities to promote and strengthen Ku-ring-gai's economy.
Theme 6 - Ku-ring-gai is well led, managed and supported by ethical organisations which deliver projects and services to the community by listening, advocating and responding to their needs.	L2.1.4 Council has increased its commitment to infrastructure asset management priorities.	- Identify available funding sources in the Long Term Financial Plan and allocate to priority projects and assets.

FIT FOR THE FUTURE IMPROVEMENT ACTION PLAN

The NSW Government's Fit for the Future initiative required all councils to prepare an Improvement Proposal and supporting Implementation Plan demonstrating how all seven Fit for the Future benchmarks would be met by 2016/17, and maintained or improved thereafter.

Council's *Fit For the Future Improvement Proposal* and supporting *Implementation Plan* underpins the decision to stand alone and not merge with Hornsby Council. The objectives established in the

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Improvement Proposal and Implementation Plan are embedded in Council's adopted Integrated Planning and Reporting documents including the *Revised Delivery Program 2013-2017 and Operational Plan 2015-2016, Long Term Financial Plan 2015/16 to 2024/25* and *Asset Management Strategy 2015/16 to 2024/25*.

Ku-ring-gai Council's Fit for the Future Improvement Proposal Submission to the State Government in June 2015 acknowledges substantial progression of the Gordon local centre revitalisation through the Gordon civic & community hub project, which will provide, community, cultural, civic and recreational facilities and spaces with potential for commercial, retail and residential development.

Council has been laying the foundations for the Gordon hub and other notable urban renewal 'activation' projects for a number of years through the construction of a comprehensive and innovative development contributions plan, the acquisition of a number of sites to augment existing land holdings, the disposal (and planned future) of a number of surplus assets to provide source of funds. Council has been working co-operatively and constructively with State agencies such as RMS and Transport for NSW, and has engaged a comprehensive team of consultants including cultural needs advisors, transport planners, engineers, arborists, surveyors, valuation, property development, and feasibility specialists to develop and market test this project.

The Fit for the Future submission makes reference to Council's infrastructure backlog – i.e. the cost to bring assets from poor and failed condition up to an acceptable standard, including the useful lives and condition ratings of assets. The Fit for the Future submission acknowledges that many Council-owned community facilities are ageing and/or no longer fit for purpose and will require significant investment to either renew or replace, thus reinforcing the established need for a new cultural and civic hub in Gordon local centre and disposal of the facilities it otherwise replaces.

The submission also acknowledges that a number of key priorities, long term aspirations and objectives for the Ku-ring-gai community, as identified in the Community Strategic Plan, 2013, are of relevance to the Gordon Hub project, including:

- bringing vitality to our centres, making it easier and safer to move around, increasing visitors to the area; and
- improving and renewing our infrastructure including community facilities, recreation and open space areas, roads, footpaths, drains and the public domain.

On the basis of the above, a key 'improvement strategy and objective' identified in the Fit for the Future submission, specifically relates to the Gordon Cultural and Civic Hub project - to ensure that an EOI for the redevelopment of Gordon Town Centre is sort in the 2015/2016 FY – more specifically a business case for the cultural hub component and a master plan for the Hub site.

GOVERNANCE MATTERS

1.0 Land Reclassification

Section 45 of the *Local Government Act, 1993* prevents Council from selling; exchanging, or otherwise disposing of Community classified land therefore it is proposed to reclassify the site from Community Land to Operational Land in accordance with Section 27 of the Act.

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Operational classified land is a land classification that facilitates active management of land for a variety of purposes. An operational classification permits Council to sell, exchange, or grant an interest, including a longer term lease, to another party other than in accordance with the provisions of the *Local Government Act 1993*. The reclassification of the land itself, does not commit Council to the sale of the site. Any future divestment of the land would be the subject of a separate process and report to Council following reclassification.

The first step is to prepare a planning proposal to submit to the Department of Planning & Environment (DPE) to reclassify Council owned Community land to Operational land status. The objective of this proposed Local Environmental Plan is to reclassify the site from “community” land to “operational” land, including the discharge all interests in the land, in accordance with Clause 5.2 of the KLEP 2012.

The Planning Proposal is to be prepared, in accordance with Section 55, Environmental Planning and Assessment Act, 1979, to change the classification status from Community land to Operational land as required under Chapter 6, Part 2 Division 1 of the *Local Government Act, 1993*.

Should a Gateway Determination for the planning proposal be granted, formal consultation with the State Agencies and the community commences. The reclassification of land also requires a public hearing. The public hearing will be held after the public exhibition of the draft LEP for reclassification.

1.1 818 Pacific Highway, Gordon

At the Ordinary meeting of Council held on 30 April 2013 Council adopted a report recommending that Planning Proposals be prepared to reclassify a number of sites from Community land to Operational land, including 818 Pacific Highway, Gordon.

This site comprises Lot 2 in DP 786550 and has an area of 5,203m². The site is roughly L shaped with frontages of 40.215 metres to the Pacific Highway and of 25.79 metres to Dumaresq Street, Gordon. This site also fronts Radford Place, Gordon.

A Right of Way of variable width and limited in height to RL 122.9m AHD runs north from Radford Place. The Right of Way is in favour of Lot 1 in DP786550, (828 Pacific Highway, Gordon -owned by Council).The site benefits from easements for drainage.

The electricity substation owned by Ausgrid located in the car park at the rear of 818 Pacific Highway, Gordon is subject to a 50 year lease (with an easement for access) between Council and Sydney Electricity (now Ausgrid) which expires on 1 April 2041 and this arrangement should be preserved in the short term. The lease also incorporates a right of way for access and easement for electricity purposes.

A Gateway Determination for Planning Proposal to reclassify this and three other sites from Community land to Operational land was issued by the NSW Department of Planning on 4 June 2014. The Planning Proposal was formally exhibited from 22 August to 19 September 2014 and a public hearing was held on Monday 20 October 2014. The outcomes of the public exhibition and Public Hearing were reported to Council on 9 December 2014. Council resolved to proceed with the reclassification and the Planning Proposal is now with the Department of Planning and Environment awaiting finalisation.

1.2 9, 15 & 17 Dumaresq Street, Gordon

In conjunction with this report, the reclassification of 9, 15 and 17 Dumaresq Street, Gordon is also proposed. The sites comprises of Lot A in DP355615 (9 Dumaresq Street, Gordon) and Lots C and D in DP 386283 (15 & 17 Dumaresq Street, Gordon). They are regular shaped lots with a combine street frontage to Dumaresq Street of approximately 51m and a total area of 3,481m². There are no known interests registered on the title of these lots.

Council acquired three residential properties in 2007 using section 94 Contribution Plan funds to address, in part, the lack of open space in the Gordon local centre as identified in the Ku-ring-gai Open Space Acquisition Strategy, 2006. The sites are classified as Community land.

As discussed elsewhere in this report, it is proposed to locate the new civic space (with the same area as land purchased) further up the hill to where the existing Council staff car park is currently located. The proposed park would be more centrally located, accessible to more people, and on flat land, thus increasing its passive recreational value.

The reclassification of the sites from Community land to Operational land will provide the necessary flexibility to deal with Council landholdings in implementing the future masterplan for the Gordon Cultural and Civic Hub.

Further investigations need to occur regarding any interest (either registered or implied) applying to any of the 3 lots that may restrict the future development of the land. Should any such interests be identified, the reclassification process should also extinguish these interests so as not to prevent or restrict the future development of the Gordon Cultural and Civic Hub.

RISK MANAGEMENT

There are a number of risks for Council should it choose to proceed with Phase 2 – Business Case and Masterplan in the foreseeable future.

Risk 1 - there is no clear direction on the sale or refurbishment of Marian Street Theatre. The financial viability of the Gordon Cultural and Civic Hub is reliant on the funding gleaned from the potential sale of Marian Street Theatre. Marian Street Theatre has an estimated value exceeding \$10 million. Refurbishment costs have been estimated at approximately \$4.6M.

Risk 2 - Fit for the Future reforms have created uncertainty. Until more specific details are made available by the State Government regarding amalgamations, the potential to progress to Phase 2 is limited given a reluctance on Council's part to commit to too many significant urban renewal projects simultaneously.

Risk 3 - a preliminary economic feasibility of the site indicates a funding shortfall. This could necessitate an increase in existing building heights and FSR. Similarly, redevelopment of the site at 818 Pacific Highway, Gordon and proposed leasing arrangements for Council-owned property at 828 Pacific Highway, Gordon, would necessitate the decanting of Council's administrative function during construction of new office facilities. The cost of rental accommodation (over a 2 year period) during redevelopment could be in the order of \$3.8M. This is a financial consideration that must be factored into the viability of the project.

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Risk 4 – On the basis of investigations and consultation undertaken to date, Council needs to consider the effect on its reputation should this project not proceed and as a consequence the expectations of the community not be met as a result.

FINANCIAL CONSIDERATIONS

If Council adopts the recommendations in this report to prepare a master plan and business case a Request for Tender (RFT) will be advertised early in 2016 for a consultant team. There are currently adequate funds available within the project account to cover the costs of this work. To date Council has expended approximately \$160,000.00 on this project including salaries and consultancies. These funds have been taken from development contributions 2010 Plan Recreational, Cultural & Social Facilities. It is important that Council continues to progress this project, if not Council may be required to repay a portion of the S94 funds spent to date if the works are not delivered.

Council's Long Term Financial Plan (LTFP) identifies a total of approximately \$16.7 million allocated from S94 Ku-ring-gai Contributions Plan, 2010 for works associated with the Gordon Civic and Cultural Hub. These funds will be Council's contribution toward the project and have been taken into account when preparing the preliminary economic feasibility assessment. The funds are set out in *Table 3* below.

Description of Work	Source	Funding Available
Multi-purpose space including site clearance & preparation, construction, full internal fitout, security, lighting, landscaping & additional associated car parking	2010-R,C&S	\$5,809,379 .00
Road improvements, streetscape and public domain (within site and to surrounding streets), construction and embellishment of new urban space on council owned land	2010-Town&Trans	\$10,921,633.00
	2010-Roads&Mods	
	2010-R,C&S	
Total funds available		\$16,731,011.57

Table 3 – Funding Sources

As discussed in this report Council's recent decision to not relocate staff to 828 Pacific Highway has significant financial impacts for this project, these are:

- Option 1A - cost of full refurbishment of existing administration building (estimated to be in the order of \$10.5 million) and cost of rental accommodation for relocation of staff during redevelopment for a period of 1 year (estimated to be in the order of \$1.8 million)

OR

- Options 1B, 2 and 3 - cost of building a new administration building (estimated to be in the order of \$17.2 million) and cost of rental accommodation for relocation of staff during redevelopment for a period of 2 years (estimated to be in the order of \$3 million)

The cost of these works has been taken into account when preparing the preliminary economic feasibility assessment however it is noted that these are currently unfunded.

SOCIAL CONSIDERATIONS

Ku-ring-gai's population is growing, changing and increasingly becoming more culturally diverse. However, a large majority of existing community and cultural facilities in the LGA are generally old, out dated, in a state of disrepair, have reached their capacity and are largely no longer 'fit for purpose'. Similarly, a majority of facilities are typified by small spaces that are not flexible and are limited in their capability to accommodate many uses, with a majority of facilities accommodating single or limited numbers of users. The challenge will be to foster cultural vitality by providing more multi-purpose venues that cater for a diverse range of cultural and civic events.

A cultural and civic hub will value add to the existing community facilities in Gordon which includes the library & Old School Building. A hub in Gordon will complement rather than duplicate, the proposed community hub activities in Lindfield and Turramurra and other existing cultural facilities beyond the boundaries of the LGA such as the Concourse at Chatswood.

Marian Street Theatre (MST) was closed in December 2013 as it was deemed unsafe for the Marian Street Theatre for Young People (MSTYP) and its audiences. MSTYP vacated the Marian Street Theatre at the end of January 2014.

Council engaged an independent theatre consultant to undertake a detailed review of the condition of the MST and to provide recommendations for a suitable management model for the theatre. Theatre specialists engaged by the consultant advised that the MST was in far worse condition than preliminary inspections had revealed. The MST cannot be reopened for any use until it is a safe and compliant building. This cannot be achieved without significant works or a complete relocation.

Councillors were briefed on the updated condition of the theatre and staff were requested to obtain additional costs for the full refurbishment of the theatre to ensure it would comply with current DDA requirements. A 2014 estimate of capital costs to refurbish the Marian Street Theatre ranged from \$2.9m over four years for a mid-level renovation, to \$4.1m paid upfront for a full renovation. This figure has been reviewed more recently and is now estimated to be in the order of \$4.6m. these estimates remain preliminary and subject to design and tender, may rise substantially.

A telephone survey was undertaken in May this year, to ascertain Ku-ring-gai residents' preferences concerning recreation, cultural and entertainment options. Preliminary survey findings that are relevant to MST indicate that the Ku-ring-gai community supports live performance and regularly attends theatre performances. However, the cost of providing such facilities and support is important to the community too and they want to know that money is spent efficiently and where it is needed. The findings of this consultation can be found in a report prepared by Straight Talk, *'Future of the Marian Street Theatre and Live Theatre in Ku-ring-gai – Consultation Outcomes Report'*, as reported to Council on 10 November 2015.

MSTYP currently receives subsidies from Council to enable them to continue with live performances and other activities.

ENVIRONMENTAL CONSIDERATIONS

Due-diligence studies have been undertaken in relation to the following:

- arboriculture assessment;

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- site survey;
- geotechnical investigations; and
- stage 1 – site contamination investigations.

The findings of which, are all satisfactory, indicating general site suitability, with some vegetation constraints noted. The latter of which will be further investigated in Phase 2 – Master Plan and Business Case.

Refer **Attachment A5** – Arboriculture Assessment, **Attachment A6** – Site Survey, **Attachment A7** – Geotechnical Report and **Attachment A8** – Site Contamination Investigation Report. *Refer OMC Report of 24 November 2015 for full reports of each of these attachments.*

COMMUNITY CONSULTATION

A Stakeholder Consultation Plan prepared by Root Projects has been developed specifically for the Cultural Needs Analysis. The purpose of the Stakeholder Consultation Plan is to outline a strategy for engagement with relevant stakeholders – to garner input into the needs and options for the hub project, how this stakeholder engagement is to occur, including the management and ongoing responsibilities for stakeholder consultation. The Stakeholder Consultation Plan is structured to be a ‘living’ document and continue to be updated as the project evolves into the next project phase and additional stakeholders are identified and their influences may change.

The Gordon Cultural and Civic Hub is an important community deliverable for Council over the coming years. There is a need to consult with specific individuals and external groups and gain their particular insights within a more structured framework of consultation. On this basis Root Projects, in conjunction with Council staff facilitated meetings to discuss with individuals and groups, their contribution to the arts sector and potential interface with the new Gordon Cultural and Civic Hub.

For Phase 1 of the project, a series of one-on-one stakeholder meetings and a focus group workshop were facilitated by Root Projects, including a phone survey undertaken by SurveyTalk (in conjunction with *Environmetrics*). This consultation considered a broad range of users and residents, which has assisted in defining the needs and building support for the proposed Gordon Cultural and Civic Hub.

Stakeholder Meetings were held with the following groups:

- Grace Cossington-Smith Gallery;
- Marian Street Theatre for Young People;
- Ku-ring-gai Philharmonic Orchestra;
- Fitz Youth Group;
- Ku-ring-gai Arts Society [via phone];
- Ku-ring-gai Arts Centre;
- Aboriginal Heritage Office;
- Community Migrant Resource Centre; and
- English at Gordon Group.

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Focus Group Workshop

There is a strong, existing arts sector in the Ku-ring-gai LGA, with a number of community groups identified as having significant interest and influence over the proposed Gordon Cultural and Civic Hub. In response to this, Root Projects Australia facilitated a focus group meeting on 16 July 2015 with external participants garnered from a variety of arts and cultural groups within the Ku-ring-gai LGA, with a large majority of participants from the music, art, dance and performance disciplines. The purpose of the workshop was to better understand the current issues facing these groups and their access to facilities, in addition to the types of activities/services these groups may anticipate for a future cultural and civic hub.

Focus Group participants were provided with an overview and purpose of the cultural needs analysis, project vision/objectives and a series of case studies and indicative benchmarks, to stimulate discussion and further interrogate their needs and aspirations.

The focus group consultation with major practicing arts groups within the Ku-ring-gai area revealed that there is a distinct lack of regularly bookable and accessible quality space for rehearsal and performance activities or spaces where people can create or exhibit visual art. With a majority of existing Council operated community facilities oversubscribed and heavily used generally 7 days a week, with the greatest utilisation for facilities being after school and work during the afternoons and evenings, Monday to Friday.

Community Survey

A critical element of the stakeholder consultation strategy is the community survey. The survey provides valuable insight into the needs and views of a range of representatives from the community which will be particularly useful at this stage of the process and is imperative in defining the needs of a new Hub facility. A telephone survey was conducted in the Ku-ring-gai LGA in July 2015. The aim of the survey was to assess community views about whether it would be desirable to replace old and out of date arts facilities currently managed by Council with a new centralised facility located in Gordon.

The questionnaire was designed by *Environmetrics* in collaboration with Ku-ring-gai Council and Root Projects Australia. In broad terms, the questions asked during the interview were designed to understand each respondent's level of involvement in a range of activities and hobbies, the nature of their household and their reactions to the proposed redevelopment of cultural and arts facilities in the area. The fieldwork was conducted by *SurveyTalk* who delivered 500 completed interviews. The sample was selected randomly with the constraint that gender and broad age bands should match the community profile. Prior to calling, the list of phone numbers obtained by *SurveyTalk* was checked to eliminate numbers previously used in two recent surveys, to avoid duplication.

An analysis of the findings was conducted by *Environmetrics* – the details of which can be found in the Cultural Needs Analysis report prepared by Root Projects Australia. Taken together, the sets of questions provided confirmation that people in the community were interested in the proposed redevelopment and the likelihood that they would use specific kinds of facilities within the redevelopment. The findings of the above mentioned consultation are summarised in the appendix of the Cultural Needs Analysis Report. Refer **Attachment A3** – Gordon Cultural and Civic Hub Cultural Needs Analysis report prepared by Root Projects Australia. Refer *OMC Report of 24 November 2015 for full report for Attachment A3*.

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Planning Proposal Consultation

Statutory community consultation will be undertaken throughout the planning proposal process. An independently chaired public hearing is also necessary in relation to reclassification from Community land to Operational land.

INTERNAL CONSULTATION

This report was prepared by the Strategy & Environment Department in consultation with staff from other Departments where relevant. More specifically, the following consultation has been undertaken to date.

Local Centres – Major Projects PCG

At its meeting of 5 March 2015 GMD approved the governance structure for the Gordon Cultural and Civic Hub Master Plan. The framework is consistent with the requirements of the Gordon Civic Precinct Master Plan – Probity Management Framework, April 2015.

Continuing and careful management of both the project and the process is essential, given the complexities of the project and as such a Project Control Group [PCG] was established for the Local Centres – Major Projects which encompasses the Gordon Cultural and Civic Hub. The PCG, which meets bi-monthly, forms the primary management entity for the duration of the project, comprising the project manager and the relevant discipline project team leaders. The PCG will vary its composition during the different phases of the project, depending on the skills and expertise required. Three (3) PCG meetings have been held to date during 2015.

Councillor Briefings

Root Projects presented at two Councillor Briefings (5 May 2015 and 29 September 2015). Firstly, to present the proposed methodology, a summary of the survey process and expected focus/outcomes and anticipated project program/timing, including a précis of relevant benchmarks and an opportunity for the Councillors to have their say, focusing on their 'wish list' for the cultural hub facility. The second briefing presented the findings of the Cultural Needs Analysis, including a Q&A session. In addition to these briefings, Councillor site inspections were scheduled for 26 November of the UTS Campus facilities and on 1 December 2015 to view Council owned properties at 9, 15 & 17 Dumaresq Street, Gordon. These site inspections included consultants (where relevant) to provide an on-site briefing for Councillors.

Council Events

Council's event co-ordinators have provided useful insight into the number and diversity of events in the Ku-ring-gai LGA (such as festivals, concerts, outdoor cinemas, civic ceremonies) currently organised by Council, highlighting the need for an all-weather space with the capacity to accommodate events and large groups of attendees in the instance of inclement weather – something that the LGA currently doesn't have the benefit of. It was considered that a cultural & civic hub would provide an opportunity for the events calendar to evolve, expand and diversify.

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LGA Community Facilities & Bookings

Council's Community Facilities Liaison Officer provided Root Projects with an invaluable list of all halls and meeting rooms in Ku-ring-gai, including a summary of venue bookings from the last 12 months (including information on casual bookings). This has allowed Root Projects to capture the utilisation of the current venues – this information has been invaluable in informing the needs analysis.

It is evident from this list, that a broad range of arts organisations book the venues on a regular basis – up to 200 bookable hours per week throughout the LGA. Many of the venues are well utilised during night time hours but are largely underutilised or empty during the day. Groups range from the Ku-ring-gai Philharmonic, the Ku-ring-gai Youth Orchestra and Choir, Chatswood Music Society, to martial arts groups, chess groups, line dancing and ballet. There are several drama groups that regularly book spaces including the Pymble Players and the Marian Street Theatre for Young People (MSTYP). Spaces are generally used for rehearsals and for art exhibitions on occasion.

Tourism & Visitation

Root Projects met with Ku-ring-gai Council Team Leader, Tourism & Visitation St Ives Precinct, and the St Ives Precinct Co-ordinator, and were given an overview of the aim of the needs analysis, including the vision and objectives. Based on their extensive experience in the area of arts and culture, staff are of the view that:

- pitching the cultural & civic hub to amateurs and semi-professionals made sense, given the access to existing professional venues within close proximity outside the LGA;
- Ku-ring-gai definitely needs a place to create and a space within which to perform – the latter of which should be a flexible, flat floor space with the capacity for 150+ seating. With a governance structure run by Council for security and maintenance purposes, with free access to all user groups and no dominance by any one group;
- some performance and display areas would be an important part of the hub, incorporating retail opportunities, public space and areas for events such as markets;
- they noted that the demographics are changing within Ku-ring-gai, with an increase in the Asian, Jewish and South African communities, with no specific arts and cultural experiences available for these groups; and
- there is an established youth film group that would be interested in media facilities if they were available.

SUMMARY

This report provides an update to Council on the progress of planning for a civic and cultural hub on Council-owned land in Gordon. A comprehensive range of studies have been undertaken and the results are summarised in the preceding sections.

The report references an earlier study that shows forecast costs to keep Council's building at 818 Pacific Highway as is, equated to \$4.6M over a 10 year period. This report does not recommend Council pursue this option as it will not allow delivery of a cultural hub and would not address long term staff accommodation issues. Two options available to Council are to refit the existing building by stripping out the existing building (however this option too will not allow delivery of a cultural

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hub) to a bare shell and undertake a complete internal fit-out with a modern efficient plant; or to build a new office building on the site.

A cultural needs analysis has established a need for a centralised hub facility with good accessibility and proximity to public transport. It has identified types of uses and groups that would be interested in a new cultural and civic hub; and it has identified the optimal size for a hub to be in the range of 1,500m² – 2,000m² in area. Importantly the study finds that a 500 fixed seat capacity space for music performance cannot be justified based on the proximity of Gordon to the Concourse in Chatswood. As an alternative the study recommends a contemporary model involving a large flat floor space with retractable seating catering for up to 300 seated patrons as well as range of ancillary spaces, rehearsal spaces, studio & workshop spaces, informal activity areas and meeting/conference rooms.

A transport study has commenced for Gordon and early findings indicate some spare capacity within the network and initial indications are that the level of development proposed in Option 3 (which includes a large supermarket) could be accommodated in Gordon.

A financial feasibility study has identified market demand for additional supermarket floor space in Gordon; defined four development options for the hub; and undertaken a financial appraisal of the options. The feasibility assessment finds that all options would have a negative financial outcome to a lesser or greater degree and that a funding strategy will be required combining sale of assets (in this case Marian Street Theatre) and/or additional building height.

Based on the findings of this report it is recommended that Council proceed to the next phase of the project which would involve preparation of a business case for the cultural facility and master plan options for public exhibition.

The master plan process will also undertake to further refine and develop the design and cost of:

- staff office accommodation including both refurbishment of the existing building (Option 1A) and new building (Options 1B, 2 &3);
- a new cultural facility; and
- renovation work to Marian Street including ongoing maintenance and operational costs.

As noted in this report the provision of a cultural and civic hub in Gordon is intimately linked to the future of Marian Street Theatre. It is therefore recommended that Council delay any decisions in relation to Marian Street Theatre until the results of the next phase of work are completed and reported back to Council prior to public exhibition of options.

In conjunction with this report, the reclassification of 9, 15 and 17 Dumaresq Street, Gordon is also proposed. The reclassification of the sites from Community Land to Operational land will provide the necessary flexibility to deal with Council landholdings in implementing the future masterplan for the Gordon Cultural and Civic Hub, in accordance with Council's adopted statutory and policy documents pertaining to the site.

RECOMMENDATION:

That:

- A. Council adopts 'in principle' the proposed model for a new cultural facility at 818 Pacific Highway, Gordon with a floor area of 1,500 – 2,000m² incorporating a large flat floor space and stage with retractable seating catering for up to 300 patrons as well as a range of ancillary spaces, rehearsal spaces, studio & workshop spaces, informal activity areas, meeting/conference rooms, store rooms and media rooms.
- B. Council proceed to the next phase of the Gordon Cultural and Civic Hub project which involves the preparation of a business case for a cultural facility and preparation of master plan options for public exhibition.
- C. Council undertake to further refine and develop the design and costs of:
 - staff office accommodation at 818 Pacific Highway including both refurbishment of the existing building and construction of a new building
 - a new cultural facility; and
 - renovation work to Marian Street including ongoing maintenance, operational and life cycle cost.
- D. The developed options and costs are reported back to Council for their approval prior to public exhibition of the options.
- E. Council delays any decisions in relation to Marian Street Theatre until the results of the next phase of work are completed and reported back to Council.
- F. The master plan options are to be placed on public exhibition by mid-2016.
- G. A Planning Proposal is to be prepared, in accordance with section 55 of the *Environmental Planning and Assessment Act, 1979*, to reclassify Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon from Community land to Operational land.
- H. Council formally seeks to discharge all necessary interests for Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon;
- I. The Planning Proposal by 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*.
- J. 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.
- K. Council undertakes a public hearing under the provisions of the *Local Government Act, 1993* for

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the proposed reclassification of Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon from Community land to Operational land.

- L. A report is to be brought back to Council at the end of the exhibition and public hearing processes.
- M. A field trip is to be organised for early 2016, for the Councillors to visit a selection of best practice cultural facilities and public domain projects.

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Senior Urban Designer

Bill Royal
Team Leader Urban Design

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Subject: OMC438 Gordon Cultural and Civic Hub - Update Report - Post Site Visit and Briefing

Resolved:

[Moved: Councillors Anderson/Ossip]

- A. That the matter be deferred until a tour of a range of cultural and civic facilities around Sydney is organised for Councillors.
- B. That council pursues discussions and investigation of the proposal by the Department of Education for council to undertake long-term leases of a variety of existing facilities on the UTS site.
- C. That a report come back to council following discussions with the Department of Education, including details on proposed facilities, costings arrangements, maintenance costs and operation model.

CARRIED UNANIMOUSLY

APPENDIX B

Report and Resolution: Council Meeting 9 February 2016

GORDON CIVIC AND CULTURAL HUB - UPDATE IN RESPONSE TO NSW GOVERNMENT MERGER PROPOSAL

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

The purpose of this report is to advise Council of the impacts of the NSW Government Merger Proposal on the Gordon Cultural and Civic Hub Master Plan project.

BACKGROUND:

At the Ordinary Meeting of Council on 15 December 2015 Council resolved (in part) to defer progression of the project until a tour of a range of cultural and civic facilities around Sydney is organised for Councillors.

COMMENTS:

In January 2016 the NSW Government released a Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council. The foreword to the Proposal by Minister Paul Toole explicitly notes the importance of the revitalisation projects Council is currently undertaking in Lindfield, Turramurra and Gordon Town Centres.

Despite the Minister's desire to continue these projects the Merger Proposal creates significant uncertainty for the Gordon Cultural and Civic Hub Master Plan project.

RECOMMENDATION:

This report recommends that the Gordon Cultural and Civic Hub Master Plan Project be deferred for the foreseeable future until broader strategic matters arising from the NSW Government Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council have been resolved; and that the community be notified of Council's decision.

PURPOSE OF REPORT

The purpose of this report is to advise Council of the impacts of the NSW Government Merger Proposal on the Gordon Cultural and Civic Hub Master Plan project.

BACKGROUND

At the Ordinary Meeting of Council on 15 December 2015 *GB.10 Gordon Cultural and Civic Hub - Update Report - Post Site Visit and Briefing* updated Council on the progress of planning for the site and present the findings of Phase 1 – Project Definition & Feasibility and sought Council's approval to proceed to Phase 2 - Business Case and Master Plan for the Gordon Cultural and Civic Hub site, at 818 Pacific Highway, Gordon. At that meeting Council resolved (in part):

- A. That the matter be deferred until a tour of a range of cultural and civic facilities around Sydney is organised for Councillors.*

COMMENTS

In January 2016 the NSW Government released a Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council. The foreword to the Proposal by Minister Paul Toole explicitly notes the importance of the revitalisation projects Council is currently undertaking in Lindfield, Turramurra and Gordon Town Centres.

Further at page 10 the Merger Proposal cites *"the revitalisation of Lindfield, Turramurra and Gordon town centres to transform them into cultural and civic hubs together with the opportunity to incorporate activities for teenagers, senior citizens and more commuter car parking in any redevelopments"* as *"[e]xamples of local infrastructure priorities that could be funded by merger generated savings"*. Also at page 10, the Merger Proposal states the proposed merger may *"also allow for more efficient use of council office buildings, preventing the need for expensive upgrades to the Ku-ring-gai Council building"*.

Ironically, and clearly not understood by the authors of the Merger Proposal, all Council's hub projects were being designed to be self-funding, without the need to rely on "merger savings" or other recurrent income sources. Similarly, the equally inadequate condition of Hornsby Shire Council's civic accommodation is also ignored.

Despite the Minister's desire to continue these projects, specific reference to council office accommodation in the Merger Proposal creates significant uncertainty for the Gordon Cultural and Civic Hub Master Plan project.

As reported to Council on 15 December 2015 the Gordon Cultural and Civic Hub master plan project was predicated on three key assumptions:

- That the existing administrative offices are no longer fit for purpose and require extensive refurbishment;
- That 828 Pacific Highway will not be available for the relocation of staff as a result of Council's *'Fit for the Future Improvement Proposal'* submission; and

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- new or refurbished Council administrative offices will need to be considered as part of the Hub project for which there is no allocated funding source.

Three possible options were considered as part of the preliminary feasibility analysis of the Hub:

- Base Case – maintain existing building with minor refurbishment;
- Refit of Existing Building - strip out the existing building to a bare shell, new internal fit out and modern efficient plant; or
- Construct a new office building on the site of the existing building.

If the Merger Proposal is implemented there will need to be considerable thought given to the long term staffing requirements of the new Council and where staff are best located to service the new LGA. Whether the future location is determined to be in Gordon or elsewhere the project scope and feasibility of the Gordon Cultural and Civic Hub Master Plan project will change significantly.

It is therefore recommended that the Project be deferred for the foreseeable future until the broader strategic matters noted above have been resolved.

INTEGRATED PLANNING AND REPORTING

The Gordon Cultural and Civic Hub is intended to support the Council's Vision and Community Strategic Plan 2030 which identifies a number of key themes to direct future development and interaction with the community. The development of a Cultural & Civic Hub will directly impact and support the following themes from the Strategic Plan 2030.

Theme 1 – Community, People and Culture

Theme 3 – Places, Spaces and Infrastructure

Theme 5 – Local Economy and Employment

Theme 6 – Leadership & Governance

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Theme 1 - A healthy, safe and diverse community that respects our history and celebrates our differences in a vibrant culture of learning.	C2.1.1 Ku-ring-gai's rich cultural diversity and creativity is celebrated through programs and events.	- Promote and support a range of cultural and nationally significant events through Council; - Promote opportunities for cultural groups to stage events consistent with Council's Sponsorship policy;
	C4.1.2 New and enhanced open space and recreational facilities have been delivered to increase community use and enjoyment.	- Undertake strategic land acquisitions; - Implement and monitor the Ku-ring-gai Open Space Acquisition Strategy; - Complete the design for

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
		identified parks and include design principles which facilitate passive recreation activities.
Theme 3 - A range of well planned, clean and safe neighbourhoods and public spaces designed with a strong sense of identity and place.	P1.1.1 Opportunities are provided to our community to contribute to plans for enhancing the local area and visual amenity of our centres.	- Develop concept plans for the neighbourhood centres informed by Community engagement.
	P4.1.3 An improvement plan for Gordon Centre is being progressively implemented in collaboration with owners, businesses and state agencies.	- Engage with stakeholders and undertake a needs analysis and scoping study for a civic/cultural hub in Gordon; and - Commence preparation of a master plan for the civic/cultural hub in Gordon including a feasibility study.
	P5.1.2 Conservation Management Plans are in place and being implemented for the cultural and heritage assets of the area to ensure their long term viability.	- Identify resources for the development and implementation of heritage conservation management plans.
Theme 5 - Creating economic employment opportunities through vital, attractive centres, business innovation and technology.	E1.1.1 Ku-ring-gai's opportunities and assets are promoted to strengthen and attract business and employment to the area.	- Continue to identify opportunities to promote and strengthen Ku-ring-gai's economy.
Theme 6 - Ku-ring-gai is well led, managed and supported by ethical organisations which deliver projects and services to the community by listening, advocating and responding to their needs.	L2.1.4 Council has increased its commitment to infrastructure asset management priorities.	- Identify available funding sources in the Long Term Financial Plan and allocate to priority projects and assets.

FIT FOR THE FUTURE IMPROVEMENT ACTION PLAN

The NSW Government's Fit for the Future initiative required all councils to prepare an Improvement Proposal and supporting Implementation Plan demonstrating how all seven Fit for the Future benchmarks would be met by 2016/17, and maintained or improved thereafter.

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Council's *Fit For the Future Improvement Proposal* and supporting *Implementation Plan* underpins the decision to stand alone and not merge with Hornsby Council. The objectives established in the Improvement Proposal and Implementation Plan are embedded in Council's adopted Integrated Planning and Reporting documents including the *Revised Delivery Program 2013-2017* and *Operational Plan 2015-2016*, *Long Term Financial Plan 2015/16 to 2024/25* and *Asset Management Strategy 2015/16 to 2024/25*.

Ku-ring-gai Council's Fit for the Future Improvement Proposal Submission to the State Government in June 2015 acknowledges substantial progression of the Gordon local centre revitalisation through the Gordon Civic & Community Hub Project, which will provide, community, cultural, civic and recreational facilities and spaces with potential for commercial, retail and residential development.

Council has been laying the foundations for the Gordon Hub and other notable urban renewal 'activation' projects for a number of years through the construction of a comprehensive and innovative development contributions plan, the acquisition of a number of sites to augment existing land holdings, the disposal (and planned future) of a number of surplus assets to provide source of funds. Council has been working co-operatively and constructively with State agencies such as RMS and Transport for NSW, and has engaged a comprehensive team of consultants including cultural needs advisors, transport planners, engineers, arborists, surveyors, valuation, property development, and feasibility specialists to develop and market test this project.

The Fit for the Future submission makes reference to Council's infrastructure backlog – i.e. the cost to bring assets from poor and failed condition up to an acceptable standard, including the useful lives and condition ratings of assets. The Fit for the Future submission acknowledges that many Council-owned community facilities are ageing and/or no longer fit for purpose and will require significant investment to either renew or replace, thus reinforcing the established need for a new cultural and civic hub in Gordon local centre and disposal of the facilities it otherwise replaces.

The submission also acknowledges that a number of key priorities, long term aspirations and objectives for the Ku-ring-gai community, as identified in the Community Strategic Plan, 2013, are of relevance to the Gordon Hub project, including:

- bringing vitality to our centres, making it easier and safer to move around, increasing visitors to the area; and
- improving and renewing our infrastructure including community facilities, recreation and open space areas, roads, footpaths, drains and the public domain.

On the basis of the above, a key 'improvement strategy and objective' identified in the Fit for the Future submission, specifically relates to the Gordon Cultural and Civic Hub project - to ensure that an EOI for the redevelopment of Gordon Town Centre is sought in the 2015/2016 FY – more specifically a business case for the cultural hub component and a master plan for the Hub site.

GOVERNANCE MATTERS

The report to Council OMC on 15 December 2015 recommended that a Planning Proposal be prepared to reclassify nos. 9, 15 & 17 Dumaresq Street, Gordon from Community land to

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Operational land. It is noted that Council did not resolve to progress these matters during the OMC on 15 December 2015

RISK MANAGEMENT

This report is addressing a key risk arising from the NSW Government Merger Proposal, namely uncertainty regarding long term staffing requirements of a new Council and uncertainty as to where staff would be located to service the new LGA.

FINANCIAL CONSIDERATIONS

To date Council has expended approximately \$160,000.00 on this project including salaries and consultancies. These funds have been taken from development contributions 2010 Plan Recreational, Cultural & Social Facilities.

SOCIAL CONSIDERATIONS

Given the amount of stakeholder and community consultation undertaken for the project there is a certain level of expectation within the community in relation to the delivery of a new park and cultural facility to Gordon. It is therefore recommended that Council notify the community via Council's website of Council's decision in relation to this report.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations arising from this report.

COMMUNITY CONSULTATION

There has been no community consultation in relation to the preparation of this report.

INTERNAL CONSULTATION

This report was prepared by the Strategy & Environment Department in consultation with staff from other Departments where relevant.

SUMMARY

The Gordon Cultural and Civic Hub master plan project comprised three key components:

- a new civic square;
- a new cultural facility; and
- new administrative offices.

The combination of elements would provide a civic heart for Gordon and act as a catalyst for the revitalisation of Gordon Town Centre.

In January 2016 the NSW Government released a Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council.

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The Merger Proposal has a significant impact on the Gordon Cultural and Civic Hub master plan as it is no longer possible to determine with any accuracy whether Gordon will remain a location for civic functions for a new and larger LGA.

It is therefore recommended that the Project be deferred for the foreseeable future until broader strategic matters arising from the NSW Government Merger Proposal have been resolved.

Further it is recommended that Council notify the community via Council's website of Council's decision in relation to this project.

RECOMMENDATION:

- A. That the Gordon Cultural and Civic Hub Master Plan Project be deferred for the foreseeable future until broader strategic matters arising from the NSW Government Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council have been resolved.
- B. That the community be notified of Council's decision.

Bill Royal
Team Leader Urban Design

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Subject: OMC13 - Gordon Civic and Cultural Hub - update in response to NSW Government merger proposal

Resolved:

[Moved: Councillors Citer/McDonald]

- A. That the Gordon Cultural and Civic Hub Master Plan Project be deferred for the foreseeable future until broader strategic matters arising from the NSW Government Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council have been resolved.
- B. That the community be notified of Council's decision.

CARRIED UNANIMOUSLY

APPENDIX C

Report and Resolution: Council Meeting 11 October 2016

GORDON CULTURAL AND CIVIC HUB - UPDATE

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

That Council resolves to re-commence the master planning process for a Cultural Hub in Gordon.

BACKGROUND:

Through the Ku-ring-gai Council Revised Delivery Program 2013-2017 and Operational Plan 2016-2017 Council has committed to preparing a master plan for a cultural hub within the Gordon Local Centre to accommodate cultural and arts activities and promote social interaction.

COMMENTS:

At the Ordinary Meeting of Council on 9 February 2016 Council resolved that the Gordon Cultural and Civic Hub Master Plan be deferred for the foreseeable future until broader strategic matters arising from the NSW Government merger proposal have been resolved. Since that time, a number of parameters have changed:

- the purchase of 810 Pacific Highway, Gordon by Aldi Australia P/L; and
- increased competition between major retailers to find suitable sites within Gordon.

In this context there is the opportunity for Council to undertake strategic planning to ensure the maximum value for the community of Gordon is captured.

RECOMMENDATION:

This report recommends that Council resolves to re-commence the master planning process for a Cultural Hub in Gordon.

PURPOSE OF REPORT

That Council resolves to re-commence the master planning process for a Cultural Hub in Gordon.

BACKGROUND

At the Ordinary Meeting of Council on 15 December 2015 *GB.10 Gordon Cultural and Civic Hub - Update Report - Post Site Visit and Briefing* updated Council on the progress of planning for the site and present the findings of Phase 1 – Project Definition & Feasibility and sought Council's approval to proceed to Phase 2 - Business Case and Master Plan for the Gordon Cultural and Civic Hub site, at 818 Pacific Highway, Gordon. At that meeting Council resolved:

- A. *That the matter be deferred until a tour of a range of cultural and civic facilities around Sydney is organised for Councillors.*
- B. *That council pursues discussions and investigation of the proposal by the Department of Education for council to undertake long-term leases of a variety of existing facilities on the UTS site.*
- C. *That a report come back to council following discussions with the Department of Education, including details on proposed facilities, costings arrangements, maintenance costs and operation model.*

Resolution A to date has not been acted upon but will form part of the future work program. In relation to resolutions B and C this matter is currently under investigation by the Director Operations and Director Community and will be reported back to Council when resolved.

At the Ordinary Meeting of Council on 9 February 2016 *GB.9 Gordon Civic and Cultural Hub - update in response to NSW Government Merger Proposal* Council considered a report advising Council of the impacts of the NSW Government Merger Proposal on the Gordon Cultural and Civic Hub Master Plan project. At that meeting Council resolved:

- A. *That the Gordon Cultural and Civic Hub Master Plan Project be deferred for the foreseeable future until broader strategic matters arising from the NSW Government Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council have been resolved.*
- B. *That the community be notified of Council's decision.*

In relation to resolution A the project has been on hold for a period of nearly 8 months since February 2016; in relation to resolution B the community was notified via council's website and e-mail.

COMMENTS

1. Introduction

Council has committed to a cultural and civic hub in the Gordon local centre, comprising:

- Cultural facilities; and
- Civic Square.

The following key Council documents have informed the planning of the site to date:

- 'Living Culture' Cultural Plan 2004-2009;
- Open Space Acquisition Strategy, 2006;
- Delivery Program 2013-2017 and Operational Plan 2015-2016;
- Ku-ring-gai Community Facilities Strategy 2014;
- Town Centres Public Domain Plan, 2010;
- Ku-ring-gai Contributions Plan, 2010;
- Ku-ring-gai (Local Centres) LEP, 2012; and
- Ku-ring-gai (Local Centres) DCP, 2016.

The Gordon Cultural and Civic Hub will form part of the wider '*G3 – Civic Hub*' Precinct as nominated in the Ku-ring-gai Local Centres Development Control Plan. This precinct is located on the northern edge of the Gordon Centre retail core and is broadly defined by the intersection of the Pacific Highway, Park Avenue, Pearson Avenue and Dumaresq Street. Refer **Figure 1**.



Figure 1 – Precinct G3 Civic Hub and Wade Lane Car Park

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The vision for this precinct is for it to become the civic and cultural 'heart' of the LGA. Development is to be designed to support and enhance the planned future character for this precinct. Council is planning for a range of improved civic and community facilities as well as a public park. Accommodation for a range of community services will be encouraged.

Both the Ku-ring-gai Council Revised Delivery Program 2013-2017 and Operational Plan 2016-2017 endorse a whole of centre approach to the provision of facilities. To this end the Delivery Program and Operational Plan has committed Council to preparing a master plan for a community hub within the Gordon local centre to accommodate cultural and arts activities and promote social interaction.

Building on the key documents listed above, Phase 1 – Project Definition and Feasibility was completed in 2015. Consultants were engaged to prepare a number of studies to further the planning for a cultural hub, including:

- cultural needs analysis;
- transport scenario testing;
- preliminary economic feasibility assessment;
- arboriculture assessment;
- topography and boundary survey;
- geotechnical investigations; and
- stage 1 – site contamination investigations.

The results of these studies were reported to the Ordinary Meeting of Council of 15 December 2015 and form a comprehensive basis upon which Phase 2 – Business Case and Masterplan can proceed.

2. Existing Facilities and Services

Precinct G3 currently supports a number of Council and community services including the Council chambers and administration building, Gordon pre-school, Gordon Library, Lifeline Harbour to Hawkesbury, Gordon Police Station and the Old School Building which provides rooms for a number of groups and activities. Wade Lane has a multi-level public car park.

3. Project Scope

While the precise nature of the facilities within the Cultural Hub is yet to be determined, the preliminary project scope is as follows:

- cultural facilities such as a multi-purpose space suitable for both performance and rehearsals;
- park/civic square;
- retail and commercial uses such as cafes, restaurants and a supermarket;
- new residential development;
- retention of the existing heritage item (Council Chambers);
- underground car parking for visitors to the hub and Council staff (as required by Council's DCP); and
- streetscape and road improvement works.

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As reported to the Ordinary Meeting of Council of 15 December 2015, *Phase 1 – Project Definition & Feasibility* explored four (4) options for the future development of a cultural and civic hub on the Council Chambers site at 818 Pacific Highway, Gordon, each of which included Council administration offices.

If the proposed merger of Ku-ring-gai and Hornsby Councils proceeds, it is unlikely there be a need for Council administration offices at 818 Pacific Highway, Gordon given the location is not central to the proposed merged Council area. The 3,750m² allocated for new council administration offices in proposed Options 1B, 2 and 3, as reported to the Ordinary Meeting of Council on 15 December 2015, could be removed from any potential future options, with beneficial influence on the overall project feasibility.

4. Site Definition

818 Pacific Highway, Gordon

The Chambers site at 818 Pacific Highway currently accommodates the existing Council administrative offices, associated car parking (approximately 70 spaces) and the heritage listed Council Chambers building (the heritage listed item would be retained as part of any redevelopment proposals for the site). Vehicular access to the site is via Radford Place and Dumaresq Street. Pedestrian entry is from the Pacific Highway with rear access from the parking area off Radford Place.

9, 15 & 17 Dumaresq Street, Gordon

The three house sites at 9, 15 & 17 Dumaresq Street, Gordon are currently leased; these properties were acquired by Council under the Open Space Acquisition Strategy in 2007. These sites are again referenced in the 'governance matters' section later in this report concerning the proposed reclassification of these three sites from Community land to Operational land. This will provide the necessary flexibility to deal with Council landholdings in implementing the future master plan for the Gordon Cultural and Civic Hub.

810 Pacific Highway, Gordon

Aldi have recently purchased 810 Pacific Highway, Gordon. In accordance with current LEP provisions, Aldi, in isolation of the adjoining Council owned site at 818 Pacific Highway, could develop their site for a mixed use development comprising residential apartments, an Aldi supermarket, supporting retail and basement car parking.

The purchase by Aldi, of 810 Pacific Highway, Gordon changes the parameters for the Gordon Local Centre. By failing to take a more holistic approach to the strategic planning of this significant portion of Gordon Local Centre, Council runs the risk of a sub-optimal design outcome, if the opportunity to work collaboratively with the new landowners of 810 Pacific Highway, Gordon is not maximised from the outset.

828 Pacific Highway, Gordon

As last reported to Council, the Council owned commercial property at 828 Pacific Highway, Gordon (Lot 1 on DP 786550) did not form part of the Gordon Cultural and Civic Hub site. The project was originally predicated on the assumption that the existing Council administrative offices

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would decant from 818 to 828 Pacific Highway, Gordon. The 'service relocation project' was reviewed as part of Council's 'Fit for the Future Improvement Proposal' submission and as such was deferred. It was excluded due to the subsequent Council resolution regarding Fit for the Future and existing long term commercial leases extending to 2021 with an option for some tenancies to extend for another 5 years to, 2026.

In light of the recent acquisition of 810 Pacific Highway, Gordon by Aldi, it is considered timely to re-visit the inclusion of 828 Pacific Highway, Gordon within the project, with the intent of maximising the best possible 'in centre' outcome in the long term by considering planning for all three sites situated between Dumaresq and McIntyre Streets, Gordon.

It is considered that the inclusion of 828 Pacific Highway within the master plan site description would not have an impact on Council's Fit for the Future Action Plan in the short term, but would garner wide reaching benefits in the long term by taking a more considered strategic approach to the planning of all sites from 810-828 Pacific Highway, in turn activating the northern edge of the retail core of Gordon Local Centre, including wider benefits for the community in terms of significant public domain works, community facility and civic space provision and vastly improved pedestrian connectivity.

Other Council Lands

Within the vicinity of these properties Council owns a number of other parcels of land including 2 Park Avenue and 799 Pacific Highway, Gordon (Gordon library and former school building); 2A and 4 Park Avenue, Gordon (Gordon Pre-School and Lifeline); and 1 Wade Lane, Gordon (Council car park). It is recommended that these lands be considered as part of the master planning process to ensure all opportunities have been considered.

Council's Public Domain Plan and Development Control Plan both identify the Wade Lane car park area as a major new park (Figure 3) and this option could be investigated and developed further through this master plan process.



Figure 3 – Proposed Park on Wade Lane

5. Cultural Needs Analysis

As part of *Phase 1 – Project Definition and Feasibility*, completed in 2015, Root Projects Australia was engaged to undertake a Cultural Needs Analysis for the Ku-ring-gai LGA, to determine the type and size of built infrastructure required to meet the current and future demand for purpose built cultural and civic spaces for creative arts groups, individuals and the greater community.

The Cultural Needs Analysis has identified that existing cultural spaces available for arts groups are in various states of disrepair, require regular/ongoing maintenance, have restricted functionality specific to user needs and that there is a distinct lack of regularly bookable and accessible quality space for rehearsal and performance activities or spaces where people can create or exhibit visual art. As existing facilities are so heavily utilised (equating to 200+ hours per week), access by cultural and arts groups is limited. This therefore impacts the ability of these groups to expand or maintain relevance to their users and members.

From the analysis undertaken, the following community needs have been identified for a cultural and civic hub that could be co-located in the one centralised facility within Gordon local centre, close to public transport, with easy access to parking. The Hub would include spaces that cater for a range of single artists or larger amateur to semi-professional groups to:

- create and rehearse in;
- perform and display in;
- work collaboratively across a range of art forms; and
- be able to be utilised for civic ceremonies and for the staging of annual cultural events.

The cultural sectors that are likely to be catered for include: theatre, dance, music, visual arts and digital media.

In order to maximise the utilisation of the hub and ensure commercial viability, the stakeholders consulted have identified that the spaces within the hub should:

- be as multi-purpose as possible;
- have the necessary technical/functional infrastructure to support the major art forms and civic events;
- have a large flat floor space with retractable seating catering for up to 300 seated patrons;
- provide a range of ancillary spaces, rehearsal spaces, studio & workshop spaces, informal activity areas, meeting/conference rooms, storage [e.g. artwork, equipment, music store] and associated back of house amenities, green room, dressing rooms, production office and multi-media edit suite;
- have a foyer space connected to the proposed retail and commercial uses, which can also be utilised for exhibitions and other events; and
- provide for business and arts incubators.

The cultural facility component of the hub is to comprise 1,500-2,000m² of floor space including the following:

- foyer space [150m²];
- meeting rooms / conference room [80m²];
- offices for facility management [50m²];

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- green room [10m²];
- re-heat kitchen;
- back of house amenities;
- multi-purpose flexible space [suitable for up to 300 people seated + stage areas between 160 - 200m²];
- rehearsal space [120m² with ceiling height 7m clear];
- loading dock;
- dressing rooms;
- wardrobe room [20m²];
- equipment / music / piano / artwork store [50m²];
- workshop space / large studio space [80m²];
- studio spaces [4 x 12m²];
- goods lift [linked to loading dock, with a minimum internal clearance of 1800 x 1400mm];
- multi-media edit suite [1 x 10m²]; and
- production office (adjacent to edit suite).

It is important that the Gordon Cultural and Civic Hub not only addresses the needs of its immediate community but also complements and draws upon the opportunities provided by other similar facilities in the region, to avoid duplication of existing facilities, such as the Concourse in Chatswood. In this context, it could be expected that the Gordon Cultural and Civic Hub would also be in demand across the region, including a number of arts groups within Ku-ring-gai.

6. Strategic Justification

Whether Ku-ring-gai and Hornsby Councils are amalgamated or not there is strong strategic justification for a cultural hub in Gordon; the basis of which is reported in the Ku-ring-gai Community Facilities Strategy prepared by Elton Consulting in 2014. The report states:

"Sub-regional facilities usually serve populations of around 100,000 people and over.....Ku-ring-gai currently contains no sub-regional community facilities and relies on those provided in adjoining local government areas. The population of Ku-ring-gai (109,146 in 2011) however, warrants the provision within the LGA of a sub-regional level facility. Sub-regional facilities can include major cultural or civic facilities such as civic centres, performing arts centres, central libraries and exhibition space."

Given the increasing populations of both Ku-ring-gai and Hornsby LGAs there will be sufficient populations to warrant sub-regional cultural facilities within both areas.

It is noted that the Concourse in Chatswood is a Regional facility (not sub-regional) and is significantly larger than what may be provided for in Gordon.

INTEGRATED PLANNING AND REPORTING

The Gordon Cultural and Civic Hub is intended to support the Council's Vision and Community Strategic Plan 2030 which identifies a number of key themes to direct future development and interaction with the community. The development of a Cultural & Civic Hub will directly impact and support the following themes from the Strategic Plan 2030.

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Theme 1 – Community, People and Culture

Theme 3 – Places, Spaces and Infrastructure

Theme 5 – Local Economy and Employment

Theme 6 – Leadership & Governance

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Theme 1 – A healthy, safe and diverse community that respects our history and celebrates our differences in a vibrant culture of learning.	C2.1.1 Ku-ring-gai's rich cultural diversity and creativity is celebrated through programs and events.	- Promote and support a range of cultural & nationally significant events through Council; - Promote opportunities for cultural groups to stage events consistent with Council's Sponsorship policy.
	C4.1.2 New and enhanced open space and recreational facilities have been delivered to increase community use and enjoyment.	- Undertake strategic land acquisitions; - Implement and monitor the Ku-ring-gai Open Space Acquisition Strategy; - Complete the design for identified parks and include design principles which facilitate passive recreation activities.
Theme 3 – A range of well planned, clean and safe neighbourhoods and public spaces designed with a strong sense of identity and place.	P1.1.1 Opportunities are provided to our community to contribute to plans for enhancing the local area and visual amenity of our local centres.	- Develop concept plans for the neighbourhood centres informed by Community engagement.
	P4.1.3 An improvement plan for Gordon Centre is being progressively implemented in collaboration with owners, businesses and state agencies.	- Engage with stakeholders and undertake a needs analysis and scoping study for a civic/cultural hub in Gordon; and - Commence preparation of a master plan for the civic/cultural hub in Gordon including a feasibility study.
	P5.1.2 Conservation Management Plans are in place and being implemented for the cultural and heritage assets of the area to ensure their long term viability.	- Identify resources for the development and implementation of heritage conservation management plans.

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Theme 5 – Creating economic employment opportunities through vital, attractive centres, business innovation and technology.	E1.1.1 Ku-ring-gai's opportunities and assets are promoted to strengthen and attract business and employment to the area.	- Continue to identify opportunities to promote and strengthen Ku-ring-gai's economy.
Theme 6 – Ku-ring-gai is well led, managed and supported by ethical organisations which deliver projects and services to the community by listening, advocating and responding to their needs.	L2.1.4 Council has increased its commitment to infrastructure asset management priorities.	- Identify available funding sources in the Long Term Financial Plan and allocate to priority projects and assets.

FIT FOR THE FUTURE IMPROVEMENT ACTION PLAN

The NSW Government's Fit for the Future initiative required all councils to prepare an Improvement Proposal and supporting Implementation Plan demonstrating how all seven Fit for the Future benchmarks would be met by 2016/17, and maintained or improved thereafter.

Council's *Fit For the Future Improvement Proposal* and supporting *Implementation Plan* underpins the decision to stand alone and not merge with Hornsby Council. The objectives established in the Improvement Proposal and Implementation Plan are embedded in Council's adopted Integrated Planning and Reporting documents including the *Revised Delivery Program 2013-2017* and *Operational Plan 2015-2016*, *Long Term Financial Plan 2015/16 to 2024/25* and *Asset Management Strategy 2015/16 to 2024/25*.

Ku-ring-gai Council's Fit for the Future Improvement Proposal Submission to the State Government in June 2015 acknowledges substantial progression of the Gordon local centre revitalisation through the Gordon Civic & Community Hub Project, which will provide, community, cultural, civic and recreational facilities and spaces with potential for commercial, retail and residential development.

Council has been laying the foundations for the Gordon Hub and other notable urban renewal 'activation' projects for a number of years through the construction of a comprehensive and innovative development contributions plan, the acquisition of a number of sites to augment existing land holdings, the disposal (and planned future) of a number of surplus assets to provide source of funds.

Council has been working co-operatively and constructively with State agencies such as RMS and Transport for NSW, and has engaged a comprehensive team of consultants including cultural needs advisors, transport planners, engineers, arborists, surveyors, valuation, property development, and feasibility specialists to develop and market test this project.

The Fit for the Future submission makes reference to Council's infrastructure backlog – i.e. the cost to bring assets from poor and failed condition up to an acceptable standard, including the useful lives and condition ratings of assets. The Fit for the Future submission acknowledges that

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many Council-owned community facilities are ageing and/or no longer fit for purpose and will require significant investment to either renew or replace, thus reinforcing the established need for a new cultural and civic hub in Gordon local centre and disposal of the facilities it otherwise replaces.

The submission also acknowledges that a number of key priorities, long term aspirations and objectives for the Ku-ring-gai community, as identified in the Community Strategic Plan, 2013, are of relevance to the Gordon Hub project, including:

- bringing vitality to our centres, making it easier and safer to move around, increasing visitors to the area; and
- improving and renewing our infrastructure including community facilities, recreation and open space areas, roads, footpaths, drains and the public domain.

On the basis of the above, a key 'improvement strategy and objective' identified in the Fit for the Future submission, specifically relates to the Gordon Cultural and Civic Hub project - that a business case be prepared for the cultural hub component and a master plan for the overall Hub site.

GOVERNANCE MATTERS

1. Land Reclassification - 818 Pacific Highway, Gordon

At the Ordinary meeting of Council held on 30 April 2013 Council adopted a report recommending that Planning Proposals be prepared to reclassify a number of sites from Community land to Operational land, including 818 Pacific Highway, Gordon.

This site comprises Lot 2 in DP 786550 and has an area of 5,203m². The site is roughly "L" shaped with frontages of 40.215 metres to the Pacific Highway and of 25.79 metres to Dumaresq Street, Gordon. This site also fronts Radford Place, Gordon.

A Right of Way of variable width and limited in height to RL 122.9m AHD runs north from Radford Place. The Right of Way is in favour of Lot 1 in DP786550, (828 Pacific Highway, Gordon -owned by Council).The site benefits from easements for drainage.

The electricity substation owned by Ausgrid located in the car park at the rear of 818 Pacific Highway, Gordon is subject to a 50 year lease (with an easement for access) between Council and Sydney Electricity (now Ausgrid) which expires on 1 April 2041 and this arrangement should be preserved in the short term. The lease also incorporates a right of way for access and easement for electricity purposes.

A Gateway Determination for Planning Proposal to reclassify this and three other sites from Community land to Operational land was issued by the NSW Department of Planning on 4 June 2014. The Planning Proposal was formally exhibited from 22 August to 19 September 2014 and a public hearing was held on Monday 20 October 2014. The outcomes of the public exhibition and Public Hearing were reported to Council on 9 December 2014. Council resolved to proceed with the reclassification and the Planning Proposal is now with the Department of Planning and Environment awaiting finalisation. It is understood that a decision in this regard is imminent.

2. Land Reclassification - 9, 15 & 17 Dumaresq Street, Gordon

Section 45 of the *Local Government Act, 1993* prevents Council from selling; exchanging, or otherwise disposing of Community classified land. It is therefore proposed to reclassify the three Council owned sites at 9, 15 & 17 Dumaresq Street, Gordon from Community Land to Operational Land in accordance with Section 27 of the Act, which form part of the Gordon Cultural & Civic hub site.

The report to Council OMC on 15 December 2015 recommended that a Planning Proposal be prepared to reclassify the sites comprising of Lot A in DP355615 (9 Dumaresq Street, Gordon) and Lots C and D in DP 386283 (15 & 17 Dumaresq Street, Gordon), from Community land to Operational land. It is noted that Council did not resolve to progress these matters at this OMC.

The three sites are regular shaped lots with a combined street frontage to Dumaresq Street of approximately 51metres and a total area of 3,481m². There are no known interests registered on the title of these lots.

Council acquired the three residential properties in 2007 using section 94 Contribution Plan funds to address, in part, the lack of open space in the Gordon local centre as identified in the Ku-ring-gai Open Space Acquisition Strategy, 2006.

It is proposed to locate the new civic space (with the same area as land purchased) further up the hill to where the existing Council staff car park is currently located. The proposed park would be more centrally located, accessible to more people, and on flat land, thus increasing its passive recreational value.

The reclassification of the sites from Community land to Operational land will provide the necessary flexibility to deal with Council landholdings in implementing the future masterplan for the Gordon Cultural and Civic Hub.

Further investigations need to occur regarding any interest (either registered or implied) applying to any of the 3 lots that may restrict the future development of the land. Should any such interests be identified, the reclassification process should also extinguish these interests so as not to prevent or restrict the future development of the Gordon Cultural and Civic Hub.

RISK MANAGEMENT

Risk 1 – Council does not progress planning for cultural facilities

On the basis of investigations and consultation undertaken to date, Council needs to consider the effect on its reputation should this project not proceed and as a consequence the expectations of the community not be met as a result. Given the amount of stakeholder and community consultation undertaken for the project there is a certain level of expectation within the community in relation to the delivery of a new park and a cultural facility in Gordon.

Risk 2- Council does not consider adjoining privately owned lands

Council runs the risk of a sub-optimal design outcome for Gordon local centre, if the opportunity to work collaboratively with the new landowners of 810 Pacific Highway, Gordon is not maximised from the outset. As it currently stands, Aldi, the new landowners could develop 810 Pacific

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Highway, Gordon in isolation of the Council owned site at 818 Pacific Highway, Gordon for a mixed use development including residential apartments, a supermarket, supporting retail and basement car parking.

Risk 3 – Council considers its land holdings in isolation

Council is a significant land owner with the are known as Precinct G3 – Civic Hub identified in the Local Centres DCP, 2016 and an holistic approach to the strategic planning for this significant portion of Gordon Local Centre is important to garner wider benefits for the community in terms of public domain works, pedestrian connectivity and civic space provision.

FINANCIAL CONSIDERATIONS

To date Council has expended approximately \$160,000 on this project including salaries and consultancies.

If Council agrees to proceed with preparing master plan options funds will be required to be brought forward as part of the September budget review; these funds would be taken from Development Contributions 2010 Plan Recreational, Cultural & Social Facilities allocated specifically for this project.

SOCIAL CONSIDERATIONS

Ku-ring-gai currently contains no sub-regional community facilities and relies on those provided in adjoining local government areas. The population of Ku-ring-gai (109,146 in 2011) warrants the provision within the LGA of a sub-regional level facility. Sub-regional facilities can include major cultural or civic facilities such as civic centres, performing arts centres, central libraries and exhibition space.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations arising from this report. All relevant matters will be considered during the master planning process.

COMMUNITY CONSULTATION

There has been no community consultation in relation to the preparation of this report.

INTERNAL CONSULTATION

This report was prepared by the Strategy & Environment Department. There has been no internal consultation in the preparation of this report.

SUMMARY

With the recent purchase by Aldi of 810 Pacific Highway, Gordon, it is considered prudent to revisit the master planning process for the adjoining Council owned sites at 818 and 828 Pacific Highway, Gordon, and 9, 15 and 17 Dumaresq Street Gordon.

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In accordance with current LEP provisions, Aldi, in isolation of the adjoining Council owned sites at could proceed to develop their newly acquired site for a mixed use development comprising residential apartments, an Aldi supermarket, supporting retail and basement car parking.

The purchase by Aldi, of 810 Pacific Highway, Gordon considerably changes the parameters for the Gordon Local Centre. By failing to take a more holistic approach to the strategic planning of this significant portion of Gordon Local Centre, Council runs the risk of a sub optimal design outcome, if the opportunity to work collaboratively with the new landowners of 810 Pacific Highway, Gordon is not maximised from the outset.

By taking a more considered strategic approach to the planning of Council owned land in the vicinity of the chambers Council has the opportunity to play a role as catalyst for the revitalisation and activation of Gordon local centre. This would include wider benefits for the community in terms of significant public domain works, community facility and civic space provision and vastly improved pedestrian connectivity.

This report recommends that Council prepare illustrative master planned options for a cultural hub and then commence community engagement to select a preferred option. In parallel to this it is recommended that Council complete the land reclassification process for 9, 15 & 17 Dumaresq Street, Gordon to facilitate delivery of the master plan.

RECOMMENDATION:

That:

- A. Council resolves to re-commence the master planning process for Cultural Hub in Gordon.
- B. Council prepare a preliminary business case for a cultural facility and master plan options for public exhibition.
- C. That following public exhibition of the master plan options the results are reported to Council recommending a preferred option.
- D. A Planning Proposal is to be prepared, in accordance with section 55 of the Environmental Planning and Assessment Act, 1979, to reclassify Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon from Community land to Operational land.
- E. Council formally seeks to discharge all necessary interests for Lot A in DP 355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon.
- F. 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*.
- G. Upon receipt of the 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.

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- H. Council undertakes a public hearing under the provisions of the *Local Government Act, 1993* for the proposed reclassification of Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 and 17 Dumaresq Street, Gordon from Community land to Operational Land.
- I. A report is to be brought back to Council at the end of the exhibition and public hearing process.

Louise Drum
Senior Urban Designer

Bill Royal
Team Leader Urban Design

Andrew Watson
Director Strategy & Environment

ORDINARY COUNCIL – 11/10/2016

Subject: OMC276 - Gordon Cultural and Civic Hub - Update

Resolved:

(Moved: Councillors Szatow/Malicki)

That the matter be deferred for a Councillor briefing to be held within the next month.

CARRIED UNANIMOUSLY

APPENDIX D

Report and Resolution: Council Meeting 22 November 2016

GORDON HUB MASTER PLAN - UPDATE

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To seek Council approval to re-commence the master planning process for a Cultural Hub in Gordon.

BACKGROUND:

Through the Ku-ring-gai Council Revised Delivery Program 2013-2017 and Operational Plan 2016-2017 Council has committed to preparing a master plan for a cultural hub within the Gordon Local Centre to accommodate cultural and arts activities and promote social interaction.

COMMENTS:

At the Ordinary Meeting of Council on 9 February 2016 Council resolved that the Gordon Cultural and Civic Hub Master Plan be deferred for the foreseeable future until broader strategic matters arising from the NSW Government merger proposal have been resolved. Since that time, a number of parameters have changed:

- the purchase of 810 Pacific Highway, Gordon by Aldi Australia P/L; and
- increased competition between major retailers to find suitable sites within Gordon.

In this context there is the opportunity for Council to undertake strategic planning to ensure the maximum value for the community of Gordon is captured.

RECOMMENDATION:

That Council resolves to re-commence the master planning process for a Cultural Hub in Gordon.

PURPOSE OF REPORT

To seek Council approval to re-commence the master planning process for a Cultural Hub in Gordon.

BACKGROUND

At the Ordinary Meeting of Council on 15 December 2015 *GB.10 Gordon Cultural and Civic Hub - Update Report - Post Site Visit and Briefing* Council was updated on the progress of planning for the site and presented the findings of Phase 1 – Project Definition & Feasibility and sought Council's approval to proceed to Phase 2 - Business Case and Master Plan for the Gordon Cultural and Civic Hub site, at 818 Pacific Highway, Gordon. At that meeting Council resolved:

- A. *That the matter be deferred until a tour of a range of cultural and civic facilities around Sydney is organised for Councillors.*
- B. *That council pursues discussions and investigation of the proposal by the Department of Education for council to undertake long-term leases of a variety of existing facilities on the UTS site.*
- C. *That a report come back to council following discussions with the Department of Education, including details on proposed facilities, costings arrangements, maintenance costs and operation model.*

Resolution A to date has not been acted upon but will form part of the future work program. In relation to resolutions B and C this matter is currently the subject of further negotiations between the Department of Education and Council and will be reported to Council once a proposal has been developed.

At the Ordinary Meeting of Council on 9 February 2016 *GB.9 Gordon Civic and Cultural Hub - update in response to NSW Government Merger Proposal* Council considered a report advising Council of the impacts of the NSW Government Merger Proposal on the Gordon Cultural and Civic Hub Master Plan project. At that meeting Council resolved:

- A. *That the Gordon Cultural and Civic Hub Master Plan Project be deferred for the foreseeable future until broader strategic matters arising from the NSW Government Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council have been resolved.*
- B. *That the community be notified of Council's decision.*

In relation to resolution A the project has been on hold since February 2016; in relation to resolution B the community was also notified via Council's website and e-mail.

At the Ordinary Meeting of Council on 11 October 2016 *GB.13 Gordon Cultural and Civic Hub - Update* considered a report advising on a number of parameters that have changed within Gordon local centre. The report recommended that Council resolve to re-commence the master planning process for a Cultural & Civic Hub in Gordon.

At that meeting Council resolved:

- A. *That the matter be deferred for a Councillor briefing to be held within the next month.*

In response to this resolution a Councillor Briefing was held on 31 October, 2016. Councillors were informed of the key changes in Gordon local centre since the master plan process was deferred in February 2016 - namely the purchase by Aldi of 810 Pacific Highway, Gordon and letter from Coles Pty Ltd.

COMMENTS

1. Introduction

Council has committed to a cultural and civic hub in the Gordon local centre, comprising:

- Cultural facilities; and
- Civic Square.

The following key Council documents have informed the planning of the site to date:

- 'Living Culture' Cultural Plan 2004-2009;
- Open Space Acquisition Strategy, 2006;
- Delivery Program 2013-2017 and Operational Plan 2015-2016;
- Ku-ring-gai Community Facilities Strategy 2014;
- Town Centres Public Domain Plan, 2010;
- Ku-ring-gai Contributions Plan, 2010;
- Ku-ring-gai (Local Centres) LEP, 2012; and
- Ku-ring-gai (Local Centres) DCP, 2016.

The Gordon Cultural and Civic Hub will form part of the wider '*G3 – Civic Hub*' Precinct as nominated in the Ku-ring-gai Local Centres Development Control Plan. This precinct is located on the northern edge of the Gordon Centre retail core and is broadly defined by the intersection of the Pacific Highway, Park Avenue, Pearson Avenue and Dumaresq Street. Refer *Figure 1*.



Figure 1 – Precinct G3 Civic Hub and Wade Lane Car Park

The vision for this precinct is for it to become the civic and cultural ‘heart’ of the LGA. Development is to be designed to support and enhance the planned future character for this precinct. Council is planning for a range of improved civic and community facilities as well as a public park. Accommodation for a range of community services will be encouraged.

Both the Ku-ring-gai Council Revised Delivery Program 2013-2017 and Operational Plan 2016-2017 endorse a whole of centre approach to the provision of facilities. To this end the Delivery Program and Operational Plan has committed Council to preparing a master plan for a community hub within the Gordon local centre to accommodate cultural and arts activities and promote social interaction.

Building on the key documents listed above, Phase 1 – Project Definition and Feasibility was completed in 2015. Consultants were engaged to prepare a number of studies to further the planning for a cultural hub, including:

- cultural needs analysis;
- transport scenario testing;
- preliminary economic feasibility assessment;
- arboriculture assessment;
- topography and boundary survey;
- geotechnical investigations; and
- stage 1 – site contamination investigations.

The results of these studies were reported to the Ordinary Meeting of Council of 15 December 2015 and form a comprehensive basis upon which Phase 2 – Business Case and Masterplan can proceed.

2. Existing Facilities and Services

Precinct G3 currently supports a number of Council and community services including the Council Chambers and administration building, Gordon pre-school, Gordon Library, Lifeline Harbour to Hawkesbury, Gordon Police Station and the Old School Building which provides rooms for a number of groups and activities. Council also owns a multi-level public car park on Wade Lane.

3. Project Scope

While the precise nature of the facilities within the Cultural Hub is yet to be determined, the preliminary project scope is as follows:

- cultural facilities such as a multi-purpose space suitable for both performance and rehearsals;
- park/civic square;
- retail and commercial uses such as cafes, restaurants and a supermarket;
- new residential development;
- retention of the existing heritage item (Council Chambers);
- underground car parking for visitors to the hub and Council staff (as required by Council's DCP); and
- streetscape and road improvement works.

As reported to the Ordinary Meeting of Council of 15 December 2015, *Phase 1 – Project Definition & Feasibility* explored four (4) options for the future development of a cultural and civic hub on the Council Chambers site at 818 Pacific Highway, Gordon, each of which included Council administration offices.

If the proposed merger of Ku-ring-gai and Hornsby Councils proceeds, it is unlikely there will be a need for Council administration offices at 818 Pacific Highway, Gordon given the location is not central to the proposed merged Council area. If the 3,750m² previously allocated for new council administration offices in proposed Options 1B, 2 and 3, as reported to the Ordinary Meeting of Council on 15 December 2015, is not required there could be a potential benefit to the project's overall feasibility.

4. Site Definition

818 Pacific Highway, Gordon

The Chambers site at 818 Pacific Highway currently accommodates the existing Council administrative offices, associated car parking (approximately 70 spaces) and the heritage listed Council Chambers building (the heritage listed item would be retained as part of any redevelopment proposals for the site). Vehicular access to the site is via Radford Place and Dumaresq Street. Pedestrian entry is from the Pacific Highway with rear access from the parking area off Radford Place.

9, 15 & 17 Dumaresq Street, Gordon

The three house sites at 9, 15 & 17 Dumaresq Street, Gordon are currently leased; these properties were acquired by Council under the Open Space Acquisition Strategy in 2007. These sites are again referenced in the 'governance matters' section later in this report concerning the

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proposed reclassification of these three sites from Community land to Operational land. This will provide the necessary flexibility to deal with Council landholdings in implementing the future master plan for the Gordon Hub.

810 Pacific Highway, Gordon

Aldi have recently purchased 810 Pacific Highway, Gordon. In accordance with current LEP provisions, Aldi, in isolation from the adjoining Council owned site at 818 Pacific Highway, could develop their site for a mixed use development comprising residential apartments, an Aldi supermarket, supporting retail and basement car parking.

The purchase by Aldi, of 810 Pacific Highway, Gordon changes the parameters for the Gordon Local Centre. By failing to take a more holistic approach to the strategic planning of this significant portion of Gordon Local Centre, Council runs the risk of a sub-optimal design outcome, if the opportunity to work collaboratively with the new landowners of 810 Pacific Highway, Gordon is not maximised from the outset.

Coles Group Property Development Ltd recently submitted an 'expression of interest' letter to Council (dated 20 October 2016) acknowledging Aldi's purchase and have expressed their support for the recommencement of the master planning process for the Gordon Cultural Hub project – sighting it as a 'key catalyst initiative' for the wider LGA. Refer **Confidential Attachment 1**.

828 Pacific Highway, Gordon

As last reported to Council, the Council owned commercial property at 828 Pacific Highway, Gordon (Lot 1 on DP 786550) did not form part of the Gordon Cultural and Civic Hub site. The project was originally predicated on the assumption that the existing Council administrative offices would decant from 818 to 828 Pacific Highway, Gordon. The 'service relocation project' was reviewed as part of Council's 'Fit for the Future Improvement Proposal' submission and as such was deferred. It was excluded due to the subsequent Council resolution regarding Fit for the Future and existing long term commercial leases extending to 2021 with an option for some tenancies to extend for another 5 years to, 2026.

In light of the recent acquisition of 810 Pacific Highway, Gordon by Aldi, it is considered timely to re-visit the inclusion of 828 Pacific Highway, Gordon within the project, with the intent of maximising the best possible 'in centre' outcome in the long term by considering planning for all three sites situated between Dumaresq and McIntyre Streets, Gordon.

It is considered that the inclusion of 828 Pacific Highway within the master plan site description would not have an impact on Council's Fit for the Future Action Plan in the short term, but would garner wide reaching benefits in the long term by taking a more considered strategic approach to the planning of all sites from 810-828 Pacific Highway, in turn activating the northern edge of the retail core of Gordon Local Centre, including wider benefits for the community in terms of significant public domain works, community facility and civic space provision and vastly improved pedestrian connectivity. Refer **Figure 2**.



Figure 2 – Key Sites Gordon Local Centre

Other Council Lands

Within the vicinity of these properties Council owns a number of other parcels of land including 2 Park Avenue and 799 Pacific Highway, Gordon (Gordon library and former school building); 2A and 4 Park Avenue, Gordon (Gordon Pre-School and Lifeline); and 1 Wade Lane, Gordon (Council car park). It is recommended that these lands be considered as part of the master planning process to ensure all opportunities have been considered.

Council's Public Domain Plan and Development Control Plan both identify the Wade Lane car park area as a major new park and this option could be investigated and developed further through this master plan process. Refer *Figure 3*.



Figure 3 – Proposed Park on Wade Lane (from Town Centres Public Domain Plan, 2010)

5. Cultural Needs Analysis

As part of *Phase 1 – Project Definition and Feasibility*, completed in 2015, Root Projects Australia was engaged to undertake a Cultural Needs Analysis for the Ku-ring-gai LGA, to determine the type and size of built infrastructure required to meet the current and future demand for purpose built cultural and civic spaces for creative arts groups, individuals and the greater community.

The Cultural Needs Analysis has identified that existing cultural spaces available for arts groups are in various states of disrepair, require regular/ongoing maintenance, have restricted functionality specific to user needs and that there is a distinct lack of regularly bookable and accessible quality space for rehearsal and performance activities or spaces where people can create or exhibit visual art. As existing facilities are so heavily utilised (equating to 200+ hours per week), access by cultural and arts groups is limited. This therefore impacts the ability of these groups to expand or maintain relevance to their users and members.

From the analysis undertaken, the following community needs have been identified for a cultural and civic hub that could be co-located in the one centralised facility within Gordon local centre, close to public transport, with easy access to parking. The Hub would include spaces that cater for a range of single artists or larger amateur to semi-professional groups to:

- create and rehearse in;
- perform and display in;
- work collaboratively across a range of art forms; and
- be able to be utilised for civic ceremonies and for the staging of annual cultural events.

The cultural sectors that are likely to be catered for include: theatre, dance, music, visual arts and digital media.

In order to maximise the utilisation of the hub and ensure commercial viability, the stakeholders consulted have identified that the spaces within the hub should:

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- be as multi-purpose as possible;
- have the necessary technical/functional infrastructure to support the major art forms and civic events;
- have a large flat floor space with retractable seating catering for up to 300 seated patrons;
- provide a range of ancillary spaces, rehearsal spaces, studio & workshop spaces, informal activity areas, meeting/conference rooms, storage [e.g. artwork, equipment, music store] and associated back of house amenities, green room, dressing rooms, production office and multi-media edit suite;
- have a foyer space connected to the proposed retail and commercial uses, which can also be utilised for exhibitions and other events; and
- provide for business and arts incubators.

The cultural facility component of the hub is to comprise 1,500-2,000m² of floor space including the following:

- foyer space [150m²];
- meeting rooms / conference room [80m²];
- offices for facility management [50m²];
- green room [10m²];
- re-heat kitchen;
- back of house amenities;
- multi-purpose flexible space [suitable for up to 300 people seated + stage areas between 160 - 200m²];
- rehearsal space [120m² with ceiling height 7m clear];
- loading dock;
- dressing rooms;
- wardrobe room [20m²];
- equipment / music / piano / artwork store [50m²];
- workshop space / large studio space [80m²];
- studio spaces [4 x 12m²];
- goods lift [linked to loading dock, with a minimum internal clearance of 1800 x 1400mm];
- multi-media edit suite [1 x 10m²]; and
- production office (adjacent to edit suite).

It is important that the Gordon Cultural and Civic Hub not only addresses the needs of its immediate community but also complements and draws upon the opportunities provided by other similar facilities in the region, to avoid duplication of existing facilities, such as the Concourse in Chatswood. In this context, it could be expected that the Gordon Cultural and Civic Hub would also be in demand across the region, including a number of arts groups within Ku-ring-gai.

6. Strategic Justification

Whether Ku-ring-gai and Hornsby Councils are amalgamated or not there is strong strategic justification for a cultural hub in Gordon; the basis of which is reported in the Ku-ring-gai Community Facilities Strategy prepared by Elton Consulting in 2014. The report states:

"Sub-regional facilities usually serve populations of around 100,000 people and over.....Ku-ring-gai currently contains no sub-regional community facilities and relies

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Given the increasing populations of both Ku-ring-gai and Hornsby LGAs there will be sufficient populations to warrant sub-regional cultural facilities within both areas.

It is noted that the Concourse in Chatswood is a Regional facility (not sub-regional) and is significantly larger than what may be provided for in Gordon.

INTEGRATED PLANNING AND REPORTING

The Gordon Cultural and Civic Hub is intended to support the Council's Vision and Community Strategic Plan 2030 which identifies a number of key themes to direct future development and interaction with the community. The development of a Cultural & Civic Hub will directly impact and support the following themes from the Strategic Plan 2030.

Theme 1 – Community, People and Culture

Theme 3 – Places, Spaces and Infrastructure

Theme 5 – Local Economy and Employment

Theme 6 – Leadership & Governance

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Theme 1 – A healthy, safe and diverse community that respects our history and celebrates our differences in a vibrant culture of learning.	C2.1.1 Ku-ring-gai's rich cultural diversity and creativity is celebrated through programs and events.	- Promote and support a range of cultural & nationally significant events through Council; - Promote opportunities for cultural groups to stage events consistent with Council's Sponsorship policy.
	C4.1.2 New and enhanced open space and recreational facilities have been delivered to increase community use and enjoyment.	- Undertake strategic land acquisitions; - Implement and monitor the Ku-ring-gai Open Space Acquisition Strategy; - Complete the design for identified parks and include design principles which facilitate passive recreation activities.
Theme 3 – A range of well planned, clean and safe neighbourhoods and public spaces designed with a strong sense of identity and place.	P1.1.1 Opportunities are provided to our community to contribute to plans for enhancing the local area and visual amenity of our local centres.	- Develop concept plans for the neighbourhood centres informed by Community engagement.

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
	P4.1.3 An improvement plan for Gordon Centre is being progressively implemented in collaboration with owners, businesses and state agencies.	- Council resolved on 9 February 2016 to defer this project for the foreseeable future until a decision has been made regarding the NSW Government's Merger Proposal for Hornsby Shire Council (part) and Ku-ring-gai Council. The related Critical Action will not be reported on as part of the 2016/17 Operational Plan
	P5.1.2 Conservation Management Plans are in place and being implemented for the cultural and heritage assets of the area to ensure their long term viability.	- Identify resources for the development and implementation of heritage conservation management plans.
Theme 5 – Creating economic employment opportunities through vital, attractive centres, business innovation and technology.	E1.1.1 Ku-ring-gai's opportunities and assets are promoted to strengthen and attract business and employment to the area.	- Continue to identify opportunities to promote and strengthen Ku-ring-gai's economy.
Theme 6 – Ku-ring-gai is well led, managed and supported by ethical organisations which deliver projects and services to the community by listening, advocating and responding to their needs.	L2.1.4 Council has increased its commitment to infrastructure asset management priorities.	- Identify available funding sources in the Long Term Financial Plan and allocate to priority projects and assets.

FIT FOR THE FUTURE IMPROVEMENT ACTION PLAN

The NSW Government's Fit for the Future initiative required all councils to prepare an Improvement Proposal and supporting Implementation Plan demonstrating how all seven Fit for the Future benchmarks would be met by 2016/17, and maintained or improved thereafter.

Council's *Fit For the Future Improvement Proposal* and supporting *Implementation Plan* underpins the decision to stand alone and not merge with Hornsby Council. The objectives established in the Improvement Proposal and Implementation Plan are embedded in Council's adopted Integrated Planning and Reporting documents including the *Revised Delivery Program 2013-2017* and *Operational Plan 2015-2016*, *Long Term Financial Plan 2015/16 to 2024/25* and *Asset Management Strategy 2015/16 to 2024/25*.

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Ku-ring-gai Council's Fit for the Future Improvement Proposal Submission to the State Government in June 2015 acknowledges substantial progression of the Gordon local centre revitalisation through the Gordon Civic & Community Hub Project, which will provide, community, cultural, civic and recreational facilities and spaces with potential for commercial, retail and residential development.

Council has been laying the foundations for the Gordon Hub and other notable urban renewal 'activation' projects for a number of years through the construction of a comprehensive and innovative development contributions plan, the acquisition of a number of sites to augment existing land holdings, the disposal (and planned future) of a number of surplus assets to provide source of funds.

Council has been working co-operatively and constructively with State agencies such as RMS and Transport for NSW, and has engaged a comprehensive team of consultants including cultural needs advisors, transport planners, engineers, arborists, surveyors, valuation, property development, and feasibility specialists to develop and market test this project.

The Fit for the Future submission makes reference to Council's infrastructure backlog – i.e. the cost to bring assets from poor and failed condition up to an acceptable standard, including the useful lives and condition ratings of assets. The Fit for the Future submission acknowledges that many Council-owned community facilities are ageing and/or no longer fit for purpose and will require significant investment to either renew or replace, thus reinforcing the established need for a new cultural and civic hub in Gordon local centre and disposal of the facilities it otherwise replaces.

The submission also acknowledges that a number of key priorities, long term aspirations and objectives for the Ku-ring-gai community, as identified in the Community Strategic Plan, 2013, are of relevance to the Gordon Hub project, including:

- bringing vitality to our centres, making it easier and safer to move around, increasing visitors to the area; and
- improving and renewing our infrastructure including community facilities, recreation and open space areas, roads, footpaths, drains and the public domain.

On the basis of the above, a key 'improvement strategy and objective' identified in the Fit for the Future submission, specifically relates to the Gordon Cultural and Civic Hub project - that a business case be prepared for the cultural hub component and a master plan for the overall Hub site.

Office of Local Government Guidelines

Council decision making during merger proposal periods is bound by specific guidelines issued by the Office of Local Government (OLG). These guidelines are issued under section 23 A of the *Local Government Act 1993*, meaning that all councils must consider them when exercising their functions. These guidelines provide guidance to councils that are subject of merger proposals on the appropriate exercise of their functions during the period in which a merger proposal is under consideration. The OLG acknowledge that it is important during any merger proposal period that councils continue to operate appropriately, effectively and efficiently in order to meet the needs of their communities.

These guidelines have been reviewed and it is considered that the proposed recommencement of the master planning process for a Cultural Hub in Gordon complies and is consistent with the intent of the OLG guidelines.

GOVERNANCE MATTERS

1. Land Reclassification - 818 Pacific Highway, Gordon

At the Ordinary meeting of Council held on 30 April 2013 Council adopted a report recommending that Planning Proposals be prepared to reclassify a number of sites from Community land to Operational land, including 818 Pacific Highway, Gordon.

This site comprises Lot 2 in DP 786550 and has an area of 5,203m². The site is roughly "L" shaped with frontages of 40.215 metres to the Pacific Highway and of 25.79 metres to Dumaresq Street, Gordon. This site also fronts Radford Place, Gordon.

A Right of Way of variable width and limited in height to RL 122.9m AHD runs north from Radford Place. The Right of Way is in favour of Lot 1 in DP786550, (828 Pacific Highway, Gordon -owned by Council).The site benefits from easements for drainage.

The electricity substation owned by Ausgrid located in the car park at the rear of 818 Pacific Highway, Gordon is subject to a 50 year lease (with an easement for access) between Council and Sydney Electricity (now Ausgrid) which expires on 1 April 2041 and this arrangement should be preserved in the short term. The lease also incorporates a right of way for access and easement for electricity purposes.

A Gateway Determination for Planning Proposal to reclassify this and three other sites from Community land to Operational land was issued by the NSW Department of Planning on 4 June 2014. The Planning Proposal was formally exhibited from 22 August to 19 September 2014 and a public hearing was held on Monday 20 October 2014. The outcomes of the public exhibition and Public Hearing were reported to Council on 9 December 2014. Council resolved to proceed with the reclassification and the Planning Proposal is now with the Department of Planning and Environment awaiting finalisation. It is understood that a decision in this regard is imminent.

2. Land Reclassification - 9, 15 & 17 Dumaresq Street, Gordon

Section 45 of the *Local Government Act, 1993* prevents Council from selling; exchanging, or otherwise disposing of Community classified land. It is therefore recommended to reclassify the three Council owned sites at 9, 15 & 17 Dumaresq Street, Gordon from Community Land to Operational Land in accordance with Section 27 of the Act, which form part of the Gordon Cultural & Civic hub site.

The report to Council OMC on 15 December 2015 recommended that a Planning Proposal be prepared to reclassify the sites comprising of Lot A in DP355615 (9 Dumaresq Street, Gordon) and Lots C and D in DP 386283 (15 & 17 Dumaresq Street, Gordon), from Community land to Operational land. It is noted that Council did not resolve to progress these matters at this OMC.

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The three sites are regular shaped lots with a combined street frontage to Dumaresq Street of approximately 51 metres and a total area of 3,481m². There are no known interests registered on the title of these lots.

Council acquired the three residential properties in 2007 using section 94 Contribution Plan funds to address, in part, the lack of open space in the Gordon local centre as identified in the Ku-ring-gai Open Space Acquisition Strategy, 2006.

It is proposed to locate the new civic space (with the same area as land purchased) further up the hill to where the existing Council staff car park is currently located. The proposed park would be more centrally located, accessible to more people, and on flat land, thus increasing its passive recreational value.

The reclassification of the sites from Community land to Operational land will provide the necessary flexibility to deal with Council landholdings in implementing the future masterplan for the Gordon Cultural and Civic Hub.

Further investigations need to occur regarding any interest (either registered or implied) applying to any of the 3 lots that may restrict the future development of the land. Should any such interests be identified, the reclassification process should also extinguish these interests so as not to prevent or restrict the future development of the Gordon Cultural and Civic Hub.

RISK MANAGEMENT

Council does not progress planning for cultural facilities

On the basis of investigations and consultation undertaken to date, Council needs to consider the effect on its reputation should this project not proceed and as a consequence the expectations of the community not be met as a result. Given the extent of stakeholder and community consultation undertaken for the project there is a certain level of expectation within the community in relation to the delivery of a new park and a cultural facility in Gordon.

Council does not consider adjoining privately owned lands

Council runs the risk of a sub-optimal design outcome for Gordon local centre, if the opportunity to work collaboratively with the new landowners of 810 Pacific Highway, Gordon is not maximised from the outset. As it currently stands, Aldi, the new landowners could develop 810 Pacific Highway, Gordon in isolation of the Council owned site at 818 Pacific Highway, Gordon for a mixed use development including residential apartments, a supermarket, supporting retail and basement car parking.

Council considers its land holdings in isolation

Council is a significant land owner within the area known as Precinct G3 – Civic Hub identified in the Local Centres DCP, 2016 and an holistic approach to the strategic planning for this significant portion of Gordon Local Centre is important to garner wider benefits for the community in terms of public domain works, pedestrian connectivity and civic space provision.

Council does not undertake strategic planning in response to market demand for retail floor space

Council's failure to respond to increasing demand for retail floor space in Gordon may result in pressure for 'out of centre' retail which would undermine the viability of Ku-ring-gai's local centres. The planning proposal from Aldi for a supermarket in the Eastern Road, Turramurra is an example of such an outcome.

FINANCIAL CONSIDERATIONS

To date Council has expended approximately \$160,000 on this project including salaries and consultancies.

If Council agrees to proceed with preparing master plan options, funds will be required to be brought forward as part of the December budget review. These funds are available from Development Contributions 2010 Plan Recreational, Cultural & Social Facilities allocated specifically for this project.

SOCIAL CONSIDERATIONS

Ku-ring-gai currently contains no sub-regional community facilities and relies on those provided in adjoining local government areas. The population of Ku-ring-gai (109,146 in 2011) warrants the provision within the LGA of a sub-regional level facility. Sub-regional facilities can include major cultural or civic facilities such as civic centres, performing arts centres, central libraries and exhibition space.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations arising from this report. All relevant matters will be considered during the master planning process.

COMMUNITY CONSULTATION

There has been no community consultation in relation to the preparation of this report.

INTERNAL CONSULTATION

This report was prepared by the Strategy & Environment Department. In accordance with the OMC resolution of 11 October 2016, a Councillor Briefing was held on 31 October, 2016. Councillors were informed of the key changes in Gordon Local Centre since the master plan process was deferred in February this year - namely the purchase by Aldi of 810 Pacific Highway, Gordon.

This purchase changes the parameters for the Gordon Local Centre - it has triggered a renewed interest in the Gordon Local Centre, by significant retailers and developers seeking key development sites in local centres. The key point reiterated at this briefing, was that by failing to take a more holistic approach to the strategic planning of this significant portion of Gordon Local Centre (i.e. 810-828 Pacific Highway and 9, 15 & 17 Dumaresq Street), Council runs the risk of a sub-optimal design outcome particularly in the context of significant public domain works, improved pedestrian connectivity and community facility and civic space provision, if the

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opportunity to work collaboratively with the new landowners of 810 Pacific Highway, Gordon is not maximised from the outset.

SUMMARY

With the recent purchase by Aldi of 810 Pacific Highway, Gordon, it is considered prudent to revisit the master planning process for the adjoining Council owned sites at 818 and 828 Pacific Highway, Gordon, and 9, 15 and 17 Dumaresq Street Gordon.

In accordance with current LEP provisions, Aldi, in isolation of the adjoining Council owned sites could proceed to develop their newly acquired site for a mixed use development comprising residential apartments, an Aldi supermarket, supporting retail and basement car parking.

The purchase by Aldi, of 810 Pacific Highway, Gordon considerably changes the parameters for the Gordon Local Centre. By failing to take a more holistic approach to the strategic planning of this significant portion of Gordon Local Centre, Council runs the risk of a sub optimal design outcome, if the opportunity to work collaboratively with the new landowners of 810 Pacific Highway, Gordon is not maximised from the outset.

By taking a more considered strategic approach to the planning of Council owned land in the vicinity of the chambers Council has the opportunity to play a role as catalyst for the revitalisation and activation of Gordon local centre. This would include wider benefits for the community in terms of significant public domain works, community facility and civic space provision and vastly improved pedestrian connectivity.

This report recommends that Council prepare illustrative master plan options for a cultural hub and then commence community engagement to select a preferred option. In parallel to this it is recommended that Council complete the land reclassification process for 9, 15 & 17 Dumaresq Street, Gordon to facilitate delivery of the master plan.

RECOMMENDATION:

That:

- A. Council resolves to re-commence the master planning process for Cultural Hub in Gordon.
- B. Council prepare illustrative master plan options for public exhibition in the first half of 2017.
- C. That following public exhibition of the master plan options the results are reported to Council recommending a preferred option.
- D. A Planning Proposal is to be prepared, in accordance with section 55 of the Environmental Planning and Assessment Act, 1979, to reclassify Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon from Community land to Operational land.
- E. Council formally seeks to discharge all necessary interests for Lot A in DP 355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon.

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- F. 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*.
- G. Upon receipt of the 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.
- H. Council undertakes a public hearing under the provisions of the *Local Government Act, 1993* for the proposed reclassification of Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 and 17 Dumaresq Street, Gordon from Community land to Operational Land.
- I. A report is to be brought back to Council at the end of the exhibition and public hearing process.

Louise Drum
Senior Urban Designer

Bill Royal
Team Leader Urban Design

Antony Fabbro
Manager Urban & Heritage Planning

Deborah Silva
Acting Director Strategy & Environment

Attachments: A1 Coles letter dated 20 October 2016 and attachment *Confidential*

Subject: OMC316 - Gordon Hub Master Plan - Update

Resolved:

(Moved: Councillors Fornari-Orsmond/Ossip)

That:

- A. Council resolves to re-commence the master planning process for Cultural Hub in Gordon.
- B. Council prepare illustrative master plan options for public exhibition in the first half of 2017.
- C. That following public exhibition of the master plan options the results are reported to Council recommending a preferred option.
- D. A Planning Proposal is to be prepared, in accordance with section 55 of the Environmental Planning and Assessment Act, 1979, to reclassify Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon from Community land to Operational land.
- E. Council formally seeks to discharge all necessary interests for Lot A in DP 355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon.
- F. 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*.
- G. Upon receipt of the 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.
- H. Council undertakes a public hearing under the provisions of the *Local Government Act, 1993* for the proposed reclassification of Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 and 17 Dumaresq Street, Gordon from Community land to Operational Land.
- I. A report is to be brought back to Council at the end of the exhibition and public hearing process.

For the Resolution: *The Mayor, Councillor Anderson, Councillors ,
McDonald, Pettett, Fornari-Orsmond and Ossip*

Against the Resolution: *Councillors Malicki, Berlioz and Szatow*

The above Resolution was subject to an Amendment which was LOST. The Lost Amendment was:

(Moved: Councillors Szatow/Berlioz)

That:

- A. Council resolves to re-commence the master planning process for Cultural Hub in Gordon involving local residents.*
- B. Council prepare illustrative master plan options for public exhibition in the first half of 2017.*
- C. A further report outlining the options be brought back to Council prior to the exhibition period in part B above.*
- D. Until the illustrative master plan options have been reported to Council and ratified, Council does not reclassify Lot A in DP355615 and Lots C and D in DP 386283, known as 9, 15 & 17 Dumaresq Street, Gordon from Community land to Operational land.*
- E. Council does not sell of any of our assets in order to fund a cultural hub in Gordon.*
- F. A tour of cultural and civic facilities around Sydney be organised for Councillors.*

For the Amendment: Councillors McDonald, Malicki, Berlioz and Szatow

Against the Amendment: The Mayor, Councillor Anderson, Councillors Pettett, Fornari-Orsmond and Ossip

*The voting being EQUAL, the Mayor exercised her Casting Vote
AGAINST the Amendment*

*During debate Councillors Fornari-Orsmond/Ossip moved
that the Motion be Put
as there had been 2 speakers For and 2 Against
which was carried UNANIMOUSLY*

APPENDIX E

Practice Note PN16-001 - Classification and reclassification of public land through a local environmental plan

Ref No.	PN 16-001
Issued	5 October 2016
Related	Supersedes PN 09-003

Classification and reclassification of public land through a local environmental plan

The purpose of this practice note is to update guidance on classifying and reclassifying public land through a local environmental plan (LEP). This practice note emphasises the need for councils to demonstrate strategic and site specific merit, includes a comprehensive information checklist and clarifies issues arising for public reserves and interests in land. It should be read in conjunction with *A guide to preparing local environmental plans* and *A guide to preparing planning proposals*.

Classification of public land

Public land is managed under the *Local Government Act 1993* (LG Act) based on its classification. All public land must be classified as either community land or operational land (LG Act ss.25, 26).

- *Community* land – is land council makes available for use by the general public, for example, parks, reserves or sports grounds.
- *Operational* land – is land which facilitates the functions of council, and may not be open to the general public, for example, a works depot or council garage.

What is public land?

Public land is defined in the LG Act as any land (including a *public reserve*) vested in, or under council control. Exceptions include a public road, land to which the *Crown Lands Act 1989* applies, a common, land subject to the *Trustees of Schools of Arts Enabling Act 1902* or a regional park under the *National Parks and Wildlife Act 1974*.

Why classify public land?

The purpose of classification is to identify clearly that land made available for use by the general public (community) and that land which need not (operational). How public land is classified determines the ease or difficulty a council can have dealings in public land, including its sale, leasing or licensing. It also provides for transparency in council's strategic asset management or disposal of public land.

Community land must not be sold, exchanged or otherwise disposed of by a council. It can be leased,

but there are restrictions on the grant of leases and licences, and also on the way community land can be used. A plan of management (PoM), adopted by council, is required for all community land, and details the specific uses and management of the land.

There are no special restrictions on council powers to manage, develop, dispose, or change the nature and use of operational land.

How is public land classified or reclassified?

Depending on circumstances, this is undertaken by either:

- council resolution under ss.31, 32, or 33 (through LG Act s.27(2)), or
- an LEP under the *Environmental Planning and Assessment Act* (through LG Act s.27(1)).

Councils are encouraged to classify or reclassify land by council resolution where suitable.

Classification of public land occurs when it is first acquired by a council and classified as either community or operational.

Reclassification of public land occurs when its classification is changed from community to operational, or from operational to community.

Reclassification through an LEP

Classification and reclassification of public land through an LEP is subject to both the local plan-making process in the EP&A Act and the public land management requirements of the LG Act.

A planning proposal to classify or reclassify public land, will need to be prepared in accordance with this practice note and the additional matters specified in Attachment 1 to this practice note.

Reclassification through an LEP is the mechanism with which council can remove any public reserve status applying to land, as well as any interests affecting all or part of public land (LG Act s.30).

It is critical that all interests are identified upfront as part of any planning proposal. If public land is reclassified from community to operational, without relevant interests being identified and discharged, then the land will need to be reclassified back to community (usually by council resolution under LG Act s.33¹) before being reclassified in a new planning proposal to operational, to explicitly discharge any interests.

While a reclassification proposal to remove the public reserve status of land and/or discharge interests may not necessarily result in the immediate sale or disposal of the land, the community should be aware the public land in question is no longer protected under the LG Act from potential future sale once it has been reclassified to operational.

Councils should obtain their own advice when proposing to discharge any interests and be aware that this may attract a claim for compensation under the *Land Acquisition (Just Terms Compensation) Act 1991*.

Where land has been dedicated to council by a State agency for a particular purpose and a trust exists, it is advisable for council to seek the views of that agency prior to council commencing any planning proposal affecting the land.

Public reserve is defined in the LG Act and includes a public park and land declared or dedicated as a public reserve.

Land can be dedicated as a public reserve by either:

- registering a deposited plan with a statement creating a lot(s) as 'public reserve', or
- publishing a notification in the Government Gazette for an existing parcel.

Interests in land refers to property ownership as well as rights and privileges affecting land, such as leasehold, easements, covenants and mortgages.

For the purpose of reclassification through an LEP, 'interests' means trusts, estates, dedications, conditions, restrictions and covenants affecting the land.

A legal owner of land may not be the only person with an interest in the land. For example, one person may have the benefit of an easement for services, such as water, electricity or sewerage over someone else's land.

Certain interests are registered on title to ensure they are on record and cannot be disregarded if sold to a new owner. An electronic title search is generally conducted to determine the land owner, correct land description and the type of interests which may affect the land.

Standard Instrument LEP requirements

Clause 5.2—Classification and reclassification of public land in Standard Instrument LEPs enables councils to classify or reclassify public land as operational land or community land in accordance with the LG Act. The land to be reclassified or classified is described in Schedule 4 of the LEP.

Schedule 4 is not to refer to any land already classified or reclassified.

Where there is no public land to be classified, or reclassified, through a principal LEP (i.e. the LEP applies to the whole of a local government area), Schedule 4 will appear blank.

Note: At a later stage council may lodge a planning proposal to remove previous listings in Schedule 4. This will not affect the classification status of these parcels of land.

Department assessment

A proposal to classify or reclassify public land through an LEP must have planning merit. The Department will undertake an assessment to determine whether the proposal demonstrates strategic and site specific merit.

Community consultation

Planning proposals to reclassify public land are to be publicly exhibited for at least 28 days.

A copy of this practice note is to be included in the public exhibition materials.

¹ Note: Council is required to give public notice of the proposed resolution and provide a period of at least 28 days during which submissions may be made (LG Act s.34).

Public hearings

Councils must hold a public hearing when reclassifying public land from community to operational (EP&A Act s.57 & LG Act s.29). This gives the community an opportunity to expand on written submissions and discuss issues with an independent person in a public forum.

After the exhibition period has ended, at least 21 days public notice is to be given before the hearing. This allows the person chairing the hearing sufficient time to consider written submissions and all issues raised.

There are specific requirements for the independence of the person chairing the hearing, their preparation of a public hearing report and council making the report publicly available (LG Act s.47G).

Governor's approval

The Governor's approval is required when a reclassification proposal seeks to remove any public reserve status and/or discharge any interests affecting public land (s.30).

When a council reports back to the Department on the community consultation undertaken and requests the Department make the LEP, the Department will arrange legal drafting of the LEP, including recommending the Governor approve the provisions before the LEP can be legally made.

Where the Governor's approval is required, the council's report accompanying the final planning proposal must address:

- council's interests in the land;
- whether the land is a 'public reserve';
- the effect of the reclassification, including loss of open space, any discharge of interests, and/or removal of public reserve status;
- the strategic and site specific merits of the reclassification and evidence to support this;
- any current use of the land, and whether uses are authorised or unauthorised;
- how funds obtained from any future sale of the land will be used;
- the dates the planning proposal was publicly exhibited and when the public hearing was held;
- issues raised in any relevant submissions made by public authorities and the community;
- an explanation of how written and verbal submissions were addressed or resolved; and
- the public hearing report and council resolution.

Authorisation of delegation

Local plan making functions are now largely delegated to councils.

A Written Authorisation to Exercise Delegation is issued to a council as part of the Gateway determination. However, where an LEP requires the Governor's approval, this council delegation cannot be issued. In this instance, the council must request the Department make the LEP.

A decision to classify or reclassify public land cannot be sub-delegated by council to the general manager or any other person or body (LG Act s.377(1)(l)).

Background

On July 1, 1993 when the LG Act commenced, the following land under council ownership or control, was automatically classified as *community* land:

- land comprising a public reserve,
- land subject to a trust for a public purpose,
- land dedicated as a condition of consent under s.94 of the EP&A Act,
- land reserved, zoned or otherwise designated for use under an environmental planning instrument as open space,
- land controlled by council and vested in Corporation Sole - Minister administering the EP&A Act.

Councils must keep a register of land under their ownership or control (LG Act s.53) and anybody can apply to a council to obtain a certificate of classification (LG Act s.54).

Further information

A copy of this practice note, *A guide to preparing planning proposals* and *A guide to preparing local environmental plans* is available at:

<http://www.planning.nsw.gov.au>

For further information, please contact the Department of Planning and Environment's Information Centre by one of the following:

Post: GPO Box 39, Sydney NSW 2001.

Tel: 1300 305 695

Email: information@planning.nsw.gov.au

Authorised by:
Carolyn McNally
Secretary

Important note: This practice note does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this practice note.

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ATTACHMENT 1 – INFORMATION CHECKLIST FOR PROPOSALS TO CLASSIFY OR RECLASSIFY PUBLIC LAND THROUGH AN LEP

The process for plan-making under the EP&A Act is detailed in *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*.

Importantly, *A guide to preparing local environmental plans* contains the Secretary's requirements for matters that must be addressed in the justification of all planning proposals to reclassify public land. Councils must ensure the Secretary's requirements are addressed.

Councils must also comply with any obligations under the LG Act when classifying or reclassifying public land. More information on this can be found in *Practice Note No. 1 - Public Land Management* (Department of Local Government, 2000).

All planning proposals classifying or reclassifying public land must address the following matters for Gateway consideration. These are in addition to the requirements for all planning proposals under section 55(a) – (e) of the EP&A Act (and further explained in *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*).

- ☐ the current and proposed classification of the land;
- ☐ whether the land is a 'public reserve' (defined in the LG Act);
- ☐ the strategic and site specific merits of the reclassification and evidence to support this;
- ☐ whether the planning proposal is the result of a strategic study or report;
- ☐ whether the planning proposal is consistent with council's community plan or other local strategic plan;
- ☐ a summary of council's interests in the land, including:
 - how and when the land was first acquired (e.g. was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution)
 - if council does not own the land, the land owner's consent;
 - the nature of any trusts, dedications etc;
- ☐ whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why;
- ☐ the effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged);
- ☐ evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g. electronic title searches, notice in a Government Gazette, trust documents);
- ☐ current use(s) of the land, and whether uses are authorised or unauthorised;
- ☐ current or proposed lease or agreements applying to the land, together with their duration, terms and controls;
- ☐ current or proposed business dealings (e.g. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time);
- ☐ any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy);
- ☐ how council may or will benefit financially, and how these funds will be used;
- ☐ how council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal;
- ☐ a Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot; and
- ☐ preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.

APPENDIX F

Requirements of LEP Practice Note PN 16-001 - Classification and reclassification of public land through a Local Environmental Plan

**Checklist Planning Proposal to reclassify from Community Land to Operational Land the properties known as:
9, 15 & 17 Dumaresq St, Gordon**

Requirements of LEP Practice Note PN 16-001 - Classification and reclassification of public land through a Local Environmental Plan

Checklist Planning Proposal to reclassify from Community Land to Operational Land the properties known as: 9, 15 & 17 Dumaresq St, Gordon

Checklist Matter	Response
The current and proposed classification of the land	The land is currently Community land it is proposed to be reclassified Operational land. This information is found in the Planning Proposal and the Council Report dated 22 November 2016.
Whether the land is a 'public reserve' (defined in the LG Act)	The land is not a public reserve under the Local Government Act.
The strategic and site specific merits of the reclassification and evidence to support this	This information is found in the Council Report dated 22 November 2016 and in this Planning Proposal.
Whether the planning proposal is the result of a strategic study or report	This information is found in the Council Report dated 22 November 2016 and in this Planning Proposal.
Whether the planning proposal is consistent with council's community plan or other local strategic plan	This information is found in the Council Report dated 22 November 2016 and in this Planning Proposal.
A summary of council's interests in the land, including: -how and when the land was first acquired	This information is found in this Planning Proposal. The land is held in freehold title. The land was acquired in 2007 using Section 94 Developer Contribution Funds to provide open space in the Gordon Centre.
If council does not own the land, the land owner's consent;	Council is the landowner, refer to Title Searches in Appendix G of this Planning Proposal.
The nature of any trusts, dedications etc.;	There are no applicable trusts or dedications applicable.
Whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why	No interests in the land are to be discharged.
The effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged);	The reclassification will enable the provision of an equivalent area of open space within the Gordon Civic Cultural Hub, consistent with the Gordon Civic Cultural Hub Masterplan and Ku-ring-gai DCP.
Evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g. electronic title searches, notice in a Government Gazette, trust documents);	Refer to electronic title searches indicating status of the land.
Current use(s) of the land, and whether uses are authorised or unauthorised;	The properties are leased for residential purposes. The land enjoys existing use rights for use single residential dwellings.

Current or proposed lease or agreements applying to the land, together with their duration, terms and controls;	The properties are leased to private individuals on a month to month basis.
Current or proposed business dealings (e.g. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time);	There are no current or proposed business dealings. The Council intends to continue the Gordon Civic Cultural Hub masterplanning process to determine the appropriate business dealings.
Any rezoning associated with the reclassification	No rezoning of the land is proposed.
How council may or will benefit financially, and how these funds will be used	This Planning Proposal will enable the relocation of proposed open space within the Gordon Civic Cultural Hub to land more appropriately located and usable. A valuation carried out on the land indicates the current value of the land in the order of \$8940 per square metre. The site was acquired on 29th October 2007. The acquisition of the site was undertaken using Section 94 Funds in 2007. Any financial gain will as reasonably expected and anticipated by the community be directed to the provision of facilities in accordance with Council's adopted Section 94 Contributions Plan.
How council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal;	The reclassification will enable relocation of the same land area within the Gordon Civic Cultural Hub in accordance with Council resolutions, Masterplan for the Gordon Civic Cultural Hub and controls within KDCP 2012.
Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot; and	Not applicable, as no part lots are affected by this proposed reclassification.
Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable	There are no preliminary comments from Government Agencies. The land was acquired by negotiation from private individuals at market value.

APPENDIX G

Title Searches

triSearch®

Tri-Search hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act.

Information provided through Tri-Search an approved LPINSW Information Broker
LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: A/355615

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
21/2/2017	8:23 AM	1	29/10/2007

LAND

LOT A IN DEPOSITED PLAN 355615
AT GORDON
LOCAL GOVERNMENT AREA KU-RING-GAI
PARISH OF GORDON COUNTY OF CUMBERLAND
TITLE DIAGRAM DP355615

FIRST SCHEDULE

KU-RING-GAI COUNCIL (T AD523492)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 D566708 COVENANT
- 3 SP52417 EASEMENT TO DRAIN WATER 1 WIDE APPURTENANT TO THE
LAND ABOVE DESCRIBED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

New South Wales.

[CERTIFICATE OF TITLE.]



REGISTER BOOK.

Vol. 5691 Fol. 11

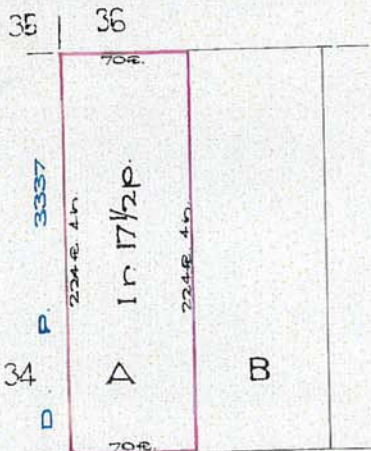
CANCELLED W
ON ISSUE OF NEW FOLIO A/355615

JOHN WALTER DAUBNEY, of Chatswood, Architect, Transferee under Instrument of Transfer No. D566708, is now the proprietor of an Estate in Fee Simple, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified hereon, in That piece of land situated at Gordon in the Municipality of Ku-ring-gai Parish of Gordon, and County of Cumberland containing One rood seventeen and one half perches or thereabouts as shown in the plan hereon and therein edged red being Lot A in plan annexed to the said Instrument of Transfer No. D566708 and being part of 220 acres (Portion 7 of Parish) originally granted to John Terry Hughes by Crown Grant dated the 29th day of February 1840.

In witness whereof I have hereunto signed my name and affixed my Seal, this *Thirtieth* day of June, 1947.

Signed in the presence of

J. H. Wells
Registrar General.



Dumaresq St

"interested therein hereby covenants with the transferee that:
 "(1) Not more than any one main building shall be erected on the land hereby transferred and that such main building shall cost and be of a value of not less than One thousand five hundred pounds (£1500).
 "(2) That such main building shall not be used other than for the purposes of and as a private dwelling, and
 "(3) That no main building or garage shall be erected on the land hereby transferred except with walls of brick and/or stone and/or concrete and with main roof of tiles.
 "And for the purposes of Section 88 of the Conveyancing Act 1919 as amended it is declared that:
 "(a) The land to which the benefit of the foregoing restrictions is appurtenant is the land comprised in the said Certificate of Title other than the land hereby transferred.
 "(b) The land which is subject to the burden of the said restrictions is the land hereby transferred, and
 "(c) The persons by whom or with whose consent the said restrictions may be released varied or modified comprise the transferee and/or other the registered proprietor or registered proprietors for the time being of the land comprised in the said Certificate of Title other than the land hereby transferred."

J. H. Wells
Registrar General.

D566708

Scale .60 feet to one inch.

NOTIFICATION REFERRED TO

Amongst the reservations and conditions contained in the Grant above referred to are reservations of all mines of gold and of silver.

J. H. Wells
Registrar General.

The abovementioned Instrument of Transfer No. D566708 contains a covenant and declaration in the following words:-
 "And the transferee for himself his executors administrators and assigns and so as to bind not only him and them but also the land hereby transferred and the persons from time to time

No. *2808 980* MORTGAGE dated *19th October* 19*46*
 from the said *John Walter Daubney*
 to **RURAL BANK OF NEW SOUTH WALES**
 Produced and entered *20th October* 19*46*
 at *10* o'clock in the *fore* noon.
 REGISTRAR GENERAL.

triSearch®

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Information provided through Tri-Search an approved LPINSW Information Broker
LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: C/386283

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
21/2/2017	8:24 AM	1	29/10/2007

LAND

LOT C IN DEPOSITED PLAN 386283
AT GORDON
LOCAL GOVERNMENT AREA KU-RING-GAI
PARISH OF GORDON COUNTY OF CUMBERLAND
TITLE DIAGRAM DP386283

FIRST SCHEDULE

KU-RING-GAI COUNCIL (T AD523498)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 SP52417 EASEMENT TO DRAIN WATER 1 WIDE APPURTENANT TO THE
LAND ABOVE DESCRIBED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

10678

PRINTED ON 21/2/2017

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

Primary Appn. No. 4927

Reference to Last Title

Vol. 6812 Fol. 205

Deposited Plan No. 3337

New South Wales.



[CERTIFICATE OF TITLE.]

REGISTER BOOK

Vol. 7335 Fol. 240

Issued on Order No. G740467

CANCELLED ☒ W

ON ISSUE OF NEW FOLIO 6/386283

SYBIL MAY MARRIOTT, wife of William Marriott, of Gordon, Monumental Mason, is now the proprietor of an Estate in Fee Simple, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified hereon, in That piece of land at Gordon in the Municipality of Ku-ring-gai Parish of Gordon, and County of Cumberland shown in the plan hereon and therein edged red being Lot C in plan lodged with Transfer No. G29502 and being part of Portion 7 granted to John Terry Hughes on 29th February 1840.

In witness whereof I have herunto signed my name and affixed my Seal, this

Signed in the presence of

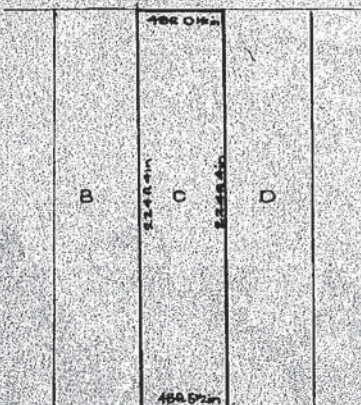
Thirtieth

day of September, 1957.

J. Wells
Registrar-General



D P 3337



Dumaresq

52

Area: Ind

Scale: 60 feet to one inch

NOTIFICATION REFERRED TO

No. 11738928 MORTGAGE dated 12th May 1972
of Rosemary Letitia Bonaston Nichols
of Gordon, Married Woman

Entered: 31st May 1972

Discharged
 N903657
 8-1-1974

Johnson

REGISTRAR GENERAL

RECEIVED
 1972 MAY 31
 11738928

Reservary Lotine Houston Nichols ex Gordon
Married Woman is

now the registered proprietor of the land within described,
See Section 73 Application No. *222453*
Entered *5th* *June* 19*74*

Imitation
REGISTRAR GENERAL

SEAL OF THE OFFICE OF THE REGISTRAR GENERAL

No. N903658 MORTGAGE dated 6th June 1974
to Sylvia Newton Walters of Willoughby
Widow
Entered 4th July 1974
Discharged
RECORDED
16-11-1980
Jantaton
REGISTRAR GENERAL

Mortgage No. 903658
 180145 Variation
 Registered 9-5-1977
 Cancelled
 R609157
 16-1-1980
 REGISTRAR GENERAL

97404879

NR04-697/A
1003657/A
Q180161/m
C-2000-50) R
to [unclear]
[unclear] with
R 3/5/54/jm R

triSearch®

Tri-Search hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act.

Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: D/386283

SEARCH DATE	TIME	EDITION NO	DATE
21/2/2017	8:28 AM	2	29/10/2007

LAND

LOT D IN DEPOSITED PLAN 386283
AT GORDON
LOCAL GOVERNMENT AREA KU-RING-GAI
PARISH OF GORDON COUNTY OF CUMBERLAND
TITLE DIAGRAM DP386283

FIRST SCHEDULE

KU-RING-GAI COUNCIL

(T AD523503)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 SP52417 EASEMENT TO DRAIN WATER 1 WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

10678

PRINTED ON 21/2/2017

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

Primary Appn. No. 4927
 Reference to Last Title
 Vol. 1402 Fol. 231
 Deposited Plan No. 3337

New South Wales.



[CERTIFICATE OF TITLE.]

JOINT TENANCY

REGISTER BOOK.

Vol. 6812 Fol. 175

Issued on Transfer No. G29502

S
GKY

CANCELLED ☒
 ON ISSUE OF NEW FOLIO D/386283

* THOMAS WILLIAM SIMMS, of Gordon, Transport Driver and JOAN WINIFRED SIMMS, his wife, are now the proprietors of an Estate in Fee Simple as Joint Tenants, subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified hereon, in That piece of land situated at Gordon in the Municipality of Ku-ring-gai Parish of Gordon, and County of Cumberland shown in the plan hereon and therein edged red being Lot D in plan lodged with Transfer No. G29502 and being part of Portion 7 granted to John Terry Hughes on 29th February 1840.

In witness whereof I have hereunto signed my name and affixed my Seal, this

Nineteenth

day of

May

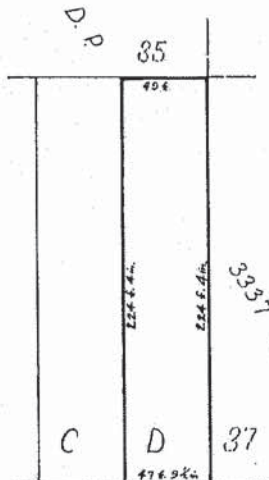
, 1954.

Signed in the presence of

E. G. Joynton.

J. H. Pells

Registrar-General.



Dumaresq St.

AREA: 39½ per.

Scale: 60 feet to one inch.

G29502

NOTIFICATION REFERRED TO

No. G29502 MORTGAGE dated 26th February 1954
 in the said Thomas William Simms and Joan Winifred Simms
 to BANK OF NEW SOUTH WALES
25th March 1954
 Produced and entered 25th May 1954
 at 6 o'clock in the noon.

J. H. Pells
 REGISTRAR GENERAL



Persons are cautioned against altering or adding to this Certificate or any notification thereon.

 G29502
 MNS
 MX

G29502

NOT

Db 3331

3337

Copy of DP

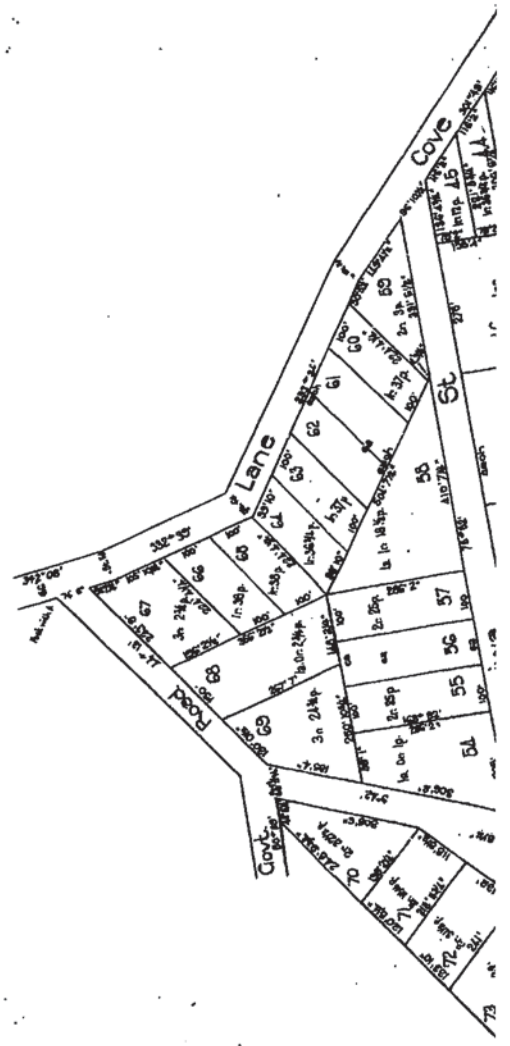
PLAN

CORDON HEIGHTS ESTATE

at Gordon

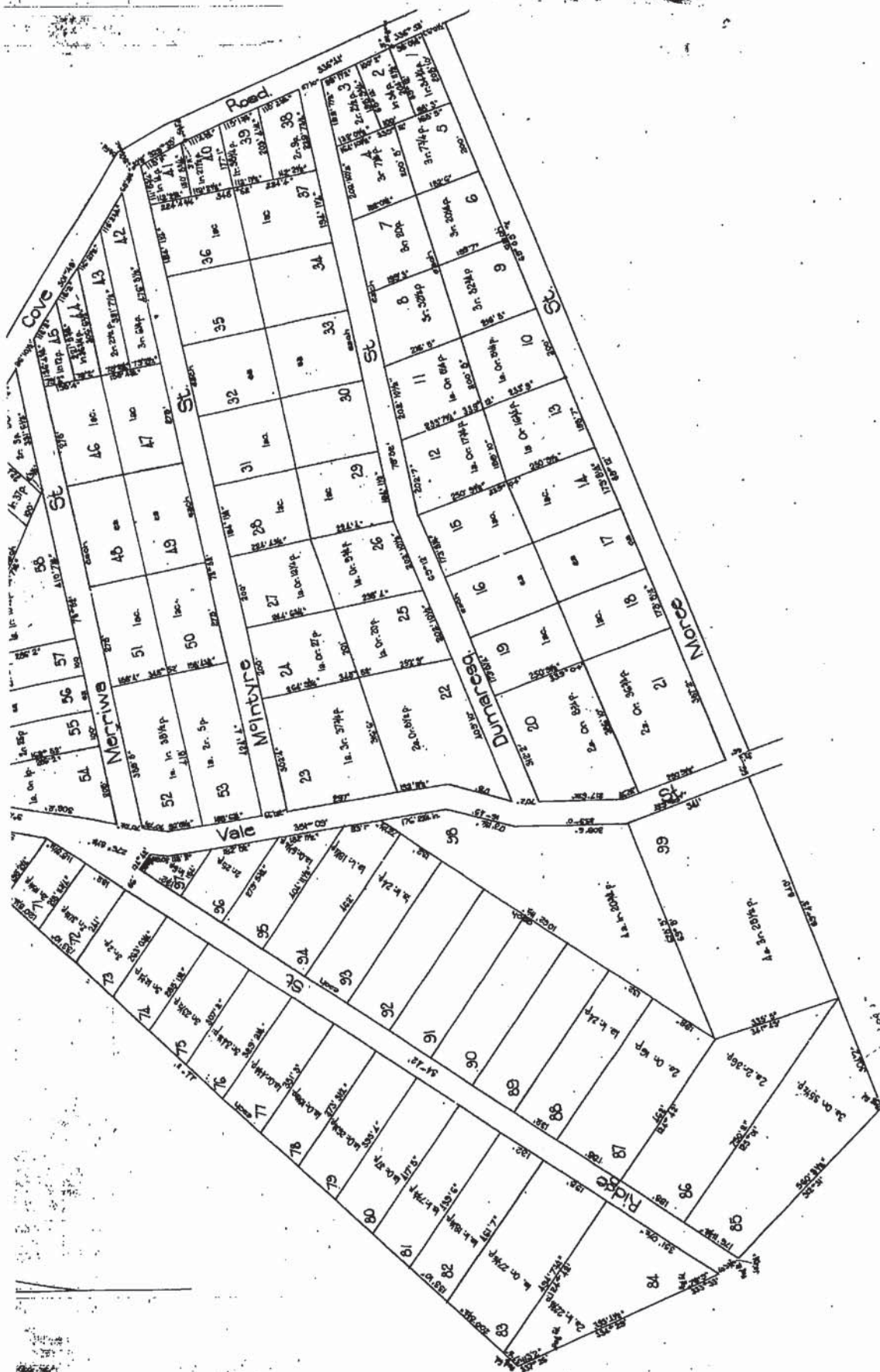
Parish of Gordon County of Cumberland

Scale: 198 ft. to one inch



I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 21st day of August, 1979

[Signature]



This is the plan marked 'A' referred to
in my declaration of 9th Feb 1897.

Edw. Bowdler
Solicitor

Wm. H. Bowdler
Solicitor

DP 3337

DP 3337

Automated Map/Parcel Variation
Animals taken from

I, Bruce Richard Davies, Registrar General for New South Wales, certify
that this negative is a photograph made as a permanent record of a
document in my custody this 21st day of August, 1979

Bruce Richard Davies

CONVERSION TABLE ADDED IN
REGISTRAR GENERAL'S DEPARTMENT

FEET INCHES	METRES
5	0.125
3 11	1.195
4 9 1/2	1.46
16 5 3/4	5.025
22 9	6.2935
23 10	7.265
27 6	8.38
30 4 1/4	9.25
40 3 3/4	12.285
42 5 1/4	12.935
46 2 1/4	14.08
50 5 1/4	15.375
50 6 1/4	15.4
50 10 1/4	15.5
54 1 1/4	16.49
57 5	17.5
65 3 1/4	19.895
66 -	20.115
66 0 1/4	20.125
66 0 1/2	20.13
67 10	20.675
69 9 3/4	21.28
70 2	21.385
70 7 1/4	21.52
70 7 1/2	21.525
72 1 1/2	21.985
74 6	22.71
76 9	23.395
79 2	24.13
79 2 1/4	24.135
79 2 1/2	24.145
83 1	25.325
92 5 1/2	28.18
96 10 1/2	29.525
98 0 3/4	29.89
98 3	29.945
99 1	30.2
99 1 1/2	30.5215
99 10	30.43
100 -	30.48
100 2	30.53
105 10 1/4	32.265
111 4 3/4	33.955
111 5 3/4	35.98
112 2 1/4	34.195
112 2 1/2	34.2
112 11 1/2	34.43
113 2	34.495
115 1 3/4	35.095
115 2 3/4	35.12
116 2	35.41
116 2 1/2	35.42
116 2 3/4	35.425
117 1	35.685
118 9 1/2	36.21
118 11	36.245
120 5 1/4	36.71
124 1 1/4	37.825
130 0 1/2	39.635
132 -	40.235
132 0 1/2	40.245
132 1 1/2	40.27
132 11 1/2	40.525
133 10	40.79
136 4 3/4	41.575
148 2 1/4	45.165
148 4 1/2	45.225
149 4 1/2	45.53
150 -	45.72
150 8 3/4	45.94
150 9 3/4	45.97
154 -	46.94
156 2 1/8	47.605
156 2 1/2	47.61
157 4 3/4	47.975
158 4	48.26
158 4 3/4	48.28

CONVERSION TABLE ADDED IN
REGISTRAR GENERAL'S DEPARTMENT

FEET INCHES	METRES
158 6 1/4	48.315
164 10 1/2	50.25
165 5	50.42
173 1 1/4	52.76
173 8 1/4	52.94
176 2 1/4	53.7
176 11 3/4	53.94
177 1	53.98
178 -	54.25
182 0 1/4	55.48
182 1 1/2	55.51
182 6	55.63
188 4 3/4	57.42
194 1 1/4	59.16
194 1 1/2	59.17
195 4	59.54
195 7 1/2	59.63
198 -	60.55
198 6 1/4	60.51
198 7	60.53
198 9 3/4	60.6
199 2 1/4	60.71
199 3	60.73
199 7	60.83
199 10	60.91
199 10 3/8	60.92
200 -	60.96
200 8	61.16
200 8 3/4	61.18
200 9 3/4	61.21
201 -	61.26
202 7	61.75
202 10 1/2	61.84
203 4 1/4	61.98
203 4 1/2	61.99
204 11 1/2	62.47
208 -	63.4
208 10	63.65
212 2	64.67
216 5	65.96
216 6	66.04
217 6 1/2	66.31
218 11 3/4	66.74
221 5 3/4	67.51
224 4	68.38
224 4 1/4	68.38
224 4 3/4	68.4
224 6 3/4	68.45
229 7 3/4	70
233 7 1/4	71.2
233 9	71.25
238 4	72.64
240 -	73.15
241 -	73.46
244 6 3/4	74.54
248 9 3/4	75.84
250 9 1/2	76.44
250 10 3/4	76.47
252 3	76.89
263 0 3/4	80.18
264 9 3/4	80.71
267 7	81.56
275 -	83.82
279 5 3/4	85.19
285 1 1/4	86.9
286 2	87.22
297 -	90.53
302 4	92.15
303 6	92.51
304 2	92.71
306 2	93.32
306 6 3/4	93.44
307 2	93.62
309 6	94.34
312 2	95.15
316 6	96.47
329 2 1/4	100.34

CONVERSION TABLE ADDED IN
REGISTRAR GENERAL'S DEPARTMENT

FEET INCHES	METRES
331 6 1/2	101.05
335 5	102.24
341 -	103.94
348 -	106.07
351 0 1/2	107
351 3	107.06
356 2 1/2	108.57
373 3 1/4	113.77
386 10	117.91
387 2	118.01
389 6	118.72
391 7 1/2	119.37
393 4 1/2	119.9
395 4	120.5
404 11 1/2	123.43
409 10	124.92
415 7 1/4	126.68
415 7 1/2	126.68
417 5	127.23
418 -	127.41
424 4	129.34
439 6	133.96
461 7	140.69
462 -	140.82
476 3 1/2	145.17
476 8 1/2	145.3
494 7 3/4	150.77
504 7 1/4	153.8
504 7 1/2	153.81
560 8 1/2	170.9
628 5	191.54
643 -	195.99
750 2	228.65
1062 1 1/2	323.74

AC RD P SQ M

- 1 6	1163
- 1 12	1315
- 1 14	1366
- 1 27 1/2	1707
- 1 34	1872
- 1 34 3/4	1891
- 1 36 3/4	1941
- 1 37	1948
- 1 38	1973
- 1 38 1/4	1979
- 2 2 1/2	2087
- 2 3	2099
- 2 9	2251
- 2 12 1/4	2308
- 2 25	2656
- 2 31 1/2	2820
- 2 32 1/2	2845
- 3 2	3086
- 3 2 3/4	3105
- 3 6 1/4	3193
- 3 7 1/4	3219
- 3 7 3/4	3231
- 3 12 3/4	3358
- 3 20	3541
- 3 20 1/4	3547
- 3 23 1/2	3630
- 3 24 3/4	3661
- 3 32 1/2	3857
- 3 32 3/4	3863
- 3 34 1/4	3901
- 1 -	4047
- 1 -	4072
- 1 - 2 3/4	4116
- 1 - 4 3/4	4167
- 1 - 5 1/4	4180
- 1 - 5 3/4	4192
- 1 - 9 3/4	4293
- 1 - 12 1/4	4357
- 1 - 15 1/2	4439
- 1 - 16 3/4	4471

CONVERSION TABLE ADDED IN
REGISTRAR GENERAL'S DEPARTMENT

AC RD P	SQ M
1 - 17 3/4	4496
1 - 20	4553
1 - 26 1/4	4711
1 - 27	4730
1 - 27 3/4	4749
1 - 37	4983
1 1 7 3/4	5255
1 1 18 1/4	5520
1 1 18 1/2	5526
1 1 24	5666
1 1 38 1/2	6032
1 2 5	6197
1 3 37 3/4	8037
2 - 8 1/2	8309
2 - 8 3/4	8315
2 - 16	8498
2 - 36 3/4	9023
2 1 22 3/4	9661

AC RD P HA

2 2 36	1.1
3 - 35 1/2	1.3
4 1 20 3/4	1.772
4 3 28 1/2	1.994

I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 21st day of August, 1979.

[Signature]

[illegible]

NO 89119 TRANSFER DATED 30th December 1884
FROM THE *William and Frederick James Hamilton*
TO *Patrick Clark* of part
OF THE LAND *as shown* DESCRIBED
PRODUCED AND ENTERED 24th January 1884
10 o'clock in the *afternoon* noon
By *Heasom* *Esq* REG. GENL.

Corrected as respects the land in copy Transfer No 86433
see Certificate of Title Vol 428 Fol 36
By *Heasom* *Esq* Dep. Reg. Genl.

Corrected as respects the land in copy Transfer No 89119
see Certificate of Title Vol 435 Fol 247
By *Heasom* *Esq* Dep. Reg. Genl.

Corrected and Certificate of Title issued Vol 435
Fol 247
By *Heasom* *Esq* Dep. Reg. Genl.

N^o 441 155 CONFIRMATION of PARISH ROAD. Notice in
Government Gazette, dated 8th January 1884 folio 184
whereby and by operation of the Act 4th WILLIAM IV No. 11, the road
colored pink on the plan hereon has been proclaimed and is now a Public
Road. PRODUCED and ENTERED 8th September 1906
10 o'clock in the *forenoon*
By *Deane*
Dep. Registrar General.

