

Reclassification of 9 Havilah Lane, Lindfield

Proposal Title : **Reclassification of 9 Havilah Lane, Lindfield**

Proposal Summary : **The planning proposal seeks to reclassify 9 Havilah Lane, Lindfield, from community land to operational land.**

PP Number : **PP_2012_KURIN_004_00** Dop File No : **12/10406**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **1.1 Business and Industrial Zones
2.1 Environment Protection Zones
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the planning proposal proceed, subject to the following conditions:**

1. The planning proposal be publicly exhibited for 28 days;

2. Council revise Part 2 - Explanation in the planning proposal to include a clarification that the proposal, when finalised, will discharge any trusts, estates, interests, dedications, conditions or restrictions and covenants affecting the land or any part of the land.

**3. Council consult with the following agencies:-
Transport for NSW - RailCorp
Transport for NSW - Roads and Maritime Services**

This consultation can occur concurrently with the public exhibition of the proposal.

4. The timeframe for the making of the LEP is to be 6 months from the week following the gateway determination.

Supporting Reasons : **Ku-ring-gai Council has identified the site at 9 Havilah Lane, Lindfield as surplus. The planning proposal will enable Council to sell the sites and use the funds generated from the sale of the sites to contribute towards the funding of the future development of the Lindfield town centre.**

Panel Recommendation

Recommendation Date : **05-Jul-2012** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

1. Prior to community consultation commencing, Council is to:

(a) Amend Part 2 'Explanation of Provisions' section of the planning proposal to clarify that the proposal, when finalised, will discharge any trusts, estates, interests, dedications, conditions or restrictions and covenants affecting the land or any part of the land.

(b) Amend section 1.5 'Proposed Planning Controls' of the planning proposal to clarify how

the draft Ku-Ring-Gai Local Environmental Plan (Local Centres) 2012 will be amended should the Principal LEP be finalised prior to the planning proposal.

(c) Provide the Department's Sydney Region West team with a copy of the revised planning proposal.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

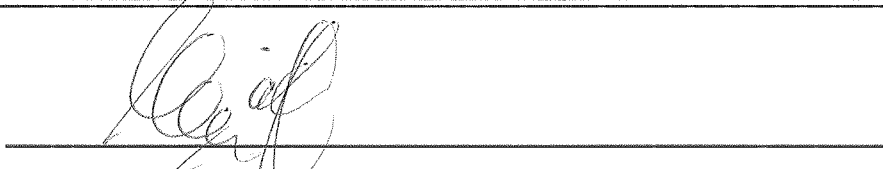
- Transport for NSW - RailCorp
- Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

10.7.12