



Shire Planning



Report Title: Rezoning 1A Atkinson Road and 1-13 Atkinson Road, Taren Point

Report Number: PLN013-17 Committee Meeting Date: 05/12/2016

▼ EXECUTIVE SUMMARY

- Stage 6 of the Woollooware Shared Pathway is currently being finalised. Earlier versions of the project required the purchase of a strip of land along the foreshore at 1A Atkinson Road and 1-13 Atkinson Road, Taren Point. These properties have proven difficult to acquire as they have existing businesses operating on them.
- The design of the pathway has been revised to include two sections of wooden boardwalk which extend into the foreshore area around the sites at 1A and 1-13 Atkinson Road. This avoids the need to acquire the properties.
- Given the land no longer needs to be acquired, it is recommended that the land be rezoned from RE1 Public Recreation to B7 Business Park in order to remove Council's obligation to purchase the land.
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▼ REPORT RECOMMENDATION

THAT:

1. A Planning Proposal be prepared to rezone the portion of land zoned RE1 Public Recreation at 1A Atkinson Road, Taren Point and 1-13 Atkinson Road, Taren Point to B7 Business Park.
2. Council write to the owners of the land at 1A Atkinson Road, Taren Point and 1-13 Atkinson Road, Taren Point informing them of the rezoning and the removal of their land from Council's acquisition schedule because it is no longer needed for the construction of stage 6 of the Woollooware Shared Pathway.



PURPOSE

The report proposes that Council consider the rezoning of the land at 1A Atkinson Road and 1-13 Atkinson Road, Taren Point from RE1 Public Recreation to B7 Business Park in order to facilitate the development of the Stage 6 of the Woollooware Shared Pathway.

BACKGROUND

- Early conceptual designs for the Woollooware Shared Cycle way required Council to purchase a strip of land along the foreshore at 1A Atkinson Road, Taren Point and 1-13 Atkinson Road, Taren Point.
- On 9 December 2013, Council resolved via BDS051-14 to endorse the concept design for Stage 6 of the Woollooware Shared Cycle way (Appendix A) showing the pathway extending into the foreshore area around the site at 1A Atkinson Road, Taren Point eliminating the need to acquire privately owned land.
- On 7 November 2016, Council resolved via PLN003-17 to amend Council's s94 and s94a plans to remove the property at 1A Atkinson Road, Taren Point from the acquisition list and use the reserved funds towards the construction of the final stage of the Woollooware cycle way.

DISCUSSION

Since 2003 Sutherland Shire Council has been gradually transforming the foreshore of Woollooware Bay from a degraded industrial land site into a foreshore reserve for public recreation. The goal is to create a shared pedestrian walkway and cycle way around Woollooware Bay.

Stages 1 to 5 of the Woollooware Bay Cycleway are complete. Stage 6 of the project is located between Atkinson Road, Taren Point and the Council owned land at 2R Alexander Avenue, Taren Point. The St George and Sutherland Shire Anglers Club is located on 2R Alexander Avenue. 1A Atkinson Road and 1-13 Atkinson Road, Taren Point are two privately owned parcels of land. While Stage 6 is the most scenic part of the route, it has also proven to be the most problematic to realise due to land tenure, contamination issues, items of heritage significance, the presence of significant shore birds and because the land is occupied by financially viable local business.

Early conceptual designs of Stage 6 of the cycle way required council to purchase a strip of land along the foreshore at 1A Atkinson Road. This however, proved difficult. In trying to resolve the constraints of the site, Council Officers have found that acquisition is not the best way to realise the missing cycle way link. Instead a superior alternative has been found that takes most of the cycle link over water and avoids acquiring lands on which existing businesses currently operate (Appendix A). This is a more expensive construction solution; however, the additional construction costs can be offset because the land will not have to be acquired.

The redesign of stage 6 of the cycle way has also raised issues regarding the crossing of the area leased by the St George and Sutherland Shire Anglers Club and the associated risks to cyclist and walkers when the club holds events. Designs have been prepared which improve the safety issues by separating vehicle traffic and recreational users through the Anglers club via a second bridge across the creek and a new section of cycle way south of the roadway, thus completely avoiding the car park.

Council previously resolved via PLN003-17 to remove 1A Atkinson Road, Taren Point from the acquisition list. The Section 94 funds held in Trust for the land purchase have essentially been freed up and can be used to resolve the issues at the Anglers Club and fund the more expensive boardwalk design of the cycle way.

Given that the property at 1A Atkinson Road has been removed from the acquisition list, an amendment to the zoning of the land is required from the current RE1 Public Open Space zoning to the adjoining B7 Business Park zoning. The adjoining land at 1-13 Atkinson Road is also partly zoned for future acquisition as RE1. This can also be rezoned to B7 as previous design decisions have avoided the need to purchase this property (refer to Appendix B).

The rezoning of the land from public open space to a business zone will remove Council's legal obligation to purchase the reserved land. It will also allow the funds held for the purchase of the land to be used to fund the additional works needed to complete Stage 6 of the cycle way. This will allow the missing cycle way link to be delivered more quickly, which is consistent with best practice use of Section 94 funds.

BUDGET AND RESOURCES

The rezoning of the land at 1A Atkinson Road, and 1-13 Atkinson Road, Taren Point will eliminate Council's obligation to acquire this land thus freeing up the allocated funding for other works required to deliver the cycle way. As such the additional construction costs are offset and will be fully funded by the Section 94 funds.

POLICY

The rezoning of the land at 1A Atkinson Road, and 1-13 Atkinson Road, Taren Point from RE1 Public Open Space to B7 Business Park will require a Planning Proposal to be prepared to amend the Sutherland Shire Local Environmental Plan 2015.

CONCLUSION

Early versions of the Woollooware Shared Pathway required the acquisition of land at 1A Atkinson Road and 1-13 Atkinson Road, Taren Point. Amendments to the design of the cycle way have eliminated the need to purchase these properties. In order to remove Council's obligation to purchase the properties it is recommended that a Planning Proposal be prepared to rezone the land from RE1 Public Recreation to B7 Business Park. The money saved by avoiding the land acquisition will be used to fund the design changes to this stage of the cycle way.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager Strategic Planning, Mark Carlon, who can be contacted on 9710 0523.

File Number: 2015/66255

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(Councillor Croucher / Councillor Provan)

COUNCIL RESOLUTION

THAT:

1. A Planning Proposal be prepared to rezone the portion of land zoned RE1 Public Recreation at 1A Atkinson Road, Taren Point and 1-13 Atkinson Road, Taren Point to B7 Business Park.
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(Councillor Provan / Councillor Nicholls)

APPENDIX

Appendix A

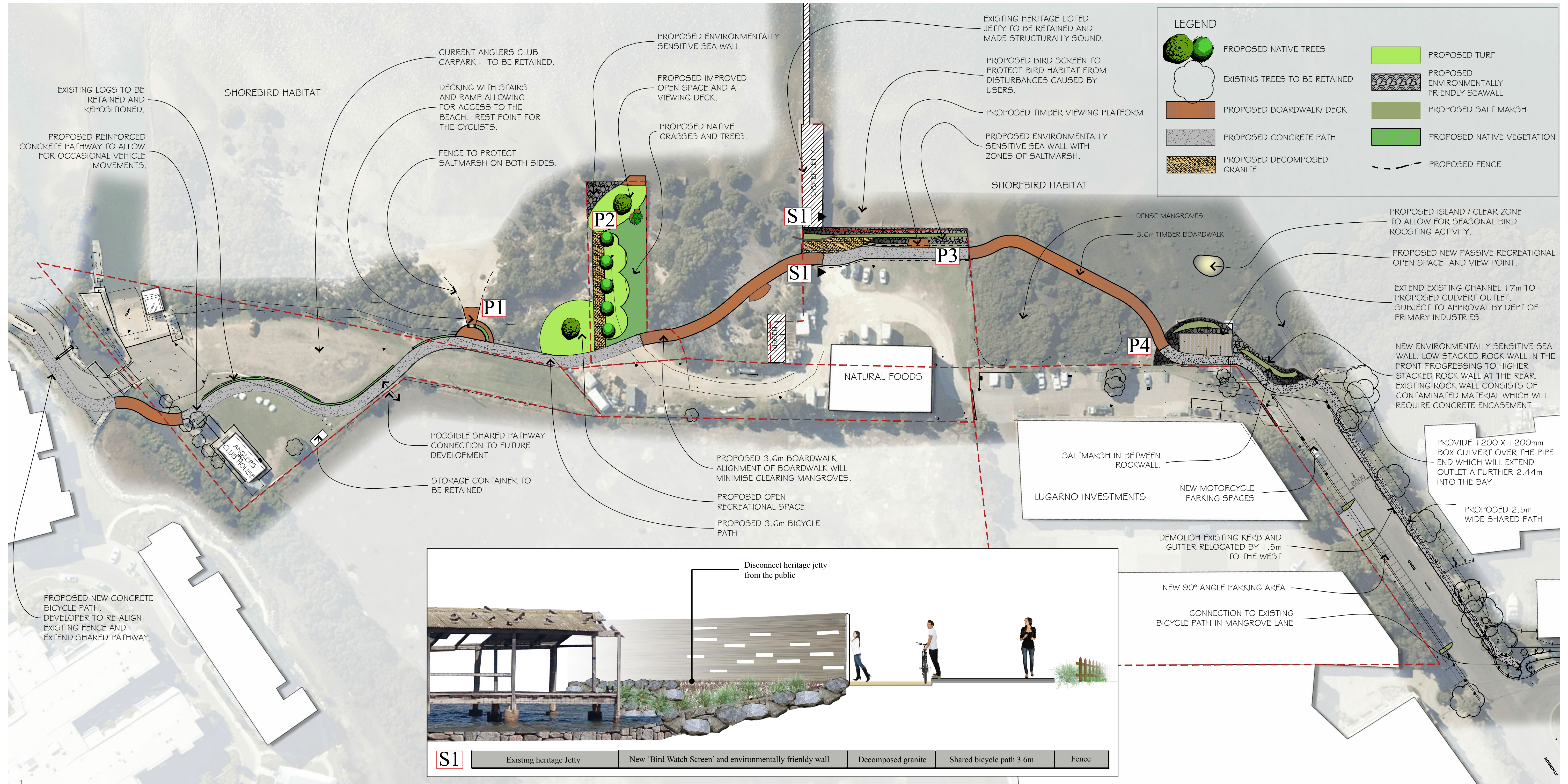


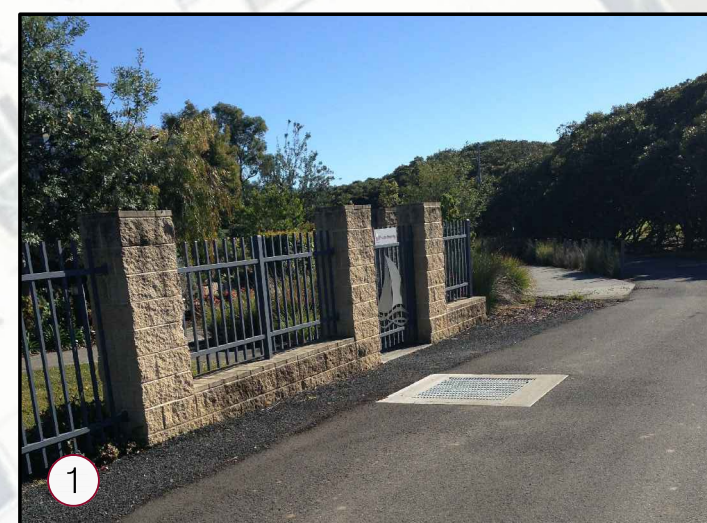
[Appendix A Woollooware Bay Cycleway plan REVISED.pdf](#)

Appendix B

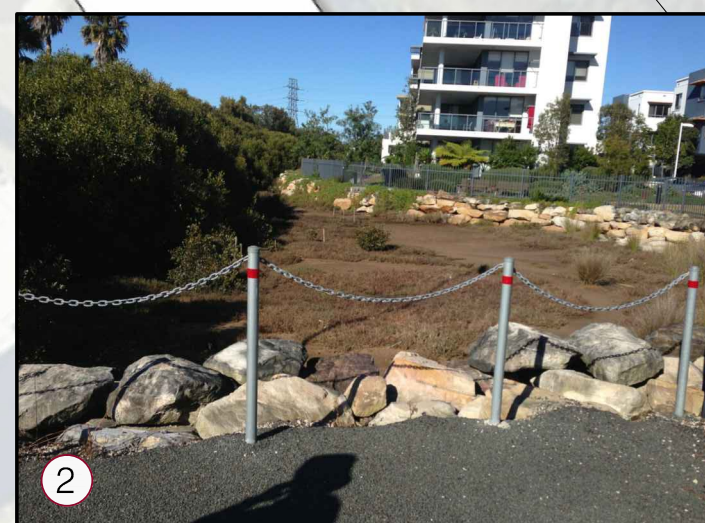


[Appendix B.pdf](#)

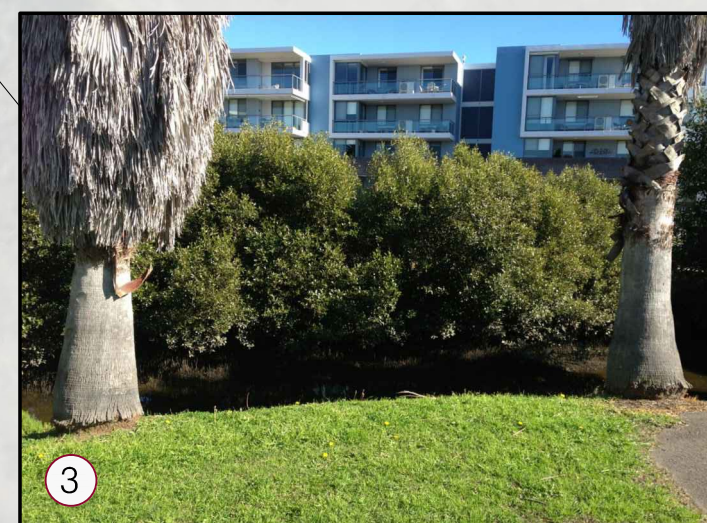




1 FENCE TO BE RE-ALIGN TO ALLOW FOR PROPOSED PATH



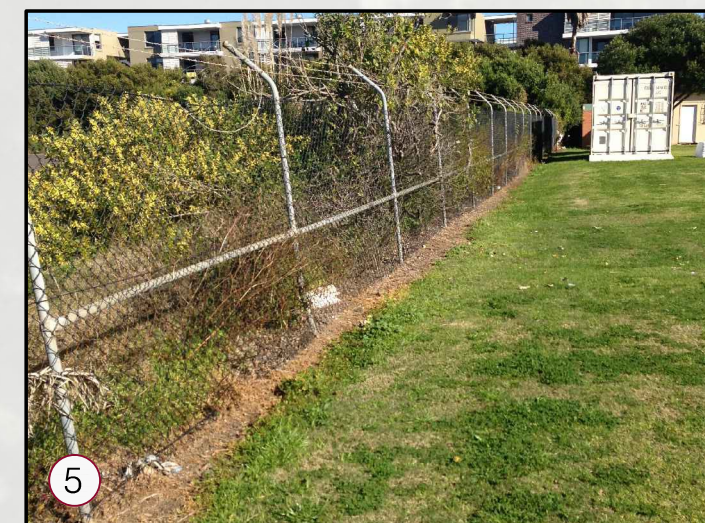
2 CLEAR ZONE. POTENTIAL FOR PROPOSED BOARDWALK



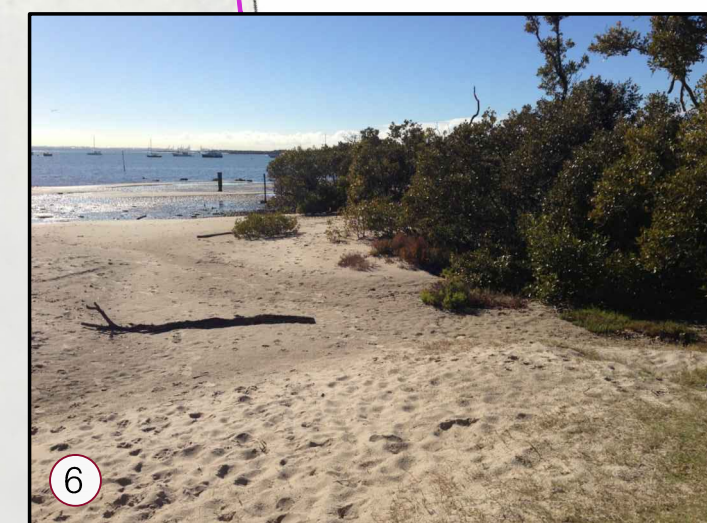
3 ENTRY POINT OF BOARDWALK. POTENTIAL REMOVAL OF TREE



4 CONTINUE BOARDWALK ADJACENT TO STORAGE CONTAINER.



5 FENCE BETWEEN 31 BAY ROAD AND ANGLERS CLUB. DA DISCUSSION CURRENTLY HELD FOR REDEVELOPMENT



6 POTENTIAL PASSIVE RECREATIONAL SPACE. PROTECT EXISTING SALT MARSH



7 EXISTING FENCE ACTING AS A BARRIER BETWEEN TWO PROPERTIES.



8 VIEW POINT - RECREATIONAL SPACE. WALL REBUILDING REQUIRED. BOARDWALK THROUGH MANGROVES.



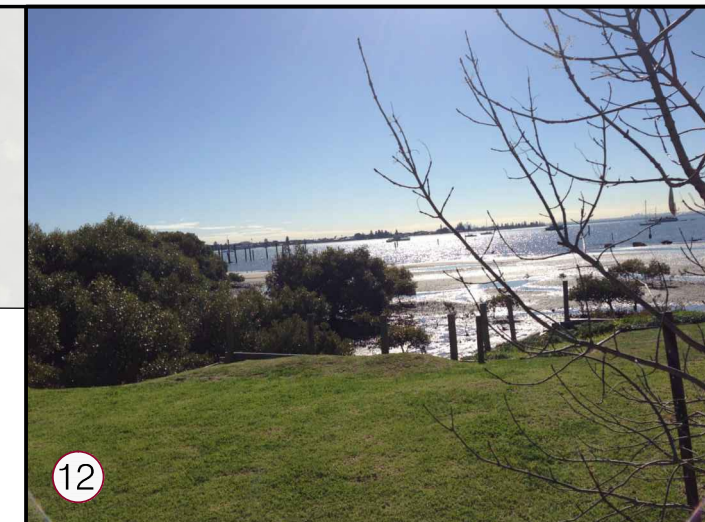
9 POTENTIAL EXIT OF BOARDWALK OVER HERITAGE JETTY.



10 HERITAGE JETTY. BIRD ROOSTING ON THE ASBESTOS ROOFING. NEEDS REFURBISHMENT AND SCREENING.



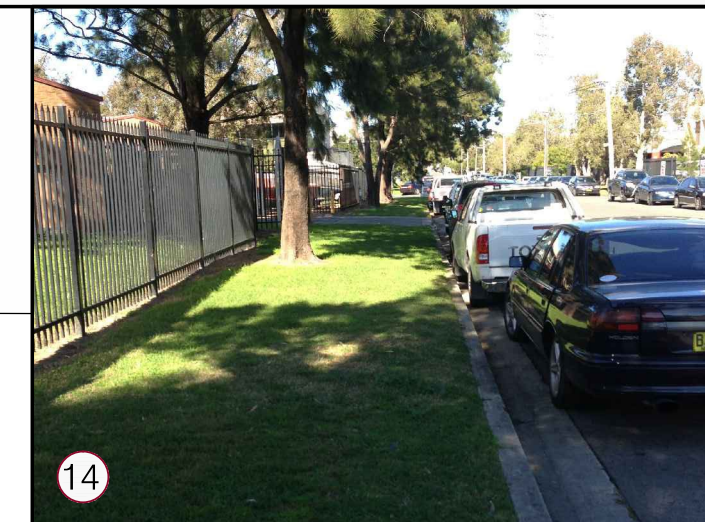
11 OPEN SPACE WITH VIEWS. POTENTIAL RECREATIONAL SPACE. ENTRY TO BOARDWALK IN MANGROVES



12 EXIT OF BOARDWALK THROUGH MANGROVES.



13 CONTAMINATED LAND TO BE RECLAIMED BY RMS AND LUGARNO INVESTMENTS.



14 NARROW VERGE. POTENTIAL EXTENSION TO INCORPORATE 2.5m PATH.



W2

IN4

IN 1



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at A4 Scale 1: 3,125

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