
MAYORAL MINUTE

PROPOSED RECLASSIFICATION OF COUNCIL LAND - 5 RAY STREET, TURRAMURRA

The Ku-ring-gai Local Environmental Plan (Town Centres) 2010, came into effect on 25 May, 2010, with Council adopting the Ku-ring-gai Development Control Plan (Town Centres) 2010 on 8 June, 2010. The Ku-ring-gai Development Control Plan (DCP) provides details of the planning objectives for each of the town centres.

Council has resolved to reclassify 19 sites within the town centres from Community to Operational land, (including 12 William Street, Turramurra) to make possible the delivery of the planning objectives detailed in the DCP. The first step in the reclassification process is now underway with the Planning Proposal on exhibition by the Ku-ring-gai Planning Panel.

On 30 June 2010, Council hosted a community briefing on the Ray Street, Turramurra precinct. The purpose of the briefing was for Council to gain an appreciation of Coles' potential development options for the site. Adjacent to the Coles site are Council's library and car park facilities (located on two parcels of land including 5 Ray Street and 12 William Street, Turramurra) which are classified community land.

Following further consideration of the options presented to Council, and in an attempt to maximize the community benefits through the redevelopment of our site which has the potential to provide for a range of uses which could include community facilities, retail/commercial areas, and improvements to the public domain.

I am proposing that 5 Ray Street, Turramurra, also be included in the process to reclassify the site from community land to operational land status.

Proceeding with the reclassification has the potential to provide Council with the flexibility to deliver the key community infrastructure that is required to support the new development and population, and also improvements to our facilities, public domain areas and civic places.

RECOMMENDATION

- A. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

5 Ray Street, Turramurra being Lot 2 DP 221290

- B. That Council request the Ku-ring-gai Planning Panel to prepare a new draft Local Environmental Plan as an amending instrument to Ku-ring-gai Local Environmental Plan (Town Centres) 2010, to list 5 Ray Street, Turramurra to have operational land status.

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- C. That Council request that the Ku-ring-gai Planning Panel exhibition process be in accordance with the NSW Department of Planning's LEP Practice Note (PN09-003) 12 June 2009.
- D. That Council undertake a public hearing into the proposed reclassification of the site listed in A above.
- E. That the public hearing to be held at an appropriate time, after the public exhibition of the draft Local Environmental Plan prepared by the Ku-ring-gai Planning Panel.
- F. That when received, the Chairperson's report on the public hearing be the subject of a further report for Council's consideration.

Cr Ian Cross
Mayor

**Attachments: Background Information under separate cover:
5 Ray Street, Turramurra - 2010/193074**

Background to Mayoral Minute– 5 Ray Street, Turramurra

On 24 November, 2009, Council resolved to reclassify 19 sites within the town centres from Community to Operational land, (including 12 William Street, Turramurra). The first step in the reclassification process is now underway with the Planning Proposal on exhibition by the Ku-ring-gai Planning Panel.

The Ku-ring-gai Local Environmental Plan (Town Centres) 2010, came into effect on 25 May, 2010, with Council adopting the Ku-ring-gai Development Control Plan (Town Centres) 2010 on 8 June, 2010. The Ku-ring-gai Development Control Plan provides details of the planning objectives for each of the town centres.

On 30 June 2010, Council hosted a community briefing on the Ray Street, Turramurra precinct. The purpose of the briefing was for Council to gain an appreciation of Coles' potential development options for the site. Adjacent to the Coles site are Council's library and car park facilities (located on two parcels of land including 5 Ray Street and 12 William Street, Turramurra) which are classified community land.

There remains concerns in some areas of the community regarding the reclassification of Council land, but I should take this opportunity to remind you that reclassification is only an enabling step, and even when a site is reclassified, it is still ultimately Council's decision to sell, subdivide or enter into a long term lease for the site.

Any decisions on these matters will be made accordance with the relevant policies, and an appropriate level of stakeholder consultation will be made by a formal resolution of Council.

If Council resolves to proceed with the reclassification of 5 Ray Street, Turramurra, there will be further opportunities for community consultation during an exhibition period and formal public hearing process, which would be chaired by an independent consultant, along with further reporting back to Council.

I also note there is some concern about proceeding with reclassification, whilst there is a pending legal challenge to the validity of the Ku-ring-gai Local Environmental Plan (Town Centres) 2010. Regardless of the outcome of the court challenge it is imperative for Council to operate in accordance with the Local Government Charter, which requires that we effectively plan and manage our assets, including key land holdings such as those in our town centres.

Proceeding with the reclassification has the potential to provide Council with the flexibility to deliver the key community infrastructure that is required to support the new development and population, and also improvements to our facilities, public domain areas and civic places.

On this basis, and following further consideration of the options presented to Council, and in an attempt to maximize the community benefits through the redevelopment of our site which has the potential to provide for a range of uses which could include community facilities, retail/commercial areas, and improvements to the public domain.

I am proposing that 5 Ray Street, Turrumurra, also be included in the process to reclassify the site from community land to operational land status.

In the event Council does not pursue reclassification of this site the community could be left in a situation where a less than desirable development outcome may occur. Whereby Council's land is left isolated and the opportunity to provide timely and necessary community infrastructure and services will not align with the adjoining Coles development.

new development and population, and also improvements to our facilities, public domain areas and civic places.

Resolved:

- A. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- 5 Ray Street, Turramurra being Lot 2 DP 221290
- B. That Council request the Ku-ring-gai Planning Panel to prepare a new draft Local Environmental Plan as an amending instrument to Ku-ring-gai Local Environmental Plan (Town Centres) 2010, to list 5 Ray Street, Turramurra to have operational land status.
- C. That Council request that the Ku-ring-gai Planning Panel exhibition process be in accordance with the NSW Department of Planning's LEP Practice Note (PN09-003) 12 June 2009.
- D. That Council undertake a public hearing into the proposed reclassification of the site listed in A above.
- E. That the public hearing to be held at an appropriate time, after the public exhibition of the draft Local Environmental Plan prepared by the Ku-ring-gai Planning Panel.
- F. That when received, the Chairperson's report on the public hearing be the subject of a further report for Council's consideration.

*For the Resolution: The Mayor, Councillor I Cross, Councillors
Holland, Anderson, Duncombe, Hall*

*Against the Resolution: Councillors Malicki, Keays, Szatow, Hardwick and
McDonald*

*The voting being EQUAL,
the Mayor exercised his Casting Vote
IN FAVOUR of the Motion*

The above Resolution was subject to 3 Amendments which were LOST.

The 1st Lost Amendment was:

(Moved: Councillors Malicki/McDonald

- A. *That Council agrees in principle to reclassify its land at 5 Ray Street, Turramurra once a firm proposal is available to present to residents, shopkeepers and other interested parties.*
- B. *That to begin this process, Council should determine the minimum amount of open space it requires in the Ray Street precinct for present*