

FOR ACTION

ORDINARY COUNCIL – 10/12/2013

Subject: OMC408 - St Ives Shopping Village
Minute Number: 408
Notes:
File Reference: S09318 2013/266574

Resolved:

(Moved: Councillors Ossip/Szatow)

- A. That a Planning Proposal be prepared, in accordance with section 55 of the *Environmental Planning and Assessment Act, 1979*, to reclassify the council car park known as 176 Mona Vale Road, St Ives, being Lot 103 in DP627012 & Lot 105 in DP629388, from community land to operational land via an amendment the Ku-ring-gai LEP Local Centres (2012).
- B. That a Planning Proposal be prepared, in accordance with section 55 of the *Environmental Planning and Assessment Act, 1979*, to reclassify the Council land known as Village Green Parade (which includes a Council car park, St Ives Library, St Ives Early Childhood Centre and St Ives Neighbourhood Centre) being Lot 201 in DP 1164994 & Lot 200 in DP 1164994 from community land to operational land via an amendment the Ku-ring-gai LEP Local Centres (2012).
- C. That a Planning Proposal be prepared, in accordance with section 55 of the *Environmental Planning and Assessment Act, 1979*, to reclassify the Council car park known as 11-21 Cowan Road, St Ives, being:
- Lot A in DP 336206,
 - Lot B in DP 336206,
 - Lot 1 in DP 504794 and
 - Lot A in DP 321567 from community land to operational land via an amendment the Ku-ring-gai LEP Local Centres (2012).
- D. That a Planning Proposal be prepared, in accordance with section 55 of the *Environmental Planning and Assessment Act, 1979*, to reclassify the Council land known as the St Ives Occasional Child Care Centre, 261 Mona Vale Road, St Ives being Lot 31 in DP 719052 from community land to operational land via an amendment the Ku-ring-gai LEP Local Centres (2012).
- E. i. That Council undertake a public hearing under the provisions of the Local Government Act, 1993 for the proposed reclassification of the land resolved by Council in resolution A to D from community land to operational land.
- ii. In recommendation "B". Reference to Lot 200 in D.P. 1164994 should be deleted and put into recommendation "C".
- iii. On page 119 of the business paper, in the Executive Summary for GB.12, the recommendation makes reference to 3 parcels of land, this should be amended to read four (4) parcels of land.

- F. That Council formally seek to discharge all interests for the St Ives Council land holdings as set out in the Planning Proposal.
- G. That the Planning Proposal be submitted to the Department of Planning and Infrastructure for a Gateway Determination in accordance with Section 56 of the *Environmental Planning and Assessment Act, 1979*.
- H. That upon receipt of a Gateway Determination, the exhibition and consultation process is carried out in accordance with the requirements of the *Environmental Planning and Assessment Act, 1979* and with the Gateway Determination requirements.
- I. That a report be brought back to Council at the end of the exhibition and public hearing processes.
- J. That Council's submission of a final Planning Proposal to DOPI is contingent on the prior submission and Council adoption of a Planning Proposal by EK Nominees, in relation to height and floor space ratio.
- K. That Council write to EK Nominees notifying them of its resolution.
- L. That a further report be brought to Council in relation to the compulsory acquisition of the unnamed lane and part Denley Lane as shown in Figure 5.
- M. That Council commence preparation of a detailed community facilities strategy for St Ives and that a budget of \$60,000 is allocated for the study from S94 2010 Plan – local recreational, cultural and social facilities.
- N. That Council begins the process of determining the future of the St Ives Village Precinct in a similar manner to activate Lindfield, by holding meetings, consultations and the like with all parties present including EK Nominees, the St Ives Progress Association, sporting users of Council's fields, the Neighbourhood Centre, and all interested shopkeepers, community groups and individuals. That there be regular minuting and reporting of these meetings commencing early in the new year (2014).

For the Resolution: The Mayor, Councillor J Anderson, Councillors Citer, Ossip, Szatow and Fornari-Orsmond

Against the Resolution: Councillors Armstrong, Berlioz, McDonald, Pettett and Malicki

*The voting being EQUAL,
the Mayor exercised her Casting Vote
IN FAVOUR of the Resolution*

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

(Moved: Councillors Malicki/Armstrong)

- A. *That Council begins the process of determining the future of the St Ives Village Precinct in a similar manner to activate Lindfield, by holding meetings, consultations and the like with all parties present including EK Nominees, the St Ives Progress Association, sporting users of Council's fields, the Neighbourhood Centre, and all interested shopkeepers, community groups and individuals. That there be regular minuting and reporting of these meetings commencing early in the new year (2014).*

- B. *That Council write to EK Nominees notifying them of its resolution.*
- C. *That a further report be brought to Council in relation to the compulsory acquisition of the unnamed lane and part Denley Lane as shown in Figure 5.*
- D. *That Council commence preparation of a detailed community facilities strategy for St Ives and that a budget of \$60,000 is allocated for the study from S94 2010 Plan – local recreational, cultural and social facilities.*

For the Amendment: Councillors Armstrong, Berlioz, McDonald, Pettett and Malicki

Against the Amendment: The Mayor, Councillor J Anderson, Councillors Citer, Ossip, Szatow and Fornari-Orsmond

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

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

(Moved: Councillors Berlioz/Malicki

- A. *That a Planning Proposal be prepared, in accordance with section 55 of the Environmental Planning and Assessment Act, 1979, to reclassify the council car park known as 176 Mona Vale Road, St Ives, being Lot 103 in DP627012 & Lot 105 in DP629388, from community land to operational land via an amendment the Ku-ring-gai LEP Local Centres (2012).*
- B. *That a Planning Proposal be prepared, in accordance with section 55 of the Environmental Planning and Assessment Act, 1979, to reclassify the Council land known as Village Green Parade (which includes a Council car park, St Ives Library, St Ives Early Childhood Centre and St Ives Neighbourhood Centre) being Lot 201 in DP 1164994 & Lot 200 in DP 1164994 from community land to operational land via an amendment the Ku-ring-gai LEP Local Centres (2012).*
- C. *That the Council car park known as 11-21 Cowan Road, St Ives being:*
- Lot A in DP 336206,*
 - Lot B in DP 336206,*
 - Lot 1 in DP 504794,*
 - Lot A in DP 321567,*
 - Lot 200 DP 1164994,*

be excluded from reclassification.

- D. *That a Planning Proposal be prepared, in accordance with section 55 of the Environmental Planning and Assessment Act, 1979, to reclassify the Council land known as the St Ives Occasional Child Care Centre, 261 Mona Vale Road, St Ives being Lot 31 in DP 719052 from community land to operational land via an amendment the Ku-ring-gai LEP Local Centres (2012).*

- E.
 - i. *That Council undertake a public hearing under the provisions of the Local Government Act, 1993 for the proposed reclassification of the land resolved by Council in resolution A to D from community land to operational land.*
 - ii. *In recommendation "B". Reference to Lot 200 in D.P. 1164994 should be deleted and put into recommendation "C".*
 - iii. *On page 119 of the business paper, in the Executive Summary for GB.12, the recommendation makes reference to 3 parcels of land, this should be amended to read four (4) parcels of land.*
- F. *That Council formally seek to discharge all interests for the St Ives Council land holdings as set out in the Planning Proposal.*
- G. *That the Planning Proposal be submitted to the Department of Planning and Infrastructure for a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979.*
- H. *That upon receipt of a Gateway Determination, the exhibition and consultation process is carried out in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and with the Gateway Determination requirements.*
- I. *That a report be brought back to Council at the end of the exhibition and public hearing processes.*
- J. *That Council's submission of a final Planning Proposal to DOPI is contingent on the prior submission and Council adoption of a Planning Proposal by EK Nominees, in relation to height and floor space ratio.*
- K. *That Council write to EK Nominees notifying them of its resolution.*
- L. *That a further report be brought to Council in relation to the compulsory acquisition of the unnamed lane and part Denley Lane as shown in Figure 5.*
- M. *That Council commence preparation of a detailed community facilities strategy for St Ives and that a budget of \$60,000 is allocated for the study from S94 2010 Plan – local recreational, cultural and social facilities.*
- N. *That the reclassification process describing E, F, G, H, and I should not proceed until a planning proposal has been received and adopted from EK Nominees.*
- O. *Any resolution to reclassify community land to operational land in St Ives does not bind Council to adopt the planning proposal by EK Nominees.*
- P. *That Council begins the process of determining the future of the St Ives Village Precinct in a similar manner to activate Lindfield, by holding meetings, consultations and the like with all parties present including EK Nominees, the St Ives Progress Association, sporting users of Council's fields, the Neighbourhood Centre, and all interested shopkeepers, community groups and individuals. That there be regular minuting and reporting of these meetings commencing early in the New Year 2014.*

For the Lost Foreshadowed Amendment: Councillors Armstrong, Berlioz, McDonald, Pettett and Malicki

*Against the Lost Foreshadowed Amendment: The Mayor, Councillor J Anderson, Councillors
Citer, Ossip, Szatow and Fornari-Orsmond*

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

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