

Planning Proposal – 261 Mona Vale Road, St Ives

Frequently Asked Questions

What is a Planning Proposal?

A Planning Proposal

- explains the intended outcome of a proposed amendment to the Local Environmental Plan,
- sets out the justification and strategic merit for the proposed amendments,
- can be prepared by Council or a landowner/developer seeking to change the planning controls relating to a particular site.

You can find more information on Planning Proposals on the NSW Department of Planning, Housing and Industry website here <https://www.planning.nsw.gov.au/plans-for-your-area/local-planning-and-zoning/making-and-amending-leps>

What is a Local Environmental Plan (LEP)?

An LEP is an environmental planning instrument prepared by a Council in consultation with the community and approved by the Minister for Planning (or their delegate). LEPs state land use standards for all development types.

The LEP that covers the Ku-ring-gai Local Government Area is the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015)

You can see more information about KLEP's here <https://www.krg.nsw.gov.au/Planning-and-development/Planning-policies-and-guidelines/Ku-ring-gai-Local-Environmental-Plan-2015>

What is the site address?

The Planning Proposal relates to 261 Mona Vale Road, St Ives (Lot 31 DP 719052)



Why is Council reclassifying the site?

The site was leased to a not-for-profit community organisation as an Occasional Child Care Centre for over 20 years. Despite a highly concessional rent the lessee voluntarily surrendered the lease in December 2020 citing the operation was not viable.

On departure, the premises were left in a generally poor condition requiring a new fit-out and internal and external maintenance works at significant cost. Council recognises the need for an even more substantial repair to command competitive rental rates. The current tenant continues to operate an early learning centre consistent with the current planning approval, which provides for the accommodation of up to 25 children up to the age of 5 years old.

However, to increase capacity or extend the hours of operation, the building would require substantial upgrade works to make the premises compliant with new standards and appeal to a wider tenancy, outside childcare, able to offer improved rental rates.

The building on this site is dated and although it may continue to operate as a child-care facility, it does not meet current standards and requirements for new facilities as reflected in Part 3.3 of State Environmental Planning Policy (Transport and Infrastructure) 2021; Children (Education and Care Services) National Law (NSW) N 2010; Education and Care Services National Regulations 2011; Children (Education and Care Services) Supplementary Provisions Regulation 2012.

Without substantial financial outlay the building and its standard of provision cannot, into the future, compete with emerging childcare facilities in the locality and has limited capacity to maximise and increase future financial returns for Council. A redesign/rebuild would be required to address the current conditions including noise and pollution impacts on the outdoor children's play area.

Reclassification to Operational land will improve flexibility in decision making around the site, including an increased variety of tenants and long-term leases that can secure financial outlay to upgrade the site, or divestment to apply funding to other assets in the LGA.

Reclassification to Operational land will provide flexibility in both the site's tenancy and possible divestment, to enable Council to receive an adequate return on investment consistent with Council strategies, and consistent with the objects of the EP&A Act to encourage the orderly and economic use of land.

Has Council resolved to sell the site?

No. Council has not considered nor resolved to sell the site. Any future divestment option would need to be again reported to Council for deliberation. Council would need to deliver a resolution to sell the site in accordance with Council's [Acquisition and Divestment of Land Policy](#).

If the site is sold what will the fund be used for?

Any future divestment of the site will assist Council in meeting community expectations for the renewal and replacement of community infrastructure.

The Ku-ring-gai Long Term Delivery Program 2022 – 2026 and Operational Plan 2022-2023 identify projects which are to be funded from asset sales, and include:

- Upgrade/new assets – including renewal of buildings, roads, kerb and gutter, footpaths, stormwater network, swimming pool, parks, tennis courts and other recreational assets.
- Renewal of existing community assets – projects with funding from asset sales include St Ives Sports Centre and Marian Street Theatre.

Funds can be used in the Ku-ring-gai Contribution Plan 2010, which provides funding for constructing of new parks and civic spaces.

What is the timeline and next steps?

The public exhibition is from **Thursday 21 March 2024 to Friday 19 April 2024**.

Council is required to conduct a Public Hearing for land reclassification. The community can make written and verbal submissions to the independent Chairperson in a public forum.

The **Public Hearing is proposed to be held in May 2024**. Further details will be provided at the end of the exhibition period.

A post-exhibition report will be prepared which considers all the matters raised during the Exhibition and at the Public Hearing. This will be considered at a Council Meeting during July/August 2024.