

# Planning Proposal - 1192 Pacific Highway, Pymble

## 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, Industry and Environment 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 1192 Pacific Highway, Pymble (Lot 8 DP 30236)



### Why is Council reclassifying the site?

Despite acquisition in 1979, the orderly and economic use of the land for public open space has not been achievable due to its size, shape, topography, location and the difficulty of providing public access to it.

Council relies on the divestment of its existing surplus land holdings to bridge the substantial funding gap required to manage its existing infrastructure and the community expectations for new and improved public infrastructure programs.

The site does not satisfy Council's direction and provision of community facilities/open space. The potential of these land parcels can be realised through re-purposing or divestment, both of which require the land to be reclassified from Community land to Operational land.

The site has been unable to be effectively used for public open space. Council's Open Space Acquisition Strategy requires new parks to have an area greater than 3000sqm to provide for maximum passive recreation opportunity. This site is less than 1,000sqm with no potential for future expansion due to adjoining developments.

Retaining the site at continued expense prevents the release of much needed funding to benefit the wider community through provision of improved community services and facilities. Currently the only benefit is to an adjacent property overlooking the space. Amalgamation of the site with the last remaining undeveloped land to its south will provide the required open space to that site including retention of the site canopy trees.

### 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

### Why can't the site be retained for open space?

The site has been assessed against the principles of the [Ku-ring-gai Open Space Acquisition Strategy](#), which is a useful tool to evaluate the site future potential as open space.

The assessment has found the following:

- The land is located in a low priority zone as the site is close to Robert Pymble Park which offers the community a superior open area.
- Council's *Open Space Acquisition Strategy* requires new parks to have areas greater than 3000sqm to provide for maximum passive recreation opportunity. This site is less than 1000sqm and has no potential for future expansion due to adjoining developments.
- The site is difficult to access, both by the general public and by Council for maintenance, it is heavily impacted by traffic noise and pollution from the Pacific Highway.
- The site lacks the openness and visibility required to create a safe place, it fails to meet the requirements for Crime Prevention Design considerations and has been the subject of anti-social behaviour.

### What is the timeline and next steps?

The public exhibition is from **18 March to 15 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.