

Having previously declared a conflict of interest in the LVH Planning Proposal matter, Director Watson left the chamber.

153 **LVH Planning Proposal**

File: S12165-7

Vide: GB.16

To propose that Council endorse lodgement of a Planning Proposal seeking to amend the KLEP (LC) 2012 with respect to the height and Floor Space Ratio (FSR) provisions at the Lindfield Village Hub site.

To provide Council with an overview of the intended effect and rationale for seeking the proposed amendments

For Council to note the requirement to retain Lot 3 of DP 1226294 as part of the project site area.

Motion:

(Moved: Councillors Szatow/ Greenfield)

- A. That Council endorse preparation and lodgement of a Planning Proposal, in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979, seeking to amend the Ku-ring-gai LEP (Local Centres) 2012 as it applies to the Lindfield Village Hub site as follows:
- i. With a height control of no higher than the highest building in Lindfield being 23 – 41 Lindfield Avenue (known as the Aqualand building) which equates to no more than a 9 storey building on the Lindfield Village Hub site, including a provision at Clause 4.3 to allow for roof top plant, lift overruns and rooftop communal open space (and associated structures) to be located above the proposed maximum height limits, where appropriate.
 - ii. Amend the current additional permissible use provision at Clause 29 in Schedule 1 to allow development for the purpose of attached dwellings on the site, at the corner of Bent Street and Drovers Way, Lindfield.
- B. That Council note the proposed amendment of Part 14E of the KDCP (LC) 2012 to reflect the Planning Proposal and the associated Urban Design Report and that this will remove reference to the current Lindfield Village Hub Masterplan.
- C. That Council note the requirement to retain Lot 3 of DP1226294 as part of the project site area.
- D. That Council note that the minimum areas (m²) to be provided for the following project components are as follows:

- | | |
|---------------|---------------------|
| 1. local park | 3,000m ² |
| 2. plaza | 900m ² |

- | | |
|-----------------------|---------------------|
| 3. library | 1,250m ² |
| 4. community facility | 1,200m ² |
- E. That all non-mandatory basement car spaces designated to offset existing spaces at Woodford Lane car park are removed from the project scope.
- F. That a funding strategy be developed to offset the anticipated reduction in revenue due to the reduction in proposed building heights.
- G. That Council authorise the General Manager to finalise the Planning Proposal on its behalf as landowner, in accordance with recommendations A-F, and to submit the Planning Proposal to the relevant Planning Authority (Council).

AMENDMENT

(Moved: Spencer/ Ngai)

1. That Council proceed with the Lindfield Village Hub project on the basis of the original masterplan and project requirements in accordance with the Council Resolutions of 6 October 2015 and 10 November 2015.
2. That Council proceed with Request for Tender (RFT) by September 2019.

Procedural Motion:

(Moved: Councillor Clarke)

That the Amendment be now put.

The procedural motion was put and declared carried.

CARRIED UNANIMOUSLY

The Amendment was put and declared LOST.

For the Amendment: *Councillors Ngai, Pettett, Spencer, Kelly*

Against the Amendment: *The Mayor, Councillor Anderson,
Councillors Clarke, Greenfield, Szatow,
Smith and Kay*

SECOND AMENDMENT

(Moved: Councillors Ngai/ Pettett)

- A. That Council endorse preparation and lodgement of a Planning Proposal, in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979, seeking to amend the Ku-ring-gai LEP (Local Centres) 2012 as it applies to the Lindfield Village Hub site as follows:
- i. With a height control of no higher than the highest building in Lindfield being 23 – 41 Lindfield Avenue (known as the Aqualand building) which equates to no more than a 9 storey building on the Lindfield Village Hub site, including a provision at Clause 4.3 to allow for roof top plant, lift overruns and rooftop communal open space (and associated structures) to be located above the proposed

- maximum height limits, where appropriate.
- ii. Amend the current additional permissible use provision at Clause 29 in Schedule 1 to allow development for the purpose of attached dwellings on the site, at the corner of Bent Street and Drovers Way, Lindfield.
- B. That Council note the proposed amendment of Part 14E of the KDCP (LC) 2012 to reflect the Planning Proposal and the associated Urban Design Report and that this will remove reference to the current Lindfield Village Hub Masterplan.
- C. That Council note the requirement to retain Lot 3 of DP1226294 as part of the project site area.
- D. That Council note that the minimum areas (m²) to be provided for the following project components are as follows:
- | | |
|-----------------------|---------------------|
| 1. local park | 3,000m ² |
| 2. plaza | 900m ² |
| 3. library | 1,250m ² |
| 4. community facility | 1,200m ² |
- E. That a funding strategy be developed to offset the anticipated reduction in revenue due to the reduction in proposed building heights.
- F. That Council authorise the General Manager to finalise the Planning Proposal on its behalf as landowner, in accordance with recommendations A-E, and to submit the Planning Proposal to the relevant Planning Authority (Council).

During discussion and debate on the Second Amendment, Councillors Kay and Greenfield left and returned to the Chamber.

The Second Amendment was put and CARRIED, with the Mayor using her casting vote. The Second Amendment now became the substantive Motion.

*For the Amendment: The Mayor, Councillor Anderson,
Councillors Ngai, Pettett, Spencer and
Kay*

*Against the Amendment: Councillors Clarke, Greenfield, Szatow,
Smith and Kelly*

Councillors resumed debate on the substantive Motion.

THIRD AMENDMENT

(Moved: Councillors Clarke/ Szatow)

- A. That Council endorse preparation and lodgement of a Planning Proposal, in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979, seeking to amend the Ku-ring-gai LEP (Local Centres) 2012 as it applies to the Lindfield Village Hub site as follows:

- i. With a height control of no higher than the highest building in Lindfield being 23 – 41 Lindfield Avenue (known as the Aqualand building) which equates to no more than a 9 storey building on the Lindfield Village Hub site, including a provision at Clause 4.3 to allow for roof top plant, lift overruns and rooftop communal open space (and associated structures) to be located above the proposed maximum height limits, where appropriate.
 - ii. Amend the current additional permissible use provision at Clause 29 in Schedule 1 to allow development for the purpose of attached dwellings on the site, at the corner of Bent Street and Drovers Way, Lindfield.
- B. That Council note the proposed amendment of Part 14E of the KDCP (LC) 2012 to reflect the Planning Proposal and the associated Urban Design Report and that this will remove reference to the current Lindfield Village Hub Masterplan.
- C. That Council note the requirement to retain Lot 3 of DP1226294 as part of the project site area.
- D. That Council note that the minimum areas (m²) to be provided for the following project components are as follows:

1. local park	3,000m ²
2. plaza	900m ²
3. library	1,250m ²
4. community facility	1,200m ²
- E. That half of all non-mandatory basement car spaces designated to offset existing spaces at Woodford Lane car park are removed from the project scope.
- F. That a funding strategy be developed to offset the anticipated reduction in revenue due to the reduction in proposed building heights.
- G. That Council authorise the General Manager to finalise the Planning Proposal on its behalf as landowner, in accordance with recommendations A-E, and to submit the Planning Proposal to the relevant Planning Authority (Council).

Procedural Motion:

(Moved: Councillor Smith)

That the Third Amendment be now put.

The procedural motion was put and declared CARRIED.

CARRIED UNANIMOUSLY

The Third Amendment was put and declared LOST.

For the Amendment:

*Councillors Clarke, Greenfield, Szatow
and Smith*

Against the Amendment: *The Mayor, Councillor Anderson,
Councillors Ngai, Pettett, Spencer, Kelly
and Kay*

Councillors resumed debate on the substantive Motion.

FOURTH AMENDMENT

(Moved: Councillors Spencer/ Pettett)

1. That due to the difficulty in balancing community needs, planning outcomes and financial sustainability ahead of the new comprehensive LEP, the Lindfield Village Hub project, planning and tender processes be terminated.
2. That shortlisted tenderers be thanked for their participation and advised of Council's decision.
3. That project resources be diverted to progressing the Turramurra and Gordon Hubs, and in due course recommencing the Lindfield Village Hub project, in conjunction with preparation of a new comprehensive LEP for the whole local government area.
4. That the General Manager implement this resolution as soon as practicable.

Procedural Motion:

(Moved: Councillor Kelly)

That the Fourth Amendment be now put.

The procedural motion was put and declared CARRIED.

CARRIED UNANIMOUSLY

The Fourth Amendment was put and declared LOST.

For the Amendment: *Councillors Spencer and Kelly*

Against the Amendment: *The Mayor, Councillor Anderson,
Councillors Ngai, Clarke, Pettett,
Greenfield, Szatow and Kay*

Councillors resumed debate on the substantive Motion below.

Resolved:

- A. That Council endorse preparation and lodgement of a Planning Proposal, in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979, seeking to amend the Ku-ring-gai LEP (Local Centres) 2012 as it applies to the Lindfield Village Hub site as follows:
 - i. With a height control of no higher than the highest building in Lindfield being 23 – 41 Lindfield Avenue (known as the Aqualand building) which equates to no more than a 9 storey building on the Lindfield Village Hub site, including a provision at Clause 4.3 to allow for roof top plant,

- lift overruns and rooftop communal open space (and associated structures) to be located above the proposed maximum height limits, where appropriate.
- ii. Amend the current additional permissible use provision at Clause 29 in Schedule 1 to allow development for the purpose of attached dwellings on the site, at the corner of Bent Street and Drovers Way, Lindfield.
- B. That Council note the proposed amendment of Part 14E of the KDCP (LC) 2012 to reflect the Planning Proposal and the associated Urban Design Report and that this will remove reference to the current Lindfield Village Hub Masterplan.
- C. That Council note the requirement to retain Lot 3 of DP1226294 as part of the project site area.
- D. That Council note that the minimum areas (m²) to be provided for the following project components are as follows:
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| 1. local park | 3,000m ² |
| 2. plaza | 900m ² |
| 3. library | 1,250m ² |
| 4. community facility | 1,200m ² |
- E. That a funding strategy be developed to offset the anticipated reduction in revenue due to the reduction in proposed building heights.
- F. That Council authorise the General Manager to finalise the Planning Proposal on its behalf as landowner, in accordance with recommendations A-E, and to submit the Planning Proposal to the relevant Planning Authority (Council).

For the Motion:

*The Mayor, Councillor Anderson,
Councillors Ngai, Clarke, Greenfield,
Szatow, Smith and Kay*

Against the Motion:

Councillors Pettett, Spencer and Kelly

Director Watson returned to the Chamber after all debate and voting on GB.1 had concluded.

QUESTIONS WITH NOTICE

154

Blue Gum High Forest

File: S06843

Vide: QN.1

QUESTION:

Question from Councillor Greenfield dated 2 August 2019:

To the director