

## ATTACHMENTS FOR: AGENDA NO. 4/25 EXTRAORDINARY COUNCIL MEETING

**Meeting Date:** Wednesday 30 April 2025  
**Location:** Council Chambers, Level 1A, 1 Pope Street, Ryde and Online  
**Time:** 7.00pm

### ATTACHMENTS FOR EXTRAORDINARY COUNCIL MEETING

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ATTACHMENT 1



**HUNTER'S HILL COUNCIL**

ABN 75 570 316 011  
TOWN HALL, ALEXANDRA STREET, HUNTERS HILL 2110  
PO BOX 21, HUNTERS HILL 2110  
TELEPHONE: (02) 9879 9400  
EMAIL: [council@huntershill.nsw.gov.au](mailto:council@huntershill.nsw.gov.au)  
WEB: [www.huntershill.nsw.gov.au](http://www.huntershill.nsw.gov.au)

11 April 2025

Mr Wayne Rylands  
Chief Executive Officer  
City of Ryde Council  
Locked Bag 2069  
NORTH RYDE NSW 1670

Dear Wayne

**Re: 12-Month Lease Agreement for Gladesville Occasional Child Care Centre,  
4 Pittwater Road, Gladesville**

I am pleased to confirm that Hunter's Hill Council will update its current month-to-month agreement with Gladesville Occasional Child Care Centre and enter into a new 12-month arrangement from June 2025 to June 2026.

Council will continue to work with the Gladesville Occasional Child Care Centre to ensure it has premises available to operate its service.

Should you have any questions or require any further information please do not hesitate to contact me via email at [tobinn@huntershill.nsw.gov.au](mailto:tobinn@huntershill.nsw.gov.au) or Ph: 0418840090.

Sincerely,



Nick Tobin

Acting General Manager

**ITEM 6 (continued)**

**ATTACHMENT 2**

**Department of Planning, Housing and Infrastructure**



Our ref: PP-2022-3966 (IRF25/744)

Your ref: LEP2022/14

Mr Wayne Rylands  
Chief Executive Officer  
City of Ryde Council  
Locked Bay 2069  
NORTH RYDE NSW 1670

Via email: [cityofryde@ryde.nsw.gov.au](mailto:cityofryde@ryde.nsw.gov.au)

9 April 2025

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**Subject: Planning proposal PP-2022-3966 – Alteration of Gateway Determination**

Dear Mr Rylands

I refer to Councils letter of 31 March 2025 seeking an extension of time to complete planning proposal PP-2022-3966 which seeks to amend Schedule 4 Part 1 of the Ryde Local Environmental Plan 2014, to reclassify land at 4 Pittwater Road, Gladesville (Lot 1 in DP 816692), from 'community' to 'operational' land.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 5 July 2024 for PP-2022-3966. The Alteration of Gateway determination is enclosed.

Should you have any enquiries about this matter, I have arranged for Ms Claire Mirow to assist you. Ms Mirow can be contacted on 02 9274 6472 or via email at [claire.mirow@planning.nsw.gov.au](mailto:claire.mirow@planning.nsw.gov.au).

Yours sincerely,



Kelly McKellar

Manager, Local Planning and Council Support (North, East and Central Coast)  
Planning, Land Use Strategy, Housing and Infrastructure

Encl: Alteration of Gateway Determination

ITEM 6 (continued)

ATTACHMENT 3



Department of Planning, Housing and Infrastructure

**Alteration of Gateway Determination**

*Planning proposal (Department Ref: PP-2022-3966)*

I, Manager, Local Planning and Council Support (North, East and Central Coast), at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 5 July 2024 for the proposed amendment to the Ryde Local Environmental Plan 2014 as follows:

1. Delete:

"The LEP should be completed on or before 2 May 2025."

and replace with:

"The LEP should be completed on or before 13 July 2025."

Dated 9 April 2025.



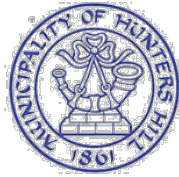
**Kelly McKellar**  
Manager, Local Planning and Council Support  
(North, East and Central Coast)  
Planning, Land Use Strategy, Housing and  
Infrastructure  
Department of Planning, Housing and  
Infrastructure

Delegate of the Minister for Planning and Public  
Spaces

PP-2022-3966 (IRF25/744)

ITEM 6 (continued)

ATTACHMENT 4



1575/6

File:

Margaret Kelly

Enquiries:

**HUNTER'S HILL COUNCIL**

ABN 75 570 316 011

TOWN HALL, ALEXANDRA STREET, HUNTERS HILL 2110

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WEB: [www.huntershill.nsw.gov.au](http://www.huntershill.nsw.gov.au)

22 June 2010

Simone Schwarz  
Manager Community Life  
City of Ryde  
Locked Bag 2069  
North Ryde NSW 1670

Dear Simone

**CONTRIBUTION TO PROPERTY EXPENDITURE  
6 Pittwater Rd, Gladesville**

Thank you for your letter dated 10 May 2010 concerning the City of Ryde financial contribution toward the above mentioned building occupied by Gladesville Occasional Care Centre and Gladesville Early Childhood Health Centre.

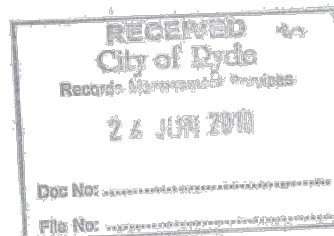
Council resolved to accept the five-year agreement and I please find enclosed a copy of the agreement signed by our General Manager. I have kept a copy for our records.

Thank you for your assistance in bringing this matter to a resolution.

Yours faithfully



Margaret Kelly  
MANAGER COMMUNITY SERVICES



ITEM 6 (continued)

ATTACHMENT 4



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# HUNTERS HILL COUNCIL/ CITY OF RYDE

## JOINT AGREEMENT

*FOR THE CITY OF RYDE'S FINANCIAL CONTRIBUTION TO  
4 PITTWATER ROAD GLADESVILLE*



City of Ryde



The Municipality of  
Hunter's Hill



**ITEM 6 (continued)**

**ATTACHMENT 4**

**Recitals:**

Hunter's Hill Council and the City of Ryde (hereafter referred to as the participating councils) acknowledge and agree that:

1. Hunter's Hill Council manages the property at 4 Pittwater Road, Gladesville ("Premises") which houses "Gladesville Occasional Child Care and Early Childhood Health Centre" and has done so since 1984.
2. The Premises provides child care services, use of which is also made by residents of the City of Ryde.
3. The City of Ryde has provided financial support to Hunter's Hill Council as a means of contributing to the operational costs of the Premises in the past and will continue to do so in accordance with the terms of this Agreement.
4. The parties acknowledge that any and all previous agreements relating to the City of Ryde's contribution to Hunter's Hill for the Premises are hereby terminated and superseded by this agreement.

**Operational terms:**

5. The Premises shall, for the term of this agreement, be known as 'Gladesville Occasional Child Care and Early Childhood Health Centre'.
6. Any branding and promotional material related to the Premises produced either individually or jointly by the participating Councils (including but not limited to signage, websites and brochures) shall acknowledge both parties' interest in the Centre.

**Governance:**

7. Hunters Hill Council undertakes to use its best endeavours to ensure that service levels at the Premises are consistent with the requirements of the NSW Department of Community Services.

**Assets:**

8. The City of Ryde acknowledges that all assets that form part of the Premises are owned by Hunter's Hill and that, subject to this agreement, Hunter's Hill retains the sole discretion in operating the Premises.

**ITEM 6 (continued)**

**ATTACHMENT 4**



**Finance:**

9. After 30 June of each year of this agreement, City of Ryde shall provide Hunters Hill Council with a financial contribution to the running costs of the Premises for that year in accordance with the terms of Attachment 1 to this Agreement.
10. The City of Ryde's contributions for each subsequent year of this Agreement will be equivalent to the preceding year's contribution indexed by the General Rate increase issued by the Minister for Local Government.

**Dispute Resolution:**

11. The participating councils will endeavour to settle any dispute or difference according to the following provisions:
  - a) The participating councils shall meet within 14 days of notice of a dispute being provided with a view to settling the dispute.
  - b) Failing settlement, the dispute is to be referred to mediation.
  - c) The mediator must be a person agreed to by the parties and, failing agreement by either party, the Executive Member may request the Australian Commercial Disputes Centre ("ACDC") to appoint a mediator and the mediator will be so appointed.
  - d) The mediator may conduct proceedings in such manner as the mediator thinks fit including, if considered appropriate, the adoption of all or part of the Guidelines for Commercial Mediation of the ACDC.
  - e) In the event that the dispute has not been settled within twenty-eight (28) days or such other period as agreed to in writing between the parties after the appointment of the mediator, the dispute or difference may be submitted to a dispute resolution process specifically agreed to by the parties or, if not, in accordance with clause 37.
  - f) Each party shall meet their own costs incurred in the dispute resolution process.

**Term of Agreement and Termination:**

12. This Agreement commences on 15 May 2010 and runs for 5 years ("Term").
13. This Agreement may only be terminated during the Term as follows:
  - a) Where a party is in breach of an essential term - by the other party given written notice of termination; or

**ITEM 6 (continued)**

**ATTACHMENT 4**

- b) By either party giving at least 12 months written notice prior to the end of the Term in which case the date the termination takes effect shall be the end of the Term.
- 14. If this Agreement is not terminated during the Term, it shall automatically continue on a yearly basis in which case termination may only occur by way of 12 months written notice.

**ITEM 6 (continued)**

**ATTACHMENT 4**

**ATTACHMENT 1 – FUNDING FORMULA**  
**(BASED ON ACTUAL FIGURES FOR FINANCIAL YEAR 2007-08)**

<b>PROPERTY EXPENDITURE 2007-2008</b>	<b>ACTUAL COSTS</b>
COUNCIL RATES	\$ 3,119.00
WATER & SEWERAGE CHARGES	\$ 630.00
OPERATING EXPENSES	
TELEPHONE (GECH ONLY)	\$ 1,152.00
INSURANCE	\$ 2,677.00
MAINTENANCE	\$ 4,283.00
AIR CONDITIONING	
FIRE PROTECTION	
PROGRAMMED BUILDING MAINTENANCE	
PEST CONTROL	
CLEANING (GECH ONLY)	\$ 8,082.00
ELECTRICITY (GECH ONLY)	\$ 1,484.00
GARDENING	\$ 418.00
TOTAL	\$ 21,845.00
CORPORATE OVERHEADS (30% OF TOTAL PROPERTY EXPENDITURE)	\$ 6,553.50
TOTAL PROPERTY EXPENDITURE	\$ 28,398.50

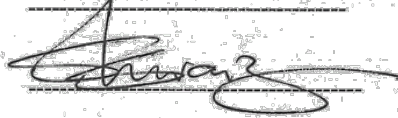
ITEM 6 (continued)

ATTACHMENT 4

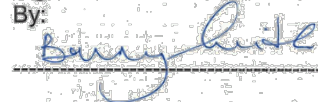
This AGREEMENT is made on the ----- day of ----- 2010 between  
Hunters Hill Council and the City of Ryde

Signed On behalf of City Of Ryde  
By:

Simone Schwarz- Group Manager Community Life



Signed On behalf of Hunters Hill Council  
By:



Barry White



ITEM 6 (continued)

ATTACHMENT 5

**6 PLANNING PROPOSAL FOR FINALISATION -  
RECLASSIFICATION OF PUBLIC LAND AT 4 PITTWATER  
ROAD, GLADESVILLE FROM COMMUNITY TO OPERATIONAL  
LAND**

**Report prepared by:** Strategic Planner  
**File No.:** LEP2022/14/4 - BP25/84

**REPORT SUMMARY**

The Planning Proposal seeks to amend Schedule 4 of the *Ryde Local Environmental Plan 2014* (RLEP 2014) by reclassifying the public land at 4 Pittwater Road, Gladesville, being LOT 1 DP 816692 from Community to Operational land. The Planning Proposal has been prepared by Hunters Hill Council, who are the owners of the land, with the site currently being occupied by a childcare centre.

The intent of the Planning Proposal to reclassify the public land from community land to operational land is to enable Hunters Hill Council to consider expanding opportunities for the future use of the land, and to align the classification of the land to its use and situation, being owned by Hunters Hill Council but located outside of their local government area. It should be noted that this proposal to reclassify the public land does not include a proposal to sell, develop, or otherwise change the existing use of 4 Pittwater Road, Gladesville in any way.

The Planning Proposal has been assessed against relevant State and local strategies and policies, and key social and economic impacts, and determined to have strategic and site-specific merit.

The proposal has been prepared in accordance with the Department of Planning, Housing and Infrastructure's (DPHI) *'Local Environmental Plan Making Guideline'* dated September 2022 and the LEP Practice Note PN16-001 *Classification and reclassification of public land through a local environmental plan*, dated 5 October 2016.

The Planning Proposal was lodged on 4 April 2023 and was considered by the Ryde Planning Panel on 14 December 2023. It was subsequently endorsed by Council to proceed to Gateway Determination on 26 March 2024. Gateway Determination was received on 5 July 2024. Public exhibition was conducted from 2 September 2024 to 29 September 2024 with 95 submissions received, and a public hearing was held on 28 November 2024 with four public attendees. A public hearing and submissions report was prepared by the independent chairperson of the public hearing. They did not identify any significant land or planning impediments to the reclassification to operational land.

**RECOMMENDATION:**

Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

That Council:

- (a) Endorse the planning proposal to reclassify land at 4 Pittwater Road, Gladesville, being LOT 1 DP 816692 from Community to Operational land.
- (b) Submit the planning proposal to the Department of Planning, Housing and Infrastructure and Parliamentary Counsel Office for finalisation under s3.36 of the *Environmental Planning and Assessment Act 1979*.

**ATTACHMENTS**

- 1 Ryde LEP 2014 Maps - 4 Pittwater Road, Gladesville - PP-2022-3966 - CIRCULATED UNDER SEPARATE COVER
- 2 Consistency of PP with SEPPs - CIRCULATED UNDER SEPARATE COVER
- 3 Consistency of PP with S9.1 Directions - CIRCULATED UNDER SEPARATE COVER
- 4 Certificate of Title for LOT 1 in DP 816692 - 4 Pittwater Road, Gladesville - PP-2022-3966 - CIRCULATED UNDER SEPARATE COVER
- 5 Deposited Plan 816692 - 4 Pittwater Road, Gladesville - PP-2022-3966 - CIRCULATED UNDER SEPARATE COVER
- 6 Requirements of LEP Practice Note PN 16-001 - CIRCULATED UNDER SEPARATE COVER
- 7 Excerpt of Council Meeting - Report and Minutes - 20 September 2021 - 4 Pittwater Road, Gladesville - CIRCULATED UNDER SEPARATE COVER
- 8 Summary of Councils interest in the land - PP-2022-3966 - CIRCULATED UNDER SEPARATE COVER
- 9 Excerpt of Council Meeting - Report - 19 April 2021 - 4 Pittwater Road, Gladesville - CIRCULATED UNDER SEPARATE COVER
- 10 Response to Pre-Lodgement Meeting - 4 Pittwater Road, Gladesville - PP-2022-3966 - CIRCULATED UNDER SEPARATE COVER
- 11 Dealing - D394665 - Memorandum of Transfer - 4 Pittwater Road, Gladesville - PP-2022-3966 - CIRCULATED UNDER SEPARATE COVER
- 12 Correspondence from Council to Sydney Water dated 24 April 2023 - PP-2022-3966 - CIRCULATED UNDER SEPARATE COVER
- 13 Correspondence from Sydney Water to Council dated 5 June 2023 - PP-2022-3966 - CIRCULATED UNDER SEPARATE COVER
- 14 Planning Proposal Report - Post-Gateway - CIRCULATED UNDER SEPARATE COVER
- 15 Public Hearing and Submissions Report - Parkland Planners - CIRCULATED UNDER SEPARATE COVER
- 16 Hunters Hill Council Response to draft LEP Exhibition Submissions Letter - CIRCULATED UNDER SEPARATE COVER
- 17 Gateway Determination and Conditions - CIRCULATED UNDER SEPARATE COVER
- 18 Gateway Determination Letter - CIRCULATED UNDER SEPARATE COVER

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Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

- 19** Ryde Local Planning Panel - Determination Statement of Reasons - 4  
Pittwater Road, Gladesville - CIRCULATED UNDER SEPARATE COVER
- 20** Hunters Hill Council Response to Public Hearing and Submissions Report  
Recommendations - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

**Helen Lee**  
**Strategic Planner**

Report Approved By:

**Jeremy Giacomini**  
**City Architect**

**Michael Galderisi**  
**Deputy Chief Executive Officer**

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Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

**Introduction**

The planning proposal seeks to amend Schedule 4 of the RLEP 2014 by reclassifying the public land at 4 Pittwater Road, Gladesville, from community land to operational land. The Planning Proposal has been prepared by Hunters Hill Council (HHC), the owners of the land.

**History**

Pre-Lodgement Meeting and Lodgement

A formal pre-lodgement meeting was held between Hunters Hill Council (HHC), their consultants, and City of Ryde Council (CoR) on 23 February 2023. CoR staff provided advice and recommended amendments to be made for lodgement.

The Planning Proposal was lodged on the Planning Portal on 4 April 2023. The submitted planning proposal and accompanying reports (see **ATTACHMENTS 1-14**) adequately addressed the given advice.

Ryde Local Planning Panel

The Panel considered the planning proposal documents on 14 December 2023 and unanimously agreed that the proposal should proceed to a gateway determination for the purpose of seeking a reclassification from community land to operational.

Council Endorsement

The planning proposal was endorsed by Council without debate on 26 March 2024 proceed to Gateway Determination.

Gateway Determination

The Department of Planning, Housing and Infrastructure granted the Planning Proposal Gateway Determination on 5 July 2024. Five Gateway conditions were issued, which have been complied with. The Gateway Determination states the LEP should be completed on or before 2 May 2025.

**The Site and Locality**

The site is known as 4 Pittwater Road, Gladesville and consists of one allotment being Lot 1 DP 816692 (see Figure 1). The site is irregular in shape, has an area of approximately 704m<sup>2</sup> and is occupied by Gladesville Occasional Child Care Centre (GOCCC), a not-for-profit community based childcare centre.

---

Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

The site has a single frontage to Pittwater Road along its southern boundary. The site is wholly surrounded by sites owned by City of Ryde Council. Adjoining the site to the east is Gladesville Library. Adjoining the site to the west and north is John Wilson Carpark, a public carpark.

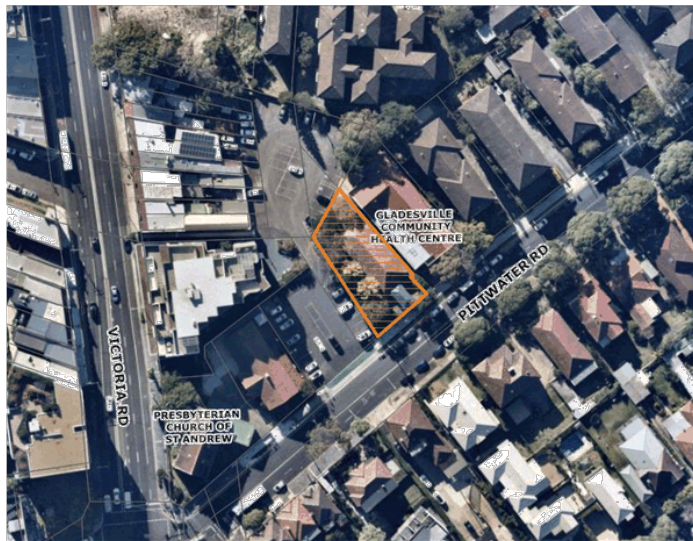


Figure 1. Site and Locality

The land is zoned MU1 Mixed Use under the RLEP 2014 (see Figure 2). The adjoining land and surrounding area are mostly mixed or residential in use with land to the north/northwest being zoned MU1 Mixed Use or R4 High Density Residential and land in the south/southeast being zoned MU1 Mixed Use or R4 High Density Residential or R2 Low Density Residential. The Planning Proposal does not seek to change the site's existing zoning.

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Council, dated 17 April 2025, submitted on 25 March 2025.



**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

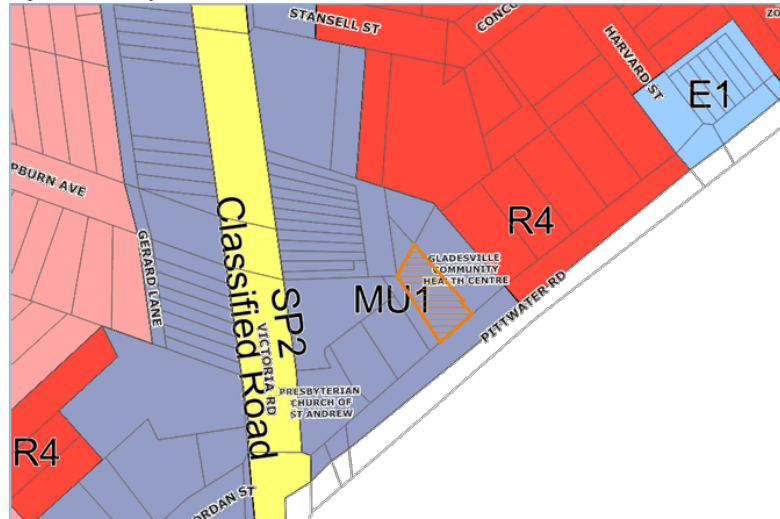


Figure 2. Land Use Zoning under RLEP

The site is subject to a height of building development standard of 22m (see Figure 3). The Planning Proposal does not seek to change the site's existing height of building standard.



Figure 3. Height of Building under RLEP

Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

The site is subject to a maximum floor space ratio (FSR) of 2.6:1 (see Figure 4). The Planning Proposal does not seek to change the site's existing maximum FSR standard.

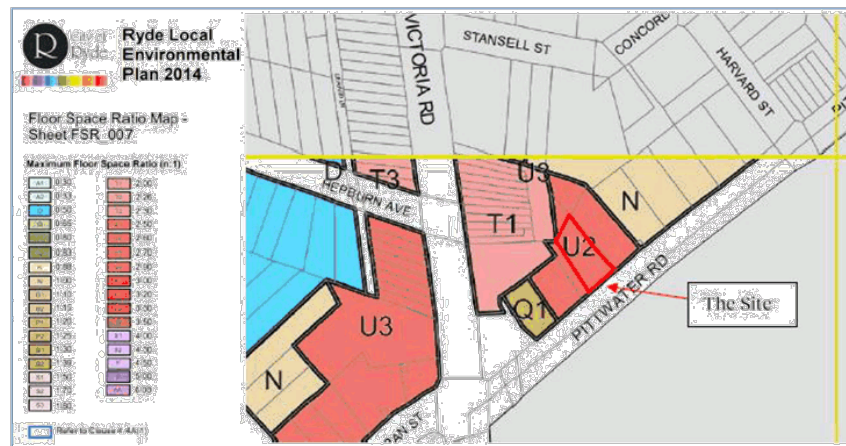


Figure 4. FSR under RLEP

The site is designated as being within the Gladesville Town Centre under the RLEP 2014 Centres map (see Figure 5).



Figure 5. Centres Map under RLEP

The site is identified under Part 4.6 Gladesville Town Centre and Victoria Road Corridor under Ryde Development Control Plan (RDCP) 2014. The location of the

Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

site is within the Town Centre Precinct identified within the Precincts Vision Plan (see Figure 6).

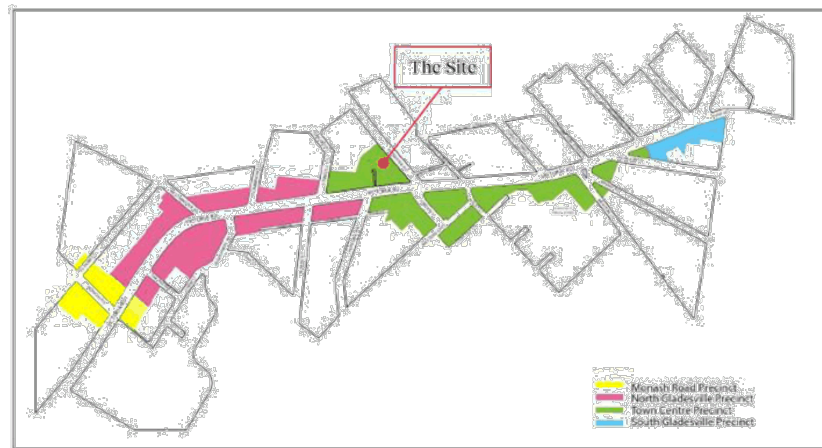


Figure 6. Town Centre Precincts under RDCP

There are four local heritage items listed in the RLEP 2014 that are within proximity of the site (see Figure 7):

- Local heritage item 54 'Great North Road' located on Victoria Road, within 100m of the site.
- Local heritage item 139 'Gates' located on 220 Victoria Road, within 200m of the site.
- Local heritage item 140 'Church' located on 220 Victoria Road, within 200m of the site.
- Local heritage item 142 'Church' located on 265A Victoria Road, within 100m of the site.

There is a heritage conservation area (HCA) located within 100m of the site. The Planning Proposal will not have any impact on these heritage items or HCA.

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Council, dated 17 April 2025, submitted on 25 March 2025.

ITEM 6 (continued)

ATTACHMENT 5

ITEM 6 (continued)

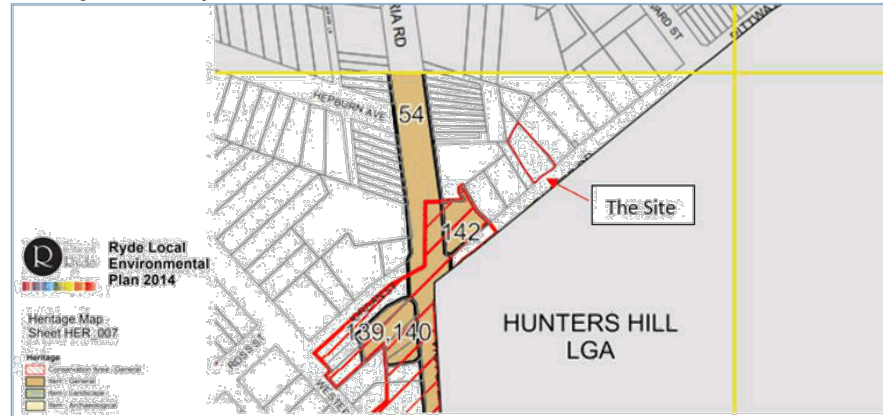


Figure 7. Heritage Items and HCA under RLEP

Interests in the Site

Interests in land refers to property ownership, as well as rights and privileges affecting land, such as leasehold, easements covenants and mortgages.

**ATTACHMENT 8** provides a summary of the interests in the site.

Aside from Hunters Hill Council, who are the owners of the land, Sydney Water was identified to have an interest in the land, being the beneficiary of an easement which applies across the entire site, created under Memorandum of Transfer D394665 (**ATTACHMENT 11**).

The site was also previously owned by Sydney Water, then named Metropolitan Water Sewerage and Drainage Board (MWS&DB). Dealing No. 394665 transferred the site from MWS&DB to Hunters Hill Council on 30 May 1945. The Memorandum included three covenants, two of which relate to the maintenance of the easement, and the third relating to the use of the site. Covenant 3 states the site should be for the sole purpose of the construction and operation of a 'Baby Health Centre' in 1945.

Hunters Hill Council sought approval from Sydney Water for the reclassification and release of the land use restriction on 24 April 2023 (**ATTACHMENT 12**). On 5 June 2023, Sydney Water provided a letter which stated they do not object to the land reclassification and acknowledged the land will be included within the future redevelopment as part of a future Gladesville Masterplan (**ATTACHMENT 13**). Sydney Water also indicated their approval should be sought for any future redevelopment due to the presence of a critical sewer pipe and shaft tunnel access on the site.

Council, dated 17 April 2025, submitted on 25 March 2025.



## ITEM 6 (continued)

## ATTACHMENT 5

### ITEM 6 (continued)

It is noted Sydney Water did not explicitly state their approval to release Hunters Hill Council from the restriction that the site be solely used for a 'Baby Health Centre'. However, this is unrelated to the purposes of this Planning Proposal, which is to reclassify the public land, and does not seek to change the use or occupancy of the site. If Hunters Hill Council or any future owners wish to vary the use of the land from a 'Baby Health Centre', they may be required to seek legal advice to vary the easement.

There are no other interests in the land. Therefore, it is considered there are no interests in the land that conflict with the proposed reclassification.

### Plan of Management

Section 35 of the Local Government Act 1993 requires all community land to be governed by a Plan of Management. There is no plan of management that has been prepared for this site. This is likely due to the misalignment of the ownership and jurisdiction of this community land. Operational land is not required to have a plan of management.

### **Planning Proposal**

The planning proposal seeks to amend Schedule 4 of the RLEP 2014 by reclassifying the public land at 4 Pittwater Road, Gladesville, being Lot 1 DP 816692 from community land to operational land. The Planning Proposal was prepared by SJB Planning on behalf of Hunters Hill Council, the owners of the land, with the site currently being occupied by Gladesville Occasional Child Care Centre.

All public land is required to be classified as either 'community land' or 'operational land'. The main effect of classification is to determine the use of the land.

- **Community land** is different as it reflects the importance of the land to the community because of its use or special features. Generally, it is land intended for public access and use. It is land council makes available for use by the general public, for example, parks, reserves or sports grounds.
- **Operational land** has no special restrictions other than those that may apply to any piece of land. Generally, it is land which facilitates the functions of council, and may not be open to the general public, for example, a works depot or council garage.

The proposal is the result of Hunters Hill Council's Property Strategy (see **ATTACHMENT 9**) that identifies the site as surplus to the needs of Hunters Hill Council. Hunters Hill Council unanimously resolved to lodge the Planning Proposal to City of Ryde Council to reclassify the site on 20 September 2021 (**ATTACHMENT 7**).

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Council, dated 17 April 2025, submitted on 25 March 2025.



**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

Hunters Hill Council are not able to develop, sell, exchange, or dispose of the community land under the provisions of the *Local Government Act 1993*. As such, the proposed reclassification is intended to provide opportunity to unlock the existing development potential of the site to stimulate growth and development within Gladesville Town Centre.

Other intentions for the proposed reclassification of this public land from community land to operational land are as follows:

- The site's classification as community land is inappropriate, being land owned by Hunters Hill Council but located outside of their local government area (LGA).
- To enable Hunter's Hill Council to consider an expanded range of opportunities for the use and management of the site.
- The operational classification is more suitable for the site, being used for a childcare centre. Community land is typically used for land that intended for unrestricted public access, such as parks, reserves, or sportsgrounds.

The proposal does not involve any change to the existing zone and/or development standards that apply to the subject site. There are no interests in the land that Hunters Hill Council is seeking to discharge. The proposal will not result in a change to the existing use of the site, nor does it propose any sale or development. These matters may be pursued as a separate process and are not a part of this planning proposal.

**Discussion**

The *Environmental Planning and Assessment Act 1979* (the Act), requires a planning proposal to provide justification and to consider the strategic merit of the proposal against State and Local strategies and Policies. The planning proposal has provided adequate justification for the proposal, as summarized below:

Strategic Merit Issue	Comment
State Environmental Planning Policies and Local Directions	The planning proposal is generally consistent with the relevant State Environmental Planning Policies and Local Planning Directions under Section 9.1 of the environmental Planning and assessment Act 1979. An analysis of compliance with these policies is provided in the attached planning proposal (see <b>ATTACHMENT 1</b> ).
Greater Sydney Region Plan - A Metropolis of Three Cities	The planning proposal is generally consistent with the Greater Sydney Region Plan - A Metropolis of Three Cities (see <b>ATTACHMENT 1</b> ).

Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

Strategic Merit Issue	Comment
North District Plan	The planning proposal is generally consistent with the North District Plan (see <b>ATTACHMENT 1</b> ).
Ryde Local Strategic Planning Statement	The planning proposal is generally consistent with the Ryde Local Strategic Planning Statement (see <b>ATTACHMENT 1</b> ).
Requirements for Proposals to Reclassify Public Land	<p>The planning proposal is prepared in accordance with LEP Practice Note PN 16-001 (see <b>ATTACHMENT 7</b>). The most relevant part of that Practice Note is Attachment 1 as follows:</p> <ul style="list-style-type: none"> <li>• The land is not a 'public reserve' as defined by the <i>Local Government Act 1993</i>.</li> <li>• Hunters Hill Council's property records indicate the site was transferred from Sydney Water (formerly known as Metropolitan Water and Sewerage and Drainage Board) to Hunters Hill Council for the purpose of a baby health centre in 1945 and a restriction was placed on the Title for this use at dedication to Hunters Hill Council (see <b>ATTACHMENT 11</b>). As such, Hunters Hill Council consulted with Sydney Water on 24 April 2023 (see <b>ATTACHMENT 12</b>). On 5 June 2023, comments were received from Sydney Water who raised no objection to the reclassification (<b>ATTACHMENT 13</b>). There are no other interests on the site.</li> <li>• There are no interests in the land that Hunters Hill Council is seeking to discharge. This may be required prior to the sale of the property and completed as a separate matter to this planning proposal.</li> <li>• The proposal will not affect any current uses or leases on the land.</li> <li>• The proposal does not involve any change to the existing zoning and/or planning controls that apply to the site.</li> <li>• The land is not currently proposed for sale. However, the proposal will enable Hunters Hill Council to sell, exchange or otherwise divest and deal with the parcel of land to assist in facilitating the redevelopment of the land, whilst capitalising on the returns to Hunters Hill Council and the potential</li> </ul>

Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

Strategic Merit Issue	Comment
	<p>community benefits including public domain upgrades.</p> <ul style="list-style-type: none"> <li>There are no sales or changes to the property at this time, but if sold, Hunters Hill Council will be required to appropriately account for the funds acquired as required by PN 16-001.</li> </ul>

**Planning Assessment**

An assessment of the key issues relevant to the planning proposal is provided in the following table.

Site Specific Issues	Assessment
Land Use	<p>The public land owned by Hunters Hill Council is within the City of Ryde LGA. As such, it may be argued the current classification of land as 'community land' is inappropriate given it is located outside the Hunters Hill Council LGA.</p>
Gladesville Occasional Child Care Centre	<p>The land reclassification will not directly result in the sale or redevelopment of the site, or any other action that would immediately terminate the lease between GOCCC and HHC and require the GOCCC to vacate the site.</p> <p>However, the operational classification will allow Hunters Hill the opportunity to sell or redevelop the site, which <b>may</b> threaten the continual operation of the childcare centre. The Property Strategy had suggested the GOCCC would be retained in the area while the site was investigated for opportunities to 'realise its value', however, Hunters Hill Council have not provided any alternative locations for the GOCCC.</p> <p>Hunters Hill Council have stated there is no intention to discontinue the service. If they wish to do so, HHC would need to undergo a separate legislative and governance process, which will likely involve obtaining Council endorsement.</p> <p>Overall, the proposed operational classification will not alter the current use and the GOCCC will be able to continue operation. The long-term ongoing use of the</p>

Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

Site Specific Issues	Assessment
	land remains the responsibility of Hunters Hill Council, as the owner and lessor of the site.
Social and economic impact	<p>The reclassification has the potential to have positive social and economic benefits for the community, in that it enables Hunters Hill Council to consider potential future development of land for uses consistent with the MU1 Mixed Use zoning under RLEP 2014.</p> <p>As per Hunter's Hill Community Infrastructure Plan (Property Strategy), the existing Occasional Care Centre is in need of updating and surplus to Hunter's Hills Council requirements. Through the proposed reclassification to operational land, an enhanced scope of flexibility is afforded to Hunter's Hill Council, thereby unlocking the potential to either rejuvenate or divest its assets. This strategic manoeuvre is aimed at optimising the allocation of resources towards community infrastructure and services, thereby maximising the derived communal value.</p> <p>Furthermore, the reclassification may assist in the delivery of mixed-use development outcomes to improve economic and social vitality of the area and strengthen the economic performance of the Gladesville Town Centre.</p> <p>The community and the GOCCC overwhelmingly object to the reclassification out of fear of loss of the childcare centre and a community asset. As stated above, any action that may directly result in the departure of the GOCCC is the responsibility of HHC and is not a part of this planning proposal.</p>
Environmental impact	The reclassification does not result in any direct environmental impacts. It will, however, enable development of the land in accordance with the current MU1 Mixed Use zoning. Any environmental impacts likely to arise as a result of any future development proposal will be assessed as part of the Development Application process.
Heritage	The site is not affected by any heritage listing and the nearby heritage items and HCA are located 100m to

Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

Site Specific Issues	Assessment
	200m from the site. The proposal will have no impact on the heritage items or HCA.

**Ryde Local Planning Panel**

As part of the assessment of the Planning Proposal, the application was referred internally to the Ryde Local Planning Panel (RLPP) for advice. The RLPP had no further comment and agreed that the proposal should proceed to a gateway determination for the purpose of seeking a land reclassification (see **ATTACHMENT 15**).

**Gateway Determination**

Gateway Determination was issued by the Department of Planning, Housing and Infrastructure on 5 July 2024, which authorised City of Ryde Council as the local plan-making authority under section 3.36(2) of the EP&A Act. The Gateway Determination also requires the LEP to be made (for the planning proposal to be finalised) before 2 May 2025.

Gateway conditions were also provided, which required updates to the planning proposal report and attachments, public exhibition, no consultation needed with public authorities or government agencies, and a public hearing to be held under Section 29 of the *Local Government Act 1993*.

**Public Exhibition of Planning Proposal**

The planning proposal was placed on public exhibition from Monday 2 September 2024 - Sunday 29 September 2024 for a period of 28 days (20 working days), in accordance with Gateway condition 2.

The following promotional materials were actioned to inform the community of the public exhibition:

- *Have Your Say* webpage on Council's website, which included:
  - Online submission form
  - All details pertaining to the planning proposal.
  - Online copies of the planning proposal documents and related documents.
- Physical copies provided at Gladesville Library
  - Flyers to notify the planning proposal.
  - Physical copies of the planning proposal report and attachments.

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Council, dated 17 April 2025, submitted on 25 March 2025.



**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

- Written notice sent to affected residents and landowners.
- Sign posted on the front gates of the Gladesville Occasional Child Care Centre for the duration of the public exhibition.

The above exhibition actions were intended to make the proposal readily available to all interested stakeholders and will be delivered above and beyond the standard minimum requirements of the Gateway Determination requirements.

There were 95 submissions received throughout the public exhibition, with 73 submissions received through the online form, 22 submissions received through email, and 1 submission received through a drop-in at our Customer Service desk.

As part of the preparation for the public hearing, the written submissions received during the public exhibition were assessed by the independent facilitator of the public hearing. The public exhibition submissions and verbal submissions received at the public hearing were summated together by the facilitator into the Public Hearing and Submissions Report (**ATTACHMENT 15**).

**Public Hearing**

A public hearing for the land reclassification was held on Thursday, 28 November 2024, 4:30pm-6:00pm in the Gladesville Meeting Room, at 6 Pittwater Road, Gladesville. It was facilitated by an independent chairperson, Sandy Hoy, Director of Parkland Planners.

A public hearing is required when reclassifying public land in accordance with Section 29 of the LG Act. Condition 5 in the Gateway determination letter, dated 5 July 2024, also requires a public hearing to be held.

The public hearing was notified from 6 November 2024 for 22 days. It was notified through public notice signs posted at the subject site, a listing in *The Weekly Times*, and as an update on the Have Your Say webpage. Community members that made a submission during the public exhibition and signed up for updates were also sent a notification email.

A background information document for the public hearing was provided on the Have Your Say page. This was prepared by Ms. Hoy, and detailed land reclassification and the requirement for the public hearing. There were seven registrations for the public hearing.

In attendance at the public hearing were the following:

- Four community members
- Two City of Ryde Council staff

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Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

- Two Hunters Hill Council staff
- Sandy Hoy, Chairperson

A public hearing and submissions report is required to be produced by the chairperson and made public on Council's webpage. This report is to detail the verbal submissions received at the public hearing and summarise and address all submissions received (**ATTACHMENT 15**). The public hearing and submissions report was posted on the Have Your Say page as an update on Monday 10 February 2025, emailed to the attendees, and a physical copy made available to view at Gladesville Library and City of Ryde's Customer Service Centre.

**Submissions**

Appendix A of the Public Hearing and Submissions Report (**ATTACHMENT 15**) provides a summary of all the submissions received during the public exhibition and public hearing, sorted by topic.

Reasons for not supporting the proposed reclassification:

Theme	Submissions no.
Land was gifted by Sydney Water for community purposes; a 'Baby Health Centre', which should be continued	5
Childcare centres in general are of great value to Gladesville, especially for working families needing short-term care. 59 enrolled families from HHC and CoR.	6
Praising GOCCC attributes: staff, low staff turnover, diverse cultural background or staff and children, affordable, unique, flexible, highly regarded, well-used, decent facilities, accessible.	11
Reclassification is the first step to sale or development of the site, which may result in loss of community land.	2
Hunters Hill Council's intentions for the land are unclear.	11
Land should not be sold for private purposes	9
Land should be used for community purposes – the 'community' classification ensures this.	7
Sydney Water constraints	1
Financial benefit to Hunters Hill Council, not City of Ryde and Gladesville community	2
Community apprehension to future development	9
Loss of childcare service	19
Increased demand for childcare in local area	4
Disproportionate impact on women	3
Negative impact on local economy	1
Negative impact on cost of living	2
Potential loss of employment	1

Council, dated 17 April 2025, submitted on 25 March 2025.



**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

Mental health and wellbeing of parents	1
Impact on surrounding sites	4
Impact on Pittwater Road streetscape	2
Traffic and parking	1
Environmental consideration	1
Setting a dangerous precedent	1
Cultural and heritage significance	1
Legal and ethical responsibilities	1
Improve Gladesville Town Centre instead – focus on the high vacancy rates of commercial spaces along Victoria Rd.	8
Alternative suggestions for revenue-generation	2
Community and open space use of the site	2
Suggestion to transfer ownership to City of Ryde	1
Establish GOCCC in another location first	5
Lack of consultation with GOCCC	6
Requests for City of Ryde to reject the proposed reclassification	4

**Response to submissions**

Hunters Hill Council response to submissions

As part of the public exhibition process, Hunters Hill Council were contacted to provide a response to the submissions. Their response was provided by SJB Planning on behalf of Hunters Hill Council, dated 22 October 2024 (**ATTACHMENT 16**).

A summary of their response is as follows:

- **Acknowledgement of submissions:** the majority of submissions were concerned that the reclassification of the land would result in a loss of a community asset, loss of childcare options, and the sale of public land.
- **Raised a new reason for the reclassification:** it is inappropriate for public land owned by HHC that is outside their LGA to be classified as community land.
- **Land use will stay the same:** emphasised the reclassification does not alter the current use or range, nor does it propose new land uses.
- **Future plans:** HHC is solely responsible as decisionmakers and custodians of the land. Any future use of the land will be considered by HHC on behalf of the Hunters Hill community.

Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

It is noted that the Response to Submissions letter incorrectly stated 72 submissions were reviewed. The PDF file City of Ryde staff sent to Hunters Hill Council containing de-identified submissions contained all 95 submissions received, with 73 online survey submissions and 22 written submissions.

Hunters Hill Council response to recommendations

The Public Hearing and Submissions Report prepared by the independent facilitator contained five recommendations addressed to Hunters Hill Council. They are summarised as follows:

1. Consider the viewpoints and issues raised in the verbal and written submissions.
2. Request an extension for the LEP completion date until a resolution regarding the future of the GOCCC can be found.
3. Consult with GOCCC and parents/carers who use the service about the future of the occasional care service.
4. If Council resolves to not proceed with the reclassification, continue the occasional care service at 4 Pittwater Road, Gladesville.
5. If Council resolves to proceed with the reclassification, a smooth relocation of the GOCCC should be secured before the land is sold.

Hunters Hill Council provided their response to these recommendations on 11 February 2025. Their response confirms that HHC have no current intentions to discontinue the service and expects the GOCCC to continue operation under the operational land classification. They also reiterate that any proposal to discontinue the service would be subject to a separate legislative and governance process, which has not been initiated and is not subject to this planning proposal.

It is noted that Hunters Hill Council's response did not directly respond to some the questions raised by Ms. Hoy. For instance, they did not explicitly state their intent to carry on with the planning proposal or instruct City of Ryde Council staff to initiate an extension request. Furthermore, they did not indicate they were in or will engage in any discussions with GOCCC regarding the future ongoing operation of the occasional childcare service in the event of sale or redevelopment of 4 Pittwater Road.

City of Ryde Assessment and Response to the Planning Proposal

Most of the submissions emphasise the value that the GOCCC brings to the Gladesville community, which consists of both Hunters Hill and City of Ryde

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Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

residents, and share concerns the reclassification will lead the GOCCC to close or leave the community.

While the reclassification introduces potential for the childcare centre to leave the community, the GOCCC is still able to operate as normal under the operational land classification and will continue to do so as lessees of Hunters Hill Council. As the lessor of the site, Hunters Hill Council ultimately are solely responsible for the future use of the land. Any future sale or redevelopment of the site which may directly threaten the tenancy of GOCCC is a separate process to this land reclassification, which will require further legislative and governance processes.

Currently, HHC have stated they do not have any intentions of discontinuing the GOCCC and it is expected the GOCCC will continue to operate after the land is reclassified.

Finally, the 'community land' classification is inappropriate for this site, and the proposed reclassification is an administrative matter. Community land is generally land intended for unrestricted public access and use, which is not applicable to a childcare centre. Additionally, the reclassification seeks to align the ownership of the land to its location outside of Hunters Hill Council's LGA, with an operational land classification being more suited for this situation.

**Financial Implications**

Adoption of the recommendation will have no financial impact.

**Local Plan-Making Authority**

The Local Plan-Making Authority in respect of a Planning Proposal is the party delegated to make or reject the proposed amendments to the LEP following the public exhibition and consideration of the submissions.

The Gateway Determination provided Council with the delegation to act as a Planning Proposal Authority that is authorised to exercise the functions of the Local Plan-Making Authority and thus Council has the authority to make the LEP.

**Options**

To address the planning proposal, Council has two options to consider:

**Option 1 (Recommended) – Endorse the Planning Proposal to Proceed to Finalisation.**

This option is recommended as the reclassification will allow Hunters Hill Council more flexibility in their planning for the site and Gladesville Town Centre. The

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Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

operational land classification is more appropriate for the site, given its land use as a childcare centre, and its location outside of the Hunters Hill Council LGA. The reclassification will not directly result in the loss of the childcare centre. The potential redevelopment or sale or any activity that may result in the site being vacated is the sole responsibility of Hunters Hill Council.

*Next Steps*

After Council resolves to endorse the planning proposal, the next step is to recommend the LEP be amended in accordance with the planning proposal to DPHI and PCO to insert 4 Pittwater Road, Gladesville; Lot 1 DP 816692 into Schedule 4, Part 1 of the RLEP 2014.

Council staff will draft the instructions to Parliamentary Counsel's Office to draft and issue opinion that the LEP can be made. We will then issue the finalisation package to DPHI. Once DPHI has reviewed PCO's opinion, and liaised with Council as the Planning Proposal Authority, the LEP amendments will be officially gazetted on [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

Option 2 – Resolve that the proposed reclassification is not supported.

Council would need to specify the concerns which would consider the specified concerns against the relevant legislated assessment considerations.

This option is NOT supported as the community land classification is inappropriate for public land located outside of Hunters Hill Council's LGA. Additionally, the operational land classification will allow flexibility for Hunters Hill Council, for future plans on the site. HHC, as the owners and managers of the land on behalf of the Hunters Hill community, may eventually decide to redevelop or sell the site, which will bring benefit to the community in other ways. This opportunity will not be realised if the site is not reclassified.

Once again, it is important to note the reclassification will not change the land use of the site, and the childcare centre is able to continue operation as a lessee under HHC.

*Next Steps*

If the City of Ryde Council resolves not to make the LEP, DPHI must be notified of City of Ryde Council's decision to not proceed with the LEP amendment.

**Conclusion**

The Planning Proposal proposes to reclassify land at 4 Pittwater Road, Gladesville, being Lot 1 DP 816692 from Community to Operational under Schedule 4 of the

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Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 5**

**ITEM 6 (continued)**

RLEP 2014. The reclassification will be more appropriate for the site, being located outside of the Hunters Hill Council LGA, and provide future opportunities for the use and management of the land. As stated previously, the future ongoing use of the site remains the sole responsibility of Hunters Hill Council, as the owners and managers, on behalf of the Hunters Hill community.

The information presented in the proposal and its supporting documentation sufficiently describes and analyses of the strategic planning opportunities for the site and considers the relevant environmental, social, and economic impacts. On this basis, it is recommended that the Planning Proposal be supported.

**Recommendation**

That Council support that the Planning Proposal to reclassify land at 4 Pittwater Road, Gladesville, being Lot 1 DP 816692 from Community to Operational land and instructions to Parliamentary Counsel's Office to draft and issue opinion that the LEP can be made.

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Council, dated 17 April 2025, submitted on 25 March 2025.

**ITEM 6 (continued)**

**ATTACHMENT 6**

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# 4 Pittwater Road, Gladesville

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## Planning Proposal



August 2024

Updated in accordance with Gateway Determination



**ITEM 6 (continued)**

**ATTACHMENT 6**

## We create amazing places

At SJB we believe that the future of the city is in generating a rich urban experience through the delivery of density and activity, facilitated by land uses, at various scales, designed for everyone.

REF: #9354

Ver	Description	Date	Prepared By	Checked By
1	Draft	May 2022	PM	MB
2	Draft	November 2022	PM	
3	Final	March 2023	PM	
4	Updated following RCC review	July 2023	KM	
5	Updated in accordance with Gateway Determination	August 2024	KM	

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**ITEM 6 (continued)**

**ATTACHMENT 6**

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## ITEM 6 (continued)

## ATTACHMENT 6

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- Attachment 5: Deposited Plan 816692*
- Attachment 6: Requirements of LEP Practice Note PN 16-001*
- Attachment 7: Council Meeting Report and Minutes - 20 September 2021*
- Attachment 8: Summary of Council's interest in the land - Lot 1 DP 816692*
- Attachment 9: Council Meeting Report – 19 April 2021*
- Attachment 10: Response to Pre-Lodgement Meeting prepared by SJB Planning*
- Attachment 11: Dealing – D394665 - Memorandum of Transfer dated 30th May 1945*
- Attachment 12: Correspondence from Council to Sydney Water dated 24 April 2023*
- Attachment 13: Correspondence from Sydney Water to Council dated 5 June 2023*

**ITEM 6 (continued)**

**ATTACHMENT 6**

## Executive Summary

This Planning Proposal has been prepared on behalf of Hunters Hill Council, the owners of the land known as 4 Pittwater Road, Gladesville ('the site'). The site has a legal description of Lot 1 in DP 816692.

The submission of the Planning Proposal follows a pre-lodgement meeting with City of Ryde Council (City of Ryde) on 23 February 2023. Our summarised comments in response to City of Ryde's notes of the 23 February meeting are included at **Attachment 10**.

The holding has an area of approximately 704m<sup>2</sup>. The site has frontages to Pittwater Road to the south and Council car park to its north. Gladesville Library adjoins the site to the east, while the Council car park continues to adjoin the site to the west. The site and adjoining lands are zoned MU1 Mixed Use under *Ryde Local Environmental Plan 2014* (RLEP 2014).

The site is currently occupied by a childcare centre.

This Planning Proposal seeks to amend the RLEP 2014, in the following manner:

- Amend Schedule 4 to include the reclassification of 4 Pittwater Road, Gladesville, being Lot 1 DP 816692, from Community to Operational.

This Planning Proposal considers the relevant environmental, social, and economic impacts of the proposal and its strategic and site-specific merits.

It is requested that arising from the consideration of this Planning Proposal, City of Ryde resolve to support the changes to RLEP 2014 as detailed in this Planning Proposal and forward the Planning Proposal for a Gateway Determination.

## ITEM 6 (continued)

## ATTACHMENT 6

### 1. Introduction

#### 1.1 Purpose of the Planning Proposal

This Planning Proposal has been prepared for Hunters Hill Council, the owners of the site.

The Planning Proposal (the Proposal) seeks to amend the *Ryde Local Environmental Plan 2014* (RLEP 2014) to reclassify land at 4 Pittwater Road, Gladesville ('the site'), from Community Land to Operational Land.

The site is owned by Hunters Hill Council and is currently occupied by Gladesville Occasional Child Care Centre, a not-for-profit community based childcare centre.

The Planning Proposal applies to the land described as Lot 1 in DP 816692, shown at Figure 1 below.



Figure 1: Aerial view of site and locality (Source: SIX Maps)

The holding has an area of approximately 704m<sup>2</sup>. The site has a single frontage to Gladesville Road at its south. Adjoining the site to the east is Gladesville Library. Adjoining the site to its west and north is an at-grade Ryde Council owned public car park.

The land is not a 'public reserve' as defined under the *Local Government Act 1993* and as such, there are no restrictions on the title in relation to this. A copy of the Certificate of Title for the site is provided at **Attachment 4**.

## ITEM 6 (continued)

## ATTACHMENT 6

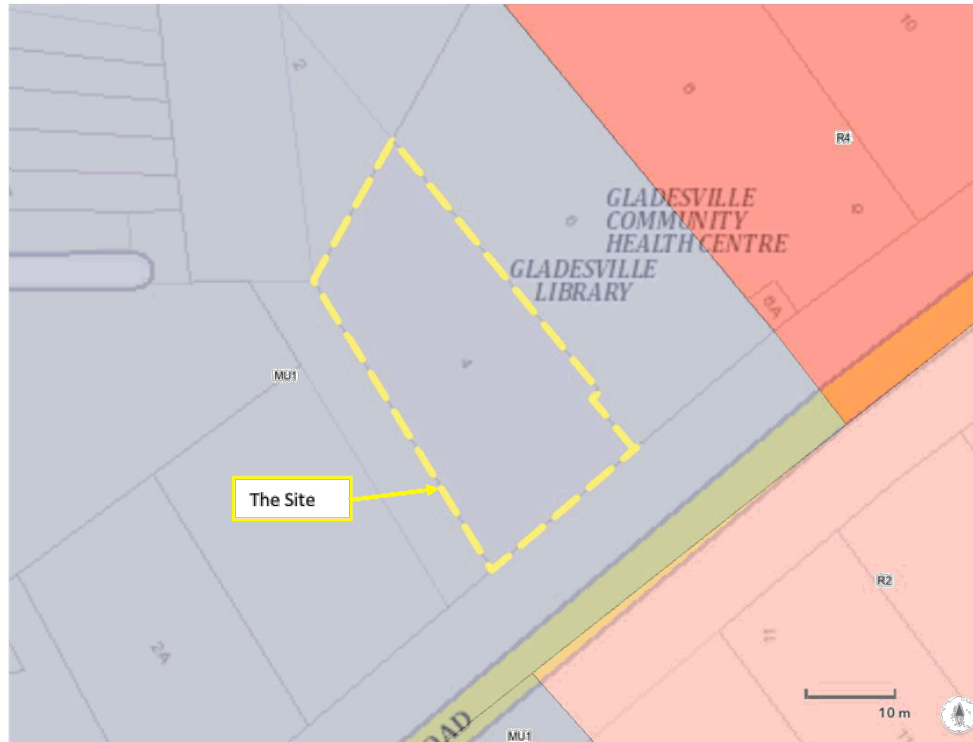


Figure 2: Cadastral view of site (Source: Planning Portal Spatial Viewer)

The land is zoned MU1 Mixed Use under RLEP 2014 and has been identified by Hunters Hill Council as a potential asset for future redevelopment. The reclassification does not include a proposal to develop or sell the land. This would need to be pursued as a separate process.

The proposed reclassification will enable Hunters Hill Council to consider opportunities for the future use of the land, and this may include options for the development or sale of the site.

Therefore, the proposed reclassification will provide the opportunity to unlock the existing development potential, to stimulate growth and development within the local government area (LGA), in an appropriate location within Gladesville town centre.

The Planning Proposal has been prepared in accordance with the (former) Department of Planning, Industry and Environment's (DPIE) 'Local Environmental Plan Making Guideline' (August 2023), and LEP Practice Note PN 16-001 Classification and reclassification of public land through a local environmental plan, dated 5 October 2016.

### 1.2 Background

Property records indicate the site was transferred from Sydney Water (formerly Metropolitan Water Sewerage and Drainage Board) to Hunters Hills Council for the purpose of a baby health centre in 1945 (refer to **Attachment 11**).

The site was subsequently subdivided in 1992 to create Lot 1 and Lot 2 in DP 816692, being No. 4 and No. 6 Pittwater Road, Gladesville (refer to Deposited Plan at **Attachment 5**).



## ITEM 6 (continued)

## ATTACHMENT 6

Hunters Hill Council's Fit for the Future Improvement Proposal 2015 (p 144 – 145) contained a number of property related initiatives including:

*6 Pittwater Road (Early Childhood Centre): This site is located in the Ryde City Council area and adjoins the Gladesville Library. There is a possibility that the City of Ryde Council (CoR) may seek an opportunity to re-develop their substantial land holdings in this area in conjunction with the Gladesville Masterplan and it would be logical that this site is included in any future proposals. CoR has recently commissioned consultants to consider development options for the site. Proceeds from sales, or revenue earned, could be used for strategic re-investment to fund ongoing initiatives including capital works.*

To assist in the progression of these initiatives, Hunters Hill Council at its meeting held on 25 June 2018 resolved:

- 1. Hunter's Hill Council re-establish the Committee in order to provide recommendations to Council with regards to:
  - I. Evaluating Council's property assets to determine if they are providing community benefit;*
  - II. Developing strategies for the future of Council's assets;*
  - III. Investigating opportunities to invest/reinvest in property assets.**
- 2. The Property Advisory Committee consist of three (3) councillors and three (3) community members;*
- 3. Hunter's Hill Council advertise for community members to join the Property Advisory Committee as soon as is practicable;*
- 4. The inaugural Property Advisory Committee Meeting for this term of Council be held in early August.*

Further, to ensure that a strategic view was taken to the property holdings of Hunters Hill Council, it was agreed that a Property Strategy would be developed. This was flagged in late 2018 in the report of 12 December 2018 where it was again highlighted there was a need to look for additional revenues to supplement rates income. As part of this report, it was highlighted:

*'...the options presented are only one measure that is required. There is a need to look at both expenditure and revenues over the coming 12 – 18 months. In relation to expenditure this will include reviewing organisational practices to streamline processes and harness technology to drive business improvement and efficiency; developing a property strategy; expansion of shared services as well as actively pursuing grant opportunities.'*

In response to this, the Sustainable and Thriving Strategy was developed that brought together these elements into a cohesive framework to guide Hunters Hill Council to take actions to be financially sustainable and thrive into the future.

Further to a range of operational changes, the Strategy provides for three big moves that will significantly move the dial on the finances of Hunters Hill Council, and reduce the existing heavy reliance on rates revenue, including the development of a Community Infrastructure Plan (CIP). The development of a Property Strategy is aimed at optimising properties owned by Hunters Hill Council, and land capable of development, sale or lease, for community benefit.

At its meeting of 19 April 2021, Hunters Hill Councillors received a report providing details on the outcome of the community consultation process undertaken as part of the exhibition and finalisation of the Community Infrastructure Plan (CIP) (refer to **Attachment 9**). The report noted the CIP was prepared to provide Hunters Hill Council and the community with a clear picture of Hunters Hill Council's property portfolio and provide a cohesive strategy on how it should be managed. The Strategy also outlines the prioritisation of future expenditure regarding the assets of Hunters Hill Council in order to provide for existing and future community needs.

The Property Strategy has four (4) elements incorporating assets owned by Hunters Hill Council within the Gladesville commercial centre. With respect to No. 4 Pittwater Road, Gladesville, the Strategy notes that the current occasional care centre (OCC) land use needs updating and is surplus to Hunter's Hill Council requirements. It states that options to realise its value will be investigated, whilst still retaining the OCC in the area. A copy of the Strategy is provided as an attachment to the Hunters Hill Council report at **Attachment 9**.

## ITEM 6 (continued)

## ATTACHMENT 6

Hunters Hill Councillors were advised by staff that in order for Hunters Hill Council to reclassify No.4 Pittwater Road, Gladesville to Operational Land it must submit a planning proposal to the City of Ryde requesting the reclassification. City of Ryde Council must then assess and hold a public hearing as required under Section 29 of the *Local Government Act 1993*.

Hunters Hill Council staff sought legal advice to confirm the above process given the land is not within Hunters Hill Council's jurisdiction. The advice confirmed that Hunters Hill Council must apply to the City of Ryde for the reclassification of the land and that owner's consent was required for the application.

Following this advice, a report was prepared by staff to be considered by Hunters Hill Councillors. At its meeting of 20 September 2021, Hunters Hill Councillors resolved to prepare and lodge a Planning Proposal with the City of Ryde for the reclassification of No.4 Pittwater Road Gladesville to Operational Land (refer to **Attachment 7**).

**ITEM 6 (continued)**

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## 2. Existing Planning Controls

### 2.1 Ryde Local Environmental Plan

The *Ryde Local Environmental Plan 2014* (RLEP2014) contains zoning and principal development standards for the site. These are discussed below.

#### 2.1.1 Zoning (Clause 2.3)

The site is zoned MU1 Mixed Use under the RLEP 2014 as shown in Figure 3. The zone permits a broad range of uses, including commercial premises, community facilities, education facilities, hotel and motel accommodation as well as residential accommodation.

The objectives of the MU1 Mixed Use zone are as follows:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To ensure employment and educational activities within the Macquarie University campus are integrated with other businesses and activities.*
- *To promote strong links between Macquarie University and research institutions and businesses in the Macquarie Park corridor.*

**ITEM 6 (continued)**

**ATTACHMENT 6**

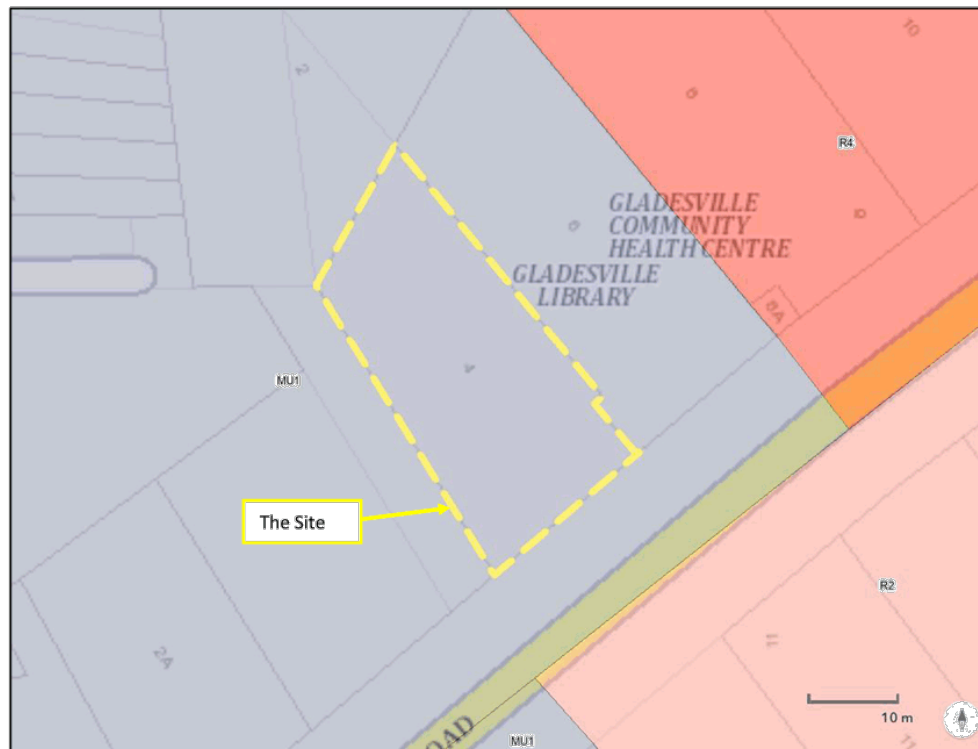


Figure 3: RLEP 2014 Land Zoning Map (Source: Planning Portal Spatial Viewer)

## ITEM 6 (continued)

## ATTACHMENT 6

The zone permits the following uses with consent:

### 3 Permitted with consent

*Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Any other development not specified in item 2 or 4*

This Planning Proposal does not seek to change the site's existing zoning.

### 2.1.2 Height of Buildings (Clause 4.3)

The site is subject to a height of buildings development standard of 22m (refer to Figure 4).

The Planning Proposal does not seek to change the site's existing height of building standard.

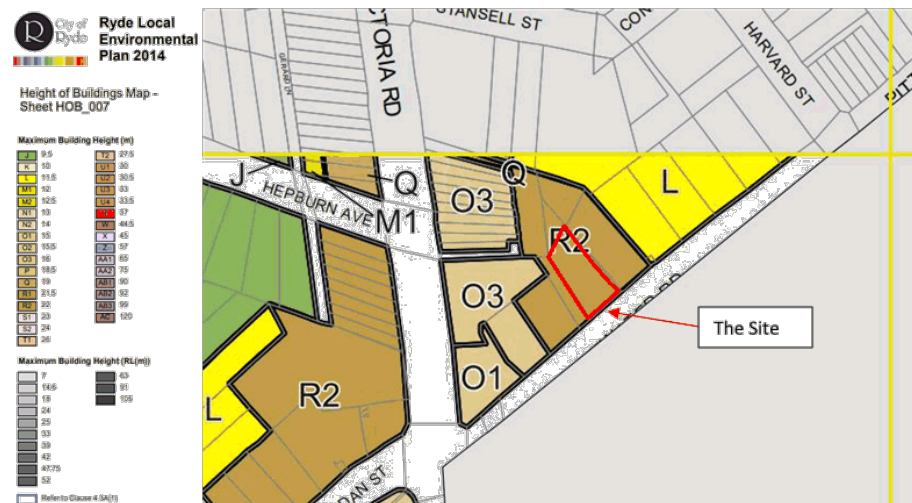


Figure 4: Extract of RLEP 2014 Height of Buildings Map

### 2.1.3 Floor Space Ratio (Clause 4.4)

The site is subject to a maximum FSR of 2.6:1 (refer to Figure 5).

The site is designated as being within the Gladesville Town Centre on the centres map (refer to Figure 6). Clause 4.4 requires that land identified as being within a Centre on the centres map is to consolidate development and encourage sustainable development patterns around key public transport infrastructure.

**ITEM 6 (continued)**

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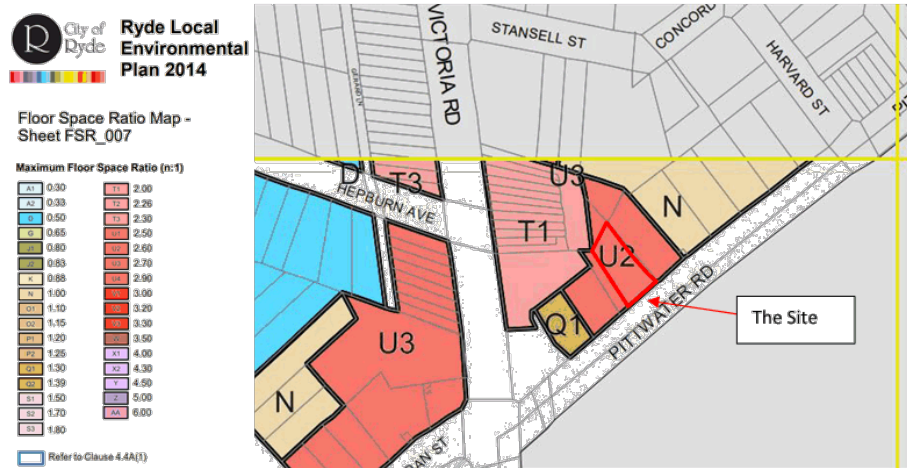


Figure 5: Extract from RLEP 2014 FSR Map



Figure 6: Extract from RLEP 2014 Centres Map



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### 2.1.4 Heritage Conservation (Clause 5.10)

The site is located in proximity to an adjacent local heritage listed church and conservation area, listed in Schedule 5 of RLEP 2014 (refer to Figure 7).

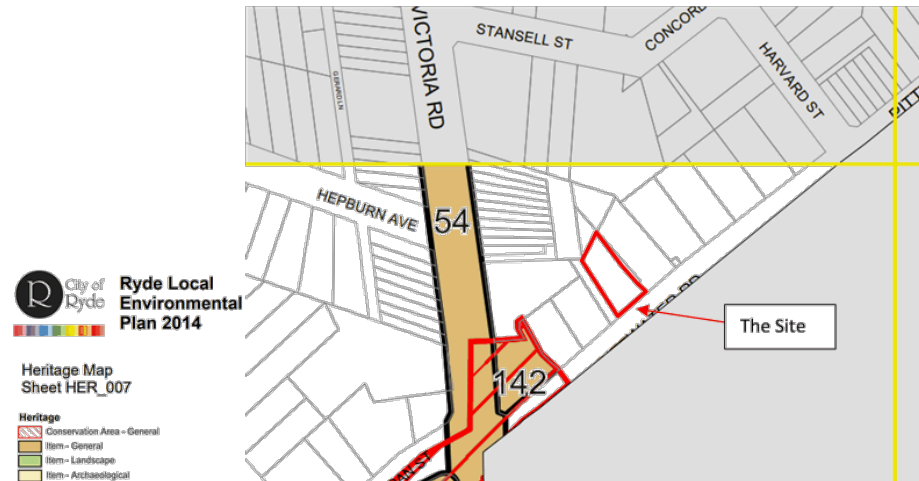


Figure 7: Extract from RLEP 2014 Heritage Map

### 2.1.5 Classification and Reclassification of Public Land (Clause 5.2)

Clause 5.2 enables the City of Ryde to reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.

Accordingly, the proposal seeks to describe the site, in Part 1 of Schedule 4, as reclassified to operational land for the purposes of the *Local Government Act 1993*.

## 2.2 City of Ryde Development Control Plan 2014

### 2.2.1 Gladesville Town Centre and Victoria Road Corridor (Part 4.6)

Part 4.6 of the City of Ryde Development Control Plan 2014 (RDCP 2014) provides a vision and development controls for the long-term redevelopment of the Gladesville Town Centre and Victoria Road Corridor.

The site is located within the Town Centre Precinct identified within the Precincts Vision Plan (refer to Figure 8).

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Figure 8: Extract of Precincts Vision Plan (RDCP 2014)



Figure 9: Extract of Key Sites Plan (RDCP 2014)

Intended for the Block 11 (Council carpark) key site is a mixed-use area, with a range of community, commercial, retail or residential uses along Victoria Road and Pittwater Road. Built form controls proposed across the site include building envelopes up to six (6) storeys and public open space at ground level.

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### 3. The Planning Proposal

This Planning Proposal is generally structured in accordance with the (former) Department of Planning, Industry and Environment's (DPIE) *'Local Environmental Plan Making Guideline'* (August 2023).

This section provides:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification of strategic and site specific merit;
- Maps;
- Community consultation; and
- Project timeline.

#### 3.1 Part 1 - Objectives and Intended Outcomes

To enable the reclassification of Hunters Hill Council owned land, known as No. 4 Pittwater Road Gladesville, Lot 1 DP 816692, from Community Land to Operational Land.

The reclassification would enable the land classification to be consistent with the current zoning and provide Hunters Hill Council with flexibility to ensure it can deliver improved community infrastructure via redevelopment of the site or possible sale and redirection of funds to other community infrastructure projects.

#### 3.2 Part 2 - Explanation of Provisions

The objectives and intended outcomes of the Planning Proposal will be achieved by amending Schedule 4 of RLEP 2014, Classification and Reclassification of Public Land, in the following manner:

- To insert the locality and property description under Columns 1 and 2 of Part 1 (Land Classified, or reclassified, as operational land - no interests changed) as shown in Table 1 below:

Insert into Column 1 - Locality	Insert into Column 2 - Description
4 Pittwater Road, Gladesville	Lot 1 of DP 816692

Table 1: Proposed amendments to Schedule 4 of RLEP 2014

The proposal does not involve any change to the existing zone and/or development standards that apply to the subject site. The Planning Proposal does not recommend any changes to the maps in RLEP 2014.

#### 3.3 Part 3 – Justification of strategic and site-specific merit

This part of the Planning Proposal outlines the need for the proposed amendments to RLEP 2014, the relationship with the strategic planning framework, the environmental, social, and economic impacts of the proposed changes, and State and Commonwealth interests.

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### 3.3.1 Section A - Need for the Planning Proposal

#### Q1. Is the planning proposal the result of an endorsed LSPS, strategic study or report?

Yes, the planning proposal is the result of Hunters Hill Council's Property Strategy (refer to **Attachment 9**) that identifies the site as surplus to the needs of Hunters Hill Council. It is also informed by Ryde Council's LSPS, and urban design work undertaken to establish existing zones, permissible land uses, development standards and detailed design controls for the site and the wider Gladesville town centre under RLEP 2014 and RDCP 2014.

#### Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The site is currently classified as Community Land, meaning that Hunters Hill Council is not able to develop, sell, exchange, or dispose of Community Land under the provisions of the *Local Government Act 1993*. The reclassification sought as part of this proposal is the only means available to achieve the objectives and intended outcome of this planning proposal and enable Hunters Hill Council to consider opportunities for the future use of the land that reflect the current MU1 Mixed Use zoning.

It will allow for the effective management of Hunters Hill Council's assets.

### 3.3.2 Section B - Relationship to the strategic planning framework

#### Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

##### ***The Greater Sydney Region Plan***

The Greater Sydney Region Plan was released on 18 March 2018 and seeks to manage growth and change and guide infrastructure delivery across the region. It sets a strategy for Greater Sydney that district plans implement at a local level. The plan was developed with the Metropolitan Transport Plan, Future Transport 2056 and the State Infrastructure Strategy. These plans identify state infrastructure to support broad-scale land-use planning.

The Plan is built on a vision of three (3) cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. To achieve this, it provides a framework to guide land use planning over the next 20 years and established key directions and actions to guide Sydney's productivity, liveability, and sustainability, including the delivery of housing, employment, infrastructure, and open space.

The Plan is built around the following ten (10) directions:

1. Infrastructure supporting new developments;
2. Working together to grow a Greater Sydney;
3. Celebrating diversity and putting people at the heart of planning;
4. Giving people housing choices;
5. Designing places for people;
6. Developing a more accessible and walkable city;
7. Creating the conditions for a stronger economy;
8. Valuing green spaces and landscape;
9. Using resources wisely; and
10. Adapting to a changing world.

The Planning Proposal would allow for the reclassification of the site and enable Hunters Hill Council to consider future land use options that reflect the current MU1 Mixed Use zoning of the land, including the highest and best use.

The Plan's focus is on providing greater flexibility for the site to deliver outcomes associated with its zoning and intended built form outcomes prescribed in RDCP 2014. This would result in greater options for improved community facilities, as well as greater choice of dwelling types and employment in well serviced locations. In this regard, Directions 2, 3, 4, 6 and 7 are relevant to the Planning Proposal, as future potential development outcomes are likely

## ITEM 6 (continued)

## ATTACHMENT 6

to include improved community facilities, as well as residential and commercial development options that will provide housing and employment choices to meet the needs of the community and in a centre location.

The Planning Proposal aligns with the aforementioned directions and would support the provision of additional community infrastructure and services, housing supply and employment opportunities in an area that is well serviced by public transport.

### **North District Plan**

The North District Plan supports the implementation of the Greater Sydney Region Plan at a district level. The district plan contains planning priorities and actions to guide the growth of the North District while improving its social, economic and environmental assets.

The Proposal is consistent with the District Plan in its ability to demonstrate consistencies with a number of its planning priorities. The priorities relevant to this Planning Proposal and the above directions are as follows:

— Planning Priority N3. – Providing services and social infrastructure to meet people’s changing needs

The proposed reclassification will provide increased opportunities for the delivery of integrated and targeted services to support the growth of Gladesville town centre and wider Ryde community, whilst considering the provision and mix of local services. It will provide greater flexibility in allowing the site to respond to the changing demands of the community and co-location of uses and facilities across the site and adjoining sites, including existing library.

An ability to redevelop the site in line with the City of Ryde’s vision for Gladesville town centre will enable development of the site to be approached more holistically in line with City of Ryde’s vision and allow for the provision of future facilities accessible with direct and safe access by people of all ages and abilities.

Improving safety, accessibility and inclusion by co-locating activities benefits all residents and visitors when supported by a fine grain urban form and land use mix which provides a greater diversity of uses and users, liveability can be improved.

— Planning Priority N4. – Fostering healthy, creative, culturally rich and socially connected communities

The proposed reclassification will provide greater opportunities for delivering fine grain urban form and local mixed-use places that can provide better access to local goods and services, together with opportunities for people to participate a range of social and cultural activities associated with community facilities.

An ability to redevelop the site in line with City of Ryde’s vision for Gladesville Town Centre will enable better implementation of place-based planning outcomes that responds to the district’s cultural diversity and people’s social and economic aspirations and specific needs relating to improved health and wellbeing outcomes.

— Planning Priority N5. – Providing housing supply, choice and affordability, with access to jobs, services and public transport

The proposed reclassification will enable Hunters Hill Council to consider the future redevelopment of the site to support the provision of additional housing supply and choice, close to jobs and services.

Greater flexibility for the development of the site arising from the reclassification will allow for urban renewal outcomes that support community needs in a highly accessible location in proximity to services and facilities.

— Planning Priority N6. – Creating and renewing great places and local centres, and respecting the District’s heritage

The proposed reclassification will allow for greater flexibility in the delivery of high quality, community specific and place-based outcomes that align with City of Ryde’s vision for Gladesville town centre as represented in its LSPS, LEP and DCP.

Furthermore, the proposal will ensure redevelopment of the site can be undertaken holistically with surrounding lots in line with proposed built form outcomes represented in RDCP 2014.

By allowing for this approach, it will enable a precinct-wide application of public domain outcomes, and a method by which redevelopment of Gladesville town centre will align with the community’s shared values and strengths, and the place’s locally distinctive attributes.

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Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

### ***Community Strategic Plan – Our Vision for Ryde 2028***

The Plan establishes a vision and coordinates direction for the LGA that addresses a range of planning, community and environmental issues to guide short, medium and long-term strategic planning policies for job and dwelling creation to 2028. City of Ryde's vision for the Ryde LGA as outlined in the Plan is as follows:

#### ***Our current and liveable city***

The Proposal is consistent with City of Ryde's vision in that it promotes opportunities for urban renewal and the creation of opportunities for greater land use diversity, active places and spaces that are well-connected and that encourage social interaction within the Gladesville town centre. The proposal has the opportunity to offer greater choice in the types, places to meet and socialise, as well as opportunities to prioritise the delivery of improved community facilities and affordable housing.

The Proposal is consistent with the Community Plan and aligns with the intended outcomes and strategies to accommodate future growth and facilitate development to meet the needs of the community. The proposed reclassification will support this outcome.

### ***Planning Ryde – Local Strategic Planning Statement 2020***

Yes, the Planning Proposal is consistent with City of Ryde's adopted local strategic planning statement (LSPS).

*Planning Ryde Local Strategic Planning Statement 2020* outlines how the City of Ryde will deliver a high-quality lifestyle, and increased opportunities to work, live and play across the Ryde LGA. It guides all future local planning priorities, decisions and actions. The LSPS will guide the content and direction of City of Ryde's land use planning strategic and instruments, including LEP and DCP. The Proposal supports the relevant priorities and actions of the Ryde LSPS, particularly the priorities of 'Housing the city', 'A city for people', 'A city of great place', 'A well-connected city' and 'A city in its landscape'. These are outlined in Table 2.

Planning Ryde Local Strategic Planning Statement 2020	Proposal
<b>3.2 Centres</b>	
<b>3.2.5 Planning priorities and actions</b>	
Planning Priority – C5 Ensure the vitality of Ryde's Centres and support resilience	The proposal is able to demonstrate consistency with this priority in that it will: <ul style="list-style-type: none"> <li>— ensure employment opportunities through future diversity in land uses and its redevelopment phase;</li> <li>— ensure mixed uses are delivered and residential development does not displace commercial development in mixed-use zones; and</li> <li>— encourage investment in Gladesville town centre.</li> </ul>
Planning Priority C6 – Prioritise liveability through an attractive, sustainable and well-designed environment.	The Proposal will allow redevelopment of the site consistent with the vision for the Gladesville town centre precinct as detailed in RDCP 2014, which seeks: <ul style="list-style-type: none"> <li>— an enhanced pedestrian network and new public spaces off Victoria Road;</li> </ul>



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Planning Ryde Local Strategic Planning Statement 2020	Proposal
	<ul style="list-style-type: none"> <li>— better pedestrian amenity on and around Victoria Road; and</li> <li>— a greater range of services to revitalise the town centre as the focus of urban life for the communities on both sides of the town centre.</li> </ul> <p>These outcomes, consistent with City of Ryde's DCP vision, will create opportunities for multifunctional urban spaces and places, as well as improved diversity of land uses to serve the local community and support a vibrant and growing town centre.</p>
<b>3.2.7 Town centres</b>	
3.2.7.3 Gladesville Town Centre	<p>The Proposal allows Hunters Hill Council to better utilise the site, as a key site within the Gladesville town centre, encouraging its redevelopment as a catalyst for change and to deliver new community benefits.</p> <p>It will ensure that future built form and landscaped public domain outcomes can be undertaken in a cohesive manner to provide improved amenity while also building on the historical elements of the centre.</p>

Table 2: Consistency with Ryde Local Strategic Planning Statement (LSPS)

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Yes, the Proposal will not contradict or hinder the implementation of state and regional strategies that apply to site, including the Future Transport Strategy 2056, and the State Infrastructure Strategy 2018-2038.

Q6. Is the planning proposal consistent with applicable SEPPs?

The Planning Proposal is consistent with the relevant State Environmental Planning Policies (SEPPs), as demonstrated in the table provided at **Attachment 2**.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

The Planning Proposal is consistent with the applicable Ministerial Directions (issued under Section 9.1 of the *EP&A Act 1979*), as demonstrated in the table provided at **Attachment 3**.

**3.3.3 Section C – Environmental, social and economic impact**

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The Proposal does not apply to land that has been identified as containing critical habitats or threatened species, populations or ecological communities, or their habitats.

In addition, this Planning Proposal does not recommend changing the application or intent of the provisions in RLEP 2014 that require new development to identify and manage its environmental impacts, such as the preservation of trees and vegetation and the management of stormwater. These provisions will continue to apply to the Land.

Q9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

## ITEM 6 (continued)

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The proposed reclassification does not result in any direct environmental impacts. It will, however, enable development of the land in accordance the current MU1 Mixed Use zoning. Any environmental impacts likely to arise as a result of any future development proposal will be assessed as part of the Development Application (DA) process.

This Planning Proposal does not seek to amend any of the provisions in RLEP 2014 that require new development to identify and manage its environmental impacts, such as the preservation of trees and vegetation, as well as the management of stormwater. These provisions will continue to apply to the subject land.

## ITEM 6 (continued)

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### Q10. Has the planning proposal adequately addressed any social and economic effects?

In consideration of interests in the site as well as potential future uses, records indicate the site was transferred from Sydney Water (formerly Metropolitan Water Sewerage and Drainage Board) to Hunters Hill Council for the purpose of a baby health centre in 1945 (refer to Memorandum of Transfer at **Attachment 11**).

The nominated easement created by transfer (Dealing No. 394665) relates to the Northern Beaches Ocean Outfall Sewer and imposes a number of restrictions including land use, access and construction requirements. These are stipulated in the Memorandum of Transfer at **Attachment 11**.

On 24 April 2023, Hunters Hill Council Staff consulted with Sydney Water regarding restriction on the future use of the land as noted in "(3)" of the abovementioned Dealing. This restriction is detailed below:

*(3) That the transferee will not at any time use or occupy or cause or permit to be used or occupied the said land hereby transferred or any part thereof otherwise than solely for the erection and conduct of a Baby Health Centre.*

The above interest would restrict the use of the land solely for the use as a "Baby Health Centre" and, as such, this would restrict Hunters Hill Council from selling or developing the land for any other purpose.

Given the above, Council's correspondence of 24 April 2023 (refer to **Attachment 12**) sought to clarify the abovementioned interest in the land to better understand potential future uses of the site or to seek release of the restriction.

On 5 June 2023, Sydney Water responded to Council in relation to this matter (refer to **Attachment 13**). This correspondence included the following statement:

*'Sydney Water does not object to the land being reclassified. However, we note that the proposed site is traversed by the Northern Suburbs Ocean Outfall Sewer (NSOOS) critical trunk sewer main (oviform 2819x2362) as well as a shaft to access the tunnel.'*

Given the above, in consideration of the correspondence from Sydney Water to Council dated 5 June 2023, Council is satisfied that Sydney Water does not object to the proposed land reclassification.

The reclassification has the potential to have positive social and economic benefits for the community, in that it enables Hunters Hill Council to consider the potential future development of land for uses consistent with the MU1 Mixed Use zoning under RLEP 2014 (i.e. opportunity for greater diversity in community facilities, commercial and housing supply to meet the needs of the community close to services and transport).

Development enabled by this Planning Proposal may assist in the delivery of mixed-use development outcomes, including residential and commercial (likely the highest and best use), contributing to the provision of diverse housing stock and employment opportunities to cater to a range of demographic needs. The proposal has the potential to provide new housing and jobs closer to one another, transport, as well as improving the prospect of reducing commute times, with consequent social benefits.

The Planning Proposal provides an opportunity for Hunters Hill Council to consider the redevelopment of the site, integrating permissible land uses to improve economic and social vitality of the area, and strengthen the economic performance of the Gladesville town centre. The Planning Proposal will unlock the development potential of the site and enable Hunters Hill Council to consider the provision of not only community facilities and serviced but high-quality housing stock, commercial uses, as well as open space and public domain improvements. In doing so, the Planning Proposal presents opportunities for local employment and provision of services.

As such, the Planning Proposal, and resultant development opportunity created, aligns with City of Ryde's strategic direction for the site and Gladesville town centre.

### **3.3.4 Section D – Infrastructure (Local, State and Commonwealth)**

### Q11. Is there adequate public infrastructure for the planning proposal?

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The proposed reclassification allows Hunters Hill Council to consider the redevelopment of the site, which may result in a minor increase in demand for services in an existing urban area.

Given the site's town centre location, adequate services are available in the vicinity of the subject site.

Future infrastructure requirements would be considered as part of any redevelopment of the site, which would likely be considered with the development of surrounding sites given the strategic intent for redevelopment detailed in RDCP 2014.

Further, public infrastructure requirements associated with any future development on the land would be assessed in detail as part of any development application(s) submitted for the site.

### 3.3.5 Section E – State and Commonwealth Interests

Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Consultation with State and Commonwealth agencies will be undertaken in accordance with Part 5 of this Planning Proposal.

## ITEM 6 (continued)

## ATTACHMENT 6

### 3.4 Part 4 – Maps

This Planning Proposal does not recommend any changes to the maps in RLEP 2014. Copies of the current RLEP 2014 maps are provided at **Attachment 1**. Alternatively, the maps can be viewed online on the NSW Legislation website: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

### 3.5 Part 5 – Community Consultation

Part 1 of Schedule of the *EP&A Act 1979* requires the relevant planning authority to consult with the community in accordance with the Gateway Determination.

Accordingly, public consultation will be undertaken in accordance with the requirements of the Gateway Determination, the publication Local Environmental Plan Making Guideline (August 2023), and Practice Note PN16-001, and City of Ryde's community engagement framework, including its Communications and Engagement Strategy.

It is expected that community consultation will be pursued consistent with standard practice of:

- Notification of surrounding land owners;
- Public notification in local newspaper/s;
- Notification on City of Ryde's website; and
- Availability at City of Ryde's customer service centre.

Should further consultation be required, this can be managed through the Gateway Process.

Consultation with public authorities will also be undertaken in accordance with the requirements of the Gateway Determination.

An independently chaired public hearing will be held (as required under the *Local Government Act 1993*) approximately three (3) weeks after the close of the public exhibition. Notice of the public hearing will be given in local papers and on City of Ryde's website. Notification letters will also be sent to any person or organisation who makes a submission in response to the public exhibition.

### 3.6 Part 6 – Project Timeline

Key stages in the plan making process are outlined in the indicative project timeline, shown below in Table 3.

Milestone	Timeframe
Stage 1 – Pre-lodgement	November 2022 - March 2023
Stage 2 – Planning Proposal, including City of Ryde's decision and issuing of Planning Proposal to DPE	April 2023 - May 2024
Stage 3 – Gateway Determination	July 2024
Stage 4 – Post Gateway	August 2024
Stage 5 - Public hearing (21 days public notice), public exhibition and public authority consultation	August 2024 – October 2024
Stage 6 Finalisation; including consideration of submissions, port-exhibition reporting, LEP drafting, LEP making and notification	November 2024 - May 2025

Table 3: Indicative Project Timeline

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**ATTACHMENT 6**

## 4. Conclusions and Recommendations

This Planning Proposal for 4 Pittwater Road, Gladesville has been prepared in accordance with Section 3.33 of the *EP&A Act 1979* and the guideline prepared by the (former) Department of Planning, Industry and Environment's (DPIE) 'Local Environmental Plan Making Guideline' (August 2023).

This Planning Proposal seeks to amend the RLEP 2014, in the following manner:

- Amend Schedule 4 to include the reclassification of 4 Pittwater Road, Gladesville, being Lot 1 DP 816692, from Community land to Operational land.

This Proposal and its supporting documentation provides an analysis of the physical and strategic planning constraints and the opportunities of the site, and considers the relevant environmental, social, and economic impacts of the proposal and its strategic merit against the strategic framework it is set within.



**ITEM 6 (continued)**

**ATTACHMENT 6**

## 5. Attachments

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**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 1: RLEP 2014 Maps**

**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 2: Consistency of Planning  
Proposal with State  
Environmental Planning Policies**

**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 3: Consistency of Planning  
Proposal with Section 9.1  
Directions**

**ITEM 6 (continued)**

**ATTACHMENT 6**

Attachment 4: Certificate of Title for Lot 1 in  
DP 816692

**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 5: Deposited Plan 816692**



**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 6: Requirements of LEP Practice  
Note PN 16-001**

**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 7: Council Meeting Report and  
Minutes - 20 September 2021**

**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 8: Summary of Council's interest in  
the land - Lot 1 DP 816692**

**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 9: Council Meeting Report – 19  
April 2021**

**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 10: Response to Pre-Lodgement  
Meeting prepared by SJB  
Planning**

**ITEM 6 (continued)**

**ATTACHMENT 6**

Attachment 11: Dealing – D394665 -  
Memorandum of Transfer dated  
30th May 1945



**ITEM 6 (continued)**

**ATTACHMENT 6**

Attachment 12: Correspondence from Council  
to Sydney Water dated 24 April 2023

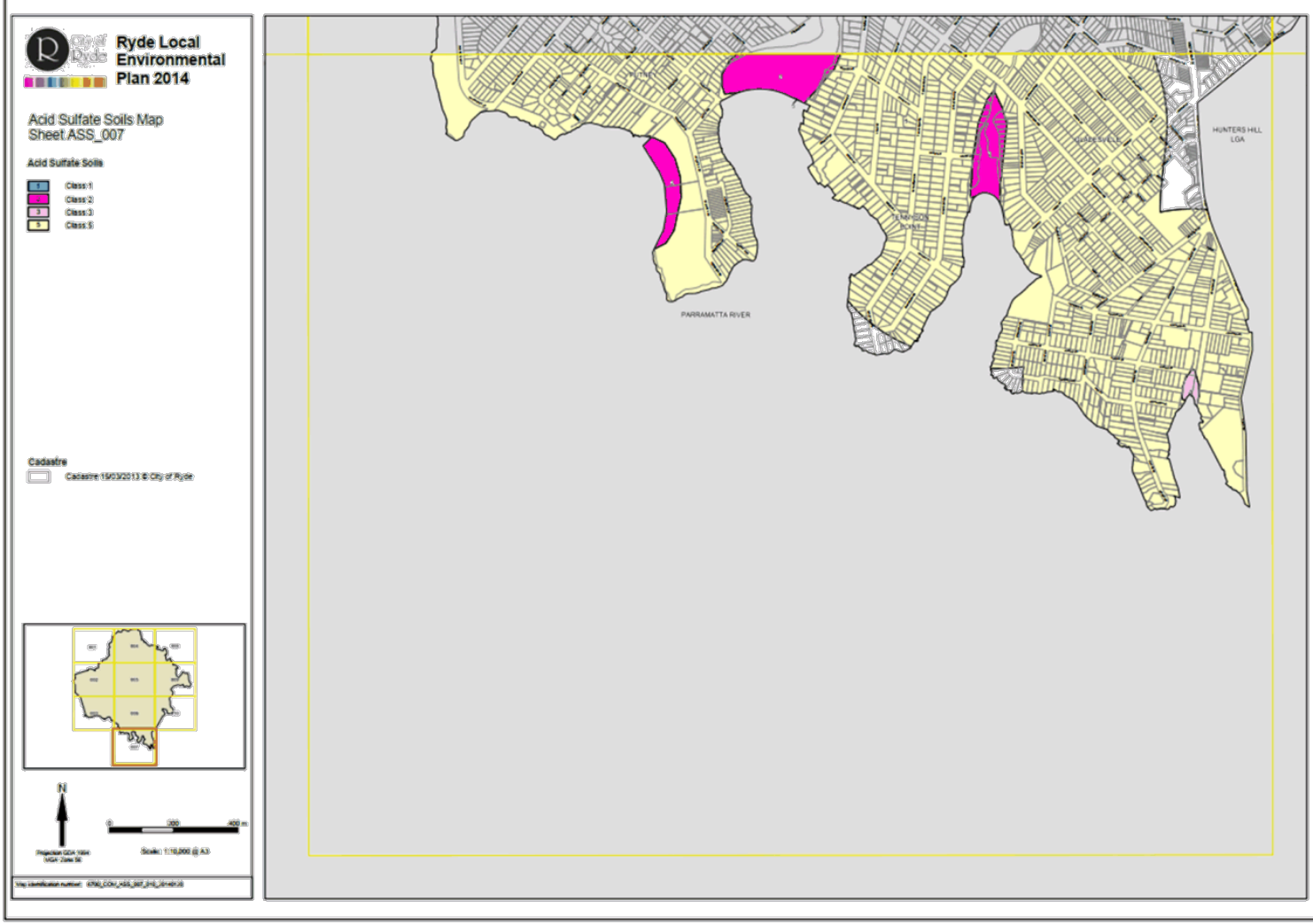
**ITEM 6 (continued)**

**ATTACHMENT 6**

**Attachment 13: Correspondence from Sydney  
Water to Council dated 5 June 2023**

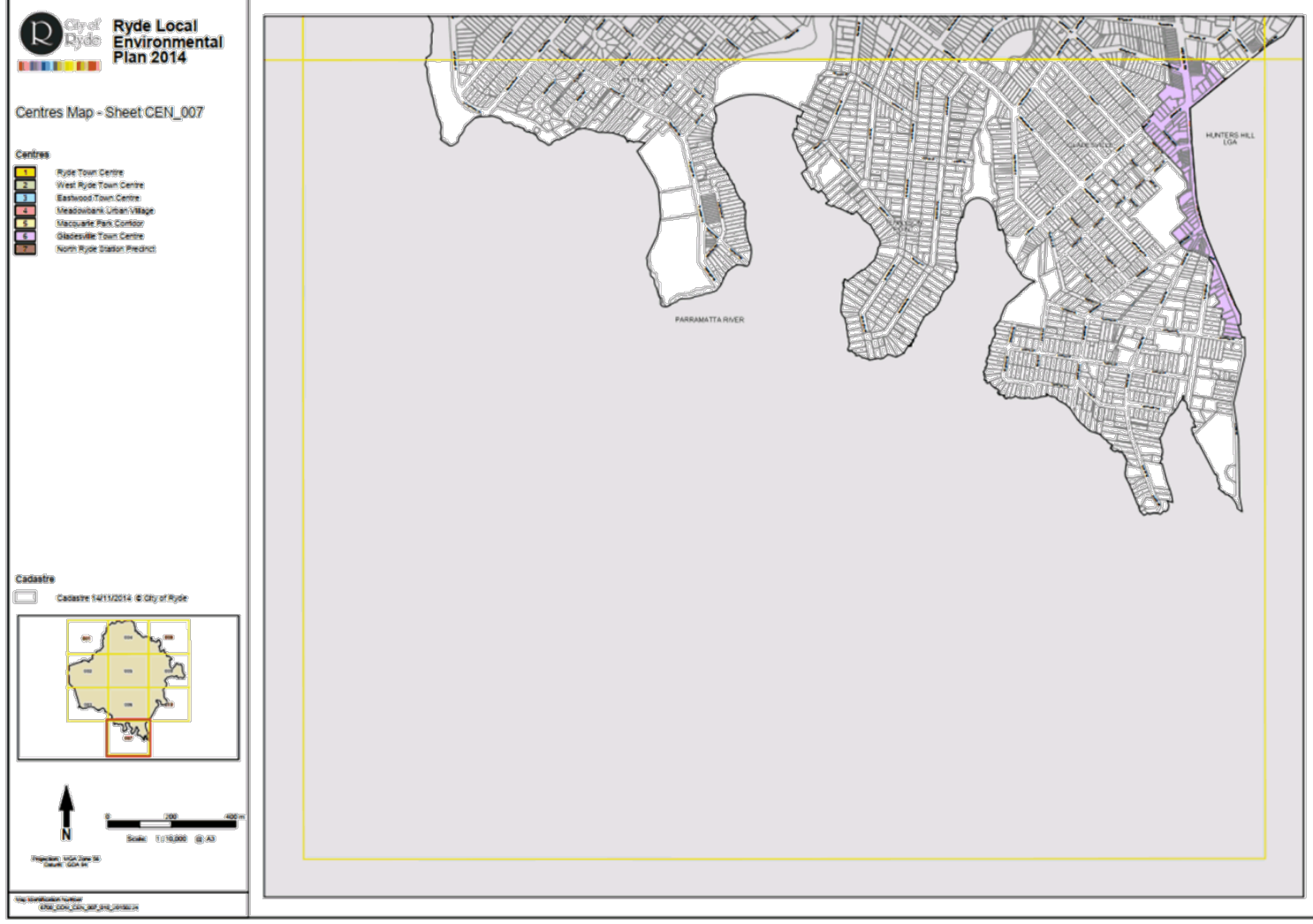
**ITEM 6 (continued)**

**ATTACHMENT 7**



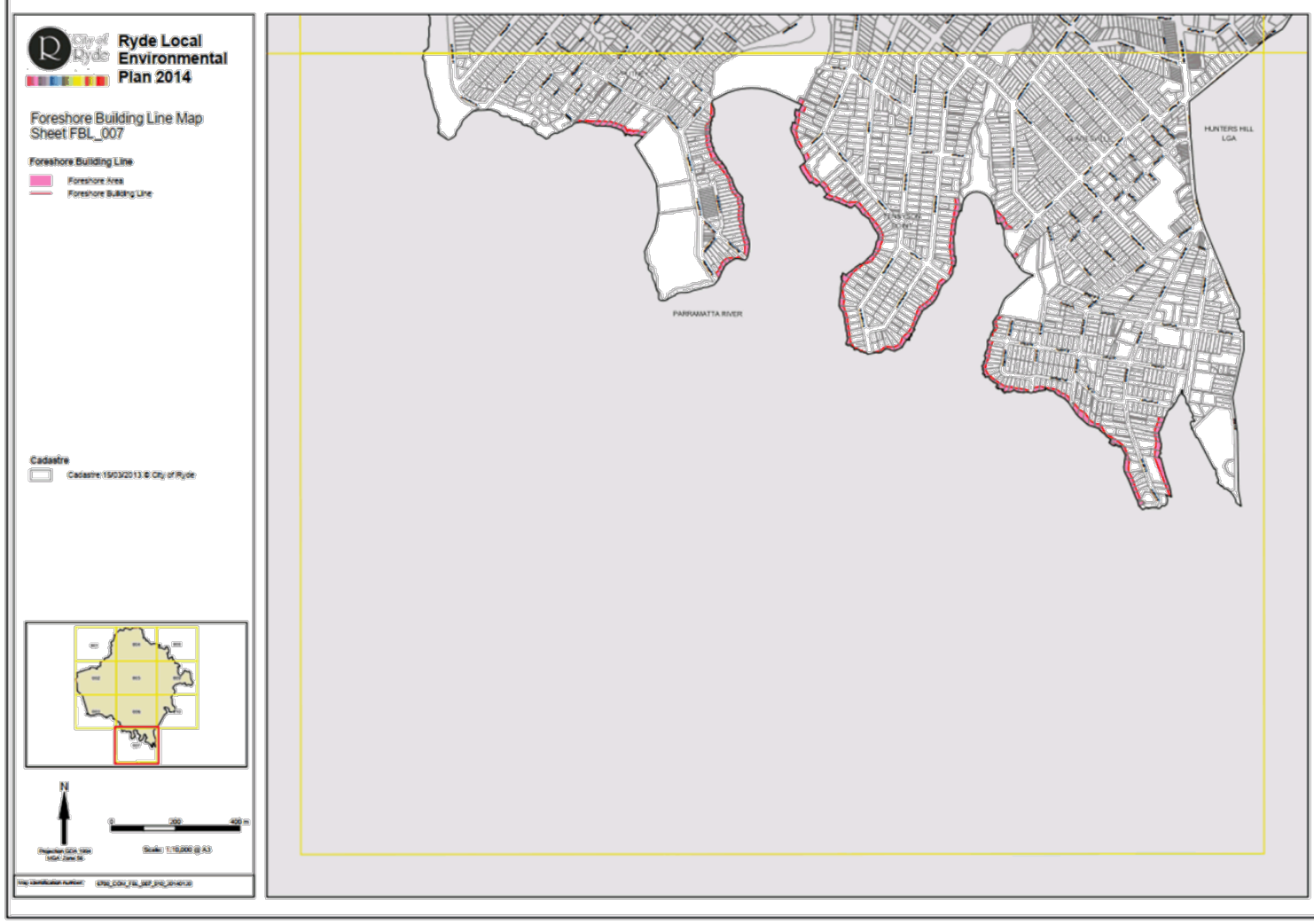
**ITEM 6 (continued)**

**ATTACHMENT 7**

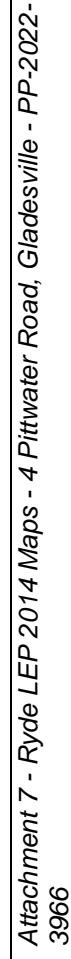


**ITEM 6 (continued)**

**ATTACHMENT 7**

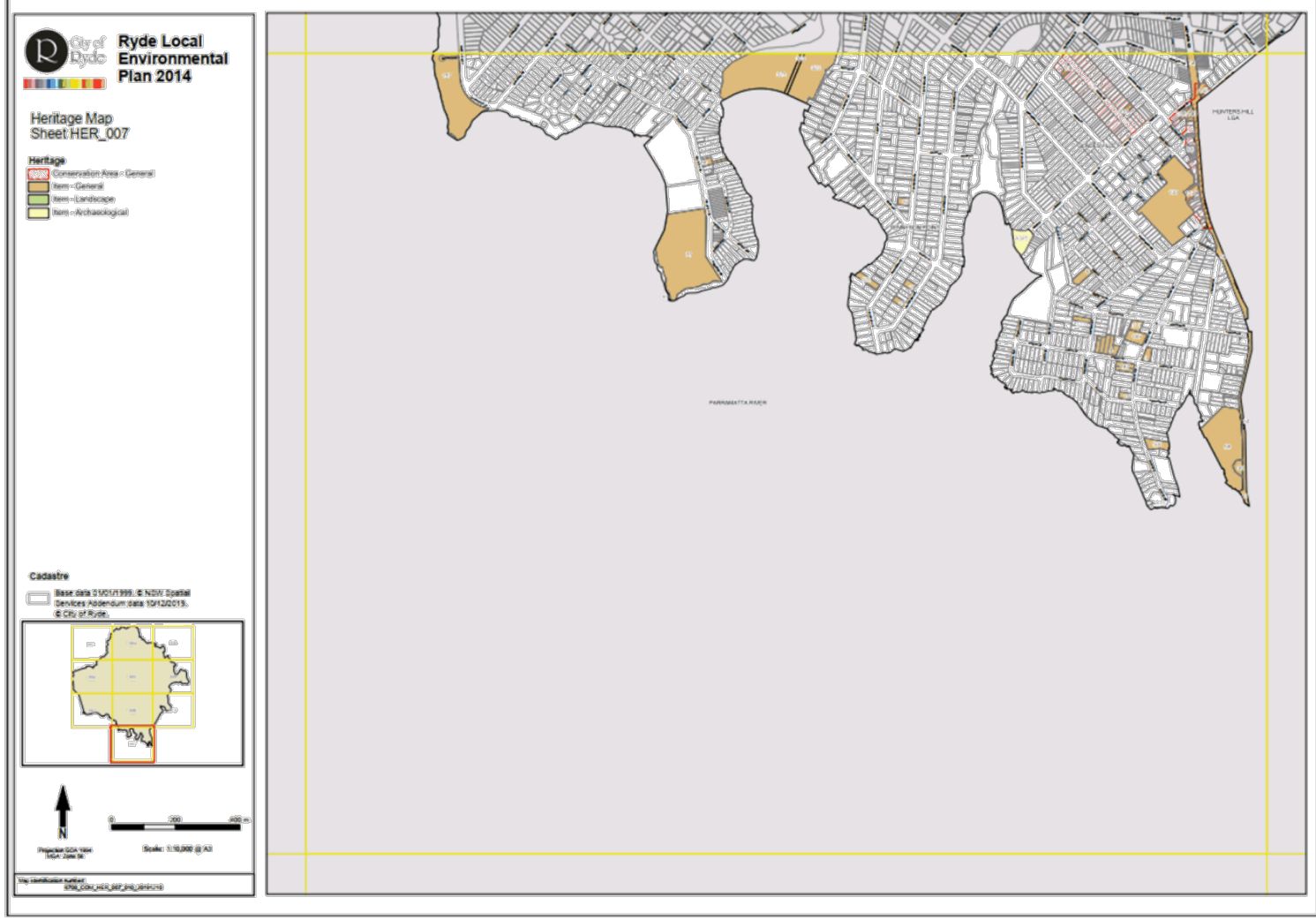


## ATTACHMENT 7



**ITEM 6 (continued)**

**ATTACHMENT 7**





**ITEM 6 (continued)**

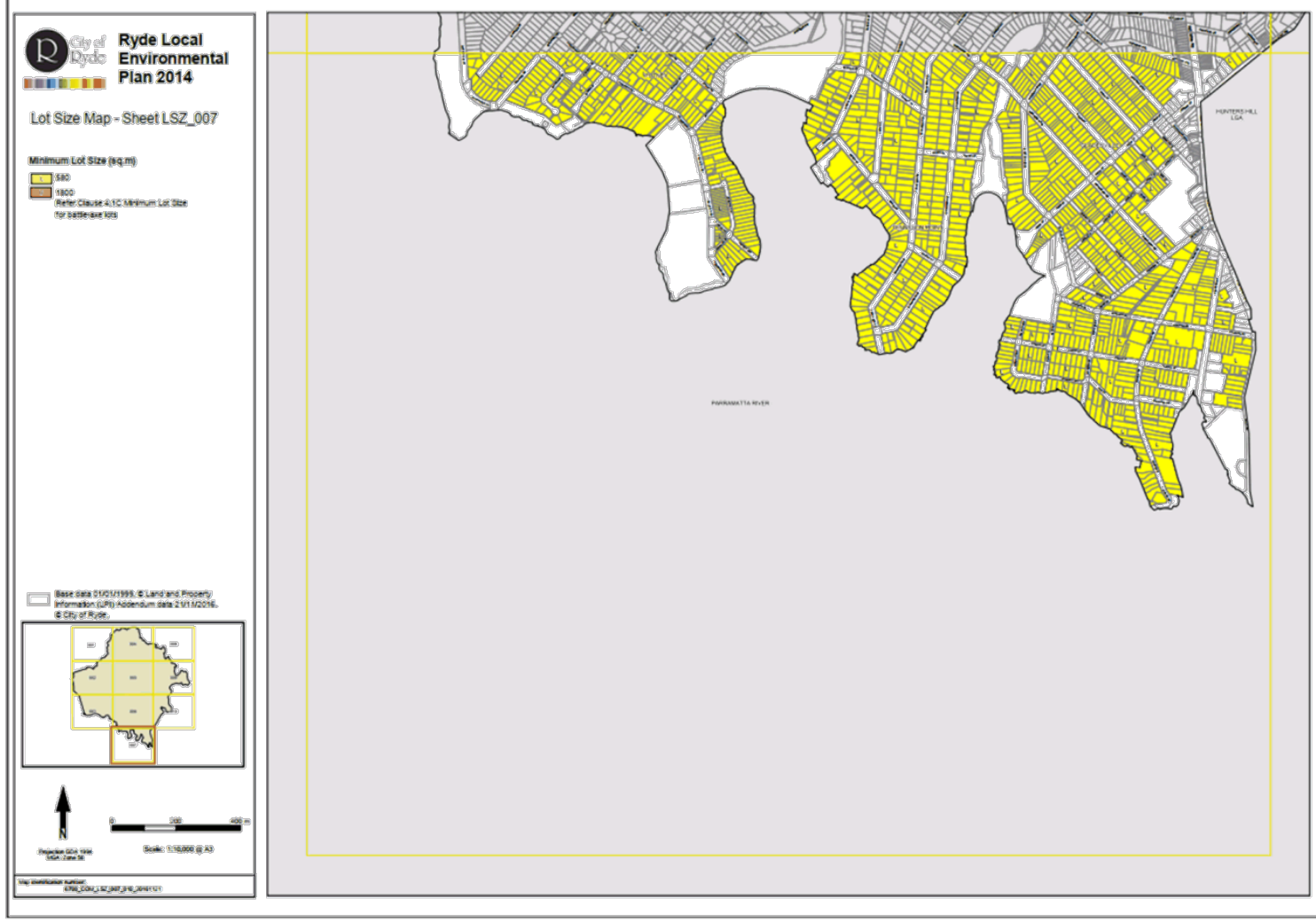
**ATTACHMENT 7**





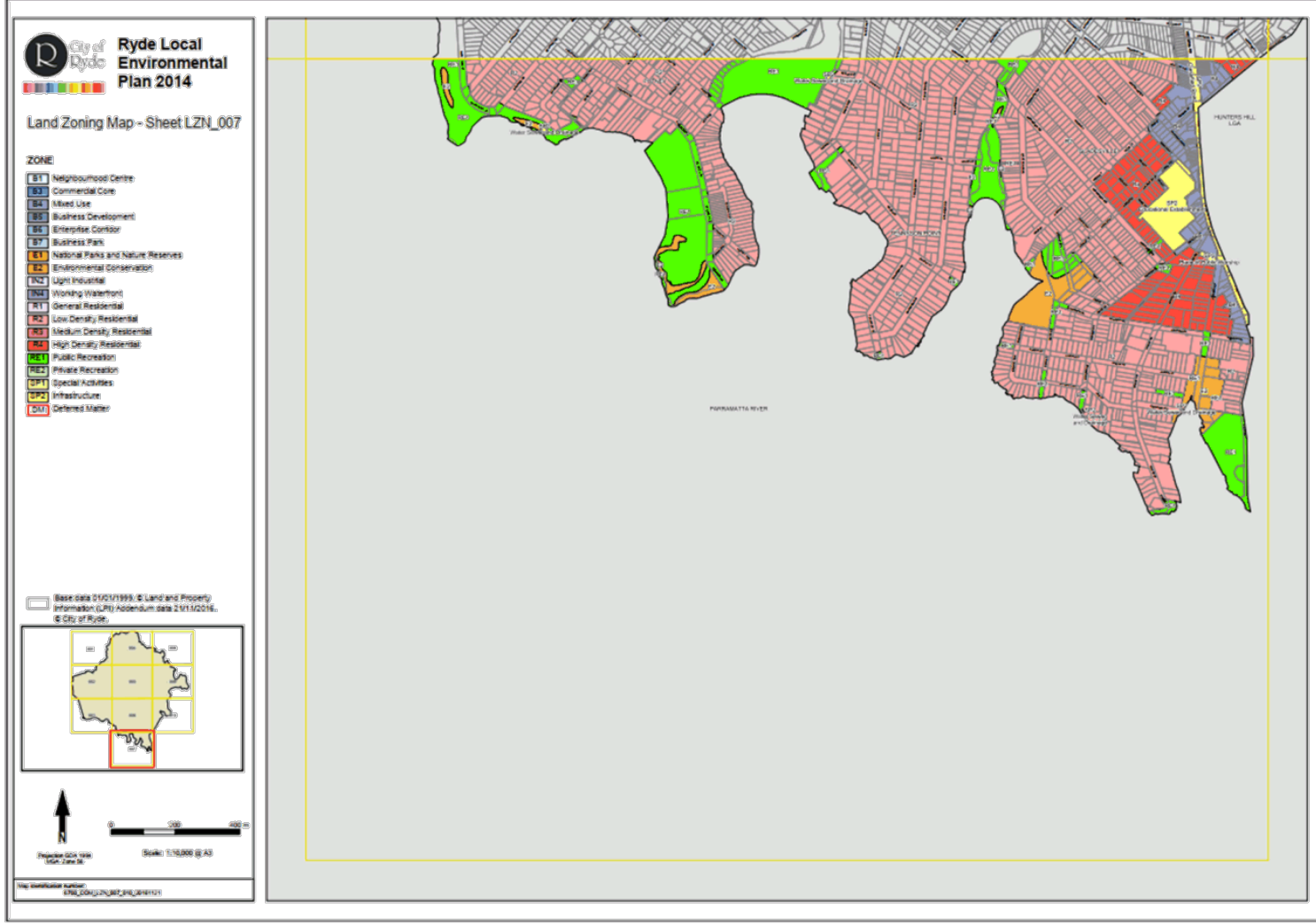
**ITEM 6 (continued)**

**ATTACHMENT 7**



**ITEM 6 (continued)**

**ATTACHMENT 7**



**ITEM 6 (continued)**

**ATTACHMENT 8**

SEPP Title	Consistency	Comment
SEPP (Biodiversity and Conservation) 2021	Yes	The Proposal is not inconsistent, nor does not contradict or hinder the application of this SEPP.
SEPP (Sustainable Buildings) 2022	Yes	The Proposal is not inconsistent, nor does not contradict or hinder the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The Proposal is not inconsistent, nor does not contradict or hinder the application of this SEPP.
SEPP (Housing) 2021	Yes	The Proposal does not contradict or hinder the application of this SEPP.
SEPP (Industry and Employment) 2021	N/A	
SEPP (Planning Systems) 2021	Yes	The Proposal is not inconsistent, nor does not contradict or hinder the application of this SEPP.
SEPP (Precincts—Central River City) 2021	N/A	
SEPP (Precincts—Eastern Harbour City) 2021	N/A	
SEPP (Precincts—Regional) 2021	N/A	
SEPP (Precincts—Western Parkland City) 2021	N/A	
SEPP (Primary Production) 2021	N/A	
SEPP (Resilience and Hazards) 2021	Yes	The Proposal is not inconsistent, nor does not contradict or hinder the application of this SEPP.  The Resilience and Hazards SEPP will need to be addressed as part of any future DA on the site.
SEPP (Resources and Energy) 2021	N/A	
SEPP (Transport and Infrastructure) 2021	Yes	The Proposal is not inconsistent, nor does not contradict or hinder the application of this SEPP.  The Transport and Infrastructure SEPP will need to be addressed as part of any future DA on the site.

**ITEM 6 (continued)**

**ATTACHMENT 9**

S9.1 Direction Title	Consistency	Comment
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	The Proposal provides opportunity for the site to be developed in accordance with the vision, strategy, goals and directions contained in the Regional Plan.
1.2 Development of Aboriginal Land Council land	N/A	
1.3 Approval and Referral Requirements	Yes	The Proposal does not include any provisions that would require the concurrence, consultation or referral of development applications to a Minister or public authority.
1.4 Site Specific Provisions	Yes	<p>The Proposal seeks to reclassify the land from community to operational in order to allow Hunters Hills Council greater flexibility in its management and use of the land.</p> <p>The Planning Proposal supports the existing MU1 Mixed Use zoning for the site by reclassifying land from Community to Operational to enable the redevelopment of property No. 4 Pittwater Road Gladesville. The Planning Proposal will not impose any new development standards.</p>
Focus area 1: Planning Systems – Place Based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	
1.10 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N/A	

**ITEM 6 (continued)**

**ATTACHMENT 9**

S9.1 Direction Title	Consistency	Comment
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	
1.14 Implementation of Greater Macarthur 2040	N/A	
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	
1.16 North West Rail Link Corridor Strategy	N/A	
1.17 Implementation of the Bays West Place Strategy	N/A	
1.18 Implementation of the Macquarie Park Innovation Precinct	N/A	
1.19 Implementation of the Westmead Place Strategy	N/A	
Focus area 3: Biodiversity and Conservation		
3.1 Conservation Zones	N/A	
3.2 Heritage Conservation	N/A	
3.3 Sydney Drinking Water Catchments	N/A	
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	
3.5 Recreation Vehicle Areas	N/A	
3.6 Strategic Conservation Planning	N/A	
Focus area 4: Resilience and Hazards		
4.1 Flooding	N/A	
4.2 Coastal Management	N/A	
4.3 Planning for Bushfire Protection	N/A	
4.4 Remediation of Contaminated Land	N/A	
4.5 Acid Sulfate Soils	N/A	
4.6 Mine Subsidence and Unstable Land	N/A	
Focus area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	N/A	

**ITEM 6 (continued)**

**ATTACHMENT 9**

S9.1 Direction Title	Consistency	Comment
5.2 Reserving Land for Public Purposes	N/A	
5.3 Development Near Regulated Airports and Defence Airfields	N/A	
5.4 Shooting Ranges	N/A	
Focus area 6: Housing		
6.1 Residential Zones	Yes	<p>The site included within the Proposal is located within an established mixed use area, incorporating residential uses, with access to existing infrastructure and services.</p> <p>The Proposal retains the current density provisions. Accordingly, the Proposal is not inconsistent with this direction.</p>
6.2 Caravan Parks and Manufactured Home Estates	N/A	
Focus area 7: Industry and Employment		
7.1 Business and Industrial Zones	Yes	<p>The Proposal applies to land within an employment zone (being MU1 – Mixed Use). However, the Proposal would not result in a change to the subject zone.</p> <p>With consideration of the relevant provisions of this Direction, it can be noted that the Proposal will:</p> <ul style="list-style-type: none"> <li>Give effect to the objectives of this Direction through: <ul style="list-style-type: none"> <li>encouraging employment growth in a suitable location by providing the opportunity to unlock the existing development potential of the site, to stimulate growth and development within the Gladesville town centre,</li> <li>protect employment land in a business zone by resulting in no change to the current employment zone, and</li> <li>support the viability of identified centres by providing the opportunity to unlock the existing development potential of the site, to stimulate</li> </ul> </li> </ul>

**ITEM 6 (continued)**

**ATTACHMENT 9**

S9.1 Direction Title	Consistency	Comment
		<p>growth and development within the Gladesville town centre.</p> <ul style="list-style-type: none"> <li>• Not affect the areas and locations of existing business zones, due to the Proposals location within the Gladesville town centre,</li> <li>• Not reduce the total potential floor space area for employment uses and related public services in business zones, by not changing the floor space ratio provisions applicable to the site under the Ryde Local Environmental Plan 2014.</li> </ul>
7.2 Reduction in non-hosted short term rental accommodation period	N/A	
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	
Focus area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	N/A	
Focus area 9: Primary Production		
9.1 Rural Zones	N/A	
9.2 Rural Lands	N/A	
9.3 Oyster Aquaculture	N/A	
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	



ITEM 6 (continued)

ATTACHMENT 10



**Title Search**

24/05/2022 11:18 AM

Client Reference: DI-SJB 9354

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/816692

SEARCH DATE	TIME	EDITION NO	DATE
24/5/2022	11:18 AM	1	20/11/1992

LAND

LOT 1 IN DEPOSITED PLAN 816692  
AT GLADESVILLE  
LOCAL GOVERNMENT AREA RYDE  
PARISH OF HUNTERS HILL COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP816692

FIRST SCHEDULE

THE COUNCIL OF THE MUNICIPALITY OF HUNTERS HILL

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912)
- 3 D394665 EASEMENT AFFECTING THE LAND FULLY SET OUT IN DEALING

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

Direct Info Pty Ltd - ABN 25 160 378 263 an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar-General in accordance with Section 96B (2) of the Real Property Act, 1900.



**ITEM 6 (continued)**

**ATTACHMENT 10**



DI-SJB 9354

PRINTED ON 24/5/2022

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.  
© Office of the Registrar-General 2022

Direct Info Pty Ltd - ABN 25 160 378 263 an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar-General in accordance with Section 96B (2) of the Real Property Act, 1900.

**ITEM 6 (continued)**

**ATTACHMENT 11**



24/05/2022 11:25 AM

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ITEM 6 (continued)

ATTACHMENT 11

Reg:8874124 /Doc:DP 0816692 P /Rev:13-Sep-1993 /NSW LRS /Pgs:ALL /Prt:24-May-2022 11:23 /Seq:1 of 1  
© Office of the Registrar-General /Src:DirectInfo /Ref:DI-828 9354

PLAN FORM 1

PLAN Drawing only to appear in this space

OFFICE USE ONLY

DP 816692

Registered: 19-11-1992

CA: No. 4790 OF 14-1-1992

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: U0952-44\*

Last Plan: DP 390503

PLAN OF SUBDIVISION OF LOTS A AND B IN D.P. 390503

Lengths are in metres. Reduction Ratio 1:500

CITY: Ryde

Municipality: RYDE

Locality: GLADESVILLE

Parish: HUNTERS HILL

County: CUMBERLAND

Plans used in preparation of survey/compilation. D.P. 390503

JOHN JOSEPH VOLLMER  
RYDE MUNICIPAL COUNCIL

a surveyor registered under the Surveyors Act, 1926, as amended, hereby certify that the survey represented in this plan is accurate and has been made in accordance with the Survey Practice Regulations 1988 and any special requirements of the Department at the time, and was completed on 29th NOVEMBER 1991

Signature: [Signature]  
Surveyor registered under Surveyors Act, 1926, as amended.  
Datum: Lyle of Australia.  
Insert title of survey.

PLAN AMENDED IN L108-2-92

PLAN FORM 1

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants

The Common Seal of the Council of the Municipality of Hunter's Hill was hereto affixed in pursuance of a resolution carried at a duly convened meeting on 10th February, 1992.

Rev. E. Williams  
Mayor

The Common Seal of the Council of the City of Ryde was hereto affixed this 25th day of March 1992, in pursuance of a Resolution passed by Council on the 14th March 1992.

General Manager

Crown Lands Office Approval

PLAN APPROVED

Authorised Officer

Land District

Paper No.

Field Book

Council Clerk's Certificate

I hereby certify that—

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

(b) the requirements of Part 3 Division 2 of the Water Board Act 1907 and the Water Supply Authorities Act 1981

have been complied with by the applicant in relation to the proposed subdivision

(Insert "new road", "subdivision" or "consolidated lot" set out herein)

Subdivision No. 4790

Date 14/1/92

(Signature) Council Clerk

Council File No.

\*This part of the certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land is to be subdivided wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.

† Delete if inapplicable

SURVEYOR'S REFERENCE: LIBRARY - RYDE / HUNTERS HILL MPD

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

AMENDMENTS AND/OR ADDITIONS MADE ON PLAN IN THE LAND TITLES OFFICE

10 20 30 40 50 60 70 Table of mm 110 120 130 140

This negative is a photograph made as a permanent record of a document in the custody of the Registrar-General this day. 12th February 1993

Table of mm

## ITEM 6 (continued)

## ATTACHMENT 12

All public land is required to be classified as either 'community' or 'operational'. Community land is land Council makes available for use by the public, for example as parks or sports grounds. Operational land is land which facilitates the functions of Council and may not be open to the public, for example a works depot or a Council pound. This classification also determines land management where community land must not be sold, exchanged or otherwise disposed of by a council. There are no such restrictions on operational land.

Council is seeking to reclassify Council owned land at 4 Pittwater Road Gladesville from community to operational land. This reclassification would be achieved through amendment to Schedule 4 of the Hunters Hill Local Environmental Plan 2012. The intent of this reclassification is to provide the opportunity to unlock the existing development potential of the site, to stimulate growth and development within an appropriate location in the Gladesville town centre.

A planning proposal to reclassify public land needs to consider the NSW Government's Document titled 'LEP Practice Note: PN 16-001 Classification and reclassification of public land through a Local Environmental Plan', (which can be referred to as the 'Practice Note'). The Practice Note provides guidance on classifying and reclassifying public land through a local environmental plan.

The information within the table below demonstrates how the requirements of the Practice Note have been addressed by noting the sections of the Planning Proposal which confirm:

- The current 'community' and proposed 'operational' classification of the land.
- The land is not a public reserve.
- Details on the strategic and site specific merits of the Proposal, along with associated evidence to support this.
- Relevant strategic studies and reports which support the Proposal (such as the Hunters Hill Council's Property Strategy).
- Details on the consistency of the Proposal with relevant community plans (such as the Hunters Hill Council's Property Strategy and the City of Ryde Local Strategic Planning Statement).
- Council's current and proposed interests in the land.
- The effect of the reclassification.
- That the land is not a 'public reserve'.
- The current uses of the land (as a childcare centre).
- Current and proposed lease agreements applying to the land.
- Current and proposed business dealings.
- That there is no rezoning associated with the reclassification.
- How council may benefit financially, and how these funds will be used for community infrastructure.
- How council will ensure funds remain available to fund proposed community infrastructure referred to in justifying the reclassification.
- Preliminary comments by the relevant government agency (Sydney Water).

LEP Practice Note: PN 16-001	
Classification and reclassification of public land through a Local Environmental Plan	
Requirement	Response
The current and proposed classification of the land;	The land is currently classified Community Land. It is proposed to reclassify the site to Operational Land.  Refer to <i>Part 1 – Objectives or Intended Outcomes</i> of the Planning Proposal
Whether the land is a 'public reserve' (defined in the LG Act);	The land is not a Public Reserve under the <i>Local Government Act 1993</i> .
The strategic and site specific merits of the reclassification and evidence to support this;	Refer to <i>Part 3 – Justification</i> of the Planning Proposal

**ITEM 6 (continued)**

**ATTACHMENT 12**

LEP Practice Note: PN 16-001	
Classification and reclassification of public land through a Local Environmental Plan	
Whether the planning proposal is the result of a strategic study or report;	Refer to <i>Background</i> and <i>Part 3 – Justification</i> of the Planning Proposal
Whether the planning proposal is consistent with council's community plan or other local strategic plan;	Refer to <i>Part 3 – Justification</i> of the Planning Proposal
A summary of council's interests in the land, including: - how and when the land was first acquired (e.g. was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution) - if council does not own the land, the land owner's consent; - the nature of any trusts, dedications etc;	Refer to <i>Background</i> of the Planning Proposal. Refer also to <b>Attachment 8</b>
Whether an interest in the land is proposed to be discharged, and if so, an explanation of the reasons why;	Refer to <i>Part 2 – Explanation of Provisions</i> of the Planning Proposal
The effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged);	Refer to <i>Part 3 – Justification</i> of the Planning Proposal
Evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g. electronic title searches, notice in a Government Gazette, trust documents);	Refer to <i>Background</i> of the Planning Proposal
Current use(s) of the land, and whether uses are authorised or unauthorised;	Refer to <i>Background</i> of the Planning Proposal
Current or proposed lease or agreements applying to the land, together with their duration, terms and controls;	Any proposed and historic leases / agreements applying to the land are all short term, including an agreement in place between Hunters Hill Council and City of Ryde Council relating to the management, operation and financing of the existing land use.
Current or proposed business dealings (e.g. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time);	There are no current or proposed business dealings associated with the land.
Any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy);	No rezoning of the land is proposed.
How council may or will benefit financially, and how these funds will be used;	This information is also found in Part 3, Section A of the Planning Proposal.  The Planning Proposal will enable Council to sell, exchange, or otherwise divest or deal with the parcel of land to assist in facilitating the redevelopment of the land, whilst capitalising on the returns to Council and

**ITEM 6 (continued)**

**ATTACHMENT 12**

LEP Practice Note: PN 16-001 Classification and reclassification of public land through a Local Environmental Plan	
	<p>the potential community benefits including public domain upgrades.</p> <p>Council's strategic planning framework, including the CIP and Property Strategy 2021, outlines this approach identifying the site as surplus to Councils' needs.</p> <p>Should the site be divested or developed in future, all proceedings will be placed in an internally restricted reserve.</p>
How council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal;	The Planning Proposal will enable a positive public economic impact in facilitating the orderly and economic development of a Council asset and consequential improvements to the public domain.
A Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot; and	N/A
Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.	N/A

ITEM 6 (continued)

ATTACHMENT 12



## LEP practice note

### LOCAL PLANNING

Ref No.	PN 16-001
Issued	5 October 2016
Related	Supersedes PN 09-003

## Classification and reclassification of public land through a local environmental plan

The purpose of this practice note is to update guidance on classifying and reclassifying public land through a local environmental plan (LEP). This practice note emphasises the need for councils to demonstrate strategic and site specific merit, includes a comprehensive information checklist and clarifies issues arising for public reserves and interests in land. It should be read in conjunction with *A guide to preparing local environmental plans* and *A guide to preparing planning proposals*.

### Classification of public land

Public land is managed under the *Local Government Act 1993* (LG Act) based on its classification. All public land must be classified as either community land or operational land (LG Act ss.25, 26).

- **Community land** – is land council makes available for use by the general public, for example, parks, reserves or sports grounds.
- **Operational land** – is land which facilitates the functions of council, and may not be open to the general public, for example, a works depot or council garage.

#### What is public land?

*Public land* is defined in the LG Act as any land (including a *public reserve*) vested in, or under council control. Exceptions include a public road, land to which the *Crown Lands Act 1989* applies, a common, land subject to the *Trustees of Schools of Arts Enabling Act 1902* or a regional park under the *National Parks and Wildlife Act 1974*.

### Why classify public land?

The purpose of classification is to identify clearly that land made available for use by the general public (community) and that land which need not (operational). How public land is classified determines the ease or difficulty a council can have dealings in public land, including its sale, leasing or licensing. It also provides for transparency in council's strategic asset management or disposal of public land.

Community land must not be sold, exchanged or otherwise disposed of by a council. It can be leased,

but there are restrictions on the grant of leases and licences, and also on the way community land can be used. A plan of management (PoM), adopted by council, is required for all community land, and details the specific uses and management of the land.

There are no special restrictions on council powers to manage, develop, dispose, or change the nature and use of operational land.

#### How is public land classified or reclassified?

Depending on circumstances, this is undertaken by either:

- council resolution under ss.31, 32, or 33 (through LG Act s.27(2)), or
- an LEP under the *Environmental Planning and Assessment Act* (through LG Act s.27(1)).

Councils are encouraged to classify or reclassify land by council resolution where suitable.

**Classification** of public land occurs when it is first acquired by a council and classified as either community or operational.

**Reclassification** of public land occurs when its classification is changed from community to operational, or from operational to community.



## ITEM 6 (continued)

## ATTACHMENT 12

### Reclassification through an LEP

Classification and reclassification of public land through an LEP is subject to both the local plan-making process in the EP&A Act and the public land management requirements of the LG Act.

A planning proposal to classify or reclassify public land, will need to be prepared in accordance with this practice note and the additional matters specified in Attachment 1 to this practice note.

Reclassification through an LEP is the mechanism with which council can remove any public reserve status applying to land, as well as any interests affecting all or part of public land (LG Act s.30).

It is critical that all interests are identified upfront as part of any planning proposal. If public land is reclassified from community to operational, without relevant interests being identified and discharged, then the land will need to be reclassified back to community (usually by council resolution under LG Act s.33<sup>1</sup>) before being reclassified in a new planning proposal to operational, to explicitly discharge any interests.

While a reclassification proposal to remove the public reserve status of land and/or discharge interests may not necessarily result in the immediate sale or disposal of the land, the community should be aware the public land in question is no longer protected under the LG Act from potential future sale once it has been reclassified to operational.

Councils should obtain their own advice when proposing to discharge any interests and be aware that this may attract a claim for compensation under the *Land Acquisition (Just Terms Compensation) Act 1991*.

Where land has been dedicated to council by a State agency for a particular purpose and a trust exists, it is advisable for council to seek the views of that agency prior to council commencing any planning proposal affecting the land.

**Public reserve** is defined in the LG Act and includes a public park and land declared or dedicated as a public reserve.

Land can be dedicated as a public reserve by either:

- registering a deposited plan with a statement creating a lot(s) as 'public reserve', or
- publishing a notification in the Government Gazette for an existing parcel.

**Interests in land** refers to property ownership as well as rights and privileges affecting land, such as leasehold, easements, covenants and mortgages.

For the purpose of reclassification through an LEP, 'interests' means trusts, estates, dedications, conditions, restrictions and covenants affecting the land.

A legal owner of land may not be the only person with an interest in the land. For example, one person may have the benefit of an easement for services, such as water, electricity or sewerage over someone else's land.

Certain interests are registered on title to ensure they are on record and cannot be disregarded if sold to a new owner. An electronic title search is generally conducted to determine the land owner, correct land description and the type of interests which may affect the land.

### Standard Instrument LEP requirements

Clause 5.2—Classification and reclassification of public land in Standard Instrument LEPs enables councils to classify or reclassify public land as operational land or community land in accordance with the LG Act. The land to be reclassified or classified is described in Schedule 4 of the LEP.

Schedule 4 is not to refer to any land already classified or reclassified.

Where there is no public land to be classified, or reclassified, through a principal LEP (i.e. the LEP applies to the whole of a local government area), Schedule 4 will appear blank.

Note: At a later stage council may lodge a planning proposal to remove previous listings in Schedule 4. This will not affect the classification status of these parcels of land.

### Department assessment

A proposal to classify or reclassify public land through an LEP must have planning merit. The Department will undertake an assessment to determine whether the proposal demonstrates strategic and site specific merit.

### Community consultation

Planning proposals to reclassify public land are to be publicly exhibited for at least 28 days.

A copy of this practice note is to be included in the public exhibition materials.

<sup>1</sup> Note: Council is required to give public notice of the proposed resolution and provide a period of at least 28 days during which submissions may be made (LG Act s.34).



## ITEM 6 (continued)

## ATTACHMENT 12

### Public hearings

Councils must hold a public hearing when reclassifying public land from community to operational (EP&A Act s.57 & LG Act s.29). This gives the community an opportunity to expand on written submissions and discuss issues with an independent person in a public forum.

After the exhibition period has ended, at least 21 days public notice is to be given before the hearing. This allows the person chairing the hearing sufficient time to consider written submissions and all issues raised.

There are specific requirements for the independence of the person chairing the hearing, their preparation of a public hearing report and council making the report publicly available (LG Act s.47G).

### Governor's approval

The Governor's approval is required when a reclassification proposal seeks to remove any public reserve status and/or discharge any interests affecting public land (s.30).

When a council reports back to the Department on the community consultation undertaken and requests the Department make the LEP, the Department will arrange legal drafting of the LEP, including recommending the Governor approve the provisions before the LEP can be legally made.

Where the Governor's approval is required, the council's report accompanying the final planning proposal must address:

- council's interests in the land;
- whether the land is a 'public reserve';
- the effect of the reclassification, including loss of open space, any discharge of interests, and/or removal of public reserve status;
- the strategic and site specific merits of the reclassification and evidence to support this;
- any current use of the land, and whether uses are authorised or unauthorised;
- how funds obtained from any future sale of the land will be used;
- the dates the planning proposal was publicly exhibited and when the public hearing was held;
- issues raised in any relevant submissions made by public authorities and the community;
- an explanation of how written and verbal submissions were addressed or resolved; and
- the public hearing report and council resolution.

### Authorisation of delegation

Local plan making functions are now largely delegated to councils.

A Written Authorisation to Exercise Delegation is issued to a council as part of the Gateway determination. However, where an LEP requires the Governor's approval, this council delegation cannot be issued. In this instance, the council must request the Department make the LEP.

A decision to classify or reclassify public land cannot be sub-delegated by council to the general manager or any other person or body (LG Act s.377(1)(j)).

### Background

On July 1, 1993 when the LG Act commenced, the following land under council ownership or control, was automatically classified as *community* land:

- land comprising a public reserve,
- land subject to a trust for a public purpose,
- land dedicated as a condition of consent under s.94 of the EP&A Act,
- land reserved, zoned or otherwise designated for use under an environmental planning instrument as open space,
- land controlled by council and vested in Corporation Sole - Minister administering the EP&A Act.

Councils must keep a register of land under their ownership or control (LG Act s.53) and anybody can apply to a council to obtain a certificate of classification (LG Act s.54).

### Further information

A copy of this practice note, *A guide to preparing planning proposals* and *A guide to preparing local environmental plans* is available at:  
<http://www.planning.nsw.gov.au>

For further information, please contact the Department of Planning and Environment's Information Centre by one of the following:

Post: GPO Box 39, Sydney NSW 2001.

Tel: 1300 305 695

Email: [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au)

**Authorised by:**  
**Carolyn McNally**  
**Secretary**

**Important note:** This practice note does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this practice note.

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## ITEM 6 (continued)

## ATTACHMENT 12

### ATTACHMENT 1 – INFORMATION CHECKLIST FOR PROPOSALS TO CLASSIFY OR RECLASSIFY PUBLIC LAND THROUGH AN LEP

The process for plan-making under the EP&A Act is detailed in *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*.

Importantly, *A guide to preparing local environmental plans* contains the Secretary's requirements for matters that must be addressed in the justification of all planning proposals to reclassify public land. Councils must ensure the Secretary's requirements are addressed.

Councils must also comply with any obligations under the LG Act when classifying or reclassifying public land. More information on this can be found in *Practice Note No. 1 – Public Land Management* (Department of Local Government, 2000).

All planning proposals classifying or reclassifying public land must address the following matters for Gateway consideration. These are in addition to the requirements for all planning proposals under section 55(a) – (e) of the EP&A Act (and further explained in *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*).

- ☐ the current and proposed classification of the land;
- ☐ whether the land is a 'public reserve' (defined in the LG Act);
- ☐ the strategic and site specific merits of the reclassification and evidence to support this;
- ☐ whether the planning proposal is the result of a strategic study or report;
- ☐ whether the planning proposal is consistent with council's community plan or other local strategic plan;
- ☐ a summary of council's interests in the land, including:
  - how and when the land was first acquired (e.g. was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution)
  - if council does not own the land, the land owner's consent;
  - the nature of any trusts, dedications etc;
- ☐ whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why;
- ☐ the effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged);
- ☐ evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g. electronic title searches, notice in a Government Gazette, trust documents);
- ☐ current use(s) of the land, and whether uses are authorised or unauthorised;
- ☐ current or proposed lease or agreements applying to the land, together with their duration, terms and controls;
- ☐ current or proposed business dealings (e.g. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time);
- ☐ any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy);
- ☐ how council may or will benefit financially, and how these funds will be used;
- ☐ how council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal;
- ☐ a Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot; and
- ☐ preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.

**ITEM 6 (continued)**

**ATTACHMENT 13**

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COUNCIL REPORTS

20 September 2021

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<b>ITEM NO</b>	: 4.9
<b>SUBJECT</b>	: RECLASSIFICATION OF LAND AT 4 PITTWATER ROAD GLADESVILLE
<b>STRATEGIC OUTCOME</b>	: COUNCIL HAS WELL PLANNED COMMERCIAL AREAS, VILLAGE CENTRES AND NEIGHBOURHOODS
<b>ACTION</b>	: CONTINUE TO REVITALISE THE GLADESVILLE PRECINCT AS A COMMERCIAL HUB
<b>REPORTING OFFICER</b>	: NICK TOBIN

Ref.478028

**PURPOSE**

To advise Council of the need to lodge a Planning Proposal to classify 4 Pittwater Road Gladesville as Operational Land under the Local Government Act and seek approval to lodge the application with Ryde City Council.

**RECOMMENDATION**

That Council approve the lodging of a Planning Proposal with Ryde City Council for the reclassification of 4 Pittwater Road Gladesville to Operational land.

**BACKGROUND**

Hunters Hill Council owns 4 Pittwater Road Gladesville which is within the City of Ryde. The property is adjacent to Jim Wilson Carpark owned by Ryde City Council. The land is currently classified as Community Purposes under the Local Government Act. In order for Hunters Hill Council to ensure it achieves the best result in any redevelopment of this site in order to provide new or upgraded Community Infrastructure it would be beneficial if the site was reclassified as Operational land under the Local Government Act.

**REPORT**

Under Section 25 of the Local Government Act 1993 all land owned by Council must be classified. There are two classifications for public land- "community" and "operational". The reclassification of land may be made by an environmental plan. In order for Hunters Hill Council to reclassify 4 Pittwater Road Gladesville to Operational Land it must submit a planning proposal to Ryde City Council requesting the reclassification. Ryde City Council must then assess and hold a public hearing as required under Section 29 of the Local Government Act.

Council sought legal advice to confirm the above process given the land is not within Hunters Hill Council's jurisdiction. The advice confirmed that Council must apply to Ryde City Council for the reclassification of the land and that owner's consent was required for the application.

The reclassification of 4 Pittwater Road will not affect its current use or predetermine future use but give council flexibility to ensure it can deliver improved community infrastructure via

**ITEM 6 (continued)**

**ATTACHMENT 13**

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COUNCIL REPORTS

20 September 2021

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redevelopment of the site or possible sale and redirection of funds to other community infrastructure projects.

Any dealing with the property following reclassification would be subject to a further council resolution.

**CONCLUSION**

Reclassification of 4 Pittwater Road Gladesville to Operational Land will provide Council flexibility for future dealings of the land. Reclassification does not alter its current use and any change in use or ownership would be subject to a separate report and approval of Council.

**FINANCIAL IMPACT ASSESSMENT**

There is no direct financial impact on Council's adopted budget as a result of this report.

**ENVIRONMENTAL IMPACT ASSESSMENT**

There is no direct environmental impact on Council arising from Council consideration of this matter.

**SOCIAL IMPACT ASSESSMENT**

There is no direct social impact on Council arising from Council consideration of this matter.

**RISK ASSESSMENT**

There are no direct or indirect risks impacting on Council arising from consideration of this matter.

**ATTACHMENTS**

There are no attachments to this report.

**ITEM 6 (continued)**

**ATTACHMENT 13**

CONFIRMATION OF MINUTES

Meeting 4501 - 18 October 2021

- 445/21** RESOLVED on the MOTION of Councillor Miles, seconded Councillor Collins
1. That the report be received and noted.
  2. That after a 28 day public notice period, a one-off rates rebate of \$400 for eligible ratepayers who are eligible recipients of either the Commonwealth COVID-19 disaster payment, the small and medium term business support payment, or the federal and state grants program for micro businesses be included for this financial year.

CARRIED UNANIMOUSLY.

RECORD OF VOTING	
For	Against
Mayor Ross Williams	
Councillor Ben Collins	
Councillor Elizabeth Krassoi	
Councillor Justine McLaughlin	
Councillor Zac Miles	
Deputy Mayor Jim Sanderson	

**4.9 RECLASSIFICATION OF LAND AT 4 PITTWATER ROAD GLADESVILLE**

PROCEEDINGS IN BRIEF

- 446/21** RESOLVED on the MOTION of Councillor Miles, seconded Deputy Mayor Sanderson
- That Council approve the lodging of a Planning Proposal with Ryde City Council for the reclassification of 4 Pittwater Road Gladesville to Operational land.

CARRIED UNANIMOUSLY.

RECORD OF VOTING	
For	Against
Mayor Ross Williams	
Councillor Ben Collins	
Councillor Elizabeth Krassoi	
Councillor Justine McLaughlin	
Councillor Zac Miles	
Deputy Mayor Jim Sanderson	

**4.10 DEVELOPMENT APPLICATIONS DETERMINED BY THE LOCAL PLANNING PANEL IN AUGUST 2021**

PROCEEDINGS IN BRIEF

- 447/21** RESOLVED on the MOTION of Councillor McLaughlin, seconded Deputy Mayor Sanderson
- That the report be received and noted.

**ITEM 6 (continued)**

**ATTACHMENT 14**

LEP Practice Note: PN 16-001	
Classification and reclassification of public land through a local environmental plan	
Requirement	Response
<p>A summary of council's interests in the land, including:</p> <ul style="list-style-type: none"> <li>- how and when the land was first acquired (e.g. was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution)</li> </ul>	<p>Property records indicate the site was transferred from Sydney Water (formerly Metropolitan Water Sewerage and Drainage Board) to Hunters Hill Council for the purpose of a baby health centre in 1945 (refer to Memorandum of Transfer at <b>Attachment 11</b>).</p> <p>The nominated easement created by transfer (Dealing No. 394665) relates to the Northern Beaches Ocean Outfall Sewer and imposes a number of restrictions including land use, access and construction requirements. These are stipulated in the Memorandum of Transfer at <b>Attachment 11</b>.</p> <p>On 24 April 2023, Hunters Hill Council Staff consulted with Sydney Water regarding restriction on the future use of the land as noted in "(3)" of the abovementioned Dealing. This restriction is detailed below:</p> <p><i>(3) That the transferee will not at any time use or occupy or cause or permit to be used or occupied the said land hereby transferred or any part thereof otherwise than solely for the erection and conduct of a Baby Health Centre.</i></p> <p>The above interest would restrict the use of the land solely for the use as a "Baby Health Centre" and, as such, this would restrict Hunters Hill Council from selling or developing the land for any other purpose.</p> <p>Given the above, Council's correspondence of 24 April 2023 (refer to <b>Attachment 12</b>) sought to clarify the abovementioned interest in the land to better understand potential future uses of the site or to seek release of the restriction.</p> <p>On 5 June 2023, Sydney Water responded to Council in relation to this matter (refer to <b>Attachment 13</b>). This correspondence included the following statement:</p> <p><i>'Sydney Water does not object to the land being reclassified. However, we note that the proposed site is traversed by the Northern Suburbs Ocean Outfall Sewer (NSOOS) critical trunk sewer main (oviform 2819x2362) as well as a shaft to access the</i></p>

**ITEM 6 (continued)**

**ATTACHMENT 14**

LEP Practice Note: PN 16-001	
Classification and reclassification of public land through a local environmental plan	
	<p><i>tunnel.</i></p> <p>Given the above, in consideration of the correspondence from Sydney Water to Council dated 5 June 2023, Council is satisfied that Sydney Water does not object to the proposed land reclassification.</p>
- if council does not own the land, the land owner's consent;	Hunters Hill Council is the landowner.
- the nature of any trusts, dedications etc;	Nil.



ITEM 6 (continued)

ATTACHMENT 14



## LEP practice note

### LOCAL PLANNING

Ref No.	PN 16-001
Issued	5 October 2016
Related	Supersedes PN 09-003

## Classification and reclassification of public land through a local environmental plan

The purpose of this practice note is to update guidance on classifying and reclassifying public land through a local environmental plan (LEP). This practice note emphasises the need for councils to demonstrate strategic and site specific merit, includes a comprehensive information checklist and clarifies issues arising for public reserves and interests in land. It should be read in conjunction with *A guide to preparing local environmental plans* and *A guide to preparing planning proposals*.

### Classification of public land

Public land is managed under the *Local Government Act 1993* (LG Act) based on its classification. All public land must be classified as either community land or operational land (LG Act ss.25, 26).

- **Community land** – is land council makes available for use by the general public, for example, parks, reserves or sports grounds.
- **Operational land** – is land which facilitates the functions of council, and may not be open to the general public, for example, a works depot or council garage.

#### What is public land?

*Public land* is defined in the LG Act as any land (including a *public reserve*) vested in, or under council control. Exceptions include a public road, land to which the *Crown Lands Act 1989* applies, a common, land subject to the *Trustees of Schools of Arts Enabling Act 1902* or a regional park under the *National Parks and Wildlife Act 1974*.

### Why classify public land?

The purpose of classification is to identify clearly that land made available for use by the general public (community) and that land which need not (operational). How public land is classified determines the ease or difficulty a council can have dealings in public land, including its sale, leasing or licensing. It also provides for transparency in council's strategic asset management or disposal of public land.

Community land must not be sold, exchanged or otherwise disposed of by a council. It can be leased,

but there are restrictions on the grant of leases and licences, and also on the way community land can be used. A plan of management (PoM), adopted by council, is required for all community land, and details the specific uses and management of the land.

There are no special restrictions on council powers to manage, develop, dispose, or change the nature and use of operational land.

#### How is public land classified or reclassified?

Depending on circumstances, this is undertaken by either:

- council resolution under ss.31, 32, or 33 (through LG Act s.27(2)), or
- an LEP under the *Environmental Planning and Assessment Act* (through LG Act s.27(1)).

Councils are encouraged to classify or reclassify land by council resolution where suitable.

**Classification** of public land occurs when it is first acquired by a council and classified as either community or operational.

**Reclassification** of public land occurs when its classification is changed from community to operational, or from operational to community.



## ITEM 6 (continued)

## ATTACHMENT 14

### Reclassification through an LEP

Classification and reclassification of public land through an LEP is subject to both the local plan-making process in the EP&A Act and the public land management requirements of the LG Act.

A planning proposal to classify or reclassify public land, will need to be prepared in accordance with this practice note and the additional matters specified in Attachment 1 to this practice note.

Reclassification through an LEP is the mechanism with which council can remove any public reserve status applying to land, as well as any interests affecting all or part of public land (LG Act s.30).

It is critical that all interests are identified upfront as part of any planning proposal. If public land is reclassified from community to operational, without relevant interests being identified and discharged, then the land will need to be reclassified back to community (usually by council resolution under LG Act s.33<sup>1</sup>) before being reclassified in a new planning proposal to operational, to explicitly discharge any interests.

While a reclassification proposal to remove the public reserve status of land and/or discharge interests may not necessarily result in the immediate sale or disposal of the land, the community should be aware the public land in question is no longer protected under the LG Act from potential future sale once it has been reclassified to operational.

Councils should obtain their own advice when proposing to discharge any interests and be aware that this may attract a claim for compensation under the *Land Acquisition (Just Terms Compensation) Act 1991*.

Where land has been dedicated to council by a State agency for a particular purpose and a trust exists, it is advisable for council to seek the views of that agency prior to council commencing any planning proposal affecting the land.

**Public reserve** is defined in the LG Act and includes a public park and land declared or dedicated as a public reserve.

Land can be dedicated as a public reserve by either:

- registering a deposited plan with a statement creating a lot(s) as 'public reserve', or
- publishing a notification in the Government Gazette for an existing parcel.

**Interests in land** refers to property ownership as well as rights and privileges affecting land, such as leasehold, easements, covenants and mortgages.

For the purpose of reclassification through an LEP, 'interests' means trusts, estates, dedications, conditions, restrictions and covenants affecting the land.

A legal owner of land may not be the only person with an interest in the land. For example, one person may have the benefit of an easement for services, such as water, electricity or sewerage over someone else's land.

Certain interests are registered on title to ensure they are on record and cannot be disregarded if sold to a new owner. An electronic title search is generally conducted to determine the land owner, correct land description and the type of interests which may affect the land.

### Standard Instrument LEP requirements

Clause 5.2—Classification and reclassification of public land in Standard Instrument LEPs enables councils to classify or reclassify public land as operational land or community land in accordance with the LG Act. The land to be reclassified or classified is described in Schedule 4 of the LEP.

Schedule 4 is not to refer to any land already classified or reclassified.

Where there is no public land to be classified, or reclassified, through a principal LEP (i.e. the LEP applies to the whole of a local government area), Schedule 4 will appear blank.

Note: At a later stage council may lodge a planning proposal to remove previous listings in Schedule 4. This will not affect the classification status of these parcels of land.

### Department assessment

A proposal to classify or reclassify public land through an LEP must have planning merit. The Department will undertake an assessment to determine whether the proposal demonstrates strategic and site specific merit.

### Community consultation

Planning proposals to reclassify public land are to be publicly exhibited for at least 28 days.

A copy of this practice note is to be included in the public exhibition materials.

<sup>1</sup> Note: Council is required to give public notice of the proposed resolution and provide a period of at least 28 days during which submissions may be made (LG Act s.34).

## ITEM 6 (continued)

## ATTACHMENT 14

### Public hearings

Councils must hold a public hearing when reclassifying public land from community to operational (EP&A Act s.57 & LG Act s.29). This gives the community an opportunity to expand on written submissions and discuss issues with an independent person in a public forum.

After the exhibition period has ended, at least 21 days public notice is to be given before the hearing. This allows the person chairing the hearing sufficient time to consider written submissions and all issues raised.

There are specific requirements for the independence of the person chairing the hearing, their preparation of a public hearing report and council making the report publicly available (LG Act s.47G).

### Governor's approval

The Governor's approval is required when a reclassification proposal seeks to remove any public reserve status and/or discharge any interests affecting public land (s.30).

When a council reports back to the Department on the community consultation undertaken and requests the Department make the LEP, the Department will arrange legal drafting of the LEP, including recommending the Governor approve the provisions before the LEP can be legally made.

Where the Governor's approval is required, the council's report accompanying the final planning proposal must address:

- council's interests in the land;
- whether the land is a 'public reserve';
- the effect of the reclassification, including loss of open space, any discharge of interests, and/or removal of public reserve status;
- the strategic and site specific merits of the reclassification and evidence to support this;
- any current use of the land, and whether uses are authorised or unauthorised;
- how funds obtained from any future sale of the land will be used;
- the dates the planning proposal was publicly exhibited and when the public hearing was held;
- issues raised in any relevant submissions made by public authorities and the community;
- an explanation of how written and verbal submissions were addressed or resolved; and
- the public hearing report and council resolution.

### Authorisation of delegation

Local plan making functions are now largely delegated to councils.

A Written Authorisation to Exercise Delegation is issued to a council as part of the Gateway determination. However, where an LEP requires the Governor's approval, this council delegation cannot be issued. In this instance, the council must request the Department make the LEP.

A decision to classify or reclassify public land cannot be sub-delegated by council to the general manager or any other person or body (LG Act s.377(1)(i)).

### Background

On July 1, 1993 when the LG Act commenced, the following land under council ownership or control, was automatically classified as *community* land:

- land comprising a public reserve,
- land subject to a trust for a public purpose,
- land dedicated as a condition of consent under s.94 of the EP&A Act,
- land reserved, zoned or otherwise designated for use under an environmental planning instrument as open space,
- land controlled by council and vested in Corporation Sole - Minister administering the EP&A Act.

Councils must keep a register of land under their ownership or control (LG Act s.53) and anybody can apply to a council to obtain a certificate of classification (LG Act s.54).

### Further information

A copy of this practice note, *A guide to preparing planning proposals* and *A guide to preparing local environmental plans* is available at:  
<http://www.planning.nsw.gov.au>

For further information, please contact the Department of Planning and Environment's Information Centre by one of the following:

Post: GPO Box 39, Sydney NSW 2001.

Tel: 1300 305 695

Email: [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au)

**Authorised by:**  
**Carolyn McNally**  
**Secretary**

**Important note:** This practice note does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this practice note.

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## ITEM 6 (continued)

## ATTACHMENT 14

### ATTACHMENT 1 – INFORMATION CHECKLIST FOR PROPOSALS TO CLASSIFY OR RECLASSIFY PUBLIC LAND THROUGH AN LEP

The process for plan-making under the EP&A Act is detailed in *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*.

Importantly, *A guide to preparing local environmental plans* contains the Secretary's requirements for matters that must be addressed in the justification of all planning proposals to reclassify public land. Councils must ensure the Secretary's requirements are addressed.

Councils must also comply with any obligations under the LG Act when classifying or reclassifying public land. More information on this can be found in *Practice Note No. 1 - Public Land Management* (Department of Local Government, 2000).

All planning proposals classifying or reclassifying public land must address the following matters for Gateway consideration. These are in addition to the requirements for all planning proposals under section 55(a) – (e) of the EP&A Act (and further explained in *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*).

- ☐ the current and proposed classification of the land;
- ☐ whether the land is a 'public reserve' (defined in the LG Act);
- ☐ the strategic and site specific merits of the reclassification and evidence to support this;
- ☐ whether the planning proposal is the result of a strategic study or report;
- ☐ whether the planning proposal is consistent with council's community plan or other local strategic plan;
- ☐ a summary of council's interests in the land, including:
  - how and when the land was first acquired (e.g. was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution)
  - if council does not own the land, the land owner's consent;
  - the nature of any trusts, dedications etc;
- ☐ whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why;
- ☐ the effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged);
- ☐ evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g. electronic title searches, notice in a Government Gazette, trust documents);
- ☐ current use(s) of the land, and whether uses are authorised or unauthorised;
- ☐ current or proposed lease or agreements applying to the land, together with their duration, terms and controls;
- ☐ current or proposed business dealings (e.g. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time);
- ☐ any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy);
- ☐ how council may or will benefit financially, and how these funds will be used;
- ☐ how council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal;
- ☐ a Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot; and
- ☐ preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.

**ITEM 6 (continued)**

**ATTACHMENT 15**

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COUNCIL REPORTS

19 April 2021

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<b>ITEM NO</b>	: 4.3
<b>SUBJECT</b>	: DRAFT COMMUNITY INFRASTRUCTURE PLAN (PROPERTY STRATEGY)
<b>STRATEGIC OUTCOME</b>	: COUNCIL IS FINANCIALLY SUSTAINABLE
<b>ACTION</b>	: COUNCIL DEVELOPS COMMERCIAL OPPORTUNITIES THAT GENERATE ALTERNATE SOURCES OF INCOME/REVENUE (E.G. PROPERTY PORTFOLIO)
<b>REPORTING OFFICER</b>	: LISA MISCAMBLE

Ref:493526

**PURPOSE**

This report provides the outcome of the community consultation process undertaken as part of the exhibition and finalisation of the Community Infrastructure Plan (CIP) and sets out the next steps.

The CIP was prepared to provide Council and the community with a clear picture of Council's property portfolio and provide a cohesive strategy on how it should be managed. The Strategy also outlines the prioritisation of future expenditure regarding our assets in order to provide for existing and future community needs.

**RECOMMENDATION**

1. That the report be received and noted.
2. That the Community Infrastructure Plan be renamed as the Property Strategy reflecting community feedback and be adopted.
3. That Council commence the next phase of detailed investigations and consultation on the Arts and Cultural Hub (the former depot site) and the Village Green (Gladesville Road and Figtree Park site).
4. That a further report be provided to Council following detailed investigations and associated financial modelling.
5. That Council write to individuals and organisations who provided a response during the public exhibition period to advise of the outcome and next steps.

**BACKGROUND**

Council's Long Term Financial Plan projects ongoing and increased deficits. This is clearly not sustainable. In order for Council to provide for the needs, wants and aspirations of for our community Council needs to address these projected deficits.

Council's Fit for the Future Improvement Proposal 2015 (p 144 – 145) contained a number of property related initiatives including:

*Partial Road Closure and Proposed Subdivision – Serpentine Rd, Hunters Hill: Council is considering a proposal to close part of an unmade road, aggregate the part closed with adjoining Council land and dispose of the resultant lot created by subdivision. Preliminary notification to residents has been undertaken and survey work commenced. The proceeds may be expended on Capital Works such as Roads, Parks and Reserves and Community Facilities and Buildings. Alternatively, Council may decide to retire some or all of the debt raised to fund the Footpath Improvement Program.*

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*6 Pittwater Road (Early Childhood Centre): This site is located in the Ryde City Council area and adjoins the Gladesville Library. There is a possibility that the City of Ryde Council (CoR) may seek an opportunity to re-develop their substantial land holdings in this area in conjunction with the Gladesville Masterplan and it would be logical that this site is included in any future proposals. CoR has recently commissioned consultants to consider development options for the site. Proceeds from sales, or revenue earned, could be used for strategic re-investment to fund ongoing initiatives including capital works.*

*40, 42, 44, 46& 48 Gladesville Road, Hunters Hill: These sites have been re-zoned within the Hunters Hill Village Masterplan for the purpose of using a potential redevelopment opportunity to construct new and significantly improved community facilities and car parking. The LEP for Hunters Hill Village has been gazetted and plan for a potential development strategy is being developed and will be placed on public exhibition in 2012. Proceeds from sales, or revenue earned, could be used for strategic re-investment to fund ongoing initiatives including capital works*

To assist in the progression of these initiatives Council at its meeting held on 25 June 2018 resolved:

1. *Hunter's Hill Council re-establish the Committee in order to provide recommendations to Council with regards to:*
  - I. *Evaluating Council's property assets to determine if they are providing community benefit;*
  - II. *Developing strategies for the future of Council's assets;*
  - III. *Investigating opportunities to invest/reinvest in property assets.*
2. *The Property Advisory Committee consist of three (3) councillors and three (3) community members;*
3. *Hunter's Hill Council advertise for community members to join the Property Advisory Committee as soon as is practicable;*
4. *The inaugural Property Advisory Committee Meeting for this term of Council be held in early August.*

Due to the retirement of the former General Manager and subsequent appointment of the new General Manager the PAC was not formed until the first quarter of 2019, following an expression of interest process within the local community.

Further to ensure that a strategic view was taken to Council's property holdings it was agreed that a Property Strategy would be developed. This was flagged in late 2018 in the report of the 12 December 2018 where it was again highlighted there was a need to look for additional revenues to supplement rates income. As part of this report it was highlighted:

*'...the options presented are only one measure that is required. There is a need to look at both expenditure and revenues over the coming 12 – 18 months. In relation to expenditure this will include reviewing organisational practices to streamline processes and harness technology to drive business improvement and efficiency; developing a property strategy; expansion of shared services as well as actively pursuing grant opportunities'.*

In response to this, the Sustainable and Thriving Strategy was developed that brought together these elements into a cohesive framework to guide Council to take actions to be financially sustainable and thrive into the future. Attachment 1 sets out the framework.

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This Strategy provides for:

- Operational changes that can be incrementally implemented to drive down expenditure and increase revenues. Over the past 2 years this has included:
  - An ongoing review of fees and charges to identify opportunities for new fees and fee increases to equitably recover costs and maintain service standards. For example, a development application compliance levy was introduced in 2019/20, resulting in additional income of \$156,000 in that year.
  - Investment in improved technologies to support more customer-friendly systems and drive organisational change and efficiencies. For example a recently introduced online, paper-light development application assessment system has resulted in improved customer experience and at the same time achieved efficiencies.
- Three big moves that will significantly move the dial on Council's finances and reduce the existing heavy reliance on rates revenue, these are:
  - preparation of the Digital Asset Management Plan (DAMP) to give council a clear picture of asset conditions and costs to bring them up to an acceptable standard. We have implemented an industry-leading asset management system. Completion of the DAMP, last year, now gives Council a more rigorous assessment of the condition of our infrastructure assets than previous systems that relied heavily on desk-top estimates. The system enables more precise modelling of condition outcomes at different investment levels.
  - implementation of shared services, including the move to a shared depot with Lane Cove Council. Shared services have provided opportunities to improve service delivery and reduce costs; a good example is the agreement with Lane Cove Council (LCC) to share library. The shared library service alone has saved Council \$350,000 every year, equivalent to around 3.5% of rate income.
  - the development of the Community Infrastructure Plan (Property Strategy). The development of a Property Strategy (CIP) is aimed at optimising Council-owned properties and land capable of development, sale or lease, for community benefit.

**Financial outlook**

The Property Strategy is one element of Council's long-term financial plan to reduce the reliance on rates revenue and to reduce Council's ongoing expenditure maintaining ageing and no longer fit for purpose assets.

Council's long-term financial plan projects an ongoing deficit. This is in spite of implementing a range of operational initiatives as outlined above. An updated long-term financial plan will be presented to the May 2021 Council meeting as part of the draft 2021/22 Operational Plan and Budget.

In the 2019 – 2020 financial year Council did return a positive financial result, as a result of operational changes made and the significant boost of a one-off payment of \$1m following the successful contract negotiations in 2019 for the supply of bus shelters and associated advertising.

The development of the new Digital Asset Management Plan (DAMP) has resulted in a clear understanding of the level of investment required to maintain and renew Council's assets.

Further the re-valuation of Council's assets, as reported to Council on 15 March 2021, as part of the end of December 2020 budget review, highlighted that the re-valuation process has resulted in an increase in the value of our asset base resulting in an associated increase of over \$1.1m in depreciation costs. This increase in depreciation costs is now reflected in Council's operating result and must be funded to ensure assets remain at an acceptable standard.

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**Property Advisory Committee**

The Property Advisory Committee (PAC) was formed following an EOI process within the local community. The PAC, in concert with the Council, worked over a 12-month period to develop a Community Infrastructure Plan (Property Strategy), through a series of workshops and briefings and drawing on the relevant information from research, studies and other strategic documents developed over the past 15 years.

The result was the draft Plan (CIP) that was placed on public exhibition to seek feedback and specific feedback on the visions for the 3 community hubs, to inform the next phase of detailed planning and consultation.

This Plan will form one of the foundations to support Council to be financially sustainable into the future as well as support broader social outcomes.

At a meeting of the Property Advisory Committee held on 8 April 2021 when considering the CIP (Property Strategy), the PAC, made the following resolution that:

1. *Council develop a policy and a set of principles for the assessment of remnant lands and include a flow chart to set out clearly the process (including associated community consultation); seek legal advice in relation to the protections to be afforded under zoning, easements and covenants. These principles to be referred to the Property Advisory Committee prior to adoption by Council.*
2. *Hubs / Precincts: Following the testing of visions for each precinct through the exhibition of the CIP that Council:*
  - *Building on current feedback and associated reports, move to detailed consultation on each precinct to develop a masterplan for exhibition and feedback.*
  - *Provide a further report on the communication and engagement plans in relation to the Precincts to ensure detailed consultation occurs and all options are considered for each site.*
  - *Refine the financial modelling based on feedback received to inform future consultation.*
  - *Provide a detailed project plan to Council and associated financial modelling for Figtree Park to take into account the \$4.75m in public legacy funding pending the outcome of the grant application. Noting that no detailed plan has been adopted for the park and that the following principles have been put forward to the Department of Planning to guide the expenditure of the grant if successful:*
    - *Improving linkages to the park*
    - *Expansion of open space*
    - *Improved playground facilities*
    - *Provision of toilet facilities*
    - *Creation of a public plaza*
    - *Proposed works to align with future options for the site*
    - *A detailed community engagement program will be undertaken prior to adoption of any plan*
3. *For each hub / precinct, develop a flow chart and timeline for each phase of the project.*



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#### REPORT

#### Feedback from the public exhibition period October – November 2020

At the conclusion of the exhibition period the following responses and website views were recorded:

- 311 people filled in the People and Places Survey
- 255 people commented and responded to the interactive People and Places maps
- 327 people filled in the CIP survey
- 42 people wrote individual submissions
- 9 submissions were made by organisations including:
  - Hunters Hill Trust
  - Hunters Hill Croquet Club
  - Hunters Hill Bridge Club
  - Hunters Hill High School P&C
  - Anglican Parish of Hunters Hill
  - Holy name of Mary Parish
  - Hunters Hill Sailing Club
  - Hunters Hill Public P&C
  - Villa Maria PS

There were 1,325 webpage views.

The Consultation Report, contained in the **Attachments**, provides a summary of the feedback from the exhibition period and responses for each component of the Plan. These responses will be incorporated into future analysis of individual sites and form the basis of future community engagement. Where appropriate the Property Strategy has incorporated community feedback, but in general the Consultation Report should be read in conjunction with, the now named Property Strategy as actions are implemented.

#### General Feedback Themes

The table below provides the general themes and response to these:

Feedback	Response
<p><i>Confusion over the purpose of the draft Plan</i></p> <p>There was concern that if the Plan was to reflect all community facilities, then other non-Council facilities should be included.</p>	<p>The Plan has been renamed to the Property Strategy to more clearly identify the Plan as relating solely to the range of property Council has and simplified to only reflect Council owned properties and refer to other planning document which support broader community facilities and groups who own and / or manage these.</p>
<p><i>Concern that Council would be raising rates to pay for the hubs</i></p>	<p>The Hub proposals are intended to contribute to the financial sustainability of Council by providing revenue generating opportunities and / or achieving operational efficiencies.</p> <p>The exhibition of the draft CIP, in particular in relation to the Hubs was to seek feedback on the draft visions in terms of opportunities and</p>



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	<p>concerns to assist in the next phase of detailed planning.</p> <p>In response, the Plan has been amended to highlight the financial imperatives and links to Council's overall financial sustainability objectives.</p>	
<p><i>Lack of understanding of the process</i></p> <p>There was concern that what was provided was fait accompli. This was particularly in relation to the 2 Hubs, now referred to as Precinct at Figtree Park / Gladesville Road and the Heritage / Cultural Hub / Precinct on the corner of Alexandra St and D'Aram St.</p>	<p>The public exhibition of the Plan was to seek initial community feedback, as part of a phased approach.</p> <p>The Plan set out to define a vision for these precincts, which will now be further tested and refined through further community engagement, financial modelling and reported back to Council.</p>	
<p><i>Request for more detail around the 3 hubs</i></p>	<p>It is an iterative process.</p> <p>Phase 1 was to seek broad community feedback on the concepts.</p> <p>In the short term, feedback on the hubs in Alexandra Street and Figtree Park / Gladesville Road Hunters Hill will be used to inform detailed master plans, which will be the subject to an extensive community consultation and engagement program.</p>	
<p><i>Existing community groups and churches concerned that Council's properties would compete with their facilities and confusion around the scope of the Community Infrastructure Plan</i></p>	<p>The Plan has been simplified to solely focus on Council owned properties and buildings and referring to the other relevant documents for broader facility and social planning. These facilities are captured in the 2009 Community Facilities Strategy and associated actions incorporated into Council's Delivery Plan and annual Operational Plan.</p> <p>In addition, during the exhibition period some church based and community groups sought financial assistance from Council to assist them in the maintenance and renovation of their facilities. In response to this Council has:</p> <ul style="list-style-type: none"> <li>• Sought information from the groups about the facilities available and launched these on the Venu App to assist in promoting their facilities for greater hire and as a consequence revenue generation</li> <li>• Propose to implement a schedule of shining a spot light on these facilities through the e-news and monthly paper newsletter.</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Provided information to these groups of appropriate funding sources, including Council's annual community grants program as well as relevant State and Federal Government funding programs.</li> </ul>
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#### Specific elements of the Property Strategy

The Property Strategy has 4 elements:

1. 3 Precincts:
  - a. Village Green (Gladesville Road/Figtree Park, Hunters Hill)
  - b. Arts, Cultural and Heritage, (Town Hall, Administration Centre, Museum, Depot and Council Chambers, Hunters Hill)
  - c. Lifestyle and Wellbeing (Former Henley Bowling Club)
2. Council owned properties in Gladesville:
  - a. 4 Pittwater Road, Gladesville
  - b. Cowell St Carpark, Gladesville
3. Leases and licenses
4. Remnant lands

The Strategy provides a broad overview, which is broken up into short (1-3 years), medium (3-5 years) and long term (5 years+) goals. However, as project plans for each Precinct are developed and/or additional opportunities arise, Council may be in a position to deliver additional projects identified through the development of the Community Strategic Plan and associated strategies.

#### 1. Precincts

##### a) Village Green (Gladesville Road/Figtree Park, Hunters Hill)

##### *Vision*

The Village Green will be a place where community facilities and services will be centralised and will provide a renewed focus on activity. This will be a place for all ages, attracting students from nearby schools, older residents from nearby seniors housing and residents generally from across Hunters Hill.

Residents and visitors will regularly visit the new contemporary library and council administration centre. The Park will be activated and in use across the day from early morning to evening. The Precinct will be a vibrant place that contributes to the life of the Hunters Hill community and lifestyle.

The creation of the Precinct will strengthen local economic development.

##### *Opportunities*

- Improving and activating Figtree Park
- Providing quality accommodation for community service organisations
- Accommodating Council's Administration
- Accommodating a contemporary library
- Allowing for income producing commercial space
- Accommodating community meeting space/s
- Resolving access and safety issues along Gladesville Road by reducing the number of driveways
- Accommodating flexible working spaces

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- Activating/opening up Figtree Park to encourage greater use and longer stays
- Accommodating a residential component (for downsizing)
- Energising Hunters Hill Village through activation and public art
- Supporting local business activities

*Community Feedback*

The general community feedback on the Village Green was centred on:

- More detail required on proposal: *This will be supplied during Phase 2 of community consultation*
- Built form, traffic and parking raised as issues to be addressed: *These matters will be addressed during the master planning of the site and placed on public exhibition*
- Open and green space and trees should be retained and expanded: *Agreed, there will be no loss of public open space*
- Relocation of library and Administration Centre received mixed responses: *These concepts will be further tested during Phase 2 community consultation*

Some of the ideas raised during consultation included the following:

- Provide bicycle parking
- Include edible gardens
- Have a youth focus
- Aboriginal Cultural Walk near Clarkes Point
- Provide connective pathways to access hubs across the municipality
- Encourage growth of the tree canopy to reduce urban heat
- Look at grant opportunities
- Ensure there are accessible amenities / facilities for people with disability, parents, children and the elderly
- Provide flexible workspaces and spaces for community groups to rent
- Drop in centre for young people
- Council to partner with other organisations in the hosting of musical events, noting that spaces such as All Saints Church were designed for such purposes

b) Arts, Cultural and Heritage, (Town Hall, Administration Centre, Museum, Depot Hunters Hill)

*Vision*

The vision for this site is to celebrate the culture and heritage.

The site is already home to Hunters Hill Music Club, art gallery and an expanded Hunters Hill Museum, which will celebrate our heritage.

The performance space will be contemporary and offer a unique experience. The Town Hall already hosts the annual Hunters Hill Art Exhibition and Young in Art, with improved facilities there is an opportunity to expand this offering increasing the utilisation of the Town Hall.

*Opportunities*

- Improving the amenity to adjoining owners
- Improving amenity and facilities for community groups, e.g. Hunters Hill Music Club
- Retaining the cultural hub of the Town Hall, Council Chambers and Museum while relocating the administration functions of Council to Hunters Hill Village to boost local economic development and achieve operational efficiencies, in particular in relation to Library operations

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- Using the administration section of the building for commercial leasing/offices
- Developing an arts and cultural precinct which includes an art gallery, museum, offices or commercial leasing
- Determining whether the existing office accommodation can be retrofitted for future use or does there need to be consideration of a 'new' build?
- Working with other organisations and businesses within the vicinity with an arts and cultural focus
- Accommodating a residential component for downsizing or retirement living that is in keeping with the surrounding character

*Community Feedback*

The general community feedback on the Heritage and Cultural Precinct was centred on:

- Impact on adjoining properties: *This will be addressed in any future master plan for the precinct.*
- Relocation of the Administration Centre and questioned whether this was necessary: *This concept will be further tested during Phase 2 community consultation.*

Some of the ideas raised during consultation included the following:

- Ensure the restoration of heritage sites to promote a sense of community and attachment to place
- Continue to lease community venues to not-for-profit groups at an affordable price and sharing spaces
- Collaborate with the local public school to help design this space to encourage community ownership among younger people
- Utilise the theatre, music club and art gallery to host community events
- Investigate traffic and parking solutions

c) Lifestyle and Wellbeing (Former Henley Bowling Club)

*Vision*

The vision for the Henley Precinct will grow organically. Initially, Council will undertake an EOI to determine a variety of short-term mixed uses.

Over the longer term it is anticipated that the precinct will lend itself to services and facilities that support health and lifestyle, such as:

- Increased and improved access to open space
- Improved community and recreational facilities offering contemporary multipurpose spaces.
- New facilities, which will incorporate commercial aspects that will enable revenue raised to be rolled back into the asset maintenance and renewal of the buildings as well as the broader precinct of Gladesville Reserve, Betts Park and Henley Community Centre.

*Opportunities*

- Constructing a synthetic field with a shared sports and community facility
- Improving amenities for sporting activities including storage, change rooms, etc.
- Considering gym/café to service users and local sporting clubs as part of the new amenities
- Relocating the current cricket pitch either elsewhere on the site or subject to agreement relocate to another site
- Providing a café / restaurant to service visitors to the reserve

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- Providing meeting rooms to cater for community groups with associated back of house facilities such as kitchen and amenities
- Staging produce / craft markets
- Continuing to host a community garden
- Providing infrastructure to enable the staging of outdoor music / cultural events
- Delivering a community playground
- Continuing to lease buildings to the preschool and child care with a potential for increased child care
- Upgrading public amenities
- Increasing access to the waterfront
- Considering potential for residential development with a sustainable focus

*Community Feedback*

The general community feedback on the Lifestyle and Wellbeing Precinct was centred on:

- The concept of an urban farm supported: *Agreed.*
- Support from some sections of the community for synthetic field: *This is a separate matter is contained in a further report on this Council business paper.*

Some of the ideas raised during consultation included the following:

- Minimise one of the three carparks to increase active transport options, e.g., bike racks and shared paths
- Carpark under synthetic turf
- Engage with the local community and schools to test future ideas for the site such as outdoor movies
- Install outdoor gym equipment for all ages, including signage and shade
- Encourage yoga classes and tai chi in outdoor shaded areas
- Improve connections to the Wharf and throughout the reserve by expanding the existing tracks
- Installation of nature-based play equipment
- Move the Hunters Hill Croquet Club to Henley
- Upgrade cricket nets

Next steps for Precincts

Following the testing of visions for each precinct through the exhibition of the CIP (Property Strategy), Council is now able to:

1. Move to detailed consultation on each precinct to develop a masterplan for exhibition and feedback, taking into consideration current feedback
2. Provide a further report on the communication and engagement plans in relation to the Precincts to ensure detailed consultation occurs and all option considered for each site
3. Refine the financial modelling based on feedback received to inform future consultation

It should be noted that Council has applied for a \$4.75m grant through the NSW Governments Public Legacy Fund for the Village Green (Gladesville Road/Figtree Park Hunters Hill) Precinct. As part of the ongoing planning for this site a detailed project plan will be presented to Council with associated financial modelling, if and when Council is successful with this application.

It should also be noted that no detailed plan has been adopted for the Village Green Precinct and that the following principles have been put forward to the Department of Planning to guide the expenditure of the grant, if successful:

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- Improving linkages to the park
- Expansion of open space
- Improved playground facilities
- Provision of toilet facilities
- Proposed grant funded works to align with future options for the site.

Once the outcome of the grant application is known, and if successful a detailed community engagement program will be undertaken prior to adoption of any plan and the staging of any work.

#### 2. Council owned properties in Gladesville

##### *Vision*

The Council owned sites of 6 Pittwater Road Gladesville and the Cowell St Carpark will contribute to and act as a catalyst to the reactivation of the Gladesville Commercial Centre.

The Gladesville Commercial Centre will be renewed and revitalised, with a mixed-use urban centre. It will be the primary centre and commercial hub for the wider area, providing a full range of retail services and entertainment to the community. The Town Centre will offer a modern, convenient environment that respects the past and where people will love to be. It will have high quality mid-rise apartment living, meeting a range of housing needs. It will be a desirable and sustainable place to live.

The focal point of the Centre will be a renewed Gladesville Shopping Centre and public spaces between Massey Street and Cowell Street.

The redevelopment of the shopping centre with increased commercial space and residential apartments in well - designed buildings, will be the catalyst for renewal, place-making and urban design outcomes throughout the broader Gladesville Centre. (Hunters Hill LSPS)

##### *Opportunities*

- Developing a hub specifically to meet the needs of children and families; occasional care and long day care.
- Investigating commercial lease areas, outdoor areas, etc. Partnering with the City of Ryde and tapping into their property opportunities.
- Supporting the Gladesville Masterplan.
- Improving traffic and parking in and around the commercial centre.
- Linking open spaces and improving pedestrian access.
- Supporting the community by offering a range of social opportunities via the provision public spaces with adequate seating and public art.
- Supporting commercial entities via a range of business and employment opportunities.

##### *Community Feedback*

There were not a lot of responses in relation to the Gladesville sites, however of the responses that related to Gladesville there was a clear and strong desire for Council to expedite the master planning for the Gladesville area.

Some of the ideas raised during consultation included the following:

- Provide green space
- Provide open space
- Connect spaces and make sure access meets the needs of people with disability
- Make sure the developer includes community places and spaces

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- Install public art
- Include community seating and meeting places
- Partner with the City of Ryde Council to ensure the commercial area is consistent in both LGAs

#### *Next steps for Council owned Properties*

Council is currently preparing a masterplan for the Gladesville Commercial Centre and the Cowell St Carpark is an integral component in the plan to ensure appropriate open space and public domain are created through any redevelopment. As part of the ongoing planning for the area, any reduction of parking on the Cowell St Carpark will need to be provided within any new development.

6 Pittwater Road is located within the City of Ryde. Services provided from the site are valuable and will be relocated to any new development within the Hunters Hill Council area with appropriate planning and negotiation. Council will continue to work with the City of Ryde to look at options to achieve the highest value for the site.

#### 3. Leases and Licences

Council has leases and licences for a range of facilities. Some are leased or licenced to private for-profit operators and others to community-based organisations. These include leases with groups for use of the Hunters Hill Sailing Club, child care services, general community use, Council properties (residential house) and Community centre.

#### *Next steps for Leases and Licences*

It is important that all leases and licences are reviewed and kept up to date. As part of the ongoing leasing and licencing of buildings, a review of outgoings and maintenance costs will be undertaken to ensure that as a minimum these costs are recouped ensuring that the capacity of community groups to pay is taken into consideration.

#### 4. Remnant Land

Council holds many small parcels of land such as unformed roads, road reserves and drainage easements. These parcels are often not required by Council but can have significant value to an adjoining owner. An up to date list of these sites is required.

It would then be possible to have a systematic approach to the assessment of each site where surplus sites sell at fair market value. Disposal will need to be treated sensitively to protect community rights such as view corridors or access to the water.

#### *Next steps for Remnant Lands*

Prior to any possible sale Council will adopt a policy and set of principles for the assessment of remnant land and include a flowchart to set out clearly the process (including associated community consultation), seek legal advice in relation to protections to be afforded under zoning, easements and covenants and will be referred back to the Property Advisory Committee for review prior to formal adoption by Council.

### CONCLUSION

Council has a responsibility in the provision of use of its buildings to ensure that it achieves best value for the community both in terms of social and financial outcomes. As highlighted in Councils Fit for the

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Future Improvement Proposal submitted in 2015, management of Council's property portfolio will be a key element in supporting the future financial sustainability of the Council.

Council has undertaken many studies over many years on specific sites and properties. This Property Strategy consolidates these studies, ideas and aspirations and sets out a vision, principles and strategic approach to the management Council's properties.

**FINANCIAL IMPACT ASSESSMENT**

There is no direct financial impact on Council's adopted budget as a result of this report.

**ENVIRONMENTAL IMPACT ASSESSMENT**

There is no direct environmental impact on Council arising from Council consideration of this matter.

**SOCIAL IMPACT ASSESSMENT**

There is no direct social impact on Council arising from Council consideration of this matter.

**RISK ASSESSMENT**

There are no direct or indirect risks impacting on Council arising from consideration of this matter.

**ATTACHMENTS**

1. Sustainable and Thriving Strategy [↓](#)
2. Hunters Hill Property Strategy 2021 [↓](#)
3. Consultation Outcomes Report [↓](#) - *Under Separate Cover*
4. Survey and community submissions on the draft Community Infrastructure Plan - *Under Separate Cover*
5. Survey People and Place results - *Under Separate Cover*



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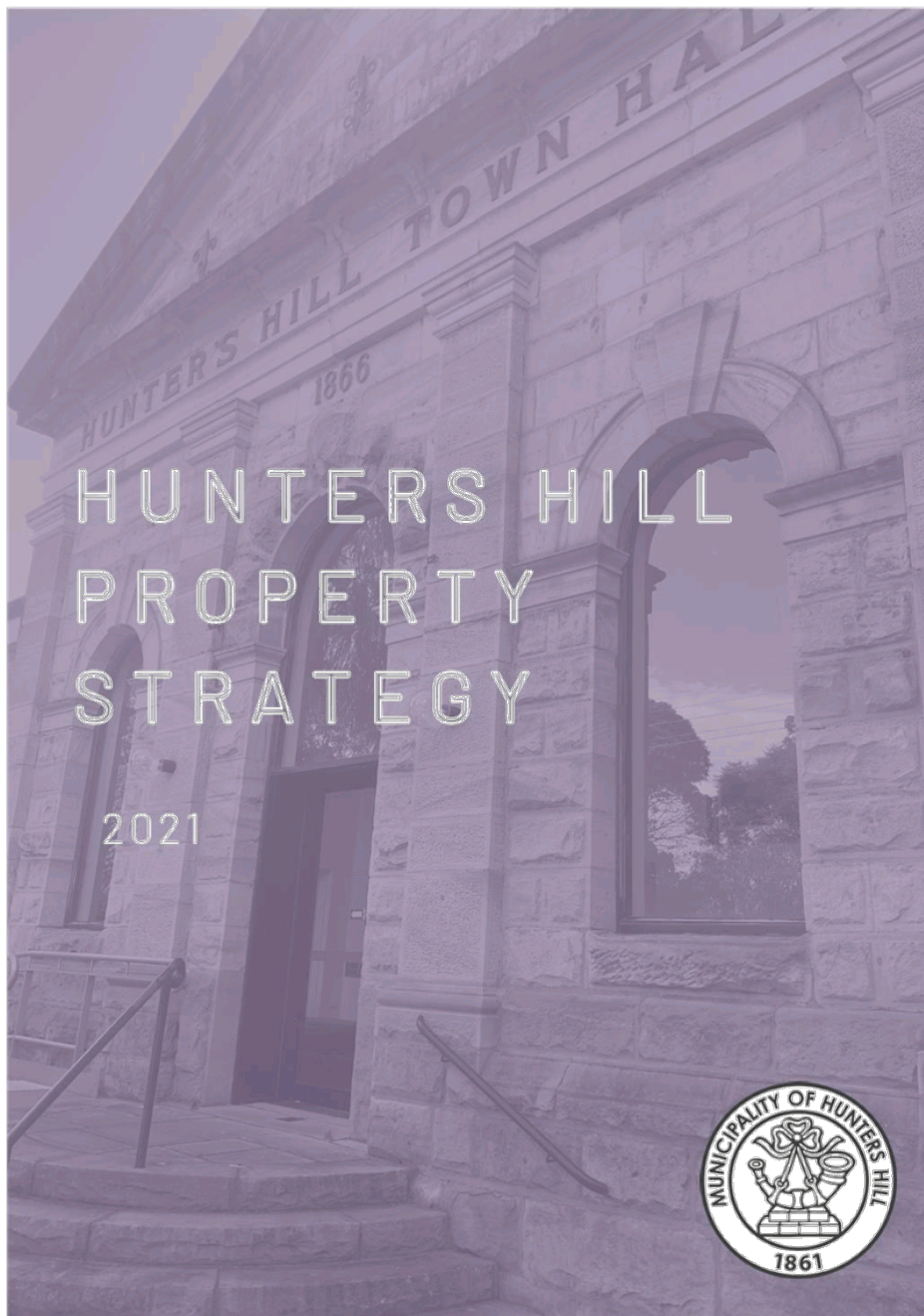
Attachment 15 - Excerpt of Council Meeting Report - 19 April 2021 - 4 Pittwater Road, Gladesville

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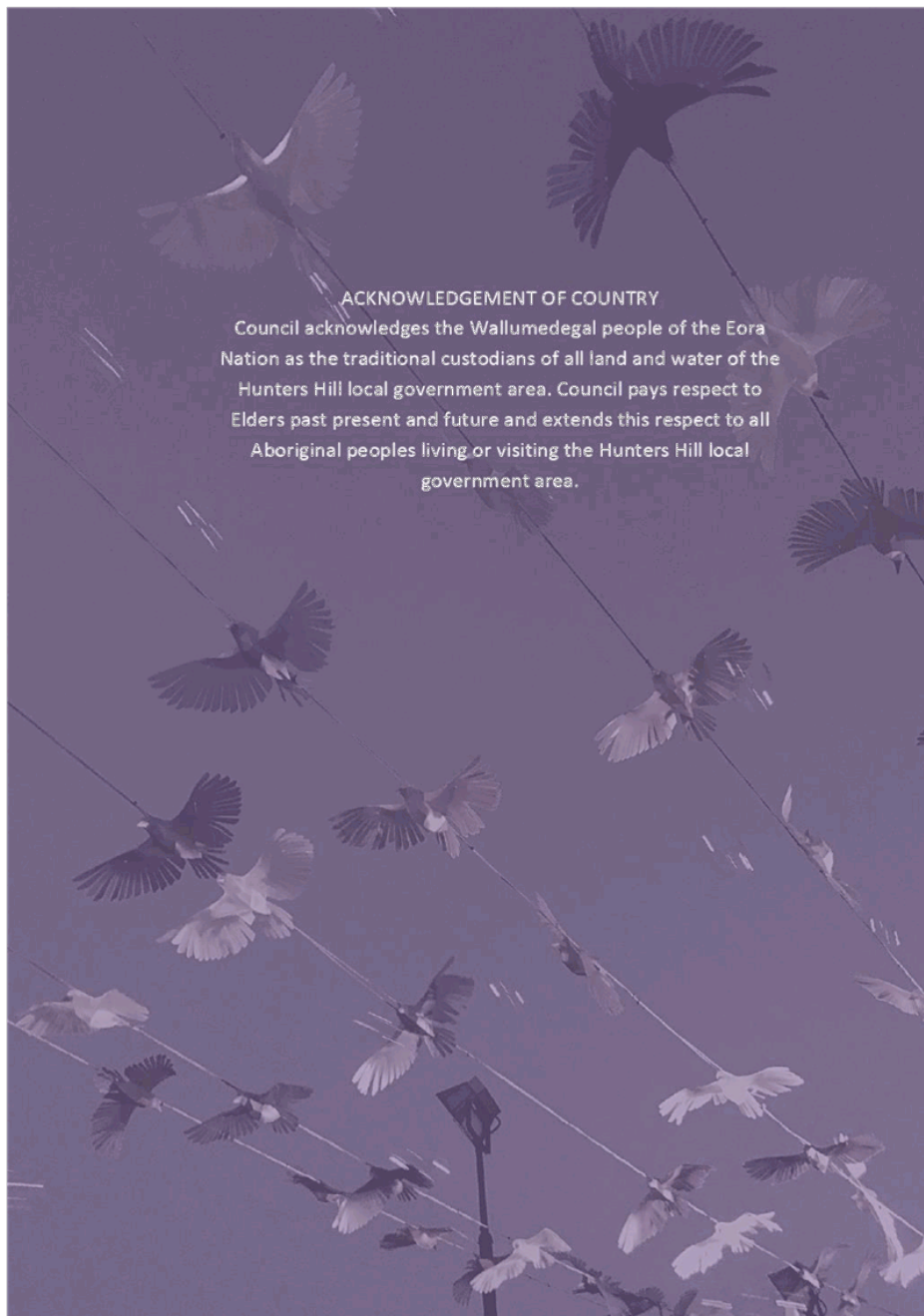


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# 1. EXECUTIVE SUMMARY

Council is faced with a number of issues requiring capital expenditure in the near future. This includes expenditure on community assets, such as roads and footpaths, as well as providing better accommodation for its community service organisations.

At the same time, Council's financial options are limited. Revenue comes primarily from rates, which, because of rate capping has little opportunity for growth. An option for Council is to use its property portfolio more commercially, whilst still balancing community needs.

This Strategy advocates such an approach and aims to give both Council and the community confidence that property dealings, will be both well intended and well managed and respectful of the Hunter's Hill heritage.

This Strategy highlights some opportunities, which will allow Council to leave a legacy of valuable community assets. It also sets out some principles to guide the Strategy and proposes initial steps forward in terms of the Precinct projects.

Council has a small but important property portfolio which can be categorised as:

1. Three Precinct projects
2. Council owned properties in Gladesville
3. Leased or licenced properties
4. Remnant lands

This Strategy does not include facilities provided by others. Planning for the overall provision of community and recreation facilities is contained in other Council strategies. Implementation of these strategies is undertaken through Council's Delivery Plan and annual Operational Plan.

These strategies include the 2009 Community Facilities Strategy and the 2013 Hunters Hill Recreation Strategy.

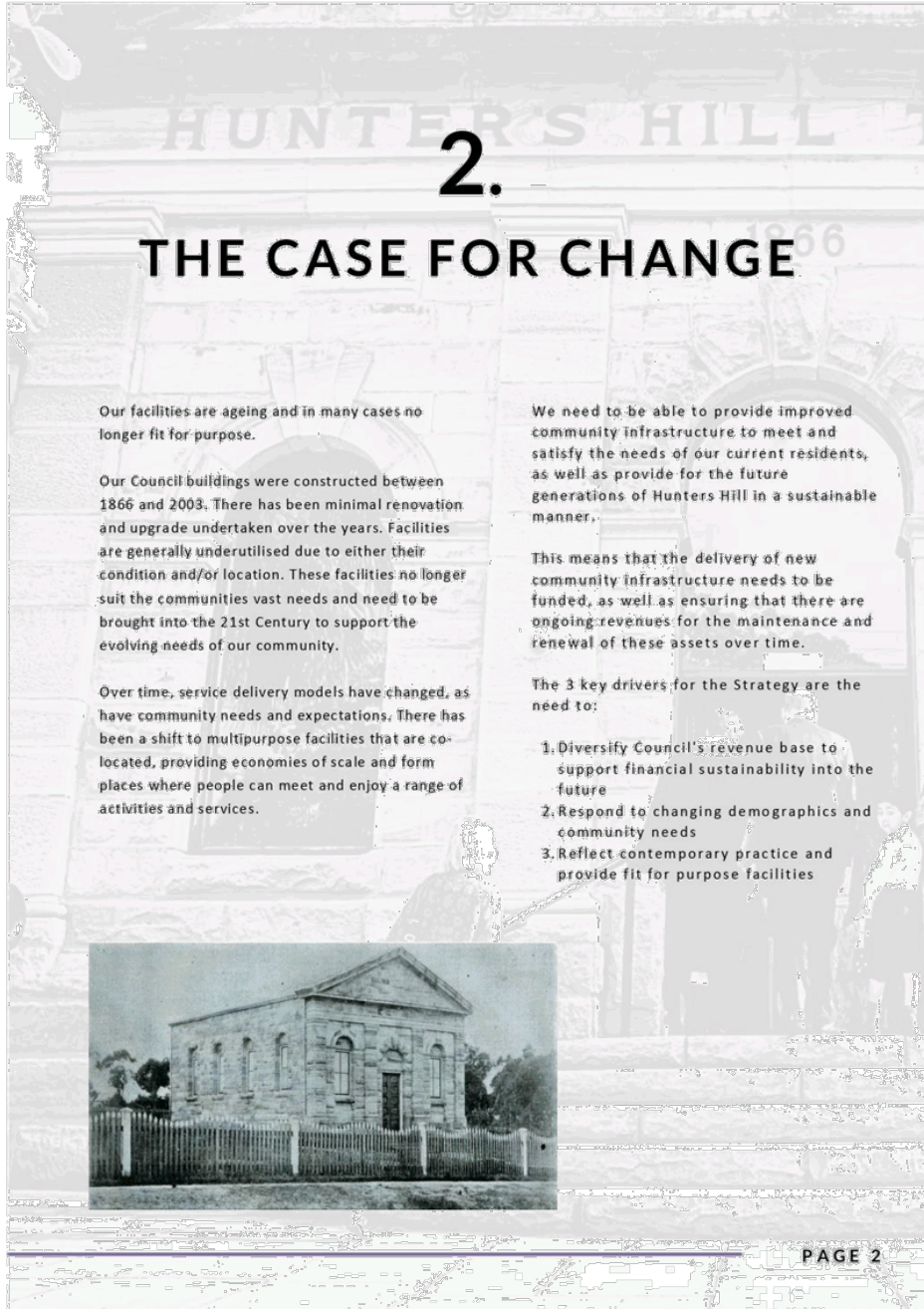
The Property Strategy is a key initiative to assist Hunter's Hill Council to be sustainable and thrive into the future.

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## 2. THE CASE FOR CHANGE

Our facilities are ageing and in many cases no longer fit for purpose.

Our Council buildings were constructed between 1866 and 2003. There has been minimal renovation and upgrade undertaken over the years. Facilities are generally underutilised due to either their condition and/or location. These facilities no longer suit the communities vast needs and need to be brought into the 21st Century to support the evolving needs of our community.

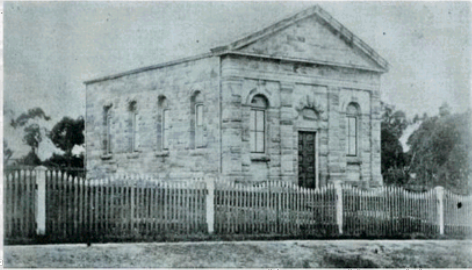
Over time, service delivery models have changed, as have community needs and expectations. There has been a shift to multipurpose facilities that are co-located, providing economies of scale and form places where people can meet and enjoy a range of activities and services.

We need to be able to provide improved community infrastructure to meet and satisfy the needs of our current residents, as well as provide for the future generations of Hunters Hill in a sustainable manner.

This means that the delivery of new community infrastructure needs to be funded, as well as ensuring that there are ongoing revenues for the maintenance and renewal of these assets over time.

The 3 key drivers for the Strategy are the need to:

1. Diversify Council's revenue base to support financial sustainability into the future
2. Respond to changing demographics and community needs
3. Reflect contemporary practice and provide fit for purpose facilities



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2.1

## NEED TO DIVERSIFY COUNCIL'S REVENUE BASE TO BE SUSTAINABLE INTO THE FUTURE



The NSW rate peg determines the maximum percentage amount by which a council may increase its general income for the year. Approximately 68% of Hunter's Hill Council's revenue comes from rates and annual charges, compared to the NSW State average of approximately 45%.

The long-standing rate pegging regime in NSW means that the opportunity for Council to substantially increase its income is limited. Council needs alternative funding to be sustainable and reduce reliance on rate increases.

Council's Long Term Financial Plan forecasts ongoing and growing deficits.

Council's management of its small but valuable property portfolio will be an important component of the overall financial strategy, for example, where Council can keep the proceeds from the sale of surplus roads, rather than return them to the Crown, it must spend this money on roads. This could therefore reduce the impact on general revenue for increased road renewal expenditure.

Funds could be directed to one-off projects that upgrade assets that have higher than normal public use, such as a footpath outside a school which contribute to an overall improved asset condition rating.

While there may be exceptions, the overall suggested strategic approach is to reinvest sale proceeds, other than from roads, into income-producing assets that inject on-going annual revenue into the budget and support the provision of community buildings that are fit for future purpose.

It is prudent for Council to diversify its sources of revenue, with one option to invest in income producing property.

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2.2

## RESPOND TO CHANGING DEMOGRAPHICS AND COMMUNITY NEEDS

Community buildings must be designed and managed to ensure they effectively support changing community needs and priorities. There is a significant and growing number of young families (48%) as well as an increasing number of elderly people residing in Hunters Hill.

The age structure of Hunter's Hill Council residents provides key insights into the level of demand for age based services and facilities, such as childcare, over 60 year olds housing, a library, sporting and recreational facilities.

There is an opportunity through the Property Strategy to address the need for more appropriate community spaces, and at the same time delivering on financial imperatives.

There is already a shift from traditionally passive lifestyle choices for the over 60 year olds, to what is now considered active lifestyle choices. There is a growing trend across NSW for downsizing into accommodation that is centralized and convenient to community facilities and services, but still provides for independent living.

There is an opportunity to respond to needs identified in housing strategies for greater diversity of dwelling types, particularly for people seeking to down size or seeking smaller quality dwellings on sites such as the former Council depot site (corner of Alexandra St and D'Aram St Hunters Hill) and in the Village Green/Gladesville Road site in Hunters Hill Village.

This is not only reflective for the ageing, but is also a growing move for younger people and families seeking a more simplistic lifestyle. The popularity of urban developments, such as Harold Park in Glebe, which provide the fusion of independent living, active and passive recreation coupled with amenities within a short stroll, are meeting a growing need.

The trends in housing for young professionals and those entering the property market for the first time revolve around affordability, sustainability, livability and simplicity. Young people are looking for better design through a balance of indoor and outdoor living, such as apartments connected by green space and restaurants and cafes.

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'Purpose-built homes in retirement communities that are well located and designed to enable older Australians to be happy, independent and socially engaged is an important goal – but not one that our planning systems are well placed to achieve.'

(Property Council of Australia – The P.A.'s of Retirement Living  
- towards proactive planning policy)

It is not only housing trends that are changing. There has also been a distinct shift in how people work. There is a greater emphasis on work life balance, more collaboration and flexible workspaces. There has recently been a dramatic increase in remote working and working from home, which is set to continue.

This coupled with technological improvements and a new focus on wellness means that more people are either working from home or wanting to work in flexible office spaces, such as being able to hire an office or desk space for a day or a week, or going to shared spaces such as libraries, which are now offering areas for collaboration and contemplation.

The rise in more liveable homes and workspaces and the need for sporting and recreational facilities that are better designed and more energy efficient will become the norm throughout NSW. At a local level, councils such as Hunter's Hill will need to ensure that planning and building regulations enable this push for appropriate and sensitive infrastructure for all age groups.

It is anticipated that the Hunters Hill local government area will continue to grow at a similar rate in the next five years, with continued infill medium density developments along Victoria Road and in other retail centres such as the Hunters Hill Village and Boronia Park Village Centre.


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**2.3 REFLECT CONTEMPORARY PRACTICE AND PROVIDE FIT FOR PURPOSE FACILITIES**

**Legislative Changes**

The legislative requirements governing delivery of asset based building services are extensive and continually evolving. This is particularly so in the areas of Disability Access, Health and Safety.

Stage One of the Town Hall renovation has been undertaken to address WH&S and accessibility matters, as well as major repairs to the roof and air conditioning. Further upgrades are still required to deliver contemporary catering facilities and performance spaces.

Sydney Community Services delivers a comprehensive range of services from four modest cottages on Gladesville Road. A community centre, used by a number of organisations, is also located within these premises. These are much needed valuable community services and should be accommodated in fit for purpose buildings.

**Connected to Public Space, Pedestrian and Cycleways and Public Transport**

Current best practice requires community facilities that are accessible to the entire community by being centrally located and linked to the public domain.

Connections to transport links, pedestrian and cycleways also support community access across all age groups and abilities and a sustainable and healthy community.

Best practice is that facilities should be located in activity nodes and on main streets, providing good access to residential populations, and contributing to a vibrant and safe street life.

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### Move to Multi-Purpose and Flexible Spaces

There is an increasing expectation that assets will be available for multiple purposes and uses. This supports a focus on maximising utilization and developing a more sustainable asset base. This is a shift away from single use, single user buildings, which Council has historically constructed.

Single purpose or standalone facilities are defined as being designed and built for one particular purpose or function, and to be used by one specific target group or service only. Single purpose facilities can be costly to maintain and are often underutilized and under-activated.

Spaces are now being designed to be flexible and adaptable depending on the program or activity. This is important given the ongoing cyclical nature of communities (particularly in relation to changes in demographic mix).

Current best practice in designing community facilities is to provide a range of different functions, in the one building by co-locating services as part of an overall Hub or Precinct.

Co-locating services within one facility involves shared or joint use of facilities and often the integrated delivery of some services.

Co-location enables:

- pooling of resources to provide better facilities
- concentration of compatible services and facilities to create a community focal point
- improved access and safety for users who can access a range of services at a single location
- integrated and innovative delivery of services
- efficient use of land, for instance through shared, rather than separate, parking areas

The benefit of co-locating facilities and services within community hubs is that it supports the integrated, efficient use of facilities, builds social networks, encourages service users to use other facilities and services co-located on site, and reduces the number of private vehicle trips made to enhance sustainability.

Community hubs or precincts can include a range of community, commercial, and retail functions. Facilities that support community functions, events and gatherings, such as kitchen facilities, storage facilities, indoor and outdoor space are usually part of community hubs / precincts.

The Hub model will demonstrate that maintaining and operating a multipurpose facility is more financially viable over the long term than other more separate and divergent models of facility provision.

### Place making and Community Identity

Successful community facilities provide important gathering places for people and are focal points for community activity and catalysts for social interaction.

They contribute to the creation of active public spaces that support a sense of belonging and identity.

Community hubs create places for people to gather and interact with each other. When located in or with retail and commercial uses they also serve to promote local economic development in village centres by acting as an attractor for people.

It is important that community facilities have a civic quality, sense of stability and level of amenity that marks them as an important place in the community.



Image: Coal Loader - Waverton



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Economic, Social and Environmental Sustainability

Image: Oran Park Library

Sustainable community facilities are increasingly being used to showcase sustainable building methods and design. Sustainable design of community facilities include newly constructed facilities or those that can be incorporated into building upgrades and renovations.

An example of this is the newly constructed Oran Park Library in the Camden LGA, which is in the heart of the Oran Park Civic Precinct and provides a place of community development and information, education, and recreation. The library has been described as a 'community living room: where people of all ages, abilities and interest come for relaxation and entertainment, to experience history and culture, to play and create, to connect and communicate'. The exterior and interior are unique to the area and include: a new high-tech open library, a sessional services office for community support and a community centre to foster art, culture, and community activities. Externally, there is an outdoor landscaped area that is used for library activities and a civic plaza in front of the building for outdoor public events. This facility was delivered through a voluntary planning agreement (VPA).

Another example of sustainability is adaptive reuse. The principle of adaptive reuse relates to not building something new unless there are no suitable options within the existing asset base that can be adapted or rejuvenated to meet the identified community needs for space. These projects can be on a grand scale, such as the use of historic buildings for galleries and museums, or simple and low key.

Co-location of services through the community hub model reduces asset and service costs as organisations and community groups can have their own space in a wider complex; they may share a foyer, meeting rooms and amenities with other tenants, therefore significantly reducing lease and operating costs.

As part of any new project Council may wish to deliver, it is essential that operational efficiency is examined together with options to derive recurrent income to offset annual maintenance/running costs.

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# 3. BACKGROUND

## 3.1 STRATEGIC CONTEXT AND RESEARCH

Council's Community Infrastructure has evolved over many decades and has not always been guided by a strategic approach.

Council's property portfolio includes land and buildings that are used for direct service delivery by Council, delivery of community based services by not-for-profit organisations, recreational and sporting pursuits, commercial activity and car parking.

Improved facilities, present an opportunity to improve the public value derived from these assets. This can be achieved through improved utilisation and financial performance.

The following diagram illustrates the various studies and plans that have been developed by Hunter's Hill Council over the past 15 years.

The Property Strategy draws on the relevant elements of this work.

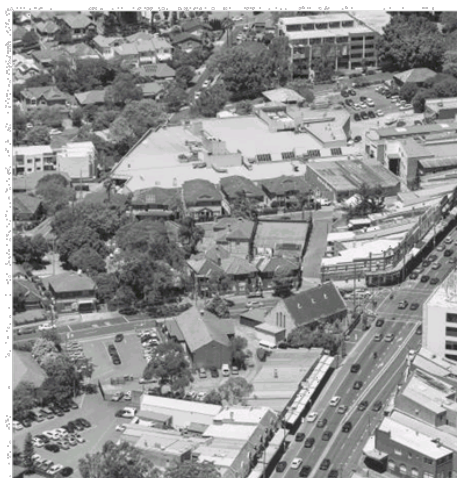


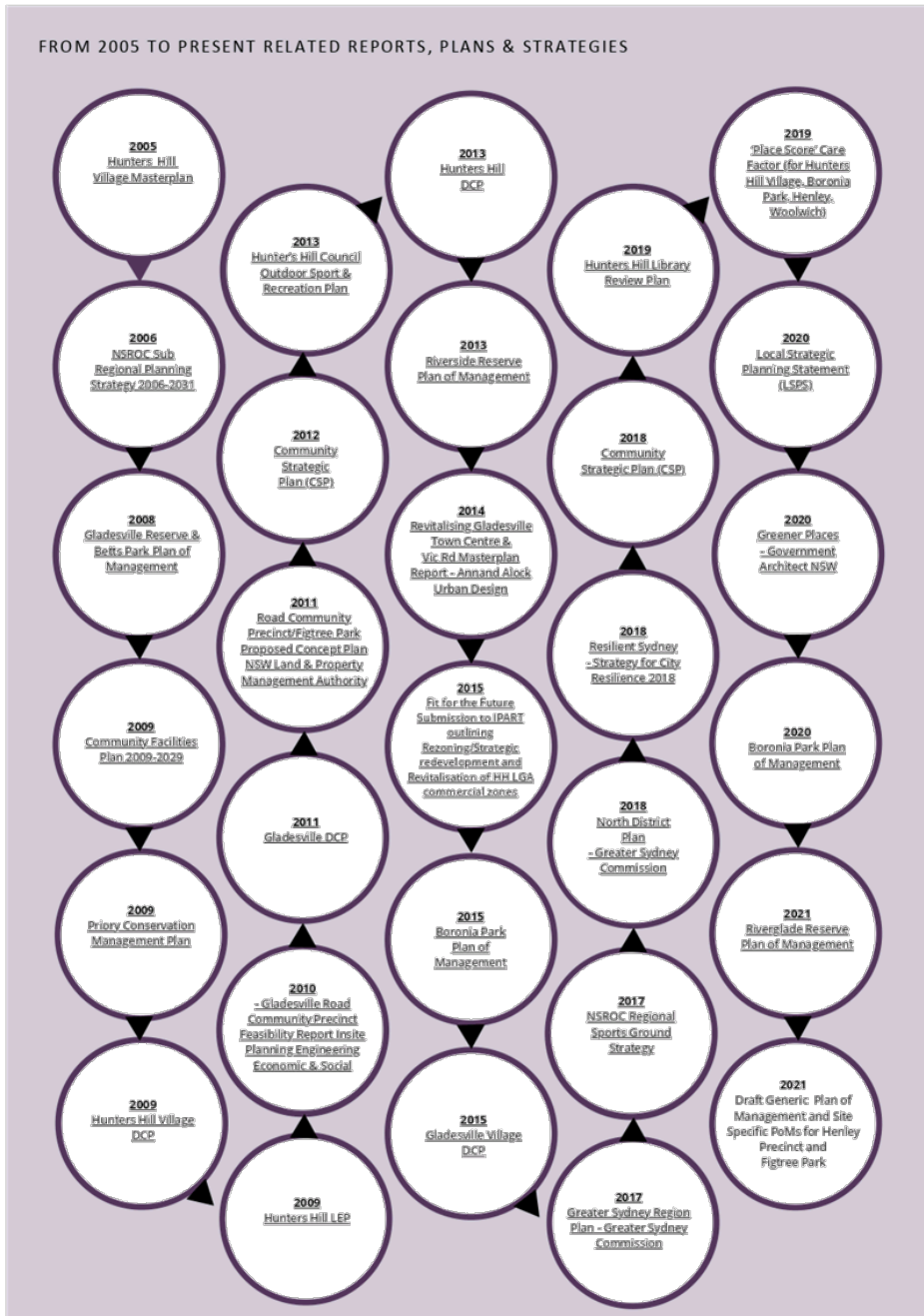
Image: Gladesville Commercial Centre

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## 3.2 PROPERTIES

Hunter's Hill Council owns a small but valuable property and community buildings portfolio.

Council's Property Portfolio consists of:

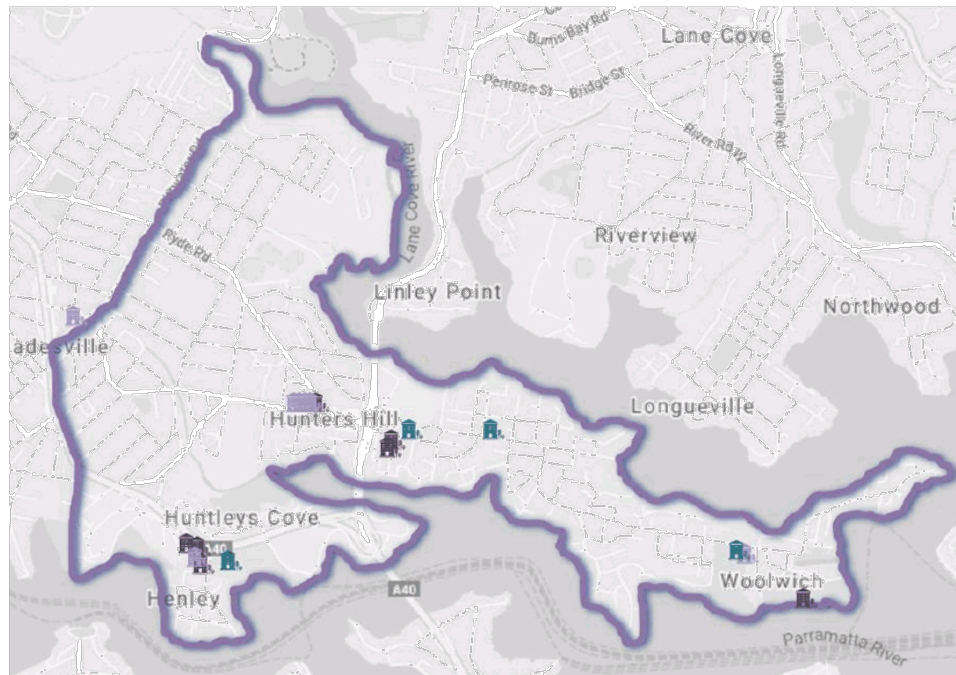
- Council's Administration Centre and Council Chambers and associated facilities, together with the former Council Depot
- Childcare buildings
- Community buildings
- Heritage listed buildings on Crown land, for example, The Priory
- Council car parks

However, there are also some small remnant sites, consisting of former road reserves and unmade roads.

To support financial, social and environmental sustainability it is essential that Council's property portfolio is structured to maximise operational effectiveness, efficiency, financial performance and community benefit, and that Council maximises the value of appropriate properties.

Council's properties are managed in accordance with relevant legislation including:

- Local Government Act
- Crown Land Act
- Roads Act
- Real Property Act
- Retail Leases Act



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To support Council's long term financial sustainability, Council needs to generate additional funds and diversify its revenue base to reduce the reliance on rate income.

Balanced with this is the challenge for Council to raise sufficient funds to deliver improved facilities to service the community.

One opportunity is to release the value and potential of its property portfolio to meet the needs of the Hunters Hill community.

This involves:

- Identifying non-ownership alternatives to property solutions.
- Owning property – knowing what property is owned and why it is owned by Council.
- Managing property – knowing that the property is fulfilling its purpose.
- Investing in property – capturing the benefits of growth for the community.
- Releasing property – making informed choices about when and why to dispose of property for which Council and the community has no further purpose.
- Buying property – identifying what property is needed so that the right purchase decisions are made at the right time, and the necessary resources (including lifecycle costs) can be planned in advance.

Recommendations will consider the appropriate and equitable consolidation, rationalisation, construction, disposal, upgrade, reconfiguration and acquisition of property and social infrastructure to meet the existing and projected needs of the community.



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# 4.

## KEY ELEMENTS

1

### 3 Precincts

- Village Green Precinct  
(Gladesville Road/Figtree Park, Hunters Hill)
- Arts, Cultural and Heritage Precinct  
(Town Hall, Administration Centre, former Council Depot  
Hunters Hill)
- Lifestyle and Wellbeing Precinct  
(Henley)

2

### Council owned properties in Gladesville

- 4 Pittwater Road, Gladesville
- Cowell St Carpark, Gladesville

3

### Leases and Licenses

- Leased properties
- Licensed properties

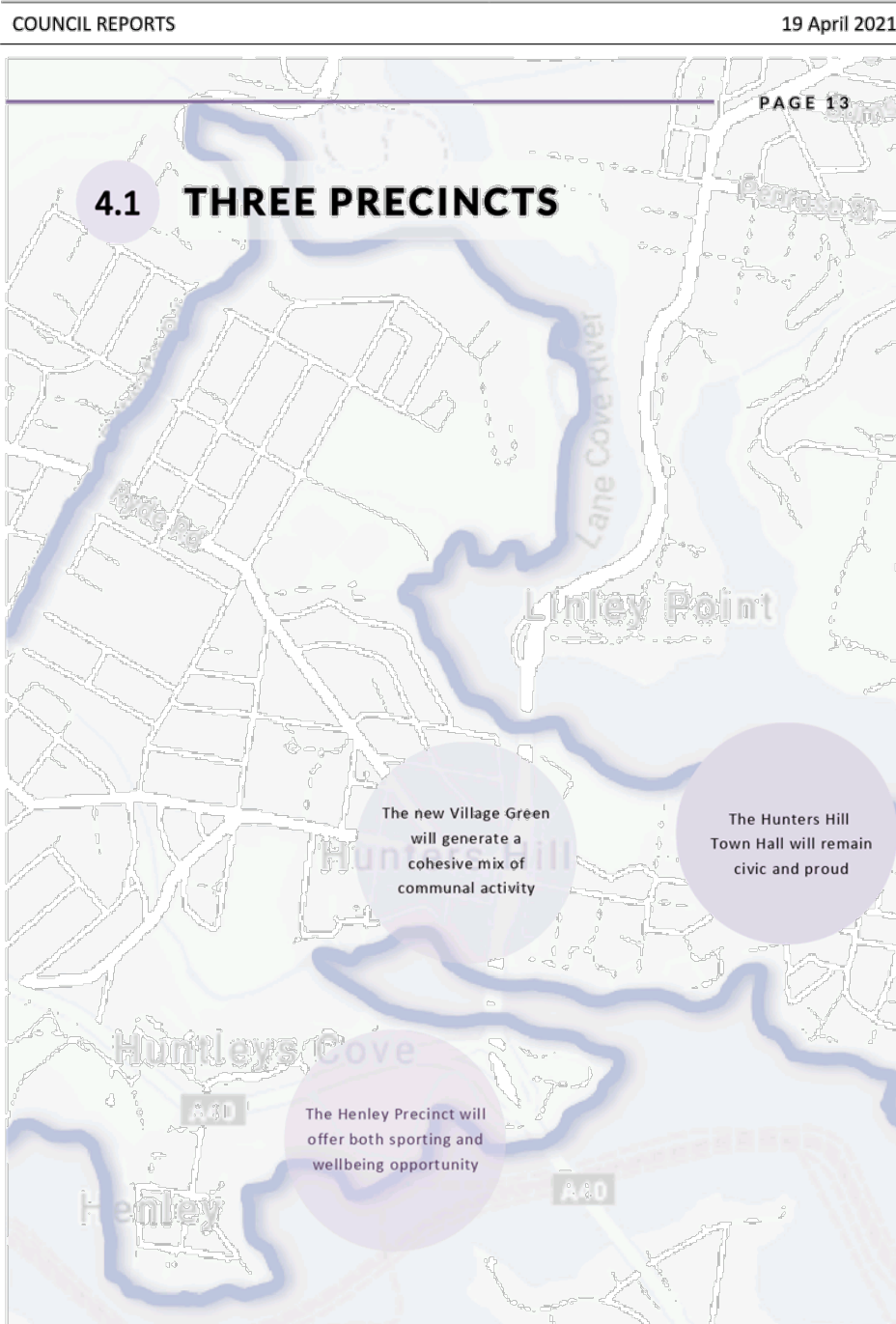
4

### Remnant Land

- Road reserves, Drainage easements, Air space

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The Precincts are places that provide a range of services, activities and programs that are integrated.

It is through the creation of the 3 Precincts that Council intends to generate positive financial and social outcomes. This can be achieved by integrating services, programs and activities within a multipurpose community facility or an integration of a range of activity generating uses, including: community and cultural facilities, shops, transport, and public parks.

The Precincts support service delivery opportunities, place making, community capacity building and financial sustainability.

Each Precinct will have its own personality that builds on existing uses and strengths and provides a unique offering but at the same time still fits within the urban character of Hunters Hill.

This Strategy provides a broad overview, which is broken up into short (1-3 years), medium (3-5 years) and long term (5 years+) goals. However, as project plans for each Precinct are developed and/or additional opportunities arise, Council may be in a position to deliver additional projects identified through the development of the Community Strategic Plan and associated strategies.

**Outcomes to be delivered**

This Strategy aligns with, and responds to the Community Strategic Plan, Council's 2009 Community Facilities Plan, 2019 Library Services Review recommendations and the Local Strategic Planning Statements, all of which outline key community and social outcomes, including:

- 1 Supporting the financial sustainability of Council and sustainable models of asset delivery
- 2 Innovative services and assets that meet current and future community needs
- 3 A sustainable built environment that accommodates a growing population
- 4 Well-used community and civic facilities
- 5 Improved community service delivery

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- For the development
- For the future of Council



- Promoting health and wellbeing (Physical and mental health)



- Applying Ecologically Sustainable Design Principles
- Promoting resilience



- Connecting the community
- Inclusive for all



- Year round lively experience
- Activities surrounding spaces



- Respecting the past
- Celebrating the future

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**VILLAGE  
GREEN PRECINCT**

(COMMUNITY AND CIVIC FOCUS - GLADESVILLE  
ROAD/FIGTREE PARK, HUNTERS HILL)

**Site**

The Village Green is located within the boundary of Matthew Street, Gladesville Road and Ryde Road.

This site has a mix use of green space, community service buildings, businesses, shops and limited parking. Council also has care, control and management of Figtree Park.

**Timeframe**

**Short**

The need to plan for a new Library, accommodate Community Services, activate Figtree Park and provide opportunities for business, prioritises this key project for commencement within the next 1-3 years.

**History**

Figtree Park was transferred to Council in an exchange by the Department of Education for an equivalent area of Boronia Park at the corner of Park Road and High Street in 1954. The site had previously been known as Figtree Playground because a playground had been located on the site.



Image: Marrickville Library



46 Gladesville Rd is a weatherboard cottage built by Council in 1956 to house Overseer David Dorn and his family. The family vacated the property in 1981 and another Council staff member took up residence for several years. It was then adapted and upgraded by Council to provide office space for Gladesville Community Aid.

The Gladesville Rd Community Centre, 44 Gladesville Rd was built in 1965 and was originally used as the Hunters Hill Senior Citizens Hall. A games room was added to the building in 1973.

The brick cottage of 42 Gladesville Rd came under the control of Council, which was already tenanted when Figtree Park was created.

The Hunters Hill Women's Bowling Club held a lease of about 2575sq.m of Figtree Park from 1959. The bowling green and clubhouse were located along Matthew Street.

Hunter's Hill Council owns 48 Gladesville Road, which is privately tenanted.

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**Vision**

The Village Green will be a place where community facilities and services will be centralised and will provide a renewed focus on activity. This will be a place for all ages, attracting students from nearby schools, older residents from nearby seniors housing and residents generally from across Hunters Hill.

Residents and visitors will regularly visit the new contemporary library and council administration centre. The Park will be activated and in use across the day from early morning to evening. The Precinct will be a vibrant place that contributes to the life of the Hunters Hill community and lifestyle.

The creation of the Precinct will strengthen local economic development.

**Precinct Images**



Image: Kiora Place - Double Bay



Image: Marrickville Library



Image: Coal Loader - Waverton

**Opportunities**

- Improving and activating Figtree Park.
- Providing quality accommodation for community service organisations.
- Accommodating Council's Administration.
- Accommodating a contemporary library.
- Allowing for income producing commercial space.
- Accommodating community meeting space/s.
- Resolving access and safety issues along Gladesville Road by reducing the number of driveways.
- Accommodating flexible working spaces.
- Activating/opening up Figtree Park to encourage greater use and longer stays.
- Accommodating a residential component (for downsizing).
- Energising Hunters Hill Village through activation and public art.
- Supporting local business activities.

**Considerations**

- Ensuring Crown Land support.
- Ensuring provisions for Sydney Community Service and seeking their feedback/support.
- Ensuring that there is no net loss of public open space.
- Effective traffic management and parking provisions.
- Incorporating accommodation, commercial or residential components.
- Demonstrating financial sustainability.
- Accommodating existing services, such as Meals on Wheels.
- Incorporating future uses and enabling evolution.

**Imagine this...**

- Kiora Place - Double Bay
- Fred Kelly Place - Five Dock
- Harbord Diggers
- Marrickville Library
- The Coal Loader - Waverton
- Green Square Library

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### HERITAGE AND CULTURAL PRECINCT

(HUNTERS HILL TOWN HALL, COUNCIL'S  
ADMINISTRATION CENTRE AND DEPOT)

#### Site

The Hunters Hill Town Hall and Council Administration is located on the corner of Alexandra and D'Aram Streets, Hunters Hill.

Hunter's Hill and Lane Cove Council's have entered an agreement to share Depot services from a site in Lane Cove. The former Hunters Hill Depot site in D'Aram St is now vacant.

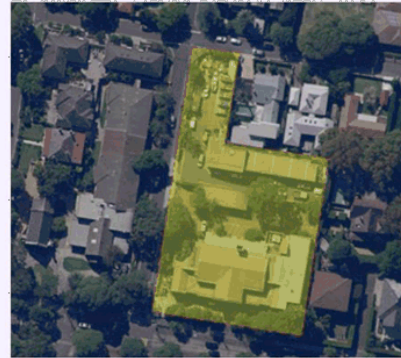
#### Timeframe

##### Medium

The prioritisation of the Village Green Precinct will trigger planning for the Heritage and Cultural Facilities Precinct. It is anticipated that this key project will commence within the next 3 years.

#### History

The original Hunters Hill Town Hall was completed in 1866 and was significantly enlarged and improved in 1902. The building was further adapted in 1938 when the Council Chamber was added, and again in 1967 with the addition of the Hunters Hill Museum. The Town Hall was used for congregational church services from 1868 until the Congregational Church was built in 1878. And, for seven years between 1890 and 1897 the Town Hall was used as a Ladies Grammar School.



The infamous Town Hall fire of 1978 was thought to have been caused by possums eating through wiring. The damage was so severe that \$1.2 million was spent on rebuilding the Town Hall and its offices. Fortunately, much of the front facade of the Town Hall was saved, but little else remained. In 1988 there were further additions to the administrative centre.

Behind the Town Hall and Administration Centre was Council's Depot. The Depot garage was built in 1982. The corner lot of 9 Madeline Street was purchased by Council in 1954 and included as part of the Depot. The construction of the garage and store required the acquisition of part of the rear yards of No. 11 and No. 15 Madeline Street, which occurred in 1980.

On the corner of Alexandra and D'Aram Streets is the War Memorial and WW1 restored Howitzer cannon. The site pays homage to those who have lived in Hunters Hill and fought in the wars.

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**Vision**

The vision for this site is to celebrate the culture and heritage of Hunters Hill.

The site is already home to the Hunters Hill Music Club, art gallery and an expanded Hunters Hill Museum, which will celebrate our heritage.

The performance space will be contemporary and offer a unique experience. The Town Hall already hosts the annual Hunters Hill Art Exhibition and Young in Art, with improved facilities there is an opportunity to expand this offering increasing the utilisation of the Town Hall.



Image: Hunters Hill Museum



Image: Camden Museum

**Opportunities**

- Improving the amenity to adjoining owners.
- Improving amenity and facilities for community groups, e.g. Hunters Hill Music Club.
- Retaining and strengthening the cultural hub of the Town Hall, Council Chambers and Museum while relocating the administration functions of Council to Hunters Hill Village to boost local economic development and achieve operational efficiencies, in particular in relation to Library operations.
- Using the administration section of the building for commercial leasing/offices.
- Developing an art and cultural precinct, which includes an art gallery, museum, offices or commercial leasing.
- Determining whether the existing office accommodation can be retrofitted for future use or does there need to be consideration of a 'new' build?
- Working with other organisations and businesses within the vicinity to support the arts and cultural focus.
- Accommodating a residential component for downsizing or retirement living that is in keeping with the surrounding character.

**Considerations/ Influences**

- Redeveloping parcels of the site, eg the former depot site whilst remaining sympathetic to the Town Hall heritage.
- Incorporating a sustainable financial return.
- Determining the feasibility of a 99 year lease.
- Ensuring that any developments on the site are compatible and complimentary to surrounding uses

**Imagine this...**

- Camden Library and Museum
- North Parramatta Heritage Precinct
- Arthur Boyd Centre



Image: North Parramatta Heritage Precinct

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Image: Camperdown Commons

## LIFESTYLE AND WELLBEING PRECINCT

(HENLEY)

The site is approximately 8.45 Ha and includes:

- Former Bowling Club constructed in the early 1960's
- Amenities Building constructed in the early 1970's
- Riverside Pre-School constructed in 2001
- Cricket/Soccer Field
- Remnant bushland and harbour foreshore
- Netball/Basketball Court
- 3 onsite Carparks
- Green Waste Centre
- Community Garden
- Reverse vending machine
- Accessible ferry wharf and associated covered walkway
- Skatepark

Timeframe

Short

Test ideas from the consultation period and use these to enable a vision to evolve organically with an Expression Of Interest for an operator to activate the site - taking a place and curatorial approach, which includes existing site partners and attracting new partners.

It is anticipated that this key project will commence within the next year

Medium

It is anticipated that this key project will commence within the next 5 years with review of the site and engagement of an urban designer or architect to bring the community vision to life.



Image: The Greens - North Sydney



Image: The Canopy - Lane Cove

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#### History

Originally known as Blandville, Henley now rests in a quiet enclave on the Parramatta River. Henley has a mix of schools, sandstone homes, sports fields and community buildings, including:

- Henley Community Centre (previously Henley Bowling Club)
- Henley Cottage
- Riverside Pre School
- Henley Long Day Care Centre
- Gladesville Reserve
- Skate park and basketball courts
- Community Garden

Huntleys Point is a small suburb adjacent to Henley and facing the Parramatta River. Huntleys Point is characterised by sandstone residential properties, Riverside Girls High School and the Huntleys Point Wharf, which ferries passengers up and down the Parramatta River to the Sydney CBD.

Gladesville Reserve was dedicated for public recreation in 1920. It is approximately 8.5 hectares of which 3 hectares is bushland. It was originally in two lots. The northern lot, closest to Victoria Rd (DP 100085940) was dedicated as a Hospital for the Insane in 1895. Council became trustee in July 1960.

The remaining lot (DP 1017546903) was vested in seven (7) trustees until November 1958 when trusteeship was transferred to Council. The Henley Community Centre (previously the Henley Bowling Club) is located on this part of the Reserve. The Bowling Club suffered from declining membership and bowling ceased on the site in 1999. The land and improvements were the subject of a 20 year lease with Henley Bowling and Recreation Club Co-operative Limited. The lease expired in November 1996.

Council undertook an Expression of Interest process for a new leasee for the building. However, Henley Bowling and Recreation Club Co-operative Limited continued in the building until July 2008 when Council took possession of the building following their liquidation. Since this time the building has been upgraded and managed by Council as the Henley Community Centre.

In May 1996 a small section of the Reserve (which was a disused green of the Henley Bowling Club) was separately gazetted as a preschool site. Council then constructed Riverside Preschool on the site following an extensive community fundraising campaign.

Hunter's Hill Council was appointed Trustee of Henley Cottage in 1983. The Cottage was originally part of the Hospital for the Insane. Following significant restoration as a Bicentennial project the Cottage was leased.



Image: Brewery Graft Markets

As required, Council completed Plans of Management for the Reserve in July 1998, September 2004 and has recently prepared a revised draft Plan of Management, which is intended to be exhibited in the first half of 2021.

#### Vision

The vision for the Henley Precinct will grow organically. Initially, Council will undertake an EOI to determine a variety of short-term mixed uses.

Over the longer term it is anticipated that the Precinct will lend itself to services and facilities that support health and lifestyle, such as:

- Increased and improved access to open space.
- Improved community and recreational facilities offering contemporary multipurpose spaces.
- New facilities, which will incorporate commercial aspects that will enable revenue raised to be rolled back into the asset maintenance and renewal of the buildings as well as the broader precinct of Gladesville Reserve, Betts Park and Henley Community Centre.



Image: Catalyx



Image: Camperdown Commons

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### Opportunities

#### Facilities and associated uses:

- Constructing a synthetic field with a shared Sports and Community Facility.
- Improving amenities for sporting activities including storage, changerooms, etc.
- Considering a gym/café to service users and local sporting clubs as part of the new amenities.
- Relocating the current cricket pitch either elsewhere on the site or subject to agreement relocate to another site.
- Providing a cafe/restaurant to service visitors to the reserve.
- Providing meeting rooms to cater for community groups with associated back of house facilities such as kitchen and amenities.
- Staging produce/craft markets.
- Hosting a community garden.
- Providing infrastructure to enable the staging of outdoor music/cultural events.
- Delivering a community playground.
- Continuing to lease buildings to the Preschool and child care with a potential for increased child care.
- Upgrading public amenities.
- Increasing access to the waterfront.
- Considering potential for residential development with a sustainable focus.

#### Considerations/ Influences

- Activating the site to meet the needs of a broader cross section of the community.
- Determining the most appropriate adaptive reuse for the Henley Community Centre (Bowling Club building) to enable the site to develop organically.
- Creating connectivity through the entire site for active and passives paces.
- Ensuring cohesion through a mix of commercial and community spaces.
- Challenging topography constraints, particularly at the back of the site. However, there may be opportunities to include a residential or similar development.

#### Imagine this...

- The Greens at North Sydney
- Calabria Bowling Club Manlyvale (bowling, Futsal, pizza, salsa)
- Camperdown Commons

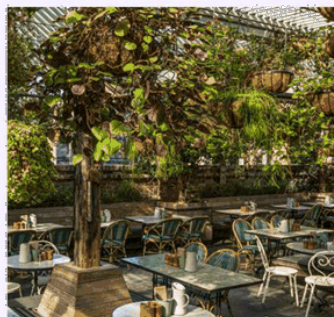


Image: The Grounds - Alexandria



Image: Calabria Bowling Club



Image: The Canopy - Lane Cove



Image: The Canopy - Lane Cove

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ITEM 6 (continued)

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COUNCIL REPORTS

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## 4.2 COUNCIL OWNED SITES IN THE GLADESVILLE COMMERCIAL CENTRE

### Sites

The Gladesville Commercial Centre incorporates the area from Pittwater Road to Cowell Street, incorporating 4 Pittwater Road (Gladesville Occasional Care) and the Signal Hill Carpark. It is located on the western edge of the Hunters Hill municipality and is made up of two commercial areas, being: Victoria Road shopping strip, and Gladesville Shopping Village. The Victoria Road Commercial Centre is a mix of one and two storey buildings that present to Victoria Road and are used for shops and commercial purpose like retail, restaurant/café, office-based business and health/wellness businesses.

The Gladesville Shopping Village is accessed along Massey Lane and Flagstaff Street and is a one-roof shopping centre characterised by a supermarket as an anchor tenant with variety shops and commercial spaces used for retail, restaurant/café and health/wellness businesses. The two commercial areas each operate as standalone shopping areas with little integration between the two areas or contribution to the public domain or sense of place.

Gladesville Shopping Village is located behind the Victoria Road shopping strip. Council provides a public car park to provide access to shops and businesses (Cowell Street) and there is public parking provided in the shopping centre.

The Gladesville Commercial Centre is currently subject to a Masterplan.

### Vision

Council owned sites will contribute to and act as a catalyst to the reactivation of the Gladesville Commercial Centre.

The Gladesville Commercial Centre will be renewed and revitalised, with a mixed-use urban centre. It will be the primary centre and commercial hub for the wider area, providing a full range of retail services and entertainment to the community. The Town Centre will offer a modern, convenient environment that respects the past and where people will love to be. It will have high quality mid-rise apartment living, meeting a range of housing needs. It will be a desirable and sustainable place to live.

The focal point of the Centre will be a renewed Gladesville Shopping Centre and public spaces between Massey Street and Cowell Street.

The redevelopment of the shopping centre with increased commercial space and residential apartments in well - designed buildings, will be the catalyst for renewal, place-making and urban design outcomes throughout the broader Gladesville centre (Hunters Hill LSPS).

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### COUNCIL REPORTS

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#### History

1 Cowell Street was purchased by Council in 1974. At that time, the adjoining property, known as Seymour's Yard was leased by Council with the option to purchase. In 1978, the purchase was completed and the carpark constructed.

Council also purchased lots in Flagstaff Street in 1958, 1960 and 1967 with all 3 lots being used as a carpark. Over the years there has been changes to rights of way and the development of the Gladesville Shopping Centre.

10 Cowell Street was purchased by Council in 1973 to house Gladesville Community Aid (who had previously occupied 6 Pittwater Road), but by the early 1990's the building could no longer meet the need of residents and Gladesville Community Aid moved to Gladesville Road, Hunters Hill.

Since 1999 the Gladesville area has been targeted as an area needing revitalization by both Hunter's Hill Council and the City of Ryde, in addition to the State Government's strong push to see housing increased along major transport routes.

#### Description

There are two sites that Council owns within the Gladesville Commercial Centre:



- Cowell St Car Park: This site provides parking for local retail at present, but following the Gladesville Master Plan exercise, may have potential for redevelopment in association with adjacent land holdings.
- 4 Pittwater Road Gladesville: This site is in the City of Ryde and adjoins land owned by the City of Ryde. The Centre currently accommodates a community based occasional care centre. The centre is in need of updating. It is surplus to Hunter's Hill Council requirements and options to realise its value will be investigated, whilst still retain occ in the area.

These two sites offer an opportunity to be considered with the overall master planning work that is under way in Gladesville.

The site at 4 Pittwater Road will need to be considered in partnership with the City of Ryde.

#### Opportunities

- Developing a hub specifically to meet the needs of children and families, occasional care and long day care.
- Investigating commercial lease areas, outdoor areas, etc.
- Partnering with the City of Ryde and tapping into their property opportunities.
- Supporting the Gladesville Masterplan.
- Improving traffic and parking in and around the commercial centre.
- Linking open spaces and improving pedestrian access.
- Supporting the community by offering a range of social opportunities via the provision public spaces with adequate seating and public art.
- Supporting commercial entities via a range of business and employment opportunities.

#### Considerations/Influences

- Partnering with the City of Ryde to determine an outcome for 4 Pittwater Road, Gladesville.
- Partnering with the adjoining land owners to champion a sustainable vision for Gladesville.
- Supporting the community through the provision of improved open space, transport, access, heritage and social infrastructure.

#### Imagine this,...

- Merrifield, Victoria
- Surry Hills Village
- Stockland, Balgowlah



Image: Parramatta Civic Centre

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4.3

## LEASING AND LICENSING OF COUNCIL OWNED PROPERTIES

Council provides use of its building under leases, licences and casual and regular hire:

- Leases involve exclusive use of a property.
- Licences involved shared use of facility, where groups have access at certain times.
- Casual and regular hire arrangements are in place for use of community facilities and halls.

Council has several properties where community and recreational facilities are provided or could be provided.

Each of these properties have opportunities to expand the recreational opportunities available through improved facilities, such as expanded club houses, which can be used by a variety of community groups.

With minor leases and licenses, it is proposed to develop a policy to recoup outgoings and maintenance where practicable. This would need to be handled sensitively, recognising the community benefit of these leases and taking into account the capacity of community groups to pay.



Image: The Priory - Gladesville



Image: Hunters Hill Sailing Club

4.4

## REMNANT LAND

Council holds many small parcels of land such as unformed roads, road reserves and drainage easements. These parcels are often not required by Council, but can have significant value to an adjoining owner.

Through an updated remnant land site list it will then be possible to have a systematic approach to the assessment of each site where surplus sites sell at fair market value. Disposal will need to be treated sensitively to protect community rights such as view corridors or access to the water.

In such circumstances it may be necessary to impose covenants on title.

Following assessment of a parcel of remnant land a report will be presented to Council outlining the assessment and recommended way forward. This report will address, where required and appropriate, registering of easement and right of way and other encumbrances that will protect community interest.

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## 5. NEXT STEPS

### 5.1

### PRINCIPLES

Hunter's Hill Council has a small, but valuable, property portfolio, capable of making a significant financial contribution to improved services for our residents.

Understandably, communities are generally concerned when governments dispose of, or develop their property. These concerns relate to 'why' the organisation is developing its property, the outcomes of development and how the funds raised will be used.

It is therefore important to set out some ground rules to guide the implementation of the Strategy.

#### Key Principles

Before any financial benefits are achieved, projects that involve the development or sale of Council-owned property must:

- Prove they will deliver a net community benefit.
- Abide by probity principles to ensure procedural fairness and value for money.
- Demonstrate best practice in sustainability and urban design, where it is a development project.
- Ensure there has been effective community engagement.

### 5.2

### OPERATIONAL MATTERS

Contractual arrangements shall ensure that the Key Principles outlined in this strategy as well as the particular vision and objectives for the project are delivered to the extent practicable.

A detailed budget for each Precinct Project is not possible at this stage. It requires a set of concept plans for each project, building costs, site valuations and ongoing running costs. Some initial high level work indicates that this program is achievable.

Feedback from the first phase of consultation on the draft Community Infrastructure Plan, now referred to as the Property Strategy, will inform the concept plans for each Project.

Council has a high dependence on land rates as a source of income and property activity is seen as a way of helping to reduce this, as well as providing funding for projects and programs that might otherwise fail to make it through the budget process.

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It's important that the funding released through property activity is used sustainably, providing benefits for many years beyond the projects that generated the funds.

To achieve this, certain principles need to apply:

- All revenue and expenditure relating to property development activities are channeled through Council's Property Development Reserve (PDR).
- The allocation of funds from the PDR is in accordance with Council Long-term Financial Plan and ratified as part of the annual budget setting process, or at other times as opportunities arise.
- One-off revenue from property sales should not be allocated to operational expenditure unless that expenditure is also of a one-off nature.
- Opportunities to produce on-going, annual revenue from property development projects should be explored and taken up where appropriate to help reduce Council's reliance on land rates for maintaining and improving service levels.

**Determining Sustainable Funding Options**

As each project identified in this Strategy is progressed, a comprehensive funding plan will be produced, which will be presented to Council for consideration.

Given the dual financial impact of rate capping and asset renewal, Council will need to deal with the increasing expectations of the community for the assets they use, private benefit versus community benefit for users, level of subsidy or equitable sharing of costs for provision of assets and the need to rationalise both facilities and levels of support provided.

The following funding options can be assessed against each project:

**Sale or Long-Term Lease**

Sale or long-term leasing of land will only be considered in special circumstances and after public consultation. Assessment of land for sale or lease will consider the current state and use of the land, the services under the land and the possible future uses for the land including green corridors, open space, car parking, pedestrian ways, etc.

**Continued Maintenance**

Ongoing funding must be made available to maintain Council's current and future property portfolio (industry standard would be an annual allocation in the order of 1.5-2% of the portfolio's value, excluding land value). Property maintenance is cyclical, and it is recommended that a Property Maintenance Reserve be established, and an annual allocation be made from Council's budget to enable maintenance to be planned and the need for large irregular funding requests eliminated.

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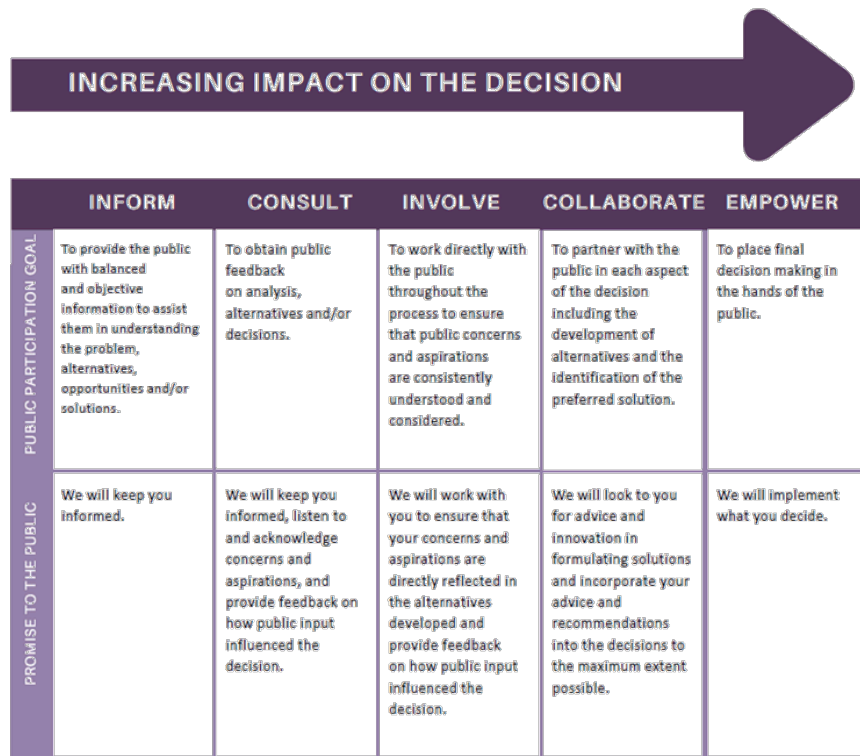
19 April 2021

## 5.3 COMMUNITY ENGAGEMENT

The Property Strategy is a living document that will be reviewed to ensure it meets objectives in a changing environment.

As the various elements of the Strategy are implemented there will be clear and consistent communication to ensure that the community and key stakeholders are aware of and are appropriately consulted.

Council will develop a plan for each project which will have applied its Communication and Engagement Policy which is based on the IAP2 international framework.



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Property Strategy 2021  
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ITEM 6 (continued)

ATTACHMENT 16



4 Pittwater Road, Gladesville

Prepared by: SJB Planning  
Date prepared: March 2023  
SJB Reference: 9354

4 Pittwater Road, Gladesville  
Response to Council Pre-Lodgement Meeting

Item #	Council Comment	Comments
1	A completed City of Ryde application form for a Minor Planning Proposal, which is available on Council's website via this link: <a href="https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2022-07-planning-proposal-form.pdf">https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2022-07-planning-proposal-form.pdf</a>	A completed application form is provided with the amended planning proposal.
2	Payment for a Minor Planning Proposal as per City of Ryde's fees and charges (currently \$30,750, noting this will increase as of July 2023) to assess and process the application. Information relating to payment methods can be sought from Council's customer service staff on 9352 8222.	Payment will be undertaken by Hunters Hill Council upon submission of the amended planning proposal and invoicing by City of Ryde Council.
3	The Planning Proposal needs to be updated as per the following:  To address the NSW Government's LEP Practice Note PN 16-00 by providing information relating to Council's interests in the land, i.e., how and when the land was first acquired. If the acquisition circumstances and details are not able to be provided, a brief summary of research undertaken and the information to hand should be provided.  To confirm the easement details for Deposited Plan 390503, i.e., why was an easement created by transfer (D391665), what is the purpose of the easement and who benefits.  To replace references to "Council" in order to clarify as to when the document is referring to Hunters Hill Council and/or the landowner and City of Ryde Council.  To remove references to Willoughby Council.  To ensure references to future development are worded in a manner consistent with the proposed outcomes noting the potential community interest in the proposal.	Property records indicate the site was transferred from Sydney Water (formerly Metropolitan Water Sewerage and Drainage Board) to Hunters Hill Council for the purpose of a baby health centre in 1945 (refer to Memorandum of Transfer at <b>Attachment 11</b> ).  The Planning Proposal report and <b>Attachment 9</b> has been updated accordingly.  The nominated easement created by transfer (D391665) relates to the Northern Beaches Ocean Outfall Sewer and imposes a number of restrictions including land use, access and construction requirements. These are stipulated in the Memorandum of Transfer at Attachment 11. Further, <b>Attachment 9</b> has been updated accordingly.  Noted. The planning proposal has been amended accordingly.  Noted. The planning proposal has been amended accordingly.  Noted. The planning proposal has been amended accordingly.
4	As a guide, please note that timeframes for assessing and processing the Planning Proposal will be in accordance with the timeframes for a Basic Planning Proposal as outlined in the NSW Government's LEP Plan Making Guidelines that can be viewed via this link: <a href="https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/LEP-Making-Guideline.pdf">https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/LEP-Making-Guideline.pdf</a>	Noted. The planning proposal has been amended accordingly.

ITEM 6 (continued)

ATTACHMENT 16



Mr Kieran Metcalfe  
Strategic Planner  
Hunter's Hill Council  
22 Alexander Street  
Hunters Hill NSW 2110

Email: kieran.metcalfe@pmhc.nsw.gov.au

27 February 2023

Our Ref: LEP2022/14/3

Dear Kieran,

**Planning Proposal for the Reclassification of 4 Pittwater Road, Gladesville from Community to Operational**

I refer to Hunter's Hill Council's draft Planning Proposal that was uploaded to the NSW Planning Portal to amend Schedule 4 of Ryde Local Environmental Plan 2014 to include reclassification of 4 Pittwater Road, Gladesville from Community to Operational.

Thank you for attending the pre-lodgement meeting for the proposal held on 23 February 2023 with City of Ryde staff. The purpose of this letter is to provide feedback on the application and to request additional information so that the proposal can be considered to be complete for the purposes of assessment.

As discussed at the meeting, the following is required:

- A completed City of Ryde application form for a Minor Planning Proposal, which is available on Council's website via this [link](https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2022-07-planning-proposal-form.pdf): <<https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2022-07-planning-proposal-form.pdf>>
- Payment for a Minor Planning Proposal as per City of Ryde's fees and charges (currently \$30,750, noting this will increase as of July 2023) to assess and process the application. Information relating to payment methods can be sought from Council's customer service staff on 9952 8222.
- The Planning Proposal needs to be updated as per the following:
  - To address the NSW Government's LEP Practice Note PN 16-00 by providing information relating to Council's interests in the land, i.e., how and when the land was first acquired. If the acquisition circumstances and details are not able to be provided, a brief summary of research undertaken and the information to hand should be provided.
  - To confirm the easement details for Deposited Plan 390503, i.e., why was an easement created by transfer (D394665), what is the purpose of the easement and who benefits.
  - To replace references to "Council" in order to clarify as to when the document is referring to Hunters Hill Council and/or the landowner and City of Ryde Council.
  - To remove references to Willoughby Council.

Customer Service Centre  
1 Pope Street, Ryde NSW 2112  
(Within Top Ryde City shopping centre)

North Ryde Office  
Level 1, Building 0, Riverview Business Park,  
3 Richardson Place, North Ryde NSW 2113

Phone (02) 9952 8222  
Email: [cityofryde@ryde.nsw.gov.au](mailto:cityofryde@ryde.nsw.gov.au)  
Post Locked Bag 2069, North Ryde NSW 1670  
[www.ryde.nsw.gov.au](http://www.ryde.nsw.gov.au)  
ABN 81 621 292 610

**ITEM 6 (continued)**

**ATTACHMENT 16**



- To ensure references to future development are worded in a manner consistent with the proposed outcomes noting the potential community interest in the proposal.

As a guide, please note that timeframes for assessing and processing the Planning Proposal will be in accordance with the timeframes for a Basic Planning Proposal as outlined in the NSW Government's LEP Plan Making Guidelines that can be viewed via this [link](https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/LEP-Making-Guideline.pdf): <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/LEP-Making-Guideline.pdf>

If you have any further questions regarding the above matters, please contact Matthew Owens on 9952 6204.

Yours sincerely,



Dyalan Govender  
Executive Officer City Places

**Customer Service Centre**  
1 Pope Street, Ryde NSW 2112  
(Within Top Ryde City shopping centre)

**North Ryde Office**  
Level 1, Building 0, Riverview Business Park,  
3 Richardson Place, North Ryde NSW 2113

**Phone** (02) 9952 8222  
**Email** [cityofryde@ryde.nsw.gov.au](mailto:cityofryde@ryde.nsw.gov.au)  
**Post** Locked Bag 2069, North Ryde NSW 1670  
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**ITEM 6 (continued)**

**ATTACHMENT 17**



08/03/2023 02:27 PM

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ITEM 6 (continued)

ATTACHMENT 17

Req:R230816 /Doc:DL D394665 /Rev:18-Mar-1997 /NSW LRS /Pgs:ALL /Prt:08-Mar-2023 14:26 /Seq:1 of 3  
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Asst. Commr. Stamp Duties  
NEW SOUTH WALES  
MEMORANDUM OF TRANSFER  
(Real Property Act, 1900)  
D394665  
Stamp Duties  
PAID  
\$10.00  
R.S.W.  
Stamp Duties Office  
FIVE SHILLINGS  
DULY STAMPED  
Stamp  
£ 5.00  
1/2.6  
5.00  
1/2.6  
18.7.48

THE METROPOLITAN WATER SEWERAGE AND DRAINAGE BOARD (herein called transferor) being registered as the proprietor of an estate in fee simple in the land hereinafter described, subject however, to such encumbrances, liens and interests as are notified hereunder in consideration of ONE THOUSAND POUNDS (£1000.0.0) (the receipt whereof is hereby acknowledged) paid to it by THE COUNCIL OF THE MUNICIPALITY OF HUNTER'S HILL (herein called transferee) do hereby transfer to the said transferee ALL SUCH its Estate and Interest in ALL the land mentioned in the schedule following :-

County	Parish	Reference to Title		Description of Land (if part only)
		Whole or Part	Vol.	
Cumberland	Hunter's Hill	The Whole	5478 124	---

RESERVING nevertheless to the transferor full and free right and liberty from time to time and at all times hereafter at its will and pleasure and with or without horses carts waggons motor vehicles machines plant tools and other apparatus and things which the transferor may consider expedient to enter along over and upon any part or parts of the land hereby transferred for the purpose of constructing in order to provide alternative means of ventilating the Northern Suburbs Ocean Outfall Sewer of the transferor as the transferor in its discretion may decide to do a ventilating shaft or a small vent or an induct point at or near the manhole on the said sewer as shown on the said plan marked "A" annexed hereto bearing 273 degrees 9 minutes 45 seconds and distant 39 feet 5 inches from the frontage of the land to Pittwater Road A N D the transferor HEREBY COVENANTS with the transferee that the transferor will before entering upon the said land in pursuance of the reservation hereinbefore contained give to the transferee except in cases of emergency reasonable notice of its intention so to do A N D in relation to the easement hereinbefore reserved to the transferor the transferee doth hereby covenant with the transferor :-

(1) That the transferee shall not have or at any time prefer any claim of any kind against the transferor in relation to any

*Clementine Tail*  
Mayor  
119617  
PLAN REFILED IN  
PLAN ROOM AS F.P.  
431997

ITEM 6 (continued)

ATTACHMENT 17

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2.

to any property of the transferee occasioned by or in consequence of any act or default of the transferor or any of its servants or agents in connection with the exercise or intended exercise of any of the rights hereinbefore reserved to the transferor, and :

(2) That the transferee will not at any time hereafter erect or construct any building or structure whatsoever upon that part of the land hereby transferred which is situated within a radius of 10 feet from the centre of the manhole aforesaid, and :

(3) That the transferee will not at any time use or occupy or cause or permit to be used or occupied the said land hereby transferred or any part thereof otherwise than solely for the erection and conduct of a Baby Health Centre.

ENCUMBRANCES, &c., REFERRED TO

N I L.

SIGNED at Sydney the 30 day of May 1945.

The Common Seal of THE METROPOLITAN WATER, SEWERAGE AND DRAINAGE BOARD was affixed hereto in the presence of a quorum of the Board on the 24th day of May 1945. AS

WITNESS the hands of.....

Andrew Noble Campbell  
and Robert Charles Skyring


two of the members

In whose presence the seal was so affixed. The Common Seal of the Municipality of Hunter's Hill has been hereto affixed in pursuance of a resolution duly carried at a meeting held on 4th April, 1945.

Transferor.

Accepted, and I hereby certify this Transfer to be correct for the purposes of the Real Property Act.

Element Weil  
Mayor.



ITEM 6 (continued)

ATTACHMENT 17

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*Memorandum of transfer of*  
*Part of lot 415 in plan annexed*  
*to L.P. No. 855680*  
*(Pittwater Rd.)*  
*Mun. of Ryde*  
*(Reserving easement)*  
*The Council of the Municipality*  
*of Hunters Hill*

Lodged by WINDEYER & CO.,  
SOLICITORS,  
25 O'CONNELL ST. SYDNEY.

Particulars entered in Register Book  
Vol. 5478 Folio 124

The 1st June 1946 at  
12 o'clock noon

*S. Wells*  
*Registrar-General*

*CLJ*  
*Secretary of Council*

RECEIVED  
6 JULY 1946  
BY  
CHECKED BY

ITEM 6 (continued)

ATTACHMENT 18



**HUNTER'S HILL COUNCIL**

ABN 75 570 316 011  
TOWN HALL, ALEXANDRA STREET, HUNTERS HILL 2110  
PO BOX 21, HUNTERS HILL 2110  
TELEPHONE: (02) 9879 9400  
EMAIL: [council@huntershill.nsw.gov.au](mailto:council@huntershill.nsw.gov.au)  
WEB: [www.huntershill.nsw.gov.au](http://www.huntershill.nsw.gov.au)

24 April 2023

Sydney Water  
PO Box 399  
Parramatta NSW 2124

**RE: Proposed Land Reclasification - 4 Pittwater Rd, Gladesville**

I write with regard to a Hunters Hill Council (Council) proposal to seek reclassification of land at 4 Pittwater Rd, Gladesville (Lot 1 DP 816692) (the site) from 'Community' to Operational' land. The site is owned by Council and is within the Ryde City Council Local Government Area. This process would be undertaken through a Planning Proposal, with Council as the applicant, Ryde City Council as the Planning Proposal Authority (PPA) and the Department of Planning and Environment as the likely determining authority. Planning proposal documentation in relation to this matter is attached for review and consideration by Sydney Water.

The subject reclassification is being sought as the site has been identified by Council through Council's 'Fit for Future Improvement Proposal 2015' as a potential asset for future redevelopment in conjunction with the Gladesville Master Plan. It can be noted that the reclassification does not include a proposal to develop or sell the land, which would need to be pursued as a separate process.

As part of the Planning Proposal process, Council is required to deal with interests in the land as required by the Department of Planning and Environment's LEP Practice Note: PN 16-001. In this instance, a specific interest which applies to the site is as follows:

- Dealing No. 394665 is a memorandum of Transfer of the land from the Metropolitan Water Sewerage and Drainage Board (MWS&DB) to Hunters Hill Council. This Dealing, amongst other matters, created an easement and also a restriction on the future use of the land as noted in "(3)" of the Dealing as stated below;

*(3) That the transferee will not at any time use or occupy or cause or permit to be used or occupied the said land hereby transferred or any part thereof otherwise than solely for the erection and conduct of a Baby Health Centre.*

The abovementioned interest may restrict the use of the land solely for the use as a "Baby Health Centre" and, as such, this would restrict Hunters Hill Council from selling or developing the land for any other purpose.

As this restriction is an agreement between Council and the MWS&DB (now Sydney Water) it is considered appropriate that Council consult with Sydney Water regarding this restriction.

If Sydney Water seeks to maintain this restriction on the site, Council would seek to work with Sydney Water to better understand potential future uses of the site and mechanisms to achieve this in consideration of Sydney Water and Council strategic plans and strategies. If Sydney Water would

**ITEM 6 (continued)**

**ATTACHMENT 18**



**HUNTER'S HILL COUNCIL**

ABN 75 570 316 011  
TOWN HALL, ALEXANDRA STREET, HUNTERS HILL 2110  
PO BOX 21, HUNTERS HILL 2110  
TELEPHONE: (02) 9879 9400  
EMAIL: [council@huntershillnsw.gov.au](mailto:council@huntershillnsw.gov.au)  
WEB: [www.huntershillnsw.gov.au](http://www.huntershillnsw.gov.au)

be satisfied to release the restriction, confirmation to this effect in writing to allow Council to progress with the proposed reclassification would be greatly appreciated. Such correspondence would be submitted to the PPA to assist with consideration of the merits of the proposal as part of the planning proposal process.

Should you require any additional information in relation to this matter, please don't hesitate to contact me on 0439 621 925 or [MetcalfeK@huntershill.nsw.gov.au](mailto:MetcalfeK@huntershill.nsw.gov.au).

Yours Sincerely



**Kieran Metcalfe**  
Strategic Planner

Enc. 4 Pittwater Road Gladesville Planning Proposal Documentation



ITEM 6 (continued)

ATTACHMENT 19



5 June 2023

Our Ref: 207262

**Kieran Metcalfe**  
Strategic Planner  
Hunters Hill Council  
council@huntershill.nsw.gov.au

**RE: Reclassification of land at 4 Pittwater Road, Gladesville.**

Thank you for notifying Sydney Water at 4 Pittwater Road, Gladesville, which proposes the reclassification of residential land from 'Community' to 'Operational'. This land will be included within the future redevelopment in conjunction with the Gladesville Master Plan.

Sydney Water has reviewed the application based on the information supplied and provides the following comments.

Sydney Water does not object to the land being reclassified. However, we note that the proposed site is traversed by the Northern Suburbs Ocean Outfall Sewer (NSOOS) critical trunk sewer main (oviform 2819x2362) as well as a shaft to access the tunnel.

Approval from Sydney Water will be required if any planned works are to be built or constructed near or over the Sydney Water assets mentioned above. The following conditions will apply:

- 24/7 unrestricted safe access to the shaft and a maintenance zone is required around the shaft access hatch.
- If Sydney Water determines that this asset is within the building works zone of influence, given that the assets mentioned above are critical, a SEA submission will be required to assess the impact of ultimate state of development.

If The Hunters Hill Council require any further information, please contact the Growth Planning Team at [urbangrowth@sydneywater.com.au](mailto:urbangrowth@sydneywater.com.au).

Yours sincerely,



**Faith Tid-ang**  
Acting Commercial Growth manager  
City Growth and Development, Business Development Group  
Sydney Water, 1 Smith Street, Parramatta NSW 2150

**ITEM 6 (continued)**

**ATTACHMENT 20**

PROPOSED RECLASSIFICATION OF  
COMMUNITY LAND AT 4 PITTWATER ROAD,  
GLADESVILLE:  
PUBLIC HEARING AND SUBMISSIONS REPORT

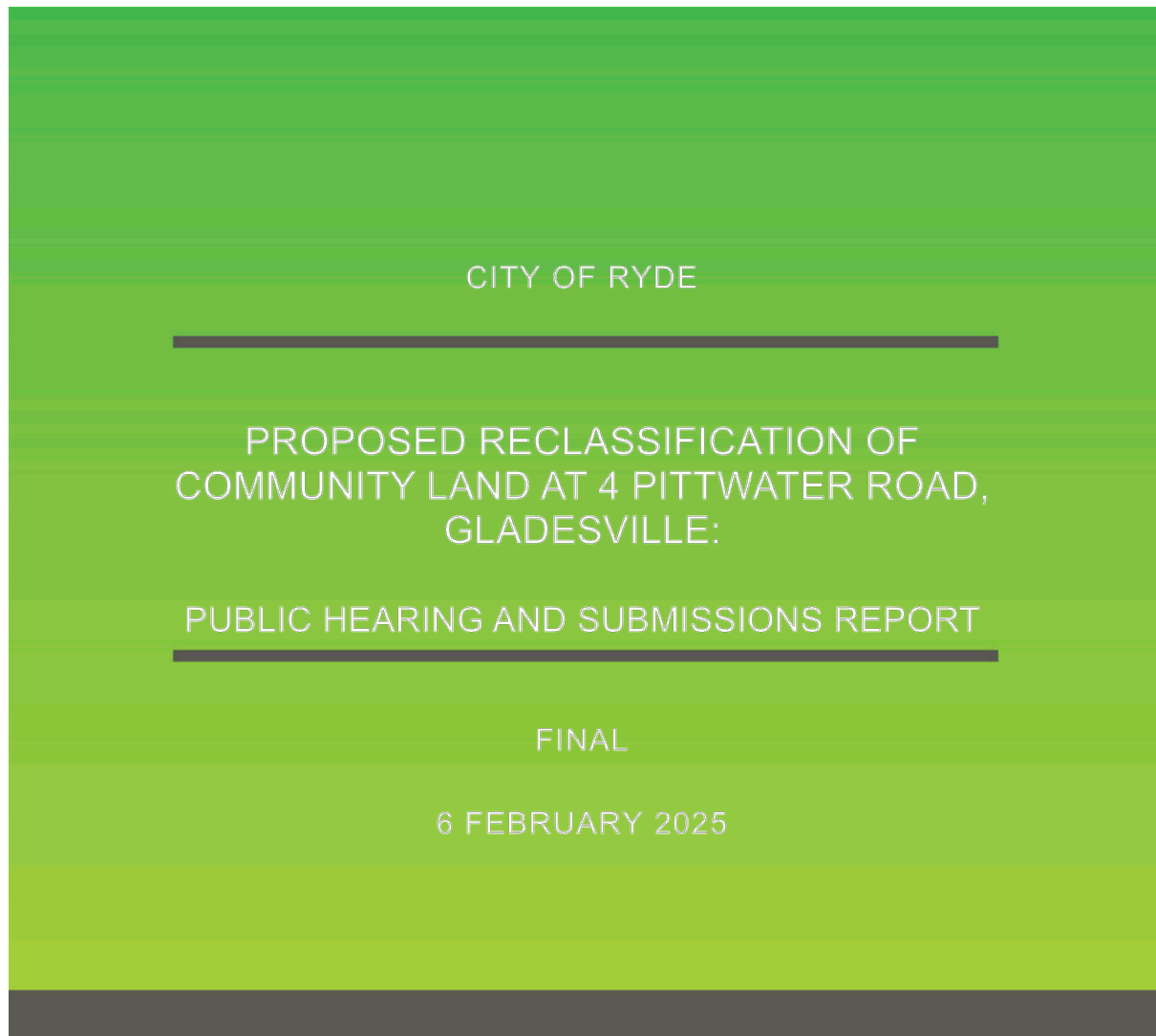
FINAL

6 FEBRUARY 2025



**ITEM 6 (continued)**

**ATTACHMENT 20**



**Parkland Planners**

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**DIRECTOR: Sandy Hoy**

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A	Submissions to the Planning Proposal
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# 1 INTRODUCTION

## 1.1 Introduction

4 Pittwater Road in Gladesville ("the site") in the City of Ryde is owned by Hunters Hill Council and is occupied by the Gladesville Occasional Child Care Centre. Hunters Hill Council is proposing to reclassify 4 Pittwater Road, Gladesville from community land to operational land under the *Local Government Act 1993* to consider opportunities for the future use of the land. City of Ryde is managing the reclassification process.

The proposed reclassification of the site is explained in detail in the 4 Pittwater Road, Gladesville Planning Proposal PP-2022-3966 (SJB Planning, August 2024) referred to as "the Planning Proposal", which has been issued with a Gateway Determination by the Department of Planning, Housing and Infrastructure.

The Planning Proposal for the proposed reclassification was placed on public exhibition for comment from 2 September to 29 September 2024 with 95 submissions received.

Section 29 of the *Local Government Act 1993* requires a public hearing to be held when public land is proposed to be reclassified. A public hearing gives the community an opportunity to expand on written submissions and to present issues to an independent person in a public forum.

The public hearing chaired by an independent person to receive public submissions on the proposed reclassification under Section 29 of the *Local Government Act 1993* was held on Thursday 28 November 2024.

The key purpose of the reclassification of land is to amend Part 1, Schedule 4 of the Ryde Local Environmental Plan 2014 (RLEP 2014) to identify the site as operational land.

## 1.2 Purpose of this report

This report has been prepared under Section 29 of the *Local Government Act 1993* to report to City of Ryde on the public submissions made at the public hearing on Thursday 28 November 2024 and written submissions to the Planning Proposal for the proposed reclassification from community land to operational land of 4 Pittwater Road in Gladesville.

This report outlines the public submissions and makes recommendations to Council regarding the proposed reclassification.

## 1.3 Land to which the proposed reclassification applies

The site as shown in Figure 1 comprises Lot 1 DP 816692 at 4 Pittwater Road in Gladesville.



## ITEM 6 (continued)

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Figure 1 Location of the site



### 1.4 Contents of this report

The remainder of this report contains:

- ☐ a general explanation of the proposed reclassification of the site from community land to operational land (Section 2)
- ☐ explanation of the proposed reclassification of the site (Section 3)
- ☐ the public hearing details (Section 4)
- ☐ submissions (Section 5)
- ☐ assessment of submissions and recommendations (Section 6).

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## 2 RECLASSIFICATION OF COMMUNITY LAND

### 2.1 Public land

The *Local Government Act 1993* sets out a range of requirements that City of Ryde and Hunters Hill Council are legally bound to adhere to. These requirements include the management of public land owned or managed by Hunters Hill Council.

Public land is defined in the *Local Government Act 1993* as any land (including a public reserve) legally owned by Council or under Council control. Exceptions include a public road, Crown land, common land (land that is designated for community use) subject to the *Trustees of Schools of Arts Enabling Act 1902*, or a regional park under the *National Parks and Wildlife Act 1974*.

The relationship between public land, and classification of Council-owned land as community or operational land, is in Figure 2.

Figure 2 Public land, classification and categorisation under the Local Government Act 1993



### 2.2 What is classification of community land?

Under the *Local Government Act 1993*, Council-owned public land is classified as either 'operational' or 'community' land. The site is currently classified as community land under the *Local Government Act 1993*.

Community land would ordinarily comprise land accessible to the public, such as a park, sporting fields, bushland or a community facility.

## ITEM 6 (continued)

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Use and management of community land is regulated under the *Local Government Act 1993* (Chapter 6, Part 2). Community land must be regulated in accordance with:

- ☐ the Plan of Management applying to the land
- ☐ any law permitting the use of land for a specific purpose, and
- ☐ Division 2 of the *Local Government Act 1993*.

Community land must not be sold, exchanged or otherwise disposed of by a Council except in the limited circumstances referred to in Section 45 (4) of the Act. Community land can be leased, but there are restrictions on the grant of leases and licences, and also on the way community land can be used. Community land may only be leased or licensed for up to 21 years without the Minister's consent or up to 30 years with the Minister's consent. Community land may only be leased or licensed for more than 5 years if public notice of the proposed lease or licence is given and, in the event that an objection is made to the proposed lease or licence, the Minister's consent is obtained. Council also cannot grant a lease, licence or other estate for private purposes over community land.

Operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a Council of its functions, or land which may not be open to the general public such as a works depot or companion animals facility. Operational land may be held as a temporary asset or as an investment. Operational land may be leased for a longer period of time, and may be sold or transferred only subject to community engagement and with the approval of the elected Council. Operational land does not have any special restrictions on Council powers to manage, develop, dispose, or change the nature and use of operational land.

Classification or reclassification of land does not affect any estate or interest a Council has in the land. Under Section 30 of the *Local Government Act 1993* Council has the ability to explicitly remove any restrictions on the use of community land when the land is reclassified through a Local Environmental Plan.

### 2.3 How can the classification of community land be changed?

Reclassification of Council-owned land must be undertaken in accordance with:

- ☐ the *Local Government Act 1993*
- ☐ the *Environmental Planning and Assessment Act 1979*
- ☐ Practice Note PN16- 001 - Classification and reclassification of public land through a local environmental plan (issued by the Department of Planning and Environment, October 2016)
- ☐ Local Environmental Plan Making Guideline (Department of Planning, Housing and Infrastructure, August 2023).

### 2.4 Process of reclassification of community land

The *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979* set out requirements that Councils must follow when reclassifying Council-owned community land to operational land. Relevant legislation is accessed at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

Reclassification of community land to operational land may be carried out by either:

1. Amending the Local Environmental Plan under the *Environmental Planning and Assessment Act 1979* through Section 27(1) of the *Local Government Act 1993* by way of a Planning Proposal, or

## ITEM 6 (continued)

## ATTACHMENT 20

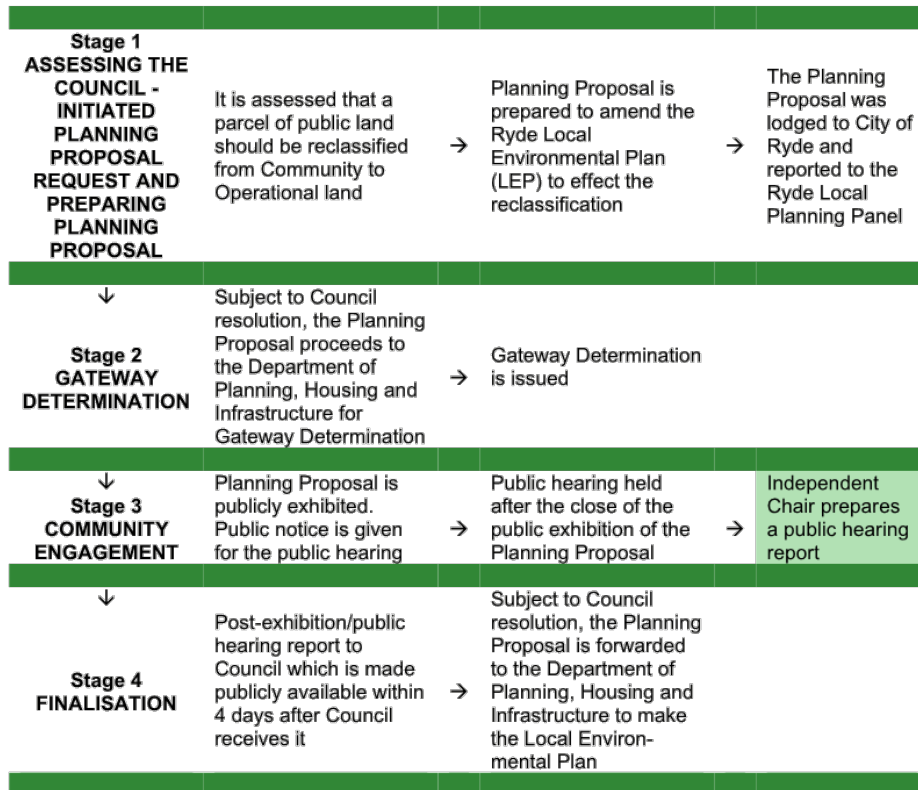
### 2. Council resolution under Section 27(2) of the *Local Government Act 1993*.

Hunters Hill Council is required to reclassify the Council-owned community land under Option 1 ie. by amendments to the Ryde Local Environmental Plan 2014 by way of a Planning Proposal, as the site is located within City of Ryde's local government area. A Planning Proposal explains the intended outcome of a proposed amendment to a local environmental plan and sets out the justification for making that amendment. Planning Proposal PP-2022-3966 was initiated by Hunters Hill Council which seeks to reclassify 4 Pittwater Road in Gladesville from community land to operational land.

Classification or reclassification of land does not affect any estate or interest a Council has in the land.

The process of reclassifying community to operational land by changes to the Ryde Local Environmental Plan 2014 is in Figure 3.

Figure 3 Process of reclassifying community land to operational land by local environmental plan



### 2.5 Process of the public hearing and report

The timeline of the current reclassification proposal, and the public hearing and report, is set out in Table 1.



**ITEM 6 (continued)**

**ATTACHMENT 20**

**Table 1** Process and timeline of proposed reclassification of 4 Pittwater Road, Gladesville

Date	Event	
1955	The site was transferred from Sydney Water (formerly the Metropolitan Water Sewerage and Drainage Board) to Hunters Hill Council for the purpose of a baby health centre. A restriction was placed on the title for this use at dedication to Hunters Hill Council.	
1992	The site was subdivided to create Lot 1 and Lot 2 in DP 816692 being no. 4 and no. 6 Pittwater Road in Gladesville.	
2015	Hunters Hill Council's Fit for the Future Improvement Proposal 2015 contained the following initiative for 6 Pittwater Road, Gladesville (Early Childhood Centre): This site is located in the Ryde City Council area and adjoins the Gladesville Library. There is a possibility that the City of Ryde Council (CoR) may seek an opportunity to re-develop their substantial land holdings in its area in conjunction with the Gladesville Masterplan and it would be logical that this site is included in any future proposals. CoR has recently commissioned consultants to consider development options for the site. Proceeds from sales, or revenue earned, could be used for strategic re-investment to fund ongoing initiatives including capital works.	
25 June 2018	Hunters Hill Council resolved to re-establish the Property Advisory Committee to provide recommendations to provide recommendations to Council with regards to: <ul style="list-style-type: none"> <li>- evaluating Council's property assets to determine if they are providing community benefit</li> <li>- developing strategies for the future of Council's assets</li> <li>- investigating opportunities to invest/reinvest in property assets.</li> </ul>	
2021	Hunters Hill Council undertook community engagement, public exhibition and finalisation of its Community Infrastructure Plan which was renamed as the Property Strategy. 4 Pittwater Road in Gladesville was identified in the Strategy as surplus to Hunters Hill Council's requirements, and options to realise its value will be investigated whilst still retaining the occasional child care centre in the area.	
19 April 2021	Hunters Hill Council received a report on finalisation of the Community Infrastructure Plan.	
20 September 2021	Hunters Hill Council resolved to prepare and lodge a Planning Proposal with City of Ryde for the reclassification of 4 Pittwater Road Gladesville to operational land under the <i>Local Government Act 1993</i> .	
16 July 2023	Planning Proposal PP-2022-3966 was prepared by SJB on behalf of Hunters Hill Council.	
23 February 2023	Hunters Hill Council staff and City of Ryde Council staff held a pre-lodgement meeting for the planning proposal. City of Ryde staff provided verbal feedback and advice for the lodgement, which was later collated into a letter sent 27 February 2024.	

**ITEM 6 (continued)**

**ATTACHMENT 20**

Date	Event	
4 April 2023	Hunters Hill Council lodged the Planning Proposal that seeks to reclassify the public land at 4 Pittwater Road in Gladesville from community land to operational land with the Department of Planning, Housing and Infrastructure	Section 3.34(1) of the <i>Environmental Planning and Assessment Act 1979</i>
14 December 2023	The Ryde Local Planning Panel unanimously agreed the Planning Proposal should proceed to a gateway determination under section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i> for the purpose of reclassification from community land to operational.	
26 March 2024	City of Ryde Council resolved to: <ul style="list-style-type: none"> <li>- Support the Planning Proposal to reclassify land at 4 Pittwater Road, Gladesville, being Lot 1 DP 816692 from Community to Operational land;</li> <li>- Submit the Planning Proposal to the Department of Planning, Housing and Infrastructure for Gateway Determination under s3.34 of the <i>Environmental Planning and Assessment Act 1979</i>;</li> <li>- That the Department of Planning, Housing and Infrastructure be advised that Council wishes to be delegated as the Local Plan-Making Authority; and</li> <li>- That following public exhibition, the planning proposal and any submissions be reported back to Council to finalise the proposal.</li> </ul>	
24 April 2024	Correspondence from Hunters Hill Council to Sydney Water regarding the specific interest which applies to the site included:  Dealing No. 395665 is a Memorandum of Transfer of the land from the Metropolitan Water Sewerage and Drainage Board (MWS&DB) to Hunters Hill Council. This Dealing, among other matters, created an easement and also a restriction on the future use of the land:  (3) That the transferee will not at any time use or occupy or cause or permit to be used or occupied the said land hereby transferred or any part thereof otherwise than solely for the erection and conduct of a Baby Health Centre.  This interest may restrict use of the land solely for use as Baby Health Centre, so this would restrict Hunters Hill Council from selling or developing the land for any other purpose.  As this restriction is an agreement between Hunters Hill Council and MWS&DB (now Sydney Water) it is appropriate that Council consult with Sydney Water about this restriction.	
5 June 2024	Correspondence from Sydney Water to Hunters Hill Council raised no objection to the proposed reclassification.	
5 July 2024	The Gateway Determination issued by the Department of Planning, Housing and Infrastructure included Gateway Condition 5: 'A public hearing is required to be held in accordance with Section 29 of the Local Government Act 1993 and the Department's Practice Note PN 16-001.'	Section 3.34(2) of the <i>Environmental Planning and Assessment Act 1979</i>



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Date	Event	
Monday 2 September to Sunday 29 September 2024	The revised Planning Proposal (SJB, August 2024) was placed on public exhibition for comment: <ul style="list-style-type: none"> <li>Online at Have Your Say</li> <li>Physical copies at Gladesville Library.</li> </ul> 95 submissions were received to the public exhibition of the Planning Proposal.	Section 3.34(2) of <i>Environmental Planning and Assessment Act 1979</i>
Thursday 28 November 2024	The public hearing into the proposed reclassification was held. The person presiding at the public hearing is not a councillor or employee of the council holding the public hearing, or has been a councillor or employee of that council at any time during the 5 years before the date of her appointment.	Section 29 of <i>Local Government Act 1993</i> Department of Planning and Environment Practice Note PN 16-001 Section 47G of <i>Local Government Act 1993</i>
6 February 2025	Independent chairperson at public hearing prepared the public hearing report and issued it to Council.	
By 10 February 2025	Council must make a copy of the public hearing report available for inspection by the public at a location within the area of the council no later than 4 days after it has received a report from the person presiding at the public hearing as to the result of the hearing. Public hearing report available on Council's Have Your Say website. Council to email community members attending the public hearing a link to the copy of the report on the You're your Say website. Hard copy available at City of Ryde Administration Centre	Section 47G of <i>Local Government Act 1993</i>
March 2025	Council meeting to consider the public hearing report and public submissions received from public exhibition of the planning proposal and supporting documentation	
<b><i>If Council resolves to endorse/adopt and proceed with the planning proposal as per delegations issued by the Department of Planning, Housing and Infrastructure's Gateway Determination for the proposed reclassification:</i></b>		
April 2025	Council requests the Department of Planning, Housing and Infrastructure to prepare the draft Local Environmental Plan amendment to give effect to the planning proposal as per delegations issued by the Gateway Determination.	Section 3.36 of <i>Environmental Planning and Assessment Act 1979</i>
by 2 May 2025	The amendment to Part 1 of Schedule 4 of the RLEP 2014 would be made as proposed to reclassify the Council owned land from community to operational land.	Sections 27 and 30(1) of <i>Local Government Act 1993</i> , Section 3.36 of <i>Environmental Planning and Assessment Act 1979</i>

After the public hearing, the independent chairperson prepares a report on the verbal submissions to the public hearing and refers to the written submissions about the Planning Proposal.

City of Ryde Council must make a copy of the report regarding the outcomes of the public hearing available for inspection by the public at a location within the area of Council no later than four days after it has received the final report from the person presiding at the public hearing. Council will make the public hearing report available to the public on Council's Have

## ITEM 6 (continued)

## ATTACHMENT 20

Your Say website, and email a link to the public hearing report to the people who attended the public hearing.

The public hearing report will be presented to City of Ryde Council for its information as part of their consideration of the proposed reclassification.

If City of Ryde Council resolves to endorse/adopt and proceed with the planning proposal as per delegations issued by the Department of Planning, Housing and Infrastructure's Gateway Determination for the proposed reclassification:

- ☐ Council requests the Department of Planning, Housing and Infrastructure and Parliamentary Counsel's Office to prepare the draft Local Environmental Plan to give effect to the planning proposal as per delegations issued by the Gateway Determination.
- ☐ The amendment to Part 1 of Schedule 4 of the Ryde Local Environmental Plan 2014 will be made under Sections 27 and 30(1) of the *Local Government Act 1993* as proposed to reclassify the site from community to operational land without any discharge of any interests. The Department of Planning, Housing and Infrastructure would require the Local Environmental Plan to be completed on or before 2 May 2025.

### 2.6 Public hearings for reclassification of community land

Section 29 of the *Local Government Act 1993* requires a public hearing to be held when Council-owned public land is proposed to be reclassified from community land to operational land.

An independent chairperson will conduct the public hearing. Under Section 47G of the Act, the person presiding at a public hearing must not be:

- ☐ A Councillor or employee of the Council holding the public hearing.
- ☐ A person who has been a Councillor or employee of that Council at any time during the 5 years before the date of his or her appointment.

The chairperson will provide a report to Council with recommendations on the proposed reclassification of community land.

**ITEM 6 (continued)**

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**ITEM 6 (continued)**

**ATTACHMENT 20**

# 3 PROPOSED RECLASSIFICATION OF 4 PITTWATER ROAD, GLADESVILLE

## 3.1 Introduction

The background to the proposal to reclassify 4 Pittwater Road, Gladesville from community land to operational land is outlined in detail in the Planning Proposal (SJB, August 2024) and in supporting information on the NSW Planning Portal and on Council's website.

## 3.2 Site description

Pittwater Road in Gladesville is described as in Table 2.

Table 2 4 Pittwater Road, Gladesville

Address	4 Pittwater Road, Gladesville
Lot/DP	Lot 1 DP 816692
Area (m2)	704m <sup>2</sup> (approx.)
Owner	Hunters Hill Municipal Council
Local government area	City of Ryde, so managing the reclassification process
Road frontage	Pittwater Road to the south-east
Adjoining land uses	Gladesville Library owned by City of Ryde to the north-east. Jim Wilson Carpark owned by City of Ryde to the south-west and north-west
Zoning	MU1 Mixed Use under Ryde Local Environmental Plan 2014 <i>Note: reclassification of land is not the same as rezoning the land</i>
Land use	Not for profit community-based child care centre
Occupier	Gladesville Occasional Child Care Centre
Use agreement	Agreement between Hunters Hill Council and City of Ryde relating to the management, operation and financing of the existing land use.
Classification	Community land
Public reserve under the Local Government Act 1993?	No

**ITEM 6 (continued)**

**ATTACHMENT 20**

Figure 4 Images of 4 Pittwater Road, Gladesville



### 3.3 Reasons for the proposed reclassification

The Planning Proposal was initiated by Hunters Hill Council as the land owner. The Planning Proposal seeks to reclassify 4 Pittwater Road in Gladesville (Lot 1 DP 816692) from community land to operational land. The background to and reasons for the proposed reclassification are set out in detail in the Planning Proposal and in Council's business papers.

Hunters Hill Council is proposing to reclassify 4 Pittwater Road, Gladesville from community land to operational land under the *Local Government Act 1993* to consider opportunities for the future use of the land, including options for the development or sale of the land.

Council's strategic planning framework, including the Community Infrastructure Plan and Property Strategy 2021, identifies the site as surplus to Council's needs. The Property Strategy has four elements incorporating assets owned by Hunters Hill Council within the Gladesville commercial centre. With respect to 4 Pittwater Road, Gladesville, the Strategy notes that the current occasional care centre (OCC) needs updating and is surplus to Hunter's Hill Council requirements. It states that options to realise its value will be investigated, whilst still retaining the OCC in the area.

Further reasons for the recategorisation are as follows:



## ITEM 6 (continued)

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- ☐ The site being classified as community land means Hunters Hill Council is not able to develop, sell, exchange or dispose of community land under the provisions of the *Local Government Act 1993*.
- ☐ The operational land classification will enable Hunters Hill Council to sell, exchange or otherwise divest or deal with the parcel of land to assist with facilitating redevelopment of the land. Any returns to Council can be reinvested into other projects, such as public domain improvements. Options to realise its value will be investigated whilst still retaining the child care centre in the area. Should the site be divested or developed in future, all proceeds will be placed in an internally restricted reserve.
- ☐ Other reasons include:
  - the site is in City of Ryde and adjoins land owned by City of Ryde.
  - the operational classification would be consistent with the current zoning and use of the site.
  - the reclassification offers Hunters Hill Council an opportunity to unlock the existing development potential of the site to stimulate growth and development within the Gladesville Town Centre, and for the site to be considered with the upcoming Gladesville Masterplan.

Overall, the reclassification of 4 Pittwater Road, Gladesville will not affect its current use or predetermine its future uses, but would give Hunters Hill Council flexibility to ensure it can deliver improved community infrastructure via redevelopment of the site or possible sale and redirection of funds to other community infrastructure projects.

Any dealing with the property following reclassification would be subject to a further Council resolution. This proposal is not a specific proposal to develop or sell the land, which would need to be subject to a separate process.

### 3.4 Changes resulting from reclassification

#### 3.4.1 Changes

The Planning Proposal seeks to amend Schedule 4 'Classification and reclassification of public land', Part 1 'Land classified, or reclassified, as operational land – no interests changed' of the Ryde Local Environmental Plan 2014, to reclassify land at 4 Pittwater Road, Gladesville (Lot 1 in DP 816692), from 'community' land to 'operational' land.

#### 3.4.2 No changes

If the proposed reclassification proceeds, no change would be made to:

- ☐ the current use of the land and agreement for use of the land
- ☐ the current zoning of MU1 Mixed Use
- ☐ maximum building height of 22 metres
- ☐ maximum floor space ratio 2.6:1
- ☐ any other planning or development controls and maps applicable to the land under the Ryde Local Environmental Plan 2014
- ☐ existing trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land. There are no interests in the land that Council is seeking to discharge.



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ITEM 6 (continued)

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## 4 THE PUBLIC HEARING

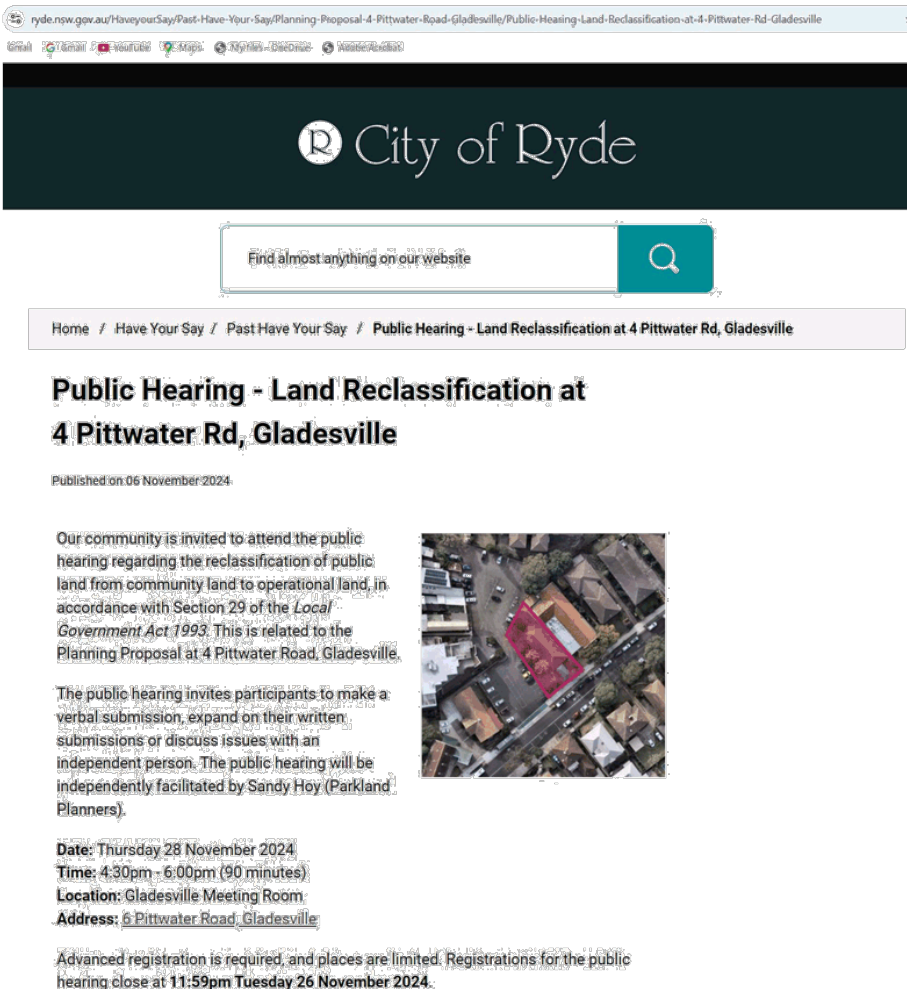
### 4.1 Notification and advertising of the public hearing

City of Ryde advised the community about the public exhibition of the Planning Proposal and the public hearing in several ways as set out below.

#### 4.1.1 Online at Have Your Say Ryde

Council's project page about the public exhibition of the Planning Proposal and the public hearing at <https://www.ryde.nsw.gov.au/HaveyourSay/Past-Have-Your-Say/Planning-Proposal-4-Pittwater-Road-Gladesville> is in Figure 5.

Figure 5 Have Your Say Ryde project page



The screenshot shows the City of Ryde website interface. At the top is the City of Ryde logo and navigation links. Below is a search bar with the text "Find almost anything on our website". The main content area has a breadcrumb trail: Home / Have Your Say / Past Have Your Say / Public Hearing - Land Reclassification at 4 Pittwater Rd, Gladesville. The title "Public Hearing - Land Reclassification at 4 Pittwater Rd, Gladesville" is prominently displayed. Below the title, it says "Published on 06 November 2024". The text invites the community to attend the public hearing regarding the reclassification of public land from community land to operational land, in accordance with Section 29 of the Local Government Act 1993. It mentions that the public hearing invites participants to make a verbal submission, expand on their written submissions or discuss issues with an independent person. The public hearing will be independently facilitated by Sandy Hoy (Parkland Planners). An aerial map shows the location of 4 Pittwater Road, Gladesville, highlighted in red. The date, time, and location of the hearing are listed: Thursday 28 November 2024, 4:30pm - 6:00pm (90 minutes), Gladesville Meeting Room. The address is 6 Pittwater Road, Gladesville. A note states that advanced registration is required and places are limited, with registrations closing at 11:59pm Tuesday 26 November 2024.

ryde.nsw.gov.au/HaveyourSay/Past-Have-Your-Say/Planning-Proposal-4-Pittwater-Road-Gladesville/Public-Hearing-Land-Reclassification-at-4-Pittwater-Rd-Gladesville

City of Ryde

Find almost anything on our website

Home / Have Your Say / Past Have Your Say / Public Hearing - Land Reclassification at 4 Pittwater Rd, Gladesville

### Public Hearing - Land Reclassification at 4 Pittwater Rd, Gladesville

Published on 06 November 2024

Our community is invited to attend the public hearing regarding the reclassification of public land from community land to operational land, in accordance with Section 29 of the *Local Government Act 1993*. This is related to the Planning Proposal at 4 Pittwater Road, Gladesville.

The public hearing invites participants to make a verbal submission, expand on their written submissions or discuss issues with an independent person. The public hearing will be independently facilitated by Sandy Hoy (Parkland Planners).

**Date:** Thursday 28 November 2024  
**Time:** 4:30pm - 6:00pm (90 minutes)  
**Location:** Gladesville Meeting Room  
**Address:** 6 Pittwater Road, Gladesville

Advanced registration is required, and places are limited. Registrations for the public hearing close at 11:59pm Tuesday 26 November 2024.

## ITEM 6 (continued)

## ATTACHMENT 20

### [How do I attend the public hearing?](#)

Please register by **Tuesday 26 November 2024** to attend the public hearing. You can complete the online registration form via the link below. Participants are required to attend in person.

[Register for the Public Hearing](#) >

If you are unable to register online, please call Customer Service on (02) 9952 8222.

### [Why is a public hearing being held?](#)

A public hearing is required to be held when reclassifying public land, in accordance with Section 29 of the *Local Government Act 1993* and the Department's Practice Note PN 16-001. This is also required by condition 5 of the Gateway Determination.

### [Background Information](#)

Before attending the public hearing, we encourage you to view the background information document via the link below.

[View the Background Information document](#) >

For further details about the Planning Proposal - 4 Pittwater Road, Gladesville, visit the Past Have Your Say page.

[Visit the Past Have Your Say page](#) >

Share    

## 4.1.2 The Weekly Times listings

### Planning Proposal

Listing in *The Weekly Times* newspaper each Wednesday during the Have Your Say period from Monday 2 September to Sunday 29 September 2024. An example of the listing is below.

Figure 6 The Weekly Times listing

**HAVE YOUR SAY**

**OPEN COMMUNITY CONSULTATIONS**

You are invited to have your say about documents, projects and proposals that are currently on public exhibition, or provide feedback on services and concerns that affect the community.

- Brush Farm Park and Lambert Park Draft Masterplan - Stage 2 (Closes 8 September 2024)
- City of Ryde Youth Survey (Closes 8 September 2024)
- Denistone Sports Club Site - Future Use (Closes 29 September 2024)
- Planning Proposal - 4 Pittwater Road, Gladesville (Closes 29 September 2024)

**Want to find out more?**

To find out more about one of the above projects or for information on how to provide feedback, please visit [www.ryde.nsw.gov.au/HaveYourSay](http://www.ryde.nsw.gov.au/HaveYourSay) or call Customer Service on 9952 8222.

## ITEM 6 (continued)

## ATTACHMENT 20

### Public hearing

The listing in *The Weekly Times* newspaper included in the 6 November 2024 edition about the public hearing arrangements is in Figure 7.

Figure 7 The Weekly Times listing about the public hearing

**PUBLIC NOTICE**

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**LAND RECLASSIFICATION AT 4 PITTWATER RD, GLADESVILLE**

City of Ryde invites you to attend the public hearing regarding the reclassification of public land from community land to operational land, in accordance with Section 29 of the *Local Government Act 1993*. This is related to the Planning Proposal at 4 Pittwater Road, Gladesville. The public hearing will be independently facilitated by Sandy Hoy (Parkland Planners).

**When:** Thursday 28 November 2024  
**Time:** 4.30 - 6.00pm (90 minutes)  
**Where:** Gladesville Meeting Room, 6 Pittwater Road, Gladesville

Visit [www.ryde.nsw.gov.au/HYS/4PittwaterRdPublicHearing](http://www.ryde.nsw.gov.au/HYS/4PittwaterRdPublicHearing) to register for the public hearing. Registrations close at 11.59pm Tuesday 26 November 2024 and places are limited.

For additional information, contact Customer Service on 9952 8222 or email [cityofryde@ryde.nsw.gov.au](mailto:cityofryde@ryde.nsw.gov.au)

### 4.1.3 Listing in Your City News e-newsletter

Listing in the Your City News e-newsletter included in the Have Your Say section of the e-newsletter sent on 3 September 2024.

Figure 8 Listing in Your City News e-newsletter

### Have Your Say

#### On Exhibition

You are invited to have your say about documents, projects and proposals that are currently on public exhibition, or provide feedback on services and concerns that affect the community.

BRUSH FARM PARK & LAMBERT PARK DRAFT MASTERPLAN: STAGE 2 (CLOSES 8 SEP)
CITY OF RYDE YOUTH SURVEY (CLOSES 8 SEP)
DENISTONE SPORTS CLUB SITE: FUTURE USE (CLOSES 29 SEP)
PLANNING PROPOSAL: 4 PITTWATER RD, GLADESVILLE (CLOSES 29 SEP)
DEVELOPMENT APPLICATIONS ON EXHIBITION

### 4.1.4 Hard copies of the Planning Proposal

Hard copies of the planning proposal were available in the 'Ryde Council Documents' shelf at Gladesville Library.

ITEM 6 (continued)

ATTACHMENT 20

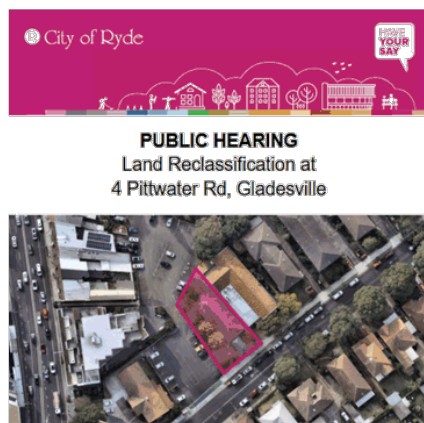
Figure 9 Gladesville Library



4.1.5 Public Hearing notice e-newsletter

An e-newsletter sent to people who made a submission to the public exhibition of the Planning Proposal is in Figure 10.

Figure 10 Public hearing notice e-newsletter



Thank you for your interest regarding the planning proposal for 4 Pittwater Road, Gladesville.

City of Ryde invited community feedback on the proposal from Monday 2 September 2024 to Sunday 29 September 2024 and is considering the submissions received.

Council now invites our community to attend the public hearing regarding the reclassification of public land from community land to operational land, in accordance with Section 29 of the Local Government Act 1993. This is related to the Planning Proposal at 4 Pittwater Road, Gladesville.

The public hearing invites participants to make a verbal submission, expand on their written submissions or discuss issues with an independent person. The public hearing will be independently facilitated by Sandy Hoy (Parkland Planners).

Date: Thursday 28 November 2024  
Time: 4:30pm – 6:00pm (90 minutes)  
Location: Gladesville Meeting Room  
Address: [4 Pittwater Road, Gladesville](#)

PROPOSED RECLASSIFICATION OF COMMUNITY LAND AT 4 PITTPATER ROAD, GLADESVILLE:  
PUBLIC HEARING AND SUBMISSIONS REPORT – FINAL  
PARKLAND PLANNERS

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## ITEM 6 (continued)

## ATTACHMENT 20

Advanced registration is required, and places are limited. Registrations for the public hearing close at 11:59pm Tuesday 26 November 2024.

You can complete the online registration form via the link below. Participants are required to attend in person.

[Register for the Public Hearing](#)

### Why is a public hearing being held?

A public hearing is required to be held when reclassifying public land, in accordance with Section 29 of the *Local Government Act 1993* and the Department's Practice Note PN 16-001. This is also required by condition 5 of the Gateway Determination.

### Background Information

Before attending the public hearing, we encourage you to view the background information document via the link below.

[Background Information Document](#)

### For more information

To learn more about the planning proposal for 4 Pittwater Road, Gladesville, please visit the [Fast Track Your Say](#) page, email [cityofryde@ryde.nsw.gov.au](mailto:cityofryde@ryde.nsw.gov.au) or call Customer Service on 9952 8222.

**City of Ryde**

A reminder e-newsletter about the public hearing is in Figure 11.

Figure 11 Reminder e-newsletter about the public hearing

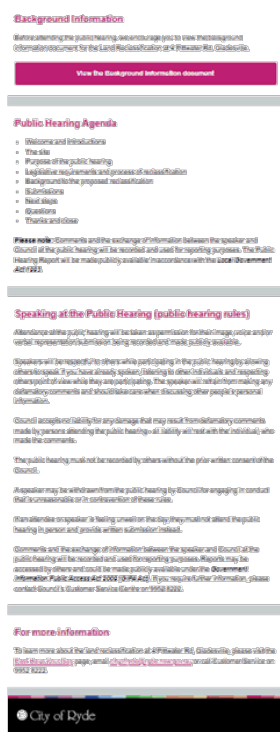


PROPOSED RECLASSIFICATION OF COMMUNITY LAND AT 4 PITTPATER ROAD, GLADESVILLE:  
PUBLIC HEARING AND SUBMISSIONS REPORT – FINAL  
PARKLAND PLANNERS



## ITEM 6 (continued)

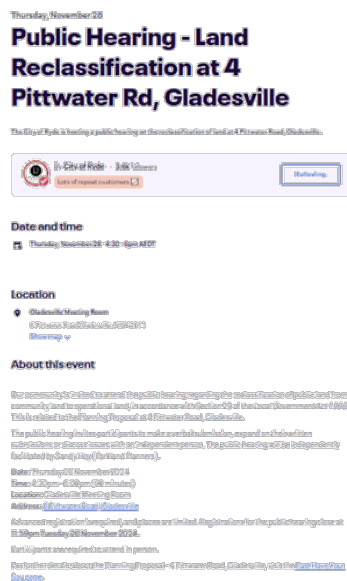
## ATTACHMENT 20



### 4.1.6 Eventbrite page

An Eventbrite page was set up to manage the registrations as shown in Figure 12.

Figure 12 Eventbrite page for registration management



PROPOSED RECLASSIFICATION OF COMMUNITY LAND AT 4 PITTWATER ROAD, GLADESVILLE:  
PUBLIC HEARING AND SUBMISSIONS REPORT – FINAL  
PARKLAND PLANNERS

## ITEM 6 (continued)

## ATTACHMENT 20

### 4.1.7 On-site notices

Signs were posted in front of the subject site at 4 Pittwater Road advertising the public exhibition and the public hearing (Figure 13). The sign giving notice of the public hearing was posted for 21 days prior to the public hearing.

Figure 13 On-site notices



### 4.2 Timing of the public hearing

The public hearing was timed to occur after the public exhibition of and receipt of written submissions regarding the planning proposal for the proposed reclassification of the site closed on 29 September 2024.

Public notice of the public hearing was given more than 21 days after the completion of the statutory public exhibition period of the planning proposal.

Registrations were requested to [www.ryde.nsw.gov.au/HYS/4PittwaterRdPublicHearing](http://www.ryde.nsw.gov.au/HYS/4PittwaterRdPublicHearing) or by calling Customer Service on 9952 8222. Registrations closed 11:59pm on Tuesday 26 November 2024.

The public hearing to receive submissions on the proposed reclassification of community land at 4 Pittwater Road in Gladesville was held on Thursday 28 November 2024 from 4:30pm-6:00pm at Gladesville Meeting Room, 6 Pittwater Road, Gladesville.

### 4.3 Chairperson

As required under Section 47G of the *Local Government Act 1993*, Council appointed an independent chairperson, Sandy Hoy, Director of Parkland Planners, to chair the public hearing. Ms. Hoy has not at any time been either a Councillor or an employee of City of Ryde or Hunters Hill Council.

### 4.4 Site inspection

Ms. Hoy inspected the subject site on Tuesday 26 November 2024.

**ITEM 6 (continued)**

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**4.5 Attendance at the public hearing**

Seven community members registered with Council to attend the public hearing.

Four community members attended the public hearing.

The following Council officers were present at the hearing to represent Council, listen to verbal submissions, and answer questions:

- ☐ Terry Agar, Senior Strategic Planner, City of Ryde
- ☐ Helen Lee, Strategic Planner, City of Ryde
- ☐ Steve Kourepis, Director Town Planning, Hunters Hill Council
- ☐ Mark Newton, Health and Building Surveyor, Hunters Hill Council.

**4.6 Agenda of the public hearing**

Ms. Hoy opened the public hearing at 4:35pm, and explained the purpose and process of the public hearing. Council officers explained the purpose of and reasons for the proposed reclassification, and answered questions relating to the relevant Council. A presentation using information from the Planning Proposal and the background information document provided online on the Have Your Say page was referred to during the public hearing for information about the proposed reclassification.

Verbal submissions regarding the proposed reclassification were received at the public hearing. The content of those submissions is outlined in more detail in Section 5 of this report.

With there being no further submissions or questions, Ms. Hoy closed the hearing at 5:40pm.

**ITEM 6 (continued)**

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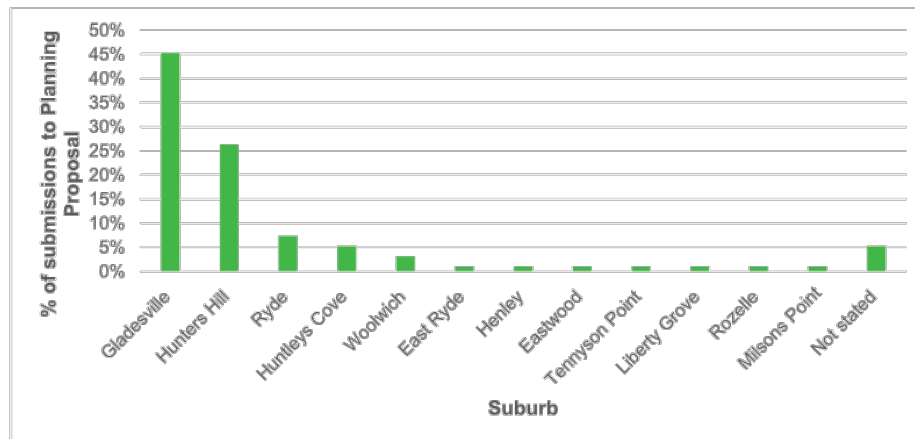
## 5 SUBMISSIONS

### 5.1 Written submissions to the Planning Proposal

95 written submissions about the proposed reclassification were received during the public exhibition period of the Planning Proposal from Monday 2 September to Sunday 29 September 2024. 73 submissions were made online, and 22 submissions were made otherwise in writing to Council.

Most people who made a written submission (89%) are local to Gladesville, Hunters Hill and adjoining suburbs, as shown in Figure 7.

Figure 14 Suburbs of submitters to the Planning Proposal



A compilation of the points made in the written submissions to the Planning Proposal are in Appendix A.

### 5.2 Public hearing submissions

The question posed to people attending the public hearing was:

**Do you agree or disagree with the proposed reclassification of 4 Pittwater Road in Gladesville from community to operational land? Why or why not?**

Several community members addressed the public hearing, with Council's responses as follows.

**ITEM 6 (continued)**

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Table 3 Submissions to the public hearing

Key point	Question/comment and Council response
<b>Background to the proposed reclassification</b>	
Criteria in making decision about reclassification	<p>Acknowledgement of the unique scenario where another Council seeks approval from another council.</p> <p>How will Ryde Council decide the planning proposal?</p> <p>What is the criteria for reclassification?</p> <p>What is the weighting that City of Ryde will apply to make the decision?</p> <p>What are the steps in assessing the application to reclassify the land?</p> <p><u>Council response</u></p> <p>City of Ryde received Hunters Hill Council's application.</p> <p>TA - There is no hard and fast rule or rigid criteria, rather the site-specific merits of the case, strategic merit, and if it's appropriate for the future context of the site.</p> <p>Considerations include existing land use, surrounding land use, a judgement about the future development of the area, and whether there is infrastructure to support future uses.</p> <p>We also listen to the community.</p> <p>SK - Submissions to the Planning Proposal and to the public hearing are considered. It is up to the elected Council to make the decision. Council staff will make a recommendation to Ryde Council. The Councillors will vote to support or object to the recommendation. Any sale or development of the site will be a separate process.</p>
Plans for surrounding area	<p>Are there other plans in the surrounding area besides the Hunters Hill Council site? What is the timeframe?</p> <p><u>Council response</u></p> <p>TA - The Gladesville Town Centre Masterplan, which covers the area on the boundary of Ryde and Hunters Hill local government areas on both sides of Victoria Road down to Junction Street. The Masterplan is not detailed. The Ryde Local Strategic Planning Statement does not specifically plan for a masterplan to be developed for Gladesville.</p>
Hunters Hill Property Strategy	<p>SK - All Councils had to do a Fit for the Future program as part of amalgamation in 2017. The reclassification was initiated by the Property Strategy.</p> <p>Is the Property Strategy published or draft?</p> <p>SK – Draft.</p>
<b>Submissions about proposed reclassification</b>	
Council voting on the reclassification	<p>Knowing the sale of other parcels of land in Hunters Hill, the current Council consists of a majority of five Liberals which vote as a pack and two independents. They will likely vote unanimously against us.</p> <p>If Council does not develop or sell the site it should remain as childcare, but the centre is run down and needs upgrading.</p> <p><u>Council response</u></p> <p>SK - acknowledges Hunters Hill Council is made up of 5 Liberal Councillors and 2 Independent Councillors.</p> <p>SK – Hunters Hill Council has not resolved to reclassify or sell the site.</p>



**ITEM 6 (continued)**

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Key point	Question/comment and Council response
Council's intentions for the land	<p>Hunters Hill Council is saying they will not develop or sell the land? Why reclassify the land if you are not going to develop or sell it?</p> <p><u>Council response</u></p> <p>SK – The Property Strategy concluded it, and the Councillors voted for it. The Council staff are following through on the Council resolution.</p> <p>If the land is not reclassified, there is no opportunity for Hunters Hill Council to progress to redevelop or sell it because it is classified as community land.</p> <p>If City of Ryde does not allow the reclassification, there is no potential for a separate process to redevelop or sell the land. It needs City of Ryde's approval.</p>
Reasons for reclassification of land	<p>Why is Hunters Hill Council suddenly reclassifying their community land?</p> <p>Why is 4 Pittwater Road under the same umbrella as other sites?</p> <p><u>Council response</u></p> <p>SK – The Community Infrastructure Plan became the Property Strategy. Hunters Hill Council has been reviewing their property portfolio. Many sites were identified as being underutilised, or had fallen into disrepair. We asked if we could do something with these remnant sites such as sell them, because they are hard to maintain.</p> <p>MN – The State government requires Council to identify surplus land. Councils have an obligation to review their property portfolio every three years.</p> <p>SK – Ryde Council identified the OCC and carpark as an opportunity to amalgamate and do something good in 2015.</p>
Maintenance costs of 4 Pittwater Road	<p>If property is hard for Council to maintain, how much does Council spend on maintaining 4 Pittwater Road? How much does it cost to operate the childcare centre?</p> <p><u>Council response</u></p> <p>SK – This question can be answered formally through Hunters Hill Council customer service.</p> <p>MK – It's likely not costing a lot for council, but it is providing a valuable community service.</p> <p>SK – Under the Local Government Act Council is responsible for care and control of land for the community.</p> <p>The childcare centre is not costing Council a lot of money. Childcare is for local families. The childcare centre is not a money pit because not much money is spent on its upkeep. If it is not costing Council a lot of money, why sell it? The community is using the facility, so it is not useless.</p> <p><u>Council response</u></p> <p>Noted.</p>
Submissions in support of reclassification	<p>How many submissions supported the reclassification?</p> <p>SH - None</p>
Opportunities of reclassification for Hunters Hill Council	<p>The line in the LEP will change following from the reclassification, and there is a list of no changes. There is a narrative from both councils about what the reclassification won't do. It's clear from the submissions that the reclassification is not supported. However, what opportunities will be presented to Hunters Hill Council if that site is reclassified to operational land?</p> <p><u>Council response</u></p> <p>SK – Looking for the future in terms of what development will be allowed. Reclassification will allow Council the flexibility to work with City of Ryde</p>



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Key point	Question/comment and Council response
	regarding the adjoining carpark. There is no resolution from Council to do anything. If City of Ryde says no, there will likely be no plans for the site for now.
Timeframe for decision about Planning Proposal	<p>Is there any time frame for City of Ryde to make a decision about the Planning Proposal?</p> <p><u>Council response</u></p> <p>HL - The Gateway approval issued by DPHI has conditioned that the planning proposal must be finalised before 2 May 2025.</p>
Plans for the carpark	<p>Is there flexibility regarding the carpark? Does Council own the carpark?</p> <p>If the carpark is expanded, we don't want encroachment on the carpark.</p> <p><u>Council response</u></p> <p>SK – City of Ryde owns the adjoining John Wilson Carpark. There are no plans for this carpark at this time.</p>
Potential for City of Ryde to refuse or delay the planning process	<p>If there is no Gladesville Masterplan or timeline for development of the library and carpark, and if HHC does not offer any alternative accommodations, is it possible for City of Ryde to say no to the Planning Proposal? Can Ryde Councillors delay or reject the proposal to force Hunters Hill Council to pause this process until alternatives are made?</p> <p>The centre looks after families in City of Ryde and Hunters Hill. The centre can't afford a commercial rent elsewhere. Can City of Ryde say no to Hunters Hill at this point, and Hunters Hill Council find alternative accommodation for occasional care? It's an asset that provides for the community.</p> <p>Why shut down the childcare centre for a strategic Masterplan for Gladesville? Can only assume the occasional care would close. Find alternative accommodation for childcare so it doesn't shut down.</p> <p><u>Council response</u></p> <p>TA – We can't speak for the Councillors.</p> <p>SK – Council staff would make a recommendation to Council to make a final decision.</p> <p>SK – The Gladesville Masterplan is focused on the area within 500 metres from the childcare centre.</p> <p>How is it possible that redeveloping the childcare centre site would support redevelopment of the Gladesville Town Centre?</p> <p>SK – Can't answer.</p>
State government pressure to maintain the land	<p>Is Hunters Hill Council under pressure from the State government to maintain the land?</p> <p><u>Council response</u></p> <p>MN – Every 3-4 years the State government requires Council to find better ways to use their land.</p>
Gladesville Town Centre plans	<p>Hunters Hill Council has to look at their assets and land. Did City of Ryde approach Hunters Hill Council about the site?</p> <p>MN – City of Ryde approached Hunters Hill Council about redevelopment of the site, which can only occur if it is reclassified.</p> <p>TA – There is potential for redevelopment of the carpark site as part of a Gladesville Town Centre refresh, which could be redeveloped with the childcare centre, or in a U-shape around the childcare centre. In that case we don't know what would happen with the childcare centre, which could sit there for the long term.</p>

**ITEM 6 (continued)**

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Key point	Question/comment and Council response
	<p>Seems like Hunters Hill Council is struggling to keep up with their assets. Why can't Hunters Hill Council just leave this one site alone for now? Need to outline what will happen.</p> <p><u>Council response</u></p> <p>MN: We are actioning the Council resolutions.</p>
Submissions	<p>What is the focus on a strategic outcome for the site?</p> <p>TA – City of Ryde will consider submissions.</p> <p>Is it correct that Zac Miles [Mayor of Hunters Hill] said any submission that talked about sale of the site wouldn't be considered?</p> <p>TA: We will consider all submissions.</p>
Value of occasional child care	<p>It's upsetting that there is an implication that there are alternative occasional care spaces or child care centres that can accommodate if the GOCCC is lost. As a stay at home mum this is my only option if I were to be sick or have an emergency. Other child care centres require long term/advance enrolment. GOCCC is valuable for the community, especially for the parents dealing with emergencies.</p> <p>Parents can't juggle available days. Occasional care is for when children are not in daycare. It is the only facility in the area that does that. When people need occasional care they really need it. There are no other facilities available for children before school age.</p>
Delay decision about reclassification until alternative location for GOCCC is found	<p>On behalf of Gladesville Occasional Child Care Centre (GOCCC) there is no way I can agree to the reclassification if there is no alternative location made immediately available. This alternative location should be found and promised to GOCCC. The continuity of the childcare centre must be prioritised. The reclassification opens an opportunity for the continuity and running of GOCCC to be questioned.</p> <p>Socio economic considerations include 59 families and 9 staff. Closure of the centre would mean it would be impossible to find alternative childcare.</p> <p>It is the lowest fee centre in the area. The socio-economic status of families means they can't go elsewhere because they can't afford it.</p> <p>Occasional care is different to other childcare in terms of urgency, having somewhere to send children for education. It is something that's needed.</p> <p>GOCCC has been in operation for 83 years since 1945.</p> <p>MN – Council is working on alternatives.</p> <p>What does Council do in the meantime while redevelopment occurs? It is fine for the redevelopment to include childcare. If the site is redeveloped, what is the alternative location for childcare in the interim?</p> <p>Keep the continuity of the centre for current families.</p> <p>Don't close the centre for 6 months to give parents and staff enough notice.</p> <p>Reclassification opens opportunities so we can't support it. If an alternative location is found so the centre can operate, GOCCC would support the reclassification.</p> <p>No conversations between Hunters Hill Council and GOCC occurred before the Planning Proposal. Need open communication between GOCC and Council.</p> <p>Could a decision on 2 May 2025 be delayed until an alternative location is found?</p>

**ITEM 6 (continued)**

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Key point	Question/comment and Council response
Funding for GOCCC	Funding is needed for the childcare centre to keep it up to standard in between decisions being made about the centre's future. The timber fence and overgrown garden need work. Will there be any sort of funding to keep the childcare up to standard? <u>Council response</u> SK - We'll have to take that on notice.

ITEM 6 (continued)

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## 6 ASSESSMENT AND RECOMMENDATIONS

### 6.1 Assessment of submissions

After reviewing and considering the written submissions to the public exhibition of the Planning Proposal (Appendix A) and the verbal submissions made at the public hearing (Section 5), the key point of the submissions is that the proposed reclassification of 4 Pittwater Road, Gladesville from community land to operational land is not supported by the community.

All of the 95 written submissions to the public exhibition of the Planning Proposal and the people who attended the public hearing strongly object to the proposed reclassification and the likely sale and development of the land mainly due to fears about the closure of the valued occasional care service and the impact on local families with young children. The concerns of adjoining local residents about the impacts of potential development of the land on their residence and the local area, and a desire for the site to be used for open space or community purposes were also expressed.

The key points of the written and verbal submissions are:

- ☐ Sydney Water transferred the land in 1945 to Council for community purposes, which should be continued.
- ☐ Affordable community childcare is a critical local government service for working and other families needing short-term care to enable parents and carers to work, study etc.
- ☐ The GOCCC is a valued not-for-profit service which provides occasional, casual, holiday and flexible care for children aged 1 to 5 years. 59 enrolled families in City of Ryde and Hunters Hill use the service.
- ☐ Parents and carers praise GOCCC for reasons including local, long term, professional and caring Director and staff; diverse cultural background of staff and children; small size ensuring a personal touch and community connections; more affordable compared to private childcare centres; the only local occasional child care centre; highly regarded quality and well-used early childhood education service; plenty of space indoors and outdoors; and in a convenient and accessible location.
- ☐ Fear that reclassification of the land will allow sale and private development of the land which will mean eviction of GOCCC and loss of a "lifeline" child care service.
- ☐ Despite Hunters Hill Council stating the land is surplus to their needs, Hunters Hill Council appears to have no firm plans for the site. There is no Gladesville Masterplan or timeline for development of the library and carpark.
- ☐ Hunters Hill Council should find another way to address its financial difficulties instead of taking away a key service to the community.
- ☐ City of Ryde in general and Gladesville will not benefit from sale of the land.
- ☐ GOCCC is part of the Gladesville Library community hub for young children.
- ☐ The land should remain as community land to benefit the growing community. Additional housing requires community services and facilities such as childcare.
- ☐ Impacts of GOCCC ceasing to operate on the site without an alternative include loss of staff jobs; parents (particularly women) forced to find more expensive and less flexible care elsewhere and possible loss of employment if they can't; disruption to the children and loss of early education opportunities and social ties; reduced income to local



**ITEM 6 (continued)**

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businesses supported by GOCCC parents; and reduced mental health and well-being of parents and children.

- ☐ Local residents are concerned about insensitive and poor quality development elsewhere in Ryde; the impact of higher density residential development on the amenity, traffic, parking, and the streetscape of Pittwater Road; and reduced property values.
- ☐ Reclassification and sale of 4 Pittwater Road, Gladesville would set a precedent for reclassification and sale of other community land.
- ☐ GOCCC is part of the local community's cultural, social and historical fabric which promotes community connections.
- ☐ Council has a legal and ethical duty of care to provide accessible social services and infrastructure.
- ☐ If Council does not develop or sell the site it should remain as childcare, but the centre is run down and needs upgrading.
- ☐ Suggested alternatives to reclassification of the land are to:
  - assist local businesses and improve the Gladesville Town Centre and the Cowell Street/Massey Street retail development
  - explore other options for revenue generation that don't compromise community services, such as public-private partnerships, using under-used Council assets, introducing tiered childcare services, and reclassifying and selling other more suitable community land.
- ☐ Other uses that can be considered for 4 Pittwater Road, Gladesville are community spaces such as extending library services; or for an open space, park or rest stop at the top of the hill.
- ☐ Hunters Hill Council could consider transferring ownership of the land to City of Ryde to retain it as community land.
- ☐ Several submitters asked for GOCCC to be established in a suitable location elsewhere before any closure of GOCCC at 4 Pittwater Road, Gladesville. Such a service should be not-for-profit, offer learning and development programs, have a full playground and sufficient space for children, be in a central location, and be accessible on foot or by public transport.
- ☐ The constraints of the Sydney Water infrastructure adds complexity to any proposed development.
- ☐ Parents and staff are concerned that City of Ryde and Hunters Hill Council did not consult with GOCCC or the local community before submitting the Planning Proposal. GOCCC knew about the proposed reclassification when Council sought permission to display the public notice about the public exhibition of the Planning Proposal on the front fence. The consultation should be best practice, meaningful and more transparent to ensure input from people directly affected by the decision.
- ☐ Several submitters requested that City of Ryde refuse the proposed reclassification.

In addition to the points made by the community above, Sydney Water advised Hunters Hill Council on 5 June 2023 that it does not object to the land being reclassified. However, the site is traversed by the Northern Suburbs Ocean Outfall Sewer critical trunk sewer main as well as a shaft to access the tunnel. Approval from Sydney Water would be required if any planned works are to be built or constructed near or over the Sydney Water assets, and 24 hours a day/7 days a week unrestricted safe access to the shaft and a maintenance zone is required around the shaft access hatch.

The focus of the Planning Proposal, reclassification from community land to operational land and the public hearing is on the land itself, not necessarily the occasional childcare service which takes place on the land.

## ITEM 6 (continued)

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Hunters Hill Council identified 4 Pittwater Road in Gladesville in its Community Infrastructure Plan and Property Strategy 2021 which noted that the current occasional care centre needs updating and is surplus to Hunter's Hill Council requirements. It states that options to realise its value will be investigated whilst still retaining occasional care in the area.

Council is proposing to reclassify 4 Pittwater Road, Gladesville from community land to operational land under the *Local Government Act 1993* to consider opportunities for the future use of the land, including options for the development or sale of the land.

Occasional child care is an essential and valued community service for families which require last-minute, casual and flexible child care. The impacts of losing a valued occasional care service include inability of parents and carers to work, study or have 'time out', mental health implications, and loss of early childhood education and social connections for children.

The clear preference of the community is to retain the community land classification and to continue GOCCC at 4 Pittwater Road in Gladesville.

Both the community and Hunters Hill Council recognise that, whatever decision is made about the future of GOCCC at 4 Pittwater Road in Gladesville, that the current occasional care centre requires upgrading and that a new/alternative occasional care service is required to be established before any interruption or closure of the current occasional care service.

If Council resolves to reclassify 4 Pittwater Road in Gladesville from community land to operational land, then full establishment and opening of an occasional childcare service managed and operated by Council or a not-for-profit organisation operating from an alternative local accessible location and with affordable fees must occur before any sale and development of 4 Pittwater Road, Gladesville.

### 6.2 Recommendations regarding the proposed reclassification

After considering the submissions received and Council's reasons for the proposed reclassification, my recommendations to Hunters Hill Council regarding the proposed reclassification of 4 Pittwater Road in Gladesville from community land to operational land are to:

1. Consider the viewpoints and issues raised in the verbal and written submissions outlined in Section 5 and Appendix A of this report when making the decision whether to proceed with the proposed reclassification of 4 Pittwater Road in Gladesville.
2. Request that DPHI extend the date for amending Part 1 of Schedule 4 of the RLEP 2014 from 2 May 2025 until the future of the occasional care service at 4 Pittwater Road, Gladesville is resolved.
3. Consult with GOCCC and parents/carers who use the service about the future of the occasional care service at 4 Pittwater Road, Gladesville.
4. If Council resolves to not proceed with the reclassification, continue the occasional care service at 4 Pittwater Road, Gladesville.
5. If Council resolves to proceed with the reclassification, ensure that relocation, full establishment and opening of an occasional childcare service managed by Council or a not-for-profit organisation such as GOCCC offering affordable fees is operating from an agreed similar local, central, accessible and suitable site in Gladesville/Hunters Hill before sale of the land and without any interruption to the occasional care service.



**ITEM 6 (continued)**

**ATTACHMENT 20**

**6.3 Recommendations regarding reporting**

Within four days of receiving this report, Council is required under Section 47G(3) of the *Local Government Act 1993* to make a copy of this report available for inspection by the public.

It is recommended that City of Ryde:

- ☐ post an electronic copy of the public hearing report on Council's Have Your Say Ryde website
- ☐ email the link to the public hearing report on Council's Have Your Say Ryde website to the community members who attended the public hearing and/or made a submission to the Planning Proposal
- ☐ keep a copy of the public hearing report for inspection at the City of Ryde Customer Service Centre at 1 Pope Street, Ryde and at Gladesville Library at 6 Pittwater Road, Gladesville.

It is recommended that Hunters Hill Council:

- ☐ post an electronic copy of the public hearing report on Council's Connect Hunters Hill website
- ☐ keep a copy of the public hearing report for inspection at the Hunters Hill Administration Centre, 22 Alexandra Street, Hunters Hill.



**Sandy Hoy**  
Director, Parkland Planners

6 February 2025

**ITEM 6 (continued)**

**ATTACHMENT 20**

## APPENDIX A

# WRITTEN SUBMISSIONS TO PLANNING PROPOSAL

## ITEM 6 (continued)

## ATTACHMENT 20

### A.1 Introduction

All of the written submissions to the Planning Proposal strongly object to the proposed reclassification and the likely sale and development of the land due to fears about the closure of the valued occasional care service, or a desire for the site to be used for open space or community purposes.

Key points made in the submissions are outlined below, using the submitters' own words.

### A.2 Reasons for not supporting the proposed reclassification

#### A.2.1 Land was gifted for community purposes

The land was transferred from Sydney Water (a public authority) to Hunters Hill Council for community use as a baby health centre in 1945.

The land was gifted to the community, and so it belongs to the community.

The land has provided key community health and early childhood education services to benefit and support the community for almost 80 years.

How is the potential sale of land gifted to Hunters Hill by Sydney Water for the explicit use as a Child and Baby Clinic legal or allowed?

Hunters Hill Council needs to find another way to address its financial difficulties instead of taking away a key service to the community.

#### A.2.2 Value of child care centres

Several submitters noted that childcare services are under pressure. This proposal goes against general NSW and Federal government policies to encourage more providers to provide childcare services at an affordable price to working families, and to tackle the cost of living crisis.

Child care centres are critical local government services for families. Affordable not-for-profit child care should be a right for all families to enable both partners to work. They are an essential adjunct to private child care. Hunters Hill has a reputation as a wealthy suburb, but not all rate payers or renters can afford private fees. Community childcare such as GOCCC is accessible and critical to support working families.

Hunters Hill has experienced considerable growth in the past decade, and its demographic has rapidly changed to include more people with young families. The local schools and pre-schools are in heavy demand. The last community pre-school built in Hunters Hill was a joint project by Council and the Hunters Hill community 22 years ago, when Council provided a disused bowling green at Henley and the local community raised \$500K to build the facility with that amount matched by council. Numerous commercial facilities have also recently opened.

The childcare service is essential for early childhood development should still be provided for families in the community which supports working families and other families that also use this service.

Affordable childcare is essential to liveability and employment.

A service that is more important now as most parents work full time. A valuable service for parents who are suddenly faced with a situation where they need short-term minding of the little ones.

## ITEM 6 (continued)

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### A.2.3 Praise for GOCCC

The site is currently occupied by the Gladesville Occasional Child Care Centre (GOCCC) which is a not-for-profit community based service for the Gladesville and Hunters Hill communities, providing occasional, casual or flexible care for 1-5 year olds. It currently has 59 enrolled families split across the Ryde and Hunters Hill local government areas.

Parents and carers with children who currently or have attended GOCCC praised the service as a vital part of fostering strong community connections in Hunters Hill and Gladesville. Specific aspects of GOCC that are praised are:

- ❑ Staff: GOCCC employs 9 staff, 7 of which are local to the City of Ryde. Staff are described as caring, attentive, dedicated, nurturing, family-oriented. The children love the staff. The centre is held together by a team of committed, professional and passionate carers and educators who give up their own time and rely heavily on families to service and maintain the buildings, gardens and structures on weekends and take great pride in creating a safe and inviting environment for children and families. They provide a genuinely warm, caring and homely environment very different to private childcare businesses. The carers are lovely and are invested in our children's development.
- ❑ Low staff turnover: Unlike many privately run long day care centres, GOCCC has very low staff turnover with most staff having worked there for many years. The centre employs nine staff members, seven of whom are local to the City of Ryde. The Centre Director, Nesa Begum, has operated the centre since the 1980s ensuring continuity in leadership and care. This stability fosters a nurturing environment that supports the social and developmental well-being of the children.
- ❑ Diverse cultural background of staff and children: reflects the diversity of the Gladesville/Hunters Hill community.
- ❑ Small size: Unlike the large, privately run centres, GOCCC offers a personal touch with dedicated staff and parents who actively contribute to the upkeep and success of the centre. This is the kind of environment that fosters a sense of community, connection, and collaboration that a development cannot replace.
- ❑ Affordable: It provides the cheapest child care in the area. As a not for profit and subsidised service, it is roughly 50% cheaper than commercial childcare services' regular long daycare fees, and the only financial option for some parents especially in a cost of living crisis. Affordable childcare is essential to liveability and employment.
- ❑ Unique: GOCC is the only occasional care centre in the area. It allows parents to enrol their child at short notice and without having to enter and lock into a long term contract. Parents can ring up the centre and drop off their child for the day which cannot be done at profit-centred childcares. It is the only local community child care centre that caters to children below pre-school age.
- ❑ Flexible casual, occasional, respite and holiday care: GOCC is open Monday to Friday and during school holidays. It is a "lifeline" for parents and carers to be able to work at all, for those who work at home, staff called back to offices after COVID, shift workers (nurses, doctors, relief teachers) whose rostered work days and hours change, single parents/carers, parents/carers who can't access regular childcare, students, and parents/carers who don't have extended family to have their children cared for in school hours.
- ❑ Caters for younger children one to 5 years old.
- ❑ Highly regarded, quality and well used service: It has been approved by the Australian Children's Education & Care Quality Authority (ACECQA) since September 2009. Excellent childcare and early childhood education are offered. This is a valuable service to the families in the Gladesville community, developing children's social and emotional development, communication skills, cognitive development, fine motor and gross motor skills and self-help skills. The children love attending.

## ITEM 6 (continued)

## ATTACHMENT 20

- ❑ Facilities: The centre includes sun protected outdoor space to play and plenty of room inside.
- ❑ Accessible location. GOCCC is conveniently located:
  - minutes from Gladesville shops and the central hub of Gladesville
  - near a bus stop
  - next to a 2 hour free carpark, so there is no impact on traffic or parking on Pittwater Road or Victoria Road
  - close to the library and community centre which are essential to the fabric of this suburb. They provide a sense of belonging and serve as pillars of community support.
  - near schools so parents can conveniently drop one child off at school and another at child care.
  - with wheelchair/pram access to the centre.

### A.2.4 Reclassification is first step to sale and development of the site

Reclassification signals an intent to develop in some way at some point. Once reclassified, public land that benefits the community may be lost permanently to private or commercial ventures.

This is the first step in development of the site that will no longer benefit the community. The classification of the site as community land is the only safeguard to ensure the site only be used for vital community resources.

### A.2.5 Hunters Hill Council's intentions for the land are unclear

There is a lack of clarity and transparency about Council's plans for the site and their impact on GOCCC.

The applicant and owner, Hunters Hill Council, is not disclosing their true intentions, clouding it in possibilities. Hunters Hill Council is requesting a very simple change but not disclosing their real intentions for the land they "own" that's not in their LGA. History has shown that organisations that propose seemingly simple changes clouded in uncertainty are defeated by a community that believes the organisation is hiding the truth. They know. We don't know. So the community will say NO. And so should City of Ryde.

The proposal under 3.3.1 indicates that it is the result of Hunter's Hill Council's Property Strategy (formerly the Community Infrastructure Plan). There is no Council endorsed Property Strategy. It appears to have been withdrawn because of significant community opposition. Council papers from July 2021 state that the Property Strategy was no longer being progressed. The proposal comes from a later report to Hunters Hill Council by the former (Acting) General Manager as a one-off reclassification of land.

If approved, the proposal will give Hunters Hill Council "no special restrictions" (ie "carte blanche") to do whatever they want with the land from managing, developing it or selling it.

If the plan is to manage the site, Hunters Hill Council hasn't disclosed what they will "manage" on the site. It is highly unlikely it will be the existing GOCCC in the long term. Hunters Hill Council hasn't indicated what sort of development they have in mind, either. Why bother redeveloping a site outside their LGA requiring development approval from another council.

As the land is surplus to the needs of Hunters Hill Council and the site is not in Hunters Hill LGA, Council's intention would be to sell the land. Classification as community land would be the only way to stop sale of the land.



## ITEM 6 (continued)

## ATTACHMENT 20

If this planning proposal is approved then Hunters Hill Council won't need permission from the GOCCC nor City of Ryde residents to sell the land. This is a concern to the GOCCC, the families that utilise the child care centre, and residents of nearby apartment buildings. The reclassification (change) of the land will eventually lead to the eviction of the GOCCC.

Under the current Ryde Local Environmental Plan, the land is zoned MU1 (Mixed Use) which gives the owner of the land, currently Hunters Hill Council, a lot of development options for the site. But not while the site is classified as community land. Only when it gets reclassified to "operational" land can they go ahead with their redevelopment plans or sale of the land. In reality, Hunters Hill Council want this "barrier" removed so they can dispose of the land.

Their proposal to rezone from "community" to "operational" is purely to eventually sell the land for \$2.5 million (to developers). Once sold, it will turn into apartments. This is a quick-fix solution to their budget and fiscal problems.

Hunters Hill Council (HHC) were quick to point out in their planning proposal that "the reclassification does not include a proposal to develop or sell the land. This would need to be pursued as a separate process." However, this reclassification is undoubtedly the precipice for the sale and closure of the Centre. Hunters Hill Council would not be able to consider the reuse, redevelopment, sale or disposal of the site while it is classified as community land. In fact, the Council included in its own proposal that its Property Strategy "notes that the current occasional care centre (OCC) land use needs updating and is surplus to Hunter's Hill Council requirements." It further suggests that HHC should partner with City of Ryde to "determine an outcome for 4 Pittwater Road." – it is ambiguous what is meant by this statement but, given the Centre falls within your LGA, is it possible that HHC consider the relocation of an occasional care centre as a City of Ryde problem?

It is highly unlikely that the Council would set up an "operational" depot or garage next to Gladesville Library. The site is small and the location is on a busy road on the northern boundary of the Hunters Hill LGA, not far from the historic Presbyterian Church.

### A.2.6 Land should not be sold for private purposes

If the classification changes, I would have concerns that the usage would change, to something that would more than likely benefit private interest rather than public interest.

Over the last few years I have noticed the trend of City of Ryde council to disregard family and children's services for commercial gain and revenue. The rate payers and families have repeatedly objected to this, yet the council is not listening.

Hunters Hill Council has a poor history of selling public land for commercial gain. Hunters Hill Council should not be permitted to capitalise in this way. Selling off childcare to subsidise Council's sustained financial losses is unacceptable and in conflict with the people who rely on GOCCC. The loss of GOCCC reflects the monetary values of Hunters Hill Council and the lack of care for their community.

Enough land has been given to developers or classified as operational by Hunters Hill Council. Outcome is apartments with no community facilities

The land is classified as community and the council should not enter into an agreement to lease the land for a commercial return where parents and community have opposed the privatisation of the council run childcare facilities in the first instance. Council should retain the land for community purpose without seeking a commercial return.

City of Ryde has done more than its share for population growth and property development. The outcomes have not been favourable for long-term residents who foster civic pride and value a higher standard of living. Insensitive and poor quality development elsewhere in Ryde has resulted in social and environmental decline.



## ITEM 6 (continued)

## ATTACHMENT 20

Consideration should be given to the large amount of existing private built environment already available for lease to allow the conduct of other commercial activities in Gladesville. There would be limited benefit or utility to us as the community of Gladesville to lose this as public land.

Further analysis of the planning proposal suggests that the reclassification of 4 Pittwater Road would support the redevelopment interests of City of Ryde Council, noting on page 7:

*There is a possibility that the City of Ryde Council (CoR) may seek an opportunity to redevelop their substantial land holdings in this area in conjunction with the Gladesville Masterplan and it would be logical that this site is included in any future proposals. CoR has recently commissioned consultants to consider development options for the site. Proceeds from sales, or revenue earned, could be used for strategic re-investment to fund ongoing initiatives including capital works.*

### A.2.7 Land should be used for community purposes

Classification as community land is the only safeguard to ensure the site is only used for vital community services.

I don't want this piece of land to be sold. It should be kept for the benefit of the city. I don't feel like it necessarily needs to remain a child care centre but it should be kept as a space to serve the community. We need to protect these city assets.

Maintain a family friendly suburb. After all, this is what makes Gladesville so unique and appealing.

Need to retain as many Council and government properties as possible to reduce already diminished public services in the Ryde area, and to ensure public spaces are provided for the future.

Why am I disappointed? I'm all for development, but the things that make Gladesville a good community are the things that you are targeting with this planning proposal. The community centre/ childcare/ library are the only community spaces in Gladesville. It feels like you are picking off the little guys because the big ones are too hard. These little council owned places are the places that make it feel like a community and that the council who owns these venture are supporting its people.

GOCCC offers affordable childcare, supports women in the workforce, offers an essential community service, aligns with the City of Ryde's Local Strategic Planning Statement and promotes early childhood development. The protection of the Centre should be of paramount importance to the City of Ryde.

If the land is rezoned as "operational" and this proposal goes forward, it's clear that the priority will shift away from community well-being. The loss of these services will drive families away, not bring them together. And for what? A development that is unlikely to achieve the supposed community benefits, especially considering the complexities with Sydney Water infrastructure that will add further costs and delays to any potential project.

### A.2.8 Sydney Water constraints

I suspect that given the comments from Sydney Water in their attached correspondence that you won't be able to achieve the community benefits you are looking for. There will be millions of dollars spend on bureaucracy to ensure the very important water infrastructure remains accessible, no doubt at the sacrifice of the development that is going to make you the big bucks.

**ITEM 6 (continued)**

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**A.3 Impacts of reclassification/sale/development of the site**

**A.3.1 Financial benefit to Hunters Hill Council, not City of Ryde**

Hunters Hill Council will profit from sale of the land. The funds will not benefit Gladesville and will go out of the Ryde LGA.

Hunters Hill Council have clearly stated the site of 4 Pittwater Road, Gladesville is "surplus to their needs". I don't believe the following extract from the planning proposal will benefit Gladesville in anyway and anticipate the most likely outcome will be the "possible sale" of the site.

Quoted text- *"The reclassification would enable the land classification to be consistent with the current zoning and provide Hunters Hill Council with flexibility to ensure it can deliver improved community infrastructure via redevelopment of the site or possible sale and redirection of funds to other community infrastructure projects."*

**A.3.2 No benefit to the community of development on the site**

If Hunters Hill Council reclassifies and sells the land it will not be able to control how that land is developed and/or used. Council is seeking to reclassify and sell the very limited community land in the area, with only vague references to how the sale would directly benefit ratepayers or the community as a whole.

It's likely that if this proposal is approved and the land sold that it will be developed into an apartment building. It is difficult to see any direct benefit to the Gladesville/Ryde/Hunters Hill community. Additional housing will increase the need for community infrastructure.

The population of the area has not benefited from developers seeking to capitalise financially on community assets.

The increase in development and apartments in Gladesville has resulted in local resources struggling to keep pace.

There is already enough development and a lack of infrastructure to support an increased population.

Don't sell the land for development. Real estate in Hunters Hill and Gladesville is not affordable for first home buyers.

If the planning proposal is approved and you win the right to change the land to "operational land" then what? Development is assumed by all. By removing three community assets from our suburb you will be driving people away from the community. Not bringing them together.

We note the importance of the location of this site in a hub with Gladesville Library which provides well attended sessions for preschoolers and encourages early literacy. Relocation would disrupt the important link between the Gladesville Occasional Care and the library, depriving particularly low income families who access occasional care, of easy to access pathways to early literacy such as Ryde Council's "100 books" initiative.

We note that the Acting General Manager of Hunters Hill Council at the time that the decision was made to seek reclassification of this site, stressed that it would not determine any change in its current use. This was supported by all Councillors at the time. Yet the proposal now envisages that the highest and best use would be residential and commercial outcomes. This is not consistent with maintaining a community based occasional care service, particularly as the site has restrictions which would impede significant proposals that incorporated space for occasional childcare.

## ITEM 6 (continued)

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### A.3.3 Loss of community childcare service

For decades this community centre has gallantly served the public interest as a community based occasional childcare centre. This childcare is a not-for-profit organization and is unique in the sense that it allows parents to enrol their child at short notice and without having to enter and lock into a long term contract. Parents can ring up the centre and drop off their child for the day. You cannot do this with other profit-centred childcares. It has served the local community for decades. The staff and parents are wonderful and hardworking people.

In regard to the proposal, please take into consideration the change and disruption to all the kids and staff. This is a familiar place for them where they have learnt to grow and learn. Not to mention how hard it will be to find a spot in another daycare centre so kids will be out of school. You will also be putting parents under stress who need to work and can't find alternative care. Also, the higher costs involved with other centres.

Private childcare providers nearby are expensive, and don't have the staff with some tenure and expertise.

Gladesville is severely lacking this type of service and allowing the proposal to go ahead would detrimentally affect families and the wider community in Gladesville. The GOCCC offers a valued service to the community of Gladesville, which is severely lacking in community resources compared to its neighbouring suburbs.

Losing it would be a massive blow to young families who would likely have to make other sacrifices in the form of reduced employment or pay just to look after their kids.

Gladesville Occasional Care has been running self-funded for 40 years. My family have been to the expensive privately run child care companies nearby and they are worlds apart. GOCCC have consistent educators looking after our kids. They are reasonably priced. They aren't ticking a box, or babysitting our kids they actually care about the children and their development. The parents are actively involved in the centre to ensure its success. Working bees are held regularly to keep the property up to its standards and connect families. It is places like this that create a community and keep them together.

For parents wanting a quality, safe, welcoming, educational environment for their young children, the abandonment of them by this planning proposal will leave many of them with nowhere else to turn to due to the lack of affordable and high quality alternatives that are already at capacity in the area, needing to be placed on endless waitlists. Some of them may be forced to remove their children from childcare/preschool thus losing the many benefits that it provides to a young children's education and future life.

Council has run an exceeding rating childcare service since 1945 originally as a baby health centre a vital community facility to support struggling families in the area and the current staff who care for our children and who deserve to keep their jobs and employment conditions. This centre is a gem to our local community.

As parents to children that attend this centre, we should have a voice and disagree with this request to change the use of the land for let's-face-it commercial gain. The staff of the centre, of whom the community entrusts their most precious members into their care and who have our full support, are distraught over this saga and will also suffer the consequences of this decision.

If the centre was to close down there are no other community child care centres catering for younger children in our area and families will be forced to pay significantly more in fees or give up work to stay home with children, this will NOT have the desired effect of a positive impact on the local area. It would also limit access to low income families and limit development and social interaction for their children. The closure of the facility would also remove



## ITEM 6 (continued)

## ATTACHMENT 20

the unique option for flexible, respite and occasional care offered through by this amazing service.

The reclassification seriously jeopardises the security that the land will only be used to benefit the community. It also casts doubt over the future of a critical community resource - Gladesville Occasional Child Care Centre (GOCCC) who currently reside on the site. As the only low-cost community child care in the area it's closure would be devastating for the employees, children, families and local community that love and rely on this service.

This land serves a far greater purpose in its current use, providing crucial support to families, empowering women to remain active in the workforce, and contributing to the social fabric of our community. Any decision to reclassify should be made with a full understanding of the consequences for the families, women, and children who depend on this service.

The land is being occupied for young childrens education and that should not be in question to sell the land for profit purposes. There are not many community based, not for profit early learning centres around which is very disappointing and to see this one at risk is disheartening.

Council can go and make profit from elsewhere rather than targeting community land.

Childcare is at a premium. Why close one childcare centre for the monetary gain of a developer?

The land is currently being used for a valuable community service, Gladesville Occasional Care Service, which has been operating since 1983. The service is one of only three childcare services providing occasional care in Gladesville, open to parents who are not working or working a few shifts per week and only require sessional early childhood care and education.

The service provides an affordable type of care as opposed to the services of "for profit" providers who dominate the early education and care industry in all areas of the state. This service provides care for less than \$100 per day in contrast to the other services that range from around \$160 - \$170 per day. As such it provides important social infrastructure for the Hunters Hill and Gladesville community that would not easily be replaced.

Extensive research over decades has shown the value of early education and care in child development and school success as well as in workforce participation. The loss of this service would impact families, particularly low income families and children in the decades to come.

Hunters Hill Council has recognised the value of this service by awarding community grants to the service over each of the last four years. Yet it appears that it has not provided any assurances that the service would be relocated or promises of assistance to relocate. It has not consulted the service in any way.

I urge you to reconsider this proposal and consider the community, families with young children, the centre and especially the staff who will be affected by this decision.

### A.3.4 Increased demand for childcare in local area

Population growth and urban development in areas like Gladesville will inevitably lead to increased demand for childcare services. Rather than repurposing or reducing available childcare facilities, the Council should be exploring ways to expand and enhance these services. The reclassification proposal ignores the future needs of a growing community and could exacerbate childcare shortages, forcing families to seek options outside the area, thereby increasing travel times and stress on parents.

## ITEM 6 (continued)

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As homes in the area become more unaffordable, the units along Pittwater Road down from the library, are now filling with parents and small children. Four Pittwater Road must remain as a child care centre.

Cost pressures on households. Why would Council consider selling a site used as a not-for-profit childcare centre when more are needed.

### A.3.5 Disproportionate Impact on Women

Several submitters noted that closure or relocation of the childcare centre would disproportionately affect women, who are statistically more likely to bear the brunt of caregiving responsibilities.

Women often rely on occasional care services to juggle work and family life, especially in situations where flexible care options are needed due to irregular work hours or part-time employment. Removing this service without a clear and accessible alternative would hinder their ability to participate fully in the workforce, exacerbating gender inequities in both employment opportunities and financial independence. By undermining access to affordable childcare, this proposal threatens to further entrench gender inequality in our community.

Services for women in the Municipality are being reduced. New mothers need support during one of the most difficult times of their lives.

### A.3.6 Negative Impact on Local Economy

The availability of accessible and affordable childcare directly supports the local economy by enabling parents—particularly women—to participate fully in the workforce. By removing or disrupting this service, the council risks reducing the number of working parents in the area, which could result in a decrease in economic activity, fewer tax contributions, and a reduction in overall productivity. The long-term economic consequences could outweigh the short-term financial benefits of repurposing the land.

### A.3.7 Negative impact on cost of living

GOCCC provides an affordable childcare option for local families, especially in a time of rising living costs. Compared to larger commercial centres charging up to \$200 per day, GOCCC offers significant financial relief, allowing families to direct their disposable income toward supporting other local businesses, such as gymnastics classes, swimming lessons, and dining out and/or choose to work additional hours due to the economics of more affordable childcare.

### A.3.8 Potential Loss of Employment

The childcare centre provides local employment opportunities, particularly for women, who are often employed in early childhood education roles. Closing or relocating the centre could lead to job losses or force staff to seek employment further afield. This not only negatively impacts those individuals but also affects the local economy.

### A.3.9 Mental Health and Well-being of Parents and Children

Affordable, reliable childcare is crucial for the mental health and well-being of both parents and children. For parents, particularly those juggling work and family, the availability of occasional care reduces stress and provides peace of mind. For children, the social and educational benefits of early childhood education in a familiar and trusted setting are well-documented. The removal of this service could lead to increased stress for families and negative developmental impacts on children.

## ITEM 6 (continued)

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### A.3.10 Impact on surrounding residents

I fear that the site will be sold and residential apartments approved by City of Ryde built on the site. Alarming, there is a serious flow on effect. The existing adjoining City of Ryde car park behind the GOCCC could also be redeveloped once the GOCC is no longer. Lots of apartments next door to my building would kill my current peaceful amenity.

Currently there are 2 active residential apartment developments in the City of Ryde within 1 kilometre of my home:

- ☐ Sixty-five apartments at 1 Stansell Street (old Caltex site, construction just starting)
- ☐ Thirty-two apartments at 8 Western Crescent (construction well under way).

In the pipeline, there are 50 apartments planned for 312 Victoria Road. Another 65 apartments are planned for 287-295 Victoria Road. It will be devastating if Gladesville Central gets turned into another characterless "Wolli Creek" amalgamation of box like apartments.

Residents worry about poor development on the site resulting in their property values falling.

### A.3.11 Impact on Pittwater Road streetscape

Pittwater Road is an attractive street of greenery meeting asphalt more Boronia Park-Hunters Hill than Ryde. GOCCC fits the streetscape.

Development on the site would change the character of the streetscape and neighbourhood.

### A.3.12 Traffic and parking

The site is located on a road with units and houses flanking both sides of Pittwater Road. Parking is at a premium for visitors and delivery drivers. Reclassification of the site to allow mixed use zoning including residential apartments will increase traffic and parking problems on Pittwater Road in an already difficult location with very little public parking and dangerous narrow streets.

### A.3.13 Environmental Considerations

The proposed reclassification might lead to the redevelopment of the site for commercial or residential purposes, which could have environmental implications, such as increased traffic, higher energy consumption, and potential loss of green space. Any future development should be carefully evaluated to ensure it aligns with the council's sustainability goals and does not adversely affect the local environment or community well-being.

### A.3.14 Setting a Dangerous Precedent

Allowing the reclassification of community land for operational or commercial purposes sets a dangerous precedent for future decisions regarding public land. Other critical community services may be similarly jeopardised if the council continues to prioritise short-term economic gains over long-term community welfare. This could result in the gradual erosion of public spaces and services that are vital to the social infrastructure of Gladesville and surrounding areas.



## ITEM 6 (continued)

## ATTACHMENT 20

### A.3.15 Cultural and Historical Significance

The Gladesville Occasional Child Care Centre has likely become an important part of the community's cultural and historical fabric, given its longstanding presence and service to local families. The centre not only serves a practical function but also contributes to the community's identity. Repurposing the land disregards the cultural and social legacy of this institution and could erode the sense of community connectedness.

### A.3.15 Legal and Ethical Responsibilities

The council has a duty of care to protect essential community services, especially those that support working families. Reclassifying this land may conflict with the council's broader obligations to provide accessible social services and infrastructure. The proposal must be assessed not only for its financial benefits but also for its adherence to the council's ethical and legal responsibilities to the community.

## A.4 Alternatives to reclassification of the site

### A.4.1 Improve Gladesville Town Centre instead

The reclassification of the site has been linked with an aging vision and proposal to "target liveability, and sustainability, including the delivery of housing, employment, infrastructure, and open space." I fail to see how this small site will aid in delivering this vision as the current Gladesville town centre requires significant attention. Gladesville has multiple underused open and green spaces in close (walking distance) proximity to Victoria Road. There is already an abundance of new builds along Victoria Road and a high vacancy rate of overpriced apartment rentals. There is a high rate of new businesses starting and closing down shortly after and several vacant and neglected buildings and spaces. I fail to see how the reclassification of this site will positively contribute to the revitalisation of our town centre when there are many other spaces requiring attention and have potential for development to achieve this vision.

There are so many abandoned shop fronts, derelict building and abandoned businesses on both sides of Victoria Road - both Ryde and Hunters Hill Councils have a part to play in why these business don't survive. I would guess poor planning, community engagement and bureaucracy. You have the opportunity to fix these issues. If you fixed just one of them, I'm sure there will be benefit to the community would be great and you would be creating better more liveable spaces.

Maybe you could focus your attention on the derelict parts of Gladesville. Not the bits that brings joy to families in your community.

I have seen and read so many plans for the Gladesville Town Centre. Planning should be focused on those areas that truly need improvement. The Cowell Street/Massey Street retail redevelopment has been talked about for what 15 years or more? Every day I walk through there - there is a near miss safety accident with entitled drivers, people, prams, trucks and sewerage tanks side-by-side in a common space. All while getting a friendly wave from the local barber as you pass by. Surely this could be the focus for planning in the town of Gladesville for the Hunters Hill Council.

The derelict and abandoned shops along Victoria Road speak to the challenges faced by both the Ryde and Hunters Hill Councils in supporting local businesses. These problems stem from poor planning, a lack of community engagement, and excessive bureaucracy.

## ITEM 6 (continued)

## ATTACHMENT 20

These should be the focus of your planning efforts—not removing valuable community assets.

This small site will not aid in delivering the vision and proposal to “target liveability and sustainability, including the delivery of housing, employment, infrastructure and open space”. The Gladesville Town Centre requires significant attention.

Gladesville has multiple underused open and green spaces in close (walking distance) proximity to Victoria Road. There is already an abundance of new builds along Victoria Road and a high vacancy rate of over-priced apartment rentals. There is a high rate of new businesses starting and closing down shortly after and several vacant and neglected buildings and spaces. Reclassification of this site will not positively contribute to the revitalisation of our town centre when there are many other spaces requiring attention and have potential for development to achieve this vision.

Develop the existing commercial space along Victoria Road, but do not close GOCCC.

### A.4.2 Revenue-generating solutions

If financial sustainability is the motivation behind the proposal, the Council should explore other options for generating revenue that do not involve compromising essential community services. For instance, leveraging public-private partnerships, utilising underused council assets, or even introducing tiered childcare services (e.g. premium options) could provide financial solutions without disrupting services.

Hunters Hill Council should sell off their Church Street holdings instead.

### A.4.3 Community and open space use of the site

Once Council gets rid of land, they will never get it back. The density of the area is increasing and there will be a future need for community spaces especially green spaces.

Ryde needs more community spaces, not less.

Council should explore options to enhance community use of the site, such as extending the library services, or other public spaces.

One submitter objects to “operational” use of the site, being monopolised for childcare and not open to the public. Their suggestion is to return the land to community use and open it to the public for a park/rest stop at the top of the steep hill for the elderly and people with disability.

This is a great opportunity for this area to secure a park for the community to enjoy a space where it can get together and enjoy the natural environment. The nearest park, Peel Park, is no closer than about 850 metres, which is on a main road and therefore provides little scope for gatherings. Furthermore, the recommended proximity of parks is 400 metres according to the UN sustainable cities recommendations. This area has an aging population that would greatly benefit from a liveable public space.

### A.4.4 Transfer ownership to City of Ryde

Perhaps, a better community minded solution would be for Hunters Hill Council to transfer ownership of the site to City of Ryde, retaining its community land status, and allowing the GOCCC to serve the community for many years to come.

## ITEM 6 (continued)

## ATTACHMENT 20

### A.5 Establish GOCCC in another location first

If the reclassification proceeds, several submitters asked for GOCCC to be established in a suitable location elsewhere before closure of 4 Pittwater Road.

Has another not-for-profit child care centre been provided? Or is Council just going to take it away from the community?

If the centre is closed it is doubtful if another location could be found to replace it.

While I understand that these plans may benefit Hunters Hill from a revenue perspective, I hope there will be consideration for the well-being of the community. If this proposal proceeds, will there be plans to provide a new facility that includes learning and development programs, along with a full playground and ample space for children?

Any new GOCCC would have to:

- ☐ be in a central location
- ☐ be accessible on foot or by public transport for no- and one-car families while encumbered with prams and all of the other paraphernalia required for a young infant.
- ☐ include a full playground
- ☐ offer learning and development programs.

### A.6 Lack of consultation with GOCCC

Both Councils have not consulted with GOCCC about the reclassification.

Some of the questions and concerns I have raised here could be addressed if Hunters Hill Council had adopted best practice community consultation before submitting its planning proposal. Unfortunately this has not happened. At no time through the development of the property strategy, after council meetings or since the meeting with City of Ryde Council in February 2023 has Hunters Hill Council been in contact with GOCCC to discuss this proposal. The first GOCCC heard about the planning proposal was when City of Ryde council sought approval to display the notice on the front fence. This is not good governance. This does not offer any assurances to the Centre, local community or parents who rely on the services offered by GOCCC.

The director of the GOCCC advised me in person that they had no prior communication from City of Ryde nor Hunters Hill Council about the proposal. No phone call, no emails. They knew nothing about the proposal until they received the public notice. Not good enough.

Public consultation with residents on this particular issue in both Hunters Hill and Ryde needs to be robust and open. At present the issues are muddled by the dilution of planning for the site by being handled by the two councils in parallel. There needs to be transparency into Hunters Hill Council's long-term vision for this community asset.

Given the vital role this centre plays in our community, it is deeply concerning that this planning proposal has progressed without meaningful consultation with the centre or the local community. Although the proposal does not explicitly call for the closure of the centre, the lack of transparency and communication about its future suggests that closure could be a consequence of the proposed reclassification if it is approved.

The decision to reclassify the land seems to have been made without adequate consultation with the families who use the service, the childcare workers, and other key community stakeholders. The council should ensure that decisions impacting essential services like childcare are made with input from those directly affected. Engaging in a transparent and

**ITEM 6 (continued)**

**ATTACHMENT 20**

inclusive process would demonstrate the council's commitment to serving its community, especially its most vulnerable members.

**A.7 Requests for City of Ryde to reject the proposed reclassification**

This is a heartfelt plea to Ryde City Council to save us from the short-sightedness of Hunters Hill Council! Ryde City Council is the last & final line of defence to save us from Hunters Hill Council !!!

I urge the City of Ryde Council to reject this proposal from Hunters Hill Council. Approving it would reflect poorly on the consultation process and risk leaving the City of Ryde Council complicit in a decision that would negatively affect local families, women, and those from lower socio-economic backgrounds. The absence of community engagement and clarity surrounding the future of the GOCCC is troubling, and I ask that the application be refused in its current form.

The Hunters Hill Trust believes that Ryde Council should not support this proposal at Gateway Determination and instead support early childhood education and care through the continuation of Gladesville Occasional Care Service on its current site.

I ask that City of Ryde Council reject this application from Hunters Hill Council. It is abundantly clear from the planning proposal that this reclassification is the precipice for the closure of GOCCC, sale and redevelopment of the site. Accepting the proposal reinforces poor consultation and leaves Ryde Council complicit in a plan that will hurt local families, women, and those from lower socioeconomic backgrounds. I ask that you please refuse the application in its current state, noting the lack of consultation, community impact and need for greater clarity around the future of the centre. A short-term financial windfall for HHC should not come at the detriment of local families, working mothers and children. The only way to ensure the Centre is not facing closure is to reject the application for reclassification and keep the centre zoned community until some of our questions can be answered, and a new site is found and committed to by HHC.

**ITEM 6 (continued)**

**ATTACHMENT 20**

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**ITEM 6 (continued)**

**ATTACHMENT 21**

**SJB Planning**



The General Manager  
Ryde City Council  
1 Pope Street  
Ryde NSW 2112

Attn: Helen Lee

22 October 2024

Re: 4 Pittwater Road, Gladesville - Reclassification

We have reviewed the summary of the 72 submissions received in response to the public exhibition to the reclassification Planning Proposal on behalf of Hunters Hill Council.

The submissions overwhelmingly raise concerns that the reclassification of the land results in a loss of a community asset, loss of child care options and the sale of public land.

The reclassification is an administrative matter to align the ownership of the land to its location. That is, the land in question is owned by Hunters Hill Council but the land is outside its administrative boundary within the Ryde local government area.

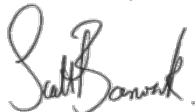
As such the current classification of the land as "Community land" is inappropriate given it is located outside the Hunters Hill local government area.

The proposed reclassification does not alter the current use or the range of land uses for which development consent could be sought.

Any decision relating to the long-term ongoing use of the land remains the responsibility of Hunters Hill Council as the managers and custodians of assets it controls and manages on behalf of the Hunters Hill Community.

In light of the review of the submissions undertaken there is no need to amend the terms of the Planning Proposal that has been exhibited and the matter should proceed to the Public Hearing phase of the process.

Yours Sincerely,



Scott Barwick  
Director

Level 2, 490 Crown Street  
Surry Hills NSW 2010  
Gadi Country

T 61 2 9380 9911  
E [planning@sjb.com.au](mailto:planning@sjb.com.au)  
W [sjb.com.au](http://sjb.com.au)

SJB Planning (NSW) Pty Ltd  
ABN 47 927 618 527  
ACN 112 509 501



ITEM 6 (continued)

ATTACHMENT 22



Department of Planning, Housing and Infrastructure

Mr Wayne Rylands  
Chief Executive Officer  
City of Ryde Council  
Locked Bag 2069  
NORTH RYDE NSW 1670

Our ref: IRF24/1298

Via email: [cityofryde@ryde.nsw.gov.au](mailto:cityofryde@ryde.nsw.gov.au)

Dear Mr Rylands

**Planning proposal PP-2022-3966 to amend Ryde Local Environmental Plan 2014**

I am writing in response to the planning proposal (PP-2022-3966) you forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) on 2 May 2024 which seeks to amend Schedule 4 Part 1 of the Ryde Local Environmental Plan 2014, to reclassify land at 4 Pittwater Road, Gladesville (Lot 1 in DP 816692), from 'community' to 'operational' land.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination. Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 2 May 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

The NSW Government has committed to reduce the time taken to complete LEPs. The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ms Claire Mirow to assist you. Ms Mirow can be contacted on 02 9274 6472.

Yours sincerely



5/07/2024

**Jazmin van Veen**  
**Director, Local Planning (North, East and Central Coast)**  
**Planning, Land Use Strategy, Housing and Infrastructure**

Encl: Gateway determination

ITEM 6 (continued)

ATTACHMENT 23



Department of Planning, Housing and Infrastructure

### Gateway Determination

**Planning proposal (Department Ref: PP-2022-3966):** *The proposal seeks to amend Schedule 4 'Classification and reclassification of public land', Part 1 'Land classified, or reclassified, as operational land – no interests changed' of the Ryde Local Environmental Plan 2014, to reclassify land at 4 Pittwater Road, Gladesville (Lot 1 in DP 816692), from 'community' land to 'operational' land.*

I, the Director, Local Planning (North, East and Central Coast) at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Ryde Local Environmental Plan 2014 to reclassify land at 4 Pittwater Road, Gladesville (Lot 1 in DP 816692) from 'community' land to 'operational' land, should proceed subject to the following:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 2 May 2025.

#### Gateway Conditions

1. Prior to exhibition, the proposal is required to be updated to:
  - (a) Reflect the sites current MU1 Mixed Use zoning under the Ryde LEP 2014;
  - (b) Ensure consistency with the Department's 'Local Environmental Plan Making Guideline' (August 2023) and remove references to repealed SEPPs;
  - (c) Address the consistency of the proposal with Direction 7.1 'Industry and Employment';
  - (d) Include in Attachment 6 of the proposal, a simple plain English explanation for the community to understand how each of the LEP Practice note requirements have been addressed;
  - (e) Ensure the Project Timeline reflects the timelines included in the Gateway determination.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as basic as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment,

**ITEM 6 (continued)**

**ATTACHMENT 23**

August 2023) and must be made publicly available for a minimum of 20 working days; and

- (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
- 3. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act.
- 4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.
- 5. A public hearing is required to be held in accordance with Section 29 of the Local Government Act 1993 and the Department's Practice Note PN 16-001.

Dated 5 July 2024



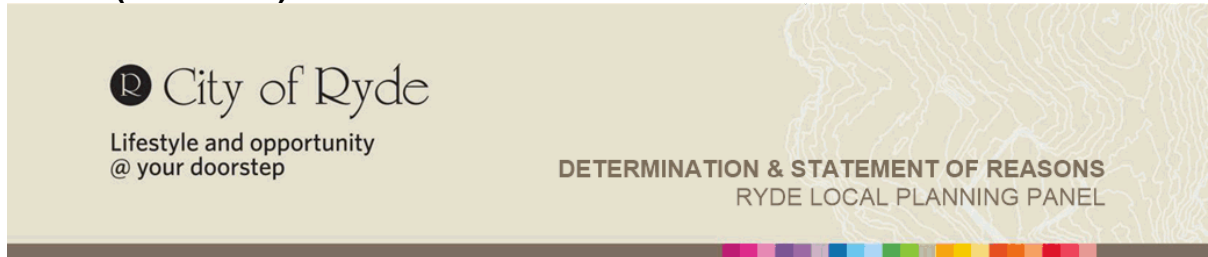
**Jazmin van Veen**  
**Director, Local Planning (North, East and**  
**Central Coast)**  
**Planning, Land Use Strategy, Housing and**  
**Infrastructure**  
**Department of Planning, Housing and**  
**Infrastructure**

**Delegate of the Minister for Planning and**  
**Public Spaces**

PP-2022-3966 (IRF24/1298)

**ITEM 6 (continued)**

**ATTACHMENT 24**



<b>Date of Advice</b>	14/12/2023
<b>Panel Members</b>	Marcia Doheny (Chair) Vanessa Holtham (Independent Expert) Trevor Bly (Independent Expert) Donna Gaskill (Community Representative)
<b>Apologies</b>	NIL
<b>Declarations of Interest</b>	NIL

Meeting held on 14 December 2023. Papers circulated electronically on 7 December 2023.

**MATTER DETERMINED**

LEP2022/14

**Address:** 4 Pittwater Road, Gladesville





**Proposal:** Reclassification of land at 4 Pittwater Road, Gladesville from community to operational land

The following people addressed the meeting:

1. Steve Kourepis (On behalf of the applicant)

**PANEL Advice to Council**

The Panel considered the planning proposal report and agreed that the proposal should proceed to a gateway determination for the purpose of seeking a reclassification from community land to operational.

PANEL MEMBERS	
Marcia Doheny (Chair)	
Vanessa Holtham (Independent Expert)	
Trevor Bly (Independent Expert)	
Donna Gaskill (Community Representative)	

**ITEM 6 (continued)**

**ATTACHMENT 24**

SCHEDULE 1		
1	Planning Proposal No.	LEP2022/14/4
2	Proposal	Reclassification of land at 4 Pittwater Road, Gladesville from community to operational land.
3	Street Address	4 Pittwater Road, Gladesville
4	Applicant / Owner	Hunter Hill Council (Applicant/Owner)
5	Reason for referral to RLPP	Required by Ministerial Direction made under Section 9.1 of the Environmental Planning and Assessment Act 1979 dated 27 September 2018
6	Relevant mandatory considerations	<ul style="list-style-type: none"> <li>Not Applicable</li> </ul>
7	Material considered by the Panel	<ul style="list-style-type: none"> <li>Council assessment report and below attachments: <ul style="list-style-type: none"> <li><b>Attachment 1</b> – Planning Proposal</li> <li><b>Attachment 2</b> – RLEP 2014 Maps</li> <li><b>Attachment 3</b> – Consistency of Planning Proposal with State Environmental Planning Policies</li> <li><b>Attachment 4</b> – Consistency of Planning Proposal with Section 9.1 Directions</li> <li><b>Attachment 5</b> – Certificate of Title for Lot 1 in DP 816692</li> <li><b>Attachment 6</b> – Deposited Plan 816692</li> <li><b>Attachment 7</b> – Requirements of LEP Practice Note PLN 16-001</li> <li><b>Attachment 8</b> – Hunter’s Hill Council – Council Meeting Report and Minutes – 20 September 2021</li> <li><b>Attachment 9</b> – Summary of Council’s interest in the land – Lot 1 DP 816692</li> <li><b>Attachment 10</b> – Hunter’s Hill Council – Council Meeting Report – 19 April 2021</li> <li><b>Attachment 11</b> – Response to Pre-Lodgment Meeting prepared by SJB Planning</li> <li><b>Attachment 12</b> – Dealing – D394665 – Memorandum of Transfer dated 30 May 1945</li> <li><b>Attachment 13</b> – Correspondence from Hunter’s Hill Council to Sydney Water 24 April 2023</li> <li><b>Attachment 14</b> – Correspondence from Sydney Water to Hunter’s Hill Council 5 June 2023</li> </ul> </li> </ul>
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> <li>Site inspection: NA</li> <li>Papers were circulated electronically on 7 December 2023</li> <li>Briefing: 14 December 2023</li> <li>Attendees: <u>Panel members:</u> Marcia Doheny (Chair), Vanessa Holtham (Independent Expert), Trevor Bly (Independent Expert), Donna Gaskill (Community Representative)</li> <li><u>Council assessment staff:</u> Carine Elias, Sandra Bailey, Bekim Haliti</li> </ul>
9	Council Recommendation	That the Ryde Local Planning Panel recommend to Council that the Planning Proposal to reclassify land at 4 Pittwater Road, Gladesville, being Lot 1 DP 816692  from Community to Operational land be submitted for Gateway Determination under  s3.34 of the Environmental Planning and Assessment Act 1979.
10	Draft Conditions	Not Applicable

ITEM 6 (continued)

ATTACHMENT 25

**From:** [Kieran Metcalfe](#)  
**To:** [Helen Lee](#)  
**Cc:** [Steve Kourepis](#)  
**Subject:** Re: Public Hearing - 4 Pittwater Rd, Gladesville  
**Date:** Tuesday, 11 February 2025 3:21:14 PM  
**Attachments:** [image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image002.png](#)

EXTERNAL EMAIL: Verify the sender, avoid clicking on unknown links and do not open unexpected attachments.

Hi Helen,

With regard to the recommendations of the public hearing report, including Recommendation 2, please see below the reproduced recommendations and associated **responses**.

*1. Consider the viewpoints and issues raised in the verbal and written submissions outlined in Section 5 and Appendix A of this report when making the decision whether to proceed with the proposed reclassification of 4 Pittwater Road in Gladesville.*

**Response:** *The viewpoints and issues raised in the verbal and written submissions outlined in Section 5 and Appendix A of the report have been considered.*

*2. Request that DPHI extend the date for amending Part 1 of Schedule 4 of the RLEP 2014 from 2 May 2025 until the future of the occasional care service at 4 Pittwater Road, Gladesville is resolved.*

**Response:** The planning proposal relates to the reclassification of Council owned land only. The planning proposal would result in no change to current operation of the occasional care service. The resolution of the future of the GOCCC is not considered applicable, as no intention currently exists to discontinue the service. Any such proposal to discontinue the service would be subject to a separate legislative and governance process, which has not been initiated and is not subject to this planning proposal.

*3. Consult with GOCCC and parents/carers who use the service about the future of the occasional care service at 4 Pittwater Road, Gladesville.*

**Response:** As above, the planning proposal relates to the reclassification of Council owned land only. The planning proposal would result in no change to current GOCCC service. The identification of an alternative site for the GOCCC and associated consultation with parents/carers who use the service is not considered applicable or appropriate, as no intention currently exists to discontinue the service. Any such proposal to discontinue the service would be subject to a separate legislative and governance process, which has not been initiated and is not subject to this planning proposal.

*4. If Council resolves to not proceed with the reclassification, continue the occasional care service at 4 Pittwater Road, Gladesville.*

**Response:** The planning proposal relates to the reclassification of land from 'community' to



**ITEM 6 (continued)**

**ATTACHMENT 25**

'operational' only. No intention currently exists to discontinue the occasional care service and continuation of this service or otherwise is outside of the scope of this planning proposal. Any proposal to discontinue the service would be subject to a separate legislative and governance process, which has not been initiated and is not subject to this planning proposal.

*5. If Council resolves to proceed with the reclassification, ensure that relocation, full establishment and opening of an occasional childcare service managed by Council or a not-for-profit organisation such as GOCCC offering affordable fees is operating from an agreed similar local, central, accessible and suitable site in Gladesville/Hunters Hill before sale of the land and without any interruption to the occasional care service.*

**Response:** The planning proposal relates to the reclassification of Council owned land only. The identification of an alternative site for the GOCCC and any associated operational aspects of this service is not specifically relevant to the proposal, as no current intention exists to discontinue the service. Any such proposal to discontinue the service would be subject to a separate legislative and governance process, which has not been initiated and is not subject to this planning proposal.

In conclusion, the planning proposal relates to the reclassification of Council owned land only. No current intention exists to discontinue this occasional childcare service. Any such proposal to discontinue the occasional childcare service would be subject to a separate legislative and governance process, which has not been initiated and as a result is not subject to this planning proposal, hence superfluous.

Thanks  
Kieran