STATEMENT OF COUNCIL'S INTEREST

PREPARED IN ACCORDANCE WITH THE DEPARTMENT OF PLANNING PRACTICE NOTE (PN 16-001) FOR CLASSIFICATION AND RECLASSIFICATION OF PUBLIC LAND THROUGH A LOCAL ENVIRONMENTAL PLAN DATED DECEMBER 2020.

A copy of the abovementioned Planning Practice Note is attached.

https://www.planning.nsw.gov.au/plans-for-your-area/local-planning-and-zoning/~/media/C526969A72D247F998D6625F1083AE01.ashx

Introduction

The aim of the abovementioned Practice Note (PN 16-001) is to identify the main steps under the Environmental Planning and Assessment Act 1979 and the general requirements for classifying and reclassifying land through local environmental plans and planning proposals.

The intention of this Statement of Council's Interest is to:

a) Identify land owned by Council proposed for reclassification from 'community land' to 'operational land' under the Draft Willoughby Local Environmental Plan 2012 (Draft WLEP 2012).
b) Ensure the reclassification process is in accordance with Practice Note (PN 16-001) and therefore allow the community the opportunity to assess the proposal with a full appreciation of all relevant information.

Relevant Definitions

The following definitions are provided in Practice Note (PN 16-001):

a) "'Public land' is any land … vested in, or under the control of, council."
b) "'Community' land is generally open to the public, for example, parks, reserves or sports grounds."
c) "'Operational' land may be used for other purposes, for example, as works depots or garages, or held by Council as a temporary asset."
d) "'Classification' of public land refers to the process when this land is first acquired and first classified as either 'operational' land or 'community' land.
e) "'Reclassification' of public land refers to the process of changing the classification of 'operational' land to 'community' land or from 'community' land to 'operational' land."

Reclassification of Lot 2 DP200094, Lot 4 DP200099, Lot 6 DP200096, Lot 8 DP200098, Lot 15 DP4409 and Lot B DP323172, Northbridge from 'Community' to 'Operational'.

Willoughby Council owns Lot 2 DP200094, Lot 4 DP200099, Lot 6 DP200096, Lot 8 DP200098, Lot 15 DP4409 and Lot B DP323172, Northbridge in freehold. The total site area is 9023.23m^2. The land comprising the above Lots is currently used as a carpark serving Northbridge Plaza, and a baby health clinic is also on the site. The baby health clinic has been underutilised for ten years. The carpark is accessible from Eastern Valley Way and Harden Avenue, Northbridge.

Current and proposed classification of the land

Council intends to reclassify Lot 2 DP200094, Lot 4 DP200099, Lot 6 DP200096, Lot 8 DP200098, Lot 15 DP4409 and Lot B DP323172 from community land to operational land via the planning proposal process. The planning proposal proposes to consider rezoning of the land from B2 Local Centre to R3 Medium Density Residential.

Photo 1: Northbridge carpark looking south towards the baby health clinic



The land comprised of the above Lots is located adjacent to Northbridge Plaza, and is accessible from Eastern Valley Way and Harden Ave, Northbridge (see Maps 1 and 2).

Photo 2: Northbridge carpark looking east towards Northbridge Plaza



Photo 3: Northbridge carpark looking west



Map 1: Aerial photo of Lot 2 DP200094, Lot 4 DP200099, Lot 6 DP200096, Lot 8 DP200098, Lot 15 DP4409 and Lot B DP323172, Northbridge: Land to be reclassified



Map 2: Location and zoning of Lot 2 DP200094, Lot 4 DP200099, Lot 6 DP200096, Lot 8 DP200098, Lot 15 DP4409 and Lot B DP323172, Northbridge



The land is currently zoned B2 Local Centre. The Local Centres Strategy is proposing to consider rezoning to R3 Medium Density Residential and R4 High Density Residential.

The changes resulting from the reclassification are addressed below, in line with the requirements in the Practice Note (PN 16-001).

Practice Note PN 16-001 Requirement	**Council Response**
Current and proposed classification of the land	Council intends to reclassify Lot 2 DP200094, Lot 4 DP200099, Lot 6 DP200096, Lot 8 DP200098, Lot 15 DP4409 and Lot B DP323172 from 'community land' to 'operational land' via the planning proposal process. The planning proposal proposes rezoning of the land from B2 Local Centre to R3 Medium Density Residential and R4 High Density Residential as per the *Local Centres Strategy 2036*.
Is the land is a 'public reserve' (defined in the LG Act)	The land is not defined as a 'public reserve' in the LG Act.
The strategic and site-specific merits of the reclassification and evidence to support this	Reclassifying the land from community to operational will provide Council with more flexibility in managing the future needs of the community. As it is currently classified, it is not possible to achieve the intended outcomes of the *Local Centres Strategy*. Reclassifying the land to operational will enable Council to deliver on the vision proposed in the LCS as outlined. Community consultation was undertaken in regard to the future use of the land for open space and medium density housing, as outlined in the LCS. Utilising the land for public open space and medium / high density housing will be of significant community benefit in the future. The provision of public open space is becoming increasingly important, as more people live in smaller dwellings, including families. It is essential to provide open space for the wellbeing of the community. Open space has become even more important since the COVID-19 pandemic, as people value spending more time outdoors.
Is the planning proposal the result of a strategic study or report	Yes. This planning proposal is a result of comprehensive work undertaken in the *Willoughby Local Centres Strategy*. The aim of the *Local Centres Strategy* is to promote a network of thriving, attractive and distinctive village centres throughout the Council area. It provides the framework for future planning controls and public domain improvements for eight local centres, of which Northbridge is one. It will prepare them for growth and renewal over the next 20 years.
Is the planning proposal consistent with council's community plan or other local strategic plan	Yes. The planning proposal is consistent with the *Willoughby Local Centres Strategy* and community plans.

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)	Council's car park comprises land contained in two separate Certificates of Title. Council purchased these two parcels of land from Neighbourhood Centres Pty Limited in 1961. At that time, Neighbourhood Centres Pty Limited also owned the land which now comprises the Shopping Centre. The transfer to Council contained the Restrictive Covenant preventing use of the land for any purpose other than a public car park and baby health centre (more information on covenants is provided below).
If council does not own the land, the landowner's consent	Council owns the land proposed to be reclassified.
The nature of any trusts, dedications etc	H713646: A restrictive covenant which prevents the erection of a fence on Lot 6 in Deposited Plan 200096 to divide it from the adjoining land without consent. H713650: A restrictive covenant which prevents use of that part of the land being LOT 8 in Deposited Plan 200098 other than for the purpose of vehicular and motor car parking. **H931061: A restrictive covenant which prevents use of any part of the land other than for the purpose of Public Car Parking and Public Baby Health Centre.** H982797: An easement for drainage running from Sailors Bay Rd across both the Shopping Centre and the Car Park.
Is an interest in land proposed to be discharged, and if so, an explanation of the reasons why	Councils interest in the land is not proposed to be discharged at this stage. its interest is in preparing for the delivery of the Local Centres Strategy proposing the undergrounding of the Northbridge carparking with new open space and commercial, retail and residential development above.
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)	The reclassification of this land will have a positive community impact, since it will result in increased public open space and increased housing, and enable Council to fulfill the vision put forward in the *Local Centres Strategy.*
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)	N/A
Current use(s) of the land, and whether uses are authorised or unauthorised	The site comprising the above Lots is currently used as a Council owned

	carpark and also contains a baby health clinic. The baby health clinic has been vacant for the past 10 years.
Proposed future use of the land	The *Willoughby Local Centres Strategy* proposes to improve public open space provision by undergrounding the existing Council car park and providing a plaza, in addition to creating pocket parks and streetscape improvements. This will improve amenity for the general public. A key recommendation in the *Local Centres Strategy* is to deliver a new public open space surrounded by ground floor active frontages and above basement public parking with improved capacity, with a minimum area of 2000m^2, on the Council owned carpark site comprising the listed Lots (please refer to the masterplan below).
Current or proposed lease or agreements applying to the land, together with their duration, terms and controls	There are no current leases on the site,
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 business dealings
Any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy)	Council is proposing to increase heights up to 3-5 storeys to allow residential apartment development and deliver a new open space, and to consider rezoning from B2 Local Centre to R3 Medium Density Residential and R4 High Density Residential. This is consistent with recommendations made in the endorsed *Local Centres Strategy*.
How council may or will benefit financially, and how these funds will be used	Council is expected to benefit financially as a result of the uplift in zoning. The gins from uplift in zoning will be applied to the provision and maintenance of a new area of open space in a village square arrangement as proposed in the *Local Centres Strategy* The existing carpark is currently unmetered so there is no income being received from the carpark presently.
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	As stated above, the uplift in zoning will be used to fund the provision and maintenance of the central open space section as proposed in the LCS, and also the underground carpark.
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	N/A
Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable	N/A

View extracts from the *Local Centres Strategy 2036*.below

Indicative Masterplan for Northbridge: *Local Centres Strategy 2036.*

INDICATIVE MASTER PLAN FOR NORTHBRIDGE

This indicative Master Plan for Northbridge details the key features for growth and shows how future development might be achieved alongside other opportunities for public domain improvements in the centre.



Key features

1. Significant new commercial floorspace fronting Sailors Bay Road up to 6 storeys.
2. New public open space surrounded by ground floor active frontage and above basement public parking (with improved capacity).
3. Activated pedestrian laneway link.
4. Mix of residential apartment blocks (3-5 storey) and medium density terrace housing.
5. Encourage amalgamation of lots between Sailors Bay Road and Baringa Road to facilitate improved vehicle and basement access from Baringa Road only. Maximum height of four stories for buildings fronting Sailors Bay Road, and maximum three stories for buildings on the north side of Baringa Road.
6. Streetscape improvement to Sailors Bay Road and Strathallen Avenue.
7. Improved public domain and pedestrian amenity at the southern end of Belambi Street.
8. Encourage additional first floor commercial floorspace fronting the eastern end of Sailors Bay Road (4-5 storeys).
9. Improved laneway network for servicing and deliveries.
10. Investigate opportunities for additional pedestrian crossing arms at existing intersections.
11. Investigate opportunity for blisters or central refuge to provide a safer crossing location.

POTENTIAL YIELD

SGS Economics and Planning assessed the Northbridge local centre as requiring an additional 11,152sqm of commercial floor space by 2041. The indicative scale for growth could possibly yield around an additional 8,209sqm of commercial floor space in the centre and an additional 42,028sqm (467 residential dwellings).

Indicative Scale for Growth: *Local Centres Strategy 2036.*

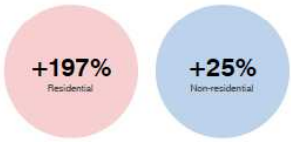
INDICATIVE SCALE FOR NORTHBRIDGE GROWTH



Floor space summary

Shadows shown at 12pm on 21st June

Building Use	Existing GFA (sqm)	Potential GFA (sqm)	Increase GFA (sqm)	Increase GFA (%)
Residential	21,341	63,369	42,028	197%
Non-Residential	33,295	41,504	8,209	25%
Total	54,635	104,873	50,238	222%



Key Recommendations (LEP)

(Numbering below refers to the above scenario diagram)

1. Increase heights of up to 6 storeys for commercial development along Sailors Bay Road, equating to 2.5:1 floor space ratio.
2. Increase heights up to 3-5 storeys to allow residential apartment development and deliver new open space. Consider partial rezoning to R3 Medium Density Residential.
3. Increase heights up to 3 storeys and rezone land to R3 Medium Density Residential along the northern side of Barringa Road. Increase heights up to 4 storeys along Sailors Bay Road. Consider a minimum lot width control to ensure lot amalgamation and improved access from Barringa Road, equating to 1:1 floor space ratio.
4. Increase heights up to 4 storeys for amalgamated sites to the north west corner at the intersection of Eastern Valley Way and Sailors Bay Road.
5. Increase heights up to 5 storeys for amalgamated sites in the B2 Zone on Strathallen Avenue.
6. Increase heights up to 5 storeys as an incentive for an additional storey of commercial floorspace.

Key Recommendations (DCP)

7. Deliver a new public open space, with a minimum area of 2,000m².
8. Minimum upper level setback of 3m above 2nd storey, and additional 6m setback above 4th storey for commercial buildings along Sailors Bay Road.
9. Minimum 6m landscaped setback to be provided along the southern side of Sailors Bay Road.
10. Shared laneway to be provided from Eastern Valley Way to Harden Avenue.
11. Laneway and service access to be provided from Sailors Bay Road.