

Attachment 6

Information Checklist for Proposals to Classify or Reclassify Public Land Through an LEP

Matters for Consideration	Action (Yes/No/N/A)	Our Response
the current and proposed classification of the land;	Yes	Oliver Street and Lawrence Street carparks are currently classified as 'Community' land. The planning proposal is to reclassify the land to 'Operational'.
whether the land is a 'public reserve' (defined in the LG Act);	N/A	Oliver Street and Lawrence Street carparks are not 'public reserves' as defined in the Local Government Act 1993.
the strategic and site specific merits of the reclassification and evidence to support this;	Yes	The reclassification outcomes align with the Freshwater Development Control Plan (DCP) DCP Part G5 - Access and Loading objectives: 1. to improve amenity and safety for pedestrians 3. to relocate loading and servicing away from Lawrence and Albert Streets.
whether the planning proposal is the result of a strategic study or report;	Yes	The Planning Proposal is the result of the Freshwater Village Carpark - Report to consult with the Community. The consultation was a Council resolution from 25 March 2014. The report to consult with the community was exhibited between 28 July and 26 August 2018, and the majority of submissions received were in support of the proposal.
whether the planning proposal is consistent with council's community plan or other local strategic plan;	Yes	The planning proposal is consistent with Council's local strategy, Community Strategic Plan SHAPE 2028 Goals 5, 7 and 8. Rezoning the carparks from RE1 – Public Recreation to SP2 - Infrastructure will better align the zoning to the land use, supporting social and economic needs of the community. Reclassifying to "Operational" Land and rezoning to SP2 - Infrastructure will better reflect the need of Freshwater Village by enhancing the pedestrian use of the shopping strip.
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	Yes	Mackellar County Council dedicated land for Oliver Street and Lawrence Street carparks was dedicated to Warringah Council for parking purposes from 1973 to 1979. The carparks were classified as 'Community Land' under the <i>Local Government Act, 1993</i> . "Community" land

purpose, or a developer contribution) - if council does not own the land, the land owner's consent; - the nature of any trusts, dedications etc;		prevents Council from granting a lease or a licence to Lawrence Street land owners for vehicular access to their properties. Crown Lands owns Lot 7315/1151796 Lawrence Street Freshwater that is proposed to be rezoned.
whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why;	No	As stated in the planning proposal, Council's interest in the Oliver Street and Lawrence Street carparks will not be discharged.
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);	N/A	The reclassification of the Oliver Street and Lawrence Street carparks will not decrease public open space as they will remain as carparks.
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	None of the lots being reclassified have reserve status.
current use(s) of the land, and whether uses are authorised or unauthorised;	No	The subject land is currently zoned RE1 Public Recreation and are used as carparks that is inconsistent with the objectives of the RE1 zone.
current or proposed lease or agreements applying to the land, together with their duration, terms and controls;	N/A	There are no current or proposed leases or agreements applying to the land. Three properties, two with right of carriageway use Lawrence Street carpark for private access.
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);	N/A	There are no current or proposed business dealings.
any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy);	Yes	The Oliver Street and Lawrence Street carparks fall under the Harbord Literary Institute and Early Childhood Health Centre Plan of Management (POM) 2008. The reclassification and rezoning are in accordance with the POM works to improve the connectivity of the carparks was identified in POM. The works have been undertaken and the objectives of the works were:

		<ul style="list-style-type: none"> • Carparks managed to improve safety and management. • Improved vehicle access and parking for Harbord. • Upgraded Pedestrian amenity. <p>Rezoning the carparks from RE1 – Public Recreation to SP2 - Infrastructure will better align the zoning to the land use, supporting social and economic needs of the community.</p>
how council may or will benefit financially, and how these funds will be used;	N/A	Council will receive no financial benefit to the reclassification or rezoning of land.
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;	N/A	N/A
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	Yes	See 'Part 4 – Maps' of the planning proposal.
preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.	Yes	The Mackellar County Council no longer exists, but Crown Lands have been contacted as Lot 7315 DP 1151796 Lawrence Street, Freshwater is crown land that will be rezoned from RE1 to SP2. See Crown Lands response to Councils notification of rezoning: Attachment 7.