



# SUPPLEMENTARY AGENDA

Notice is hereby given that an Ordinary Meeting of Council will be held at the Civic Centre, Dee Why on

**Tuesday 24 February 2015**

Beginning at 6:00pm for the purpose of considering and determining matters included in this agenda.

**Malcolm Ryan**  
**Acting General Manager**

**Issued: 20 February 2015**





**Supplementary Agenda for an Ordinary Meeting of Council  
to be held on Tuesday 24 February 2015  
at the Civic Centre, Dee Why  
Commencing at 6:00pm**

	<b>COMMUNITY DIVISION REPORTS .....</b>	
7.2	Classification of Public Land - 30 Oaks Avenue, Dee Why .....	1



<b>ITEM 7.2</b>	<b>CLASSIFICATION OF PUBLIC LAND - 30 OAKS AVENUE, DEE WHY</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION</b>
<b>TRIM FILE REF</b>	<b>2015/047620</b>
<b>ATTACHMENTS</b>	<b>1 30 Oaks Avenue, Dee Why Site Map</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To confirm, post public notification, the previous Council Resolution 574/14 (23 September 2014) for 30 Oaks Avenue Dee Why be classified as Operational Land.

#### **SUMMARY**

30 Oaks Avenue, Dee Why is situated on approximately 436 square metres of land and is part of the "Site A" development site within the Dee Why Town Centre as per attached site map. The subject land has been zoned RE1 Public Recreation under the Warringah LEP 2011.

On 23 September 2014, Council resolved that the land be classified as Operational Land.

Council gave public notice of its intention to classify the subject land as "Operational," pursuant to Sections 31 & 34 of the Local Government Act 1993. This public notification was delayed until 21 January 2015 to 19 February 2015 so that it was not over the Christmas / New Years period to ensure open and proper public consultation.

Council received two submissions against the proposed classification noting concern for open space within Dee Why and the potential to on sell the site in the future. To these concerns, it is noted that the land was endorsed as open space as part of the Dee Why Town Centre Masterplan and was purchased for this specific intention, with no intention to sell the site in the future.

As such, it is recommended to confirm the previous Council Resolution 574/14 (23 September 2014) that 30 Oaks Avenue, Dee Why (Lot A DP 350145) be classified as Operational Land.

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

Nil

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### **RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY**

That Council approve 30 Oaks Avenue, Dee Why (Lot A DP 350145) be classified as an Operational Land.

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**REPORT**

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**BACKGROUND**

30 Oaks Avenue, Dee Why is situated on approximately 436 square metres of land and is part of the "Site A" development site within the Dee Why Town Centre (site map attached). The subject land has been zoned RE1 Public Recreation under the Warringah LEP 2011.

On 23 September 2014, Council resolved that:

- A. *Council delegate authority to the General Manager to proceed with the acquisition of 30 Oaks Avenue, Dee Why (Lot A DP 350145) for the amount discussed in this report, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991;*
- B. *Upon acquisition, 30 Oaks Avenue, Dee Why (Lot A DP 350145) be classified as Operational Land;*
- C. *Council authorise the affixing of Council's seal to, and delegate authority to the General Manager to execute, the necessary documentation in order to give effect to this resolution;*
- D. *Funds within Council's reserve for compulsory acquisitions and from working capital be allocated for the acquisition of 30 Oaks Avenue, Dee Why (Lot A DP 350145).*

Following the acquisition of 30 Oaks Avenue on 12 December 2014, Council gave public notice of its intention to classify the subject land as "Operational," pursuant to Sections 31 & 34 of the Local Government Act 1993. This public notification was delayed until 21 January 2015 to 19 February 2015 so as not to be over the Christmas / New Years period.

Council received two submissions against the proposed classification noting:

- There is a general lack of open space in the Dee Why town centre and that an open space review should take place, and
- Concern regarding Council's intention to re-classify the subject land at a future date, and therefore the potential to sell the site.

In response, the subject land was endorsed as open space as part of the Dee Why Town Centre Masterplan and was purchased for this specific intention with no intention to sell the site in the future.

As such, Council recommends to confirm the previous Council Resolution 574/14 (23 September 2014) that 30 Oaks Avenue, Dee Why (Lot A DP 350145) be classified as Operational Land.

**CONSULTATION**

Council gave public notice of its intention to classify the subject land as "Operational," pursuant to Sections 31 & 34 of the Local Government Act 1993.

**TIMING**

The public notification period took place between 21 January 2015 to 19 February 2015.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

Nil



