

Report of Governance to the Ordinary Meeting of Council held on Monday 18 September 2017

GO2 – Proposal to Council for a Land Exchange – Manolis Lane & Menangle Street West, Picton

GO2 **Proposal to Council for a Land Exchange – Manolis Lane & Menangle Street West, Picton**
239945 TRIM 9346 & 3675

EXECUTIVE SUMMARY

- Council has received a concept for the transfer of land between the Council and the proponent.
- The concept includes a small land component as identified on the Local Environment Plan (LEP) Land Reservations Acquisition (LRA) layer.
- A range of issues as identified in the report do not make it possible to support the concept.

REPORT

Summary of applicant proposal

The applicant wrote to Council on 21 July 2017 with a proposal to enquire if Council would consider trading a small area of Council land adjoining the 34 Menangle Street, hardware site and part of Council land on Menangle Street West, for land the applicant owns at 9-11 Menangle Street, Picton. A right of carriageway from Manolis Lane to 34 Menangle Street is also requested.

The applicant supplied an indicative plan in a letter to Council for the re-development of 34 Menangle Street and a vision of a road linkage through 9-11 Menangle Street West to Argyle Street.

Land exchange area

The applicant is proposing to exchange part Lot 1 DP 743235 (9-11 Menangle Street West) for two areas of Council Land referred to in this report as "Manolis Lane portion" and "Menangle Street West portion".

Manolis Lane portion consists of three part lots being Lot 31 DP 534600, Lot 1021 DP 1071455, Lot 100 DP 1184637 (approximately 300m²).

The Menangle Street West portion consists of part Lot 1 DP 602401 (approximately 130 m²) and is the existing car park entrance off Menangle Street West (Refer to Map 2).

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The Roads and Maritime Services (RMS) have reviewed the applicant's redevelopment proposal for the site of 34 Menangle Street, Picton and have indicated that they do not support the application in its current form.



Map 1 - Identifies the Applicant's land.

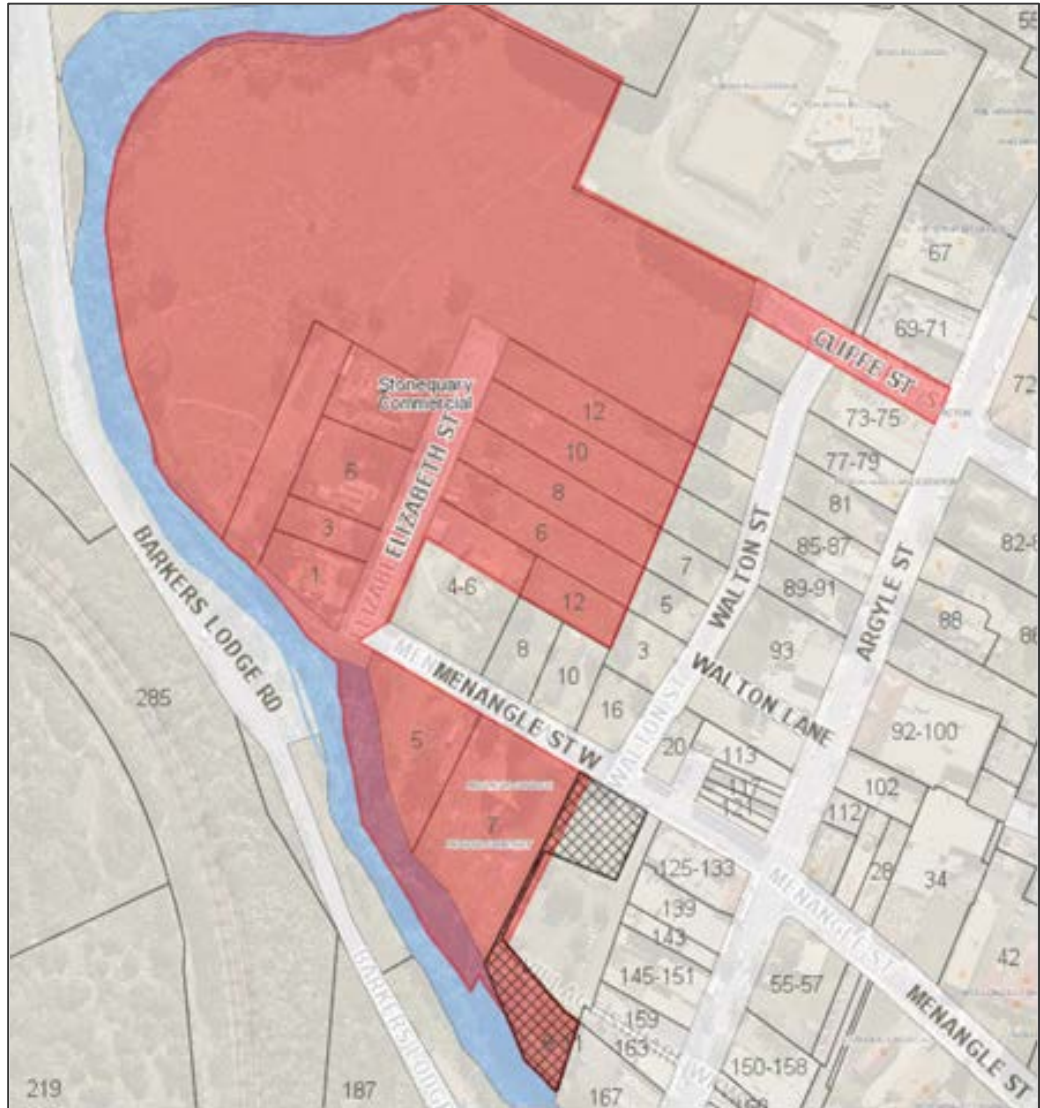
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Map 2 – Identifies the proposed land swap areas.

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Map 3 – Proposed land swap area within applicant's land is subject to planning proposal "Stonequarry Commercial".

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Map 4 – LEP Land Reservation Acquisition (LRA) layer - Dark green border highlights applicant land swap area – yellow shading is Council Acquisition Layer.

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The following comments are applicable to the proposal/concept:

1. Proposal to access 34 Menangle Street – essentially proposes a right of way access to the Lot from the Council owned car park to the east plus transfer of the small Council owned Lot to the proponent.

There are potential conflicts between community and operational vehicle and pedestrian movements between Manolis Lane and 34 Menangle Street that require resolution for community safety outcomes.

This area is used for operational vehicle use for the Library, as well as being a pedestrian desire line incorporating the school, library, car park, Shire Hall and Picton Mall. As such the proposal would need to address how these potential conflicts would be managed. Instinctively, a more direct access to the Public Road (Manolis Lane) via a right of way to the north of 34 Menangle Street, would be a preferred solution avoiding these potential conflicts, with a formalised pedestrian cross over point of the laneway on the desire line, noting that other operational vehicle use may be impacted and would need to be addressed.

2. Proposal adjacent to Menangle Street West – transfer of land to Council and from Council for use as Open Space, car parking and potential road link to Argyle Street.

Open Space – this has been identified and formalised through an acquisition layer in our LEP for future shared pathway linkages and as such, the land designated to be transferred to Council is supported.

Car Parking – Council does not have an adopted position to create additional Council owned parking in this area. However, future parking demands for Picton are likely to grow and this area would be appropriate for future expansion and as such the land being transferred to Council is supported. It is noted that the proposed transfer of land to the Proponent would remove legal and physical access for the existing car park to the roadway and as such the transfer of land and necessary infrastructure for the proposed new link to the Public Road would need to be completed prior to the closing of the existing access road.

Road Link to Argyle Street – this proposal has not been identified in any adopted or Draft Traffic Study of Picton and as such is not part of Council's plan for the traffic network of the CBD. It is also noted that this proposal requires the addition of further land from a third party to complete. The proposed vehicular connection from Menangle Street West to Argyle Street as described by the applicant is not supported.

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Apart from being an appropriate use of flood affected land the proposed road has limited merits in terms of improving traffic congestion.

3. The land swap is based upon a development concept at 34 Menangle Street which does not have development consent. The proposal is subject to unresolved concerns raised by the Roads and Maritime Services relating to direct access. There are issues relating to the permissibility of the proposed brewery. It would need to be established that the brewery is ancillary to the proposed restaurant and motel.
4. The proposal as 34 Menangle Street may also limit opportunities to maximise the use of land held by Council for a municipal or public benefit.
5. The concept involved a range of other parties/landowners whose views are unknown.

CONSULTATION

- Land and Property Assessment Panel
- Executive staff
- Infrastructure Strategy and Planning Department
- Strategic Planning

FINANCIAL IMPLICATIONS

Funding and budgets need to be identified.

This matter will have financial impact on Council's adopted budget or forward estimates and the extent of the funding required is currently unknown.

ATTACHMENTS

Nil

RECOMMENDATION

That the proponent be advised the concept is not supported due to matters raised within this report.