

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

| Matters for Consideration | Council Response |
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| <i>The current and proposed classification of the land</i> | Council originally resolved to classify the land as 'community' in December 2008 which came into force on 10 March 2009. On 12 March 2019, Council resolved to initiate a planning proposal to reclassify the land as 'operational'. |
| <i>Whether the land is a 'public reserve' (defined in the LG Act)</i> | The land does not fall under the definitions of a 'public reserve' as defined in the Local Government Act 1993. |
| <i>The strategic and site specific merits of the reclassification and evidence to support this</i> | <p>The planning proposal is consistent with the applicable strategic framework relevant to the site as the proposal is consistent with the objectives and actions contained within the Greater Sydney Region Plan, Central City District Plan, Council's Local Strategy, and relevant State Environmental Planning Policies and Ministerial Directions.</p> <p>The planning proposal has site specific merit as the landowners of the adjoining property on 17 Nelson Road are seeking to develop the site in line with the objectives of the B2 Local Centre zoning. The proposed reclassification will facilitate the sale of the site and enable an orderly development outcome to occur on the Village Centre site. Consequently, this will facilitate the existing community centre (and subsequent redevelopment to a superior outcome) to align with the anticipated incoming population of Box Hill.</p> |
| <i>Whether the planning proposal is the result of a strategic study or report</i> | The planning proposal is Council initiated and in response to an opportunity presented by the landowner/developers of the adjoining property on 17 Nelson Road, Box Hill. |
| <i>Whether the planning proposal is consistent with council's community plan or other local strategic plan</i> | The planning proposal is consistent with the relevant local policies and plans. |
| <p><i>A summary of council's interests in the land, including:</i></p> <ol style="list-style-type: none"> <i>1. 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);</i> <i>2. If council does not own the land, the land owner's consent;</i> <i>3. The nature of any</i> | <p>The land was previously part of Lot A DP 10157 being 1 acre of land donated to the Trustees of Box Hill/Nelson Progress Association by Anthony Skarratt in 1949.</p> <p>The land was compulsorily acquired by Council on 18 April 1986 for the purpose of providing, controlling and managing the land for public purposes and the benefit of the local community.</p> <p>Council originally resolved to classify the land as 'community' land in December 2008.</p> <p>The proposal to reclassify the subject land will enable the potential sale of the land to the developer of the adjoining site to facilitate an orderly development outcome for the Nelson Road Village Centre with the funds of the sale of the site to provide a new and superior community facility at a nearby location.</p> |

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| <i>trusts, dedications, etc;</i> | |
| <i>Whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why</i> | The subject site does not have interests attached to the land. |
| <i>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)</i> | The reclassification will enable the sale of the site and subsequently promote an orderly development outcome to occur on the Nelson Road Village Centre site (comprised of 15Z Nelson Road and 17 Nelson Road). The funds that are obtained due to the sale of the site will be allocated towards the redevelopment of a new and superior community centre to be located at a nearby location. |
| <i>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)</i> | Attachment E contains an electronic title search and deposited plan of the site. It is noted on these documents that the site does not contain any interests. |
| <i>Current use(s) of the land, and whether uses are authorized or unauthorized</i> | The subject land is currently being used for the purpose of a community centre, which is an authorized use. |
| <i>Current or proposed lease or agreements applying to the land, together with their duration, terms and controls</i> | There are no leases currently on the subject property. A Section 355 committee operate bookings from this facility. |
| <i>Current or proposed business dealings (e.g. agreement for the sale of 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)</i> | The sale of the site is subject to future negotiations with the landowner/developer of 17 Nelson Road, Box Hill. |
| <i>Any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy)</i> | Not applicable. |
| <i>How council may or will benefit financially, and how these funds will be used</i> | The funds obtained due to the sale of the site will used to relocate and redevelop the existing community centre to a nearby location. |
| <i>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</i> | The subject site does not contain provisions of open space. However, it is noted that potential sites have been identified to where the a community centre will be located. Funds generated from the sale of the site will be allocated towards the development of a new community centre. |
| <i>A Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial</i> | Not applicable. |

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| <i>datasets and maps, if land to be reclassified does not apply to the whole lot; and</i> | |
| <i>Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.</i> | It is anticipated as part of a Gateway Determination, that relevant government agencies are to be contacted for comments. |