

ATTACHMENT E - INFORMATION CHECKLIST FOR PROPOSALS TO CLASSIFY OR RECLASSIFY PUBLIC LAND THROUGH A SEPP

Matters for Consideration	Council Response
<i>The current and proposed classification of the land</i>	Council originally resolved to classify the land as 'community' land in 2016. On 26 October 2022, Council resolved to initiate a planning proposal to reclassify part of the land as 'operational' land.
<i>Whether the land is a 'public reserve' (defined in the LG Act)</i>	The land does fall under the definitions of a 'public reserve' as defined in the Local Government Act 1993. However the land in question is the part of the subject lot zoned R3 Medium Density Residential. Only the R3 portion of the site is proposed for reclassification.
<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. The proposal is consistent with the objectives and actions contained within the Greater Sydney Region Plan, Central City District Plan, Council's Local Strategic Planning Statement, and relevant State Environmental Planning Policies and Ministerial Directions. The proposal will facilitate the intended outcomes for the land but enabling the construction of a local road on the R3 zoned portion of the land and delivery of residential dwellings.</p> <p>The planning proposal has site specific merit as the landowners of the adjoining property are seeking to develop the site in line with the objectives of the R3 Medium Density Residential Zone. The proposed reclassification will facilitate the sale of the site and enable an orderly development outcome to occur. Ultimately, this will facilitate the construction of the local road which traverses the site and facilitate residential development on the R3 portion of land.</p>
<i>Whether the planning proposal is the result of a strategic study or report</i>	The planning proposal is Council initiated and is an opportunity to promote orderly development outcomes for the Box Hill Precinct.
<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 trusts, dedications, etc;</i> 	<p>The land was acquired by Council on May 2016 for the purpose of local drainage. At this time, the entire lot was classified as 'community' land.</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 subject site with the funds of the sale to be returned to Contributions Plan No. 15 – Box Hill Precinct and applied towards other infrastructure in the Box Hill Precinct.</p>
<p><i>Whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why</i></p>	<p>The proposal will not require any interests in the land to be discharged.</p>
<p><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></p>	<p>The reclassification will enable the sale of the site, construction of the local road and subsequently promote an orderly development outcome to occur. The funds that are obtained due to the sale of the site will be to be returned to Contributions Plan No. 15 – Box Hill Precinct and applied towards other infrastructure in the Box Hill Precinct.</p> <p>The R3 portion of the Council-owned land falls outside of the area required for the Hynds Road Drainage Reserve, any reclassification and potential sale of the R3 zoned land would not result in any material loss for the community.</p>
<p><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></p>	<p>The subject land is identified in Council's Parkland Management Plan by virtue of its drainage reserve status. The Plan of Management is available on Council's Website.</p> <p>Attachment D of the planning proposal contains an electronic title search. The title does not contain any restrictions relating to use of the site as a reserve.</p>
<p><i>Current use(s) of the land, and whether uses are authorized or unauthorized</i></p>	<p>The site is currently occupied by a single residential dwelling. The land subject to reclassification is currently vacant.</p>
<p><i>Current or proposed lease or agreements applying to the land, together with their duration, terms and controls</i></p>	<p>There is one lease on the site for the residential dwelling. There are no leases on the R3 land subject to reclassification.</p>

<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.
<i>Any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy)</i>	No rezoning of the subject site is proposed.
<i>How council may or will benefit financially, and how these funds will be used</i>	The funds that are obtained due to the sale of the site will be to be returned to Contributions Plan No. 15 – Box Hill Precinct and applied towards other infrastructure in the Box Hill Precinct.
<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>	Funds obtained will be returned to Contribution Plan No.15 –Box Hill and will be pooled with other contributions to be used for items in the Contribution Plan.
<i>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</i>	A Land Reclassification (Part Lots) Map has been provided in accordance with the standard technical requirements and is provided in Part 4 of the Planning Proposal.
<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.