

<b>ITEM-4</b>	<b>RECLASSIFICATION PLANNING PROPOSAL - 5 JACKSON PLACE, KELLYVILLE</b>
<b>THEME:</b>	Balanced Urban Growth
<b>OUTCOME:</b>	7 Responsible planning facilitates a desirable living environment and meets growth targets.
<b>STRATEGY:</b>	7.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.
<b>GROUP:</b>	<b>STRATEGIC PLANNING</b>
<b>AUTHOR:</b>	<b>TOWN PLANNER</b> ALICIA JENKINS
<b>RESPONSIBLE OFFICER:</b>	<b>MANAGER FORWARD PLANNING</b> STEWART SEALE

#### **EXECUTIVE SUMMARY**

This report recommends that a planning proposal be prepared and forwarded to the Department of Planning and Environment for a Gateway Determination, to reclassify a parcel of Council-owned land from 'community' to 'operational' pursuant to the Local Government Act 1993.

The property adjoins the future Arnold Avenue Sports Complex and was acquired by Council to facilitate pedestrian access and connection to the cycleway network. An agreement with Sydney Water has enabled Council to build cycleway infrastructure on trunk drainage land in this area, negating the need for a link through 5 Jackson Place. Reclassification to operational land will facilitate the sale of the land as a residential lot.

As the land is already zoned R2 Low Density Residential, other amendments under the Local Environmental Plan are not required, although amendments to the Development Control Plan for the Kellyville Rouse Hill Release Area will be needed to reflect the revised cycle way route and remove the 'open space' notation from the site.

#### **APPLICANT**

The Hills Shire Council – Council-initiated

#### **OWNERS**

The Hills Shire Council

#### **THE HILLS LOCAL ENVIRONMENTAL PLAN 2012**

Zone:	R2 Low Density Residential
Minimum Lot Size:	450m <sup>2</sup>
Maximum Height of Buildings:	10m
Maximum Floor Space Ratio:	Not applicable

**REPORT**

This site is a 421.9m<sup>2</sup> parcel of land currently zoned R2 Low Density Residential and classified as 'community' land. It was purchased by Council on 14 June 2006 with the intent of providing a connection to the cycleway network that links Arnold Avenue Sporting Fields with the Greenway Link between Bella Vista Farm and Rouse Hill.



**Figure 1**  
5 Jackson Place Locality Map

An agreement with Sydney Water allows Council to build cycleway infrastructure on trunk drainage land in this area, which enables direct pedestrian and cycle access from Arnold Avenue Sporting Complex across Strangers Creek and under Windsor Road via an existing underpass. A concept plan of the new access path is shown in Figure 2.



**Figure 2**  
Concept plan showing revised cycleway route

The reclassification of Council land must be undertaken in accordance with the Local Government Act 1993, Environmental Planning and Assessment Act 1979 and Practice Note PN09-003 issued by the Department of Planning and Environment (June 2009). An independently facilitated public hearing is required to be held as part of the community consultation process.

Should the planning proposal proceed, amendments to the Development Control Plan for the Kellyville Rouse Hill Release Area would be required to reflect the revised cycleway route, and remove an 'open space' notation from the site.

## CONCLUSION

It is recommended that a planning proposal for the reclassification be forwarded to the Department of Planning and Environment for a Gateway Determination and amendments to the Development Control Plan for the Kellyville Rouse Hill Release Area, to remove the open space notation, be exhibited. This will provide the community with an opportunity to comment on the revised cycleway location.

## IMPACTS

### Financial

Council purchased 5 Jackson Place, Kellyville via funds from Contributions Plan No.8 Kellyville/Rouse Hill. Therefore, proceeds from the sale of the property will be placed back into Contributions Plan No.8 which will assist with funding improvements to the open space network in this area.

### The Hills Future - Community Strategic Plan

The proposed changes will help achieve the Hills Future Vision of managing our assets effectively to achieve higher levels of service for the community.

**RECOMMENDATION**

1. A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to reclassify 5 Jackson Place from 'community' to 'operational' land in accordance with the Local Government Act 1993.
2. Amendment to Development Control Plan 2012 Part D Section 5 – Kellyville/Rouse Hill to reflect the revised cycleway route and remove the 'open space' notation from 5 Jackson Place, Kellyville be exhibited concurrently with the planning proposal.

**ATTACHMENTS**

Nil

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**MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 25 November 2014**

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**VOTING FOR THE MOTION**

Clr A C Jefferies  
Clr Dr M R Byrne Adjunct Professor  
Clr P J Gangemi  
Clr A N Haselden  
Clr Dr J N Lowe  
Clr R A Preston  
Clr M O Taylor  
Clr M G Thomas

**VOTING AGAINST THE MOTION**

Clr R K Harty OAM  
Clr R M Tracey

**ITEM-4 RECLASSIFICATION PLANNING PROPOSAL - 5 JACKSON PLACE, KELLYVILLE**

A MOTION WAS MOVED BY COUNCILLOR DR LOWE AND SECONDED BY COUNCILLOR TRACEY THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

**713 RESOLUTION**

1. A planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination to reclassify 5 Jackson Place from 'community' to 'operational' land in accordance with the Local Government Act 1993.
2. Amendment to Development Control Plan 2012 Part D Section 5 – Kellyville/Rouse Hill to reflect the revised cycleway route and remove the 'open space' notation from 5 Jackson Place, Kellyville be exhibited concurrently with the planning proposal.

*Being a planning matter, the Mayor called for a Division to record the votes on this matter.*

**VOTING FOR THE MOTION**

Clr A C Jefferies  
Clr Dr M R Byrne Adjunct Professor  
Clr P J Gangemi  
Clr R K Harty OAM  
Clr A N Haselden  
Clr Dr J N Lowe  
Clr R A Preston  
Clr M O Taylor  
Clr M G Thomas  
Clr R M Tracey

**VOTING AGAINST THE MOTION**

None