



# **SUPPLEMENTARY BUSINESS PAPER**

## **GENERAL MEETING**

**Wednesday 16 October 2013  
at 6:30 PM**



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## **19 TRANSFER OF OPEN SPACE LAND TO COUNCIL**

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### **EXECUTIVE SUMMARY**

- The Department of Planning and Infrastructure has historically acquired open space land as part of Sydney's green belt, later transferring the land to councils as part of their open space networks.
- Three parcels of land at 18X Matthew Close, Galston are being considered by the Department of Planning and Infrastructure for transfer to Council ownership. The formal transfer remains subject to Ministerial approval.
- The subject parcels of land have been under the care, control and management of Council for the past 25 years as part of Galston Park Bushland.
- Transfer of the land is consistent with the open space zoning and objectives of the Generic Plan of Management for Council and Community Land.
- The transfer of the land would be at no cost to Council.
- Transfer would enable Council to enter into a Biobanking agreement for the whole of Galston Park Bushland that would provide funding for management of the land in perpetuity.

### **RECOMMENDATION**

THAT:

1. Subject to the approval of the Minister administering the Environmental Planning and Assessment Act 1979, Council accept the transfer of Lot 1 DP 567189, Lot 1 DP 568238 and Lot 7 DP 240287 from the Department of Planning and Infrastructure for open space purposes.
2. The General Manager be authorised to execute any documents in relation to this matter deemed appropriate by Council's legal advisors.

**PURPOSE**

The purpose of this Report is to present information required to enable Council to consider the transfer of ownership of open space land at 18X Matthew Close, Galston from the Department of Planning and Infrastructure (DoPI).

**BACKGROUND**

Galston Park Bushland (58X and 60X Crosslands Road, and 18x Matthew Close, Galston) was originally acquired by the NSW Government under the County Open Space Scheme as part of Sydney's green belt.

The land at 58X and 60X Crosslands Road has previously been transferred to Council's ownership, and the land at 18X Matthew Close has been under Council's care, control and management for the past 25 years.

**DISCUSSION**

The land at Galston Park is steep bushland on the north eastern side of Galston Gorge and features native vegetation in very good condition with many threatened species. Land parcels were originally acquired by the NSW Government as part of Sydney's green belt under the County Open Space scheme. Two parcels of land forming part of Galston Park Bushland are already under Council's ownership being Lot 204 DP 854878 and Lot 2 DP 202545 at 58X and 60X Crosslands Rd, Galston.

The land being considered for transfer to Council is at 18X Matthew Close, Galston and includes Lot 1 DP 567189, Lot 1 DP 568238 and Lot 7 DP 240287. These parcels were gazetted on 16 April 1987 and are under the care, control and management of Council with a requirement that they be maintained for open space purposes. A similar requirement exists for the other lots of Galston Park Bushland under a Deed of Trust. Council has been managing this land as part of the reserve for over 25 years.

The current proposal is to consider the transfer of the remaining lots to Council, subject to the approval of Council and the Minister administering the Environmental Planning and Assessment Act 1979.

**Land Zoning**

The land is zoned RE1 Public Recreation under the Hornsby Local Environment Plan 2013. The proposed transfer is consistent with the objectives of the zoning.

**Biobanking Proposal**

Council has applied for a grant under the NSW Government 'Linking Landscapes' for Galston Park Bushland. Transfer of the remaining land parcels to Council's ownership would enable Council to enter into a Biobanking agreement for the entire reserve as part of the grant. In creating a Biobank site on the land a Trust Fund is established under the scheme that provides Council annual funding in perpetuity to allow for its ongoing management. This is subject to further investigation, as well as Council approval.

**CONSULTATION**

In the preparation of this Report there has been consultation with the Department of Planning and Infrastructure.

**BUDGET**

There is no cost to Council associated with the land transfer apart from legal costs which would be borne by each party. Sufficient funds are available within the budget to meet this cost.

Should Council and the Minister approve of the land transfer, this would enable Council to enter into a Biobanking agreement on the land creating a significant funding opportunity with the potential Linking Landscapes grant of approximately \$750,000 to fund Council's management of the land in perpetuity.

**POLICY**

The proposed transfer of ownership of the land from the Department of Planning and Infrastructure to Council is consistent with the Generic Plan of Management for Community and Crown Land for District 6. The land would be classified as 'community land' and categorised as 'natural area' with subcategories of 'bushland' and 'watercourse'.

**CONCLUSION**

Council has assumed responsibility for the care, control and management of 18X Matthew Close, Galston for the past 25 years and managed it as part of the broader Galston Park Bushland.

The proposal for ownership to transfer from the Department of Planning and Infrastructure to Council is consistent with its zoning and the objectives of the Generic Plan of Management for Council and Community Land.

The proposed transfer of ownership would also enable Council to enter into a Biobanking agreement across the land that would provide funding for management of the land in perpetuity.

It is recommended that Council accept transfer of 18X Matthew Close, Galston from the Department of Planning and Infrastructure, noting that the transfer is subject to Ministerial approval.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager Natural Resources – Diane Campbell - who can be contacted on 9847 6903.

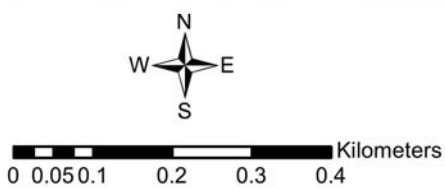
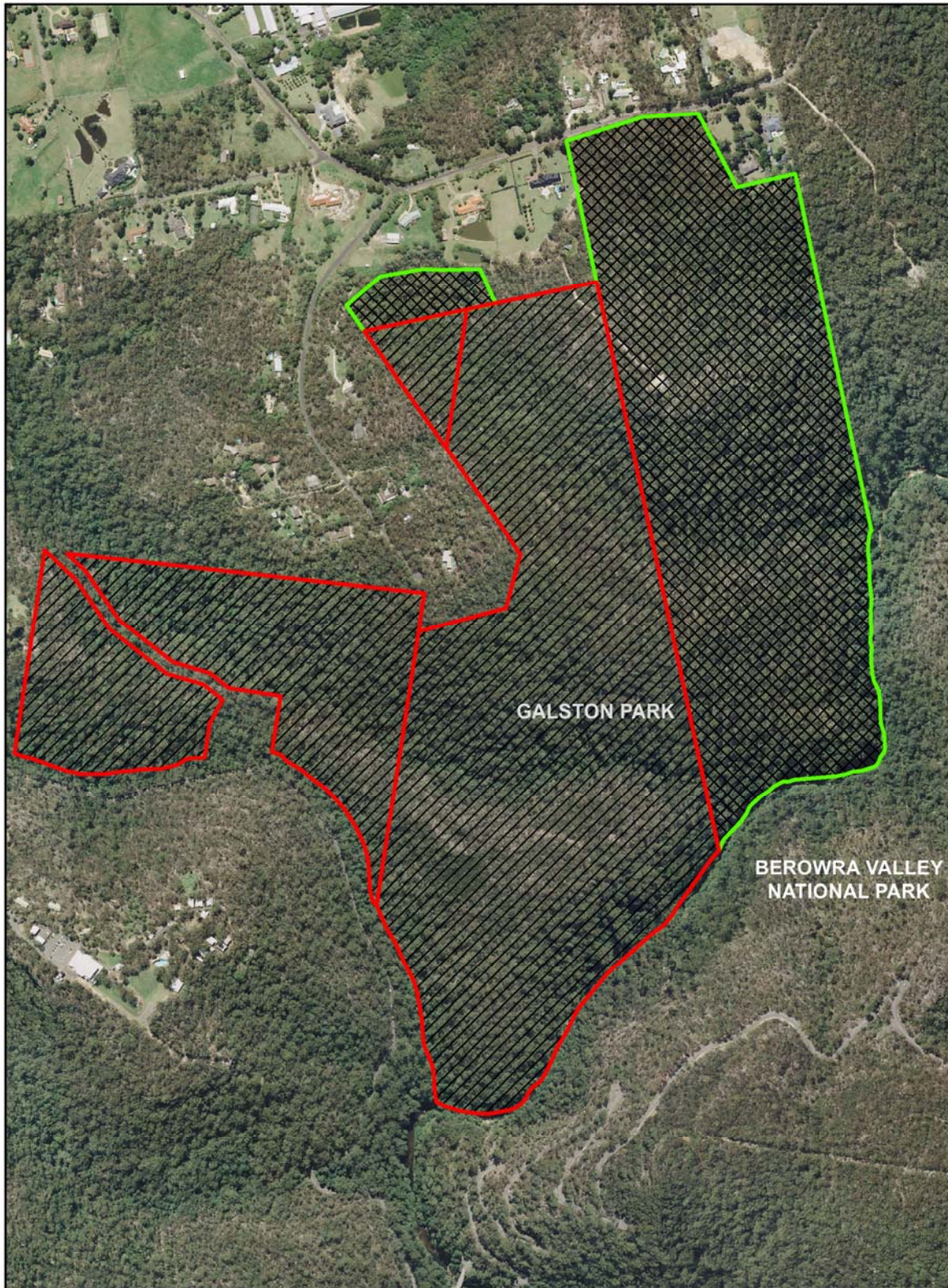
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**Attachments:**

1. Map of Galston Park Bushland - Proposed Land Transfer

File Reference: F2007/00648  
Document Number: D02536080



-  Open space for transfer
-  Land owned by Council

October 2013  
Aerial images LPI

