

## Item 6.

### Land Classification - 99A Belmont Street, Alexandria

File No: **2025/654437**

#### Summary

On 23 June 2025, Council endorsed public notification of the proposed resolution to classify proposed Lot 101 in the plan of subdivision of Lot 100 in Deposited Plan 1290374 as operational land. The land is to be transferred to the City by the current registered proprietor BELMONT RESIDUAL PTY LTD, JWM BELMONT HOLDINGS PTY LTD and POINT NO 3 PTY LTD (the Developer, ABN : 92 524 358 959) in accordance with registered Planning Agreement AS335823.

Since June 2025, this land has been subdivided and is now legally known as Lot 101 in Deposited Plan 1314191. The address was also updated from 59-99 Belmont Street, Alexandria, to 99A Belmont Street, Alexandria.

The proposed resolution to classify this land as operational land was publicly notified for a period of 28 days from 27 August 2025 to 24 September 2025. No submissions were received.

This report seeks Council's endorsement to classify 99A Belmont Street, Alexandria (being Lot 101 in Deposited Plan 1314191) as operational land under the Local Government Act 1993 (NSW).

#### Recommendation

It is resolved that Council endorse the classification of 99A Belmont Street, Alexandria (being Lot 101 in Deposited Plan 1314191) as operational land in accordance with section 31 of the Local Government Act 1993 (NSW).

#### Attachments

**Attachment A.** Identification Map

## Background

1. On 23 September 2020, development consent was granted for a development at 59-99 Belmont Street, Alexandria (now known as 99A Belmont Street). The development comprises the demolition of existing buildings excluding the front façade, tree removal, and construction of a new 4-storey residential development with 23 apartments, basement parking, private rooftop open space and landscaping (D/2019/1249).
2. On 21 September 2021, the City entered into registered Planning Agreement AS335823 with the then registered proprietor Aqualand Belmont Developments Pty Ltd (ACN 629 673 383), which provided for land dedication and embellishment works for a widened pedestrian and cycle shared path, and a monetary contribution towards community infrastructure in Green Square.
3. The existing pedestrian and cycle shared path runs from Belmont Street to Buckland Street and is adjacent to the Alexandria Park Community School.
4. The shared path is part of the City's network of bike routes identified in the Cycling Strategy and Action Plan 2018-2030.
5. The shared path is partly made up of a 2m wide easement for public access over the school's land, and publicly dedicated land from the development of 92-94 Buckland Street. The land from 99A Belmont Street will result in a total width of approximately 3.6m for the length of the shared path.
6. An easement for drainage will be required over the shared path to accommodate stormwater drainage infrastructure constructed on the land that services the new development at 59-99 Belmont Street. This easement will be created by the developer as part of the subdivision process.
7. Stormwater infrastructure for 55-88 Belmont Street is contained entirely underneath this lot, being Lot 101. The lot is also adjacent to land with an existing easement to facilitate the use of the shared path. A classification of the land as 'operational' will support the City's management and use of the land.
8. A subdivision plan was registered subdividing Lot 100 in DP1290374 and creating two new lots, being Lot 100 in DP 1314191 (the Building) and 101 in DP 1314191 (the Pedestrian and Cycle Shared Path). An easement to drain water has been creating over Lot 101.
9. Lot 100 (the Building) will remain in private ownership.
10. Following completion of the embellishment works to the pedestrian and cycle shared path, Lot 101 in DP 1314191 will be transferred to the City.

The development at 55-88 Belmont Street, Alexandria is nearing completion and the transfer of the land for the shared path is expected by the end of 2025.

## Key Implications

### Organisational Impact

11. There is no organisational impact arising from this proposed resolution to classify this parcel of land as operational land.

### Risks

12. There is a minimal appetite for risk when considering the classification of land within the City's local area. Classifying land correctly ensures compliance with all applicable laws and regulations associated with land management.

## Financial Implications

13. The classification of land under the Local Government Act 1993 (NSW) does not have any direct budgetary implications. Once 99A Belmont Street, Alexandria is transferred to the City, it will be recognised as in-kind contributions income, and held as a land asset in accordance with the City's Infrastructure, Property, Plant and Equipment (IPPE) Asset Recognition and Capitalisation Policy.

## Relevant Legislation

14. The following sections of the Local Government Act 1993 (NSW) are relevant:
  - (a) Section 25 requires all public land to be classified as either community or operational land
  - (b) Section 31(2) permits Council to resolve to classify land prior to acquisition
  - (c) In satisfaction of section 31(3), the proposed resolution is not inconsistent with the planning agreement (as registered on title) nor any other Act or the terms of any trust applying to the land and
  - (d) Section 34 requires the proposed resolution to classify land be publicly notified and made available for inspection by the public for a period of not less than 28 days.

## Critical Dates / Time Frames

15. The land needs to be classified within 3 months of land transfer to the City or the land automatically reverts to a community classification.
16. The land is proposed to be transferred to the City by the end of 2025.

**Public Consultation**

17. The proposed resolution to classify the land was publicly notified for a period of 28 days commencing 27 August 2025 and closing on 24 September 2025.
18. No submissions were received.

**KIM WOODBURY**

Chief Operating Officer

Mary Ghaly, Public Lands Coordinator