

STATEMENT OF COUNCIL'S INTEREST

PROPOSED REZONING OF 59-73 PIPER STREET, NORTH TAMWORTH (59-73 Piper Street Planning Proposal)

Council File Ref: SF5976, LF18312
Land: Lot 12 DP 1076924 – 59-73 Piper Street, West Tamworth
Local Identifier: North Tamworth Bowling and Tennis Club Park No.12 and
North Tamworth Tennis Courts
Legal Instrument: 59-73 Piper Street Planning Proposal to amended the
Tamworth Regional Local Environmental Plan (TRLEP) 2010

Background

The Department of Planning's Best Practice Guideline *LEPs and Council Land*, January 1997, recommends that in instances where Council proposes to change the planning controls that apply to land in which it owns or alternatively, has an interest in, a **Statement of Council's Interest** should be prepared. The purpose of this document is to ensure that any proposal for a rezoning of Council land is objectively assessed and to ensure that this process is open and transparent.

The Best Practice Guidelines state that when Council exhibits a draft LEP that applies to Council owned land, additional information is required to be included. This information is required to provide clarity as to Council's interest in the land and the reasons as to why the plan is being prepared.

The nature of Council's interest in the land

Council is the owner of the land known as 59-73 Piper Street (Lot 12 DP 1076924). Prior to 1947 Portions 90 and 91 (previous identification) were crown parcels held under Annual Lease.

When and why did Council first acquire an interest in the land?

On the 22 August 1947 the land was resumed for recreational purposes. On the 29 September 1995 Community Land Parcels 1 - 2, DP 316594 (previous identification) were acquired by the Council of City of Tamworth for the purposes of public recreational use. The subject land was reclassified as Operational Land under the Tamworth Regional Local Environmental Plan 1996 (Amendment No. 17). Discussions as to the use of the land began in 2001 with a resolution by Council to negotiate the subdivision and proposed sale with the North Tamworth Bowling Club.

How did Council acquire its interest in the land?

The sale of Lot 11 was finalised in 2002 with a sale price of \$85,000. Lot 12 was leased to the North Tamworth Tennis Club until 2004. The consolidation and creation of Lots 11 & 12 DP 1076924 (current identification) occurred in 2005.

Do any agreements to dispose of the Land exist & what are the terms of any such agreements?

There are no formal agreements to dispose of 59-73 Piper Street, Lot 12 DP 1076924. The part of the land that is proposed to be rezoned to *R1 General Residential* is to be utilised for residential purposes.

The purpose for the making of an LEP

The subject land is currently zoned *RE1 Public Recreation* and is considered to be surplus to the recreational needs within the City of Tamworth. On the 12 March 2013, Council resolved at its Ordinary Meeting to prepare a planning proposal to rezone part of the subject land. The Planning Proposal aims to rezone part of Lot 12, DP 1076924 from *RE1 Public Recreation* to *R1 General Residential*. The purpose of the planning proposal is to facilitate a higher land use that is in keeping with the surrounding locality.

As discussed, the subject land (with the exception of the playground) is considered surplus to the recreational needs within the City and it is Council's intention to dispose of the rezoned component of the land at some future use. The planning proposal is considered to be consistent with the objectives, actions and priorities outlined in the *Tamworth Regional Development Strategy 2008*.

Anticipated development

The planning proposal is being prepared to facilitate residential development that is in keeping with the surrounding locality. The proposed rezoning of part of the land will create an opportunity for residential development consistent with the objectives of the zone, subject to assessment and approval in accordance with Council's controls and policies.

Financial implications

The current value of the land is approximately \$26 m². Should the rezoning of part of the land proceed it is estimated that the residential component may be valued at between \$26 and \$39 m², consistent with nearby land zoned for residential development.