



Uralla Shire Council Planning Proposal 2 7 January 2013

1 Objectives and Intended Outcomes of the Planning Proposal

The objectives and intended outcomes of the Planning Proposal are:

- To reclassify selected land presently classified as 'community' to 'operational'.
- To achieve better alignment between the current use and the land classification.

2 Explanation of the Proposed Provisions

Specific lots are to be reclassified will be listed as follows in the amended LEP.

Schedule 4 Classification and reclassification of public land

Part 1 Land classified or reclassified as operational land – no interests changed.

Column 1	Column 2
Locality	Description
Bundarra	Lot 1 DP 1062924
Bundarra	Lot 1 DP 1165352
Uralla	Lot 30 DP 793510
Uralla	Lot 613 DP 755846

Following a process of public exhibition and a public hearing relating to this planning proposal, and subject to there being no matter raised that would necessitate Council changing its decision to reclassify the land, the reclassification of the land will be effected through listing in Schedule 4 in this manner.

3 Justification of Objectives, Outcomes and Provisions

A comprehensive review of public land held by Council has recently been undertaken. An outcome of that review was the identification of four lots that are classified as community land but that should really have been classified as operational land when they were acquired by Council.

A report was prepared for Council which resolved at its meeting of 26 November 2012 to "Commence the actions required to prepare a Planning Proposal to reclassify the following lots from *community* to operational: Lot 613 DP 755846; Lot 1 DP 1165352; Lot 30 DP 793510; Lot 1 DP 1062924".

The reasons that reclassification is sought for each lot are provided in the following extract from the Council report.

Description	Comments
Gravel Pit Bingara Rd Bundarra Lot 1 DP 1062924	This land was acquired in 2005 by Council in order to extend the gravel pit operating in the adjacent road reserve under consent issued pursuant to DA 2643. As such, the <i>operational</i> classification is most appropriate for the land although it has defaulted to <i>community</i> in the absence of any action to classify it in the appropriate manner. It is therefore proposed to Lot 1 DP 1062924 as <i>operational</i> .
Bundarra West Reservoir. Muirhead St Bundarra Lot 1 DP 1165352	This lot and Lot 3 DP 585048 comprise the land containing the reservoir and associated equipment. Lot 3 DP 585048 was classified as <i>operational</i> in the 94/95 Management Plan, however no such classification has occurred for Lot 1 DP 1165352 which has therefore defaulted to <i>community</i> . Given that the land was originally obtained for operational purposes, and that it adjoins and extends another lot that has already been classified as <i>operational</i> , it is proposed to reclassify Lot 1 DP 1165352 as <i>operational</i> .
Caravan Park Queen St Uralla Lot 30 DP 793510	The Uralla Caravan Park is located on this land and adjacent Crown Land through Permissive Occupancy (AE88H47) which includes the unformed section of King St. Lot 30 DP 793510 was acquired by Council in 1990 through excision from the Crown Land Reserve for Alma Park for operational purposes to allow for operation of the existing caravan park. As such, the <i>operational</i> classification is most appropriate for the land although it has defaulted to <i>community</i> in the absence of any action to classify it in the appropriate manner. It is therefore proposed to reclassify Lot 30 DP 793510 as <i>operational</i> .
Water Race Kliendienst Rd Uralla. Lot 613 DP 755846	This lot and associated Lot 22 DP 746984 are enclosed within private property. A separate report to Council has discussed an issue with encroachment on these lots and the proposal to sell them to the property owners. In order to do this, the lots must be classified as <i>operational</i> . Lot 22 DP 746984 was so classified in the 94/95 Management Plan, but no such classification action has been taken for Lot 613 DP 755846 which has therefore defaulted to <i>community</i> . It is therefore proposed to reclassify Lot 613 DP 755846 to <i>operational</i> . This land is within the Rocky River Gold Mining Heritage Precinct and therefore a heritage study will need to be undertaken prior to reclassification.

In addition to the above reasons, the Director General has identified that the following matters that must be addressed.

3.1 Is the planning proposal a result of a strategic study or report?

There is no relevant strategic study. The only relevant report is the Report to Council prepared for its meeting of 26 November 2012 as referred to above.

3.2 Is the planning proposal consistent with the Uralla Shire Council's Community Plan or other Local Strategic Plan?

The Community Plan is silent on any specific mention of the subject land. There is nothing about what is proposed that is inconsistent with the Community Plan.

There is no other Local Strategic Plan to consider.

3.3 Explanation for extinguishment of any interests in the land

No extinguishment of interests in the land will result from the reclassification.

3.4 Concurrence of the land owner (where land not owned by Council)

All land is owned by Council.

4 Proposed Community Consultation

This planning proposal is required to be on public exhibition for a period of 28 days (p.24 in A guide to preparing local environmental plans).

Once a Gateway determination to proceed has been received, Council will undertake community consultation in accordance with that determination. It is anticipated that consultation will proceed along the following lines:

- Notification in the local newspaper (Armidale Express);
- Notification on Council's website; and
- Written notification to the adjoining landowners (Councils all subject land and has resolved to seek its reclassification)

In addition, notification will be provided in Council's monthly newsletter which is circulated to all residents.

In addition to that above public consultation, Council is required under the Local Government Act 1993 to conduct a public hearing. The public hearing will be foreshadowed in the above information and will be formally notified at the completion of the exhibition period in accordance with the Act as follows:

- Give notice of the arrangement for the public hearing in a local newspaper, and
- Give notice in a letter to each of the persons who requested a public hearing when making a submission, at least 21 days before the date of the hearing.

5 Mapping of the Proposed Changes

The proposed changes will not result in any changes to mapping in the LEP.

6 Proposed Timeline

Weeks after Gateway Determination	Item
0	Gateway determination
8	Completion of heritage study and consideration by Council
12	Exhibition start
16	Exhibition end
21	Public hearing undertaken
25	Consideration of submissions from exhibition and public hearing
32	Gazettal of Amended LEP