

Treelands Drive, Yamba - Reclassification from Community to Operational

Proposal Title : **Treelands Drive, Yamba - Reclassification from Community to Operational**

Proposal Summary : **The Council proposes to reclassify land at Treelands Drive Reserve, Yamba from Community to Operational, with no interests changed. The purpose of this reclassification is to enable the land to be sold to NSW Health to enable funding to be accessed for construction of a community health facility. The land currently contains the Yamba Ambulance Station, this use is proposed to continue alongside the community health facility.**

PP Number : **PP_2014_CLARE_003_00** Dop File No : **14/06416**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.2 Coastal Protection
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements**

Additional Information : **It is recommended that the planning proposal PP_2014_CLARE_003_00, to include approved Lot 1 under Clarence Valley Councils DA2013/0025 in Part 1 of Schedule 4 of the Clarence Valley LEP 2011, should proceed subject to the following conditions:**

- 1. Community consultation is required under section 57 of the Environmental Planning and Assessment Act 1979 (EP&A Act) as follows:**
 - a. The planning proposal must be made publicly available for a minimum of 28 days, and**
 - b. The relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).**
 - c. Council is to conduct a public hearing in accordance with the requirements of section 29 of the Local Government Act 1993 as the planning proposal involves reclassification of land from community to operational.**
- 2. A public hearing is not required to be held into the matter under section 56(2)(e) of the EP&A Act.**
- 3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.**
- 4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.**

It is also recommended that delegation to finalise the planning proposal be issued to Clarence Valley Council.

Supporting Reasons : **The reasons for the above recommendations for the planning proposal are as follows:**

- 1. The proposal to reclassify this land is necessary to facilitate essential health services being provided in Yamba.**
- 2. The issue of delegation to Council to finalise the planning proposal is appropriate in this instance. The proposal will not result in the change of any interests in this land and as such the Governors approval is not required.**

Panel Recommendation

Recommendation Date : Gateway Recommendation :

Panel Recommendation : **This planning proposal is considered of local significance and the Gateway Determination is to be issued under delegation by the Regional Director. Therefore the**

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planning proposal will not be considered by the panel.

Gateway Determination

Decision Date :	17-Apr-2014	Gateway Determination :	Passed with Conditions
Decision made by :	General Manager, Northern Region		
Exhibition period :	28 Days	LEP Timeframe :	6 months

Gateway Determination :

1. Community consultation is required under section 57 of the EP&A Act as follows:
 - (a) The planning proposal must be made publicly available for a minimum of 28 days, and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).
2. Council is to conduct a public hearing in accordance with the requirements of section 29 of the LG Act as the planning proposal involves reclassification of land from community to operational.
3. Prior to public exhibition the planning proposal should be amended to include a Land Reclassification (Part Lots) map clearly identifying the subject land.
4. A public hearing is not required to be held into the matter under section 56(2)(e) of the EP&A Act.
5. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
6. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN WARRAY

Date:

17 APRIL 2014