

ITEM	13.214/14	PLANNING PROPOSAL – NEW COUNCIL DEPOT AT RUSHFORTH ROAD, SOUTH GRAFTON
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Meeting	Environment, Planning & Community	14 October 2014
Directorate	Environment, Planning & Community	
Submitted by	Director - Environment, Planning & Community (Des Schroder)	

SUMMARY

<i>Proponent</i>	Clarence Valley Council
<i>Owner</i>	Clarence Valley Council (Lot 1 DP 557049) South Grafton High School/Dept Education and Communities (Lot 2 DP 521320)
<i>Subject land</i>	Lot 1 DP 557049, Rushforth Road, South Grafton (item 1) Lot 2 DP 521320, Rushforth Road, South Grafton (item 2)
<i>Site area</i>	4.68ha – Lot 1 758.8 m ² – Lot 2
<i>Current Zoning CVLEP 2011</i>	SP2 Infrastructure - labelled purpose on Land Zoning Map - "Sewerage treatment plant"
<i>Proposal</i>	Lot 1/Item 1 - Alter the labelled purpose of current SP2 Infrastructure zone on the Land Zoning map from "Sewerage treatment plant" to "Depot and Public administration building" to enable redevelopment of the site for the purposes of a new Council depot and office/administrative facilities associated with Council's works and operational functions. Lot 2/Item 2 - rezone from SP2 Infrastructure to R1 General Residential.

Council has embarked upon a Depot and Accommodation Rationalisation Project which forms a key part of its 2014 - 2017 Delivery Program and 2014 - 2015 Operational Plan. The now redundant South Grafton Sewerage Treatment Plant site (Lot 1 DP 557049) offers favourable attributes for the establishment of a new depot facility and associated office accommodation for works and operational staff to replace the current multiple depot site/facilities that currently service the Grafton/South Grafton operational catchment.

Council considered a report on the Depot and Accommodation Rationalisation Project at its 16 September 2014 Ordinary meeting.

The purpose of this report is to present a Planning Proposal to Council principally aimed at supporting and initiating the required rezoning process to enable redevelopment of the site for the purposes of a new Council depot and office/administrative facilities.

OFFICER RECOMMENDATION

That Council:

1. As the relevant planning authority, initiate the Local Environmental Plan "Gateway" process pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 by endorsing the attached Planning Proposal over Lot 1 DP 557049, Rushforth Road, South Grafton to amend Clarence Valley Local Environmental Plan 2011 to enable redevelopment of the site for the purposes of a new Council depot and office/administrative facilities associated with Council's works and operational functions.
2. Forward the Planning Proposal to the Department of Planning and Environment (the Department) requesting a "Gateway" determination, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act.
3. Undertake community consultation regarding the Planning Proposal, subject to the determination of the Gateway Process.

4. That Council's delegate exercise any delegation that may be specified and issued by the Gateway determination and Written Authorisation to Exercise Delegation.

COMMITTEE RECOMMENDATION

Williamson/McKenna

That the Officer Recommendation be adopted.

Voting recorded as follows:

For: McKenna, Williamson

Against: Baker

COUNCIL RESOLUTION - 13.214/14

(Crs Williamson/Kingsley)

That Council:

1. As the relevant planning authority, initiate the Local Environmental Plan "Gateway" process pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 by endorsing the attached Planning Proposal over Lot 1 DP 557049, Rushforth Road, South Grafton to amend Clarence Valley Local Environmental Plan 2011 to enable redevelopment of the site for the purposes of a new Council depot and office/administrative facilities associated with Council's works and operational functions.
2. Forward the Planning Proposal to the Department of Planning and Environment (the Department) requesting a "Gateway" determination, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act.
3. Undertake community consultation regarding the Planning Proposal, subject to the determination of the Gateway Process.
4. That Council's delegate exercise any delegation that may be specified and issued by the Gateway determination and Written Authorisation to Exercise Delegation.

Voting recorded as follows

For: Councillors Williamson, Challacombe, Howe, Kingsley, McKenna and Simmons

Against: Councillors Baker and Toms

LINKAGE TO OUR COMMUNITY PLAN

Theme 5 Our Leadership

Objective 5.1 We will have a strong, accountable and representative Government

Strategy 5.1.4 Provide open, accountable and transparent decision making for the community

BACKGROUND

Since 2010 Council has been examining future land use options for seven Sewage Treatment Plants (STPs) made redundant by the Grafton Maclean Lawrence Townsend Ilarwill sewerage scheme. Council engaged consultants GHD to assess and recommend future land use options for the redundant STPs which includes the now redundant South Grafton Sewerage Treatment Plant which comprises 2 sites including Lot 1 DP 557049, as described above.

The report entitled *“Redundant Sewer Treatment Plants at Junction Hill (3), South Grafton, Maclean, Ilarwill and Townsend - Future Land Use Assessment (GHD June 2010)”* recommended that an R1 General Residential zone was the preferred future land use zone for Lot 1 DP 557049 (site 1).

Council’s organisational planning since 2010 has seen the emergence of the Council Depot and Accommodation Rationalisation Project, an outcome of which is to be the consolidation of multiple depot sites and associated infrastructure into only two (2) principal depot sites Council-wide including a new significant depot facility based around Grafton/South Grafton. Operational needs are such that the majority of Council’s operational and works staff that are “non-field” staff also need to be co-located at the depot to maximise efficiencies. The number of staff requiring dedicated office accommodation at the new depot could range between 50 and 100.

On 16 September 2014 Council considered a report on the *“Depot and Accommodation Rationalisation Project – Depot Site Selection, Conceptual Master Plans and Budget”* (ITEM 20.012/14). Amongst other things Council resolved that:

1. *The site for the development of a new amalgamated Council works depot and administration building be Council’s former Sewage Treatment Plant located at the corner of Rushforth Road and Tyson Street, South Grafton, described as Lot 1 on DP 557049.*
2. *A planning proposal be prepared for Council’s consideration to rezone the site from SP2 – Infrastructure to SP2 – Depot and Public Administration Building.*

A draft Planning Proposal has been prepared in accordance with Council’s resolution. A copy of the draft Planning Proposal is at Attachment 1. A copy of Council’s full resolution (20.012/14) is at Attachment 2. The Planning Proposal also seeks to correct a minor zoning anomaly in relation to a small parcel of land (Lot 2 DP 521320) owned by South Grafton High School/Dept Education and Communities adjoining Lot 1.

KEY ISSUES

Merit issues

Key merit issues associated with Item 1 include additional traffic generation to this location and potential noise and lighting impacts. It is considered and expected that a future development application (DA) will include appropriate detail and be conditioned to address these issues as follows:

1. Preparation and submission of a traffic management plan – both construction phase and post construction operational phase.
2. Design building/structures and work areas to mitigate against potential noise impacts on residences in the neighbourhood.
3. Design any night time security lighting so as not to impact upon the amenity of the nearby residential area and upon the safety of road users in the local road system.

Other issues that will need attention in a future DA include stormwater management and adequate freeboard of critical buildings and work areas from areas of the site impacted by flooding.

Zoning anomaly - Lot 2 DP 521320

As mentioned above the Planning Proposal also seeks to correct a minor zoning anomaly in relation to a small parcel of land (Lot 2 DP 521320) owned by South Grafton High School/Dept Education and Communities adjoining Lot 1. Lot 2 is erroneously zoned SP2 Infrastructure (Sewerage treatment plant). It should have been zoned R1 General Residential in step with the remainder of the South Grafton High School land holdings and in conformity with the infrastructure zoning convention outlined in Practice Note

PN 10 - 001 (Zoning for Infrastructure in LEPs). Both the ownership of Lot 2 and its erroneous zoning have only recently come to light during the process of examining Lot 1 as part of the Depot and Accommodation Rationalisation Project.

Other issues

Lot 1 (Item 1) is classified as “operational” land under section 26 of the Local Government Act 1993. This means that Council is not encumbered in its dealings as it would if the land was classified as “community” land under s.26. Although Council is not dealing with the land in a manner that is intended to bring financial gain or benefit to it, a “Statement of Council’s Interest” has nevertheless been prepared to accompany the public exhibition of the Planning Proposal. This has been incorporated in the draft Planning Proposal document. Refer also to **Legal and Risk Management** below.

Conclusion

This is a proposal which Council’s delegate can exercise plan making delegations, subject of course to the Gateway Determination. Council should indicate to the Department that it is prepared to accept plan making delegations should the Department issue such delegation in this instance. The Department’s “*Evaluation criteria for the delegation of plan making functions*” checklist (Attachment 4) has been completed and is at Attachment 3 to this report.

Should Council be initially supportive of the Planning Proposal the next step is to refer the Planning Proposal to the Department requesting the issue of a Gateway Determination that gives permission to exhibit the matter. That process will also determine the Gateway’s further agency consultation and any further detailed investigation/documentation requirements as well as whether or not the Plan making process will be delegated to Council.

COUNCIL IMPLICATIONS

Budget/Financial

The Planning Proposal has been prepared utilising existing in-house resources requiring no additional budget allocation at this stage. The costs associated with the Depot and Accommodation Rationalisation Project are not the subject of this report.

Policy or Regulation

Environmental Planning and Assessment Act 1979 (EP & A Act) – including relevant State environmental planning policies and Minister’s Section 117 Directions made under the Act.

Local Government Act 1993 (LG Act) - Lot 1 (Item 1) is classified as “operational” under section 26 of the LG Act and has been so classified since 20 June 1994.

Consultation

<i>Section</i>	<i>Conditions</i>
Works and Civil Directorate	Planning Proposal prepared to address recommendations of the strategic planning for Council’s assets.

Public or other external stakeholder consultation has not yet occurred and will occur following the issue of any Gateway Determination. The Planning Proposal suggests a consultation strategy at the formal consultation/public exhibition stage following the issue of a Gateway Determination.

Legal and Risk Management

Council may request a review of any Gateway Determination (by the Department) that states the Planning Proposal is not supported. There are no inbuilt legal appeal rights for third parties who may oppose the proposal. Although Council is not reclassifying Lot 1 (Item 1), nor discharging its interests in terms of section 30 of the LG Act, a "Statement of Council's Interest" has been prepared in order to comply with the Department's "LEPs and Council Land" Best Practice Guideline. This has been incorporated into the draft Planning Proposal document.

Prepared by staff member:	Terry Dwyer
Approved/Reviewed by Manager:	David Morrison
Section:	Strategic & Economic Planning
Attachment:	1. Draft Planning Proposal 2. Council resolution - 20.012/14 3. <i>"Evaluation criteria for the delegation of plan making functions"</i> checklist (Attachment 4)