

7.2 TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 – HARNESS RACING NSW PLANNING PROPOSAL – FILE NO SF6342

DIRECTORATE: PLANNING AND COMMUNITY SERVICES

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Reference: Item 6.10 to Ordinary Council 11 December 2012 – Minute No 391/12

3 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Environmental Plan 2010 – Harness Racing NSW Planning Proposal”, Council forward the planning proposal to the Department of Planning and Infrastructure requesting a Gateway Determination in accordance with Sections 55 and 56 of the Environmental Planning and Assessment Act 1979.

SUMMARY

The purpose of this report is to seek a resolution of Council to amend the Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010), in relation to the subject land identified as Lot 5 DP 1048585, Burgmanns Lane, Tamworth. The Planning Proposal aims to rezone the land from a rural use to a tourist use to allow for the development of a harness racing facility.

Under the Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010), the site is zoned *RU4 – Primary Production Small Lots*. The intended outcome of this Planning Proposal is to amend the TRLEP 2010 by rezoning the land to *SP3 – Tourist*. The lot size restrictions will also be changed from 40 hectares to no minimum lot size. The Planning Proposal is consistent with the South Tamworth Rural Lands Master Plan (STRLM) as a tourist related use is being proposed for this land.

COMMENTARY

The South Tamworth Rural Lands Master Plan (STRLM) was endorsed by Council on 11 December 2012, and formally supported by the Department of Planning and Infrastructure on 16 April 2013. The proposed rezoning is consistent with the STRLM. The Planning Proposal is also consistent with the objectives, actions and priorities outlined in the Tamworth Regional Development Strategy 2008, which formed the strategic platform for the 2012 STRLM.

The STRLM identified Lot 5 DP 1048585 Burgmanns Lane, Tamworth, as having potential to support not only a tourist related development, it was also considered to be in context with the equine theme of the existing tourist precinct that consists of the Australian Equine Livestock and Events Centre (AELEC), equine associations including the Quarter Horse Association, and the Longyard Trails development.

Harness racing is currently being conducted on the Tamworth Showground site located in Showground Road, Taminda. This track does not meet current industry standards and is required to be upgraded to a 1000 metre track. The subject site is constrained in terms of existing area and buildings. Also, this land has been rezoned for future industrial purposes, hence the urgent need for the relocation of the site to provide for a new facility and area for future expansion.



Figure 1 – Aerial map identifying the site affected by the planning proposal.

The intention of the Planning Proposal is to amend the TRLEP 2010 by rezoning Lot 5 DP 1048585, Burgmanns Lane, Tamworth, from *RU4 - Primary Production Small Lots* to *SP3 – Tourist*. The objective of the tourist zone is to provide for a variety of tourist-orientated development and related uses. It also aims to facilitate development that recognises the unique characteristics of the nationally and regionally significant tourist precincts, such as the Australian Equine Livestock and Events Centre (AELEC). The proposed zonings maps are attached for the information of Councillors, refer **CONFIDENTIAL ENCLOSURES 1, 2 and 3**.

The proposed Harness Racing NSW development is defined as a *Recreation Facility (Major)*. This use is not permissible in the *RU4 – Primary Production Small Lots zone*, hence the land is required to be rezoned to *SP3 – Tourist*. The Planning Proposal also intends to change the minimum lot size for Lot 5 DP 1048585 from 40 hectares to zero. This will allow for the entire site to be developed for the purpose of a harness racing track and ancillary structures.

The land consists of an area of approximately 41.32 hectares and contains a number of farm structures in the north western corner of the site with a dam located to the south of the property. The fall of the land slopes toward the eastern boundary of the subject site with the highest grade being located along Goonoo Goonoo Road. The subject site has significant frontage to Burgmanns Lane and the New England Highway. Access to the site will be from Burgmanns Lane.

The proposal seeks to amend the TRLEP 2010 in order to facilitate the subsequent lodgement of a Development Application for a Harness Racing NSW race track and associated facilities. The proposed development would include the construction of a 1000 metre harness racing track, clubhouse, marquee, stables and parade ring.

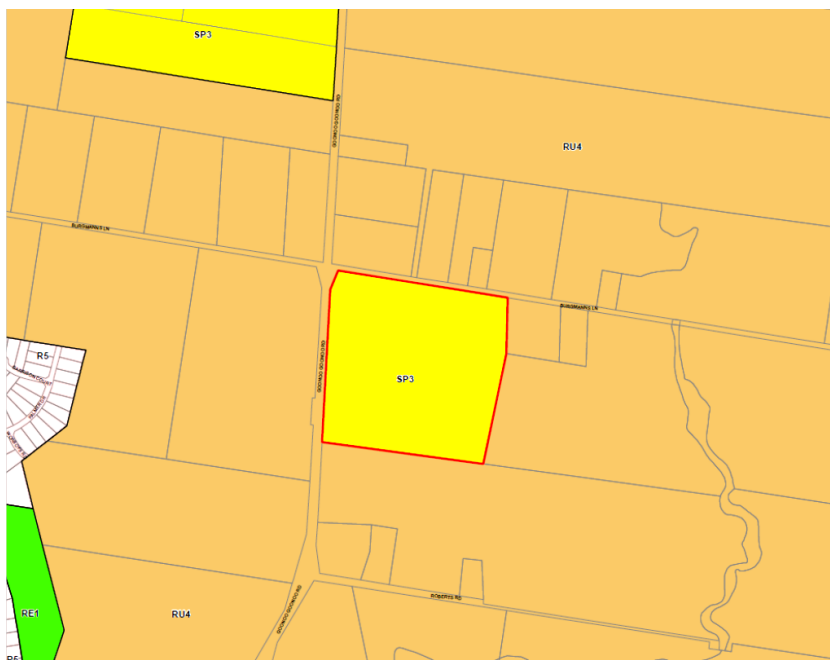


Figure 2 – Proposed land zoning map for the subject site.

The proposed use of a harness racing facility for the site will significantly enhance this precinct, which has been identified for tourist related development and will allow Harness Racing NSW the opportunity to expand their current facility in accordance with their forecast future growth of this sporting industry.

In order to amend the TRLEP 2010, Council is required to submit the Planning Proposal to the Department of Planning and Infrastructure for a Gateway Determination. The proposal has been written in accordance with the Department of Planning and Infrastructure's '*A Guide to preparing Local Environmental Plans*' and '*A Guide to preparing Planning Proposals*'. It is also supported by relevant studies including a Hydrologic Assessment, Traffic Impact Assessment, Contamination Site Assessment, Ecological Investigation and Cultural Heritage Assessment that will also be forwarded to the Department.

Should the Gateway Panel approve the public exhibition of the Planning Proposal, it is anticipated that the proposal would be exhibited during March/April 2014.

(a) Policy Implications

Nil

(b) Financial Implications

An application fee was lodged with the Planning Proposal in accordance with Council's fees and charges.

(c) Legal Implications

An amendment to the *Tamworth Regional Local Environmental Plan 2010* will alter the planning provisions for the subject site.

(d) Community Consultation

Community consultation requirements will be specified by the Department of Planning and Infrastructure's gateway determination. Community consultation was also conducted during the preparation of the STRLM in relation to future land uses proposed for the South Tamworth Rural lands area.