

Planning Services

Gateway Determination Report

LGA	Uralla
PPA	Uralla Shire Council
NAME	Reclassification of Lot 30 DP 793510, Queen Street, Uralla & Lot 14 DP 787477, Rowan Avenue, Uralla from Community to Operational land.
NUMBER	PP_2018_URALL_002_00
LEP TO BE AMENDED	Uralla LEP 2012
ADDRESS	Queen Street, Uralla & Rowan Avenue, Uralla
DESCRIPTION	Lot 30 DP 793510 & Lot 14 DP 787477
RECEIVED	14/05/2018
FILE NO.	IRF18/2584
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required OR a political donation disclosure statement has been provided
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal OR include details of meetings or communications with registered lobbyists.

INTRODUCTION

Description of planning proposal

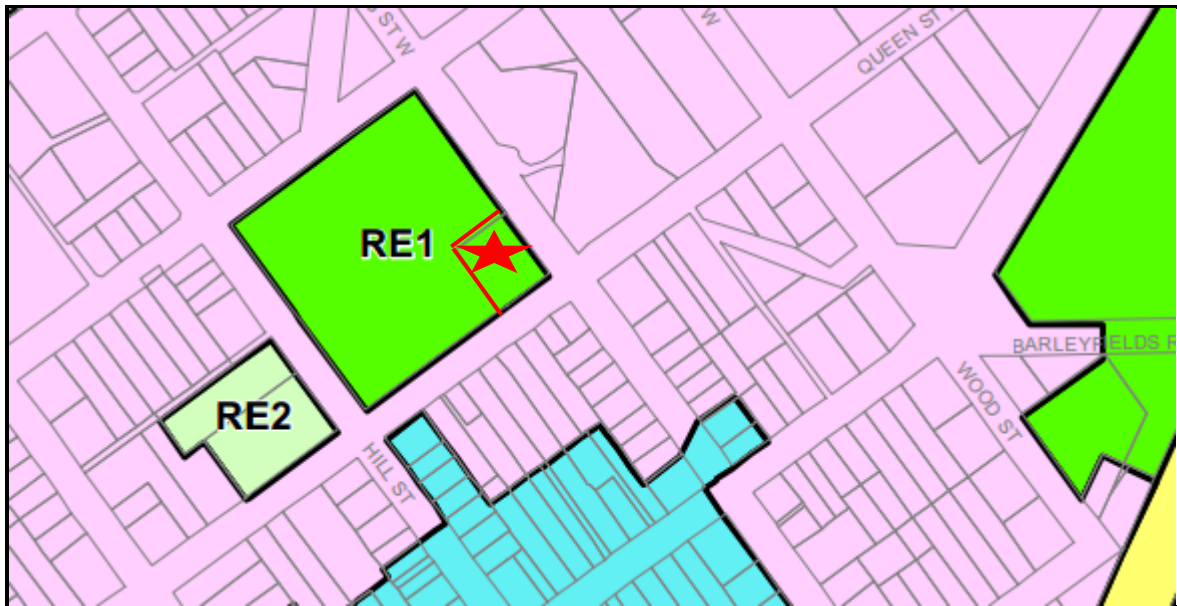
The planning proposal aims to reclassify 2 lots of Council owned land from 'Community' to 'Operational' status to better reflect the current use of the land. No changes are proposed to alter the zoning of the relevant lots and no interests on land title will be removed.

Site description

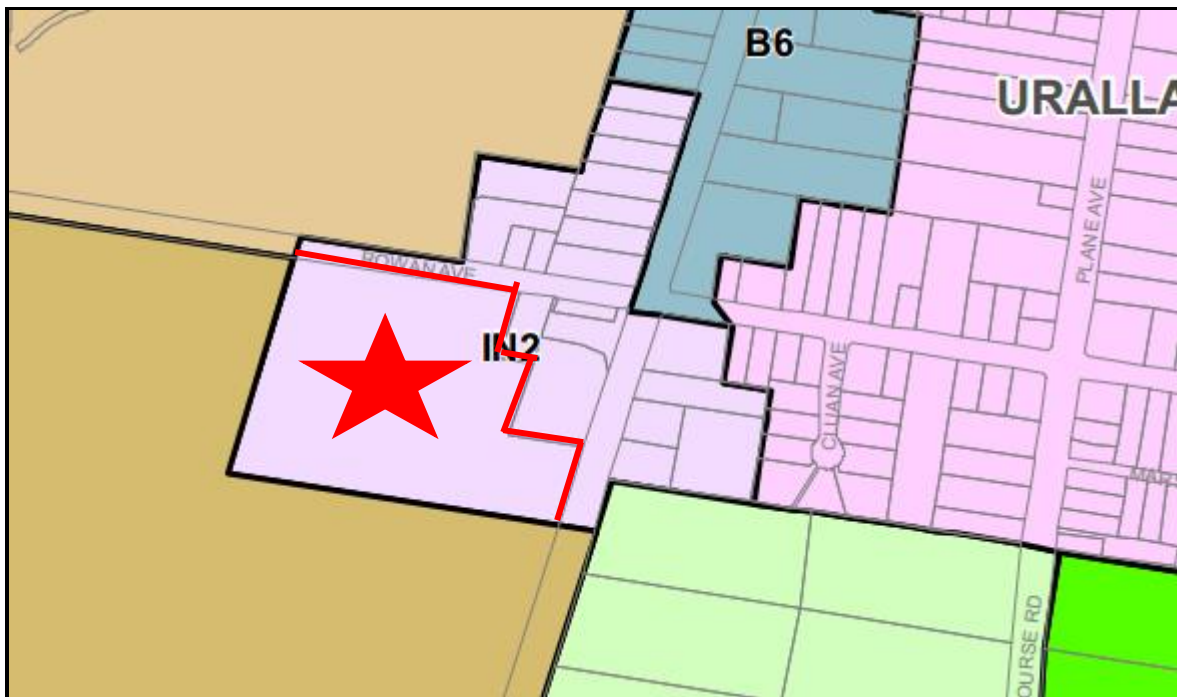
The subject lots are located within the township of Uralla. Lot 30 DP 793510, Queen St, Uralla is zoned RE1 Public Recreation and is approximately 3700m² in area. It is currently used as a caravan park and owned by Uralla Shire Council. Lot 14 DP 787477, Rowan Ave, Uralla is zoned IN2 Light Industrial and is approximately 4.83 ha in area. This lot is also owned by Council and is currently vacant.

Existing planning controls

Lot 30 DP 793510, Queen St, Uralla - RE1 Public Recreation (Uralla LEP 2012)



Lot 14 DP 787477, Rowan Ave, Uralla – Uralla LEP 2012



Surrounding area

Lot 30 DP 793510, Queen St, Uralla is located within the urban area of Uralla and currently used as a Caravan Park. It is surrounded by land zoned R1 General Residential and RE1 Public Recreation. Lot 14 DP 787477, Rowan Ave, Uralla, is located on the outskirts of Uralla on the New England Highway. It is surrounded by a mix of zonings including IN2 Light Industrial to the north and north-east, RU2 Rural

Landscape to the north west, RU4 Primary Production Small Lots to the west and south and RE2 Private Recreation (Uralla golf course) to the east. The Uralla landfill is located to the north-west of the subject land.

Summary of recommendation

Approval subject to conditions.

PROPOSAL

Objectives or intended outcomes

The planning proposal has adequately outlined the objectives and intended outcomes that relate to the reclassification of the subject lots from 'Community' to 'Operational' land. The intent of this reclassification is to achieve better alignment between the current use of the lots and its land classification.

Explanation of provisions

The planning proposal will amend the written instrument only. Uralla LEP 2012 Schedule 4 – *Classification and reclassification of public land – Part 1 Land classified, or reclassified, as operational land – no interests changed* will be amended to insert Lot 30 DP 793510 and Lot 14 DP 787477. It is noted that Council has provided title searches of the land illustrating that no interests require changing.

Mapping

As the planning proposal only relates to changes to the written document, no LEP mapping is required. Site identification maps are included in the proposal and are considered appropriate for community consultation purposes.

NEED FOR THE PLANNING PROPOSAL

The planning proposal has not resulted from any strategic study or specific report.

Lot 30 DP 793510, Queen St, Uralla is a caravan park that also occupies the neighbouring crown land through Permissive Occupancy (AE88H47). Lot 30 was acquired by Council in 1990 from the Crown for the operation of the Uralla Caravan Park. At the time of acquisition, the classification of the land reverted to 'Community' status. This lot (amongst 3 others) was the subject of a planning proposal in 2013 which sought reclassification from 'Community' to 'Operational'. Despite a Gateway determination that the matter could proceed (subject to conditions), Council resolved post public hearing not to reclassify the subject lot, leaving it as 'Community land'.

Lot 14 DP 787477 was purchased by Council on 30 June 2016 for the purpose of ensuring there was suitable viable land to meet opportunistic industrial development needs within the urban area. The land is zoned for light industrial purposes and is capable of being developed into approximately 23 lots.

Council in reviewing its land register has determined that the existing and likely future uses of the land are more compatible with an 'Operational' land status. The Planning Proposal is required to reclassifying the subject lots from 'Community' to 'Operational'. No other change to the LEP is proposed.

STRATEGIC ASSESSMENT

State

The planning proposal does not contain any matters of state or regional significance.

Regional / District

New England North West Regional Plan (NENWRP) 2036.

The planning proposal is considered to be consistent with the Regional Plan.

Local

The planning proposal has not resulted from any local strategic study or specific report but rather a need to reclassify the subject lots so that their operational status more accurately aligns with their current use and/or zoning.

The New England Development Strategy 2010 was prepared by Council (in association with Armidale Dumaresq, Guyra and Walcha Councils) and was approved by the Director General in 2010. The subjects lots were not specifically discussed or identified in the strategy.

Section 9.1 Ministerial Directions

The proposal is considered to be consistent with all applicable Section 9.1 Ministerial Directions except Direction 4.4 Planning for Bushfire Protection. Of particular relevance are:

Direction 4.4 Planning for Bushfire Protection

As Lot 30 Queen Street is within an identified bushfire prone land buffer, consultation with the NSW Rural Fire Service will be required before the consistency with this Direction can be determined.

Direction 6.2 Reserving Land for Public Purposes.

As the planning proposal intends to only reclassify land from 'Community' to 'Operational' with no interests changing and thereby does not create, alter or reduce existing zonings or reservations of land for public purposes, the proposal is consistent with the Direction.

State environmental planning policies

The planning proposal is considered to be consistent with all relevant SEPP's.

SITE-SPECIFIC ASSESSMENT

Social/Economic

The planning proposal is unlikely to result in any detrimental socio-economic impacts within the LGA and will assist in enabling Council to manage the existing caravan park and proposed industrial estate in accordance with the operational needs of the land. No loss of land used for public open space will result from the proposal.

Environmental

It is not anticipated that the planning proposal to change the status of the land from 'Community' to 'Operational' will have any detrimental environmental impact on the subject lots.

Infrastructure

The provision and funding of State infrastructure is not necessary for this proposal.

Lot 30 DP 753910 is an established caravan park with adequate existing public infrastructure. It is not anticipated that the reclassification of this land will necessitate the demand for additional public infrastructure.

Lot 14 DP 787477 is currently vacant and contains no services or infrastructure. Once reclassified, it is Council's intention to develop the land for industrial purposes. Services are available to the subject lot and specifics would be determined at the development application stage.

Heritage

No items of heritage significance have been identified as being potentially impacted by the planning proposal.

CONSULTATION

Community

Council has indicated a 28 day public exhibition/community consultation period as required in DP&E Practice Note PN 16-001. Council has indicated the planning proposal will be notified in the local newspaper, on Council's website and through letters to adjoining landowners.

A public hearing is also required in accordance with the Section 29 of the Local Government Act, 1993. Council have confirmed their intent to conduct a public hearing.

The proposed consultation is considered appropriate.

Agencies

Council have not specifically identified any government agency for consultation. Consultation with the NSW Rural Fire Service will be required in accordance with the requirements of Section 9.1 Direction Planning for Bushfire Protection.

TIME FRAME

The planning proposal has included a timeline that indicates completion in December 2018. Given the fact that a public hearing is required, a nine (9) timeframe to complete the planning proposal is considered appropriate.

LOCAL PLAN-MAKING AUTHORITY

Council has not requested an authorisation to exercise delegation for this proposal. As Council does not intend to remove/discharge any interests from the subject lots, and as the proposal is considered to be a local planning matter with no issues of State or regional significance, it is recommended that an authorisation be issued in

this instance. Prior to public exhibition, the planning proposal timeline should be updated to clearly reflect this change.

CONCLUSION

The planning proposal is supported to proceed subject to conditions. The proposal is supported as:

- it meets the adequacy criteria by providing appropriate objectives and intended outcomes; a suitable explanation of the provisions and justification for the proposal, outlines appropriate community consultation and provides a practical project timeline;
- it is generally consistent with all relevant Section 9.1 Directions and SEPPs;
- it is not inconsistent with the New England North West Regional Plan 2036 or the New England Development Strategy 2010;
- it is unlikely to have any detrimental impact on the environment or the socio-economic welfare of the Local Government Area; and
- it will enable Council to manage the land appropriately in accordance with its current and likely future use and no loss of land used for public open space will result from the proposal.

RECOMMENDATION

It is recommended that the delegate of the Minister for Planning, determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for public exhibition for a minimum of 28 days.
2. Consultation is required with the following public authorities:
 - NSW Rural Fire Service
3. A public hearing is required to be held into the reclassification of the 2 lots in accordance with the requirements of section 29 of the Local Government Act 1993.
4. The time frame for completing the LEP is to be nine (9) months from the date of the Gateway determination.
5. Given the nature of the planning proposal, Council should be the local plan-making authority.
6. Prior to public exhibition, the planning proposal timeline is to be amended to reflect Council's role as the local plan-making authority.



28/5/17

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8/6/2018

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