

Planning and Providing Our Infrastructure

Item: 13.07

Subject: PLANNING PROPOSAL - REZONING AND RECLASSIFICATION OF LAND AT WAUCHOPE FOR REGIONAL SPORTS FACILITY

Presented by: Development and Environment Services, Matt Rogers

Alignment with Delivery Program

5.3.1 Plan, investigate, design and construct open spaces and recreational facilities.

RECOMMENDATION

That Council:

- 1. Prepare a draft planning proposal in relation Council owned land adjacent the Oxley Highway at Wauchope to amend the provisions of Port Macquarie-Hastings Local Environmental Plan 2011, to permit the land to be used as a multi use regional sports and recreation precinct, as described in this report, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979.**
- 2. Forward the draft planning proposal to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to Sections 56 - 58 of the Act.**
- 3. Request that the Director General of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under Section 59 of the Act in respect of the planning proposal.**

Executive Summary

This report considers a proposed amendment to Port Macquarie-Hastings Local Environmental Plan 2011 to rezone Council owned land (Lot 52 DP 1035553, Lot 2 DP 1118155 and Lots 11 & 12 DP 855941) at Wauchope to facilitate development of a multi-use regional sporting precinct.

The report arises from consideration of a report presented to the Ordinary Meeting of Council held on 19 October 2016 dealing with alternate long-term options to meet the future community and sporting needs in the Port Macquarie-Hastings Local Government Area (LGA).

This report addresses the second item of Council's six (6) part resolution; that Council proceed to commence rezoning the land.

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Discussion

At the Ordinary Council Meeting held on 19 October 2016, Council considered a detailed report reviewing options for alternate sport and recreation facilities arising from a notice to vacate land used for outdoor sporting activities and major regional and state sporting events at Tuffins Lane, Port Macquarie. Council resolved:

That Council:

- 1) *Note the attached concept plans for the development of a multiple use sports and recreational precinct located on the Oxley Highway Wauchope (Lot 52 DP 1035553, Lot 2 DP 1118155 and Lots 11 & 12 DP 855941) as a proposed alternative site to the land at Tuffins Lane.*
- 2) *Request the General Manager commence rezoning of the site to an RE1 public recreation zone.*
- 3) *Request the General Manager establish an internal advisory group to progress planning for the sports and recreational precinct on the Oxley Highway, Wauchope as the preferred alternative site to Tuffins Lane.*
- 4) *Request the General Manager to bring back a report to the 14 December 2016 Council Meeting detailing options for optimising utilisation of sporting fields in Port Macquarie for local sporting groups.*
- 5) *Include consultation with sporting groups through the planning process as appropriate for the Oxley Highway, Wauchope site and Port Macquarie sporting fields.*
- 6)
 - a) *Note Council's latest 2016 independent valuation of the Tuffins Lane property as \$810,000.*
 - b) *Note the purchase price of the Tuffins Lane property by Chase Parklands Pty Limited (which settled on 2 September 2016) as \$550,000; and*
 - c) *Reject the offer of 19 September 2016 (including the conditions attached to the offer) from Chase Parklands for Council to purchase the sporting fields site at Tuffins Lane.*

CARRIED: 9/0

FOR: *Besseling, Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido and Turner*

AGAINST: Nil

Preparation of a Planning Proposal to rezone and reclassify the subject site is the first step in progressing Part 2 of Council's resolution.

The subject site (Lot 52 DP 1035553, Lot 2 DP 1118155 and Lots 11 & 12 DP 855941) is located on the corner of the Oxley Highway and Stoney Creek Road, Wauchope. It is currently zoned RU1 Primary Production.

It is proposed to amend the zone of the land to RE1 Public Recreation to permit the development of a multi-use sport and recreation precinct on the land consistent with the above resolution of Council and long term planning for sporting fields as identified in Port Macquarie-Hastings Recreation Action Plan.

The Recreation Action Plan identifies the subject land as satisfying the criteria for the long-term sporting needs of the community.

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The attached draft planning proposal seeks to amend Port Macquarie-Hastings Local Environmental Plan 2011 to change the current zoning - RU1 Primary Production - to RE1 Public Recreation to provide for the future community needs of the LGA. No change to minimum lot size, height of building or floor space ratio controls is proposed, consistent with Council's application of planning controls over similar sport and recreational land.

The proposed RE1 zone will enable the land to be developed for public open space and recreational land uses and will permit a range of sport and recreation based land uses with consent, including community facilities, kiosks, recreation areas, recreation facilities (indoor), recreation facilities (major), recreation facilities (outdoor), as well as other specified compatible uses.

The draft planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment's "A Guide to Preparing Planning Proposal 2016" and "A Guide to Preparing LEPs 2016".

In addition to rezoning the subject land from rural to recreational, it is proposed to reclassify the subject land from 'Operational land' to 'Community land' under the relevant provisions of the Local Government Act, to provide for its retention as public land under the care and control of Council.

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As the matter is of local significance and proposes reclassification of the land as 'Community land', it is proposed to seek written authorisation to exercise delegation of local plan making functions from the Gateway under Section 23 of the Act. It is recommended that Council accept the delegation.

The draft Planning Proposal will be assessed by the NSW Department of Planning and Environment Gateway panel and is proposed to be used for public notification and community engagement in relation to the proposed LEP amendment.

Options

Council could choose to defer or modify the proposal. Council could also choose not to proceed with the preparation of a planning proposal at this time.

It is recommended that Council proceed with the preparation of a planning proposal to amend LEP 2011, as described in this report.

Community Engagement & Internal Consultation

There has been internal consultation with Council staff during preparation of the planning proposal.

The regulated process for amending the LEP will involve consultation with the community and state agencies. A public exhibition period of 28 days is proposed.

A further report will be presented to Council following community engagement and review of submissions received.

Planning & Policy Implications

The planning proposal is consistent with relevant State, Regional and local plans and strategies, including Port Macquarie-Hastings Community Strategic Plan, Port Macquarie-Hastings Urban Growth Management Strategy and Recreation Action Plan.

The proposed amendment will facilitate implementation of Council's long term planning for multi use regional sporting facilities through amended LEP provisions. Council has the option of preparing a Plan of Management as necessary for the land upon reclassification. A public hearing is not required to reclassify land as 'Community land' under the relevant provisions of the Local Government Act, 1993.

Financial & Economic Implications

The preparation of the proposed amendments to LEP 2011 will be undertaken by staff within current operational budgets and is not expected to have a significant financial impact.

The rezoning will facilitate the ultimate development of the site for sport, recreation and events which can be expected to have a positive economic impact both for Wauchope and the broader region.

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Attachments

1 [View](#). Planning Proposal 2016 - 9.2 - Regional Sports Field Wauchope