

EXECUTIVE SUMMARY

The objectives and intended outcomes of the attached planning proposal is to reclassify 64-52 Belar Street, Bellata and 8B Doyle Street, Narrabri from Community to Operational Land. The reclassification will allow Council to consider opportunities for the development and/or sale of the land.

RECOMMENDATION

That Council;

1. Endorse the Planning Proposal to amend the provisions of the Narrabri Local Environmental Plan 2012 to reclassify eight parcels of Council owned land to Operational instead of Community and forward the Proposal to the Department of Planning and Environment with a request for a Gateway Determination.
2. Notify the Department of Planning and Environment of its intention to use the plan making power delegated to Council by the Department to make the proposed amendment to Narrabri Local Environmental Plan 2012.
3. Delegate to the Director of Development and Economic Growth any necessary amendments required to the Planning Proposal as a result of considerations by the Department of Planning and Environment or as a result of the Gateway Determination.

BACKGROUND

The preparation of a planning proposal is the first step in the New South Wales (NSW) Planning and Environment's (the Department) Gateway Process, the process for making or amending local environmental plans.

The attached planning proposal recommends an amendment to the *Narrabri Local Environmental Plan 2012* (LEP) to change the classification of eight (8) parcels of Council owned land. The sites are owned by Council and are currently classified as Community Land under the *Local Government Act 1993* (LG Act). The intent of the attached planning proposal is to reclassify the land to Operational Land.

The *LG Act* requires all public land (any land vested in, or under the control of Council, except roads, Crown land or a common) to be classified as one of two categories: Community or Operational. Community Land is generally open to the public and includes parks, reserves and sports grounds. Operational Land is generally land held as a temporary asset or used by Council to carry out its functions (work depots and garages) or to provide car parking. Community land cannot be sold and cannot be leased or licensed for more than twenty-one (21) years. No such restrictions apply to Operational Land.

The reclassification of the Land does not commit Council to the sale or development of the land. Nor does it remove the land from Council's ownership or prevent the current use of the Land from continuing. Such considerations will be subject to separate processes and decisions.

CURRENT SITUATION

The land located at Bellata has been unused for the purposes of a caravan park for some time. It is considered that this land would be more appropriately sold off to allow a private use and to reduce the financial and maintenance obligations of the site on Council and consequently its community.

The existing Narrabri Library site is strategically located within Narrabri central business precinct and its use as a commercial office site appears to align better with the surrounding. It is considered that the reclassification of this land would make the site more cost effective in managing future tenancies and allow for the potential future redevelopment of the site to accommodate the proposed Country Universities Centre.

The planning proposal is attached for Council's consideration.

Council can resolve to:

- a) Adopt the planning proposal and seek to make the proposed amendment to the LEP.
- OR,
- b) Reject the planning proposal and seek not make the proposed amendment to the LEP.

If Council resolves to adopt the attached planning proposal, then it would be sent to the Department who would indicate if it considers the planning proposal suitable for exhibition. The Department may also place conditions on any approval for exhibition, stipulate the timeframe and terms of that exhibition and require consultation with any public authorities that it deems necessary.

The estimated time frame for the Local Environmental Plan amendment process is as outlined in the planning proposal.

FINANCIAL IMPLICATIONS

This item has no financial implications as work is being completed by staff.

STATUTORY AND POLICY IMPLICATIONS

This item may result in the amendment of the LEP. The planning proposal is an environmental planning instrument, a statutory legal document affecting land use within the Narrabri Local Government Area.

CONSULTATION

No public consultation has been carried out in relation to this item.

The terms of any consultation required to complete this Local Environmental Plan amendment will be stipulated by the Department should it issue a Gateway Determination in relation to the planning proposal.

External Consultation

Nil.

Internal Consultation

Tan Vo, Manager Property Services.