

Director of Environmental Service's Report

CONFIDENTIAL

1/12/2017 PROPOSED SPORTING SHOOTERS FACILITY, TRUNGLEY HALL(D/01/01)

In accordance with Section 10A of the Local Government Act 1993, it was resolved that the meeting be closed to the public to discuss matters of a confidential nature

REPORT

Introduction

Council officers are in receipt of a Development Application (DA) for a proposed sporting shooters facility, to be located on proposed Lot 2, formed of the eastern extent of existing Lot 941 DP 130017, Schlunkes Road, Trungley Hall.

The DA is supported by a Planning Proposal, as the proposed development is currently prohibited in the RU1 Primary Production zone.

The Planning Proposal consists of an amendment to Schedule 1 Additional Permitted Uses within the Temora Local Environmental Plan 2010.

The amendment, if supported by both Council and NSW Planning and Environment, would permit the particular use, on this particular site.

Subject site and proposal

The subject site is known as Part Lot 941 130014, located on the southern side of Schlunkes Road, Trungley Hall. Map 1 shows the location of the proposed development, whilst Map 2 provides a district location map.



Map 1: Location of proposed development of Sporting Shooters facility



Map 2: District location Map of proposed sporting shooters facility

The location is approximately 19km directly north of Temora.

The site would cover approximately 79 hectares of predominantly vegetated land. The proposed shooting complex to be located on proposed Lot 2 would consist of the following components:

- Internal access roads and car parking, including one permanent 30 car parking area near the range and club house, an informal overflow parking area for 30 cars and several smaller parking areas in the southern extent of the site to serve the sporting clay walk through ranges;
- A combined 50 metre pistol range and 100 metre rifle range;
- 8 x sporting clay walk through ranges;
- 1 x field archery range;
- 1 x down-the-line (DTL) trap range;
- An 18 metre by 12 metre club house;
- Two hectare primitive camping site; and
- Amenities buildings serving the camping area

Need for a Planning Proposal

The subject land is zoned RU1 Primary Production. The objectives of this zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To minimise the degradation of natural scenery and rural landscapes.
- To encourage the conservation and efficient use and of water.
- To protect, enhance and conserve the natural environment, including native vegetation, wetlands and other natural features that provide wildlife habitat, protect

flora and fauna, provide scenic amenity and that may prevent or mitigate land degradation.

- To encourage the provision of tourist accommodation in association with agricultural activities.

The proposal is not considered to be inconsistent with these objectives.

The RU1 Primary Production lists a limited number of land uses that are permitted with or without consent. All other land uses are prohibited.

The proposed use fits within the definition of **recreation facility (outdoor)**, which means

a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, **rifle range**, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

The use recreation facility (outdoor) is not listed as permitted either with or without consent in the RU1 Primary Production zone, so the use is therefore prohibited in the zone.

Council officers have had long standing concerns with the restrictive nature of the Temora LEP. As part of the recently commenced LEP review, it is proposed to address this issue by supporting a revised Temora LEP that listed only prohibited uses. However, as the timeframe of the LEP review is expected to be around twelve months, it is necessary to consider this particular amendment ahead of the comprehensive review.

Current zones where the land use recreation facility (outdoor) is permitted with consent are:

RU5 Village – Ariaiah Park and Springdale villages

RE1 Public Recreation – includes sports grounds such as Nixon Park

RE2 Private Recreation – includes sports areas such as Temora Showground and golf club

None of the above zones would be considered suitable for the purposes of a sporting shooters facility. A rural location, separated from major residential uses is more suitable, given the nature of the proposed use and necessary buffers for noise and safety reasons.

Similarly, rezoning the whole site to RE2 Private Recreation is not considered necessary, as the site would largely be unsuitable for any other types of private recreational uses to be considered, due to its remote location and largely vegetated area.

The particular site chosen has features that support the proposed use, these being:

- location is remote from major settlements with relatively few dwellings in proximity to the site

- site is heavily vegetated which provides visual screening of the development
- site has suitable access to Goldfields Way
- Development uses existing cleared land, formerly used as a quarry

Consultation Strategy

If supported by Council and NSW Planning and Environment, it is proposed that consultation regarding the planning proposal and development application occur concurrently.

Council officers propose the following consultation:

- notification letter to all landowners within five kilometres of the proposed development
- consultation with NSW Rural Fire Service, Office of Environment and Heritage, NSW Environment Protection Authority, Roads and Maritime Services and Primary Industries (Agriculture)
- consultation period to be no less than 28 days

Project timeframe

It is proposed that Council officers request a nine month timeframe from NSW Planning and Environment to complete the process.

RECOMMENDATION

It is **recommended** that Council:

1. Accept the Planning Proposal as prepared on behalf of the applicant, to add an additional permitted use to Schedule 1 of the Temora Local Environmental Plan 2010 to enable the development of a recreation facility (outdoor), consisting of a small scale sporting shooters facility and ancillary facilities, on land identified within the Planning Proposal as proposed Lot 2 of the subdivision of Lot 941 DP 130014.
2. Support the proposed consultation strategy, as detailed within the report
3. Resolve to amend the Temora Local Environmental Plan 2010, to add an additional permitted use to Schedule 1 of that plan to enable the development of a recreation facility (outdoor), consisting of a small scale sporting shooters facility and ancillary facilities
4. Request that Council officers forward the Planning Proposal to NSW Planning and Environment in order to commence the LEP amendment process

Report by Claire Golder

204/2017
COUNCIL RESOLUTION

On the motion of Cr Sinclair and Cr Wiencke
It was resolved that the report and recommendations as presented be adopted.

Carried

FOR	AGAINST
Cr Sinclair	
Cr Judd	
Cr Oliver	
Cr Reinhold	
Cr Sleigh	
Cr Wiencke	
Cr McLaren	
Cr Smith	
Cr Firman	