

**Appendix 9 - Written statements addressing the
exhibition requirements for planning proposals or
draft LEPs to reclassify public land including details
of Council's interests**

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Written statement addressing the exhibition requirements for planning proposals or draft LEPs to reclassify public land including details of Council's interests

Note - this statement has been prepared in accordance with NSW Dept. Environment and Planning Practice Note PN09-003, 12/6/2009 and additional matters specified by Dept. Environment and Planning

Land: Lot 7 DP 114051, Lilypool Road, South Grafton	
Item	Details
Matters specified in Attachment 2 of Dept. Environment and Planning Practice Note PN09-003	
1. The reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal.	The objective or intended outcome of the planning proposal is to reclassify from "community" to "operational" a range of Council owned public land parcels including this land that was originally intended to be classified as "operational". This is explained in more detail in the report considered by Council at its 17 May 2016 Ordinary Council meeting (copy provided at Appendix 2 of the Planning Proposal). Reclassification to operational will enable Council to implement its strategic intent to sell the land as identified in Council's Buildings Asset Management Plan and Depot and Office Accommodation Rationalisation project.
2. The current and proposed classification of the land(s).	Current classification - community Proposed classification - operational
3. The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements, e.g. heritage controls, anticipated physical or operational changes resulting from the reclassification	Reclassification is required to rectify a recent apparent discrepancy in the public land classification status of this land and 206 other parcels of land that were thought to be classified as operational as far back as July 1994. The land is zoned IN1 General Industrial and until recent times was used as Council's Weeds Depot. Council on 17 November 2015 resolved to list the land/property for sale as part of its Depot and Office Accommodation Rationalisation project which is also a key strategy identified in Council's "Fit for the Future" submission (copy of report considered by Council at its 17 November 2015 Ordinary Council meeting is at Appendix 10 of the Planning Proposal).
4. Who owns the land(s)?	Council owns Lot 7 DP 114051, Lilypool Road, South Grafton.
5. What is the nature of council's interest in the land(s)?	Council owns the land. The only interest in the land is the standard "mineral rights" one in favour of the Crown i.e. the title to the land excludes minerals and is subject to reservations and conditions in favour of the Crown. There are no other registered interests in the land.
6. How and when were the interests in the lands first acquired?	Council's interest (as land owner) in the land was acquired prior to 1993. The land was the works depot of the former Ulmarra Shire Council.
7. What are the reasons for Council acquiring an interest in the lands?	Refer to 6. Above. Following the 2004 Clarence Valley Council amalgamation the land became the Clarence Valley Council's Weeds depot.
8. Are there any agreements over the lands?	There are no agreements over the land.
9. An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the	The reclassification of the land to operational will enable the Council to proceed with sale of the land as per its 17 November 2015 resolution. This is consistent with the actions identified in Council's Depot

type(s) of benefit that could arise.	and Office Accommodation Rationalisation project which should have the ultimate benefit of reducing duplication and operating costs. The quantum of any financial outcome of the sale of the land is not known at this stage and will be determined by the public sale process.
10a. What asset management objectives are being pursued? 10b. How will the objectives be achieved? 10c. What type of benefits the do council wants (financial and non-financial)?	10a. Council is intending to dispose (sell) this land and asset consistent with the actions identified in Council's Depot and Office Accommodation Rationalisation project which should have the ultimate benefit of reducing duplication and operating costs. The plans for asset rationalisation are also consistent with Council's Buildings Asset Management Plan. 10b. The objectives are to be achieved by the intended sale of the land deemed to be a surplus Council asset. 10c. The sale of the land as identified in Council's Depot and Office Accommodation Rationalisation project and Council's resolution of 17 November 2015 will provide a public benefit by contributing to Council's "Fit for the Future" strategy for property rationalisation to reduce duplication and operating costs. Refer also to comments opposite Item 9 above.
11a. Are there any agreements for the sale or lease of the lands? 11b. If so what are the basic details of any such agreement?	11a. There are no agreements in place to sell or lease the land on Council's behalf. 11b. N/A Refer also to comments opposite Items 8. and 9. above.
12. What are the relevant matters required in plan making under the EP & A Act?	Relevant matters required in plan making under the EP & A Act include: - Where a reclassification proposes to extinguish other interests in the land, the approval of the Governor is first required in accordance with section 30 of the LG Act; This does not apply in this instance as there are no interests in the land other than the standard Crown "mineral rights" notation/interest and it is not intended to extinguish this interest. - As required before the final plan (LEP) can be made a public hearing in accordance with section 29 of the LG Act will be conducted under section 57 of the EP & A Act following the exhibition of the planning proposal. Separate public notice of the public hearing will be given after the conclusion of the public exhibition period. Refer to section 6. Part 5 - Community Consultation of the planning proposal.
13. Is a copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan included in the exhibition material?	A copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan is at Appendix 8 of the planning proposal. This Appendix comprises the written statement required to be exhibited with the planning proposal as specified in Attachment 2 of PN 09 - 003. This statement also addresses (below) additional matters specified by the Department of Planning and Environment in letter dated 22 June 2016.
<i>Additional matters specified by DPE, June 2016</i>	
14. The strategic and site specific merits of the reclassification and evidence to support this.	The merits of the reclassification include that it is supported by Council's strategic asset management objectives, priorities and actions which are expressed in Council's Buildings Asset Management Plan and Depot and Office Accommodation Rationalisation project.
15. Maps indicating the location of each parcel, while each parcel needs to be located it is not necessary to	A location plan of the land is at Map 1 on page 7 of the planning proposal.

provide a separate map for each parcel i.e. locality maps indicating a number of parcels is acceptable	
16. Title searches for each allotment where interests are proposed to be changed	Whilst no interests are proposed to be changed a copy of a current title search for the land follows this statement.
17. An indication of whether each allotment is a public reserve as defined in the Local Government Act	The land is NOT a public reserve as defined in the Local Government Act.
18. The consistency of the reclassification with Councils Open Space Strategic Plan	N/A. The Clarence Valley Open Space Strategic Plan does not apply to this land.
19. How Council will benefit financially and how these funds will be used.	Being part of Council's Buildings Asset Management Plan and Depot and Office Accommodation Rationalisation project Council and the community will benefit via a reduction in duplication of assets and facilities and operating costs. Proceeds of the ultimate sale of the land will help fund the construction of Council's new purpose built depot facility and one administration building at Tyson Street South Grafton.
20. What percentage of Councils landholdings the planning proposal relates to.	Lot 7 DP 114051 has an area of 0.2099ha. The aggregate area of Council owned landholdings is 6,361.46ha (community and operational). Therefore Lot 7 constitutes 0.0033% of Council owned landholdings.
21. Any current use of the land, whether authorised or unauthorised.	The land was formerly Council's Weeds Depot but this use and function has ceased at this site.
22. Any lease or the like present on any of the parcels.	There are no leases on the land.



Land & Property Information

A division of the Department of Finance & Services

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 7/114051

SEARCH DATE	TIME	EDITION NO	DATE
17/6/2016	12:46 PM	-	-

VOL 7897 FOL 19 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 7 IN DEPOSITED PLAN 114051
LOCAL GOVERNMENT AREA CLARENCE VALLEY
PARISH OF SOUTHAMPTON COUNTY OF CLARENCE
TITLE DIAGRAM DP114051

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF ULMARRA

SECOND SCHEDULE (1 NOTIFICATION)

1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND
CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

lpi:gra-ppritchard

PRINTED ON 17/6/2016

* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE.
WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

Written statement addressing the exhibition requirements for planning proposals or draft LEPs to reclassify public land including details of Council's interests

Note - this statement has been prepared in accordance with NSW Dept. Environment and Planning Practice Note PN09-003, 12/6/2009 and additional matters specified by Dept. Environment and Planning

Land: Lots 163 and 274 DP 751385, 11 Schwinghammer Street, South Grafton	
Item	Details
1. The reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal.	The objective or intended outcome of the planning proposal is to reclassify from "community" to "operational" a range of Council owned public land parcels including this land that was originally intended to be classified as "operational". This is explained in more detail in the report considered by Council at its 17 May 2016 Ordinary Council meeting (copy provided at Appendix 2 of the Planning Proposal). Reclassification to operational will enable Council to implement its strategic intent to sell the land as identified in Council's Buildings Asset Management Plan and Depot and Office Accommodation Rationalisation project.
2. The current and proposed classification of the land(s).	Current classification - community Proposed classification - operational
3. The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements, e.g. heritage controls, anticipated physical or operational changes resulting from the reclassification	Reclassification is required to rectify a recent apparent discrepancy in the public land classification status of this land and 206 other parcels of land that were thought to be classified as operational as far back as July 1994. The land is zoned IN1 General Industrial and is currently used as one of its Works Depots. Council on 17 November 2015 resolved to list the land/property for sale as part of its Depot and Office Accommodation Rationalisation project which is also a key strategy identified in Council's "Fit for the Future" submission (copy of report considered by Council at its 17 November 2015 Ordinary Council meeting is at Appendix 10 of the Planning Proposal).
4. Who owns the land(s)?	Council owns Lots 163 and 274 DP 751385, 11 Schwinghammer Street, South Grafton.
5. What is the nature of council's interest in the land(s)?	Council owns the land. The interests registered on the land include: (a) the standard "mineral rights" one in favour of the Crown i.e. the title to the land excludes minerals and is subject to reservations and conditions in favour of the Crown; and (b) a "public way" (in favour of the Crown) allowing for access across the land. The current interests are to be maintained. Council has no other registered interest in the land.
6. How and when were the interests in the lands first acquired?	Council's interest (as land owner) in the land was acquired on 18 June 1999 by the former Ulmarra Shire Council. It became the site of the works depot for Ulmarra Shire Council, then Pristine Waters Council before functioning as a works depot for Clarence valley Council.
7. What are the reasons for Council acquiring an interest in the lands?	To acquire a site to serve as a Council works depot. Refer to 6. Above.
8. Are there any agreements over the lands?	There are no agreements over the land.

9. An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the type(s) of benefit that could arise.	The reclassification of the land to operational will enable the Council to proceed with sale of the land as per its 17 November 2015 resolution. This is consistent with the actions identified in Council's Depot and Office Accommodation Rationalisation project which should have the ultimate benefit of reducing duplication and operating costs. The quantum of any financial outcome of the sale of the land is not known at this stage and will be determined by the public sale process. 10a. Council is intending to dispose (sell) this land and asset consistent with the actions identified in Council's Depot and Office Accommodation Rationalisation project which should have the ultimate benefit of reducing duplication and operating costs. The plans for asset rationalisation are also consistent with Council's Buildings Asset Management Plan. 10b. The objectives are to be achieved by the intended sale of the land deemed to be a surplus Council asset. 10c. The sale of the land as identified in Council's Depot and Office Accommodation Rationalisation project and Council's resolution of 17 November 2015 will provide a public benefit by contributing to Council's "Fit for the Future" strategy for property rationalisation to reduce duplication and operating costs. Refer also to comments opposite Item 9 above 11a. There are no agreements in place to sell or lease the land on Council's behalf. 11b. N/A Refer to comments opposite Items 8. and 9. above.
11a. Are there any agreements for the sale or lease of the lands? 11b. If so what are the basic details of any such agreement?	
12. What are the relevant matters required in plan making under the EP & A Act?	Relevant matters required in plan making under the EP & A Act include: - Where a reclassification proposes to extinguish other interests in the land, the approval of the Governor is first required in accordance with section 30 of the LG Act; This does not apply in this instance as there are no interests in the land other than the standard Crown "mineral rights" notation/interest and it is not intended to extinguish this interest. - As required before the final plan (LEP) can be made a public hearing in accordance with section 29 of the LG Act will be conducted under section 57 of the EP & A Act following the exhibition of the planning proposal. Separate public notice of the public hearing will be given after the conclusion of the public exhibition period. Refer to section 6. Part 5 - Community Consultation of the planning proposal.
13. Is a copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan included in the exhibition material?	A copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan is at Appendix 8 of the planning proposal. This Appendix comprises the written statement required to be exhibited with the planning proposal as specified in Attachment 2 of PN 09 - 003. This statement also addresses (below) additional matters specified by the Department of Planning and Environment in letter dated 22 June 2016.
<i>Additional matters specified by DPE, June 2016</i>	
14. The strategic and site specific merits of the reclassification and evidence to support this.	The merits of the reclassification include that it is supported by Council's strategic asset management objectives, priorities and actions which are expressed in Council's Buildings Asset Management Plan and Depot and Office Accommodation Rationalisation project.

15. Maps indicating the location of each parcel, while each parcel needs to be located it is not necessary to provide a separate map for each parcel i.e. locality maps indicating a number of parcels is acceptable	A location plan of the land is at Map 1 on page 7 of the planning proposal.
16. Title searches for each allotment where interests are proposed to be changed	Whilst no interests are proposed to be changed a copy of a current title search for the land follows this statement.
17. An indication of whether each allotment is a public reserve as defined in the Local Government Act	The land is NOT a public reserve as defined in the Local Government Act.
18. The consistency of the reclassification with Councils Open Space Strategic Plan	N/A. The Clarence Valley Open Space Strategic Plan does not apply to this land.
19. How Council will benefit financially and how these funds will be used	Being part of Council's Buildings Asset Management Plan and Depot and Office Accommodation Rationalisation project Council and the community will benefit via a reduction in duplication of assets and facilities and operating costs. Proceeds of the ultimate sale of the land will help fund the construction of Council's new purpose built depot facility and one administration building at Tyson Street South Grafton.
20. What percentage of Councils landholdings the planning proposal relates to.	Combined Lots 163 and 274 have an area of 0.5576ha. The aggregate area of Council owned landholdings is 6,361.46ha (community and operational). Therefore Lots 163 and 274 constitute 0.0087% of Council owned landholdings.
21. Any current use of the land, whether authorised or unauthorised.	The land is currently one Council's Works Depots earmarked for closure.
22. Any lease or the like present on any of the parcels	There are no leases on the land.



Land & Property Information

A division of the Department of Finance & Services

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: AUTO CONSOL 8628-235

SEARCH DATE	TIME	EDITION NO	DATE
17/6/2016	12:44 PM	3	25/6/1999

LAND

LAND DESCRIBED IN SCHEDULE OF PARCELS
AT SOUTH GRAFTON
LOCAL GOVERNMENT AREA CLARENCE VALLEY
PARISH OF SOUTHAMPTON COUNTY OF CLARENCE
TITLE DIAGRAM SEE SCHEDULE OF PARCELS

FIRST SCHEDULE

ULMARRA SHIRE COUNCIL (T 5929516)

SECOND SCHEDULE (1 NOTIFICATION)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE MEMORANDUM S700000A

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPRISED IN THIS FOLIO.

UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

LOT 163 IN DP751385
LOT 274 IN DP751385

TITLE DIAGRAM

CROWN PLAN 3751.1577
CROWN PLAN 3791.1577.

*** END OF SEARCH ***

lpi:gra-ppritchard

PRINTED ON 17/6/2016

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Ref:ipi:gra-ppritchard /Src:W

RP 43



MEMORANDUM

\$700000

OFFICE USE ONLY

	of	
\$ No Fee		

(Insert name of relevant bank, building society, or other mortgagee, lessor, firm etc.)

(Insert nature of document which will refer to this memorandum.)

To be signed by the authorised officer for the lease, mortgage, charge etc.

On behalf of the Registrar General I certify that this memorandum (comprising one page(s)), contains the provisions which are deemed to be incorporated in such the reservations, exceptions and provision which are deemed to be set out at length in such folios of the Register as refer to this memorandum.

[Signature]

Signature of Authorised Officer

Clauses are to be numbered consecutively from number 1.

1. The reservations and exception to the Crown of:-

- all minerals which the said land contains.
- all such parts and so much of the land as may thereafter be required for public ways in over and through the same by the Crown with full power for the Crown and such person or persons as shall be duly authorised in that behalf to make and conduct all such public ways and the right of full and free ingress egress and regress into out of and upon the land for the purpose aforesaid.

THE STANDARD MARGINS QUALITY OF PAPER A.C. PRESCRIBED BY REGULATION 8, REAL PROPERTY ACT REGULATIONS 1978 SHOULD BE MAINTAINED IN THIS FORM AND IN ANY ANNEXURES.

TO BE COMPLETED BY LODGING PARTY

Insert the date, postal address or document exchange reference, telephone number and delivery box number

LODGED BY REGISTRAR GENERAL

Delivery Box Number

Filed in the Office of the REGISTRAR GENERAL on 16/9/1981.

[Signature]

Registrar General



Ref:lp:gra-ppritchard /Src:W

RP 63



S. 700,000.00

OFFICE USE ONLY

	of	
\$ No Fee		

MEMORANDUM

Insert name of relevant body, building society, or other mortgagee, lessor, firm etc.

Insert nature of document which will refer to this memorandum.

To be signed by the authorised officer for the lessor, mortgagee, charges etc.

Clauses are to be numbered consecutively from number 1.

On behalf of the Registrar General

I certify that this memorandum (comprising one page(s)), contains the provisions which are deemed to be incorporated in such the reservations, exceptions and provisions which are deemed to be set out at length in such folios of the Register as refer to this memorandum.

[Signature]
Signature of Authorised Officer

1. The reservation and exception to the Crown of:-

- all minerals which the said land contains.
- all such parts and so much of the land as may thereafter be required for public ways in over and through the same by the Crown with full power for the Crown and such person or persons as shall be duly authorised in that behalf to make and conduct all such public ways and the right of full and free ingress egress and regress into out of and upon the land for the purpose aforesaid.

2. Provision for subsidence. WHEREAS -

- mining operations may have been and may be carried on upon and in the land below the said land and the lands adjoining the said land and the land below the same; and

- metals and minerals may have been and may be removed therefrom,

the said land is subject to the condition that neither the person or persons registered as proprietor of the land on creation of a folio of the Register or to whom the land is sold, leased or otherwise disposed of by way of transfer, nor his her their or its sequels in title shall be entitled to make or prosecute any claim for damages or take any proceedings either by way of injunction or otherwise against the Crown or any lessees or licensees under any Mining Act or Acts of the State of New South Wales or his or their executors administrators or assigns for or in respect of any damage or loss occasioned by the letting down subsidence or lateral movement of the land or otherwise howsoever by reason of the following Acts and matters that is to say by reason of the Crown or any person on its behalf or any lessee or licensees as aforesaid or his or their executors administrators or assigns having worked or now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for worked won or removed or now or hereafter searching for working winning or removing any metals or minerals under in or from the land below the land or on in under or from any other lands situated laterally to the land and the land below the same and whether on or below the surface of such other lands and it is expressly reserved unto the Crown the liberty and authority by reason of the Acts and matters aforesaid or in the course thereof for the Crown and any person on its behalf and any lessee or licensees as aforesaid and his or their executors administrators and assigns to from time to time let down without payment of any compensation whatsoever any part of the land and/or the surface thereof.

THE STANDARD MARGINS QUALITY OF PAPER AC. PRESCRIBED BY REGULATION & REAL PROPERTY ACT REGULATIONS, 1978 SHOULD BE MAINTAINED IN THIS FORM AND IN ANY ANNEXURES.

TO BE COMPLETED BY LODGING PARTY

Insert the name, postal address or Document Exchange reference, telephone number and delivery box number.

LODGED BY REGISTRAR GENERAL.

Delivery Box Number

Filed In the Office of the REGISTRAR GENERAL on 16/9/1981

[Signature]
Registrar General



Ref:ipi:gra-ppritchard /Src:W

RP 63



MEMORANDUM

S. 700,000

OFFICE USE ONLY

	of	
\$ No Fee		

Insert name of relevant bank, building society, or other mortgagee, lessor, firm etc.

Insert nature of document which will refer to this memorandum.

To be signed by the authorised officer for the issuer, mortgagee, chargee etc.

Clauses are to be numbered consecutively from number 1.

On behalf of the Registrar General I certify that this memorandum (comprising one page(s)) contains the provisions which are deemed to be incorporated in such the reservations, exceptions and provisions which are deemed to be set out at length in such folios of the Register as refer to this memorandum.

[Signature]
Signature of Authorised Officer

1. The reservation and exception to the Crown of:-

- (a) all minerals which the said land contains.
- (b) all such parts and so much of the land as may thereafter be required for public ways in over and through the same by the Crown with full power for the Crown and such person or persons as shall be duly authorised in that behalf to make and conduct all such public ways and the right of full and free ingress egress and regress into out of and upon the land for the purpose aforesaid.

2. Provision for forfeiture: If the registered proprietor does not pay the rent referred to in the folio of the Register together with any other moneys and any interest on such moneys that may be payable or become payable to the Crown under any Act or does not perform or observe the provisions and conditions referred to in the folio of the Register or any of them then and in such case it shall be lawful for the said land to be forfeited to the Crown.

THE STANDARD FIGURES, QUALITY OF PAPER E.C., PRESCRIBED BY REGULATION 8, REAL PROPERTY ACT REGULATIONS, 1950 SHOULD BE MAINTAINED IN THIS FORM AND IN ANY ANNEXURES.

TO BE COMPLETED BY LODGING PARTY

Insert the name, postal address of Document Exchanger reference, telephone number and delivery box number

LODGED BY REGISTRAR GENERAL

Delivery Box Number

Filed in the Office of the REGISTRAR GENERAL on 16/9/1981

[Signature]
Registrar General



Ref:lpi:gra-ppritchard /Src:W

RP 63

MEMORANDUM

5,700,000.

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of	
\$ No Fee	

Insert name of relevant bank, building society, or other mortgagee, lessor, firm etc.

Insert nature of document which will refer to this memorandum.

To be signed by the authorised officer for the lender, mortgagee, chargee etc.

Chances are to be numbered consecutively from number 1.

On behalf of the Registrar General

I certify that this memorandum (comprising one page(s)), contains the provisions which are deemed to be incorporated in such the reservations, exceptions and provisions which are deemed to be set out at length in such folios of the Register as refer to this memorandum.

James
Signature of Authorised Officer

1. The reservation and exception to the Crown of:-

- all minerals which the said land contains.
- all such parts and so much of the land as may thereafter be required for public ways in over and through the same by the Crown with full power for the Crown and such person or persons as shall be duly authorised in that behalf to make and conduct all such public ways and the right of full and free ingress egress and regress into out of and upon the land for the purpose aforesaid.

2. Provision for forfeiture: If the registered proprietor does not pay the rent referred to in the folio of the Register together with any other moneys and any interest on such moneys that may be payable or become payable to the Crown under any Act or does not perform or observe the provisions and conditions referred to in the folio of the Register or any of them then and in any such case it shall be lawful for the said land to be forfeited to the Crown.

3. Provision for subsidence. WHEREAS -

- mining operations may have been and may be carried on upon and in the land (below) the said land and the lands adjoining the said land and the land below the same; and
- metals and minerals may have been and may be removed therefrom,

the said land is subject to the condition that neither the person or persons registered as proprietor of the land on creation of a folio of the Register or to whom the land is sold, leased or otherwise disposed of by way of transfer, nor his her their or its sequels in title shall be entitled to make or prosecute any claim for damages or take any proceedings either by way or injunction or otherwise against the Crown or any lessee or lessees under any Mining Act or Acts of the State of New South Wales or his or their executors administrators or assigns for or in respect of any damage or loss occasioned by the letting down subsidence or lateral movement of the land or otherwise howsoever by reason of the following Acts and matters that is to say by reason of the Crown or any person on its behalf or any lessee or lessees as aforesaid or his or their executors administrators or assigns having worked or now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for worked won or removed or now or hereafter searching for working winning or removing any metals or minerals under in or from the land below the land or on in under or from any other lands situated laterally to the land and the land below the same and whether on or below the surface of such other lands and it is expressly reserved unto the Crown the liberty and authority by reason of the Acts and matters aforesaid or in the course thereof for the Crown and any person on its behalf and any lessee or lessees as aforesaid and his or their executors administrators and assigns to from time to time let down without payment of any compensation whatsoever any part of the land and/or the surface thereof.

THE STANDARD MARGINS QUALITY OF PAPER ETC., PRESCRIBED BY REGULATION 3, REAL PROPERTY ACT REGULATIONS, 1970 SHOULD BE MAINTAINED IN THIS FORM AND IN ANY ANNEXURES.

TO BE COMPLETED BY LODGING PARTY
Insert the name, postal address or Document Exchange reference, telephone number and delivery box number.

LODGED BY REGISTRAR GENERAL

Delivery Box Number

Filed in the Office of the REGISTRAR GENERAL on 16/9/1981.

Registrar General



Written statement addressing the exhibition requirements for planning proposals or draft LEPs to reclassify public land including details of Council's interests

Note – this statement has been prepared in accordance with NSW Dept. Environment and Planning Practice Note PN09-003, 12/6/2009 and additional matters specified by Dept. Environment and Planning

Land: Part 103 DP 1189229, 7 - 9 Centenary Drive, Maclean	
Item	Details
1. The reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal.	The objective or intended outcome of the planning proposal is to reclassify from "community" to "operational" a range of Council owned public land parcels (listed and described in the Table at Appendix 1 of the Planning Proposal) that were originally intended to be classified as "operational". This is explained in more detail in the report considered by Council at its 17 May 2016 Ordinary Council meeting (copy provided at Appendix 2 of the Planning Proposal).
2. The current and proposed classification of the land(s).	Current classification - community Proposed classification - operational
3. The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements, e.g. heritage controls, anticipated physical or operational changes resulting from the reclassification	Reclassification is required to rectify a recent apparent discrepancy in the public land classification status of this land and 206 other parcels of land that were thought to be classified as operational as far back as July 1994. The land is zoned Part SP2 Infrastructure and part B2 Local Centre. The area subject to reclassification has a mixture of uses/functions as follows: • Public car parking • Part public swimming pool • Developed passive public green space/park.
4. Who owns the land(s)?	Council owns Part 103 DP 1189229, 7 - 9 Centenary Drive, Maclean.
5. What is the nature of council's interest in the land(s)?	Council owns the land. The interests in the land include: (a) the standard "mineral rights" one in favour of the Crown i.e. the title to the land excludes minerals and is subject to reservations and conditions in favour of the Crown; and (b) a drainage easement benefiting the Maclean & District Bowling Club. The current interests are to be maintained. Council has no other registered interest in the land.
6. How and when were the interests in the lands first acquired?	Council's interest (as land owner) in the land was acquired prior to 1993.
7. What are the reasons for Council acquiring an interest in the lands?	The reasons for Council initially acquiring an interest in the land and Cameron Park generally appear to be predominantly for the provision of public car parking and associated public amenities.
8. Are there any agreements over the lands?	There is a management contract over the part of Lot 103 that is occupied by the Maclean Swimming Pool. Refer to item 22 below. There are no other agreements in place.
9. An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the type(s) of benefit that could arise.	Council on 21 July 2015 resolved to agree to execute a land swap between part lot 102 (Chums Investments) and part Lot 103 (CVC) in DP 1189229. This was entered into on the basis that it was Council's understanding at the time that Lot 103 DP 1189229 (including that part to be reclassified

	under the current planning proposal) was classified as operational. Council's acceptance of the offer of the land swap does not involve any monetary payment. In accepting the offer, Council accepted that it was not disadvantaged by the outcome, based on valuation advice received at the time. More detailed explanation is contained in the report to Council's meeting held on 21 July 2015 (Item 14.125/15). A copy of the report to the 21 July 2015 Ordinary Council meeting is provided at Appendix 10 of the Planning Proposal.
10a. What asset management objectives are being pursued? 10b. How will the objectives be achieved? 10c. What type of benefits the do council wants (financial and non-financial)?	10a. The asset management objective/s being pursued include disposal/swap of parts of the land. 10b. The objectives will be achieved through a landswap arrangement. 10c. The reclassification will facilitate a land swap which will ultimately provide a public benefit by an overall net increase in public car parking. Refer also to comments opposite Item 9 above.
11a. Are there any agreements for the sale or lease of the lands? 11b. If so what are the basic details of any such agreement? 12. What are the relevant matters required in plan making under the EP & A Act?	Refer to comments opposite Items 8. and 9. above. Relevant matters required in plan making under the EP & A Act include: - Where a reclassification proposes to extinguish other interests in the land, the approval of the Governor is first required in accordance with section 30 of the LG Act; This does not apply in this instance as there are no interests in the land other than the standard Crown "mineral rights" notation/interest and it is not intended to extinguish this interest. - As required before the final plan (LEP) can be made a public hearing in accordance with section 29 of the LG Act will be conducted under section 57 of the EP & A Act following the exhibition of the planning proposal. Separate public notice of the public hearing will be given after the conclusion of the public exhibition period. Refer to section 6. Part 5 - Community Consultation of the planning proposal.
13. Is a copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan included in the exhibition material?	A copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan is at Appendix 8 of the planning proposal. This Appendix comprises the written statement required to be exhibited with the planning proposal as specified in Attachment 2 of PN 09 - 003. This statement also addresses (below) additional matters specified by the Department of Planning and Environment in letter dated 22 June 2016.
<i>Additional matters specified by DPE, June 2016</i> 14. The strategic and site specific merits of the reclassification and evidence to support this.	Part of the land to be reclassified is part of a broader land swap arrangement involving other privately owned land parcels both adjoining and in the vicinity. The land swap arrangement will facilitate the reconfiguration of an already approved supermarket development (DA2015/0037) and the redevelopment/provision of required offset car parking to achieve both a better quality supermarket development and associated public car parking. The assessment of DA2015/0037 noted that although some loss of parkland will result from the relocation of the supermarket development compared to the previously approved supermarket design and footprint, the current proposal actually increases the size

	of Cameron Park by some 430m2. The assessment of DA2015/0037 also noted that this revised DA will provide for car parking in excess of what it would be required to provide when assessed against Councils car parking requirements. The land swap arrangement is documented in the report considered by Council on 21 July 2015 (Item 14.125/15; copy of report at Appendix 1). DA2015/0037 was determined by the Northern Joint Regional Planning Panel on 4 December 2015. Council's Assessment Report for the Northern Joint Regional Planning Panel was considered by Council on 17 November 2015 (Item 13.160/15). A location plan of the land is at Map 1 on page 7 of the planning proposal.
15. Maps indicating the location of each parcel, while each parcel needs to be located it is not necessary to provide a separate map for each parcel i.e. locality maps indicating a number of parcels is acceptable	
16. Title searches for each allotment where interests are proposed to be changed	Whilst no interests are proposed to be changed a copy of a current title search for the land follows this statement.
17. An indication of whether each allotment is a public reserve as defined in the Local Government Act.	Lot 103 DP 1189229 is not a public reserve as defined in the Local Government Act.
18. The consistency of the reclassification with Councils Open Space Strategic Plan	The construction of toilets in Cameron Park is an action/strategy identified in the Clarence Valley Open Space Strategic Plan. The toilet facilities have been recently constructed on the part of Lot 103/Cameron Park that is to remain classified as community. Therefore the proposed reclassification is not inconsistent with Council's Open Space Strategic Plan.
19. How Council will benefit financially and how these funds will be used	Council's does not necessarily benefit financially. Proceeding with the land swap does not involve any monetary payment. In accepting the offer, Council accepted that it was not disadvantaged by the outcome, based on valuation advice received at the time. More detailed explanation is contained in the report to Council's meeting held on 21 July 2015 (Item 14.125/15; copy of report at Appendix 10).
20. What percentage of Councils landholdings the planning proposal relates to.	The part of Lot 103 that is to be reclassified has an area of 9773m2 (0.9773ha). The aggregate area of Council owned landholdings is 6,361.46ha (community and operational).
21. Any current use of the land, whether authorised or unauthorised.	The part of Lot 103 to be reclassified therefore constitutes 0.015% of Council owned landholdings. The area subject to reclassification has a mixture of uses/functions as follows: • Public car parking • Part public swimming pool (approx. 1000m2) • Developed passive public green space/park (1600m2).
22. Any lease or the like present on any of the parcels	There is a management contract over the part of lot 103 that is occupied by the Maclean Swimming Pool. This is in respect of the management and operation of the Maclean Swimming Pool.



Land & Property Information

A division of the Department of Finance & Services

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 103/1189229

SEARCH DATE	TIME	EDITION NO	DATE
17/6/2016	12:46 PM	1	11/12/2013

LAND

LOT 103 IN DEPOSITED PLAN 1189229
AT MACLEAN
LOCAL GOVERNMENT AREA CLARENCE VALLEY
PARISH OF TALOUMBI COUNTY OF CLARENCE
TITLE DIAGRAM DP1189229

FIRST SCHEDULE

CLARENCE VALLEY COUNCIL

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP1110269 EASEMENT FOR DRAINAGE AND SERVICES 2 METRES WIDE
AFFECTING THE PART(S) OF THE LAND ABOVE DESCRIBED
SHOWN SO BURDENED IN THE TITLE DIAGRAM

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

lpi:gra-ppritchard

PRINTED ON 17/6/2016

* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE
WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER

SIGNATURES AND SEALS ONLY

[Signature]
 A.G. MORRISON
 PRESIDENT

[Signature]
 I.H. WILLS
 SECRETARY

AGN 286 678 526 412



CLARENCE VALLEY COUNCIL
[Signature]
 IAN TILLEY
 Mayor

[Signature]
 SIMON SPENCER
 General Manager



Crown Lands Office Approval

Authorised Officer

Last Inspected

Inspected

Inspected

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Plan Drawing only to appear in this report.

ROAD

VAR. WIDTH

DP 437073

141.45

10.95

56.75

97.255

(6.095

WIDE)

CENTENARY

DRIVE

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1.84 ha.

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DP1110269

Registered: LW 20.03.2007

C.A.: SEE CERTIFICATE

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: Y1840-73#

Last Plan: DP210573

PLAN OF SUBDIVISION OF

LOTS 10 & 11 IN DP 814000

AND LOTS 2 & 3 IN

DP 210573.

Length and in meters.

Reduction Ratio 1: 600

L.G.A.: CLARENCE VALLEY

Locality: MACLEAN

Parish: TALOUMBI

County: CLARENCE

Surveying Regulation 2001

DESIGN: SMITH

GULATIS & SMITH P/L MACLEAN

a company registered under the Companies Act 2002 having authority to

prepare and certify the plan in accordance with the provisions of the

Surveying Regulation 2001 and was completed on 20-04-2005

The survey related to LOT 100

[Signature]

PM71124-SSM788 (M.G.A.)

Date: 20-04-2005

RMS used in preparation of Survey / Completion

DP 13179 DP 814000

DP 208651 DP 816510

DP 210573

DP 618514

DP 626399

PANEL FOR USE ONLY for reference to details

of the plan and for the purpose of the plan

Pursuant to SEC. 88B OF THE

CONVEYANCING ACT, 1991, AS

AMENDED IT IS INTENDED TO CREATE:-

1. EASEMENT FOR DRAINAGE AND SERVICES

2. WIDE (E).

PLAN ALTERED IN LPI RE: RM DETAIL + ARC AT SURVEYORS REQUEST

PLAN FORM 2

SIGNATURES AND SEALS ONLY

CLARENCE VALLEY COUNCIL

I.H. WILLS

SECRETARY

AGN 286 678 526 412

SURVEYOR'S REFERENCE: 521A

INSTRUMENT SETTING OUT TERMS OF EASEMENTS RESTRICTIONS ON THE
USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED
PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.

Lengths are in metres

(Sheet 1 of 2 sheets)

DP1110269

Subdivision of 10 & 11 in Deposited Plan
81400 and Lots 2 & 3 in Deposited Plan
210573

Covered by Council Clerk's Certificate
No **25** of 2006.

Full name and address of proprietor of the
land

Maclean & District Bowling Club Co-
Operative Limited (ABN 86 678 526 412)
McLachlan Street

MACLEAN NSW 2463

*Clarence Valley Council 40 Council
Chambers, Grafton NSW. 2 Prince St,*

PART 1 (CREATION)

Number of item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1.	Easement for Drainage & Services 2 wide (E)	101	100

PART 2 (TERMS)

1. Terms of Easement for Drainage and Services 2 Wide firstly referred to in
abovementioned Plan:-

As defined in Part 8 and Part 11 respectively in Schedule 8 of the Conveyancing
Act 1919.

[Handwritten signatures and initials]

INSTRUMENT SETTING OUT TERMS OF EASEMENTS RESTRICTIONS ON THE
USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED
PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.

Lengths are in metres

(Sheet 2 of 2 sheets)

DP1110269

Subdivision of 10 & 11 in Deposited Plan
81400 and Lots 2 & 3 in Deposited Plan
210573

Covered by Council Clerk's Certificate
No 25 of 2006.

I. W. WILLS
SECRETARY



Signed on behalf of
Maclean & District Bowling Club
Co-Operative Limited
by the Secretary Manager
in the presence of:

A. G. MORRISON
PRESIDENT




Clarence Valley Council

 GENERAL
MANAGER
 MAYOR.

REGISTERED  20.03.2007

Written statement addressing the exhibition requirements for planning proposals or draft LEPs to reclassify public land including details of Council's interests

Note - this statement has been prepared in accordance with NSW Dept. Environment and Planning Practice Note PN09-003, 12/6/2009 and additional matters specified by Dept. Environment and Planning

Land: Lot 408 DP 751388 & Lot 1 DP 612175, 1 Macnaughton Place, Maclean	
Item	Details
1. The reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal.	The objective or intended outcome of the planning proposal is to reclassify from "community" to "operational" a range of Council owned public land parcels including this land that was originally intended to be classified as "operational". This is explained in more detail in the report considered by Council at its 17 May 2016 Ordinary Council meeting (copy provided at Appendix 2 of the Planning Proposal). Reclassification to operational will enable Council to implement its strategic intent to sell Lot 1 DP 612175 as identified in Council's Buildings Asset Management Plan and Depot and Office Accommodation Rationalisation project.
2. The current and proposed classification of the land(s).	Current classification - community Proposed classification - operational
3. The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements, e.g. heritage controls, anticipated physical or operational changes resulting from the reclassification	Reclassification is required to rectify a recent apparent discrepancy in the public land classification status of this land and 206 other parcels of land that were thought to be classified as operational as far back as July 1994. The land is zoned B2 Local Centre and until recently had been used as Council office accommodation. This use has recently ceased. Council on 17 November 2015 resolved to list Lot 1 DP 612175 for sale as part of its Depot and Office Accommodation Rationalisation project which is also a key strategy identified in Council's "Fit for the Future" submission (copy of report considered by Council at its 17 November 2015 Ordinary Council meeting is at Appendix 10 of the Planning Proposal).
4. Who owns the land(s)?	Council owns Lot 408 DP 751388 & Lot 1 DP 612175, 1 Macnaughton Place, Maclean
5. What is the nature of council's interest in the land(s)?	Council owns the land. The only interest in the land is the standard "mineral rights" one in favour of the Crown i.e. the title to the land excludes minerals and is subject to reservations and conditions in favour of the Crown. There are no other registered interests in the land.
6. How and when were the interests in the lands first acquired?	Council's interest (as land owner) in the land was acquired prior to 1993. The land was the office for the former Lower Clarence County Council (water supply authority) and North Coast Water prior to it serving as office accommodation until recently for Clarence Valley Council.
7. What are the reasons for Council acquiring an interest in the lands?	Refer to 6. Above. Following the 2004 Clarence Valley Council amalgamation the land served as office accommodation for North Coast Water and then Clarence Valley Council.
8. Are there any agreements over the lands?	There are no agreements over the land.
9. An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the	The reclassification of the land to operational will enable the Council to proceed with sale of Lot 1 DP 612175 as per its 17 November 2015 resolution. This is consistent with the actions identified in

type(s) of benefit that could arise.	Council's Depot and Office Accommodation Rationalisation project which should have the ultimate benefit of reducing duplication and operating costs. The quantum of any financial outcome of the sale of Lot 1 DP 612175 is not known at this stage and will be determined by the public sale process. 10a. Council is intending to dispose (sell) Lot 1 DP 612175 consistent with the actions identified in Council's Depot and Office Accommodation Rationalisation project which should have the ultimate benefit of reducing duplication and operating costs. The plans for asset rationalisation are also consistent with Council's Buildings Asset Management Plan which identified the Macnaughton Place Maclean office as surplus office accommodation. Lot 408 DP751388 is the balance of the land formerly owned as administration offices (Lot 1 DP 612175). Consequently, it is not intended to be sold. It is intended to be classified operational in order to be consistent with the <i>Maclean Riverside Precinct Plan 2013</i>. That Plan identified this site as part of the River Recreation and Heritage Precinct and in particular being part of a riverbank walkway and marina precinct. Classification of Lot 408 as operational is required in order to enable leasing of any proposed marina development. 10b. The objectives are to be achieved by the intended sale of the land deemed to be a surplus Council asset. 10c. The sale of Lot 1 DP 612175 as identified in Council's Depot and Office Accommodation Rationalisation project and Council's resolution of 17 November 2015 will provide a public benefit by contributing to Council's "Fit for the Future" strategy for property rationalisation to reduce duplication and operating costs. Refer also to comments opposite Item 9 above. Refer to comments opposite Items 8. and 9. above.
11a. Are there any agreements for the sale or lease of the lands? 11b. If so what are the basic details of any such agreement? 12. What are the relevant matters required in plan making under the EP & A Act?	Relevant matters required in plan making under the EP & A Act include: - Where a reclassification proposes to extinguish other interests in the land, the approval of the Governor is first required in accordance with section 30 of the LG Act; This does not apply in this instance as there are no interests in the land other than the standard Crown "mineral rights" notation/interest and it is not intended to extinguish this interest. - As required before the final plan (LEP) can be made a public hearing in accordance with section 29 of the LG Act will be conducted under section 57 of the EP & A Act following the exhibition of the planning proposal. Separate public notice of the public hearing will be given after the conclusion of the public exhibition period. Refer to section 6. Part 5 - Community Consultation of the planning proposal.
13. Is a copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan included in the exhibition material?	A copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan is at Appendix 8 of the planning proposal. This Appendix comprises the written statement required to be exhibited with the planning proposal as specified in Attachment 2 of PN 09 - 003. This statement also addresses (below) additional matters specified by the Department of Planning and Environment in letter dated 22 June 2016.

<i>Additional matters specified by DPE, June 2016</i>	
14. The strategic and site specific merits of the reclassification and evidence to support this.	The merits of the reclassification include that it is supported by Council's strategic asset management objectives, priorities and actions which are expressed in Council's Buildings Asset Management Plan and Depot and Office Accommodation Rationalisation project.
15. Maps indicating the location of each parcel, while each parcel needs to be located it is not necessary to provide a separate map for each parcel ie locality maps indicating a number of parcels is acceptable	A location plan of the land is at Map 1 on page 7 of the planning proposal.
16. Title searches for each allotment where interests are proposed to be changed	Whilst no interests are proposed to be changed a copy of a current title search for the land follows this statement.
17. An indication of whether each allotment is a public reserve as defined in the Local Government Act	The land is NOT a public reserve as defined in the Local Government Act.
18. The consistency of the reclassification with Councils Open Space Strategic Plan	N/A. The Clarence Valley Open Space Strategic Plan does not apply to this land.
19. How Council will benefit financially and how these funds will be used	Being part of Council's Buildings Asset Management Plan and Depot and Office Accommodation Rationalisation project Council and the community will benefit via a reduction in duplication of assets and facilities and operating costs. Proceeds of the ultimate sale of Lot 1 DP 612175 will be transferred to Council's Water Fund Reserves.
20. What percentage of Councils landholdings the planning proposal relates to.	Lot 408 DP 751388 & Lot 1 DP 612175 together has an area of 0.09303ha. The aggregate area of Council owned landholdings is 6,361.46ha (community and operational). Therefore Lots 408 & 1 constitutes 0.00146% of Council owned landholdings.
21. Any current use of the land, whether authorised or unauthorised.	The land was formerly Council office accommodation but this use and function has recently ceased at this site.
22. Any lease or the like present on any of the parcels	There are no leases on the land.



**Land & Property
Information**

A division of the Department of Finance & Services

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/612175

SEARCH DATE	TIME	EDITION NO	DATE
17/6/2016	12:50 PM	4	6/8/2009

LAND

LOT 1 IN DEPOSITED PLAN 612175
AT MACLEAN
LOCAL GOVERNMENT AREA CLARENCE VALLEY
PARISH OF TALOUMBI COUNTY OF CLARENCE
TITLE DIAGRAM DP612175

FIRST SCHEDULE

CLARENCE VALLEY COUNCIL (CN AE887039)

SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

DP1212931 PLAN OF PROPOSED EASEMENT
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

lpi:gra-ppritchard

PRINTED ON 17/6/2016

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Land & Property Information

A division of the Department of Finance & Services

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 408/751388

SEARCH DATE	TIME	EDITION NO	DATE
17/6/2016	12:45 PM	4	6/8/2009

LAND

LOT 408 IN DEPOSITED PLAN 751388
 LOCAL GOVERNMENT AREA CLARENCE VALLEY
 PARISH OF TALOUMBI COUNTY OF CLARENCE
 (FORMERLY KNOWN AS PORTION 408)
 TITLE DIAGRAM CROWN PLAN 3789.1577

FIRST SCHEDULE

CLARENCE VALLEY COUNCIL (CN AE887039)

SECOND SCHEDULE (1 NOTIFICATION)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND
 CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)

NOTATIONS

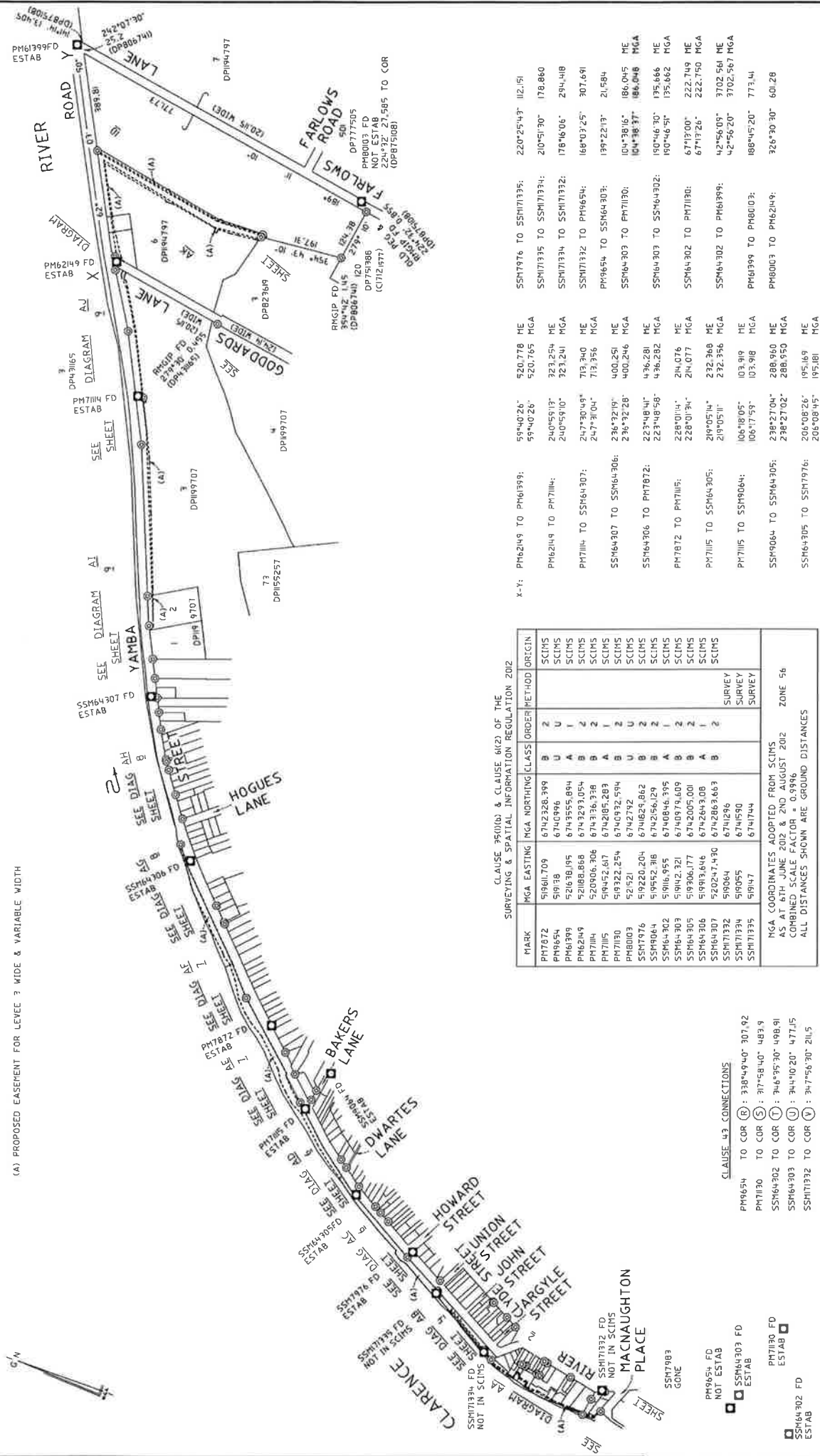
DP1212931 PLAN OF PROPOSED EASEMENT
 UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

lpi:gra-ppritchard

PRINTED ON 17/6/2016

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PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DP114394 LOT 1 IN DP612175 LOT 408 IN DP751988 LOT 4091 IN DP851012 LOT 1 IN DP7969937 LOT 1 IN DP305625 LOTS 1 & 2 & 3 IN DP592739 LOT 2 IN DP13714 LOTS B & C IN DP732740 LOT 1 IN DP16084 LOT 429 IN DP729433 LOT 7022 IN DP139908 LOT 365 IN DP751988 LOT 7025 IN DP1035703 LOT 274 IN DP751988 LOT 364 IN DP751988 LOT 7026 IN DP1035778 LOT 7027 IN DP1057265 LOT 7028 IN DP1057266 LOTS 1 & 2 & 3 IN DP1999707 LOT 1 IN DP791027 AND LOTS 6 & 7 IN DP194797	LGA: CLARENCE VALLEY Locality: MACLEAN Subdivision-No: Lengths are in metres. Reaction Ratio 1 : 6000	Registered 21.10.2015	DP1212931
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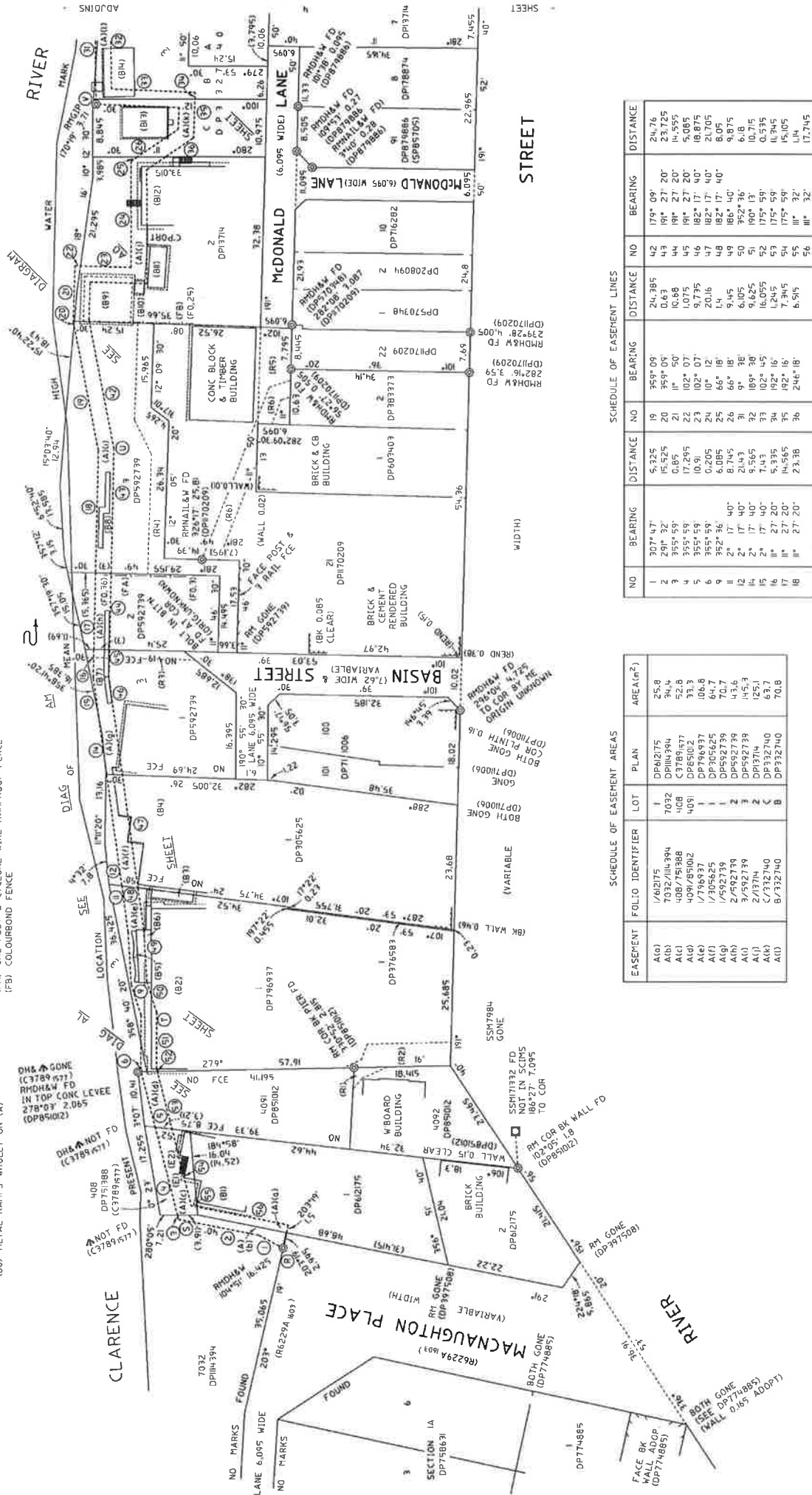
PLAN FORM 2(A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

ePlan Sheet 2 of 11 Sheets

- (A) PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH
- (E1) WALL ON (A) 0.01
E&G ON (A) 0.71
CONC STEPS ON (A) 0.73
- (E2) WINDOW HOOD ON (A) 0.33
EAVES ON (A) 0.345
- (B1) TWO(2) STOREY BRICK BUILDING & C1 ROOF
(B2) FIBRO SHED & C1 ROOF
(B3) FIBRO SHED & C1 ROOF
(B4) C1 BUILDING & ROOF
(B5) FIBRO SHED & ROOF
(B6) TIMBER STEELAND
(B7) METAL STORAGE FRAME WHOLLY ON (A)
(B8) METAL RAMP WHOLLY ON (A)

- (R1) RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DP85012)
(R2) RIGHT OF CARRIAGEWAY 4.5 WIDE & VARIABLE WIDTH (DP85012)
(R3) EASEMENT FOR DRAINAGE 1.525 WIDE (DP179083 - B386538)
(R4) RIGHT OF WAY 3.05 WIDE 3.66 WIDE & VARIABLE WIDTH (B386538)
(R5) RIGHT OF CARRIAGEWAY 6.095 WIDE (B93488)
(R6) EASEMENT TO DRAIN SEWAGE 3 WIDE (DP170209)
(FA) GAL POST & CYCLONE WIRE MANPROOF FENCE
(FB) COLOURBOND FENCE



SCHEDULE OF EASEMENT AREAS

EASEMENT	FOLIO IDENTIFIER	LOT	PLAN	AREA (m ²)
A(1)	1/42175	7032	DP42175	25.8
A(2)	7032/ILL394	408	DP11394	34.4
A(3)	408/751388	408	C378937	52.8
A(4)	408/851012	409	DP65012	31.3
A(5)	1/756937	1	DP756937	106.6
A(6)	1/305625	1	DP305625	64.7
A(7)	1/592739	1	DP592739	70.7
A(8)	2/592739	2	DP592739	43.6
A(9)	3/592739	3	DP592739	145.3
A(10)	2/3714	2	DP13714	125.1
A(11)	3/32740	3	DP32740	63.7
A(12)	8/32740	8	DP32740	70.8

SCHEDULE OF EASEMENT LINES

NO	BEARING	DISTANCE	NO	BEARING	DISTANCE	NO	BEARING	DISTANCE
1	307° 47'	5.325	19	359° 09'	24.385	42	179° 09'	24.76
2	291° 32'	15.525	20	359° 09'	0.63	43	191° 27' 20"	23.725
3	355° 59'	0.85	21	11° 50'	10.68	44	191° 27' 20"	14.555
4	355° 59'	17.295	22	102° 07'	9.735	45	191° 27' 20"	5.085
5	355° 59'	10.91	23	102° 07'	20.16	46	182° 17' 40"	18.875
6	355° 59'	0.205	24	10° 12'	1.4	47	182° 17' 40"	21.705
7	352° 36'	6.085	25	66° 18'	9.45	48	182° 17' 40"	8.05
8	2° 17' 40"	21.43	26	66° 18'	6.05	49	186° 40'	9.875
9	2° 17' 40"	4.565	27	9° 38'	6.8	50	352° 36'	6.8
10	2° 17' 40"	5.935	28	109° 58'	10.53	51	190° 18'	10.53
11	2° 17' 40"	5.935	29	192° 16'	12.05	52	175° 59'	11.345
12	11° 27' 20"	14.565	30	192° 16'	7.345	53	175° 59'	15.105
13	11° 27' 20"	23.38	31	246° 18'	6.515	54	11° 32'	17.745
14	11° 27' 20"	23.38	32	246° 18'	6.515	55	11° 32'	17.745
15	11° 27' 20"	23.38	33	246° 18'	6.515	56	11° 32'	17.745

Surveyor: JAMES PATRICK O'DONOGHUE
JOHN KILLEY & O'DONOGHUE PTY LTD
12 PRINCE STREET GRAFTON NSW 2460
Date of Survey: 30.11.2012 & 17.04.2015
Surveyor's Ref: 1365 CHECKLIST REPORT
(1365 CHECKLIST REPORT)
ADDITIONAL SHEETS

PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DP114394
LOT 1 IN DP612175 LOT 408 IN DP751388 LOT 409 IN DP756937 LOT 1 IN DP305625
LOTS 1 & 2 & 3 IN DP592739 LOT 2 IN DP13714 LOTS B & C IN DP32740 LOT 1 IN DP16084 LOT 429 IN
DP729433 LOT 7022 IN DP113908 LOT 365 IN DP751388 LOT 7025 IN DP105703 LOT 274 IN DP751388
LOT 364 IN DP751388 LOT 7026 IN DP105377 LOT 7027 IN DP1057265 LOT 7028 IN DP1057266 LOTS 1 & 2
LOT 364 & 3 IN DP199707 LOT 1 IN DP567056 LOT 4 IN DP791027 AND LOTS 6 & 7 IN DP194797

LGA: CLARENCE VALLEY
Locality: MACLEAN
Subdivision No:
Lengths are in metres. Reduction Ratio 1 :

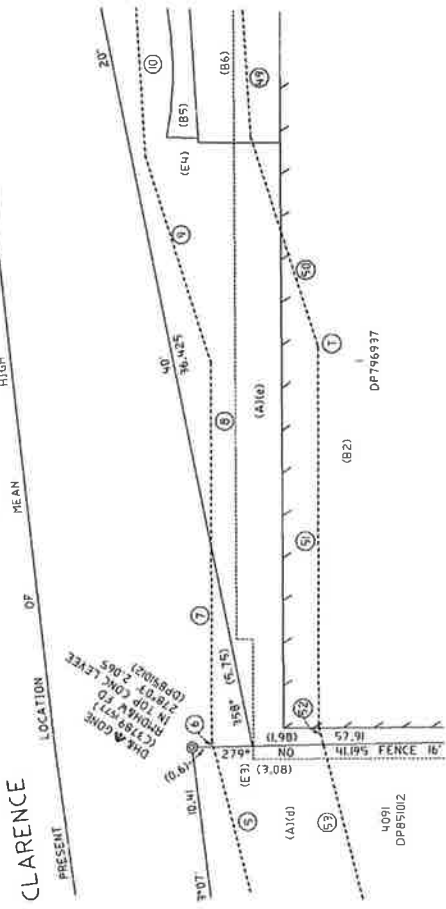
Registered
21.10.2015

DP1212931

DIAGRAM A0
RR 1:200

SCHEDULE OF EASEMENT LINES

(B2)	TIMBER STOREY BRICK BUILDING & CI ROOF	(E3)	WALL ON (A) 0.975	(E13)	WALL ON (A) 1.07
(B3)	FIBRO BUILDING & CI ROOF	(E4)	ROOF ON (A) 0.975	(E14)	ROOF ON (A) 1.06
(B4)	FIBRO SHED & CI ROOF	(E5)	SHADE SAIL WHOLLY ON (A)	(E15)	WALL ON (A) 1.09
(B5)	SHADE SAIL	(E6)	TIMBER VERANDAH ON (A) 1.49	(E16)	ROOF ON (A) 0.995
(B6)	TIMBER VERANDAH	(E7)	SHADE SAIL WHOLLY ON (A)	(E17)	WALL ON (A) 0.77
(B7)	METAL STORAGE FRAME WHOLLY ON (A)	(E8)	E&G ON (A) 0.09	(E18)	E&G ON (A) 1.065
(B8)	WEATHERBOARD SHED & CI ROOF	(E9)	COR CI BUILDING ON (A) 0.64	(E19)	E&G ON (A) 1.795
(B9)	FIBRO SHED & CI ROOF	(E10)	COR CI BUILDING ON (A) 0.8	(E20)	WALL ON (A) 1.06
(B10)	WEATHERBOARD SHED & CI ROOF	(E11)	COR CI BUILDING ON (A) 1.725	(E21)	E&G ON (A) 2.15
(B11)	WEATHERBOARD SHED & CI ROOF	(E12)	COR ROOF ON (A) 1.745	(E22)	WALL ON (A) 0.14
(B12)	CI BUILDING & CI ROOF	(E13)	HIGH GUTTER ON (A) 1.13	(E23)	ROOF ON (A) 0.42
(B13)	CONCRETE SHED & CI ROOF	(E14)	WALL ON (A) 1.745	(E24)	ROOF ON (A) 0.11
(B14)	CONCRETE SHED & CI ROOF	(E15)	E&G ON (A) 0.62	(E25)	CARPET ON ROOF ON (A) 0.62
(B15)	ELEVATED FIBRO SHED	(E16)	WALL ON (A) 0.52	(E26)	SHED ON (A) 1.3
		(E17)	WALL ON (A) 1.12	(E27)	CARPET ROOF ON (A) 1.795
		(E18)	ROOF ON (A) 1.875		

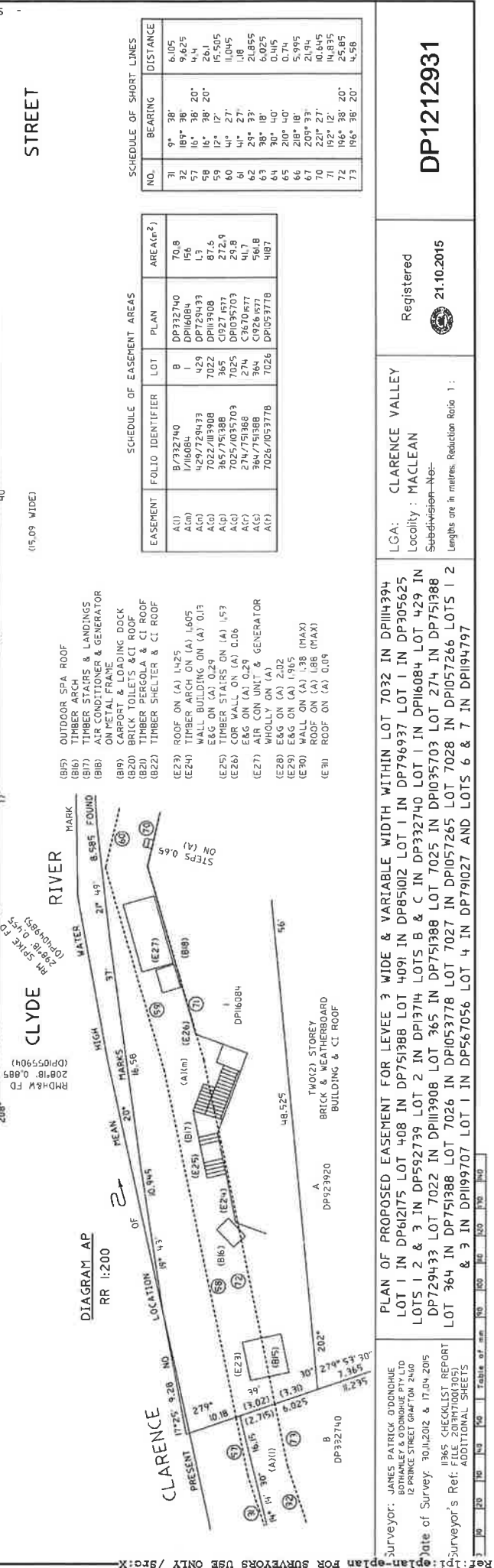
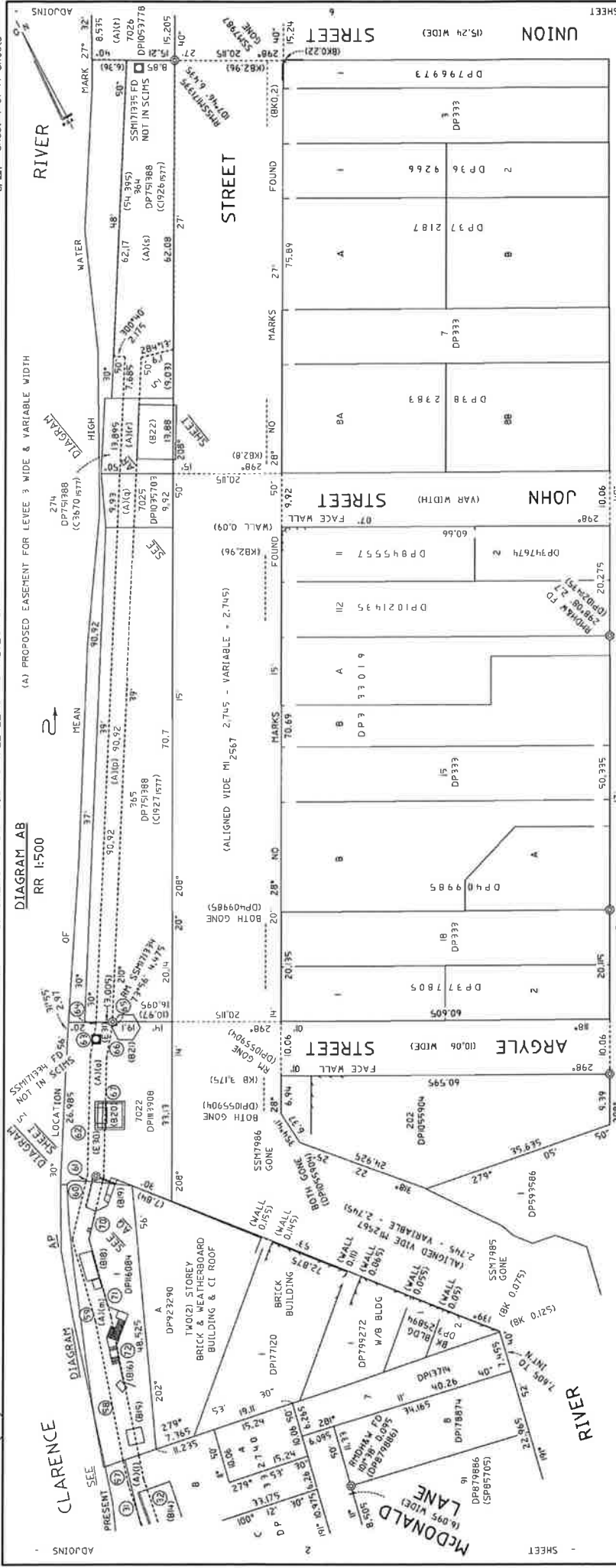


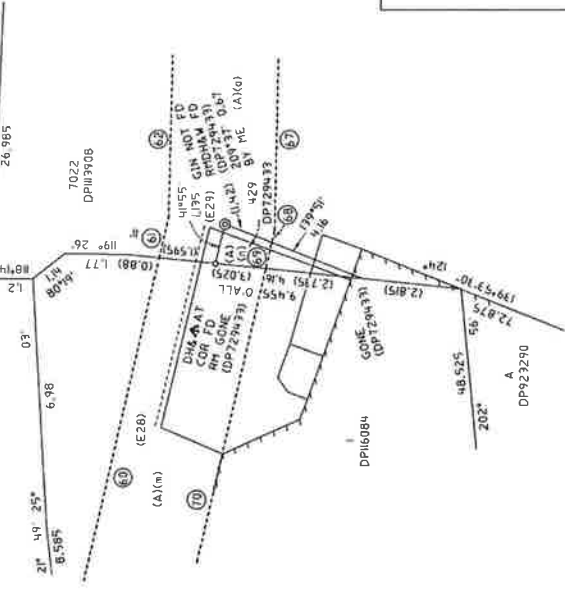
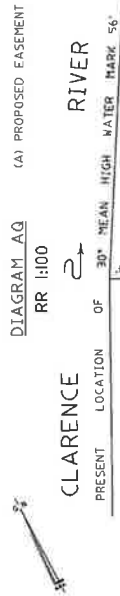
PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DP1114394 LOT 1 IN DP612175 LOT 409 IN DP751388 LOT 1 IN DP851012 LOT 1 IN DP796937 LOT 1 IN DP305625 LOTS 1 & 3 IN DP592739 LOT 2 IN DP137174 LOTS B & C IN DP332740 LOT 1 IN DP16084 LOT 429 IN DP729433 LOT 7022 IN DP113908 LOT 365 IN DP751388 LOT 7025 IN DP1035703 LOT 274 IN DP751388 LOT 364 IN DP751388 LOT 7026 IN DP10357178 LOT 7027 IN DP1057265 LOT 7028 IN DP1057266 LOTS 1 & 3 IN DP1199707 LOT 1 IN DP567056 LOT 4 IN DP791027 AND LOTS 6 & 7 IN DP1194797

LGA: CLARENCE VALLEY
Locality: MACLEAN
Subdivision No:-
Lengths are in metres, Reduction Ratio 1 :

DP1212931

Req:574538 /Doc:DP 1212931 P /Rev:22-Oct-2015 /Sts:SC OK /Prt:23-Oct-2015 04:30 /Pg:ALL /Seq:4 of 13
Ref:tpi:epian-epian FOR SURVEYORS USE ONLY /Src:X





SCHEDULE OF SHORT LINES

NO	BEARING	DISTANCE
12	2° 17' 40"	21.43
13	2° 17' 40"	1.585
14	2° 17' 40"	9.565
46	182° 17' 40"	18.875
47	182° 17' 40"	21.705
60	4° 27'	1.045
61	4° 27'	1.18
62	29° 29'	21.855
67	209° 33'	21.94
68	221° 27'	0.365
69	221° 27'	0.745
70	192° 12'	0.845
71	192° 12'	1.185
72	196° 38' 20"	25.85

(B4) CI BUILDING & ROOF
(B22) TIMBER RAMP
(E6) E&G ON (A) 0.09
(E9) HIGH GUTTER ON (A) 1.13
(E10) WALL ON (A) 1.745
(E11) WALL ON (A) 1.825
(E28) E&G ON (A) 2.02
(E29) E&G ON (A) 1.965

SCHEDULE OF EASEMENT AREAS

EASEMENT	FOLIO IDENTIFIER	LOT	PLAN	AREA(m ²)
(A1)	1/205625	1	DP305625	61.7
(A1)	1/592739	1	DP592739	70.7
(A1)	1/16084	1	DP16084	156
(A1)	429/729433	429	DP729433	1.3
(A1)	7022/113908	7022	DP113908	87.6
(A1)	365/75388	365	C927457	272.7
(A1)	7025/1035703	7025	DP1035703	29.8
(A1)	274/75388	274	C1670677	41.7
(A1)	364/75388	364	C1926677	559.5

Surveyor: JAMES PATRICK O'DONOHUE
BOTHAMLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON 2400
Date of Survey: 30.01.2012 & 17.04.2015
11865 CHECKLIST REPORT
Surveyor's Ref: ADDITIONAL SHEETS

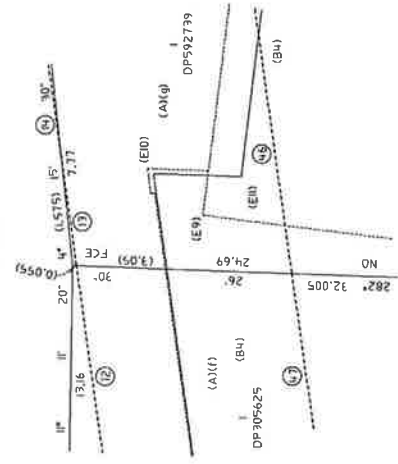
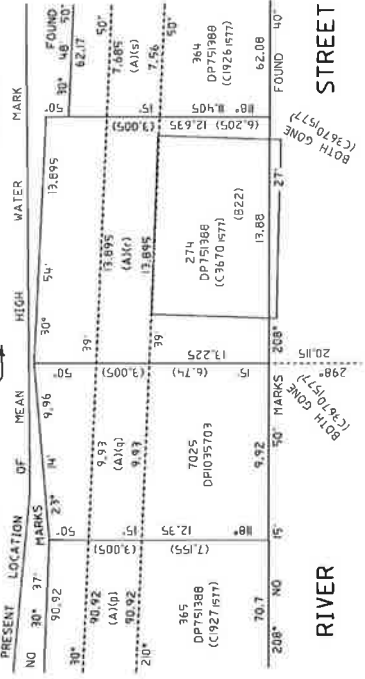
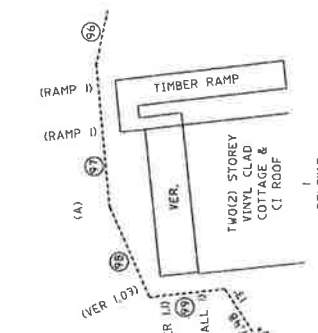
PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DPIH394
LOTS 1 & 2 & 3 IN DP592739 LOT 2 IN DP13714 LOTS B & C IN DP332740 LOT 1 IN DP16084 LOT 429 IN
DP729433 LOT 7022 IN DP113908 LOT 365 IN DP15388 LOT 7025 IN DP1035703 LOT 274 IN DP75388
LOT 364 IN DP75388 LOT 7026 IN DP1053778 LOT 7027 IN DP1057265 LOT 7028 IN DP1057266 LOTS 1 & 2
LOT 364 IN DP199707 LOT 1 IN DP567056 LOT 4 IN DP791027 AND LOTS 6 & 7 IN DP194797

LGA: CLARENCE VALLEY
Locality: MACLEAN
Subdivision No: DP1212931
Lengths are in metres. Reduction Ratio 1:1

Registered
21.10.2015

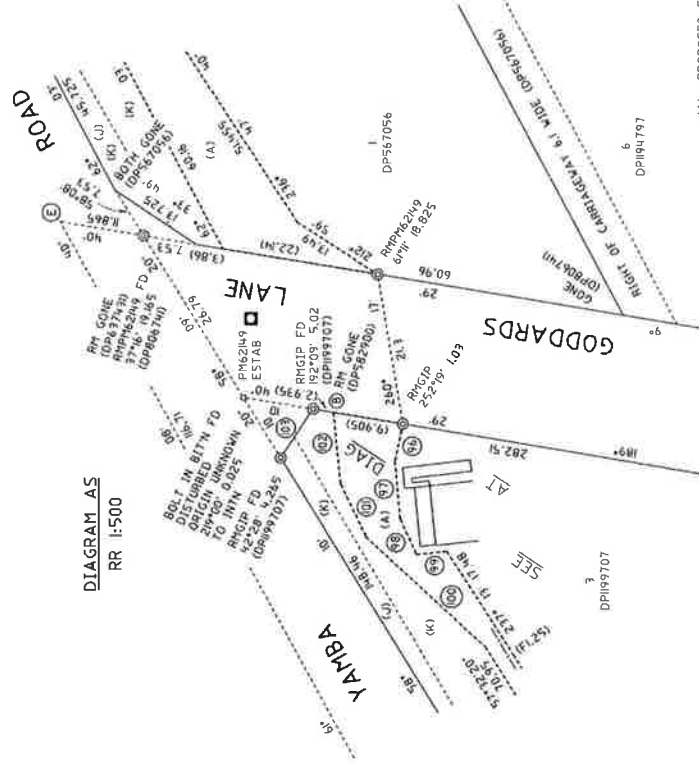
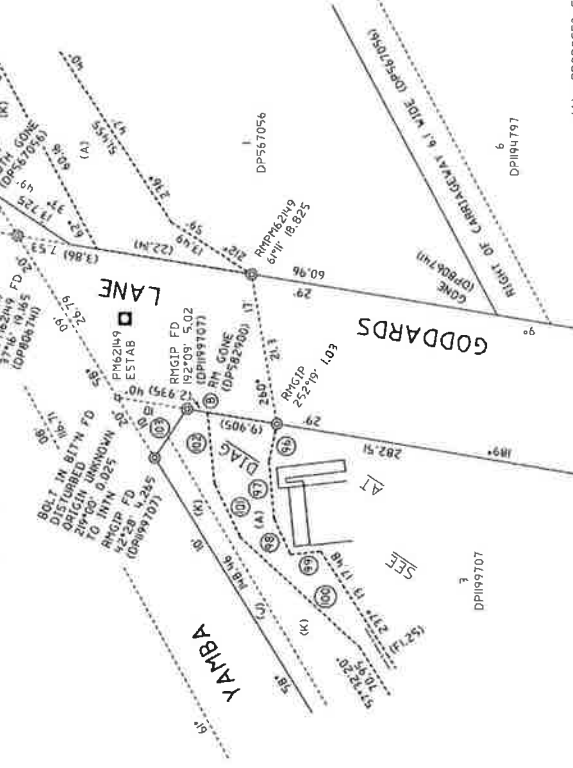
DP1212931

(A) PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH
(L) PROPOSED EASEMENT 5 WIDE & VARIABLE WIDTH FOR WATER SUPPLY PIPELINE (DP697431)
(K) PROPOSED EASEMENT FOR LEVEE VARIABLE WIDTH (DP582900)

DIAGRAM AN
RR 1:50DIAGRAM AR
RR 1:200DIAGRAM AT
RR 1:200

SCHEDULE OF SHORT LINES

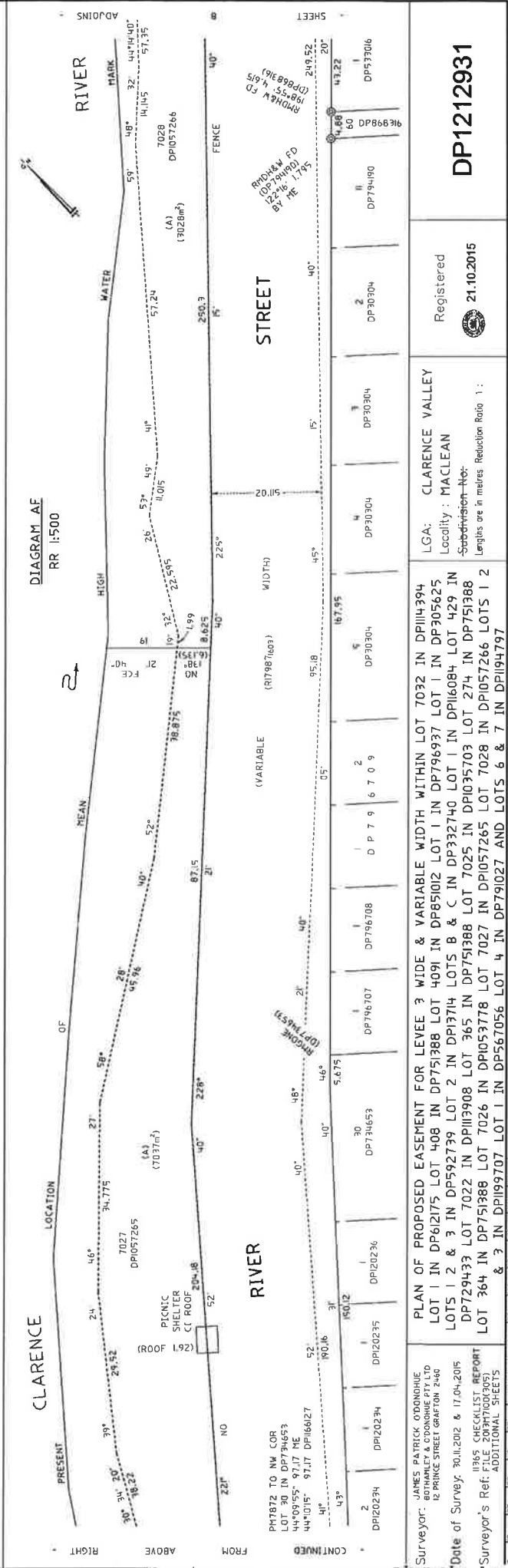
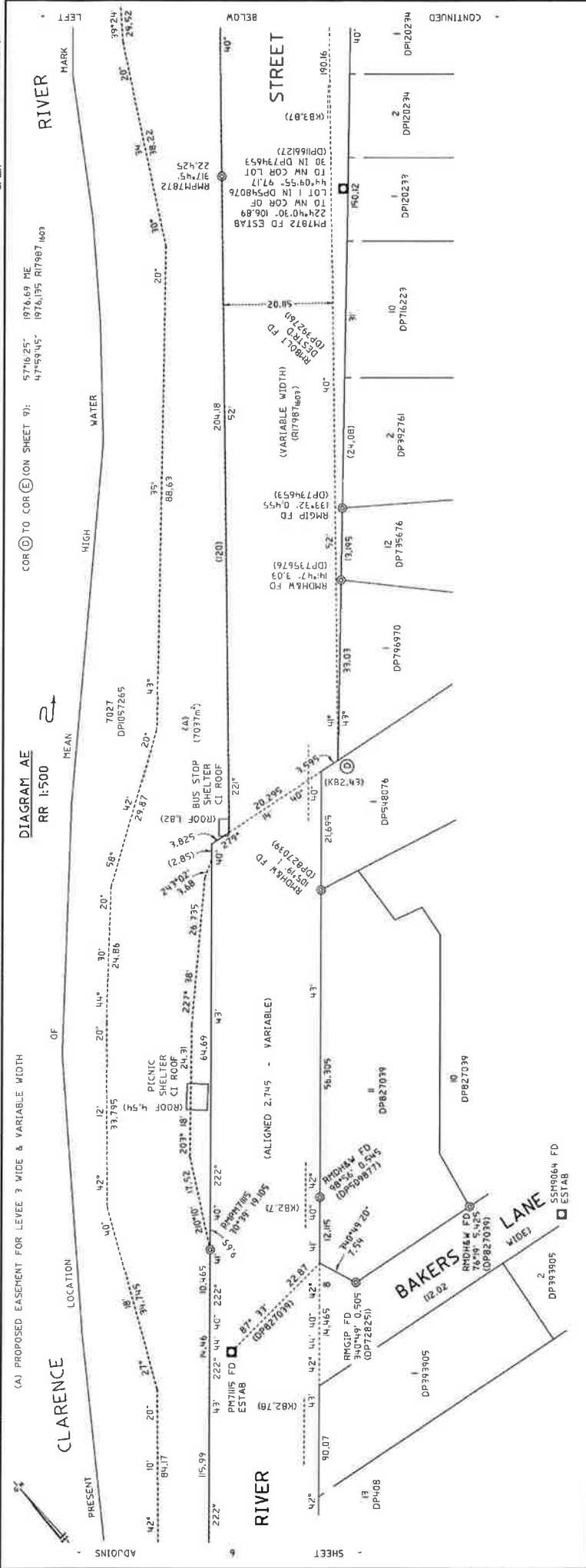
NO	BEARING	DISTANCE
96	282° 00'	5.41
97	264° 41'	8
98	245° 58'	5.58
99	171° 04'	4.3
100	42° 46' 20"	22.8
101	64° 12' 20"	8.395
102	85° 12' 20"	9.965
103	123° 50'	8.24

DIAGRAM AS
RR 1:500

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 2(A2)

Sheet 7 of 11 Sheets



PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DP114394 LOT 1 IN DP612175 LOT 408 IN DP751388 LOT 409 IN DP851012 LOT 1 IN DP796937 LOT 1 IN DP305625 LOTS 1 & 2 & 3 IN DP592739 LOT 2 IN DP13714 LOTS B & C IN DP332740 LOT 1 IN DP16084 LOT 429 IN DP729433 LOT 7022 IN DP113908 LOT 365 IN DP751388 LOT 7025 IN DP105703 LOT 274 IN DP751388 LOT 364 IN DP751388 LOT 7026 IN DP1053778 LOT 7027 IN DP1057265 LOT 7028 IN DP1057266 LOTS 1 & 2 & 3 IN DP199707 LOT 1 IN DP567056 LOT 4 IN DP791027 AND LOTS 6 & 7 IN DP194797

Surveyor: JAMES PATRICK O'DONOHUE
BOTANLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON 2460
Date of Survey: 30.11.2012 & 17.04.2015
Surveyor's Ref: FILE 203710003051
ADDITIONAL SHEETS

LGA: CLARENCE VALLEY
Locality: MACLEAN
Subdivision No:
Lengths are in metres Reduction Ratio 1 :

Registered
21.10.2015
DP1212931

(A) PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH

DIAGRAM AG
RR 1:500

COR(F) - COR(G) : 48°05'20" 201.04 ME
38°47'40 201.12 DP622022

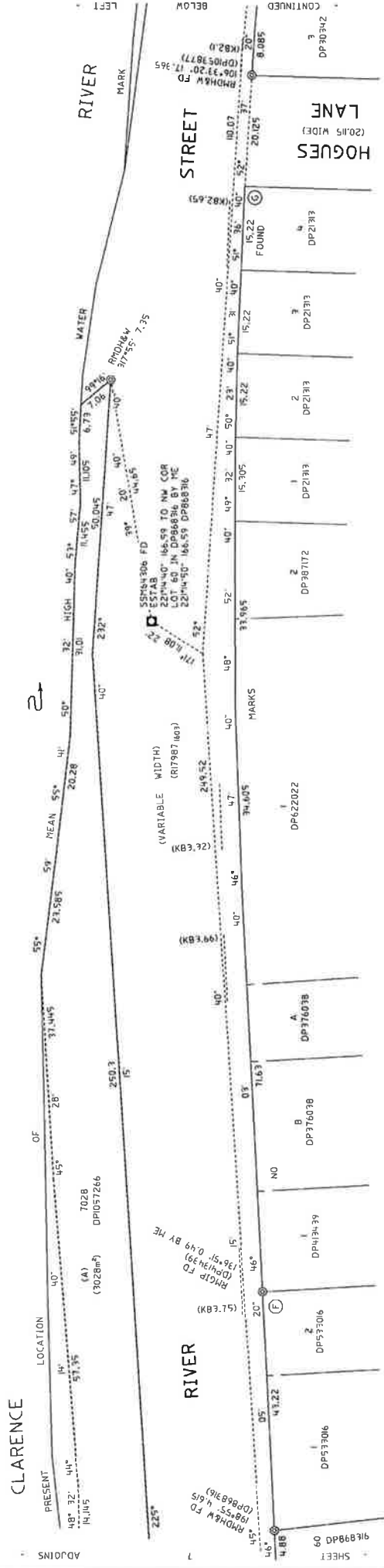
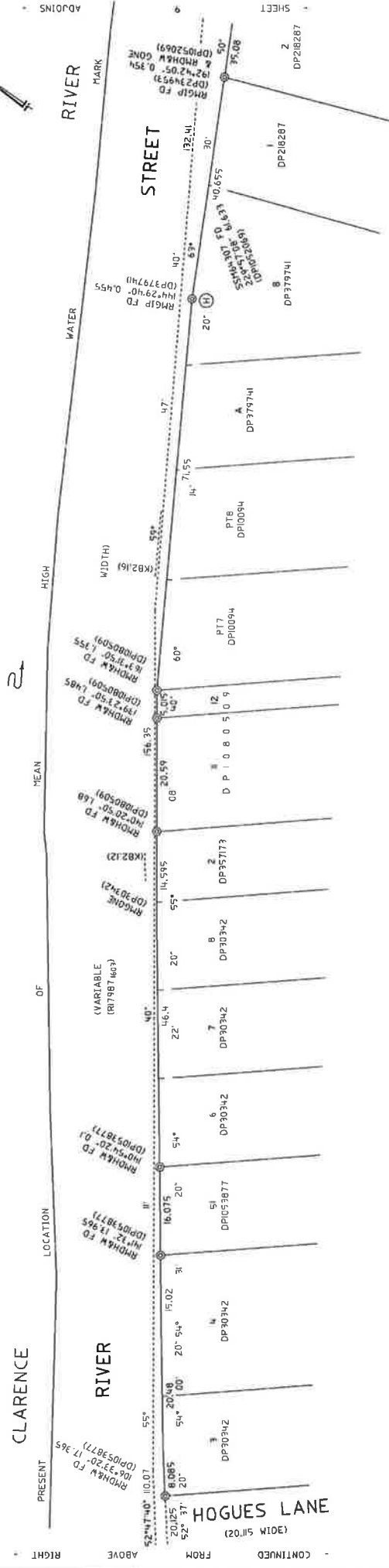


DIAGRAM A4
RR 1:500

55M64307 TO COR (H): 233°22'20" 82.06 ME
233°22'30" 82.06 DPI080509



Surveyor:
JAMES PATRICK O'DONOHUE
BOTHAMLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON 2140

Date of Survey: 30.11.2012 & 17.04.2015

Surveyor's Ref: 2013M7100(305)

PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DPLH4394 LOT 1 IN DP612175 LOT 408 IN DP75388 LOT 4091 IN DP796937 LOT 1 IN DP051012 LOT 1 IN DP050625 LOTS 1 & 2 & 3 IN DP592739 LOT 2 IN DP13714 LOTS B & C IN DP332740 LOT 1 IN DPLI6084 LOT 429 IN DP729433 LOT 7022 IN DPLH3908 LOT 365 IN DP75388 LOT 7025 IN DP035703 LOT 274 IN DP751388 LOT 364 IN DP751388 LOT 7026 IN DP053778 LOT 7027 IN DP057265 LOT 7028 IN DP057266 LOTS 1 & 3 IN DPLI95707 LOT 1 IN DP567056 LOT 4 IN DP791027 AND LOTS 6 & 7 IN DPLI94797

LGA: CLARENCE VALLEY

Locality: MACLEAN
Subdivision: Not

Lengths are in metres. Reduction Ratio 1 :

Registered

21.10.2015

DP1212931

PLAN FORM 2(A2)

- (A) PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH
(J) PROPOSED EASEMENT 5 WIDE & VARIABLE WIDTH FOR WATER SUPPLY PIPELINE (DP637431)
(K) PROPOSED EASEMENT FOR LEVEE VARIABLE WIDTH (DP682900)
- COR (C) ON SHEET 71 TO COR (E): 57°16'25" 1976.69 ME
47°59'45" 1976.135 ME
64°30'30" 845.9 ME
55°14'10" 845.7 DP682900
- COR (A) TO COR (B):

DIAGRAM A1
RR 1:1000

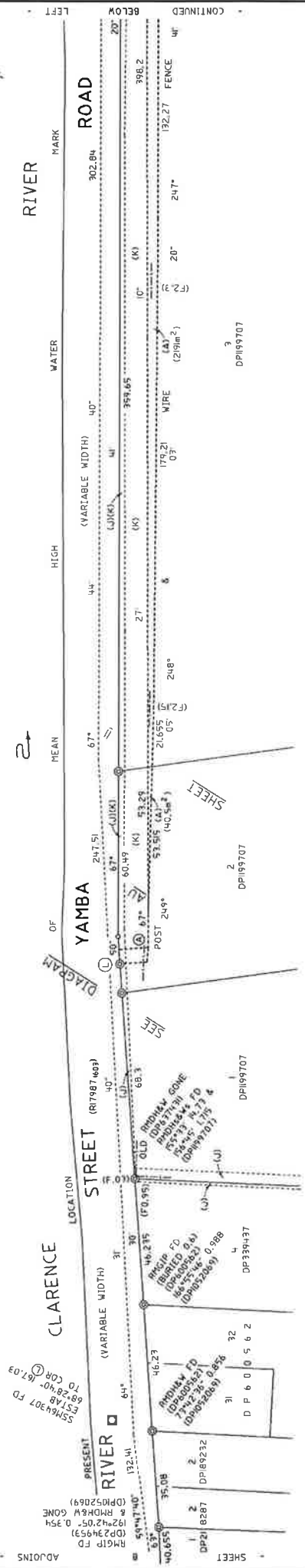
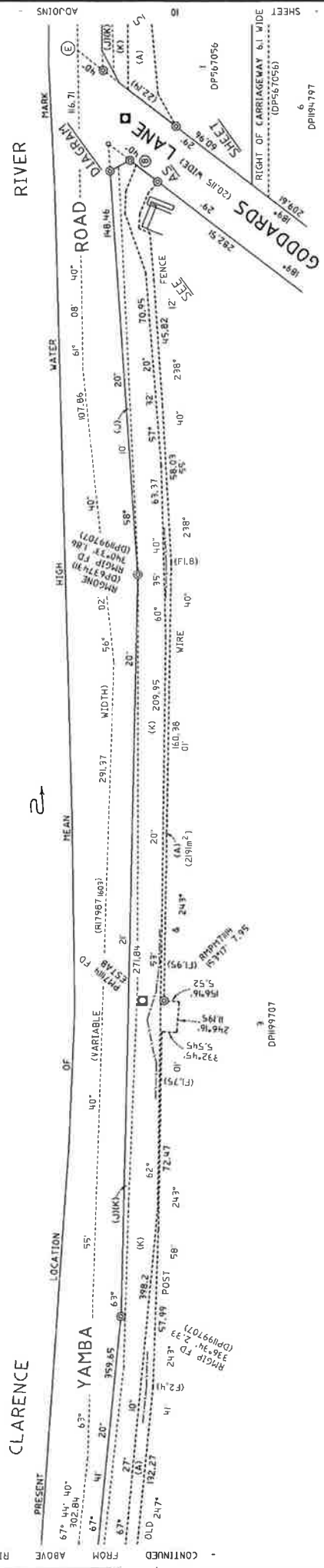


DIAGRAM A2
RR 1:1000



Surveyor: JAMES PATRICK O'DONOHUE
BOTHANLEY & O'DONOHUE PTY LTD
12 PRINCE STREET GRAFTON 2460

Date of Survey: 30.11.2012 & 17.04.2015

Surveyor's Ref: 201470003051
#365 CHECKLIST REPORT
FILE 201470003051
ADDITIONAL SHEETS

PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DP114394
LOT 1 IN DP612175 LOT 408 IN DP751388 LOT 4091 IN DP85012 LOT 1 IN DP796937 LOT 1 IN DP305625
LOTS 1 & 2 & 3 IN DP592739 LOT 2 IN DP13714 LOTS B & C IN DP332740 LOT 1 IN DP16084 LOT 429 IN
DP729433 LOT 7022 IN DP113908 LOT 365 IN DP751388 LOT 7025 IN DP1035703 LOT 274 IN DP751388
LOT 364 IN DP751388 LOT 7026 IN DP1035778 LOT 7027 IN DP10357265 LOT 7028 IN DP1057266 LOTS 1 & 2
& 3 IN DP199707 LOT 1 IN DP567056 LOT 4 IN DP791027 AND LOTS 6 & 7 IN DP1194797

LGA: CLARENCE VALLEY
Locality: MACLEAN
Subdivision No:
Lengths are in metres Reduction Ratio 1 : 1



Registered
21.10.2015

DP1212931

(A) PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH
(J) PROPOSED EASEMENT 5 WIDE & VARIABLE WIDTH FOR WATER SUPPLY PIPELINE (DP63743)
(K) PROPOSED EASEMENT FOR LEVEE VARIABLE WIDTH (DP582900)

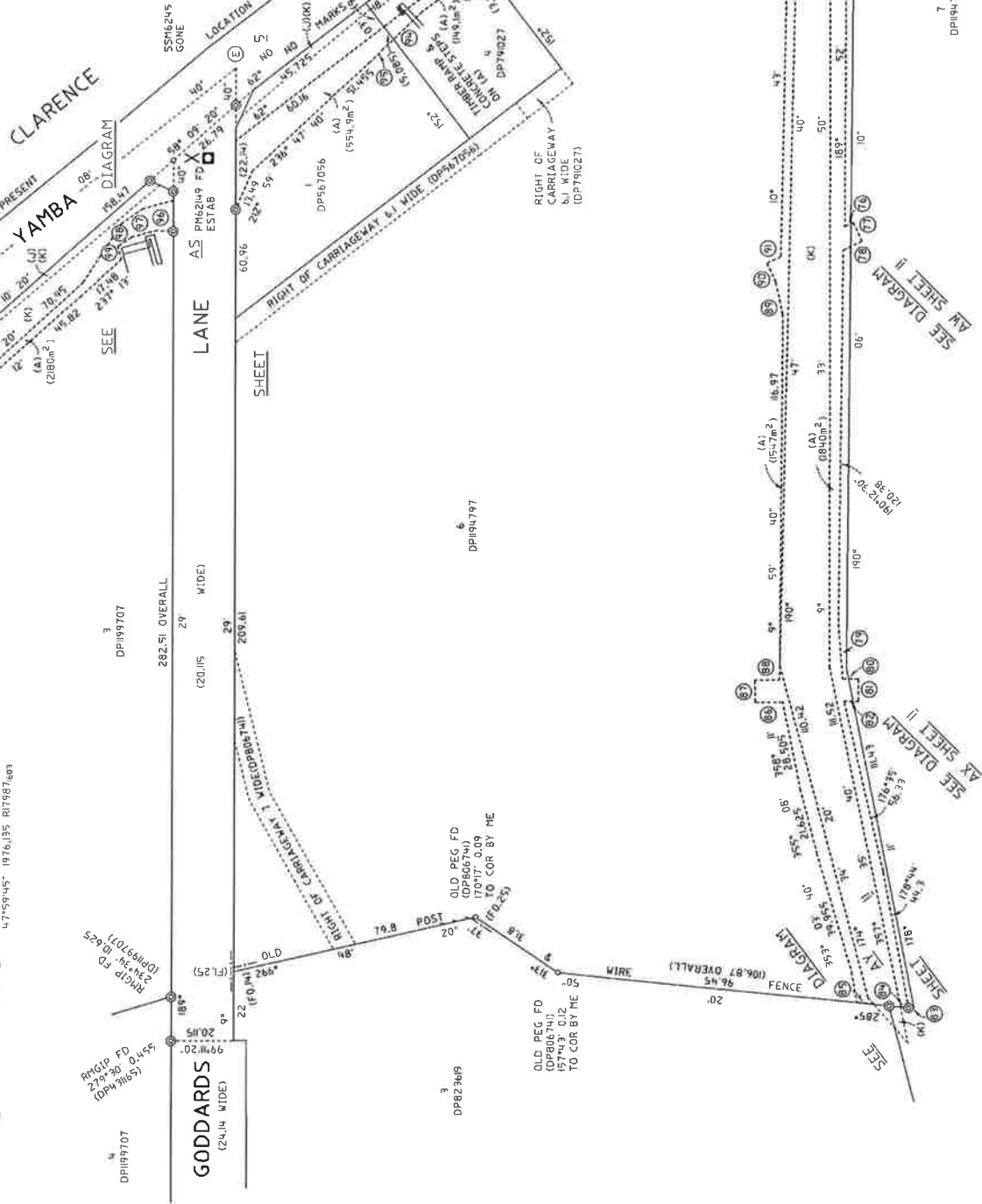
COR (C) ON SHEET 71 TO COR (E):

57°16'25" 1976.69 ME
47°59'45" 1976.135 RT957.483

DIAGRAM AK
RR 1:000

SCHEDULE OF SHORT LINES

NO.	BEARING	DISTANCE NO.	BEARING	DISTANCE
74	152° 36'	8.055	8° 57'	7.2
75	234° 46'	3.06	98° 57'	7.285
76	74° 25'	6.6	357° 0'	10.97
77	164° 25'	6.7	314° 25'	6.6
78	254° 25'	17.26	71° 25'	4.92
79	195° 01'	4.985	242° 46'	2.055
80	98° 57'	7.2	242° 46'	25.01
81	188° 57'	4.58	235° 26'	12.265
82	278° 57'	1.74	282° 00'	10.665
83	285° 21'	2.52	264° 41'	8
84	285° 21'	5.615	245° 58'	5.58
85	359° 54'	8.8	174° 04'	4.3
86	278° 57'			



JAMES PATRICK O'DONOGHUE
SURVEYOR: BOWMAN & O'DONOGHUE PTY LTD
12 PRINCE STREET GRAFTON 2460

Date of Survey: 30.11.2012 & 17.04.2015

Surveyor's Ref: FILE 20150100105
1365 CHECKLIST REPORT
ADDITIONAL SHEETS

PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DP114394
LOT 1 IN DP612175 LOT 408 IN DP751988 LOT 4091 IN DP851012 LOT 1 IN DP796937 LOT 1 IN DP305625
LOTS 1 & 2 & 3 IN DP592739 LOT 2 IN DP13714 LOTS B & C IN DP332740 LOT 1 IN DP16084 LOT 429 IN
DP729433 LOT 7022 IN DP113908 LOT 365 IN DP751988 LOT 7025 IN DP1035703 LOT 274 IN DP751988
LOT 364 IN DP751988 LOT 7026 IN DP1053778 LOT 7027 IN DP1057265 LOT 7028 IN DP1057266 LOTS 1 & 2
& 3 IN DP199707 LOT 1 IN DP567056 LOT 4 IN DP791027 AND LOTS 6 & 7 IN DP194797

LGA: CLARENCE VALLEY
Locality: MACLEAN
Subdivision No: DP194797
Lengths are in metres. Reaction Ratio 1:

Registered

21.10.2015

DP1212931



- (A) PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH
(J) PROPOSED EASEMENT 5m WIDE & VARIABLE WIDTH FOR WATER SUPPLY PIPELINE (DP673430)
(K) PROPOSED EASEMENT FOR LEVEE VARIABLE WIDTH (DP62400)

NO.	BEARING	DISTANCE
74	152° 36'	8.055
75	242° 48'	6
76	74° 25'	3.06
77	164° 25'	6.6
78	254° 25'	6.7
79	164° 25'	7.965
80	164° 25'	7.5
81	189° 57'	7.5
82	276° 57'	4.58

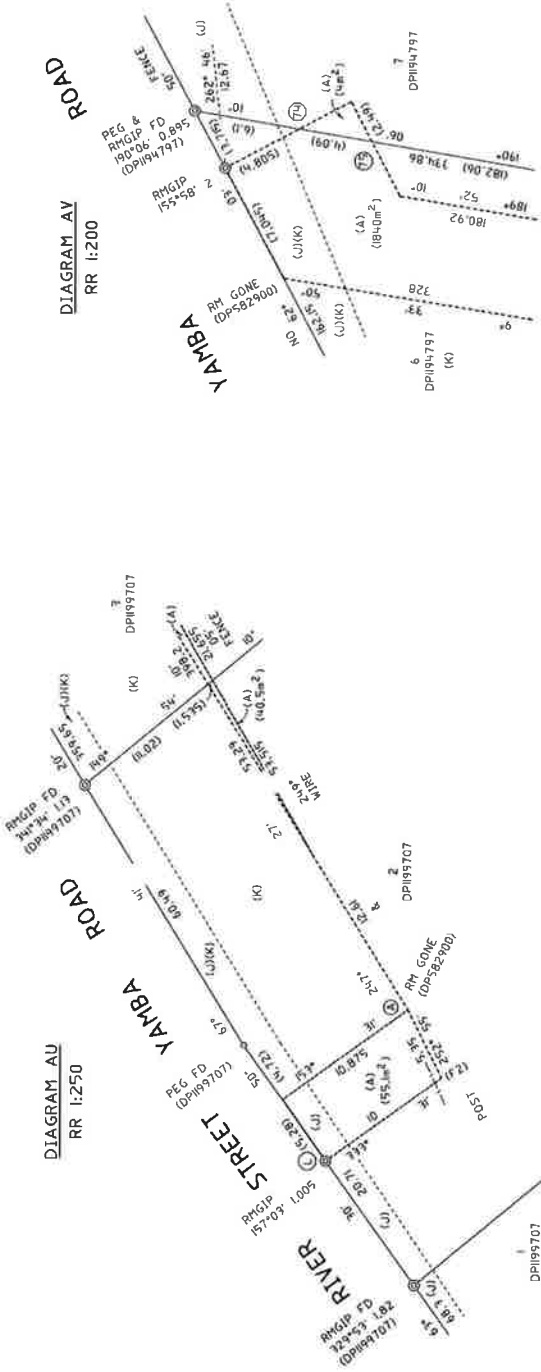


DIAGRAM AW

RR 1:200

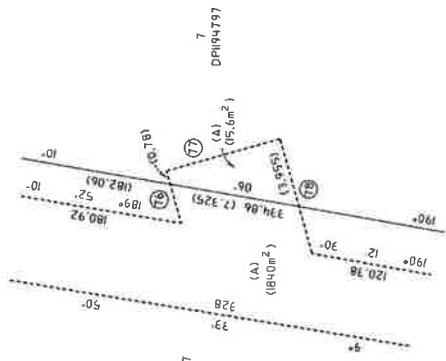


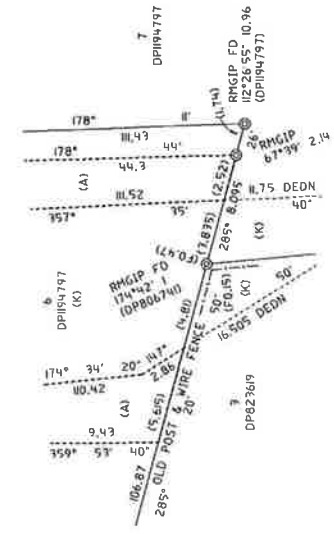
DIAGRAM AX

RR 1:200



DIAGRAM AY

RR 1:200



Surveyor: JAMES PATRICK O'DONOHUE
BORN 1958, 18 O'DONOHUE FLD
12 PRINCE STREET, GLENVIEW 2400
Date of Survey: 30.11.2012 & 17.04.2015
Surveyor's Ref: 11965
CHECKLIST REPORT
ADDITIONAL SHEETS

PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DP114394
LOT 1 IN DP62175 LOT 408 IN DP751388 LOT 4091 IN DP796937 LOT 1 IN DP305625
LOTS 1 & 2 & 3 IN DP592739 LOT 2 IN DP13714 LOTS B & C IN DP332740 LOT 1 IN DP16084 LOT 429 IN
DP729433 LOT 7022 IN DP113908 LOT 365 IN DP751388 LOT 7025 IN DP1035703 LOT 274 IN DP751388
LOT 364 IN DP751388 LOT 7026 IN DP1053778 LOT 7027 IN DP1057265 LOT 7028 IN DP1057266 LOTS 1 & 2
LOT 364 IN DP199707 LOT 1 IN DP567056 LOT 4 IN DP791027 AND LOTS 6 & 7 IN DP194797

LGA: CLARENCE VALLEY
Locality: MACLEAN
Subdivision No:
Lengths are in metres. Reduction Ratio 1 :

Registered
21.10.2015

DP1212931

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 sheet(s)

Registered:  21.10.2015 Title System: TORRENS Purpose: EASEMENT	Office Use Only Office Use Only DP1212931
PLAN OF PROPOSED EASEMENT FOR LEVEE 3 WIDE & VARIABLE WIDTH WITHIN LOT 7032 IN DP1114394 LOT 1 IN DP612175 LOT 408 IN DP751388 LOT 4091 IN DP851012 LOT 1 IN DP796937 LOT 1 IN DP305625 LOTS 1 2 & 3 IN DP592739 LOT 2 IN DP13714 LOTS B & C IN DP332740 LOT 1 IN DP116084.....(CONTINUED ON SHEET 2)	LGA: CLARENCE VALLEY Locality: MACLEAN Parish: TALOUMBI County: CLARENCE
Crown Lands NSW/Western Lands Office Approval I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given. Signature: Date: File Number: Office:	Survey Certificate I, JAMES PATRICK O'DONOHUE of BOTHAMLEY & O'DONOHUE PTY LTD 12 PRINCE STREET GRAFTON NSW 2460 a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that: *(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2012, is accurate and the survey was completed on 30.11.2012 *(b) The part of the land shown in the plan being THE EASEMENT (A) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i>, is accurate and the survey was completed on 30.11.2012 & 17.04.2015 the part not surveyed was compiled in accordance with that Regulation. *(c) The land shown in this plan was compiled in accordance with the Surveying and Spatial Information Regulation 2012 Signature:  Dated: 10.07.2015 Surveyor ID: 1768 Datum Line: X - Y Type: Urban & Rural The terrain is *Level-Undulating / *Steep Mountainous. *Strike through if inapplicable. *Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.
Subdivision Certificate I, *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein. Signature: Accreditation number: Consent Authority: Date of endorsement: Subdivision Certificate number: File number: *Strike through if inapplicable.	Plans used in the preparation of survey/compilation. M1²⁵⁶⁷ C45¹⁵⁷⁷ C1712¹⁵⁷⁷ C1926¹⁵⁷⁷ C1927¹⁵⁷⁷ C3671¹⁵⁷⁷ C3789¹⁵⁷⁷ R776¹⁶⁰³ R2543¹⁶⁰³ R6229A¹⁶⁰³ R11790¹⁶⁰³ R17987¹⁶⁰³ DP333 DP13714 DP116084 DP178874 DP234953 DP235925 DP305625 DP332740 DP333019 DP362522 DP376338 DP376583 DP379741 DP392761 DP397508 DP413419 DP409985 DP431165 DP551790 DP592739..... (CONTINUED ON SHEET 2)..... If space is insufficient continue on PLAN FORM 6A
Statements of intention to dedicate public roads, public reserves and drainage reserves. Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A	Surveyor's Reference: 11365 CHECKLIST REPORT FILE 2013M7100(305) ADDITIONAL SHEETS

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheet(s)

Office Use Only

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Registered:  21.10.2015

DP1212931

...(CONTINUED FROM SHEET 1)...LOT 429 IN DP729433 LOT 7022 IN DP1113908 LOT 365 IN DP751388 LOT 7025 IN DP1035703 LOT 274 IN DP751388 LOT 364 IN DP751388 LOT 7026 IN DP1053778 LOT 7027 IN DP1057265 LOT 7028 IN DP1057266 LOTS 1 2 & 3 IN DP1199707 LOT 1 IN DP567056 LOT 4 IN DP791027 AND LOTS 6 & 7 IN DP1194797

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Subdivision Certificate number:

Date of Endorsement:

Plans used in the preparation of survey/compilation.....

(CONTINUED FROM SHEET 1)...

DP567056	DP582900	DP600562	DP612175	DP622022
DP637431	DP711006	DP728251	DP729433	DP734653
DP735676	DP774885	DP791027	DP796937	DP794160
DP806741	DP818102	DP823619	DP827309	DP845557
DP851012	DP868316	DP875108	DP879886	DP923920
DP1021435	DP1035703	DP1053778	DP1055904	DP1057265
DP1057266	DP1053877	DP1064348	DP1080509	DP1113908
DP1166127	DP1170209	DP1194797	DP1199707	

If space is insufficient use additional annexure sheet

Surveyor's Reference: 11365 CHECKLIST REPORT
FILE 2013M7100(305)
ADDITIONAL SHEETS

Written statement addressing the exhibition requirements for planning proposals or draft LEPs to reclassify public land including details of Council's interests

Note - this statement has been prepared in accordance with NSW Dept. Environment and Planning Practice Note PN09-003, 12/6/2009 and additional matters specified by Dept. Environment and Planning

Land: Lot 505 DP 1151839, 6 Crowther Drive, Junction Hill	
Item	Details
1. The reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal.	The objective or intended outcome of the planning proposal is to reclassify from "community" to "operational" a range of Council owned public land parcels including this land that was originally intended to be classified as "operational". This is explained in more detail in the report considered by Council at its 17 May 2016 Ordinary Council meeting (copy provided at Appendix 2 of the Planning Proposal). Refer also to items 3 & 14 below.
2. The current and proposed classification of the land(s).	Current classification - community Proposed classification - operational
3. The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements, e.g. heritage controls, anticipated physical or operational changes resulting from the reclassification	Reclassification is required to rectify a recent apparent discrepancy in the public land classification status of this land and 206 other parcels of land that were thought to be classified as operational as far back as July 1994. The land is zoned R2 Low Density Residential and is currently vacant residential land that forms part of the Baileys Estate. It is one of the last 3 remaining vacant residential lots from the Baileys Estate land development project that was initiated by the former Copmanhurst Shire Council and hence inherited by the Clarence Valley Council. It has been zoned for Residential since 1984.
4. Who owns the land(s)?	Council owns Lot 505 DP 1151839, 6 Crowther Drive, Junction Hill.
5. What is the nature of council's interest in the land(s)?	Council owns the land. The land is subject to an instrument specifying a range of "Easements or profit à prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants created pursuant to Section 88B Conveyancing Act 1919 (e.g. drainage of water, sewage). Council is nominated in some of the instruments items as either benefiting from or being a prescribed authority in relation to an easement or restriction. There is no intention to change any of the existing easements, restrictions etc in the instrument.
6. How and when were the interests in the lands first acquired?	The only other interest in the land is the standard (to all certificates of title) Reservations and conditions in the Crown Grant(s) alluding to the "original Crown Grant". Again there is no intention to change or extinguish this standard interest or notation. Council's interest (as land owner) in the land was acquired on 27 July 1993. It is one of the last 3 remaining vacant residential lots from the Baileys Estate land development project that was initiated by the former Copmanhurst Shire Council and hence inherited by the Clarence Valley Council.
7. What are the reasons for Council acquiring an interest	The reasons for Council's interest as land owner arises from its ownership and development of the

in the lands?	Baileys Estate residential development, the original stages of which were first undertaken by the former Copmanhurst Shire Council, with the first lots/stage being registered in 1995. Lot 505 is part of Stage 2 Baileys Estate, with Deposited Plan 1151839 being registered in 2010.
8. Are there any agreements over the lands?	There are no agreements over the land. A sales advice has been issued for Lot 505.
9. An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the type(s) of benefit that could arise.	Council has a listed sale price of \$94000 for Lot 505.
10a. What asset management objectives are being pursued?	10a. The asset management objectives for the land are simple - to dispose of Lot 505 by means of private treaty sale.
10b. How will the objectives be achieved?	10b. The objectives will be achieved by the settlement of a sale to a third party purchaser.
10c. What type of benefits the do council wants (financial and non-financial)?	10c. The proceeds of the sale of Lot 505 will contribute to Council's Strategic Building Reserve.
11a. Are there any agreements for the sale or lease of the lands?	Refer to comments opposite items 8. and 9. above.
11b. If so what are the basic details of any such agreement?	
12. What are the relevant matters required in plan making under the EP & A Act?	Relevant matters required in plan making under the EP & A Act include: - Where a reclassification proposes to extinguish other interests in the land, the approval of the Governor is first required in accordance with section 30 of the LG Act; This does not apply in this instance as there are no interests in the land other than the standard Crown "mineral rights" notation/interest and it is not intended to extinguish this interest. - As required before the final plan (LEP) can be made a public hearing in accordance with section 29 of the LG Act will be conducted under section 57 of the EP & A Act following the exhibition of the planning proposal. Separate public notice of the public hearing will be given after the conclusion of the public exhibition period. Refer to section 6. Part 5 - Community Consultation of the planning proposal.
13. Is a copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan included in the exhibition material?	A copy of Practice Note PN 09 - 003 - Classification and reclassification of public land through a local environmental plan is at Appendix 8 of the planning proposal. This Appendix comprises the written statement required to be exhibited with the planning proposal as specified in Attachment 2 of PN 09 - 003. This statement also addresses (below) additional matters specified by the Department of Planning and Environment in letter dated 22 June 2016.
<i>Additional matters specified by DPE, June 2016</i>	
14. The strategic and site specific merits of the reclassification and evidence to support this.	The strategic and site specific merits of the reclassification of the land to operational include: (a) It will enable Council to resume the land sale process and ultimately release this vacant and serviced urban land to the market so that it can be converted to the available housing supply once it is built on. (b) The proceeds of the sale of Lot 505 will contribute to Council's Strategic Building Reserve.
15. Maps indicating the location of each parcel, while each	A location plan of the land is at Map 1 on page 7 of the planning proposal.

parcel needs to be located it is not necessary to provide a separate map for each parcel ie locality maps indicating a number of parcels is acceptable	
16. Title searches for each allotment where interests are proposed to be changed	Whilst no interests are proposed to be changed a copy of a current title search for the land follows this statement.
17. An indication of whether each allotment is a public reserve as defined in the Local Government Act	The land is NOT a public reserve as defined in the Local Government Act.
18. The consistency of the reclassification with Councils Open Space Strategic Plan	N/A. The Clarence Valley Open Space Strategic Plan does not apply to this land.
19. How Council will benefit financially and how these funds will be used	The reclassification of the land to operational will enable Council to resume the land sale process. The proceeds of the sale of Lot 505 (likely to be \$94000 less transaction costs) will contribute to Council's Strategic Building Reserve.
20. What percentage of Councils landholdings the planning proposal relates to.	Lot 505 DP 1151839 has an area of 0.08001ha. The aggregate area of Council owned landholdings is 6,361.46ha (community and operational). Therefore Lot 505 constitutes 0.00126% of Council owned landholdings.
21. Any current use of the land, whether authorised or unauthorised.	The land is a vacant and serviced residential lot.
22. Any lease or the like present on any of the parcels	There are no leases on the land.