

**Planning Proposal to
Reclassify Land at Lot 18
DP 548244 - 12 Rutledge
Street Queanbeyan from
‘Community’ to
‘Operational’ Land**



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C15136130

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Planning Proposal to Reclassify Land from Community to Operational – 12 Rutledge Street

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Planning Proposal to Reclassify Land from Community to Operational – 12 Rutledge Street

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Planning Proposal to Reclassify Land at Lot 18 DP 548244 - 12 Rutledge Street Queanbeyan from 'Community' to 'Operational' Land

Introduction

This is a planning proposal prepared under section 55 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, in relation to a proposed amendment to the *Queanbeyan Local Environmental Plan 2012 (QLEP 2012)*.

This planning proposal seeks to reclassify land at 12 Rutledge Street Queanbeyan (Lot 18 DP 548244) from 'community' to 'operational' status under the *Local Government Act, 1993 (LG Act)*.

Subject Land

An aerial photograph of the subject land is shown in Figure One below.

Figure One – Council owned land at 12 Rutledge Street Queanbeyan



Currently 12 Rutledge Street Queanbeyan is classified as community land and is owned by Queanbeyan City Council. It is zoned B3 Commercial Core under *QLEP 2012*. The land contains a two storey building of which the ground floor is currently leased to Queanbeyan Multilingual Centre, whilst the first floor contains Council's Strategic Land Use Planning team. The rear of the lot contains a brick shed used for storage purposes. The site has an area of 663.9m².

The adjoining lots on the corner of Rutledge and Crawford Street owned by the Council are already classified as operational land. Council has determined that reclassifying the site

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allows flexibility to manage the land for the highest and best use into the future, including allowing for redevelopment or sale if considered desirable.

Council has entered into a licenced agreement with the Queanbeyan Multilingual Centre for the use of the ground floor of 12 Rutledge Street Queanbeyan and this arrangement expires on 30 June 2019.

There is no trusts, estates, interests, dedications, conditions, restrictions, or covenants affecting the subject land. The land does contain an easement to drain sewage affecting the rear portion of the lot. A copy of the title of the land is provided at Appendix A.

Part 1 – Objective or Intended Outcomes

This planning proposal seeks to reclassify land at 12 Rutledge Street Queanbeyan (Lot 18 DP 548244) from 'community' to 'operational' status under the *Local Government Act, 1993* (LG Act).

The land proposed to be reclassified has been used as offices for the Queanbeyan City Council, storage for the Council and offices for Queanbeyan Multilingual Centre.

Part 2 – Explanation of the Provisions

The reclassification will be identified within Schedule 4 Part 1 of *QLEP 2012* in accordance with Clause 5.2(4) of the LEP.

The proposal does not seek to change any trusts, estates, interests, dedications, conditions, restrictions, or covenants on the land.

Part 3 - Justification

Section A – Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

No. However, the planning proposal is considered to be of local significance only and will require both public exhibition and a public hearing under the *LG Act*. The objective of the proposal in this instance is to classify the land consistent with other adjoining Council assets in the immediate area.

Council resolved at its Ordinary Meeting of 27 November 2013 that the subject land be reclassified in accordance with the (*LG Act*).

This matter was also sent to Council as an information report on 28 October 2015 regarding the process involved in reclassifying Lot 18 DP 548244 – 12 Rutledge Street.

2. Is the Planning Proposal consistent with Council's community plan, or other local strategic plan?

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The planning proposal is considered consistent with the *Queanbeyan City Council Community Strategic Plan 2013-2023* specifically the relevant sections relating to plans and policies (See Section B below for further advice).

The planning proposal is considered consistent with the *Queanbeyan City Council Operational Plan 2015-16* specifically in Theme 6 – The Environment. Under Key Direction 6.1 on page 90, the plan states that Council should undertake a planning proposal to reclassify 12 Rutledge Street to operational land.

3. If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished should be provided.

As previously noted, there is no intention to extinguish any trusts, estates, interests, dedications, conditions, restrictions, or covenants on the land.

4. The concurrence of the landowner where the land is not owned by the relevant planning authority.

The subject land is owned by the Council in this instance. See Appendix A.

Section B – Relationship to Strategic Planning Framework

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, sub-regional strategy or local strategy?

The relevant regional strategy is the *Sydney-Canberra Corridor Strategy 2006-31*. The planning proposal is considered consistent with this Strategy.

The planning proposal is considered consistent with the *Queanbeyan Residential and Economic Strategy 2031*.

2. Is the planning proposal consistent with Council's Community Strategic Plan?

As noted, the planning proposal is considered consistent with the *Queanbeyan City Council Community Strategic Plan 2013-2023* specifically the relevant sections relating to plans and policies.

This *Queanbeyan City Council Community Strategic Plan 2013-2023* is outlined in column 1 of Table One below and shows how the reclassification is consistent with the strategy.

Table One – Extract of Community Strategic Plan 2013-2023

Community Strategic Plan 2013-23	Action
5.1 Implementing the plans Queanbeyan already has	Review Council plans, policies and strategies to meet changing factors in the community'

The net community benefit in preparing the planning proposal is to ensure that the land is classified consistent with other similar Council assets to allow flexibility in managing the land for its highest and best use into the future, including redevelopment or sale if considered desirable.

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As noted, Council has entered into a licenced agreement with the Queanbeyan Multilingual Centre for the use of the ground floor of 12 Rutledge Street Queanbeyan and this arrangement expires on 30 June 2019. Council will seek to provide alternative accommodation for the Queanbeyan Multilingual Centre when the lease concludes if considered appropriate at that time.

3. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The planning proposal is not inconsistent with any SEPPs.

4. Is the planning proposal consistent with applicable Minister Directions (s.117 Directions)?

This planning proposal is not inconsistent with any s117 Ministerial Directions.

Section C – Environmental, Social and Economic Impact

1. Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The proposal does not apply to land that has been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats.

2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Given the nature of the proposal no adverse environmental effects are anticipated.

3. How has the planning proposal adequately addressed any social and economic effects?

Council owns the site and part of the building is used for its own offices while the brick shed at the rear is used for storage. The Queanbeyan Multilingual Centre occupies the ground floor area of the building. This organisation provides language services for non-English speaking people in Queanbeyan and the surrounding area.

Section D – State and Commonwealth Interest

1. Is there adequate public infrastructure for the planning proposal?

Given the nature of the proposal (reclassification of land from community to operational land) the provision of public infrastructure is not considered relevant. The site has access to necessary utility services.

2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

There is no intention to consult any State or Commonwealth authorities in respect of the planning proposal. The planning proposal is of local significance only.

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Part 4 - Mapping

There are no mapping amendments associated with this proposal.

Part 5 - Community Consultation

The Gateway determination will confirm community consultation requirements.

It is intended to exhibit the planning proposal for a minimum of 28 days.

No consultation with any public authorities is proposed to be undertaken given the nature of the planning proposal.

Part 6 - Project Timeline

It is estimated that this amendment to *QLEP 2012* will be completed by February 2016. An indicative project timeframe is provided in Table Two below.

Table Two – Project Timeframe

Task	Anticipated 2015-2016 timeframes
Gateway Determination	November 2015
Public Exhibition	November/December 2015
Dates of Public Hearing	November/December 2015
Report to Council including considerations of submissions	January 2016
Submission to Department to finalise the LEP	February 2016

Accordingly, it is the view of the Council that the planning proposal should be completed within 6 months of receiving a Gateway determination.

Council intends to exercise its delegation to progress the draft plan.

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Appendix A: Land Titles (Lot 18 DP 548244)

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 Department of Lands

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 18/548244

SEARCH DATE	TIME	EDITION NO	DATE
24/4/2009	2:44 PM	2	6/9/1993

LAND

LOT 18 IN DEPOSITED PLAN 548244
LOCAL GOVERNMENT AREA QUEANBEYAN CITY
PARISH OF QUEANBEYAN COUNTY OF MURRAY
TITLE DIAGRAM DP548244

FIRST SCHEDULE

QUEANBEYAN CITY COUNCIL (T I624130)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP548244 EASEMENT TO DRAIN SEWAGE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

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

*** END OF SEARCH ***

lg:quea-clees PRINTED ON 24/4/2009

* 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.

<https://six.maps.nsw.gov.au/wps/myportal/!ut/p/c1/hY7LDofwEEW yMy0YMElym...> 24/04/2009

Box:QUEE /Doc:DP 0548244 B /Rev:28-Oct-1992 /Sts:OK.OK /Prt:05-May-2004 16:02 /Pgs:ALL /Seq:1 of 1
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