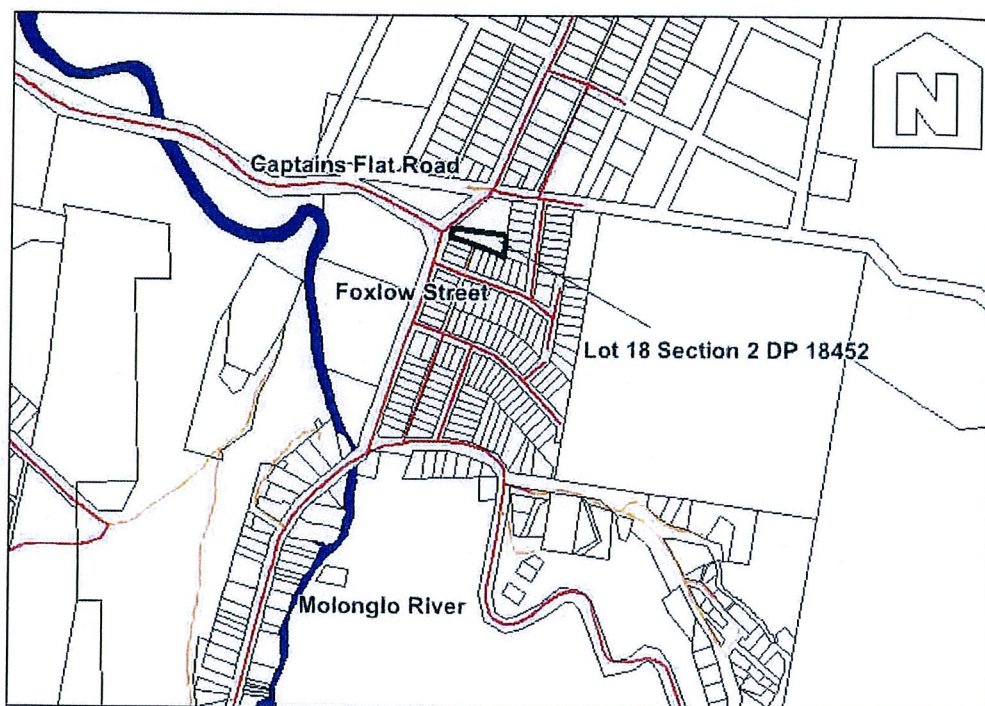


ATTACHMENT 1: PLANNING PROPOSAL**Reclassification of Lot 18 Section 2 DP 18452, Foxlow Street, Captains Flat community health centre and works compound.**

The planning proposal concerns Lot 18 Section 2 DP 18452, Foxlow Street, Captains Flat. The lot is owned by Palerang Council. The site contains the Captains Flat community health centre and a works compound comprising storage sheds and a small amenities building used by Council's Works Division. The land is zoned RU5 Village under the *Palerang Local Environmental Plan 2014*. Maps 1 and 2 and photograph 1 below illustrate the lot.



Map 1 Location of the Captains Flat community health centre and works compound



Map 2 Lot 18 Section 2 DP 18452



Photograph 1 Captains Flat Community Health Centre and works compound

Part 1 Intended outcome

Lot 18 Section 2 DP 18452, Foxlow Street, Captains Flat will be classified as Operational land.

Part 2 Explanation of provisions

Clause 45(1) of the *NSW Local Government Act 1993* does not permit Council to sell Community land.

45 What dealings can a council have in community land?

(1) A council has no power to sell, exchange or otherwise dispose of community land.

(NSW Local Government Act 1993)

To enable the sale of part of Lot 18 Section 2 DP 18452, the land must be classified as Operational Land. Clause 27(1) of the *NSW Local Government Act 1993* requires that the reclassification of land from Community to Operational land is made by local environmental plan.

The inclusion of Lot 18 Section 2 DP 18452 in Part 1, Schedule 4 of the *Palerang Local Environmental Plan 2014* will make the land Operational land.

Part 3 Justification

Section A Need for the planning proposal

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

The planning proposal is not part of a strategic study or a report. However, Council in association with Southern NSW Medicare Local has been successful in receiving \$482,250 from Round 3 of the Federal Government's Regional Development Australia Fund to construct and fit-out a new community health centre (at another location in Captains Flat village). The new centre is expected to be completed by April 2015. Council intends to sell the western part of Lot 18 Section 2 DP 18452, Foxlow Street to assist in funding the new community health centre.

Question 2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way

The planning proposal is the only means of achieving the intended outcome.

Section B Relationship to strategic planning framework

Question 3 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy

The *Sydney-Canberra Corridor Regional Strategy* lists as part of the vision for the region "Liveable communities –The Region will continue to provide adequate housing opportunities and infrastructure that maintain a liveable community within a rural landscape." The planning proposal will indirectly contribute to this vision as the new community health centre will assist in maintaining a liveable community.

Question 4(a) Is the planning proposal consistent with a council's local strategy or other local strategic plan

Palerang Council does not have a local strategic plan.

Question 4(b) Is the planning proposal consistent with the local council's community plan, or other local strategic direction

The planning proposal is consistent with the *Palerang Community Strategic Plan 2013-32* goal for community and culture – Our communities are safe, harmonious and connected, sustained by a spirit of involvement and a shared vision for our future. One of the strategies is "Provide support to community groups and organisations in identifying and accessing grants, sponsorships, funding and other resources for community capacity-building."

Question 4(c) 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

There are no interests to be extinguished.

Question 4(d) the concurrence of the landowner, where the land is not owned by the relevant planning authority

The land is owned by Palerang Council.

Question 5 Is the planning proposal consistent with the applicable State Environmental Planning Policies

<i>Name of State Environmental Planning Policy</i>	<i>Consistent with the State Environmental Planning Policy</i>
No 55—Remediation of Land	The walls of the existing community health centre are fibro and it is likely that they contain asbestos. If the community health centre was to be demolished the management of the fibro sheets would be required to be considered under NSW legislation and Australian Standards.

Question 6 Is the planning proposal consistent with applicable Ministerial Directions

	<i>Name of direction</i>	<i>Consistent with the direction</i>
2.1	Environmental Protection Zones	The land is not considered environmentally sensitive.
2.3	Heritage Conservation	The community health centre building may be considered as part of the social history of Captains Flat. The retention of the building is problematic in that it more than likely contains asbestos cladding and it would be costly to remove this and renovate the building. If the building was to be demolished, it is suggested that the social history could be professionally documented prior to demolition.
2.4	Recreation vehicle areas	The land will not be used for recreation vehicles.
3.1	Residential zones	The planning proposal will facilitate the opportunity for the development of housing on the western part of the lot.
3.2	Caravan Parks and Manufactured Home Estates	The Planning Proposal does not involve any land use zone amendment in relation to a caravan park or manufactured home estate.
3.3	Home Occupation	The Planning Proposal does not impact on the ability to undertake a home occupation.
4.3	Flood Prone Land	Council has adopted a recently completed flood study. There is currently no flood planning map for the village, however Council is currently preparing a flood planning map for inclusion in the <i>Palerang Local Environmental Plan 2014</i> . The site is potentially impacted by flooding, although expected flooding impacts are low based on its location with respect to the creek lines. The site may be affected by overland flooding in the event that the overland flow route along the rear of the lots to the west of Foxlow St (north of Captains Flat Road intersection) is blocked forcing water along Foxlow St itself.
4.4	Planning for Bushfire Protection	The lot as with the majority of land in the village of Captains Flat is shown as being bush fire prone on Council's bush fire map. The Planning Proposal will be referred to the NSW Rural Fire Service.
5.1	Implementation of Regional Strategies	Refer to Question 3 above.
6.1	Approval and Referral Requirements	There will be no requirement for concurrence, consultation or referral of a development application to a government agency.
6.2	Reserving Land for Public Purposes	The Planning Proposal does not involve the alteration of a zone or land reserved for a public purpose.

Section C Environmental, social and economic impact

Question 7 Is there any likelihood that critical habitat or threatened species populations or ecological communities or their habitats will be adversely affected as a result of the proposal

The lot has been used as a community health centre for several decades and is located in the centre of an established village and hence has been substantially disturbed. Given this, it is concluded that it is highly unlikely that there are threatened species or endangered ecological communities. A flora and fauna report has not been prepared.

There is no critical habitat as listed in NSW legislation in the Palerang local government area.

Question 8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed

No

Question 9 Has the planning proposal adequately addressed any social and economic effects

European heritage – refer to Question 6.

Aboriginal heritage – the site has been disturbed for several decades and is within an established village. An archaeological assessment has not been undertaken. A check of the Aboriginal Heritage Information Management System (AHIMS) database did not find any listed artefacts or places of significance.

Section D State and Commonwealth interests

Question 10 Is there adequate public infrastructure for the planning proposal

Not applicable

Question 11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination

The NSW or Commonwealth public authorities have not been consulted.

The Planning Proposal will be referred to the NSW Rural Fire Service.

Part 4 Mapping

There will be no mapping required.

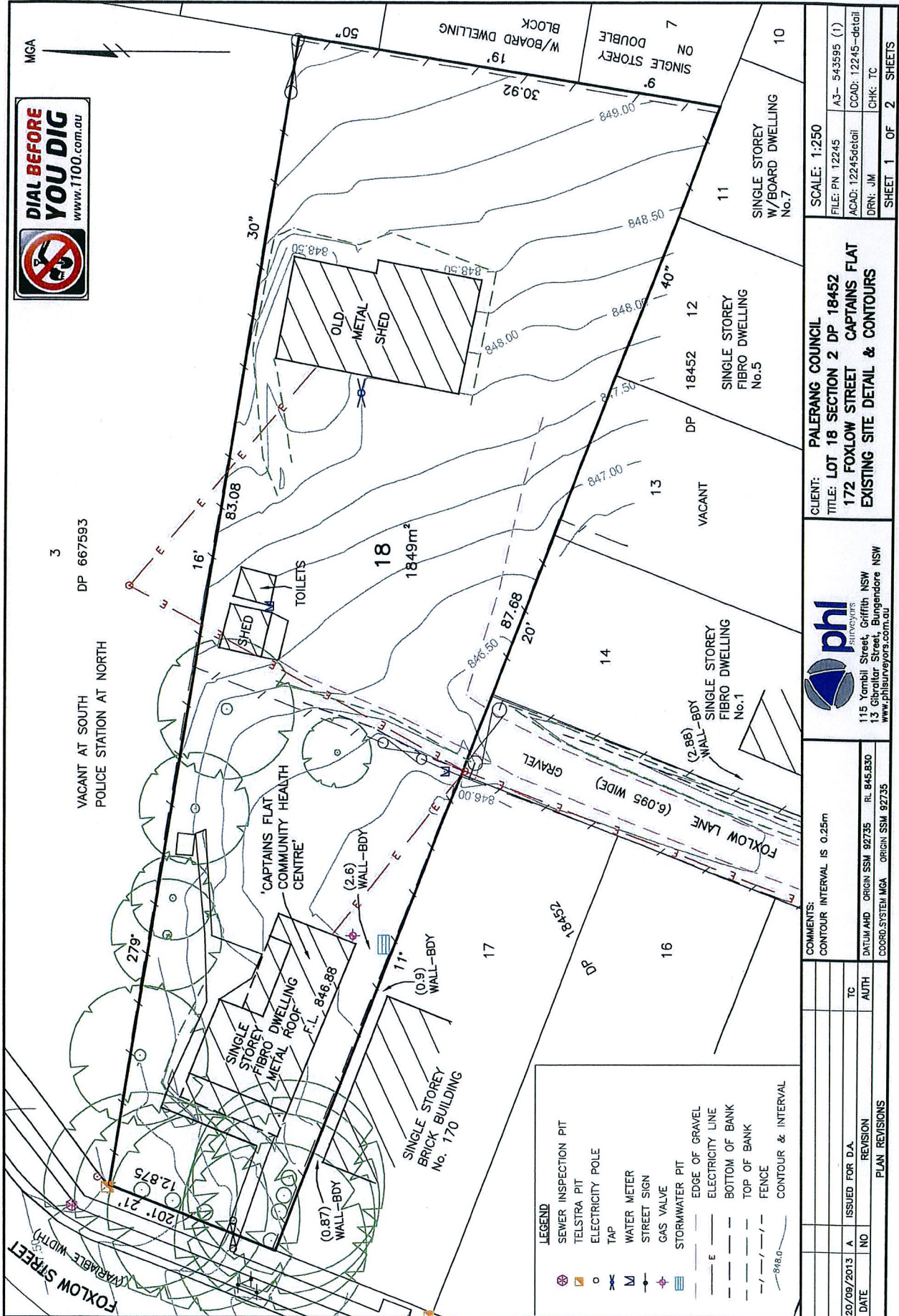
Part 5 Community consultation

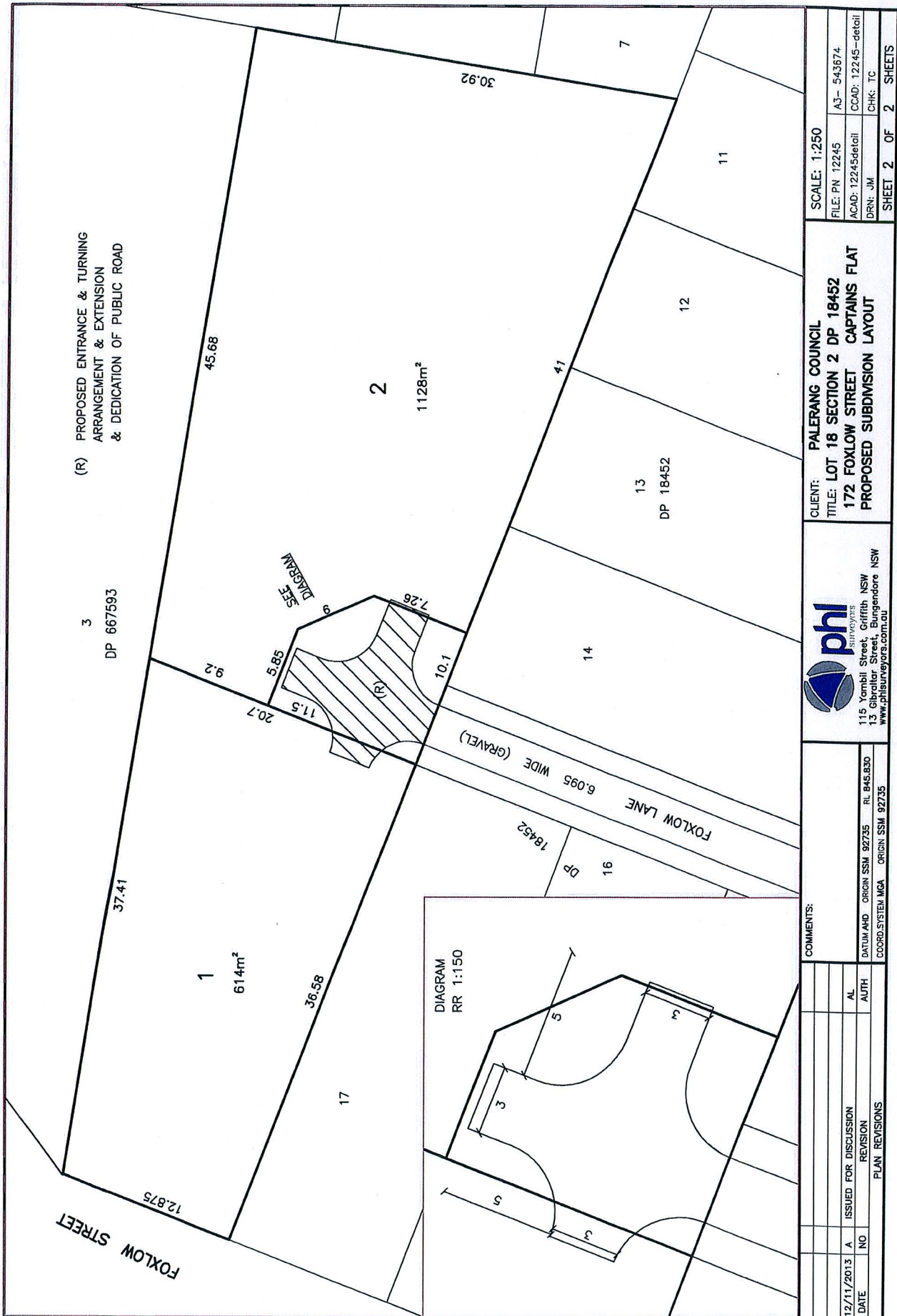
The Planning Proposal will be exhibited for 28 days as it involves the reclassification of land.

A public hearing will be held as required under the clause 29(1) of the *NSW Local Government Act 1993*.

Part 6 Project timeline

<i>stage</i>	<i>completion date</i>
Anticipated commencement date (date of Gateway Determination)	December 2014
Anticipated timeframe for government agency consultation	end of February 2015
Anticipated commencement and completion dates for public exhibition period	end of April 2015
Anticipated timeframe for consideration of submissions	mid June 2015
Anticipated date of public hearing	August 2015
Anticipated date of report to Council	October 2015
Anticipated date of submissions, reclassification report and Council report and recommendation to the NSW Department of Planning and Infrastructure to finalise the draft local environmental plan	November 2015
Amended local environmental plan gazetted	December 2015





SCALE: 1:250	
FILE: PN 12245	A3- 543674
ACAD: 12245detail	CCAD: 12245-detail
DRN: JM	CHK: TC
SHEET 2 OF 2 SHEETS	

CLIENT: PALERANG COUNCIL
TITLE: LOT 18 SECTION 2 DP 18452
172 FOXLOW STREET CAPTAINS FLAT
PROPOSED SUBDIVISION LAYOUT



1115 Yambill Street, Griffith NSW
13 Gibraltar Street, Bungendore NSW
www.phlsurveyors.com.au

COMMENTS:	DATUM AHD	ORIGIN SSM	92735	RL 845.830
	COORD.SYSTEM MGA	ORIGIN SSM	92735	

DATE		NO	ISSUED FOR DISCUSSION REVISION	AL AUTH
12/11/2013		A		
PLAN REVISIONS				