

Environmental & Customer Services

D.11.2 ***PLANNING PROPOSAL 2/2015 - AMENDMENT TO ZONE RE2
PRIVATE RECREATION***

RESPONSIBLE OFFICER: Waide Crockett - General Manager

AUTHOR: Mathew Pringle - Director Environmental & Customer Services

PURPOSE

Planning Proposal 2/2015 proposes to amend the Upper Hunter Local Environmental Plan 2013 to make animal boarding or training establishments and veterinary hospitals permissible uses within the RE2 Private Recreation zone.

The report is being referred directly to Council as the November Development and Environmental Services Committee failed to achieve a quorum.

RECOMMENDATION

That Council:

1. Support Planning Proposal 2/2015 to amend the Upper Hunter Local Environmental Plan 2013 by permitting with consent animal boarding or training establishments and veterinary hospitals within Zone RE2 Private Recreation.
2. Forward the planning proposal to the NSW Minister for Planning for a gateway determination pursuant to Section 56 of the Environmental Planning and Assessment Act 1979.

BACKGROUND

The Scone Racecourse and surrounding land was originally developed with the intention of establishing an equine precinct to service the local thoroughbred breeding and racing industry. The masterplan for the site outlines the development of thoroughbred stables, training facilities and associated businesses. The precinct is currently zoned RE2 Private Recreation and contains the Scone Racecourse, Hunter Valley Equine Research Centre, Scone TAFE campus and privately owned horse stables.

It has recently been brought to Council's attention that the development of horse stables, training facilities, veterinary hospitals and other associated activities that are not ancillary to the racecourse are not permitted uses within the RE2 Private Recreation zone under the Upper Hunter Local Environmental Plan 2013. However, these uses were previously permitted with consent when the land was zoned 6(b) Open Space – Private Recreation under the former Scone Local Environmental Plan 1986.

The Hunter Valley Equine Research Centre Limited has requested that Council reinstate animal boarding or training establishments and veterinary hospitals as permissible land uses within the equine precinct as a matter of urgency as a number of land sales are pending the resolution of this issue.

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REPORT/PROPOSAL

The objective of this planning proposal is to amend the Upper Hunter Local Environmental Plan 2013 to:

- a) reinstate two permissible land uses (animal boarding or training establishments and veterinary hospitals) that were previously permitted with consent within the Hunter Valley Equine Research Precinct under the former Scone Local Environmental Plan 1986.
- b) ensure the RE2 Private Recreation zone reflects the types of existing and intended land uses within the Hunter Valley Equine Research Precinct.
- c) provide greater opportunity for equine business growth and development.

As a consequence of the planning proposal, animal boarding or training establishments and veterinary hospitals will become permissible uses on all land zoned RE2 Private Recreation zone throughout the Upper Hunter Shire Local Government Area. However, any proposal for such a use would require development consent and be subject to an assessment of its environmental impacts.

It is noted that there are very few properties throughout the Upper Hunter Shire LGA that are zoned RE2 Private Recreation and most sites are currently developed or have limited development potential due to constraints such as land area or dimensions and proximity to residential development. These constraints make the likelihood of development of most sites for the purpose of animal boarding or training establishments or veterinary hospitals relatively low.

The use of land within the equine precinct for the purpose of an animal boarding or training establishment or veterinary hospital is complementary to other uses within the precinct including the Scone Racecourse and is not inconsistent with the objectives of the RE2 Private Recreation zone.

In order to achieve the objective of this planning proposal it is proposed to amend the Land Use Table of the *Upper Hunter Local Environmental Plan 2013* in relation to **Zone RE2 Private Recreation** by inserting 'Animal boarding or training establishments' and 'Veterinary hospitals' under item 3 **Permitted with consent**.

The proposal will have a net community benefit by providing greater flexibility and opportunity for the establishment of equine related businesses and other associated development, consistent with the original masterplan for the site. This in turn will generate additional employment opportunities and attract investment to the region whilst reinforcing the role and significance of the precinct as a centre for equine related business.

The planning proposal is consistent with the *Upper Hunter Land Use Strategy 2008*, the *Upper Hunter Strategic Regional Land Use Plan 2012*, applicable State Environmental Planning Policies and the relevant Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979.

A copy of the planning proposal report is provided in Attachment 1.

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OPTIONS

1. Accept the recommendation that Council:
 - (i) Support Planning Proposal 2/2015 to amend the Upper Hunter Local Environmental Plan 2013 by permitting with consent animal boarding or training establishments and veterinary hospitals within Zone RE2 Private Recreation.
 - (ii) Forward the planning proposal to the NSW Minister for Planning for a gateway determination pursuant to Section 56 of the Environmental Planning and Assessment Act 1979.
2. Not support Planning Proposal 1/2014 to amend the Upper Hunter Local Environmental Plan 2013 for valid reasons.

CONSULTATION

- Department of Planning and Environment
- Hunter Valley Equine Research Centre Limited
- General Manager

STRATEGIC LINKS

a. Community Strategic Plan 2013+

The planning proposal is relevant to Key Focus Areas and Aspiration Goals 3 and 5 of the Community Strategic Plan: “(3) *Protect the natural and built environment and plan for a sustainable future for our Shire and our planet;* (5) *Enhance economic and employment opportunities and promote development*”.

b. Delivery Program

The review of land use zones is consistent with the objectives of town planning: “*To provide an ongoing review of local planning instruments to ensure that they are appropriate for current local and regional circumstances*”.

c. Other Plans

The *Upper Hunter Land Use Strategy 2008* highlights the importance of the equine industry to the Upper Hunter region. The planning proposal will support the equine industry by providing greater opportunities for equine related business growth and development.

The proposal is consistent with the strategic objective of progressing development in an orderly and economic manner.

IMPLICATIONS

a. Policy and Procedural Implications

NIL

b. Financial Implications

NIL

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c. Legislative Implications

The planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979.

d. Risk Implications

NIL

e. Other Implications

There are no other implications of proceeding with the planning proposal.

CONCLUSION

The planning proposal has been assessed as satisfactory against the *Upper Hunter Land Use Strategy 2008*, the *Upper Hunter Strategic Regional Land Use Plan 2012*, applicable State Environmental Planning Policies and the relevant Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979.

The proposal is considered appropriate having regard to the site context and suitability, the likely social, economic and environmental impacts and the interests of the broader community.

For the above reasons, the planning proposal should proceed.

ATTACHMENTS

- 1 Planning Proposal 2/2015

RESOLVED that Council:

1. Support Planning Proposal 2/2015 to amend the Upper Hunter Local Environmental Plan 2013 by permitting with consent animal boarding or training establishments and veterinary hospitals within Zone RE2 Private Recreation.
2. Forward the planning proposal to the NSW Minister for Planning for a gateway determination pursuant to Section 56 of the Environmental Planning and Assessment Act 1979.

Moved: Cr K Fisher

Seconded: Cr P Bishop

CARRIED