



**Nambucca Valley Council**

**Planning Proposal  
Nambucca Local Environmental Plan  
Amendment No. 27**

**Reclassification of Community Land to  
Operational Land**

**Prepared by:**  
*Development & Environment Section  
Nambucca Valley Council*

**Dated:** *April 2021*

**File:** *SF2988*

# TABLE OF CONTENTS

**PRELIMINARY ..... 1**

**PART 1 OBJECTIVES AND INTENDED OUTCOMES..... 1**

**PART 2 EXPLANATION OF PROVISIONS..... 1**

**PART 3 JUSTIFICATION ..... 1**

SECTION A – NEED FOR THE PLANNING PROPOSAL ..... 1

SECTION B –RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK. .... 1

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT ..... 8

SECTION D – STATE AND COMMONWEALTH INTERESTS ..... 9

**PART 4 MAPPING..... 9**

**PART 5 COMMUNITY CONSULTATION ..... 9**

**PART 6 PROJECT TIMELINE..... 10**

**ATTACHMENT 1 ..... 1**

## **Preliminary**

This planning proposal has been drafted in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979*, and 'A guide to preparing planning proposals' (DoP, 2018) for amendment to the Nambucca Local Environmental Plan 2010 (LEP). A gateway determination under Section 3.34 of the Act is requested.

## **Part 1 Objectives and Intended outcomes**

The objectives and intended outcomes of this planning proposal are to reclassify two Council owned lots from community land to operational land.

## **Part 2 Explanation of Provisions**

The proposed outcomes will be achieved by amending Part 1 of Schedule 4 of the LEP by listing the following Council owned lots as operational land to enable the sale of both lots:

<b><i>Lot</i></b>	<b><i>Zone</i></b>	<b><i>Land Use</i></b>
Lot 8 DP 821952 - 22 Valla Beach Road, Valla Beach	R1 General Residential	Centre-Based Child Care Facility
Lot 1 DP 578503, 50 Riverside Drive Nambucca Heads	B4 Mixed Use	Former Pump Station

Further details of these lots have been outlined within attachment 1.

## **Part 3 Justification**

### ***Section A – Need for the Planning Proposal***

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

No.

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

It is considered that the planning proposal is the best and only means of achieving the objectives and intended outcomes as the land cannot be sold unless it is classified as operational.

### ***Section B – Relationship to strategic planning framework.***

***3 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?***

It is not considered that the proposed amendments to the LEP will be contrary to the North Coast Regional Plan 2036.

***4 Is the planning proposal consistent with the local Council's Community Strategic Plan, or other strategic plan?***

The proposed amendments will not be contrary to Councils Community Strategic Plan or any other strategic plan.

***5 Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP's)?***

All State Environmental Planning Policies have been considered in the preparation of this planning proposal, however none are directly applicable.

## **6     *Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?***

Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979 applicable to this planning proposal are addressed as follows:

### **1     Employment and Resources**

#### **Direction 1.1     Business and Industrial Zones**

The objectives of this direction are to:

- a     encourage employment growth in suitable locations,
- b     protect employment land in business and industrial zones, and
- c     support the viability of identified strategic centres.

This direction applies when a council prepares a draft LEP that affects land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

A draft LEP shall:

- a     give effect to the objectives of this direction,
- b     retain the areas and locations of existing business and industrial zones,
- c     not reduce the total potential floor space area for employment uses and related public services in business zones,
- d     not reduce the total potential floor space area for industrial uses in industrial zones, and
- e     ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.

The planning proposal is not considered to be contrary to this direction as it does not propose to change the zoning, densities or land uses of any of the identified parcels of land. It only proposes reclassification from community land to operational land.

#### **Direction 1.2     Rural Zones**

The objective of this direction is to protect the agricultural production value of rural land.

This direction applies when a council prepares a planning proposal that affects land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary). Because some of the land the subject of this planning proposal is currently zoned RU1 Primary Production and RU2 Rural Landscape (rural zone), this direction is applicable.

The planning proposal is not considered to be contrary to this direction as it does not propose to change the zoning, densities or land uses of any of the identified parcels of land. It only proposes reclassification from community land to operational land.

#### **Direction 1.5     Rural Lands**

The objectives of this direction are to:

- protect the agricultural production value of rural land,
- facilitate the orderly and economic development of rural lands for rural and related purposes.

This direction applies when a relevant planning authority prepares a planning proposal that:

- (a) Will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or
- (b) Changes the existing minimum lot size on land within a rural or environment protection zone.

A planning proposal to which clauses (a) or (b) apply must:

- (a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement
- (b) consider the significance of agriculture and primary production to the State and rural communities
- (c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources
- (d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions
- (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities
- (f) support farmers in exercising their right to farm
- (g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses
- (h) consider State significant agricultural land identified in *State Environmental Planning Policy (Primary Production and Rural Development) 2019* for the purpose of ensuring the ongoing viability of this land
- (i) consider the social, economic and environmental interests of the community.

The planning proposal is not considered to be contrary to this direction as it does not propose to change the zoning, densities or land uses of any of the identified parcels of land. It only proposes reclassification from community land to operational land.

## 2 Environment and Heritage

### **Direction 2.1 Environment Protection Zones**

The objective of this direction is to protect and conserve environmentally sensitive areas. This direction applies when a council prepares a planning proposal.

What a council must do if this direction applies:

- a A planning proposal shall include provisions that facilitate the protection and conservation of environmentally sensitive areas.
- b A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP shall not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 “*Rural Lands*”.

The planning proposal is not considered to be contrary to this direction as it does not propose to change the zoning, densities or land uses of any of the identified parcels of land. It only proposes reclassification from community land to operational land.

### **Direction 2.2 Coastal Protection**

The objective of this direction is to implement the principles in the NSW Coastal Policy. This direction applies when a council prepares a planning proposal that applies to land in the coastal zone.

A planning proposal shall include provisions that give effect to and are consistent with:

- a the *NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997*, and
- b the *Coastal Design Guidelines 2003*, and
- c the manual relating to the management of the coastline for the purposes of section 733 of the *Local Government Act 1993* (the *NSW Coastline Management Manual 1990*).

The planning proposal is not considered to be contrary to this direction as it does not propose to change the zoning, densities or land uses of any of the identified parcels of land. It only proposes reclassification from community land to operational land.

### **Direction 2.3 Heritage Conservation**

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This direction applies when a council prepares a planning proposal.

A planning proposal shall contain provisions that facilitate the conservation of:

- a items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,
- b Aboriginal objects or Aboriginal places that are protected under the *National Parks and Wildlife Act 1974*, and
- c Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the council, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

The amendments within this planning proposal are not contrary to the requirements of this direction as they will not impact the conservation of the above.

#### **Direction 2.4 Recreation Vehicle Areas**

The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.

This direction applies when Council prepares a planning proposal. The planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the *Recreation Vehicles Act 1983*):

- (a) where the land is within an environmental protection zone,
- (b) where the land comprises a beach or a dune adjacent to or adjoining a beach,
- (c) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration:
  - (i) the provisions of the guidelines entitled *Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas*, Soil Conservation Service of New South Wales, September, 1985, and
  - (ii) the provisions of the guidelines entitled *Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas*, State Pollution Control Commission, September 1985.

The planning proposal is not contrary to this direction as it does not enable land to be developed for the purpose of a recreation vehicle area.

### **3 Housing, Infrastructure and Urban Development**

#### **Direction 3.1 Residential Zones**

The objectives of this direction are:

- a to encourage a variety and choice of housing types to provide for existing and future housing needs,
- b to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- c to minimise the impact of residential development on the environment and resource lands.

This direction applies when a council prepares a planning proposal that affects land within:

- a an existing or proposed residential zone (including the alteration of any existing residential zone boundary),
- b any other zone in which significant residential development is permitted or proposed to be permitted.

A planning proposal shall include provisions that encourage the provision of housing that will:

- a broaden the choice of building types and locations available in the housing market, and
- b make more efficient use of existing infrastructure and services, and
- c reduce the consumption of land for housing and associated urban development on the urban fringe, and
- d be of good design.

A planning proposal shall, in relation to land to which this direction applies:

- a contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- b not contain provisions which will reduce the permissible residential density of land.

The planning proposal is not considered to be contrary to this direction as it does not propose to change the zoning, densities or land uses of any of the identified parcels of land. It only proposes reclassification from community land to operational land.

### **Direction 3.2 Caravan Parks and Manufactured Home Estates**

The objectives of this direction are:

- (a) to provide for a variety of housing types, and
- (b) to provide opportunities for caravan parks and manufactured home estates.

This direction applies to Council when it prepares a planning proposal.

In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:

- (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and
- (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.

In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:

- (a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located,
- (b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and
- (c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible with consent.

The planning proposal is not considered to be contrary to this direction as it does not propose to change the zoning, densities or land uses of any of the identified parcels of land. It only proposes reclassification from community land to operational land.

### **3.3 Home Occupations**

The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses. This direction applies when Council prepares a planning proposal.

The direction requires planning proposals to permit home occupations to be carried out in dwelling houses without the need for development consent.

The subject planning proposal does not include any amendments that would alter the existing permissibility to carry out a home occupation without development consent.

## **4 Hazard and Risk**

#### **Direction 4.1 Acid Sulfate Soils**

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

This direction applies when a council prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.

Council shall consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.

When a council is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions shall be consistent with:

- a the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or
- b such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.

A council shall not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the council has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. Council shall provide a copy of any such study with its statement to the Director-General of the Department of Planning under section 64 of the EP&A Act.

The planning proposal is considered to be consistent with this direction because it does not include any changes to the existing provisions within clause 7.1 of the LEP which regulates works in acid sulfate soils or intensification of development on land which has the probability of containing acid sulfate soils that would be contrary to that clause.

#### **4.4 Planning for Bushfire Protection**

The objectives of this direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

This direction applies when Council prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.

The direction requires Council to consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination from the Minister and take into account any comments made. It also requires the planning proposal to:

- (a) have regard to Planning for Bushfire Protection 2006,
- (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and
- (c) ensure that bushfire hazard reduction is not prohibited within the APZ.

The planning proposal is not considered to be contrary to this direction as it does not propose to change the zoning, densities or land uses of any of the identified parcels of land. It only proposes reclassification from community land to operational land.

The proposed reclassification of 22 Valla Beach Road, Valla Beach is to facilitate the establishment of a community facility on the land which has received development consent from Council (DA2020/077). The NSW Rural Fire Service were consulted prior to the determination of the development application.

## **5 Regional Planning**

#### **Direction 5.10 Implementation of Regional Plans**



The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans. This direction applies to land to which a Regional Plan has been released by the Minister for Planning.

This direction applies when Council prepares a planning proposal. Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.

As outlined earlier, this planning proposal is considered to be consistent with the North Coast Regional Plan 2036.

## **6 Local Plan Making**

### **Direction 6.1 Approval and Referral Requirements**

The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

A planning proposal shall:

- a minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and
- b not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the council has obtained the approval of:
  - i the appropriate Minister or public authority, and
  - ii the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),prior to a certificate under section 65 of the Act being issued, and
- c not identify development as designated development unless the council:
  - i can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and
  - ii has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to a certificate being issued under section 65 of the Environmental Planning and Assessment Act 1979.

This Planning Proposal does not require the implementation of any concurrence provisions. The planning proposal is consistent with this direction.

### **Direction 6.2 Reserving Land for Public Purposes**

The objectives of this direction are:

- a to facilitate the provision of public services and facilities by reserving land for public purposes, and
- b to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

A planning proposal shall not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).

When a Minister or public authority requests a council to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991*, the council shall:

- a reserve the land in accordance with the request, and
- b include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and
- c identify the relevant acquiring authority for the land.

When a Minister or public authority requests a council to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the council shall:

- a include the requested provisions, or
- b take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.

When a Minister or public authority requests a council to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the council shall rezone and/or remove the relevant reservation in accordance with the request.

This Planning Proposal is consistent with this direction

## ***Section C – Environmental, social and economic impact***

### ***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?***

It is not considered that the proposal will have any significant effects on threatened species, populations, communities or their habitats as the proposal will not result in any physical impacts on the land the subject of the proposal.

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

No as there will be no physical activity resulting from the planning proposal.

### ***9 Has the planning proposal adequately addressed any social and economic effects?***

The planning proposal is not expected result in any adverse social or economic effects as it will only facilitate the change in classification of community land to operational to facilitate the approved development on 22 Valla Beach Road and to enable the sale of 50 Riverside Drive, Nambucca Heads which serves no community benefit due to its isolated nature between commercial development.

With regards to the 22 Valla Beach Road site, the reclassification to operational land will only occur around the perimeter of the approved asset protection zone which surrounds the community facility approved under development consent DA2020/077. The approximate location of this area to be reclassified as operational land is illustrated in red on the below image.

The approved community facility includes the construction of a new building with a total floor area of 142.8m<sup>2</sup>. The proposed building is be of slab on ground and steel frame construction with a steep pitch gable end roof with raked ceiling over the central hall area and abutting skillion roofed annexes at each end, which will contain the toilet, office and music room areas. The external walls of the structure are to be earth rendered fibro sheet (to resemble mud brick construction) with a colorbond roof either blue or green.

The community facility will be used by the community for after school and weekend activities for all age groups, music recording, mums and bubs fitness classes and additional workshops. The facility will also be used three full days per week for programs that cater for 6-12 year olds (primary school age children) to support those with various disabilities, including Autism Spectrum Disorder, learning difficulties and those requiring emotional and social support.

Alithia Learning who is the organisation who will be constructing and operating the community facility. This site was selected for the community facility as they had a desire for a site within the Valla Beach/Valla area that was appropriately serviced. Their original proposal was to establish the community facility next to the playing field at Anderson Park, Valla Beach. However, that proposal was likely to result in impacts on the use of the fields by organised sport and require substantial works to extend services to the intended site. Council was not supportive of that site for this reason. The current site was put forward by Council, as it has existing services within close proximity and is not an area actively used by the community.

The reclassification of the illustrated section of land will facilitate the transfer of ownership of that section of land to Alithia Learning. Council does not wish for the community facility remain on Council owned land as the Council will become financially responsible for the asset and potentially for any governance issues in

the event that the Incorporated Association is unable to function. As such, Council resolved on 16 July 2020 to seek to reclassify the land to enable the transfer of ownership of this section of the site to Alithia Learning as outlined above. In order to do this the land must be reclassified as operational as per section 45 of the Local Government Act 1993. It is Councils intention to reclassify the community facility site to operational land to allow a subdivision and transfer of ownership to Alithia Learning at no cost.

It is intended to incorporate within any transfer of ownership of this section of land a clause which provides Council with a first option to purchase the land back for \$1 if the use of the community facility were to cease.



The original parish portion on which the land is located was formally owned by the Crown and contained a cottage leased to tenants. The original portion has been reduced in size over the years due to road realignments. The existing community hall and child care centre were developed on the land in place of the cottage.

With regards to the 50 Riverside Drive site, Council resolved to reclassify this land to operation along with many other parcels of land on 30 March 2017. During an audit undertaken in 2016, it was identified that this site was incorrectly classified as community land instead of operational land. The classification was considered incorrect as the land was created for the purpose of accommodating a sewerage pump station. The land has never been used or intended to be used for community purposes.

Due to upgrades in Councils sewer infrastructure, the land no longer contains a sewer pump station and is vacant, with no legal public access available or practical ability to be used for community purposes.

## **Section D – State and Commonwealth Interests**

### **10      *Is there adequate public infrastructure for the planning proposal?***

Additional public infrastructure is not considered necessary to support the proposed amendments.

### **11      *What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

Government authorities have not been formally involved in this planning proposal as it is yet to receive gateway approval.

## **Part 4    Mapping**

It is proposed to create a new land classification (part lot) map to illustrate the partial reclassification of Lot 8 DP 821952 - 22 Valla Beach Road, Valla Beach.

## **Part 5    Community Consultation**

It is intended to undertake community consultation by way of an advertisement in the local newspaper and Councils website and notification to adjoining landowners advising of the planning proposal and the opportunity to make a submission. It is intended to advertise the planning proposal for 28 days. It is also intended to undertake a public hearing.

## **Part 6 Project Timeline**

May 2021	Gateway determination issued by Department of Planning & Environment
June 2021	Public exhibition of planning proposal and consultation with government agencies
June/July 2021	Public Hearing
August 2021	Analysis of public submissions and agency responses
	Preparation of Council report
September 2021	Endorsed planning proposal submitted to Department of Planning and Environment for finalisation

## Attachment 1

### **Lot 8 DP 821952 - 22 Valla Beach Road, Valla Beach**



This site currently contains a child care centre, public hall and associated carpark. On 16 July 2020 Council granted development consent to development application DA2020/077 for a community facility on the land. The community facility includes the construction of a new building with a total floor area of 142.8m<sup>2</sup>. The community facility will be constructed and operated by Alithia Learning and will be used for programs that cater for 6-12 year olds (primary school age children) to support those with various disabilities, including Autism Spectrum Disorder, learning difficulties and those requiring emotional and social support. It will also be used for after school and weekend activities for all age groups, music recording, mums and bubs fitness classes, and workshops.

The reclassification to operational land will only occur around the perimeter of the approved asset protection zone which surrounds the approved community facility. The approximate location of this area to be reclassified as operational land is illustrated in red on the above image. This will facilitate the transfer of ownership of that section of land to Alithia Learning at no cost. It is intended to incorporate within any transfer of ownership of this section of land a clause which provides Council with the first option to purchase the land back for a nominal sum if the use of the community facility were to cease/change ownership.

This site does not have public reserve status.

**Lot 1 DP 578503, 50 Riverside Drive Nambucca Heads**



This parcel encompasses a disused pump station, has an area of 82.76 square meters and is bounded by residential and commercial land. Whilst the pump station itself has been demolished there is still some pipe infrastructure on site.

The land was acquired by Council when the subdivision was registered on 19 August 1975.

A search of Council records has not found evidence of this land being classified as operational, therefore as per the Local Government Act 1993 it has been automatically classified as community land.

Council no longer uses 50 Riverside Drive, Nambucca Heads as a pump station due to upgrades to Councils sewer network. The site is isolated from other public land, with no legal public access to the lot. This site does not have public reserve status.

Given the small isolated nature of the site and that it is not legally accessible or practical for use by the public, Council sees no purpose in retaining ownership of the land. Once the land is reclassified to operational, it is intended to put the land on the market for sale. Given the site was acquired by Council to facilitate the shires sewer network, it is intended to use any proceeds from the sale of the land towards upgrades of Councils operational sewer network. The existing network has issues where there have been overflows into the Nambucca River. The proceeds of any sale will go towards the cost of Councils works on the continual rectification of these issues which will improve water quality within the river.