

Planning Proposal for reclassification of certain public land

Version 1 for Gateway Determination
December 2021

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Part 1 Objectives and intended outcomes

Introduction

This planning proposal seeks reclassification of six public land parcels from community to operational.

The *Local Government Act 1993* requires all public land to be classified as either community or operational. Community land is land council makes available for use by the public, for example as parks or sports grounds. Operational land is land which facilitates the functions of council and may not be open to the public, for example a works depot or a council pound. This classification also determines land management and dealings: community land requires a plan of management and must not be sold, exchanged or otherwise disposed of by a council. There are no such special restrictions on council powers to manage, dispose or change the nature of operational land.

Under the *Local Government Act 1993*, public land is classified or reclassified by either a council resolution under sections 31, 32 or 33 or through an LEP amendment. This planning proposal seeks to give effect to previous Council resolution by pursuing an LEP amendment pathway to reclassify six land parcels to operational. This planning proposal will also seek to ensure the subject sites are discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants that may affect them. The six land parcels subject to this planning proposal are listed below:

1. Clarrie Hall Dam land acquisition
 - Lot 2 DP 1243701, 79 Lone Pine Road, Doon Doon;
 - Lot 3 DP 1243701, 79 Lone Pine Road, Doon Doon;
 - Lot 4 DP 1243701, 79 Lone Pine Road, Doon Doon; and
 - Lot 2 DP 1257191, 571 Doon Doon Road Doon Doon;
2. Sunnyside Open Public Carpark
 - Lot 1 DP 709231, 5 King Street, Murwillumbah;
3. Public Reserve (carpark) Bogangar
 - Lot 3 DP 842350, 104 Rosewood Avenue, Bogangar.

Clarrie Hall Dam land acquisition

Land subject to this planning proposal was identified in a report to Council of 19 November 2015 that discussed the options to augment the Tweed District Water Supply by 2026 and it was resolved to adopt the raising of the Clarrie Hall Dam as the preferred option and to proceed to acquire land as it became available.

The land subject of that report, identified that 79 Lone Pine Road, Doon Doon and 571 Doon Doon Road, Doon Doon, would be highly impacted by the raising of the dam and acquisition of the land has been flagged from the outset and accepted by the landowners as an eventuality.

To enable the part purchase of 79 Lone Pine Road, Doon Doon, Council subdivided Lot 11 DP1139798 into 4 lots; Lots 1 - 4 DP1243701. Council then purchased Lots 2-4 DP1243701, with the landowner retaining Lot 1 DP1243701. Similarly, to enable the part purchase of 571 Doon Doon Road, Doon Doon, Council subdivided Lot 1 DP816505 into 2 lots; Lots 1-2 DP1257191. Council then purchased Lot 2 DP1257191, with the landowner retaining Lot 1 DP1257191.

As the land is to be used for public infrastructure in relation to the Clarrie Hall Dam the land is to be appropriately classified as operational in accordance with *Local Government Act 1993*.

Sunnyside Open Public Carpark

The land is legally identified as Lot 1 DP 709231, 5 King Street, Murwillumbah or commonly known as the Sunnyside Carpark. The site was transferred to Council's ownership via a Deed of Agreement required by a covenant registered on the title on 29 November 1984. On 18 February 2021 Council resolved to reclassify the land to operational, in order to provide Council with options for either the sale of the site or for long term lease of the site.

Lot 1 is burdened by a restriction created pursuant to s.88B Conveyancing Act lodged with Deposited Plan 709231 and registered on 29 November 1984 in the following terms:

"No part of the land shall be used for any purpose other than as a public car parking area for the parking thereon of motor vehicles by the general members of the public and for pedestrian use provided that nothing herein contained or implied shall prohibit or restrict the registered proprietor from time to time of the said Lot 1 from erecting and constructing a public car parking complex by the addition of layers of underground and/or overhead parking space under or over the said Lot 1 as a necessity therefore may be determined by the Registered Proprietor from time to time with the said Lot 1 in its absolute discretion and provided further that any such additional layer or layers of underground and/or overhead public car parking space shall not interfere with or obstruct access to or egress or ingress to or from any shopping complex erected now or hereafter on the said Lot 2 or any part thereof".

Public Reserve (carpark) Bogangar

The land is legally identified as Lot 3 in DP842350, 104 Rosewood Avenue, Bogangar. The site was dedicated to Council pursuant to a dedication under Section 94 of the Environmental Planning and Assessment Act 1979 on 20 November 1993 for public car parking purposes. The site is currently a vacant site on the corner of Rosewood Avenue and Hastings Road. There are certain registered dealings that are to be discharged by way of listing this lot under Schedule 4 of the Tweed LEP 2014. These are:

- K847274 Covenant affecting part of the land – it prevented the land from being subdivided while a previous landowner owned the land, no interests affected, and
- K847287 Covenant affecting part of the land – this is just documentation relating to historical transfers of the land, no interest affected, and
- DP842350 Right of carriageway 6 and 4.5 wide – Burdening Lot 3, Benefitting Lot 1 & 2 (now 1 & 2//842350 and SP37635), and
- Restriction on use – no vehicle access from public road, except through above right of carriageway – Burdening Lots 1 & 2 (now 1 & 2//842350 and SP37635), Benefitting Council.

Council has resolved to reclassify Lot 3 DP 842350 through an LEP amendment at its ordinary meeting of 17 September 2003. This resolution has not been actioned yet.

Reclassification of land through a planning proposal process is the mechanism with which Council needs to remove any public reserve status applying to subject sites, as well as any interests affecting all or part of public land. To achieve this intent, all such interests are identified upfront within this planning proposal.

These parcels of land are contained within the respective CBDs of Bogangar and Murwillumbah, and classification as community land restricts multiple opportunities to use the land including leasing and licencing for community and commercial purposes ancillary to a commercial precinct. Depending on

the future need, there needs to be flexibility in use to enable multiple uses by Council or others for community and commercial purposes. If surplus to Council needs, there should also be the opportunity for long term lease or sale.

The planning proposal constitutes a document referred to in Section 3.33 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act). The planning proposal has been prepared in accordance with the Department of Planning and Environment's "*A guide to preparing planning proposals*" (December 2018) and "Best Practice Guideline" (January 1997).

All interests intended to be discharged through this planning proposal are identified in Appendix 2.

The location of land parcels subject to this planning proposal is shown in the figures below.



Locality Map

Reclassification of Land at Clarrie Hall Dam

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 2 on DP1243701	Jacana Lane DOON DOON 2484	Community Land (Council Owned)	10,184 sqM
Lot 2 on DP1257191	Doon Doon Road DOON DOON 2484	Community Land (Council Owned)	228,551 sqM
Lot 3 on DP1243701	Jacana Lane DOON DOON 2484	Community Land (Council Owned)	3,385 sqM
Lot 4 on DP1243701	17 Lane Pine Road DOON DOON 2484	Community Land (Council Owned)	644,941 sqM


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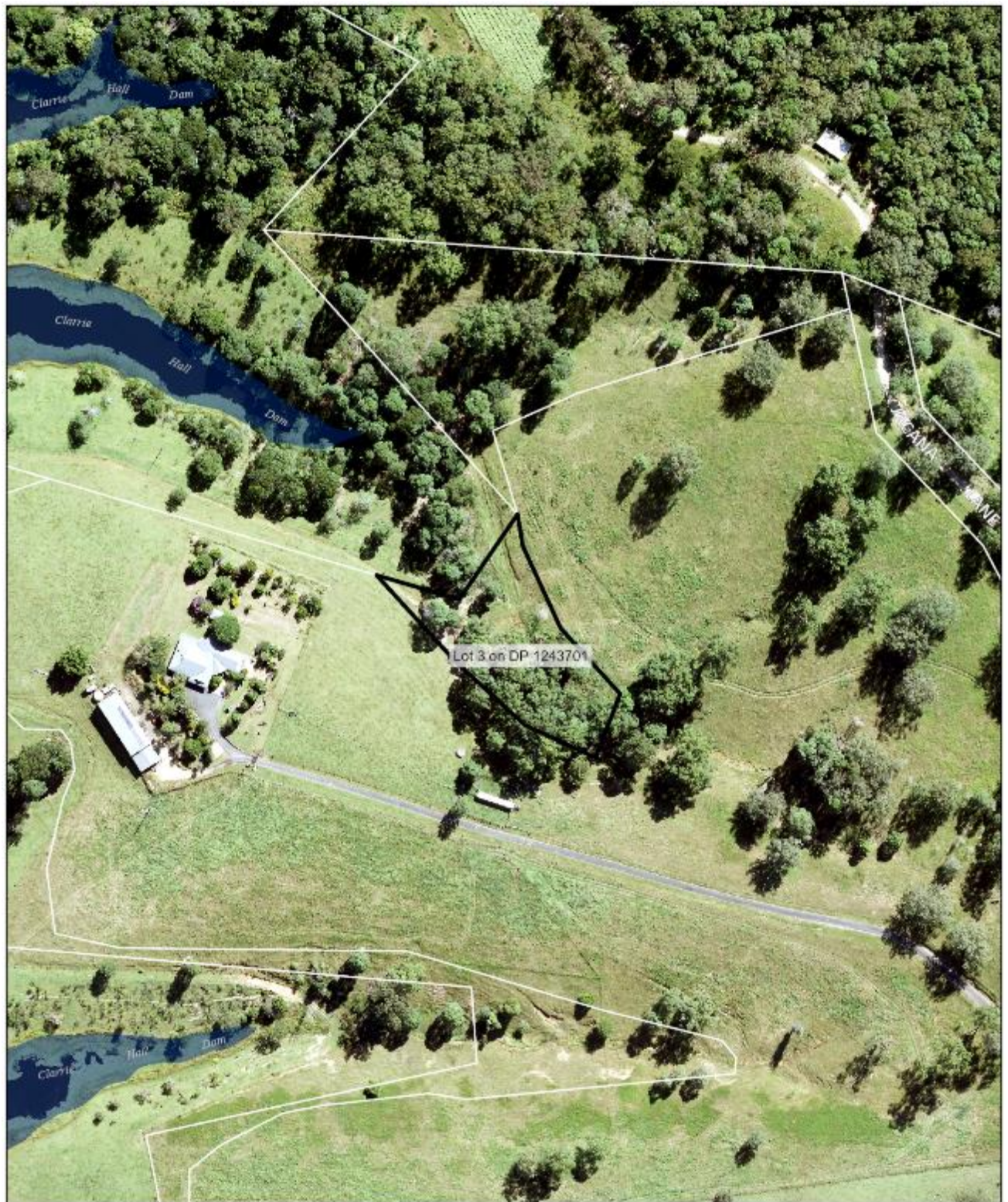
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Author: J. Balchman - Strategic Planning & Urban Design

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Figure 1 –Locality Plan



Aerial Site Plan

Reclassification of Land at Clarrie Hall Dam

Aerial Imagery 2020
©: Aerovision
Imagery was captured August 2020
Please note that imagery distortions
may exist and objects may appear
displaced from their actual positions.

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 3 on DP1243701	Jacana Lane DOON DOON 2484	Community Land (Council Owned)	3.385 sqM

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Figure 2 – Subject Site



Aerial Site Plan

Reclassification of Land at Clarrie Hall Dam

Aerial Imagery 2020
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Imagery was captured August 2020
Please note that imagery distortions
may exist and objects may appear
displaced from their actual position.

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 2 on DP1257191	Doon Doon Road DOON DOON 2484	Community Land (Council Owned)	228,551 sqM

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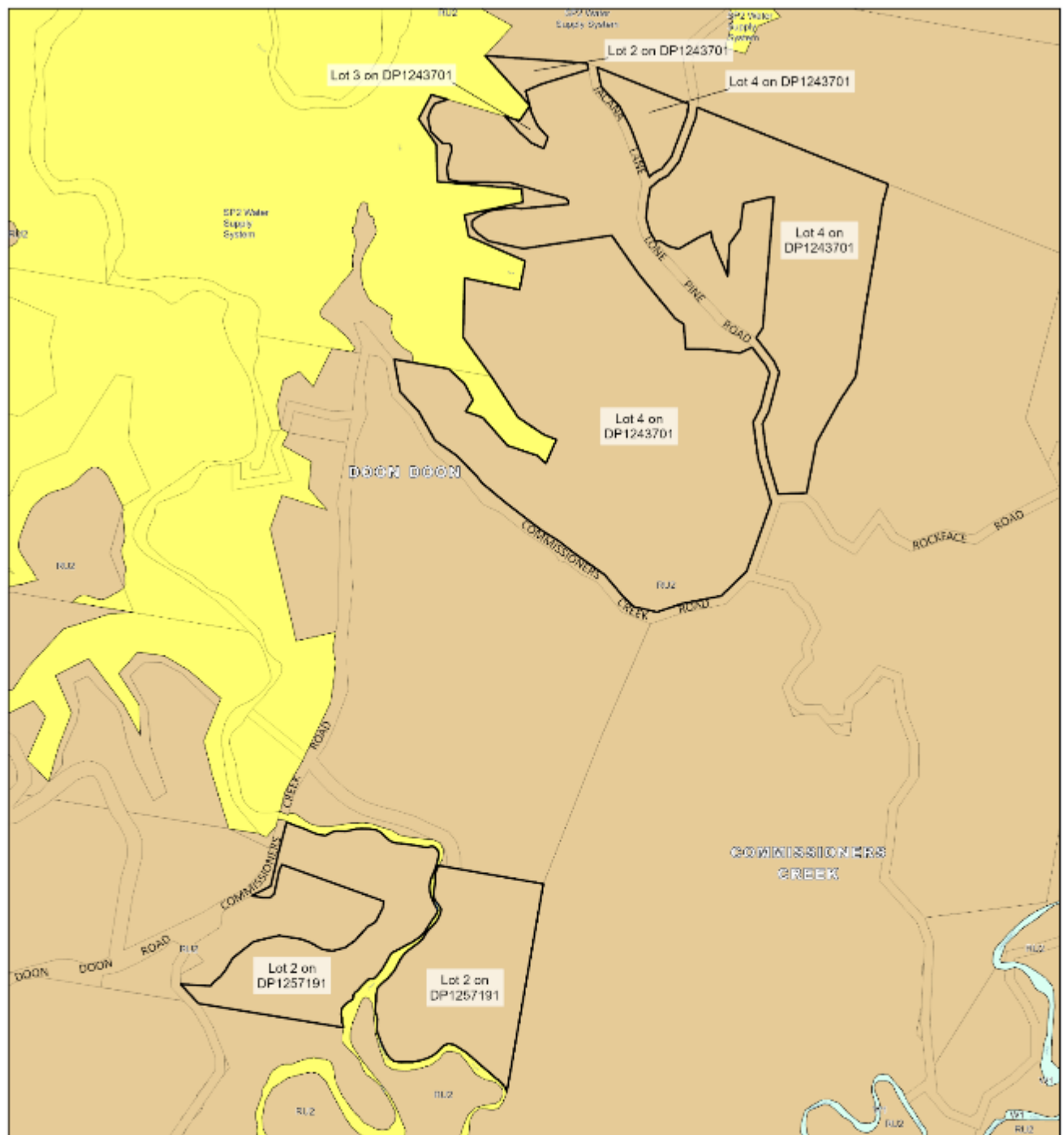
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Figure 3 – Subject Site

Reclassification of Land at Clarrie Hall Dam

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 4 on DP1243701	17 Lane Pine Road DOON DOON 2484	Community Land (Council Owned)	644,941 sqM





Tweed Local Environmental Plan 2014

RU2 - Rural Landscape

SP2 - Infrastructure

W1 - Natural Waterways

Current Land Zoning Map

Reclassification of Land at Clarrie Hall Dam

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 2 on DP1243701	Jacana Lane DOON DOON 2484	Community Land (Council Owned)	10,184 sqM
Lot 2 on DP1257191	Doon Doon Road DOON DOON 2484	Community Land (Council Owned)	228,551 sqM
Lot 3 on DP1243701	Jacana Lane DOON DOON 2484	Community Land (Council Owned)	3,385 sqM
Lot 4 on DP1243701	17 Lone Pine Road DOON DOON 2484	Community Land (Council Owned)	644,941 sqM



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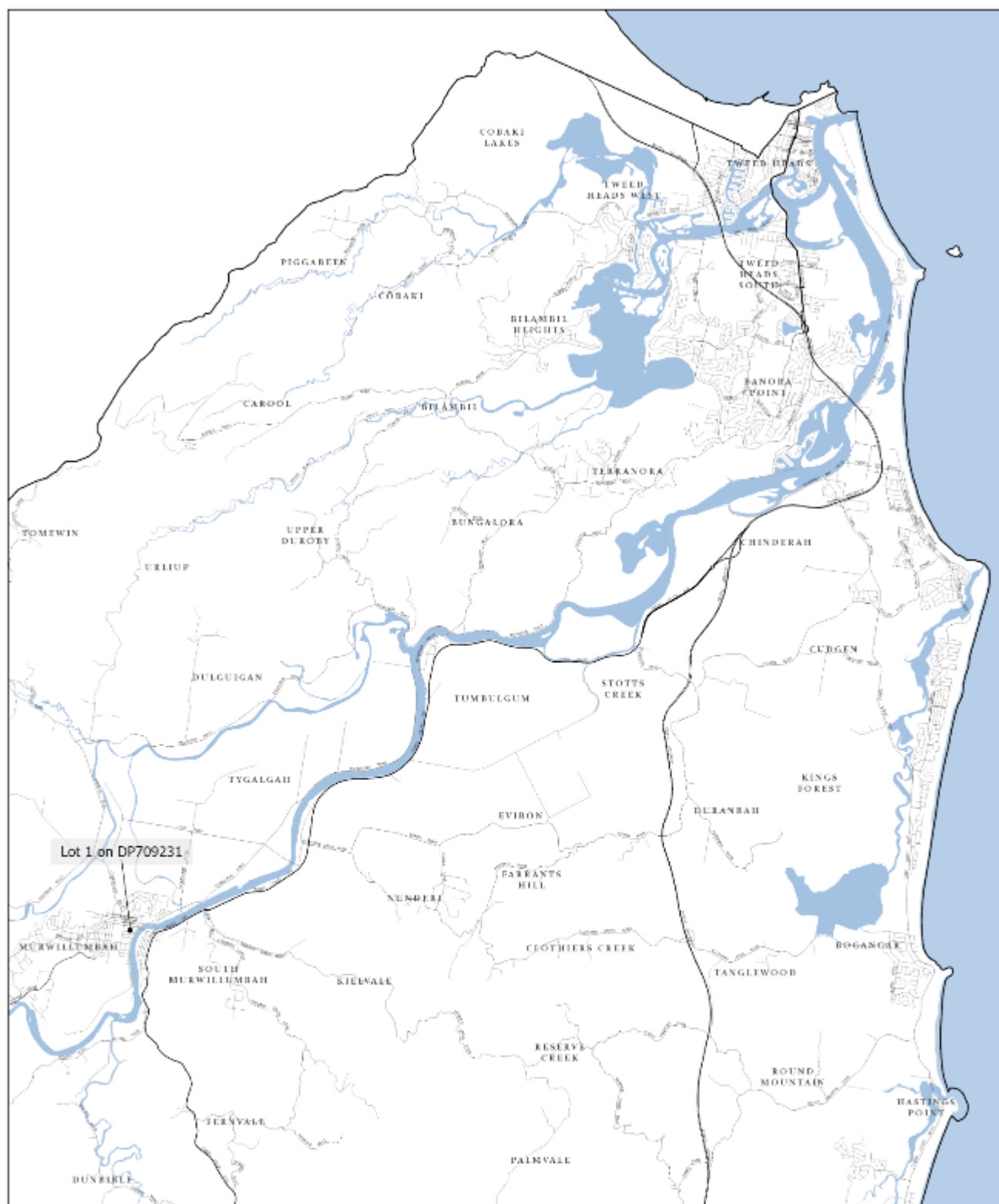
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Author: J. Balchewicz - Strategic Planning & Urban Design

Date Printed: 23 September, 2021

Figure 6 – Land zoning (LEP 2014 and LEP 2000)



Locality Map

Reclassification of Land at King Street Open Public Carpark

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 1 on DP709231	5 King Street MURWILLUMBAH 2484	Community Land (Council Owned)	2,371 sqM

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Author: J. Balchuk - Strategic Planning & Urban Design

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Figure 1 –Locality Plan



Aerial Site Plan

Reclassification of Land at King Street Open Public Carpark

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LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 1 on DP709231	5 King Street MURWILLUMBAH 2484	Community Land (Council Owned)	2,371 sq/M

<p> Click and Call Centre 37 Dundas Street Murwillumbah NSW 2484 PO Box 111 Murwillumbah NSW 2484 </p>	<p> T: (02) 6620 2400 / 4300 290 072 F: (02) 6620 2429 W: www.tweed.nsw.gov.au E: planning@tweed.nsw.gov.au </p>	<p> Coordinate System MGA Zone 56 Datum - GDA 94 </p>	<p>0 10 20 30 m</p> <p>Approx. Scale 1:1 000 @ A4 Portrait</p>	<p> Disclaimer: While every care is taken to ensure the accuracy of the data, Tweed Shire Council makes no representation or warranty as to the accuracy or reliability of the data. The data is provided as a reference only. It is not intended to be used as a basis for any decision. It is not intended to be used as a basis for any decision. It is not intended to be used as a basis for any decision. </p>
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 Author: J. Packard - Strategic Planning & Urban Design
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Figure 2 – Subject Site



Tweed Local Environmental Plan 2014

- B3 - Commercial Core
- B4 - Mixed Use

Current Land Zoning Map

Reclassification of Land at King Street Open Public Carpark

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 1 on DP709231	5 King Street MURWILLUMBAH 2484	Community Land (Council Owned)	2,371 sqM


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Author: J. Balchuk - Strategic Planning & Urban Design

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Figure 3 – Land zoning (LEP 2014 and LEP 2000)



Locality Map

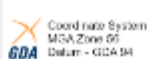
Reclassification of Land - Public Reserve Bogangar

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 3 on DP842350	104 Rosewood Avenue BOGANGAR	Operational Land (Council Owned)	2,156 sqM



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Author: J. Balchelor - Strategic Planning & Urban Design

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Figure 1 – Locality Plan



Aerial Site Plan

Reclassification of Land - Public Reserve Bogangar

Aerial Imagery 2020
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Please note that images of structures
may vary and objects may appear
distorted from their actual position.

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 3 on DP842350	104 Rosewood Avenue BOGANGAR	Operational Land (Council Owned)	2,156 sqM

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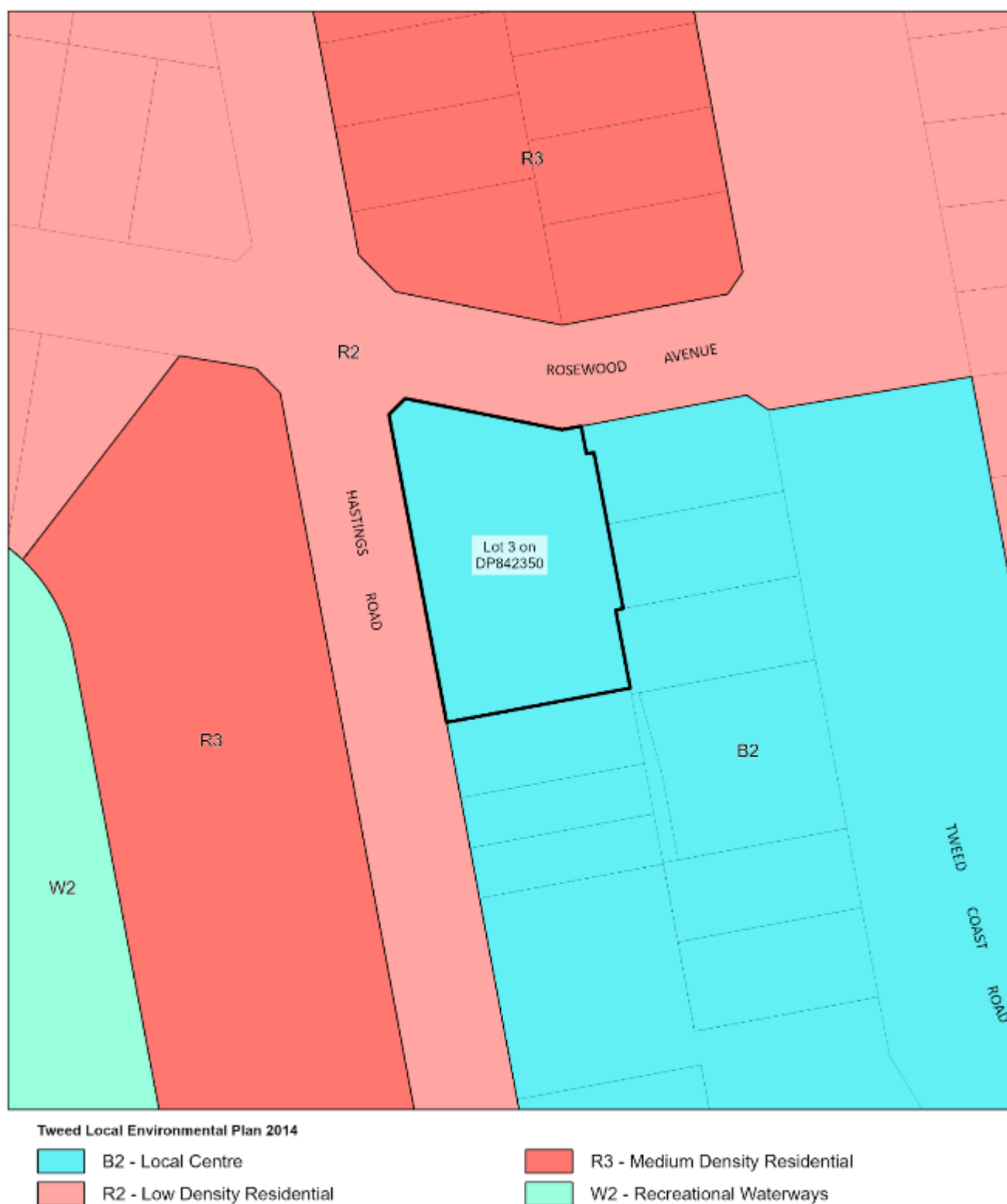
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Author: J. Bachelder - Strategic Planning & Urban Design

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Figure 2 – Subject Site



Current Land Zoning Map

Reclassification of Land - Public Reserve Bogangar

LAND TITLE	LAND ADDRESS	LAND TENURE	LAND AREA (approx.)
Lot 3 on DP842350	104 Rosewood Avenue BOGANGAR	Operational Land (Council Owned)	2,156 sqM

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Figure 3 – Land zoning (LEP 2014 and LEP 2000)

Objectives and Intended Outcomes

The objective of this planning proposal is to amend Schedule 4 Classification and reclassification of public land of the *Tweed Local Environmental Plan 2014*, to reclassify parcels of land from community to operational. The following lots are seeking reclassification:

Clarrie Hall Dam land acquisition

- Lot 2 DP 1243701, 79 Lone Pine Road, Doon Doon;
- Lot 3 DP 1243701, 79 Lone Pine Road, Doon Doon;
- Lot 4 DP 1243701, 79 Lone Pine Road, Doon Doon; and
- Lot 2 DP1257191, 571 Doon Doon Road Doon Doon;

Sunnyside Open Public Carpark

- Lot 1 DP 709231, 5 King Street, Murwillumbah;

Public Reserve (carpark) Bogangar

- Lot 3 in DP842350, 104 Rosewood Avenue, Bogangar.

This would enable the subject land relating to the Clarrie Hall Dam to be used for public infrastructure in relation to the Clarrie Hall Dam. In relation to the two other site being the Sunnyside Carpark and the Bogangar Carpark the change in classification would enable Council with other options as to the use or sale of the land.

Part 2 Explanation of provisions

LEP's Clause 5.2—Classification and reclassification of public land enables councils to classify or reclassify public land as operational land or community land in accordance with the *Local Government Act 1993*. This planning proposal seeks to amend Tweed Local Environmental Plan 2014 by listing lots described in Part 1 within Schedule 4 of the LEP.

At a later stage council may lodge a planning proposal to remove previous listings in Schedule 4. This will not affect the classification status of these parcels of land.

Consequently, the proposed outcome will be achieved by amending Schedule 4 Classification and reclassification of public land of the Tweed LEP 2014, to include the six parcels of land referred to in Part 1 of this report.

Part 1 Land classified, or reclassified, as operational land—no interests changed	
Column 1 Locality	Column 2 Description
Doon Doon	Lot 2 DP 1243701, 79 Lone Pine Road
Doon Doon	Lot 3 DP 1243701, 79 Lone Pine Road
Doon Doon	Lot 4 DP 1243701, 79 Lone Pine Road
Doon Doon	Lot 2 DP1257191, 571 Doon Doon Road
Murwillumbah	Lot 1 DP 709231, 5 King Street

Table 1: Proposed listing under Schedule 4 of the Tweed LEP 2014 – Part 1

Part 2 Land classified, or reclassified, as operational land—interests changed		
Column 1 locality	Column 2 description	Column 3 Any trusts etc not discharged
Bogangar	Lot 3 in DP842350, 104 Rosewood Avenue	1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S) 5 DP842350 RIGHT OF CARRIAGEWAY 6 & 4.5 WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

Table 2: Proposed listing under Schedule 4 of the Tweed LEP 2014 – Part 2

Part 3 Justification

Section A Need for the planning proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Partially. Four out of six sites, more specifically sites located in Doon Doon have been acquired by Council to advance a long-term strategic intent to increase future water supply for Tweed's growing population, as identified in the Water Supply Augmentation - Selection of Preferred Option report endorsed by Council.

The intent to reclassify the other two sites is based upon Council resolutions. Overall, this planning proposal does not seek to advance or implement local strategies. It has been prepared in accordance with the *Local Government Act 1993* to reclassify public land.

Q2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Section 31 of the *Local Government Act 1993* provides that a council may resolve that the land be classified as community or operational before or within three months after it acquires the land. Tweed Council did not adopt any such resolution within these designated timeframes therefore a planning proposal is currently the only way to reclassify land from community to operational and ensure that interests affecting subject land are appropriately discharged.

Section B Relationship to strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The Tweed local government area is located within the North Coast region, subject to the NSW North Coast Regional Plan 2036 (referred to herein as 'the Plan'). The overall vision statement for the

North Coast region prescribed under the Plan is the best region in Australia to live, work and play thanks to its spectacular environment and vibrant communities.

Direction 21 of the Plan speaks to the coordination of local infrastructure delivery and although narrowly described around essential infrastructure centred on housing and related built environment in its wider context, it also advocates for delivery of infrastructure in a manner that considers capacity for cost-effective expansion, which is relevant in case of Clarrie Hall Dam raising and associated acquisition of land subject to this planning proposal.

Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

This planning proposal does not seek to advance or implement local strategies. It has been prepared in accordance with the *Local Government Act 1993* to reclassify public land.

A key planning priority of Council's Local Strategic Planning Statement is the provision of appropriate community infrastructure to meet present and future population demand. In this context, Council's intent to reclassify public land advances provision of appropriate community infrastructure.

In addition, the Tweed Community Strategic Plan (CSP) 2017-2027, section 2.1 and 2.2 addressing the Tweed's built environment and its engagement with the community, have specific goals of delivering and regulating the built environment so as to balance the social, cultural, economic and environmental needs of the community.

Q5. Is the planning proposal consistent with the applicable State Environmental Planning Policies (SEPPs)?

This planning proposal is of administrative nature therefore it has limited alignment with State Environmental Planning Policies.

A review of the State Environmental Planning Policy (Infrastructure) 2007 was undertaken.

The planning proposal is administrative in nature as it seeks to reclassify Council land and therefore most of the SEPP's are not applicable in this instance. The following SEPP is identified as being applicable. The proposal is considered to be consistent with the following aims of the SEPP:

- (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services;*
- (c) allowing for the efficient development, redevelopment or disposal of surplus government owned land;*
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and*
- (g) providing opportunities for infrastructure to demonstrate good design outcomes.*

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s9.1 Directions)?

The planning proposal is consistent with the Ministerial s9.1 Directions, as outlined in Table 1.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
1. Employment and Resources			
1.1 Business and Industrial Zones	<p><u>Summary of Objectives</u> To protect, encourage and support employment / strategic centres.</p> <p><u>Application</u> When a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p>	<p>This planning proposal contain lands that are zoned Business.</p> <p>The following land is zoned B3 Commercial Core:</p> <ul style="list-style-type: none"> Lot 1 DP 709231, 5 King Street, Murwillumbah. <p>The following land is zoned B2 Local Centre:</p> <ul style="list-style-type: none"> Lot 3 in DP842350, 104 Rosewood Avenue, Bogangar. <p>The proposal is considered to be consistent with the objectives of this direction which aim to <i>"Protect, encourage and support employment/strategic centres"</i>. The proposal seeks only to reclassify the lands from community to operational and is administrative in nature.</p>	Consistent.
1.2 Rural Zones	<p><u>Objectives:</u> The objective of this direction is to protect the agricultural production value of rural land.</p> <p><u>Application:</u> A planning proposal must:</p> <ol style="list-style-type: none"> not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village). 	<p>This planning proposal does contain lands that are zoned Rural. The following lands are of Rural zoning - RU2 Rural Landscape:</p> <ul style="list-style-type: none"> Lot 2 DP 1243701, 79 Lone Pine Road, Doon Doon; Lot 3 DP 1243701, 79 Lone Pine Road, Doon Doon; Lot 4 DP 1243701, 79 Lone Pine Road, Doon Doon; and Lot 2 DP1257191, 571 Doon Doon Road Doon Doon; <p>The proposal is considered to be consistent with the objectives of this direction which aim to <i>"protect the agricultural production value of rural land"</i>. The proposal seeks only to reclassify the lands from community to operational and is administrative in nature.</p>	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
1.3 Mining, Petroleum Production and Extractive Industries	<p><u>Objectives:</u> The future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials is not compromised by inappropriate development.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal that would have the effect of:</p> <p>(a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p> <p>(b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p>	This planning proposal does not include provisions that would trigger the application of this direction.	Not applicable.
1.4 Oyster Aquaculture	<p><u>Objectives:</u> To protect Priority Oyster Aquaculture Areas (POA) and oyster aquaculture outside such an area, from adverse impacts on water quality, the health of the oysters and oyster consumers.</p> <p><u>Application:</u> When there is a change in land use that could result with adverse impact or incompatibility of land uses.</p>	This planning proposal does not apply to land that would be known or identified as a Priority Oyster Aquaculture Area.	Not applicable.
1.5 Rural Lands	<p><u>Objectives:</u> To protect the agricultural production value of rural land and to facilitate the orderly and economic development of rural lands for rural and related purposes.</p> <p><u>Applies when:</u> (a) a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone, or</p>	<p>This planning proposal does apply to land with a rural zone, as the following lands are zoned RU2 Rural Landscape:</p> <ul style="list-style-type: none"> • Lot 2 DP 1243701, 79 Lone Pine Road, Doon Doon; • Lot 3 DP 1243701, 79 Lone Pine Road, Doon Doon; • Lot 4 DP 1243701, 79 Lone Pine Road, Doon Doon; and • Lot 2 DP1257191, 571 Doon Doon Road Doon Doon; <p>The proposal is considered to be consistent with the objectives of this direction which aim to “<i>protect the agricultural production value of rural land and to facilitate the orderly and economic development of rural lands for rural and related purposes</i>”. The proposal seeks only to</p>	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	(b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.	reclassify the lands from community to operational and is administrative in nature.	
2. Environment and Heritage			
2.1 Environment Protection Zones	<u>Objective</u> To protect and conserve environmentally sensitive areas. <u>Application</u> When a relevant planning authority prepares a planning proposal.	The subject lands do not contain any environmentally sensitive areas and are not subject to an environment protection zone.	Not applicable.
2.2 Coastal Protection	<u>Objective</u> To implement the principles in the NSW Coastal Policy. <u>Application</u> When a relevant planning authority prepares a planning proposal that applies to land in the coastal zone.	The following sites are located within the coastal zone. <ul style="list-style-type: none"> Lot 1 DP 709231, 5 King Street, Murwillumbah. Lot 3 in DP842350, 104 Rosewood Avenue, Bogangar. The planning proposal is considered to be consistent with the provisions of the NSW Coastal Policy, as the proposal seeks to reclassify the land from community to operational and is administrative in nature.	Consistent.
2.3 Heritage Conservation	<u>Objective</u> To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. <u>Application</u> When a relevant planning authority prepares a planning proposal.	The following site is identified as a Known place of heritage significance: <ul style="list-style-type: none"> Lot 2 DP 1257191 The following site are identified as Predictive place of heritage significance: <ul style="list-style-type: none"> Lot 2 DP 1243701, 79 Lone Pine Road, Doon Doon; Lot 3 DP 1243701, 79 Lone Pine Road, Doon Doon; and Lot 4 DP 1243701, 79 Lone Pine Road, Doon Doon; No known items of heritage significance or cultural value are known to occur within the following sites:	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
		<ul style="list-style-type: none"> Lot 1 DP 709231, 5 King Street, Murwillumbah. Lot 3 DP 842350, 104 Rosewood Avenue, Bogangar. <p>The planning proposal is considered to be consistent with the Aboriginal Cultural Heritage Management Plan 2018 (ACHMP) as the Planning Proposal is administrative in nature and only seeks to reclassify the sites from community to operational land and does not seek any physical works.</p>	
2.4 Recreation Vehicle Areas	<p><u>Objective</u> To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p> <p><u>Application</u> When a relevant planning authority prepares a planning proposal.</p>	This planning proposal does not seek to change the regulation of recreation vehicles or land on which a recreation vehicle access or development may occur.	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	<p><u>Objective:</u> To ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal that introduces or alters an E2 or E3 zone, or an overlay with associated clause.</p> <p>A relevant planning authority must apply the proposed E2, E3 or the overlay and associated clause consistent with the Northern Councils E Zone Review Final Recommendations.</p>	The subject land does not contain any environmentally sensitive areas and is not subject to an environment protection zone.	Not applicable.
2.6 Remediation of Contaminated Land	<p><u>Summary of objectives</u> The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p>	The site is not identified as being contaminated.	Not Applicable.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<u>Application</u> When a planning proposal includes a zone that would permit a change of use of the land, Council must: <ul style="list-style-type: none"> Consider any contamination of land Be satisfied that the land is or will be suitably remediated for the proposed uses of that land		
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	<u>Summary of Objectives:</u> (a) to encourage a variety and choice of housing types, (b) to make efficient use of existing infrastructure and services, (c) to minimise the impact of residential development on the environment and resource lands. <u>Application</u> When a planning proposal affects land within: (a) an existing or proposed residential zone, or (b) any other zone in which significant residential development is permitted or proposed to be permitted.	This planning proposal does not apply to land with a residential zone.	Not applicable.
3.2 Caravan Parks and Manufactured Home Estates	<u>Objectives:</u> (a) to provide for a variety of housing types, and (b) provide opportunities for caravan parks and manufactured home estates. <u>Application:</u> When a relevant planning authority prepares a planning proposal.	The planning proposal does not aim to alter permissibility of caravan parks or Manufactured Home Estates on the subject lands and can be considered as consistent with the provisions of this direction.	Consistent.
3.3 Home Occupations	<u>Objective:</u> To encourage the carrying out of low-impact small businesses in dwelling houses. <u>Application:</u> When a relevant planning authority prepares a planning proposal.	This planning proposal will not alter provisions regulating home occupations, which will remain a land use permitted without development consent.	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p><u>If this direction applies:</u> Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent</p>		
3.4 Integrating Land Use and Transport	<p><u>Summary of Objectives:</u> To ensure that urban structures, building forms, land use, subdivision and street layouts achieve the following objectives:</p> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, (d) supporting the efficient operation of public transport services, and (e) providing for the efficient movement of freight. <p><u>Application:</u> This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land.</p>	This planning proposal does not alter any integration of land use and transport or urban land.	Consistent.
3.5 Development Near Licensed Aerodrome	<p><u>Summary of Objectives:</u></p> <ul style="list-style-type: none"> (a) ensure the effective and safe operation of aerodromes, (b) ensure that their operation is not compromised by development, (c) ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast contours of between 20 and 25, incorporates appropriate mitigation measures. <p><u>Application:</u></p>	The lands subject to this planning proposal are not located in the vicinity of the Murwillumbah or Gold Coast airfields.	Not Applicable.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>When a planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.</p> <p><u>What must be done</u> Summary: a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome must be subject to prescribed consultation and take certain prescribed matters into account.</p>		
3.6 Shooting Ranges	<p><u>Objectives:</u> (a) to maintain public safety and amenity, (b) to reduce land use conflicts, (c) to identify issues for consideration when rezoning land adjacent to an existing shooting range.</p> <p><u>Application:</u> When a planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to a shooting range.</p> <p><u>What must not be done</u> A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of permitting more intensive land uses than those which are permitted under the existing zone or permitting land uses that are incompatible with the noise emitted by the shooting range.</p>	The sites subject to this planning proposal are not adjacent to an existing shooting range.	Not applicable.
3.7 Reduction in non-hosted short term rental accommodation period	Applies to Byron local government area.	Not relevant to this planning proposal.	Not applicable.
4. Hazard and Risk			
4.1 Acid Sulfate Soils	<u>Objective</u>	<p>The following lands are identified as Class 3 of the Acid Sulfate Soils Maps:</p> <ul style="list-style-type: none"> Lot 1 DP 709231, 5 King Street, Murwillumbah; 	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p><u>Application:</u></p> <p>When a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils.</p>	<ul style="list-style-type: none"> Lot 3 in DP842350, 104 Rosewood Avenue, Bogangar. <p>The other lands subject to this Planning Proposal are identified as not affected by acid sulfate soils.</p> <p>This Planning Proposal is administrative in nature does not require activity or works that would disturb acid sulfate soils.</p>	
4.2 Mine Subsidence and Unstable Land	<p>To prevent damage to life, property and the environment on land unstable or potentially subject to mine subsidence.</p> <p><u>Application:</u></p> <p>When a relevant planning authority prepares a planning proposal that permits development on land that is within a mine subsidence district, or has been identified as unstable in a study, strategy or other assessment.</p>	The subject site is not within a mine subsidence district and has not been identified as unstable in a study, strategy or other assessment.	Not applicable.
4.3 Flood Prone Land	Applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.	<p>Lot 3 DP 842350 is identified as being affected by flooding with a designed flood level of RL2.91m AHD and PMF of RL5.73m AHD. Lot 1 DP 709231 is identified as being affected by flooding with a designed flood level of RL3.55m AHD and a PMF of RL12.36m AHD.</p> <p>The following lots are not identified as being prone to flooding however these site have been specifically purchased by council in relation to the Clarrie Hall Dam inundation areas.</p> <p>This Planning Proposal seeks to reclassify the lands from community to operational is administrative in nature therefore is considered not to be affected by flooding.</p>	Consistent.
4.4 Planning for Bushfire Protection	<p><u>Objective</u></p> <p>(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</p> <p>(b) to encourage management of bush fire prone areas.</p>	<p>Lot 2 DP 1243701 contains areas mapped as 'Vegetation Category 1', 'Vegetation Category 2' and 'vegetation buffer'.</p> <p>Lot 3 DP 1243701 contains areas mapped as 'vegetation buffer'.</p>	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p><u>Application:</u> When a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.</p>	<p>Lot 4 DP 1243701 contains areas mapped as 'Vegetation Category 1', 'Vegetation Category 2' and 'vegetation buffer'.</p> <p>This Planning Proposal is for the reclassification of community land to operational land is administrative in nature, which does not require bushfire protection in accordance with the Planning for Bushfire Guidelines 2006.</p> <p>The following sites are not affected by bushfire:</p> <ul style="list-style-type: none"> • Lot 1 DP 709231, 5 King Street, Murwillumbah; • Lot 3 in DP842350, 104 Rosewood Avenue, Bogangar. 	

5. Regional Planning

5.1 Implementation of Regional Strategies	<p><u>Objective</u> To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal.</p>	The response to Question 1 within Section B (page 6) of this planning proposal confirms consistency of this planning proposal with the North Coast Regional Plan 2036.	Consistent.
5.2 Sydney Drinking Water Catchments	Local government areas not including Tweed.	Not relevant.	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	<p><u>Objective</u> (a) to ensure that the best agricultural land will be available for current and future generations to grow food and fibre, (b) to provide more certainty on the status of the best agricultural land, and (c) to reduce land use conflict.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal for land mapped as: State significant farmland,</p>	<p>Lot 2 DP1257191 is identified as Regionally Significant Farmland.</p> <p>The other sites within this Planning Proposal are not mapped as state or regionally significant farmland or as non-contiguous farmland.</p> <p>This Planning Proposal is for the reclassification of land only and is administrative in nature and therefore considered not to impact on the Regionally Significant Land.</p>	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	regionally significant farmland, or significant non-contiguous farmland. A planning proposal must not rezone land identified as “State Significant Farmland”, “Regionally Significant Farmland” or “significant non-contiguous farmland” for urban or rural residential purposes.		
5.4 Commercial and Retail Development along the Pacific Hwy, North Coast	<p><u>Objective</u> To manage commercial and retail development along the Pacific Highway to preserve and protect the safe function of the highway and its users.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.</p>	Not relevant to this planning proposal.	Not applicable.
5.9 North West Rail Link Corridor Strategy	Applies to other local government areas than Tweed.	Not relevant to this planning proposal.	Not applicable.
5.10 Implementation of Regional Plans	<p><u>Objective</u> To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>Applies when preparing a planning proposal.</p>	Compliance of this planning proposal with the general directions of the North Coast Regional Plan, 2036 has been demonstrated in Section B1 of this report.	Consistent.
5.11 Development of Aboriginal Land Council Land	<p><u>Objective</u> To provide for the consideration of development delivery plans prepared under State Environmental Planning Policy (Aboriginal Land) 2019.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal for land shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.</p>	The subject site is not mapped on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.	Not applicable.

6. Local Plan Making

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
6.1 Approval and Referral Requirements	<p><u>Objective</u> To ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal.</p> <p><u>What must be done:</u> Ensure provisions minimise concurrence roles, consultation or referral of DAs to public authority.</p>	This planning proposal does not propose an amendment of the kind referred to in the Direction.	Consistent.
6.2 Reserving Land for Public Purposes	<p><u>Objective</u> (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.</p>	This planning proposal does not create, reduce or alter existing zoned reserves, and is not the subject of a direction of the Minister or public authority for that purpose.	Not applicable.
6.3 Site Specific Provisions	<p><u>Objective</u> To discourage unnecessarily restrictive site specific planning controls.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal that will allow a particular development.</p>	This planning proposal is consistent with this Direction as it does not alter the existing zone but rather, permits additional uses, with consent.	Consistent.
7. Metropolitan Planning			
Directions 7.3 – 7.13	Apply to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.

Section C Environmental, Social and Economic Impact

Q7. 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 Planning Proposal is for the reclassification of land from community to operational and is administrative in nature, as such the proposal considered not to impact on the natural environment.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Planning Proposal is for the reclassification of land from community to operational and is administrative in nature, as such it is considered that there would not be any other likely environmental impacts.

Q9. How has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is for the reclassification of land from community to operational and is administrative in nature, as such it is considered that the proposal is not likely to create any social or economic impacts.

Section D State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

This planning proposal does not give rise to a direct demand for public infrastructure.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

A Gateway determination has not yet been issued for this planning proposal. Relevant authorities will be consulted in accordance with the requirements of the Gateway Determination.

The views of consulted public authorities will be summarised and addressed as appropriate in the final Planning Proposal.

Part 4 Mapping

This planning proposal does not affect LEP mapping.

Part 5 Community consultation

This planning proposal will undergo the usual community consultation process which will involve access to all relevant documents on Council website and in Council administration offices in Murwillumbah and Tweed Heads. The community consultation phase will occur once the planning proposal receives a 'Gateway Determination' from the NSW Department of Planning & Environment. Whilst this planning proposal is considered to be of a minor nature (as it does not seek to facilitate a significant development or Shire-wide changes to provisions of the Tweed LEP 2014), it affects public land therefore must consider appropriate community engagement. Unless directed otherwise by the NSW Department of Planning & Environment, this planning proposal will be exhibited for a period of 28 days.

Council may hold a public hearing when reclassifying public land from community to operational in accordance with the EP&A Act and the LG Act.

This section of the planning proposal will be updated upon the completion of community consultation to provide a summary of community feedback, key matters raised and Council officers' response.

Part 6 Timeframe

The following project timeline is intended to be a guide only and may be subject to changes in response to the public consultation process and/or community submissions.

Task	Timeframe	Completed
Referral of the planning proposal for a Gateway determination	November 2021	
Gateway Determination	December 2021	
Undertake requirements of the Gateway Determination and prepare V2 planning proposal	January 2022	
Public exhibition	March 2022	
Agency consultation	March 2022	
Review submissions, respond and prepare V3 planning proposal for Council's consideration	April 2022	
Council report to finalise and refer the plan to the DPE to be made	June 2022	
Referral of the Plan to the DPE for making	July 2022	
Plan to be made within 12 months of Gateway	September 2022	

Summary and conclusions

This planning proposal has been prepared in accordance with *Local Government Act 1993* to reclassify certain public land from community to operational. No development, impacts or land use changes are going to result from this planning proposal.

As outlined in the introduction to this planning proposal, the *Local Government Act 1993* requires all public land to be classified as either community or operational. Community land is land council makes available for use by the public, for example as parks or sports grounds. Operational land is land which facilitates the functions of council and may not be open to the public, for example a works depot or a council pound. This classification also determines land management and dealings: community land requires a plan of management and must not be sold, exchanged or otherwise disposed of by a council. There are no such special restrictions on council powers to manage, dispose or change the nature of operational land.

Community consultation will be undertaken as outlined on page 18 to give the members of the public an opportunity to be involve in the process and provide feedback.

APPENDIX 1 – Information to be provided by Practice Note PN 16-001 – Classification and reclassification of public land through a local environmental plan

1. Current & proposed classification of the land.	Current classification – community Proposed classification – operational
2. Is the land a 'public reserve' as defined in the LG Act?	<p>Lot 3 DP 842350; No. 104 Rosewood Avenue, Bogangar, was dedicated as public reserve.</p> <p>Lot 1 DP 709231 No. 5 King Street, Murwillumbah, was dedicated as public reserve.</p> <p>Clarrie Hall Dam sites were all dedicated as public reserve: Lot 2 DP 1243701, 79 Lone Pine Road, Doon Doon; Lot 3 DP 1243701, 79 Lone Pine Road, Doon Doon; Lot 4 DP 1243701, 79 Lone Pine Road, Doon Doon; and Lot 2 DP1257191, 571 Doon Doon Road Doon Doon;</p>
3. The strategic and site specific merits of the reclassification.	<p>The Clarrie Hall Dam sites are active and functional land relating to the operation of the Clarrie Hall Dam. The proposed reclassification as operational is considered appropriate for the sites and consistent with the classification of council land relating the Clarrie Hall Dam.</p> <p>The reclassification of 5 King Street Murwillumbah and 104 Rosewood Avenue Bogangar to operational is appropriate to allow Council to manage these sites free of the constraints of a community land classification.</p>
4. Is the planning proposal the result of a strategic study or report?	No.
5. Is the planning proposal is consistent with council's community plan or other local strategic plan?	Yes, the Planning proposal is consistent with Council's Community Strategic Plan 2017-2027. This has been discussed previously within this report.
6. Summary of council's interests in the land.	Council's interests is as the landowner.
7. Are any interests in the land proposed to be discharged?	See Appendix 2 for a list of interests intended to be discharged through this planning proposal.
8. The effect of the reclassification.	There are no physical or operational changes or effects anticipated as a result of the reclassification.
9. Evidence of public reserve status or relevant interests, or lack thereof.	See Appendix 2
10. Current use(s) of the land, and whether uses are authorised or unauthorised.	<p>Lot 3 DP 842350; No. 104 Rosewood Avenue, Bogangar, was dedicated as public reserve.</p> <p>Lot 1 DP 709231 No. 5 King Street, Murwillumbah, was dedicated as public reserve and is used as a carpark.</p> <p>Clarrie Hall Dam sites were dedicated as public reserve: Lot 2 DP 1243701, 79 Lone Pine Road, Doon Doon; Lot 3 DP 1243701, 79 Lone Pine Road, Doon Doon; Lot 4 DP 1243701, 79 Lone Pine Road, Doon Doon; and Lot 2 DP1257191, 571 Doon Doon Road Doon Doon;</p>
11. Any agreement for the sale or lease of the land – inc. basic details, timing.	There are no agreements or proposed agreements for the sale of the lands.

12. Is rezoning of the land proposed in association with the reclassification?	Rezoning of the lands is not proposed.
13. How council may or will benefit financially, and how these funds will be used;	No financial benefit for Council is expected.
14. How council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal.	Not relevant to this proposal, the proposed reclassification process is correcting the error of the previous classification process.
15. Inclusion of a Land Reclassification (part lots) Map, if land to be reclassified does not apply to the whole lot.	The entire area of each lot is to be reclassified.
16. Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.	There are no relevant government agencies that require consultation in regards to this proposal.

APPENDIX 2 - Title searches

1. 2/1257191



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1257191

SEARCH DATE	TIME	EDITION NO	DATE
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18/11/2021	2:09 PM	2	8/10/2019

LAND

LOT 2 IN DEPOSITED PLAN 1257191
 AT DOON DOON
 LOCAL GOVERNMENT AREA TWEED
 PARISH OF GOONINBAR COUNTY OF ROUS
 PARISH OF TOOLOND COUNTY OF ROUS
 TITLE DIAGRAM DP1257191

FIRST SCHEDULE

TWEED SHIRE COUNCIL

(T AP588814)

SECOND SCHEDULE (2 NOTIFICATIONS)

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

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

2. 2/1243701



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1243701

SEARCH DATE	TIME	EDITION NO	DATE
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18/11/2021	2:13 PM	2	18/1/2019

LAND

LOT 2 IN DEPOSITED PLAN 1243701
AT DOON DOON
LOCAL GOVERNMENT AREA TWEED
PARISH OF NULLUM COUNTY OF ROUS
TITLE DIAGRAM DP1243701

FIRST SCHEDULE

TWEED SHIRE COUNCIL (T AN866232)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 DP577539 RESTRICTION(S) ON THE USE OF LAND
- 3 DP877100 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

3. 3/1243701



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 3/1243701

SEARCH DATE	TIME	EDITION NO	DATE
18/11/2021	2:15 PM	2	18/1/2019

LAND

LOT 3 IN DEPOSITED PLAN 1243701
 AT DOON DOON
 LOCAL GOVERNMENT AREA TWEED
 PARISH OF NULLUM COUNTY OF ROUS
 TITLE DIAGRAM DP1243701

FIRST SCHEDULE

TWEED SHIRE COUNCIL (T AN866232)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 DP577539 RESTRICTION(S) ON THE USE OF LAND
- 3 DP877100 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

4. 4/1243701



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 4/1243701

SEARCH DATE	TIME	EDITION NO	DATE
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18/11/2021	2:16 PM	2	18/1/2019

LAND

LOT 4 IN DEPOSITED PLAN 1243701
AT DOON DOON
LOCAL GOVERNMENT AREA TWEED
PARISH OF NULLUM COUNTY OF ROUS
PARISH OF TOOLOND COUNTY OF ROUS
TITLE DIAGRAM DP1243701

FIRST SCHEDULE

TWEED SHIRE COUNCIL (T AN866232)

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN WITHIN THE PART(S) SHOWN SO INDICATED IN THE TITLE DIAGRAM - SEE CROWN GRANT(S)
- 2 T447400 LAND EXCLUDES MINERALS AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 3 LAND EXCLUDES THE ROAD(S) SHOWN IN THE TITLE DIAGRAM
- 4 DP577539 RESTRICTION(S) ON THE USE OF LAND AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 5 DP877100 RESTRICTION(S) ON THE USE OF LAND
- 6 DP1139798 EASEMENT FOR ELECTRICITY SUPPLY 20 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

5. 3/842350



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 3/842350

SEARCH DATE	TIME	EDITION NO	DATE
18/11/2021	2:05 PM	1	20/9/1994

LAND

LOT 3 IN DEPOSITED PLAN 842350
 AT BOGANGAR
 LOCAL GOVERNMENT AREA TWEED
 PARISH OF CUDGEN COUNTY OF ROUS
 TITLE DIAGRAM DP842350

FIRST SCHEDULE

TWEED COUNCIL

SECOND SCHEDULE (5 NOTIFICATIONS)

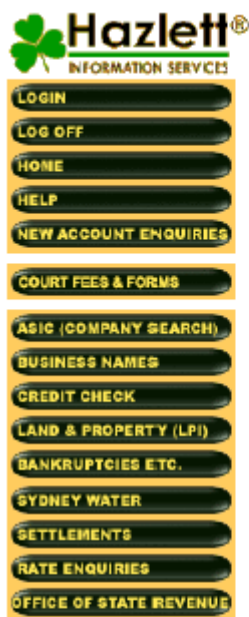
- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 THE LAND WITHIN DESCRIBED IS PUBLIC RESERVE
- 3 K847274 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
- 4 K847287 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
- 5 DP842350 RIGHT OF CARRIAGEWAY 6 & 4.5 WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

6. 1/709231



**LAND
REGISTRY
SERVICES**

NEW SOUTH WALES LAND REGISTRY SERVICE

FOLIO: 1/709231

SEARCH DATE	TIME
18/11/2021	1:56 PM

LAND

LOT 1 IN DEPOSITED PLAN 709231
AT MURWILLUMBAH
LOCAL GOVERNMENT AREA TWEED
PARISH OF MURWILLUMBAH COUNTY OF ROUS
TITLE DIAGRAM DP709231

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF TWEED

SECOND SCHEDULE (2 NOTIFICATIONS)

1 LAND EXCLUDES MINERALS AND IS SUBJECT TO :
CONDITIONS IN FAVOUR OF THE CROWN - SEE C



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