

**Planning Proposal –
Amend Greater Hume LEP 2012
for reclassification of certain public land**



**Pt Lot 5812 DP1181658
Commercial Street
WALLA WALLA**



This Report has been prepared for:

PJN Steel Fabrication

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CONTENTS

1. INTRODUCTION	1
1.1 Basis of Proposal	1
1.2 Subject Land	2
2. PLANNING PROPOSAL	4
2.1 Part 1 – Objectives or Intended Outcomes	4
2.2 Part 2 – Explanation of Provisions	4
2.3 Part 3 – Justification of Strategic and Site-Specific Merit	5
SECTION A – NEED FOR THE PLANNING PROPOSAL	5
1. Is the planning proposal a result of any strategic study or report?	5
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	5
SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK	8
3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?	8
4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?	8
5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?	9
6. Is the planning proposal consistent with applicable SEPP's ?	9
7. Is the planning proposal consistent with applicable Ministerial 9.1 Directions?	11
SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT	14
8. 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?	14
9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	14
10. Has the planning proposal adequately addressed any social and economic effects?	15
SECTION D – INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)	15
11. Is there adequate public infrastructure for the planning proposal?	15
SECTION E – STATE AND COMMONWEALTH INTERESTS	15
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	15
2.4 Part 4 – Maps	16
2.5 Part 5 – Community Consultation	19
2.6 Part 6 – Project Timeline	20
3. CONCLUDING COMMENTS	21

APPENDIX 1: Title Particulars

APPENDIX 2: Photos

APPENDIX 3: Property Report



1. INTRODUCTION

This planning proposal has been prepared on behalf of PJN Steel Fabrication in support of an amendment to the Greater Hume Local Environmental Plan 2012 (GHLEP) so as to facilitate the reclassification of part of Lot 5812 DP1181658, Commercial Street, Walla Walla from Community Land to Operational Land.

Consistent with the provisions of Section 3.33 (2) of the Environmental Planning and Assessment Act 1979 (the “EP&A Act”) this planning proposal includes the following components:

- Part 1 – A statement of the objectives and intended outcomes of the proposed instrument;
- Part 2 – An explanation of the provisions that are to be included in the proposed instrument;
- Part 3 – The justification for those objectives, outcomes and the process for their implementation;
- Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies;
- Part 5 – Details of the community consultation that is to be undertaken on the planning proposal; and
- Part 6 – Project timeline

In addition to the Act, this report has also had due regard to relevant matters as provided for within

- NSW Department of Planning, Infrastructure & Environment Local Environmental Plan Making Guideline (December 2021) (the “Guide”) &
- LEP Practice note (PN 16-001) relating to the *Classification and reclassification of public land through a local environmental plan*

1.1 Basis of Proposal

The proposal seeks to reclassify Council owned land from Community Land to Operational Land to allow for the sale of land to an adjoining landowner. The purpose of the sale of the land in question is so as to consolidate this parcel with adjoining land to accommodate proposed future development of industrial land within the Walla Walla township.

Under the provisions of the Local Government Act 1993 all public land must be classified by Council as either “community” or “operational” land (s.25 – 26). The main effect of classification is to restrict the alienation and use of the land.

Community land is land that is generally intended for public access and use, or where other restrictions applying to the land create some obligation to maintain public access (such as a trust deed, or dedication under section 7.11 of the EP&A Act). This gives rise to the restrictions in the Act, intended to preserve the qualities of the land. For instance, Community land:



- cannot be sold, exchanged or otherwise disposed of;
- cannot be leased, licenced or any other estate granted over the land for more than 21 years;
- must have a plan of management prepared for it.

Operational land on the other hand has no special restrictions on council powers to manage, develop, dispose, or change the nature and use of such land.

1.2 Subject Land

The subject land (Figure 1) comprises a 5m wide x 91.24 m long strip of land situated along the eastern side of Commercial Street, Walla Walla and is identified as being a part of Lot 5812 DP1181658 (Appendix 1). The land in question is a rectangular shaped parcel with an area of approximately 456.2m² (subject to final survey). Adjoining the strip of land to the north is land identified as No.104 Commercial Street (Lot 5811 DP1181658). The subject land is fenced along both northern and southern boundaries (Appendix 2) and separates No.104 Commercial Street from land further to the south, identified as Lot 2 DP1287711.



Figure 1. Locality Plan (Subject land highted red)

Although access is somewhat constrained from Commercial Street (see photos at Appendix 2) the strip of land is occasionally used as an informal thoroughfare for people accessing the sportsground area to the east. This land is currently zoned RU5 – Village under the provisions of the GHLEP (Appendix 3).

Situated across Commercial Street to the west are two residential lots with one containing a commercial shed and the other an older style detached dwelling. Both properties are also affected by the RU5 – Village zone. To the east beyond the 91.2m long strip, the land opens out is occupied in part by netball courts which form a part of the overall Walla Walla Sportsground complex (Figure 2).



The parent lot being Lot 5812 is an irregular shaped parcel that is 1.062ha in area and has legal frontage along the western boundary to Commercial Street (Maps 1 & 2). Practical access is available from off William Street to the north. This lot was created in 2013 following a previous reclassification of land (ie former Lot 581 DP606508), agreed to by Council at its meeting of 10 October 2010. That decision eventually led to Amendment 3 of the former Culcairn LEP 1998 (11 November 2011). The subsequent subdivision of former Lot 581 led to the creation of Lots 5811 and 5812 DP1181658 in 2013.

The adjoining property to the north is currently occupied by PJN Steel Fabrication the proponent of this Planning Proposal. To the south is vacant land that is currently being considered by Council for a proposed 5 Stage – 44 lot subdivision (DA10.2023.53.1) ¹ Proposed Lot 1 situated within Stage 1 of the proposed subdivision is intended to be acquired by PJN Steel Fabrication to facilitate the expansion of the manufacturing business at No.104 Commercial Street. The subject land would be consolidated with this proposed southern lot as a part of any future development.



Figure 2. Site context

¹ Planning Portal - Department of Planning and Environment (Online) URL: <https://www.planningportal.nsw.gov.au/daex/under-consideration/da102023531-5-stage-44-lot-subdivision> (accessed 07 June 2023)



2. PLANNING PROPOSAL

2.1 Part 1 – Objectives or Intended Outcomes

The intended outcome of this planning proposal is to reclassify Council owned land located in Commercial Street, Walla Walla. The reclassification of the land to Operational will enable the transfer of the land ownership to an adjoining landowner as part of a proposed expansion of the manufacturing business situated at No.104 Commercial Street.

2.2 Part 2 – Explanation of Provisions

The planning proposal involves the reclassification of Council owned land from Community to Operational. Table 1 below provides a summary of the proposed amendment.

Location	Title Particulars	Proposed land use	Zone	Permissible land use – Yes/No	Proposed change	Origin
Commercial Street, Walla Walla	Part of Lot 5812 DP 1181658	Manufacturing	RU5 Village (Appendix 3)	Yes	Community to Operational	Council resolution 19/04/2023

Table 1: Planning Proposal summary

The planning proposal does not involve any changes to the Land Zoning Map. The proposed amendment is limited to the written instrument, in particular Schedule 4 of the GHLEP. The proposed amendment to Schedule 4 is as follows:

Schedule 4 Classification and reclassification of public land

Insert the following entry into Part 1:

Part 1 Land classified, or reclassified, as operational land – no interests changed

Column 1

Locality

Walla Walla

Column 2

Description

Part Lot 5 DP1181685 as shown edged heavy black on the map marked "Greater Hume Local Environmental Plan 2012 (Amendment No XX)" deposited in the office of Greater Hume Shire Council.

Once the process is completed it is also intended to map the site (Part Lot 5 DP1181685) to show the part lot reclassification.



2.3 Part 3 – Justification of Strategic and Site-Specific Merit

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are as outlined within Table 3 of the Guide.

SECTION A – NEED FOR THE PLANNING PROPOSAL

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

The planning proposal is an outcome of request of Council to consider the sale of land adjoining an existing manufacturing business to facilitate a future business expansion. To allow for a possible sale of the land, it will be necessary for a reclassification of the subject land.

At the meeting of 19 April 2023 it was subsequently resolved that Council:

- 1. Indicates that it is in agreement that a planning proposal be undertaken to reclassify the portion of land highlighted in the report from community land to operational land*
- 2. Will be informed by community consultation through this process*
- 3. Agrees that PJN Steel Fabrication will meet all associated costs to undertake the planning proposal*
- 4. Will receive further reports in relation to the outcome of the planning proposal and future sale of the land.*

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

Reclassification of the site to Operational with the amendment of Greater Hume LEP 2012 Schedule 4 is the only way to achieve the objectives / intended outcome of the planning proposal.

Table 2 below provides the required information to reclassify land through an LEP in accordance with the Department of Planning and Environment's LEP Practice Note PN 16-001.

ISSUE	RESPONSE
1. The current and proposed classification of the land.	Proposed reclassification from Community to Operational – (no interests changed).
2. Whether the land is a 'public reserve' (defined in the LG Act).	No – Freehold title on deposited plan (Appendix 1).
3. The strategic and site specific merits of the reclassification and evidence to support this;	The subject land comprises a 5m wide x 91.2m long vacant strip of Council owned land that separates two privately owned freehold parcels of land. The subject land has been identified by the owner of adjoining No.104 as being integral to future business expansion which will also include the proposed purchase of part of Lot 2 DP1287711 further to the south.



ISSUE	RESPONSE
4. Whether the planning proposal is the result of a strategic study or report.	Council resolved on 19 April 2023 to support the preparation of a Planning Proposal to reclassify the land from Community to Operational. The Planning Proposal will allow Council to be further informed by the consultation process prior to subsequently determining whether or not to support a transfer in ownership of the subject strip of land.
5. Whether the planning proposal is consistent with council's community plan or other local strategic plan.	See the response to Question 4 in the Planning Proposal.
6. A summary of council's interests in the land, including: <ul style="list-style-type: none">- how and when the land was first acquired (e.g. was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution)- if council does not own the land, the land owner's consent;- the nature of any trusts, dedications etc.	<p>The subject land Lot 5812 was created in 2013 following the subdivision process that created adjoining No.104 Commercial Street (ie Lot 5811 DP1181658). The land had previously formed a part of Lot 581 DP 606508 that was owned by Council. The part of Lot 581 that was excised and subsequently consolidated to form Lot 5811 had been previously reclassified from Community Land to Operational Land via Amendment 3 to Culcairn LEP 1998 (Gazetted 11 November 2011)</p> <p>Council owns the land.</p> <p>There are no trusts, dedications etc.</p>
7. Whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why.	There are no interests in the land that require discharge.
8. The effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged);	<p>The subject land serves no practical public purpose other than providing occasional informal pedestrian access from Commercial Street through to the sportsground area to the east. The parent lot will retain pedestrian and vehicular access from the laneway off William Street to the north.</p> <p>While there would be little material effect on the general public in terms of the disposal of this land, the proponent is nonetheless committed to providing a better, more suitable entry point in its place by way of road construction as provided for in the proposed subdivision layout (Map 4). To this end the Walla Sportsground Committee has been consulted on this matter and to date have indicated in principal support.</p>
9. Evidence of public reserve status or relevant interests, or lack thereof applying to the land	Title particulars are attached at Appendix 1.
10. Current use(s) of the land, and whether uses are authorised or unauthorised.	The subject land is vacant and fenced off from adjoining land to the north and south (Photo 3 - Appendix 2). Apart from a number of trees the land is otherwise undeveloped as is only utilised on an occasional and informal basis by pedestrians.



ISSUE	RESPONSE
11. Current or proposed lease or agreements applying to the land, together with their duration, terms and controls	None applicable.
12. Current or proposed business dealings (e.g. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time).	<p>At this stage there are no formal business dealings as such between Council and the adjoining landowner concerned.</p> <p>Council has however resolved to consider a Planning Proposal for the reclassification of the land which may possibly lead to the sale of the land to facilitate possible business expansion.</p>
13. Any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy).	No associated rezoning
14. How council may or will benefit financially, and how these funds will be used.	Council has yet to determine whether the transfer of the land will proceed, and/or how any funds might possibly be used.
15. 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.	Yet to be determined.
16. A Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot.	See Map 3
17. Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.	Not applicable

Table 2 - Reclassification Information – DPE LEP Practice Note PN 16-001



SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Riverina Murray Regional Plan 2036 (RMRP) provides a 20-year blueprint for the Riverina Murray. Among other things the RMRP provides a framework and context to guide the preparation of new LEP's.

Relevant to this planning proposal it is noted that the RMRP promotes an outcome of whereby strong regional cities are supported by a network of interdependent centres, including local centres, towns and villages. This is evidence by the stated goals, directions and nominated actions of the RMRP which include:

GOAL 4 – Strong, connected and healthy communities

Under this Goal the following directions are of some relevance namely:

DIRECTION 22: Promote the growth of regional cities and local centres.

DIRECTION 23: Build resilience in towns and villages.

While the strategic focus of the RMRP is clearly aimed at the three largest cities within the region, namely Albury, Wagga Wagga and Griffith the plan also includes discussion relevant to smaller settlements including the following commentary:

“Population growth across the region will not be evenly distributed, with Albury, Wagga Wagga and Griffith projected to experience the highest rates of growth, followed by the Murray River Local Government Area. Investment in major services, facilities and industrial activity will drive growth in these places, distributing benefits across the region.

The population across other smaller towns and villages is likely to remain relatively stable or, in some cases, decline. However, these numbers don't reflect the dynamic nature of some communities, with high levels of transient workers and populations that fluctuate at different times of the year.”

In summary it is concluded that in having regard to the above, the Planning Proposal does not contradict the overall purpose of the RMRP or any Direction relating to the management of land by councils under the LG Act. That is, the Planning Proposal can be regarded as representing an orderly planning outcome that will contribute to further business expansion within the Walla Walla township.

4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Relevant to the Planning Proposal it is noted that the endorsed Greater Hume Local Strategic Planning Statement 2020 (LSPS) discusses the future prospects for the southern towns and villages, such as Walla Walla to be able to take advantage of the fast-growing Albury and Wodonga cities. The LSPS states that:



“...they are expected to experience pressure for growth over the next 20 years. It is anticipated that with the population growth, there will be opportunities to grow and diversify the local business economy and upgrade existing community facilities to improve services to residents.”

Further the LSPS notes that opportunities also exist in Walla Walla which contains:

“.. tracts of land surrounding existing industrial processes that leverage its location alongside the national freight network. Council will investigate future industrial land opportunities to provide a diverse economy in these areas.”

In addition, it is also relevant to note that Greater Hume Community Strategic Plan 2022-32 (CSP) is Council's local community strategic planning document. The CSP is based on four Strategic Directions and Themes, including Theme 2 - Growth and Prosperity.

Among other things the CSP notes under this Theme that:

“G1 | Our towns and villages are championed to stimulate economic growth, investment and employment opportunities.”

Theme 4 of the CSP relates to Leadership & Communication. In this respect the preparation and subsequent exhibition of the Planning Proposal can be regarded as being consistent with the relevant strategy to:

“Support local decision making through transparent communication and inclusive community engagement.”

In summary the Planning Proposal is considered to be consistent with the above, in this instance seeking to follow through on an opportunity to support appropriate business growth in in the Walla Walla township.

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The planning proposal is not inconsistent with any other State or regional study or strategy, including but not necessarily limited to:

- Future Transport Strategy 2056,
- NSW Net Zero Plan - Stage 1: 2020-2030,
- State Infrastructure Strategy 2022-2042,
- A 20 Year Economic Vision for Regional NSW (2021). The subject land is located within the Functional Economic Region of Albury Wodonga. In particular it is noted that relevant to anticipated growth around Jindera, that:

“For regional NSW, the choice of residential location is expanded if people are able to work, study or shop online.”

6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The following Table 3 provides an assessment of the Planning Proposal against all State Environmental Planning Policies (SEPP's). In summary, the majority of SEPP's are not applicable to the subject land and those that are, are generally not applicable to the circumstances of the Planning Proposal.



STATE ENVIRONMENTAL PLANNING POLICY	COMMENT
SEPP (Biodiversity and Conservation) 2021	Noted. The planning proposal does not seek to deviate from any relevant SEPP aims, development consent requirements and assessment criteria.
SEPP (Building Sustainability Index: BASIX) 2004	Noted. The planning proposal does not conflict with the aims and development consent requirements relating to BASIX affected building(s).
SEPP (Exempt and Complying Development Codes) 2008	Noted. The planning proposal does not seek to deviate from any relevant SEPP aims and functions with respect to exempt and complying development provisions.
SEPP (Housing) 2021	Noted. The planning proposal does not seek to deviate from any relevant SEPP principles or development standards.
SEPP (Industry and Employment) 2021	Noted. The subject land is not located within the Western Sydney employment area. The Planning Proposal does not seek to deviate from any relevant SEPP aims, development consent requirements and assessment criteria for advertising and signage.
SEPP No 65—Design Quality of Residential Apartment Development	Not applicable.
SEPP (Planning Systems) 2021	Noted. The subject land is however not related to an identified State or Regional development and/or mapped Aboriginal Land. Further the subject land is not situated within Kosciuszko National Park and alpine resorts or the Gosford City Centre.
SEPP (Precincts—Central River City) 2021	Not applicable.
SEPP (Precincts—Eastern Harbour City) 2021	Not applicable.
SEPP (Precincts—Regional) 2021	Noted. The subject land is however not located within a State Significant and/or Activation precinct.
SEPP (Precincts—Western Parkland City) 2021	Not applicable.
SEPP (Primary Production) 2021	Noted. The planning proposal does not seek to deviate from any relevant SEPP aims, development consent requirements and assessment criteria.
SEPP (Resilience and Hazards) 2021	Noted. Chapter 2. The subject land is not located with a Coastal management area. Chapters 3 & 4. In respect of hazardous or offensive development and/or contaminated land the planning proposal does not seek to deviate from any relevant SEPP aims, strategies, development consent, assessment and location provisions.
SEPP (Resources and Energy) 2021	Noted. The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements



STATE ENVIRONMENTAL PLANNING POLICY	COMMENT
	relating to mining, petroleum production and extractive industries as provided for in the SEPP.
SEPP (Transport and Infrastructure) 2021	Noted. The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.

Table 3: State Environmental Planning Policy Assessment

7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 Directions)?

The Minister for Planning, under section 9.1(2) of the EP&A Act may issue directions that a Council must follow when preparing planning proposals for new LEPs. The directions as of March 2022 cover a range of Focus Areas across the following broad categories:

- Planning systems;
- Design & place;
- Biodiversity & conservation;
- Resilience & hazards;
- Transport & infrastructure
- Housing
- Industry & employment
- Resource & energy
- Primary production.

The following Table 4 provides commentary against relevant s.9.1 Directions as follows:

DIRECTION	REQUIREMENTS	COMPLIANCE
1. Planning Systems		
1.1 Implementation of Regional Plans	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	Consistent (refer above Sec B – Question 3)
1.2 Development of Aboriginal Land Council land	Not applicable.	Not applicable
1.3 Approval and Referral Requirements	A planning proposal must: <ul style="list-style-type: none"> • not contain provisions requiring concurrence, consultation or referral of a Minister or public authority. • identify development as designated development unless 	Consistent. The planning proposal does not introduce concurrence, consultation or referral requirements. The planning proposal does not relate to designated development.



DIRECTION	REQUIREMENTS	COMPLIANCE
	justified.	
1.4 Site Specific Provisions	Not applicable	Not applicable
1.5 – 1.17 Planning Systems – Place-based	Not applicable	Not applicable
2. Design and Place (N/A)		
3. Biodiversity and Conservation		
3.1 Conservation Zones	<p>(1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land.</p>	Consistent. The Planning Proposal does not apply to land within a conservation zone.
3.2 Heritage Conservation	Planning proposal must incorporate provisions that facilitate the conservation of European and Aboriginal heritage items or places.	<p>Consistent. The Planning Proposal does not seek to vary the existing provisions in the GHLEP at clause 5.10 that already facilitate the conservation of</p> <ul style="list-style-type: none"> <i>heritage items and heritage conservation areas, including associated fabric, settings and views,</i> <i>archaeological sites</i> <i>Aboriginal objects and Aboriginal places of heritage significance.</i>
3.3 Sydney Drinking Water Catchments	Not applicable	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable	Not applicable
3.5 Recreation Vehicle Areas	Not applicable	Not applicable
4. Resilience and Hazards		
4.1 Flooding	Note applicable.	Not applicable as the land is not mapped as flood prone.



DIRECTION	REQUIREMENTS	COMPLIANCE
4.2 Coastal Management	Not applicable	Not applicable
4.3 Planning for Bushfire Protection	Note applicable.	Not applicable as the land is not mapped as bushfire prone.
4.4 Remediation of Contaminated Land	A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land.	Consistent. The planning proposal does not apply to land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997.
4.5 Acid Sulfate Soils	Not applicable	Not applicable
4.6 Mine Subsidence and Unstable Land	Not applicable	Not applicable
5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Not applicable	Not applicable
5.2 Reserving Land for Public Purposes	A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or a nominated officer).	Consistent. The planning proposal will not create, alter or reduce existing zonings or reservations of land for public purposes.
5.3 Development Near Regulated Airports and Defence Airfields	Not applicable	Not applicable. No aerodromes are located within proximity of the subject land.
5.4 Shooting Ranges	Not applicable	Not applicable. No shooting ranges are located adjacent or adjoining the subject land.
6: Housing		
6.1 Residential Zones	This direction requires consideration because the Planning Proposal affects land in an existing residential zone.	Consistent. The Planning Proposal does not reduce the opportunities for residential development within the RU5 - Village zone.
6.2 Caravan Parks and Manufactured Home Estates	The planning proposal must retain provisions that permit development of caravan parks.	Consistent. The Planning Proposal does not reduce the opportunities for caravan parks and manufactured homes estates.



DIRECTION	REQUIREMENTS	COMPLIANCE
7: Industry and Employment		
7.1 Business and Industrial Zones	Not applicable	Not applicable
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable	Not applicable
8. Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable	Not applicable as the Planning Proposal does not impact on mining.
9: Primary Production		
9.1 Rural Zones	Not applicable	Not applicable
9.2 Rural Lands	Not applicable	Not applicable
9.3 Oyster Aquaculture	Not applicable	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	Not applicable

Table 4: Section 9.1 Directions Assessment

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8. 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 subject land comprises a strip of land 5m wide and 91.24m long within the urban boundaries of the Walla Walla township. It is evident that there are no elements of critical habitat that will be impacted upon nor will the Planning Proposal impact upon any threatened species, populations or ecological communities, or their habitats.

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

There are no particular identified environmental effects that are relevant to the planning proposal. Should the land be sold by Council to the adjoining landowner, the retention of any of the trees along the current property boundary would be a matter for consideration at and possible future DA stage.



10. Has the planning proposal adequately addressed any social and economic effects?

If the land was reclassified as operational and subsequently sold to an adjoining landowner there will likely be a positive social and economic effect for the Walla Walla community stemming from the expansion of an established business. The loss of the land as potential public open space and drainage is not considered to have a detrimental social impact as the Walla Walla Sportsground and Showground is adjacent and readily accessible. There will also be a positive social impact through the reinvestment of funds realised from the sale of the land.

SECTION D – INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

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

This planning proposal does not give rise to a direct demand for public infrastructure. If sold off, the subject land would be consolidated with adjoining private land that is already connected to all required services of adequate capacity to accommodate any possible development of the subject land.

Other essential services such as health, education and emergency services are also available within the Walla Walla township area.

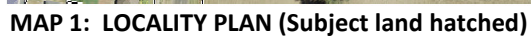
SECTION E – STATE AND COMMONWEALTH INTERESTS

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

No public authorities have been consulted prior to submitting the Planning Proposal to Council for support and subsequent request for a Gateway Determination.

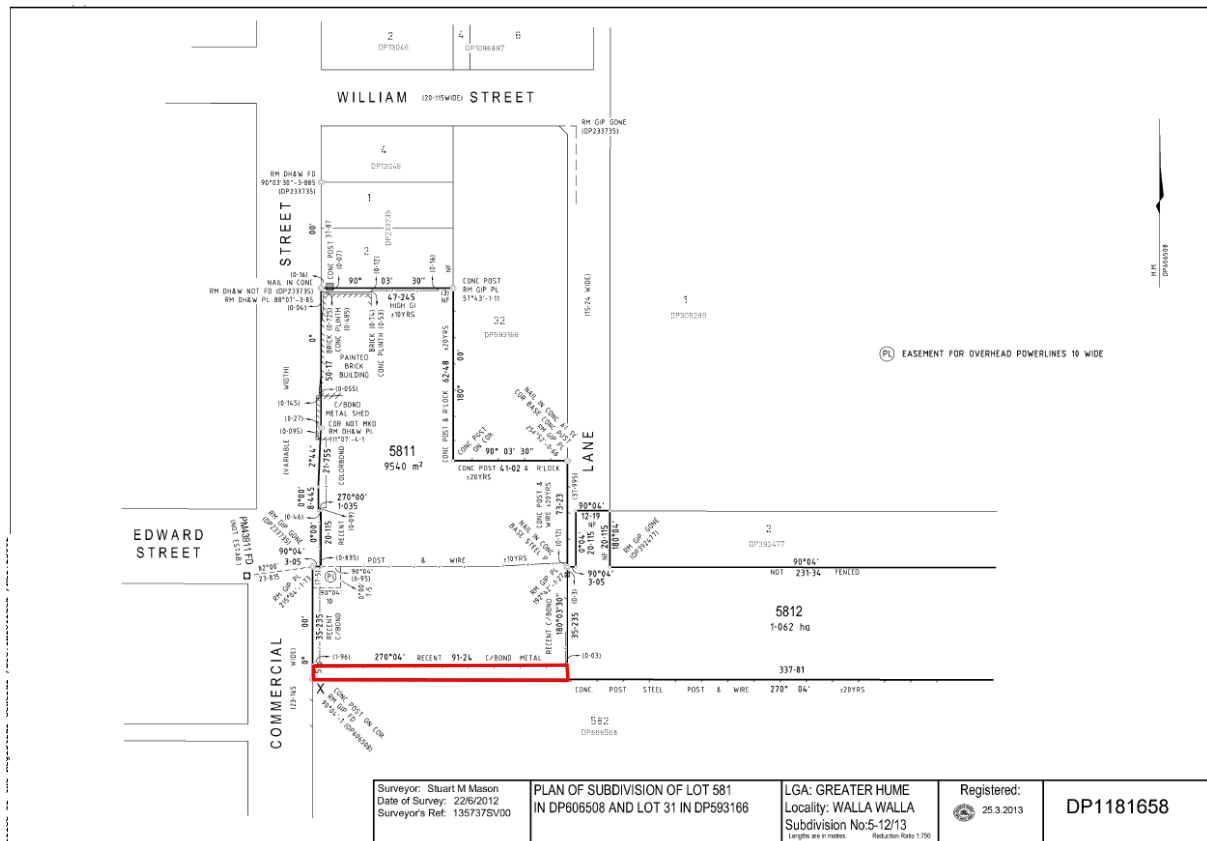
The proposal is otherwise considered to be of a relatively minor nature and any further referrals will likely be at the discretion of Council.

Lot 5812 DP1181658



Part of Lot 5812 DP1181658





MAP 3: DRAFT LAND RECLASSIFICATION (PART LOTS) MAP

(Part of Lot 5812 DP1181658 proposed to be reclassified Operational highlighted red.)



2.5 Part 5 – Community Consultation

The planning proposal is considered to be “Standard” as described at Section 1 of the Guide and as a consequence an exhibition period of 28 days is considered appropriate (EP&A Act Schedule 1 Cl.4)

Consultation will be carried out in accordance with the statutory requirements set by the EP&A Act and its regulation.

The proposed consultation strategy for this proposal will include:

- written notification to affected and adjoining landowners;
- notification of the proposal on Council’s website
- notification of the proposal on the Planning Portal
- consultation with relevant Government Departments and agencies, service providers and other key stakeholders, as determined in the Gateway determination;

The LG Act (s.29) also provides that a council must arrange a public hearing in respect of a planning proposal under Part 3 of that EP&A Act to reclassify community land as operational land, unless a public hearing has already been held in respect of the same matter.

At the conclusion of the community consultation phase Council staff will consider submissions made with respect to the Planning Proposal and prepare a report to Council.



2.6 Part 6 – Project Timeline

The project timeline for the planning proposal is outlined below in Table 5.

Typical of the strategic planning process however it needs to be noted that there are indeed many factors that can influence compliance with the timeframe including the cycle of Council meetings, consequences of agency consultation and consequences of public exhibition.

As a consequence, the following project timeline in respect of this planning proposal should be regarded as providing an indicative outline only as a mechanism to monitor the progress of the planning proposal through the plan making process.

MILESTONE	DATE/TIMEFRAME
Date of Gateway determination	18 September 2023
Anticipated timeframe for the completion of required studies (if required)	No studies required
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	2 months from Gateway determination
Commencement and completion dates for Commence public exhibition period	3 months from Gateway determination
Dates for public hearing (if required)	At some point within the public exhibition period.
Timeframe for consideration of submissions	2 weeks following completion of exhibition
Timeframe for the consideration of a proposal post exhibition	1 month following completion of exhibition
Anticipated date RPA will make the plan (if delegated)	2 weeks following consideration of proposal
Anticipated date RPA will forward to the department for notification (if delegated).	1 month following consideration of proposal

Table 5: Suggested Project Timeline



3. CONCLUDING COMMENTS

The Planning Proposal has been prepared to allow for further consideration by Council in respect of the possible sale of a strip of land identified as part of Lot 5812 DP1181658, Commercial Street, Walla Walla.

An amendment to the GHLEP is necessary to achieve this outcome as the subject land is currently classified as 'Community' under the LG Act.

In summary opportunities that may derive from a reclassification of the land can be outlined as follows:

- the subject land has no formal use or established function from a public perspective;
- the strip of land in question serves no practical purpose other than occasional informal access between Commercial Street and the Sportsground area. This function can be maintained elsewhere as a consequence of proposed subdivision of land to the south (DA DA10.2023.53.1) and the construction of road from off Commercial Street to the southern boundary of the Walla Sportsground (refer also Map 4).
- the proposed new road will afford much better access to the sportsground not only from Commercial Street but also from the proposed new housing estate. This road will be another vehicular access point to the Sportsground including emergency vehicle access including fire & ambulance.
- in principle support for the above has been obtained from the Walla Sportsground Committee;
- the open space needs of residents in the Walla Walla township will not be compromised by the reclassification of the land.
- having regard for the 'highest and best' use of the circumstances of the subject land the benefits of consolidating land either side to facilitate possible future business expansion is considered preferential.
- the informal function of the land for access purposes can be appropriately met elsewhere
- acquisition of the subject land by an adjoining landowner the subject land will have a positive impact upon possible future expansion of an established business within the Walla Walla Township.
- there will be a net benefit for the Walla Walla community.

Having regard to the above it is concluded that the planning proposal is appropriate and well-considered and warrants the support of Council before proceeding to a Gateway Determination.



APPENDIX 1

TITLE PARTICULARS



FOLIO: 5812/1181658

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
5/6/2023	11:05 AM	1	26/3/2013

LAND

LOT 5812 IN DEPOSITED PLAN 1181658
AT WALLA WALLA
LOCAL GOVERNMENT AREA GREATER HUME SHIRE
PARISH OF CASTLESTEAD COUNTY OF HUME
TITLE DIAGRAM DP1181658

FIRST SCHEDULE

GREATER HUME SHIRE COUNCIL

SECOND SCHEDULE (1 NOTIFICATION)

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

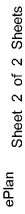
NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

23002

PRINTED ON 5/6/2023



PLAN FORM 6

WARNING: Creasing of folding will lead to rejection


DEPOSITED PLAN ADMINISTRATION SHEET


Sheet 1 of 2 sheet(s)

SIGNATURES, SEALS and STATEMENTS of intention to dedicate public roads, public reserves, and drainage reserves, or create easements, restrictions on the use of land or positive covenants.

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919 IT IS INTENDED TO CREATE :

1. EASEMENT FOR OVERHEAD POWERLINES 10 WIDE.


CA HEATHER WILTON
MAYOR


STEVEN PINNUCK
GENERAL MANAGER



Use PLAN FORM 6A
for additional certificates, signatures, seals and statements

Crown Lands NSW/Western Lands Office Approval

I, in approving this plan certify

(Authorised Officer)

that all necessary approvals in regard to the allocation of the land shown herein have been given

Signature:

Date:

File Number:

Office:

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

the proposed Subdivision set out herein
(insert 'subdivision' or 'new road')


* Authorised Person/General Manager/Accredited Certifier

Consent Authority: GREATER HUME SHIRE COUNCIL

Date of Endorsement: 11/10/2012

Accreditation no:

Subdivision Certificate no: 5-12/13

File no: DA 6-12/13

* Strike through inapplicable parts

Office Use Only

DP1181658

Office Use Only

Registered:  25.3.2013

Title System: TORRENS

Purpose: SUBDIVISION

PLAN OF SUBDIVISION OF LOT 581
IN DP606508 AND LOT 31 IN DP593166

LGA: GREATER HUME

Locality: WALLA WALLA

Parish: CASTLESTEAD

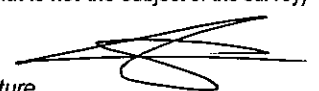
County: HUME

Survey Certificate

I, Stuart M Mason
of CPG Australia Pty Ltd, 445 Townsend Street, Albury, NSW 2640
a surveyor registered under the Surveying and Spatial Information Act 2002, certify that the survey represented in this plan is accurate, has been made in accordance with the Surveying and Spatial Information Regulation 2006 and was completed on: 22nd June 2012

The survey relates to Lots 5811 & 5812

(specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature:  Dated: 4/12/12
Surveyor registered under the Spatial Information Act, 2002

Datum Line: X - Y

Type: Urban/~~Rural~~

Plans used in the preparation of survey/compilation-

DP233735 DP606508
DP247656 DP1089793
DP305280
DP392477
DP393092
DP393166

If insufficient space use Plan Form 6A annexure sheet

Surveyor's Reference: 135737SV00

PLAN FORM 6A (Annexure Sheet)

WARNING: Creasing of folding will lead to rejection

DEPOSITED PLAN ADMINISTRATION SHEET Sheet 2 of 2 sheet(s)

PLAN OF SUBDIVISION OF LOT 581
IN DP606508 AND LOT 31 IN DP593166

Office Use Only

DP1181658

Registered:



25.3.2013

Office Use Only

Subdivision Certificate No: 5-12/13

Date of Endorsement: 11/10/2012

Executed by Jazzwell Pty Limited (ACN 096 278 590)
in accordance with the Corporations Act 2001:

Director - Phillip John Nadebaum

Director - Katrina Nadebaum

THE SEAL of GREATER HUME SHIRE COUNCIL
(ABN 44 970 341 154) was affixed in accordance with Reg 400
Local Government (General) Regulation 2005 and witnessed
by the following persons:

Heather Wilton
Mayor

Steven John Pinnuck
General Manager





APPENDIX 2

PHOTOS



Photo 1: Looking easterly towards subject land from Commercial Street frontage



Photo 2. Aerial view looking south easterly at entrance of subject land from Commercial Street



Photo 3. Looking westerly along subject land. .



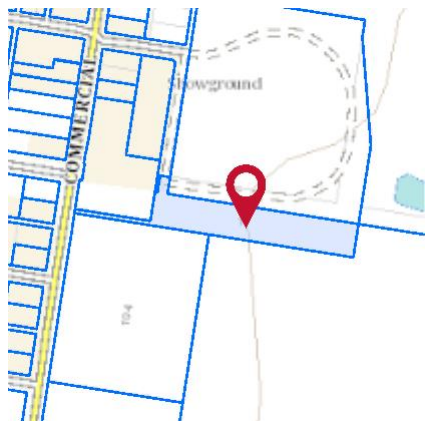
APPENDIX 3

PROPERTY REPORT



Property Report

1 COMMERCIAL STREET WALLA WALLA 2659



Property Details

Address: 1 COMMERCIAL STREET WALLA WALLA 2659
 Lot/Section /Plan No: 5812/-/DP118165 8
 Council: GREATER HUME SHIRE COUNCIL

Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Greater Hume Local Environmental Plan 2012 (pub. 12-10-2012)
Land Zoning	RU5 - Village: (pub. 24-2-2023)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	2 ha 600 m ²
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Terrestrial Biodiversity	Biodiversity

Detailed planning information

State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)



Property Report

1 COMMERCIAL STREET WALLA WALLA 2659

- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Allowable Clearing Area (pub. 21-10-2022)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Subject Land (pub. 2-12-2021)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: Land Application (pub. 25-6-2004)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)
- State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development: Land Application (pub. 26-7-2002)

Other matters affecting the property

Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

1.5 m Buffer around Classified Roads	Classified Road Adjacent
Bushfire Prone Land	Vegetation Buffer
	Vegetation Category
Land near Electrical Infrastructure	This property may be located near electrical infrastructure and could be subject to requirements listed under ISEPP Clause 45. Please contact Essential Energy for more information.
Local Aboriginal Land Council	ALBURY AND DISTRICT
Regional Plan Boundary	Riverina Murray

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)