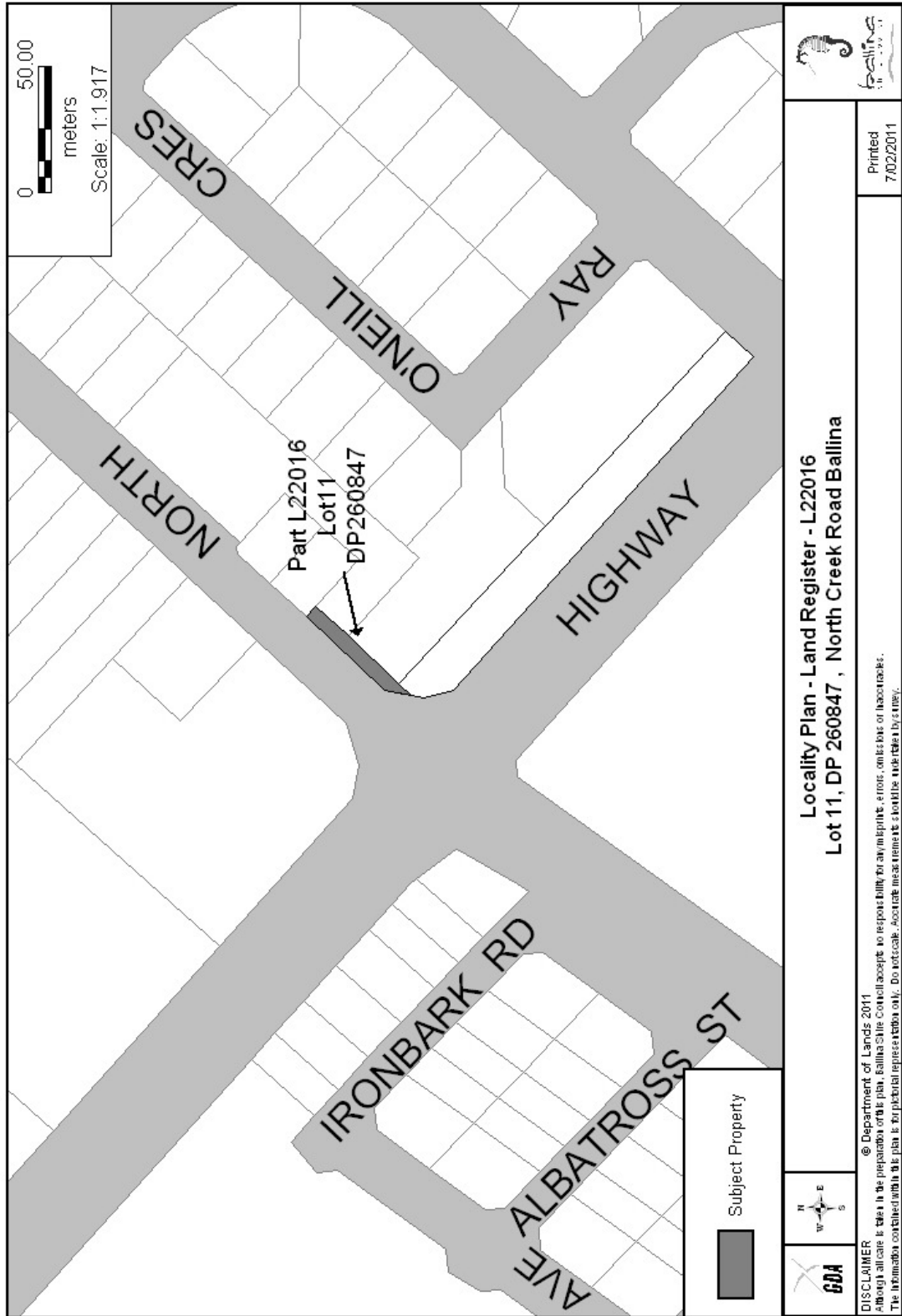


9.4 Community Land - Reclassification to Operational



**Proposed  
Classification or Reclassification of Land - Site Assessment February 2011**

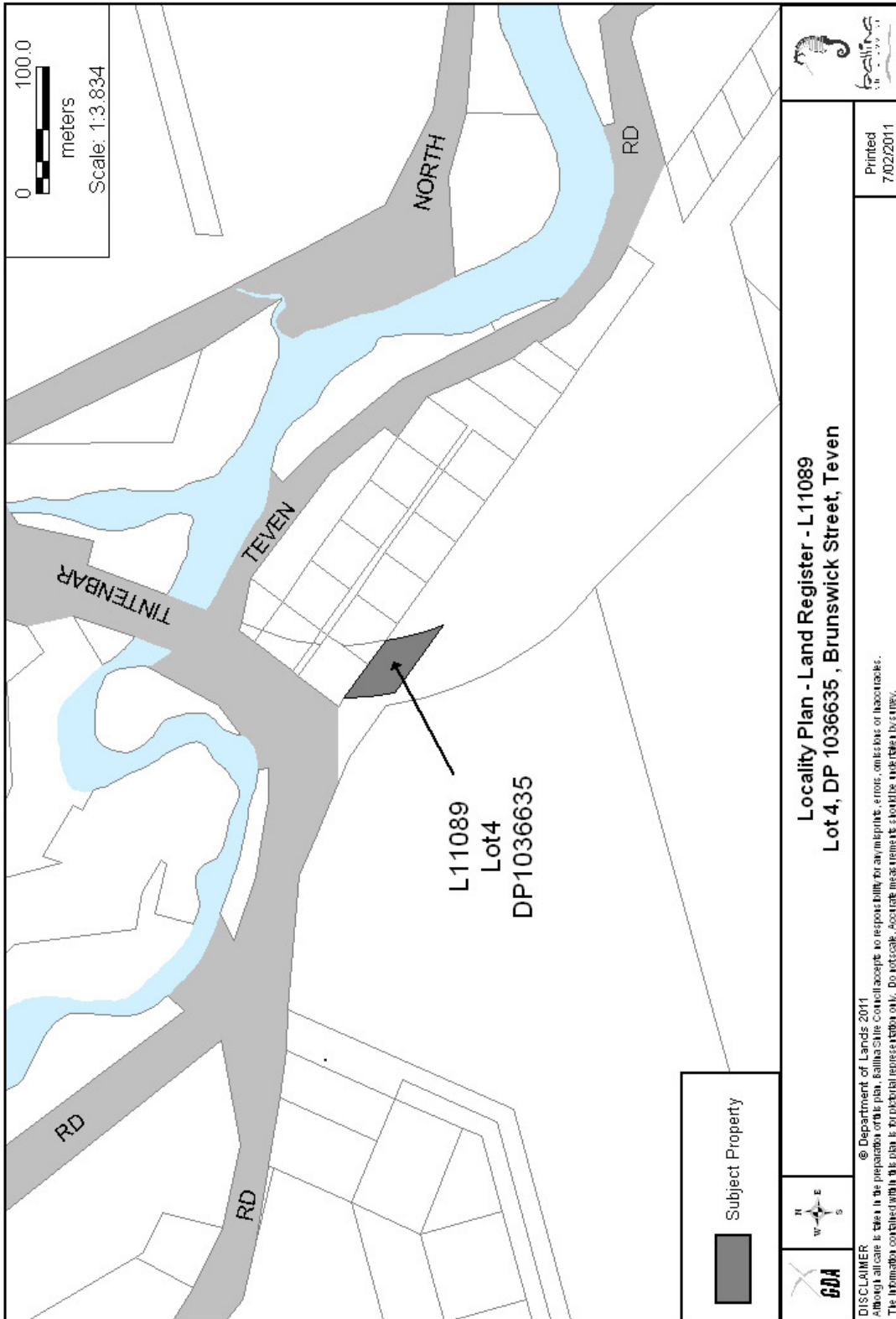
<b>Site</b>	<b>Part Lot 11 DP 260847, North Creek Road, Ballina (that part fronting North Creek Road)</b>
<b>Land Register ID</b>	Part L22016_01
<b>Current Classification</b>	Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	This land is proposed to be classified as operation land to allow it to be made public road, which will allow legal access to the adjoining land (Lot 4 DP 260847).
<b>Reason for the Draft LEP</b>	To allow part Lot 11 to be made road to enable legal access to the adjoining property.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	Council owns the adjoining land. The community land classification of Lot 11 prevents legal access being obtained along this frontage and prevents its development for industrial purposes in accordance with its industrial zoning.
<b>Other parties with interests</b>	There is a commercial interest in the purchasing of part lot 4 DP 260847 subject to legal access being obtained.
<b>Change of interests resulting from classification/ reclassification</b>	The change in the classification will allow Council as the land owner of the adjoining property to gain legal access and thereby pursue the development/sale of the land for purposes consistent with the industrial zoning of the land.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	The reclassification of this land will increase the value of the adjoining land by enabling legal access to be granted.
<b>Asset issues</b>	There is no infrastructure or buildings contained on the land proposed to be reclassified.



**Proposed  
Classification or Reclassification of Land - Site Assessment February 2011**

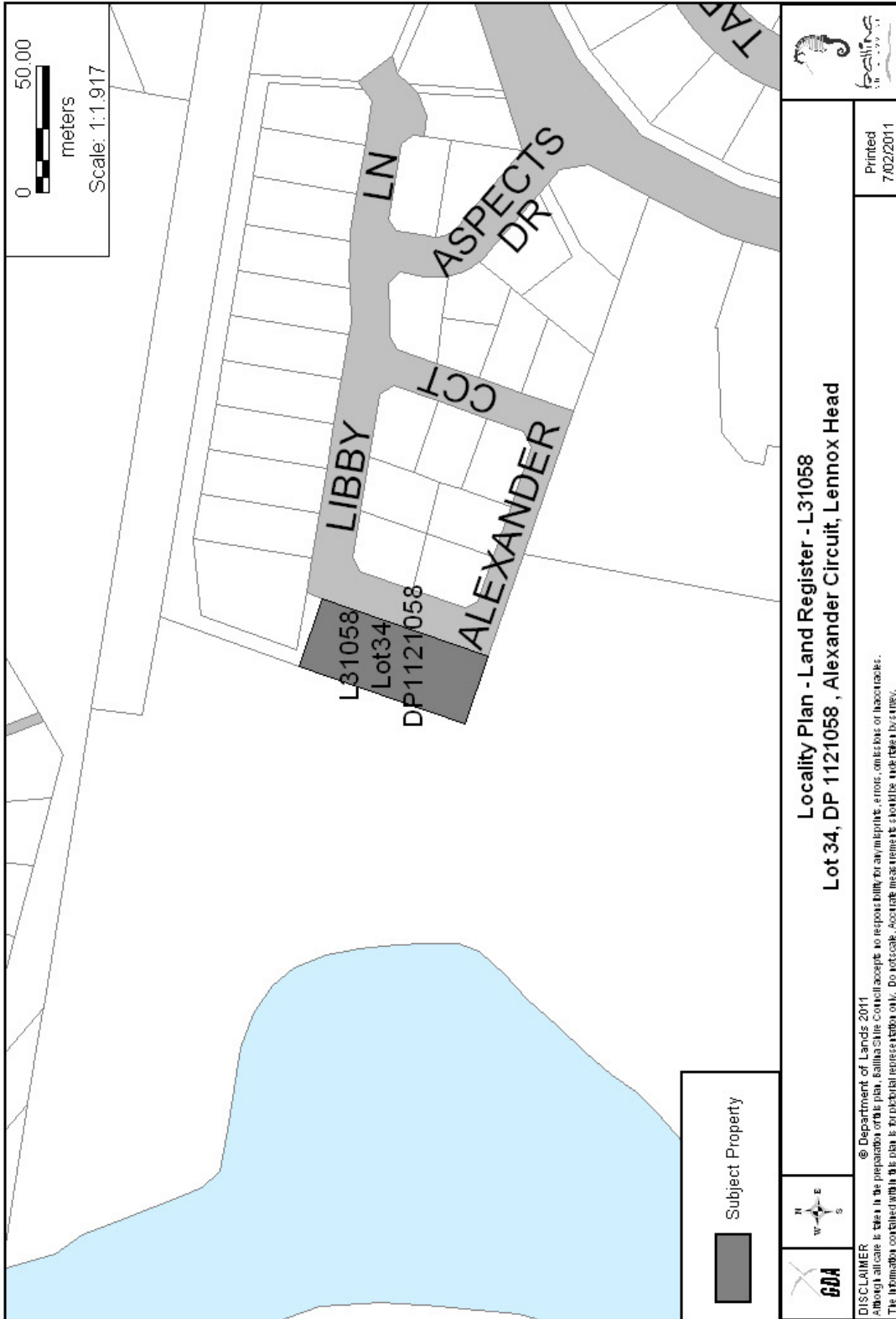
*It seems this site is already classified as operational. Possibly remove from inclusion in schedule.*

<b>Site</b>	<b>Lot 5 DP 843369, Old Bagotville Road, Wardell</b>
<b>Land Register ID</b>	L12034_01
<b>Current Classification</b>	Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	<p>To recognise that Council purchased this land to realise a commercial return on its extractive resource. The land had several developed quarry pits at the time of purchase.</p> <p>Note: Council was unable to give the required pre-purchase notice of its intention to classify this land as Operation because of the commercial imperative of remaining an anonymous bidder at the auction for the land. Legislation has since been amended to allow post-purchase notification to recognise such situations.</p>
<b>Reason for the Draft LEP</b>	The classification/ reclassification forms part of the shire wide LEP renewal process. This process is a requirement of the NSW Department of Planning.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	The property was purchased at auction on 17 April 1996 with funds generated by Council's land development activities.
<b>Other parties with interests</b>	There are no other parties with an interest in the land.
<b>Change of interests resulting from classification/ reclassification</b>	Not applicable because there are no other parties with interests in the land.
<b>Special agreements applicable to the land</b>	There are no special agreements applicable to this land.
<b>Financial issues</b>	The reclassification of the land has significant financial implications because Council is presently constrained by the <i>Local Government Act 1993</i> from developing or realising the market value for the land.
<b>Asset issues</b>	There are presently no functioning assets on the land.



**Proposed  
Classification or Reclassification of Land - Site Assessment February 2011**

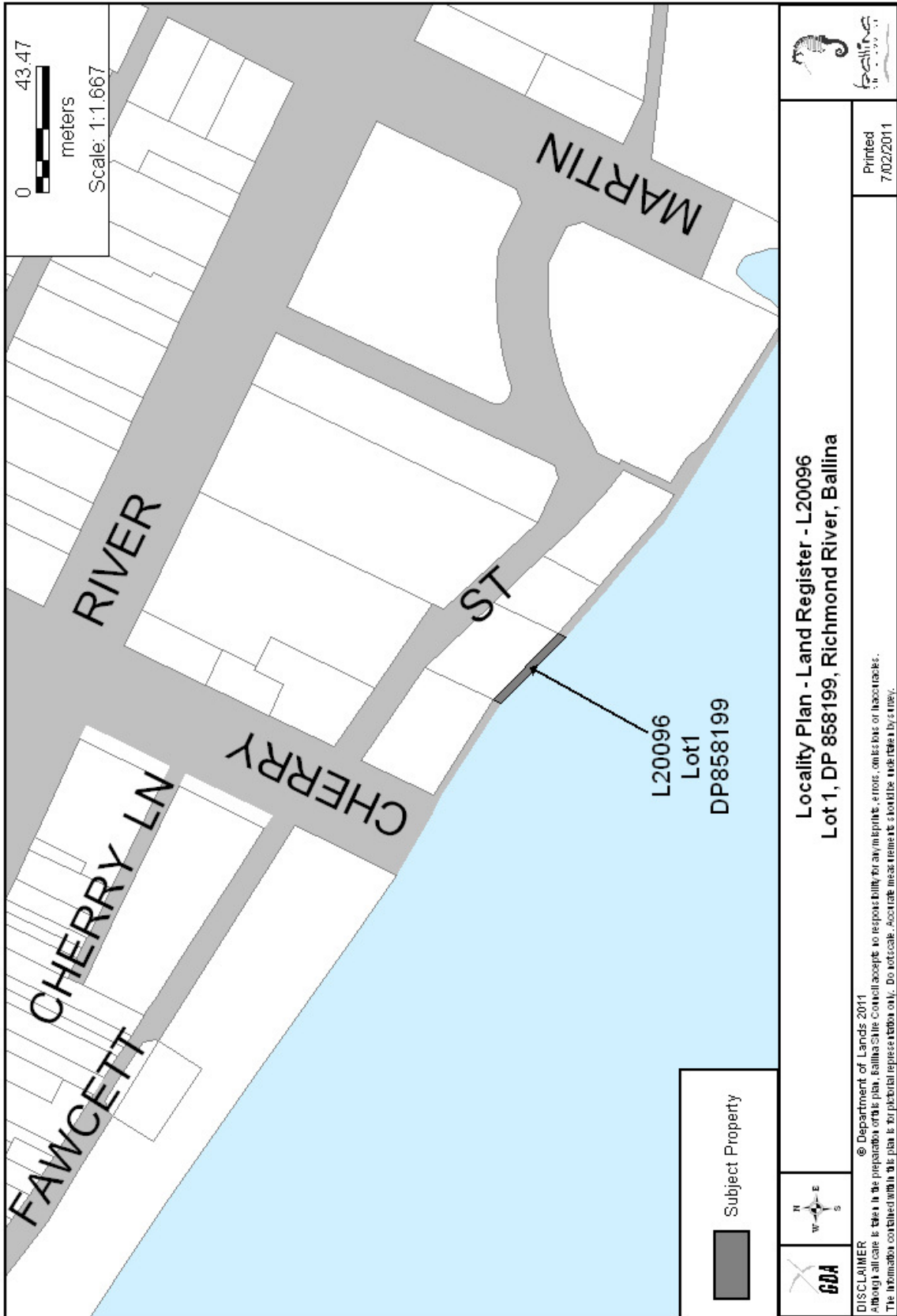
<b>Site</b>	<b>Lot 4 DP 1036635, Brunswick Street, Teven</b>
<b>Land Register ID</b>	L11089_01
<b>Current Classification</b>	Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	This land has no public utility, as it is an isolated parcel of land in a rural area that was originally created with the closure of the Ballina-Eltham Railway. The optimum use of this land is for grazing with an adjoining property. The remaining sections of the railway reserve have been closed and sold to adjoining land owners.
<b>Reason for the Draft LEP</b>	The classification/ reclassification forms part of the shire wide LEP renewal process. This process is a requirement of the NSW Department of Planning.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	It is unclear how Council came to own this parcel of land.
<b>Other parties with interests</b>	There are no other parties with an interest in this land.
<b>Change of interests resulting from classification/ reclassification</b>	The reclassification will allow Council to dispose of this 1816 m <sup>2</sup> lot.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	There are effectively no financial issues associated with the reclassification of this land. The cost of disposing of this land will likely consume any proceeds obtained from the sale of the land.
<b>Asset issues</b>	A dwelling is located on the land, which will be maintained for rental purposes for the foreseeable future.



**Proposed  
Classification or Reclassification of Land - Site Assessment February 2011**

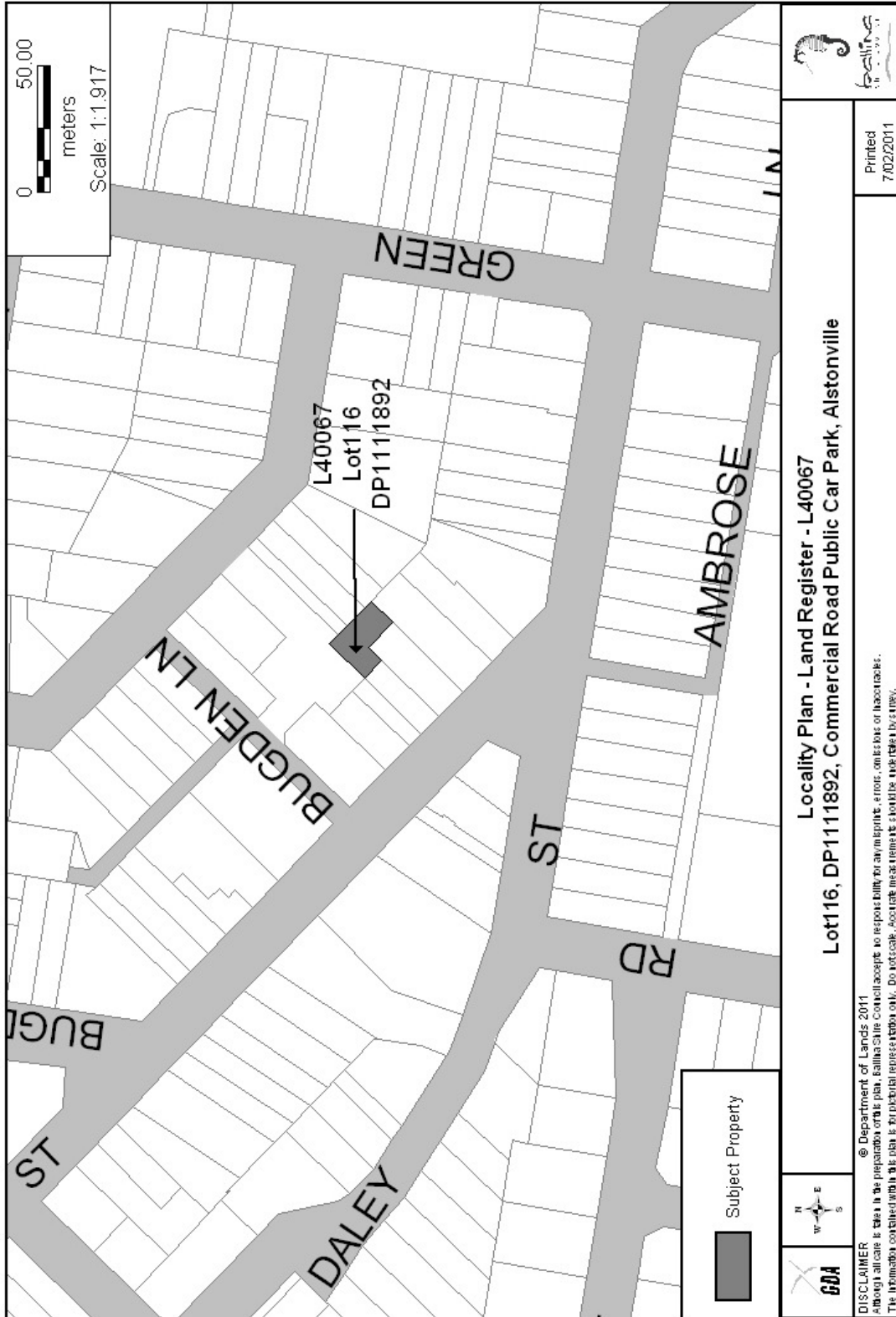
<b>Site</b>	<b>Lot 34 DP 1121058, Alexander Circuit, Lennox Head</b>
<b>Land Register ID</b>	No allocated
<b>Current Classification</b>	Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	The land was dedicated as a drainage reserve as part of the Aspect Residential Estate. The operational classification is more suited to the purpose for which this land was dedicated.
<b>Reason for the Draft LEP</b>	The classification/ reclassification forms part of the shire wide LEP renewal process. This process is a requirement of the NSW Department of Planning.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	The land was dedicated as a drainage reserve as part of the Aspect Residential Estate with the registration of DP 1121058 on 20 December 2007.
<b>Other parties with interests</b>	There are no other parties with an interest in the land.
<b>Change of interests resulting from classification/ reclassification</b>	Not applicable because there are no other parties with an interest in the land.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	There are no financial implications associated with the reclassification of this land, as there is no prospect that the land can be sold and used for a different purpose.
<b>Asset issues</b>	There is wastewater and stormwater treatment infrastructure constructed on the land.





**Proposed  
Classification or Reclassification of Land - Site Assessment February 2011**

<b>Site</b>	<b>Lot 1 DP 858199, Richmond River, Ballina</b>
<b>Land Register ID</b>	L20013_07
<b>Current Classification</b>	Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	To enable the land to be subsequently dedicated as road under the <i>Roads Act 1993</i> , so that it is consistent with the land tenure of the remaining section of the river side pathway between Cherry Street and Martin Street.
<b>Reason for the Draft LEP</b>	The classification/ reclassification forms part of the shire wide LEP renewal process. This process is a requirement of the NSW Department of Planning.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	The land was created as a Torrens Title lot and dedicated to Council rather than dedicated as pathway or road.
<b>Other parties with interests</b>	There are no other parties with any interests in the land.
<b>Change of interests resulting from classification/ reclassification</b>	The reclassification of the land to operational land will allow Council to dedicate it as road under the <i>Roads Act 1993</i> , so that it is consistent with the land tenure of the remaining section of the river side pathway between Cherry Street and Martin Street.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	There are presently no financial issues associated with the reclassification, as Council has no plans to dispose of the land. The reclassification will allow Council to provide consistency in land tenure for public land along this part of the river.
<b>Asset issues</b>	There is presently a walkway over this land, which is proposed to remain.



Printed  
7/02/2011

Locality Plan - Land Register - L40067  
 Lot 16, DP1111892, Commercial Road Public Car Park, Alstonville

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**Proposed  
Classification or Reclassification of Land - Site Assessment February 2011**

<b>Site</b>	<b>Lot 116 DP 1111892, Commercial Road Public Car Park, Alstonville</b>
<b>Land Register ID</b>	L40067_01
<b>Current Classification</b>	Part Operational part Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/reclassification</b>	<p>This land has been excised from the adjoining commercial properties and dedicated to Council for public car parking and to eventually provide road access through to Green Street.</p> <p>The land needs to be classified as Operational Land to enable the progressive lane/parking dedications to the east.</p>
<b>Reason for the Draft LEP</b>	To confirm the Operational Land classification that applies to the western section of the lot and to reclassify the eastern section as Operational to ensure the whole lot is classified as Operational Land. Action to classify the eastern section as Operational Land were overlooked at the time of transfer.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	The western section of Lot 116 initially comprised of Lot 113 DP 871435 and was classified as Operation Land on 23 July 1998. A boundary adjustment was undertaken with this lot and the rear of the adjoining land to form Lot 116. This additional land was dedicated to Council as part of its program to create a laneway between the Commercial Road Car Park and Green Street.
<b>Other parties with interests</b>	There are no other parties with an interest in this land.
<b>Change of interests resulting from classification/reclassification</b>	There will be no change in interest arising from this classification/reclassification.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	There are effectively no financial issues associated with the classification/reclassification of this land.
<b>Asset issues</b>	The land is currently used for access and car parking and this will remain unchanged.