

Greater Hume Council

163 Albury Street, Holbrook – Commander Holbrook
Memorial Park (Lot 10, DP571557)

FEBRUARY 2025

Submitted to Greater Hume Council
Prepared on behalf of Nimick Pty Ltd t/as Holbrook Stores

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Executive Summary

This Planning Proposal has been prepared by Habitat Planning on behalf of Nimick Pty Ltd t/as Holbrook Stores and is submitted to Greater Hume Council in support of a Planning Proposal to amend the *Greater Hume Local Environmental Plan 2012* ('the LEP').

Specifically, the Planning Proposal seeks to reclassify Lot 10, DP571557 and addressed as 163 Albury Street, Holbrook from “Community Land” to “Operational Land” by amending Schedule 4, Part 2 of the LEP in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*. The property is more commonly known as Commander Holbrook Memorial Park (‘subject land’).

The Planning Proposal also seeks to undertake a consequential amendment to the Heritage Map and Schedule 5 of the LEP as it seeks to relocate “Heritage Item No. I118 – Submarine, Scale Model” from the subject land to Lot 2, DP804402 and addressed as 17 Wallace Street, Holbrook.

The property is more commonly known as Submarine Park and is located on the opposite side of the road to the current location of the scale model submarine. The proposed relocation site has been selected following initial consultation with representatives from the Friends of Holbrook Submarine Museum (FHSM) committee.

An alternative location to relocate the scale model submarine also includes the southern end of Albury Street. This would include either the western side of the road or the eastern side where Ten Mile Creek Gardens are located. The former of these options was recommended by the local Lions Club.

Figures showing the proposed changes sought by the Scoping Report are provided below.

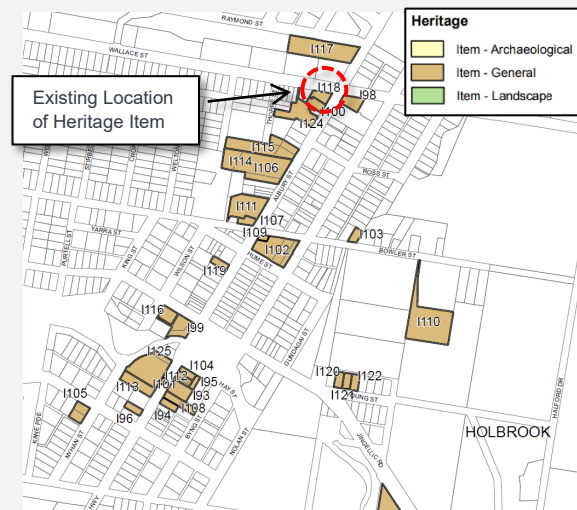


Figure 1 | Heritage Map: Existing

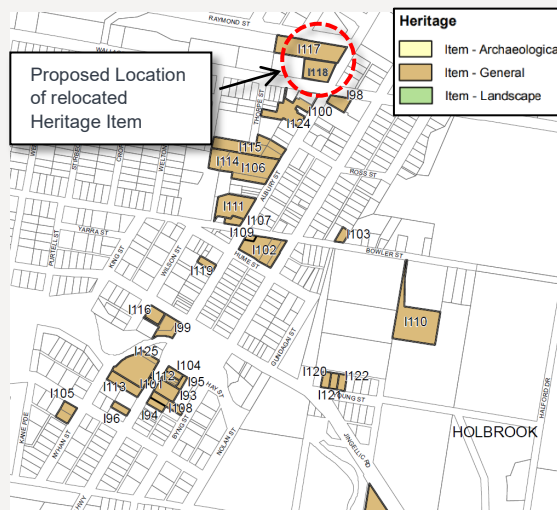


Figure 2 | Heritage Map: Proposed

The report has been prepared to address the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning & Environment's guideline titled: *Local Environmental Plan Making Guideline (August 2023)*.

For the purposes of the Guideline, the application is classified as a 'Standard' Planning Proposal as it relates to the classification or reclassification of public land through an LEP.

This Planning Proposal provides an analysis of the physical and strategic planning constraints and opportunities of the site and considers the relevant environmental, social and economic impacts of the proposal and its strategic merit.

The Planning Proposal has strategic merit and is in the public interest for the following reasons:

- The proposal is generally consistent with the strategic planning framework including State, Regional and local planning strategies as they relate to Holbrook.
- The proposal seeks to reclassify land for operational purposes, which will allow for its sale and redevelopment as part of an extension of the adjoining Mitre 10 business and the construction of a new fit for purpose IGA supermarket building.
- Whilst the proposal will result in a reduction of public land, this parcel of land is not actively used either informally or formally for such things as events or other community gatherings.
- Similarly, the relocation of the scale model submarine elsewhere will not detract from the heritage values of this item as it has no physical association to the site. In fact, the relocation of this scale model submarine of the famous B11 submarine (including associated memorial gates) to Submarine Park to the north will create a consolidated submarine/museum precinct.
- Although the subject land is currently dedicated as a War memorial, Council does not conduct any ceremonies from this site.
- Furthermore, the relocation will help integrate this scale model with the adjoining HMAS Otway located immediately to the north.
- The heritage-listed submarine scale model will be retained, but relocated, which will ensure that this community asset is maintained and still available for public viewing. The relocated scale model submarine will provide a consolidated submarine precinct for both locals and visitors to attend.
- A letter of support has been provided by the Holbrook Lions Club regarding the relocation of this item and consultation has also been undertaken with Friends of Holbrook Submarine Museum.
- The resultant redevelopment of the land will not create any new unacceptable environmental or social impact as the proposal will support the establishment of a medium sized supermarket and expanded hardware store, which will significantly improve the range and type of services currently available within the town.
- The owner is willing to acquire the land in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- The applicant will pay for the reasonable relocation and re-establishment costs of the submarine scale model, as well as any other associated works, which will not place a burden on public funds.

It is recommended that Greater Hume Council resolve to support the changes to the LEP as detailed in this Planning Proposal and forward it to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.

1. Introduction

1.1. Overview

This Planning Proposal has been prepared by Habitat Planning on behalf of Nimick Pty Ltd t/as Holbrook Stores and is submitted to Greater Hume Council in support of a Planning Proposal to amend the *Greater Hume Local Environmental Plan 2012* ('the LEP').

Specifically, the Planning Proposal seeks to reclassify Lot 10, DP571557 and addressed as 163 Albury Street, Holbrook from "Community Land" to "Operational Land" by amending Schedule 4, Part 2 of the LEP in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*. The property is more commonly known as Commander Holbrook Memorial Park ('subject land').

The Planning Proposal also seeks to undertake a consequential amendment to the Heritage Map and Schedule 5 of the LEP as it seeks to relocate "Heritage Item No. I118 – Submarine, Scale Model" from the subject land to Lot 2, DP804402 and addressed as 17 Wallace Street, Holbrook.

The property is more commonly known as Submarine Park and is located on the opposite side of the road to the current location of the scale model submarine. The proposed relocation site has been selected following initial consultation with representatives from the Friends of Holbrook Submarine Museum (FHSM) committee.

This report has been prepared to address the requirements of Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning & Environment's guideline titled: *Local Environmental Plan Making Guideline* (August 2023).

For the purposes of the Guideline, the application is classified as a 'Standard' Planning Proposal as it relates to the classification or reclassification of public land through an LEP.

This report will demonstrate that the proposed amendments are consistent with the intent and objectives of the planning framework and strategic plans and policies. Consequently, this will provide the NSW Department of Planning, Housing and Infrastructure (DPHI) with the confidence to endorse the proposed amendment as sought by this Planning Proposal.

It is requested that the Planning Proposal be referred to the Minister for Gateway Determination in accordance with Section 3.34 of the EP&A Act. The Gateway Determination by the Minister will decide:

- Whether the matter should proceed (with or without variation).
- Any necessary technical studies or supporting studies.
- Whether the planning proposal needs to be amended (and possibly resubmitted to the Department) prior to exhibition.
- The duration and extent of community consultation.
- Whether consultation with State or federal authorities (if required).
- Whether a local contributions plan is to be exhibited at the same time as the planning proposal.
- Whether a public hearing is needed.
- The timeframes within which the various stages of the process for making of the proposed LEP are to be completed.
- Whether the council is to be authorised to make the proposed instrument as the Local Plan Making Authority (LPMA).
- Any other conditions.

1.2. Scope and Format of Planning Proposal

The Planning Proposal details the merits of the proposed changes to the LEP and has been structured in the following manner consistent with the Department of Planning & Environment's guideline titled: *Local Environmental Plan Making Guideline*:

- Section 1.0 – Introduction.
- Section 2.0 – Objectives and intended outcomes.
- Section 3.0 – Explanation of the provisions.
- Section 4.0 – Justification.
- Section 5.0 – Mapping.
- Section 6.0 – Community consultation.
- Section 7.0 – Project timeline.
- Section 8.0 – Conclusions and recommendations.

1.3. Planning Proposal Process

The Planning Proposal is supported by the following plans and documents:

As outlined above, the Planning Proposal has been prepared consistent with the Department of Planning & Environment's guideline titled: *Local Environmental Plan Making Guideline*.

A flowchart providing an overview of the Planning Proposal stage is provided below.

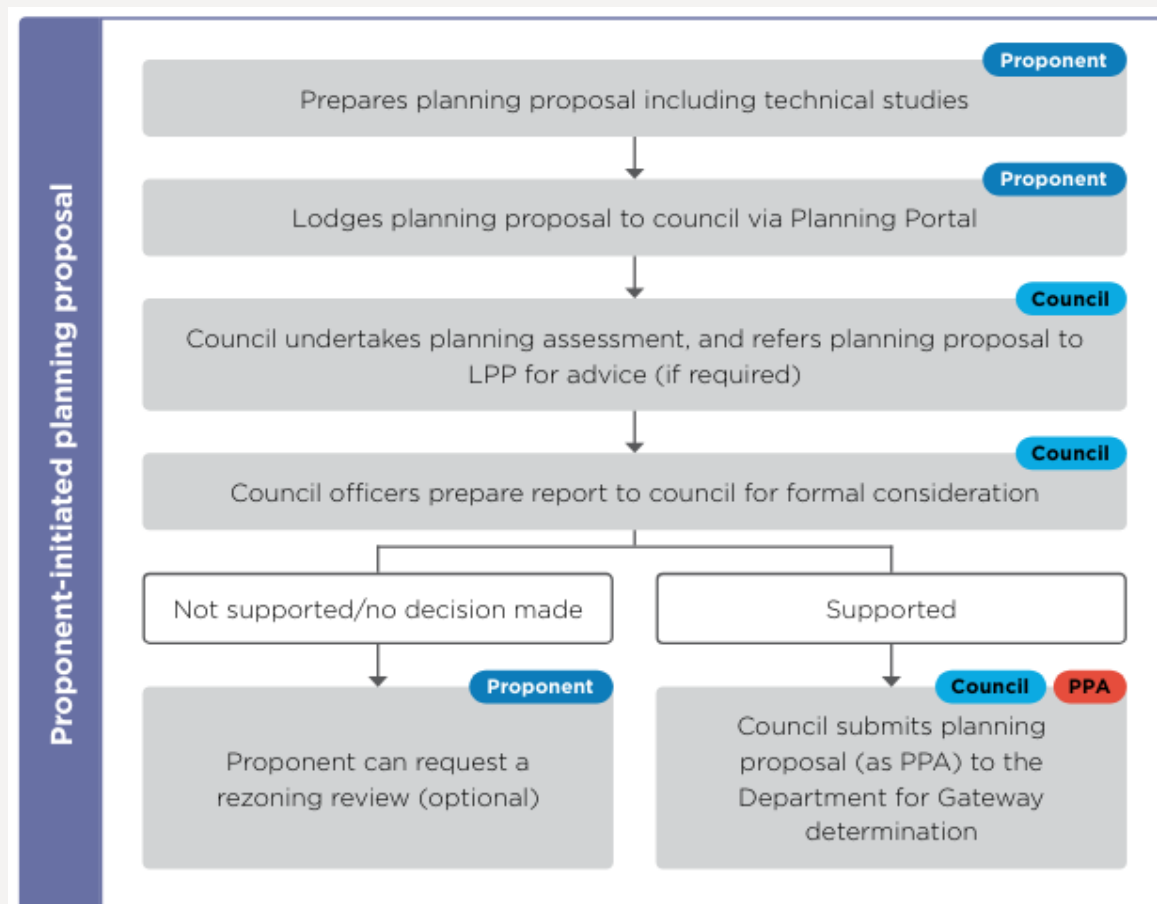


Figure 3 | Flowchart: Planning Proposal Stage Overview

1.4. Supporting Plans and Documentation

The Planning Proposal is supported by the following plans and documents:

Table 1 | Attachments to Planning Proposal

No.	Document Name	Prepared by
A	Certificates of Title	Habitat Planning
B	Consistency with Riverina Murray Regional Plan 2041	Habitat Planning
C	Consistency with State Environmental Planning Policies	Habitat Planning
D	Consistency with Section 9.1 Ministerial Directions	Habitat Planning
E	LEP Information Checklist	Habitat Planning
F	LEP Practice Note PN-16-001 Classification and reclassification of public land through a local environmental plan	NSW Government
G	Concept Site Plan – Holbrook IGA and Mitre 10 Redevelopment	Cue Design
H	Concept Master Plan – Holbrook Submarine Park	Cue Design

2. Site and Context Descriptions

2.1. Site Locality

The land to which this Planning Proposal relates to is described as Lot 10, DP571557 and addressed as 163 Albury Street, Holbrook. The property is more commonly known as Commander Holbrook Memorial Park ('subject land').

The subject land is located within the main street of Holbrook on the corner of Albury Street and Wallace Street. The site also adjoins Germantown Park located to the north, which contains the Holbrook Visitor Centre and HMAS Otway (**Figure 4**).

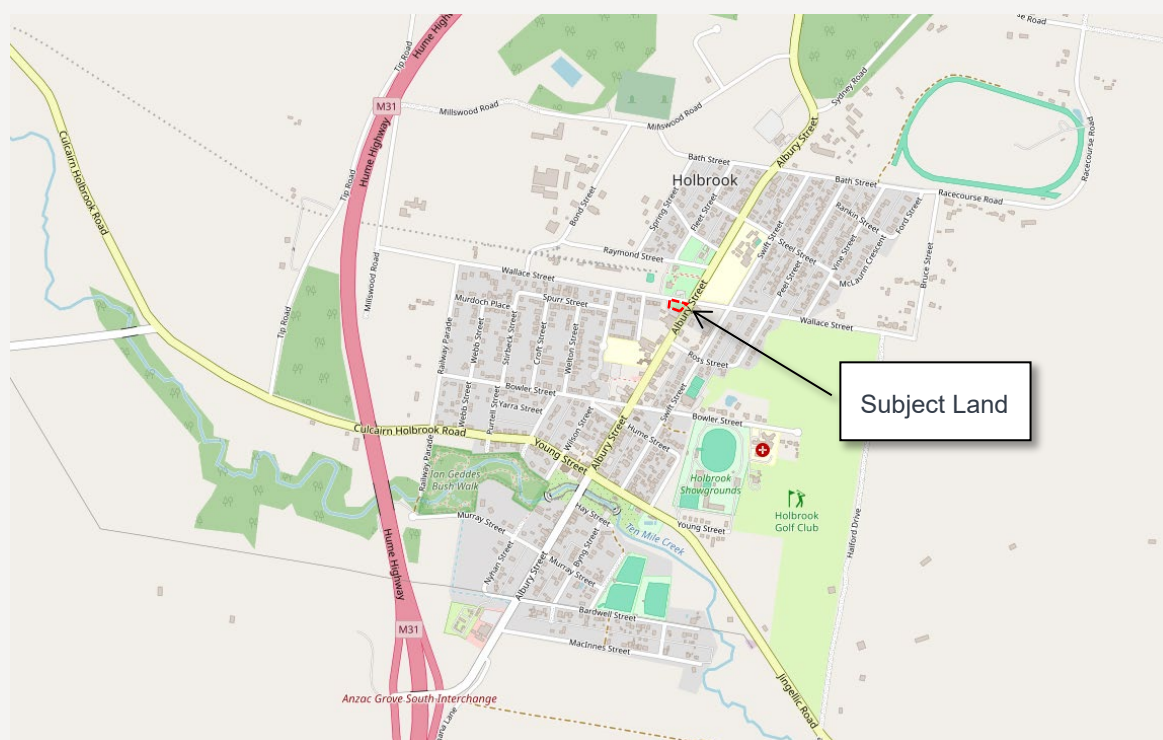


Figure 4 | Locality Plan (Source: Open Street Map, 2024)

2.2. Site Description

The subject land is irregular in shape and has a general width of 50 metres and variable depth of 15-35 metres with a total approximate area of 1,325m².

The land is improved and has been developed as the Commander Holbrook Memorial Park. This is inclusive of the heritage-listed scale model submarine and plaque and associated wrought iron memorial gates, rose garden and covered seating shelter. The site has also been embellished and contains concrete pathways, landscaping, lighting and rubbish bins.

The topography of the land is flat in nature and vegetation on-site is limited to planted garden beds (rose garden) and landscape shading trees.

The subject land is located within the main street of Holbrook and adjoins a range of commercial and community land uses including the Holbrook IGA, Holbrook Hotel and HMAS Otway Visitor Centre.

Given the site's location within the main street, the subject land has access to relevant infrastructure and services including reticulated water, sewerage, roads, drainage electricity and telecommunications. These services can be augmented and extended to service the subject land where required. Primary road access to the site will occur via either Wallace Street or Albury Street.



Figure 5 | Site Plan identifying Community Land proposed to be reclassified and purchased
(Source: NSW Planning Portal, Spatial Viewer, 2023)

2.3. Surrounding Context

The subject land is located within the main street of Holbrook and is surrounded by a range of commercial and recreational uses.

Land to the north on the opposite side of Wallace Street contains Germantown Park, which contains the Holbrook Visitor Centre, HMAS Otway and Holbrook Skate Park

Albury Street adjoins the site to the east. Land located on the opposite side of this roadway contains the two storey Holbrook Hotel, as well as a single storey motel. Land further east along Wallace Street has been developed for residential purposes.

The Holbrook IGA, Mitre 10 and their associated car park adjoin the subject land to the south, whilst located further south along Albury Street comprises both single storey and two storey commercial uses alongside the main street.

Land to the west of the subject land is currently vacant, whilst land further west along Wallace Street has been developed for residential dwellings, as well as a number of small-scale businesses.

3. Explanation of Provisions

3.1. Objectives and Intended Outcomes

The objectives of the Planning Proposal seek to reclassify the subject land from “Community Land” to “Operational Land” by amending Schedule 4, Part 2 of the LEP in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.

The Planning Proposal also seeks to undertake a consequential amendment to the Heritage Map and Schedule 5 of the LEP as it seeks to relocate “Heritage Item No. I118 – Submarine, Scale Model” from the subject land to Lot 2, DP804402 and addressed as 17 Wallace Street, Holbrook.

Upon reclassification, it is requested that Council sell the subject land to the owners of 155 Albury Street to allow for an expansion of the adjoining hardware business and construction of a new fit for purpose IGA supermarket.

A concept site plan of the proposed development is included with this Planning Proposal and is reproduced below. It is noted that the general layout and design is similar to the Jindera Shopping Complex and the proponent’s recently completed Baranduda IGA.

These works will be subject to a separate Development Application submitted to Council.



Figure 6 | Concept Site Plan indicating location of subject land to be reclassified

Further details regarding the specific changes sought by the amendment are provided below.

3.2. Reclassification of Land from Community to Operational

As outlined above, the Planning Proposal seeks to reclassify Lot 10, DP571557 and addressed as 163 Albany Street, Holbrook from “Community Land” to “Operational Land” by amending Schedule 4, Part 2 of the LEP in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.

Specifically, this will involve an amendment to Schedule 4 of the LEP as follows:

Part 2 Land classified, or reclassified, as operational land – interests changed

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
<i>Holbrook</i>	<i>163 Albany Street, being Lot 10, DP571557</i>	<i>Any registered easement</i>

3.3. Amendment to Schedule 5 and the Heritage Map

The Planning Proposal also seeks to undertake a consequential amendment to the Heritage Map and Schedule 5 of the LEP as it seeks to relocate “Heritage Item No. I118 – Submarine, Scale Model” from the subject land to Lot 2, DP804402 and addressed as 17 Wallace Street, Holbrook. The property is more commonly known as Submarine Park and is located on the opposite side of the road to the current location of the scale model submarine.

Figures showing the proposed changes sought by the Scoping Report are provided below.

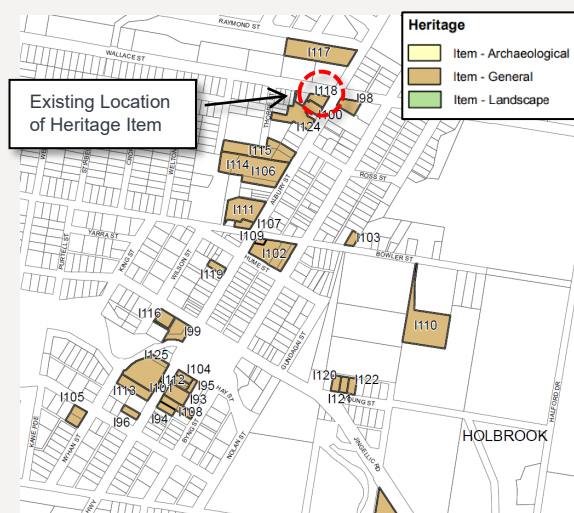


Figure 7 | Heritage Map: Existing

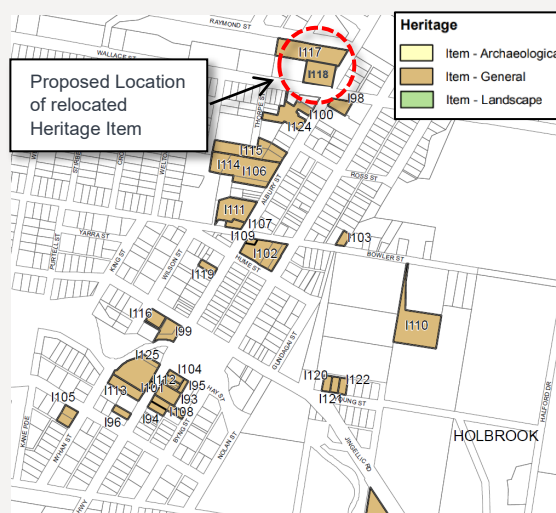


Figure 8 | Heritage Map: Proposed

The proposed relocation site has been selected following initial consultation with representatives from the Friends of Holbrook Submarine Museum (FHSM) committee.

An alternative location to relocate the scale model submarine also includes the southern end of Albany Street. This would include either the western side of the road or the eastern side where Ten Mile Creek Gardens are located. The former of these options was recommended by the local Lions Club.

4. Justification

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, identifies the strategic planning context and outlines what the community benefit will be.

4.1. General

Section A - Need for the Planning Proposal

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

No, the Planning Proposal is not the result of an endorsed LSPS, strategic study or report.

Nonetheless, the proposal still achieves the broad planning principles and objectives of the various Greater Hume Council policy documents including the LSPS, Strategic Land Use Plan and Community Strategic Plan.

More specifically, the proposal will encourage economic development and growth, will protect and retain a local heritage item (albeit in a different location) and will support and reinforce tourism via a submarine precinct.

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

Yes, as set out in Practice Note PN 16-001 (Classification and reclassification of public land through a local environmental plan), a planning proposal is the best method to achieving the objectives, being the reclassification of land.

The main alternative to the proposal is that the land be retained in public ownership as community land and that any potential redevelopment of the adjoining hardware supplies business and supermarket utilise their existing landholdings.

As outlined in Figure 8 above, the applicant is proposing to construct a new supermarket on the adjoining Lot B, DP338974 located to the west. As part of the construction of this new supermarket, a new expanded car park would be constructed over the subject land in order to service the new development, as well as achieve Council's relevant car parking requirements.

Alternative options to avoid the reclassification of the land would be to construct the new supermarket at the front of the site immediately adjacent to Albury Street and construct a new car parking area to the rear of the site off Wallace Street. Whilst this option does provide an alternative, it is not preferred for a number of reasons:

- The construction of the new supermarket (likely tilt up panel construction) may potentially adversely affect the heritage significance of the adjoining supermarket and hardware supplies business, which is listed as local 'Heritage Item I100 – Holbrook Stores'.
- The location of the supermarket at the front of the site will result in the mixing of both customers and large delivery vehicles at the rear of the site, which will cause traffic and safety impacts.
- The entrance to the existing supermarket and hardware store is currently provided from the northern car parking area. If this area was to be developed, then the existing access to this building would need to be reconfigured.

Reclassifying and redeveloping the subject land is therefore considered the most appropriate option in this instance.

Similarly, the proposed location of the relocated model submarine is also considered the preferred option as it consolidates and reinforces the submarine precinct to the north. Whilst other alternative relocation sites exist at the southern end of Albury Street, the subject location has been chosen in consultation with relevant interest groups.

Section B – Relationship to Strategic Planning Framework

3. 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)?

The *Riverina Murray Regional Plan 2041* (Regional Plan) was adopted by the NSW Government in 2022 and is the relevant regional strategy that provides the strategic planning framework to guide decision-making and development in the Riverina & Murray regions for the next 20 years.

The Regional Plan is structured into by three (3) key parts, with 18 underlying objectives including:

- Part 1 – Environment.
- Part 2 – Communities and Places
- Part 3 – Economy

Each of these parts and objectives is supported by a number of different strategies and actions, which seek to achieve the objectives of the goal.

The proposed reclassification and subsequent development of this land is consistent with the following key objectives:

- *Objective 9 – Plan for resilient places that respect local character.*
- *Objective 15 – Support the economic vitality of CBD's and main streets.*

The proposed development is consistent with these objectives and their related strategies as follows:

- The subject land is not constrained by any natural hazards such as flooding, bushfire or land contamination;
- The development will support the redevelopment of the land for commercial purposes, which will increase the range and type of commercial facilities available within the township. This will allow for revitalisation and enhance vitality and economic viability.
- The proposal retains the heritage values of the heritage-listed item and only seeks to relocate this item to an alternative location.
- The future development of this land will be subject to a separate development application process.
- The land does not serve any formal public open space function and only provides opportunities for passive open space when compared to other larger public open space areas located elsewhere within the township including the adjoining Submarine Park located to the north.

A full assessment of the Planning Proposal against the relevant goals, directions and actions of the Regional Plan is undertaken in **Attachment B**.

In summary the Planning Proposal is consistent with the Regional Plan in as much as it does not derogate from the plan's objectives.

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?

Greater Hume Local Strategic Planning Statement 2018

The planning proposal is consistent with the *Greater Hume Local Strategic Planning Statement 2018* (LSPS). The purpose of the LSPS is to establish a 20-year vision for land use planning and growth in the Greater Hume Local Government Area.

It documents community priorities and aspirations for the area along with actions to enhance its character, preserve its natural attributes and improve quality of life.

The LSPS is based on three key themes encompassing:

- Liveability
- Productivity
- Environment and Resources

These three themes are underpinned by the following Planning Priorities:

- Planning Priority One – Housing and Land Supply
- Planning Priority Two – Vibrant Places
- Planning Priority Three – Utility Infrastructure
- Planning Priority Four – Agricultural Lands
- Planning Priority Five – Agricultural Value Adding
- Planning Priority Six – Supporting our Industries
- Planning Priority Seven – Resources
- Planning Priority Eight – Identify and protect environmental values
- Planning Priority Nine – Climate change and natural hazards

The proposed development aligns with the following planning priorities and actions of the LSPS:

- Planning Priority Two: Vibrant Places:
 - *Maintaining and expanding the values and services provided by the towns and villages is a key consideration for Council to provide economic and social benefits to the community.*
 - *New retail and services will be encouraged in the towns and villages to increase vitality, enhance the value of the public realm and attract complementary uses*
 - *To deliver this planning priority, Council will:*
 - *Protect the function of core commercial areas and provide opportunity to generate additional services and offerings.*

Greater Hume Strategic Land Use Plan 2007-2030

The *Greater Hume Strategic Land Use Plan 2007-2030* was commissioned by Council in circa 2007 to provide the strategic framework and basis for a shire-wide review of Council's LEP, which resulted in the adoption of the current LEP.

The preparation of this Strategy involved community and stakeholder workshops, background research and analysis, preparation of an issues paper and further stakeholder consultation prior to the completion of the final Strategy.

Following the completion of this, a Structure Plan was prepared, which has identified the site as 'Commercial'. It is important to note that adjoining public parks to the north and at Ten Mile Creek have all been identified as 'open space' whereas the subject land has not.

The proposed reclassification and development of this land for commercial purposes, therefore, satisfies the requirements of this Structure Plan and will reinforce the open space designation for adjoining land to the north.

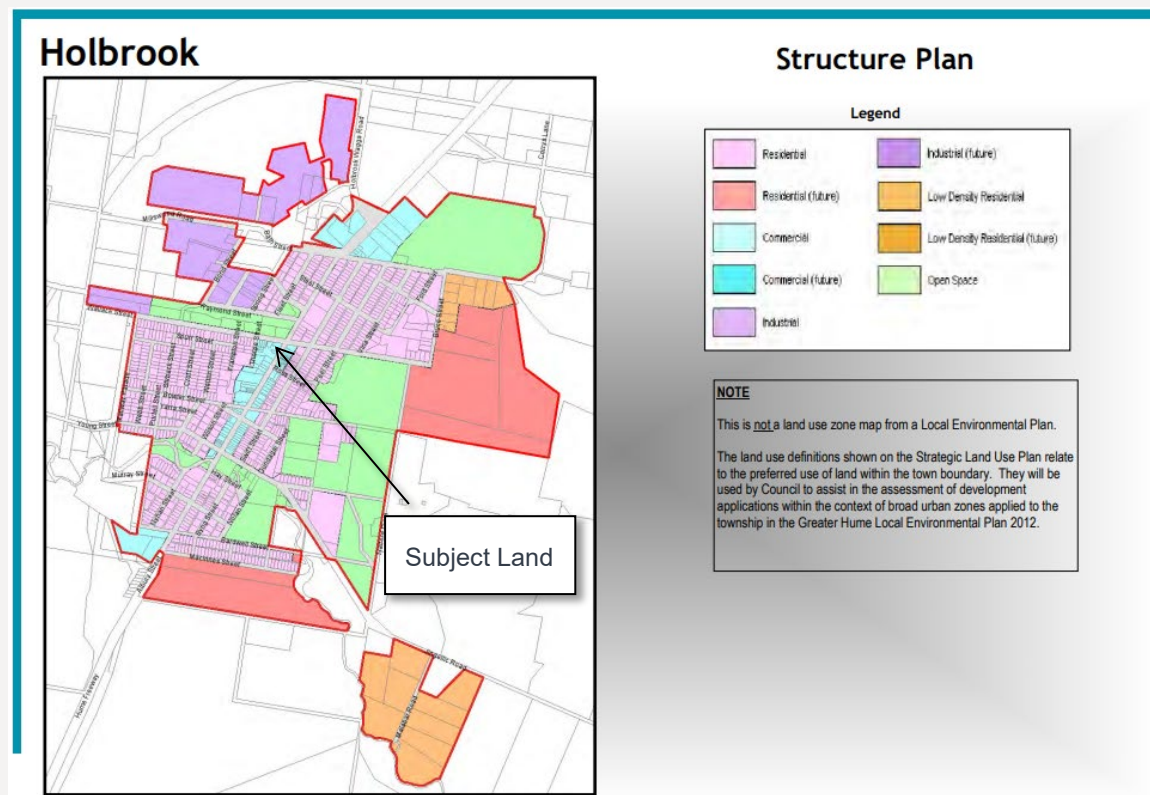


Figure 9 | Holbrook Structure Plan (Source: Greater Hume Development Control Plan 2013)

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

There are no other applicable State and Regional studies/strategies that are relevant to the proposal.

6. Is the planning proposal consistent with applicable SEPPs?

The planning proposal is consistent with all SEPPs, in as much as it does not derogate from the objectives of the SEPPs.

See **Attachment C** for further details.

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 directions) or key government priority?

The planning proposal is consistent with the Ministerial Directions, in as much as it does not derogate from the objectives of the directions.

See **Attachment D** for further details.

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 because of the proposal?

No, this proposal only seeks to reclassify land from community land to operational land and is an administrative change only. The existing conditions of the land will remain unchanged.

Furthermore, the land is an urban zoned site that is centrally located and comprises only small-scale landscape plantings.

Therefore, the reclassification and proposed redevelopment of this land, will not have an adverse impact on matters regarding biodiversity.

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

No, this proposal only seeks to reclassify land from community land to operational land and is an administrative change only. The existing conditions of the land will remain unchanged.

Furthermore, the subject land is not identified as being bushfire prone, flood prone and is not known to be contaminated given its historical uses.

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

The proposed reclassification of public land from community to operational and subsequent relocation of a heritage item will have a positive socio-economic impact.

Whilst it is acknowledged that the proposal could result in a reduction of public land by approximately 1,300m² and the relocation of a heritage item, this is considered satisfactory in this instance for the following reasons:

- The proposed loss of 1,300m² of public land is considered relatively minor in the overall context of the main township of Holbrook, particularly as the area is already serviced by a large number of other bigger open space areas, including Submarine Park immediately to the north and Ten Mile Creek Garden to the south.
- The existing B11 submarine scale model and associated memorial gates will be retained and will continue to be on public display, albeit in a different location on the opposite side of Wallace Street.
- The site of the proposed relocation (Submarine Park) is considered a logical location as it already houses the adjoining HMAS Otway Submarine and will result in the creation of a consolidated submarine tourism precinct.
- The subject land has no historical connection to Commander Holbrook and the proposed relocation of this item will therefore not sever any historical associations that this heritage item has to this site.
- The proposed works have the support of the local Lions Club as follows:

Having spoken with former Apexians and older community members the Lions Club of Holbrook are in agreement for the relocation of the B11 Submarine for the redevelopment of IGA and the benefits this would have for the town.

...This location would restore the significance of the B11 rather than being over shadowed by the Otway. The B11 is the reason why Holbrook is known as the submarine town and indeed why we are called Holbrook.

- The proposed reclassification and subsequent sale of the land will allow for the construction of a new medium sized supermarket and expanded hardware store, which will significantly improve the range and type of products currently available within the town. This will help support economic development and jobs within the town, whilst also preserving the existing heritage buildings contained on-site.
- The owner is willing to acquire the land in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- The applicant will pay for the reasonable relocation and re-establishment costs of the submarine scale model, as well as any other associated works, which will not place a burden on public funds.
- The proposed reclassification will be subject to a public hearing and will comply with any obligations under the *Local Government Act* when classifying or reclassifying public land. Furthermore, the reclassification will comply with the requirements of *Planning Practice Note: PN16-001 – Information Checklist for proposals to classify or reclassify public land through an LEP*.

Section D – Infrastructure (Local, State and Commonwealth)

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

This proposal only seeks to reclassify land from 'community' to 'operational' lots and is therefore unlikely to impact matters regarding public utilities or infrastructure.

Furthermore, the proposed redevelopment of the site for a car parking associated with the expansion of the adjoining hardware store and construction of a new supermarket will not place any additional pressures on infrastructure and services.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation with state or federal public authorities/agencies has been undertaken. Consultation was undertaken with Greater Hume Council as part of the preparation of the Scoping Report.

It is expected that as a minimum, the Planning Proposal will be referred to Heritage NSW as it relates to a local heritage item.

5. Mapping

The Planning Proposal seeks to amend the following map of the LEP:

- Heritage Map – Sheet HER_003D

Figures showing the proposed changes sought by this Planning Proposal are provided in Figures 1 & 2.

The relevant maps will be prepared in accordance with the Department's *Standard Technical Requirements for Spatial Datasets and Maps* using the same format, symbology, labelling and appropriate map scale.

6. Community Consultation

The Planning Proposal will be exhibited in accordance with the requirements of Part 1, Division 1, Clause 4 of Schedule 1 of the EP&A Act, the NSW Department of Planning and Environment's: Local Environmental Plan Making Guideline *and any conditions of the Gateway Determination (to be issued)*.

As the Planning Proposal is a 'reclassification', it expected to be placed on public exhibition for 28 days as set out in the PN 16-001. Council will also hold a public hearing, held with at least 21 days notice, following the closure of the exhibition period.

Written notification of the community consultation will be provided in a local newspaper and on Councils' website. In addition to this, any Public Authorities, Government Agencies and other key stakeholders as determined by the Gateway Determination will be consulted.

The Planning Proposal will be notified to the following parties:

- Any agency determined by the Gateway Determination
- Adjoining landowners.
- Any relevant interest groups including; The Friends of Holbrook Submarine Museum (FHSM), Submarine Institute of Australia (SIA), Submarine Association of Australia (SAA), Lions Club of Holbrook,

The written notice will contain:

- a brief description of the intended outcomes of the Planning Proposal.
- an indication of the land which is affected by the proposal.
- information on where and when the Planning Proposal can be inspected.
- the name and address of Council for the receipt of submissions.
- the closing date for submissions; and
- confirmation whether the Minister has chosen to delegate Plan Making powers to Council.

During the public exhibition period the following documents will be placed on public exhibition:

- the Planning Proposal.
- the Gateway Determination.
- any technical information relied upon by the Planning Proposal (including the draft concept Submarine Park Master Plan)
- relevant council reports.

An electronic copy of all of the above information to be placed on public exhibition will be made available to the public free of charge.

At the conclusion of the public exhibition period Council staff will consider submissions made with respect to the Planning Proposal and will prepare a report to Council.

7. Project Timeline

The project timeline for the Planning Proposal is outlined in **Table 2**.

It is noted however, that there are many factors that can influence compliance with the timeframe including Council staffing resources, the cycle of Council meetings and submissions received, and issues raised. Consequently, the timeframe should be regarded as indicative only.

Table 2 | Project Timeline (indicative)

Project Milestone	Anticipated Timeframe	Anticipated Dates
Lodgement with Council Submission of Planning Proposal to Council via the NSW Planning Proposal.	-	Late November 2024
Council Report (seeking Gateway Determination) Council planning officers to prepare a report to council seeking council endorsement of the Planning Proposal and referral to the NSW DPIE seeking the issuing of a Gateway Determination.	4 weeks to review Planning Proposal and prepare council report and include on council agenda.	February 2025
Request Gateway Determination Council to request a Gateway Determination from the NSW Department of Planning to proceed to Planning Proposal to public exhibition (including any delegation of plan-making powers to council)	2 weeks following Council resolution and request for a Gateway determination	Early March 2025
Public Exhibition Undertake public exhibition of Planning Proposal in accordance with the conditions of the Gateway Determination.	2 weeks to prepare and place a public notice in the paper and 4 weeks to publicly exhibit the Planning Proposal.	Mid April 2025 through to mid May 2025
Consider Submissions & Finalise Document Council planning officers to consider, respond and report on submissions received and issues raised (if any) and where necessary, recommended relevant changes to the Planning Proposal.	4 weeks to collate, consider and respond to submissions received (if any).	June 2025
Council Report (consideration of submissions)	4 weeks to prepare council report and include on council agenda.	July 2025

<p>Council planning officers to prepare a report to council post public exhibition that considers any submissions received.</p> <p><u>Note:</u> This Stage will run concurrent with the preceding stage.</p>		
<p>Submission to NSW DPIE/Parliamentary Counsel</p> <p>Forward Planning Proposal to NSW DPE/Parliamentary Counsel (if delegated) for finalisation following public exhibition.</p>	4 weeks	August 2025
<p>Notification</p> <p>Finalisation/gazettal of Planning Proposal</p>	2 weeks	Late August 2025

8. Conclusion

This Planning Proposal has been prepared by Habitat Planning on behalf of Nimick Pty Ltd t/as Holbrook Stores and is submitted to Greater Hume Council in support of a Planning Proposal to amend the *Greater Hume Local Environmental Plan 2012*.

Specifically, the Planning Proposal seeks to reclassify Lot 10, DP571557 and addressed as 163 Albury Street, Holbrook from “Community Land” to “Operational Land” by amending Schedule 4, Part 2 of the LEP in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*. The property is more commonly known as Commander Holbrook Memorial Park.

The Planning Proposal also seeks to undertake a consequential amendment to the Heritage Map and Schedule 5 of the LEP as it seeks to relocate “Heritage Item No. I118 – Submarine, Scale Model” from the subject land to Lot 2, DP804402 and addressed as 17 Wallace Street, Holbrook.

The property is more commonly known as Submarine Park and is located on the opposite side of the road to the current location of the scale model submarine. The proposed relocation site has been selected following initial consultation with representatives from the Friends of Holbrook Submarine Museum (FHSM) committee.

This report has been prepared to address the requirements of Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning & Environment’s guideline titled *Local Environmental Plan Making Guideline* (August 2023). The Planning Proposal sets out the justification for the proposed amendment and considers the environmental, social and economic impacts of the proposal.

This Planning Proposal provides an analysis of the physical and strategic planning constraints and opportunities and considers the relevant environmental, social and economic impacts of the proposal and its strategic merit.

The Planning Proposal has strategic merit and is in the public interest for the following reasons:

- The proposal is generally consistent with the strategic planning framework including State, Regional and local planning strategies as they relate to Holbrook.
- The proposal seeks to reclassify land for operational purposes, which will allow for its sale and redevelopment as part of an extension of the adjoining Mitre 10 business and the construction of a new fit for purpose IGA supermarket building.
- Whilst the proposal will result in a reduction of public land, this parcel of land is not actively used either informally or formally for such things as events or other community gatherings.
- Similarly, the relocation of the scale model submarine elsewhere will not detract from the heritage values of this item as it has no physical association to the site. In fact, the relocation of this scale model submarine of the famous B11 submarine (including associated memorial gates) to Submarine Park to the north will create a consolidated submarine/museum precinct.
- Although the subject land is currently dedicated as a War memorial, Council does not conduct any ceremonies from this site.
- Furthermore, the relocation will help integrate this scale model with the adjoining HMAS Otway located immediately to the north.
- The heritage-listed submarine scale model will be retained, but relocated, which will ensure that this community asset is maintained and still available for public viewing. The relocated scale model submarine will provide a consolidated submarine precinct for both locals and visitors to attend.
- A letter of support has been provided by the Holbrook Lions Club regarding the relocation of this item and consultation has also been undertaken with Friends of Holbrook Submarine Museum.

- The resultant redevelopment of the land will not create any new unacceptable environmental or social impact as the proposal will support the establishment of a medium sized supermarket and expanded hardware store, which will significantly improve the range and type of services currently available within the town.
- The owner is willing to acquire the land in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- The applicant will pay for the reasonable relocation and re-establishment costs of the submarine scale model, as well as any other associated works, which will not place a burden on public funds.

Therefore, the proposed amendment to the LEP is appropriate and well-considered and warrants approval.

It is recommended that Greater Hume Council resolve to support the changes to the LEP as detailed in this Planning Proposal and forward it to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.

Attachment A: Title Details

Attachment B: Consistency with Riverina-Murray Regional Plan 2041

Table 3 | Consistency with Riverina-Murray Regional Plan 2041

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Part 1 – Environment		
Objective 1 – Protect, connect and enhance biodiversity throughout the region.	N/A	N/A
Objective 2 – Manage development impacts within riverine environments	N/A	N/A
Objective 3 – Increase natural hazard resilience	N/A	N/A
Part 2 – Communities and places		
Objective 4 – Support Aboriginal aspirations through land use planning.	Not yet applicable, as the subject land is not known to contain any culturally significant land.	N/A
Objective 5 – Ensure housing supply, diversity, affordability and resilience.	N/A	N/A
Objective 6 – Support housing in regional cities and their sub-regions	N/A	N/A

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Objective 7 – Provide for appropriate rural residential development.	N/A	N/A
Objective 8 – Provide for short-term accommodation	N/A	N/A
Objective 9 – Plan for resilient places that respect local character	The Planning Proposal relates to a local heritage item in the main street of Holbrook and the provisions of this objective apply.	<p>The Planning Proposal is generally consistent with the aims and strategies of this objective as it will conserve an existing heritage item and will continue to support tourism and economic development within the township.</p> <p>As outlined within the Statement of Significance for this item, the scale model was prepared as a replica to Lieutenant Holbrook's submarine, which was piloted through the minefields off the Dardenelles to torpedo a Turkish battleship in December 1914.</p> <p>So inspired were the locals that, with overt symbolic intent, they changed the name of their town from Germanton to Holbrook.</p> <p>Consequently, the legacy of Lieutenant Holbrook is significant for the local community, which is reinforced by the scale model and the towns' broader reputation as the 'submarine town'.</p> <p>Whilst it is acknowledged that the proposed changes would result in the relocation of the current Commander Holbrook Memorial Park, it is noted that the subject land has no historical association to Commander</p>

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
		<p>Holbrook or his submarine and was the previous site of Bill Badowitz's blacksmithing shop.</p> <p>The site of the proposed relocation (Submarine Park) is considered a more logical location as it already houses the adjoining HMAS Otway Submarine and will result in the creation of a consolidated submarine tourism precinct, rather than its current location which is surrounded by a car park on two sides.</p> <p>The relocation of this item and creation of a single consolidated submarine precinct will further reinforce the town's reputation as a submarine town. This in turn will support economic development and tourism.</p> <p>Consistent with previous advice received, a conceptual master plan has also been prepared for this submarine precinct, which again reinforces the role of this, and adjoining local heritage items.</p> <p>It is confirmed that the proposal will have no impact on matters regarding Aboriginal Heritage.</p>
Objective 10 – Improve connections between Murray River communities	N/A	N/A
Objective 11 – Plan for integrated and resilient utility infrastructure.	N/A	N/A

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Part 3 - Economy		
Objective 12 – Strategically plan for rural industries	N/A	N/A
Objective 13 – Support the transition to net zero by 2050	N/A	N/A
Objective 14 – Protecting and promoting industrial and manufacturing land	N/A	N/A
Objective 15 – Support the economic vitality of CBDs and main streets	The Planning Proposal relates to land in the main street of Holbrook, being Albury Street.	<p>The subject Planning Proposal directly supports the aims and strategies of this objective as it will allow for an expansion of the adjoining hardware business and construction of a new fit for purpose IGA supermarket located at 155 Albury Street, Holbrook.</p> <p>The proposed reclassification and subsequent redevelopment of the land will allow for the construction of a new medium sized supermarket and expanded hardware store, which will significantly improve the range and type of products currently available within the town. This will help support economic development and jobs within the town, whilst also preserving the existing heritage buildings contained on-site.</p>

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
		<p>This responds directly to Strategy 15.1 of this objective, which reads as follows:</p> <ul style="list-style-type: none"> • <i>maintain and strengthen the economic vitality and function of established commercial centres and focus future commercial and retail activity in these centres, unless:</i> <ul style="list-style-type: none"> – <i>there is a demonstrated need;</i> – <i>there is a lack of suitable sites within or adjoining existing centres; and</i> – <i>there is positive social and economic benefit to locate activity elsewhere</i> • <i>facilitate a range of uses through flexible and simplified planning controls to respond to the changing retail environment.</i> • <i>conserve cultural heritage values and local character</i> <p>The proposed redevelopment of this land also achieves Strategy 15.2, which reads as follows:</p> <ul style="list-style-type: none"> • <i>Strategic and statutory planning for new retail and commercial centres and development will demonstrate how they:</i> <ul style="list-style-type: none"> - <i>respond to retail supply and demand, innovation and digital trends in the retail sector</i> - <i>maximise existing public transport and community facilities commensurate with the scale of the proposal</i> - <i>enhance public areas</i> - <i>do not detract from established commercial centres.</i>

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
		<p>Lastly, the proposal also achieves Strategy 15.3 as follows:</p> <p><i>In collaboration with local communities, council strategic planning will recognise and celebrate the local character of places and people, the vitality of centres and economic viability. Initiatives may include public domain improvements, public art, community events, markets and festivals, and local housing to promote activation, dining and the night-time economy.</i></p> <p>The proposal is consistent with the above strategies for the following reasons:</p> <ul style="list-style-type: none"> • The reclassification and redevelopment of the land will allow for the expansion and construction of existing and proposed new commercial activity located within the main street of Holbrook. • The current retain products are currently limited and the works seek to facilitate an expansion of services, which will have an overall positive social impact in terms of economic development and jobs. • The development, whilst relocating a heritage item, will still retain an existing heritage item, albeit in a different location. • The relocation of the model submarine will support and reinforce the Submarine Precinct of Holbrook, which has been supported by a concept master plan. • The proposed relocation of the model submarine model has been undertaken in consultation with local and broader interest groups and seeks to retain this important local heritage item.

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Objective 16 – Support the visitor economy	The Planning Proposal will have an impact on tourism and the visitor economy.	<p>As outlined in response to Objective 15, the reclassification and subsequent sale and redevelopment of the subject land will allow for the construction of a new medium sized supermarket and expanded hardware store, which will significantly improve the range and type of products currently available within the town. This will help support economic development and jobs within the town and the visitor economy through the greater provision of services.</p> <p>Similarly, the relocation and establishment of the scale model submarine within the adjoining Submarine Park to the north will result in a consolidated submarine precinct, which will reaffirm Holbrook's identity as the 'submarine town'.</p> <p>The preparation of a conceptual master plan and location of the park next to an expanded supermarket and hardware store will also support the visitor and local economy.</p>
Objective 17 – Strategically plan for health and education precincts	N/A	N/A
Objective 18 – Integrate transport and land use planning	N/A	

Attachment C: Consistency with State Environmental Planning Policies

Table 4 | Consistency with State Environmental Planning Policies

Policy	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Biodiversity and Conservation) 2021		
Chapter 2 – Vegetation in non-rural areas	Applies to subject sites	Not applicable to a reclassification of land where no tree removal is proposed.
Chapter 3 – Koala habitat protection 2020	Applies to subject sites	Not applicable to a reclassification of land where no tree removal is proposed.
Chapter 4 – Koala habitat protection 2021	Applies to subject sites	Not applicable to a reclassification of land where no tree removal is proposed.
Chapter 5 – River Murray lands	Not applicable.	Not applicable.
Chapter 6 – Water Catchments	Not applicable.	Not applicable.
Chapter 13 – Strategic Conservation Planning	Not applicable.	Not applicable.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Applies to all land in the State.	Not applicable

Policy	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Housing) 2021		
Chapter 2 – Affordable housing	Applies to all land in the State.	Not applicable
Chapter 3 – Diverse housing	Applies to all land in the State.	Not applicable
Chapter 4 – Design of residential apartment development	Applies to all land in the State.	Not applicable
State Environmental Planning Policy (Industry and Employment) 2021		
Chapter 2 – Western Sydney employment area	Not applicable.	Not applicable.
Chapter 3 – Advertising and signage	Applies to all land in the State.	Not applicable
State Environmental Planning Policy (Planning Systems) 2021		
Chapter 2 – State and Regional Development	Applies to all land in the State.	Not applicable

Policy	Applicable to Planning Proposal	Consistency
Chapter 3 – Aboriginal land	Not applicable.	Not applicable.
Chapter 4 – Concurrences and consents	Applies to all land in the State.	Not applicable
State Environmental Planning Policy (Precincts – Central River City) 2021		
Chapter 2 – State significant precincts	Applies to all land in the State.	Not applicable
Chapter 3 – Sydney region growth centres	Not applicable.	Not applicable.
Chapter 4 – Homebush Bay area	Not applicable.	Not applicable.
Chapter 5 – Kurnell Peninsula	Not applicable.	Not applicable.
Chapter 6 – Urban renewal precincts	Not applicable.	Not applicable.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021		
Chapter 2 – State significant precincts	Applies to all land in the State.	Not applicable

Policy	Applicable to Planning Proposal	Consistency
Chapter 3 – Darling Harbour	Not applicable.	Not applicable.
Chapter 4 – City West	Not applicable.	Not applicable.
Chapter 5 – Walsh Bay	Not applicable.	Not applicable.
Chapter 6 – Cooks Cove	Not applicable.	Not applicable.
Chapter 7 – Moore Park Showground	Not applicable.	Not applicable.
State Environmental Planning Policy (Precincts – Regional) 2021		
Chapter 2 – State significant precincts	Applies to all land in the State.	Not applicable
Chapter 3 – Activation precincts	Not applicable.	Not applicable.
Chapter 4 – Kosciuszko National Park and alpine resorts	Not applicable.	Not applicable.
Chapter 5 – Gosford city centre	Not applicable.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Precincts – Western Parkland City) 2021		
Chapter 2 – State significant precincts	Applies to all land in the State.	Not applicable
Chapter 3 – Sydney region growth centres	Not applicable.	Not applicable.
Chapter 4 – Western Sydney Aerotropolis	Not applicable.	Not applicable.
Chapter 5 – Penrith Lakes Scheme	Not applicable.	Not applicable.
Chapter 6 – St Mary's	Not applicable.	Not applicable.
Chapter 7 – Western Sydney Parklands	Not applicable.	Not applicable.
State Environmental Planning Policy (Primary Production) 2021		
Chapter 2 – Primary production and rural development	Not applicable	Not applicable.
Chapter 3 – Central Coast plateau areas	Not applicable.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Resilience and Hazards) 2021		
Chapter 2 – Coastal management	Not applicable.	Not applicable.
Chapter 3 – Hazardous and offensive development	Applies to all land in the State.	Not applicable
Chapter 4 – Remediation of land	Applies to all land in the State.	Not applicable
State Environmental Planning Policy (Resources and Energy) 2021		
Chapter 2 – Mining, petroleum production and extractive industries	Applies to all land in the State.	Not applicable
Chapter 3 – Extractive industries in Sydney area	Not applicable.	Not applicable.
State Environmental Planning Policy (Sustainable Buildings) 2022		
Chapter 2 – Standards for residential development - BASIX	Applies to all land in the State.	Not applicable

Policy	Applicable to Planning Proposal	Consistency
Chapter 3 – Standards for non-residential development	Not applicable.	Not applicable
Chapter 4 - Miscellaneous	Not applicable.	Not applicable.
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Chapter 2 – Infrastructure	Applies to all land in the State.	Not applicable
Chapter 3 – Educational establishments and child care facilities	Applies to all land in the State.	Not applicable
Chapter 4 – Major infrastructure corridors	Not applicable.	Not applicable.
Chapter 5 – Three ports – Port Botany, Port Kembla and Newcastle	Not applicable.	Not applicable.
Chapter 6 – Moorebank Freight Intermodal	Not applicable.	Not applicable.
Draft State Environmental Planning Policies		

Policy	Applicable to Planning Proposal	Consistency
Corridor Protection SEPP	Not applicable.	Not applicable.

Attachment D: Consistency with Section 9.1 Ministerial Directions

Table 5 | Consistency with Ministerial Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is consistent with the goals, directions and actions as contained within the <i>Riverina Murray Regional Plan 2041</i>, in as much as it does derogate from those objectives.</p> <p>A full response in relation to this Regional Plan has been provided as Attachment B.</p>
1.2	Development of Aboriginal Land Council Land	Not applicable, as the subject land is not identified on the Land Application Map of <i>State Environmental Planning Policy (Aboriginal Land) 2019</i>	Not applicable.
1.3	Approval and Referral Requirements	Yes, as this Direction applies to all Planning Proposals.	Not applicable
1.4	Site Specific Provisions	Not applicable, as the Planning Proposal does not seek to create any site specific provisions.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
1.4A	Exclusion of Development Standards from Variation		
1. Planning Systems – Place Based			
1.5	Parramatta Road Corridor Urban Transformation Strategy	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.8	Implementation of Wilton Priority Growth Area Interim	Not applicable to the Greater Hume Local Government Area.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
	Land Use and Infrastructure Implementation Plan		
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.10	Implementation of Western Sydney Aerotropolis Plan	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.11	Implementation of Bayside West Precincts 2036 Plan	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.14	Implementation of Greater Macarthur 2040	Not applicable to the Greater Hume Local Government Area.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
1.15	Implementation of the Pymont Peninsula Place Strategy	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.16	North West Rail Link Corridor Strategy	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.17	Implementation of Bays West Place Strategy	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.18	Implementation of the Macquarie Park Innovation Precinct	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.19	Implementation of the Westmead Place Strategy	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.20	Implementation of the Camellia-Rosehill Place Strategy	Not applicable to the Greater Hume Local Government Area.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
1.21	Implementation of South West Growth Area Structure Plan	Not applicable to the Greater Hume Local Government Area.	Not applicable.
1.22	Implementation of the Cherrybrook Station Place Strategy	Not applicable to the Greater Hume Local Government Area.	Not applicable.
Design and Place [This Focus Area was blank when the Directions were made]			
Nil			
Biodiversity and Conservation			
3.1	Conservation Zones	Yes, as this Direction applies to all Planning Proposals.	Not applicable.
3.2	Heritage Conservation	Yes, as this Direction applies to all Planning Proposals.	<p>The provisions of this Direction apply as the Planning Proposal seeks to relocate “Heritage Item No. I118 – Submarine, Scale Model”.</p> <p>The objectives of this Direction are to “conserve items, areas, objects and places of environmental heritage”.</p>

No.	Title	Applicable to Planning Proposal	Consistency
			<p>Whilst it is acknowledged that the Planning Proposal seeks relocate this heritage item, this is considered appropriate in this instance as the item will still be retained, albeit in a different location immediately opposite the site.</p> <p>As outlined above, the subject land has no historical association to Commander Holbrook or his submarine and was the previous site of Bill Badowitz's blacksmithing shop.</p> <p>The site of the proposed relocation (Submarine Park) is considered a more logical location as it already houses the adjoining HMAS Otway Submarine and will result in the creation of a consolidated submarine tourism precinct, rather than its current location which is surrounded by a car park on two sides.</p> <p>This will reinforce and retain the significance of the model submarine, whilst ensuring that it is not overshadowed by the larger HMAS Otway.</p> <p>Consequently, the proposal is consistent with the provisions of this Direction and considered of minor significance.</p> <p>It is also confirmed that the proposal will have no impact on matters regarding Aboriginal Heritage as the site is highly disturbed.</p>
3.3	Sydney Drinking Water Catchment	Not applicable to the Greater Hume Local Government Area.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable to the Greater Hume Local Government Area.	Not applicable.
3.5	Recreation Vehicle Areas	Yes, as this Direction applies to all Planning Proposals.	Not applicable
3.6	Strategic Conservation Planning	Not applicable	Not applicable.
3.7	Public Bushland	Not applicable to the Greater Hume Local Government Area.	Not applicable.
3.8	Willandra Lakes Region	Not applicable to the Greater Hume Local Government Area.	Not applicable.
3.9	Sydney Harbour Foreshores and Waterways Area	Not applicable to the Greater Hume Local Government Area.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
3.10	Water Catchment Protection	Not applicable to the Greater Hume Local Government Area.	Not applicable.
Resilience and Hazards			
4.1	Flooding	Not applicable	The land is not flood prone.
4.2	Coastal Management	Not applicable	The land is not in a coastal management area.
4.3	Planning for Bushfire Protection	Not applicable	The land is not bushfire prone.
4.4	Remediation of Contaminated Land	Not applicable	The land is not known to be contaminated and is not seeking to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital
4.5	Acid Sulphate Soils	Not applicable	The land is not subject to acid sulphate soils.
4.6	Mine Subsidence & Unstable Land	Not applicable	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
Transport and Infrastructure			
5.1	Integrating Land Use and Transport	Not applicable	Not applicable
5.2	Reserving Land for Public Purposes	This direction relates to the provision of land for public purposes.	<p>Whilst it is acknowledged that the proposal would result in a reduction of public land, the reclassification and sale of the land will allow for the expansion of essential services that will service the local community.</p> <p>Similarly, the community asset currently contained within the park (scale model submarine, memorial gates etc) will be relocated and preserved within another public reserve located immediately adjacent to the site.</p> <p>As part of this planning proposal, any changes to public land will seek the approval of the Planning Secretary (or an officer of the Department nominated by the secretary).</p> <p>Should Council agree to the proposed reclassification and sale of the land, the owner will acquire the land in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>Similarly, the applicant will pay for the reasonable relocation and re-establishment costs of the submarine scale model, as well as any other associated works, which will not place a burden on public funds.</p>

No.	Title	Applicable to Planning Proposal	Consistency
5.3	Development Near Regulated Airports and Defence Airfields	Not applicable	Not applicable.
5.4	Shooting Ranges	Not applicable	Not applicable.
Housing			
6.1	Residential Zones	Not applicable	Not applicable
6.2	Caravan Parks & Manufactured Home Estates	Not applicable	Not applicable
Industry and Employment			
7.1	Business and Industrial Zones	Not applicable.	<p>Whilst it is acknowledged that the subject land is located within the RU5 Village zone, which covers the main street of Holbrook, the provisions of Direction 7.1 do not apply to this zone.</p> <p>Notwithstanding, the Planning Proposal achieves the general aims and principles of this Ministerial Direction as it will not reduce the area of total</p>

No.	Title	Applicable to Planning Proposal	Consistency
			potential floor space and will in fact will allow for an expansion of the adjoining hardware store and supermarket.
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.
Resources and Energy			
8.1	Mining, Petroleum Production and Extractive Industries	Not applicable	Not applicable
Primary Production			
9.1	Rural Zones	Not applicable	Not applicable.
9.2	Rural Lands	Not applicable	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
9.3	Oyster Aquaculture	Not applicable	Not applicable.
9.4	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable	Not applicable.

Attachment E: LEP Information Checklist

INFORMATION CHECKLIST FOR PROPOSALS TO CLASSIFY OR RECLASSIFY PUBLIC LAND THROUGH AN LEP

The process for plan-making under the EP&A Act is detailed in the *Local Environmental Plan Making Guideline* (August 2023).

Importantly, the Guideline contains the Secretary's requirements for matters that must be addressed in the justification of all planning proposals to reclassify public land.

Councils must ensure the Secretary's requirements are addressed. Councils must also comply with any obligations under the *Local Government Act* when classifying or reclassifying public land. More information on this can be found in Practice Note No. 1 - Public Land Management (Department of Local Government, 2000).

All planning proposals classifying or reclassifying public land must address the following matters (**Table 6** below) for Gateway consideration in accordance with PN16-001 – Information Checklist. These are in addition to the requirements for all planning proposals under section 3.33(2)(a) – (e) of the *Environmental Planning & Assessment Act* (and further explained in *Local Environmental Plan Making Guideline*).

Table 6 | Matters for Consideration

Matters for Consideration	Response
the current and proposed classification of the land;	Current: Community land. Proposed: Operational land.
whether the land is a 'public reserve' (defined in the LG Act);	The land is classified as a 'public reserve'.
the strategic and site-specific merits of the reclassification and evidence to support this;	Details and evidence regarding the strategic merit of the reclassification has been provided in this Planning Proposal.
whether the planning proposal is the result of a strategic study or report;	The Planning Proposal is not the result of a strategic study or report.
whether the planning proposal is consistent with council's community plan or other local strategic plan;	The outcomes sought by the Planning Proposal are generally consistent with Council's CSP and LSPS. Specifically, the relocation of the heritage item and sale and redevelopment of the land for commercial purposes (new supermarket and expanded hardware store), will support economic growth, jobs and will increase the range of commercial facilities provided within the town. Furthermore, the proposal will retain the scale model submarine, albeit in a different location opposite the site and will consolidate and reinforce the 'submarine precinct' within Holbrook.

Matters for Consideration	Response
<p>a summary of council's interests in the land, including:</p> <p>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)</p> <p>if council does not own the land, the land owner's consent;</p> <p>the nature of any trusts, dedications etc;</p>	<p>Council is the owner of the subject land.</p> <p>Refer to Certificates of Title (Attachment A)</p> <p>The subject land is currently Classified as 'Community Land' with a subcategory of 'Park'.</p> <p>The reserve was dedicated as a War Memorial on 11 September 1971.</p>
<p>whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why;</p>	<p>As part of the reclassification, the public reserve status of the land will be discharged.</p> <p>This is in recognition of the fact that the land will be privately owned and no longer used as a park or a War Memorial.</p>
<p>the effect of the reclassification (including, the loss of public open space, any discharge of interests and/or removal of public reserve status</p>	<p>As outlined within this Planning Proposal, the reclassification and proposed redevelopment of this land will result in a loss of public open space classified as a public reserve.</p> <p>Whilst not actively used for open space purposes the site does provide passive recreation and social benefits. Notwithstanding as outlined within this report, the proposal is still expected to have an overall positive social and environmental outcome.</p> <p>It is confirmed that no interests will be discharged from the land, with the exception of the public reserve designation.</p>
<p>evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g. electronic title searches, notice in a Government Gazette, trust documents);</p>	<p>The relevant Certificates of Title are included as Attachment A to the Planning Proposal.</p>
<p>current use(s) of the land, and whether uses are authorised or unauthorised;</p>	<p>The subject land is currently developed and used as the Commander Holbrook Park.</p> <p>There are no authorised or unauthorised uses on-site.</p>

Matters for Consideration	Response
current or proposed lease or agreements applying to the land, together with their duration, terms and controls;	Not applicable.
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>There are no leases or licences that currently apply to the land.</p> <p>It is acknowledged however that the purpose of the proposed reclassification and relocation of the model submarine is sought to allow for the sale of the land to the adjoining landowners'. The intention is that this would occur within the short term (1-2 years).</p> <p>Details of any potential land transfers and sales conditions are still to be determined.</p>
any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy);	Not applicable, the reclassification does not include any associated rezoning of land.
how council may or will benefit financially, and how these funds will be used;	<p>Should Council agree to reclassify the land from community to operational, the proponents would seek to purchase the land from Council in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>The use of any funds received from this sale would need to be determined prior to the sale.</p>
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;	It is expected that any funds received from the sale of the land will be used to improve or embellish other public reserves, including the adjoining Submarine Park to the north, which will be the site of the relocated model submarine.
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; and	Not applicable as the Planning Proposal relates to the whole of the lot.
preliminary comments by a relevant government agency, including an	No preliminary comments are available at the stage of drafting the Planning Proposal. Relevant government

Matters for Consideration	Response
agency that dedicated the land to council, if applicable.	agencies will be consulted in accordance with the Gateway determination.

Attachment F: LEP Practice Note PN-16-001 - Classification and reclassification of public land through a local environmental plan

Attachment G: Concept Site Plan – Holbrook IGA and Mitre 10 Redevelopment

Attachment H: Concept Master Plan – Holbrook Submarine Park