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## TRANSCRIPT OF PROCEEDINGS

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TRANSCRIPT IN CONFIDENCE

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O/N H-946636

### **INDEPENDENT PLANNING COMMISSION MEETING WITH THE PROPONENT**

#### **RE: URALLA GATEWAY REVIEW**

**PANEL:**

**DR PETER WILLIAMS  
CATHERINE HIRD**

**ASSISTING PANEL:**

**MICHAEL WOODLAND  
LEE McCOURT  
MATTHEW TODD-JONES**

**PROPONENT:**

**KARL BOCK**

**LOCATION:**

**IPC OFFICE  
LEVEL 3, 201 ELIZABETH STREET  
SYDNEY, NEW SOUTH WALES**

**DATE:**

**11.03 AM, MONDAY, 8 OCTOBER 2018**

## **THIS PROCEEDING WAS CONDUCTED BY TELEPHONE CONFERENCE**

5 DR P. WILLIAMS: Good morning and welcome. Before we begin, I would like to  
acknowledge the traditional owners of the land on which we meet and pay my  
respects to their elders, past and present. Welcome to the meeting today on the  
review of the Gateway determination, the planning proposal to rezone land at The  
Gap, Uralla, from RU1 Primary Production to RU4 Primary Production, Small Lots,  
and amend the minimum lot size from 200 hectares to 20 hectares. My name is Peter  
10 Williams. I'm the chair of this IPC channel. Joining me is Commissioner Catherine  
Hird. The other attendees of the meeting are Michael Woodland and Lee McCourt  
from Keylan Consulting who are assisting the Commission with this project, and  
Matthew Todd-Jones from the IPC secretariat.

15 Karl Bock from Croft Surveying and Mapping is also attending via telephone. In the  
interest of openness and transparency, and to ensure the full capture of information,  
today's meeting is being recorded and a full transcript will be produced and made  
available on the Commission's website. This meeting is one part of the  
Commissioner's decision-making proceedings. It is taking place at the preliminary  
20 stage of this process, and will form one of several sources of information upon which  
the Commission will base its decision.

It is important for the Commissioners to ask questions of attendees and to clarify  
issues whenever we consider it appropriate. If you are asked a question and are not  
25 in a position to answer, please feel free to take the question on notice and provide  
any additional information in writing which we will then put up on our website. We  
will now begin. So firstly, Karl, just – we will introduce ourselves. Once again, I'm  
Peter Williams, and I'm the chair of this panel.

30 MS C. HIRD: I'm Catherine Hird. I'm a Commissioner.

MR M. WOODLAND: Michael Woodland, Keylan Consulting.

35 MS L. McCOURT: Lee McCourt, Keylan Consulting.

MR M. TODD-JONES: And Matthew Todd-Jones, from the IPC secretariat.

MR K. BOCK: Okay. Thank you.

40 DR WILLIAMS: Thanks, Karl. The way we normally conduct these meetings is  
that it's a little bit difficult teleconference, so I apologise for that. But normally what  
we would like you to do – let the applicant make their presentation and what we  
might do, if that's okay – we might ask you questions during the course of your  
presentation, if that's alright.

45 MR BOCK: Yes.

DR WILLIAMS: And, of course, we will also have definite questions for you at the end as well. So would you like to get the ball rolling and speak in support of this Gateway determination review?

5 MR BOCK: Okay.

DR WILLIAMS: Thank you.

10 MR BOCK: Okay. Firstly I guess I will start with the origins of the proposal, so how that has come about. Essentially, Croft Surveying were engaged by landowner or ..... to ..... different potential ..... so I'm investigating future options going forward. So that involved a review of – I guess an understanding of what the owners thought – what their desires were, what their understanding of – what it is that ..... connection to the land going forward ..... desires and opportunities that they saw fit, and then that  
15 was reviewed in the context of understanding analysis with the local and regional context, where the land sat in the context of the Uralla Shire and the New England Region.

We looked at the potential of the land in its current form, looked at the potential  
20 opportunities, different land use options that may be possible underneath the planning regime, and looked at, I guess, how the socio-economic context of the Uralla Shire is now and where it's going into the future. And then that was put at the highest strategic level, coming down to the site – looking at the site attributes, the surrounding context and looking at where the local economy is now, where it's  
25 potentially going in the context of the understanding of the local community, and then the understanding of the Department of Planning for the regional planning process that has been undertaken more recently.

So I guess pulling together an understanding of the context, it was being looked at as,  
30 I guess, different options, the options of do nothing and continue letting it – what feasibility or options might be around retaining existing zoning or planning arrangements that are in place, and then looking at what alternatives might be feasible. So looking at two options that were considered, one was to look at retaining a rural production use of the land, and then another was to look at lifestyle type  
35 opportunities that that might exist. The end conclusion was that the desire and probably the most suitable use would be to retain the land in rural use ..... and to look at where the opportunities might exist and whether the market might exist and what the limitations might be of a market to take up such an opportunity under the proposed ..... put forward.

40 So I guess in conclusion the intent was to try and find an opportunity that could enhance or embrace, really, the use of the land to allow for small lot – more intensive type uses. But allow, I guess, multiple land owners to undertake different niche-type activities from a rural and tourism perspective to, in effect, create a clustered area  
45 that can, I guess, meet the growing need and – the identified need ..... planning to provide for small lot niche type land use activities. And I guess ..... in determining that, I guess, the special location is quite critical – where the actual site sits within

the context of access to services and industry – employment. So it's well-positioned there, it's well-positioned in terms of an improved industrial subdivision which hasn't awakened the development phase yet, but ..... how that may create that development to be a little more viable and bring that development forward.

5

And then the other component was to look at, perhaps, the benefit of tourism ..... identify the site is quite strategically located in terms of its position between Uralla and Walcha, which that road heads towards Port Macquarie, which has a whole ..... of sporadic niche-type agricultural tourism opportunities along that road, which then heads into a ..... locally known as Fossicker's Way, so it's quite a critical engaging tourism offshoot from the New England Highway. And then the other component was to look at if the site is to be used for more ..... how it's going to connect to employment opportunities, how it could enhance employment opportunities and business opportunities in the Uralla Shire.

15

So one of the key elements is to do – to see that if this land is to be developed, it's going to have a flow-on benefit to the township. And that's particularly critical in the Uralla context, given that – the travel distance to Armidale from Uralla tends to see communities interact more with Uralla if they're on the north-west side of Uralla. This side is on the south-east and creating extra travel time to Armidale which we believe will, sort of, be at that balance point where people are more likely to – employees or business ..... you know ..... are going to be more likely through Uralla as opposed to an additional time factors that would ..... things ..... into the ..... so, in brief, that's, sort of, the general logic and reasoning behind a proposed rezoning and the ..... of what's trying to be achieved with the ..... proposal.

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DR WILLIAMS: Thanks, Karl. I might just start the ball rolling with one question and then I might hand it over to Catherine and the consultants who probably will have some questions I think also.

30

MR BOCK: Yes.

DR WILLIAMS: First of all, the proposal is for both the rezoning and a change to the minimum allotment size. The ..... sorry the RU4 to RUI – sorry, the other way around, RUI to RU4 and - - -

35

MR BOCK: Yes.

DR WILLIAMS: - - - 200 hectares to 20 hectares, the point was made that in terms of potential intensive agricultural use that that could be achieved purely through reducing the minimum allotment size and that a rezoning wouldn't be required. What's your response to that .....

40

MR BOCK: Yes – yes - - -

45

DR WILLIAMS: And particularly given that there are some additional – a few, but not many but there are a few additional land uses that will be permitted in the RU4

zone. Are you thinking that those uses should also be permitted, as well, which would basically non-agricultural uses?

5 MR BOCK: Yes. So the RU4, from memory, brings into play some of the secondary components to the ..... that might be undertaken ..... and if – and I’m not sure ..... particular example, but you may have a ..... where you have a vineyard and then you want a function centre as a secondary use and I can’t use that as a specific example because I would have to look at ..... matrix to see.

10 DR WILLIAMS: Yes. There’s a couple of .....

MR BOCK: ..... that does apply - - -

15 DR WILLIAMS: Yes.

MR BOCK: - - - but there were a number of different uses but for the RU4 more suitable than the RUI.

20 DR WILLIAMS: Right. So it would be fair to say that what’s being – you did mention that you want to take advantage – in terms of the – you know, the two options, the rural lifestyle production use - - -

MR BOCK: Yes.

25 DR WILLIAMS: - - - which that would certainly achieve also, but also the – you mentioned tourism as another opportunity and - - -

MR BOCK: Yes.

30 DR WILLIAMS: - - - so the tourist-type uses would really only be permitted in the RU4 zone – function centres, food, cafés, food premises as well as truck depots, transport depots - - -

35 MR BOCK: Yes.

DR WILLIAMS: - - - a few other uses like that. So - - -

MR BOCK: Yes.

40 DR WILLIAMS: - - - would they be crucial? I mean, do you see that the – a whole ..... not a whole range, but these additional several uses would be desirable or is it mainly you’re concerned more with trying to have the land – the .....

45 MR BOCK: .....

DR WILLIAMS: - - - that it can accommodate intensive agriculture.

MR BOCK: Yes. It's these secondary uses that are quite critical to the intensive-type uses because it's ..... in New England that ..... of looking at emerging opportunities from the value that agriculture can bring under different systems and then marketing that and offering the experience of whether we – with the ..... they  
5 seek to offer insights into how the production system works and ..... and see how it's ..... experience and that's where the ..... probably offers a bit more opportunity.

It also if we're looking in a cluster of this area, I think it would clear up and give a bit of a definition between RU1-ish uses and then the more intensive uses from the –  
10 an adjoining landowner or if someone was to purchase within the area that they don't – they have an understanding that it is a more intensive area, not just, sort of, open fields of grazing lands when they have a different expectation of what the surrounding land use will be. So just trying to foreshadow that and try and provide a zone ..... going to fit and suitable for what the intended uses might be or are likely to  
15 be.

DR WILLIAMS: Karl, I might just ask – thank you. I might just ask just one more question then I will hand it over to Catherine, if that's okay.

20 MR BOCK: Yes.

DR WILLIAMS: Any idea of the likely level of demand for these sorts of land uses that will be – – –

25 MR BOCK: Yes - - -

DR WILLIAMS: - - - would be permitted?

MR BOCK: Yes. The – I think that's ..... the key area where ..... moving in terms of  
30 opportunities, opportunistic individuals that are moving within the region, moving to the region or locally that are looking at their start into their own business and doing something that's a little bit more than your traditional sheep and cattle grazing ..... from through from ..... the generations that have been before them that are doing the traditional agricultural activities through to migration from Sydney and individuals  
35 looking at starting ..... so to speak and then demand also within the region for – I guess ..... there would be the family household, so the individuals that have ..... agricultural systems and are establishing families and want to do something a little bit different to traditional means and – but are ..... incomes and household incomes etcetera.

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DR WILLIAMS: Okay. Thank you, Karl. I might ..... ask Catherine. Thank you.

MS HIRD: Hi, Karl. A couple of questions for you. You allude to the fact that you did some previous analysis of what the opportunities were on this 230 hectare site  
45 and - - -

MR BOCK: Yes.

MS HIRD: - - - what – did you do any sort of economic analysis of the existing arrangements, which I assume is grazing – is that sheep grazing – is that right? Cattle grazing?

5 MR BOCK: Cattle grazing, so ..... yes. We didn't go to look at the actual income streams and the amount of return that's currently underway partly because the land is – it's not in full production and probably won't be for some time because that's not the ..... was a ..... but it's part of the succession process within the family where a number of related families who own the property ..... moving into ..... so to speak and  
10 into the extended family and which process ..... at ways to optimise that in – into a usable state. It was in that context.

MS HIRD: Okay. And what are the soils like on this property from - - -

15 MR BOCK: Yes. It's a – it's reasonable soil for production from grazing perspectives, so ..... cattle or sheep. In terms of cropping, the climatic conditions probably provides a limitation to cropping although improved pastures are an option there.

20 MS HIRD: So they've been undertaken in the past – cropping and improved pastures?

MR BOCK: ..... improved cropping for an improved pasture perspective, so it's barley or hay-making ..... and – or whatever the case is - - -

25 MS HIRD: Yes.

MR BOCK: - - - for stockfeed on property.

30 MS HIRD: So they have done that. Okay. And - - -

MR BOCK: Yes.

35 MS HIRD: - - - one concern I have is with the water supply. How do you think you would supply water to the different properties?

MR BOCK: Yes. So for their ..... groundwater capacity - - -

40 MS HIRD: .....

MR BOCK: - - - then, obviously, looking at the 20 hectares. That's going to vary, across the lots. So some will have groundwater capacity or options. The – and then the other component would be looking at – yes – so if it's water collection – so rainwater harvesting.

45 MS HIRD: And – okay. I think that's all from me for now. I will pass it on.

MR WOODLAND: G'day, Karl. It's Michael Woodland here. I just had a – just one or two questions. I think the Commissioners have covered some of the – of our questions. One was around potential land use conflict both within these new uses that you talk about and also within existing agricultural uses. Can you talk a bit  
5 about how you would address that.

MR BOCK: Yes. I guess that's part of the reasons for the RU4, because there was an expectation or an understanding that – between landowners it's more primary production ..... There's more intensive land use activities. I guess potential conflict  
10 – I guess essentially any zone that you apply, you tend to cluster zones based on like uses.

MR WOODLAND: Yes.

MR BOCK: So the ..... intensive use, then people within that zone have an expectation or understanding what's going to happen. Likewise with residential areas. So that's essentially the mechanism there to address land use conflict. I don't tend to, from my past experience, to see a lot of land use conflicts to the extent that it may have been in the past. This latest is probably the one that's the most common.  
20

MR WOODLAND: Yes.

MR BOCK: But with the regulations and the practices in place now, that's something that can be regulated quite effectively and quickly if there is an issue with ..... chemical or whatever the case is. So there are other regulatory systems in place to address those types of things. Noise is another thing, but obviously with any use, it goes through a development assessment system which is quite rigorous in today's terms compared to what has previously been the case.  
25

MR WOODLAND: I wouldn't disagree with that in terms of the DA system. You talked about clusters, and obviously we've been through your reports here in terms of the planning proposal and also the response to the council meeting. Can you just talk about – obviously this site has not been identified in council's strategic plan in terms of having smaller lots. Can you just talk about your response to that, in a nutshell?  
35

MR BOCK: Yeah. Look, just – I will jump back quickly, because the clustering sort of has an interconnection with the industrial end.

MR WOODLAND: Yes.  
40

MR BOCK: But not too far away. And one of the questions before was discussed water. To fully answer that question, there is a potential to extend water from that industrial type if council was in favour of such an arrangement. So yeah, just to clarify that. Now, I slightly forgot the question.  
45

MR WOODLAND: No, it was just clarifying – council's strategy, which was put out in 2010, did not identify this site as smaller holdings.



MR BOCK: Yeah.

MR WOODLAND: So ..... you've gone through and you've done an analysis of the criteria that the council use.

5

MR BOCK: Yeah.

MR WOODLAND: But can you just take us through your logic and thinking why this – why this would be approved although it's not identified in the strategy?

10

MR BOCK: Yeah. So the previous study was the New England based regional strategy, looking at obviously land uses for all mains to feed into the 2012 LEP. So my – I worked in Armidale, Guyra, Uralla, not Walcha, and all these shires were part of that study, so ..... appreciation of how land use activity has evolved over time since that strategy and what the demands are, and I guess the standard instruments sort of created a shift from rural residential lots becoming a more of a residential zone, and the previous strategy isn't particularly clear between small rural holdings and rural/residential or ..... type of use. But what's happened is the – with the standard instrument coming into effect, the response in the zoning has been to create rural/residential clusters which are very rural in their ability to undertake rural uses, and what's happened is a small holdings uses have – haven't actually come through in the planning scheme.

15

20

MR WOODLAND: Okay.

25

MR BOCK: It has sort of been dropped off.

MR WOODLAND: Yes.

30

MR BOCK: And essentially that's the emerging zone of interest or desire is – is not so much if you go back the last several decades for your rural residential lot. People are now sort of ..... demands for undertaking a meaningful activity that can actually create an income and ..... undertake. So there's certainly a gap there. In comparison to the Armidale ..... area, you can see that there's quite a substantial wing of RU4 around the city, which is sort of – I guess it's responded to that change in how zones were categorised or described. But what you find in the likes of Uralla, Guyra ..... the RU4 hasn't come through, that's where you tend to get the demand or the desire, the people seeking the ability to do something away from the city but close enough to be financially reliable and feasible.

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40

MR WOODLAND: Okay. Understood. My only other question was around infrastructure. So what – do you have any other studies or any other reports that you have not submitted with this application that would support the proposal in terms of ability to provide the enabling infrastructure?

45

MR BOCK: Yes. It's a – we haven't gone to that degree. Essentially, being a RU4 zone means the level of infrastructure is going to be less ..... – -

MR WOODLAND: Yes.

MR BOCK: - - - apart from the fact of obviously power and infrastructure which isn't available, and any upgrades would go through the required processes - - -

5

MR WOODLAND: Yes.

MR BOCK: - - - there. And then road upgrading and requirements obviously come through in the development stage, but in terms of any other components, if you've got power and telecommunications – might actually be wireless, anyway, in that area ..... NBN. Yes, the infrastructure is not necessarily a constraint, so to speak.

10

MR WOODLAND: Okay. Right. I was probably more thinking road and one the commissioner has touched on water previously as well. It's probably water and road that was in front of mind.

15

MR BOCK: Yes.

MR WOODLAND: But - - -

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MR BOCK: Yes. Look, the water thing, there is that option for reticulation, but that's not necessary. There are benefits, but then – that needs to be in more of a discussion around whether the council would be wanting to connect RU4 land to reticulated systems. So, obviously, pros and cons around that type of discussion.

25

MR WOODLAND: Okay.

DR WILLIAMS: Sorry, Karl. It's Peter Williams here – I just – Lee or Matt, do you have any - - -

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MR WOODLAND: Yes.

DR WILLIAMS: - - - questions?

MR WOODLAND: I think Lee has got a question.

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MS McCOURT: Yes, I just have a question. It's Lee McCourt here from Keylan.

MR BOCK: Yes.

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MS McCOURT: I noticed that you want to go to a minimum lot size of 20 hectares, and I guess my question is why 20 hectares and not, say, 40?

MR BOCK: Yes, okay. I guess one of the components of looking at receivability – and I guess from experience and ..... it's a different development ..... in the past that haven't got ..... haven't actually moved to the next phase has been largely to do with what the desires are and capacity to finance. So who are the market and how do they

45

get their finance to get established. So I guess it's more household or a family or a couple that are looking to start up a new enterprise. There is a high chance that there is a finance component, and just based on finance criteria it's very difficult for anyone in such a – or wanting to undertake such an enterprise to be able to finance the areas as they get larger. So there are criteria that some finances won't proceed with – finance is based on area.

MS McCOURT: Thanks.

10 MR BOCK: .....

DR WILLIAMS: Yes. No, thank you. Thanks, Karl. Karl ..... just one other question from me: in the various reports there was comment made that there was only, I think it was 82 hectares of land that was equivalent to what you're proposing in Uralla. The council makes the claim that there are – or makes the statement that there is a number of areas that have been identified and are rezoned and are suitable, and makes the point that there's a – in their estimation a 20 year supply of that land. I'm just trying to reconcile those two statements; could you help me on that one, please?

20 MR BOCK: Yes. So I guess the documentation I've provided – that's what's zoned under the LEP. In terms of where councils obtain their figures, I am assuming they're referring to ..... that's the only way I could come to an understanding of how those figures have come about.

25 DR WILLIAMS: Right.

MR BOCK: ..... completely different product, so to speak.

30 DR WILLIAMS: Right. Okay. Thank you. Thanks. I think – have you – we might be fine with questions from our end, Karl. Is there any questions you've got from us or anything else you would like to add, please?

MR BOCK: Look, the documentation we've provided and, I guess, the comments brought forward today are essentially the drivers behind the planning proposal. It's something, I guess, rural planning, rural communities – it's my interest, and it's – a proposal has been put forward based on something that's strategically beneficial for the Uralla Shire and New England. That's the reason behind recommending the proposal. So, obviously, the landowners have ..... but obviously working in a strategic planning background, you've got to look at the overall intents and purpose behind it, and essentially ..... meets the objective of trying to achieve community benefit for the betterment for Uralla Shire.

45 For – I think I your consideration it's really worth looking at the overarching strategic contention of what's trying to be achieved, and hopefully there's support to see this opportunity go forward to meet ..... emerging trends that are identified particularly for Uralla in the regional plan, so that there's some action can start now,

but it takes time to go through the process, to get to the point where the land use .....  
undertaken, so it would be good if that happens within the next 20 years, the life of  
the regional plan as it identified, so – yes. Hopefully an opportunity is not missed,  
and Uralla sort of sits waiting – loses a decade or two of opportunity. So potentially  
5 ..... what's put forward and we would like you to consider in your deliberations.

DR WILLIAMS: Thanks, Karl. Thank you very much. We will be making a  
decision as quickly as we can. Exact how long that will be I'm not sure, but it will  
be just a matter of a couple of weeks at the most, hopefully.  
10

MR BOCK: Yes.

DR WILLIAMS: So we will be moving on this pretty quickly. That's why we've  
got the assistance of some capable consultants as well, as our very capable  
15 secretariat. So we will – as I said, we're make a decision as quickly as we can.

MR BOCK: Okay.

DR WILLIAMS: And I would like to thank you also for being available half an  
20 hour earlier as well.

MR BOCK: No, that's fine. We tend to be pretty flexible where we can.

DR WILLIAMS: Thank you very much.  
25

MR BOCK: Okay. And thank you all for the time and – yes, allowing this planning  
proposal to go through this process. It's something we've done because we believe  
it's important enough to go through a review process.

30 DR WILLIAMS: All right. Okay, Karl. Thanks once again for your time.

MS HIRD: Thank you.

MR BOCK: Okay. Thank you all. Bye.  
35

MR WOODLAND: Bye.

**RECORDING CONCLUDED**

**[11.39 am]**