

Amend Wagga Wagga LEP 2010 - Permit Caravan parks in RU1 Zone and Veterinary hospitals in the IN2 Zone

Proposal Title :	Amend Wagga Wagga LEP 2010 - Permit Caravan parks in RU1 Zone and Veterinary hospitals in the IN2 Zone		
Proposal Summary :	Wagga Wagga City Council seeks to amend the land use table under Wagga Wagga LEP 2010 to permit 'Caravan parks' in the RU1 Primary Production Zone and 'Veterinary hospitals' in the IN2 Light Industrial Zone both with consent.		
PP Number :	PP_2012_WAGGA_001_00	Dop File No :	11/22648-1

Proposal Details

Date Planning Proposal Received :	21-Dec-2011	LGA covered :	Wagga Wagga
Region :	Southern	RPA :	Wagga Wagga City Council
State Electorate :	WAGGA WAGGA	Section of the Act :	55 - Planning Proposal
LEP Type :	Housekeeping		

Location Details

Street :	N/A		
Suburb :	N/A	City :	Wagga Wagga
		Postcode :	2650
Land Parcel :	RU1 Primary Production Zone and the IN2 Light Industrial Zone.		

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name :	Mark Parker
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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A

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MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes : **By permitting Caravan parks in RU1 Zone and Veterinary hospitals in IN2 Zone will support economic development in the right places and complement SEPP 21 Caravan Parks.**

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The PP clearly states that Council wishes to amend Wagga Wagga LEP 2010 to permit 'Caravan parks' in the RU1 Primary Production Zone and permit 'Veterinary hospitals' in the IN2 Light Industrial Zone.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **Amendment to the RU1 Primary Production Zone and IN2 Light Industrial Zone land use table. No amending maps required.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.1 Business and Industrial Zones**
- 1.2 Rural Zones**
- 1.5 Rural Lands**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 4.3 Flood Prone Land**

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4.4 Planning for Bushfire Protection
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **SEPP No 21—Caravan Parks
SEPP (Rural Lands) 2008**

e) List any other matters that need to be considered : **N/A**

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **The inconsistencies with s117 Directions 1.1 Business and Industrial Zones, 1.2 Rural Zones and 1.5 Rural Lands have been justified. any other inconsistencies are considered to be of minor significance. s117 Direction 4.4 Planning for Bushfire Protection will require referral of the PP to the NSW Rural Fire Service.**

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : **No mapping required as part of this PP**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **To be at the discretion of the Department.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Wagga Wagga LEP 2010 (Standard Instrument) was published and notified on the 16 July 2010.**

Assessment Criteria

Need for planning proposal : **Caravan Parks - RU1 Primary Production Zone
Caravan parks are currently permitted in the RE1 Public Recreation Zone and RE2 Private Recreation Zone and are prohibited in the RU1 Primary Production Zone. 'Caravan parks' are not mandated as 'prohibited' in the RU1 Primary Production Zone under the SI LEP.**

Permitting 'Caravan parks' in the RU1 Primary Production Zone will provide greater opportunity for the establishment of 'Caravan parks' in Wagga Wagga LGA, with Council

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consent. The proposal is considered to be a minor amendment to the RU1 Land Use Table and is supported.

Veterinary Hospitals - IN2 Light Industrial Zone

Veterinary hospitals are currently permitted in the IN1 General Industrial Zone and permitting Veterinary hospitals in the IN2 Light Industrial zone would not be inconsistent with the IN2 Light Industrial zone objectives.

The proposal is considered to be a minor amendment to the IN2 Land Use Table and is supported.

The inconsistencies with s117 Directions 1.1 Business and Industrial Zones, 1.2 Rural Zones and 1.5 Rural Lands have been justified (minor significance).

Consistency with strategic planning framework :

Consistent with the Wagga Wagga Community Strategic Plan 2011-2021 and the Wagga Wagga Wagga Spatial Plan 2008.

Environmental social economic impacts :

The planning proposal will permit, with development consent, 'Caravan parks' in the RU1 Primary Production Zone and 'Veterinary hospitals' in the IN2 Light Industrial Zone. Any proposal to establish a Caravan park in the RU1 Primary Production Zone or a Veterinary hospital in the IN2 Light Industrial Zone will require the assessment of environmental, social and economic impacts by the consent authority prior to approval.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 Month** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage
NSW Department of Primary Industries - Agriculture
NSW Rural Fire Service
Adjoining LGAs**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

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Documents

Document File Name	DocumentType Name	Is Public
Letter for the Dept.pdf	Proposal Covering Letter	Yes
Planning Proposal for Caravan Parks and Vets.pdf	Proposal	Yes
Planning Proposal - section 117 directions.pdf	Proposal	Yes
Council Report.pdf	Proposal	Yes
Council resolution.pdf	Proposal	Yes
Proposed IN2 Light Industrial LUT.pdf	Proposal	Yes
Proposed RU1 Primary Production Zone.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones
- 1.2 Rural Zones
- 1.5 Rural Lands
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

Additional Information : Recommend that the Deputy Director General, Plan Making & Urban Renewal, as delegate of the Minister for Planning, determine under section 56(2) of the EP&A Act that an amendment to the Wagga Wagga Local Environmental Plan 2010 to permit 'Caravan Parks' in the RU1 Primary Production Zone and 'Veterinary Hospitals' in the IN2 Light Industrial Zone proceed, subject to the following conditions:

1.Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPS (Department of Planning 2009) and must be made publicly available for 14 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPS (Department of Planning 2009).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage
- NSW Department of Primary Industries - Agriculture
- NSW Rural Fire Service
- Adjoining LGAs

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 14 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

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3. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

5. Section 117 Directions

In relation to applicable s117 Directions the Planning Proposal can be considered to either be consistent or of minor significance. In the case of s117 Direction 4.4 Planning for Bushfire Protection referral of the proposal to the NSW Rural Fire Service and taking into account its response will satisfy the Direction.

Supporting Reasons :

1. The inconsistencies with s117 Directions 1.1 Business and Industrial Zones, 1.2 Rural Zones and 1.5 Rural Lands have been justified.
2. The proposal to amend the Wagga Wagga LEP 2010 and the inconsistencies with s117 Directions are of minor significance.
3. The amendments will support economic development and complement SEPP 21 Caravan Parks.

Signature:



MARK PARKER
Local Planning Manager

Printed Name:

Date:

11 January 2012