

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

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

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

additional matters to be addressed in the planning proposal.

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.

Panel Recommendation

Recommendation Date : 19-Jan-2012

Gateway Recommendation : Passed with Conditions

Panel

Recommendation :

The Planning Proposal should proceed subject to the following conditions:

1. In relation to S117 Direction 4.4 Planning for Bushfire Protection, Council is to consult with the commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made.
2. 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).
3. 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 21 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.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

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

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

Signature: _____



Printed Name: _____

Neil McGiffin

Date: _____

24.1.12