

**RP-8 AMENDMENT TO "PERMITTED WITH CONSENT" AND
"PROHIBITED" USES IN THE WAGGA WAGGA LOCAL
ENVIRONMENTAL PLAN 2010**

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Recommendation

That Council:

- a receive and note the report**
- b forward the planning proposal for the change of zone over the subject land to the Department of Infrastructure and Planning under section 56(1), requesting that the Minister issue a “gateway determination” that will allow the planning proposal to proceed.**

Report

Background

CARAVAN PARKS

The question of the permissibility of caravan park use within the RU1 Primary Production zone was initially raised soon after the gazettal of the Wagga Wagga Local Environmental Plan 2010, with the proposal of a “Caravan Park” in RU1 zoned land at Collingullie.

At that time, it was identified that Caravan Parks was a use identified in the new LEP as prohibited in the RU1 zone. In response to this issue being raised, it was agreed internally that this appeared to have been an oversight, and that caravan parks would in fact be preferred on RU1 zoned land subject to merit-based assessments.

Included in the objectives of the RU1 zone is the following:

- *To allow tourist and visitor accommodation only where it is in association with agricultural activities.*

Caravan Parks (permitted with consent) would comply with this objective and further enhance Wagga Wagga as a tourist destination.

VETERINARY HOSPITALS

On the other hand, the permissibility of veterinary hospital use in the IN2 Light Industrial zone is a ‘best fit’ for veterinary hospitals as industries which support veterinary hospitals are already “permitted with consent” for example, “rural supplies”.

Further, while it is accepted that the newer, more “boutique” form of Veterinary Hospital, is less noisy and emits fewer odours than traditionally, the use is not inconsistent with the scale and form of uses accommodated in the zone. “Rural supplies” by definition means a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, *veterinary supplies* and other goods or materials used in farming and primary industry production. It then appears illogical to prohibit the parent use, yet permit with consent its supporting use.

In contrast, whilst not specifically mentioned, “veterinary hospitals” technically can be “permitted with consent” in the IN1 zone. Therefore to ensure consistency is achieved across the industrial zones, “veterinary hospitals” should logically be removed from “prohibited” use and placed in the “permitted with consent” use in the IN2 zone.

Planning Proposal

The elements of the attached Planning Proposal (Attachment 1) are described below:

- To remove “caravan parks” as a “prohibited” use in the RU1 Primary Production zone; and relocate to under the “permitted with consent” schedule in the RU1 Primary Production; and
- To remove “Veterinary hospitals” as a “Prohibited” use in the IN2 Light Industrial zone; and relocate to under the “Permitted with consent” schedule in the IN2 Light Industrial zone.

The purpose of this Planning Proposal is to amend the WWLEP 2010 and permit with consent caravan parks in the RU1 Primary Production zone and veterinary hospitals in the IN2 Light Industrial zones. This Planning Proposal will not require a rezoning, nor will it require a change to the Minimum Lot Size maps.

Next Steps

Following endorsement by Council, the Planning Proposal will be forwarded to the Department of Planning and Infrastructure seeking a Gateway determination to proceed with the amendment. The Gateway decision will set out requirements for any additional investigations, consultations and the timing of any required changes to the WWLEP 2010.

Budget

N/A

Policy

Wagga Wagga Local Environmental Plan 2010
Wagga Wagga Development Control Plan 2010

Impact on Public Utilities

N/A

Link to Strategic Plan

5. A prosperous, diverse and growing economy

5.5 Grow our agricultural sector

QBL Analysis

	Positive	Negative
Social	The proposal to extend the zones of permissibility of caravan parks will have the effect of a more logical distribution of camping opportunities.	N/A
Environmental	The caravan park proposal has the potential to increase the attractiveness of Wagga as a camping location, to external users. The veterinary hospitals proposal will permit the use within a zone already structured to accommodate smaller non residential, non commercial use of lower environmental impact.	N/A
Economic	N/A	N/A
Governance	N/A	N/A

Risk Management Issues for Council

No specific issues identified.

Internal / External Consultation

Stakeholder consultation is intended to be undertaken for a minimum period of 28 days after receipt of the gateway determination.

Attachments

1. Planning Proposal - Caravan Parks and Veterinary Hospitals
2. Planning Proposal - section 117 directions
3. Proposed Land Use Alterations - RU1 zone
4. Proposed Land Use Alterations - IN2 zone