

**RP-5 PLANNING PROPOSAL TO EFFECT MINOR ADJUSTMENT TO
GENERAL RESIDENTIAL R1 AND PROPOSED B2 LAND,
BOOROOMA AND COORAMIN STREET, BOOROOMA**

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Recommendation

That Council:

- a receive and note the report**
- b forward the planning proposal for the subject Boorooma land B2 and R1 zone limit amendments 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

The “Proposed Subdivision Neighbourhood Plan Boorooma” was prepared by MJM Solutions in July 2007, and at that stage identified residential type subdivision. However, the background study to the making of the Plan also identified the potential for possible business development in the south-west corner of the site (i.e. adjacent to Boorooma Street).

By the time the draft Wagga Wagga Local Environmental Plan 2008 (LEP) was exhibited in 2009, the potential for a more extensive use of the site were reflected in a proposed B1 - Neighbourhood Centre zoning. However, the definition of the area proposed to be zoned B1 rather than R1 (General Residential), had been overlaid on the former R1 zone inaccurately and the western and southern limits of the proposed B1 zone, did not match with the limits of the former R1 land – leaving strips of R1 land to both the west and south of the proposed B1 land.

A similar problem has emerged in relation to the eastern and northern extent of proposed B1 land, but this issue relates to the refinement of the extent of business zoned land determined through the detailed subdivision design process.

The planning proposal to alter the subject land from B1 Neighbourhood Centre to B2 - Local Centre, was lodged with the Department of Infrastructure and Planning on 24 June 2011. Following that submission the Department requested that three planning proposals lodged with it at that time, be amalgamated into one. The amalgamation of the separate proposals has required Council to alter zoning maps. This work has recently been completed and the Department’s response is awaited.

Summary

The reason for the need for this Planning Proposal, is that the issue of misalignment of the zones, had not been resolved at the time of the lodgement of the Planning Proposal to alter the B1 Neighbourhood Centre zone to B2 Local Centre zone and was only highlighted at the time of the Department's request for the three planning proposals to be amalgamated into one.

The significant issue is that the adjustment of the zones is necessary to allow Council to determine any development application relating to development on the B2 land. Since the matter of the first planning proposal has not yet been determined by the Department, it is considered vitally important to ensure that this planning proposal is submitted as soon as possible.

The report advises Council of a planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010) to:

- a. Correct zone boundary anomalies affecting land zoned R1 and B1 east of Boorooma Street, Boorooma to align the zone boundaries with the boundaries indicated on the 41 lot subdivision approved on 9 March 2011.

Planning Proposal

The elements of the attached planning proposal (Attachment 1) are described below.

As described in the diagrams at Attachments 2 and 3 to this report, the extent of the proposed zone adjustments are:

- a. Extend the proposed B2 zone west from its current alignment to a point which allows a five metre plantation strip immediately adjacent to the eastern limit of the Boorooma Street carriageway, for the length of the western boundary of the proposed B2 zone. Delete the land zoned R1 so affected.
- b. North of the proposed Messenger Avenue, extend the proposed B2 zone west to the alignment described above. Similarly, delete the land zoned R1 so affected.
- c. Extend the proposed B2 zone south from its current alignment to the south-western corner of the land the subject of the approved subdivision. Delete the land zoned R1 so affected.
- d. Reduce the extent of the eastern limit of the proposed B2 land, so that it aligns with the western edge of the proposed Phar Lap Place. Reinstate the formerly zoned R1 land to replace the business zone.
- e. Similarly, reduce the northern extent of the proposed B2 zone north of Messenger Avenue to the extent indicated on the subdivision plan at Attachment 2 and reinstate R1 zoned land over that area.

The Planning Proposal will require the inclusion of an adjusted zoning map consistent with the distribution of zones indicated on the approved plan of subdivision.

Next Steps

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

Budget

N/A

Policy

Environmental Planning and Assessment Act 1979 s54(2)
Wagga Wagga Local Environmental Plan 2010
Wagga Wagga Development Control Plan 2010

Impact on Public Utilities

N/A

Link to Strategic Plan

6. A sustainable environment

6.4 Develop sustainable built and natural environments for current and future generations through effective land-use management and planning

QBL Analysis

	Positive	Negative
Social	The proposal will ensure that the form of development identified in the approved plan of subdivision and reflecting the needs of the local community, can proceed as quickly as possible.	N/A
Environmental	The proposal is necessary to rationalise/correct land use distribution anomalies affecting the land.	N/A
Economic	The proposal will ensure that the full potentials of the proposed development can be realised.	N/A
Governance	N/A	N/A

Risk Management Issues for Council

No specific issues identified.

Internal / External Consultation

The proposal corrects anomalies affecting small, as yet undeveloped areas of land within a portion of the Northern Suburbs Urban Release Area, which was exhibited for public comment as part of the exhibition of the draft Wagga Wagga Local Environmental Plan 2008. The issue has subsequently been discussed and agreed with the landowner.

Attachments

1. Planning Proposal
2. Extent of R1 and B1 lands as exhibited
3. Extent of Proposed R1 and B2 lands as shown on Approved Plan of Subdivision