

PLANNING PROPOSAL TO AMEND WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The purpose of this planning proposal is to amend the Wagga Wagga Local Environmental Plan 2010 (WWLEP) by the following amendments. These amendments are categorised into external applications, internal requests (by Council), and housekeeping amendments/anomalies.

External Applications

Item 1: St Luke's Anglican Church and surrounding residential precinct

Rezone land in Shaw Street, Wagga Wagga from R1 General Residential to R3 Medium Density Residential to permit a cafe within church premises in response to an application to amend the WWLEP 2010.

The application to amend the WWLEP 2010 is provided in Attachment 1.

Item 2: Sturt Highway (including Edward Street, Hammond Avenue and Lake Albert Road) Wagga Wagga

In response to a planning proposal, implement the following:

(a) Proposed rezoning

Rezone land on Hammond Avenue, Edward Street and Lake Albert Road from a mix of IN1 General Industrial, IN2 Light Industrial and B1 Neighbourhood Centre to B6 Enterprise Corridor and B4 Mixed Use to more accurately reflect the diversity of existing uses.

(b) Insert a B6 Enterprise Corridor land use table into the WWLEP 2010

This is required as there is currently no B6 Enterprise Corridor zone within the WWLEP 2010.

(c) Insert new clauses under Part 7 Additional Local Provisions

It is proposed to insert two (2) clauses into the WWLEP 2010 to ensure the primacy of the Wagga Commercial Core is retained in response to the proposed B6 Enterprise Corridor rezoning.

(d) Amend clause 4.6 of the WWLEP 2010 by inserting clause 7.9 in subclause 8(ca).

This will have the effect of ensuring the development standard of 1000 square metres proposed for 'business premises' in the B6 Enterprise Corridor Zone cannot be varied.

The planning proposal as submitted by landowners (prepared by Newland Planning March 2013) is provided in Attachment 2. Please note the planning proposal adopted by the council differs from the planning proposal submitted by the landowners. The landowners proposal sought to rezone the subject areas to B5 Business Development whereas the Council resolved to rezone the subject areas to B4 Mixed Use and B6 Enterprise Corridor. Council also resolved to insert additional objectives for the B6 Enterprise Corridor zone and also resolved to insert clauses under Part 7 Additional Local Provisions. Council resolved to defer

the proposed amendment to clause 5.4 Controls relating to miscellaneous permissible uses for Industrial Retail Outlets.

Internal Requests

Item 3: Johnson and Tarcutta Street Precinct, Wagga Wagga

Rezone a number of properties along Tarcutta Street and Johnson Street, Wagga Wagga from SP1 Public Building to B3 Commercial Core, and apply a floor space ratio and a maximum building height to provide greater flexibility in their use as commercial buildings.

Item 4: Land use table amendments

Amendments to the following land use tables in response to a review by Council on appropriate land uses within these zones:

- R1 General Residential
- R3 Medium Density Residential
- B1 Neighbourhood Centre
- B4 Mixed Use
- B5 Business Development
- IN1 General Industrial
- IN2 Light Industrial
- RE1 Public Recreation
- RE2 Private Recreation
- E2 Environmental Conservation
- E4 Environmental Living
- W1 Natural Waterways
- W2 Recreational Waterways

Item 5: Spring Street, Wagga Wagga

Rezone Lot 20 DP 22260 in Spring Street, Wagga Wagga from RE1 Public Recreation to R1 General Residential to facilitate the sale of the land by Council.

Housekeeping amendments/anomalies

Item 6: McPherson Oval, North Wagga Wagga

Rezone Lot 206 DP 751422 and Lot 205 DP 1084989 (Council owned land) from RU5 Village to RE1 Public Recreation to provide consistency across the LGA in regard to public recreation-zoned land.

Item 7: Land Reclassification of (Part Lots) Map

Amend the Land Reclassification (Part Lots) Map RPL_004D by removing the identification of Lot 22 DP 1172986 as this lot is privately owned land and was incorrectly identified for reclassification under WWLEP 2010 (Amendment No. 8).

Item 8: Lot size maps

Amend the scale of the series of Lot Size Maps to ensure the maps are user-friendly.

Item 9: Gobbagombalin

Reduce the lot sizes for several properties in Gobbagombalin on land currently zoned R5 Large Lot Residential to provide for subdivision as intended by the adopted masterplan.

PART 2 – EXPLANATION OF THE PROVISIONS

External applications

Item 1: St Luke's Anglican Church and surrounding residential precinct

Amend map LZN_003C from R1 General Residential to R3 Medium Density Residential for the following lots:

- Lots 1 & 2 DP 100447
- Lot 3 & 4 DP 550747
- Lot 1 DP 305491
- Lots 1 & 2 DP 354281
- Lots A & B DP 372095
- Lot 2 & 8 DP 640
- Lot 4 DP 650945
- Lots C & D DP 417764
- Lot 1 DP 1027613

An indicative zoning map is provided in Attachment 3.

The approximate total area of land to be rezoned is 8640m².

Item 2: Sturt Highway (including Edward Street, Hammond Avenue and Lake Albert Road) Wagga Wagga

(a) Proposed rezoning

Amend maps LZN_003C, LZN_003F and LZN_004F to rezone land along Edward Street, Hammond Avenue and Lake Albert Road to the following:

- IN1 General Industrial to B4 Mixed Use. The total approximate area of land to be rezoned from IN1 to B4 is 61335m².
- IN1 General Industrial to B6 Enterprise Corridor. The total approximate area of land to be rezoned from IN1 to B6 is 648480m².
- B1 Neighbourhood Centre to B6 Enterprise Corridor. The total approximate area of land to be rezoned from B1 to B6 is 995m².
- IN2 Light Industrial to B6 Enterprise Corridor. The total approximate area of land to be rezoned from IN2 to B6 is 172755m².

A list of affected lots is provided in Attachment 4.

An indicative zoning map is provided in Attachment 5.

(b) Insert a B6 Enterprise Corridor land use table into the WWLEP 2010

The planning proposal seeks to adopt the following B6 Enterprise Corridor land use table:

2 Permitted without Consent

Roads

3 Permitted with Consent

Animal boarding or training establishments; Boat building or repair facilities; Bulky goods premises; Business premises; Community facilities; Depots; Exhibition village; Garden centres; hardware and building supplies; hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Landscaping material supplies; Light industries; Liquid fuel depots; Passenger transport facilities; Plant nurseries; Recreation facilities (indoor); Rural supplies; Self storage premises; Services Stations; Signage; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; Any other development not specified in 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrip; Amusement centres; Bio solids treatment facilities; Boat sheds; Boat launching ramps; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Extractive industries; Farm buildings; Forestry; Function centres; Home Business; Home occupations; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipad; Home-based child care; Home occupation (sex services); Information and education facilities; Jetties; Marinas: Mooring; Mooring pens; Mortuaries; Open cut mining; Places of public worship; Port facilities: Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sex services premises; Storage premises; Tourist and Visitor accommodation; Water recreation structures; Wharf or boating facilities.

The following zone objectives are proposed for the B6 Enterprise Corridor zone, in addition to the objectives outlined by the Standard Instrument:

- *To ensure the development maintains the effective operation and function of main roads and limits opportunities for additional accesses to and from the highway.*
- *To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To facilitate the development of large-scale business premises that do not detract from the core commercial functions of the Wagga Wagga central business district.*
- *To protect the primacy of the Wagga Wagga central business district.*
- *To facilitate a mix of uses along the Sturt Highway that services the needs of the travelling public.*

(b) Additional provisions

Two (2) additional provisions are proposed as part of the planning proposal in order to ensure the primacy of the Wagga Commercial Core. The clauses below were drafted based on regional LEP's with similar clauses.

7.8 Primacy of the B3 Commercial Core

- (1) The objectives of this clause are as follows:
 - (a) to maintain the primacy of the Wagga Wagga B3 Commercial Core zone, as the principal business, office and retail hub of the city centre and to ensure that development does not conflict with the hierarchy of commercial centres,*
 - (b) to strengthen Wagga Wagga's position as an eminent regional centre by creating employment opportunities for tourism, commerce, education, health care, culture and the arts.**
- (2) Development consent must not be granted to development on any land unless the consent authority is satisfied that the development maintains the primacy of the Wagga Wagga B3 Commercial Core zone as the principal business, office and retail hub of Wagga Wagga.*

It is noted that a similar clause is currently used in the Coffs Harbour LEP 2013 (clause 7.13). It is requested the above clause also be inserted into the WWLEP 2010 to retain Council's existing commercial hierarchy and ensure that future development does not detract from the viability of the Wagga Commercial Core.

7.9 Business Premises in the B6 Enterprise Corridor Zone

- (1) The objective of this clause is to facilitate development of large-scale business premises that do not detract from the core commercial functions of the Wagga Wagga B3 Commercial Core zone.*
- (2) Development consent must not be granted to development for the purposes of business premises on land in Zone B6 Enterprise Corridor if the total gross floor area of the part of the development comprising business premises is less than 1000 square metres.*

These provisions have been adapted from similar clauses within the following LEP's:

Wyong LEP 2013 – clause 7.16

Coffs Harbour LEP 2013 – clause 7.14

Dubbo LEP 2011 – clause 7.11 and 7.12

Port Macquarie-Hastings LEP 2011 – clause 7.11

(c) Amendments to existing provisions

The planning proposal requests an amendment to clause 4.6 (8) (ca) of the WWLEP 2010 as identified below:

- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
 - (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,
 - (c) clause 5.4,
 - (ca) clause 4.2A, 4.2B, 6.1 ~~or~~ 6.2 **or 7.9**.

Internal requests

Item 3: Johnson and Tarcutta Street Precinct, Wagga Wagga

Amend maps LZN_003F, FSR_003B and HOB_003B from SP1 Public Administration to B3 Commercial Core, and implement a FSR from nil to 2:1 and a maximum building height from nil to 16m for the following properties:

- 34 Johnston Street Lot 1 DP 523958
- 30 Johnston Street Lot 140 DP 1041976
- 26 Johnston Street Lot 8 DP 47977
- 204 Tarcutta Street Lot 2 DP 1035833

An indicative zoning, maximum building height and floor space ratio map is provided in Attachment 6.

The total approximate area of land to be rezoned is 3530m².

Item 4: Land use table amendments

Zone	Amendments as shown in red in the table
R1 General Residential	2 Permitted without consent Home businesses; Home occupations; Roads 3 Permitted with consent Attached dwellings; Boarding houses; Child care centres; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Backpackers' accommodation; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hotel or motel accommodation; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies
R3 Medium Density Residential	2 Permitted without consent Home businesses; Home occupations; Roads

	3 Permitted with consent Attached dwellings; Boarding houses; Child care centres; Community facilities; Group homes; Home industries; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Restaurants or cafes; Seniors housing; Take away food and drink premises; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Backpackers' accommodation; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport Depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies
B1 Neighbourhood Centre	2 Permitted without consent Home businesses; Home occupations; Roads 3 Permitted with consent Boarding houses; Business premises; Child care centres; Community facilities; Food and drink premises; Hardware and building supplies; Kiosks; Landscaping material supplies; Medical centres; Neighbourhood shops; Plant nurseries; Respite day care centres; Shop top housing; Timber yards; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Passenger transport facilities; Pubs; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

B4 Mixed Use	2 Permitted without consent Home-based child care; Home occupations 3 Permitted with consent Bed and breakfast accommodation; Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Shop top housing; Water recycling facilities; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Camping grounds; Caravan parks; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Industries; Industrial retail outlets; Industrial training facilities; Marinas; Mooring pens; Open cut mining; Public administration buildings; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities
B5 Business Development	2 Permitted without consent Home businesses; Home occupations; Roads 3 Permitted with consent Animal boarding or training establishments; Bulky goods premises; Child care centres; Community facilities; Depots; Garden centres; General industries; Hardware and building supplies; Highway service centres; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Passenger transport facilities; Plant nurseries; Recreation facilities (indoor); Respite day care centres; Rural supplies; Service stations; Signage; Take away food and drink premises; Timber yards; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat building or repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Home-based child care; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Places of public worship; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Sewage treatment plant; Sex services premises; Storage premises; Tourist and visitor accommodation; Water recreation structures;

	Water recycling facilities; Wharf or boating facilities
IN1 General Industrial	2 Permitted without consent Home businesses; Home occupations; Roads 3 Permitted with consent Animal boarding and training establishments; Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Rural supplies; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Airports; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Child care centres; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Home occupations (sex services); Information and education facilities; Places of public worship; Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities
IN2 Light Industrial	2 Permitted without consent Home businesses; Home occupations; Roads 3 Permitted with consent Depots; Funeral homes; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Neighbourhood shops; Plant nurseries; Rural supplies; Self-storage units; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Airports; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Camping grounds; Caravan parks; Cemeteries; Child care centres; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Home-based child care; Home occupations (sex services); Information and education facilities; Livestock processing industries; Places of public worship; Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Sawmill or log processing works; Stock and sale yards; Storage premises; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities
RE1 Public Recreation	2 Permitted without consent Environmental facilities; Environmental protection works; Roads 3 Permitted with consent Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries;

	Charter and tourism boating facilities; Child care centres; Community facilities; Depots; Entertainment facilities; Flood mitigation works; Function centres; Helipads; Information and education facilities; Jetties; Kiosks; Markets; Marinas; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Sewerage systems; Signage; Water recreation structures; Water supply systems; Wharf and boating facilities. 4 Prohibited Any development not specified in item 2 or 3
RE2 Private Recreation	2 Permitted without consent Roads 3 Permitted with consent Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Child care centres; Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Helipads; Hotel or motel accommodation; Information and education facilities; Jetties; Kiosks; Landscaping material supplies; Markets; Marinas; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Sewerage systems; Signage; Water recreation structures; Water supply systems; Wharf and boating facilities. 4 Prohibited Any development not specified in item 2 or 3
E2 Environmental Conservation	2 Permitted without consent Environmental protection works; Home businesses; Home occupations 3 Permitted with consent Boat launching ramps; Community facilities; Environmental facilities; Extensive agriculture; Farm buildings; Flood mitigation works; Home-based child care; Information and education facilities; Jetties; Recreation areas; Roads; Sewerage systems; Signage; Water recreation structures; Water supply systems; Wharf and boating facilities. 4 Prohibited Advertising structures; Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Water treatment facilities; Any other development not specified in item 2 or 3
E4 Environmental Living	2 Permitted without consent Environmental protection works; Home businesses; Home occupations 3 Permitted with consent

	Bed and breakfast accommodation; Boat launching ramps; Dwelling houses; Environmental facilities; Extensive agriculture; Farm buildings; Flood mitigation works; Group homes; Home-based child care; Jetties; Recreation areas; Roads; Secondary dwellings; Sewerage systems; Signage; Water recreation structures; Water reticulation systems; Water supply systems; Wharf and boating facilities. 4 Prohibited Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3
W1 Natural Waterways	2 Permitted without consent Nil 3 Permitted with consent Aquaculture; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Flood mitigation works; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Passenger transport facilities; Recreation areas; Recreation facilities (outdoor); Research stations; Roads; Sewage reticulation systems; Signage; Water recreation structures; Water supply systems; Wharf and boating facilities. 4 Prohibited Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3
W2 Recreational Waterways	2 Permitted without consent Nil 3 Permitted with consent Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Environmental facilities; Environmental protection works; Information and education facilities; Jetties; Kiosks; Marinas; Mooring pens; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Roads; Signage; Water recreation structures; Wharf and boating facilities. 4 Prohibited Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Item 5: Spring Street, Wagga Wagga

Amend map LZN_003C by rezoning Council-owned land in Spring Street (Lot 20 DP 22260) from RE1 Public Recreation to R1 General Residential.

An indicative zoning map is provided in Attachment 7.

The total approximate area of land to be rezoned is 2110m².

Housekeeping amendments/anomalies

Item 6: McPherson Oval, North Wagga Wagga

Amend map LZN_003F by rezoning McPherson Oval, North Wagga Wagga (Lot 206 DP 751422 and Lot 205 DP 1084989) from RU5 Village to RE1 Public Recreation.

An indicative zoning map is provided in Attachment 8.

The total approximate area of land to be rezoned is 49530m².

Item 7: Reclassification of (Part Lots) Map

Amend RPL_004D as identified in Attachment 9 with only the remaining land to be identified as reclassified.

Item 8: Lot size maps

Amend the series of Lot Size Maps from a scale of 1:160000 to a scale of 1:20000.

The series includes:

- LSZ_001
- LSZ_002
- LSZ_003
- LSZ_004
- LSZ_005
- LSZ_006
- LSZ_007

Item 9: Gobbagombalin

Amend map LSZ_003 from 2Ha to 6000m² on Part Lot 10 DP 816780 on land currently zoned R5 Large Lot Residential.

Amend map LSZ_003 from 2Ha to 4000m² for the following properties on land currently zoned R5 Large Lot Residential:

- Part Lot 11 DP 816780
- Part Lot 1 DP 719938
- Part Lot 2 DP 719938
- Part Lot PT 50 DP 751422

An indicative lot size map is provided in Attachment 10.

The total approximate area of land to amend the lot size to 4000m² is 111870m².

The total approximate area of land to amend the lot size to 6000m² is 99130m².

PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

No. The planning proposal is not a result of any strategic study or report. In total, this planning proposal contains two (2) external applications, and seven (7) Council-initiated amendments. Justification is provided below for each of the items.

Item 1: St Luke's Anglican Church and surrounding residential precinct

An application to amend the WWLEP was made by the Anglican Parish of Wagga Wagga seeking to rezone St Luke's Anglican Church from R1 General Residential to R3 Medium Density Residential for the purposes of permitting a cafe within the premises.

Within the WWLEP land use table, restaurants and cafes are prohibited within the R1 General Residential zone, and permitted with consent in the R3 Residential zone.

The planning proposal provides the following justification for the planning proposal:

"One of the significant needs in Wagga Wagga is a place to meet where children can play safely, and where parents and care-givers can meet to network, relax and gather. While there are some commercial outlets meeting this need, they do so at a high cost, and are difficult to access. One of our aims is to therefore meet a need in the wider community for a safe meeting place where children are welcome and provided for, as well as meet the needs of those who we already engage with through our pre schools...the rezoning of our site to R3...will allow the parish to seek a future development application that would allow us to operate a commercial premises, such as a coffee shop. The aim is to recoup the cost of our ministries, and support our programmes. One of the difficulties we face with a declining and older congregation is that the ability to raise funds is very difficult".

The site is considered to be well located for a cafe as it is in close proximity to the Wagga Wagga Base Hospital. The Base Hospital has an on-site cafe with one other cafe located approximately 200m south of the Base Hospital.

The subject site is located on the corner of a collector road and the Sturt Highway, with ample off-street parking available. Because of these characteristics, a cafe would be considered an appropriate land use within the precinct, and would also provide additional options for food and drink premises within the wider Base Hospital area.

It is not considered based on the application alone, that it would be appropriate to spot rezone the site as this would result in zoning anomalies within the precinct that would result in potentially undesirable development patterns. However, the subject properties are surrounded by adjoining residential precincts, which are zoned both R1 General Residential and R3 Medium Density Residential. The character of the surrounding precinct includes both low density residential and medium density residential development. The subject sites residential precinct is surrounded by a mix of dwelling houses and residential flat buildings.

Due to these characteristics, an extension of the proposed R3 Medium Density Residential zone was considered for the surrounding residential precinct. It is considered that the R3 Medium Density Residential zone is appropriate for the subject precinct as this will provide a consistent character across the wider residential precinct, and meets the objectives of the R3 Medium Density Residential zone below:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.*

As there are minimal differences between the R1 General Residential zone and the R3 Medium Density Residential zone, the R3 Medium Density Residential zone is considered appropriate as part of the wider residential precinct and would deliver a more appropriate outcome than a spot rezoning, whilst enabling the commercial opportunities the applicant desires.

Item 2: Sturt Highway (including Edward Street, Hammond Avenue and Lake Albert Road) Wagga Wagga

(a) Rezoning

A planning proposal was lodged on behalf of a number of business stakeholders/owners within the subject area. The submitted planning proposal sought to rezone parts of the Sturt Highway from IN1 General Industrial and IN2 Light Industrial to B5 Business Development Zone. The planning proposal specified an intention to provide the following outcomes:

- To recognise and rezone the subject land to B5 Business Development to permit with consent its current and historic regional services, bulky goods, showroom and industrial retail land uses
- To modify clause 5.4(4) of the LEP to better reflect the size of the showroom component of various existing and approved industrial retail outlets, and
- To bring about concurrent changes to the DCP to ensure that clauses relating to bulky goods retailing are consistent with the LEP and do not go beyond power.

Two (2) site audits carried out by Council staff examined the uses within the subject areas. In considering the mix of uses, the audit identified approximately 38% retail premises, 31% industrial premises, 8% business premises, and 22% miscellaneous uses (uses which are not considered retail, industrial or business). In assessing the planning proposal it was considered that the objectives of the B5 Business Development Zone as proposed, did not reflect the mix of uses along the Sturt Highway, and focused too much on bulky goods as the dominant use for the zone.

It was considered that the objectives of an alternate zone, the B6 Enterprise Corridor are considered to reflect the mix of uses along the Sturt Highway, including existing industrial, business and some retail uses.

In addition to the objectives, a B6 Enterprise Corridor was considered more appropriate for the following reasons:

- A planning proposal is before the Department of Planning and Infrastructure to rezone areas along the Sturt Highway at Gumly Gumly from RU1 Primary Production, B1 Neighbourhood Centre and RE1 Public Recreation to B6 Enterprise Corridor. This proposal will be an extension of the proposed Gumly Gumly B6 Enterprise Corridor zone for industrial land along the highway up to Lake Albert Road;
- Bulky goods premises (as intended by the submitted planning proposal) are permitted with consent under the draft planning proposal for a B6 Enterprise Corridor zone at Gumly Gumly.
- The uses proposed to be permitted/prohibited within the B6 Enterprise Corridor zone more accurately reflect the objectives that the applicant and stakeholders are seeking to achieve;

- The B5 Business Development zone includes a childcare centre as a permitted use (prohibited in B6 Enterprise Corridor). This type of use is incompatible with the existing industrial premises and would have the ability to cause land use conflicts in the future;
- An additional use permitted by the B6 Enterprise Corridor zone is hotel and motel accommodation (prohibited in B5 Business Development). Permitting this type of use can result in ideally located tourist/visitor accommodation along the Sturt Highway; and
- The Spatial Plan 2013-2043 identifies investigations into a B6 Enterprise Corridor zone along Hammond Avenue. This planning proposal addresses this action.

This planning proposal also seeks to rezone 24 Lake Albert Road, Wagga Wagga from IN1 to B4 Mixed Use. This precinct is located close to the Central Business District and is in an accessible location which can support a range of development types. For this precinct, the proposed B5 Business Development zone would restrict development to some industrial uses and bulky goods premises only. The B4 Mixed Use zone contains the following objectives, which are considered consistent with the proposed location:

- To provide a mixture of compatible land uses
- To integrate suitable business, office, residential, retail and other development in accessible locations as to maximise public transport patronage and encourage walking and cycling.

The WWLEP 2010 B4 Mixed Use zone permits all commercial uses as well as some residential uses and is considered the highest and best use of the sites along Lake Albert Road.

(b) Insert a B6 Enterprise Corridor land use table into the WWLEP

This is required as there is no current B6 Enterprise Corridor zone within the WWLEP 2010.

The additional objectives are requested to ensure the highway retains its purpose and function, whilst creating a corridor for larger developments in keeping with Council's vision for a Gateway entry to Wagga Wagga. These objectives also ensure the primacy of the CBD is retained.

(c) Additional provisions

The intention of the additional clauses is to ensure the primacy of the CBD remains, and those Business Premises which require larger footprints not currently available within the Wagga Commercial Core, are able to be located along the Sturt Highway to service the needs of the travelling public.

This clause is also consistent with Council's intention to create an entry statement by large-scale/high quality designed development along the Sturt Highway and ensures efficient use of the larger lots of land available within the subject precinct.

(d) Amendments to existing provisions

This is to ensure the primacy of the Wagga Commercial Core is retained and enforce the minimum 1000m² floor area, keeping in line with the vision of Council for the Sturt Highway gateway/entry statement.

Item 3: Johnson and Tarcutta Street Precinct, Wagga Wagga

The subject properties are currently zoned SP1 Public Buildings which permit the use of the buildings for public purposes only. This planning proposal requests that the subject properties be rezoned to B3 Commercial Core to provide greater flexibility in their use.

The subject properties are located within the Wagga Wagga Central Business District (CBD) and are located within the existing B3 Commercial Core zoned land.

An adjacent property at 210 Tarcutta Street was subject to a previous rezoning (Amendment No. 11) from SP1 Public Building to B3 Commercial Core to provide greater flexibility in the buildings use and to provide revenue-generating activities for the owner.

This planning proposal seeks to provide the same flexibility to the adjoining properties within the existing SP1 precinct and to provide for investment and redevelopment options. The planning proposal will also define the CBD area as a commercial precinct.

As with other B3 Commercial Core zoned land within the Wagga CBD, a floor space ratio of 2:1 and a maximum building height of 16 metres apply. This is also sought for the subject properties to ensure consistent development across the CBD.

Item 4: Land use table amendments

On 29 April 2013, Councillors resolved to carry out a review of the land use tables in the WWLEP. A Working Party was created to review in detail the issues associated with the land use tables.

As a result of the Working Party's recommendations, on 16 December 2013 Council resolved to prepare a planning proposal with a number of amendments to the land use table.

Item 5: Spring Street, Wagga Wagga

The subject land is owned by Wagga Wagga City Council and is currently zoned RE1 Public Recreation. The site consists of a bicycle education track which is in very poor condition and as such, Council no longer seeks to maintain the land as public open space. Council seeks to sell the land, however seeks a R1 General Residential zoning to facilitate the sale of the land.

This land has been reclassified from community to operational land which allows Council to sell this parcel of land subject to extinguishing caveats on the certificate of title.

The site is located within an existing residential precinct zoned R1 General Residential, therefore an extension of the zone to the subject land is considered the most appropriate zoning.

Item 6: McPherson Oval, North Wagga Wagga

McPherson Oval in North Wagga Wagga is used as a public recreation and sports venue. Its description is identified as Lot 206 DP 751422 and Lot 205 DP 1084989.

McPherson Oval is currently zoned RU5 Village, which permits both 'recreation area' and 'recreation facilities (outdoor)'. Although the RU5 Village zoning supports the use of the facility, it has come to the attention of Council officers that this is an anomaly as most other recreation facilities and reserves throughout the LGA are zoned RE1 Public Recreation.

It is sought that the land be rezoned RE1 Public Recreation as this acknowledges the use of the land and ensures consistency across other villages. The subject site is already classified as Community Land.

Item 7: Reclassification of (Part Lots) Map

Council's Reclassification of (Part Lots) Map identifies one (1) location where part of a lot has been reclassified. This lot is described as Part Lot 10 DP 1017384 Bourke Street, Bourkelands which was reclassified from Community Land to Operational land to facilitate the sale of the land for development of a shopping centre.

The area identified on the map is incorrect as it shows an area that was not reclassified to Operational and is therefore required to be removed.

Item 8: Lot Size Maps

Internal and external stakeholders and the public have provided feedback to Council that the lot size maps are difficult to read due to the level of detail provided in each map. Council's current lot size maps have been generated at a scale of 1:160000 with 7 maps in total. In comparison, Council's zoning maps have been generated at a scale of 1:20000. This has resulted in a total of 32 maps.

It is proposed that the lot size map scale be amended from 1:160000 to 1:20000 to improve their readability. This would also ensure consistency across both zoning and lot size maps in order to provide the same numbering and identification system.

Item 9: Gobbagombalin

The masterplan for Gobbagombalin was adopted by Council in 2012 which provides for residential development utilising two (2) residential zones being R1 General Residential and R5 Large Lot Residential.

The R5 Large Lot Residential zoned land was zoned accordingly to provide a buffer from the R1 General Residential land and the adjoining agricultural land owned by Charles Sturt University.

All R5 Large Lot Residential zoned land within the LGA contains a minimum lot size to ensure development permitted is of an appropriate scale. During the implementation of the WWLEP 2010, a 2Ha minimum lot size was placed on the R5 Large Lot Residential zoned land in Gobbagombalin. However, this has now restricted subdivision of the R5 Large Lot Residential lots as the sites adopted by the masterplan range in size from approximately 4000m² to 23000m², with the majority of the lots planned for being under 2Ha in size.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, this planning proposal is the only way to achieve the intended outcomes as an LEP amendment is required.

Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Not applicable. There are no regional plans or strategies that apply to Wagga Wagga Local Government Area.

4. Is the planning proposal consistent with the council's local strategy or other local strategic plan?

Yes. The Wagga Wagga Spatial Plan 2013-2043 was endorsed by the Director General of NSW Planning and Infrastructure on 28 February 2014. All items within this planning proposal are consistent with the Spatial Plan.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Consistency with applicable SEPPs	
Item 1: St Luke's Anglican Church and surrounding residential precinct	
Nil.	
Item 2: Sturt Highway (including Edward Street, Hammond Avenue and Lake Albert Road) Wagga Wagga	
SEPP 55 – Remediation of Land	Yes. A number of sites are identified as potentially contaminated land according to Council's records. Should a development application be lodged on one of the contaminated sites once the rezoning is completed, Council will require the applicant prepare a preliminary assessment regarding the potential contamination. Because of this, Council is satisfied that the land, if contaminated, will be remediated prior to the land being used for a different purpose, and is also suitable in its current contaminated state being with an existing industrial environment.
Item 3: Johnson and Tarcutta Street Precinct, Wagga Wagga	
Nil.	
Item 4: Land use table amendments	
Nil.	
Item 5: Spring Street, Wagga Wagga	
Nil.	
Item 6: McPherson Oval, North Wagga Wagga	
Nil.	
Item 7: Reclassification of (Part Lots) Map	
Nil.	
Item 8: Lot size maps	
Nil.	
Item 9: Gobbagombalin	
Nil.	

6. Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Yes. Please refer to Appendix 1 of this report which provides a response to the Section 117 Directions.

Section C – Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. There are no known critical habitats or threatened species that are affected by this planning proposal.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. It is not anticipated that there will be any negative environmental impacts as a result of the planning proposal as the most of the items within the planning proposal apply to areas where there is existing development.

Should there be environmental considerations that arise out of proposed development permitted by this planning proposal, these issues can be addressed at the development assessment stage once a development application has been lodged.

9. How has the planning proposal adequately addressed any social and economic effects?

Item 1: St Luke's Anglican Church and surrounding residential precinct

The planning proposal identifies that a social benefit will be provided by introducing new social and business facilities to the premises. The planning proposal states *"Being adjacent to the hospital also creates opportunities for further links with the hospital, especially providing a place and space where parents and grandparents might be able to have some respite"* and *"One of the significant needs in Wagga Wagga is a place to meet where children can play safely, and where parents and caregivers can meet to network, relax and gather. While there are some commercial outlets meeting this need, they do so at a high cost, and are difficult to access. One of our aims is to therefore meet a need in the wider community for a safe meeting place where children are welcome and provided for, as well as meet the needs of those who we already engage with through our preschools"*.

It is agreed that the planning proposal will provide positive social benefits to the Wagga Wagga community.

Item 2: Sturt Highway (including Edward Street, Hammond Avenue and Lake Albert Road) Wagga Wagga

In order to ensure the primacy of the Wagga CBD remains, a number of clauses are proposed for inclusion within the WWLEP 2010.

It is anticipated that by providing floor area limits for business premises, this will ensure only large scale business premises are permitted, as these locations are not available within the CBD, which traditionally offer smaller premises.

Item 3: Johnson and Tarcutta Street Precinct, Wagga Wagga

The planning proposal provides that existing commercial buildings which are currently limited to use as public administration only, are enabled greater flexibility with their future

commercial use. It is anticipated that this will provide positive economic impacts with potential for additional commercial opportunities within the CBD.

Item 4: Land use table amendments

This item is a result of a Councillor working group who resolved to amend the land use table.

In some instances, the land use table amendments have been made to ensure consistency with zone objectives and also to provide greater flexibility and economic growth opportunities.

Item 5: Spring Street, Wagga Wagga

This item is a result of a Council resolution to rezone the land to facilitate the sale of the land.

Although this item will result in the loss of public recreational land, a survey of the surrounding area provides ample opportunities for public recreation within 350m of the subject site, therefore it is not anticipated that the loss of this land will reduce the supply of public recreation land within the vicinity of the subject site.

Item 6: McPherson Oval, North Wagga Wagga

The planning proposal seeks to rezone the land as Public Recreation, ensuring the land is retained for recreational/public purposes. This provides a social benefit and commitment to the community that the land will be retained for public purposes.

Item 7: Reclassification of (Part Lots) Map

This item seeks to rectify an error with the mapping therefore no social or economic impacts are identified.

Item 8: Lot size maps

This item seems to amend the scale of the maps to make them more legible, therefore no social or economic impacts are identified.

Item 9: Gobbagombalin

The planning proposal will provide development opportunities by reducing the minimum lot size to allow for development consistent with the adopted masterplan.

As the masterplan has already been adopted by Council, there will be no known negative social or economic effects from amending the lot size.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

Item 1: St Luke's Anglican Church and surrounding residential precinct

Yes. The rezoning proposal is within an existing residential precinct already adequately serviced by infrastructure.

Item 2: Sturt Highway (including Edward Street, Hammond Avenue and Lake Albert Road) Wagga Wagga

Yes. The rezoning proposal is within an existing industrial/business precinct already adequately serviced by infrastructure.

Item 3: Johnson and Tarcutta Street Precinct, Wagga Wagga

Yes. The rezoning proposal is within an existing commercial precinct already adequately serviced by infrastructure.

Item 4: Land use table amendments

N/A.

Item 5: Spring Street, Wagga Wagga

Yes. The rezoning proposal is within an existing residential precinct already adequately serviced by infrastructure.

Item 6: McPherson Oval, North Wagga Wagga

N/A.

Item 7: Reclassification of (Part Lots) Map

N/A.

Item 8: Lot size maps

N/A.

Item 9: Gobbagombalin

Yes. The subject area is catered for infrastructure servicing in Council's Development Servicing Plan.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No consultation has occurred with any public authorities prior to preparation and lodgement of the planning proposal.

The views of State and Commonwealth public authorities will be sought once the Gateway Determination has been issued.

PART 4 – MAPPING

The planning proposal seeks to amend the following maps:

- 7750_COM_LZN_003C_020_20131217
- 7750_COM_LZN_003F_020_20131217
- 7750_COM_LZN_004F_020_20130327
- 7750_COM_LSZ_003_160_20121205
- 7750_COM_HOB_003B_020_20140116

- 7750_COM_FSR_003B_020_20131101
- 7750_COM_RPL_004D_020_20130530

PART 5 – COMMUNITY CONSULTATION

The proposal is a “low impact Planning Proposal” under Section 5.5.2 of “*A guide to preparing local environmental plans*” as the Planning Proposal is:

- consistent with the pattern of surrounding land use zones and/or land uses
- consistent with the strategic planning framework
- presents no issues with regard to infrastructure servicing
- not a principal LEP
- does not reclassify public land.

However, due to the large number of items included within the planning proposal, it is considered that a longer exhibition period (than 14 days) would be more suitable and it is requested that the exhibition period be open for 28 days.

Consultation will be undertaken with the NSW Rural Fire Service (RFS). The NSW RFS will be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

Community consultation will commence by giving notice of the public exhibition of the Planning Proposal in a newspaper advertisement that circulates in the area affected by the Planning Proposal and on Council’s web-site.

During the exhibition period, the following material will be made available at Council’s Civic Centre:

- a) The Planning Proposal, including appendices and attachments;
- b) LEP maps identifying the proposed changes; and
- c) The Gateway Determination.

The number of affected and adjoining landowners makes individual notification for all affected properties impractical. However, individual notification will be provided to properties that will be affected by prohibitions. In this case, notification letters will be sent to the following precincts:

- B5 Business Development zone precinct in Pearson St and Dobney Avenue as *Industries* will become prohibited as a result of item 4; and
- IN1 General Industrial zones along the Sturt Highway and Lake Albert Road as *heavy industries* will become prohibited as a result of item 2.

A public hearing is not required as part of this planning proposal.

PART 6 – PROJECT TIMELINE

Task	Anticipated timeframe
Anticipated date of Gateway Determination	July 2014
Anticipated timeframe for completion of required technical information	N/A
Timeframe for Government agency consultation	August 2014
Commencement and completion dates for public exhibition.	September & October 2014 28 days
Dates for public hearing	N/A
Timeframe for consideration of submissions	November 2014
Timeframe for the consideration of a proposal post exhibition	December 2014 - January 2015
Date of submission to the Department to finalise the LEP	March 2015
Anticipated date RPA will make the plan	April 2015
Anticipated date RPA will forward to the Department for notification	April 2015

Appendix 1: Applicable Ministerial Directions (s.117 directions)

Item 1: St Luke's Anglican Church and surrounding residential precinct	Consistency?
2.1 Environmental Protection Zones	Yes. The planning proposal does not include changes to environmentally sensitive lands.
2.3 Heritage Conservation	Yes. The planning proposal does not alter existing heritage provisions.
2.4 Recreation Vehicle Areas	Yes. The planning proposal does not include provisions relating to recreation vehicle areas.
3.1 Residential Zones	Yes. The proposed rezoning will maintain the current range of residential development currently permitted.
3.2 Caravan Parks and Manufactured Home Estates	Yes. The planning proposal does not include provisions relating to caravan parks or manufactured home estates.
3.3 Home Occupations	Yes. Nothing in this planning proposal prevents home occupations from being carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport	Yes. The planning proposal is consistent with <i>'Improving Transport Choice – Guidelines for planning and development'</i> and <i>'The Right Place for Business and Services'</i> as the item seeks to rezone residential land to a higher density as the site is well located and close to existing public transport links and other day to day services close to Wagga's Medical Precinct.
4.3 Flood Prone Land	No. Although the area is affected by overland and riverine flooding, the planning proposal does not contain provisions which are likely to cause additional flooding concerns as the subject area is an existing residential precinct. The subject area is also protected by the wagga levee bank. It is anticipated that flood mitigation concerns can be addressed at development application stage should there be any issues. Therefore the inconsistency is considered of minor significance.
6.1 Approval and Referral Requirements	Yes. The planning proposal does not contain provisions relating to additional approval and referral requirements.
6.2 Reserving Land for Public Purposes	Yes. The planning proposal does not reduce any land reserved for public purposes.

Item 2: Sturt Highway (including Edward Street, Hammond Avenue and Lake Albert Road) Wagga Wagga	Consistency?
1.1 Business and Industrial Zones	Yes. As the planning proposal seeks to rezone land from Industrial to an Enterprise Corridor zone, the number of permitted uses are increased, whilst retaining the majority of existing uses. Therefore this item is consistent with the objectives of the Direction. The Direction also states that a planning proposal must not reduce the floor area for industrial or employment uses. This item is consistent with this objective as the proposal does not include such provisions. The Direction also states that new employment areas are to be supported by a strategy that is approved by the Director General of the Department of Planning. Wagga's Spatial Plan 2043 identifies an employment corridor along the Sturt Highway therefore this item is consistent with this objective.
2.1 Environmental Protection Zones	Yes. The planning proposal does not include changes to environmentally sensitive lands.
2.3 Heritage Conservation	Yes. The planning proposal does not alter existing heritage provisions.
2.4 Recreation Vehicle Areas	Yes. The planning proposal does not include provisions relating to recreation vehicle areas.
3.2 Caravan Parks and Manufactured Home Estates	Yes. The planning proposal does not include provisions relating to caravan parks or manufactured home estates.
3.3 Home Occupations	Yes. Nothing in this planning proposal prevents home occupations from being carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport	Yes. The planning proposal is consistent with <i>'Improving Transport Choice – Guidelines for planning and development'</i> and <i>'The Right Place for Business and Services'</i> as the item seeks to provide for greater employment opportunities by increasing the types of land uses within an existing industrial precinct. The precinct is located along a highway in close proximity to the Wagga CBD and would utilise existing public transport services.
4.3 Flood Prone Land	No. Although the subject areas are affected by overland and riverine flooding, the sites are already developed as the proposed rezoning is within an existing developed industrial precinct. It is anticipated that flood

	mitigation concerns can be addressed at development application stage should there be any issues. Therefore the inconsistency is considered of minor significance.
4.4 Planning for Bushfire Protection	Yes. As part of the Gateway determination, Council will be required to consult with the NSW Rural Fire Service. This item is also consistent with the Direction as the proposed rezoning is within an existing industrial area and development resulting from this planning proposal will be considered infill development.
6.1 Approval and Referral Requirements	Yes. The planning proposal does not contain provisions relating to additional approval and referral requirements.
6.2 Reserving Land for Public Purposes	Yes. The planning proposal does not reduce any land reserved for public purposes.

Item 3: Johnson and Tarcutta Street precinct, Wagga Wagga	Consistency?
1.1 Business and Industrial Zones	Yes. The planning proposal seeks to provide additional commercial opportunities by applying a more flexible zoning to the sites. The sites are in an existing commercial centre and therefore meet the objectives of the Direction. The planning proposal does not include any provisions which may limit the floor area.
2.1 Environmental Protection Zones	Yes. The planning proposal does not include changes to environmentally sensitive lands.
2.3 Heritage Conservation	Yes. The planning proposal does not alter existing heritage provisions.
2.4 Recreation Vehicle Areas	Yes. The planning proposal does not include provisions relating to recreation vehicle areas.
3.2 Caravan Parks and Manufactured Home Estates	Yes. The planning proposal does not include provisions relating to caravan parks or manufactured home estates.
3.3 Home Occupations	Yes. Nothing in this planning proposal prevents home occupations from being carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport	Yes. The planning proposal is consistent with <i>'Improving Transport Choice – Guidelines for planning and development'</i> and <i>'The Right Place for Business and Services'</i> as the item seeks to rezone land from Special Uses (Public Administration) to a B3 Commercial Core. The subject sites are located within the Wagga CBD and are therefore well serviced and in an accessible location.
4.3 Flood Prone Land	No. Although the subject areas are affected by overland and riverine flooding, the sites are already developed as the proposed

	rezoning is within an existing developed commercial precinct. It is anticipated that flood mitigation concerns can be addressed at development application stage should there be any issues. Therefore the inconsistency is considered of minor significance.
4.4 Planning for Bushfire Protection	Yes. As part of the Gateway determination, Council will be required to consult with the NSW Rural Fire Service. This item is also consistent with the Direction as the proposed rezoning is within an existing commercial area and development resulting from this planning proposal will be considered infill development.
6.1 Approval and Referral Requirements	Yes. The planning proposal does not contain provisions relating to additional approval and referral requirements.
6.2 Reserving Land for Public Purposes	Yes. The planning proposal does not reduce any land reserved for public purposes.

Item 4: Land use table amendments	Consistency?
1.1 Business and Industrial Zones	Yes. This item seeks to amend land use zoning conflicts by making minor changes to the land use table for the B1, B4 and B5 zones and removing anomalies for the zones. The changes represent a reflection of the objectives of the relevant land use zones and are therefore consistent with the Direction.
1.5 Rural Lands	Yes. The planning proposal seeks to permit with consent wharf or boating facilities, boat launching ramps and jetties within the E2 Environmental Conservation and E4 Environmental Management zones, therefore the Rural Planning Principle ' <i>identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land</i> ' applies. This item is consistent with SEPP (Rural Lands) 2008 as wharf or boating facilities are permissible under SEPP (Infrastructure). Boat launching ramps and jetties are not mandatory uses within the Environmental Protection zones.
2.1 Environmental Protection Zones	Yes. The planning proposal does not include changes to environmentally sensitive lands or reduce environmental protection standards.
2.3 Heritage Conservation	Yes. The planning proposal does not alter existing heritage provisions.
2.4 Recreation Vehicle Areas	Yes. The planning proposal does not include provisions relating to recreation vehicle

	areas.
3.1 Residential Zones	Yes. The planning proposal seeks to prohibit camping grounds within the R1 General Residential zone. As this use is more related to tourist and visitor accommodation as opposed to residential accommodation, this item is consistent with the Direction as it will not impact any existing provisions in regard to housing.
3.3 Home Occupations	Yes. Nothing in this planning proposal prevents home occupations from being carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport	Yes. This item seeks to amend the land use tables by including or prohibiting land uses consistent with the zone objectives. The amendments are considered minor and in keeping with the objectives of the Direction and therefore are considered consistent.
4.3 Flood Prone Land	Yes. This item is consistent with this Direction as the planning proposal does not pursue any provisions which are anticipated to significantly impact flood prone land. The proposal seeks to make some minor changes to the types of permissible and prohibited uses within several zones and these are not considered to have adverse impacts on land affected by flooding.
4.4 Planning for Bushfire Protection	Yes. The land use table amendments as part of this item do not alter any existing provisions applicable to bushfire prone land.
6.1 Approval and Referral Requirements	Yes. The planning proposal does not contain provisions that would significantly alter or increase the types of development permissible within the zones.
6.2 Reserving Land for Public Purposes	Yes. The planning proposal does not reduce any land reserved for public purposes.

Item 5: Spring Street, Wagga Wagga	Consistency?
2.1 Environmental Protection Zones	Yes. The planning proposal does not include changes to environmentally sensitive lands.
2.3 Heritage Conservation	Yes. The planning proposal does not alter existing heritage provisions.
2.4 Recreation Vehicle Areas	Yes. The planning proposal does not include provisions relating to recreation vehicle areas.
3.1 Residential Zones	Yes. The planning proposal seeks to rezone land to R1 General Residential. This zone permits a range of dwellings. The proposal does not include provisions which reduce the density of the land.
3.2 Caravan Parks and Manufactured Home Estates	Yes. The planning proposal does not include provisions relating to caravan parks or manufactured home estates.

3.3 Home Occupations	Yes. Nothing in this planning proposal prevents home occupations from being carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport	Yes. The planning proposal is consistent with <i>'Improving Transport Choice – Guidelines for planning and development'</i> and <i>'The Right Place for Business and Services'</i> as the item seeks to rezone land from RE1 Public Recreation to R1 General Residential within an established residential area in close proximity to shops and services. The site is also serviced by regular public transport services.
4.3 Flood Prone Land	No. The site is susceptible to both riverine and overland flooding and the planning proposal seeks to rezone the site from RE1 Public Recreation to R1 General Residential. There are some portions within the site are flood free. It is anticipated that these issues can be resolved at development assessment stage where mitigation measures can be put in place should future development lead to flooding impacts on adjacent properties. Because of this, the inconsistency with this direction is considered of minor significance.
6.1 Approval and Referral Requirements	Yes. The planning proposal does not contain provisions relating to additional approval and referral requirements.
6.2 Reserving Land for Public Purposes	Yes. The planning proposal does not reduce any land reserved for public purposes.

Item 6: McPherson Oval	Consistency?
1.2 Rural Zones	Yes. This item seeks to rezone land from RU5 Village to RE1 Public Recreation and does not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. Therefore this item is consistent with the Direction.
2.1 Environmental Protection Zones	Yes. The planning proposal does not include changes to environmentally sensitive lands.
2.3 Heritage Conservation	Yes. The planning proposal does not alter existing heritage provisions.
2.4 Recreation Vehicle Areas	Yes. The planning proposal does not include provisions relating to recreation vehicle areas.
3.2 Caravan Parks and Manufactured Home Estates	Yes. The planning proposal does not include provisions relating to caravan parks or manufactured home estates.
3.3 Home Occupations	Yes. Nothing in this planning proposal prevents home occupations from being carried out in dwelling houses without the need for development consent.
4.3 Flood Prone Land	Yes. As this item seeks to rezone land from

	RU5 Village to RE1 Public Recreation, it is not anticipated that this change will result in any increased additional development, and seeks to ensure the land is retained for public recreation uses only.
4.4 Planning for Bushfire Protection	Yes. As part of the Gateway determination, Council will be required to consult with the NSW Rural Fire Service. This item is also consistent with the Direction as the proposed rezoning does not provide for development in a hazardous area.
6.1 Approval and Referral Requirements	Yes. The planning proposal does not contain provisions relating to additional approval and referral requirements.
6.2 Reserving Land for Public Purposes	Yes. The planning proposal does not reduce any land reserved for public purposes.

Item 7: Reclassification of (Part) Lots Map	Consistency?
Assessment against the S117 Directions is not required for this item.	

Item 8: Lot size maps	Consistency?
Assessment against the S117 Directions is not required for this item.	

Item 9: Gobbagombalin	Consistency?
2.1 Environmental Protection Zones	Yes. The planning proposal does not include changes to environmentally sensitive lands.
2.3 Heritage Conservation	Yes. The planning proposal does not alter existing heritage provisions.
2.4 Recreation Vehicle Areas	Yes. The planning proposal does not include provisions relating to recreation vehicle areas.
3.1 Residential Zones	Yes. This item seems to reduce the minimum lot size to permit residential development in an area already zoned R5 Large Lot Residential. As the land is already zoned for this purpose, this item is consistent with the Direction.
3.2 Caravan Parks and Manufactured Home Estates	Yes. The planning proposal does not include provisions relating to caravan parks or manufactured home estates.
3.3 Home Occupations	Yes. Nothing in this planning proposal prevents home occupations from being carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport	Yes. The planning proposal seeks to amend the lot size for R5 Large Lot Residential zoned land. This item is to allow residential development, which is already zoned for this purpose and is therefore consistent with the Direction.
4.4 Planning for Bushfire Protection	Yes. As part of the Gateway determination, Council will be required to consult with the NSW Rural Fire Service. If the properties affected by the change in lot size are

	considered to be at risk of bushfire, this will be addressed at development application stage. The planning proposal does not alter existing bushfire provisions.
6.1 Approval and Referral Requirements	Yes. The planning proposal does not contain provisions relating to additional approval and referral requirements.
6.2 Reserving Land for Public Purposes	Yes. The planning proposal does not reduce any land reserved for public purposes.