

Rezone 335 Hammond Ave, Wagga Wagga to IN2

Proposal Title : **Rezone 335 Hammond Ave, Wagga Wagga to IN2**

Proposal Summary : **Rezone Lot 1 DP 164653, 335 Hammond Ave, Wagga Wagga from RU1 Primary Production to IN2 Light Industrial.**

PP Number : **PP_2012_WAGGA_004_00** Dop File No : **12/07072-1**

Proposal Details

Date Planning Proposal Received : **30-Apr-2012** LGA covered : **Wagga Wagga**

Region : **Southern** RPA : **Wagga Wagga City Council**

State Electorate : **WAGGA WAGGA** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **335 Hammond Ave**

Suburb : **Wagga Wagga** City : Postcode : **2650**

Land Parcel : **Lot 1, DP 164653, 335 Hammond Ave, Wagga Wagga**

DoP Planning Officer Contact Details

Contact Name : **Meredith McIntyre**

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RPA Contact Details

Contact Name : **Ian Grant**

Contact Number : **0269269517**

Contact Email : **grant.ian@wagga.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

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) **2.00**Type of Release (eg
Residential /
Employment land) :**Employment Land**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 : **Yes**

If No, comment :

Have there been meetings or
communications with
registered lobbyists? : **No**

If Yes, comment :

Supporting notesInternal Supporting
Notes :

The land is currently zoned RU1 Primary Production, it fronts the Sturt Highway on the approach to Wagga Wagga City and is also bounded on the opposite side by the Murrumbidgee River. To the east and west is zoned RU1 with small portions of and RU4 land. The land surrounding the subject land is subject to flooding, however, the subject site is (generally) not.

Opposite the subject land across the highway is a large IN1 General Industrial area.

The proposal is to rezone the land to IN2 Light Industrial and provide opportunity for some small scale light industrial activities.

External Supporting
Notes :**Adequacy Assessment****Statement of the objectives - s55(2)(a)**Is a statement of the objectives provided? **Yes**Comment : **The objective is to rezone the subject land to permit light industrial uses with no minimum lot size.****Explanation of provisions provided - s55(2)(b)**Is an explanation of provisions provided? **Yes**Comment : **Rezone the subject land from RU1 Primary Production to IN2 Light Industrial.****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****2.3 Heritage Conservation****4.3 Flood Prone Land****4.4 Planning for Bushfire Protection****6.3 Site Specific Provisions**

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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 55—Remediation of Land**

e) List any other matters that need to be considered : **The Council has not identified all the applicable s117 Directions or SEPPs, however, the Applicant has in addition to those identified above, listed 3.4 Integrating Land Use and Transport, and SEPP 44 - Koala Habitat.**

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

If No, explain :

S117 Directions

The Southern Region concurs with the S117 Directions identified by Council and the Applicant. The following is a consideration of consistency with the relevant s117 Directions:

1.1 Business and Industrial Zones - the inconsistency, in that it is not in accordance with a strategy endorsed by the Director General, is justified by the Study prepared by the Applicant and is also considered of minor significance.

1.2 Rural Zones - the inconsistency, in rezoning from RU1 to IN2, is justified by the Study prepared by the Applicant and is also considered of minor significance.

1.5 Rural Lands - the inconsistency is justified as it is considered of minor significance.

3.4 Integrating Land Use and Transport - The Applicant's Study assessed the proposal against the requirements of the Direction and found it is not inconsistent with the Direction.

4.3 Flood Prone Land - the inconsistency is justified as it is considered of minor significance (the Applicant's Flood Study identifies that the site is not at risk, although it would likely be an island as surrounding lands would flood).

4.4 Planning for Bushfire Protection - Requires that following a Gateway Determination and prior to public consultation, the RPA must consult with the NSW Rural Fire Service and take into account any comments it makes.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **No**

Comment : **Council has stated that community consultation will be required but has not specified an exhibition period. The Regional Office recommends a minimum exhibition period of 14 days.**

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 : **Council's and the Applicant's reports provide the required detail and justification to allow this proposal to proceed.**

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Council's Standard Instrument Principal LEP was notified in 2010.**

Assessment Criteria

Need for planning proposal : **Whilst Council's relevant strategic documents identify a reasonable supply of industrial land across the City, the Applicant's commissioned report by Market Needs Assessment identified a very limited supply of short to medium term industrial land and the risk of a 'gap' in the supply of suitable land.**
Given there are acknowledged constraints to the development of some surplus industrial land in Wagga Wagga, there is a need for ready-to-develop industrial land.

Consistency with strategic planning framework : **The Applicant's Study identified the following documents as relevant to the context of this proposal:**
- Wagga Wagga Vision 21 Land Use Study (2006)
- Wagga Wagga Industrial Land Study 2006
- Wagga Wagga Local Environmental Study 2008
- Market Needs Assessment for the nearby Gumly Gumly Industrial Estate (to rezone land for industrial uses) (2009)
The proposal is not inconsistent with any of the above documents.

Environmental social economic impacts : **Environmental issues can be managed and flooding has been addressed. The provision of land ready to be developed for light industrial uses will likely result in a positive social and economic outcome for the City.**

Assessment Process

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

Timeframe to make LEP : **6 Month** Delegation : **DG**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage**
NSW Rural Fire Service
Transport for NSW - Roads and Maritime Services

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 :

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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 :

Documents

Document File Name	DocumentType Name	Is Public
Council Report.pdf	Proposal	Yes
Council resolution.pdf	Proposal	Yes
Planning Proposal - 335 Hammond Avenue.pdf	Proposal	Yes
Planning Proposal - 335 Hammond Avenue Section 117 directions.pdf	Proposal	Yes
PR108686_Hammond Avenue Planning Proposal_100112_REV_O2.pdf	Study	Yes
Site ID Map.pdf	Map	Yes
Site ID - Proposed Zone.pdf	Map	Yes
7750_COM_LZN_004F_020_20120116.pdf	Map	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**
- 2.3 Heritage Conservation**
- 4.3 Flood Prone Land**
- 4.4 Planning for Bushfire Protection**
- 6.3 Site Specific Provisions**

Additional Information : **The Planning Proposal is adequate to proceed.**

Additional studies are not required as the Applicant's investigations have been thorough.

A public hearing is not required.

It is recommended that the delegate of the Minister for Planning and Infrastructure, determine under section 56(2) of the EP&A Act, that an amendment to the Wagga Wagga Local Environmental Plan 2010 to rezone the land from RU1 Primary Production to IN2 Light Industrial should proceed subject to the following conditions:

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

(a) the planning proposal must be made publicly available for a minimum of 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 (Dept 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 Rural Fire Service
Transport for NSW - Roads and Maritime Services
Murrumbidgee Catchment Management Authority

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 it 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.

3. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway Determination.

4. (a) It is recommended that the Director-General can be satisfied that the inconsistencies with the following s117 Directions are justified by studies and/or of minor significance:

- 1.1 Business and Industrial Zones
- 1.2 Rural Zones
- 1.5 Rural Lands
- 4.3 Flood Prone Land

(b) It is recommended that the Director-General can be satisfied that the planning proposal is consistent with s117 Direction 3.4 Integrating Land Use and Transport as the Applicant has assessed the proposal against the relevant guidelines specified in the Direction.

(c) To enable the Director-General to be satisfied that the planning proposal will be consistent with s117 Direction 4.4 Planning for Bushfire Protection, it is recommended that Council be required to consult with the NSW Rural Fire Service prior to public consultation and that any comments from the RFS will be taken into account by the Council.

(d) The Director-General can be satisfied that the planning proposal is consistent with all other s117 Directions or any inconsistencies are of minor significance. No further consultation is required in relation to any s117 Direction while the planning proposal remains in its current form and subject to consultation with the NSW Rural Fire Service.

5. (a) SEPP 55 Remediation of Land requires Council to consider whether the land is contaminated. It is recommended that Council needs to advise the Regional Director of the Southern Region that it has undertaken a Stage 1 contaminated lands assessment and of the outcomes of that assessment, prior to exhibition.

(b) The planning proposal is considered to be consistent with all other SEPPs.

Supporting Reasons :

This is a relatively minor rezoning proposal. Whilst this is a spot rezoning, this particular proposal has sufficient merit, given the assessment of industrial land supply, the location of the subject land and the minor nature of the rezoning.

Signature:



Printed Name:

MARK PARKER
Local Planning Manager

Date:

23rd May 2012