

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**

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.

Panel Recommendation

Recommendation Date : 31-May-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. In accordance with the requirements of State Environmental Planning Policy 55 – Remediation of Land, Council is to undertake a preliminary contamination assessment and identify the outcomes of the assessment in the planning proposal. Council is to provide a copy of the exhibition material to the Department's Regional Office.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - NSW Rural Fire Service
 - Transport for NSW - Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any

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relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. Further to Condition 2 above, Council is to consult with the Commissioner of the NSW Rural Fire Service and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, and forward a copy of the revised planning proposal to the Department's Regional Office.

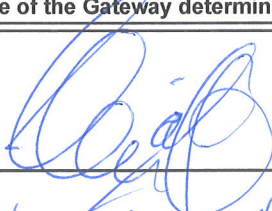
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

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

Signature: _____

Printed Name: _____

Date: _____


 Date: 12, 6, 12