

Amend Wagga Wagga LEP 2010 - Reclassify 5 sites and rezone 1 site from RE1 to B2

Proposal Title : **Amend Wagga Wagga LEP 2010 - Reclassify 5 sites and rezone 1 site from RE1 to B2**

Proposal Summary : **Council is seeking to amend Wagga Wagga LEP 2010 to;**

- 1. Reclassify part Lot 10 DP 1017384 (Owned by Council), Bourke Street, Wagga Wagga, from Community Land to Operational Land and to rezone part Lot 10 DP 1017384 and part Lot 10 DP 1165096 (privately owned land) from RE1 Public Recreation Zone to B2 Local Centre Zone.**
- 2. Reclassify Lot 20 DP 22260, PCYC bike training track, Spring Street, Wagga Wagga, from Community Land to Operational Land. Land is owned and managed by Wagga Wagga City Council.**
- 3. Reclassify Lot 4 DP 1012605, Edward Street, Wagga Wagga, from Community Land to Operational Land. Land is owned and managed by Wagga Wagga City Council.**
- 4. Reclassify Lot 16 DP 835763, Red Hill Road, Wagga Wagga, from Community Land to Operational Land. Land is owned and managed by Wagga Wagga City Council.**
- 5. Reclassify Lots 1 & 2 DP 805848, Boorooma Street, Wagga Wagga, from Community Land to Operational Land. Land is owned and managed by Wagga Wagga City Council.**

The Reclassification of these sites will not change any interests affecting the land.

PP Number : **PP_2012_WAGGA_006_00** Dop File No : **12/12927**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions :
- 1.1 Business and Industrial Zones**
 - 2.1 Environment Protection Zones**
 - 6.2 Reserving Land for Public Purposes**

Additional Information : **It is recommended that the Director General, as 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:**

- 1. Reclassify part Lot 10 DP 1017384, Bourke Street, Wagga Wagga, from Community Land to Operational Land and to rezone part Lot 10 DP 1017384 and part Lot 10 DP 1165096 from RE1 Public Recreation Zone to B2 Local Centre Zone;**
- 2. Reclassify Lot 20 DP 22260, PCYC bike training track, Spring Street, Wagga Wagga, from Community Land to Operational Land;**
- 3. Reclassify Lot 4 DP 1012605, Edward Street, Wagga Wagga, from Community Land to Operational Land.;**
- 4. Reclassify Lot 16 DP 835763, Red Hill Road, Wagga Wagga, from Community Land to Operational Land; and**
- 5. Reclassify Lot 1 & 2 DP 805848, Boorooma Street, Wagga Wagga, from Community Land to Operational Land;**

should proceed subject to the following conditions:

1. 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 must be made publicly available for 28 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).

2. No public hearing is required to be held into the matter 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).

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

S117 DIRECTIONS

4. s117 6.2 Reserving Land for Public Purposes - The Director General agree to the reduction in area of land zoned RE1 Public Recreation.

5. The Director General can be satisfied that the Planning Proposal is consistent with all other relevant s117 Directions or that any inconsistencies are of minor significance.

6. No further consultation is required in relation to s117 Directions while the proposal remains in its current form.

Supporting Reasons : The Planning Proposal is classified as routine and requires community consultation.

Panel Recommendation

Recommendation Date : 23-Aug-2012

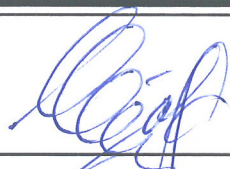
Gateway Recommendation : Passed with Conditions

Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

1. It is noted that Council has identified S117 Direction 2.1 Environmental Protection Zones as applying to the planning proposal. It is considered that the planning proposal is consistent with this direction; Council should amend the planning proposal accordingly to reflect the consistency. No further approval is required.
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 must be made publicly available for 28 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. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
4. 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).
5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

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Signature:



Printed Name:

Neil McGaffin

Date:

29.8.12