

Rezoning land at Gumly Gumly, Wagga Wagga to B6 Enterprise Corridor

Proposal Title : Rezoning land at Gumly Gumly, Wagga Wagga to B6 Enterprise Corridor

Proposal Summary : Wagga Wagga Council proposes to rezone Lot 1, DP 305732 and Lot 1, DP 1085667, Sturt Highway, Gumly Gumly from RU1 Primary Production to B6 Enterprise Corridor for the purposes of a business/industrial precinct with limited retailing activity.

PP Number : PP_2012_WAGGA_007_00 Dop File No : 12/07068-1

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
 3.4 Integrating Land Use and Transport
 4.3 Flood Prone Land
 4.4 Planning for Bushfire Protection

Additional Information : 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 Wagga Wagga Local Environmental Plan 2010 to rezone land from RU1 Primary Production and RE1 Public Recreation to B6 Enterprise Corridor with no minimum lot size 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. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

Murrumbidgee Catchment Management Authority
 Office of Environment and Heritage
 Transport for NSW - Roads and Maritime Services

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 information or additional matters to be addressed in the planning proposal.

3. 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).

4. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway Determination.

5. Council is to insert the land use "Office premises" into item 3 Permitted with consent into the new B6 Enterprise Corridor Zone land use table.

6. Amend all sheets in the LZN Map series to include the B6 Enterprise Corridor Zone in the legend.

7. SECTION 117 DIRECTIONS - It is recommended that:

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

1.2 Rural Zones

1.5 Rural Lands

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land;

(b) The Director General agree to the reduction in land zoned RE1 Public Recreation Zone and can be satisfied that any inconsistency with Direction 6.2 Reserving Land for Public Purposes is only of minor significance; and

(c) The Director-General can be satisfied that the planning proposal is consistent with any other relevant s117 Directions or that any inconsistencies are of minor significance.

(d) No further consultation is required in relation to any s117 Direction while the planning proposal remains in its current form.

8. The planning proposal is considered to be consistent with all relevant SEPPs.

Supporting Reasons : This is a relatively straight forward rezoning proposal. Whilst it is a spot rezoning, this particular proposal has sufficient merit, given the assessment of industrial land supply and the location and accessibility of the subject land.

Panel Recommendation

Recommendation Date : **25-Oct-2012**

Gateway Recommendation : **Passed with Conditions**

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public consultation, Council is to amend the planning proposal so that all sheets of the Land Zone Map series includes the B6 Enterprise Corridor Zone in the legend.

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. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Murrumbidgee Catchment Management Authority
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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 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.

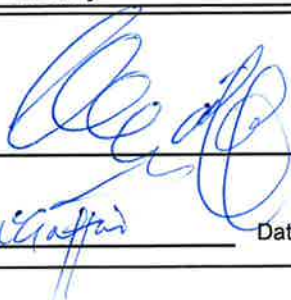
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if

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reclassifying land).

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

29.10.12