

# **Wagga Wagga City Council**

## **Planning Proposal**

### **Amendment to the Wagga Wagga Local Environmental Plan 2010**

**2017/1 Anomalies Planning Proposal:**

**Date of Planning Proposal:**

6 June 2017

**Revised:**

12 September 2017

18 October 2017

10 May 2018

**Contact:**

Crystal Golden  
Senior Strategic Planner  
Wagga Wagga City Council  
Phone: 1300 292 442

Email: [council@wagga.nsw.gov.au](mailto:council@wagga.nsw.gov.au)

**BLANK PAGE**

## CONTENTS

INTRODUCTION .....	4
PART 1 – OBJECTIVES OR INTENDED OUTCOMES .....	4
PART 2 – EXPLANATION OF THE PROVISIONS .....	4
PART 3 – JUSTIFICATION .....	5
PART 4 – MAPPING .....	100
PART 5 – COMMUNITY CONSULTATION .....	101
PART 6 – PROJECT TIMELINE .....	101
Appendix 1: Information Checklist .....	102

## **INTRODUCTION**

In accordance with Section 55 of the *Environmental Planning and Assessment Act 1979*, this planning proposal has been prepared to amend provisions of the Wagga Wagga Local Environmental Plan 2010 (WWLEP) to respond to internal requests (by Council), and housekeeping amendments. The planning proposal has been prepared in accordance with the NSW Department of Planning and Environment's Guideline '*A guide to preparing planning proposals*'.

A Gateway determination under Section 55 of the *Environmental Planning and Assessment Act 1979* is requested.

This planning proposal contains amendments to the WWLEP land use table, maps and Schedule 5 Environmental Heritage.

Council is seeking delegation to make this plan as the matters contained in the planning proposal are considered to be of local significance. The evaluation criteria for the delegation of plan making functions checklist will be provided separately. The completed Information Checklist is provided in Appendix 1.

## **PART 1 – OBJECTIVES OR INTENDED OUTCOMES**

The planning proposal contains 40 items that correct inconsistencies and propose minor amendments to the land use table, zoning, minimum lot size, building height, floor space ratio, heritage map and Schedule 5 of the WWLEP 2010.

## **PART 2 – EXPLANATION OF THE PROVISIONS**

The proposed outcome will be achieved by amending the following in the WWLEP:

- B4 Mixed Use land use table
- Land zoning maps
- Minimum lot size maps
- Height of building maps
- Floor space ratio maps
- Heritage map
- Map numbering

The mapping showing the intended provisions is included in the justification for each item.

## **PART 3 – JUSTIFICATION**

Justification provided under criteria 1 to 4 below apply to the planning proposal in general. Justification under criteria 5 to 10 are provided individually for each amendment item.

### ***Section A – Need for the planning proposal***

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

The planning proposal is not the result of a strategic study or report.

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

The various amendments proposed as part of this planning proposal are the best means of achieving the amendment.

The amendments correct inconsistencies that occurred with the implementation of the WWLEP 2010 where the provisions do not align with land use or property boundaries. The minor amendments proposed include updating policy, listing a state heritage item, updating heritage listing information, adding a use to the B4 Mixed Use land use table and correcting map numbering.

### ***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?**

The Riverina Murray Regional Plan 2036 applies to Wagga Wagga. The planning proposal is consistent the actions of the Riverina Murray Regional Plan 2036 by:

- Providing opportunities for tourism development by amending the land use table to permit tourist and visitor accommodation in B4 Mixed Use zone.
- Protecting high environmental assets by rezoning land to E2 Environmental Conservation.
- Promoting high quality open space by rezoning land to public recreation.
- Recognising and conserving heritage assets by including and updating listings for heritage items.

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

The planning proposal is consistent with Council's Community Strategic Plan 2040 – Wagga View as it will involve community consultation, create additional tourism accommodation options and protect heritage.

The planning proposal is consistent with the Wagga Wagga Spatial Plan 2013 – 2043, endorsed by the Minister for Planning, as it provides protection of Aboriginal and European Heritage, creates opportunities for employment and reduces development opportunities on the flood plain.

## ITEM 1 – 22 PUGSLEY AVENUE – JUSTIFICATION

The purpose of this item is to amend the zoning for Lot 50 DP 261008, 22 Pugsley Avenue, Estella from B1 Neighbourhood Centre to R1 General Residential. The lot was previously zoned 2a General (Urban Living Area) under the superseded LEP and a neighbourhood shop previously operated from the site under existing use rights. A development application (DA) approval for a dwelling has been issued and as part of that approval, the existing use rights for the neighbourhood shop were surrendered. The B1 Neighbourhood Centre Zone was incorrectly applied to the lot with the commencement of the WWLEP 2010. The rezoning will acknowledge the existing residential use, approved DA and surrender of the previous existing use rights for a neighbourhood shop.

The proposed amendments will be achieved by amending land zoning map sheet LZN\_003B as shown below:

**Item 1 - 22 Pugsley Avenue - Lot 50 DP261008 - Land Zoning**



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and Industrial Zones	The planning proposal is inconsistent with this direction as it proposes to rezone the subject land from B1 Neighbourhood Centre to R1 General Residential. The inconsistency is of minor significance as the site is currently used for residential purposes. In addition, there are two other locations within the area that are zoned B2 Local Centre.
3.1 Residential Zones	The planning proposal is consistent with this direction as it mirrors the existing residential use and development approval on the site.

## ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will remove the opportunity for a neighbourhood shop to operate in this location. There are two other locations zoned B2 Local Centre that provide opportunities for shops to be located in the area to service the local community.

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

This item does not require consultation with State or Commonwealth public authorities.

## ITEM 2 – TRAVERS STREET – JUSTIFICATION

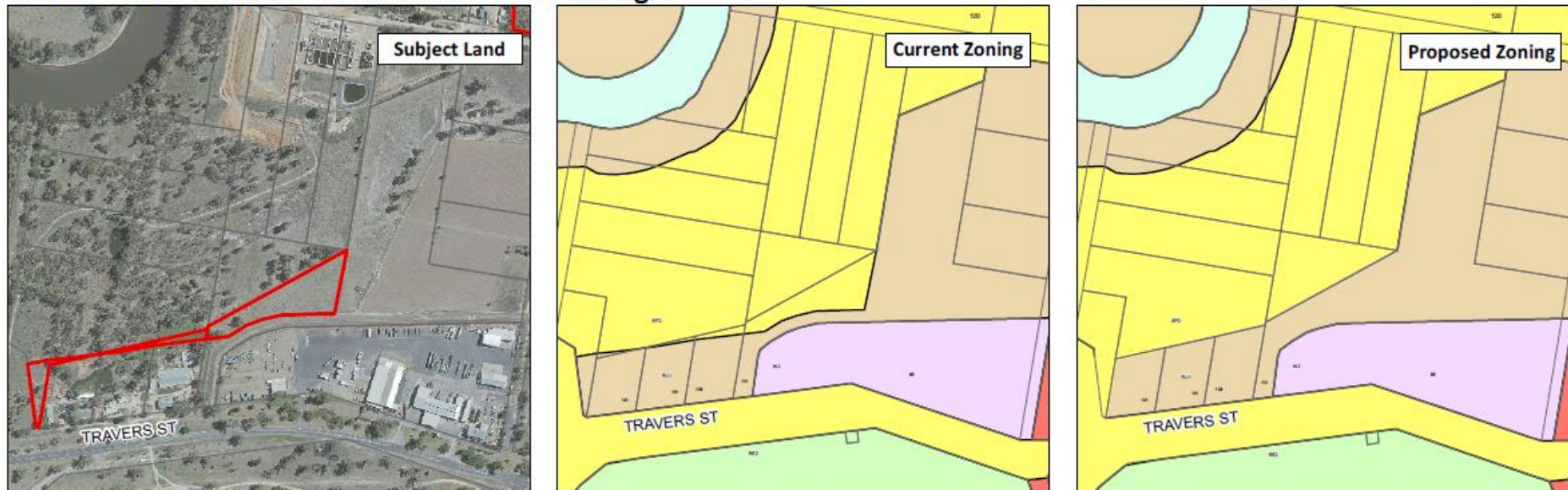
The purpose of this item is to amend the zoning and minimum lot size for Lot 1 DP 703643, Lots 1-4 DP 787203 and Lot 5 DP 848787. The amendment will align the zoning and minimum lot size with the existing land uses and lot boundaries.

Lot 1 DP 703643 and Lot 4 DP 787203 are government owned operational parcels and are associated with the nearby sewerage treatment plant. Lots 1 to 3 DP 787203 and Lot 5 DP 848787 are in private ownership and not related to the operations of the sewerage treatment plant. None of the properties are identified as community land.

The proposed amendments align the zone and minimum lot size with the correct property boundaries. The areas in private ownership are not identified as land to be acquired or as having easements or covenants on the land to justify the partial SP2 Infrastructure zoning. The minimum lot size will be amended to reflect the new zoning alignment. The lots in private ownership are located on the floodplain and the minimum lot size will restrict additional dwellings from being located on flood affected land.

The proposed amendment will be achieved by amending the land zoning map sheet LZN\_003C and minimum lot size map sheet LSZ\_003C as indicated in the maps below:

### Item 2 - Travers Street - Various Lots - Land Zoning





## Item 2 - Travers Street - Various Lots - Minimum Lot Size



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The planning proposal is consistent with SEPP Infrastructure 2007 as it proposes to rezone land to SP2 Infrastructure which will enable development for sewer infrastructure under the SEPP. The part of the proposal which aims to rezone land to RU1 is in private ownership and not utilised or essential for the nearby sewer treatment plant. The proposal is therefore considered consistent with the provisions of the SEPP Rural Lands 2008.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.2 Rural Zones	The planning proposal is inconsistent with this direction as it proposes to rezone land from RU1 Primary Production to SP2 Infrastructure. The inconsistency is minor as the subject land is used for sewer infrastructure and not for agricultural purposes.
6.2 Reserving Land for Public Purposes	The planning proposal is inconsistent with this direction as it proposes to rezone land from SP2 Infrastructure to RU1 Primary Production. The inconsistency is minor as the subject land is not used in relation to the nearby sewerage treatment plant, and is not identified as land to be acquired.

## ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will remove the unnecessary restrictions on private property.

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

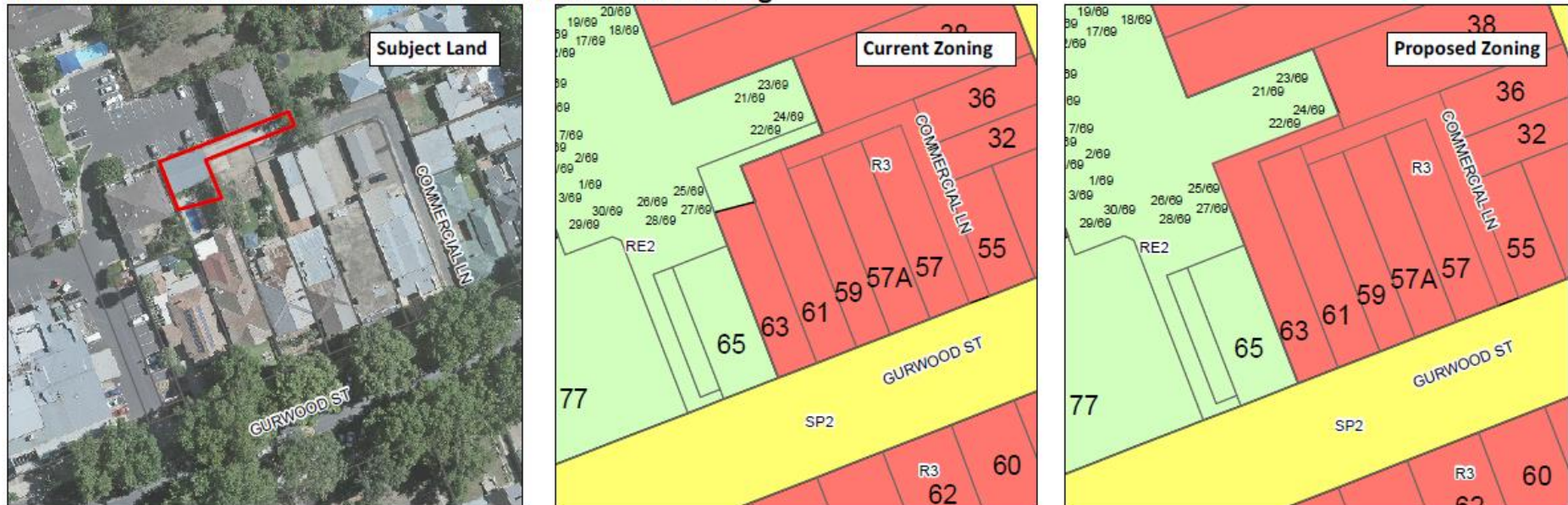
This item does not require consultation with State or Commonwealth public authorities.

### ITEM 3 – 63 GURWOOD STREET – JUSTIFICATION

The purpose of this item is to amend the land zone for Lot 3 DP 1067409, 63 Gurwood Street, Wagga Wagga from RE2 Private Recreation to R3 Medium Density to align the zoning with property boundaries. The subject land is a residential property and does not form part of the private recreation land.

The proposed amendments will be achieved by amending land zoning map sheet LZN\_003C as shown below:

#### Item 3 - 63 Gurwood Street - Lot 3 DP 1067407 - Land Zoning



#### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
3.1 Residential zones	The planning proposal is consistent with this direction as it proposes a medium density zone on land that is used for medium density residential purposes.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will provide the landowners with certainty around the land zoning for their property and support the continued use of the land for medium density residential development.

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

This item does not require consultation with State or Commonwealth public authorities.

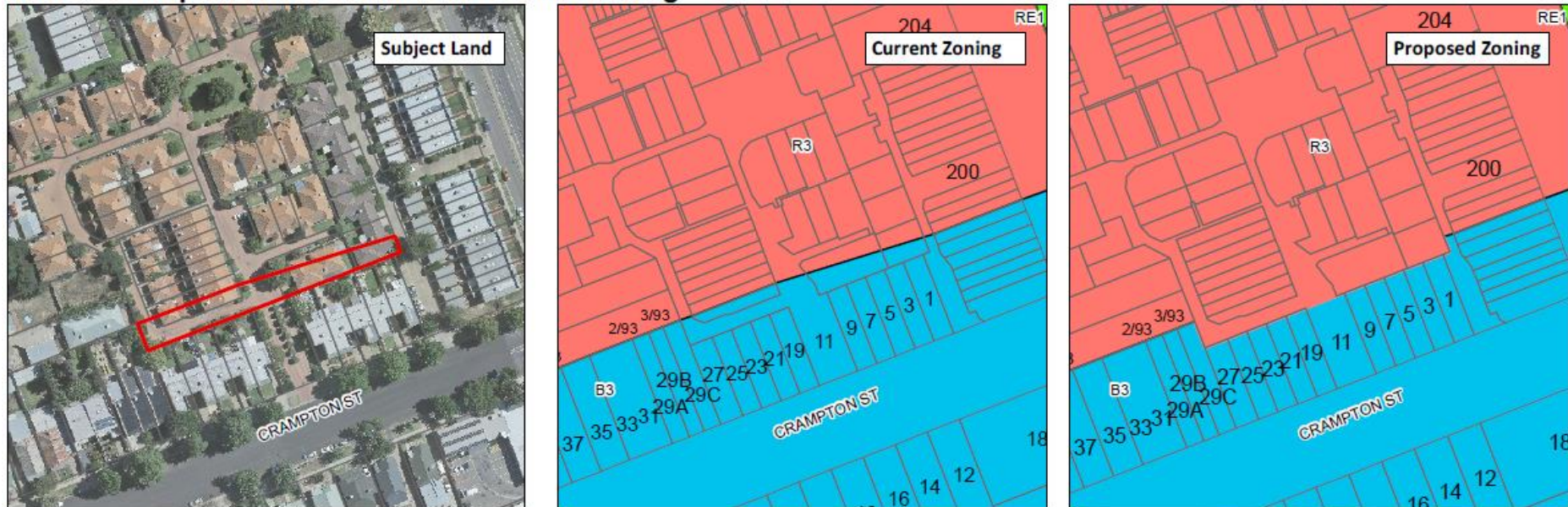


## ITEM 4 – CRAMPTON STREET – JUSTIFICATION

The purpose of this item is to amend the land zone for Lots 1, 2 and 39 DP 285373 and Lot 21 DP 285287 on Crampton Street from B3 Commercial Core to R3 Medium Density to align the zoning with property boundaries.

The proposed amendments will be achieved by amending land zoning map sheet LZN\_003C as shown below:

### Item 4 - Crampton Street - Various Lots - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and industrial zones	The planning proposal is inconsistent with this direction as it proposed to rezone business land to residential. The inconsistency is of minor significance as the rezoning will align the zone to property boundaries to reflect the existing use of the land.
3.1 Residential zones	The planning proposal is consistent with this direction as it proposes a medium density zone on land that is used for medium density residential purposes.

## ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will provide the landowners with certainty around the land zoning for their property and support the continued use of the land for medium density residential development.

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

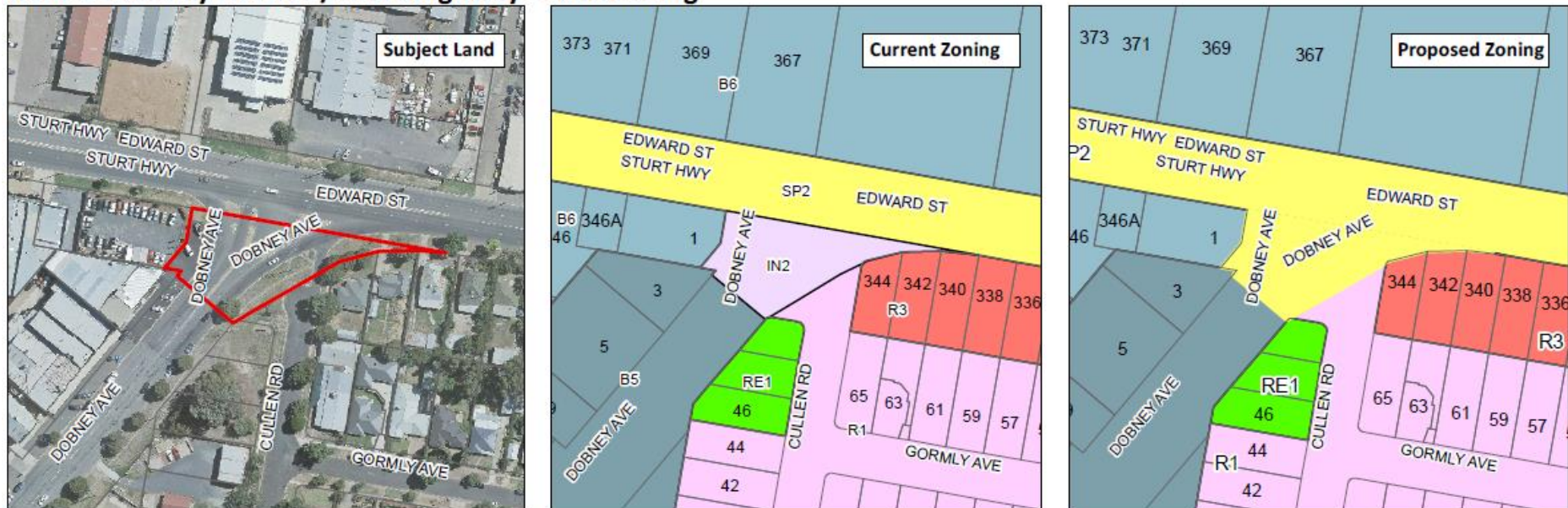
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 5 – DOBNEY AVENUE – JUSTIFICATION

The purpose of this amendment is to amend the land zone for the Dobney Avenue and Sturt Highway intersection from IN2 Light Industrial to SP2 Infrastructure. This part of Dobney Avenue forms part of the Sturt Highway as one lot in one ownership.

The proposed amendments will be achieved by amending land zoning map sheet LZN\_003C as shown below:

### Item 5 - Dobney Avenue / Sturt Highway - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The planning proposal is consistent with SEPP Infrastructure 2007 as it proposes to rezone the land occupied by road infrastructure.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and industrial zones	The planning proposal is inconsistent with this direction as it proposes to remove industrial zoning. The inconsistency is of minor significance as the subject land is used for the purposes of a road and cannot be developed for industrial purposes.
3.4 Integrating Land Use and Transport	The planning proposal is consistent with this direction as it reflects the existing road infrastructure on the lot.

## ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal tidies up the zoning and aligns the zone boundary with the lot boundary for the subject area. It enables future works to be considered under the one zoning.

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

This item does not require consultation with State or Commonwealth public authorities.



## ITEM 6 – 251 EAST BOMEN ROAD – JUSTIFICATION

The purpose of this item is to amend the land zone for Lot 23 DP 1085826, 251 East Bomen Road, Bomen from RE1 Public Recreation to E2 Environmental Conservation. The subject land is an identified Aboriginal place of significance known as the Bomen Axe Quarry. Removing the recreation zone will protect the subject site from forms of recreation development and remove expectations that this site is a public recreation area. Applying the environmental zone will limit the amount of development opportunities on the lot. The surrounding RE1 zoned land will be surveyed and may form part of a future planning proposal to rezone the land to either E2 Environmental Conservation or IN1 General Industrial. The subject site is operational land and not intended to be community land in the future.

The proposed amendments will be achieved by amending land zoning map sheet LZN\_003E as shown below:

### Item 6 - 251 East Bomen Road - Lot 23 DP 1085826 - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP For this item.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
2.1 Environmental Protection zones	The planning proposal is consistent with this direction as it does not remove provisions for environmentally sensitive areas.
2.3 Heritage Conservation	The planning proposal is consistent with this direction as aims to protect the heritage significance site through limiting development opportunities on the lot.
6.2 Reserving Land for Public Purposes	The planning proposal is inconsistent with this direction as is proposes to reduce land zoned for recreation purposes. The inconsistency is of minor significance as the land is operational land and not used for community purposes.

### ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The rezoning of the significant Aboriginal heritage item will provide certainty around the protection of the site from recreation purposes and enable opportunities for the future maintenance of the heritage item.

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

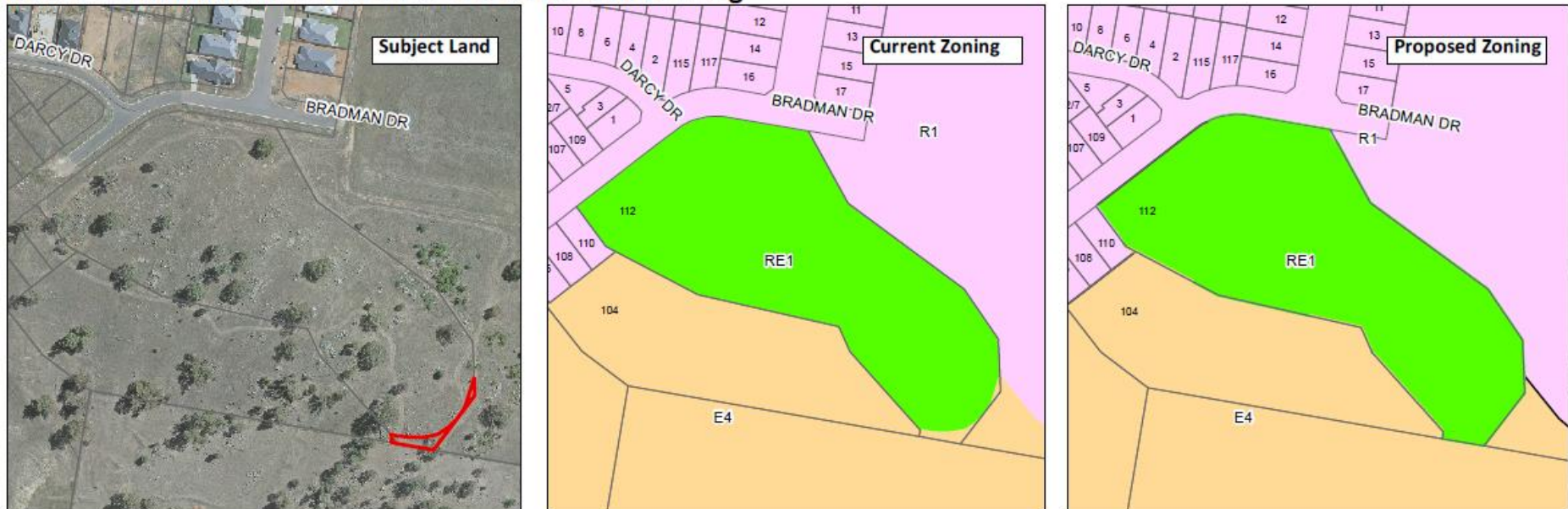
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 7 – BRADMAN DRIVE – JUSTIFICATION

The purpose of this amendment is to amend the land zone, minimum lot size and land reservation acquisition maps for Lot 65 DP 1193816, Bradman Drive, Boorooma. The amendment will align the mapping provisions with the lot boundary.

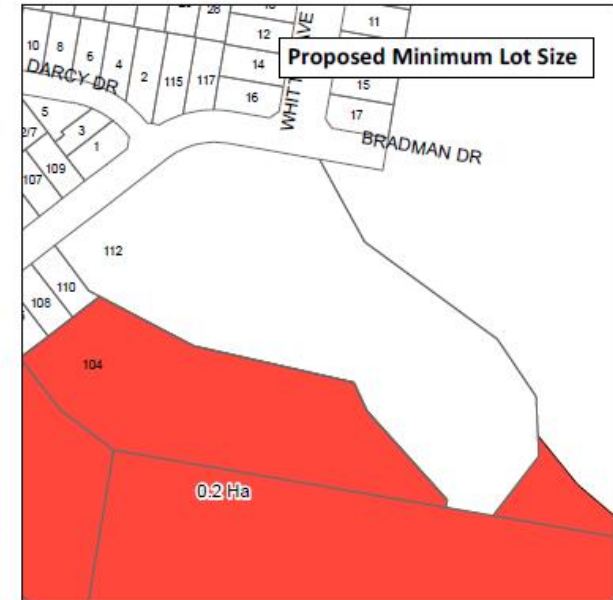
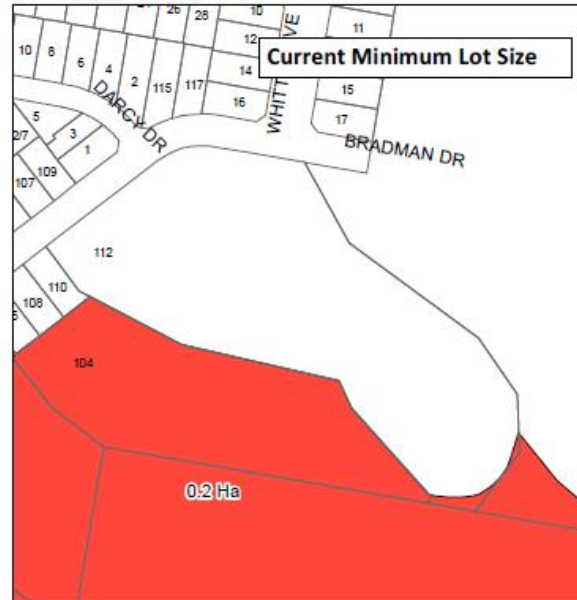
The proposed amendments will be achieved by amending land zoning map sheet LZN\_003E, minimum lot size map sheet LSZ\_003E and land reservation acquisition map sheet LRA\_003C as shown below:

### Item 7 - Bradman Drive - Lot 65 DP 1193816 - Land Zoning

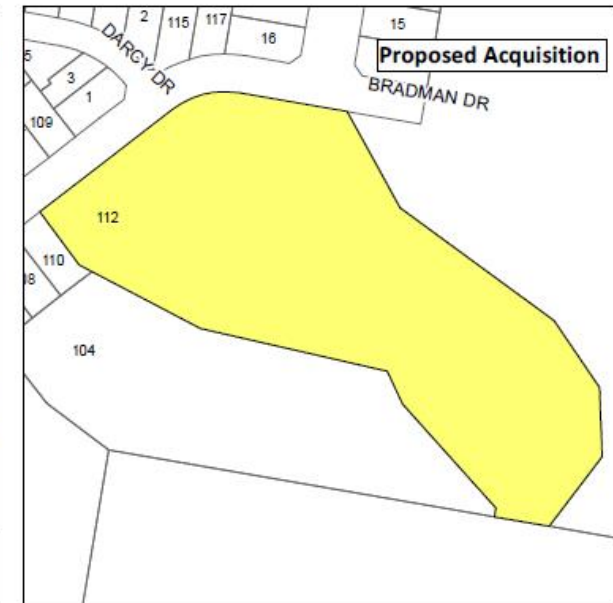
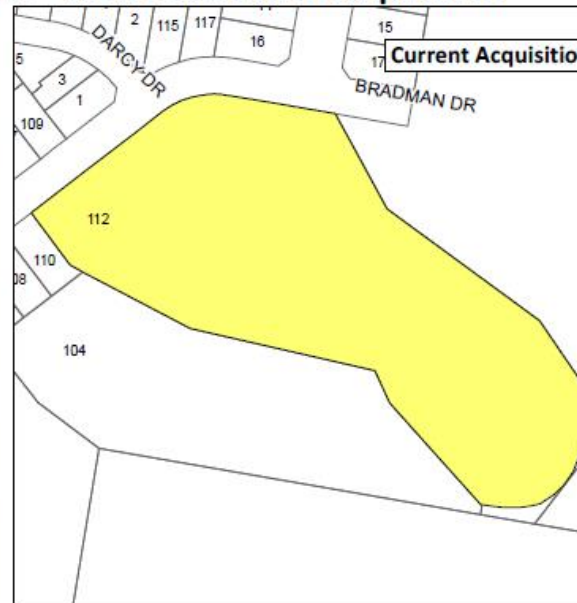
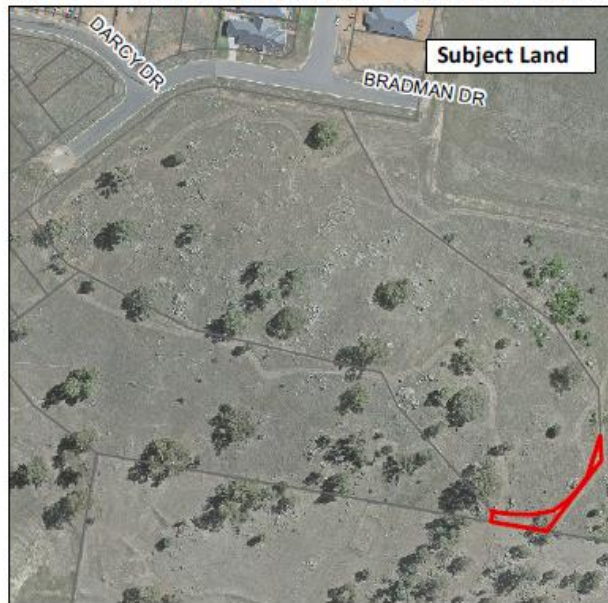




### Item 7 - Bradman Drive - Lot 65 DP 1193816 - Minimum Lot Size



### Item 7 - Bradman Drive - Lot 65 DP 1193816 - Land Reservation Acquisition



**5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?**

There is no applicable SEPP for this item.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
6.2 Reserving Land for Public Purpose	The planning proposal is consistent with this direction as it intends to correct mapping to align provisions with the land that is reserved for public purposes.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures mapping provisions accurately align with property boundaries and expectations of what land is identified for community purposes.

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

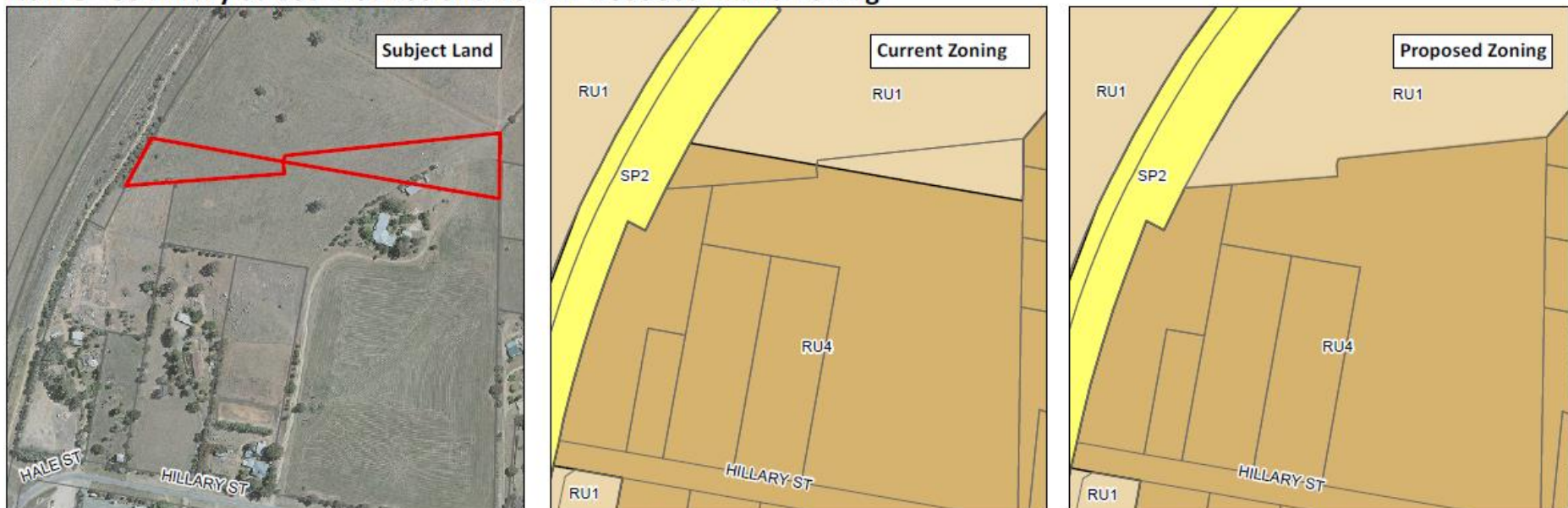
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 8 – 59 HILLARY STREET – JUSTIFICATION

The purpose of this item is to amend the land zone and minimum lot size for Lot 100 and 101 DP 1095889, 59 Hillary Street, North Wagga Wagga. The amendment will align the zone and minimum lot size with the property boundaries.

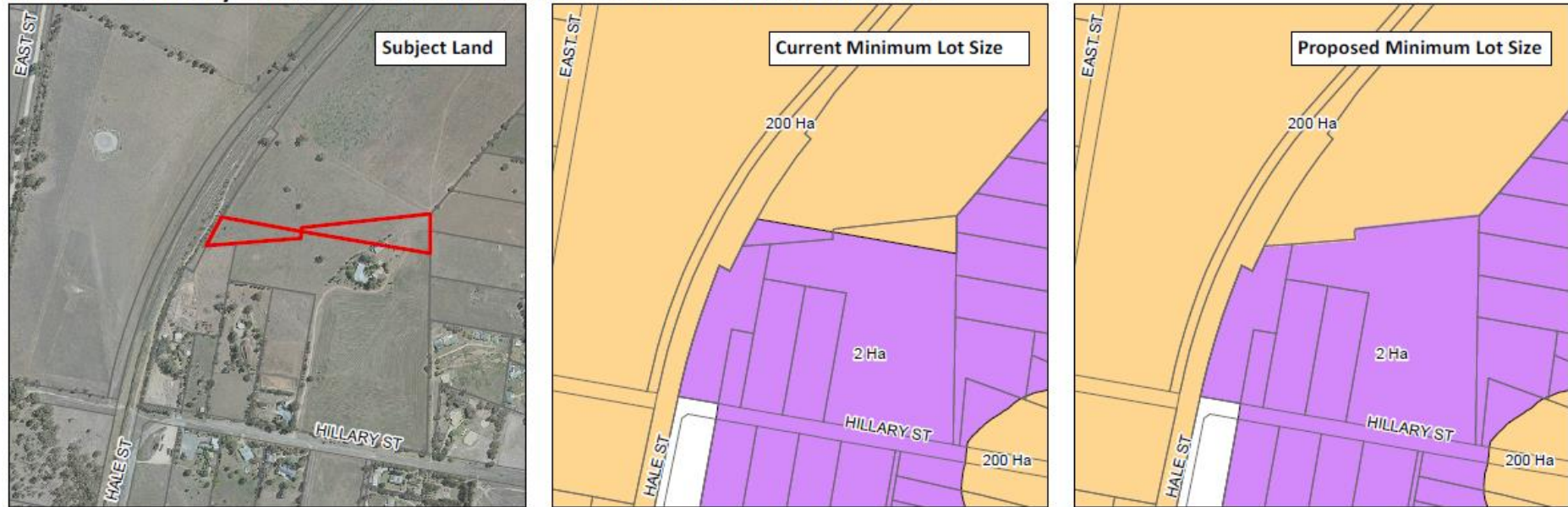
The proposed amendments will be achieved by amending the land zoning map sheet LZN\_003F and minimum lot size map sheet LSZ\_003F as shown below:

### Item 8 - 59 Hillary Street - Lot 100 and 101 DP 1095889 - Land Zoning





# Item 8 - 59 Hillary Street - Lot 100 and 101 DP 1095889 - Minimum Lot Size



## 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

There are no applicable Section 117 Ministerial Directions for this item.

### ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

There are no social or economic effects as a result of this item.

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

This item does not require consultation with State or Commonwealth public authorities.

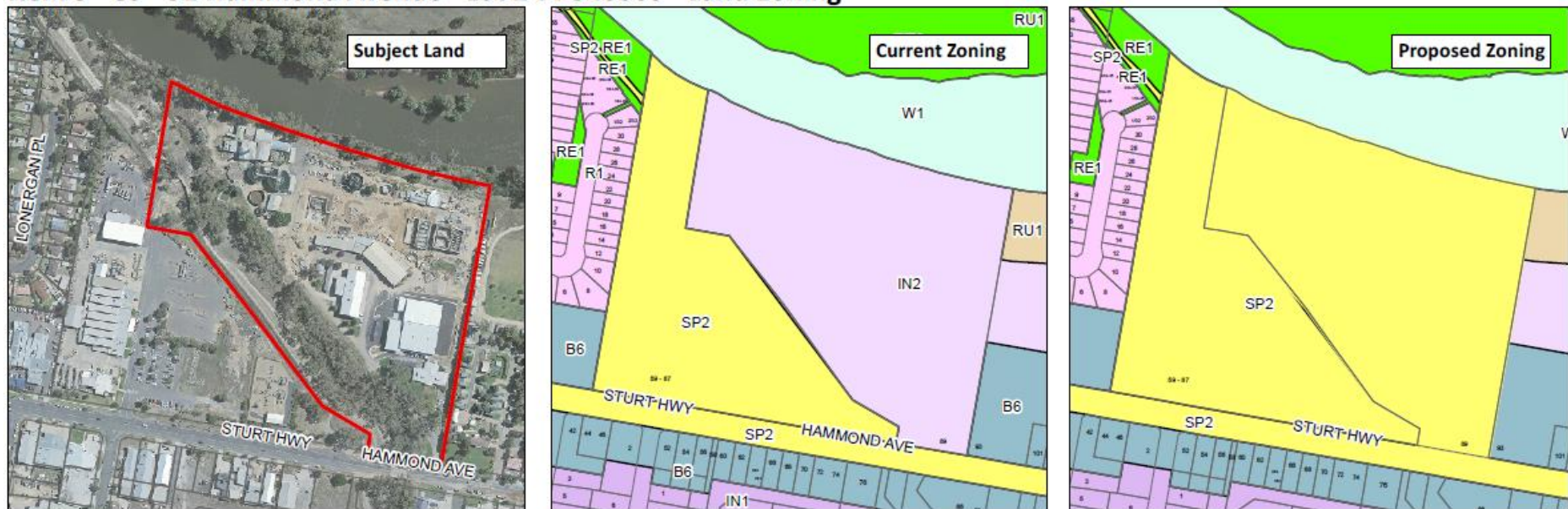


## ITEM 9 – 89-91 HAMMOND AVENUE – JUSTIFICATION

The purpose of this amendment is to rezone Lot 2 DP 540063, 89-91 Hammond Avenue, East Wagga Wagga from IN2 Light Industry to SP2 Infrastructure. The land is owned by Riverina Water County Council and used as a water treatment facility. The rezoning will reflect the historical and existing use of the lot. It will enable future developments to be undertaken under the State Environmental Planning Policy (Infrastructure) 2007. The adjoining industrial land is in multiple ownership and not used for the purposes of infrastructure.

The proposed amendment will be achieved by amending land zoning map sheets LZN\_003F and LZN\_004F as shown below:

### Item 9 - 89 - 91 Hammond Avenue - Lot 2 DP540063 - Land Zoning



#### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The planning proposal is consistent with SEPP Infrastructure 2007 as it proposes to rezone the water treatment facility site to SP2 Infrastructure which enables efficient delivery of water supply infrastructure under the SEPP.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

1.1 Business and industrial zones	The planning proposal is inconsistent with this direction as it proposes to remove industrial zoning. The inconsistency is of minor significance as the subject land is used for the infrastructure purposes and cannot be developed for industrial purposes.
-----------------------------------	---

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The proposed rezoning will facilitate the effective delivery of water infrastructure.

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

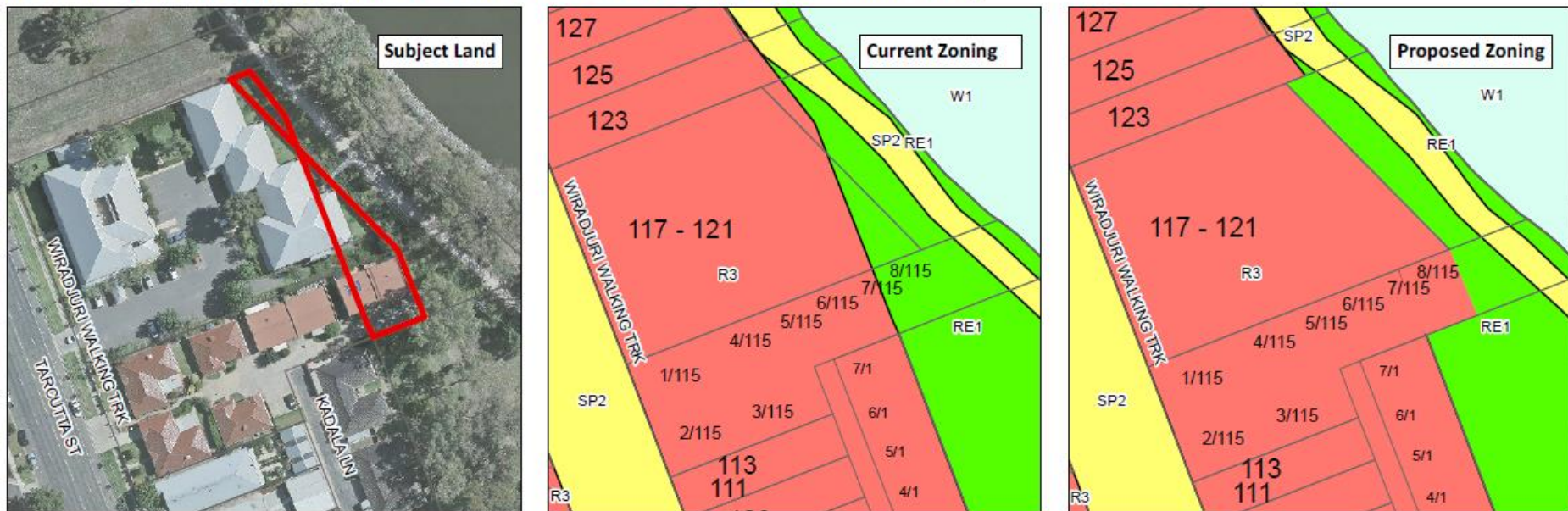
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 10 – TARCUTTA STREET – JUSTIFICATION

The purpose of this item is to amend the land zone for Lots 1 and 2 DP 1049347, 117-121 Tarcutta Street, Wagga Wagga and SP44777, 115 Tarcutta Street, Wagga Wagga. The zoning will be amended to align the zoning with the property boundaries. Lot 1 and SP44777 is in private ownership and contains a unit development. The private land is not identified as land to be acquired and there are no covenants or easements on the site. Lot 2 is community land with a public reserve covenant.

The proposed amendments will be achieved by amending land zoning map sheet LZN\_003F as shown below:

### Item 10 - Tarcutta Street - Lot 1 DP 1049347 and Lot 2 1049347 - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
3.1 Residential Zones	The planning proposal is consistent with this direction as it proposes to apply a medium density residential zone to land that is already utilised for medium density residential purposes.
6.2 Reserving Land for Public Purposes	The planning proposal is consistent with this direction as it proposes to rezone land to accurately reflect the extent of public land.

## ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will ensure the zone accurately reflects the extent of public land and applies an appropriate zone for private land.

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

This item does not require consultation with State or Commonwealth public authorities.

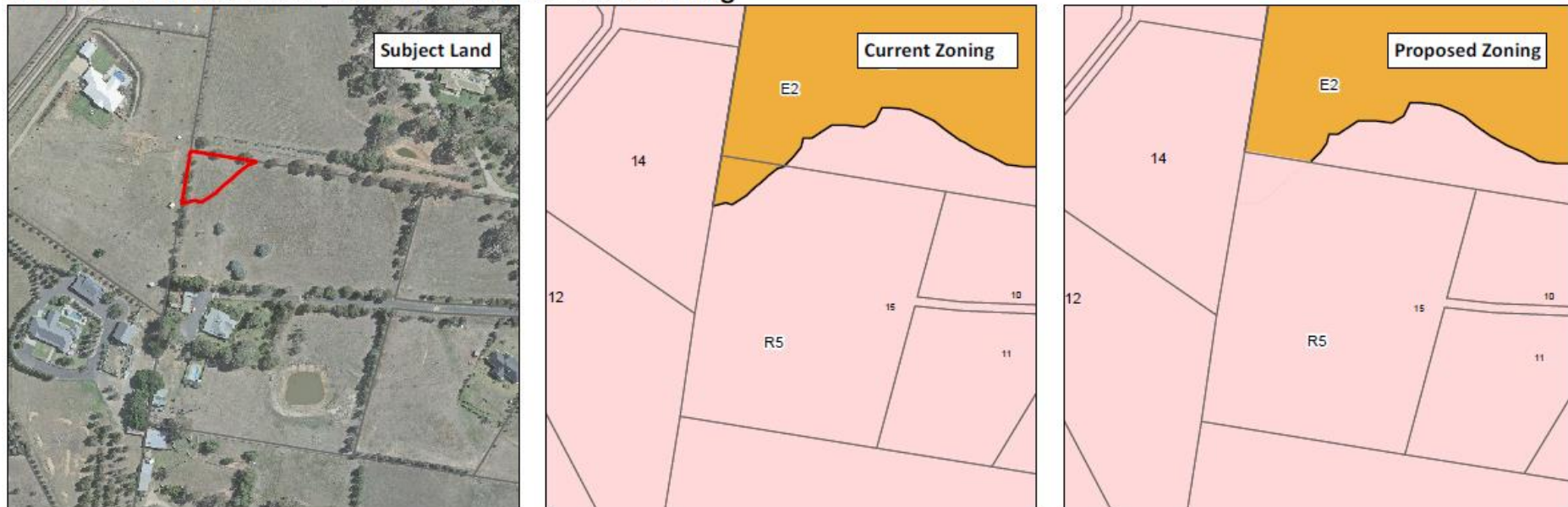


## ITEM 11 – 15 MELIA PLACE – JUSTIFICATION

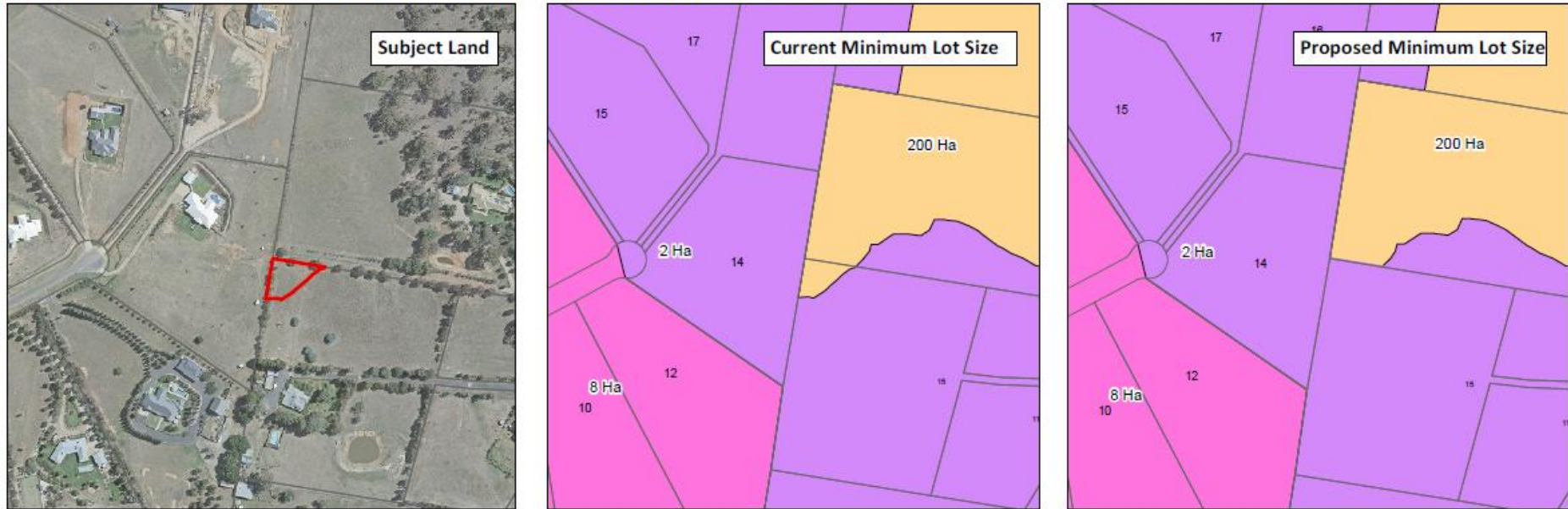
The purpose of this item is to align the zone and minimum lot size with the property boundaries for Lot 4 DP 1087290, 15 Melia Place, Springvale. The subject land does not contain any significant vegetation to warrant the application of the E2 Environmental Conservation Zone. The remainder of the E2 Environmental Conservation zone will be considered as part of a broader study to determine if there is significant vegetation on these parcels of land. This will include property surveying to ensure appropriate zone alignment and consultation with appropriate state agencies.

The proposed amendments will be achieved by amending land zoning map sheet LZN\_004D and minimum lot size map sheet LSZ\_004D as shown below:

### Item 11 - 15 Melia Place - Lot 4 DP 1087290 - Land Zoning



# **Item 11 - 15 Melia Place - Lot 4 DP 1087290 - Minimum Lot Size**



## **5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?**

There is no applicable SEPP for this item.

## **6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
2.1 Environmental Protection Zones	The planning proposal is inconsistent with this direction as it proposes to remove a portion of E2 Environmental Conservation zone. The inconsistency is minor as there is no significant vegetation on the subject land.
3.1 Residential Zones	The planning proposal is consistent with this direction as it proposes to apply a large lot residential zone to land that is already utilised for residential purposes.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will ensure the zone accurately reflects the property boundary and provide certainty for the land owner.

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

This item does not require consultation with State or Commonwealth public authorities.

## ITEM 12 – 388-396 BOURKE STREET – JUSTIFICATION

The purpose of this item is to rezone part of the site from RE1 Public Recreation to SP2 Infrastructure and remove the height of building and floor space ratio controls for Lot 17 DP 1138251, 388-396 Bourke Street, Bourkelands. The site is an Essential Energy substation in private ownership and used for infrastructure purposes. The rezoning will remove the recreation zone as the site is not used for recreation purposes or identified as land to be acquired. The 10m height of building restriction and 1:1 floor space ratio will also be removed.

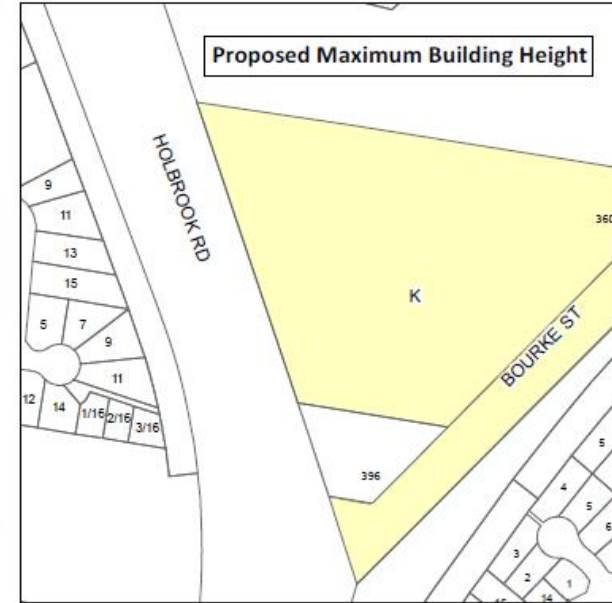
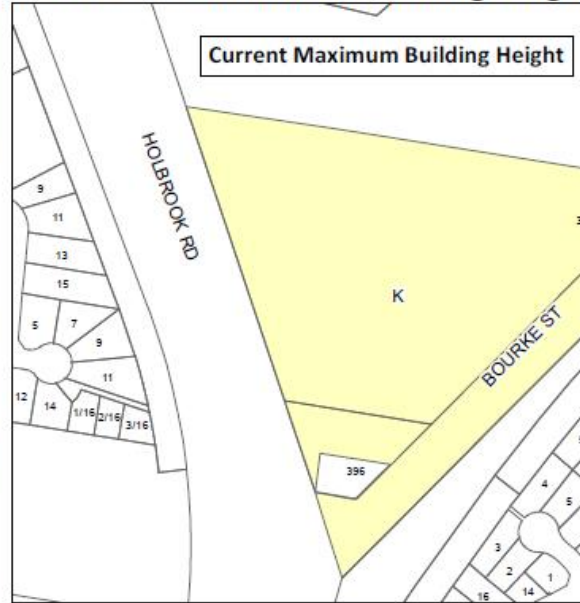
The proposed amendments will be achieved by amending land zoning map sheet LZN\_004D, height of building map sheet HOB\_004A and floor space ratio map sheet FSR\_004A as shown below:

### Item 12 - 388-396 Bourke Street - Lot 17 DP 1138251 - Land Zoning

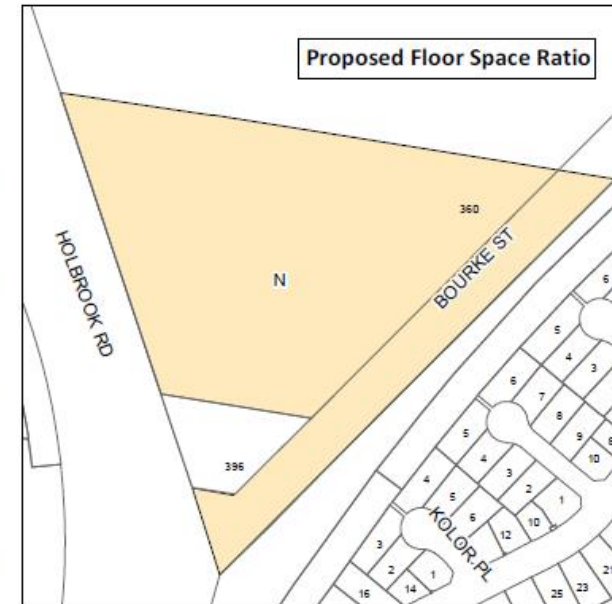
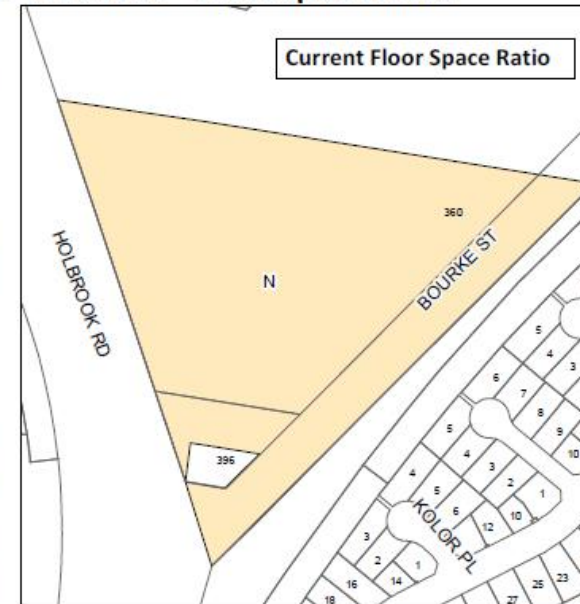




**Item 12 - 388-396 Bourke Street - LOT 17 DP 1138251 - Maximum Building Height**



**Item 12 - 388-396 Bourke Street - Lot 17 DP 1138251 - Floor Space Ratio**



**5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?**

The planning proposal is consistent with SEPP Infrastructure 2007 as it proposes to rezone the land occupied by an electrical substation site to special purposes which enables efficient delivery of electrical infrastructure under the SEPP.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
6.2 Reserving Land for Public Purpose	The planning proposal is inconsistent with this direction as it proposes to reduce land zoned for recreation purposes. The inconsistency is of minor significance as the land is operational land and not used for community purposes.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will ensure the zone accurately reflects the property boundary on which electrical substation is located.

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

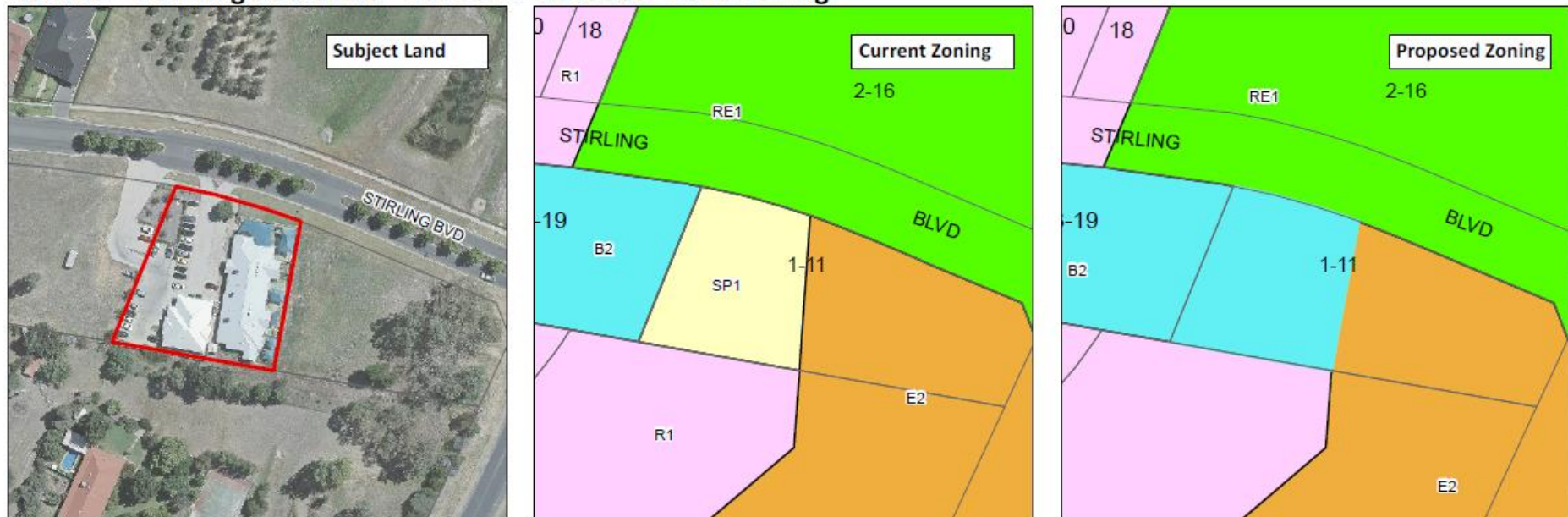
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 13 – 1 STIRLING BOULEVARDE – JUSTIFICATION

The purpose of this item is to amend the zoning of part of Lot 10 DP 1045885, 1 Stirling Boulevard from SP1 Special Activities to B2 Local Centre. A medical centre and childcare centre is located on the part of the lot which is zoned SP1 Special Activities Zone. The proposal will amend the zoning to align with the existing land uses. The proposal will not alter the E2 Environmental Conservation Zone on the same lot. The site is not identified as community land.

The proposed amendment will be achieved by amending land zoning maps sheet LZN\_004D as indicated in the maps below:

### Item 13 - 1 Stirling Boulevard - Lot 10 DP 1045885 - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and Industrial Zones	The planning proposal is consistent with this direction, as it will provide a business zone consistent with the existing use on part of the lot.
6.2 Reserving Land for Public Purposes	The planning proposal is inconsistent with this direction as it proposes to rezone land from SP1 Special Activities to B2 Local Centre Zone. The land is in private ownership and is not identified as land to be acquired.

### ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will remove the unnecessary restrictions on private property.

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

This item does not require consultation with State or Commonwealth public authorities.

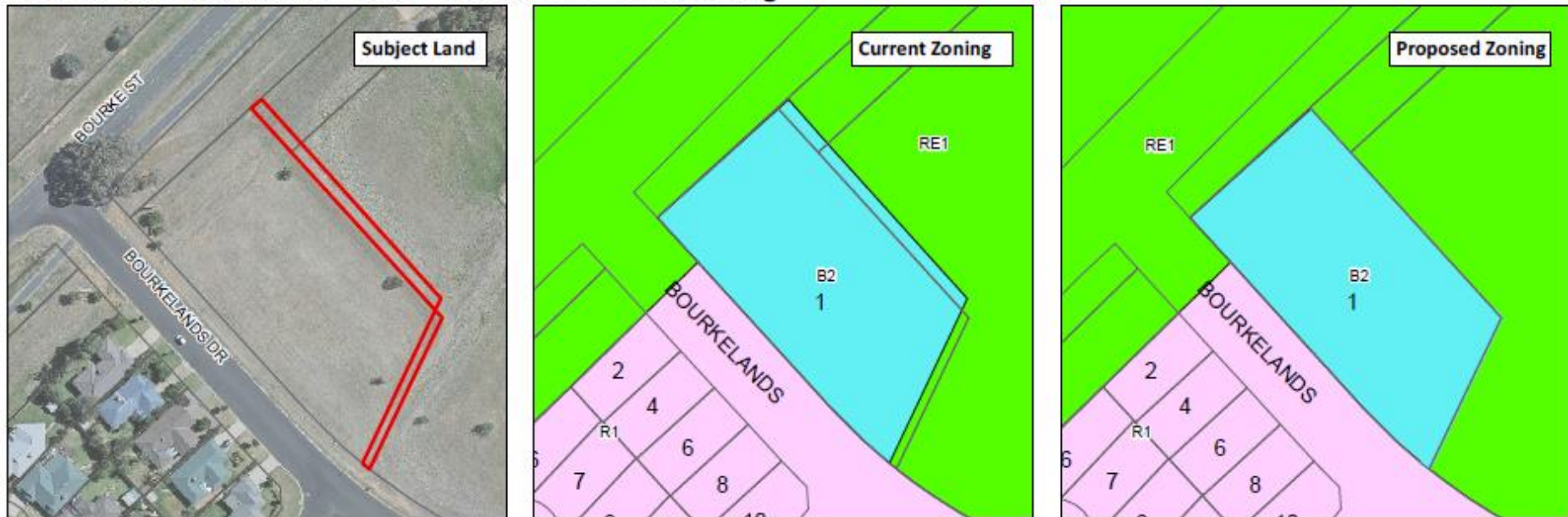


## ITEM 14 – 1-3 BOURKELANDS DRIVE – JUSTIFICATION

The purpose of this planning proposal is to amend the zoning for part of Lot 42 DP 1221978, Lot 12 DP 1209866 and Lot 14 DP 1196094, 1-3 Bourkelands Drive. Lots 12 and 14 are in public ownership and identified for public recreation purposes. Lot 42 is in private ownership and the proposal will align the B2 Local Centre Zone with the lot boundaries for Lot 42.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004D as indicated in the maps below:

### Item 14 - 1-3 Bourkelands Drive - Various Lots - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and Industrial Zones	The planning proposal is inconsistent with this direction as it proposes to rezone the subject land from B1 Neighbourhood Centre to RE1 Public Recreation. The inconsistency is of minor significance as the land is identified for public recreation purposes and will not be developed as a business zone.
6.2 Reserving Land for Public Purposes	The planning proposal is inconsistent with this direction as it proposes to rezone land from RE1 Public Recreation to B1 Neighbourhood Centre. The inconsistency is of minor significance as the subject land is in private ownership and will not be developed for public recreation purposes.

### ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will ensure the zone accurately reflects the extent of public land and applies an appropriate zone for private land.

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

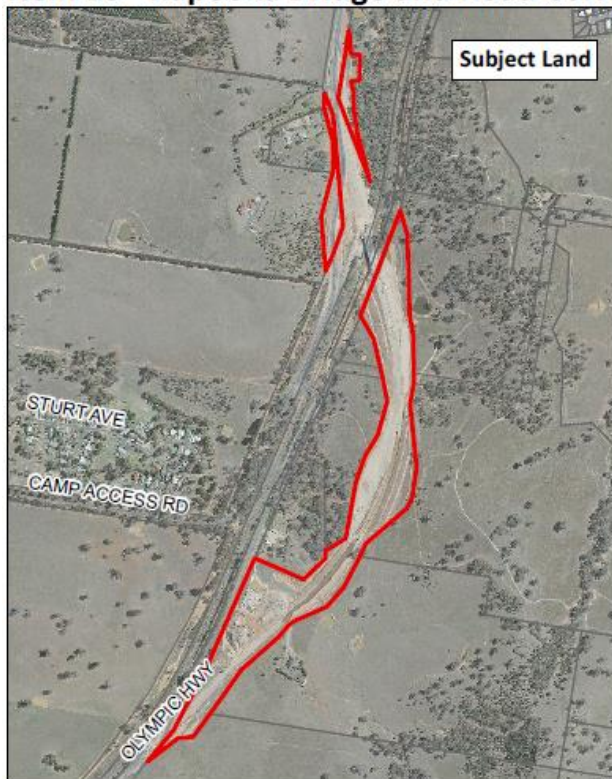
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 15 – KAPOOKA BRIDGE AND ROAD CORRIDOR – JUSTIFICATION

The proposal is to amend the zoning applicable to Lots 54-59 DP 1181931 and Lots 13-16 DP 1181223 to reflect the current land use, which is the road corridor for the Olympic Highway. The zoning will reflect the Kapooka – Olympic Highway realignment that was opened in June 2016.

The proposed amendment will be achieved by amending land zoning map sheets LZN\_004A and LZN\_004D as indicated in the maps below:

### Item 15 - Kapooka Bridge and Road Corridor - Various Lots - Land Zoning



**5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?**

The planning proposal is consistent with SEPP Infrastructure 2007 as it proposes to rezone land for infrastructure purposes in line with the the existing road infrastructure on the subject parcels of land. The land is not used for agricultural purposes and therefore not inconsistent with the provisions of the SEPP Rural Lands 2008.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

<b>DIRECTION</b>	<b>COMPLIANCE</b>
1.2 Rural Zones	The planning proposal is inconsistent with this direction as it proposes to rezone land from RU1 Primary Production to SP2 Infrastructure. The inconsistency is of minor significance as the subject land is used for road infrastructure and not agricultural purposes.
2.1 Environmental Protection Zones	The planning proposal is inconsistent with this direction as it proposes to rezone land from E2 Environmental Conservation to SP2 Infrastructure. The inconsistency is of minor significance as the subject land is used for road infrastructure and does not have environmental significance.
3.4 Integrating Land Use and Transport	The planning proposal is consistent with this direction as it reflects the existing road infrastructure on the subject lots

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will remove the unnecessary restrictions on private property.

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

This item does not require consultation with State or Commonwealth public authorities.

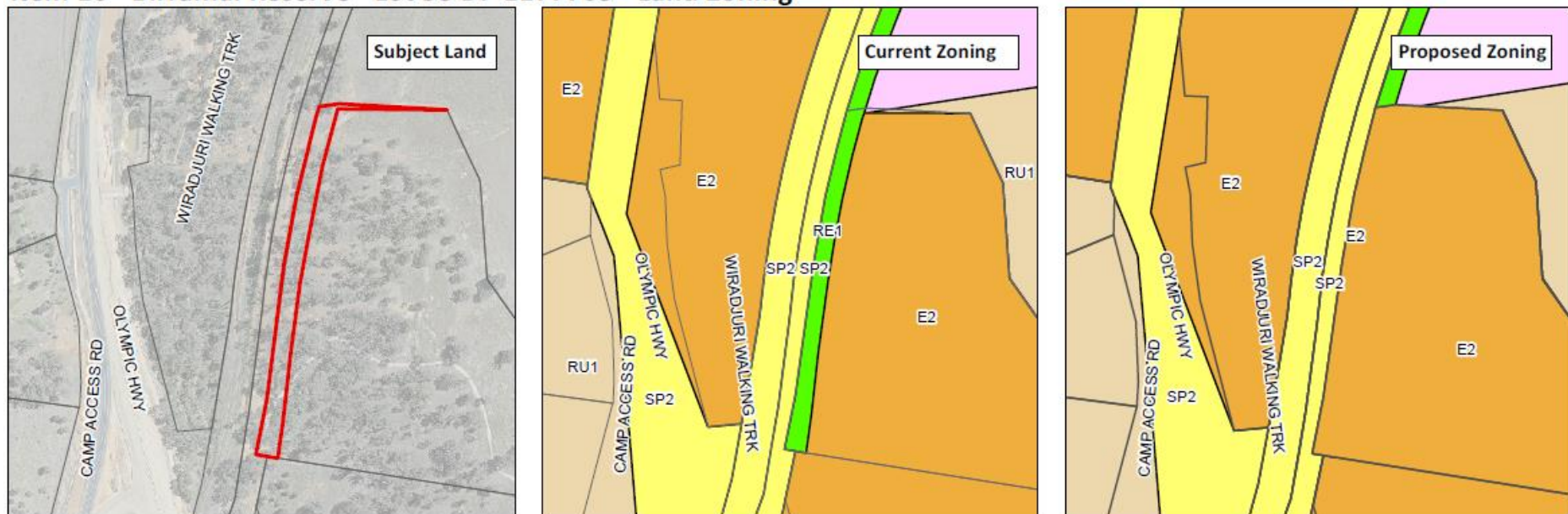


## ITEM 16 – BIRRAMAL RESERVE – JUSTIFICATION

The proposal is to amend the zoning of part of Lot 58 DP1177765, Birramal Reserve from RE1 Public Recreation, R1 General Residential and RU1 Primary Production to E2 Environmental Conservation to align the mapping provisions with the lot boundary and reflect the environmental significance of the land. The RE1 zone extends to the north (Lot 86 DP 1229144), however this does not form part of the planning proposal as it has no environmental significance. The land proposed to be rezoned is not identified as community land.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004D as indicated in the maps below:

**Item 16 - Birramal Reserve - Lot 58 DP 1177765 - Land Zoning**



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
2.1 Environmental Protection zones	The planning proposal is consistent with this direction as it aims to protect an area of environmental significance.
6.2 Reserving Land for Public Purposes	The planning proposal is inconsistent with this direction as it proposes to reduce land zoned for recreation purposes. The inconsistency is of minor significance as the land is not identified as community land or used for community purposes.

## ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats. The proposal aims to protect an area of environmental significance.

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

There are no other likely environmental effects.

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

The rezoning of the site will provide certainty around the protection of the site from recreation purposes and enable opportunities for the future maintenance of the site.

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

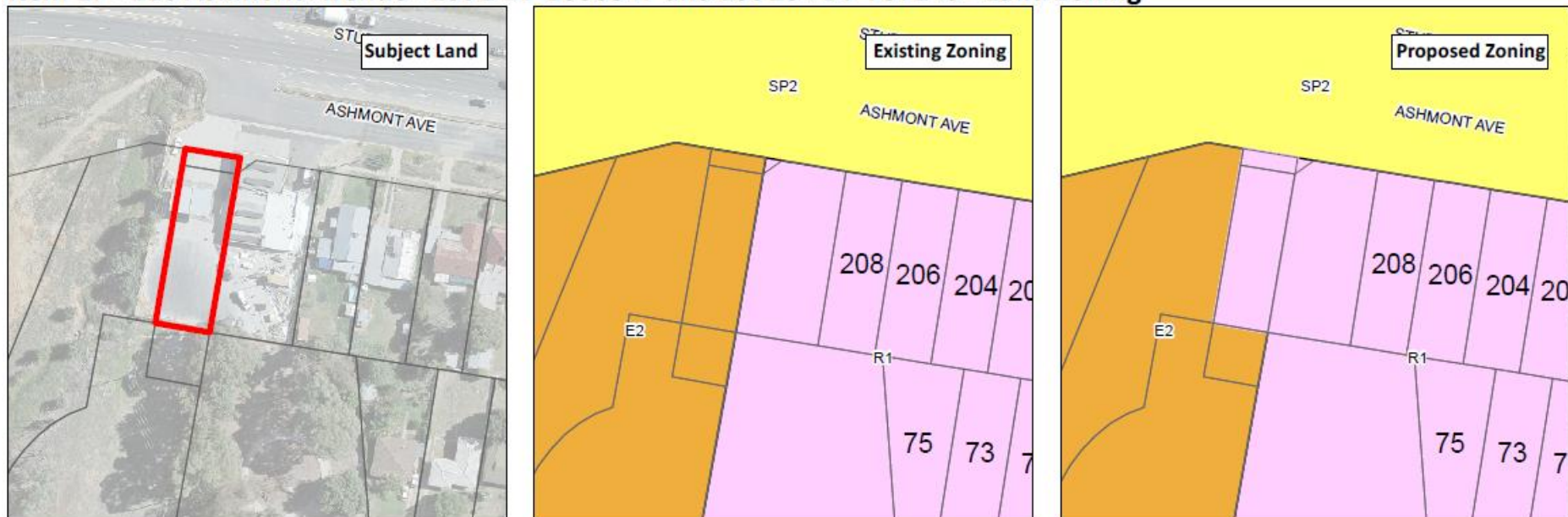
This item does not require consultation with State or Commonwealth public authorities

## ITEM 17 – 210 ASHMONT AVENUE – JUSTIFICATION

The proposal is to rezone Lot 2 DP 1030347 and Lot 284 DP 757249 from E2 Environmental Conservation to R1 General Residential. A service station is operating under existing use rights from the site. Once the service station ceases to operate, the best alternative use for the site is likely to be residential; however it would be subject to appropriate remediation of the land as part of any development application. An environmental zone is not considered appropriate for the site given its highly altered state. Whilst the service station use extends west of the site to Lot 7073 DP94149, this lot is in public ownership and is not intended to be transferred into private ownership and should retain the E2 Environmental Conservation zone.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004D as indicated in the maps below:

### Item 17 - 210 Ashmont Avenue - Lot 2 DP 1030347 and Lot 284 DP 757249 - Land Zoning



#### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

Insufficient information is available to assess the planning proposal under the SEPP 55 - Remediation of Land. The site will require investigations and remediation prior to being used for residential purposes.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
2.1 Environmental Protection zones	The planning proposal is consistent with this direction as the land is not identified as land which needs to be protected for environmental significance. The site is currently used for a service station.
3.1 Residential zones	The planning proposal is consistent with this direction as it is already serviced and provides additional land for residential purposes. The site is a potentially contaminated site and will have to be remediated.

### ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats. The land is in a highly altered state being used for a service station.

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

Land contamination will have to be considered and direct the suitability for the site for future uses. If the existing service station ceases and an alternative land use is proposed, the land will require investigation and remediation.

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

The rezoning of the site will provide certainty for the current land owner in relation to future development opportunities and provide clarification on what land is protected for environmental purposes.

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

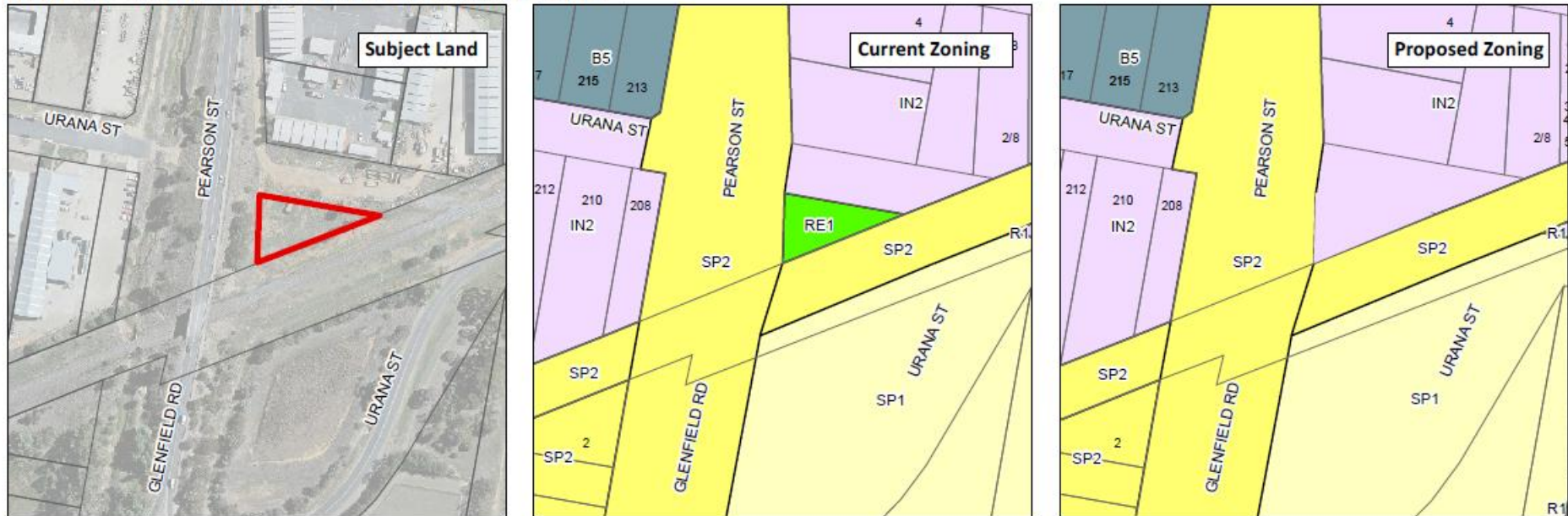
This item does not require consultation with State or Commonwealth public authorities

## ITEM 18 – URANA STREET – JUSTIFICATION

The proposal is to rezone Lot 5 DP 802891, Urana Street, Ashmont from RE1 Public Recreation to IN2 Light Industrial consistent with the surrounding industrial land. The lot is in public ownership, however, it is not used for recreational purposes or infrastructure purposes. It is operational land and not identified as community land.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004D as indicated in the maps below:

### Item 18 - Urana Street - Lot 5 DP 802891 - LZN



#### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There are no SEPP's applicable to this planning proposal.



## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and industrial zones	The planning proposal is consistent with this direction, as it will create industrial opportunities for the site.
6.2 Reserving Land for Public Purposes	The planning proposal is inconsistent with this direction as it proposes to reduce land zoned for recreation purposes. The inconsistency is of minor significance as the land is not identified as community land or used for community purposes.

## ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The proposal will provide an opportunity to redevelop the site and encourage additional employment.

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

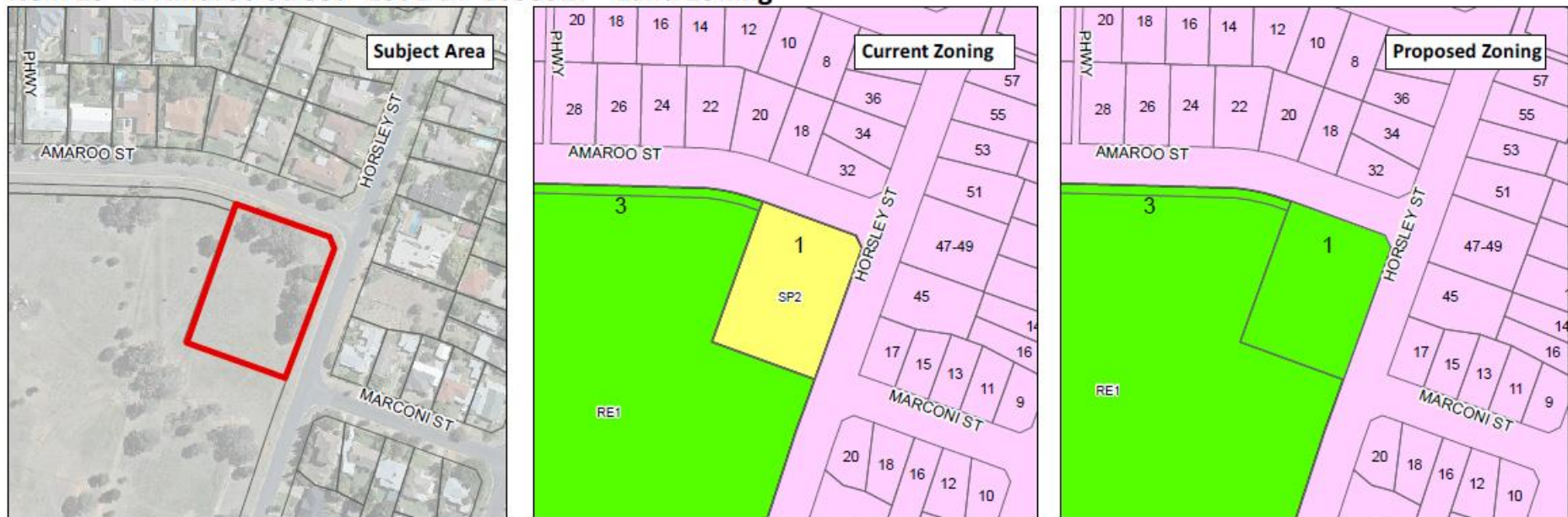
This item does not require consultation with State or Commonwealth public authorities

## ITEM 19 – 1 AMAROO STREET – JUSTIFICATION

The proposal is to rezone Lot 1 DP 1033927, 1 Amaroo Street, Koorungal from SP2 Infrastructure to RE1 Public Recreation consistent with the existing land use. The land is owned by Council and is identified as a public reserve. The land is currently classified as community land.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004D as indicated in the maps below:

### Item 19 - 1 Amaroo Street - Lot 1 DP 1033927 - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
6.2 Reserving Land for Public Purposes	The planning proposal is consistent with this direction as it proposes to rezone land to accurately reflect the existing use.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures mapping provisions accurately align expectations of the land for recreational purposes.

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

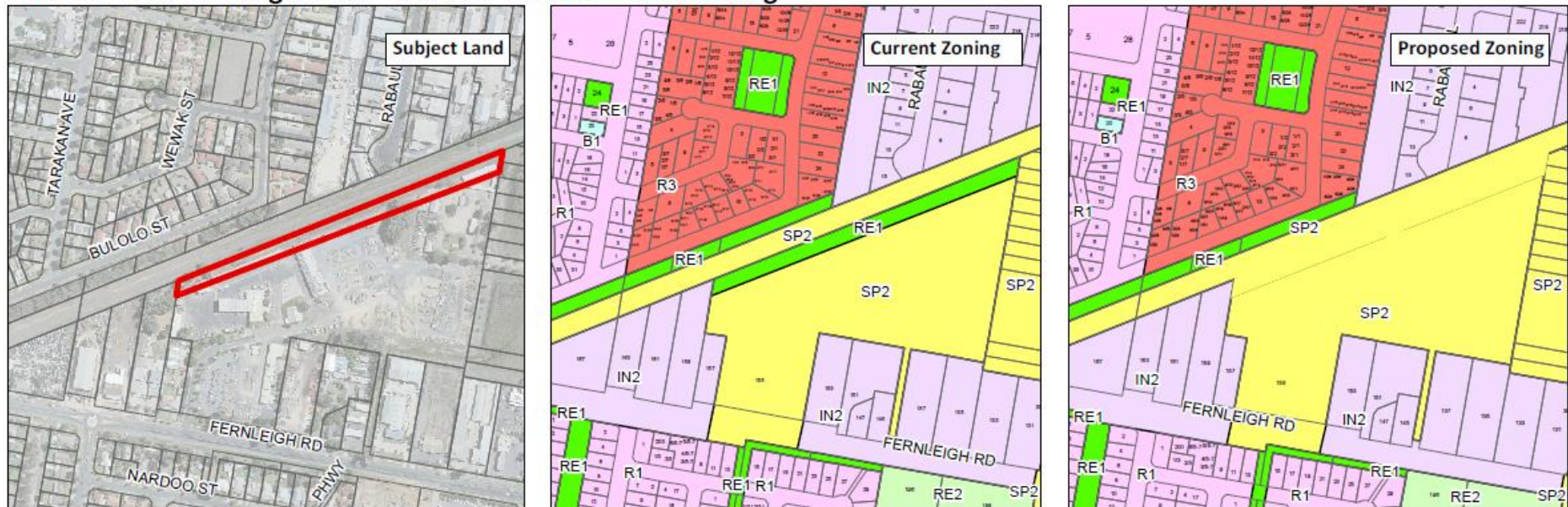
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 20 – 155 FERNLEIGH ROAD – JUSTIFICATION

The proposal is to rezone Lot 5 DP 632012 from RE1 Public Recreation to SP2 Infrastructure. The land is owned and used by Council as a depot. The land is operational land and not reserved for community land.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004D as indicated in the maps below:

### Item 20 - 155 Fernleigh Road - Lot 5 DP 632012 - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
6.2 Reserving Land for Public Purposes	The planning proposal is not consistent with this direction as it proposes to rezone land for infrastructure purposes in line with the current use. The inconsistency is of minor significance as the land is not used for public purposes and will not be made available for public purposes.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures mapping provisions accurately align with the current land use.

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

This item does not require consultation with State or Commonwealth public authorities.

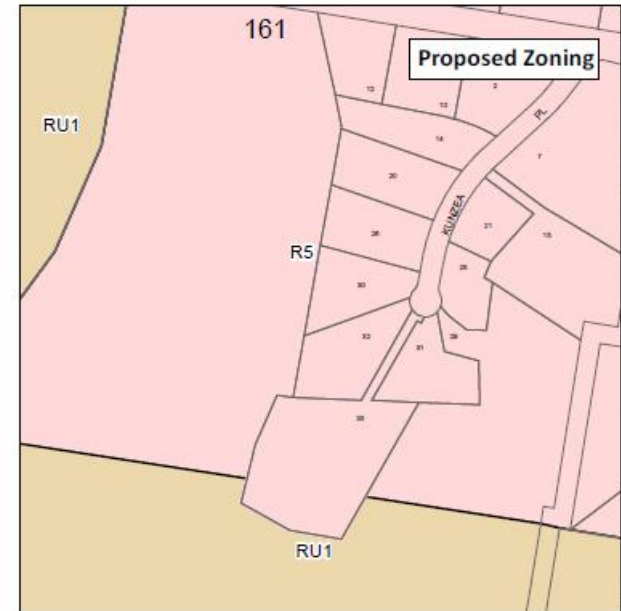
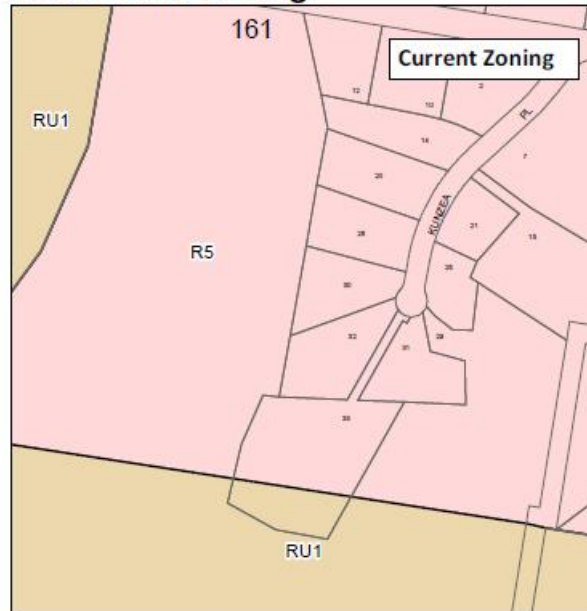


## ITEM 21 – 33 KUNZEA PLACE – JUSTIFICATION

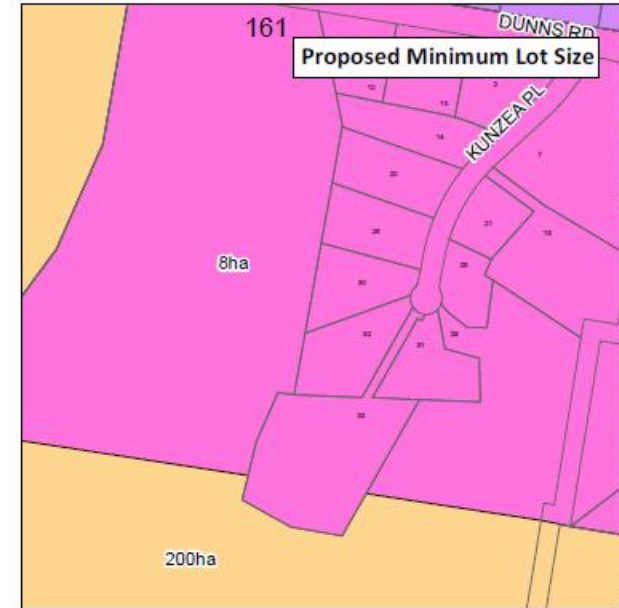
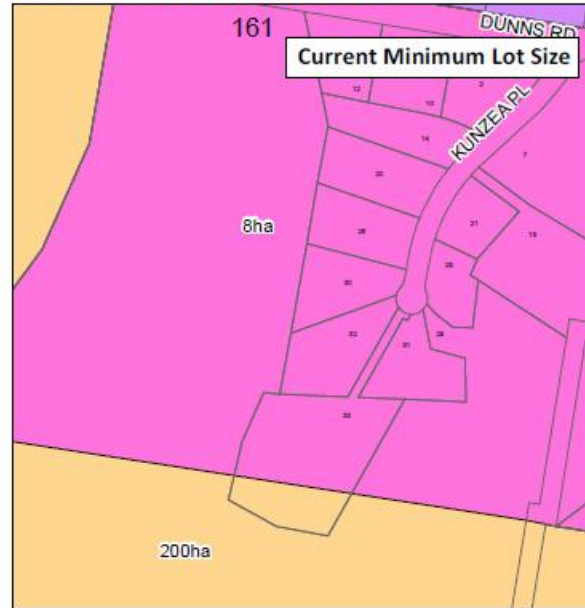
The proposal is to rezone part of Lot 14 DP 1136611 from RU1 Primary Production to R5 Large Lot Residential to align the zone and minimum lot size with the lot boundaries and existing use of the land. The part of the lot that is subject to the proposal contains a dwelling and is not used for agricultural purposes. The change will not create opportunities to further subdivide the land and will merely correct an inconsistency in the mapping as a result of historical development approvals.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004E and minimum lot size map sheet LSZ\_004E as indicated in the maps below:

### Item 21 - 33 Kunzea Place - Lot 14 DP 1136611 - Land Zoning



## Item 21 - 33 Kunzea Place - Lot 14 DP 1136611 - Minimum Lot Size



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The land is not used for agricultural purposes and therefore not inconsistent with the provisions of the SEPP Rural Lands 2008.

### 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.2 Rural Zones	The planning proposal is inconsistent with this direction as it proposes to rezone land from RU1 Primary Production to R5 Large Lot Residential. The inconsistency is of minor significance as the subject land is used for residential purposes and not for agricultural purposes. The proposed zoning will align with the property boundary.
3.1 Residential Zones	The planning proposal is consistent with this direction as it mirrors the existing residential use and development approval.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures mapping provisions accurately align with boundaries of the subject lot.

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

This item does not require consultation with State or Commonwealth public authorities.

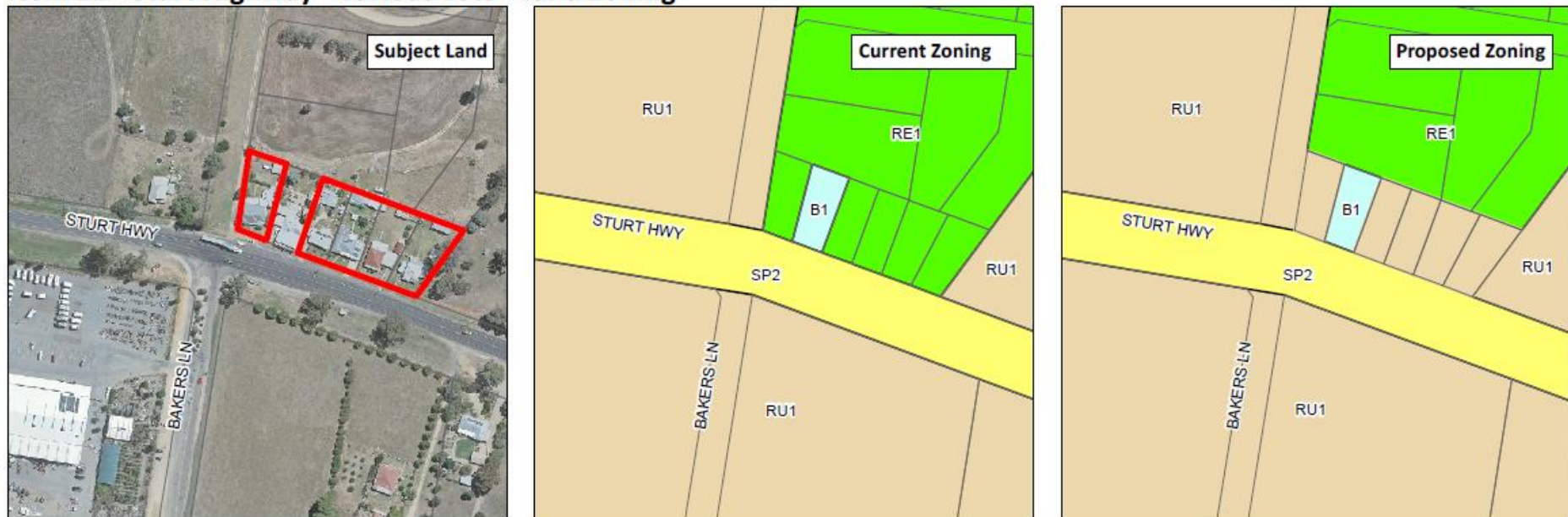
## ITEM 22 – STURT HIGHWAY – JUSTIFICATION

The proposal is to rezone Lots 228 and 230-233 DP 757232, 3854, 3856, 3858, 3860 & 3864 Sturt Highway from RE1 Public Recreation to RU1 Primary Production. The lots are currently occupied by dwellings under existing use rights. The intention of the proposal is to ensure that once the dwellings are demolished, it will not be able to be rebuilt to reduce risks associated with dwellings on the flood plain. A shop is located on the property with the B1 Neighbourhood Zone and there is currently no need to change the zoning for this lot as the risks associated with flooding is lower for commercial development and can be managed through current DCP controls.

The subject lots are also part of an existing planning proposal to rezone the land to B6 Enterprise Corridor; this proposal corrects the error of the RE1 Public Recreation zone, as the land is not intended to be developed into recreation land. It will also provide certainty of the intended use for landowners pending progress of the other planning proposal.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004F and minimum lot size map sheet LSZ\_004F as indicated in the maps below:

**Item 22 - Sturt Highway - Various Lots - Land Zoning**





## Item 22 - Sturt Highway - Various Lots - Minimum Lot Size



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

### 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
6.2 Reserving Land for Public Purposes	The planning proposal is inconsistent with this direction as it proposes to reduce land zoned for recreation purposes. The inconsistency is of minor significance as the land is not identified as community land or used for community purposes. The rezoning will reduce development opportunities on the site which in turn will assist in minimising impacts and risks associated with dwellings on the flood plain.



***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

The site is impacted by flooding. The rezoning and introduction of a minimum lot size requirement will ensure that once the dwellings are demolished it would not be able to be rebuilt.

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

The planning proposal ensures mapping provisions reduce the impacts to life and property in the event of flooding.

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

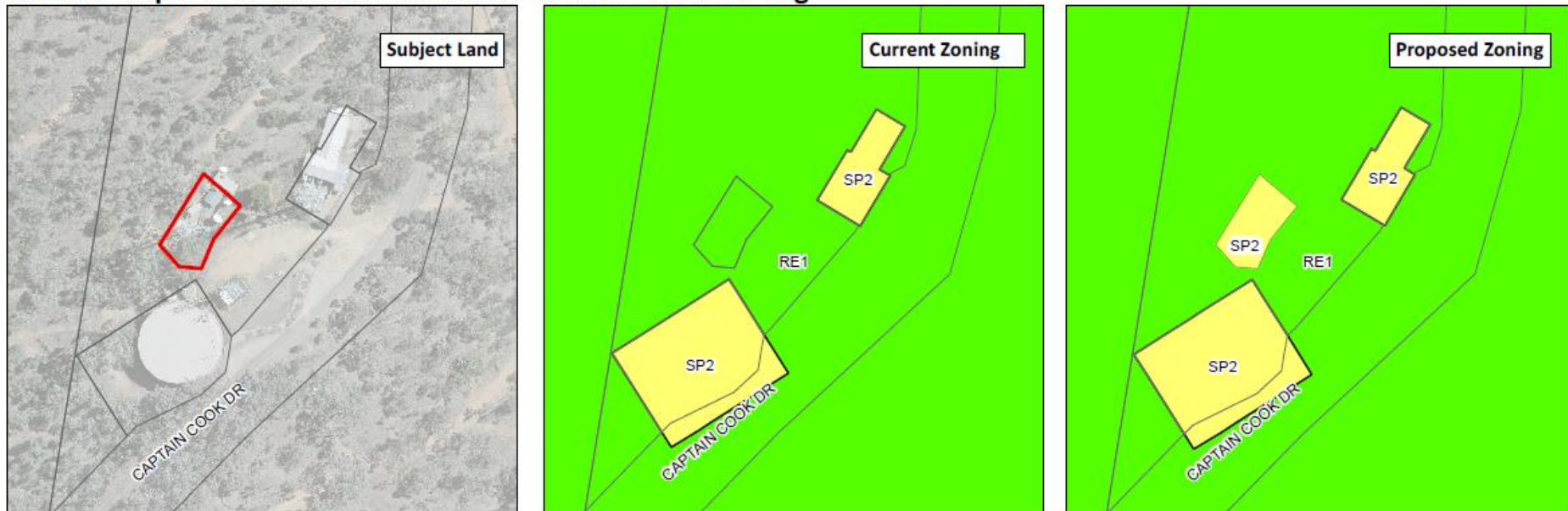
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 23 – CAPTAIN COOK DRIVE – JUSTIFICATION

The proposal is to rezone Lot 320 DP 820817, Captain Cook Drive, Mount Austin from RE1 Public Recreation to SP2 Infrastructure to reflect the existing land use on the site. The site is occupied by telecommunications infrastructure and the zoning will allow the site to be reserved for infrastructure related purposes.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004F as indicated in the maps below:

### Item 23 - Captain Cook Drive - Lot 320 DP 820817 - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The planning proposal is consistent with SEPP Infrastructure 2007 as it proposes to rezone the land occupied by a telecommunication mast and associated structures which enables efficient delivery of telecommunication infrastructure under the SEPP.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
6.2 Reserving Land for Public Purpose	The planning proposal is inconsistent with this direction as it proposes to reduce land zoned for recreation purposes. The inconsistency is of minor significance as the land is operational land and not used for community purposes.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will ensure the zone accurately reflects the property boundary on which telecommunication infrastructure is located.

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

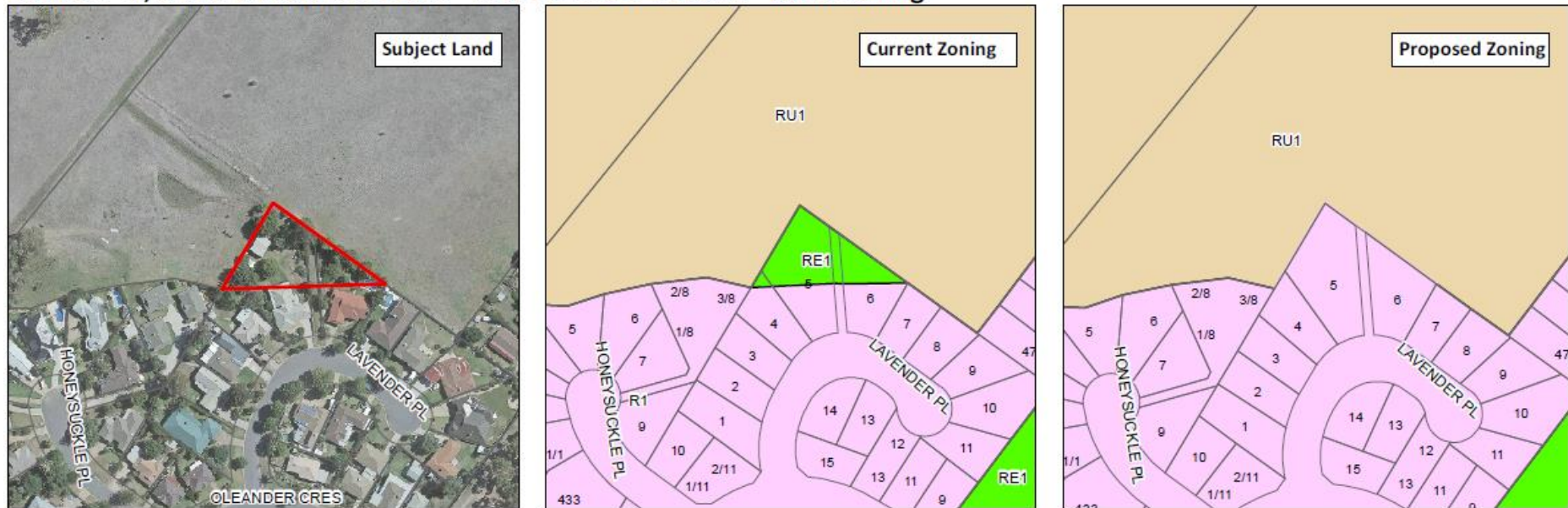
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 24 – LAVENDER PLACE – JUSTIFICATION

The proposal is to rezone Lots 22-24 DP 811081, 4, 5 & 6 Lavender Place, Lake Albert and the adjoining pathway between 5 & 6 Lavender Place consistent with the existing residential land use on the site. The land is not used for recreational purposes. An easement exists on the subject land limiting development opportunities; the zone should not be used to prohibit development.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004F as indicated in the maps below:

### Item 24 - 4, 5 and 6 Lavender Place - Lots 22-24 DP 811081 - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
3.1 Residential Zones	The planning proposal is consistent with this direction as it proposes to apply a residential zone to land that is already utilised for residential purposes.
6.2 Reserving Land for Public Purposes	The planning proposal is inconsistent with this direction as it proposes to rezone RE! land however the land is in private ownership not operational and not reserved for community purposes.

## ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will ensure the zone accurately reflects the existing use and appropriate zone for private land.

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

This item does not require consultation with State or Commonwealth public authorities.

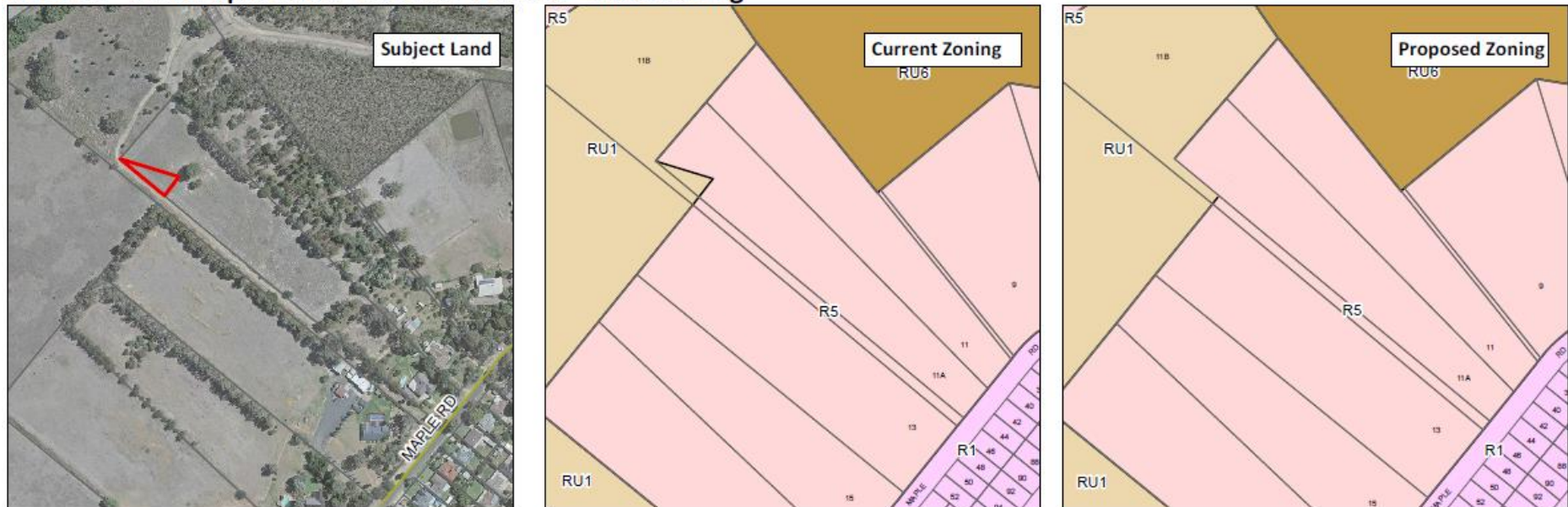


## ITEM 25 – 11A MAPLE ROAD – JUSTIFICATION

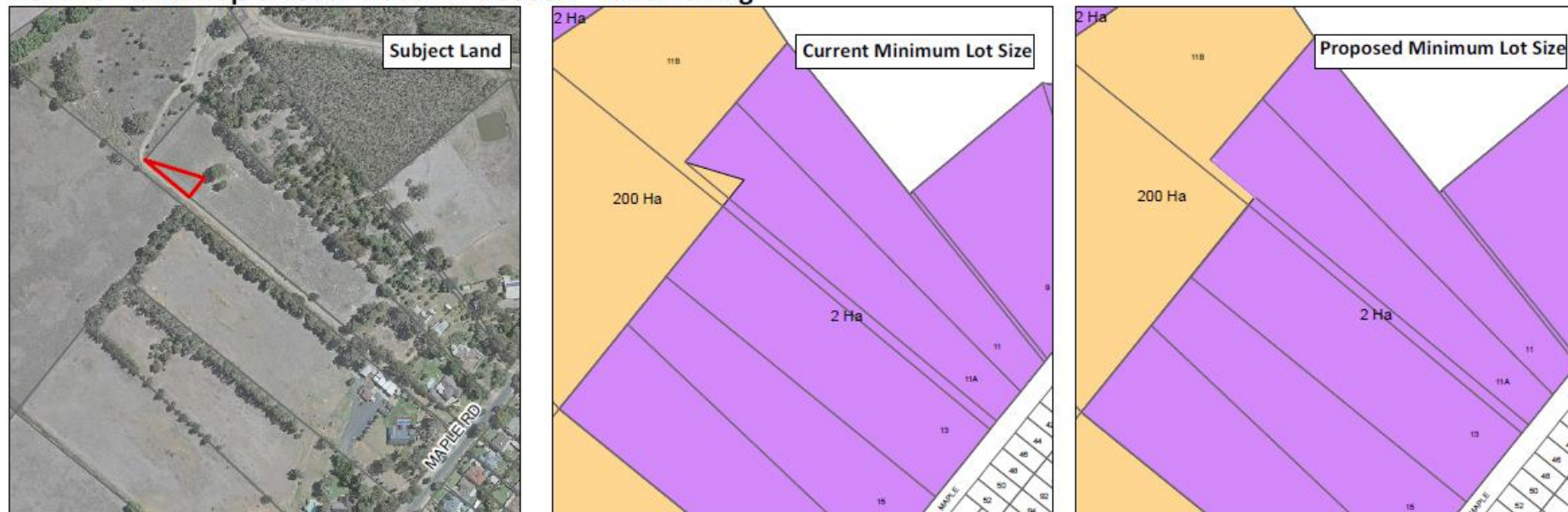
The proposal is to amend the zoning and minimum lot size of part Lot 2 DP 733631, 11A Maple Road, Lake Albert consistent with the lot boundary and existing land use.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004F and minimum lot size map sheet LSZ\_004F as indicated in the maps below:

### Item 25 - 11A Maple Road - Lot 2 DP 733631 - Land Zoning



## Item 25 - 11A Maple Road - Lot 2 DP 733631 - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The land is not used for agricultural purposes and therefore consistent with the provisions of the SEPP Rural Lands 2008.

### 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.2 Rural Zones	The planning proposal is inconsistent with this direction as it proposes to rezone land from RU1 Primary Production to R5 Large Lot Residential. The inconsistency is of minor significance as the subject land is used for residential purposes and not for agricultural purposes. The proposed zoning will align with the property boundary.
3.1 Residential Zones	The planning proposal is consistent with this direction as it mirrors the existing residential use on the lot.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures mapping provisions accurately align with boundaries of the subject lot.

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

This item does not require consultation with State or Commonwealth public authorities.

## ITEM 26 – 29 YOUNG STREET – JUSTIFICATION

Proposal is to rezone part of Lot 16, DP 1132238, 29 Young Street, Turvey Park from RE1 Public Recreation to SP2 Infrastructure consistent with the existing land use. The lot is part of a site which is owned and used by Riverina Water County Council as a water storage facility.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004F as indicated in the maps below:

### Item 26 - 29 Young Street - Lot 16 DP1132238 - Land Zoning



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The planning proposal is consistent with SEPP Infrastructure 2007 as it proposes to rezone the land occupied by water storage facility and associated structures which enables efficient delivery of water storage infrastructure under the SEPP.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
6.2 Reserving Land for Public Purpose	The planning proposal is inconsistent with this direction as it proposes to reduce land zoned for recreation purposes. The inconsistency is of minor significance as the land is operational land and not used for community purposes.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will ensure the zone accurately reflects the property boundary on which water storage infrastructure is located.

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

This item does not require consultation with State or Commonwealth public authorities.

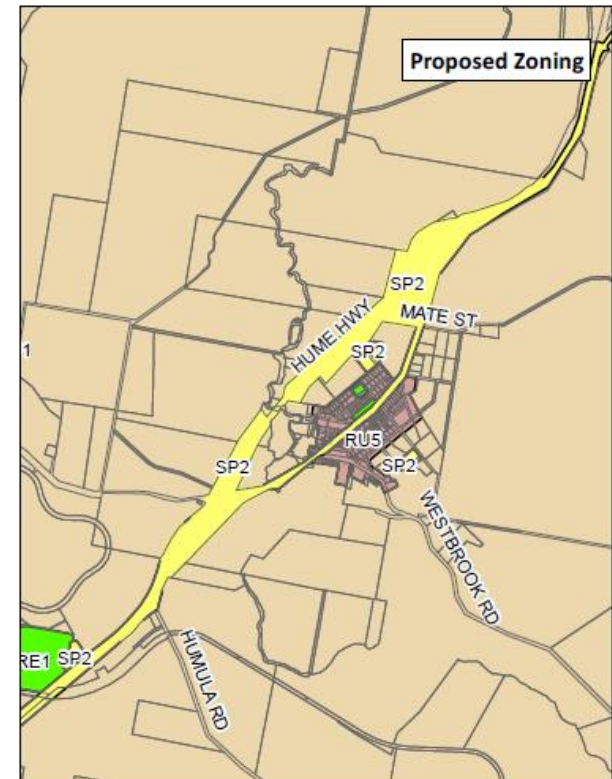
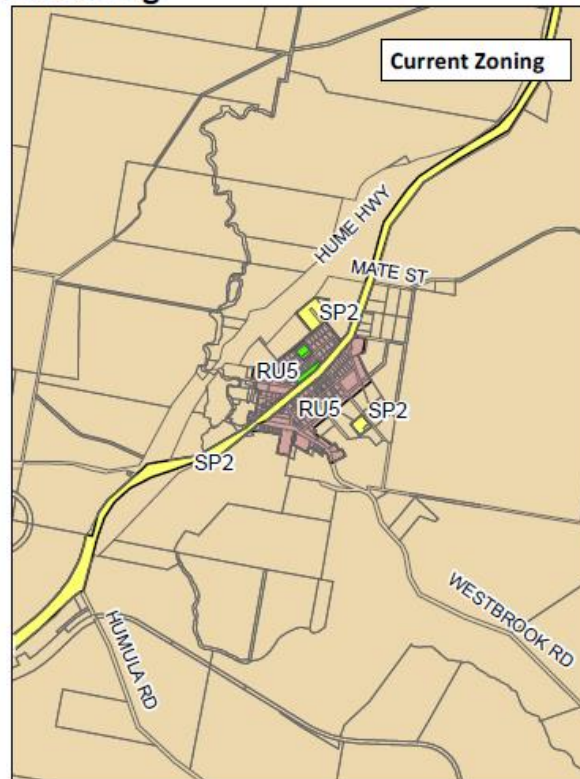
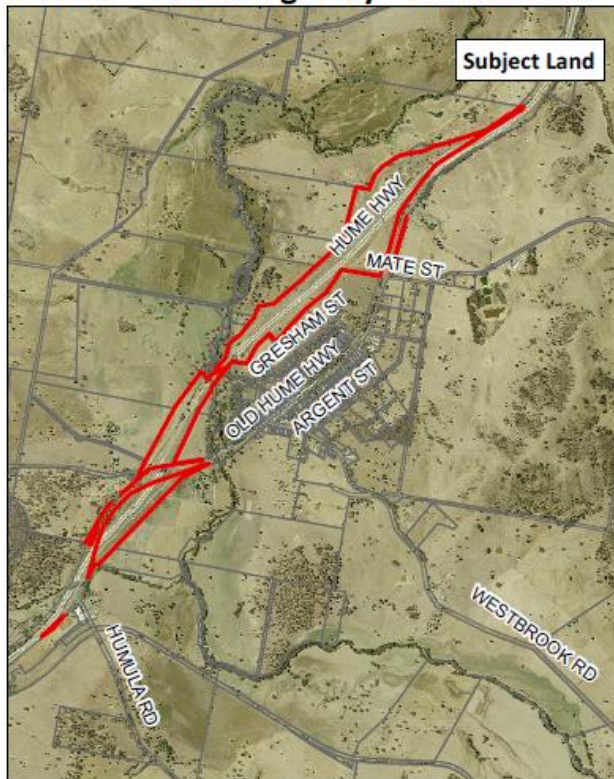


## ITEM 27 – HUME HIGHWAY – JUSTIFICATION

The proposal is to rezone Lot 15 - 17 DP1163704, Lot 17 – 25, 29 – 31 DP1189207, Lot PT237 DP 757255, Part DP757255, Lot 68, 69 & 71 DP 1156813, Lot 4 DP226293, Lot 3, 5 & 15 DP1182309, Lot 11 DP1164113 and Lot 27 DP1189207 to reflect the current land use which is the road corridor for Hume Highway. The rezoning will reflect the Tarcutta bypass that was constructed and opened in November 2011.

The proposed amendment will be achieved by amending land zoning map sheet LZN\_004K as indicated in the maps below:

### Item 27 - Hume Highway - Various Lots - Land Zoning



**5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?**

The planning proposal is consistent with SEPP Infrastructure 2007 as it proposes to rezone land for infrastructure purposes in line with the existing road infrastructure on the subject parcels of land. The land is not used for agricultural purposes and therefore consistent with the provisions of the SEPP Rural Lands 2008.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.2 Rural Zones	The planning proposal is inconsistent with this direction as it proposes to rezone land from RU1 Primary Production to SP2 Infrastructure. The inconsistency is minor as the subject land is used for road infrastructure and not agricultural purposes.
3.4 Integrating Land Use and Transport	The planning proposal is consistent with this direction as it reflects the existing road infrastructure on the subject lots.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will remove the unnecessary restrictions on private property.

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

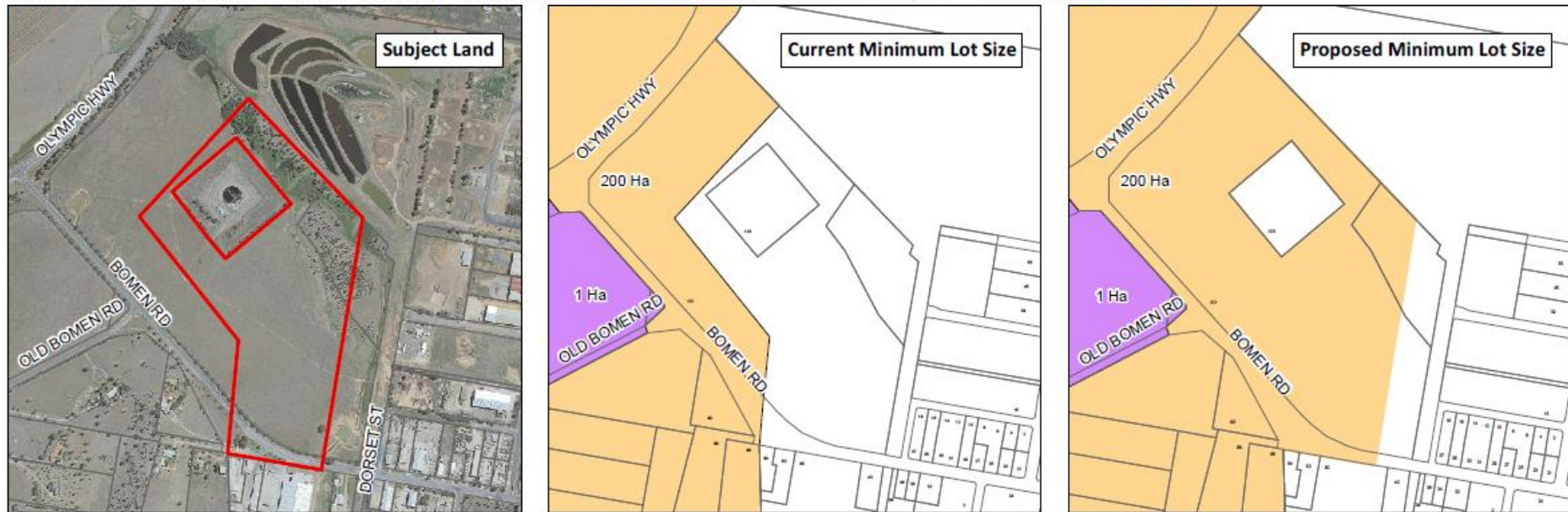
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 28 – BOMEN ROAD – JUSTIFICATION

The proposal is to apply a minimum lot size to part of Lot 1 DP 805276, 41 Bomen Road, Bomen and part of Lot 2 DP 1202669, 101 Bomen Road, Bomen. The property adjoins the Bomen Industrial Sewerage Treatment Facility on Lot 1 DP 1202669. The aim of the proposal is align the minimum lot size with the RU6 Transition zoning boundary and restrict opportunities for subdivision on both lots.

The proposed amendment will be achieved by amending minimum lot size map sheet LSZ\_003E as indicated in the maps below:

### Item 28 - 41 and 101 Bomen Road - Lot 1 DP 805276 and Lot 2 DP 1202669 - Minimum Lot Size



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and industrial zones	The planning proposal is consistent with this direction as the proposal will still provide a buffer between the industrial and residential zones in the form of the RU6 Transitional Zone. The introduction of the minimum lot size provisions will align with the existing zone and limit future development opportunities for subdivision.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The proposal will provide additional protection of the ongoing operation of the nearby sewerage treatment plant.

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

This item does not require consultation with State or Commonwealth public authorities.

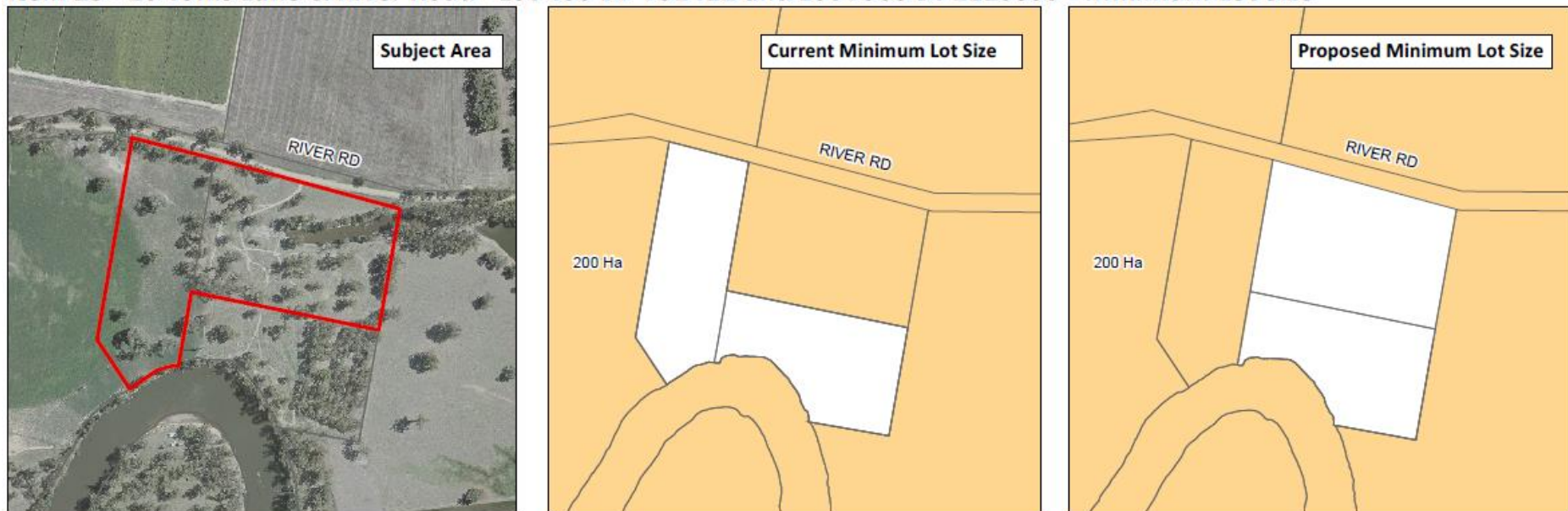


## ITEM 29 – 25 TOMS LANE – JUSTIFICATION

The proposal is to apply a minimum lot size provision to Lot 460 DP 751422, 25 Toms Lane consistent with the RU1 Primary Production zoning of the lot. The proposal is also to remove the minimum lot size requirement for Lot 7300 DP 1126395, River Road which is zoned RE1 Public Recreation.

The proposed amendment will be achieved by amending minimum lot size map sheet LSZ\_003C as indicated in the maps below:

### Item 29 - 25 Toms Lane & River Road - Lot 460 DP 751422 and Lot 7300 DP1126395 - Minimum Lot Size



#### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The proposal will remove the opportunity to further fragment rural land in accordance with the objectives of the Rural Lands SEPP 2008.



**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.2 Rural Zones	The planning proposal is consistent with this direction as it proposes to reduce further fragmentation of land in the rural zone.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures mapping provisions accurately align with zoning and boundaries of the lots.

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

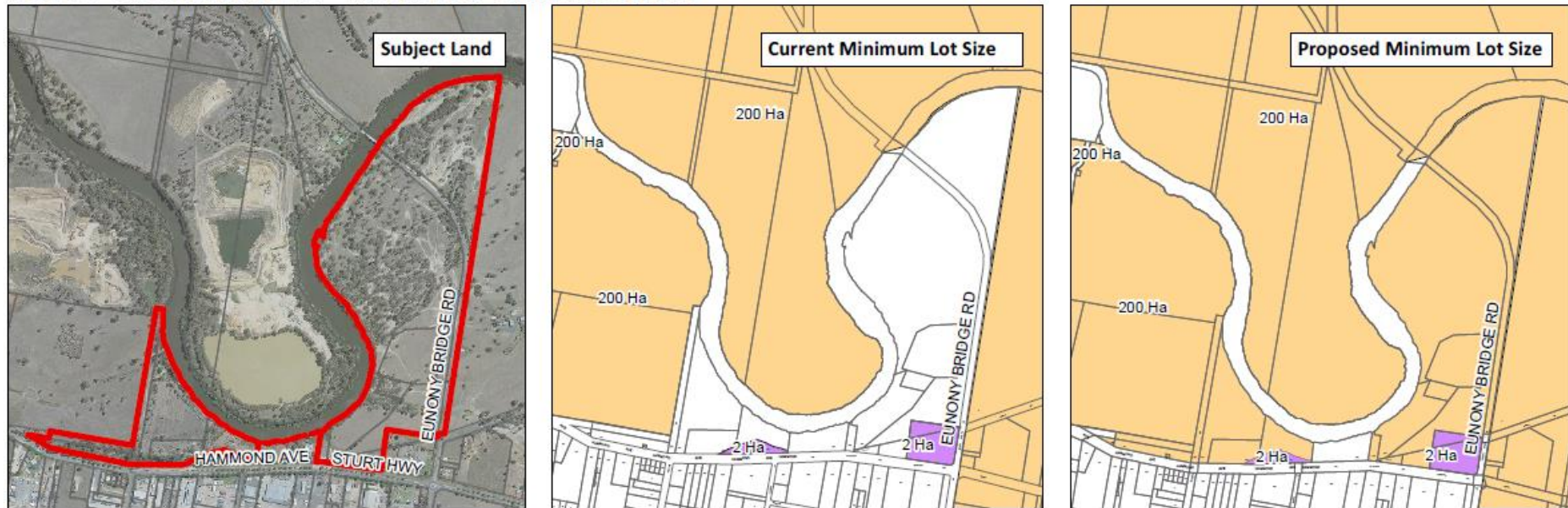
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 30 – HAMMOND AVENUE – JUSTIFICATION

The proposal is to apply a minimum lot size requirement of 200ha to Lot 37 DP 1148020, Lot 2 DP1211962, Lot 1 DP741846, Lot 1 DP1203789, Part Lot 21 & 22 DP869161, Part Lot 11 DP1086349, Lot 35 & 234 DP757232, Lot 7007 DP1029599, Lot 7004 DP94145, Lot 2 DP612871, Lot 7301 DP1132512, Lot 1 & 2 DP1191705 and part of Eunony Bridge Road. The lots are currently zoned RU1 Primary Production. The aim of the proposal is to reduce further fragmentation of rural land and remove the ability to build dwellings on flood prone land.

The proposed amendment will be achieved by amending minimum lot size map sheets LSZ\_003F and LSZ\_004F as indicated in the maps below:

**Item 30 - Hammond Avenue - Various Lots - Minimum Lot Size**



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The proposal will remove the opportunity for further fragmentation of rural land in accordance with the objectives of the Rural Lands SEPP 2008.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.2 Rural Zones	The planning proposal is consistent with this direction as it proposes to reduce further fragmentation of land in the rural zone.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures min lot size mapping provisions accurately align with zoning and boundaries of the lots.

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

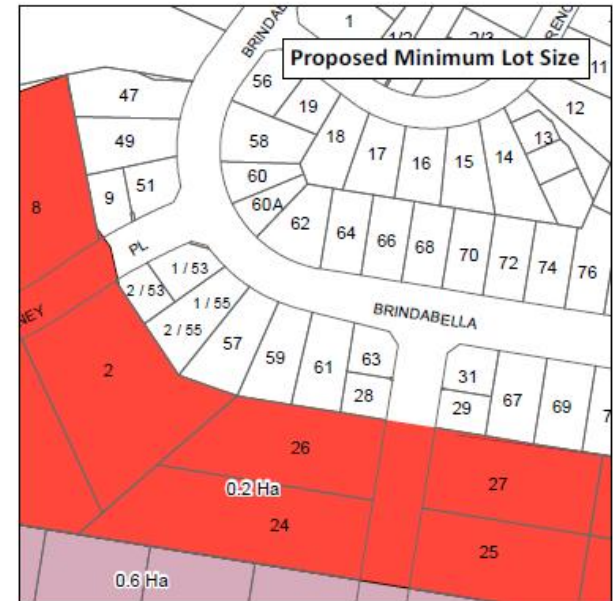
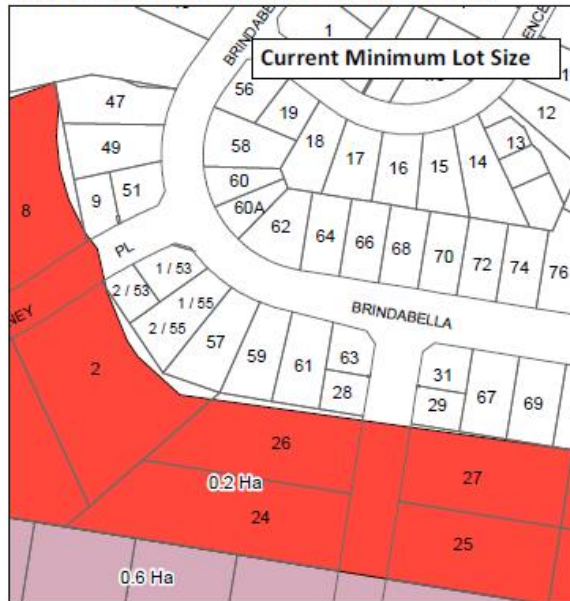
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 31 – BONNEY PLACE / SPRINGVALE DRIVE – JUSTIFICATION

The proposal is to align the minimum lot size provisions to the boundaries of Lot 225, 228, 229, 235, DP1162570, 2 & 8 Bonney Place / 26 & 27 Springvale Drive, Springvale.

The proposed amendment will be achieved by amending minimum lot size map sheet LSZ\_004E as indicated in the maps below:

### Item 31 - Bonney Place & Springvale Drive - Various Lots - Minimum Lot Size



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There are no SEPP's applicable to this proposal.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
3.1 Residential Zones	The planning proposal is consistent with this direction as it proposes to apply a minimum lot size requirement to the subject lots consistent with the lot boundaries.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures minimum lot size mapping aligns with the lot boundaries.

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

This item does not require consultation with State or Commonwealth public authorities.

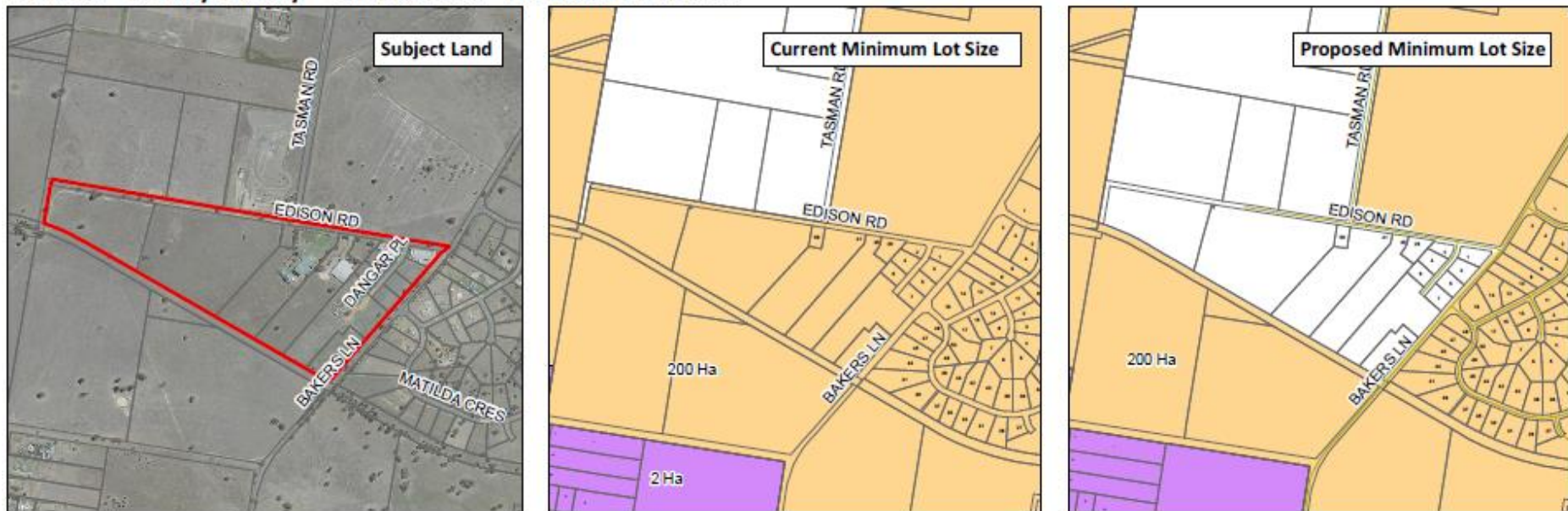


## ITEM 32 – BAKERS LANE / EDISON ROAD / DANGAR PLACE – JUSTIFICATION

The proposal is to remove minimum lot size provisions for Lot 39 DP1096264, Lot 4 DP614793, Lot 8 & 9 DP846835, Lot 1 & 2 DP1208163, Lot 1 - 6 DP1161222, Lot 1, 3, 4, DP878573 and Lot 3 DP582720 Gumly Gumly. A minimum lot size is not required for industrial lots. The aim is to provide a range of different lot sizes for industrial land.

The proposed amendment will be achieved by amending minimum lot size map sheet LSZ\_004F as indicated in the maps below:

Item 32 - Gumly Gumly - Various Lots - Minimum Lot Size



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There are no SEPP's applicable to this proposal.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and industrial zones	The planning proposal is consistent with this direction, as it will opportunity to provide a range of lot sizes and encourage employment and growth in a suitable location.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The proposal will provide an opportunity to redevelop the site and encourage additional employment.

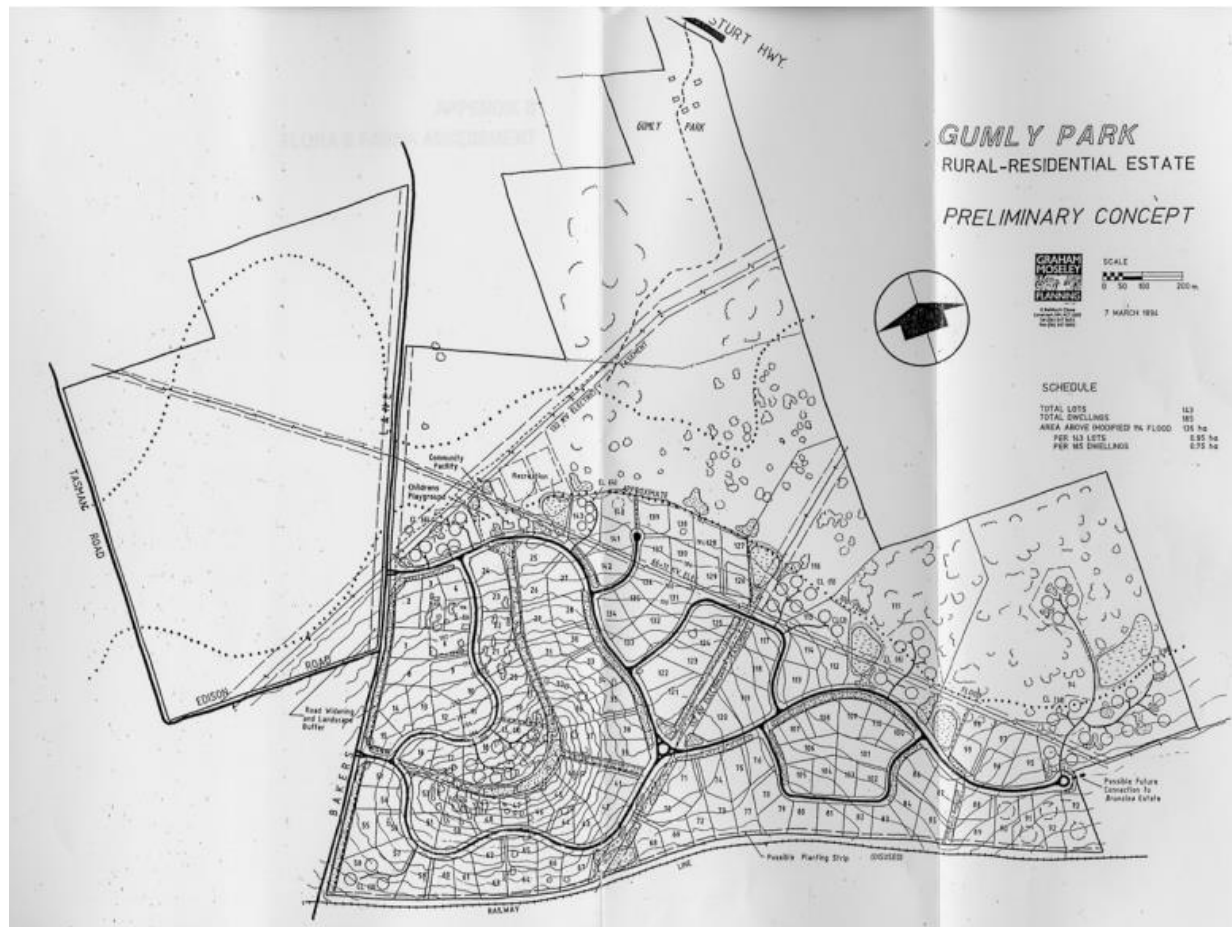
**10. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

This item does not require consultation with State or Commonwealth public authorities

## ITEM 33 – GOVENORS HILL – JUSTIFICATION

The proposal is to amend the minimum lot size provisions for Lot 20 DP1172992, Lot 199 – 220 DP1210881, Lot 1 – 18 DP 1172992 and Lot 201 DP1178463 from 200ha to 0.4ha consistent with the existing DA approval, subdivision pattern and applicable DCP.

Previously, the land was zoned rural under the Wagga Wagga Local Environmental Plan 1991 and subzoned 1c Rural Residential (Rural Living Area) under the Wagga Wagga Development Control Plan 2005 and Chapter 36 Bakers Lane of the 2005 DCP applied to the estate. This Chapter provided controls around lot size and density and specifies that the absolute minimum lot size of 0.4 hectares will be accepted for certain lots where they can be justified provided that the average density of no less than 0.6 hectares is achieved. The 2005 DCP includes the following preliminary layout concept to that effect. These provisions resulted in the existing development approval and subdivision pattern.



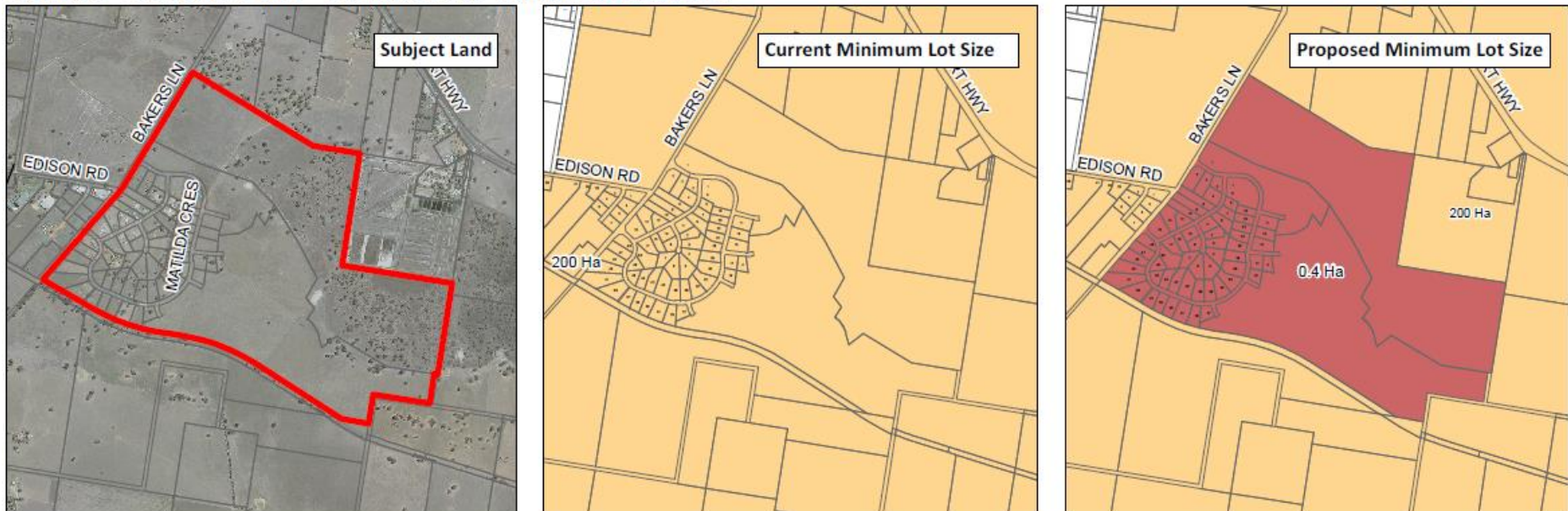
Development consent was granted in July 2008 for a 175 lot subdivision prior to the 2010 LEP. The subdivision was permissible under the Wagga Wagga Rural Local Environmental Plan 1991 and Wagga Wagga Development Control Plan 2005. The subdivision was considered by the Wagga Wagga City Council Planning Panel on 2 July 2008 and it was resolved *That the Wagga Wagga Planning Panel approve Development Application DA07/0906 for a proposed rural residential subdivision to be undertaken in 9 stages.*

The subject land is currently zoned R5 Large Lot Residential under the Wagga Wagga Local Environmental Plan 2010. The existing subdivision pattern and minimum lot size proposed is consistent with the objectives of the clause as it provides residential housing in a rural setting without impacting environmentally sensitive locations. The current 200ha minimum lot size is inconsistent with the approval from 2008.

At the time of developing the Wagga Wagga Local Environmental Plan 2010, the development approval should have been considered and the appropriate minimum lot size applied to support the R5 Large Lot Residential zone. The application of the 200ha is inconsistent with the existing zone, development approval and subdivision pattern.

The proposed amendment will be achieved by amending minimum lot size map sheets LSZ\_004F and LSZ\_004H as indicated in the maps below:

### Item 33 - Govenors Hill - Various Lots - Minimum Lot Size



**5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?**

There are no SEPP's applicable to this proposal.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
3.1 Residential Zones	The planning proposal is consistent with this direction as it mirrors the existing residential use and subdivision pattern on the subject site.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The proposal will align with the existing subdivision approval on the site and allow changes to the subdivision approval consistent with the minimum lot size requirement.

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

This item does not require consultation with State or Commonwealth public authorities

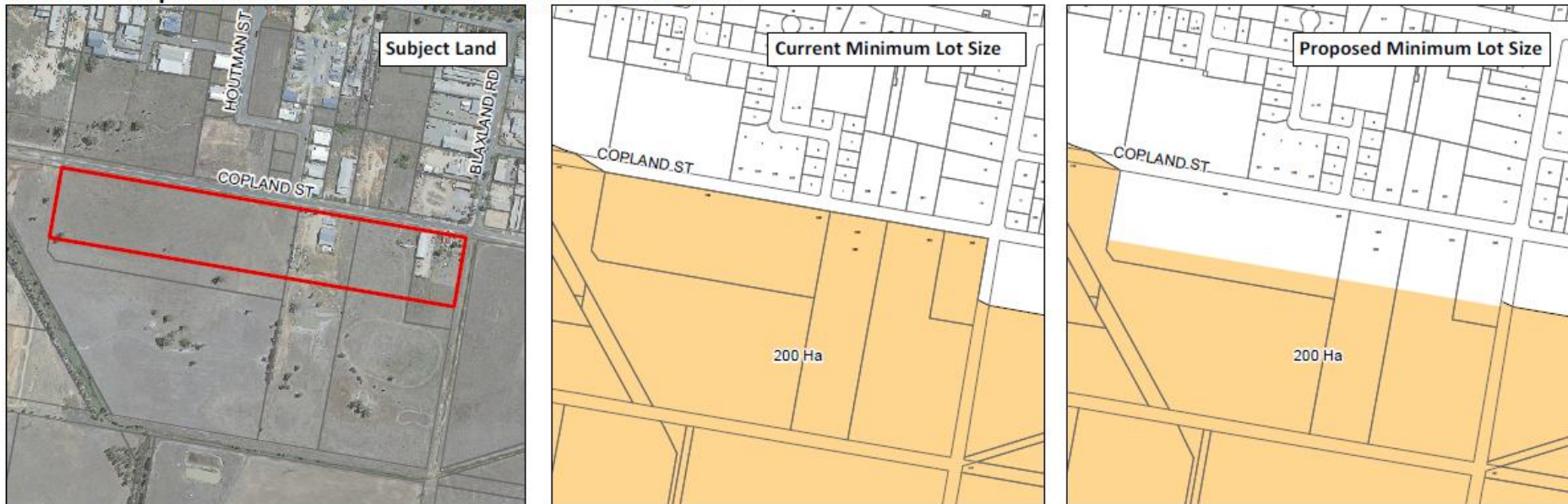


## ITEM 34 – COPLAND STREET – JUSTIFICATION

The proposal is to remove the minimum lot size requirement for Lot 5 DP1191483, Lot 1 & 2 DP 229033 and Lot 1 DP161479 which is zoned for industrial development. A minimum lot size is not required for industrial lots. The aim is to provide a range of different lot sizes in the industrial areas.

The proposed amendment will be achieved by amending minimum lot size map sheet LSZ\_004F as indicated in the maps below:

### Item 34 - Copland Street - Various Lots - Minimum Lot Size



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There are no SEPP's applicable to this proposal.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and industrial zones	The planning proposal is consistent with this direction as it will opportunity to provide a range of lot sizes and encourage employment and growth in a suitable location.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The proposal will provide an opportunity to redevelop the site and encourage additional employment.

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

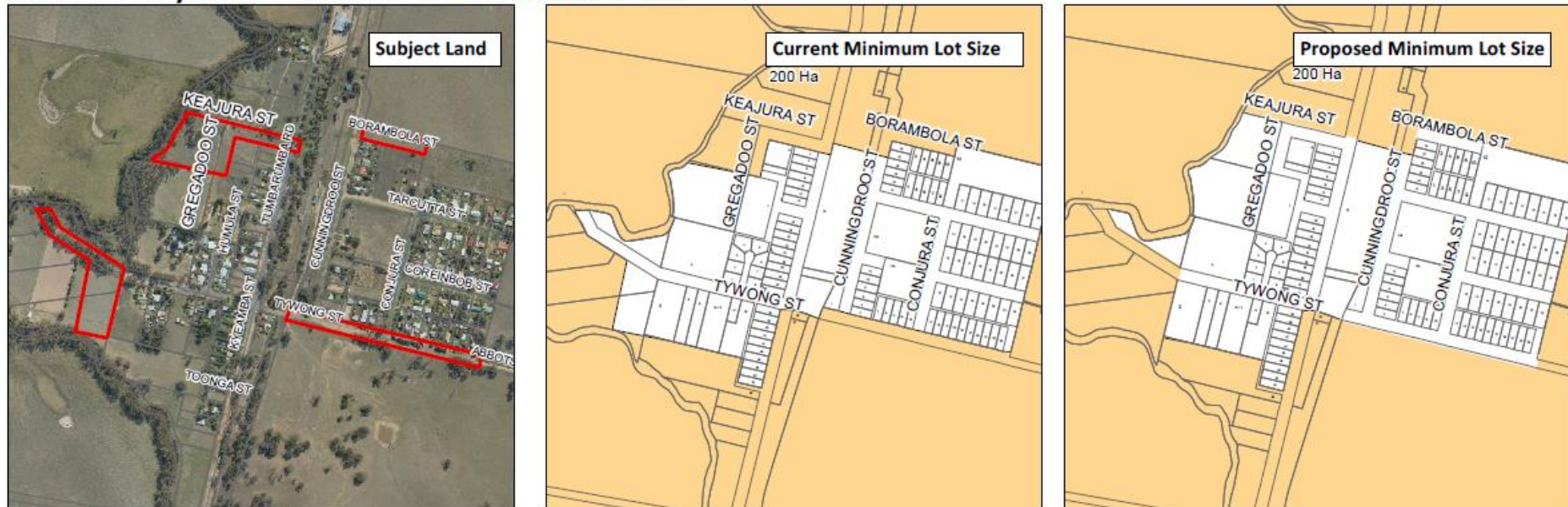
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 35 – LADYSMITH – JUSTIFICATION

The proposal is to amend the minimum lot size provisions for part of Tywong Street, part of Lot 177, part Lot 182 & 183 DP 757253, part of Gregadoo Street & part of Keajura Street consistent with the existing village zoning boundaries.

The proposed amendment will be achieved by amending minimum lot size map sheets LSZ\_004I and LSZ\_004J as indicated in the maps below:

### Item 35 - Ladysmith - Various Lots - Minimum Lot Size



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The proposal will remove the opportunity for further fragmentation of rural land in accordance with the objectives of the Rural Lands SEPP 2008.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.2 Rural Zones	The planning proposal is inconsistent with this direction as it proposes to reduce further fragmentation of land in the rural zone.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures mapping provisions accurately align with village zoning and lot boundaries.

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

This item does not require consultation with State or Commonwealth public authorities.

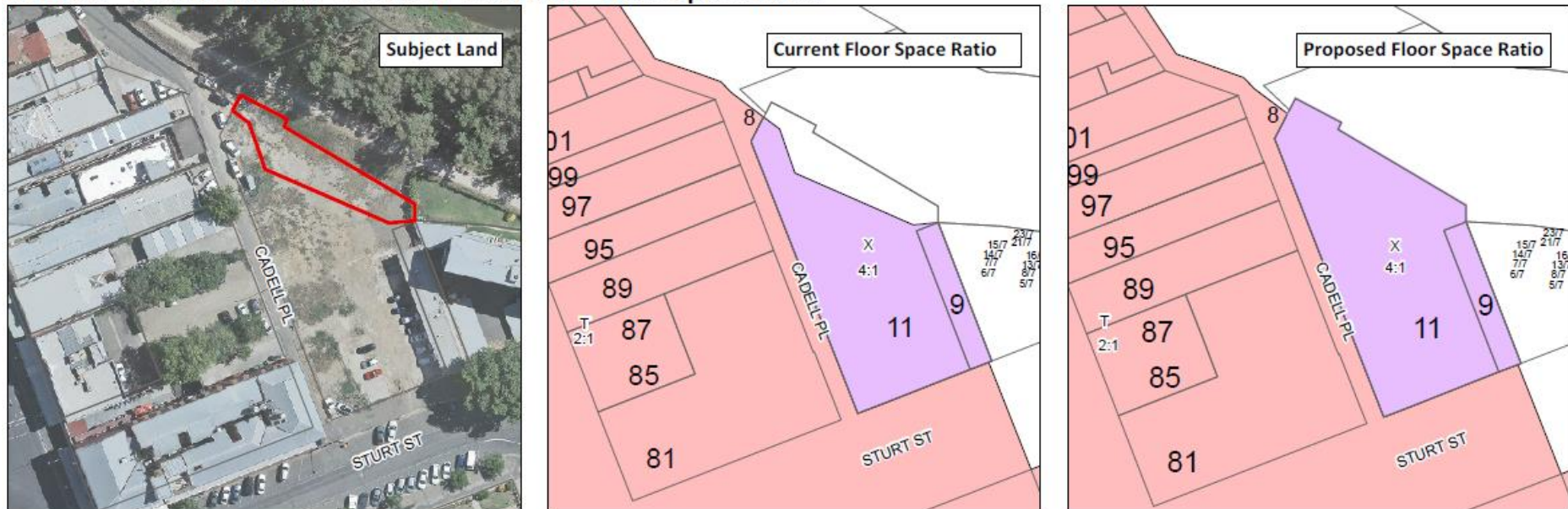


## ITEM 36 – STURT STREET – JUSTIFICATION

The proposal is to apply a maximum building height of 25m and floor space ratio of 4:1 for part of Lot 12 DP 1237398, 11 Sturt Street, Wagga Wagga. The aim is to provide mapping provisions consistent with the lot boundaries.

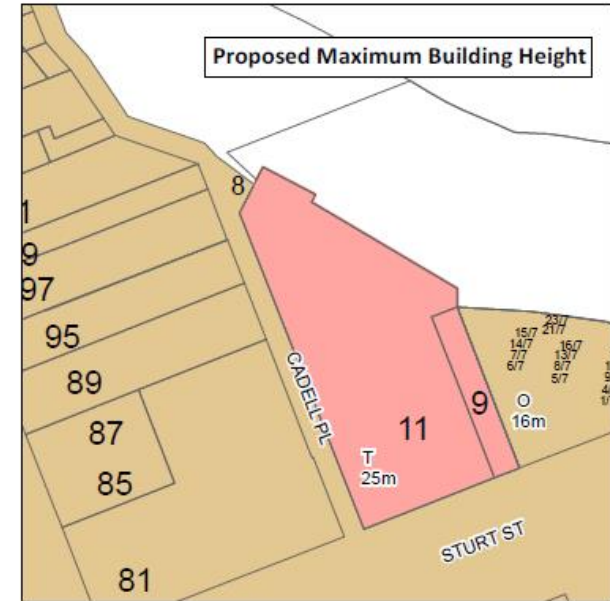
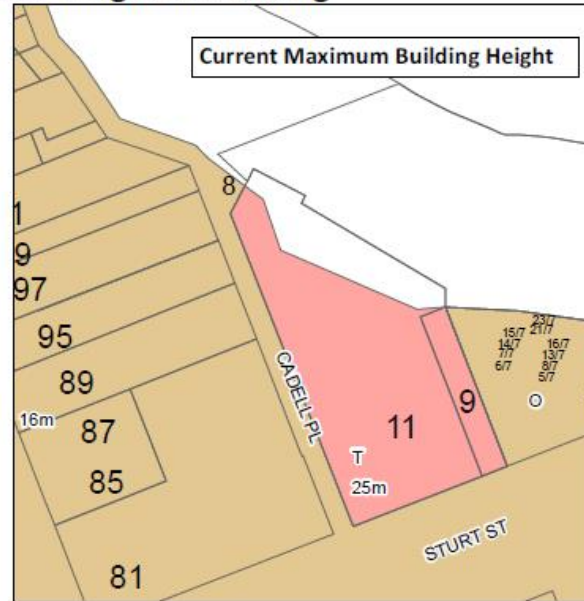
The proposed amendment will be achieved by amending floor space ratio map sheet FSR\_0003B and height of building map sheet HOB\_003B as indicated in the maps below:

**Item 36 - 11 Sturt Street - Lot 12 DP 1237398 - Floor Space Ratio**





# Item 36 - 11 Sturt Street - Lot 12 DP 1237398- Height of Building



## 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There are no SEPP's applicable to this proposal.

## 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and Industrial Zones	The planning proposal is consistent with this direction as it proposes to apply a maximum building height and floor space ration requirement to the subject lot consistent with the lot boundary

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures that the site can be developed to its full potential consistent with the objectives of the zone.

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

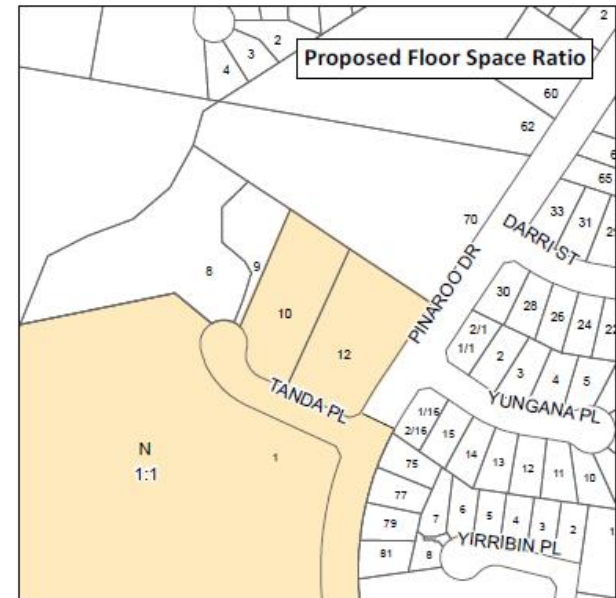
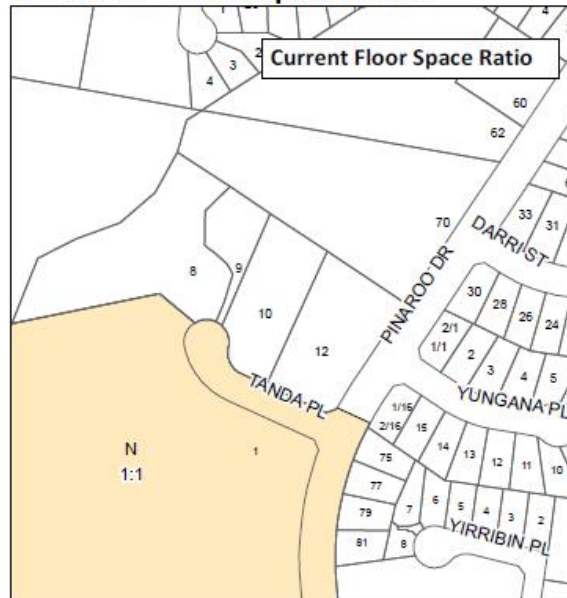
This item does not require consultation with State or Commonwealth public authorities.

## ITEM 37 – 10 – 12 TANDA PLACE – JUSTIFICATION

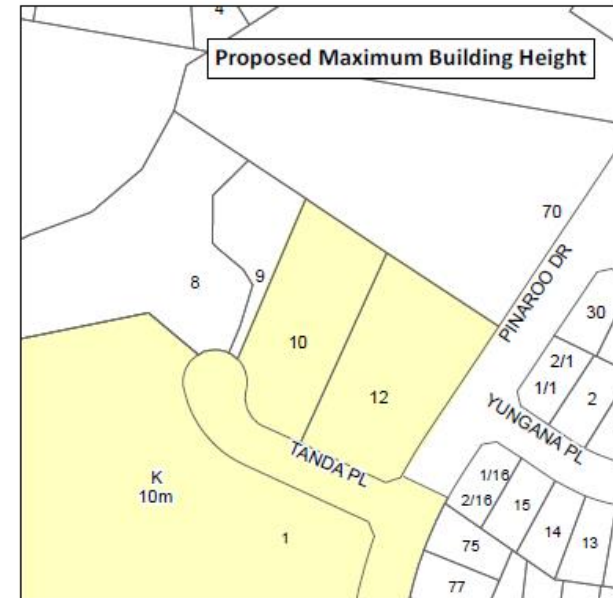
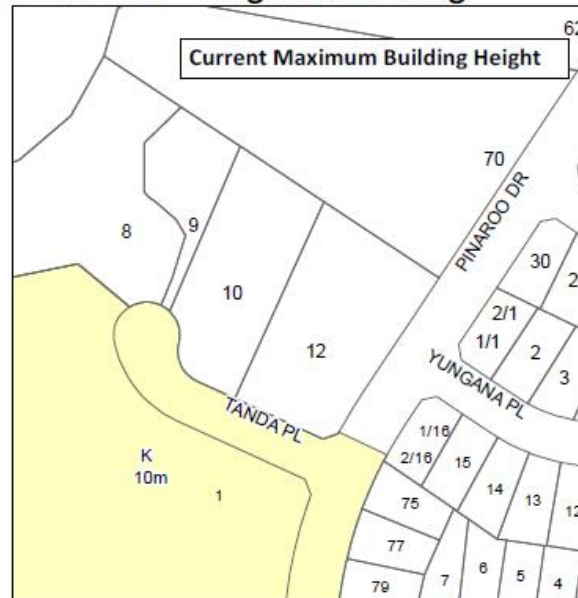
The proposal is to apply a maximum building height of 10m and floor space ratio of 1:1 to Lot 61 and 62 DP 1124132, 10-12 Tanda Place, Glenfield Park consistent with the zoning on the site and the height and floor space ratio of the adjoining B2 Local Centre.

The proposed amendment will be achieved by amending floor space ratio map sheet FSR\_004A and height of building map sheet HOB\_004A as indicated in the maps below:

**Item 37 - 10-12 Tanda Place - Lots 61-62 DP 1124132 - Floor Space Ratio**



**Item 37 - 10 - 12 Tanda Place - Lots 61-62 DP 1124132 - Height of Building**



**5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?**

There are no SEPP's applicable to this proposal.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and Industrial Zones	The planning proposal is consistent with this direction, as it will provide the opportunity to develop the site consistent with the zone objectives.



***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures that the site can be developed to its full potential consistent with the objectives of the zone.

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

This item does not require consultation with State or Commonwealth public authorities.

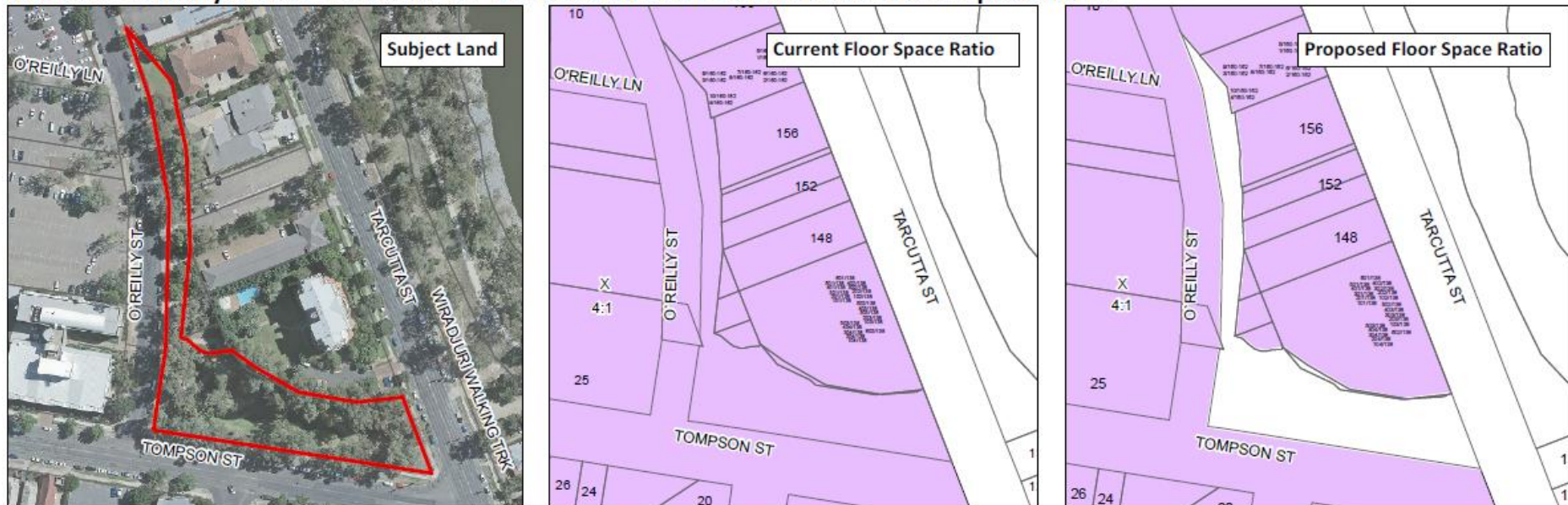


## ITEM 38 – 1 TOMPSON STREET – JUSTIFICATION

The proposal is to remove the floor space ratio provisions on Lot 7307 DP 1132470 and Lot 2 DP 872266, 1 Thompson Street, Wagga Wagga consistent with the zoning on the site. The subject land is the Tony Island Park and zoned RE1 Public Recreation.

The proposed amendment will be achieved by amending floor space ratio map sheet FSR\_003B as indicated in the maps below:

### Item 38 - O'Rielly Street - Lot 7307 DP 1132470 and Lot 2 DP 872266 - Floor Space Ratio



### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There are no SEPP's applicable to this proposal.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and Industrial Zones	The planning proposal is consistent with this direction, as it will provide the opportunity to develop the site consistent with the zone objectives.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal ensures that the site can be developed to its full potential consistent with the objectives of the zone.

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

This item does not require consultation with State or Commonwealth public authorities.

## ITEM 39 – BEREMBED WEIR – JUSTIFICATION

The proposal is to list Lot 1 DP750854 as a heritage item. The Berembled Division Weir and site consists of two lots, Lot 1 DP750854 is within the Wagga Wagga local government area (LGA) whilst Lot 1 DP970794 is located in the Narrandera LGA. The lot located in the Wagga Wagga LGA has not been included on the heritage map or in Schedule 5.

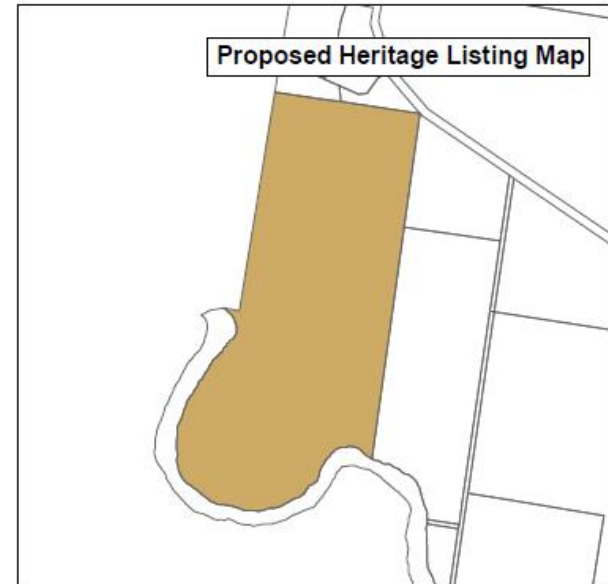
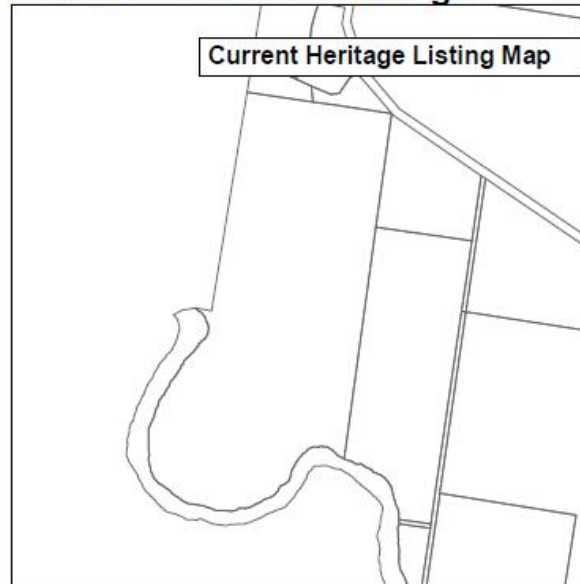
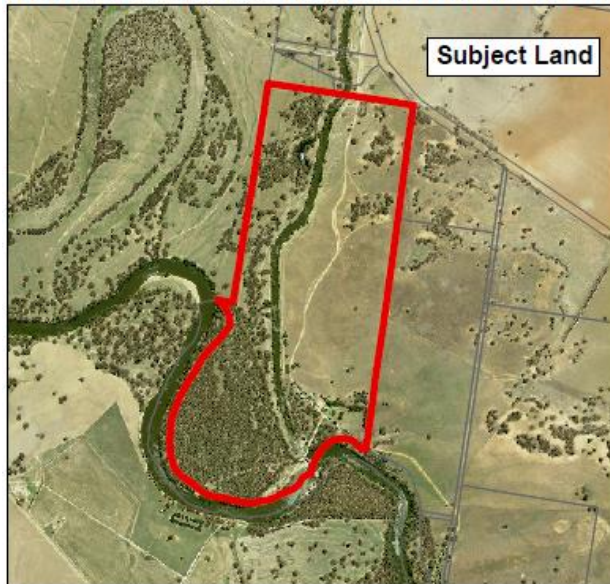
The Berembled Division Weir and site is listed on the NSW State Heritage Register (00957) as being located within the Narrandera Local Government Area (LGA), but is predominantly located within the Wagga Wagga LGA. The Berembled Division Weir and Site was built in 1909 / 1910 and controls water flow into the Main Canal to the Murrumbidgee Irrigation area and surrounding districts.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

**Suburb:** Narrandera, **Item Name:** Berembled Weir, **Address:** 5749 Old Narrandera Road, **Property Description:** Lot 1 DP750854, **Significance:** State, **Item No:** I309

The proposed amendment will also be achieved by amending heritage map sheet HER\_001 as indicated on the map below:

### Item 39 - 5749 Old Narrandera Road - Lot 1 DP 750854 - Heritage



**5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?**

There is no applicable SEPP for this item.

**6. Is the planning proposal consistent with applicable Ministerial Directions?**

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
2.3 Heritage Conservation	The planning proposal is consistent with this direction as aims to protect the heritage significance site through limiting development opportunities on the lot.

***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?**

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The proposal will provide certainty around the protection and enable opportunities for the future maintenance of the significant item.

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

This item does not require consultation with State or Commonwealth public authorities.

## ITEM 40 – THE HAMPDEN BRIDGE – I85 – JUSTIFICATION

The proposal is to amend the Schedule 5 listing number I85 for the Hampden Bridge as it has been demolished, with only the supporting structure remaining.

The proposed amendment will be achieved by amending Schedule 5 as provided below:

Current listing	Proposed listing
The Hampden Bridge (Timber Truss Bridge)	Hampden Bridge (remains) including metal pylons, bridge abutment and plaques

### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

### 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
2.3 Heritage Conservation	The planning proposal is consistent with this direction as aims to protect the heritage significance site through limiting development opportunities on the lot.

### ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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



The proposal will provide certainty around the protection and enable opportunities for the future maintenance of the significant item.

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

This item does not require consultation with State or Commonwealth public authorities.

## ITEM 41 – MAP NUMBERING – JUSTIFICATION

The proposal is to amend the height of building and floor space ratio map numbers to align with the corresponding zone and lot size map reference numbers.

The amendment will be achieved by amending the maps numbers as shown below:

Land Zoning	Minimum Lot Size	Height of Building		Floor Space Ratio	
Current	Current	Current	Proposed	Current	Proposed
LZN_003C	LSZ_003C	HOB_003A	HOB_003C	FSR_003A	FSR_003C
LZN_003F	LSZ_003F	HOB_003B	HOB_003F	FSR_003B	FSR_003F
LZN_004D	LSZ_004D	HOB_004A	HOB_004D	FSR_004A	FSR_004D
LZN_004F	LSZ_004F	HOB_004B	HOB_004F	FSR_004B	FSR_004F
LZN_004H	LSZ_004H	HOB_004D	HOB_004H	FSR_004D	FSR_004H

### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

### 6. Is the planning proposal consistent with applicable Ministerial Directions?

There are no relevant S117 Ministerial 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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will result in consistent numbering across the map sheet sets making it easier to navigate.

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

This item does not require consultation with State or Commonwealth public authorities.

## ITEM 42 – B4 MIXED USE ZONE – JUSTIFICATION

The proposal is to list tourist and visitor accommodation as permitted with consent in the B4 mixed use zone.

### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

There is no applicable SEPP for this item.

### 6. Is the planning proposal consistent with applicable Ministerial Directions?

The relevant Section 117 Ministerial Directions are assessed in the below table:

DIRECTION	COMPLIANCE
1.1 Business and Industrial Zones	The planning proposal is consistent with this direction as it will provide additional development opportunities within the mixed use zone.

### ***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?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects.

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

The planning proposal will provided additional development opportunities within the mixed use zone by enabling tourist and visitor accommodation.

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

This item does not require consultation with State or Commonwealth public authorities.

## **PART 4 – MAPPING**

The planning proposal seeks to amend the following maps:

### Land Zoning Maps:

- LZN\_003B
- LZN\_003C
- LZN\_003E
- LZN\_003F
- LZN\_004D
- LZN\_004E
- LZN\_004F
- LZN\_004K

### Lot Size Maps:

- LSZ\_003C
- LSZ\_003E
- LSZ\_003F
- LSZ\_004D
- LSZ\_004E
- LSZ\_004F
- LSZ\_004H
- LSZ\_004I
- LSZ\_004J

### Height of Building Map:

- HOB\_003A
- HOB\_003B
- HOB\_004A
- HOB\_004B
- HOB\_004D

### Floor Space Ratio Map:

- FSR\_003A
- FSR\_003B
- FSR\_004A
- FSR\_004B
- FSR\_004D

### Heritage Map:

- HER\_001

### Land Reservation Acquisition Map:

- HER\_001

Council requests the ability to lodge the template maps at S59 stage rather than prior to exhibition. The maps provided as part of the planning proposal are detailed enough for public exhibition purposes.



## **PART 5 – COMMUNITY CONSULTATION**

The planning proposal has already been through public consultation. Formal public exhibition occurred between 16 September 2017 and 14 October 2017. The revised planning proposal includes an additional site under item 2 that is considered to be minor in nature. It is considered that a 14 day exhibition period is suitable for the revised planning proposal. A notice will be placed in the newspaper and the owner of the additional site and surrounding land owners will be notified in writing.

## **PART 6 – PROJECT TIMELINE**

<b>Task</b>	<b>Anticipated timeframe</b>
Anticipated date of re-issued Gateway Determination	April 2018
Anticipated timeframe for completion of required technical information	N/A
Timeframe for Government agency consultation	April 2018
Commencement and completion dates for public exhibition	May 2018
Dates for public hearing	N/A
Timeframe for consideration of submissions	June 2018
Timeframe for the consideration of a proposal post exhibition	June 2018
Date of submission to the Department to finalise the LEP	July 2018
Anticipated date RPA will make the plan	July 2018
Anticipated date RPA will forward to the Department for notification	July 2018

## Appendix 1: Information Checklist

### STEP 1: REQUIRED FOR ALL PROPOSALS

(under s55(a) – (e) of the EP&A Act)

- Objectives and intended outcome
- Mapping (including current and proposed zones)
- Community consultation (agencies to be consulted)
- Explanation of provisions
- Justification and process for implementation (including compliance assessment against relevant section 117 direction/s)

#### STEP 2: MATTERS – CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

	To be considered	N/A	To be considered	N/A
<b>PLANNING MATTERS OR ISSUES</b>				
<b>Strategic Planning Context</b>				
Consistent with the relevant regional plan, district plan, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or	X	<input type="checkbox"/>		
Consistent with a relevant local council strategy that has been endorsed by the Department; or	X	<input type="checkbox"/>		
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls; or	<input type="checkbox"/>	X		
Seeking to update the current planning controls if they have not been amended in the last 5 years.	<input type="checkbox"/>	X		
<b>Site Description/Context</b>				
Aerial photographs	X	<input type="checkbox"/>		
Site photos/photomontage	<input type="checkbox"/>	X		
<b>Traffic and Transport Considerations</b>				
Local traffic and transport	<input type="checkbox"/>	X		
TMAP	<input type="checkbox"/>	X		
Public transport	<input type="checkbox"/>	X		
Cycle and pedestrian movement	<input type="checkbox"/>	X		
<b>Environmental Considerations</b>				
Bushfire hazard	X	<input type="checkbox"/>		
Acid Sulphate Soil	X	<input type="checkbox"/>		
Noise impact	<input type="checkbox"/>	X		
Flora and/or fauna	<input type="checkbox"/>	X		
Soil stability, erosion, sediment, landslip assessment, and subsidence	<input type="checkbox"/>	X		
Water quality	<input type="checkbox"/>	X		
Stormwater management	X	<input type="checkbox"/>		
			Flooding	X
			Land/site contamination (SEPP55)	X
			Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	<input type="checkbox"/>
			Sea level rise	<input type="checkbox"/>
			<b>Urban Design Considerations</b>	
			Existing site plan (buildings vegetation, roads, etc)	<input type="checkbox"/>
			Building mass/block diagram study (changes in building height and FSR)	X
			Lighting impact	<input type="checkbox"/>
			Development yield analysis (potential yield of lots, houses, employment generation)	<input type="checkbox"/>
			<b>Economic Considerations</b>	
			Economic impact assessment	<input type="checkbox"/>
			Retail centres hierarchy	<input type="checkbox"/>
			Employment land	<input type="checkbox"/>
			<b>Social and Cultural Considerations</b>	
			Heritage impact	X
			Aboriginal archaeology	<input type="checkbox"/>
			Open space management	X
			European archaeology	<input type="checkbox"/>
			Social & cultural impacts	<input type="checkbox"/>
			Stakeholder engagement	X
			<b>Infrastructure Considerations</b>	
			Infrastructure servicing and potential funding arrangements	<input type="checkbox"/>
			<b>Miscellaneous/Additional Considerations</b>	
			List any additional studies that should be undertaken post Gateway determination	