Wagga Wagga City Council

Planning Proposal Amendment to the Wagga Wagga Local Environmental Plan 2010

2017/2 Anomalies Planning Proposal:

Date of Planning Proposal:

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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 56 of the *Environmental Planning and Assessment Act 1979* is requested.

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

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 2.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The Anomalies planning proposal is to correct an inconsistency in the land use table, errors in the zoning, minimum lot size, maximum building height, maximum floor space ratio and heritage map and in Schedule 5 of the WWLEP 2010.

PART 2 – EXPLANATION OF THE PROVISIONS

Amendment to Land Use Table

The Land Use Table will be amended to include Tourist and Visitor Accommodation as permitted with consent in a B4 Mixed Use Zone.

Mapping Amendments

A total of twenty-eight (28) land zoning map errors, twelve (12) minimum lot size map errors, three (3) maximum height of building map errors and four (4) maximum floor space ratio map errors have been identified after reviewing the WWLEP 2010. Tables 1– 4 provide detail information about the proposed mapping amendments.

Table 1: Land Zoning Map Amendments

	Map Sheet Number	Location	Property	S117 Directions	Land Use & Issue	Current Zoning	Amended Zoning
1.	LZN_003B	Estella	Lot 50 DP261008	 1.1 Business and Industrial Zones 3.1 Residential Zones 	Dwelling DA17/0035 approved the surrender of the use as a neighbourhood shop relying on existing use rights. The rezoning from B1 Neighbourhood Centre to R1 General Residential corrects an anomaly with the residential use.	B1 Neighbourhood Centre	R1 General Residential
2.	LZN_003C	Wagga	Lot 1 DP 703643 & Lot 1 - 3 DP 787203	1.2 Rural Zones 6.2 Reserving Land for Public Purposes	 Vacant, stables & dwellings. Flood affected Council land & privately owned land. Part of Council's land at Lot 1 DP703643 needs to be rezoned from RU1 Primary Production to SP2 Infrastructure. This will ensure consistency with the remainder of the site. The privately owned land at lots 1 – 3 DP787203 needs to be rezoned from SP2 Infrastructure to RU1 Primary Production. The land is being used for rural living purposes. 	SP2 Infrastructure RU1 Primary Production	RU1 Primary Production SP2 Infrastructure

3.	LZN_003C	Wagga	Lot 3 DP1067409	3.1 Residential Zones	Privately owned dwelling, garage & swimming pool. The whole residential site needs to be zoned R3 Medium Density Residential.	RE2 Private Recreation & R3 Medium Density Residential.	R3 Medium Density Residential
4.	LZN_003C	Wagga	Part Lot 1, Lot 2, 39 DP 285373 and Lot 21 DP 285287	3.1 Residential Zones	Private Terraces, attached dwellings and communal driveway. The whole site needs to be zoned R3 Medium Density Residential as the site is being used for residential purposes.	B3 Commercial Core.	R3 Medium Density Residential
5.	LZN_003C	Wagga		3.4 Integrating Land Use and Transport	Dobney Avenue & Edward Street The intersection of Dobney Avenue & Edward Street / Sturt Highway needs to be rezoned from IN2 Light Industry & R1 General Residential to SP2 Infrastructure.	IN2 Light Industrial & R1 General Residential	SP2 Infrastructure

6.	LZN_003E	Bomen	Lot 23 DP1085826	2.1 EnvironmentProtectionZones6.2 ReservingLand for PublicPurposes	The Council owned site has Aboriginal cultural significance and rezoning the land from RE1 Public Recreation to E2 Environment Conservation will protect the site. The Bomen Axe Quarry is a declared Aboriginal Place and has	RE1 Public Recreation	E2 Environment Conservation
					been included in a Management Plan prepared by the NSW Office of Environment & Heritage (November 2016) for Aboriginal Places in Wagga Wagga. The site is not an item of Environmental Heritage.		
7.	LZN_003E	Boorooma	Lot 420 DP1216112 Lot 65 DP 1193816	6.2 Reserving Land for Public Purposes	Reserve The boundary of the RE1 Public Recreation zone needs to be realigned with the boundary of Lot 420 DP1216112 and Lot 65 DP 1193816.	RE1 Public Recreation, R1 General Residential & E4 Environmental Living	RE1 Public Recreation & E4 Environmental Living

8.	LZN_003F	North Wagga	Lot 100 & 101 DP1095889	1.2 Rural Zones	Agriculture & Dwelling The RU1 Primary Production part of Lot 100 DP 1095889 needs to be zoned RU4 Primary Production Small Lots and the RU1 part of Lot 101 DP 1095889 needs to be zoned RU4 Primary Production Small Lots.	RU1 Primary Production & RU4 Primary Production Small Lots	RU4 Primary Production Small lots RU1 Primary Production
9.	LZN_003F	East Wagga	Lot 2 DP 540063	6.2 Reserving Land for Public Purposes	Water Treatment Facility The Riverina Water site needs to be rezoned from IN2 Light Industry to SP2 Infrastructure.	IN2 Light Industry	SP2 Infrastructure
10.	LZN_003F	Wagga	Lot 1 DP1049347	3.1 Residential Zones	Motel Part of Lot 1 DP1049347 needs to be rezoned from RE1 Public Recreation to R3 Medium Density Residential as a motel is located on the site.	R3 Medium Density Residential & RE1 Public Recreation	Part R3 Medium Density Residential
11.	LZN_003F	Wagga	Strata Plan 44777	3.1 Residential Zones	Dwellings Part of Strata Plan 44777 needs to be rezoned from RE1 Public Recreation to R3 Medium Density Residential as existing residential uses are located on site.	R3 Medium Density Residential & RE1 Public Recreation	Part R3 Medium Density Residential

12.	LZN_004D	Springvale	Lot 4 DP1087290	3.1 Residential Zones	Dwelling Part of the site needs to be	E2 Environmental Conservation & R5 Large Lot Residential	R5 Large Lot Residential.
					rezoned from E2 Environmental Conservation to R5 Large Lot Residential as the site is being used for residential purposes.		
13.	LZN_004D	Bourkelands	Lot 17 DP1138251	6.2 Reserving Land for Public Purposes	Essential Energy Sub Station The whole site needs to be zoned SP2 Infrastructure as an Essential Energy Sub Station is located on the site.	RE1 Public Recreation & SP2 Infrastructure	SP2 Infrastructure
14.	LZN_004D	Tatton	Lot 10 DP1045885	1.1 Business and Industrial Zones	Medical Centre & Child Care Part of Lot 10 DP1045885 needs to be rezoned from SP1 Special Activities & E2 Environmental Conservation to B2 Local Centre as the site contains a medical centre and child care facility.	SP1 Special Activities & E2 Environment Conservation	Part B2 Local Centre
15.	LZN_004D	Bourkelands	Lot 42 DP 1221978, Lot 12 DP 1209866 & Lot 14 DP 1196094.	1.1 Business and Industrial Zones	Vacant The boundary of the B2 Local Centre zone needs to be realigned with Lot 42 DP 1221978 and the RE1 Public Recreation zone needs to be removed from the south eastern part of the lot. The B2 Local Centre zone needs to be removed from Lot 12 DP 1209866 & Lot 14 DP 1196094.	B2 Local Centre & RE1 Public Recreation	RE1 Public Recreation & B2 Local Centre

16.	LZN_004D	Kapooka	Lot 54 - 59 DP1181931 Lot 13 - 16 DP1181223	3.4 Integrating Land Use and Transport	New Kapooka Bridge & road corridor Lots 54 - 59 DP1181931 & Lot 13 – 16 DP1181223 needs to be rezoned from E2 Environmental Conservation & RU1 Primary Production to SP2 Infrastructure. The new Kapooka Bridge & road corridor has now been completed.	E2 Environmental Conservation & RU1 Primary Production	SP2 Infrastructure
17.	LZN_004D	Lloyd	Lot 58 DP1177765	2.1 Environment Protection Zones	Birramal Reserve Part of the Birramal Reserve needs to be rezoned from RE1 Public Recreation to E2 Environmental Conservation to protect the conservation significance of the reserve.	RE1 Public Recreation & E2 Environment Conservation	E2 Environment Conservation
18.	LZN_004D	Ashmont	Part of Lot 7073 DP94149 & Lot 284 DP757249	2.1 EnvironmentProtectionZones3.1 ResidentialZones	Service Station Part of Lot 7073 DP94149 & Lot 284 DP757249 needs to be rezoned from E2 Environmental Conservation to R1 General Residential. DA14/0342 approved the refurbishment and expansion of the service station to the E2 Environmental Conservation zoned land.	E2 Environmental Conservation	R1 General Residential

19.	LZN_004D	Ashmont	Lot 5 DP 802891	1.1 Business and Industrial Zones6.2 Reserving Land for Public Purposes	Vacant The site needs to be rezoned from RE1 Public Recreation to IN2 Light Industrial as the land is not being used as a park.	RE1 Public Recreation	IN2 Light Industrial.
20.	LZN_004D	Kooringal	Lot 1 DP1033927	6.2 Reserving Land for Public Purposes	Reserve The Council owned land is part of a reserve and needs to be rezoned from SP2 Infrastructure to RE1 Public Recreation to protect the reserve. The Wagga Wagga Development Control Plan 2005 identified that the site be used for community buildings (5a Special Uses - Rural Living Area & Urban Living Area) Zone, but the site is part of an existing reserve.	SP2 Infrastructure	RE1 Public Recreation
21.	LZN_004D	Glenfield	Lot 5 DP 632012	6.2 Reserving Land for Public Purposes	Depot Part of the site is zoned RE1 Public Recreation and needs to be rezoned to SP2 Infrastructure. Council's depot is located on the site.	RE1 Public Recreation & SP2 Infrastructure	SP2 Infrastructure

22.	LZN_004E	Springvale	Lot 14 DP1136611	3.1 Residential Zones	Dwelling Part of the lot needs to be rezoned from RU1 Primary Production to R5 Large Lot Residential as a dwelling is located on the site.	R5 Large Lot Residential & RU1 Primary Production	R5 Large Lot Residential
23.	LZN_004F	Gumly Gumly	Lot 228, 230 - 233 DP 757232	1.2 Rural Zones6.2 ReservingLand for PublicPurposes	Dwellings The lots need to be rezoned from RE1 Public Recreation to RU1 Primary Production as a dwelling is located on each lot.	RE1 Public Recreation	RU1 Primary Production
24.	LZN_004F	Turvey Park	Lot 320 DP820817	6.2 Reserving Land for Public Purposes	Telecommunications Tower & associated buildings The lot needs to be rezoned from RE1 Public Recreation to SP2 Infrastructure as a telecommunications tower & associated buildings are located on site.	RE1 Public Recreation	SP2 Infrastructure
25.	LZN_004F	Lake Albert	Lot 22 - 24 DP811081	3.1 Residential Zones	Dwellings & pathway Part of the lots & laneway need to be rezoned from RE1 Public Recreation to R1 General Residential as a dwelling is located on each site.	RE1 Public Recreation & R1 General Residential	R1 General Residential

26.	LZN_004F	Lake Albert	Lot 2 DP733631	3.1 Residential Zones	Dwelling Part of Lot 2 DP733631 needs to be rezoned from RU1 Primary Production to R5 Large Lot Residential as a dwelling is located	RU1 Primary Production & R5 Large Lot Residential	R5 Large Lot Residential
27.	LZN_004F	Turvey Park	Lot 16 DP 1132238, Hill Street	6.2 Reserving Land for Public Purposes	on the site. Riverina Water Facility & Community Radio Station Part of Lot 16 DP 1132238 needs to be rezoned from RE1 Public Recreation to SP2 Infrastructure as a Riverina Water storage facility & a community facility is located on the site.	RE1 Public Recreation & SP2 Infrastructure	SP2 Infrastructure

28.	LZN_004K	Tarcutta	Lot 15, 16	3.4 Integrating	Hume Highway	RU1 Primary	SP2 Infrastructure
-0.	00 m	. a. cuttu	& 17	Land Use and		Production	
			DP1163704	Transport	The Hume Highway needs to be		
					rezoned from RU1 Primary		
			Lot 17 – 26,		Production to SP2 Infrastructure.		
			29-31				
			DP1189207				
			Lot PT237				
			DP 757255				
			Part				
			DP757255				
			Lot 68, 69				
			& 71 DP				
			1156813				
			Part Lot 70				
			DP1156813				
			1				
			Lot 4 DP226293				
			DF 220293				
			Lot 11				
			DP1164113				
			Lot 3, 5, 10 & 15				
			DP1182309				
			DL 1107202				

Table 2: Minimum Lot Size Map Amendments

	Map Sheet Number	Location	Property	S117 Directions	Land Use & Issue	Current Lot Size	Amended Lot Size
1.	LSZ_003E	Cartwrights Hill	Lot 2 DP1202669	 1.1 Business and Industrial Zones 1.5 Rural Lands 	Vacant land around the Bomen Industrial Treatment Facility The whole site needs to have a 200 hectare minimum lot size. Part of the site's RU6 Transition zone has no minimum lot size.	200 hectares & nil	200 hectares
2.	LSZ_003E	Boorooma	Lot 420 DP1216112 Lot 65 DP1193816	N/A Mapping anomaly	Reserve The nil & 0.2 hectare minimum lot size boundary needs to be realigned with the lot boundaries.	Part nil & 0.2 hectare	Realign 0.2 hectare & nil minimum lot size for RE1 Public recreation.
3.	LSZ_003C	Gobbagombalin	Lot 460 DP 751422	1.2 Rural Zones	Agriculture The lot needs to have a 200 hectare minimum lot size.	Nil	200 hectares

4.	LSZ_003C	Wagga Wagga	Lot 1 - 3 DP	1.5 Rural Lands	Vacant, equestrian &	Nil & 80 hectare	Nil & 80 hectare
			787203 & Lot 1		dwelling Council & private		
			DP 703643		Major overland flow		
					flooding		
					The whole of the Council		
					owned lot needs to have a		
					nil minimum lot size and		
					the whole of the privately		
					owned rural living lots		
					need to have an 80		
					hectare minimum lot size.		
5.	LSZ_003F	North Wagga	Lot 100 & 101	1.2 Rural Zones	Agriculture & dwelling	2 Hectare & 200	200 hectare & 2
			DP1095889			hectare	Hectare
					The whole of the lot is		
					being used for agricultural		
					purposes and needs to		
					have a 200 hectare		
					minimum lot size. The		
					whole of the rural living lot		
					needs to have a 2 hectare		
					minimum lot size.		

6.	LSZ_003F	Gumly Gumly	Lot 37 DP	1.2 Rural Zones	Agriculture	Nil	200 hectares
0.	&	Gunny Gunny	1148020,	1.2 Rurai 201103	Agriculture		200 110000103
	LSZ_004F		Lot 2		Dwollings		
	132_0041				Dwellings		
			DP1211962, Lot				
			1 DP741846, Lot		Crown Reserve		
			1 DP1203789,				
			Lot 21 & 22		The RU1 Primary		
			DP869161, Part		Production zoned land		
			Lot 11		needs to have a 200		
			DP1086349, Lot		hectare minimum lot size.		
			35 & 234				
			DP757232, Lot				
			7007				
			DP1029599, Lot				
			7004 DP94145,				
			Lot 2 DP612871,				
			Lot 7301				
			DP1132512, Lot				
			1 & 2 DP191705				
7.	LSZ_004D	Springvale	Lot 4 DP1087290	3.1 Residential Zones	Dwelling	200 Hectares & 0.2	0.2 Hectare
	102_0010	opinigraic	200 1 21 2007 200			Hectare	
					The whole of the R5 Large		
					Lot Residential zoned lot		
					needs to have a 0.2		
					hectare minimum lot size.		

8.	LSZ_004E	Springvale	Lot 225, 228, 229, 235, DP1162570	N/A Mapping anomaly	Dwellings The boundary of the 0.2 hectare minimum lot size needs to be realigned with the lot boundary of the R5 Large Lot Residential zoned lots.	Nil & 0.2 Hectare	0.2 Hectare
9.	LSZ_004F	Gumly Gumly	Lot 39 DP1096264, Lot 4 DP614793, Lot 8 & 9 DP846835, Lot 1 & 2 DP1208163, Lot 1 - 6 DP1161222, Lot 1, 3, 4, DP878573 Gumly Gumly.	1.1 Business & Industrial Zone	Industrial Estate The industrial estate needs to have a nil minimum lot size.	200 Hectare	Nil
10.	LSZ_004F & LSZ_004H	Gumly Gumly	Lot 20 DP1172992, Lot 199 – 220 DP1210881, Lot 1 – 18 DP 1172992 & Lot 201 DP1178463	3.1 Residential Zones	Governors Hill Estate The R5 zoned Governors Hill Estate needs to have a 0.4 hectare minimum lot size.	200 Hectare	0.4 Hectare
11.	LSZ_004F	East Wagga	Lot 5 DP1191483, Lot 1 & 2 DP 229033, Lot 1 DP161479	1.1 Business and Industrial Zones	Industry The IN2 Light Industrial zoned land needs to have a nil minimum lot size.	200 Hectare	Nil

12.	LSZ_004I	Ladysmith	Part Tywong	1.2 Rural Zones	Vacant & road	200 Hectares & nil	Nil & 200 Hectares
			Street,				
			Part Lot 177,		The Village of Ladysmith		
			Part Lot 182 &		needs to have a nil		
			183		minimum lot size and the		
			DP 757253,		RU1 Primary Production		
			Lot 177		zoned land needs to have		
			DP 757253, part		a 200 hectare minimum lot		
			Gregadoo Street		size.		
			& part of				
			Keajura Street				

Table 3: Maximum Height of Building Map Amendments

	Map Sheet Number	Location	Property	S117 Directions	Land Use & Issue	Current Maximum Building Height	Amended Maximum Building Height
1.	HOB_003B	Wagga	Part of Lot 2 DP1138428	1.1 Business & Industrial Zone	Vacant The maximum building height needs to be 25 metres to align with the B4 Mixed Use zone.	Nil	T - 25 metres
2.	HOB_004A	Bourkelands	Lot 17 DP1138251	6.2 Reserving Land for Public Purposes	Essential Energy Sub Station The whole Essential Energy site needs to have a 10 metre maximum building height.	Part K – 10 metres & Part nil.	K – 10 metres

3.	HOB_004A	Glenfield Park	Lot 61 & 62	1.1 Business & Industrial	Aldi & Church	Nil	K – 10 metres
			DP1124132	Zones			
					Both B2 Local Centre zoned		
					sites need to have a 10		
					metre maximum building		
					height		

Table 4: Maximum Floor Space Ratio Map Amendments

	Map Sheet Number	Location	Property	S117 Directions	Land Use & Issue	Current Floor Space Ratio	Amended Floor Space Ratio
1.	FSR_003B	Wagga	Part of Lot 2 DP1138428	1.1 Business and Industrial Zones	Vacant The site needs to have a 4:1 floor space ratio to align with the B4 Mixed Use zone.	Nil	X - 4: 1
2.	FSR_003B	Wagga	Lot 7307 DP1132470 Lot 2 DP872266	6.2 Reserving Land for Public Purposes	State owned reserve The reserve needs to have a nil floor space ratio.	X-4:1	Nil
3.	FSR_4A	Bourkelands	Lot 17 DP1138251	6.2 Reserving Land for Public Purposes	Essential Energy Sub Station The whole Essential Energy site needs to have a 1:1 floor space ratio.	Part nil & part N – 1: 1	N – 1:1
4.	FSR_4A	Glenfield Park	Lot 61 & 62 DP1124132	1.1 Business and Industrial Zones	Aldi & Church Both B2 Local Centre zoned sites need to have a 1:1 floor space ratio.	Nil	N - 1 : 1

Heritage Amendments

One (1) item needs to be included on the Heritage Map and in Schedule 5 of the WWLEP 2010. A further item needs to be reworded in Schedule 5.

Table 5: Heritage Map and Schedule 5 Amendments

	Map Sheet Number	Heritage Item	S117 Direction	Issue	Mapping Amendment	Schedule 5
1.	HER_001	5749 Old Narrandera Road, Matong	2.3 Heritage Conservation Zones	The Berembed Division Weir and site has not been included on the heritage map and in Schedule 5.	Add to map	List on Schedule
		Lot 1 DP750854		The Berembed 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 Berembed 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.		
2.	HER_003C	185 Hampden Bridge (Timber Truss Bridge), 199 Fitzmaurice Street, Wagga Wagga	2.3 Heritage Conservation Zones	The Hampden Bridge has been demolished, but the supporting structure remains. The text in Schedule 5 needs to be reworded.	N/A	Reword the text as follows: - Hampden Bridge (remains) including metal pylons, bridge abutment and plaques.

Map Numbering

The maximum height of building (HOB) and maximum floor space ratio (FSR) map numbers need to be amended to ensure ease of reference. When searching for a HOB or FSR map it is difficult to find the correct map. The following map numbers are proposed: -

LZN	LSZ	Current HOB	Amended HOB	Current FSR	Amended FSR
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

Table 6: Revised Map Numbering

PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

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

The anomalies 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?

Amendment to Land Use Table

The addition of Tourist and visitor accommodation as permissible with consent in a B4 Mixed Use zone, is to correct an inconsistency with the objectives of the zone. Tourist and visitor accommodation is permissible with consent in Local Centre B2 and Commercial Core B3 zones, but not in a B4 Mixed Use zone. The objectives of B4 Mixed Use are to provide a mixture of compatible land uses and to integrate suitable business, office, residential and other development in accessible locations to maximise public transport patronage and encourage walking and cycling. The construction of service apartments in Wagga Wagga is consistent with Council's Community Strategic Plan 2040 where strategies are recommended to accommodate visitors.

The addition of tourist and visitor accommodation as permissible with consent in a B4 Mixed Use zone will strengthen existing B4 Mixed Use Zoned sites. Residential and motel accommodation and a mix of retail and business premises are already located in B4 Mixed Use zones. This amendment will create opportunities for tourist and visitor accommodation in close proximity to the Central Business District and public transport

Mapping Amendments

The mapping errors have occurred during the implementation of the WWLEP 2010 where the zone does not correspond with the land use, does not align with the property boundary, and where the minimum lot size, maximum height of building and maximum floor space ratio is inconsistent with the zoning.

Heritage Amendments

A heritage item needs to be included on the Heritage Map and in Schedule 5 Environmental Heritage. The wording of a further item in Schedule 5 needs to be revised to reflect a change to the item.

Map Numbering

The Maximum Height of Building and Maximum Floor Space Ratio maps need to be renumbered to correspond with the Land Zoning and Minimum Lot Size Map numbers.

Section B – Relationship to strategic planning framework

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Riverina Murray Regional Plan 2036

The planning proposal is consistent with the following actions in the Riverina Murray Regional Plan 2036.

Enable opportunities for tourism development and associated land use in local plans

• The planning proposal provides opportunities for tourism development by amending the land use table to encourage tourist and visitor accommodation in B4 Mixed Use zone.

Protect high environmental value assets through local plans

• The planning proposal protects high environmental assets by rezoning land to E2 Environmental Living.

Promote high quality open space that support physical activity

• The planning proposal promotes high quality open space by rezoning land to public recreation.

Recognise and conserve heritage assets that have community significance in local plans

- The planning proposal recognises and conserves heritage assets by rezoning land to E2 Environmental Conservation and includes a heritage item.
- 2. Is the planning proposal consistent with the council's local strategy or other local strategic plan?

Community Strategic Plan 2040 – Wagga View

The planning proposal is consistent with the following objectives and outcomes of the Community Strategic Plan 2040 – Wagga View:-

Objective: We are informed and involved in decision making Outcome: Everyone in our community feels they have been heard and understood

• The planning proposal will be placed on public exhibition.

Objective: We are a tourist destination Outcome: We accommodate visitors

• Tourist and visitor accommodation will be permitted in B4 Mixed Use Zone.

Objective: We are proud of where we live and our identity Outcome: We value our heritage

• Heritage of the city is protected by including heritage items;

• Significant indigenous spaces and places are protected by rezoning a site in Bomen to E2 Environmental Conservation.

Objective: We plan for the growth of the city Outcome: We have sustainable urban development

• Infrastructure and service sites are protected by correcting SP2 Infrastructure mapping anomalies.

Objective: Create and maintain a functional, attractive and healthy promoting built environment

Outcome: We create an attractive city

• Accessible open space, parklands and the natural environment are protected by correcting RE1 Public Recreation mapping anomalies.

Wagga Wagga Spatial Plan 2013 – 2043

The planning proposal is consistent with the following objectives of the Wagga Wagga Spatial Plan 2013 – 2043 endorsed by the Minister for Planning.

Retain and strengthen the open space network

• The planning proposal retains and strengthens the open space network by correcting RE1 Public Recreation mapping anomalies.

Provide for the long term protection of Aboriginal and European Heritage of Wagga Wagga Local Government Area

• The planning proposal protects Aboriginal and European heritage items by rezoning a site of Aboriginal significance to E2 Environmental Conservation and including a heritage item.

Maximise linkages and access to services and employment for the population of Wagga Wagga and the surrounding region

• The planning proposal maximises access to services and employment by correcting commercial and industrial mapping anomalies.

Provides opportunities for the community to be informed and involved on decision impacting them.

- The planning proposal will be placed on public exhibition.
- 3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

There are no applicable State Environmental Planning Policies.

4. Is the planning proposal consistent with applicable Ministerial Directions?

Table 1: Relevant S117 Response to the Land Use Table Amend	dment
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DIRECTION	ISSUES	CONSISTENT?
1.1 Business and Industrial Zones	Including Tourist and Visitor Accommodation as a permissible use in a B4 Mixed Use zone will encourage the construction of service apartments.	The amendment is consistent with the direction as employment growth will be encouraged in suitable locations and the viability of strategic centres will be
		supported.

Table 2: Relevant S117 Response to Zoning Map Amendments

DIRECTION	ISSUES	CONSISTENT?
1.1 Business and Industrial Zones	Item 1 A Development Application (DA17/0035) approved the surrender of the use of existing shop and continued use of alterations to dwelling (existing use rights).	Item 1 Amending the zone to R1 General Residential is a minor inconsistency with the direction as the rezoning corrects an anomaly with the residential use.
	Item 14 Removing the SP1 Special Activities zone ensures consistency with the existing medical centre & child care use.	Item 14 The rezoning to B2 Local Centre is consistent with the direction as existing uses are protected.
	Item 15 Realigning the B2 Local Centre boundary with Lot 42 DP1221978 and zoning the south eastern part of the lot to B2 Local Centre is consistent with the zone.	Item 15 The proposed amendment is consistent with the direction as the realigning of boundaries corrects a mapping anomaly and protects employment land.
	Item 19 Rezoning the land to IN2 Light Industry will have no impact as the site is being used for stock piling.	Item 19 Rezoning the land to IN2 Light Industry is consistent with the direction as it encourages employment growth in an existing industrial area.

1.2 Rural Zones	Item 2	Item 2
1.2 Kurai Zones	The removal of the SP2 zone will not affect existing privately owned stables and dwellings.	The RU1 Primary Production zone is consistent with the existing rural living and use.
	Item 8 The removal of the RU4 zone & RU1 Zone is consistent with existing rural uses.	Item 8 The zoning of the land to RU1 & RU4 is consistent with the direction as rural land is protected.
	Item 23 Rezoning the land to RU1 Primary Production will not affect the existing dwellings.	Item 23 The rezoning to RU1 Primary Production is consistent with the direction as it protects the agricultural value of rural land in the area.
2.1 Environment Protection Zones	Item 6 Removing the RE1 Public Recreation zone is consistent with the Aboriginal cultural significance of the site.	Item 6 The rezoning of the land to E2 Environmental Conservation is consistent with the direction as a sensitive Aboriginal site is protected.
	Item 17 Removing the RE1 Public Recreation zone is consistent with the existing conservation use.	Item 17 The rezoning to E2 Environmental Conservation is consistent with the direction as it protects the Birramal Reserve.
	Item 18 A development application (DA14/0342) approved the refurbishment and expansion of the service station. The approval was based on existing use rights.	Item 18 Amending the zone to R1 General Residential zone is a minor inconsistency with the direction as the rezoning corrects a mapping anomaly with an existing use.
3.1 Residential Zones	Item 1 The removal of the B1 Neighbourhood Centre zone is consistent with the existing use.	Item 1 Amending the zone to R1 General Residential is consistent with the direction as an existing residential use is protected.
	Item 3 The removal of the RE2 Private Recreation zone is consistent with the use as	Item 3 The amendment is consistent with the direction as the minor rezoning rectifies a

the site is being used for residential purposes.	zoning anomaly and protects residential land.
Item 4 The removal of the B3 Commercial Core zone is consistent with the use as privately owned dwellings and internal driveway are located on the property.	Item 4 The amendment is consistent with the direction as a mapping anomaly is corrected and protects existing residential uses.
Item 10 Removing the RE1 Public Recreation zone is consistent with the existing motel use.	Item 10 The zoning of the land to R3 Medium Density Residential is consistent with the direction as a mapping error is corrected and existing residential accommodation is protected.
Item 11 Removing part of the RE1 Public Recreation zone is consistent with an existing residential use.	Item 11 Rezoning part of the RE1 zoned land is consistent with the direction as existing dwellings are protected.
Item 12 The removal of the E2 Environmental Conservation zone is consistent with the existing residential use.	Item 12 The zoning of the land to R5 Large Lot Residential is consistent with the direction as an existing dwelling is protected.
Item 18 Removing the E2 Environmental Living zone is consistent with the existing use.	Item 18 The rezoning to R1 General Residential is consistent with the direction as it protects access to services.
Item 22 Removing the RU1 Primary Production zone will ensure consistency with the existing residential use.	Item 22 The rezoning to R5 Large Lot Residential is consistent with the direction as an existing dwelling is protected.
Item 25 Removing the RE1 Public Recreation zone will ensure consistency with the existing	Item 25 The rezoning to R1 General Residential is consistent with the direction as it corrects a

	residential use.	mapping anomaly and protects existing dwellings.
	Item 26 The removal of the RU1 Primary Production zone is consistent with the residential use.	Item 26 The rezoning to R5 Large Lot Residential is consistent with the direction as it corrects a mapping anomaly and protects an existing dwelling.
3.4 Integrating Land Use and Transport	Item 5 The removal of the IN2 Light Industrial & R1 General Residential zone is consistent with the use as the site is the intersection of Dobney Avenue & Edward Street.	Item 5 The amendment is consistent with the direction as a zoning anomaly is corrected and an existing use is protected.
	Item 16 Removing the E2 Environmental Conservation & RU1 Primary Production zone is consistent with the existing use.	Item 16 The rezoning to SP2 Infrastructure is consistent with the direction as it protects the new Kapooka bridge and road corridor.
	Item 28 Removing the RU1 Primary Production zone will ensure consistency with an existing use.	Item 28 The rezoning to SP2 Infrastructure is consistent with the direction as a mapping anomaly is corrected and the Hume Highway is protected.
6.2 Reserving Land for Public Purposes	Item 2 The removal of the RU1 zone is consistent with the use as the Council owned land is located near a sewage treatment facility.	Item 2 Amending the zone to SP2 Infrastructure is consistent with the direction as Council owned land will be protected.
	Item 6 The rezoning from RE1 Public Recreation to E2 Environment will protect a declared Aboriginal Place.	Item 6 Rezoning the site to E2 Environmental Protection is consistent with the direction as Council own land will be protected.
	Item 7 Realigning the RE1 Public Recreation & E4 Environmental Living boundary with Lot 65 DP	Item 7 Realigning the boundaries to the RE1 Public Recreation & E4 Environmental Living boundaries is consistent with

1193816 & Lot 420 DP1216112 corrects a mapping anomaly.	the direction as public land is protected.
Item 9 The removal of the IN2 Light Industry zone is consistent with the existing Riverina Water use.	Item 9 The zoning of the land to SP2 infrastructure is consistent with the direction as an existing Riverina water treatment plant is protected.
Item 13 Removing the RE1 Public Recreation zone protects an Essential Energy substation.	Item 13 The rezoning to SP2 is consistent with the direction as an important facility is protected.
Item 19 Removing the RE1 Public Recreation zone will have no impact on the provision of parks. The land is located adjacent to a viaduct in an industrial area and is not being used as a park.	Item 19 Rezoning the Council owned (Operational land classification) to IN2 Light Industry is a minor inconsistency with the direction as the land is not required for public purposes.
Item 20 Removing the SP2 Infrastructure zone ensures consistency with the existing reserve use.	Item 20 Rezoning the land to RE1 Public Recreation is consistent with the direction as land is being used for public purposes.
Item 21 The rezoning of the land to SP2 Infrastructure ensures consistency with the existing Council depot use.	Item 21 Rezoning the land to SP2 Infrastructure is consistent with the direction as a mapping error is corrected and public land is protected.
Item 23 Removing the RE1 Public Recreation zone is consistent with the existing use.	Item 23 The rezoning to SP2 Infrastructure is consistent with the direction as the rezoning corrects a mapping anomaly and protects an existing telecommunications use.
Item 24 The removal of the RE1	Item 24 The rezoning to SP2

Public Recreation zone is consistent with the Riverina Water & community use.	Infrastructure is consistent with the direction as a mapping anomaly is corrected and existing public facilities are protected.
Item 27 The removal of the RE1 Public Recreation zone is consistent with the Riverina Water & community use.	Item 27 The rezoning to SP2 Infrastructure is consistent with the direction as a mapping anomaly is corrected and existing public facilities are protected.

Table 3: Relevant S117 Response to Minimum Lot Size Map Amendments

DIRECTION	ISSUES	CONSISTENT?
1.1 Business and Industrial Zones	Item 9 The industrial estate has a 200 hectare minimum lot size. Industrial land needs to have a nil minimum lots size.	Item 9 A nil minimum lot size for industrial land is consistent with the direction as a mapping anomaly is corrected and employment land is protected.
	Item 11 Industrial land in Copland Street has a 200 hectare minimum lot size. There needs to be a nil minimum lot size to be consistent with the Industrial zone.	Item 11 A nil minimum lot size is consistent with the direction as employment land is protected.
1.2 Rural Zones	Item 3 The agricultural site has a nil minimum lots size. The minimum lot size needs to be 200 hectares to be consistent with the RU1 Primary Production zone.	Item 3 A 200 hectare minimum lot size is consistent with the direction as agricultural land is protected.
	Item 5 Part of the agricultural site has a 2 hectare minimum lot size and part of the Primary Production Small Lots has a 200 hectare minimum lots size. The agricultural land needs to have a 200 hectare minimum lot size and the Primary Production Small Lots needs to have a 2	Item 5 A 200 hectare minimum lot size for the agricultural land and a 2 hectare lot size for the Primary Production Small Lots are consistent with the direction as an anomaly is corrected and the agricultural land is protected.

	hectare minimum lot size to be consistent with the zoning. Item 6 The agricultural and Crown Reserve land has a nil minimum lot size. The land needs to have a 200 minimum lot size to be consistent with the RU1 Primary Production Zone.	Item 6 A 200 hectare minimum lot size is consistent with the direction as a mapping anomaly is corrected and agricultural land is protected.
	Item 12 Rural land adjacent to Ladysmith Village has a nil minimum lot size. The RU1 Primary Production zoned land needs to have a 200 hectare minimum lot size.	Item 12 A 200 hectare minimum lot size is consistent with the direction as a mapping anomaly is corrected and agricultural land is protected.
1.5 Rural Lands	Item 1 The RU6 Transition zoned land adjacent to the Bomen Industrial Treatment Facility has a nil minimum lot size. The minimum lot size needs to be 200 hectares as a dwelling is permitted with consent in a RU6 Transition zone.	Item 1 The minimum lot size of 200 hectares is consistent with the direction as a mapping anomaly is corrected and adjacent employment land is protected.
	Item 4 The privately owned rural living land needs to have an 80 hectare minimum lot size. The Council owned land must not have a minimum lot size.	Item 4 An 80 hectare minimum lot size is consistent with the direction as a mapping anomaly is corrected and the orderly development of rural land is facilitated.

2.1 Desidential Zanas	Item 7	ltem 7
3.1 Residential Zones	item /	item /
	Part of the R5 Large Lot	Amending the minimum lot
	Residential site has a 200	size to 0.2 hectare is
	hectare minimum lot size.	consistent with the direction
	The whole site needs to have	as a mapping anomaly is
	a 0.2 hectare minimum lot	corrected and an existing
	size to be consistent with the	dwelling is protected.
	zone.	
	ltem 10	ltem 10
	The Governors Hill Estate has	A minimum lot size of 0.4
	a 200 hectare minimum lot	hectares corrects a mapping
	size. The lot size needs to be	anomaly and encourages a
	0.4 hectare to be consistent	variety and choice of housing
	with the R5 Large Lot	types for existing and future
	Residential Zone.	housing needs.

DIRECTION	ISSUES	CONSISTENT?
1.1 Business & Industrial Zone	Item 1 Part of the privately owned site has a nil maximum building height. A 25 metre building height is consistent with the 25 metre maximum building height for the remainder of the site.	Item 1 A 25 metre maximum building height corrects a mapping anomaly and is consistent with the direction as employment land is protected.
	Item 3 The B2 Local Centre zoned land has a nil maximum building height. A 10 metre maximum building height is consistent with the 10 metre building height for the South City shopping centre to the south.	Item 3 A 10 metre maximum height of building is consistent with the direction as employment land is protected.
6.2 Reserving Land for Public Purposes	Item 2 Part of the Essential Energy site has a nil maximum height of building. The whole site needs to have a 10 metre maximum building height.	Item 2 A 10 metre maximum building height is consistent with the direction as an important facility is protected.

DIRECTION	ISSUES	CONSISTENT?
1.1 Business and Industrial Zones	Item 1 Part of the privately owned land has a nil floor space ratio. This part of the site needs to have a 4:1 floor space ratio to be consistent with the existing floor space ration of 4:1 for the remainder of the site.	Item 1 The proposed amendment to the floor space is consistent with the direction as a mapping anomaly is corrected and employment land is protected.
	Item 4 The Aldi & Uniting Church site has no floor space ratio. The floor space ratio needs to be 1:1. This is consistent with the existing floor space ratio of 1:1 for the South City Shopping Centre to the south.	Item 4 The proposed amendment is consistent with the direction as an anomaly is corrected and employment land is protected.
6.2 Reserving Land for Public Purposes	Item 2 The State owned reserve needs to have a nil floor space ratio.	Item 2 A nil floor space ratio is consistent with the direction as the reserve is protected for public purposes.
	Item 3 The whole Essential Energy site needs to have a 1:1 floor space ratio.	Item 3 A 1:1 floor space ratio is consistent with the direction as the facility is protected.

Table 5: Relevant S117 Response to Maximum Floor Space Ratio Map Amendments

Table 6: Relevant S117 Response to each Heritage Item

DIRECTION	ISSUES	CONSISTENT?
2.3 Heritage Conservation Zones	Item 1 The Berembed Division Weir and site is a NSW State Heritage listed item and needs to be included on the heritage map and in Schedule 5.	consistent with the direction as the weir & site is
	Item 2 The Hamden Bridge has been demolished, but the supporting structure remains. The text in Schedule 5 needs to be	structure in Schedule 5 is consistent with the direction as the structure needs to be

revised.	

Map Numbering

The maximum height of building (HOB) and maximum floor space ratio (FSR) map numbers need to be amended to ensure ease of reference. When searching for a HOB or FSR map it is difficult to find the correct map. The following map numbers are proposed: -

Table	1:	Revised	Мар	Numbering
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LZN	LSZ	Current HOB	Amended HOB	Current FSR	Amended FSR
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

Section C – Environmental, social and economic impact.

5. 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.

6. 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.

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

The anomalies planning proposal does not have any significant social and economic effects?

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

N/A

PART 4 – MAPPING

The planning proposal seeks to amend the following maps:

Land Zoning Maps:

- LZN_003B (1 Change)
- LZN_003C (4 Changes)
- LZN_003E (2 Change)
- LZN_003F (4 Changes)
- LZN_004D (10 Changes)
- LZN_004E (1 Change)
- LZN_004F (5 Changes)
- LZN_004K (1 Change)

Lot Size Maps:

- LSN_003E (2 Changes)
- LSZ_003C (2 Changes)
- LSZ_003F (2 Change)
- LSZ_004D (1 Change)
- LSZ_004E (1 Change)
- LSZ_004F (4 Changes)
- LSZ_004H (1 Change)
- LSZ_004I (1 Change)

Height of Building Map:

- HOB_003B (1 Change)
- HOB_004A (2 Changes)

Floor Space Ratio Map:

- FSR_003B (2 Changes)
- FSR_004A (2 Change)

Heritage Map

HER_001 (1 Change)

Council requests the ability to lodge the template maps at S59 stage rather than prior to exhibition. The maps provided in Appendix 1 are detailed enough for public exhibition purposes.

The maps for public exhibition are provided in Appendix 1.

PART 5 – COMMUNITY CONSULTATION

The planning proposal will be placed on public exhibition and a notice placed in the local newspaper. Affected and adjoining land owners will also be notified of the planning proposal. Whilst this planning proposal is considered to be minor in nature, it is considered that a 28 day exhibition period is more suitable.
PART 6 – PROJECT TIMELINE

Task	Anticipated timeframe
Anticipated date of Gateway Determination	August 2017
Anticipated timeframe for completion of required technical information	N/A
Timeframe for Government agency consultation	September 2017
Commencement and completion dates for public exhibition	September – October 2017
Dates for public hearing	N/A
Timeframe for consideration of submissions	November 2017
Timeframe for the consideration of a proposal post exhibition	December 2017
Date of submission to the Department to finalise the LEP	January 2018
Anticipated date RPA will make the plan	January 2018
Anticipated date RPA will forward to the Department for notification	January 2018

Appendix 1: Public Exhibition Mapping

Zoning Map Amendments - Items 1 – 28



























































Minimum Lot Size Map Amendments - Items 1 – 12
























Maximum Height of Building Map Amendments - Items 1 - 3







Maximum Floor Space Ratio Map Amendments - Items 1 – 4







Heritage Map Amendment - Item 1

1. The Berembed Division Weir and site has not been included in the heritage map.



Appendix 2: Information Checklist

STEP 1: REQUIRED FOR ALL PROPOSALS

(unders55(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)

PLANNING MATTERS OR ISSUES	o tec oscidente	WW	io.	loce concreted	10	
Strategic Planning Context		1.0	Flooding	×	ō	
Consistent with the relevant regional			Land/site centamination (SEPP55)	X		
plan, district plan, or corridor/precinct plans applying to the site, including any draft regional, district or comidor/precinct plans released for public comment; or	×	0	Resources (including drinking water, minerals, cysters, agricultural lands, fisheries, mining)	0	×	
Consistent with a relevant local council			Sea level rise	0	X	
strategy that has been endorsed by the	×	-	Urban Design Considerations			
Department; or Responding to a change in circumstances,	^	0	Existing site plan (buildings vegetation, roads, etc)		X	
such as the investment in new infrastructure or changing demographic trends that have not been recognised by			Building mass/block diagram study (changes in building height and FSR)	×		
existing planning controls; or	0	×	Lighting impact	0	×	
Seeking to update the current planning controls if they have not been amended in the last 5 years.	0	×	Development yield analysis (potential yield of lots houses, employment generation)	0	X	
Site Description/Context		~	EconomicConsiderations			
Aerial photographs	×	0	Economic impact assessment	0	X	
Site photos/photomontage		×	Retail centres hierarchy	0	X	
Traffic and Transport Considerations			Employme#t land	D	X	
Local traffic and transport		×	Social and Cultural Considerations			
TMAP		×	Heritage in pact	×		
Public transport	0	X	Aboriginal archaeology		×	
Cycle and pedestrian movement	0	×	Open space management	×	D	
Environmental Considerations			European archaeology	D	X	
Bushlire hazard	×	0	Social & cutural impacts		×	
Acid Sulphate Soil	X	0	Stakeholder engagement	×		
Noise impact	0	X	Infrastructure Considerations			
Flora and/or fauna	0	×	Infrastructure servicing and potential	0	×	
Soil stability, erosion, sediment, landslip assessment, and subsidence	D	X	funding arrangements Miscellaneous/Additional Considerations			
Water quality	D	×	List any additional studies that should be undertaken post Gateway datermination			
Stormwater management	×	D				