

Wagga Wagga City Council

Planning Proposal

Amendment to the Wagga Wagga Local Environmental Plan 2010

LEP 18/0001 – Schedule 2 – Exempt Provisions

- Amendment to temporary promotional banners and flags.

Date of Planning Proposal:

1 May 2019

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INTRODUCTION

In accordance with Section 3.33 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 external applications, internal requests (by Council), and housekeeping amendments/anomalies. 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 3.34 of the *Environmental Planning and Assessment Act 1979* is requested.

The items included in the Planning Proposal have been supported by Council. A copy of the report and minutes is provided with this proposal.

Council is seeking delegations 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 is provided along with the completed Information Checklist.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The proposal intends to amend the existing Schedule 2, exempt provisions for 'temporary promotional banners or flags'. The proposal is to amend the existing provisions to improve the flexibility with event signage on Council-owned land.

PART 2 – EXPLANATION OF THE PROVISIONS

The proposed outcome will be achieved by amending the exempt provisions in Schedule 2 for 'temporary promotional banners or flags' be replaced with 'temporary event signage' as shown below:

Temporary ~~promotional banners or flags~~ event signage

Note.

Certain other temporary structures are specified as exempt development under Division 3 of Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

- (1) *Must be located on Council-owned land or land for which the Council has care, control or management.*
- (2) *Must be for the purposes of promoting a civic or community event (including a public exhibition, a festival, a sporting event, a charity event or the like) to be held in the Council's local government area.*
- (3) *Must not include advertising of a commercial nature, other than the name of the event's sponsor **or small logo.***
- (4) *Must have **approval in accordance with Council's Community Event Signage Guidelines** ~~the written approval of the owner of the land.~~*
- (5) *Must not be illuminated or reflective.*
- (6) *Must be removed within 2 days after the event.*
- (7) *Must **be located on a designated site identified in Council's Community Event Signage Guidelines.** ~~not relate to an event held on more than 3 consecutive days.~~*
- (8) *Must not be higher than 5m above ground level (existing).*
- (9) *Must not have a surface area of more than 6m².*



- (10) *Must not be located on or visible from a classified road.*
- (11) *Maximum 1 ~~banner or flag sign~~ on each ~~designated~~ site, ~~not exceeding 4 banners or flags in total in the Council's local government area.~~*
- (12) *Must be wholly located within the boundaries of the property or, if attached to a building, fence or wall, not project more than 100mm from the building, fence or wall.*
- (13) *Must not obstruct or interfere with traffic signs.*
- (14) *Must not be permanently fixed to a building, fence, ~~or~~ wall, ~~power pole, tree, traffic sign or road sign.~~*
- (14) *Must only be displayed on the fixtures provided at the designated sites.*
- (15) *Must not be displayed earlier than: ~~(a) 14 days before the event, if banner or flag relates to an event held fewer than 3 times in any calendar year, or~~
~~(b) 1 day before the event, if banner or flag relates to an event held 3 or more times in any calendar year.~~*

PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

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

No, the planning proposal is not the result of a strategic study or report.

The proposal is a result of the development of a 'Community Event Signage' policy and guideline that is intended to streamline the process for displaying event promotion on specific structure located on dedicated Council sites.

The proposal will allow for more flexibility with event signage on Council-owned land. The proposal will also assist with upcoming event promotion and streamline the process for event organisers.

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

Amending the existing provisions is the only way to achieve the intended outcome.

Council has identified several Council-owned sites throughout the city that are suitable for the promotion of community events. Permanent signage structures have been provided on these sites. Event organisers can display signs on the structures provided, subject to obtaining "Council approval" in accordance with the LEP provisions and the *Community Event Signage Guidelines*. The proposed amendment will clarify requirements and align the requirements with Council's *Community Event Signage Guidelines*.

Section B – Relationship to strategic planning framework

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

The planning proposal is consistent with the Riverina Murray Regional Plan as it will assist in promoting tourism opportunities that will help to sustain the city economy.

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

The planning proposal will streamline the process for event organisers to advertise events on designated Council sites around the city. This will meet the objectives of the Wagga Wagga Spatial Plan 2013-2043 to increase investment opportunities.



Is the planning proposal consistent with applicable State Environmental Planning Policies?

Consistency with applicable SEPPs	
Exempt and Complying Development Code (Code) SEPP	The proposal builds on the existing provisions in the SEPP and for temporary event signage in the LEP. The proposal provides specific provisions for event signage on Council-owned land.

Is the planning proposal consistent with applicable Ministerial Directions (s. 9.1 directions)?

Relevant directions are assessed against the proposed amendments in the table below:

S9.1 Direction	Consistency?
5.10 Implementation of Regional Plans	The proposal supports growth in the community and promotion of events.

Section C – Environmental, social and economic impact

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 are no known impacts on critical habitat or threatened species, populations or ecological communities, or their habitats.

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 known environmental effects as a result of the planning proposal.

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

The planning proposal will encourage greater advertising opportunities throughout the city that will promote social and economic activity.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

There are no public infrastructure requirements as part of this planning proposal.

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

Consultation required with State and Commonwealth public authorities will be undertaken as per Gateway Determination requirements.



PART 4 – MAPPING

There are no mapping changes proposed as part of this planning proposal.

PART 5 – COMMUNITY CONSULTATION

Whilst this planning proposal is considered to be minor in nature, it will be beneficial to conduct a 28 day exhibition period to enable to community sufficient time to provide comment.

PART 6 – PROJECT TIMELINE

Task	Anticipated timeframe
Anticipated date of Gateway Determination	May 2019
Anticipated timeframe for completion of required technical information	N/A
Timeframe for Government agency consultation	June 2019
Commencement and completion dates for public exhibition.	July 2019
Dates for public hearing	N/A
Timeframe for consideration of submissions	August 2019
Timeframe for the consideration of a proposal post exhibition	October 2019
Date of submission to the Department to finalise the LEP	December 2019
Anticipated date RPA will make the plan	February 2020
Anticipated date RPA will forward to the Department for notification	April 2020

