

Graham Judge

From: Thomson, Sophie <SThomson@begavalley.nsw.gov.au>
Sent: Thursday, 30 July 2020 7:07 AM
To: Graham Judge
Cc: Graham Towers
Subject: RE: SP2 zoning for Council infrastructure

Morning Graham
Yes that is correct



Sophie Thomson
Strategic Planning Coordinator

PO Box 492, Bega NSW 2550
P. (02) 6499 2246 **M.** 0427 203 882
E. sthomson@begavalley.nsw.gov.au

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We wish to acknowledge the Traditional Custodians of the lands and waters of the Shire - the people of the Yuin nation and show our respect to elders past and present.

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From: Graham Judge <Graham.Judge@planning.nsw.gov.au>
Sent: Wednesday, 29 July 2020 4:24 PM
To: Thomson, Sophie <SThomson@begavalley.nsw.gov.au>
Cc: Graham Towers <Graham.Towers@planning.nsw.gov.au>
Subject: RE: SP2 zoning for Council infrastructure

Sophie,
Thanks for that.

I note that in Table 3-1 all of the land proposed to be rezoned to SP2 Zone is identified as 'Operational Land' (LGA Act) so I am assuming all of the sites are owned by Council, i.e. there is no privately owned land, and no reclassifications are required from community land to operational land. Is that correct?

Regards

Graham Judge
Senior Planning Officer

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From: Thomson, Sophie <SThompson@begavalley.nsw.gov.au>
Sent: Tuesday, 28 July 2020 4:26 PM
To: Graham Judge <Graham.Judge@planning.nsw.gov.au>
Subject: RE: SP2 zoning for Council infrastructure

Hi Graham

Lodged this planning proposal on the portal this arvo

Previous correspondence below

Regards, Sophie



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-----Original Message-----

From: Thomson, Sophie [mailto:SThompson@begavalley.nsw.gov.au]
Sent: 26 February 2019 12:17 PM
To: Graham Judge [mailto:Graham.Judge@planning.nsw.gov.au]
Subject: RE: SP2 zoning for Council infrastructure

Hi Graham

Thankyou for your considered and timely feedback

Regards, Sophie

Check out all the latest news and events at Council on www.begavalley.nsw.gov.au.

From: Graham Judge [<mailto:Graham.Judge@planning.nsw.gov.au>]
Sent: Tuesday, 26 February 2019 11:24 AM
To: Thomson, Sophie
Subject: SP2 zoning for Council infrastructure

Sophie,

The practice note is a guide only because many regional Council's use the SP2 zone in their standard instrument LEP to identify public infrastructure, particularly in circumstances where land that is highly unlikely to be used for a different purpose, e.g. Wollongong, Albury, Wagga Wagga, Queanbeyan. For example a sewage treatment plant is highly unlikely to be used for another purpose. I recall Wagga Wagga and Albury Council's also wanted to have a visual cue in their LEPs for DA assessment planners that a proposal was near public infrastructure to ensure they considered potential impacts, e.g. odour, noise, security or safety issues etc, and to provide information for prospective purchasers of nearby land.

If Council wishes to zone land as public infrastructure as SP2 Council should confirm in the PP;

- whether or not the use is current or it is a future use of the site,
- if it is Council or privately owned land
- if it is community or operational land.

This is important because If Council has resolved to acquire private land for public infrastructure should be identified on the Land Reservation Acquisition Map. Note that any such land that is held by an authority of the State, or by a public company or a subsidiary of a public company is not required to be shown on Land Reservation Acquisition Map, e.g. Crown Land.

If the site is being used for public infrastructure and is classified as community land Council should also consider changing the status to operational land under the planning proposal (Note: requires public hearing under LGA). For example the Kalaru infrastructure site is community land (Council owned) that Council should consider changing to operational land.

Land to be zoned SP2 must be labelled on the Land Zoning Map consistent with a term used in the Dictionary. For example *sewerage treatment plant* or *water storage facility*. Council may wish to label the site *water supply system* to capture a number of uses associated with water supply. This information should be indicated in the 'explanation of provisions'.

Regards
Graham J

From: Thomson, Sophie
Sent: Tuesday, 26 February 2019 9:11 AM
To: Meredith McIntyre ; Graham Judge
Cc: Best, Chris
Subject: zoning for infrastructure

Hi Meredith and Graham

Our Water and Sewer team have reviewed the zoning of all their existing infrastructure and land for future water and sewer purposes throughout the Shire. The purpose of this review was to regularise the zoning of relevant land to reflect the appropriate land use or future land use. As you are aware the SP2 Infrastructure zone is intended to provide for infrastructure and related uses and prevent development that is not compatible with or that may detract from the provision of infrastructure.

The review revealed a large number of inconsistencies in the application of the SP2 zone throughout the Shire. When the Practice Note from the NSW Department of Planning regarding Zoning for Infrastructure in LEPs was applied to the land (see attachment) we found the results present Council with a number of problems.

Council originally zoned our water and sewer infrastructure SP2 when we first applied the Standard Instrument zones based on a straight rollover of zones from the LEP 2002 using the Department of Planning's methodology at the time. No ground truthing or checking was done of this asset class at the time (hence the current review). In applying the practice note we find that we would be producing more anomalies in our zone mapping. We would still have a situation where some water and sewer infrastructure is zoned SP2 where as other will not be. Our intention is to make it clear to our community what land is or can be used for so that they understand what could happen in the future. We are aiming for more consistency rather than less.

We understand the provisions of the Infrastructure SEPP have come into force subsequent to our Standard Instrument LEP but we are also aware that SEPP provisions are subject to change from time to time and feel that applying the SP2 zone would also reduce risk in the future should the provisions in the SEPP change.

We also have an interesting scenario where SP1 zone is applied in one case rather than the SP2 zone.

Could you please review this information and provide an indication of whether the Department of Planning would support Council if we proceeded with a planning proposal to zone our water and sewer infrastructure SP2 for consistency and transparency rather than applying the methodology of the practice note given that the practice note was not in existence when we applied our original SP2 zones.

Your assistance at this stage is much appreciated

Regards, Sophie



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