

RP-3 PLANNING PROPOSAL - LEP21/0005 - 77 GURWOOD STREET - ADDITIONAL PERMITTED USE

Author: Crystal Atkinson
Director: Michael Keys

Summary: Council is in receipt of a planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 to include 'office premises' as an additional permitted use for 77 Gurwood Street, Wagga Wagga.

The recommendation is to support the planning proposal to be submitted to NSW Department of Planning and Environment for Gateway Determination.

Recommendation

That Council:

- a support planning proposal LEP21/0005 to amend the Wagga Wagga Local Environmental Plan 2010, Schedule 1, Additional Permitted Uses
- b prepare an addendum to the application to address legislative requirements
- c submit the planning proposal with Council's addendum to the NSW Department of Planning for Gateway Determination
- d receive a further report after the exhibition period addressing any submissions made in respect of the planning proposal

Application details

Submitted planning proposal	Council is in receipt of a planning proposal (LEP21/0005) to add 'office premises' as an additional permitted use for 77 Gurwood Street, Wagga Wagga.
Applicant	The Planning Hub on behalf of Wagga Wagga RSL Club.
Landowners	Refer to confidential attachment 4.

Proposal

Council is in receipt of a planning proposal (attachment 2) to amend Wagga Wagga Local Environmental Plan 2010 (LEP) to add 'office premises' as an additional permitted use for 77 Gurwood Street, Wagga Wagga (Attachment 1).

The purpose of the planning proposal is to allow the future use of the site as office premises.

Changes proposed in the application would be achieved by amending Schedule 1 of the LEP to include 'office premises' as an additional permitted use at 77 Gurwood Street, Wagga Wagga.

Site and Locality

The site is the former Wagga Wagga Commercial Club premise located at 77 Gurwood Street, Wagga Wagga. The site is zoned RE2 Private Recreation which is consistent with the previous use as a Commercial Club.

Key Considerations

The planning proposal has been assessed against Council's strategies, policies and guidelines, the NSW Department of Planning and Environment's *Guideline for preparing planning proposals* and the Ministerial Directions. The key considerations are identified below, and the full assessment report is provided as Attachment 1.

1. Council's Vision or Strategic Intent

- Riverina Murray Regional Plan 2036

The Riverina Murray Regional Plan 2036 (RMRP) outlines a goal to promote the growth of regional cities and local centres.

The planning proposal will facilitate the use of a vacant building for the purposes of office premises within proximity to the city centre.

- Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040

The Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040 (LSPS) was adopted on 8 February 2021 and provides a blueprint for how and where Wagga Wagga will grow into the future. It sets Council's 20-year vision for land use planning under key themes and principles.

The LSPS identifies that the city will be led by, and dependent on, additional employment or industry to drive expansion and growth. The plan identifies key sites for employment and investment including Bomen Special Activation Precinct (SAP), Charles Sturt University (CSU), Kapooka Army Barracks, RAAF Base and Airport and the City Centre. The site falls outside of these precincts, however, is within close proximity to the City Centre and limiting the changes to one additional permitted use only rather than changing the zone with help limit the impacts development may have on the primacy of the City Centre.

2. LEP Provisions

- Existing provisions

The site is currently zoned RE2 Private Recreation which intends to enable the following:

- Land to be used for private open space or recreation purposes.
- Provide a range of recreational settings and activities of compatible land uses.
- Protect and enhance the natural environment for recreational purposes.

The site and building were previously the Wagga Wagga Commercial Club which meets the intent of the RE2 Private Recreation zone.

- Proposed provisions

The proposed changes to the LEP will list 'office premises' as an additional permitted use for 77 Gurwood Street, Wagga Wagga. Alternative options were considered, included changing the land zoning to a business zone. A change to land zoning will fundamentally change the intended use of the site indefinitely with the potential to impact the primacy of the City Centre.

To make use of the vacant site, an additional permitted use option is suitable to bring activity onto the site.

3. Development Control Plan

Changing the use of the site from a 'registered club' to an office premise will be undertaken in accordance with the business development provisions of the Wagga Wagga Development Control Plan 2010 (DCP).

4. Noise

The planning proposal application was accompanied by an Acoustic Statement (attachment 4). The statement identifies that an office building has substantially less potential for noise breakout than a registered club. Office activities and associated noise are typically well contained within the building.

Office uses will have limited hours of operation in comparison to the former registered club which will eliminate potential noise complaints.

5. Traffic and Transport

A Transport Assessment (attachment 5) was provided with the planning proposal. The assessment identifies the following:

- The two existing vehicle site access points will be retained and are considered suitable to access the future office premises on the site.
- The site can provide the necessary level of car parking for the proposed office use which can be further detailed at development application stage.
- The office premise use would not result in any additional impacts to the surrounding road network over and above that associated with the former commercial club use.

Financial Implications

In accordance with Council's 2021/2022 Fees and Charges, a Standard LEP Amendment Fee of \$16,000.00 applied at the time of the application being submitted. The proponent has paid these fees.

It is anticipated that the LEP amendment will result in a change of use of the subject site and building in the future. Council's contribution plans and development servicing plans enable Council to levy contributions and developer charges based on the likely

increased demands that the new development will have on public facilities, sewer and/or stormwater.

Policy and Legislation

Environmental Planning and Assessment Act 1979
Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040
Wagga Wagga Local Environmental Plan 2010

Link to Strategic Plan

The Environment

Objective: We plan for the growth of the city

Outcome: We have sustainable urban development

Risk Management Issues for Council

The planning proposal has been assessed and is recommended that it be submitted to NSW Department of Planning and Environment for Gateway Determination. If issued, the determination will require public and agency consultation. Consultation may highlight issues not evident during the assessment.

Internal / External Consultation

Formal public consultation with agencies, adjoining landowners and the public will occur if Gateway Determination is received.

Proposed consultation methods are indicated in the table below:

	Mail			Media			Community Engagement					Digital					
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
TIER																	
Consult		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	

Attachments

1. LEP21/0005 - Assessment Report - Provided under separate cover
2. LEP21/0005 - Planning Proposal Application - Provided under separate cover
3. LEP21/0005 - Existing Site Plan - Provided under separate cover
4. LEP21/0005 - Acoustic Statement - Provided under separate cover

5. LEP21/0005 - Traffic and Transport Assessment - Provided under separate cover
6. LEP21/0005 - Planning Proposal Checklist - Provided under separate cover
7. LEP21/0005 - Landowners

This matter is considered to be confidential under Section 10A(2) of the Local Government Act 1993, as it deals with: personnel matters concerning particular individuals. - Provided under separate cover