

Planning Proposal Assessment Report

APPLICATION DETAILS

Application No:	LEP21.0005
Applicant:	The Planning Hub, prepared for Wagga RSL Club
Proposal Summary:	Additional permitted use: The proposal is to include 'office premises' as an additional permitted use in Schedule 1 of the Wagga Wagga Local Environmental Plan 2010 for 77 Gurwood Street, Wagga Wagga.
Landowner:	Wagga RSL Club
Assessment Officer:	Crystal Atkinson, Senior Strategic Planner

SITE AND LOCATION

The Planning Proposal applies to 77 Gurwood Street, Wagga Wagga. The site is the former Commercial Club site.

The site is currently zoned RE2 Private recreation which is consistent with the previous use of the site as a commercial club.

Subject Land:	Lot 5 DP1067409, 77 Gurwood Street, Wagga Wagga
Current LEP Provisions:	Land Zoning: RE2 Private Recreation
Current DCP Provisions	Business Development controls will apply to the site.
Existing Character:	The site was formerly used for the operation of the Wagga Wagga Commercial Club. The premise is now vacant.

PROPOSAL

Council is in receipt of a Planning Proposal prepared by The Planning Hub for 77 Gurwood Street, Wagga Wagga.

The Planning Proposal seeks to amend the Wagga Wagga Local Environmental Plan 2010 (LEP) to list 'office premises' as an additional permitted use in Schedule 1 for 77 Gurwood Street, Wagga Wagga.

The intended development outcome is to create opportunity for an office premise to be considered on the site.

The proponent's application, planning proposal and supporting information are provided under separate cover.

ASSESSMENT

1. Council's Vision or Strategic Intent

There is a strong commitment through local and regional policy to find a balance between growth, the natural environment, sustainability, and liveability whilst enabling Wagga Wagga to emerge as the southern capital of NSW.

- 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 on additional permitted use only rather than changing the land zone will help limit the impact 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 in Schedule 1 for 77 Gurwood Street, Wagga Wagga. Alternative options were considered, including changing the land zoning to a business zone. A change to land zoning will fundamentally change the intended use of the site indefinitely creating a higher potential for impacts on the primacy of the City Centre.

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. 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 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.

COMPLIANCE TEST

The following matters pursuant to the provisions of Section 3.33 of the Environmental Planning and Assessment Act 1979 and the Department of Planning, Industry and Environment's Guide to Preparing Planning Proposal, have been taken into consideration in the assessment of the proposal.

Riverina Murray Regional Plan 2036	
Direction	Compliance
Direction 4 – Promote business activities in industrial and commercial areas	<p>The planning proposal is inconsistent with this direction as it is proposing to permit 'office premises' on a site that is outside the City Centre that is to be the central place for retail and business activity.</p> <p>The inconsistency is considered minor as the site is located within proximity of the City Centre and was previously used for commercial purposes. Ensuring the site is utilised rather than being abandoned will provide social and economic benefits to the community.</p>
Direction 22 – Promote the growth of regional cities and local centres.	The planning proposal is consistent with this direction as it will encourage future investment and increase job opportunities.
Wagga Wagga CSP	
Direction	Compliance
We attract and support local businesses and industry	<p>The planning proposal is inconsistent with this outcome as it will create an opportunity for an office premise to be located outside the City Centre.</p> <p>The inconsistency is considered minor as the site is located within proximity of the City Centre and was previously used for commercial purposes.</p>
Draft Wagga Wagga Local Strategic Planning Statements	
Direction	Compliance
Principle 4 – The southern capital of New South Wales	<p>The planning proposal is inconsistent with this principle as it will create an opportunity for an office premise to be located outside the City Centre.</p> <p>The inconsistency is considered minor as the site is located within proximity of the City Centre and was previously used for commercial purposes.</p>
Principle 5 – Encourage and support investment	The planning proposal is consistent with this direction as it will encourage and support investment on a site that is currently abandoned.

Section 9.1 Ministerial Directions	
Direction	Compliance
1.1 Implementation of Regional Plans	Consideration to consistency with the Riverina Murray Regional Plan has been given above. The planning proposal has a minor inconsistency in some areas and is consistent in another.
1.3 Approval and Referral Requirements	The planning proposal is consistent with this direction as will not contain provisions requiring concurrent, consultation or referral.
1.4 Site Specific Provisions	The planning proposal proposed to permit with consent 'office premises' on a specific site. The planning proposal is consistent with this direction as it will enable a land use on certain land without imposing any development standards or requirements in addition to those already within the LEP.
3.2 Heritage Conservation	The planning proposal is consistent with this direction as the proposal does not relate to a heritage item, place, building, work, relic or moveable object. The site is located within the heritage conservation area but will involve a change of use of an existing building that is not a heritage item.
7.1 Business and Industrial zones	<p>The planning proposal is inconsistent with this direction as it is proposing to enable office premises in a location that is not currently zoned commercial.</p> <p>The inconsistency is considered minor as the site is within proximity to the City Centre and previous used for commercial purposes.</p>

Internal / External Consultation

Internal: A cross-directorate internal referral occurred.

Community consultation: Public consultation with adjoining landowners and the public usually occurs after a Gateway Determination. Formal community consultation will be undertaken as required by the Gateway Determination.

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.

CONCLUSION

The planning proposal is supported for the following reasons:

- General consistency with Council's vision and strategic intent
- It is consistent with relevant S9.1 Ministerial Directions.
- The supporting information provided with the application is enough to support the planning proposal and forward to the Department of Planning, Industry and Environment seeking Gateway Determination.

To comply with the NSW Department of Planning, Industry and Environment guidelines and to support the planning proposal, council staff will prepare a proposed timeline as an addendum to the proposal prior to submitting for Gateway Determination.