



IRF22/1363

Gateway determination report – PP-2021-7405

Additional Permitted Use – office premises – 77
Gurwood Street, Wagga Wagga

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Planning Proposal, The Planning Hub, December 2021
Traffic and Transport Assessment, JMT Consulting, December 2021
Acoustic Statement, Koikas Acoustics, December 2021
Existing Site Plan, Curtin Architects, Drawing No. DA01

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Wagga Wagga
PPA	Wagga Wagga City Council
NAME	Additional Permitted Use – office premises – former Wagga Commercial Club
NUMBER	PP-2021-7405
LEP TO BE AMENDED	Wagga Wagga Local Environmental Plan 2010
ADDRESS	77 Gurwood Street, Wagga Wagga
DESCRIPTION	Lot 5 DP1067409
RECEIVED	21/04/2022
FILE NO.	IRF22/1363

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- permit development for the purposes of office premises at the former Wagga Commercial Club at 77 Gurwood Street, Wagga Wagga.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the *Wagga Wagga Local Environmental Plan (LEP) 2010* as per the changes below:

- Amend Schedule 1 of the *Wagga Wagga LEP 2010* to include a provision to permit development for the purposes of office premises at 77 Gurwood Street, Wagga Wagga.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

The proposal will utilise an existing resource that is currently vacant

1.4 Site description and surrounding area

The site is located at the intersection of Gurwood and Simmons Streets, Wagga Wagga and contains a single storey building with at grade parking at the rear accessible from either Simmons Street or Gurwood Street. The site was formerly used for the operation of the Wagga Commercial Club, although the premises are currently vacant. The site is located within a Heritage Conservation Area, although the site is not heritage listed.

The site adjoins residential flat buildings to the north, south and east. A detached housing area is located to the west of the site. Directly to the south is the Wagga Wagga Public School. Within walking distance to the east of the site is a civic precinct within the city centre core area with various uses including schools, a police station, courthouse, churches and a community centre.



Figure 1 Subject site (source: Nearmap/Planning Proposal)

2 Need for the planning proposal

The site is zoned RE2 Private Recreation and office premises are prohibited. An amendment to Schedule 1 is needed to permit development for the purposes of commercial premises. The future tenant requires a large floor plate for commercial premises and therefore the site is more suitable than potential locations within the city centre.

By allowing office premises as an additional permitted use, rather than rezoning the site to commercial, the previous use of registered club could be reinstated in future should it once again become viable.

However, Council should amend the planning proposal prior to community consultation to identify other planning mechanisms considered and to confirm an APU is the best means of achieving the intended objectives.

The planning proposal is not the result of a local strategic planning statement, or Department approved local housing strategy, employment strategy, strategic study or report.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Riverina Murray Regional Plan 2036.

Table 3 Regional Plan assessment

Regional Plan Objectives	Justification
Promote business activities in industrial and commercial areas	The plan indicates that future commercial activity should be located in existing commercial centres unless there is a demonstrated need and positive social and economic benefits for the community. The proposal is consistent with this action as there is a demonstrated need for viable reuse of an existing commercial building outside the centre that will generate local employment benefits.
Promote the growth of regional cities and local centres	The site will provide employment opportunities in close proximity to the Wagga Wagga city centre. Building works associated with remodelling the premises and its ongoing commercial use are likely to generate indirect economic benefits contributing to the growth of the centre.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 4 Local strategic planning assessment

Local Strategies	Justification
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Wagga Wagga Local Strategic Planning Statement 2021	The proposal will manage growth sustainably by re-using an existing vacant commercial building. It will also encourage and support investment by enabling use of the site by a long-term tenant for large floorplate office use. The proposal promotes a connected and accessible city by providing employment opportunities in close proximity to existing medium/high density residential development.
Wagga Wagga Community Strategic Plan 2040	The proposal will promote identity and sense of place by allowing for the continued use of an existing commercial building that was once provided a community recreational focus. The proposal will promote community safety through reuse of vacant premises and casual surveillance.

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 5 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Yes	There is a demonstrated need for the proposed commercial use outside of the commercial centre due to the reuse of an existing commercial building. The proposal will provide investment and jobs to promote growth within Wagga Wagga.
1.4 Site Specific Provisions	Yes	The proposal will permit an additional use without imposing any additional development standards as it involves reuse of an existing building.
3.2 Heritage Conservation	Yes	The site is located within a Heritage Conservation Area, although the proposal will have negligible impact as it involves reuse of an existing, non-heritage listed building.
7.1 Business and Industrial Zones	Yes	The proposal is consistent with the objectives of this Direction as it will encourage employment growth in a suitable location within an existing commercial building in close proximity to the city centre and it is unlikely to undermine the viability of the centre as it will accommodate an office use the requires a large floorplate. The proposal is supported by Council.

3.4 State environmental planning policies (SEPPs)

No SEPPs are considered to be relevant to this planning proposal.

4 Site-specific assessment

4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

Table 6 Environmental impact assessment

Environmental Impact	Assessment
Traffic and transport	No changes are proposed to the two existing vehicular access points which are considered safe and suitable for the intended commercial use. The existing 66 car parking spaces are approximately that required for office premises outside the city centre. Office use of the premises is expected to generate less impact on the surrounding road network than the previous use of the site as a registered club.
Acoustics	The acoustic impacts generated from office use of the premises are likely be reduced compared to the previous use as a registered club due to the typical low noise office environment, limited hours of operation and vehicle movements typically limited to morning and afternoon peak periods.
Environmental Values	A small area of the site is indicated as being affected by the Terrestrial Biodiversity Map. The entire site is affected by the Riparian Lands and Watercourses Map as having a groundwater water resource. The proposal is unlikely to impact on environmental values as it involves reuse of an existing building and no changes are proposed to the at ground parking area.

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 7 Social and economic impact assessment

Social and Economic Impact	Assessment
Viability of the city centre	Smaller and varied uses are more likely to activate the city centre rather than the proposed large floor plate office use. Therefore, the proposal will allow for the viability of the city centre by not utilising space in the city centre that could be occupied by more suitable uses.
Jobs	The proposal will generate employment within walking distance of an established medium density residential area, both during refurbishment and its ongoing commercial use.
Social infrastructure	The former Wagga Commercial Club located at the site has already ceased operation as it was no longer financially viable. Enabling office use of the site via an additional permitted use, rather than rezoning, allows for the potential reuse of the site for a registered club should viability improve in the future.

Heritage

The site is located within the Wagga Wagga Conservation Area. Given that the proposal is for reuse of an existing building, the proposal is unlikely to have a significant impact on the heritage significance of the conservation area, including heritage fabric, settings and views.

4.3 Infrastructure

The site is currently serviced by all necessary infrastructure. To ensure the adequacy of existing infrastructure, consultation should be undertaken with Essential Energy and NSW Water.

5 Consultation

5.1 Community

Council has not proposed a community consultation period.

The proposal is categorised as being 'standard' and as such a maximum exhibition period is 20 working days. In this case and the nature of the proposal 14 days consultation is appropriate. It is noted that Council does not have a Community Participation Plan.

The recommended exhibition period is 14 days, and forms the conditions of the Gateway determination.

5.2 Agencies

Council recommends consultation with the following agencies on the planning proposal:

- Essential Energy, and
- NSW Water.

However, given that the proposal is to use an existing development, the Department does not require consultation with the above agencies/ organisations.

Given the findings of the Traffic and Transport Assessment and as traffic was not raised as an issue by Council, it's considered that consultation with Transport for NSW is not required.

6 Timeframe

Council has not proposed a time frame to complete the LEP.

The Department recommends a time frame of 9 months to ensure it is completed in line with its commitment to reduce processing times. It is recommended that if the gateway is supported it also includes conditions requiring council to exhibit and report on the proposal by specified milestone dates.

The planning proposal should be updated, prior to community consultation, to include a revised timeframe to achieve the 9 months finalisation date.

A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council does not request delegation to be the Local Plan-Making authority.

As the site/planning proposal is of a minor nature, the Department recommends that Council be authorised to be the local plan-making authority for this proposal. The planning proposal should be updated, prior to community consultation, to include a revised to include Council as the Local Plan-Making authority.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- the proposal is of a minor nature;
- the significance of the Heritage Conservation Area and the environmental values of the site will not be impacted as the proposal involves remodelling of an existing building to enable commercial use;
- traffic and acoustic impacts will be below those generated by the former use of the site as a registered club; and
- the proposal will create positive employment and economic benefits

Based on the assessment outlined in this report, the proposal should be updated prior to community consultation to:

- include a zoning map of the site;
- discuss options to achieve the objectives of the proposal other than allowing an additional permitted use e.g. rezoning against the new employment zones. This could include a discussion of the RE2 zone objectives and address clause 7.9 of the LEP i.e. Primacy of Zone B3 Commercial Core;
- remove the reference on page 10 to rezoning;
- correct the reference to the Department of Planning, Industry and Environment on page 22;
- include a project timeframe; and
- indicate whether Council wishes to be the local plan making authority.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - include a zoning map of the site;
 - discuss options to achieve the objectives of the proposal other than allowing an additional permitted use e.g. rezoning against the new employment zones. This could include a discussion of the RE2 zone objectives and address clause 7.9 of the LEP i.e. Primacy of Zone B3 Commercial Core;
 - remove the reference on page 10 to rezoning;
 - correct the reference to the Department of Planning, Industry and Environment on page 22;
 - include a project timeframe.
2. The planning proposal should be made available for community consultation for a minimum of 14 days.

3. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
4. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.



_____ (Signature)

12 May 2022

(Date)

Wayne Garnsey
Manager, Western Region

Noted:



_____ (Signature)

12 May 2022

(Date)

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