



Our reference: DOC20/006264

The General Manager
Wagga Wagga City Council
PO Box 20
Wagga Wagga NSW 2650

Email: council@wagga.nsw.gov.au

17 January 2020

Dear Sir/Madam,

**Re: Amendment to the Wagga Wagga Local Environmental Plan 2010 –
LEP19/0007 – Lot 176, Tumbarumba Road, Ladysmith**

The NSW Department of Planning, Industry and Environment – Crown Lands (“the Department”) provide the following information and comments to assist Council with its Planning Proposal to amend the Wagga Wagga Local Environmental Plan 2010, and also to ensure that Council takes into account the Department’s interest in managing the Crown Estate under its control within the Wagga Wagga Local Government Area.

The Department reserves the right to make further comments and submissions if at any such time that the “Wagga Wagga Local Environmental Plan 2010” is proposed to be further amended.

The Department identifies that:

1. The proposed amendment areas are not directly situated on any parcels of Crown Land.
2. Proposed amendment area is adjacent to a Crown Road (Keajura Street).
3. The Proposed amendment and desired future outcomes indicate use of the Crown Road for access.

Whilst the Department currently has no objection to any of the proposed amendment, the following points should be considered:

- Any proposal to rezone land to permit new subdivision area/s or land release areas where Crown Public road/s (formed or unformed) will be required to provide access, Council must accept transfer of control of such roads before approving any such proposal, regardless of the number of lots to be serviced.
- Any proposal to rezone land that presently relies on Crown Public road/s for access into the zone that permit a more intensive land use, Council must accept transfer of control of such roads before approving any such proposal to further develop the land.



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- Asset Protection Zones (APZ's) and perimeter access roads that are required as part of any Bushfire protection scheme in any new subdivision/s, must be located within the property of the private subdivision land and not on any adjoining Crown land.
- Any proposed new subdivision area/s where essential public infrastructure (e.g., stormwater drainage channels, pipes or other utilities) is required to service that new subdivision should not propose to utilise any Crown public reserve/s for that purpose where such facilities do not accord with the declared public purpose.
- Any proposed rezoning should not utilise Crown land as buffer areas for example bush fire hazard reduction zones, visual impact relief and or open space to serve additional demands.
- Urban zones (residential, commercial or industrial) should not be given to freehold lands at the expense of Crown land with potential urban use, e.g. Crown land with potential urban use should not be used as a public recreation or green space offset to intensified development on nearby freehold lands.
- Crown reserves that have the potential to be developed outside their current purpose (e.g. have commercial opportunities) be favourably reviewed in any rezoning proposals if the rezoning proposed is similar to existing zoning in the area to reflect highest and best use.

The Department is willing to further assist Council in the development of its Planning Proposal to amend the Wagga Wagga Local Environmental Plan 2010 and to clarify any Departmental interest, or the Departments role in managing Crown Lands. The Department looks forward to working with Council to achieve outcomes that protects the Crown Lands interests so as to be able to achieve benefits for the local and the broader community.

If you require further information, the contact officer is: - Hannah Smith, email Hannah.smith@crowmland.nsw.gov.au ph: (02) 6937 2715.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Shona Cowley'.

Shona Cowley
Group Leader Property Management
Wagga Wagga