



THE PLANNINGHUB

*by Hawes & Swan*

# PLANNING PROPOSAL

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**Amend Wagga Wagga Local Environmental  
Plan 2010**

**77 Gurwood Street, Wagga Wagga**



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## 1.0 Introduction

This Planning Proposal has been prepared by The Planning Hub on behalf of Wagga RSL and seeks to amend the Wagga Wagga Local Environmental Plan (LEP) 2010 to include the additional permitted use of office premises at 77 Gurwood Street, Wagga Wagga.

The purpose of this Planning Proposal is to include the additional permitted uses for the subject site under Wagga Wagga (LEP) 2010 to facilitate the future office premises use of the existing building onsite. This Planning Proposal outlines the intended effects of the proposed LEP amendments to Wagga Wagga LEP 2010 and provides justification for the proposed changes.

This Planning Proposal has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*;
- The Department of Planning – A Guide to Preparing Planning Proposals; and
- The recommendations of Wagga Wagga City Council's Pre-Application Consultation.

It is the first stage of the Planning Proposal which seeks the initial Department of Planning and Environment gateway determination to:

- Support the justification for the proposal;
- Confirm the technical investigations and consultation required; and
- Outline the process for continuing the assessment of the proposal.

As outlined in a Guide to Preparing Planning Proposals, the Planning Proposal will evolve throughout the course of preparing the amending LEP as relevant sections will be updated and amended in response to the outcomes of technical investigations and consultation.

The Planning Proposal forms part of a suite of documents that are submitted in support of the application attached as **Appendices A-E**.

## 1.1 Project Context

Wagga RSL Club (the Club) is a registered club currently located at 30 Dobbs Street, Wagga Wagga. The Club offers a large entertainment and leisure complex with a range of members' amenities, including dining, gaming, sports and an adjoining motel.

In 2009 the Board of Directors and members of the Club agreed to amalgamate with the Wagga Commercial Club. The Club proceeded to undertake extensive works to refurbish the Wagga Commercial Club. In 2020, the Wagga Commercial Club was closed due to it no longer being financially viable to run for the Club.

The Club has a tenant interested in a long term lease of the Wagga Commercial Club for use of the site for office premises. The proposed future use would utilize the existing building onsite and involve upgrade works to the existing building to accommodate the new use.

The existing Wagga Commercial Club site at 77 Gurwood Street, Wagga Wagga (the site) is zoned RE2 Private Recreation under the provisions of the Wagga Wagga Local Environmental Plan (LEP) 2010. Office premises are prohibited within the RE2 Private Recreation zone pursuant to the Wagga Wagga LEP.

The intent of the subject Planning Proposal is to amend the Wagga Wagga LEP 2010 to allow for the use of the site for office premises to ensure the site can be utilized as it is no longer financially viable for use as the Wagga Commercial Club.

## **1.2 Pre-Lodgement Consultation**

In accordance with the Department of Planning and Environment Guidelines for preparing Planning Proposals, a pre-lodgment meeting was held with Wagga Wagga Council staff on the 30 August 2021 to discuss the intent of the Planning Proposal and confirm the relevant specialist studies to be prepared in support of the Planning Proposal.

The Pre-Lodgment Meeting provided the opportunity to discuss the key constraints and opportunities of the site, the work undertaken on the proposal, the specialist studies prepared in support of the proposal and the proposed amendment to the LEP to achieve the intended outcome for the site.

Council staff were generally supportive of the proposal and agreed with the amendment to the LEP comprising the inclusion of the additional permitted use of office premises to ensure impacts on surrounding development is limited given only office uses would be viable and the Club maintains the opportunity to utilize the site as registered club in the future if it becomes financially viable and the additional facility is required for use by members.

Council detailed that they given the small scale and intent of the planning proposal they did not foresee any requirements for specialist studies to be submitted in support of the proposal however detailed that the key point of interest was to address the potential for fragmentation of commercial uses and resulting activation levels outside of the very core business zone area of the Wagga Wagga Main Street / City Centre.

They detailed that this detail could form part of the planning proposal report. A specific response to the potential for fragmentation of commercial uses and resulting activation levels outside of the very core business zone area of the Wagga Wagga Main Street/City Centre has been provided in **Section 6.3.4** of this report.

## **2.0 Project Vision and Strategic Merit**

### **2.1 Project Vision**

The primary purpose of this Planning Proposal is to amend the Wagga Wagga Local Environmental Plan (LEP) 2010 to enable the future use of the site for the purposes of office premises. The proposed future use would utilise the existing premises and involve upgrade works to the existing building to accommodate the new use.



The subject Planning Proposal is proposed to be undertaken through the amendment of the Wagga Wagga LEP 2010 to provide the additional permitted use of office premises. The additional permitted use will facilitate the proposed future use of the site for office premises whilst maintaining the RE2 Private Recreation zoning of the site.

The proposal will facilitate the use of a vacant building located in close proximity to the Wagga Wagga City Centre, existing facilities and services and residential areas. This will ensure employment opportunities are provided in close proximity to homes, services and facilities ensuring Council can achieve the key objective of the Wagga Wagga Local Strategic Planning Statement in providing a fifteen-minute city.

## **2.2 Strategic Merit**

A key consideration for any Planning Proposal is its strategic merit. The proposal is considered to have a high level of strategic merit based on the following key areas:

### **Activation and Use of an Existing Building**

The proposal encourages infill development and the activation of an existing vacant building which ensures future development utilizes the existing built environment to provide additional employment generating land uses in close proximity to the Wagga Wagga City Centre.

The use of the existing building ensures future development will not adversely impact on areas of high biodiversity value in the Wagga Wagga LGA and will ensure a sustainable design approach and minimize impacts on the natural environment.

The use of the vacant building will also result in enhanced neighbourhood safety and security through casual surveillance generated by the presence of a permanent new development and activity within the site.

### **Facilitate Future Employment Generating Uses Within an Accessible Location**

The subject site is located within an accessible area located in proximity to the Wagga Wagga City Centre, services and facilities and established residential areas identifying it as a key site for providing additional employment generating land uses in close proximity to home, services and facilities.

This ensures Council can achieve the key objective of the Wagga Wagga Local Strategic Planning Statement in providing a fifteen-minute city providing employment opportunities in close proximity to established residential areas, key commercial areas and key services and facilities. This will encourage the provision of a healthy community and positively contribute to the provision of key services within a walkable catchment.

### **Facilitate Future Employment Generating Uses in a Form that is not Inconsistent with the Existing Characteristics of the Site and the Surrounding Context**

The proposal will facilitate the future use of the site for office premises. The proposed future use would utilise the existing building onsite and involve upgrade works to the existing building to accommodate the new use. The future development will therefore provide for the activation of the site and provision of additional employment generating floor space without any significant changes to the built form onsite to ensure it is not inconsistent with the existing characteristics of the site and the surrounding context.

The subject site is located within the Wagga Wagga Heritage Conservation Area as identified in the Wagga Wagga LEP 2010. The future use will not result in significant changes to the existing building and therefore will not adversely impact on the character or significance of the conservation area.

This will ensure that all potential impacts on the surrounding context and natural environment are minimized, and a suitable design approach can be undertaken through the utilization of the existing building.

An Acoustic Statement (**Appendix D**) and Traffic and Transport Assessment (**Appendix E**) have been prepared in support of the proposal and conclude that the proposal will not result in any adverse acoustic or traffic impacts on the surrounding area and are likely to result in improved amenity for the surrounding area based on the proposed future office premise use as outlined in **Section 6.3.2** and **6.3.3** of this report.

### **Facilitate Future Employment Generating Uses in Proximity to Wagga Wagga City Centre Positively Contributing to the Viability and Vitality of the City Centre**

The subject site is located within an accessible area located in proximity to the Wagga Wagga City Centre, services and facilities and established residential areas identifying it as a key site for providing additional employment generating land uses in close proximity to home, services and facilities.

The proposal will not result in any adverse impacts on the viability or vitality of the Wagga Wagga City Centre or the fragmentation of business and commercial land as the site represents a key opportunity for the use of the site by a tenant that requires a large floor plate for office premises. This ensures key B3 zoned land within the City Centre is available for a range of other commercial uses that provide services and facilities to the public on a regular basis.

The proposed use of the site for office premises means the public will not be accessing the site on a regular basis and the use becomes a specific destination for members of the public utilizing the available service on site by appointment. Locating the large office premises use within the City Centre would utilize a large area of key B3 zoned land that could be better used for varied and activated commercial uses that ensure the City Centre's vitality and viability.

The provision of varied commercial uses within the City Centre ensures it can remain viable and vital to the community by providing a wide range of services and facilities in close proximity to one another encouraging walkability, social cohesion and incidental activation of the City Centre.

## **3.0 Site Analysis**

### **3.1 Site Location and Context**



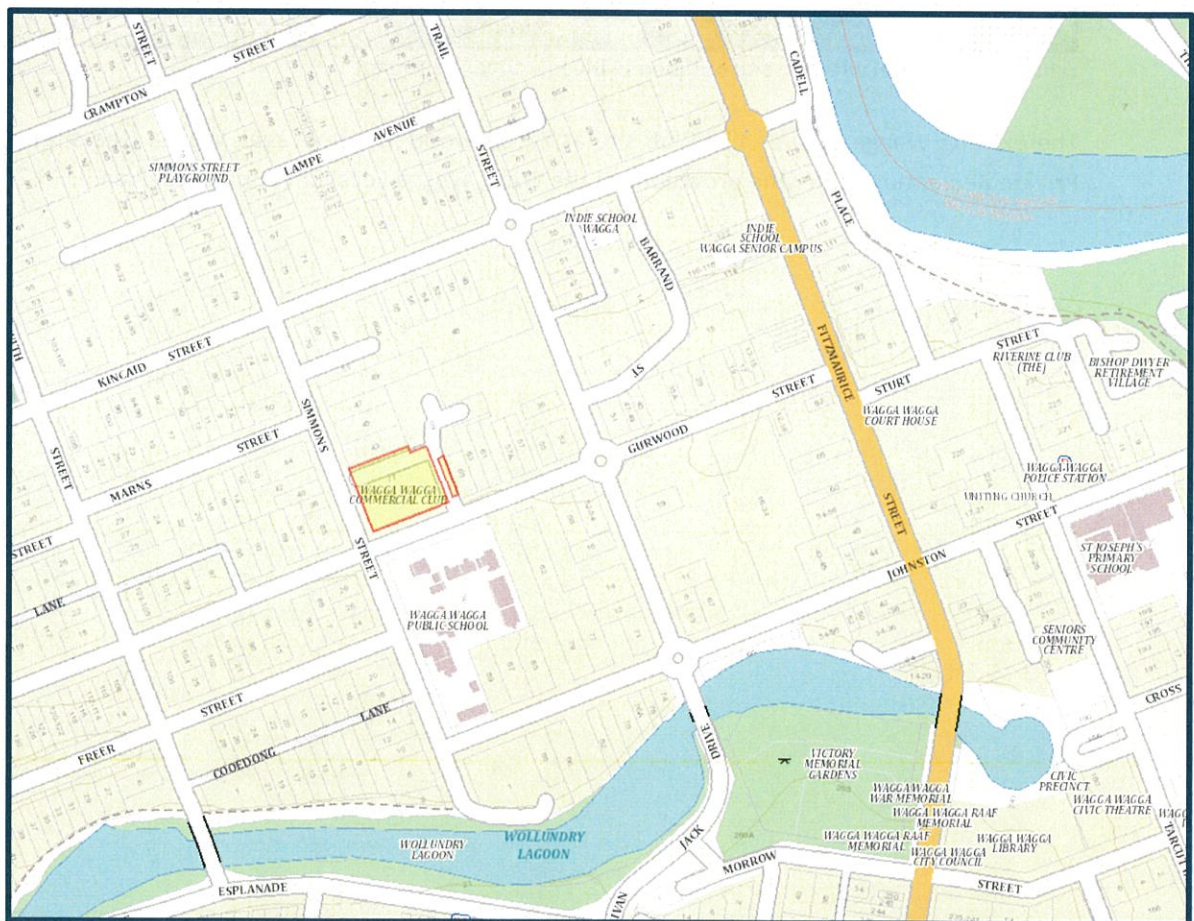
The subject site is located on the northern side of Gurwood Street at the intersection of Gurwood Street and Simmons Street. The site is commonly known as 77 Gurwood Street, Wagga Wagga and legally described as Lot 5, DP1067409.

The site currently contains a single storey registered club previously operating as the Wagga Commercial Club with at grade car parking at the rear of the site accessed from Simmons Street.

The surrounding area is zoned R1 General Residential and R3 Medium Density Residential and comprises of existing residential dwellings, with Quest serviced apartments located directly to the northeast of the site and the Wagga Wagga Public School located to the south of the site on the opposite side of Gurwood Street.

The site is located approximately 150m west of land zoned B3 Commercial Core forming part of the Fitzmaurice Street Central Business Area and approximately 595m north west of the land zoned B3 Commercial Core forming part of the Baylis Central Business Area within the Wagga Wagga City Centre.

The site's location and context is detailed in **Figures 1 & 2** below.



**Figure 1:** Location and Context of the Subject Site with the Site outlined in Red (Source: Six Maps)





**Figure 2:** Site Aerial with the site outlined in blue (Source: Nearmap)

The existing Wagga Commercial Club site at 77 Gurwood Street, Wagga Wagga (the site) is zoned RE2 Private Recreation under the provisions of the Wagga Wagga Local Environmental Plan (LEP) 2010.



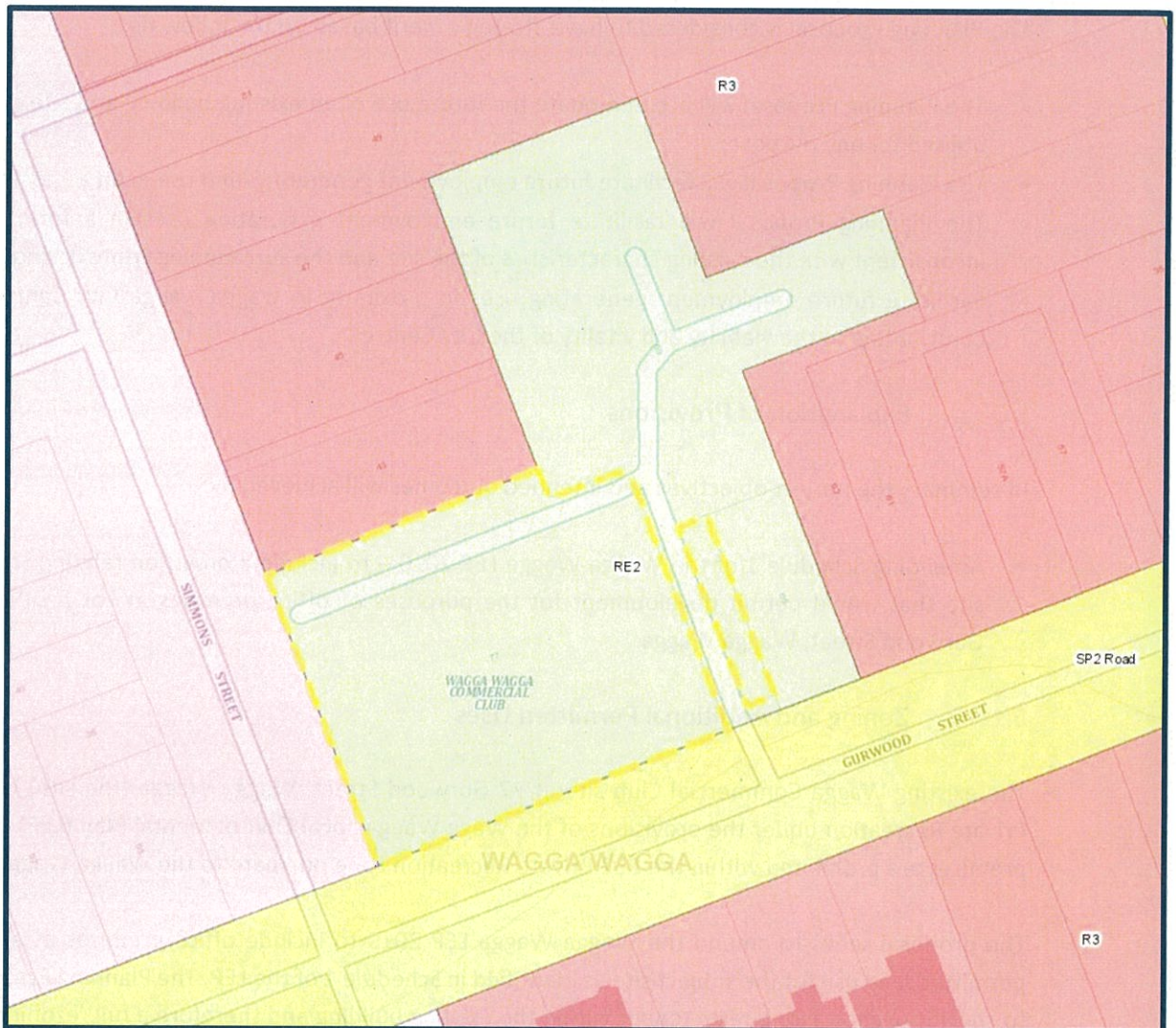


Figure 3: Zoning map with the site outlined in yellow (Source: NSW Planning Portal)

#### 4.0 Objectives or Intended Outcomes

##### 4.1 Project Objectives and Intended Outcomes

The primary purpose of this Planning Proposal is to amend the Wagga Wagga Local Environmental Plan (LEP) 2010 to enable the future use of the site for the purposes of office premises.

In 2020, the Wagga Commercial Club was closed due to it no longer being financially viable to run for the Club. The Club has a tenant interested in a long term lease of the Wagga Commercial Club for use of the site for office premises. The proposed future use would utilise the existing premises and involve upgrade works to the existing building to accommodate the new use.

The intent of the subject Planning Proposal is to amend the Wagga Wagga LEP 2010 to allow for the use of the site for office premises to ensure the site can be utilized as it is no longer financially viable for use as the Wagga Commercial Club.

The Planning Proposal is considered to have strategic merit based on the following:

- The Planning Proposal will accommodate the future use of an existing building and site not currently utilised for any purpose;
- The Planning Proposal will facilitate future employment generating land use in an accessible location;
- The Planning Proposal will facilitate future employment generating uses in a form that is not inconsistent with the existing characteristics of the site and the surrounding context; and
- Facilitate future employment generating uses in proximity to wagga wagga City Centre positively contributing to the viability and vitality of the City Centre.

## 5.0 Explanation of Provisions

In summary the project objectives and intended outcomes will achieved by:

- Amending Schedule 1 of the Wagga Wagga LEP 2010 – to include a provision relating to the subject site that would permit development for the purposes of office premises at Lot 5 DP1067409, 77 Gurwood Street, Wagga Wagga.

### 5.1 Zoning and Additional Permitted Uses

The existing Wagga Commercial Club site at 77 Gurwood Street, Wagga Wagga (the site) is zoned RE2 Private Recreation under the provisions of the Wagg Wagga Local Environmental Plan (LEP) 2010. Office premises are prohibited within the RE2 Private Recreation zone pursuant to the Wagga Wagga LEP.

The proposal seeks to amend the Wagga Wagga LEP 2010 to include office premises as an additional permitted land use for the subject site as identified in Schedule 1 of the LEP. The Planning Proposal relates to specific use for a long-term tenant within the existing building and therefore a full rezoning of the site is not sought.

## 6.0 Justification

### 6.1 Need for Planning Proposal

The intent of the subject Planning Proposal is to facilitate the use of a vacant existing building for the purposes of office premises in close proximity to the Wagga Wagga City Centre. The proposal is deemed to have strategic merit in that it will facilitate the use of a vacant building located in close proximity to the Wagga Wagga City Centre, existing facilities and services and residential areas. This will ensure employment opportunities are provided in close proximity to homes, services and facilities achieving the key objective of a fifteen-minute city.

The proposal encourages infill development and the activation of an existing vacant building which ensures future development will not adversely impact on areas of high biodiversity value in the Wagga Wagga LGA and will ensure a sustainable design approach and minimize impacts on the natural environment.



The proposal will not result in any adverse impacts on the viability or vitality of the Wagga Wagga City Centre or the fragmentation of business and commercial land as the site represents a key opportunity for the use of the site by a tenant that requires a large floor plate for office premises. This ensures key B3 zoned land within the City Centre is available for a range of other commercial uses that provide services and facilities to the public on a regular basis.

**Is the Planning Proposal as a result of any strategic study or report?**

The Planning Proposal is not a result of any specific strategic study or report however a number of specialist studies have been undertaken in support of the proposal that demonstrate the suitability of the site for the inclusion of the additional permitted use to enable the future use of the site for the purposes of office premises. The specialist studies are provided as Appendices to this report.

In addition, a comprehensive assessment of the proposal has been undertaken against the strategic planning strategies and policies relevant to the site which is provided in Section 6.2 of this report. The assessment has found that the Planning Proposal is generally consistent with the relevant objectives and actions of the key planning strategies and policies relevant to the site.

**Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes, the project objectives and intended outcomes can only be achieved through the amendment of the Wagga Wagga Local Environmental Plan 2010.

## **6.2 Relationship to Strategic Planning Framework**

The Planning Proposal is generally consistent with the relevant objectives and actions of the key planning strategies and policies relevant to the site. The relevant key strategic planning policies that relate to the area and the proposal are as follows:

- The Riverina Murray Regional Plan;
- City of Wagga Wagga Community Strategic Plan;
- Wagga Wagga Local Strategic Planning Statement.

**Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?**

### **6.2.1 Riverina and Murray Regional Plan**

The Riverina Murray is a leading and highly diversified economy, with growing local job opportunities and sustainable communities. The region is acknowledged as one of Australia's premium agricultural areas. It leads the way in agricultural innovation and value-adding, and is leveraging advanced and automated technologies to maximise agribusiness diversification. This agricultural base benefits from a well-connected export conduit to Melbourne and ports in NSW.

The Central West and Orana Regional Plan provides a guide for the NSW Government's land use planning priorities and decisions over the next 20 years for the region. The Plan provides an overarching framework to guide subsequent and more detailed land use plans, development proposals and infrastructure funding decisions. The Plan sets the following regionally focused goals:

- A growing and diverse economy;
- A healthy environment with pristine waterways;
- Efficient transport and infrastructure networks; and
- Strong, connected and healthy communities.

Each goal is proposed to be achieved through a number of focused planning directions. An assessment of the proposal's consistency with the relevant key planning directions of The Riverina and Murray Regional Plan is provided in the table below.

Table 1: Consistency with the Riverina Murray Regional Plan	
Direction	Comment
<b>Direction 4:</b> Promote business activities in industrial and commercial areas	The planning proposal is consistent with the direction as it will maximize the potential floor space for employment uses within an existing building within close proximity to the Wagga Wagga City Centre not currently being utilized. The proposal will facilitate the use of the existing building for a single tenant on a long-term lease that require a large floor plate therefore not reducing key commercial floor space within the Wagga Wagga City Centre allowing for a range of diverse commercial uses that positively contribute to the viability and vitality of the City Centre.
<b>Direction 16:</b> Increase resilience to natural hazards and climate change	The planning proposal is consistent with the direction as it will utilize an existing building which ensures future development will not adversely impact on areas of high biodiversity value and will ensure a sustainable design approach.
<b>Direction 20:</b> Identify and protect future transport corridors	<p>The planning proposal is consistent with the direction as it will not result in increased traffic generation on the surrounding road network and will utilize existing transport infrastructure.</p> <p>A Traffic and Transport Statement has been prepared in support of the proposal by JMT Consulting and is provided in <b>Appendix E</b>.</p> <p>The statement includes an assessment of the implications of the proposal on the surrounding transport network. The</p>



**Table 1: Consistency with the Riverina Murray Regional Plan**

Direction	Comment
	<p>statement concludes that the proposal is acceptable from a traffic and transport perspective for the following reasons:</p> <ul style="list-style-type: none"> <li>• The two existing vehicle site access points will be retained and are considered suitable to access to the future office premises on the site</li> <li>• The site has the ability to provide the necessary level of car parking for the proposed office use which will be further detailed at the Development Application stage; and</li> <li>• The additional permitted office use would not result in any additional impacts to the surrounding road network over and above that associated with the current use of the site.</li> </ul> <p>Therefore, the planning proposal does not present an issue from a car parking or traffic perspective.</p>
<b>Direction 21:</b> Align and protect utility infrastructure investment	The planning proposal is consistent with the direction as it utilize existing infrastructure onsite to facilitate the future office premises use. This ensures Wagga Wagga Council can provide additional floor space for employment generating uses that utilize existing infrastructure.
<b>Direction 22:</b> Promote the growth of regional cities and local centres	The planning proposal is consistent with the direction as it will maximize the potential floor space for employment uses within an existing building within close proximity to the Wagga Wagga City Centre not currently being utilized. The proposal will facilitate the use of the existing building for a single tenant on a long-term lease that require a large floor plate therefore not reducing key commercial floor space within the Wagga Wagga City Centre allowing for a range of diverse commercial uses that positively contribute to the viability and vitality of the City Centre.
<b>Direction 26:</b> Provide greater housing choice	The planning proposal is consistent with the direction as it will provide for employment generating uses within an existing commercial building in an established residential area providing employment opportunities in close proximity to home.
<b>Direction 28:</b> Deliver healthy built environments and improved urban design	The planning proposal is consistent with the direction as it will utilize an existing building which will ensure a sustainable design approach and maximize the use of the existing built environment.

## 6.2.2 City of Wagga Wagga Community Strategic Plan 2040

The City of Wagga Wagga Community Strategic Plan 2040 is a high-level strategy that aims to guide and influence the actions and initiatives of Wagga Wagga Council, the community, all tiers of government and community stakeholders through to 2040. The plan identifies five strategic directions in which the plan aims to focus on within the LGA, these are as follows:

- 1 – Community Leadership and Collaboration;
- 2 – Safety and Health;
- 3 – Growing Economy;
- 4 – Our Identity and Sense of Place; and
- 5 – Our Environment.

The proposal is considered to be consistent with the strategic directions of the Community Strategic Plan in that it will provide additional office space within an existing building not currently being utilized in close proximity to the Wagga Wagga City Centre.

The table below details the key planning strategies of the 2040 Community Strategic Plan and the proposal's consistency with the relevant planning strategies.

Table 2: Consistency with The City of Wagga Wagga Community Strategic Plan 2040	
Strategic Direction	Comment
1 – Community Leadership and Collaboration	The planning proposal is consistent with this strategic direction as it will be subject to a community consultation process and allow the community to be involved in the planning process. In addition, it will enable Council to provide additional employment generating floor space within an existing building within an established residential area.
2 – Safety and Health	The planning proposal is consistent with the strategic direction as it will facilitate the use of an existing building that is currently vacant which will result in enhanced neighbourhood safety and security through casual surveillance generated by the presence of a permanent new development and activity within the site.
3 – Growing Economy	The planning proposal is consistent with the strategic direction as it will maximize the potential floor space for employment uses within an existing building within close proximity to the Wagga Wagga City Centre not currently being utilized. The proposal will facilitate the use of the existing building for a single tenant on a long-term lease that require a large floor plate therefore not reducing



Table 2: Consistency with The City of Wagga Wagga Community Strategic Plan 2040	
Strategic Direction	Comment
	key commercial floor space within the Wagga Wagga City Centre allowing for a range of diverse commercial uses that positively contribute to the viability and vitality of the City Centre.
4 – Our Identity and Sense of Place	<p>The subject site is located within the Wagga Wagga Heritage Conservation Area as identified in the Wagga Wagga LEP 2010.</p> <p>The planning proposal is consistent with the strategic direction as it will facilitate the future use of an existing building for office premises uses. The future use will not result in significant changes to the existing building and therefore will not adversely impact on the character or significance of the conservation area.</p>
5 – Our Environment	The planning proposal is consistent with the direction as it will utilize an existing building which ensures future development will not adversely impact on areas of high biodiversity value and will ensure a sustainable design approach and minimize impacts on the natural environment.

**Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?**

### 6.2.3 Wagga Wagga Local Strategic Planning Statement

The Wagga Wagga Local Strategic Planning Statement (LSPS), known as Wagga 2040 provides a blueprint for how and where Wagga Wagga will grow into the future. It sets out Council's 20-year vision for land use planning in the Wagga Wagga Local Government Area, along with a suite of planning principles and actions to ensure that as the city's population increases, new houses, transport networks, infrastructure and services are developed sustainably.

The LSPS is an action-focused plan, which builds on, updates and replaces the Wagga Wagga Spatial Plan (2013) and identifies eleven key principles that:

- Ensure our natural areas and corridors are prioritised as we grow;
- Strengthen our resilience to natural hazards and land constraints;

- Provide growth in a sustainable manner;
- See Wagga Wagga grow as the regional capital of southern New South Wales;
- Attract investment to our city;
- Improve accessibility;
- Provide sustainable infrastructure solutions aligned to growth;
- Provide healthy lifestyle options;
- Deliver high quality public spaces and engaging urban character;
- Improve housing diversity; and
- Build strong rural and village communities.

An assessment of the proposal against the relevant key planning principles of the Wagga Wagga LSPS is provided in the table below.

Table 3: Consistency with the Wagga Wagga Local Strategic Planning Statement	
Planning Principle	Comment
<b>Planning Principle 1:</b> Protect and enhance natural areas and corridors  <b>Planning Principle 3:</b> Manage growth sustainably	The proposed development is consistent with the planning principles as it will utilize an existing building which ensures future development will not adversely impact on areas of high biodiversity value and will ensure a sustainable design approach and minimize impacts on the natural environment.
<b>Planning Principle 4:</b> The southern capital of New South Wales  <b>Planning Principle 5:</b> Encourage and support investment	The proposed development is consistent with the planning principles as it will maximize the potential floor space for employment uses within an existing building within close proximity to the Wagga Wagga City Centre not currently being utilized. The proposal will facilitate the use of the existing building for a single tenant on a long-term lease that require a large floor plate therefore not reducing key commercial floor space within the Wagga Wagga City Centre allowing for a range of diverse commercial uses that positively contribute to the viability and vitality of the City Centre. The planning proposal will facilitate a future office premises use on an established site that will provide a high level of certainty for existing and future business within the Wagga Wagga LGA.
<b>Planning Principle 6:</b> Connected and accessible city	The planning proposal is consistent with the planning principle as it will provide for employment generating uses within an existing commercial building in an established residential area providing employment opportunities in close proximity to home achieving the key objective of a fifteen minute city.



Table 3: Consistency with the Wagga Wagga Local Strategic Planning Statement	
Planning Principle	Comment
<b>Planning Principle 7:</b> Growth is supported by sustainable infrastructure	The planning proposal is consistent with the planning principle as it utilize existing infrastructure onsite to facilitate the future office premises use. This ensures Wagga Wagga Council can provide additional floor space for employment generating uses that utilize existing infrastructure.
<b>Planning Principle 8:</b> Our city promotes a healthy lifestyle	The planning proposal is consistent with the planning principle as it will promote infill development within an existing commercial building in an established residential area providing employment opportunities in close proximity to home achieving the key objective of a fifteen-minute city.

#### Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the relevant State Environmental Planning Policies (SEPPs) that apply to the site. A detailed list of the SEPPs and commentary is provided at **Appendix A**.

#### Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The Planning Proposal is generally consistent with the Section 9.1 directions issued by the Minister for Planning. A statement of the consistency of this Planning Proposal with these directions is provided at **Appendix B**.

### 6.3 Environmental, Social and Economic Impact

**Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

#### 6.3.1 Biodiversity and Environmental Impacts

The planning proposal will not result in any adverse biodiversity or environmental impacts. The planning proposal will utilize an existing vacant building for office premises which ensures future development will not adversely impact on areas of high biodiversity value in the Wagga Wagga LGA and will ensure a sustainable design approach and minimize impacts on the natural environment.

**Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

#### 6.3.2 Acoustic Impacts

The planning proposal will not result in any adverse acoustic impacts on the surrounding area. An Acoustic Statement has been prepared by Koikas Acoustics in support of the proposal and is provided in **Appendix D**.

The Acoustic Statement details that the planning proposal is acceptable from an acoustic perspective for the following reasons:

- 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 shell. Furthermore, offices are generally low noise environments. The only external noise generating source will be the mechanical plant and equipment required to service the building which is largely existing.

Comparatively speaking, a registered club will typically offer several means for noise breakout such as from patrons, gaming, and entertainment uses, particularly in outdoor areas as from the mechanical plant and equipment required to service the building.

- Office uses will typically have more limited hours of operation and the building would rarely be used during night hours. This eliminates a major source of potential noise complaints being late-night noise generation.
- An office building will typically have vehicles arriving and departing the site during morning and afternoon peak periods, whereas registered clubs can have cars arriving and departing at all times, including at night.

Therefore, the planning proposal does not present an issue from an acoustic perspective and is likely to improve acoustic amenity for the surrounding area.

### **6.3.3 Traffic and Transport**

The planning proposal will not result in any adverse traffic or car parking issues onsite or in the surrounding area. A Traffic and Transport Statement has been prepared in support of the proposal by JMT Consulting and is provided in **Appendix E**.

The statement includes an assessment of the implications of the proposal on the surrounding transport network. The statement concludes that the proposal is acceptable from a traffic and transport perspective for the following reasons:

- The two existing vehicle site access points will be retained and are considered suitable to access to the future office premises on the site
- The site has the ability to provide the necessary level of car parking for the proposed office use which will be further detailed at the Development Application stage; and
- The additional permitted office use would not result in any additional impacts to the surrounding road network over and above that associated with the current use of the site.

Therefore, the planning proposal does not present an issue from a car parking or traffic perspective.



### Has the Planning Proposal adequately addressed any social and economic effects?

#### 6.3.4 Economic Impact and the Viability of the Wagga Wagga City Centre

The subject site is zoned RE2 Private Recreation under the provisions of the Wagga Wagga Local Environmental Plan (LEP) 2010. Office premises are prohibited within the RE2 Private Recreation zone pursuant to the Wagga Wagga LEP 2010. The site was previously used for the purposes of the Wagga Wagga Commercial Club which was closed in 2020 due to it no longer being financially viable.

The surrounding area is zoned R1 General Residential and R3 Medium Density Residential and comprises of existing residential dwellings, with Quest serviced apartments located directly to the northeast of the site and the Wagga Wagga Public School located to the south of the site on the opposite side of Gurwood Street.

The site is located approximately 150m west of land zoned B3 Commercial Core forming part of the Fitzmaurice Street Central Business Area and approximately 595m north west of the land zoned B3 Commercial Core forming part of the Baylis Central Business Area within the Wagga Wagga City Centre.

The Club has a tenant interested in a long term lease of the Wagga Commercial Club for use of the whole site for office premises. The subject site is located within an accessible area located in proximity to the Wagga Wagga City Centre, services and facilities and established residential areas identifying it as a key site for providing additional employment generating land uses in close proximity to home, services and facilities.

The proposal will not result in any adverse impacts on the viability or vitality of the Wagga Wagga City Centre or the fragmentation of business and commercial land as the site represents a key opportunity for the use of the site by a tenant that requires a large floor plate for office premises. This ensures key B3 zoned land within the City Centre is available for a range of other commercial uses that provide services and facilities to the public on a regular basis.

Office premises are defined under the Wagga Wagga LEP 2010 as follows:

*Office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.*

The future use of the site for the purposes of office premises will provide a large floorplate required for the tenant which ensures this floor area is not utilized within the City Centre and there is available floor space for other varied commercial uses that will activate the City Centre and provide services and facilities to the public on a regular basis. The provision of varied commercial uses within the City Centre ensures it can remain viable and vital to the community by providing a wide range of services and facilities in close proximity to one another encouraging walkability, social cohesion and incidental activation of the City Centre.

The proposed use of the site for office premises means the public will not be accessing the site on a regular basis and the use becomes a specific destination for members of the public utilizing the available service on site by appointment. Locating the large office premises use within the City Centre would utilize a large area of key B3 zoned land that could be better used for varied and activated commercial uses.

The site is therefore identified as a key opportunity for providing additional employment generating land uses in close proximity to established residential areas and the Wagga Wagga City Centre. The future use of the site for the purposes of office premises will provide a large floorplate required for the tenant which ensures this floor area is not utilized within the City Centre and there is available floor space for other varied commercial uses that will activate the City Centre and provide services and facilities to the public on a regular basis.

The planning proposal will therefore not adversely impact on the viability and vitality of the Wagga Wagga City Centre and will not result in the fragmentation of commercial land within the Wagga Wagga LGA.

### 6.3.5 Social Infrastructure

The proposal will not adversely impact on the provision of social infrastructure or facilities within the Wagga Wagga LGA. In 2020, the Wagga Commercial Club was closed due to it no longer being financially viable to run for the Club.

The existing Wagga Commercial Club site at 77 Gurwood Street, Wagga Wagga is zoned RE2 Private Recreation under the provisions of the Wagga Wagga Local Environmental Plan (LEP) 2010. Office premises are prohibited within the RE2 Private Recreation zone pursuant to the Wagga Wagga LEP.

The intent of the subject Planning Proposal is to amend the Wagga Wagga LEP 2010 to allow for the use of the site for office premises to ensure the site can be utilized as it is no longer financially viable for use as the Wagga Commercial Club.

The planning proposal proposes the amendment of the Wagga Wagga LEP 2010 to provide the additional permitted use of office premises for the subject site. The additional permitted use would facilitate the proposed future use of the site for office premises whilst maintaining the RE2 Private Recreation zoning of the site.

The additional permitted uses pathway ensures impacts on surrounding development is limited given only office premises would be viable and the Club maintains the opportunity to utilize the site as registered club in the future if it becomes financially viable and the additional facility is required for use by members. This ensures that the proposal does not result in the loss of recreational zoned land within the LGA and provides the opportunity for future social infrastructure if the site becomes financially viable for the Club.

## 6.4 State and Commonwealth Interests

**Is there adequate public infrastructure for the Planning Proposal?**



The planning proposal seeks to amend the Wagga Wagga LEP 2010 to include the additional permitted use of office premises on the site. The proposed future use would utilize the existing building onsite and involve upgrade works to the existing building to accommodate the new use.

This ensures Wagga Wagga Council can provide additional floor space for employment generating uses that utilize existing infrastructure.

#### **What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

Consultation with relevant State and Commonwealth public authorities will be undertaken as part of the exhibition of the Planning Proposal, as directed by the Gateway Determination. In this regard, consultation with the following public authorities is anticipated:

- Essential Energy; and
- NSW Water.

### **7.0 Mapping**

The Wagga Wagga LEP 2010 does not have Additional Permitted Uses mapping so the planning proposal will only involve the amendment of Schedule 1 of the Wagga Wagga LEP 2010 to include a provision relating to the subject site that would permit development for the purposes of office premises.

### **8.0 Community and Key Stakeholder Consultation**

It is expected that direction as to the nature and extent of the public exhibition will be provided by Department of Planning and Environment as part of the Gateway Determination. No formal community consultation has been undertaken in relation to this Planning Proposal to date.

In accordance with the Department of Planning and Environment Guidelines for preparing Planning Proposals a pre-lodgment meeting was undertaken with Wagga Wagga Council staff on 30 August 2021 to discuss the planning proposal as detailed in Section 1.2 of this report.

### **9.0 Project Timeline**

The Relevant Planning Authority (RPA) has discretion to determine the relevant project timeframe for the determination of this Planning Proposal. The information detailed within this Planning Proposal has been provided to outline any potential impacts and provide justification to support and assist the RPA's determination.

### **10.0 Conclusion**

This Planning Proposal has been prepared by The Planning Hub on behalf of Wagga RSL and seeks to amend the Wagga Wagga Local Environmental Plan (LEP) 2010 to include the additional permitted use of office premises at 77 Gurwood Street, Wagga Wagga.

The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

The Planning Proposal provides a comprehensive justification of the proposed amendment to the Wagga Wagga LEP 2010, and significant planning merit in the following respects:

- The Planning Proposal will accommodate the future use of an existing building and site not currently utilized for any purpose;
- The Planning Proposal will facilitate future employment generating land use in an accessible location;
- The Planning Proposal will facilitate future employment generating uses in a form that is not inconsistent with the existing characteristics of the site and the surrounding context; and
- The Planning Proposal will facilitate future employment generating uses in proximity to Wagga Wagga City Centre positively contributing to the viability and vitality of the City Centre.

Given the above significant planning merits and the absence of any adverse social, economic or environmental impacts, it is requested that the Planning Proposal be favorably considered by Council and that Council resolve to forward it to the Department of Planning and Environment to allow the Department to consider the Planning Proposal for Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act, 1979.



THE PLANNINGHUB

*by Hawes & Swan*

## APPENDIX A

# PLANNING PROPOSAL CONSISTENCY WITH STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

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Consistency with Relevant State Environmental Planning Policies (SEPPs)  
77 Gurwood Street, Wagga Wagga

SEPP	Aim	Comment	Complies
SEPP 55 – Remediation of Land	<p>This Policy provides a state-wide planning approach to remediation and aims to promote the remediation of any contaminated land for the purpose of reducing the risk of harm to human health and/or the environment.</p> <p>A planning authority is to consider whether the land is contaminated and if so whether it is, or can be made, suitable for the proposed land uses.</p>	<p>The subject site has been used for the purposes of a registered club for an extended period of time and is not located within an investigation area. The planning proposal will facilitate the future use of the site for office premises within the existing building. The future use as office premises is not a more sensitive land use and therefore does not require further investigation and is consistent with SEPP 55.</p>	✓
SEPP 64 – Advertising and Signage	<p>The aim of this policy is to regulate signage, ensure it is of a high-quality design and finish, provides effective communication in suitable locations and is compatible with the desired visual character.</p>	<p>The planning proposal does not preclude future development on the site of complying with the SEPP. All future applications for signage and advertisement on the site will need to be consistent with the relevant provisions of this SEPP.</p>	✓



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## APPENDIX B

# PLANNING PROPOSAL CONSISTENCY WITH SECTION 9.1 MINISTERIAL DIRECTIONS

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**Consistency with Relevant Section 9.1 Ministerial Directions**  
**77 Gurwood Street, Wagga Wagga**

Direction	Requirement	Comment	Complies
<b>1 - Employment &amp; Resources</b>			
<b>1.1 – Business &amp; Industrial Zones</b>	<p>A planning proposal must:</p> <p>(a) give effect to the objectives of this direction,</p> <p>(b) retain the areas and locations of existing business and industrial zones,</p> <p>(c) not reduce the total potential floor space area for employment uses and related public services in business zones,</p> <p>(d) not reduce the total potential floor space area for industrial uses in industrial zones, and</p> <p>(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment</p>	<p>The Planning Proposal is consistent with the direction as it will maximise the potential floor space for employment uses within an existing building within close proximity to the Wagga Wagga City Centre not currently being utilised. The proposal will facilitate the use of the existing building for a single tenant on a long-term lease that require a large floor plate therefore not reducing key commercial floor space within the Wagga Wagga City Centre allowing for a range of diverse commercial uses.</p>	✓
<b>2 – Environment and Heritage</b>			
<b>2.3 Heritage Conservation</b>	<p>A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of</p>	<p>The subject site is located within the Wagga Wagga Heritage Conservation Area as identified in the Wagga Wagga LEP 2010.</p> <p>The planning proposal is consistent with the direction as it will facilitate the future use of an existing building for office premises uses. The future use will not result in significant changes to the existing building and therefore will not adversely impact on the character or significance of the conservation area.</p>	✓



	an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.		
<b>2.6 – Remediation of Contaminated Land</b>	<p>A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p>(a) the planning proposal authority has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p>	<p>The subject site has been used for the purposes of a registered club for an extended period of time and is not located within an investigation area. The planning proposal will facilitate the future use of the site for office premises within the existing building. The future use as office premises is not a more sensitive land use and therefore does not require further investigation and is consistent with the ministerial direction.</p>	✓
<b>3 – Housing, Infrastructure and Urban Development</b>			
<b>3.4 – Integrating Land Use and Transport</b>	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car; and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	<p>The proposal is consistent with this direction as it will not result in any adverse impacts on the surrounding transport network and will provide additional employment generating land in proximity to established residential areas and the Wagga Wagga City Centre.</p> <p>A Traffic and Transport Statement has been prepared in support of the proposal by JMT Consulting and is provided in <b>Appendix E</b>.</p> <p>The statement includes an assessment of the implications of the proposal on the surrounding transport network. The</p>	✓

		<p>statement concludes that the proposal is acceptable from a traffic and transport perspective for the following reasons:</p> <ul style="list-style-type: none"> <li>• The two existing vehicle site access points will be retained and are considered suitable to access to the future office premises on the site</li> <li>• The site has the ability to provide the necessary level of car parking for the proposed office use which will be further detailed at the Development Application stage; and</li> <li>• The additional permitted office use would not result in any additional impacts to the surrounding road network over and above that associated with the current use of the site.</li> </ul>	
<b>5 - Regional Planning</b>			
<b>5.10 Implementation of Regional Plans</b>	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	The proposal is consistent with this direction as it is consistent with the Riverina Murray Regional Plan as detailed in Section 6.2 of the planning report.	✓





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