



# Planning Proposal Assessment Report Lot 176 DP 757253, Tumbarumba Road, Ladysmith

## APPLICATION DETAILS

<b>Application No.:</b>	LEP19/0007
<b>Date of Lodgement:</b>	25 June 2019
<b>Applicant:</b>	C and K Webber
<b>Proposal:</b>	Amend the minimum lot size
<b>Assessment Officer:</b>	Crystal Golden, Senior Strategic Planner
<b>Referrals:</b>	<u>Internal</u> Standard internal referrals
	<u>External</u> External consultation will be undertaken as per the Gateway Determination
<b>Recommendation</b>	That the planning proposal be submitted to the NSW Department of Planning, Industry and Environment for Gateway Determination

## SITE DETAILS

<b>Subject Land:</b>	Lot 176 DP 757253, Tumbarumba Road, Ladysmith
<b>Owner:</b>	Christopher and Kendra Webber

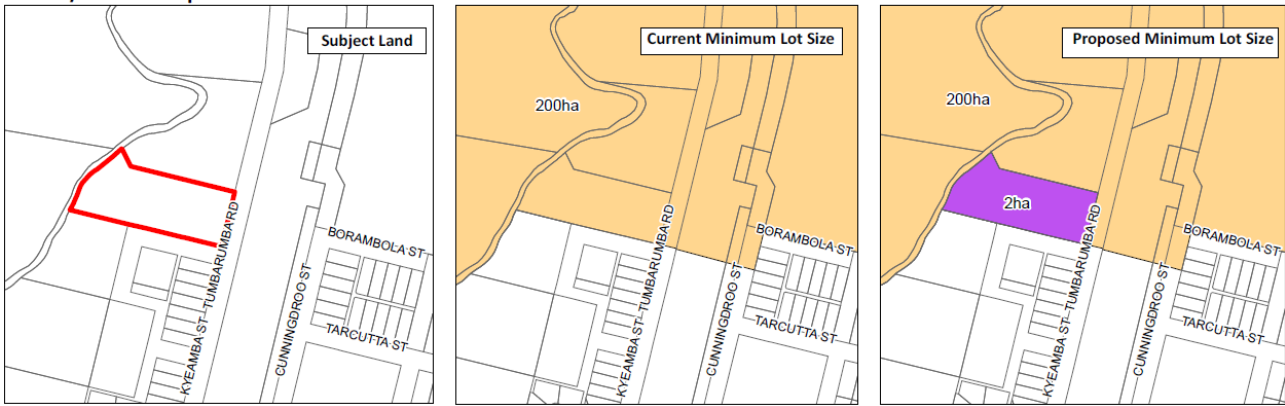
## DESCRIPTION OF DEVELOPMENT

Council is in receipt of an application to amend the Wagga Wagga Local Environmental Plan 2010 (LEP) to reduce the minimum lot size provisions applicable to Lot 176 DP 757253 from 200 hectares to 2 hectares.

The lot is located adjacent to the Ladysmith village and the change in minimum lot size would create an opportunity for one (1) additional dwelling.

The proposed outcome will be achieved by amending the minimum lot size map sheet LSZ\_004I as shown below:

## LEP19/0007 - Proposed reduction in minimum lot size



## THE SITE AND LOCATION

The subject site is located on the fringe of the Ladysmith village and is 2.44 hectares in size. The lot is currently zoned RU1 Primary Production but is not used for primary production purposes. The existing minimum lot size provisions for the site is 200 hectares. Immediately north of the subject lot is a 2.41 hectare lot with a dwelling and immediately south of the lot is a 1.59 hectare lot with a dwelling. To the west on the other side of Kyeamba Creek is a 40 hectare lot that forms part of a larger farm holding.

The site has direct access opportunities on both Tumbarumba Road and Keajura Street.

## KEY ISSUES

### 1. Future vision for Ladysmith:

The Ladysmith village has been identified in Council's Wagga Wagga Spatial Plan 2013-2043 for potential urban development in the locality of this lot. Growth in the village will provide additional population that will support the existing services within the village.

The village has a public school, post office, memorial hall and sewer services that will support growth.

### 2. Reduction in agricultural land:

The land is not currently utilised for agricultural purposes and is surrounded by existing dwellings that would make agricultural uses difficult on the site as land use conflicts would likely arise.

### 3. Services:

The Ladysmith village is serviced with sewer services, garbage services, water, public school and post office. The addition of one (1) dwelling can be supported by these existing services.

## COMPLIANCE TEST

The following matters pursuant to the provisions of Section 55 of the Environmental Planning

and Assessment Act 1979 and the Department of Planning and Environment's Guide to Preparing Planning Proposal, have been taken into consideration in the assessment of the proposal.

<b>Riverina Murray Regional Plan 2036</b>	
<b>Direction</b>	<b>Compliance</b>
<i>Protect the region's diverse and productive agricultural land</i>	<p>The land is zoned RU1 Primary Production and is located immediately north of the Ladysmith village.</p> <p>The land has a Class 2 Agricultural suitability. This land is arable land suitable for regular cultivation for crops, but not suited to continuous cultivation. The land has a moderate to high suitability for agriculture, but soil and environmental constraints reduce the overall level of production and may limit cropping phase to a rotation with sown pastures. Despite the land classification, the site is a fragmented parcel of 2.4 hectares surrounding by existing dwellings and unlikely to be suitable for agricultural purposes.</p>
<i>Promote the growth of regional cities and local centres.</i>	The planning proposal will enable additional dwelling opportunities in a rural lifestyle setting. By providing for additional lifestyle options without the villages, the existing village services can be better utilised and the city can better cater for higher density residential development.
<i>Build housing capacity to meet demand.</i>	<p>Providing additional lifestyle opportunities within the existing villages where they are supported by services will provide more viable options for large lifestyle blocks that do not impede future development within the city.</p> <p>There will always be a demand for lifestyle lots and providing additional opportunities within the villages will cater for this demand.</p>
<i>Provide greater housing choice.</i>	Additional rural lifestyle housing options within the villages will ensure greater choice for lifestyle lots within the local government area.
<i>Manage rural residential development.</i>	The proposal aligns with the Wagga Wagga Spatial Plan 2013-2043, endorsed by NSW Department of Planning, Industry and Environment. The plan identifies growth opportunities in the location of this lot to take advantage of existing services within the village. Utilising the villages to cater for demand in rural residential development will reduce the need within the city and therefore reduce the potential land use conflicts and high servicing costs that come with rural residential developments on the city fringe.

<b>Wagga Wagga Spatial Plan 2013 -2043</b>	
<b>Direction</b>	<b>Compliance</b>
<i>The action for Ladysmith growth potential is to ensure minimal access to Tumbarumba Road through consultation with RMS.</i>	The subject lot is located on the Tumbarumba Road, however direct access is available from Keajura Street. The proposed change will enable one (1) additional dwelling and access can be directed away from Tumbarumba Road to Keajura Street.
<i>Address land demands for urban purposes through existing city centre and villages.</i>	The proposal caters for demand in rural lifestyle opportunities within close proximity to the city.
<i>Encourage population retention / growth and compatible development in villages.</i>	The proposal encourages population growth and the additional dwelling is a compatible use with the surrounding area.
<i>Expansion in the villages will require access to sewerage infrastructure and will need to be identified in Council's delivery servicing plan for sewer.</i>	The Ladysmith village is serviced by sewer. Support of the planning proposal will require an extension of the sewerage delivery servicing plan to include this additional lot.
<b>Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040</b>	
<b>Direction</b>	<b>Compliance</b>
<i>Grow the social and economic links between regional cities, smaller towns and villages to make access to new markets easier to and drive sustainable economic growth.</i>	Additional dwellings and population growth in the Ladysmith village will support the existing economy.
<i>Choices should be available for people who live within surrounding suburbs and villages to walk or cycle to key destinations.</i>	The proposal will enable one (1) additional dwelling on a lot located on the fringe of the Ladysmith village. The subject lot is 150m from the Ladysmith post office and approximately 200m from the Ladysmith public school.
<i>Investigate accessibility to and viability of public transport for villages.</i>	Increase the population of the Ladysmith village through this planning proposal will assist in viability of public transport.

<b>Section 9.1 Ministerial Directions</b>	
<b>Direction</b>	<b>Compliance</b>
<i>1.2 Rural Zones</i>	The planning proposal is consistent with this direction as it is proposing an increase in permissible density of land that is within an existing village.
<i>1.5 Rural Lands</i>	The planning proposal is consistent with this direction as the proposal is consistent with the Wagga Wagga Spatial Plan 2013-2043 which is endorsed by NSW Department of Planning, Industry and Environment.
<i>3.4 Integrating Land Use and Transport</i>	The planning proposal is proposing an additional dwelling on a lot located on the fringe of the Ladysmith village. Development within this location is within 150m of the post office and 200m of the public school. The location of development will promote walking and cycling within the village.
<i>4.3 Flood Prone Land</i>	The planning proposal is consistent with this direction as it is not proposing to permit development in floodway areas. There is adequate space located on the eastern portion of the lot outside of the flood planning area for a dwelling.
<i>5.10 Implementation of Regional Plans</i>	The planning proposal has considered and addressed the key directions of the Riverina-Murray Regional Plan.
<b>State Environmental Planning Policies</b>	
<b>Policy</b>	<b>Compliance</b>
<i>SEPP 55 – Remediation of Land</i>	The land is zoned RU1 Primary Production and has the potential to be used for agricultural purposes. Whilst some agricultural uses have the potential to cause contamination, there are no known uses that would have caused contamination on this site.
<i>SEPP – Rural Lands 2008</i>	The aim of the SEPP (Rural Lands) 2008 is to protect rural lands for the purpose of promoting social, economic and environmental welfare of the State and to implement measures designed to reduce land use conflicts. The proposal will support the principles of the SEPP as it will enable an existing lot to be utilised in an area already developed for rural lifestyle purposes.
<b>Other</b>	

<b>Internal / External Consultation</b>
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Internal: Standard internal referrals occurred.

External: External consultation will be undertaken as required by the Gateway Determination.

Community consultation: Community consultation will be undertaken as required by the Gateway Determination.

## Conclusion

The site has potential to support growth within the Ladysmith village consistent with the Wagga Wagga Spatial Plan 2013-2043. The reduction in minimum lot size will not enable any subdivision, it will enable one (1) additional dwelling on an existing lot.

The application has been considered in respect to the benefits of the community and the matters discussed in this report are all reflections of the public interest and community expectations through strategic direction and policy guiding documents. The planning proposal is supported for the following reasons:

- It complies with the provisions of the endorsed strategic documents including Riverina-Murray Regional Plan 2036 and Wagga Wagga Spatial Plan 2013-2043.
- It is consistent with relevant S9.1 Ministerial Directions.
- The investigation of the subject land provided with the application is sufficient to support the planning proposal and forward to the Department of Planning and Environment seeking Gateway Determination.

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