

# Wagga Wagga City Council

## Planning Proposal

### Amendment to the Wagga Wagga Local Environmental Plan 2010

**LEP18/0007 – Gregadoo Road / Blackbutt Road / O’Learia Place, Lake Albert**

**Date of Planning Proposal:**

15 October 2021

**Contact:**

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## ADDENDUM

Council is in receipt of a planning proposal to amend the Wagga Wagga Local Environmental Plan. The application is provided in appendix 1.

A Gateway determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979* is requested.

Council endorses the planning proposal with the following addendums:

- Explanation of provisions
- Justification
- State and commonwealth interests
- Mapping
- Community consultation
- Project timeline

Council is seeking delegations to make this plan as the matters contained in the Planning Proposal are of local significance. The evaluation criteria for the delegation of plan making functions checklist is provided. In addition, the completed Information Checklist is provided with this proposal.

## PART 2 – EXPLANATION OF THE PROVISIONS

The outcomes are intended to be achieved by amending map sheets LSZ\_004G:

LEP18/0007 - Addendum to reduction in minimum lot size

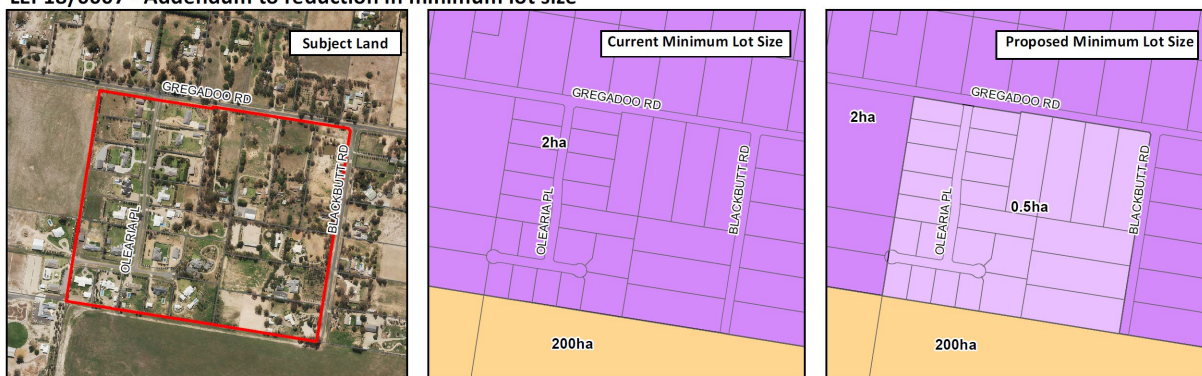


Figure 1: Proposed minimum lot size changes

## Section D – State and Commonwealth interests

**What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

No consultation has occurred with any public authorities prior to preparation and lodgement of the planning proposal.

The views of State and Commonwealth public authorities will be sought once the Gateway Determination has been issued.



## **PART 3 – JUSTIFICATION**

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for implementation.

See Section 3.1 of the originally submitted Planning Proposal for further details regarding the strategic justification of the proposal.

### **Section A – Need for the planning proposal**

#### **Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?**

The Wagga Wagga Local Strategic Planning Statement (LSPS) was adopted by Council in February 2021. The plan identifies that infill development across existing lifestyle areas in the south of the city will provide further opportunities for housing diversity, affordability, and liveability. A key action out of the LSPS is to develop a housing strategy to provide directions for delivering new housing to meet the future needs of the community.

Whilst the Housing Strategy is a key priority in the LSPS, the timeframe and funding for this strategy is not yet determined. As an interim approach, Council will assess planning proposals on their merit against the other priorities and principles of the LSPS.

The planning proposal is consistent with the LSPS as the area proposed for rezoning is a direct extension of existing large lot residential areas and forms part of the southern fringe identified for infill opportunities.

#### **Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

An assessment of the large lot residential area in O'Learia Place, where the 2-hectare minimum lot size provision is applied, shows lots are predominantly around 5,000m<sup>2</sup> in size.

Based on the existing lot pattern, available services, and character of the area, it is proposed to expand the proposed minimum lot size to properties in O'Learia Place. Expanding the 5,000m<sup>2</sup> minimum lot size in this location will acknowledge the existing lot size pattern of the area.

Whilst there may be merit in considering further expansion of the reduction in minimum lot size, it is not proposed at this stage due to land constraints with overland flow flooding and easements.

The proposed extension will achieve the changes proposed but with apply the changes to a larger area than submitted by the applicant.





**Figure 3:** Lot size assessment

**Section B – Relationship with strategic planning framework**

**Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)**

An assessment of the proposal against relevant Ministerial Directions is provided in the table below.

See Section 3.2.4 of the originally submitted Planning Proposal for further details.

Section 9.1 Ministerial Directions	
Direction	Compliance
2.6 Remediation of Contaminated Land	The Planning Proposal complies with this Ministerial Direction as an assessment of the proposal against SEPP 55 has been undertaken. This assessment concluded that the subject land is not known or expected to be subject to land contamination.
3.1 Residential Zones	This direction applies as the Planning Proposal will affect land within and existing residential zone, being the R5 Large Lot Residential Zone. The Planning Proposal is consistent with this direction as it does not seek to reduce the permissible residential density of land. Similarly, the Planning Proposal will broaden the choice of building types and locations available in the housing market, makes more efficient use of existing infrastructure and services, and reduces the consumption of land for housing and associated urban development on the urban fringe by reducing the minimum lot size of existing residential zoned land.



	The Planning Proposal is also consistent with Council's Spatial Plan and the recommendations of the LSPS.
<i>3.4 Integrating Land Use and Transport</i>	This direction applies as the Planning Proposal seeks to reduce the minimum lot size of land zoned for residential purposes. The Planning Proposal does not derogate from the aims of this objective as it will better utilise existing zoned residential land. The land is already serviced by the existing road network and will not place undue demands upon this road infrastructure.
<i>4.3 Flood Prone Land</i>	This direction applies as the Planning Proposal alters a provision (minimum lot size) affecting flood prone land. The Planning Proposal is justifiably inconsistent with this direction as the level of flooding is considered minor. More specifically, a small portion of the subject land is identified as being subject to overland flooding. Upon further review, this level of flooding is considered to be minor and only has a depth of less than 0.15m. Furthermore, the area of land most affected by this overlay along Olearia Place, whilst proposed to have its minimum lot size reduced from 2 hectares down to 5,000m <sup>2</sup> will result in minimum opportunity for additional dwelling entitlements for this area. Therefore, there will be no additional risks created for these properties.
<i>5.10 Implementation of Regional Plan</i>	The Planning Proposal complies with the general aims and directions of the Riverina-Murray Regional Plan - See above for further details.

## **PART 4 – MAPPING**

The planning proposal seeks to amend the following maps:

### Lot Size Map:

- LSZ\_004G

Council requests the ability to lodge the template maps at S3.36 stage rather than prior to exhibition. The maps provided as part of the planning proposal are detailed enough for public exhibition purposes.

## **PART 5 – COMMUNITY CONSULTATION**

A 28-day public exhibition is suitable for this proposal.

The requirement to notify affected and adjoining landowners within the planning proposal will be met.

## **PART 6 – PROJECT TIMELINE**

<b>Task</b>	<b>Anticipated timeframe</b>
Anticipated date of Gateway Determination	December 2021
Anticipated timeframe for completion of required technical information	N/A
Timeframe for Government agency consultation	March 2022



Commencement and completion dates for public exhibition.	May - June 2022
Dates for public hearing	N/A
Timeframe for consideration of submissions	August 2022
Timeframe for the consideration of a proposal post exhibition	October 2022
Date of submission to the Department to finalise the LEP	November 2022
Anticipated date RPA will make the plan	December 2022
Anticipated date RPA will forward to the Department for notification	December 2022

