

Planning Proposal Assessment Report

APPLICATION DETAILS

Application No:	LEP21.0004
Applicant:	Kristen Roberts
Proposal Summary:	Minimum Lot Size: Reduce the minimum lot size from 200 hectares to 2 hectares.
Landowner:	Refer to confidential attachment
Assessment Officer:	Crystal Atkinson, Senior Strategic Planner

SITE AND LOCATION

The application applies to 46 Cleek Street, Currawarna.

The site is located on the northern fringe of the Currawarna Village and is 2.01 hectares in size.

Subject Land:	Lot 146 DP750832, 46 Cleek Street, Currawarna
Current LEP Provisions:	Land Zoning: RU1 Primary Production Minimum Lot Size: 200 hectares
Current DCP Provisions	The current rural provisions of the DCP apply.
Existing Character:	The parcel is currently rural in nature.

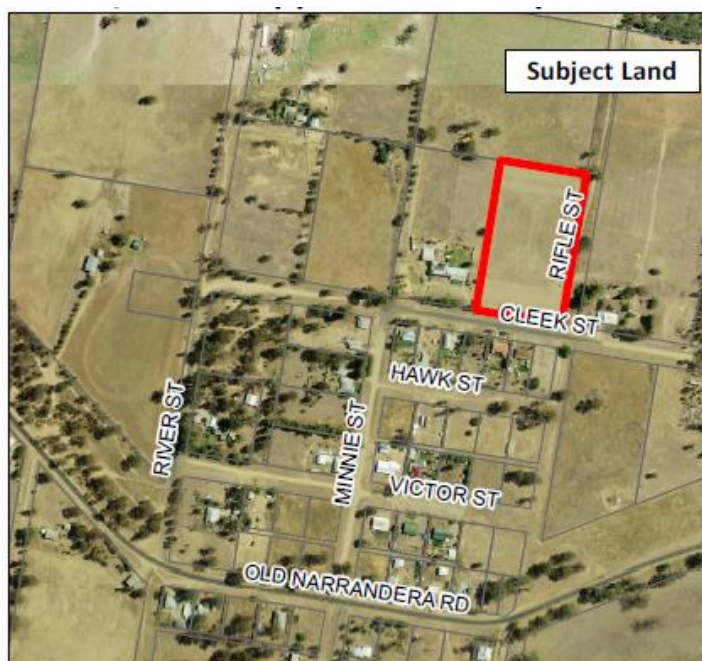


Figure 1: 46 Cleek Street, Currawarna, proposed for amendment

PROPOSAL

Council is in receipt of a Planning Proposal for 46 Cleek Street, Currawarna.

The Planning Proposal seeks to amend the Wagga Wagga Local Environmental Plan 2010 (LEP) to reduce the minimum lot size from 200 hectares to 2 hectares.

The intended development outcome is to create opportunity for a dwelling to be considered on the site.

The proponent's application, planning proposal and supporting information are provided under separate cover.

The planning proposal as submitted by the applicant would involve a change to the LEP, specifically by amending Minimum Lot Size Map Sheet LSZ_001B as shown below:

LEP21/0004 - Application - Proposed reduction in minimum lot size

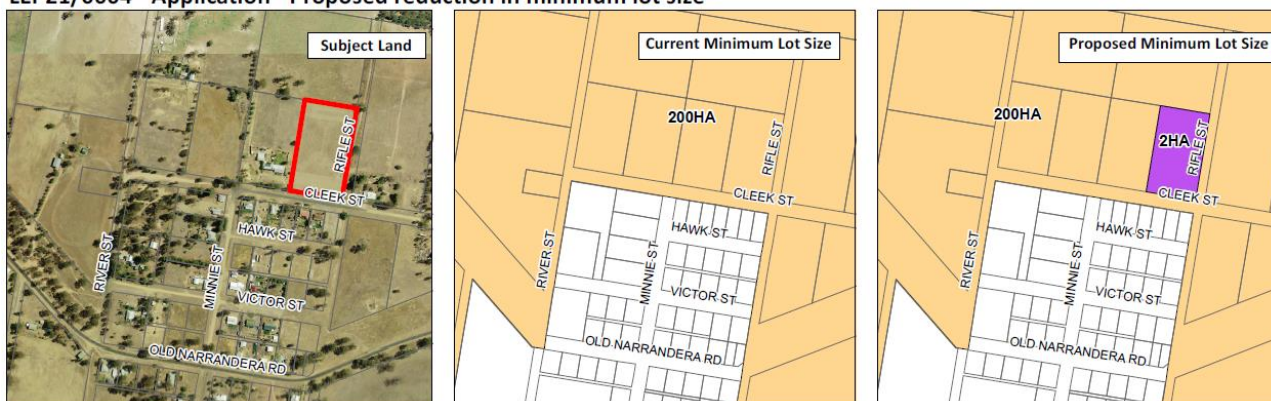


Figure 2: Proposed change to minimum lot size (as per application)

RECOMMENDED AMENDMENTS

An addendum is proposed based on an assessment of the existing lot size pattern of Cleek Street, Currawarna. Three lots on the immediate northern boundary of the existing Currawarna Village are around 2 hectares in size.

Figure 3 shows the lot size pattern immediately north of the village and identifies that Lots 144, 145 and 146 are 2 hectares with Lot 145 being the only lot with an existing dwelling. The proposed extension will acknowledge the existing dwelling on Lot 145 and enable a dwelling to be considered on Lots 144 and 146. The proposed changes could result in an additional two dwellings being developed.

Whilst there is merit in considering an expansion of the village zoning and removal of minimum lot size provisions, it is not proposed at this stage due to the need for further intensification to be supported with a village structure plan. The proposal will facilitate interim development that will be encouraged to choose a dwelling location that can facilitate further intensification in the medium term.

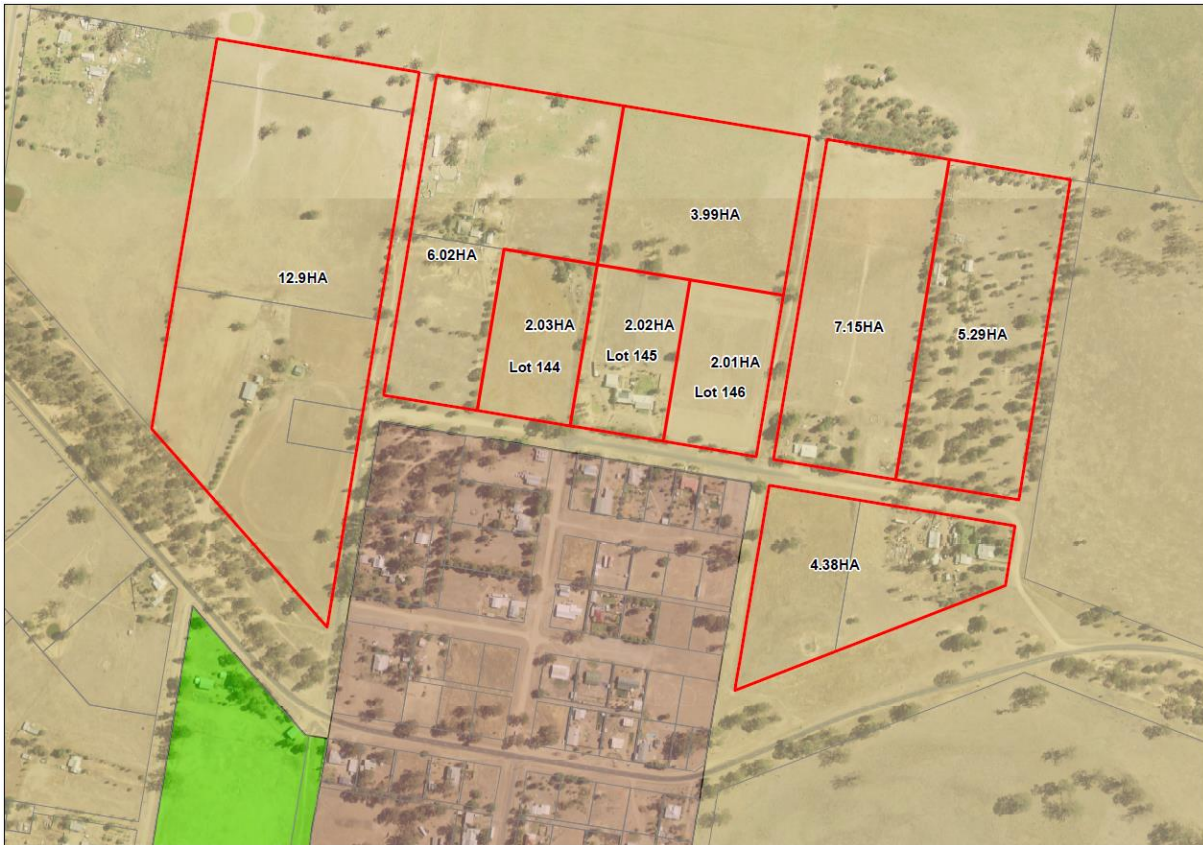


Figure 3: Lot Size Assessment

The proposed extension will achieve the changes proposed but would apply the changes to a larger area than proposed by the applicant. The changes will be achieved by amending the minimum lot size map to reflect the outcomes shown in figure 3.

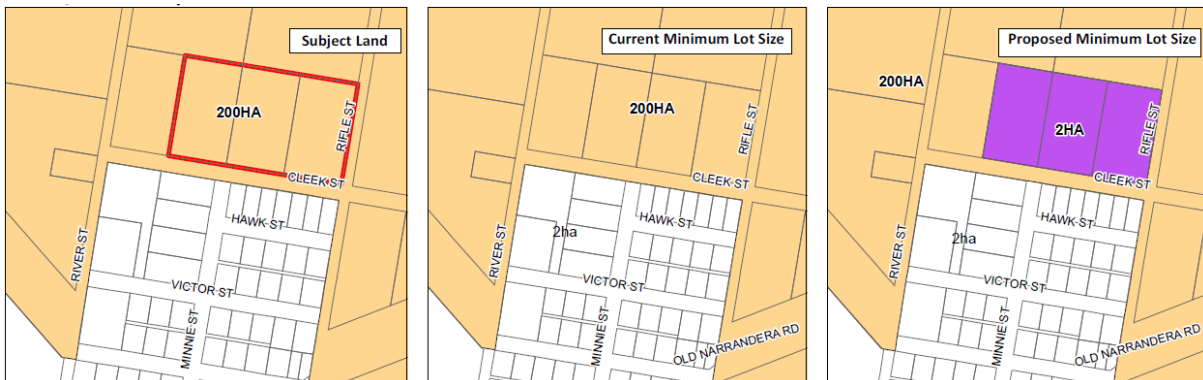


Figure 3: Proposed changes - extended

The expansion will incorporate two additional lots on Cleek Street, Currawarna to recognise the current subdivision pattern and lot configuration of the area. The two additional lots to be included are:

- Lot 145 DP750832, 60 Cleek Street, Currawarna
- Lot 144 DP750832, 15 Thomas Street, Currawarna

ASSESSMENT

1. Precinct Considerations

When considering changes to planning provisions, consideration is to be given to applying the changes to a larger precinct rather than applying at a smaller scale achieving site specific outcomes only.

There are no specific precinct size requirements, and each precinct is determined by looking at the existing development patterns and land constraints and opportunities.

For this planning proposal, the precinct is determined based on the existing lot size pattern of Cleek Street, Currawarna.

2. Council's Vision or Strategic Intent

There is general support for the planning proposal in both local and regional policies.

- Riverina Murray Regional Plan

The Riverina Murray Regional Plan 2036 (RMRP) identifies the need to build resilience in towns and villages as a goal. The aim is to help towns and villages to become more robust and dynamic places that will increase their appeal for residents to contribute to their growth and prosperity.

The planning proposal will promote short term growth with the aim to plan for more intensification in the medium term.

- Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040

The Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040 (LSPS) was adopted on 8 February 2021 and 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 under key themes and principles. A key principle is to have *Strong and resilient rural and village communities*.

The LSPS identifies growth potential for Currawarna Village in areas free from natural hazards and constraints. Development potential is to ensure it complements the village character and consider impacts on rural enterprises.

The planning proposal is consistent with the key principles of the LSPS as it will facilitate additional dwellings in the potential growth area identified for Currawarna.

3. Infrastructure

With minimal development opportunities resulting from the proposed changes, the existing infrastructure arrangements are considered adequate. Once a village structure plan is developed and further growth opportunities are identified, infrastructure requirements will be identified and planned for to support growth.

4. LEP Provisions

- Existing provisions

The site is currently zoned RU1 Primary Production with a minimum lot size of 200 hectares. The land is rural lifestyle in nature.

- Proposed provisions

The proposed changes to the LEP will enable consideration of a dwelling on each of the existing lots that do not already have a dwelling.

5. Development Control Plan

Development of the subject land will be undertaken in accordance with the Currawarna Village provisions of the Wagga Wagga Development Control Plan 2010 (DCP).

COMPLIANCE TEST

The following matters pursuant to the provisions of Section 3.33 of the Environmental Planning and Assessment Act 1979 and the Department of Planning, Industry and Environment's Guide to Preparing Planning Proposal, have been taken into consideration in the assessment of the proposal.

Riverina Murray Regional Plan 2036	
Direction	Compliance
Direction 1 – Protect the region's diverse and productive agricultural land	The planning proposal is inconsistent with this direction is the land is zoned RU1 Primary Production. The inconsistency is considered minor as the proposal relates to fragmented parcels of land of around 2.01 hectares surrounded by other fragmented parcels and dwellings and is unlikely to be suitable for agricultural purposes.
Direction 22 – Promote the growth of regional cities and local centres.	The planning proposal is consistent with this direction as it will promote growth within the Currawarna Village.
Direction 25 – Building housing capacity to meet demand	The planning proposal is consistent with this direction as it will provide additional lifestyle opportunities within the Currawarna Village. There will always be a demand for lifestyle lots and providing additional opportunities within the villages will help cater for this demand.
Wagga Wagga CSP	
Direction	Compliance
We have housing that suits our needs	The planning proposal is consistent with this outcome as it will increase housing supply.
Draft Wagga Wagga Local Strategic Planning Statements	
Direction	Compliance
Principle 10 – Provide for a diversity of housing that meets our needs	The planning proposal is consistent with this direction as it will increase rural lifestyle housing opportunities within the Currawarna Village.
Principle 11 – Strong and resilient rural and village communities	The planning proposal is consistent with this direction as it will increase housing opportunities and population within the Currawarna Village.
Section 9.1 Ministerial Directions	
Direction	Compliance
1.1 Implementation of Regional Plans	Consideration to consistency with the Riverina Murray Regional Plan has been given above. The planning proposal has a minor inconsistency in some areas and is consistent in another.
1.3 Approval and Referral Requirements	The planning proposal is consistent with this direction as will not contain provisions requiring concurrent, consultation or referral.

1.4 Site Specific Provisions	The planning proposal is consistent with this direction as it will change the minimum lot size provisions for the site.
9.1 Primary Production	The planning proposal is consistent with this direction as it is proposing to increase permissible density within an existing village.
9.2 Rural Lands	The planning proposal is consistent with this direction as it is proposing growth in a Village as identified in the adopted Wagga Wagga Local Strategic Planning Statement.

Internal / External Consultation

Internal: A cross-directorate internal referral occurred.

Community consultation: Public consultation with adjoining landowners and the public usually occurs after a Gateway Determination. Formal community consultation will be undertaken as required by the Gateway Determination.

FINANCIAL IMPLICATIONS

In accordance with Council's 2021/2022 Fees and Charges, a Standard LEP Amendment Fee of \$16,000.00 applied at the time of the application being submitted. The proponent has paid these fees.

It is anticipated that the LEP amendment will result in an additional two dwelling applications in the future. Council's contribution plans and development servicing plans enable Council to levy contributions and developer charges based on the likely increased demands that the new development will have.

CONCLUSION

The planning proposal is supported for the following reasons:

- General consistency with Council's vision and strategic intent
- It is consistent with relevant S9.1 Ministerial Directions.
- The supporting information provided with the application is enough to support the planning proposal and forward to the Department of Planning, Industry and Environment seeking Gateway Determination.

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