

**RP-3      LEP19/0010 - SILVERWOOD, BIRCH, MITCHELL AND BRUNSKILL  
ROADS, LAKE ALBERT - AMENDMENT TO MINIMUM LOT SIZE  
PROVISIONS OF THE WAGGA WAGGA LOCAL ENVIRONMENTAL  
PLAN 2010**

**20/284      RESOLVED:**

On the Motion of Councillors K Pascoe and T Koschel

**That Council:**

- a      support planning proposal LEP19/0010 to amend the Wagga Wagga Local  
Environmental Plan 2010**
- b      prepare an addendum and submit the planning proposal to the NSW  
Department of Planning, Industry and Environment for Gateway  
Determination**
- c      note an amendment to the Wagga Wagga Development Control Plan 2010  
is required and subject to (a) above:**
  - i.      request the applicant submit an application to amend the Wagga  
Wagga Development Control Plan 2010**
  - ii.     prepare the amendment to the Wagga Wagga Development Control  
Plan 2010 to be exhibited alongside the planning proposal**
- d      receive a further report after the public exhibition period addressing any  
submissions made in respect of the planning proposal**

**CARRIED**

#### **RECORD OF VOTING ON THE MOTION**

For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
T Koschel  
K Pascoe  
D Tout

Against the Motion

**RP-3      LEP19/0010 - SILVERWOOD, BIRCH, MITCHELL AND BRUNSKILL  
ROADS, LAKE ALBERT - AMENDMENT TO MINIMUM LOT SIZE  
PROVISIONS OF THE WAGGA WAGGA LOCAL ENVIRONMENTAL  
PLAN 2010**

**Author:** Crystal Atkinson

**Director:** Michael Keys

**Summary:**

Council is in receipt of a planning proposal to amend the minimum lot size provisions of the Wagga Wagga Local Environmental Plan 2010 for land bound by Silverwood, Birch, Mitchell and Brunskill roads, Lake Albert.

The recommendation is to proceed with a planning proposal and request a Gateway Determination from NSW Department of Planning, Industry and Environment.

**Recommendation**

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That Council:

- a support planning proposal LEP19/0010 to amend the Wagga Wagga Local Environmental Plan 2010
- b prepare an addendum and submit the planning proposal to the NSW Department of Planning, Industry and Environment for Gateway Determination
- c note an amendment to the Wagga Wagga Development Control Plan 2010 is required and subject to (a) above:
  - i. request the applicant submit an application to amend the Wagga Wagga Development Control Plan 2010
  - ii. prepare the amendment to the Wagga Wagga Development Control Plan 2010 to be exhibited alongside the planning proposal
- d receive a further report after the public exhibition period addressing any submissions made in respect of the planning proposal

**Application details**

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**Submitted planning proposal:**

Council is in receipt of a planning proposal (LEP19/0010) to rezone land at Lake Albert, a site bound by Silverwood Rd, Brunskill Rd, Birch Rd and Mitchell Rd.(illustrated figure 1).

**Applicant:**

Salvestro Planning

**Land Owners:**

Refer to confidential cover

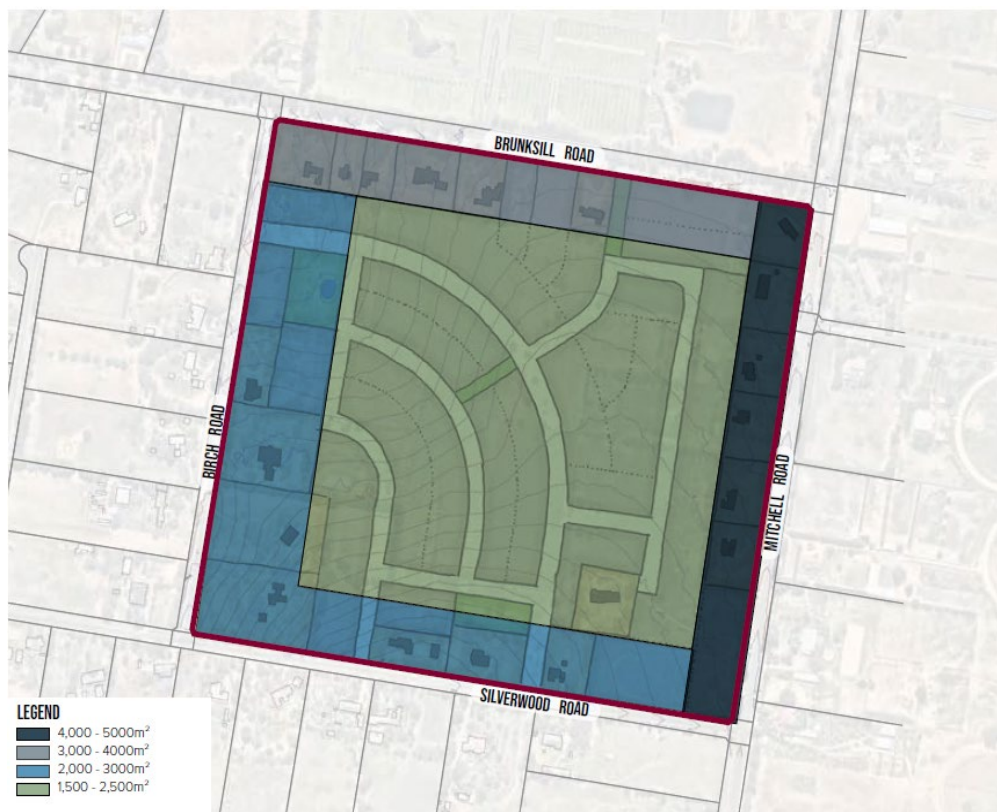
**Proposal Overview**

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Council is in receipt of an application to amend the Wagga Wagga Local Environmental Plan 2010 (LEP) to reduce the minimum lot size provisions for lots bounded by Brunskill, Mitchell, Silverwood and Birch Roads from 2ha to a combination of lots sizes including 0.15ha, 0.2ha, 0.3ha and 0.4ha.

The area is an existing large lot residential area on south-eastern fringe of the city.

The planning proposal proposes to amend the minimum lot size map to reflect the range shown below:



**Figure 1 Minimum Lot Size Changes**

The aim of the proposal is to increase residential density in an existing large lot residential area whilst respecting the existing character and adjoining land uses. The proposed amendment to the WWLEP2010 will result in an additional 150 residential allotments.

### Site and Locality

The site is a large lot residential bound by Silverwood, Mitchell, Brunskill and Birch Roads in Lake Albert, which is approximately 47ha. It is approximately 2km east of Lake Albert, 7km south east of the CBD and 6km west of the airport (illustrated in Figure 2).

The existing character is defined by rural residential allotments that are 5 -20 hectares. To the north of the site is the lawn cemetery. The block is slightly undulating, predominately cleared and is suitable for a more intensive residential built environment.

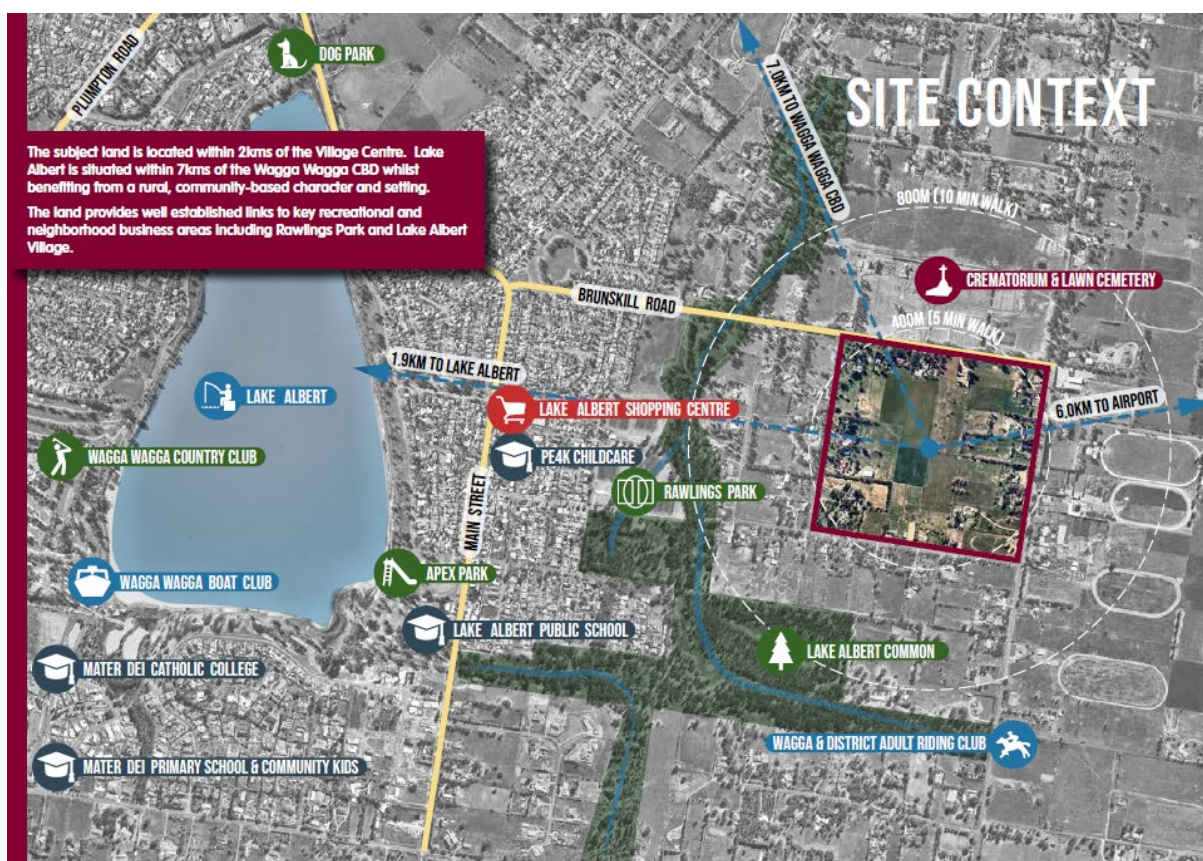


Figure 2 Site Context

## Key Considerations

A detailed assessment report has been prepared, which is attached to this report. Our infrastructure experts have reviewed the proposal in detail and are comfortable that infrastructure issues can be addressed as part of the development application process. Council will incorporate key principles within a future site specific Development Control Plan.

Below is a summary of key items that Council has worked with the proponent to address as part of the planning proposal. The proposal has considered the local character and incorporates water sensitive urban design principles that address stormwater and provide recreational opportunities.

### 1. Minimum lot size methodology:

The area is characterised by large residential lots with surrounding lots ranging from 2-hectares to 8-hectares or more.

The planning proposal will be supported by site-specific development controls that intend to retain the rural character with larger lots, large setbacks, open style fencing, extensive tree cover, vegetation and wide road corridors.

The range of minimum lot sizes proposed will retain the character of the area and minimise land use conflicts with adjoining land uses.



## 2. Retention of vegetation:

The planning proposal is proposing lot sizes of 0.2ha or greater in areas where there is existing vegetation. The Wagga Wagga Local Environmental Plan 2010 requires vegetation retention for rural residential minimum lot size areas of 0.2ha or greater. The proposed minimum lot sizes will promote the retention of vegetation.

## 3. Infrastructure capacity and provision:

The planning proposal has provided an 'Existing Infrastructure Report' including assessment of stormwater, sewer, roads, water, gas, electricity and communication. Where capacity is limited, solutions have been provided.

Acceptable solutions are provided to address both stormwater and sewer. An internal infrastructure report has been prepared identifying the specific infrastructure requirements including swale drains and locations, sewer public station location and if any upgrades are required by the development. These specific requirements will be included as part of any site-specific development controls and will replace the standards of the Engineering Guidelines. They will also provide the basis for an addendum to Council's DSP where required.

## 4. Traffic assessment required:

The planning proposal has provided a summary of the existing road network and has indicated that the increase in traffic volumes and loads generated by the proposed development has not been calculated.

The planning proposal indicates that a traffic assessment will need to be carried out by a qualified traffic consultant. This can be completed at DA stage and network upgrades completed as part of development. Based on the type of development and existing network capacity, it is anticipated any changes required can be facilitated.

The internal traffic assessment has indicated the need for the internal road layout to be redesigned and existing traffic network to be upgraded subject to a detailed traffic report.

## 5. Contamination:

A preliminary site investigation provided with the planning proposal indicates contamination on site from stockpiling of building waste with potential asbestos. This would be required to be addressed prior to the completion of the development. A plan would be developed as part of the development application process, which would provide conditions that need to be met. The land is suitable for intensified residential development, subject to the aforementioned being remediated.

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## Conclusion

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In view of the matters considered, the proposal is found to be reasonable and in the public interest.

The proposal is supported for the following reasons:

- The planning proposal will provide additional residential opportunities that will contribute to land supply.
- It complies with the provisions of Council's endorsed strategy.
- It meets the relevant S9.1 Ministerial Directions.

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## Financial Implications

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The application was lodged during the 2019/20 financial year and attracted an application fee of \$40,000 in accordance with Council's Fees and Charges Policy.

Council's contributions plans will apply to any future development application on the land.

It is anticipated that the LEP and DCP amendments will result in new development on the subject land in the future. This has financial implications for Wagga Wagga City Council.

Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's contributions plans enables Council to levy contributions, where anticipated development will or is likely to increase the demand for public facilities.

Section 64 of the Local Government Act 1993 Section 306 of the Water Management Act 2000 as well as Council's development servicing plans enable Council to levy developer charges based on the increased demands that new development will have on sewer and/or stormwater.

The contribution and development servicing plans will apply to any future development on the land.

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## Policy and Legislation

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Environmental Planning and Assessment Act 1979  
Wagga Wagga Local Environmental Plan 2010

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## Link to Strategic Plan

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### The Environment

Objective: We plan for the growth of the city

Outcome: We have sustainable urban development

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## Risk Management Issues for Council

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The planning proposal has been assessed and it is recommended it be submitted to NSW Department of planning, Industry and Environment for Gateway Determination. If issued, the determination will require public and agency consultation. Consultation may highlight issues not evident during the assessment.

## Internal / External Consultation

Formal public consultation with agencies, adjoining landowners and the general public will occur if Gateway Determination is received.

An engagement plan for the planning proposal is attached to this report.

Proposed consultation methods are indicated in the table below:

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
<b>TIER</b>																	
<b>Consult</b>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	

## Attachments

1. Planning Proposal Application
2. Urban Design Report - Provided under separate cover
3. Site Survey Plans - Provided under separate cover
4. Existing Infrastructure Report - Provided under separate cover
5. Preliminary Site Investigation - Provided under separate cover
6. Clearance Certificate - Provided under separate cover
7. Cultural Heritage Assessment - Provided under separate cover
8. Assessment Report - Provided under separate cover
9. Infrastructure Assessment - Provided under separate cover
10. Engagement Plan - Provided under separate cover
11. Land owners details

*This matter is considered to be confidential under Section 10A(2) of the Local Government Act 1993, as it deals with: personnel matters concerning particular individuals.* - Provided under separate cover

# PLANNING PROPOSAL



## Planning Proposal – Minimum Lot Size Amendment

Silverwood, Birch, Brunskill & Mitchell Roads Precinct, Lake Albert



Rev 2.2 – June 2020



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SALVESTRO PLANNING

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## Planning Proposal – Minimum Lot Size Amendment

Silverwood, Birch, Brunskill & Mitchell Roads Precinct, Lake Albert

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## Planning Proposal – Minimum Lot Size Amendment

### Silverwood, Birch, Brunskill & Mitchell Roads Precinct, Lake Albert

#### 1 INTRODUCTION

The following planning proposal is to be read in conjunction with the accompanying support reports and plans. The subject land comprises approximately 45.2 hectares involving those parcels bounded by Silverwood Road, Birch Road, Brunskill Road and Mitchell Road, Lake Albert, as identified in the figure and table below.

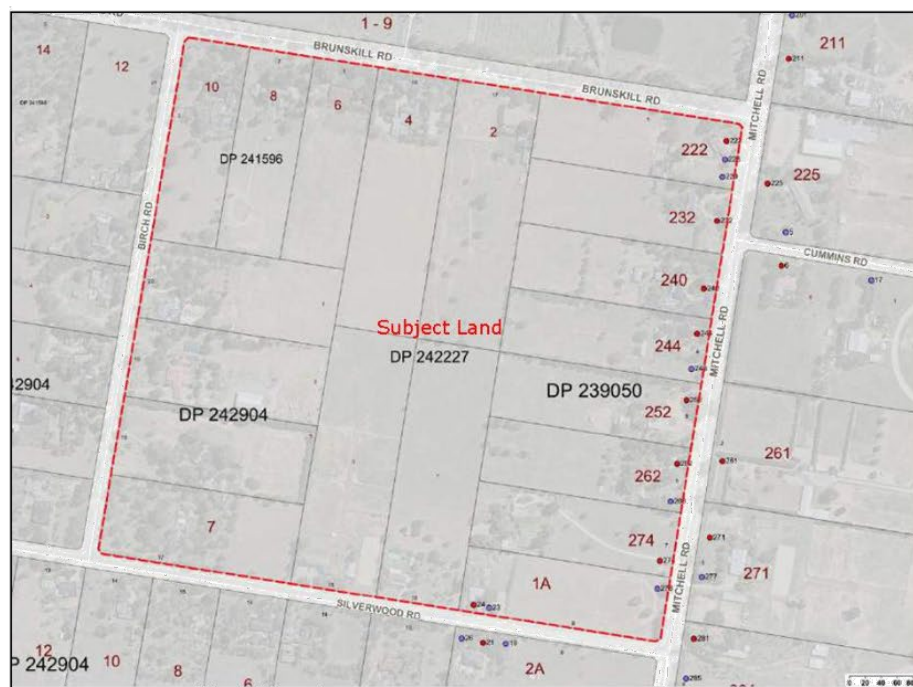


Figure 1: Subject Land (Source: WWCCGIS & SP2019)

Table 1: Subject Land Details

Legal Description	Street Address
Lot 8 DP 239050	1A Silverwood Road
Lot 15 DP 242227	3 Silverwood Road
Lot 16 DP 242227	1 Silverwood Road
Lot 17 DP 242904	7 Birch Road
Lot 18 DP 242904	5 Birch Road
Lot 19 DP 242904	3 Birch Road
Lot 20 DP 242904	1 Birch Road
Lot 17 DP 242227	2 Brunskill Road
Lot 18 DP 242227	4 Brunskill Road
Lot 1 DP 241596	6 Brunskill Road
Lot 2 DP 241596	8 Brunskill Road
Lot 3 DP 241596	10 Brunskill Road
Lot 1 DP 239050	222 Mitchell Road



Legal Description	Street Address
Lot 2 DP 239050	232 Mitchell Road
Lot 3 DP 239050	240 Mitchell Road
Lot 4 DP 239050	244 Mitchell Road
Lot 5 DP 239050	252 Mitchell Road
Lot 6 DP 239050	262 Mitchell Road
Lot 7 DP 239050	274 Mitchell Road

The proposal involves an amendment to the minimum lot size provision from 2.0 hectares (ha) to 0.15, 0.2, 0.3 and 0.4 hectares respectively. A variety of minimum lot sizes has been proposed to ensure rural residential character is retained and any potential land use conflicts are appropriately managed.

The potential additional large lots to be created by this amendment is approximately 150 to 180 depending on subdivision layout and infrastructure design, in particular roads and drainage patterns.

There are minimal environmental and infrastructure constraints that would impact the achievement of this proposal in accordance with current strategic land use policy. The land is located within the urban containment line and biodiversity certification area of the City, and also within close proximity to existing neighbourhood shops, community services, schools and open space networks.

An urban design report accompanies this proposal that includes design principles that may be incorporated into the Wagga Wagga Development Control Plan 2010 to guide development design, assessment and establishment of a future large lot residential neighbourhood.

## 2 OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to amend the minimum lot size provision that applies to the subject land from 2.0 hectares (ha) to 0.15, 0.2, 0.3 and 0.4 ha to enable additional large residential lots to be created.

## 3 EXPLANATION OF PROVISIONS

The proposed outcome of this planning proposal will be achieved by amending the lot size provision that applies to the subject land from 2.0 ha to 0.15, 0.2, 0.3 and 0.4 hectares. This will involve preparing an amendment to Lot Size Map - Sheet LSZ\_004G from the Wagga Wagga Local Environmental Plan 2010. The proposed Lot Size map changes are shown below.

There are no other amendments required to the LEP 2010 to progress this Planning Proposal.



Figure 2: Minimum Lot Size Map (Source: SP & WWLEP2010)

The proposed range of minimum lot sizes will provide large lots set in a semi rural landscape having access to existing urban infrastructure and service networks. The minimum lot size range has been arrived at following a strategic analysis of the subject land and surrounding precinct, as discussed in the accompanying urban design report.

The primary reasons for the proposal include:

- Proximity and accessibility to existing urban services and facilities, including essential infrastructure services that are available to the site. There are no known limitations to the capacity of these networks to accommodate the additional residential activity;
- The land is elevated and outside of any natural hazard area including local flooding from the Crooked Creek corridor and identified bushfire hazard areas;
- General underutilisation of well serviced and hazard free residential zoned land within walking distance to open space, community and local neighbourhood businesses;
- Sufficient land area to allow for flexibility in lot design taking into account site opportunities and constraints;

The subject land has good connection to existing open space, pedestrian and cycling networks that provides well established links to key recreation and neighbourhood business areas including Rawlings Park and Lake Albert Village. Additional dwellings in this area will help sustain local neighbourhood businesses, make more efficient use of existing schools, daycare centres, health and fitness centres, and build stronger community well-being within the Lake Albert local area.

The proposed minimum lot size will also continue to maintain the rural character of the local area by allowing sufficient land size to maintain and enhance natural vegetation communities. The proposal will continue to achieve the R5 zone objectives by:

- Providing residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- Ensuring that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- Ensuring that development in the area does not unreasonably increase the demand for public services or public facilities.
- Minimising conflict between land uses within this zone and land uses within adjoining zones. The land is surrounded by other large lot residential land, urban area and open space corridors.
- Ensuring that the clearing of native vegetation is avoided or minimised as far as is practicable.

#### 4 JUSTIFICATION

The planning proposal seeks to reduce the minimum lot size currently applicable to the subject land in order to facilitate further subdivision of the land and the creation of additional large residential lots. Justification for the proposal, including its strategic relevance, is outlined below.

## 4.1 Need for the planning proposal

### 4.1.1 Is the planning proposal a result of any strategic study or report?

The planning proposal is a result of acting upon the strategic directions and outcomes from the Wagga Wagga 2013-2043 Spatial Plan. The fact sheet relating to this area (Fact Sheet 10 – Lake Albert) states:

*"The area is identified as 'Potential Urban Land', having potential to allow additional residential development in the area by reducing the minimum lot size."*

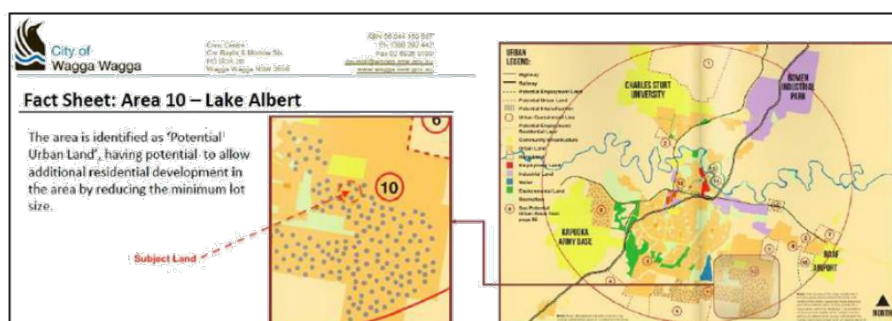


Figure 3: Spatial Plan 2013-2043 – Fact Sheet: Area 10 Extract (Source: WWCC, 2020)

Additional background research and accompanying specialist reports have also informed the preparation of this proposal, including accompanying Urban Design Report (RobertsDay-June 2020). The additional reports are provided to confirm strategic relevance and consistency with broader City land use directions. Topics critically analysed include:

- Locality Context
- Site Context
- Site Opportunities and Challenges
  - Slope & Views
  - Retention of Existing Character
  - Hydrology
  - Access
  - Biodiversity & Amenity
  - Land Use Integration & Mix
- Vision - Desired Future Character
- Design Principles
  - Density Allocation
  - Site Access & Road Layout
  - Open Space
  - Pedestrian/Cycle Linkages
  - Water Sensitive Urban Design
  - Sewer

The Design Principles have been prepared in order to ensure alignment with the R5 Large Lot Residential zone objectives, consistency with current Development Control Plan (DCP) guidelines and enable additional local area specific guidelines to be incorporated into the WWCC DCP2010.

### PROPOSAL BOUNDARY

The subject land forms part of a defined precinct bounded by Silverwood, Birch, Brunskill and Mitchell Roads. The land is the result of an earlier 2 hectare subdivision that occurred in the 1970's. Since that time the city has grown considerably and surrounding land has been progressively developed for urban purposes including residential lots, open space/recreation areas and special purposes areas (lawn cemetery). This development activity has also



included the expansion of urban infrastructure including roads, sewer, water, electricity, gas and communications networks, with stormwater flows directed to the Crooked Creek natural watercourse.

Infrastructure, in particular sewer, has been considered in detail and subsequently designed to meet the ultimate potential maximum yield of the proposal (see accompanying Infrastructure Report). Capacity of the existing network has been verified by Council Engineers and has been addressed in the accompanying Infrastructure Report. For the purposes of this planning proposal, infrastructure capacity is not a constraint.

The precinct has been chosen primarily due to the opportunities offered by its unique semi rural character and opportunity to develop underutilised land that is connected to existing urban infrastructure networks.

The current actions by existing landholders have committed resources to ensuring that future development will be actioned once approval has been received for the planning proposal. A signed agreement exists between the majority of landholders of the subject land precinct to ensure funding and the progression of land development occurs once the Planning Proposal is approved.

The development of the identified precinct is considered, by both Council and the current landowners, as an interim measure to address the current needs of the city to provide serviced residential land for a growing population. Once Council has completed a strategic review of residential lands, there will be opportunity to further review the surrounding lands for their appropriateness for further residential subdivision.

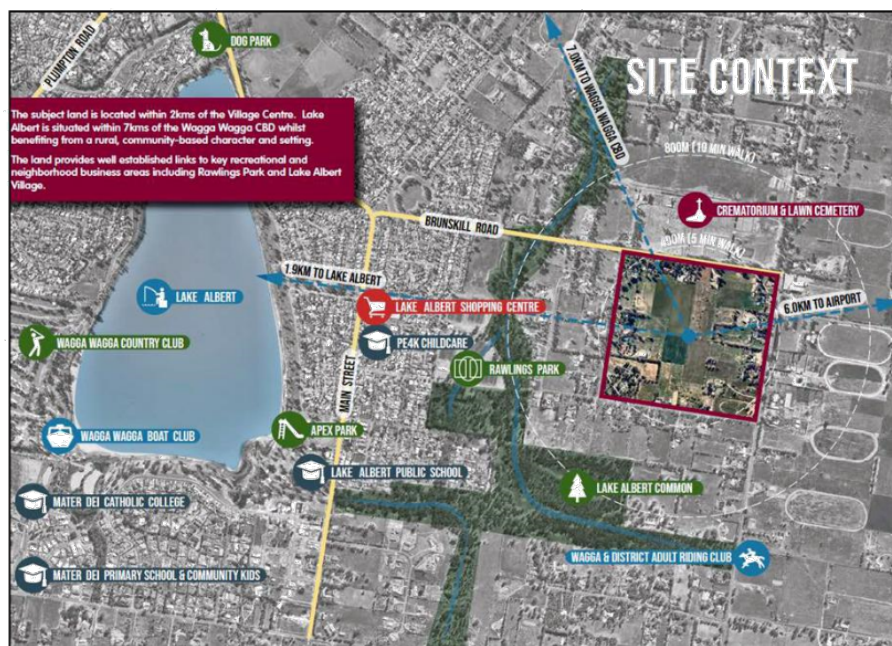


Figure 4: Site Context – Urban Design Report extract (Source: RD & SP 2020)

Adjoining lands, in particular to the immediate south and west, are not involved in the current proposal due to uncertainty on their position to progress with development if planning provisions are changed accordingly. The surrounding lands also have a range of servicing, natural hazards and character constraints that do not initially favour consideration at this stage. Servicing constraints would relate to the ability of current sewer infrastructure to



accommodate a wider precinct and expected additional residential tenement connections. In addition, other current infrastructure would require a greater level of research, design and augmentation to enable further land to be included in the planning proposal, which would delay the implementation of the current proposal indefinitely.

#### NEED FOR THE PROPOSAL

The existing 2 hectare minimum lot size is inappropriate as it does not respond to or achieve current Local Environmental Plan (LEP) aims and objectives, particularly in relation to responding to opportunities that have arisen in the subsequent provision of urban infrastructure and services since the introduction of the original planning provisions over the land. The current minimum lot size provisions are outdated and do not respond to the current LEP aims of optimising the management and use of land and promoting sustainable urban development. In addition, current strategic directions for the City that aim for 100,000 population by 2038 reinforce the need for an expanded land bank of serviced residential land for a growing population.

The proposal will assist in balancing the supply and type of residential land across the City as there is limited remaining stock of available land to develop at the density proposed. A detailed survey of existing rural residential and other large residential lot areas of the City was undertaken in late 2017, which identified a significant shortfall in supply whilst a continuing strong demand. This data was compiled from earlier Council reports and field survey at the time.

**Table 2: 2017 Total Rural Residential Land Supply**

Area	Subdivided Vacant Lots	Potential Remaining Lots	Total Lot Supply
R5 Total Supply	34	155	189
RU2 Total Supply	10	0	10
RU4 Total Supply	5	13	18
Total Land Supply	49	168	217

Source: SP Rural Residential Land Supply Report – Nov2017

**Table 3: Rural Residential Land Supply Comparison 2001 to 2017**

Time Period	Subdivided Vacant Lots	Potential Remaining Lots	Total Lot Supply
2001	158	988	1146
2017	49	168	217
Change	-109 at 6.81 lots/year	-820 at 51.25 lots/year	-929 at 58.06 lots/year

Source: SP Rural Residential Land Supply Report – Nov2017

The available and potential land stocks of rural residential and large lot residential land has decreased at a rate of approximately 58 lots per year, with limited additions to land stocks since 2001. Since 2017, there have been approximately 22 additional lots approved for development, 12 being revised minimum lot size changes from finalised planning proposals between 2017 and 2019.

Overall, NSW Planning best practice guidelines indicate that a regional local area should have approximately 10 years supply of rural residential land zoned and available for development and occupation, balanced against legitimate demand. For Wagga Wagga, this would equate to at least a total lot supply of 500 lots. Current supply of subdivided and potential remaining undeveloped lots is estimated at less than half that amount. The lack of supply is reflected in the continual increase in prices paid for these types of holdings that has a flow-on effect on other general housing prices, further impacting the achievement of affordable housing goals for the City.

To meet current and future demand, an additional 150 – 180 lots that will be created by this proposal is justified from a supply/demand position.

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

The planning proposal is considered to be the best means of achieving the objectives and intended outcomes. There is no zoning change proposed as the scale and density of the proposed minimum lot size change is consistent with the objectives of the existing R5 Large Lot Residential zoning that applies to the land.

Retaining the existing zoning will also assist in maintaining rural residential character and amenity in the local area. Any potential land use interface conflict issues can also be sustainably managed by retaining the existing zoning and aligning the proposal with the strategic land use directions of the City.

There are existing provisions within the current Development Control Plan (DCP) that will guide the approval and establishment of the proposed, in particular the provisions included in Section 7. However, in addition, the Design Principles outlined in the accompanying urban design report will also assist in introducing specific development criteria within the DCP for this precinct to ensure the vision envisaged by this proposal is achieved.

The range of additional DCP controls for this precinct will include (but not limited to) those relating to:

- Variable lot size range aligned to LEP provisions
- Setback standards, including front, side and rear
- Minimum site frontage for each lot size limit
- Road widths to accommodate accessibility and infrastructure provision
- Swale drains (no kerb & guttering), with design and embellishment standards
- Construction and embellishment standards for footpath and cycleway links
- Protection of wildlife and vegetation corridors aligned to biodiversity mapping
- Open space/parkland design and embellishment guidelines

## 4.2 Relationship to strategic planning framework

#### 4.2.1 ***Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?***

The Riverina Murray Regional Plan 2036 is applicable to this proposal. The regional plan includes priorities that emphasise the need to increase the range of housing options in the existing urban area of the City.

The proposal is generally consistent with relevant objectives and actions including those contained in Directions 21, 22, 25, 26, 27, 28 and 29. These directives are aimed at promoting growth, building housing capacity, providing greater housing choice and managing rural residential development that avoids the fragmentation of productive agricultural land.

**Table 4: Relevant goals and directions of Riverina Murray Regional Plan 2036**

<b>Goal / Direction</b>	<b>Comment</b>
<b>Goal 3: Efficient transport and infrastructure network</b>	The proposal is connected to existing transport and essential infrastructure networks that have capacity to accommodate the additional residential development activity.
<b>Direction 21: Align and protect utility infrastructure investment</b>	An infrastructure servicing analysis accompanies this proposal. The future development of this land will have access to existing infrastructure networks and future capacity will be protected in accordance with current local and state policies. Relevant Actions addressed: 21.1
<b>Goal 4: Strong, Connected and Healthy Communities</b>	The proposal involves land that has strong connectivity to existing neighbourhoods, community and infrastructure

<b>Goal / Direction</b>	<b>Comment</b>
	networks. The site has unique features that will ensure and promote accessibility across the local area.
<i>Direction 22: Promote the growth of regional cities and local centres</i>	Wagga Wagga is an important regional centre and has been identified in recent state strategies as a centre for accelerated growth. The proposal is a response to these strategies and is supported by existing local infrastructure. Relevant Actions addressed: 22.1 & 22.2
<i>Direction 25: Build housing capacity to meet demand</i>	Additional residential land will address the need for additional housing for a growing population. The City is targeted to increase population growth over the next 20 years to meet recently announced local and regional economic development strategies. The proposal will assist in meeting supply and demand for the range of residential lot densities proposed. Relevant Actions addressed: 25.2-25.4
<i>Direction 26: Provide greater housing choice</i>	The proposal will provide alternative housing choice and lifestyle experiences as outlined in the urban design report and indicative concept masterplan. Relevant Actions addressed: 26.7
<i>Direction 27: Manage rural residential development</i>	The proposal involves increasing residential density within an existing rural residential environment, creating a unique large lot residential setting and living experience in close proximity to existing urban infrastructure and community services. Proposal aligns with current land use strategy. Land use conflicts are managed by maintaining separation from adjacent primary production (small lots) and a variety of minimum lot sizes. Relevant Actions addressed: 27.1-27.3
<i>Direction 28: Deliver healthy built environments and improved urban design</i>	The proposal has been developed from a comprehensive urban design report that integrates a variety of large lot housing, the environment and lifestyle choice. Connectivity with existing open space and community networks is enhanced to ensure a healthy living environment for future residents and other local neighbourhoods. Design principles are proposed to reflect local built form and rural residential character. Water sensitive urban design principles are incorporated into the overall development. Relevant Actions addressed: 28.2-28.4
<i>Direction 29: Protect the region's Aboriginal and historic heritage</i>	The proposal is accompanied by a preliminary cultural heritage assessment to ensure potential areas of impact are identified and further appropriate analysis conducted prior to development. The assessment included an onsite walkover with a member of the Local Aboriginal Land Council. Relevant Actions addressed: 29.2 & 29.5

In summary, the proposal will:

- Provide additional large lot residential allotments that will contribute to housing supply;
- Increase the opportunity for additional housing within an area that is surrounded by existing urban infrastructure that can be augmented to accommodate the proposal;
- Assist in meeting the current demand for large lot residential parcels of land where there is a demonstrated shortage of these types of residential lots;
- Create additional residential allotments in an area synonymous with large lot residential lifestyles;
- Make more efficient use of vacant urban zoned land that is currently underutilised;
- Promote subdivision development that will not impact or fragment productive agricultural land;
- Involve development that will minimise environmental impact and be free from detrimental natural hazards.



#### 4.2.2 *Is the planning proposal consistent with a Council's local strategy or other local strategic plan?*

The Wagga Wagga Spatial Plan 2013-2043 is the current local strategic plan that is guiding the growth and development of the City. The subject land is within Area 10 that is identified as 'Potential Urban Land', having potential to allow additional residential development in the area by reducing the minimum lot size.

One of the key components of the Spatial Plan 2013-2043 is to plan for a growing community. Outcomes relevant to the subject land include the supply of a full range of household types and an adequate choice of housing location options. The proposal's consistency with the Spatial Plan is outlined below.

**Table 5: Relevant Strategic Components of Wagga Wagga Spatial Plan 2013-2043**

Wagga Wagga Spatial Plan 2013-2043 Extracts		
Initiative	Objective	Consistency
RESILIENT & SUSTAINABLE BUILT ENVIRONMENTS	<p><i>Accommodating population growth through adequate supplies of well planned residential, industrial and business land, providing a variety of housing options to achieve housing choice and affordability.</i></p> <p><i>Well serviced areas displaying design excellence, which in turn enhance the security and wellbeing of individuals and families, and provide a base for strong, resilient communities.</i></p>	<p>The proposal is consistent with these strategic objectives by providing additional supply of residential land in an area that is serviced by all existing urban infrastructure networks, in particular, where existing services may be satisfactorily extended to meet the anticipated demand generated by the proposal. The proposal will contribute to housing options, choice and assist in ensuring dwelling affordability across the urban area.</p> <p>The proposal addresses various short, medium, long term and ongoing action timeframes as listed in the strategy.</p>
PLAN FOR A GROWING COMMUNITY	<p><i>Facilitate the provision of physical infrastructure in a coordinated and cost effective manner.</i></p> <p><i>Facilitate improved efficiency of urban infrastructure such as road networks, water supply, wastewater management, stormwater management, electricity and telecommunications.</i></p>	<p>The proposal will have access to existing infrastructure to ensure efficiency and sustainability. The existing networks can adequately accommodate the increase in dwelling tenements to be generated by this proposal. The proposal is consistent with this strategic objective. A servicing report has been prepared that verifies investigations into adequacy and capacity of existing networks.</p>
OUR STANDARD OF LIVING	<p><i>Ongoing commitment to promotion of affordable housing in locations with access to services.</i></p>	<p>The proposal is consistent with this strategic objective by promoting housing choice in a suitable location and aiming to achieve specific action items of the plan, including those that ensure our standard of living is embellished.</p>
OUR COMMUNITY GROWS.	<p><i>Facilitate the development of a prosperous city.</i></p> <p><i>Support viable neighbourhood centres.</i></p> <p><i>Provide flexible opportunities and appropriate locations for establishing and growing business.</i></p> <p><i>Provide opportunities for key businesses established in Wagga Wagga to grow further.</i></p>	<p>The proposal is consistent with these strategic objectives. Development of this land will contribute to the local community and ensure the continued viability of the Lake Albert Neighbourhood Centre. Additional population in the local area will have access to the existing network of cycleways, walkways, open space areas, active and passive recreation areas, schools, childcare centres and other services located within walking distance of the site.</p>

The proposal has strategic merit as it is aligned with the land use strategic direction outlined for Area 10 and is consistent with the intent of efficiently utilising available, serviceable land, avoiding further expansion of the urban footprint of the City. The proposal will facilitate infill large residential lots that will complement the existing character of the area.



#### 4.2.3 ***Is the planning proposal consistent with the applicable State Environmental Planning Policies?***

The proposal is consistent with the applicable State Environmental Planning Policies (SEPPs), as identified in the table below.

**Table 6: Applicable SEPPs**

<b>SEPPs Relevant to the Planning Proposal</b>	
<b>SEPP Title</b>	<b>Consistency</b>
SEPP55 – Remediation of Land	Council does not identify the subject land as potentially contaminated land.  The subject land is identified as having agricultural uses conducted post-European settlement. A preliminary site investigation (PSI) has been carried out over the subject land. The PSI indicates that there are no major areas of concern in relation to the presence of site contamination and/or site contaminating activities.
SEPP (Vegetation in Non-Rural Areas) 2017	There are no proposals for clearing of vegetation on the subject land that would be a result of progressing this planning proposal.  The proposal is consistent with this policy.

#### 4.2.4 ***Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?***

The following table outlines the relevant s9.1 directions and the level of consistency of this planning proposal.

**Table 7: s9.1 Directions**

<b>Ministerial Directions applicable to the development</b>	
<b>Direction title</b>	<b>Consistency</b>
2.1 <i>Environment Protection Zones</i>	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction and will avoid currently identified environmentally sensitive areas.
2.3 <i>Heritage Conservation</i>	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction as existing heritage conservation policies will be maintained.  A preliminary cultural heritage assessment has been undertaken in the preparation of this proposal. There are no significant areas identified in the specialist report that would preclude consideration of this proposal. Further due diligence assessment will be undertaken prior to a development application being prepared, in accordance with existing provisions.
2.4 <i>Recreation Vehicle Areas</i>	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction as existing relevant planning provisions will be maintained.
3.1 <i>Residential Zones</i>	Consistent. The direction applies as a planning proposal is being prepared that involves an existing residential zone.  The proposal is consistent with this direction by increasing the variety and choice of housing types across the area. The proposal also makes efficient use of existing infrastructure services in the locality whilst minimising the impact of future development on the environment and resource lands. Investigation into infrastructure capacity, particularly sewer, has confirmed that the existing network may adequately accommodate the increase in dwelling tenements generated by this proposal.
3.2 <i>Caravan Parks and Manufactured Home Estates</i>	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction as existing relevant planning provisions will be maintained.
3.3 <i>Home Occupations</i>	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority. The proposal does not alter provisions relating to Home Occupations.
3.4 <i>Integrating Land Use and Transport</i>	Consistent. The direction applies as a planning proposal is being prepared that involves a zone relating to urban land for residential purposes.  The proposal is consistent with this direction by ensuring greater housing choice in a location with access to a variety of transport modes that reduce dependence on cars. Additional housing in this location will make better use

Ministerial Directions applicable to the development	
Direction title	Consistency
	of existing road infrastructure. The land is accessible to existing walking and cycling networks located in the Lake Albert areas and city wide. The site is serviced by an existing school bus network. Public transport is available in nearby Lake Albert neighbourhood areas.
<i>3.5 Development Near Regulated Airports and Defence Airfields</i>	Consistent. The direction applies as a planning proposal is being prepared that involves altering a provision relating to land near a regulated airport which includes a defence airfield. The land is identified as within the boundaries of OLS mapping for Wagga Wagga Airport.  The proposal is consistent with this direction by taking into consideration that the proposal is in relation to land that is of sufficient distance from the existing Wagga Wagga Airport to ensure continued effective and safe operation of the aerodrome.  The land is located outside of the ANEF 25 contour and OLS mapping indicates negligible impact on the operation of the aerodrome under current and future scenarios.
<i>5.10 Implementation of Regional Plans</i>	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction by ensuring the proposal achieves relevant Goals/Directions of the Riverina Murray Regional Plan 2036, including those referring to efficient transport and infrastructure networks and strong, connected and healthy communities.
<i>6.1 Approval and Referral Requirements</i>	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction as it does not introduce any unnecessary provisions to the development assessment process.
<i>6.2 Reserving Land for Public Purposes</i>	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction as the creation of any land for public purposes will only be actioned with approval of the relevant public authority.
<i>6.3 Site Specific Provisions</i>	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority that will allow a particular development (additional residential subdivision), to be carried out.  The proposal is consistent with this direction as it does not propose additional permissible uses other than as existing under the current land zoning, rezone the land or introduce any other development standards in addition to those that are already contained in the LEP. The site specific minimum lot size change is a minor inconsistency, as the existing zoning will remain unchanged and the proposal will achieve the objectives of that zone.

#### 4.3 Environmental, Social and Economic Impact

##### 4.3.1 ***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?***

There is no likelihood that any critical habitat or threatened species, populations or ecological communities or their habitats would be adversely affected by the proposal. The majority of trees on the site are the result of landscaping as well as the installation of gardens associated with the existing dwellings.

OEH mapping indicates that there are no threatened species observations in the local area.

##### 4.3.2 ***Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

The site is not subject to river flooding and is not identified as subject to overland flooding.

The subject land is not subject to bush fire hazards.

No removal of native vegetation is proposed to facilitate the planning proposal.

There are no known items or places of European heritage located on the land.

ABORIGINAL CULTURAL HERITAGE REPORT

An AHIMS extensive search indicates that 1 Aboriginal site is located near the subject land. The site is known to be a modified tree (canoe tree) and is located within the Mitchell Road environment. The proposal will not involve impact upon the Aboriginal site. Due diligence will be undertaken when developing the area. An Aboriginal Cultural Heritage Report has also been prepared for the site and is included as an annexure for reference. The report concludes that, as a result of the field survey, there are no identified cultural heritage sites that would be affected by the proposal. The report recommends:

- *Revegetation of native trees and shrubs along proposed roads.*
- *Established vegetation to be encompassed in the subdivision and future residential development.*
- *Newly found items should be inspected and registered in AHIMS.*
- *If a burial site is unearthed during land preparation for road construction, contact police and Aboriginal community immediately. This should focus on raised landforms (particularly terraces and any sandy landforms).*

PRELIMINARY SITE INVESTIGATION (SEPP55)

In determining the likelihood of contamination, a Preliminary Site Investigation (PSI) has been undertaken with the conclusions included in the PSI report annexure to this proposal. There are no significant areas of concern. The report concludes:

*In conclusion, this report assesses that the site is suitable for the proposed residential subdivision, pending the adoption of the above recommendations, with a low risk of harm from potential contamination to human health and/or the environment. This conclusion is based on the site research, enquiries, records, investigations, environmental sampling, laboratory analysis and comparison of results to the adopted residential land use criteria.*

In addition, a non-friable asbestos clearance certificate (no air monitoring) has been issued over the subject land as a result of the removal of contaminated soil referred to in the PSI. A copy of the certificate accompanies this proposal.

#### 4.3.3 ***Has the planning proposal adequately addressed any social and economic effects?***

Development of this land will contribute positively to the local construction industry through employment and supply of materials. Additional dwellings in the area will also make more economic use of valuable resources and services, further contributing to ongoing income generation for local businesses and public agencies.

There will be a structured approach to establishing development as a result of this proposal, in accordance with current Council development guidelines. Access to existing and surrounding land will be maintained, with any new public roads being located generally in accordance with the attached Concept Development Plan. The location of these new roads will be in accordance with current standards that ensure adequate site distance and installation of safety measures.

Existing dwellings that are connected to onsite effluent and existing pressure sewer reticulation, will continue to access these services up until an augmented gravity network has been installed with appropriate connectivity arrangements. This will be in accordance with current Council development standards and guidelines, as outlined in the accompanying Infrastructure Service Report.

The proposal will contribute to building the community in the local area by increasing the population and cohort base. Additional population will assist in building stronger connections with established infrastructure including schools, neighborhood centres and transportation networks.

#### 4.4 State and Commonwealth Interests

##### 4.4.1 *Is there adequate public infrastructure for the planning proposal?*

An Infrastructure Report has been prepared that investigates the current provision of public infrastructure in the locality, the potential impact of the proposal and the adequacy for the existing networks to accommodate the proposal. A copy of the report is included as an annexure to this document.

In relation to roads, sewer, stormwater, water supply, electricity, gas and communication, the proposal will be adequately serviced with no identified detrimental impact on existing service provision. There are no identified limitations to the capacity of existing infrastructure networks to accommodate the proposal.

The subject land is currently serviced by a pressure sewer network, with some properties continuing with onsite effluent disposal systems. As outlined in the accompanying report, a new gravity sewer network will be installed as part of the progressive development of this land, designed to accommodate the upper limit dwelling tenement potential of the planning proposal. The additional network will augment current systems and ensure the decommissioning of any other existing onsite systems, with positive environmental benefits that will result. The layout and installation of the expanded sewer network will be in accordance with current Council development standards and guidelines.

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

The views of State and Commonwealth public authorities will be sought following the issue of a Gateway determination on this matter.

#### 5 MAPPING

The planning proposal seeks to amend the following map:

- Lot Size Map - Sheet LSZ\_004G

#### 6 COMMUNITY CONSULTATION DETAILS

Community consultation will be undertaken in accordance with relevant sections of the Act and Regulations. In addition, the Gateway determination will confirm the extent and nature of community consultation to be undertaken for the purposes of this proposal.

#### 7 PROJECT TIMELINE

Following lodgment of the planning proposal, Council will develop a project timeline including Council acceptance, Gateway determination, public exhibition, reporting, Ministerial (or delegated) approval and implementation.



**17043: Document History**

Revision No.	Date	Authorised By		
		Name/Position	Signature	Notes
Rev 1.0 – Draft	14/02/19	Rhiana Turner Assistant Planner	RT	For internal review
Rev 1.1 – Draft	12/04/19	Garry Salvestro Director	GS	For client review and preliminary discussion with Council.
Rev 1.2 – Edited Draft	7/05/19	Garry Salvestro Director	GS	For Council review
Rev 1.3 – Edited Draft	14/10/19	Garry Salvestro Director	GS	Edits from Council review
Rev 2.0 – Final	29/10/19	Garry Salvestro Director	GS	Issued for lodgment
Rev 2.1 – Edited	22/05/20	Garry Salvestro Director	GS	Amendments further to Council's review
Rev 2.2 – Final	22/05/20	Rhiana Reardon Assistant Planner	RR	Re-issued for lodgment



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ALVESTRO PLANNING

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**ANNEXURE 1: SITE SURVEY PLANS**

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**ANNEXURE 2: URBAN DESIGN REPORT**

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**ANNEXURE 3: EXISTING INFRASTRUCTURE REPORT**

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**ANNEXURE 4: PRELIMINARY SITE INVESTIGATION – SEPP55**

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ALVESTRO PLANNING

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**ANNEXURE 5: CULTURAL HERITAGE REPORT**



# **Planning Proposal (LEP19/0010) Infrastructure Assessment**

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Wagga Wagga City Council

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## Application details:

<b>Application Number</b>	LEP19/0010
<b>Applicant</b>	Salvestro Planning
<b>Property Details</b>	Lot 3 DP 241596, 10 Brunskill Road, Lake Albert Lot 2 DP 241596, 8 Brunskill Road, Lake Albert Lot 1 DP 241596, 6 Brunskill Road, Lake Albert Lot 18 DP 242227, 4 Brunskill Road, Lake Albert Lot 17 DP 242227, 2 Brunskill Road, Lake Albert Lot 1 DP 239050, 222 Mitchell Road, Lake Albert Lot 2 DP 239050, 232 Mitchell Road, Lake Albert Lot 3 DP 239050, 240 Mitchell Road, Lake Albert Lot 4 DP 239050, 244 Mitchell Road, Lake Albert Lot 5 DP 239050, 252 Mitchell Road, Lake Albert Lot 6 DP 239050, 262 Mitchell Road, Lake Albert Lot 7 DP 239050, 274 Mitchell Road, Lake Albert Lot 8 DP 239050, 1A Silverwood Road, Lake Albert Lot 16 DP 242227, 1 Silverwood Road, Lake Albert Lot 15 DP 242227, 3 Silverwood Road, Lake Albert Lot 17 DP 242904, 7 Birch Road, Lake Albert Lot 18 DP 242904, 5 Birch Road, Lake Albert Lot 19 DP 242904, 3 Birch Road, Lake Albert Lot 20 DP 242904, 1 Birch Road, Lake Albert
<b>Proposal Summary</b>	Amend the Wagga Wagga Local Environmental Plan minimum lot size from 2 hectares to a combination of 1,500m <sup>2</sup> , 2,000m <sup>2</sup> , 3,000m <sup>2</sup> and 4,000m <sup>2</sup> .
<b>Planning Assessment Officer</b>	Crystal Atkinson, Senior Strategic Planner
<b>Infrastructure Assessment Officer</b>	

## Flooding

### Overland Flow Flooding:

Recommendations: No particular issues other than overland flow paths will be required within the development site to accommodate 1% AFI flows.

### Riverine Flooding:

Recommendations: Not applicable

## Sewer

Recommendations:

- 1) Preferred location for the sewer pump station is within the proposed development site. This may be contrary to previous advice, however there are planning limitations

*(Bush Fire Prone zone, Major Overland Flood Flow zone for instance) that have the potential to limit further viable development to the west of this development site.*

*2) That further investigation be undertaken to find a suitable connection point to existing sewer gravity main infrastructure for the proposed rising main that will ensure that network overload does not occur due to increased flow from the site.*

## Stormwater

### Recommendations:

- 1) Full hydrology and hydraulic calculations relating to the site must be provided to ensure new drainage infrastructure being proposed is adequate to ensure downstream areas (including existing properties within the development site) will not be adversely affected by increased development and overland flows.*
- 2) Proposed landscaping area connecting to Brunskill Rd should be moved to the west to align with proposed internal road. This will ensure that drainage from the internal road has a direct outlet to Brunskill Rd*
- 3) Table drain within Brunskill Rd needs to be sized appropriately to accommodate additional stormwater from site*
- 4) Within the development site, where contours force drainage to boundary between “yellow” and “blue” areas, stormwater needs to be trapped and directed to proposed or existing roads.*

## Gas

Recommendations: *Gas infrastructure to be installed to Industry standard and in appropriate service allocation.*

## Telecommunications

Recommendations: *Telecommunication infrastructure to be installed to Industry standard guidelines and in appropriate service allocation.*

## Traffic

### Recommendations:

- 1) Traffic report to be developed to determine impact on existing road network and new intersections. Appropriate intersection treatments to be designed and installed to accommodate 30yr traffic horizon.*
- 2) Existing roads surrounding development site (Silverwood, Birch, Mitchell and Brunskill) need to be widened to standard required under WWCC Engineering Design Guideline.*
- 3) Pavement depths of existing roads surrounding development site need to be investigated to ensure sufficient capacity to withstand increased traffic volume*



*emanating from development site for 30 year life. If not then corrective action needs to be undertaken.*

- 4) *That road layout should be reassessed to remove awkward bends at three locations to ensure adequate sight distance at all times.*

## Electricity

Recommendations: *Electricity supply to be installed to Essential Energy guidelines and standards and in appropriate service allocation. To maintain rural style environment, consideration should be given to providing underground facility.*

## Water

Recommendations: *Water to be installed to Riverina Water guidelines and standards and in appropriate service allocation.*