

**PS RP-12 WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010,
AMENDMENT TO CORRECT LLOYD URBAN RELEASE AREA
ZONING ANOMALIES**

13/038 RESOLVED:

On the Motion of Councillors A Negline and Y Braid

That Council:

- a prepare a Planning Proposal under the provisions of Section 56(1) of the Environmental Planning and Assessment Act 1979 to amend the Wagga Wagga Local Environmental Plan 2010 to correct Lloyd urban release area zoning anomalies**
- b submit the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination**

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS - SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

For the Motion

The Mayor, Councillor R Kendall

Y Braid

A Brown

G Conkey OAM

P Funnell

G Hiscock

J McLaren

K Pascoe

A Negline

K Poynter

D Tout

Against the Motion

CARRIED

**RP-12 WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010,
AMENDMENT TO CORRECT LLOYD URBAN RELEASE AREA
ZONING ANOMALIES****Author:** Grant, Ian**Director:** Crakanthorp, Andrew**Recommendation****That Council:**

- a prepare a Planning Proposal under the provisions of Section 56(1) of the *Environmental Planning and Assessment Act 1979* to amend the Wagga Wagga Local Environmental Plan 2010 to correct Lloyd urban release area zoning anomalies**
- b submit the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination**

Executive Summary

This report advises Council of the inconsistency between the zoning of Lloyd urban release area and the adopted Lloyd lot layout and master plan and subsequently recommends that Council resolve to prepare a Planning Proposal to address the inconsistencies.

Report

The Wagga Wagga Local Environmental Plan 2010 (WWLEP) zoning map for the Lloyd URA was based on the intended layout for the new residential area at the time the plan was made.

The resolution of the Lloyd urban release area (Lloyd URA) master plan and final lot layout for residential subdivision has resulted in some of the lots for stages 1 and 2 of the Lloyd URA being part zoned R1 general residential and part RU1 primary production (see attachment 1). As a result, Council is unable to approve residential development on the lots part zoned primary production as they cannot comply with the 200 hectare minimum lot size that applies to the primary production zone. Areas proposed to be rezoned to general residential will also require a change on the minimum lot size map from 200 hectares to no minimum lot size.

In addition, there are minor zoning anomalies between various zones proposed for rezoning to ensure areas identified for recreation and environmental protection in the adopted Lloyd URA master plan are achieved. Amendments required are identified in Attachment 2 along with the total area of land proposed to be rezoned.

The changes do not adversely affect the environmental and conservation outcomes for the Lloyd URA and are consistent with the adopted master plan.

The Lloyd URA master plan was placed on public exhibition with the revised Wagga Wagga Development Control Plan 2010, Section 15 – Lloyd Urban Release Area during July and August 2012. A report recommending the approval of that Plan was presented to Council on Monday 17 December 2012. The exhibition material included Attachment 2 identifying land that would require rezoning as a result of the adoption of the exhibited plan. As a result of the exhibition, a total of 23 submissions

were received that raised concerns. No concerns were raised in relation to the proposed lot layout.

To rectify the anomalies, it is recommended that a planning proposal be prepared under section 56(1) of the *Environmental Planning and Assessment Act 1979* based on the above information and Attachment 2 proposing amendments to the WWLEP land zoning and minimum lot size maps and the proposal to be forwarded to the Department of Planning and Infrastructure for Gateway Determination to enable the proposal to proceed.

Budget

There are no identified budgetary implication as a result of this report.

Policy

Environmental Planning and Assessment Act 1979.

Wagga Wagga Local Environmental Plan 2010, as amended.

Wagga Wagga Development Control Plan 2010, as amended.

Impact on Public Utilities

N/A

Link to Strategic Plan

6. A sustainable environment

6.4 Develop sustainable built and natural environments for current and future generations through effective land-use management and planning

QBL Analysis

	Positive	Negative
Social	The proposed changes will ensure more logical and efficient development outcomes within the Lloyd urban release area.	N/A
Environmental	The proposed changes do not affect the environmental and conservation outcomes of the urban release area.	The zoning for stages 3 and 4 of Lloyd urban release area and the approved lot layout allow a small number additional access points to the Wiradjuri walking track until development of stages 3 and 4 occur.
Economic	The costs associated with part zoning of lots will be removed.	Land zoned environmental conservation or recreation becomes an ongoing maintenance cost for Council.

	Positive	Negative
Governance	The changes ameliorate the need for Council to refuse development applications based on part zoning issues.	N/A

Risk Management and Work Health and Safety Issues for Council

There are no associated risk management or work health and safety issues as a result of this report.

Internal / External Consultation

Internal and external consultation has been undertaken as a result of the adoption of the Lloyd urban release area master plan. Additional consultation will be undertaken as required by the Department of Planning and Infrastructure as a result of Gateway Determination.

Attachments

1. Lloyd Urban Release Area Zoning
2. Lloyd Urban Release Area Zoning amendment requirements



