

PLANNING PROPOSAL

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The purpose of this planning proposal is to amend Wagga Wagga Local Environmental Plan (LEP) 2010 by rezoning land and amending minimum lot sizes within the Lloyd Urban Release Area (URA) to reflect the adopted master plan. The area of the Lloyd Urban Release Area is indicated in the image in Attachment 1, and is bounded by Redhill Rd, Olympic Highway and Holbrook Rd.

PART 2 – EXPLANATION OF THE PROVISIONS

The current WWLEP and maps for the Lloyd URA were based on the intended layout for the new residential subdivision at the time the plan was made.

During the time of adopting the Lloyd Development Control Plan and subsequent master plan (see Attachment 2 for the adopted masterplan), the consultant identified a range of zoning anomalies. These are identified in Attachment 3, and were presented and adopted by Council.

Due to a number of zoning changes, the Lloyd URA map will also be amended, in addition to the Protected Regrowth Area map CL1_004B and Land Reservation Acquisition Map LRA_004A for changes to land zoned RE1.

PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

This planning proposal is not a result of any studies however the original Lloyd URA and masterplan was the subject of background studies including:

- Lloyd Local Environmental Study (Willana, June 2002)
- Lloyd Aboriginal Study, 2005
- Lloyd Neighbourhood Rail Noise and Vibration Assessment (Bassett Acoustics, 2006)
- Assessment of Significance (Eco Logical, 2006)
- Lloyd Subdivision, Infiltration and Groundwater Recharge Assessment (EA Systems 2008)
- Salinity Risk and Mitigation Assessment: Lloyd Subdivision, Wagga Wagga (EA Systems, 2009)
- Salinity Risk Reassessment Process and Criteria for the Lloyd Residential Subdivision (EA Systems, 2010)

These studies confirm that development can occur in the Lloyd URA subject to suggested controls and measures.

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

Yes, the nature of this planning proposal is to amend the WWLEP in the shortest time possible as development consent is waiting to be granted. A planning proposal is the only means to meet the objectives and intended outcomes.

After the Council resolution to send to the Department for Gateway Determination, an error became evident with the adopted zoning anomalies. With the exception of the following exclusions, all other zoning amendments are supported and discussed in this proposal.

Exclusions

Area A

The land excluded from rezoning is not in private ownership and is a crown road used to access the Wiradjuri Walking Track. The road is not of environmental significance and rezoning to E2 Environmental Conservation is not suitable. Area A is identified in Attachment 4. Area A is not identified in Attachment 3, the correct zoning and lot size changes.

Zoning and lot size amendments

The Lloyd master plan and lot layout for residential subdivision has resulted in some of the lots of the Lloyd URA being part zoned R1 General Residential and part RU1 Primary Production. This land has already been granted subdivision approval and development applications are pending until the zoning issues are resolved. As a result, Council is unable to approve residential development on these lots as they cannot comply with the 200 hectare minimum lot size that applies to the primary production zone. These areas will not only require a zoning amendment, but amendments to the minimum lot size map from 200 hectares to no minimum lot size.

In addition to this, there are minor zoning anomalies between various zones which are also proposed to be rezoned to ensure areas identified for recreation and environmental protection in the Lloyd URA master plan are achieved. The changes do not adversely affect the environmental and conservation outcomes for the Lloyd URA and are consistent with the adopted master plan.

A full summary of the proposed changes are identified below with the proposed map change. The corresponding number to the location of the amendment is indicated in Attachment 2, however please note Attachment 3 is the final proposal, and the following figures provide corrected area amounts:

1. R1 to RE1 – zoning amendment (14524sqm)
2. E2 to RE1 – zoning amendment (1940sqm)
3. RE1 to E2 – zoning amendment (510sqm)
4. RU1 to E2 – zoning amendment and minimum lot size amendment from 200ha to nil (2270sqm)
5. R1 to E2 - zoning amendment and minimum lot size amendment from nil to 200ha (22601sqm)
6. RE1 to R1 – zoning amendment (10133sqm)
7. RU1 to R1 – zoning amendment and minimum lot size amendment from 200ha to nil (46187sqm)
8. R5 to R1 – zoning amendment (2785sqm)

9. E2 to R1 – zoning amendment and minimum lot size amendment from 200ha to nil (2375sqm)
10. RE1 to RU1 – zoning amendment and minimum lot size from nil to 200ha (3076sqm)
11. R1 to RU1 - zoning amendment and minimum lot size from nil to 200ha (54090sqm)
12. R5 to RU1 - zoning amendment and minimum lot size from nil to 200ha (1513sqm)
13. B1 to RU1 - zoning amendment and minimum lot size from nil to 200ha (1486sqm)
14. RU1 to B1 - zoning amendment and minimum lot size from 200ha to nil (326sqm)
15. R1 to R5 – zoning amendment (3742sqm)

Section B – Relationship to strategic planning framework.

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The Riverina Regional Action Plan applies to the Wagga Wagga Local Government Area. This proposal is consistent with the objectives and actions contained within the regional strategy.

4. Is the planning proposal consistent with the council's local strategy or other local strategic plan?

The Wagga Wagga Community Strategic Plan 2011-21 includes a key principle to 'Develop sustainable built and natural environments for current and future generations through effective land-use management and planning'. The planning proposal is consistent with the above by amending the LEP, they key land-use document for the LGA.

Spatial Plan 2008

The Spatial Plan 2008 includes the following principles and guidelines:

- Section 2.3: "Use the Standard Instrument to provide the best outcomes for rural land uses";
- Section 2.4: "Use the Standard Instrument to provide the best outcomes for residential land uses"; and
- Section 2.4: "Housing and infrastructure planning which addresses localised environmental constraint and opportunities, and is buffered from incompatible land use and adverse impacts".

The planning proposal is consistent with these principles and guidelines of the Spatial Plan.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

SEPP (Rural Lands) 2008

The SEPP includes a number of rural planning principles which are to be met as directed by the Minister under section 117 of the Environmental Planning and Assessment Act and the direction '1.5 Rural Lands'. The principles and an

assessment of how the proposal meets these principles are provided in the table below.

The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas	Consistent. Although the proposal is seeking to rezone RU1 zoned land to other zones, the land is subject to an adopted master plan and is seeking to rectify zoning anomalies. All remaining RU1 land is retained.
Recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State	Consistent. Areas within and surrounding the Lloyd URA are zoned RU1 for the purposes of retaining valuable rural lands for agricultural uses.
Recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development	Consistent. The proposal is seeking to rezone the land only to ensure that the zone conforms with the adopted masterplan and does not jeopardise the development potential for other rural agricultural land.
In planning for rural lands, to balance the social, economic and environmental interests of the community	Consistent. The proposal seeks to rezone land to ensure the adopted masterplan is reflected by the correct zone. This provides for greater development potential of non-rural lands and retains significant RU1 zoned land within the surrounding area.
The identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land	Consistent. The proposal does not impact on development requirements for the land which may be required at development assessment stage. Significant portions of E2 Environmental Conservation zoned land are retained to protect the extensive White Box Woodlands that provide habitat for a range of threatened fauna, including the endangered population of Squirrel Gliders.
The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities	Consistent. The proposal is not seeking to remove any other rural zoned land, and only rezones portions of land that are inconsistent with the adopted masterplan.
The consideration of impacts on services and infrastructure and appropriate location when providing for rural housing	N/A. The proposal is not seeking to provide rural housing.
Ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General	N/A. There is no regional or local strategy applicable to the Wagga Wagga LGA.

There are no other SEPPs which apply to this planning proposal.

6. Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Direction	Consistent?
1.1 Business and Industrial zones	Yes. The planning proposal retains the proposed B2 zone which encourages local employment.
1.2 Rural zones	No. The planning proposal seeks to rezone land zoned RU1 to R1, E2 and B1 which is not consistent with the direction. However, this is considered of minor insignificance as the planning proposal seeks to rezone RU1 land to rectify zoning anomalies for an adopted masterplan.
1.5 Rural Lands	Yes. Refer to number 5 above for consistency with SEPP (Rural Lands) 2008.
2.1 Environment Protection zones	Yes. The planning proposal seeks to rezone parts of land zoned E2 to RE1 and R1 however this is to ensure the adopted masterplan is reflected by the correct zoning. To counteract this, portions of land currently zoned RE1 and RU1 are proposed to be rezoned to E2, protecting the significant White Box Woodlands that provide habitat for a range of threatened fauna, including an endangered population of Squirrel Gliders.
2.3 Heritage Conservation	Yes. The planning proposal does not impact on areas of heritage or indigenous heritage significance.
2.4 Recreation Vehicle Areas	Yes. The planning proposal does not impact on areas for recreational vehicle use.
3.1 Residential zones	Yes. The Lloyd URA provides for additional housing choice which will be adequately serviced. This planning proposal does not expand on the URA but only rectifies zoning anomalies to ensure the LEP is consistent with the adopted masterplan.
3.2 Caravan Parks and Manufactured Home Estates	Yes. The planning proposal does not contain any items relating to caravan parks or manufactured home estates.
3.3 Home Occupations	Yes. This planning proposal does not impact on the ability for a home occupation to be carried out without development consent.
3.4 Integrating Land Use and Transport	Yes. The planning proposal does not impact on existing provisions and the

	subdivision which are already consistent with both the 'Improving Transport Choice – Guidelines for planning and development' and 'The Right Place for Business and Services – Planning Policy'.
4.4 Planning for Bushfire Protection	Yes. Provisions to address bushfire planning are incorporated into other Council planning documents. The NSW Rural Fire Service will be consulted once the Gateway Determination has been issued.
5.1 Implementation of Regional Strategies	Yes. The planning proposal is consistent with the Riverina Regional Action Plan.
6.1 Approval and Referral requirements	Yes. The planning proposal contains provisions which do not impact on the need for referral to public authorities or the Minister.
6.2 Reserving Land for Public Purposes	No. The planning proposal will alter RE1 zones. The planning proposal proposes rezoning 1.3719 ha of land zoned RE1 Public Recreation Zone to R1 General Residential Zone (1.0133 ha), E2 Environmental Conservation Zone (510 m2) and RU1 Primary Production Zone (3,076 m2). 1.6464 ha of land will be rezoned from R1 General Residential Zone (1.4524 ha) and E2 Environmental Conservation Zone (1,940 m2) to RE1 Public Recreation Zone. The planning proposal will create a net gain of 2,745 ha of land zoned RE1 Public Recreation Zone, therefore the inconsistency is considered of minor significance.

Section C – Environmental, social and economic impact.

7. 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?

No. The natural environment of Lloyd has been described in Mullins and Sutherland, 2002, Ecological Australia Pty Ltd, 2007 and Thompson, 2007 as containing outstanding examples of extensive White Box Woodlands (part of the Box-Gum Woodland Endangered Ecological) that provide habitat for a range of threatened fauna, including an endangered population of Squirrel Gliders.

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

There are no anticipated environmental effects resulting from the planning proposal. The proposal seeks to rectify the anomalies occurring on E2 environmental zoned land.

9. How has the planning proposal adequately addressed any social and economic effects?

The planning proposal provides for development which will boost the economy in Wagga by providing for an increase in housing in response to the growing population. The planning proposal also supports the best economic use for the land.

The planning proposal also amends zoning anomalies for land zoned RE1. Rectifying this issue will provide for areas of open space and recreation activities within the Lloyd neighbourhood.

Section D – State and Commonwealth interests.

10. Is there adequate public infrastructure for the planning proposal?

Yes. As there is an adopted masterplan for the area, planning for infrastructure was considered at this stage. The planning proposal will not result in the need for further infrastructure.

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

Any relevant public authority will be consulted once the Gateway determination has been issued and approval granted to proceed with the planning proposal.

PART 4 – MAPPING

Draft site identification maps are provided in Attachment 1 and 2. The following maps are proposed to be amended as part of this planning proposal. Final maps will be consistent with the Department of Planning and Infrastructure's mapping requirements.

- 7750_COM_LSZ_004_160_20121205
- 7750_COM_LZN_004D_020_20120530
- 7750_COM_URA_004A_020_20100625
- 7750_COM_LRA_004A_020_20100625
- 7750_COM_CL1_004B_020_20100629

PART 5 – COMMUNITY CONSULTATION

The extent of community consultation will be determined by the Gateway Determination.

PART 6 – PROJECT TIMELINE

STAGE	TIMING
Anticipated commencement date	May 2013
Anticipated timeframe for completion of required technical information	May 2013
Timeframe for government agency consultation	June 2013
Commencement and completion dates for public exhibition period	June 2013
Dates for public hearing	N/A
Timeframe for consideration of submissions	June 2013
Timeframe for consideration of a proposal post exhibition	July 2013
Date of submission to the department to finalise the LEP	July 2013
Anticipated date RPA will make the plan	August 2013
Anticipated date RPA will forward to the department for notification	August 2013